

Town of Hamburg
Planning Board Meeting
July 1, 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, July 1, 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 Town Planner Andrew Reilly.

WORK SESSION

Two 19 Sports, Inc. (5160 Camp Road)

Mr. Reilly stated that a sports complex like the one proposed is in conformance with the zoning of the property (C-2).

Mr. Tom Kaleta, applicant, stated that he would like to construct two (2) ice rinks, two (2) multi-use fields and an educational/computer center. He further stated that he has been trying to find a suitable site and feels that he has finally found one, noting that it was the former Caulkins Junk Yard site.

It was determined that the site is just over 12 acres in size, and the applicants propose to utilize as much of it as possible.

In response to a question from Mr. McCabe, Mr. Kaleta stated that the structures would be steel and block, and there would be no dome or bubble proposed.

Board members discussed the proposed entrances on Camp Road, as well as possible cross-access to the property located to the west and owned by the Old Time Baptist Church.

Mr. Schawel stated that the Tim Horton's next door is a right-out exit only, and that is a very difficult location to get out of. He stated that the proposed entrance/exit on the southern end of the site may not be as difficult as one might think.

Mr. Kaleta stated that he has had discussions with the Baptist Church about a possible easement running behind the building owned by the church for egress from the sports complex.

Mr. Reilly stated that the biggest issue will be traffic related, and landscaping will be required along the front of the site.

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 - Cedar Valley Apartments (north side of Pleasant Avenue)**

Rob Pidanick from Nussbaumer & Clarke, representing the applicant, stated that Pleasant Valley LLC submitted a request in December 2012 to rezone the former Cooper Ridge Nursery site, which comprised approximately 90 acres of land. He noted that the property was rezoned in 2013 to allow 278 residential units. He stated that at the time of the rezoning, a SEQR 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). He further stated that the improvements to the existing intersection at Pleasant Avenue and Rogers Road will be completed by September 2015.

Mr. Pidanick stated that 18 apartment buildings are proposed, and the total number of apartments would be 144 units.

Mr. Pidanick stated that 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.

Mr. Pidanick stated that the applicant has hired a landscape architect to develop a landscape plan for the apartment project. He noted that very extensive landscaping and buffering is planned adjacent to the single family homes, as well as adjacent to the apartment development. He stated that a large row of pine trees is planned along the New York State Thruway, as well as along Cedar Valley Way.

Mr. Mike Bevilacqua, applicant, stated that no trees have been removed along the Thruway.

Mr. Pidanick stated that there is approximately 50 feet between the Thruway right-of-way and the proposed buildings. He further stated that amenities will include a swimming pool, community building and tennis court.

In response to a question from Mr. Bellissimo, Mr. Pidanick stated that the new trees would be 2 ½" caliper when planted. Mr. Bevilacqua added that the pine trees will be between six (6) and seven (7) feet tall.

Mr. Pidanick showed Board members a rendering of the proposed apartment buildings. He stated that construction will begin on the apartments in 2016.

In response to a question from Mr. Bellissimo, Mr. Bevilacqua stated that there will be sidewalks on both sides of all streets in the development.

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 Cedar Valley Apartments LLC. The applicant proposes to construct an apartment community on approximately 14 acres of vacant land located north of Pleasant Avenue, west of the NYS Thruway. The Public Hearing will be held on July 1, 2015 at 7:00 p.m. in Room 7B of Hamburg Town Hall."

Chairman O'Connell declared the public hearing open. The following people spoke:

- Mike Bevilacqua, owner of Cedar Valley Apartments, stated that he is in favor of the project.

Chairman O'Connell declared the public hearing closed.

Board members agreed to authorize the Planning Department to prepare a draft resolution for Site Plan Approval.

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

Engineering Department comments have been filed with the Planning Department.

Public Hearing - West Herr Toyota (4141 Southwestern Boulevard)

Andy Gow from Nussbaumer & Clarke, representing the applicant, stated that the applicant is seeking re-approval of a site plan that was submitted in October 2014 for an addition and site improvements to the dealership at this location. He stated that some of the plans have changed on the project that was the subject of the original approval. He noted that an area of parking was added on the eastern side of the site that is being leased from Erie Community College (ECC), and that new parking area is currently being added to the plan that was previously approved.

