

Town of Hamburg  
Planning Board Meeting  
August 21, 2013  
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M., on Wednesday, August 21, 2013 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Peter Reszka, Stephen McCabe, Doug Schawel, David Bellissimo, Sasha Yerkovich, Dan O'Connell and August Geraci.

Others in attendance included Andrew Reilly and Sarah desJardins, Planning Consultants, Richard Lardo (Engineering Department), Attorney Cheryl McFadden-Zak and Councilwoman Amy Ziegler.

Engineering Department comments have been filed with the Planning Department.

**Public Hearing - Brian Bates (vacant land, north side of North Creek 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 two-lot subdivision proposed by Brian Bates to be located on the north side of North Creek Road, west of Burke Road. The public hearing will be held on August 21, 2013 at 7:00 P.M. in Room 7B of Hamburg Town Hall."

Mrs. desJardins stated that Mr. Bates has a contract to purchase a lot that was recently created as a result of the subdivision of property on North Creek Road (DiChristopher Two-Lot Subdivision). She further stated that Mr. Bates proposes to further subdivide the newly created lot into two (2) lots so that he only has to extend the existing water line on North Creek Road a distance of 30 feet in order to construct his new home.

Mr. Brian Bates, applicant, stated that his intention would be to save the rear lot in case one of his children ever wants to build behind him. He further stated that he has no intention to sell the rear lot.

Chairman Reszka declared the public hearing open. No one spoke.

Chairman Reszka declared the public hearing closed.

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

Engineering Department comments have been filed with the Planning Department.

**Dan Howard Subdivision**

Andrew Gow from Nussbaumer & Clarke, representing the applicant, stated revisions to the Preliminary Plat include the following:

1. The proposed homes have been removed so that the Map Cover can be filed.
2. Notes have been added regarding the required T-turn-arounds for the driveways, and where the driveways will be located.

Mrs. Yerkovich made the following motion, seconded by Mr. Bellissimo:

**“Whereas**, the Town of Hamburg received a major subdivision application from Dan Howard to subdivide property located at the northwest corner of Bayview Road and Big Tree Road into 5 lots, and

**Whereas**, on August 7, 2013 the Hamburg Planning Board held the required public hearing and received comments from the public; and

**Whereas**, the Hamburg Planning Board in accordance with the New York State Environmental Quality Review Act (SEQRA), established themselves as Lead Agency through a coordinated review process and 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 subdivision 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 subdivision is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued.” Carried.

Mrs. Yerkovich made the following motion, seconded by Mr. O’Connell:

**“Whereas**, the Town of Hamburg received a major subdivision application from Dan Howard to subdivide the parcel located at the northwest corner of Bayview Road and Big Tree Road into 5 lots; and

**Whereas**, the Planning Board has reviewed the Preliminary subdivision plan and other required materials in accordance with the Hamburg Subdivision code; and

**Whereas**, the Hamburg Planning Board received comments from various Town Advisory Boards and Departments; and

**Whereas**, the Hamburg Planning Board held the required public hearing on this proposed Subdivision on August 7, 2013; and

**Whereas**, the Hamburg Planning Board has determined that the proposed subdivision will not result in any significant negative effect on the environment and has issued a Negative Declaration;

**Now, Therefore, Be It Resolved**, that the Hamburg Planning Board hereby approves the Preliminary Plat for the Dan Howard subdivision with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated August 21, 2013.
2. “T” turn-arounds will be provided for each lot.
3. The driveway for lot # 4 must be as far away from the intersection of Bayview Road and Big Tree Road as possible.

Carried.

Mr. Dan Howard, applicant stated that he would like to publically thank Mrs. desJardins, Mr. Lardo, Mr. Gow and the Planning Board for making the review process go so smoothly.

Mr. Reilly explained that the installation of sidewalks is no longer a requirement of subdivision approval, and therefore the Planning Board did not waive the installation of sidewalks as part of the approval resolution.

Engineering Department comments have been filed with the Planning Department.

### **Willow Woods Subdivision FEIS**

Mr. Reilly stated that the applicant prepared a Final Environmental Impact Statement (FEIS) and Mr. Norm Wohlabaugh, expert on landfills, has reviewed the document. He further noted that at the Board's last meeting there were comments on the FEIS, and as a result the document was revised.

Mr. Reilly stated that the requested changes have been made to the FEIS, and he asked the Board to accept the FEIS as complete if Board members are comfortable doing so. He noted that once the document is accepted as complete, Findings will be issued based on all of the information that has been generated. He stated that the Findings will be distributed to Board members at least one (1) week prior to the Board's next meeting (September 4, 2013) so that they can review them.

