

Town of Hamburg
Planning Board Meeting
December 5, 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, December 5, 2018 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O’Connell, Vice-Chairman William Clark, Doug Schawel, Dennis Chapman, Robert Mahoney, Augie Geraci and Al Monaco.

Others in attendance included Town Planners Andrew Reilly and Sarah desJardins, as well as Attorney Cheryl McFadden Zak.

WORK SESSION

Mark Armbruster – Requesting Preliminary Approval of a two-lot subdivision to be located at 3495 Pleasant Avenue

Mark Armbruster, applicant, stated that he plans to sell the existing home at 3495 Pleasant Avenue with two (2) acres of land and keep the remaining 16 acres of vacant land.

Mrs. desJardins stated that the newly created 16-acre lot and the lot associated with the existing home meet all Town Code requirements.

In response to a question from Mrs. desJardins, Mr. Armbruster stated that he would like to construct a new home on the large vacant lot.

Mr. Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on December 19, 2018. Carried.

REGULAR MEETING

Continuation of Public Hearing held on November 21, 2018 - Guggenheim Development Services, LLC – Requesting Preliminary Approval of a three-lot subdivision to be located as an outparcel in front of Lowe’s (4950 Southwestern Boulevard)

Mr. Mike Ritchie from Costich Engineering and Kurt Overmyer from Guggenheim Development appeared on behalf of the applicant. Mr. Ritchie stated that the Engineering Department comments regarding the proposed subdivision have been addressed.

Mr. Ritchie stated that the biggest remaining issue is the question of how the remaining lands not purchased by Guggenheim Development will be maintained going forward. He noted that a draft maintenance agreement was recently submitted to the Planning Department by Douglas Morris from Hamburg Land Associates.

Mrs. desJardins stated that Town Attorney Steven Walters reviewed the above mentioned draft agreement and wanted some minor revisions to the document, which were made. She noted that Attorney Walters will review the revised document again in the near future.

Mr. Reilly stated that a Map Cover may need to be filed with the County with restrictions on it relative to the two (2) remaining parcels that Guggenheim Development does not wish to purchase.

Mrs. desJardins stated that she was informed by the Building Department that there is already in place a working mechanism to deal with properties that are not maintained.

Mr. Geraci stated that the property is not currently well maintained.

Board members discussed the proposed maintenance agreement and whether the dollar amount offered by Mr. Morris is substantial enough.

In response to a question from Mrs. desJardins, Mr. Overmyer stated that the applicant will only purchase the parcel indicated on the Preliminary Plat as being for the Jiffy Lube development.

Chairman O'Connell asked if anyone wanted to speak in favor of or in opposition to the proposed subdivision. No one spoke.

Chairman O'Connell stated that the public hearing will be kept open until December 19, 2018.

Engineering Department comments have been filed with the Planning Department.

Guggenheim Development Services, LLC – Requesting a Special Use Permit and Site Plan Approval of a proposed Jiffy Lube to be located on an outparcel in front of Lowe's (4950 Southwestern Boulevard)

Mr. Mike Ritchie from Costich Engineering and Kurt Overmyer from Guggenheim Development appeared on behalf of the applicant. Mr. Ritchie stated that the Engineering Department comments have been addressed. He noted that decorative timber guiderails have been proposed along the road, as requested by the Engineering Department, landscaping has been proposed on the site and building elevations have been submitted for review.

In response to a question from Mrs. desJardins, Mr. Ritchie stated that any portion of the parcel that is disturbed will be restored using hydro seeding.

Mr. Ritchie confirmed that any lighting will be shielded and dark sky compliant LED lights. It was determined that the parking lot lighting will be turned off when the business is closed. Mr. Ritchie stated that no light poles are proposed on the west side of the parcel.

In response to a question from Chairman O'Connell, Mr. Overmyer stated that modifications can be made, such as sections of the front of the building and entrance being raised.

In response to a question from Mr. Reilly, Mr. Ritchie stated that the storm water will be transmitted to the existing Lowe's detention basin, and the KFC and Jiffy Lube businesses together have a smaller footprint and impervious area than what was approved for the original outparcels.

It was determined that the Traffic Safety Advisory Board (TSAB) will investigate the ongoing concerns of the residents of Oregon Road relative to the traffic on Southwestern Boulevard.

Mr. Reilly stated that the traffic problems being experienced by the residents of Oregon Road are existing ones, and the addition of a Jiffy Lube will not make the problems worse.

Board members agreed that the maintenance plan for the two (2) residual unbuildable parcels must be resolved before a SEQR determination is made.

Mr. Clark made a motion, seconded by Mr. Mahoney, to authorize the Planning Department to prepare resolutions for a SEQR Negative Declaration, Preliminary Plat Approval, a Special Use Permit and Site Plan Approval, as well as table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Schawel made a motion, seconded by Mr. Geraci, to approve the minutes of November 21, 2018.

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

Respectfully submitted,
Doug Schawel, Secretary
December 12, 2018