

Town of Hamburg
Planning Board Meeting
July 26, 2017
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 26, 2017 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O’Connell, Vice-Chairman William Clark, Doug Schawel, Augie Geraci, Robert Mahoney and Al Monaco.

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

Excused: Dennis Chapman

WORK SESSION

Buffalo-South Motor Inn, Inc. – Requesting Sketch Plan Direction on a proposed gas station to be located at 4344 Milestrip Road

Chris Wood from Carmina Wood Morris, representing the applicant, stated that the proposed location for the gas station is currently vacant, is .6 acres in size and would be subdivided from the larger existing parcel near the I-90 Interchange. He stated that there would be 12 fueling stations and a 400 sq.ft. kiosk for an attendant to occupy. He noted that the area is paved currently.

In response to a question from Mr. Reilly, Mr. Wood stated that the kiosk would be for customers to pay for their gas, and only incidental items would be sold.

Mr. Wood stated that the plan would be for customers to enter and exit via a one-way system.

Engineering Department comments have been filed with the Planning Department.

Jack Becker – Requesting Sketch Plan Direction of a proposed six-lot subdivision to be located on Eckhardt Road

Chris Wood from Carmina Wood Morris, representing the applicant, stated that the proposed subdivision would be located on the northeast corner of Eckhardt Road and Schoellkopf Road. He stated that the area marked “exception” on the Preliminary Plat east of the lots proposed on Schoellkopf Road refers to a sub lot that was approved by the Planning Board previously.

Mr. Wood stated that the applicant (Mr. Becker) owns the property surrounding these lots, but the proposed lots have access to the existing sanitary sewer and the surrounding property does not, so he is not proposing to develop the surrounding area at this time.

Mr. Wood stated that the proposed lots are larger than what is required, and the homes on Schoellkopf Road would be set back approximately 70 feet in order to maintain the rural feel of the area.

In response to a question from Mr. Reilly, Mr. Wood stated that the two (2) areas marked "exception" (north and west of the proposed lots on Schoellkopf Road and north of Lot # 1) refer to property owned by Mr. Becker but not currently being developed.

It was determined that the "exception" area north and west of the proposed lots on Schoellkopf Road does not currently have access to sanitary sewer.

In response to a question from Mrs. desJardins, Mr. Becker stated that the exception lot east of the Schoellkopf Road lots was previously approved by the Planning Board and sold.

Mr. Wood stated that he will revise the Preliminary Plat to identify the current owner of the above exception lot on Schoellkopf Road.

Mr. Wood agreed to revise the Preliminary Plat to show eight (8) proposed lots.

Engineering Department comments have been filed with the Planning Department.

Donald Sauer – Requesting Sketch Plan Direction on a proposal to construct an athletic facility on property located at 5220 Camp Road

It was determined that the property being considered by the applicant is located on the west side of Camp Road near the Thruway interchange.

Mr. Reilly stated that a concern will be where the applicant proposes to locate the entrance to the property, as it is too close to the Thruway interchange.

Mr. Reilly stated that this proposal would require Site Plan Approval and a Special Use Permit because the proposed building(s) would be over 100,000 sq.ft.

Mr. Donald Sauer, Vice President of S.I.T.E.C. (Sport Indoor Training & Educational Center), representing the project, stated that S.I.T.E.C. is a non-profit corporation. He stated that S.I.T.E.C. would like to construct an indoor track training and competition facility because there is none in western New York. He noted that the indoor track training and competition facility would be Phase I of the project, and schools and local running clubs in the Buffalo metropolitan area would utilize it for training and competitions.

Mr. Sauer stated that the facility would hold 5,000 people.

In response to a question from Chairman O'Connell, Mr. Sauer that Phase II would consist of indoor soccer, flag football, lacrosse and softball fields, as well as volleyball, pickle ball, tennis and badminton courts. He noted that there would be an area for archery, as well as bocce ball, horseshoes, etc.

In response to a question from Mr. Reilly, Mr. Sauer stated that the peak of the building would be 60 feet high, and the height of the eaves would be 33 feet.

In response to a question from Mr. Geraci, Mr. Sauer stated that there would not be as much space for spectators in the second building as there would be in the first building. He noted that the second building would have portable seating that could be moved to whichever area of the building it is needed.

In response to a question from Mr. Geraci, Mr. Sauer stated that the plan is to provide parking for 40 busses and 1,000 vehicles.

Mr. Reilly informed Mr. Sauer that a variance would be required for the height of the buildings, and the nearby residents will be quite vocal about it.

Mr. Sauer showed Board members several options for the positioning of the buildings on the site, and Board members agreed that option # 5 would be the most preferable because it would be located farthest away from the nearby homes on Creekview Road.

REGULAR MEETING

Public Hearing – 7:00 P.M., Jordan Mack (Mack Services LLC) – Requesting a Special Use Permit to operate a Budget Truck Rental business at 4501 Southwestern Boulevard

Mr. Jordan Mack, applicant, submitted an aerial map of the property indicating where he would park the rental trucks. He stated that he will park the trucks wherever the Planning Board decides they should go.

Chairman O'Connell stated that he would prefer that the trucks be parked in the rear of the site, and Mr. Mack agreed to park the trucks there.

Mr. Lardo stated that there should be paved areas for customer parking.

Mr. Mack stated that the parking area for the building is very large, and there would be plenty of room for customers to park in the paved area.

Mr. Geraci stated that people renting trucks do not leave their vehicle at the site when taking the truck. He noted that usually the renter has someone drop them off at the rental site.