Mr. Reilly stated that once the FEIS is accepted as complete, it will be distributed to the involved agencies, and there will be a comment period of at least ten (10) days for public review and comment.

In response to a question from Chairman Reszka, Mr. Reilly stated that the FEIS was revised to reflect the fact that one (1) lot in the subdivision is much closer to the old landfill than the rest of the lots.

Rob Pidanick from Nussbaumer & Clarke, representing the applicant, stated that the following revisions were made to the FEIS:

1. Mr. Reilly's comments, which were minor in nature, were incorporated into the document.
2. The cover page was revised.
3. Mr. Wohlabaugh's comments were inserted into the text of the FEIS.
4. A copy of Mr. Wohlabaugh's August 15, 2013 final report, as well as Empire Geo's monitoring plan, has been incorporated into the text of the FEIS.
5. Figure # 2 was revised to show the entire parcel that the applicant owns, including the old landfill, the detention basins, the wetlands and the conservation lands.

Mr. McCabe stated that he would like to read the final version of the FEIS.

Chairman Reszka stated that he would not feel comfortable accepting the FEIS as complete until the Board reads the final document.

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

**Public Hearing - Sherwood Meadows Apartments**

Attorney McFadden-Zak stated that the record should reflect that Chairman Reszka will be recusing himself from this project. She stated that Chairman Reszka denies a conflict of interest, but based upon certain allegations that have been brought forward in correspondence that has been sent and reviewed, he is recusing himself to avoid the appearance of impropriety on this project.

Attorney McFadden-Zak stated that Mrs. Yerkovich would preside over the meeting.

Attorney McFadden-Zak stated that the Planning Board wanted to stress that every person who wants to speak will be heard. She further stated that this right to speak must be balanced with time management skills, and if someone has more to say than has been said at this public hearing, he or she is encouraged to request additional time at the Board's next meeting or submit the additional comments in writing to the Planning Board.

Mr. Bellissimo asked Councilman Collins to join the audience, rather than stand off to the Board's left. He noted that he was finding it difficult to concentrate, and asked Mr. Collins to sit in front if he intended to be part of the audience. Mr. Collins responded that he would rather stand where he was.

Attorney Sean Hopkins, representing the applicant, stated that the purpose of this public hearing is not to determine whether the property in question is properly zoned, whether the Planning Board likes the project or whether there is a demand for this project. He stated that the purpose of the public hearing is to determine whether the applicant has met the criteria for approval.

Attorney Hopkins stated that the Planning Board has heard commentary that there is not a demand for this project. He noted that this is not an issue for the Board to consider because zoning does not allow the regulation of competition.

Attorney Hopkins stated that the Planning Board also cannot consider whether tenants should be allowed to occupy this property, as opposed to owner-occupied units.

Attorney Hopkins stated that a project was previously approved on this site in 2007 that consisted of 56 townhouse units. He noted that the applicant thought at that time that this was the best use of the site, but since that time has made a determination, which he has every right to make, that the project now proposed represents a better use of the site.

Attorney Hopkins stated that the 990-foot private roadway is already in place, as is one (1) of the townhouse units. He noted that these will stay the way they are.

Attorney Hopkins stated that the proposed project consists of 128 units (eight 8-unit buildings and four 16-unit buildings). He further stated that approximately 120 covered parking spaces are proposed, with a total of 256 parking spaces proposed (two spaces per unit per the Town's zoning code).

Attorney Hopkins stated that this site is properly zoned, and the R-3 zoning has been in place since at least 1986. He noted that the applicant never asked that the property be rezoned to R-3.

Attorney Hopkins stated that this project is consistent with the Town's Comprehensive Plan, and noted that Map 2-10 of the Comprehensive Plan clearly notes that this site, as well as the surrounding area to a large degree, is designated as being appropriate for high-density/mixed use. He noted that although Town Law Section 272 (A) clearly states that Planning Boards,

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Zoning Boards of Appeal and Town Boards shall consider the Town's adopted Comprehensive Plan in connection with the review of land use matters, it does not dictate that any Board must reach a specific conclusion based on the Comprehensive Plan. He noted that Comprehensive Plans do not supersede zoning. He stated that because a Comprehensive Plan typically contains extensive documentation, almost always an argument can be made either way.

