

Town of Hamburg
Planning Board Work Session
April 4, 2012
Minutes

The Town of Hamburg Planning Board met for a Work Session on Wednesday, April 4, 2012 at 7:00 p.m. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Peter Reszka, Vice-Chairman Sasha Yerkovich, Stephen McCabe, Gerard Koenig, David Bellissimo, Daniel O'Connell and Doug Schawel.

Others in attendance included Andrew Reilly and Sarah desJardins.

Lake Erie Commerce Center

Mr. Reilly stated that the Planning Board members received a copy of the Final Supplemental Generic Environmental Impact Statement (FSGEIS), which addresses all of the questions and comments received. He distributed the draft Findings document, which lists the conditions under which an applicant can receive Pre-Permitted Site designation, for the Board's review and comment.

Mr. McCabe made a motion, seconded by Mr. Bellissimo, to recommend that the Town Board accept the FSGEIS as complete. Carried.

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

Willow Woods Subdivision

Chairman Reszka stated that the applicant had asked that the project be tabled.

Calkins Used Auto Parts (5661 Camp Road)

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to remove this item from the table. Carried.

Chairman Reszka stated that he received a letter from a member of the public regarding this project. He further stated that the letter was sent to him at his Erie County Water Authority office by someone who, according to the letter, is "a fellow Republican and long time friend." Chairman Reszka stated that he does not know this individual and that being Republican has nothing to do with what the Planning Board does. He read the letter as follows:

"Peter, How are you doing? As a fellow Republican and long time friend I have a question. I was reading the info on the Calkins project on Camp Road. It states vehicles must be 35 feet off highway. Then why can Steve's Auto who repairs police cars on Big Tree Road have vehicles dangerously close to the highway within two feet? Also Darvill's auto business on Camp near Queen's Way has vehicles within ten feet of the road. Let's give the new guys a break – they are really cleaning up the former Calkins. And a new septic system for one toilet – yea, right. Art Stamer". (Copies to Erie County Division of Buildings and Inspections, Nick Langworthy and WGRZ TV).

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Mrs. desJardins stated that at its last meeting the Planning Board asked that the site plan be amended to reflect certain concerns Board members had. She further stated that Mr. Frank Wailand, representing the applicants, submitted a revised site plan based on the Board's previous comments. She noted that the applicants also submitted photos of their existing facility in Buffalo for the Board's review.

Mr. Wailand stated that he met with Kurt Allen and Rick Lardo and the revised site plan reflects that conversation. He further stated that a stockade fence is proposed, rather than the previously proposed stacked block wall, which will be installed along Camp Road, as well as along 250 feet of the site's north property line.

Mr. Wailand stated that a powered sliding gate is proposed as part of Phase One, along with paving where both entrances are located and an upgrade to the look of the building (decorative stone on the front and decorative steel panels). He further stated that the truck scale has been relocated so that it is seven (7) car lengths away from the entrance gate, which should alleviate any problems with vehicle stacking. He noted that the scrap vehicle staging area is also part of Phase One and is proposed to be located approximately 200 feet from Camp Road.

Mr. Wailand stated that the applicant plans to create a swale in the rear of the site to ensure that the drainage will flow into the existing swale along the north property line.

Mr. Wailand stated that Phase Two will include some new asphalt paving with drainage.

Mr. Wailand stated that the metal sorting area has been moved ten (10) feet away from the fence line. He further stated that a handicapped restroom will be installed in the building. He noted that either a grinder pump with a two-inch forced main going under the road or a septic system will be installed, depending on what Erie County requires.

The applicants stated that they will comply fully with the Town's signage requirements.

It was determined that all of the provided parking will be behind the fence, the applicants do not plan to disturb more than one (1) acre of land at this time, and both existing billboards on the property will be relocated.

Planning Board members agreed that a "No Left Turn" sign should be installed at the exit of the site.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to schedule a public hearing for this project to be held on April 18, 2012. Carried.

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

Engineering Department comments have been filed with the Planning Department.

Hunt Real Estate building

Chairman Reszka stated that this item has been removed from the Board's agenda because the property is located in the Village of Hamburg.

Suburban Adult Services, Inc.

Chairman Reszka stated that the applicant proposes to rezone property behind Lombardo's Funeral Home on Abbott Road and plans to ask the Town Board to authorize the abandonment of the paper street (Elliot Street) as part of the project. He further stated that his daughter is an employee of Lombardo Funeral Home, her association is with the business only and that will not affect her or him in any way.

Mrs. desJardins stated that Suburban Adult Services, Inc. wishes to construct a twelve-unit apartment building for its residents. She further stated that the property to be rezoned is currently C-2 and the applicant proposes to change the zoning classification to Neighborhood Commercial. She noted that the Code Review Committee has determined that the rezoning request does have merit.

Board members agreed that they would like to know if the applicant has future plans for the rest of this property.

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

Engineering Department comments have been filed with the Planning Department.

