

Town of Hamburg  
Planning Board Meeting  
November 4, 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, November 4, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, David Bellissimo, Stephen McCabe, 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: Joseph Collins

### **WORK SESSION**

#### **Ford 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 30,000 sq.ft. addition along the west side 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. Bellissimo made a motion, seconded by Mr. Clark, to schedule a public hearing for this project to be held on November 18, 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

#### **Dollar General – Requesting Sketch Plan Direction on a new 7,510 sq.ft. store to be located on vacant land on the west side of South Park Avenue, just north of Southwestern Boulevard**

Matt Sutton from C & S Engineers, representing the applicant, stated that the applicant proposes to construct a new Dollar General store in a small area between the existing doggy day care business to the north and the bar to the south. He noted that the proposed sketch plan was submitted to the New York State Department of Transportation (NYSDOT) for input, and the NYSDOT representative indicated that he does not like the existing driveway access situation on that stretch of South Park Avenue. He stated that the NYSDOT representative further indicated that if, as a result

of this project, two (2) driveways are removed and replaced with one (1) new one, he would see that as a positive and would consider it.

Mr. Sutton stated that all aspects of this project would comply with the Town's Zoning Code.

Chairman O'Connell stated that he believes this project would create a very dangerous situation, and vehicles would have to wait a very long time to get out onto South Park Avenue. He further stated that he feels Dollar General should look for a different site.

Mr. Sutton stated that this store would be smaller than the prototype Dollar General Store, although the same number of parking spaces would be proposed. He stated that deliveries would be made from a fairly large truck, and enough space is provided for those deliveries.

Mr. Geraci stated that this is a very highly travelled area.

It was determined that the applicant will discuss this project with the Traffic Safety Advisory Board at its next meeting.

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to table this project. Carried. Engineering Department comments have been filed with the Planning Department.

## **REGULAR MEETING**

### **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 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 approximately 500 feet from the road and more than 175 feet from all property lines. He noted that the tower would be located more than 500 feet from the nearest home, and where it would be located would be 25 feet lower than Cloverbank Road, so it would actually appear to be 150 feet high.

Mr. Carpenter stated that as a result of the discussion at the previous Planning Board meeting, he spent a good deal of time trying to get something in writing from Mr. Chris Alexander, the main maintenance and design engineer at Crawford Broadcasting, regarding the idea of co-locating on the existing radio tower across the street. He stated that according to Mr. Alexander, the isocouples that would be required in order to mount the Upstate Tower antennas would cost between \$300,000 and \$400,000, and Crawford Broadcasting would have to modify its license, which would cost approximately \$100,000.

Mr. Carpenter submitted a copy of the Federal Aviation Administration (FAA) filing, which determines whether an applicant proposing a tower must file the structure with

the FAA or the Federal Communications Commission (FCC). He noted that his client does not have to file this tower with either the FAA or the FCC and does not have to light the tower per the FAA filing.

Mr. Reilly stated that the Town of Hamburg requires that all cellular towers be lit and prefers that it be a steady red beacon because of Mercy Flight. Mr. Carpenter stated that the applicant proposes that the tower be lit.

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 Up State Tower Co. LLC to erect a telecommunications facility on vacant land, north side of Cloverbank Road opposite 2901 Cloverbank Road. The Public Hearing will be held on November 4, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Chairman O’Connell declared the public hearing open. The following people spoke:

- Donald Weiss, 2963 Cloverbank Road, asked that the letter he submitted to the Planning Board be entered into the record. He asked if the applicant has purchased the property already and was informed that the applicant has a contingent contract of sale for the property. He stated that he is concerned about the height of the tower and asked if that height is necessary. He asked if the Planning Board had received a letter from Mr. Christopher Alexander and was told that the Planning Board has not received a letter. He asked why the applicant does not plan to collocate on another tower. He stated that it takes a long time to get FCC approval. He asked how many people were notified by certified letter of the proposed cellular tower and stated that he was told by Crawford Broadcasting that they were not notified of the tower. He stated that he was informed that Crawford Broadcasting has no plans to remove the towers on the property at 2901 Cloverbank Road. He stated that he would not prefer that the tower be lit with a flashing light. He stated that he is concerned about the tower’s assessed valuation. He asked if the tower would emit any dangerous radio waves.

Chairman O’Connell declared the public hearing closed.

Mr. Reilly asked Board members if they have enough information to make a decision. He noted that the applicant has submitted the required information per the Town Code.

Mr. Reilly asked Mr. Carpenter to indicate on the site plan that the 175 feet surrounding the tower would stay in its natural condition.

Board members agreed that the Planning Department would put resolutions together for approval and a SEQR Negative Declaration for the Board’s next meeting.

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

Engineering Department comments have been filed with the Planning Department.

### **Public Hearing - 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 164 parking spaces are also proposed.

Regarding the existing driveway on the north side of the property, Mr. Wood stated that the plans have been revised to show it resurfaced. He further stated that the area in the rear of the site where there have been complaints about dust is now shown being paved on the plans. He noted that dumpsters are proposed behind the proposed building.

Mr. Wood stated that a ground sign is proposed. He further stated that there would be no signage on the rear of the building.

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 Colley’s Pools to construct a new 17,600 sq.ft. retail/restaurant building on property located at 4953 Camp Road. The Public Hearing will be held on November 4, 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.

In response to a question from Chairman O’Connell, Mr. Wood stated that the storage trailers have been removed.

Mr. Lardo stated that the outside storage areas must be designated on the plans.

Board members agreed that the Planning Department would put resolutions together for approval and a SEQR Negative Declaration for the Board’s next meeting.

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

Engineering Department comments have been filed with the Planning Department.

## **OTHER BUSINESS**

Mr. Bellissimo made a motion, seconded by Mr. Geraci, to approve the minutes of October 21, 2015. As the vote on the motion was five (5) ayes and one (1) abstention (Chairman O’Connell), the motion carried.

Vice-Chairman Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:40 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary

Planning Board

Date: November 25, 2015

