

Town of Hamburg
Planning Board Meeting
June 17, 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, June 17, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, David Bellissimo, Stephen McCabe, Joseph Collins, Augie Geraci, Doug Schawel and William Clark.

Others in attendance included Assistant Municipal Engineer Rick Lardo, Attorney Ryan McCann and Town Planners Andrew Reilly and Sarah desJardins.

WORK SESSION

Cedar Valley Apartments (north side of Pleasant Avenue)

Rob Pidanick from Nussbaumer & Clarke, representing the applicant, stated that Pleasant Valley LLC is the developer of this site, which was formerly the Cooper Ridge Nursery site. He noted that the property was rezoned in 2013 to allow 278 residential units, 109 of which will be single family homes and the remainder will be apartments. He stated that at the time of the rezoning, a Negative Declaration was issued on the entire project.

Mr. Pidanick stated that the subdivision portion of this development was approved by the Planning Board, and the first phase is currently under construction (34 lots).

Mr. Pidanick stated that when the property was rezoned, the number of apartments planned was 168, but that number has been reduced to 144. He noted that 18 apartment buildings are proposed, and each building would house eight (8) units.

Attorney Sean Hopkins, representing the applicant, stated that when the property was rezoned, a club house, tennis court and pool were not part of the project, and now they are, which is one of the reasons the number of units has been reduced.

Mr. Pidanick stated that twelve garage buildings are planned on the eastern boundary of the site, adjacent to the NYS Thruway.

Mr. Pidanick stated that the applicant has hired a landscape architect to develop a landscape plan for the entire apartment project. He noted that very extensive landscaping will be shown around the entire perimeter of the site because the applicant would like a substantial buffer between the single family homes and the tennis court, community building and pool for the apartments.

Attorney Hopkins showed Board members elevations of the proposed apartment buildings, noting that the buildings will feature both vertical and horizontal relief, residential sloped roofs with architectural shingles, and upgraded building materials such as stone and brick.

Mr. Pidanick stated the one-, two-, and three-bedroom units are planned, and they will range in size from 965 sq.ft. to 1,500 sq.ft. He noted that the rents will range from \$1,100 per month to \$1,800 per month.

In response to a question from Mr. McCabe, Attorney Hopkins stated that Erie County has formally approved the proposed traffic improvements to Pleasant Avenue.

Mr. Lardo stated that the traffic improvements to Pleasant Avenue are part of the Phase One improvements. He noted that they will probably be implemented before fall 2015.

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

Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

West Herr Toyota (4141 Southwestern Boulevard)

Andy Gow from Nussbaumer & Clarke, representing the applicant, stated that the applicant is seeking re-approval of a project that was approved by the Planning Board in October 2014. He stated that an additional parking area was added on the property owned by Erie Community College (ECC) adjacent to this site and noted that West Herr has entered into an agreement to lease this land from ECC.

Mr. Gow stated that he is in the process of looking at the Storm Water Pollution Prevention Plan and the drainage to accommodate the additional parking area.

Chairman O'Connell stated that the Planning Board is not pleased that West Herr Toyota added this parking area without Town approval. Mr. Gow responded that ECC's position is that ECC sought approvals through the County process, and ECC feels it does not need Town approval for this project.

Chairman O'Connell stated that it is his belief that everyone at the Town would disagree with ECC's position.

In response to a question from Mr. Bellissimo, Mr. Gow stated that the surface of this parking area would be millings.

In response to a question from Mr. McCabe, Mr. Gow stated that the Storm Water Pollution Prevention Plan is being amended to include this additional project area.

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

Engineering Department comments have been filed with the Planning Department.

James Grandoni Four-Lot Subdivision (Winslow Drive)

Andrew Gow from Nussbaumer & Clarke, representing the applicants, stated that the applicants purchased this 2.1- acre parcel on Winslow Drive and propose to subdivide it into four (4) single-family detached homes. He stated that he has been informed that

the Conservation Advisory Board has concerns about Lot # 1 and would like to see a 50-foot setback from the top of the bank.

Mr. Gow stated that he believes that a 50-foot setback from the top of the bank would be unnecessarily restrictive. He stated that he has worked on lots like this in the past and feels that there is a way to potentially get a house on Lot # 1 with some additional detail and information that he could provide. He stated that he believes there are things that can be done with the house construction, its placement and design so that the integrity of the bank would not be compromised.

In response to a question from Mr. Bellissimo, Mr. Gow stated that he believes that the depth of the ravine on Lot # 1 is approximately 18-20 feet and is quite steep.

Mr. Gow stated that he would like the proposed 50-foot setback to be dramatically reduced. He stated that if the house was ten feet from the top of the bank, it would be sufficiently far away from it to put in footers and a foundation and not have it compromise the integrity of the bank.

