

Town of Hamburg  
Planning Board Meeting  
November 18, 2015  
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, November 18, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, David Bellissimo, Joseph Collins, Stephen McCabe, Augie Geraci, Doug Schawel and William Clark.

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

Board members stood for a moment of silence in condolence for the loss of life in Paris and the families involved. They also honored Paul Eustace, former longtime Planning Board member and Zoning Board of Appeals member, who recently passed away.

**REGULAR MEETING**

**Public Hearing, 7:00 P.M., Ford Motor Company (3663 Lakeshore Road) – Requesting Site Plan Approval of a 30,000 sq.ft. addition to the existing Buffalo Stamping Plant**

Mr. Andy Gow from Nussbaumer & Clarke, representing the applicant, stated that the applicant proposes to construct a 31,000 sq.ft. addition along the north and west sides of the existing building. He noted that the addition is for the storage of the racking that currently is stored outside the building. He further stated that the addition would have a two-truck loading dock attached to it, and no additional parking is proposed.

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 the Ford Motor Company to construct a +/- 30,000 sq.ft. addition to the existing facility at 3663 Lakeshore Road. The Public Hearing will be held on November 18, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Chairman O'Connell declared the public hearing open. No one spoke.

Chairman O'Connell declared the public hearing closed.

Mr. Bellissimo made the following motion, seconded by Mr. Schawel, regarding SEQR:

“Based on the information submitted for the Ford Stamping Plant project that includes the construction of a 31,000 sq. foot addition to the existing building at 3663 Lakeshore Road, the Planning Board has determined based on review and completion of the SEQR EAF, that the proposed project will not result in any significant adverse environmental impact, and a Negative Declaration is hereby issued.” Carried.

Mr. Bellissimo made the following motion, seconded by Mr. Schawel, regarding approval:

“The Planning Board hereby grants Conditional Site Plan Approval for the Ford Stamping Plant 31,000 sq.ft. addition at 3663 Lakeshore Road with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated November 18, 2015.
2. The landscaping plan requirement shall be waived.”

Carried.

Engineering Department comments have been filed with the Planning Department.

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

Mr. Reilly stated that the property owner has indicated that he does not wish to pave the area in the back of the property that is used for storage and business vehicles, which is required by the Engineering Department.

It was determined that the property does not look any better than it did two weeks prior, when the Planning Board directed the applicant to clean up the property

Board members agreed that the proposal would be tabled

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

**Public Hearing - 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 he received an email from Mr. Chris Alexander, the engineer associated with the radio station across the street from the parcel on which the tower is proposed. He stated that Mr. Alexander explained why the radio station does not want the cellular antenna co-located on its tower.

Board members agreed that a conservation easement in the name of the Town of Hamburg would be placed on the portion of the parcel that is 175 feet from the tower and parallel to Cloverbank Road.

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

“Based on the information submitted for the Tower Special Permit in accordance with Section 280-333, as well as the Full Environmental Assessment Form (FEAF), the Planning Board has determined that the proposal to erect a 175-foot tall cellular tower on vacant land opposite 2901 Cloverbank Road, which is a Type I Action under SEQR, will not result in any significant adverse environmental impact and a Negative Declaration is hereby issued.” Carried.

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

The Planning Board, in reviewing this proposed Tower Special Permit application, has determined, in accordance with Section 280-334, that:

- The tower is proposed in an R-1 District, which is the least favorable site preferred by the Town of Hamburg. However, the applicant has indicated that there is a gap in cellular coverage due west of Brierwood Country Club, north of Cloverbank Road and south of Rogers Road, and there are no other preferred locations available. Therefore, this property was chosen. In addition, the applicant has contacted Crawford Broadcasting regarding the possibility of co-locating on the existing radio tower at 2901 Cloverbank Road, but the engineer responsible for that tower indicated that this is not feasible.
- The tower will be a monopole tower.
- The applicant has shown that he has made good-faith efforts to co-locate on an existing tower or other available and appropriate structures and/or to construct the new tower near existing towers in order to consolidate any visual disturbances.
- The tower is designed and sited so as to avoid application of FAA lighting and painting requirements. The tower will, however, be artificially lighted in the interest of safety because of its proximity to the Mercy Flight area of operation.
- The applicant has submitted a copy of its policy regarding co-location on the proposed tower with other potential future applicants.

Therefore, based on the SEQR Negative Declaration, the information submitted and the Tower Special Permit discussion, the Planning Board approves the issuance of a Tower Special Permit with the following conditions:

1. The existing trees and vegetation on the property on which the tower will be constructed shall be preserved in order to screen the bottom of the tower from nearby residences.
2. The tower will be of a non-reflective finish.
3. The tower shall not contain any signs or advertising devices. A small sign shall be placed on the fencing to identify the ownership of the facility.
4. A road turnaround and one parking space shall be provided to assure adequate emergency and service access.
5. The tower shall be enclosed by a fence not less than eight feet in height.
6. The applicant shall remove the tower if the telecommunications facility becomes obsolete or ceases to be used for its intended purpose for 12 consecutive months. The applicant shall provide a demolition bond in an amount as determined by the Town for

purposes of removing the telecommunications facility in case the applicant fails to do so as required above.

7. Every three years after the tower is constructed, the applicant shall provide a certification from a qualified professional engineer certifying that the tower meets applicable structural safety standards.
8. The tower shall be maintained in good order and repair.
9. A conservation easement shall be provided to the Town of Hamburg. This easement will cover the area from an arc 175 feet from the base of the tower to the south boundary of the property, parallel to Cloverbank Road.

On the question:

Mr. Reilly clarified that the conservation easement area will be the portion of the property that is 175 feet from the tower, drawing a line parallel to the road, and north of the drawn line.

Carried.

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to amend the second bullet in the approval motion to read as follows:

“The tower will be a lattice tower as shown on the drawing dated August 27, 2015.” Carried.

Mr. Lardo stated that the drawing must be revised to show the conservation easement, and the conservation easement must be filed by the applicant’s attorney before a Building Permit is issued.

Engineering Department comments have been filed with the Planning Department.

**OTHER BUSINESS**

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:25 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary  
Planning Board

Date: November 25, 2015