

Town of Hamburg
Planning Board Meeting
February 20, 2019
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, February 20, 2019 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman William Clark, Vice-Chairman Augie Geraci, Doug Schawel, Dennis Chapman, Robert Mahoney, Al Monaco and Kaitlin McCormick.

Others in attendance included Town Planners Andrew Reilly and Matt Bowling, as well as Planning Board Attorney Jennifer Puglisi.

REGULAR MEETING

Anthony Cutaia – Requesting Site Plan Approval of a proposed multi-family project to be located at 5138 South Park Avenue

Attorney Sean Hopkins, representing the applicant, submitted a revised Site Plan to Board members. He noted that as a result of the public hearing held on January 16, 2019, a six-foot high board on board fence has been added along the entire shared property line with the Twilight Lane properties. He stated that the fence would be more than 1,500 feet long.

Attorney Hopkins stated that the following changes were made to the proposed Site Plan as a result of comments received at and subsequent to the Planning Board meeting held on February 6, 2019:

- Building # 1 has been eliminated, reducing the number of proposed units to 152 from the originally proposed 184 units. The density of the project is now 5.62 units per acre. As proposed, there would be no buildings on the entire northeastern portion of the site. This also eliminates the need to impact the approximately 3/10 acre wetland area on the far east end of the site, and it allows the applicant to increase the permanent open space north of the relocated baseball field from 20 feet to 50 feet.
- The wooded area between the two (2) ball fields will be preserved, and it has been determined by Scott Livingstone from Earth Dimensions that this area will remain viable and revert to wetlands over time.
- The previously proposed access road and gated emergency access to Bayview Road have been eliminated and are not required by the New York State Fire Code.

Attorney Hopkins stated that he has provided the Planning Board with extensive SEQR documentation that supports the issuance of a SEQR Negative Declaration. He noted that this documentation includes a traffic study, an updated traffic study, a wetland delineation, a wetland permit application, the No Impact letter issued by the New York State Office of Parks, Recreation and Historic Preservation, correspondence from Earth Dimensions and the numerous revisions to the Site Plan.

Attorney Hopkins referenced a letter from Bob Walter, Registered Landscape Architect, which was submitted to Board members. Attorney Hopkins stated that Mr. Walter visited the project site on February 14, 2019 and concluded that much of the vegetation on the eastern portion of

the site is not a valuable resource. Attorney Hopkins stated that Mr. Walter noted that there are ash trees that are dying and some that are likely to become diseased, but there is one (1) area on the site where there are some trees that do have value and could be preserved.

Attorney Hopkins stated that a portion of the area of trees that Mr. Walter identified as being potentially valuable and worth saving extends into the area of one of the ball fields. Attorney Hopkins noted that he believed that it may be possible to move the ball field some distance to the north in order to save those trees.

Jon Barniak from Carmina Wood Morris stated that it may be possible to move the ball field to the north and slightly alter the arrangement of the storm water management ponds.

Attorney Hopkins stated that Mr. Walter suggested that additional evergreen trees be planted in the area north of buildings # 3, 4 and 5 twelve to fifteen feet on center. Attorney Hopkins stated that Mr. Walter also suggested that additional trees be planted along South Park Avenue in order to enhance the appearance of the development to motorists passing by.

Attorney Hopkins stated that the applicant has acknowledged that the New York State Department of Conservation's (NYSDEC) storm water quality and quantity requirements will have to be met, including an over-designed storm water management system to handle a 100-year storm event. He further noted that the project will also have to comply with the DEC's infiltration and inflow policy.

Ms. McCormick stated that she would like the areas of existing trees delineated on the Site Plan. Mr. Reilly asked Attorney Hopkins to submit a separate tree clearing plan along with the Site Plan and Landscaping Plan.

In response to a question from Ms. McCormick, Mr. Barniak stated that approximately one-third of the existing trees on the site would be removed.

Mr. Geraci stated that the wind from the previous weekend took down many trees on the site that were standing a few weeks previously, and most of them were ash trees.