Attorney Hopkins stated that there are cases again and again that hold that a Planning Board does not have to have "slavish servitude" to a Town's Comprehensive Plan. He further stated that the Planning Board should consider the zoning of the property, Figure 2-10 of the Town's Comprehensive Plan and the zoning of the surrounding area. He acknowledged for the record that individuals can take positions based on the actual text of the Comprehensive Plan that they believe that this project is not consistent with the Town's Comprehensive Plan.

Attorney Hopkins stated that if the issue of whether or not this project is consistent with the Town's Comprehensive Plan were presented to a court, the court would look to see if there is a rational basis for the Planning Board's decision.

Attorney Hopkins stated that this second public hearing is important because when the original public hearing was held, the Board did not have a complete Site Plan Application before it. He stated that the applicant subsequently submitted a complete application, including plans, reports, studies, a Site Plan application, Part One of the Long Environmental Assessment Form (EAF), etc. He noted that at this time the public should have the opportunity to comment on that information.

Attorney Hopkins stated that this project, along with the pending request for Site Plan Approval, is entirely consistent with the site plan criteria that are specified in the Town's Zoning Code.

Attorney Hopkins stated that the Planning Board must complete an environmental review of this project pursuant to SEQRA (State Environmental Quality Review Act). He further stated that every aspect of this project requires discretionary approval, including the pending request for Site Plan Approval, sanitary sewer capacity, water capacity and connections, traffic impacts, wetland impacts, community character impacts, etc.

Attorney Hopkins stated that it is clear that the Planning Board has followed the procedure mandated by SEQRA that should be followed in connection with the environmental review of projects. He noted that in certain instances, the Planning Board has exceeded the minimum requirements of SEQRA.

Attorney Hopkins stated that this project is considered an Unlisted Action under SEQRA. He noted that the applicant submitted a very detailed application, as well as Part One of the Long EAF and various reports and studies, a few months ago and a Coordinated Review under SEQRA, although not required, was conducted. He stated that none of the agencies that received the project information as part of the Coordinated Review expressed any concerns with the Planning Board acting as Lead Agency. He further stated that none of these agencies provided the Planning Board with any opinion that this project would warrant the issuance of a Positive Declaration and the preparation of an Environmental Impact Statement (EIS).

Attorney Hopkins stated that if someday this project is presented to a court and one of the allegations is whether or not the Planning Board complied with SEQRA, the court is required to apply a certain level of deference to the Board's decision and must determine if the Planning Board's environmental review was illegal, arbitrary and capricious, or an abuse of discretion.

Attorney Hopkins stated that the three (3) key steps the Planning Board must ensure it complies with in connection with SEQRA's substantive obligations are as follows:

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1. Identify relevant areas of environmental concern.
2. Thoroughly evaluate those impacts.
3. Issue a SEQRA determination supported by a reasoned elaboration (negative declaration or positive declaration).

Attorney Hopkins stated that it is the applicant's position that based on the documentation provided, the fact that this project is clearly an Unlisted Action under SEQRA and the fact that the Planning Board has already considered the previously approved project that resulted in the Board's issuance of a Negative Declaration, the only proper decision at the end of the environmental review process will be the issuance of a Negative Declaration.

Regarding the impacts of the project, Attorney Hopkins noted the following:

- Wetlands: The jurisdictional determination that was issued by the U.S. Army Corps of Engineers in 2008 expired. As a result, the applicant retained the services of Wilson Environmental Technologies to conduct a new wetland delineation, which demonstrated that there is slightly less than four (4) acres of federal wetlands on the site. The proposed layout only requires impacts to less than 1/10 of an acre of wetlands.
- Community character: On more than one (1) side of this site, there are largely single-family homes in a residential neighborhood, but that does not mean categorically that that neighborhood and the proposed multi-family project are incompatible for the purposes of SEQRA, for the following reasons:
  1. The existing zoning classification of the project site would allow 31% more units than what is proposed.
  2. R-3 zoning allows three-story buildings, but the applicant is proposing two-story buildings.
  3. The applicant is not proposing large buildings with large parking lots. The proposed parking spots are located close to the proposed units, and numerous garages will be provided.
  4. The buildings' architecture will be upscale, with residential style sloped roofs and a wide assortment of materials.
- Utility connections: Per Erie County, there will be a need to conduct a downstream sanitary sewer capacity analysis, which has been a requirement of every project beginning several years ago. He stated that the analysis will be submitted to Erie County for a determination of whether there is sanitary sewer capacity, and the applicant's engineer is confident that there is capacity. He noted that the County may also make the determination that the applicant must make an appropriate contribution towards the standard sanitary sewer inflow and infiltration policy (often in order for developers to connect existing residential units, they must pay to fix existing problems that have nothing to do with the developer's project). This policy ensures Erie County and the municipalities that when new projects come in, they will improve the sanitary sewer situation, rather than be a detriment.
- Traffic: Rob Pidanic from Nussbaumer & Clarke will discuss the Traffic Impact Study.