Sharma Development

Andrew Gow from Nussbaumer & Clarke, Inc., representing the applicant, stated that the applicant is aware that there is an issue with the Comprehensive Plan relative to the extension of sewers in this area of Hamburg, noting that the Comprehensive Plan states that sewers should not be extended south of the intersection of Amsdell Road and Southwestern Boulevard. He further stated that the applicant is only interested in providing sewer to this specific site and feels that extending the sewer is the preferred option. He noted that the applicant would like to present the project in its entirety to the Board at this point, understanding that the sewer issue is a concern and that it may have to be mitigated.

Dr. Sharma, applicant, and Attorney Corey Auerbach from Damon Morey also appeared on behalf of the proposed project. Dr. Sharma stated that he is an ophthalmologist and Hamburg resident and he and his wife established a family practice on property he owns on Pleasant Avenue in the fall of 2011. He further stated that the vision for this project is to develop a medical office space on this property (initially 10,000 to 15,000 sq.ft.) that might ultimately include an ambulatory surgery center, noting that the closest ambulatory surgery center is approximately ten (10) miles from Hamburg.

Dr. Sharma stated that he understands that there are some issues pertaining to the sewer system and wants to do things right at the ground level. He further stated that he has spoken to certain authorities and there is some funding for a project like this. He noted that jobs would be created by this project for residents of Hamburg.

In response to a question from Chairman Reszka, Dr. Sharma stated that he chose this property for the project because of availability and affordability, as well as because the

site is close to his home. He noted that property becomes more expensive as one travels north from Hamburg.

Mr. Gow stated that the applicant would like to figure out a way to keep the Comprehensive Plan's objectives in place while at the same time providing sewer service to this site.

Mr. McCabe stated that the Comprehensive Plan's objectives regarding extending sewers in this area of Hamburg evolved because of the tremendous problem with unutilized commercial space within the Town. He further stated that there are several unused buildings in Town that are zoned correctly for a use such as this. He noted that this explains why the Town is making a concerted effort to keep development in those areas where the utilities already exist so that development does not sprawl out into areas such as Lakeview, where the Town is trying to keep development from encroaching.

Mr. McCabe stated that when the Comprehensive Plan was updated four (4) years ago, it became apparent that the residents of Lakeview do not want to see additional commercial development in that area.

Mr. Gow stated that the land drops off south of the Southwestern Boulevard/Pleasant Avenue intersection and it would be impossible to extend a gravity sewer in either direction down either road. He further stated the land between this site and the intersection of Southwestern Boulevard and Amsdell Road is wetlands.

Chairman Reszka stated that the project is a good one and there is a need for it in Hamburg. Mr. Bellissimo concurred.

Attorney Auerbach stated that the next procedural step for the applicant will be some sort of approval from the Town Board regarding the Comprehensive Plan requirements. He further stated that there is precedent (The Villas at Brierwood) to extend the sewer district.

Mr. Schawel stated that he would not like to see an entrance to this facility on Southwestern Boulevard, noting that trying to exit the site would be very dangerous.

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

Engineering Department comments have been filed with the Planning Department.

Russo Development

Chairman Reszka stated that this property is located approximately ½ mile from his home and any truck traffic generated from this business would be going past his home.

Andrew Gow from Nussbaumer & Clarke, representing the applicant, stated that Russo Development would like to solve a parking problem it has with its equipment. He further stated that currently contractor equipment is being parked in the existing parking area adjacent to the building on the property and consequently the pavement is cracking. He noted that the

applicant would like to construct a gravel parking lot for the heavy equipment and access it from Lake Avenue.

Mr. Gow stated that Russo Development is not a heavy traffic generator.

In response to a question from Mr. McCabe, Mr. Gow stated that he does not know if the applicant explored getting an easement to access the parking area from Coder Road. He noted that there is a privately owned strip of land between Russo's property and Coder Road. He stated that he will ask the applicant to investigate Mr. McCabe's suggestion.

Chairman Reszka stated that Coder Road was constructed specifically for industrial traffic. He further stated that the applicant is proposing to construct a truck entrance/exit approximately 200 feet from a road specifically constructed to handle industrial traffic.

Chairman Reszka stated that this property contains one of the few stands of trees left in the northern part of Hamburg in that area.

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

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mrs. desJardins stated that Mr. Dennis Long contacted her to report that he is not able to obtain a Performance Bond for the installation of the trees on his property on Southwestern Boulevard. She further stated that Mr. Long asked if the Planning Board would consider a lesser sum of \$2,000.00, which he would place in escrow to ensure that the trees are planted. Board members concurred that the Town Engineer is the only person who can reduce the amount of the required bond, per the Town Code. Mrs. desJardins stated that she will instruct Mr. Long to contact Town Engineer Gerry Kapsiak.

Mrs. desJardins stated that a portion of the Conservation Easement area for the Whispering Pines Subdivision was cleared and the Engineering Department will not sign off on the subdivision until the applicant presents a mitigation plan to replace what was destroyed. Board members concurred that the applicant will have to return to the Planning Board to rectify the situation.

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to adjourn the meeting. The meeting was adjourned at 8:02 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary

Planning Board

Date: April 9, 2012

