

Town of Hamburg
Planning Board Meeting
June 3, 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 3, 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

James Grandoni Four-Lot Subdivision (Winslow Drive)

Rob Pidanick 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 noted that sanitary sewer and water lines are available, and documentation from Erie County indicating that there is adequate capacity will be submitted.

Mr. Pidanick stated that Wolf Avenue and White Avenue, which border the parcel on the east and west sides, are paper streets that have been abandoned. It was determined that the Preliminary Plat includes the property acquired by the applicants from the abandonment of these two (2) paper streets.

Mr. Pidanick stated that the parcel is wooded and includes a ravine. He noted that the lots would be graded to drain runoff out to the street from the homes and into the rear of the lots into the ravine. He noted that drainage piping would not be installed.

Mr. Reilly stated 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. He noted that if a 50-foot setback is required, there would be no buildable area for a home on Lot # 1.

Mr. Reilly asked Mr. Pidanick if a regulated stream exists on the parcel. Mr. Pidanick responded that he does not know the answer to that question, but he will get the answer before the Board's next meeting.

Chairman O'Connell stated that it looks like three (3) lots would be more appropriate.

Mr. Lardo stated that there are sidewalks on Blair Court, and the Planning Board should decide whether sidewalks will be required in front of these new sub lots.

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

Engineering Department comments have been filed with the Planning Department.

Colley's Pool (4953 Camp Road)

Chris Wood from Carmina, Wood Morris, representing the applicant, stated that the 12,000 sq.ft. warehouse that was approved by the Planning Board earlier in the year is currently under construction, and the applicant has a Building Permit to convert the existing warehouse on the site to the offices and shop.

Mr. Wood stated that the current proposal is to construct a new 17,000 sq.ft. multi-tenant building on the southern portion of the site where the previous building was that was damaged by the November 2014 snow storm. He noted that a new parking lot is proposed in front of the new building, and the rear of the site will remain as is for now.

Mr. Wood stated that the service driveway on the north side of the site will remain for access to the warehouse and the rear of the site for the work vehicles. He further stated that the applicant proposes to reuse the south curb cut for service vehicles only to service the building, and this access would be one-way in only with no exit. He noted that a new two-way driveway is proposed in the center of the site.

In response to a question from Mr. Reilly, Mr. Wood stated that the new building is proposed to be oriented perpendicular to Camp Road because the applicant may in the future propose another building on the north side of the site.

Mr. Wood stated that the applicant plans to begin construction of the new building at the end of the pool season, and at that time the small building currently being used as a showroom would be demolished.

Mr. Reilly asked Mr. Wood to provide elevations of the proposed building when he returns to the Planning Board.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to table this project. Carried. Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING**Public Hearing - Hogg's Car Wash (5783 South Park Avenue)**

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 Hogg's Car Wash to construct an addition to the existing car wash facility located at 5783 South Park Avenue. The Public Hearing will be held on June 3, 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 SEQRA, seconded by Mr. Geraci:

"Whereas, the Town of Hamburg received a Special Use Permit and Site Plan Approval application from Dean Hogg to construct an addition to the existing car wash facility located at 5783 South Park Avenue; and

Whereas, on June 3, 2015 the Hamburg Planning Board held the required public hearing; and

Whereas, the Hamburg Planning Board in accordance with the New York State Environmental Quality Review Act (SEQRA) has done a thorough review of the project and its potential impacts, and

Whereas, the Hamburg Planning Board, in accordance with SEQRA, has determined that the proposed special use permit and construction of the addition will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations.

Now, Therefore, Be It Resolved, that the Town of Hamburg Planning Board hereby determines that the proposed special use permit and construction of an addition is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued.”

Carried.

Mr. Reilly stated that because this project is under 4,000 sq.ft., it would typically be considered a Type II Action under SEQRA, but it involves the granting of a Special Use Permit, and therefore a SEQRA determination must be made by the Planning Board.

Mr. Bellissimo made the following motion regarding a Special Use Permit, seconded by Mr. Clark:

“**Whereas**, the Town of Hamburg received a special use permit application from Dean Hogg to construct an addition to the existing car wash facility located at 5783 South Park Avenue; and

Whereas, on June 3, 2015 the Hamburg Planning Board held the required public hearing on this request; and

Whereas, the Hamburg Planning Board in reviewing the proposed project has determined, in accordance with Section 280-312 and 280-323 (Commercial Car Washes) that:

1. The project will be in harmony with the purposes and intent of Section 280-312 (Special Use Permits).
2. The project will not create a hazard to health, safety and general welfare.
3. The project will not alter the essential character of the neighborhood, nor will it be detrimental to its residents.
4. The project will not otherwise be detrimental to the public convenience and welfare.
5. The facility is not within 200 feet of any residential structure or within 500 feet of another such facility.

Now, Therefore, Be It Resolved that the Town of Hamburg Planning Board hereby determines that the proposed special use permit is in accordance with the requirements of the Town of Hamburg, and therefore a special use permit is hereby issued.”

Carried.