Attorney Hopkins asked Board members to consider all the evidence they have received. He further stated that the applicant will respond in writing to all of the testimony received at the

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public hearing, and if the Board needs additional information or documentation it needs in order to feel 100% confident that it is able to take a hard look at the environmental impacts pursuant to SEQRA, it will be provided to the Board in as timely a manner as possible.

Rob Pidanick from Nussbaumer & Clarke, representing the applicant, stated that his firm was retained by the applicant to conduct a Traffic Impact Study for the proposed project. He stated that Nussbaumer & Clarke is well qualified to conduct traffic studies, and it has done a number of them in Western New York. He noted that Nussbaumer & Clarke is frequently asked to review traffic studies for other municipalities.

Mr. Pidanick stated that the purpose of this study was to evaluate potential traffic impacts generated by the proposed development at full occupancy. It looked at future traffic patterns and levels of service associated with the intersections in the study area (Camp Road at Howard Road and Queens Lane, Southwestern Boulevard at Howard Road, and Howard Road at Roundtree Road).

Mr. Pidanick stated that the traffic study looked at peak hour per the Institute of Transportation Engineers. He further stated that at full build-out (2018), the project would generate 65 vehicular trips in the morning and 79 vehicular trips in the evening.

Mr. Pidanick stated that the Institute of Transportation Engineers normally requires traffic study if a project generates 100 trips.

Mr. Pidanick explained what the different Levels of Service mean in the traffic study.

Mr. Pidanick stated that the traffic study took into account the fact that this area is surrounded by commercial development on Southwestern Boulevard and Camp Road. He noted that a very detailed analysis was performed, all of the turning movements at the intersections were examined, and the end result was that the full development of this project would not significantly adversely impact the highway system.

Attorney McFadden-Zak explained to the audience that people who speak will be given respect if they give respect to others who are speaking. She asked the audience to keep their feelings under control to ensure that when they get to the microphone, they will be shown the same respect. She further stated that if anyone in the audience cannot abide by that rule, that person will be asked to leave the meeting.

Mr. Pidanick stated that if anyone has questions about the traffic study, those questions can be submitted in writing to Nussbaumer & Clarke and they will be addressed in detail.

Mr. Reilly stated that although the Town Board is not involved in this decision, he was asked by the Supervisor's office to address the following three (3) issues so that there is no confusion about them:

1. Process: A handout was made available to the public explaining what has happened up to this point, as well as what steps the Planning Board must take in the future. A SEQRA determination must be made before any vote on the project is taken.
2. Zoning: In 1986 the Town adopted a Town-wide rezoning and adopted the zoning map as law. In 1986 the project site was zoned R-3, and what happened before that time is not relevant.
3. The Comprehensive Plan: If this was a rezoning request, the Planning Board would have to consider the Comprehensive Plan by law. For all other actions, the Planning Board can consider what it is the document, but it is not mandated by law to do so.

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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 David Burke to construct 128 apartments on vacant land located east of Heatherwood Drive. The Public Hearing will be held on August 21, 2013 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

Mrs. Yerkovich declared the public hearing open. The following people spoke:

