

TOWN BOARD MEMBERS PRESENT:

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

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Steve Walters, Town Attorney; Ken Farrell, Deputy Town Attorney; Samantha Tarczynski, Director of Administration and Finance; Gregory Wickett, Chief of Police; Christopher Hull, Director of Community Development; Michael Quinn, Engineering Consultant; Ted Casey, Highway Superintendent; Jennifer Roberston, Information Technology Department; Charles Naughton, Human Resources and Contract Negotiations Consultant; Martin Denecke, Director of Youth, Recreation and Senior Services.

1.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Town Board opens the Work Session at 7:00 P.M.

Jennifer Roberston, Information Technology Department, comments cybersecurity training for employees will be held December 4th and 5th at Town Hall. The training will be funded through DHS and FEMA’s Homeland Security National Training program at no cost to the Town.

The Town Board reviews the proposed Agenda.

The Town Board discusses the resolutions regarding the resignation and appointment to the Hamburg Industrial Development Agency and the Hamburg New York Land Development Corporation.

Ted Casey, Highway Superintendent, Samantha Tarczynski, Director of Administration and Finance, and the Town Board discuss the late resolution submitted regarding the Highway Department purchasing a new 2019 F250 pickup truck.

Martin Denecke, Director of Youth, Recreation and Senior Services, the Town Board and Samantha Tarczynski, Director of Administration and Finance, discuss the application for a matching grant to purchase playground units.

The Town Board, Samantha Tarczynski, Director of Administration and Finance, Ted Casey, Highway Superintendent, and Don Wiess discusses the final 2019 Town Board Budget.

Steve Walters, Town Attorney, and the Town Board discuss a situation where a property owner located on Evergreen Drive has placed a retaining wall which is ten feet onto Town Park Recreation Land.

Supervisor Shaw adjourns the Work Session and moves into the Town Board meeting at 8:04 P.M.

MEMO

To: Hamburg Town Board

From: Drew Reilly and Sarah desJardins – Planning Department

Date: November 19, 2018

RE: Planning: Town Board Items- 11/19/18 meeting

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

- A. Rezoning Items: There were no new rezoning application received since the last Town Board meeting.
Drew Reilly was contacted by David Stapleton concerning the South Shore Golf Course rezoning (I stated at a previous meeting that this project should be considered withdrawn as no action had taken place in close to a year) and he stated that the project was still active and wanted to be on an upcoming Planning Board meeting. I told him that he really needs to return to the Town Board to update them, as this is a rezoning (I copied the Supervisor on my e-mail response). I have heard nothing new on this.
The residents in the Mosey Lane area would like to know if the Town Board will be proceeding with the rezoning of the Town property (along the McKinley Mall property). They would like the lands rezoned to PR (Park Recreation). With the Board's authorization (see Code meeting recommendation), we will file a resolution for 12/10/18 to refer to the Planning Board, begin SEQOR, complete a County referral and call a public hearing on this action for a January meeting.
- B. The Planning Board held their last meeting on 11/7/18 and will have their next meeting on 11/21/18.
The Planning Board is continuing their review of an application (public hearing being held) for a Jiffy Lube on the outparcel in front of Lowes (next to the KFC that was recently approved). The Planning Board is continuing their public hearing on the application for residential housing off of South Park and Sowles. The residential project at the Immaculata site was reviewed and is tabled to December. These projects need additional information prior to moving forward to any approvals. A maintenance building is being added at the Sherwood Meadows Apartments (Heatherwood drive).
- C. The Code review committee's last meeting was on 11/7/18 (see attached agenda with notes from the meeting). 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 rulings of the FCC on Telecommunications Moratorium, fees, etc.) 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 has presented it to the Town Board and a public hearing has been called.
- 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.
- The next Code committee has not been scheduled.

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

Boards on 11/28/18 (required training).

RESOLUTIONS/ACTIONS/PUBLIC HEARINGS for 11/5/18

We have no filed resolutions for action at tonight's meeting.

**Hamburg Code Review Committee
November 7, 2018 @ 4:00 pm
NOTES/COMMENTS**

I. Rezoning Issues

1. Development of the South Shore Golf course- rezoning to new PUD. Referred to PB; SEQR process started - **Nothing new.**
2. Howard Road (Howard Green site); Rezoning to R-3 – **Nothing new**
3. Two properties corner of McKinley and Clark; Fairgrounds – rezone to Fairgrounds District (**TB referred to PB, PB ok, waiting for TB direction**).
4. Property on Lakeshore Road discussed; rezone to RE. Property is large Estate lot with large horse barn. **Nothing new.**
5. 4945 Clark Street; commercial rezone to R-1 or R-2 (properties are non-conforming housing). **Would entertain this request; Planning to work with Building Inspection to investigate some of the surrounding properties that could have the same problem.**
6. Bayview @ Riley (C-2 to R-3); Application received, but applicant requested tabling. **Nothing new.**
7. Episcopal Church (5381 Old Lakeshore road); R-1 to NC to allow R-3 uses (Comprehensive Plan says no). **No Application; nothing new!**
8. Property north of Mosey lane- east of Mall. Residents would like Town to consider changing to PR district. TB said yes to consider. **Code Review agrees to proceed.**

II. Code Issues

1. Code Enforcement Issues: Section 232 and 280-277 relating to pools and fences; Kurt working on. **Could be ready for next TB meeting to begin process.**
2. Other issues raised at ZBA or PB meetings (get input); **nothing new.**
3. Telecommunications Law (outdated- micro-cells); Moratorium extended. Law drafted, **public hearing being held. Received some comments and Drew attended seminar on this topic (see separate report to be developed- new FCC ruling).**
4. Solar law; needs to address current trends (**Town Attorney has draft and given to Code Review members**).
5. Food Trucks; see article from AOT- Proceed? **Code Review still deciding.**
6. New; Historic Preservation law- Direction needed (Kurt assigned). **Awaiting input.**
7. Town Board Concerns; retail and multi-family housing - **Nothing new**
8. C-1 Intent section/ hours of operation – **Drafted but not presented**

9. CAB- Conservation Area section of the Code; CAB working on this – **Nothing new**
10. Advisory Committees and Boards – **Nothing new**
11. Amendment to two trees per lot waiver language- **drafted and presented to Code Review; recommended moving forward.**
12. % of paving in front yard (**still looking at this**), RV storage (**still looking at this**), PB power to determine similar uses (**still researching**), 280-278 A.- snow fences (**no, this is fine**).
13. **New items added; RA zoning district Ag structures and allowing non-ag use of these abandoned structures. Also the need to add craft wineries to the craft beer law language.**
14. **Items not discussed at Code Review meeting but the Planning Department is working on (raised with TB); updating fee structure, open space/rec fee for multi-family units, fee structure for use of Town ROW's and structures (small cell technology- see FCC ruling).**