

Town of Hamburg
Planning Board Meeting
January 22, 2020
Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 P.M. on Wednesday, January 8, 2020 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman William Clark, Vice-Chairman Doug Schawel, Dennis Chapman, Robert Mahoney, Al Monaco, Kaitlin McCormick and Megan Comerford.

Others in attendance included Town Engineer Michael Quinn, Town Planner Matthew Bowling and Planning Board Attorney Jennifer Puglisi.

WORK SESSION

James Cleary – Requesting Sketch Plan Direction on a proposal to create a wedding/event center at 6653 Taylor Road

Attorney Sean Hopkins, representing the applicant, stated that his client proposes to purchase this property and redevelopment it as a seasonal event center with an emphasis on weddings. He stated that it would be utilized on weekends with limited hours and would close in the winter.

Attorney Hopkins stated that this property is currently the site of an existing tennis center that negotiated a lease in 1976 that is perpetual, so the indoor tennis courts will remain.

Attorney Hopkins stated that a 5,760 sq.ft. new building is proposed, and the applicant hopes that this use will be compatible with the surrounding neighborhood.

Attorney Hopkins noted that because the property is zoned R-A, a use variance would be required. He stated that the Planning Department advised him to present the project to the Planning Board and then attempt to get the required use variance.

It was determined that the applicant's mission statement was mailed to property owners within 500 feet of this property by the Planning Department.

Attorney Hopkins noted that the project property is approximately 15 acres in size and backs up to Eighteen Mile Creek. He stated that the applicant's goal is to limit the impact of the developed area, keep the existing vegetation and avoid the most environmentally sensitive areas.

In response to a question from Chairman Clark, Mr. Quinn stated that there is a pump station on the project site that pumps up to a manhole on Taylor Road. He stated that there is a problem with the pipe between the manhole and the sewer on the other side of Taylor Road that causes sewage to back up out of the manhole onto the front yard of 6655 Taylor Road. He noted that as he understands the situation, the County owns the sewer system in that area and views the line under Taylor Road as a lateral, meaning that the County is not responsible for fixing the problem.

Mr. Quinn further noted that there may be problems with rainwater and the collection system.

Attorney Hopkins stated that this could be an opportunity to clean these problems up.

In response to a question from Chairman Clark, Attorney Hopkins stated that a new building is proposed, the existing building would be demolished and the existing pool would be filled in.

Ms. McCormick expressed concern with what lighting would be proposed and any signage.

Mr. Mahoney stated that he lives in the area, and Taylor Road has become a heavily travelled road. He asked if the event center would be open during the week. Attorney Hopkins stated that he was under the impression that the goal would be to not be open between Monday and Thursday, but he would check with the applicant.

In response to a question from Mr. Mahoney, Attorney Hopkins stated that the applicant is envisioning that outside caterers would provide the food for the events. He further stated that the new building would be very close to the area where the existing building and pool are.

Mr. Mahoney stated that as a nearby property owner, he would be concerned about noise generated from the activities on this site. He asked what the seating capacity would be for the new building.

Attorney Hopkins stated that the only outside music will be that played during wedding ceremonies. He noted that reception music will be only inside the building.

Board members noted a concern about the number of parking spaces proposed and whether that number is adequate for the capacity of the building.

Board members asked Attorney Hopkins to ask the applicant if outdoor activities and seating would be permitted.

Attorney Hopkins stated that the applicant would have to accommodate the tennis club's continuing use of the tennis bubble on the site.

Attorney Hopkins stated that prior to the Board of Zoning Appeals making a decision on the requested use variance the Planning Board will need to make a SEQR determination on the project.

Mr. Bowling asked Mr. Hopkins how the Planning Board can ensure that the events will be over by 10:00 P.M. as stated in the applicant's mission statement. Attorney Hopkins responded that he will speak to the applicant about that question.

Chairman Clark listed the concerns raised regarding this proposal as follows:

- Noise
- Hours of operation
- Days of operation
- Traffic and flow of people in and out
- Garbage
- Sanitary sewer problems at the site
- Parking lot lighting
- Signage
- Screening (landscaping vs fencing)

- Seasonality of the HVAC system

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

Engineering Department comments have been filed with the Planning Department.

JSEK Hamburg, LLC – Requesting a rezoning of a portion of 4535 Southwestern Boulevard from C-1 to C-2 in order to construct a car wash facility

Attorney Sean Hopkins, representing the applicant, stated that a stand-alone car wash is proposed on this site. He noted that there would be no convenience store, automobile repair or fueling facility. He stated that this parcel is a portion of an approved existing office park that included an office building on this site that was never built. He further stated that the request is to rezone this portion of the site from C-1 to C-2 and noted that the adjacent parcel is zoned C-2.

Attorney Hopkins stated that a large number of stacking spaces is proposed, and no new curb cut is proposed. He noted that the car wash would connect into the existing driveway that services the office park. He further stated that a monument sign would be proposed.

Attorney Hopkins stated that a Traffic Impact Study (TIS) is being prepared for this proposal that will be submitted to the Town in the near future.

It was determined that Site Plan Approval and a Special Use Permit would be required, as well as Minor Subdivision Approval because the applicant plans to purchase the property.

Board members reviewed the proposed renderings of the building.

Mr. Chapman asked what the office park owner's plans are for the remainder of the undeveloped area on this site. Attorney Hopkins stated that it is unrelated to the rezoning request being reviewed, but he would ask the office park owner Mr. Chapman's question.

Mr. Chapman stated that as one travels southwest on Southwestern Boulevard from South Park Avenue, the zoning transitions from C-2 to C-1 to R-3, and he feels that the Town did that to limit C-2 uses from appearing as one travels southwesterly. He stated that rezoning this parcel to C-2 would not be adhering to the original intent of the transitional zoning.

Board members discussed the definition of "spot zoning" and determined that this request would not be considered spot zoning.

Ms. McCormick stated her concern will be traffic. Attorney Hopkins stated that Southwestern Boulevard is the busiest during the morning and afternoon peak hours, and car washes are busiest during non-peak times.

Mr. Chapman asked Attorney Hopkins to research the access to the adjacent property to the northeast that was on the approved Site Plan when the office park was approved.

In response to a question from Mr. Chapman, Attorney Hopkins stated that the existing tenants in the office park have been made aware of this proposal and have no objections to it.

In response to a question from Chairman Clark, Attorney Hopkins stated that this would be a subscription car wash.

Chairman Clark advised Attorney Hopkins that the Board will want to see what the vacuums would look like.

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

OTHER BUSINESS

Mr. Chapman made a motion, seconded by Mr. Monaco, to adjourn the meeting. The meeting was adjourned at 7:15 P.M.

Respectfully submitted,
Kaitlin McCormick, Secretary

January 28, 2019