1. Attorney Richard Berger stated that he has been retained in this matter by Nicole Falkiewicz and Charles Cox to represent them. He noted that he recently met with approximately 30 people to discuss with them what the legal requirements are for a site plan in this situation and what they are facing. He stated that the Planning Board previously approved a 56-unit project on this site, the infrastructure is in place for those units and the residents are not opposed to that project. He stated that the Planning Board is under no obligation to change that approved site plan, nor is there a necessity to do so. He stated that this new application is a drastic change to the character of what was previously proposed and approved. He urged the Planning Board to carefully review and ultimately reject the new proposal. He stated that the Planning Board must consider whether or not this project is consistent with the surrounding uses of land, including the single-family home neighborhood, and it is quite obvious that this land is not connected, except by the small local residential streets, to any major roadway. He stated that all of the additional traffic will have to go through the neighborhood to get to Howard Road and Southwestern Boulevard, and at peak hours it will be a major hazard to the children who are playing in the streets. He stated that the Planning Board take a hard look to see if this project will produce significant adverse environmental impacts, and if an EIS is required the applicant will have to research what alternatives are available to the present plan, including doing nothing and leaving it as it is. He stated that one of the key areas of inquiry under SEQRA is what the effect will be on the surrounding community, and this should be fully considered. He stated that the project is not consistent with recommended uses and adopted local land use plans, nor is it consistent with adjoining land uses within ¼ mile. He stated that this project would change a single-family home neighborhood with fairly light traffic into a neighborhood that would include a large multi-family facility with 256 parking spaces and 128 units. He stated that the project would result in the generation of traffic significantly above present levels. He stated that the application is not yet complete, and he and his clients will be available to work with the Planning Department and Planning Board to try to come to a better understanding of what is involved in this project and to give their criticisms and constructive comments together in a way that will be useful when the Planning Board comes to a decision. He referenced a letter from Mark Lee at the Erie County Department of Environment & Planning regarding this project. He stated that the Comprehensive Plan cannot be ignored, as it is a living document.
2. Charles Cox, 3728 Breckenridge Road, had the following concerns:
  - The project must be rejected.

- The Comprehensive Plan should be seriously considered.  
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  - In rejecting the proposed rezoning of property for the Howard Greens project, the Town Board stated that “a higher density development with the type of buildings that would be constructed would not fit into this area and neighborhood”. The same reasons that that project was rejected apply to this particular project.
  - No formal study has been done to determine if additional apartments are needed.
  - The applicant’s statement that this project is consistent with the Town’s Comprehensive Plan is insulting and misleading. The map associated with the Comprehensive Plan cannot be considered out of context and must be considered in connection with the entire Comprehensive Plan. The Comprehensive Plan states that the Town is supposed to protect existing residential neighborhoods from encroachment by incompatible uses and provide adequate buffering of these area from future development.
3. Joann Greiner, 3475 Heatherwood Drive, had the following concerns:
- The Comprehensive Plan indicates that areas near the McKinley Mall and ECC should be considered for R-3 zoning, where denser residential development makes sense. Why are there so many apartment developments popping up elsewhere, and specifically within a one-mile radius of our neighborhood.
  - Two (2) separate surveys conducted during the 2010 Comprehensive Plan update process indicated that Hamburg residents do not want additional apartment projects.
  - Maplewood Estates has approximately 30 vacancies and Brookview Apartments will provide 168 apartments. The area is saturated with apartments.
  - Although the project site is zoned R-3, the residents are asking the Planning Board to make a judgment call as to what to allow on this almost landlocked property.
4. Chris Aquiline, 3460 Heatherwood Drive had the following concerns:
- The proposed project will significantly impact the character of the neighborhood in a negative manner. The neighborhood consists of approximately 700 single-family homes on relatively quiet streets, and the addition of a 128-unit apartment complex does not fit the character of this neighborhood.
  - According to the Town’s Comprehensive Plan, the Town must protect, maintain and improve the aesthetic character of the various neighborhoods in the Town, and it must ensure that new development is in keeping with the character of the surrounding area. The proposed project will change the character of this neighborhood.
  - The Howard Greens rezoning project was rejected, and this proposed project is a much greater aberration than the Howard Greens project was.

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- More apartment complexes are not needed in the Town of Hamburg.
5. Edward Houch, 3667 Woodhaven Circle, had the following concerns:
    - The project will produce more traffic on the streets where children play.
    - The traffic impact study conclusion about peak hour trips is questionable.
    - His home has lost \$25,000 in value since this project was proposed.
  6. Terri Schelter, 3691 Breckenridge Road, had the following concerns:
    - The apartment dwellers will also travel on Breckenridge Road as another driveway to access the complex.
    - The visibility at the curve in front of her home is not good, and children play in the streets. To increase the traffic on this curve would be unsafe. Pedestrian safety must be addressed.

Attorney McFadden-Zak stated that Mr. Joe Collins is a Town Board member, the Town Board delegates to the Planning Board, and Mr. Collins would be speaking as a citizen.

