

Town of Hamburg
Planning Board Meeting
October 21, 2015
Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 P.M., followed by a Regular Meeting at 7:00 P.M., on Wednesday, October 7, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Vice-Chairman David Bellissimo, Stephen McCabe, Joseph Collins, Augie Geraci, Doug Schawel and William Clark.

Others in attendance included Town Planners Andrew Reilly and Sarah desJardins, Principal Engineer Rick Lardo and Attorney Ryan McCann.

Excused: Chairman Daniel O'Connell

WORK SESSION

Colley's Pools (4953 Camp Road) – Requesting Site Plan Approval of a 17,600 sq.ft. retail/restaurant building and related parking

Chris Wood from Carmina, Wood Morris, representing the applicant, stated that Colley's Pools proposes to redevelop the front portion of the 12-acre parcel. He stated that the existing pool park (sample pool displays) will be relocated behind the warehouse building currently being renovated, and a new 17,600 sq.ft. multi-tenant building is proposed. He noted that substantial parking and drainage improvements are also proposed.

Mr. Reilly stated that when the warehouse that is currently under construction was approved by the Planning Board, the storage trailers on site were to be removed. He noted that these have been removed, but the overall site is a mess. He asked Mr. Wood to ask the applicant to clean up the site.

Mr. Reilly asked Board members to visit the site in a week to see how it looks.

Mr. Lardo stated that the service road on the north side of the site is not paved. He further stated that if an area is to be used for static storage, millings are acceptable, but he noted that he only sees driving areas on the Site Plan, and driving areas are required to be paved.

Mr. Wood agreed to provide the Board with renderings of the proposed signage, as well as what the front of the building would look like from Camp Road.

Mr. McCabe made a motion, seconded by Mr. Clark, to schedule a public hearing for this project to be held on November 4, 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

Public Hearing - Carbon Activated Corporation – Requesting Site Plan Approval of a new 3,600 sq.ft. building to be located at 3774 Hoover Road

Mr. McCabe read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a proposal by Carbon Activated Corporation to construct a 3,600 sq.ft. cold storage building at 3774 Hoover Road. The Public Hearing will be held on October 21, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Vice-Chairman Bellissimo declared the public hearing open. The following people spoke:

Donald Weiss, 2963 Cloverbank Road, stated that the distance from the proposed building to the side lot line was not indicated on the Site Plan.

Vice-Chairman Bellissimo declared the public hearing closed.

Mr. Clark made the following motion, seconded by Mr. Collins:

“In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Carbon Activated Corporation project, received input from various Town departments and held the required public hearing on October 21, 2015. The project meets the criteria established in the SEQR law as a Type II action (617.5 (c) (7) and therefore does not require completion of the SEQR process.

Motion to grant Conditional Site Plan Approval with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated October 21, 2015.
- The landscaping plan shall be reviewed and approved by the Planning Department.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Public Hearing - Hamburg Brewing Company – Requesting Site Plan Approval of a new 6,000 sq.ft. building to be located at 6553 Boston State Road

Mr. McCabe read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a proposal by Hamburg Brewing Company to construct a 6,000 sq.ft. storage building at 6575 Boston State Road. The Public Hearing will be held on October 21, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Vice-Chairman Bellissimo declared the public hearing open. The following people

spoke:

Donald Weiss, 2963 Cloverbank Road, stated that the Site Plan indicates that the new building will be 5,000 sq.ft., but the dimensions on the drawing equal 6,000 sq.ft.

Vice-Chairman Bellissimo declared the public hearing closed.

Mr. Reilly stated that this project is still in conformance with the Special Use Permit granted by the Planning Board previously.

Mr. Clark made the following motion regarding SEQR, seconded by Mr. Collins:

“In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Hamburg Brewing Company project, received input from various Town departments and held the required public hearing on October 21, 2015. Based on this review and input, the Planning Board has determined that the project is not anticipated to result in any significant adverse environmental impacts and that a Negative Declaration is hereby issued. The Planning Board Chairman is authorized to sign the EAF.”

Carried.