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

“The Hamburg Planning Board hereby issues Site Plan Approval for the Hogg Car Wash addition, located at 5783 South Park Avenue, with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated June 3, 2015.
2. Landscaping will be reviewed and approved by the Planning Department.
3. The installation of sidewalks is waived.
4. Any lighting will be downward-facing and dark sky compliant.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Public Hearing - Soltek/Belrix Industries (3590 Jeffrey Boulevard)

It was determined that the proposed warehouse would be 16,000 sq.ft. in area and would be used to store the applicant’s materials.

Mrs. desJardins stated that the Conservation Advisory Board indicated that this is a beautiful site and should be the standard for all new projects.

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 Soltek/Belrix Industries to construct a new warehouse at 3590 Jeffrey Boulevard. The Public Hearing will be held on June 3, 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. Reilly stated that this project meets the requirements of the Generic Environmental Impact Statement prepared in 1992 for the Ravenwood North Industrial Park.

Mr. Bellissimo made the following motion regarding SEQRA, seconded by Mr. McCabe:

“**Whereas**, the Town of Hamburg received a Site Plan Approval application from Sotek/Belrix Industries to construct a new warehouse on property located at 3590 Jeffrey Boulevard; and

Whereas, on June 3, 2015 the Hamburg Planning Board held the required public hearing; and

Whereas, the Ravenwood North Industrial Park was the subject of a GEIS and projects must be in conformance with the Findings of that GEIS.

Therefore, Be It Resolved that the Hamburg Planning Board, in accordance with SEQRA, has reviewed the project against the GEIS Findings Form, has found it in conformance with those Findings and therefore the project needs no additional review under SEQRA.”

Carried.

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

“The Hamburg Planning Board hereby issues Site Plan Approval of the Sotek/Belrix Industries new warehouse to be located at 3590 Jeffrey Boulevard with the following conditions:

1. Approval is contingent upon the Engineering Department memo dated 6/3/2015.
2. Landscaping will be reviewed and approved by the Planning Department.
3. The installation of sidewalks is waived.
4. Any lighting will be downward-facing and dark sky compliant.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Matt Gregoire Warehouse (Jeffrey Boulevard)

Mr. Bellissimo made the following motion regarding SEQRA, seconded by Mr. Clark:

“**Whereas**, the Town of Hamburg received a Site Plan Approval and Subdivision Preliminary Approval application from Matt Gregoire to construct a new warehouse/office building on vacant land located on the east side of 3590 Jeffrey Boulevard; and

Whereas, on June 3, 2015 the Hamburg Planning Board held the required public hearing; and

Whereas, the Ravenwood North Industrial Park was the subject of a GEIS and projects must be in conformance with the Findings of that GEIS.

Therefore, Be It Resolved that the Hamburg Planning Board, in accordance with SEQRA, has reviewed the project against the GEIS Findings Form, has found it in conformance with those Findings and therefore the project needs no additional review under SEQRA.”

Mr. Reilly stated that this project meets the requirements of the Generic Environmental Impact Statement prepared in 1992 for the Ravenwood North Industrial Park.

Carried.

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

“The Hamburg Planning Board hereby issues Site Plan Approval of a new warehouse/office proposed by Matt Gregoire to be located on vacant land on the east side of Jeffrey Boulevard with the following conditions:

1. Approval is contingent upon the Engineering Department memo dated 6/3/2015.
2. Landscaping will be reviewed and approved by the Planning Department.
3. The installation of sidewalks is waived.
4. Any lighting will be downward-facing and dark sky compliant.”

Carried.

Mr. Bellissimo made the following motion regarding Subdivision Approval, seconded by Mr. Clark:

“The Hamburg Planning Board hereby grants Preliminary Plat Approval for the Matt Gregoire Two-Lot Subdivision based on the submitted Preliminary Plan received by the Planning Department on 5/25/15 with the following conditions:”

1. Approval is contingent upon the Engineering Department comment letter memo dated 6/3/15
2. The installation of sidewalks is waived.
3. The filing of a Map Cover is waived.”

Carried.

Engineering Department comments have been filed with the Planning Department.

DATO Development (75-lot subdivision proposed on the former Hopevale property)

Mr. Reilly stated that the Planning Board needs to make sure it has all of the information it needs to make a SEQRA decision on this project.

In response to a question from Chairman O’Connell, Mr. Reilly stated that it is his understanding that the applicant has agreed to either obtain a variance for the lots that are too close to the existing cell tower or reconfigure those lots to meet the requirements.

Attorney McCann stated that he will further work with the applicant on this issue and then report back to the Planning Board. He noted that he is awaiting additional information from the applicant regarding certain aspects of the cell tower.

Board members reviewed potential environmental impacts and whether they have all of the information necessary to make a SEQRA determination.

It was determined that the applicant is researching whether wetlands exist on this site, and he will obtain a sign-off from the New York State Office of Parks, Recreation and Historic Preservation regarding the potential for archeologically sensitive areas on the site.

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 Chairman O’Connell, to approve the minutes of May 6, 2015 with one correction:

Mr. Bellissimo made the motion to adjourn the meeting.

As there were six (6) ayes and one (1) abstention (Mr. Collins), the motion carried.

Mr. Bellissimo made a motion, seconded by Mr. Schawel, to adjourn the meeting. The meeting was adjourned at 7:30 P.M.

Respectfully submitted,
Stephen J. McCabe, Secretary
Planning Board

Date: June 10, 2015