

Town of Hamburg
Planning Board Meeting
August 5, 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, August 5, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, Stephen McCabe, David Bellissimo, Joseph Collins, Augie Geraci, Doug Schawel and William Clark.

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

WORK SESSION

Lucia's (4151 Lakeshore Road)

Architect Daryl Martin, representing the applicant, stated that the applicant proposes a building and parking lot expansion at this site. He stated that the applicant is in the process of combining an adjacent lot with the lot that contains the restaurant building. He noted that the proposed plan includes the required lot coverage of less than 75%, and the new parking lot conforms to the requirement that it be located at least 35 feet from the LaSalle Drive right-of-way.

Mr. Martin stated that the parking lot expansion would yield an additional 20 parking spaces. He further stated that the restaurant is very successful, and the kitchen is too small to handle the number of dinners they serve. He stated that the plan would be to expand the kitchen area, add another dining area and add an observation deck area on top of the building for additional room for patrons.

Chairman O'Connell confirmed that the dumpster will be enclosed.

Mr. Bellissimo made a motion, seconded by Mr. McCabe, to schedule a public hearing to be held on August 19, 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

Chairman O'Connell stated that the following projects would be tabled at the applicants' request: Armor Inn, Grandoni Four-Lot Subdivision and West-Herr Toyota.

Public Hearing – Sherwood Meadows, Part 4

Attorney Sean Hopkins, representing the applicant, stated that an area of federal wetlands exists behind sub lots 15 through 20. He stated that the U.S. Army Corps of Engineers will most likely impose a condition that requires the applicant to record a

conservation easement on this area, but the Town of Hamburg would not be a party to that easement in that case. He stated that if the Town of Hamburg deems it appropriate, the applicant would agree to place the wetland area in a conservation easement in the name of the Town of Hamburg.

Mr. Reilly stated that the Planning Board would want some demarcation in the field of the conservation easement area boundaries so that this area is not infringed upon by unsuspecting property owners.

It was determined that the retention ponds would be owned by a Homeowners' Association.

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 73-lot subdivision on vacant land located northeast of Howard Road. The public hearing will be held on August 5, 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:

- Thomas Braun, 4490 Buckingham, asked how much of the existing forested area adjacent to Buckingham would be destroyed. Andy Gow from Nussbaumer & Clarke responded that none of those woods would be touched. Mr. Braun asked where the retention ponds would be located.
- Charlie Cox, 3728 Breckinridge Road, asked where the second retention area would be located and who would own and maintain the retention areas. Attorney Hopkins responded that a Homeowners' Association would be formed, and that association would own the retention areas. Mr. Cox asked where the pump station would be located and how much noise it would generate. Mr. Gow responded that it would be located next to the apartments, and there would be no noise associated with it. Mr. Cox asked how deep the retention ponds would be, and he expressed concern that the retention ponds would not be fenced in.
- Todd LaQuay, 3777 Howard Road, asked what would happen if the sewer system taking water from this development past his home backs up. Mr. Gow responded that his firm did a comprehensive study (wet weather flow testing), and the study confirmed that there is adequate capacity in the system to handle the additional flows from the 73 proposed homes. He further stated that the applicant will have to do infill and infiltration offset, as required by the New York State Department of Environmental Conservation. Mr. LaQuay asked for clarification of where the new road (Logan's Lane) would be located and how it would be configured.
- Laura Podkulski, McKinley Parkway, asked which elementary school the children in this development would attend.

Chairman O'Connell declared the public hearing closed.

It was determined that the applicant will be required to petition the Frontier School Board to annex this property so that the new homes are in a school system (currently this property is located in the Hopevale School District).

It was determined that the retention ponds could be approximately eight (8) feet deep.

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

Popeyes Restaurant (McKinley Parkway)

Mr. Chris Kamber from APD Architecture, representing the applicant, stated that Popeyes would like to construct a new restaurant with a drive-thru on vacant land in front of the plaza at 3670 McKinley Parkway. He stated that the building would be constructed in an area that is currently paved for parking along McKinley Parkway. He noted that space would be provided for 11 vehicles to stack in the drive-thru lane.

Mr. Kamber stated that even though this existing parking area would be removed to construct the building, 21 parking spaces would be constructed in connection with the restaurant, and there would still be ample parking spaces in the plaza to accommodate its needs.

Mr. Kamber stated that a pedestrian walkway is proposed for people who wish to park in the plaza parking area and walk to the restaurant. He noted that "yield" signs would be posted for vehicles, and "pedestrian crossing" signage would also be posted.

In response to a question from Chairman O'Connell, Mr. Kamber stated that speed bumps are not proposed at this time.

Mr. Bellissimo stated that he is concerned about people crossing the busy internal plaza roadway safely to get to the restaurant. He stated that he is also very concerned about where snow would be stored in the winter time since typically it is stored on this usually vacant area of parking.

Mr. Kamber stated that he will work with the owner of the property to come up with traffic calming measures for this area to make it safer for pedestrians.

Mr. Kamber agreed to provide the Planning Board with the number of anticipated employees at the peak shift, number of tables and seating capacity.

Board members discussed the location of the handicapped parking spaces. Mr. Reilly directed Mr. Kamber to discuss this issue with the Building Department.

In response to questions from Board members, shrubs are proposed along the new building, and an existing light pole would be relocated.

Mr. Reilly noted that this project is a Type II Action, and therefore no SEQRA determination will be required.

Mr. Bellissimo made a motion, seconded by Mr. Clark, to schedule a public hearing to be held on August 19, 2015. Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Chairman O'Connell made a motion, seconded by Mr. Geraci, to approve the minutes of July 15, 2015. As there were six (6) ayes and one (1) abstention (Mr. Bellissimo), the motion passed. Carried.

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

Respectfully submitted,
Stephen J. McCabe, Secretary
Planning Board

Date: August 8, 2015