Mr. Clark made the following motion regarding approval, seconded by Mr. McCabe:

“Conditional Site Plan Approval is hereby granted with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated October 21, 2015.
- The landscaping plan shall be reviewed and approved by the Planning Department.
- The Site Plan shall be amended to show 6,000 sq.ft. rather than 5,000 sq.ft.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Upstate Tower – Requesting a Special Use Permit for and Site Plan Approval of a proposed cellular tower to be located on vacant land (north side of Cloverbank Road)

Mr. Don Carpenter from Carpenter Consulting Group, representing the applicant, stated that the applicant proposes to install a 175-foot-tall cellular tower on vacant land on Cloverbank Road across from the existing broadcast towers. He further stated that the tower would be located as far back from the road as possible while keeping it at least 175 feet from all property lines. He noted that the applicant is proposing to purchase the entire lot, and there are no future plans for the balance of the property.

Mr. Carpenter stated that there is a gap in coverage due west of the country club, north of Cloverbank Road and south of Rogers Road, which is why this property was chosen.

Mr. Carpenter stated that once Blue Wireless is on this tower, Upstate Tower will lease it to any other interested carriers, which should limit the number of proposed towers in this area.

Mr. Reilly stated that R-1 property is the least preferred site for cellular towers, so the Planning Board must follow some very strict criteria to make sure that this proposal meets the requirements of the Code regarding location of cellular towers.

Mr. Carpenter stated that he did look into co-locating on the existing radio tower, but the engineer for that tower did not seem to be in favor of co-locating.

Mr. Carpenter stated that if the Planning Board wishes, the tower could be painted white so as to be less visually intrusive.

Vice-Chairman Bellissimo stated that he would like the applicant to make the tower as visually unobtrusive as possible.

Donald Weiss, 2963 Cloverbank Road, stated that the address used by the applicant (2901 Cloverbank Road) is incorrect, as that is the address of the property on the south side of Cloverbank Road where the broadcast towers are.

Lisa Avery, 2919 Cloverbank Road, stated that the letter she received was very vague, and she called the Planning Department and was given the details of the proposal. She stated that she would rather see the tower painted brown rather than white.

Kyle Kraus, 5293 Briercliff, stated that he represents the 180 homeowner in the Briercliff development. He stated that he has shown the homeowners in the area where the tower is proposed, and the confusion regarding where it is going has been cleared up. He asked if the applicant has approached both Crawford Communications and WNED about co-locating on one (1) of the four (4) existing towers at 2901 Cloverbank Road. He stated that there are other towers at a comparable height to the one that is proposed. He asked what Blue Wireless' process of obtaining other carriers is. He stated that the Briercliff homeowners do not vehemently object to the tower and would be happy to get better cellular service. He asked where the access road would be to the tower.

Mr. Geraci made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on November 4 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

James Grandoni Subdivision (Winslow Road)

Mr. Reilly stated that the applicant has agreed that Lot # 1 will only have a single-family home on it.

Mr. Clark made the following motion regarding SEQR, seconded by Mr. Collins:

“In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the proposed Grandoni Three-Lot Subdivision. Based on the Preliminary Plan , review of the submitted materials , input from other departments, committees and agencies, and consideration of public input, the Planning Board has concluded that the project’s environmental impacts have been avoided or mitigated to the maximum extent practicable. Therefore, the Planning Board has determined that the proposed Grandoni Three-Lot Subdivision is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued. The Planning Board Chairman is authorized to sign the Environmental Assessment Form.”

Carried.

Mr. Clark made the following motion regarding approval, seconded by Mr. McCabe:

“The Hamburg Planning Board hereby grants Preliminary Plat Approval for the Grandoni Three-Lot Subdivision based on the submitted Preliminary Plan received on October 21, 2015 with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter memo dated October 21, 2015.
2. All lots will be single-family home lots, and this will be notated on the Preliminary Plat.
3. The single-family home to be constructed on Lot # 1 will be set back at least 30 feet from the top of the bank, as indicated on the drawing.
4. The installation of sidewalks shall be required.
5. The Planning Board Chairman is authorized to sign the Preliminary Plat only after the Planning Department receives verification from the Town Attorney’s office that the White Avenue deed transfer has been properly recorded at the Erie County Clerk’s office.
6. The filling of a Map Cover shall not be waived.
7. A conservation easement will be placed from the top of the bank as indicated on the drawing toward the creek to the property line.”

Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Geraci made a motion, seconded by Mr. McCabe, to approve the minutes of October 7, 2015. Carried.

Vice-Chairman Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary

Planning Board

Date: October 28, 2015