7. Joe Collins, 51 Idlewood, thanked the Planning Board attorney for the acknowledgement and recusal of the Planning Board Chairman. He had the following concerns:
  - He objected to the presentation by the Planning Board's independent advisor, Mr. Reilly, who spoke on behalf of the Town Supervisor. It was improper and further taints the proceedings.
8. Kim Cox, 3728 Breckenridge Road, had the following concerns:
  - The addition of 256 parking spaces will create more water runoff. During a recent storm, the runoff from the project site was significant and it ran down Heatherwood Road and tried to go into the storm sewer, but instead ran right down the street.
  - The Comprehensive Plan call for a reduction in the number of traffic conflict points and the separation of through traffic from local traffic. Sherwood Meadows will significantly increase through traffic to the detriment of local traffic in Roundtree Village.
9. Lawrence Backlas, 3710 Breckenridge Road, had the following concerns:
  - The sewer system was rated initially for 56 townhouses, and now 132 units are proposed (4 existing and 128 new). The sewer system is also connected to the Brookview Apartments project. It needs to be looked at as a possible problem in the future.
10. David Parabek, 4563 Roundtree Road, had the following concerns:
  - The Comprehensive Plan encourages the creation of an integrated transportation system by promoting the design of a road system to ensure access to the area. The apartment complex should not be dependent on Roundtree Road.
  - Motorists drive very fast on Roundtree Road. It was repaved in approximately 1987, and now the roadway is a mess of stones. The road is in terrible shape.
11. Jim McDonnell, 3620 Woodhaven Circle, had the following concerns:

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- The additional traffic from this project on the neighborhood roads will increase the odds that accidents will increase.
  - Any apartment vehicles traveling west on Heatherwood Drive in order to head west on Route 20 to access Route 5 will have to pass the intersection of Heatherwood Drive and Drayton Park, Heatherwood Drive and the west end of Woodhaven Drive, and Heatherwood Drive and Deerfield Drive. There are no stop signs at the intersection of Heatherwood Drive and Drayton Park, nor or there any at the intersection of Heatherwood Drive and Deerfield Drive. There is only a stop sign on Heatherwood Drive where it meets Woodhaven Drive.
12. Adam Bigelow, 3678 Heatherwood Drive, had the following concerns:
- Additional traffic on Heatherwood Drive from the apartment complex terrifies him.
13. Cathy Sullivan, 4693 Pineview Drive, had the following concerns:
- The apartment project would bring people in to the area who have not contributed to the development of this area. This would change the character of the neighborhood.
  - The investment people put into their homes and the pride and emotional investment they have in their homes needs to be counted for.
14. Michael Edwards, 3705 Breckenridge Drive, had the following concerns:
- He is concerned about who will be traveling on the neighborhood roads if the apartment complex is approved. He does not worry about his children on the streets now, but he would if the project is approved because he will not know who the drivers are.
  - The apartment residents could have friends and family visiting, which would increase traffic even more.
  - The apartments would be built in his backyard.
15. Robert Thomas, 3667 Briarwood Court, had the following concerns:
- Traffic will increase significantly if the project is approved.
  - He questioned whether the easternmost buildings should be built because Heatherwood Drive was supposed to connect to Buckingham Lane.
  - He is concerned that if the off-street parking is eliminated, cars will be parked in the existing neighborhood.
  - The scale of the proposed buildings is much larger than the existing homes in the neighborhood.
16. Dick Snyder, 3666 Woodhaven Circle, had the following concerns:
- The quality of life will deteriorate if anything other than single-family homes is built.
  - When Hopevale was open and people exited that site onto the neighborhood streets, people drove through stop signs, etc. because they were not residents of the development.

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17. Tom McCarthy, 3716 Breckenridge Road, had the following concerns:

- A neighbor who is trying to sell his home asked him if he would take the signs against the project down.

Mrs. Yerkovich declared the public hearing closed.

Mr. Reilly stated that the Planning Board will go through Part Two of the Long EAF for the project at its next meeting.

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

Engineering Department comments have been filed with the Planning Department.

**OTHER BUSINESS**

Regarding the minutes of August 7, 2013, Mr. McCabe stated that he feels strongly that the minutes should reflect the business that was conducted at the meeting, and the letter written to Chairman Reszka should be included as part of the record. Board members concurred.

Mrs. Yerkovich made a motion, seconded by Mr. Bellissimo, to approve the amended minutes of August 7, 2013. As there were six (6) ayes and one (1) abstention (Mr. Schawel), the motion carried.

Mr. Schawel made a motion, seconded by Mr. McCabe, to adjourn the meeting. The meeting was adjourned at 8:52 P.M.

Respectfully submitted,  
Stephen J. McCabe, Secretary  
Planning Board

Date: August 27, 2013