In response to a question from Chairman Clark, Attorney Hopkins stated that in order to mitigate the loss of existing trees on the site, new landscaping is proposed.

Ms. McCormick asked Attorney Hopkins if the applicant had anything in mind to offset the impacts to the wetlands and forested areas. Attorney Hopkins responded that if there is something reasonable that can be offered onsite, the applicant would be open to it.

In response to a question from Mr. Reilly, Mr. Barniak stated that bio-retention filtration will be done for the entire site.

In response to a question from Ms. McCormick, Mr. Barniak stated that the footprint of the storm water management area as shown is fairly consistent with what will be constructed.

Mr. Reilly stated that if the project is approved, the 50-foot buffer areas on the north side of the site will be delineated in the field prior to construction, and the Conservation Advisory Board (CAB) will observe that. Attorney Hopkins stated that impacting that 50-foot buffer area would be inconsistent with the applicant's discussions with the Twilight Lane residents, and the area will be clearly delineated.

Mr. Reilly stated that the project would impact 6.5 acres of trees.

Attorney Hopkins responded that the fact that the impacted acreage has been reduced with the revisions to the Site Plan and the Registered Landscape Architect's opinion of the health of the trees should also be considered.

Chairman Clark stated that there will be a substantial net loss of trees and asked Attorney Hopkins if some off site mitigation would be an option. Attorney Hopkins responded that the applicant would prefer that any mitigation be done on site because it would benefit the project.

Mr. Reilly stated that it was his understanding that the ball fields would be available for use by the residents of this development. Attorney Hopkins stated that a letter was submitted from Hilbert College indicating that, and the President of Hilbert College stated that at the public hearing.

In response to a question from Chairman Clark, Mr. Barniak stated that the turf fields would be designed by another company. He agreed to submit the design and summary from the turf design company.

Mr. Clark indicated a concern about the pellets from the turf fields getting into the drainage system.

Kurt Hermann, 4272 Twilight Lane, asked how the drainage that currently runs off the project site onto Twilight Lane properties would be mitigated. Mr. Barniak explained the storm water management system for the project.

Bev Robinson, 4370 Twilight Lane, asked how the storm water management systems would look. Mr. Barniak explained that one area would recessed and look like a lawn with catch basins in it, and the other area would hold 4-6 feet of standing water, and the level would rise during heavy rain events to elevations that are designed to hold back that water so that it does not overflow into Bayview Road.

Board members discussed whether sidewalks should be required on South Park Avenue.

Mark Lorquet, Chairman of the CAB, stated that he is concerned about the buildings in the northwest corner of the site being so close to the federal wetland area and the potential runoff during a heavy rain event.

Mr. Reilly stated that the Town does not regulate wetlands, but it does try and preserve them where possible.

Mr. Mahoney stated that he is still concerned about the safety of motorists and pedestrians at the entrance from South Park Avenue. He stated that he believes that sidewalks on South Park Avenue are imperative.

Attorney Hopkins stated that there would be two (2) exit lanes and one (1) entrance lane at the South Park Avenue access so that vehicles turning north onto South Park Avenue would not get backed up. He further stated that the stacking area for that access point goes very far back.

Attorney Hopkins stated that when vehicles are attempting to exit the development in the peak am hours, no one will be leaving Hilbert College, and therefore residents can use any of the Hilbert College roadways to either Sowles Road or South Park Avenue as an alternative to the access point at South Park Avenue from the development

Mr. Geraci stated that he drives in this area every day and noted that traffic is only busy for 40 minutes every morning.

In response to a question from Mr. Monaco, Attorney Hopkins stated that there would be no lighting on the ball fields.

A member of the public asked for clarification regarding public use of the ball fields.

Mr. Lorquet asked that the areas of trees to be preserved to be clearly delineated in the field.

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

OTHER BUSINESS

Mr. Geraci made a motion, seconded by Ms. McComick, to approve the minutes of February 6, 2019. Carried.

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

Respectfully submitted,
Doug Schawel, Secretary
February 28, 2019