

Town of Hamburg  
Planning Board Meeting  
November 6, 2019  
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, November 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, Robert Mahoney, Al Monaco, Dennis Chapman, and Kaitlin McCormick.

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

**REGULAR MEETING**

**Roger Duffett - Requesting Site Plan Approval of a proposed 7,000 sq. ft. new building at 5640 Maelou Drive**

Andy Gow from Nussbaumer & Clarke, representing the applicant, stated that based on the discussion at the Board's last meeting regarding landscaping, six (6) new trees are proposed in front of the new building.

Mr. Reilly stated that this property is in a wetlands check zone.

Mr. Geraci made the following motion regarding SEQR, seconded by Mr. Schawel:

"In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Roger Duffett project, which involves the construction of a new 7,000 sq.ft. building, and held the required public hearing on October 16, 2019. Based on this review, the Planning Board has determined that the project's environmental impacts have been avoided or mitigated to the maximum extent practicable. Therefore, the Planning Board has determined that the proposed Roger Duffett project is not anticipated to result in any significant adverse environmental impact, and a Negative Declaration is hereby issued." Carried.

Mr. Geraci made the following motion regarding Site Plan Approval, seconded by Mr. Monaco:

"Based on the review of the Roger Duffett project materials and having completed the SEQR process, the Hamburg Planning Board hereby approves the project with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated November 6, 2019.
- The installation of sidewalks is waived, as there are no sidewalks on Maelou Drive.
- The landscaping plan shall be approved by the Planning Department." Carried.

Engineering Department comments have been filed with the Planning Department.

**Speedway, LLC – Requesting a rezoning of property located at 4200 Southwestern Boulevard from C-1 to C-2 in order to construct a convenience store with fuel sales**

Jonathan Wocher from McBride Dale Clarion, representing the applicant, stated that the request is to rezone property on the corner of Southwestern Boulevard and Big Tree Road from C-1 to C-2 to allow the construction of a Speedway convenience store and gas station. He noted that the convenience store would be just over 4,600 sq.ft. in size, and eight (8) fuel dispenser islands are proposed. He stated that a driveway is proposed on Southwestern Boulevard, as well as one on Big Tree Road.

Mr. Wocher stated that a Traffic Impact Study was prepared and submitted to the New York State Department of Transportation (NYSDOT), and NYSDOT recommended that the driveway onto Southwestern Boulevard be a right in/right out only driveway and that the left turn lane on Southwestern Boulevard be extended approximately 100 feet to address queuing distance issues that may arise.

Mr. Wocher stated that the Traffic Impact Study will be updated to reflect the changes resulting from the above comments from the NYSDOT.

Mr. Wocher stated that the applicant feels that the requested zoning is appropriate, given the fact that there is C-2 across Southwestern Boulevard (Tops plaza) and in the vicinity, as well as the existing traffic and development conditions in the area.

Chairman Clark stated that if the Town Board decides to grant this rezoning, the Planning Board will want some sort of conservation easement in the rear of the property and a large number of trees planted. He stated that the Planning Board will probably want a 1:1 replacement ratio of trees taken down along Southwestern Boulevard vs new trees planted elsewhere on the site.

Mr. Reilly recommended that the Planning Department begin writing a report to accompany the Planning Board's eventual recommendation to the Town Board on the rezoning request.

Mr. Chapman stated that he is not in favor of rezoning this property for a gas station because he does not feel Hamburg needs more of them. He feels there are already too many gas stations in Hamburg. He further stated that on Bills home game days, there will be an excess of traffic in this area, which will require additional police and emergency personnel.

In response to a question from Ms. McCormick, Mr. Reilly stated that the Comprehensive Plan calls this area "regional commercial area".

It was determined that Board members would put together a list of issues to be considered and vote at the next meeting on whether to recommend the rezoning. He noted that regardless of what the recommendation is, the list of concerns will be included with the recommendation.

Mr. Wocher stated that approximately 15 to 18 employees are anticipated (some would be part time and some full time).

In response to a question from Ms. McCormick regarding proposed lighting, Mr. Wocher stated that recessed LED cut off fixtures are proposed in the canopies and for the overall site lighting.

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

**Chuck Backus – Requesting Planning Board approval of a revised Special Use Permit and Site Plan Approval request to convert an existing vacant building to public mini-storage and construct additional new mini-storage buildings at 1975 Lakeview Road**

Chuck Backus, applicant, stated that his original plan was to connect the existing building in the rear of the site with new buildings, but because of the pitch of the existing building's roof he has decided to construct a new building that is not connected to it.

In response to a question from Chairman Clark, Mr. Backus stated that the revision will not result in the view from the road being any different from the previously approved plan.

It was determined that the previously approved mini-storage buildings proposed in the rear of the site are not proposed along the east property line.

It was determined that the Planning Department will prepare resolutions for the Board's next meeting.

In response to a question from Mark Lorquet, audience member and Conservation Advisory Board Chairman, Mr. Backus stated that all of the required environmental testing of the property has been completed.

Chairman Clark made a motion, seconded by Mr. Mahoney, to schedule a public hearing to be held on November 20, 2019. Carried.

Engineering Department comments have been filed with the Planning Department.

**Erie Wind, LLC – Requesting an amendment to the approvals granted for the Steel Winds II project on Lakeshore Road (approvals granted in 2010)**

Attorney Jeff Davis from Barclay Damon, representing the applicant, stated that the SEQR determination is scheduled to be made by the Erie County Industrial Development Agency (ECIDA) on November 20, 2019. He requested that a public hearing be scheduled for December 4, 2019.

Attorney Davis stated that the applicant has decided to go with the GE model for the blades, and therefore the length of the new blades will be 36 feet longer than the existing blades. He further stated that the blades on one of the existing turbines are being taken down because the turbine's gear box is seized.

In response to a question from Chairman Clark, Attorney Davis stated that the new blades will be certified for 20 years.

Chairman Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on December 4, 2019. Carried.

**OTHER BUSINESS**

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

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Respectfully submitted,  
Doug Schawel, Secretary  
November 25, 2019