

Town of Hamburg
Planning Board Meeting
May 6, 2015
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, May 6, 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, Joseph Collins and William Clark.

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

REGULAR MEETING

Public Hearing - DATO Development – Requesting Preliminary Approval of a 75-lot subdivision to be located on the former Hopevale School property (Howard 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 DATO Development to construct a 75-lot subdivision on vacant land located northeast of Howard Road. The Public Hearing will be held on May 6, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Attorney Mark Romanowski from the law firm of Hopkins, Sorgi & Romanowski, representing the applicant, stated that the 75-lot single-family residential subdivision is proposed on a +/- 38-acre parcel, which is zoned R-3. He further stated that the proposal is much less dense than what is allowed by Town Code in the R-3 District.

Attorney Romanowski stated that the location of the existing access points on Howard Road for the former school on the property would remain, although they would be substantially changed. He noted that the Randolph Academy will remain on a portion of the site, but most of the dormitory buildings are being demolished at this time to facilitate the development.

Attorney Romanowski stated that the size of the lots would be anywhere from ¼ acre to slightly over two (2) acres because of the proposed layout of the roadways.

Attorney Romanowski stated that a Traffic Impact Study has been prepared, which will be discussed with the Traffic Safety Advisory Board in June 2015.

In response to a question from Mr. McCabe, Andy Gow from Nussbaumer & Clarke stated that his firm is researching language in the lease agreement the developer has regarding the existing cell tower on this site.

Mr. Reilly stated that the Conservation Advisory Board has indicated that it believes there are hydric soils on this site. He asked if a wetland delineation has been performed. Mr. Gow responded that his firm is researching the wetlands, but because the proposed development is on the lawn area of the former Hopevale School, he does not believe the developed areas of the proposed lots will be impacted by wetlands.

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, Attorney McCann stated that he has begun his research on the cell tower on the property. He noted that there is additional information he needs to obtain relative to the current setbacks. He stated that it may be that the cell tower will have to comply with some of the required setbacks unless the Planning Board waives those requirements associated with any approval given.

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

Engineering Department comments have been filed with the Planning Department.

Matt Gregiore – vacant land, east side of Jeffrey Boulevard

Chris Wood from Carmina, Wood, Morris, representing the applicant, stated that since the Planning Board reviewed this project in concept form, much of the blacktop in the rear of the site has been eliminated from the Site Plan. He further stated that less than one (1) acre would be disturbed, and one (1) previously shown access to Jeffrey Boulevard has been eliminated.

Mr. Wood stated that subdivision approval will be required for this site because it is being split from a larger parcel.

Mr. Wood stated that a landscaped berm is proposed in front of the new building.

Mr. Reilly stated that a Generic Environmental Impact Statement (GEIS) was prepared for the Ravenwood North industrial park, and the Planning Board will need to make sure this project meet the requirements of that document.

Mr. Wood confirmed that there will be no outside storage of equipment.

Mr. Bellissimo made a motion, seconded by Mr. Geraci, to schedule a public hearing to be held on May 20, 2015 for Subdivision Approval. Carried.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on May 20, 2015 for Site Plan Approval. Carried.

Engineering Department comments have been filed with the Planning Department.

Gail Walter – north and south sides of Heltz Road

Gail Walter, applicant, stated that she appeared before the Planning Board for a two-lot subdivision in 2008, and at that time the Planning Board advised her to request the needed variances from the Zoning Board of Appeals (ZBA) and then return to the Planning Board (if the variances were approved) for approval. She stated that she never requested the variances at that time, but she did receive approval recently from the ZBA in April 2015 for the variances. She noted that at this time she is requesting approval from the Planning Board for the two-lot subdivision.

It was determined that an additional public hearing will not be required.

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

Engineering Department comments have been filed with the Planning Department.

Planning Board to review the new proposed residential wind turbine law

Mr. Reilly stated that the proposed new legislation is very firm and follows most of the guidelines included in the State guidance document.

Mr. Reilly stated that this law would require applicants to post a bond to guarantee that if the wind turbine becomes obsolete, it will be removed. He noted that this is not something homeowners will be able to accomplish.

Mr. Reilly stated that there are two (2) applications for wind turbines currently being reviewed by the ZBA.

In response to a question from Mr. Schawel, Mr. Reilly stated that if someone wants to install a small wind turbine on his roof, he would not have to adhere to this new law but would have to meet the Town's height requirements, etc. He noted that this would not be considered an accessory structure.

OTHER BUSINESS

Mr. Bellissimo made a motion, seconded by Mr. Geraci, to approve the minutes of April 15, 2015. Carried.

As there were six (6) ayes and one (1) abstention (Chairman O'Connell), the motion carried.

Mr. Schawel made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:45 P.M.

Respectfully submitted,
Stephen J. McCabe, Secretary
Planning Board

Date: May 24, 2015