

Town of Hamburg
Board of Zoning Appeals Meeting
March 3, 2020
Minutes

The Town of Hamburg Board of Zoning Appeals met for a Regular Meeting on Tuesday, March 3, 2020 at 7:00 P.M. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Commissioner Ric Dimpfl, Commissioner Nicole Falkiewicz, Commissioner Laura Hahn and Commissioner Mark Yoder.

Others in attendance included Sarah desJardins, Planning Consultant, and Attorney Michelle Parker.

Excused: Chairman Brad Rybczynski, Commissioner Jeff Adrian and Commissioner Louis M. Chiacchia.

Vice-Chairman Dimpfl asked for a moment of silence to honor those men and women in the military who have paid the ultimate sacrifice.

Commissioner Falkiewicz read the Notice of Public Hearing.

Application # 5772 Erie Wind, LLC – Requesting that the variance granted in December 2019 be extended by six (6) months to June 2021

Mrs. desJardins explained that the ZBA approved an amendment to an existing variance in December 2019, and the applicant received Planning Board approval of the project in that same month. She noted that the Planning Board approval, and therefore the variance, will expire in December 2020, and the applicant has indicated that the work will not be done until 2021. She stated the Planning Board has extended the approval to June 2021, and the applicant is asking for a six-month extension of the variance approval to June 2021 as well.

Findings:

Mrs. Hahn made a MOTION, seconded by Mr. Yoder, to extend the approved variance for Application # 5772 to June 2021.

All members voted in favor of the motion. **GRANTED.**

Application # 5787 Well Now Urgent Care – Requesting three (3) use variances for proposed wall signage at 4923 Southwestern Boulevard

Mr. Mike Cohen from Anchor Sign stated that the applicant would like to have wall signage on all four (4) sides of the building to increase visibility for its clients.

In response to a question from Mrs. Falkiewicz, Mr. Cohen stated that this will be a 24-hour facility, and the digital lights would be on all night. He noted that if the Board would prefer, the lights on the rear wall that faces the residential district could be put on a timer so that it will off at a certain time at night. He stated that the wall signs contain smaller LED lights that are not bright and will not shine out past the length of a car.

In response to a question from Mrs. desJardins, Mr. Cohen stated that the signs are needed on the north and south sides of the building for traffic on Southwestern Boulevard, and there is a public entrance on the rear side of the building, so the owner would also like a sign there.

In response to a question from Ms. Falkiewicz, Mr. Cohen stated that he did not have any

financial evidence to submit to the Board for consideration.

Board members discussed the possibility of tabling this request to the next meeting to afford the applicant the opportunity to provide financial evidence.

Mr. Henry Fliss, Sowles Road, stated that he sees no reason to need advertise on the rear of the building. He noted that if people have already arrived at the building, there would be no need for signage on the rear of the building to direct them there.

Vice-Chairman asked Mr. Cohen to submit photographs for the Board to review of what the signage would look like. He agreed to email photographs to Mrs. desJardins.

Findings:

Mrs. Falkiewicz made a MOTION, seconded by Mrs. Hahn, to table Application # 5787.

All members voted in favor of the motion. **GRANTED.**

Application # 5788 William & Rachel McCormick – Requesting two (2) area variances for a proposed detached garage at 6706 East Eden Road

William McCormick, applicant, stated that he would like to demolish his one-car garage and construct a full two-car garage in its place. He stated that the building would have a loft area above for cold storage, and the area above would not be used for sleeping quarters.

Mr. McCormick submitted letters of support from the following property owners:

- David Smith, 6728 East Eden Road
- Paul Morrow, 6698 East Eden Road

Findings:

Mrs. Falkiewicz made a MOTION, seconded by Mrs. Hahn, to table Application # 5788.

All members voted in favor of the motion. **GRANTED.**

Mrs. Falkiewicz made a MOTION, seconded by Mrs. Hahn, to approve the minutes of February 4, 2020. All members voted in favor of the motion.

Mrs. Falkiewicz made a MOTION, seconded by Mr. Yoder, to adjourn the meeting. All members voted in favor of the motion.

The meeting was adjourned at 7:20 P.M.

Respectfully submitted,
L. Michael Chiacchia, Secretary
Board of Zoning Appeals

DATE: March 4, 2020