

TOWN BOARD MEMBERS PRESENT:

James M. Shaw	Supervisor
Thomas Best, Jr.	Councilman
Elizabeth Farrell	Councilman
Michael Mosey	Councilman
Michael Petrie	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Erika B. Rettig, Deputy Town Clerk; Ted Casey, Highway Superintendent; Steve Walters, Town Attorney; Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator; Samantha Tarczynski, Director of Administration and Finance; Drew Reilly, Planning Consultant; Jennifer Roberston, Information Technology Department, Christopher Hull, Director of Community Development; Charles Naughton, Human Resources and Contract Negotiations Consultant; Michael Quinn, Engineering Consultant; Kurt Allen, Supervising Code Enforcement Officer.

Supervisor Shaw opens the Work Session at 5:30 P.M.

The Town Board reviews the proposed Agenda.

The Town Board discusses two separate resolutions on the proposed Agenda. The first resolution is regarding the promotion to the vacant full-time position of Senior Clerk Typist in the Town Justice Court. The second resolution is regarding the transfer to the position of Senior Clerk in the Town Justice Court.

Jennifer Roberston, Information Technology Department, gives a brief overview of the Town of Hamburg - Network Assessment. (handout available in the Town Clerk's office)

Rebecca from Assemblyman Ryan's office gives a brief presentation regarding Capital Grants. She explains the process in which grants are awarded and that ultimately it is up to the Assemblyman's discretion as to which projects are chosen. Supervisor Shaw states that he will add to the October 27<sup>th</sup> Town Board Agenda a priority list on potential capital grants. The Town Board will then get a resolution in writing to Assemblyman Ryan.

Don Wiess gives a brief presentation regarding Hamburg's Seaway Trail. (handout available in the Town Clerk's office) Supervisor Shaw comments that in the upcoming budget money has been set aside to build railings for the Seaway Trail that will last the winter months. The Seaway Trail will reopen in the Spring/Summer 2019.

Drew Reilly, Planning Consultant, gives an overview of the Planning Department /Planning projects. (documentation attached)

**1.**

On a motion of Supervisor Shaw, seconded by Councilman Mosey, the following resolution was

ADOPTED           Ayes   5       Shaw, Best, Farrell, Petrie, Mosey  
                      Noes   0

**RESOLVED**, that the Town Board move into Executive Session at 6:25 P.M. on four different and distinct personnel items all of which are characterized by the fact that we may have to analyze the personnel files of some people, secure input pro and con on the behavior of some folks. We don't want to compromise reputations. We don't want to add negativity under circumstances where some information should be kept privileged.

## MEMO

**To:** Hamburg Town Board

**From:** Drew Reilly and Sarah desJardins – Planning Department

**Date:** October 15, 2018

**RE:** Planning: Town Board Items- 10/15/18 meeting

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The following is a brief update to the Town Board on Planning projects/activities:

- A. Rezoning Items: There were no new rezoning application received since the last Town Board meeting. A rezoning to accomplish multi-family development – Riley Boulevard area was discussed informally but the applicant has chosen to not move forward at this time. The Code Review Committee is also aware of other potential properties to be rezoned that could move forward (see Code Review draft agenda attached). We recommend that the Town Board officially contact applicants concerning the South Shore Golf Course rezoning and inform them that application is being considered withdrawn due to no action.
- B. The Planning Board held their last meeting on 10/3/18 and will have their next meeting on 10/17/18. At the last meeting, the site plan for the cell tower on Pleasant Avenue was approved. Newer Planning Board items, including a large multi-family development at the Immaculata school property and new plazas near the World Gym near Southwestern and Camp have been tabled for additional information. The application for residential housing off of South Park and Sowles is back on the Agenda for this month.
- C. The Code review committee's last meeting was on 9/19/18 and it was discussed in our last report. The following summarizes the larger issues before the Code Review Committee:
  - The Committee recommends looking at the membership of the committee and potentially making additions to this important committee.
  - The committee is working on numerous potential Code revisions, which are illustrated in the agenda.
  - At previous Town Board meeting, the Telecommunication's moratorium was extended (see recent ruling of the FCC on Telecommunications Moratorium) and the Town Attorney's office has recommended a similar Code to the Town of Tonawanda. The Planning Department has drafted this revised law and will be discussing at the next Code meeting.
  - We are also working with the CAB on the Conservation area section of Town law and CEA laws.
  - We have also been discussing the issues of vacant retail plazas (action needed) and the amount of multi-family housing and vacancies in the Town.

- See the attached draft agenda for our next Code meeting. The next Code committee has not been scheduled as of yet.

D. The Planning Department could have some in-house training for the Planning and Zoning

Boards later in the year (required training).

E. The Planning, Engineering and Building Departments have completed processing a Pre-Permitted site request for a new company to be located off Bayview road in the Lake Erie

Commerce Center, and they are now proceeding to construction. Other potential users are also

looking into the site and we continue to assist the HIDA with this site.

#### **RESOLUTIONS/ACTIONS/PUBLIC HEARINGS for 10/15/18**

We have filed resolutions for action on the code revisions that have been previously discussed. No revisions have been made to the codes since presented at the public hearing.

**Hamburg Code Review Committee**  
**October, 2018 @ 4:00 pm**  
**AGENDA-Work Items (Draft)**

I. Rezoning Issues

1. Development of the South Shore Golf course- rezoning to new PUD. Referred to PB; SEQR process started; **Tabled**
2. Howard Road (Howard Green site); Rezoning to R-3 – **Status?**
3. Two properties corner of McKinley and Clark; Fairgrounds – rezone to Fairgrounds District (**TB referred to PB, PB ok, waiting?**).
4. Property on Lakeshore Road discussed; rezone to RE. Property is large Estate lot with large horse barn. **May be good idea for this site and Planning should look at other surrounding sites.**
5. 4945 Clark Street; commercial rezone to R-1 or R-2 (properties are non-conforming housing). **Would entertain this request; Planning to investigate some of the surrounding properties that could have the same problem. Applicant to decide on proceeding.**
6. **New**; Bayview @ Riley (C-2 to R-3); Application received, but applicant requested tabling.
7. **New**; Episcopal Church (5381 Old Lakeshore road); R-1 to NC to allow R-3 uses (Comprehensive Plan says no). No Application!
8. **New**; Property north of Mosey lane- east of Mall. Residents would like Town to consider changing to PR district.

II. Code Issues

1. Code Enforcement Issues: Section 232 and 280-277 relating to pools and fences; Kurt working on.
2. Other issues raised at ZBA or PB meetings (get input).
3. Telecommunications Law (outdated- micro-cells); Moratorium extended. Samples and suggestions provided by Planning Dept.- assigned to Town Attorney. Planning Dept. drafted law.
4. Solar law; needs to address current trends (Attorney has draft).
5. Food Trucks; see article from AOT- Proceed?
6. **New**; Historic Preservation law- Direction needed (Kurt assigned)
7. Town Board Concerns; retail and multi-family housing
8. C-1 Intent section/ hours of operation
9. CAB- Conservation Area section of the Code; CAB to present ideas.
10. Advisory Committees and Boards
11. Amendment to two trees per lot waiver language.
12. % of paving in front yard, Rv storage, PB power to determine similar uses.