Mr. Gow stated that he would like to meet with someone from the Building Department and a representative of the Conservation Advisory Board about Lot # 1.

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

Engineering Department comments have been filed with the Planning Department.

Sherwood Meadows Subdivision (former Hopevale School property)

Attorney Sean Hopkins, representing the applicant, stated that the wetland investigation of this site was recently completed, and it was determined that two (2) jurisdictional wetland areas were found. He stated that the applicant's goal is to design the project so that it does not require impacting more than ½ acre of the wetlands, and some minor revisions to the current layout may be required to accomplish that.

Mr. Gow stated that the Town Code requires that no property line be located closer than 140 feet from a cellular tower. He noted that a 140-foot boundary has been created around the existing cellular tower on the site with a 20-foot access easement for maintenance vehicles. He stated that he recalculated the size of all of the lots adjacent to the cellular tower boundary area and found that they all still meet Town Code requirements.

Mr. Gow stated that his firm is in the process of designing a municipal pump station that will service all of the subdivision lots. He noted that none of the lots will be tributary to the Heatherwood trunk sewer, which currently has capacity issues.

The Planning Board reviewed the storm water and sanitary sewer design for the subdivision.

Mr. Reilly stated that the Traffic Impact Study (TIS) for this project does not include information about the proposed Hanania rezoning at the end of Howard Road, but the TIS for the Hanania project does include information about this project. He noted that the TISs were done by two (2) different consultants, and the numbers do match up. He stated that the roads in the area can handle the additional traffic, and Howard Road will

see quite an increase in volume. He further stated that in all probability, a signal at Camp Road and Howard Road may be warranted as a result of these two (2) projects.

The Planning Board reviewed the SEQR Part Two for this project as follows:

- The project will have an impact on land. Construction will continue for more than one (1) year.
- The project will impact a protected body of water (U.S. Army Corps of Engineers wetland area). A new storm water pond will be created.
- The ground water at this site is seasonally high. Drainage patterns will be altered.
- The project will have an impact on air, although it is below all of the SEQR thresholds.
- The project will not have an impact on plants and animals or agricultural, historic, archeological or aesthetic resources.
- The project will not have an impact on the existing open space area in the vicinity. Fees in lieu of land will be provided.
- The project will not be located in a Critical Environmental Area.
- The project will have an impact on transportation. A TIS has been prepared addressing the increased volume of traffic resulting from this project. The Planning Board is awaiting input from the Traffic Safety Advisory Board.
- The project will not generate undo noise or odor, but there will be noise associated with construction. Construction trucks will travel on Route 20 to Howard Road to access the site.
- The project will not impact public health.
- Regarding growth and character of the community, the project site is zoned correctly.

Mr. Bellissimo asked Attorney Hopkins to make sure the existing Randolph School entrance is clearly marked on the Preliminary Plat.

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

Engineering Department comments have been filed with the Planning Department.

Hanania Family Partnership rezoning (4819 Southwestern Boulevard)

Attorney Sean Hopkins, representing the applicant, stated that the Town Board did initiate the SEQR Lead Agency solicitation process and has been declared the Lead Agency. He stated that the applicant requests to rezone approximately 9.5 acres of land from commercial to R-3 in order to construct five (5) three-story, 26-unit apartment buildings.

Attorney Hopkins showed Board members renderings of the proposed buildings and noted that they have been designed by one of the well-known multi-family architects in

New York. He noted that this project has been built successfully in other markets in New York, and the architecture is very upscale.

Attorney Hopkins stated that a TIS prepared by SRF Associates was submitted to the Planning Board. He noted that in addition to looking at the projected traffic from this project, the TIS also considered the traffic impacts from the DATO Development 75-lot subdivision off of Howard Road, as well as cut-through traffic in the residential neighborhood, via a license plate survey.

Attorney Hopkins stated that a wetland delineation report was prepared by Wilson Environmental Technologies, which has been submitted to the Planning Board. He noted that there are two (2) wetland areas on the site (a .5 acre area and a 1.24 acre area), neither of which would be impacted by the project.

Mrs. desJardins stated that the Planning Department received correspondence relative to the SEQR Coordinated Review from the New York State Department of Environmental Conservation.

Mr. Reilly stated that the Town's Comprehensive Plan calls for mixed uses in this area.

Mr. Bellissimo made a motion, seconded by Mr. Clark, 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 May 20, 2015 and June 3, 2015. Carried.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 8:10 P.M.

Respectfully submitted,
Stephen J. McCabe, Secretary
Planning Board

Date: June 25, 2015