Chairman O'Connell stated that he would be leaving the public hearing open until the Board's next meeting because he would like the Planning Board attorney to render an opinion as to whether ECC can do work without Town approval. He stated that if ECC is leasing land to a private business for a private project, he would like to know if that is something that can be done without Town approval.

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 revised Site Plan for West Herr Toyota that involves the expansion of the vehicle storage area at 4141 Southwestern Boulevard. The Public Hearing will be held on July 1, 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 left open.

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to leave the public hearing open. Carried.

Mr. Reilly stated that perhaps a condition should be attached to the re-approval of this project that the Planning Board does not like to see work done outside what was approved. He noted that he will work on language to reinforce that feeling.

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, asked the Board to table this project because he has not been able to meet with the Conservation Advisory Board Chairman yet.

Mr. McCabe stated that he would like to attend the meeting between Mr. Gow and the Conservation Advisory Board.

Mr. Bellissimo made a motion, seconded by Chairman O'Connell, to table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

Hanania Family Partnership rezoning (4819 Southwestern Boulevard)

Attorney Mark Romanowski, representing the applicant, stated that the applicant is requesting that the Planning Board recommend to the Town Board that the proposed rezoning be approved and a negative declaration be issued.

Attorney Romanowski stated that the proposed rezoning would be a down zoning from commercial to residential, and the applicant will be meeting with the Traffic Safety Advisory Board (TSAB) on July 9, 2015 to discuss any traffic concerns.

Attorney Romanowski stated that the wetlands on the perimeter of the site would not be impacted.

Mr. Reilly asked Mr. Romanowski to provide to the Town Board documentation showing that there is a need for this type of residential housing.

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

- The project will have an impact on land. There are some high ground water conditions on the site, but there will be no basements. The project will take more than one (1) year to complete.
- The project will not have an impact on geological features.
- Regarding surface water, a wetland delineation has been performed, and the wetlands will not be impacted. There are no streams or creeks on the site.
- The project will not have an impact on ground water.
- The project will not have an impact on flooding. The site is not located within a floodplain or floodway.
- The project will not have an impact on air.
- The project will not have an impact on plants and animals. There are no threatened/endangered species or unique habitats on the site.
- The project will not have an impact on agricultural resources.
- This project will not have an impact on aesthetic resources in the area.
- The project will not have an impact on historic and archeological resources. The applicant will have to provide a sign-off from the New York State Historic Preservation Office (SHPO).
- The project will not have an impact on open space and recreation. The Planning Department will contact the Recreation Department to obtain input regarding any

recreation area needed. A clubhouse with a pool, recreation area and cabana room will be provided for the residents.

- The project will not have an impact on Critical Environmental Areas.
- Regarding the project's impact on transportation, a Traffic Impact Study has been provided, and the applicant will appear before the TSAB on July 9, 2015 for input.
- The project will not have an impact on energy.
- Regarding the project's impact on noise, odor and light, dark sky compliant lighting will be required. Care will be taken to minimize any noise impacts to the residents on Sowles Road.
- The project will not have an impact on human health. A Phase One audit has been completed, and the summary report will be submitted to the Planning Board for its review.
- Regarding whether the proposed project is consistent with the Town's adopted land uses and community character, this is a mixed-use area. Evenhouse Printing is located to the east of this site, and Uncle Joe's Diner is located west of the site.

Mr. McCabe stated that he can see a potential conflict arising if someone were to want to locate a business next to this residential development that might be offensive to the residents in this community.

It was determined that the applicant will submit a sign-off letter from SHPO and information on how the property will be drained. Additionally, the applicant will meet with the TSAB on July 9, 2015 and will contact the school system for input. The applicant will also provide a verbal report on the need for this type of development.

It was determined that the Planning Board will prepare draft resolutions regarding SEQR and a recommendation to the Town Board. It will be provided to Board members in advance of its July 15, 2015 meeting for input.

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. McCabe, to approve the minutes of June 17, 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