

Town of Hamburg
Planning Board Meeting
March 6, 2019
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, March 6, 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 Sarah desJardins, Andrew Reilly and Matt Bowling, as well as Planning Board Attorney Jennifer Puglisi.

REGULAR MEETING

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

Mrs. desJardins stated that Mr. DeMarco's property contains two (2) structures on it, and he would like to split it so that each structure will be located on its own parcel. She noted that the variances that were required have been obtained from the Board of Zoning Appeals, and he would like to continue with the Planning Board review process.

It was determined that the two (2) structures would share a common driveway.

Mr. Chapman made a motion, seconded by Mr. Monaco, to schedule a public hearing to be held on March 20, 2019. Carried.

Engineering Department comments have been filed with the Planning Department.

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, stated that the current Site Plan incorporates all of the comments received at the Board's February 20, 2019 meeting. He stated that the following items were added to the Site Plan since that meeting:

- Based on a request by Kurt Allen, Supervising Code Enforcement Official, the fire hydrant locations are now shown on the Site Plan.
- As a result of the reduction of the project's density, it now complies with the recreational requirement of 500 sq.ft. per unit (totaling 66,000 sq.ft.) without needing to consider the new athletic fields. 20,000 sq.ft. of permanent open space will be accessible to future residents of the development in the immediate vicinity of the clubhouse, and the bike

path equates to 56,000 sq.ft. If one adds in the Hilbert College ball fields' square footage, the total open space provided would be 226,429 sq.ft.

- An updated landscaping plan with an updated landscaping schedule was submitted to the Planning Department. It includes 566 new trees, 988 new shrubs and 55 new ornamental grasses.
- The acreage to be impacted by this project has been reduced to 6.9 acres, and everything in green on the Site Plan will not be impacted.
- The impacts to the wetland areas have been reduced to .6 acres.

Attorney Hopkins stated that Mr. Allen confirmed that the project layout does comply with the emergency access standards in Appendix D of the New York State Fire Code.

Attorney Hopkins stated that an updated Traffic Impact Study was performed based on the elimination of the publicly accessible driveway to Bayview Road, the addition of the driveway connection to Hilbert College and the elimination of the southernmost driveway on South Park Avenue. He noted that both Erie County Department of Public Works and the New York State Department of Transportation have confirmed that they have reviewed the updated Traffic Impact Study and their concerns have been addressed.

Mrs. desJardins clarified a conversation held at the February 20, 2019 meeting between Mr. Reilly and Attorney Hopkins regarding the Hilbert College ball fields and how they would be used by the public. She stated that when Mr. Reilly stated that the ball fields could be used by any member of the public and kids could play on the fields, Attorney Hopkins stated that the letter from Hilbert College in the file reflected that fact. Mrs. desJardins stated that after listening to the minutes from the meeting, she concluded that Attorney Hopkins did not understand the nature of Mr. Reilly's comments when he concurred with them.

It was clarified that Hilbert College will make the ball fields accessible to organizations, but there will be a process where the users must provide appropriate insurance, and the request must be subject to Hilbert's schedule of events.

Attorney Hopkins stated that he has received phone calls from approximately 12 to 15 residents about this project, and every one of them has said that they appreciate the changes that have been made to the Site Plan, and their concerns have been addressed.

Mrs. desJardins stated that she had had several calls similar to the ones received by Attorney Hopkins.

Board members discussed whether sidewalks would be required along South Park Avenue.

Chris Wood, engineer for the project, stated that the trail on the property would be extended from the development to the existing bus stop on South Park Avenue.

Attorney Hopkins stated that the applicant is requesting that the installation of sidewalks be waived until such time as it is part of a larger project to the south or the north.

Mr. Geraci stated that there are no sidewalks currently on South Park Avenue until one gets to the Village.

Mr. Wood stated that in the six-foot area between the right-of-way line and the edge of pavement, there is a ditch along the entire length of the applicant's property. He noted that in order to install sidewalks in, the entire length of that ditch would have to be piped, and the New York State Department of Transportation does not always like it when ditches are piped.

Attorney Hopkins stated that a sidewalk is not proposed along Bayview Road.

Chairman Clark stated that if sidewalks are not required to be installed with the development of this project, there would have to be a mechanism in place where the Board feels comfortable that they will in fact be installed when additional development occurs south of this project.

The Board reviewed the Full Environmental Assessment Form and the following issues were discussed:

- Impacts on land
- Impacts on surface water
- Impacts on wetlands
- Impacts on aesthetic resources
- Impacts on open space and recreation
- Impacts on transportation
- Impacts on energy
- Impacts on noise, odor and light
- Impacts on human health
- Consistency with community plans
- Consistency with community character

In response to a question from Mr. Mahoney, Mr. Wood stated that all of the parking provided for the ball fields is located on the Hilbert College property.

Mr. Clark made a motion, seconded by Mr. Mahoney, to draft SEQR and approval resolutions and to direct Planning Board members to email the Planning Department with reasoning for either a Positive or Negative Declaration. Carried.

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

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Geraci made a motion, seconded by Mr. Chapman, to approve the minutes of February 20, 2019. Carried.

Mr. Schawel made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 8:00 P.M.

Respectfully submitted,
Doug Schawel, Secretary
March 13, 2019