It was determined that the best area to place the rental trucks would be to the rear of the site, to the south and west of the building.

Mr. Schawel 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 Jordan Mack to operate a Budget Truck Rental business at 4501 Southwestern Boulevard, which requires a Special Use Permit. The public hearing will be held on July 26, 2017 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.

It was determined that the applicant will be allowed to park up to ten (10) rental trucks on the property.

Mr. Clark made a motion, seconded by Mr. Mahoney, to authorize the Planning Board consultants to draft a resolution to be prepared for the Board's August 9, 2017 meeting. Carried.

Engineering Department comments have been filed with the Planning Department.

Lakeview Corner Store - Requesting Site Plan Approval of a proposed new parking area to be located adjacent to the existing store at 5946 Lakeshore Road

The applicant did not appear.

Mrs. desJardins stated that she received a correspondence from the Traffic Safety Advisory Board (TSAB) indicating the following:

“Our recommendation is to post the existing parking lot for deliveries only, or something similar. The current layout precludes any other safe option. If the existing parking lot were closed, that would require delivery trucks to park parallel on Route 5 to unload supplies. This scenario would pose a greater risk than to maintain the parking lot for deliveries only.”

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

Colley's Pools (4953 Camp Road) – Requesting Planning Board approval of a revised Site Plan

Chris Wood from Carmina Wood Morris, representing the applicant, stated that the previously approved Site Plan had three (3) driveways onto Camp Road. He stated that the New York State Department of Transportation (NYSDOT) will not approve three (3) driveways and is requiring that a driveway be lined up opposite the existing driveway on Camp Road accessing the Benderson property. He noted that the applicant does not want to mix the truck traffic that goes to the rear of the site with traffic that will go to the retail/restaurant building.

Mr. Wood stated that the applicant and the NYSDOT agreed that the applicant can install a driveway for the customers of the planned retail/restaurant building and a driveway for the truck traffic going to the rear of the site, and the previously proposed driveway farthest south will be removed from the Site Plan.

Mr. Wood stated that the above discussion involves Phase I of the overall plan for the site, and that is what the applicant is looking to get re-approved at this time. He noted that Phase II will involve possibly purchasing the property adjacent and north of the site, demolishing the small building and incorporating it into the overall site. He stated that the existing construction business on the applicant's existing site may be moved elsewhere, and another building would be built there that would be similar to the building currently being re-approved. He stated that during Phase II, the driveway servicing the construction business would be eliminated, and the property would then be serviced by just one (1) driveway.

Mr. Wood confirmed that the applicant is simply asking for a re-approval of Phase I at this time.

Mr. Wood stated that the proposed building's size has been reduced from 17,600 sq.ft. to 16,500 sq.ft. and the number of parking spaces provided has been reduced by 18 due to the driveway location changes.

Mr. Clark made a motion, seconded by Mr. Schawel, to authorize the Planning Board consultants to draft resolutions for the Board's August 9, 2017 meeting. Carried.

Michael Jablonski – Requesting re-approval of a Special Use Permit to erect a residential wind energy conversion system on property located at 3134 Old Lakeview Road (original Planning Board approval granted on May 18, 2016)

Mr. Reilly stated that at the Planning Board's previous meeting, he was charged with putting together all of the waivers the applicant would need, and he forgot to inform Mrs. desJardins that a public hearing was to be held at this meeting. He noted that while the files were being reviewed by the Planning Board, it was noted that two (2) area variances are required.

Mr. Reilly stated that when the applicant's use variance request was denied by the Zoning Board of Appeals (ZBA), the accompanying area variance requests were not acted upon, and therefore the applicant must return to the ZBA to request those area variances.

Mr. Reilly stated that if the applicant is calling this previously approved relocated wind turbine his agricultural wind turbine, the Planning Board can waive the two (2) required area variances.

Mr. Jablonski stated that he does not want this previously approved relocated wind turbine to be considered his agricultural wind turbine.

Mr. Reilly advised Mr. Jablonski that if this previously approved relocated wind turbine is not considered for agricultural purposes, then the two (2) area variances will be required.

Chairman O'Connell stated that he understood that the currently proposed relocated wind turbine was for agricultural purposes, as was the wind turbine approved in 2016 that is now being relocated.

Mr. Jablonski stated that what Chairman O'Connell described was the case until he found out that he can only have one (1) wind turbine. He stated that he does not want to tie himself down to only having one (1) because he wants two (2), and he will consider the second wind turbine agricultural so that he can have two (2).

Board members discussed the bond required for a non-agricultural wind turbine. It was determined that the bond is to ensure that if Mr. Jablonski and the company installing and maintaining the wind turbine go bankrupt, for example, money will be available to take the wind turbine down.

Mr. Reilly stated that Councilman Tom Best will be sponsoring an amendment to the Town's law to allow up to a maximum of two (2) residential wind turbines on properties over 20 acres in size.

Mr. Reilly stated that the Hamburg Airport must be notified of the proposed wind turbines.

Mr. Clark made a motion, seconded by Mr. Monaco, to schedule a public hearing to be held on September 6, 2017. 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 12, 2017. As the vote on the motion was five (5) ayes and one (1) abstention, the motion carried.

Mr. Schawel made a motion, seconded by Mr. Mahoney, to adjourn the meeting. The meeting was adjourned at 7:40 P.M.

Respectfully submitted,
Doug Schawel, Secretary
August 4, 2017