

Town of Hamburg
Planning Board Meeting
October 17, 2018
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, October 17, 2018 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Vice-Chairman William Clark, Doug Schawel, Dennis Chapman, Robert Mahoney, Augie Geraci and Al Monaco.

Others in attendance included Town Planner Matt Bowling and Attorney Cheryl McFadden Zak.

Excused: Chairman Daniel O'Connell

WORK SESSION

James DeMarco - Requesting Preliminary Plat Approval of a two-lot subdivision to be located at 5054 Lakeshore Road

Mr. James DeMarco, applicant, stated that he owns a home and a garage that was converted to an apartment on this property, and in order to comply with Town regulations he would like to split the property so that each dwelling is on its own lot.

It was determined that area variances are needed from the Zoning Board of Appeals.

Mr. DeMarco confirmed that no new buildings are proposed.

Mr. Bowling stated that the applicant applied for a use variance to allow the garage to continue to be used as a dwelling unit, but the application was denied. He noted that this is the applicant's attempt to rectify the situation since the use variance was denied.

Mr. DeMarco stated that 18 years ago he converted the existing garage to a dwelling unit, which is not allowed, and that is why he applied for the use variance.

Mr. Bowling advised Mr. DeMarco that separate utilities would be required. Mr. DeMarco replied that there are separate meters there already.

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

Engineering Department comments have been filed with the Planning Department.

David Burke - Requesting Site Plan Approval of a new maintenance building associated with Sherwood Meadows Apartments (Heatherwood Drive)

Mr. David Burke, applicant, stated that he just completed a 111-unit apartment complex off of Heatherwood Drive, and it has become apparent that a facility is needed for a rental office and maintenance. He stated that the building is designed to fit into the character of the apartment complex.

Mr. Burke stated that the rental office/maintenance building is proposed to be located on property designated as a recreation area for the apartment complex, and the recreation area is proposed to be moved to a different location.

Board members discussed where the relocated recreation area should be located.

In response to a question from Mr. Bowling, Mr. Burke stated that there never was an intention to construct anything on the recreation area land, and it was considered open space.

In response to a question from Mr. Chapman, Mr. Burke stated that the proposed building would be used to store lawn mowers, maintenance equipment, paint, etc. He further stated that there would be no engine repair, etc. performed in the building. He stated that the purpose of the building would be to have an office with a rental agent and an area where winter equipment could be defrosted and lawn mowers, etc. could be stored.

In response to a question from Mr. Clark, Mr. Burke stated that currently the maintenance vehicles, etc. are kept off site.

In response to a question from Mr. Clark, Mr. Burke stated that the equipment, vehicles, etc. would always be stored inside the building, and there would be no storage of those items outside. He further stated that a high lift would not fit in the building and would probably be stored outside seasonally.

In response to a question from Mr. Clark, Mr. Burke stated that he has never had any intention of erecting any recreation equipment in the required open space area. He noted that a playground already exists at the nearby school that neighborhood children can use.

Board members discussed the Town Code requirement for recreation area in multi-family developments, as well as the amount of open space that was required when Mr. Burke's apartment complex was approved.

Board members also discussed whether playground equipment would be appropriate in the newly located recreation area.

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

Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

5272 South Park Avenue LLC - Requesting Site Plan Approval of a residential project on portions of 5200 and 5272 South Park Avenue

Attorney Sean Hopkins, representing the applicant, stated that the proposed project comprises portions of 5272 and 5200 South Park Avenue. He stated that the portion of 5200 South Park Avenue that is being purchased from Hilbert College is required in order to make the drainage and topography work. He further stated that 60 attached units are proposed for lease.

Attorney Hopkins stated that the applicant is requesting that a public hearing be scheduled for this proposed subdivision and apartment complex to be held on November 7, 2018.

Attorney Hopkins stated that the initial site plan application has been supplemented with Part I of the Environmental Assessment Form, and the Planning Department has initiated the SEQR Coordinated Review.

Attorney Hopkins stated that the applicant will reach out to the nearby neighbors and if necessary will hold an informational meeting prior to the November 7, 2018 Planning Board meeting.

In response to a question from Mr. Clark, Attorney Hopkins stated that fairly intensive landscaping is proposed in the area of the proposed detention basin along Sowles Road.

Attorney Hopkins stated that a walking path was added through the project, and open space is proposed in conformance with the Town Code regarding recreation areas.

It was determined that the Engineering Department comment letter indicates that sidewalks should be installed along Sowles Road.

Attorney Hopkins stated that the Landscaping Plan attempts to preserve existing trees in the area of the detention pond. He stated that if the Planning Board would rather see new landscaping installed in that area instead, the applicant would be open to that idea.

Mr. Clark stated that he would prefer that the existing trees be left alone and new plantings be added where blank spaces are to fill in gaps. Attorney Hopkins agreed to take some photos of the area and bring them to the public hearing for the Board's review and discussion.

Mr. Bowling stated that the Environmental Assessment Form for this project indicates that the depth to bedrock is 2.5'. Attorney Hopkins stated that he would check with the project engineer and verify that that number is incorrect.

Mr. Bowling stated that the Environmental Assessment Form also indicates that the depth to the water table is 1'. Attorney Hopkins responded that with seasonal fluctuations, that is common throughout western New York.

In response to a question from Mr. Bowling, Attorney Hopkins stated that he will find out if any soil borings have been performed on the site yet.

Mr. Chapman stated that he does not want to hold a public hearing if the Planning Board is not prepared and does not have all necessary information.

Mr. Clark made a motion, seconded by Mr. Mahoney, to schedule a public hearing to be held on November 7, 2018. Carried.

Engineering Department comments have been filed with the Planning Department.

5272 South Park Avenue LLC - Requesting Preliminary Plat Approval of a two-lot subdivision to be located on portions of 5200 and 5272 South Park Avenue

Attorney Hopkins showed Board members which portions of 5200 and 5272 South Park Avenue would constitute the new 7.61-acre parcel on which the 60-unit apartment project is proposed.

Mr. Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on November 7, 2018. Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Geraci made a motion, seconded by Mr. Schawel, to approve the minutes of October 3, 2018. Carried.

Mr. Schawel made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 7:25 P.M.

Respectfully submitted,
Doug Schawel, Secretary
October 29, 2018