

Town of Hamburg  
Planning Board Meeting  
February 18, 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, February 18, 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, William Clark and Joseph Collins.

Others in attendance included Planning Board Attorney Ryan McCann, Assistant Municipal Engineer Rick Lardo and Town Planner Andrew Reilly.

### **WORK SESSION**

#### **Gardner Low – Requesting rezoning of a portion of the property located at 5523 Rogers Road from R-A to R-2**

Mr. Reilly stated that this property is owned by Gardner Low and has been utilized by Cooper Ridge Nursery. He noted that Mr. Low would like to rezone a portion of the property from R-A to R-2 to allow for a five-lot single-family subdivision to be developed along Bridlewood Lane. He further stated that all of the properties around this parcel are zoned R-2.

Mr. Reilly stated that the surrounding neighbors have complained for years about the condition of this property, so this might be considered a positive to those nearby residents. He also noted, however, that whenever additional homes are proposed, surrounding residents sometimes oppose that.

Mr. Reilly stated that the Planning Board should discuss with the applicant how he plans to better maintain the portion of the property that remains zoned R-A.

Board members discussed the lack of maintenance of the property, and they indicated a desire to encourage the applicant to make the property look better. Board members agreed that they will think about conditions to attach to a recommendation to the Town Board to approve the rezoning.

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

Engineering Department comments have been filed with the Planning Department.

#### **Popeye's Restaurant (McKinley Parkway)**

Stephen J. Luise, Jr. from EBI Consultants, representing the applicant, stated that a new Popeye's Restaurant is proposed on the west side of McKinley Parkway. He noted that the applicant has received a signed leased agreement showing that this property has been leased.

It was determined that the location for the Popeye's would be in front of the existing McKinley Plaza near the southwest corner of McKinley Parkway and Milestrip Road and would be west of the McKinley Mall.

Mr. Luise showed Board members a rendering of the proposed restaurant building.

Mr. Reilly stated that the applicant will have to indicate how many parking spaces would be lost by constructing this building in an existing parking lot. He further stated that the Board must

also be comfortable that the number of vehicles stacked at the drive-thru lane is not so high as to extend into the entrance to the plaza.

Chairman O'Connell stated that he is concerned that during busy times of the year, people who park their vehicles and eat inside will have to either cross the drive-thru lane to get in or out of the restaurant or park in the existing plaza parking lot, which would mean they would have to walk across a busy internal roadway to get to the restaurant and back to their vehicles.

Chairman O'Connell stated that he understands that the handicapped parking spaces have to go in the location they are currently proposed, but he does not like the idea of handicapped people having to cross the drive-thru lane to get to the restaurant. He further stated that during many months of the year, the crosswalk for handicapped people would not even be visible.

Board members discussed the possibility of moving the proposed building further north to alleviate safety problems in the parking area for people who want to go inside the building and eat.

In response to a question from Mr. McCabe, Mr. Luise stated that dinner time is the busiest time of the day for the restaurant.

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

Engineering Department comments have been filed with the Planning Department.

## **REGULAR MEETING**

### **Attorney Robert Moeller – Requesting Preliminary Approval of a two-lot subdivision to be located on the north and south side of Lakeshore Road (west of 5946 Lakeshore Road)**

Mr. Reilly stated that the applicants' property was divided by Lakeshore Road years ago, and they would like to sell the portion of the property located on the northern side of the road.

Mr. Reilly stated that there are no public sewers or public water on Sub Lot # 2 (south side of Lakeshore Road). He stated that the proposal would be tabled so that conditions can be written indicating that Sub Lot # 2 is only approved for a single-family home, and septic and well approval from Erie County would be required for that lot.

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 two-lot subdivision proposed by Attorney Robert Moeller to be located on the north and south sides of Lakeshore Road, west of 5946 Lakeshore Road. The public hearing will be held on February 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 a motion, seconded by Mr. McCabe, to table this proposal. Carried.

Engineering Department comments have been filed with the Planning Department.

**OTHER BUSINESS**

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to approve the minutes of February 4, 2014. Carried.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:26 P.M.

Respectfully submitted,  
Stephen J. McCabe, Secretary  
Planning Board

Date: March 1, 2015