

Town of Hamburg
Planning Board Meeting
March 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, March 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 Assistant Municipal Engineer Rick Lardo and Town Planner Andrew Reilly.

WORK SESSION

Wegman's Food Market, Inc. (3740 McKinley Parkway)

Martin Herrmann from Wegman's stated that Wegmans is having some parking problems on the weekends and holidays, and a lease agreement has been worked out with Niagara Mohawk to allow a parking lot to be constructed on property west of the store. He noted that 95 additional parking spaces are proposed in this new lot. He further stated that the new parking lot would be lit.

Mr. Herrmann stated that Wegmans would also like to expand the existing patio/seating area on the east side of the store.

Board members agreed that a cart rack should be installed in the new parking area.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on April 1, 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

Hanania Family Partnership (4819 Southwestern Boulevard)

Attorney Sean Hopkins, representing the applicant, stated that this parcel is currently zoned C-1, and the applicant proposes to rezone a portion of it to R-3 in order to construct a multi-family project consisting of five (5) buildings (130 units). He noted that the buildings would be three stories in height, and attached garages would be offered.

Chairman O'Connell informed Board members that this parcel is the former Sweet Spot property.

Attorney Hopkins stated that the anticipated rent levels for these apartments would be approximately \$1,200 to \$1,500 per month. He further stated that a community building with a pool and a wide assortment of amenities would be available. He noted that features such as patios, porches, diverse architectural materials, stone on the first floor exteriors, etc. are planned.

Attorney Hopkins stated that he feels that this rezoning request has merit, and he asked Board members to consider the fact that this development would have direct access to a signalized intersection. He noted that a Traffic Impact Study will be performed. He further stated that he

feels this rezoning would be compatible with the Town's Comprehensive Plan because it would be a down-zoning and because the frontage (2.63 acres) would remain zoned C-1. He noted that at this time, there are no plans for this property, but the applicant feels this portion of the site would be an attractive redevelopment site, and it will continue to be marketed as such.

Attorney Hopkins stated that this property is not adjacent to any existing single-family neighborhoods, but if there are nearby neighbors who want to participate in the review process, any reasonable input will be incorporated into the plan for the property.

In response to a question from Chairman O'Connell, Attorney Hopkins stated that when the applicant originally conceptualized this development, there were more buildings than what is currently being proposed. He noted that in the fall of 2014, it was found that federal wetlands are present on the site, but the applicant has made it clear that he does not intend to impact any of those wetland areas. Attorney Hopkins stated that as a result of the wetlands areas, the number of buildings was reduced to what is currently being proposed.

In response to a question from Mr. Bellissimo, Chris Wood from Carmina Wood Morris stated that the properties south of this site are very deep, and the homes are several hundred feet from this site. He further stated that the wetlands that exist on the southern portion of this site would be avoided, which would provide additional buffering for the properties to the south of the site.

Mr. Reilly stated that the Town Board entertained this rezoning request because this is a mixed-use area. He noted that the Town Board will need to begin the SEQR Coordinated Review process at some point in time.

Mr. Reilly advised the applicant that signage must be erected on the property indicating that it is the subject of a rezoning request.

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

REGULAR MEETING

Public Hearing – Colley's Pools (4953 Camp 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 Colley's Pools to construct a new building on property located at 4953 Camp Road. The Public Hearing will be held on March 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 regarding SEQR, seconded by Mr. Clark:

"Whereas, the Town of Hamburg received a site plan application from Colley's Pools and Spas to construct a 12,000 sq.ft. building on property located at 4953 Camp Road, and

Whereas, the Planning Board has reviewed the project and the Environmental Assessment Form (EAF) in accordance with 6NYCRR Part 617, SEQR and has determined that the project will not result in any adverse environmental impacts.

Now, Therefore, Be It Resolved, that the Town of Hamburg Planning Board hereby issues a Negative Declaration. The Planning Board Chairman is authorized to sign the EAF.”

Carried.

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

“**Whereas**, the Town of Hamburg received a site plan application from Colley’s Pools and Spas to construct a 12,000 sq.ft. building on property located at 4953 Camp Road; and

Whereas, the Planning Board has reviewed the Site Plan and other required materials, received comments from various Town Departments and held the required public hearing on this project on March 18, 2015; and

Whereas, the Hamburg Planning Board has determined that the project will not result in any significant negative effect on the environment and has issued a Negative Declaration;

Now, Therefore, Be It Resolved, that the Hamburg Planning Board hereby grants Conditional Site Plan Approval with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated March 18, 2015.
- Per the Supervising Code Enforcement Officer, the eight (8) existing storage containers/trailers that are currently directly east of the existing parking lot will be permanently removed no later than October 1, 2015.
- When the applicant returns to the Planning Board for review and approval of the property Master Plan, an overall landscaping plan will be required.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Public Hearing - Up State Tower Co., LLC (1957 Lakeview Road)

Mr. Dan Carpenter, representing the applicant, stated that the proposal is to erect a self-supporting telecommunications tower on property located at 1957 Lakeview Road. He noted that the property is zoned correctly for this use, per the Town’s Code. He further stated that the barbed wire will be removed from the proposed site plan, and the lighting on the tower will comply with the Engineering Department comments.

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 at 1957 Lakeview Road.” The Public Hearing will be held on March 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. Schawel, to table this proposal. Carried.

Engineering Department comments have been filed with the Planning Department.

Public Hearing – Up State Tower (3985 Lakeshore Road)

Mr. Dan Carpenter, representing the applicant, stated that the proposal is to erect a self-supporting telecommunications tower on property located at 3985 Lakeshore Road. He noted that the property is zoned correctly for this use, per the Town’s Code. He further stated that the barbed wire will be removed from the proposed site plan, and the lighting on the tower will comply with the Engineering Department comments.

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 at 3985 Lakeshore Road.” The Public Hearing will be held on March 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. Geraci, 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 March 4, 2015. Carried.

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: April 3, 2015