

Town of Hamburg
Planning Board Meeting
July 15, 2020
Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 P.M., followed by a Regular Meeting at 7:00 P.M. on Wednesday, July 15, 2020. Those attending included Chairman William Clark, Doug Schawel, Al Monaco, Robert Mahoney, Dennis Chapman, Megan Comerford and Kaitlin McCormick.

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

WORK SESSION

Michael Stachera – Requesting an Open Development Area per New York State Town Law Section 280-A (4) to be located at 3601 South Creek Road

Chris Wood from Carmina Wood Morris, representing the applicant, stated that the applicant is proposing a three-lot subdivision on South Creek Road on 16.4 acres that is zoned R-A. He stated that the proposed lots would be 2.3 to 5.6 acres in size.

Mr. Wood stated that the applicant is requesting approval of an Open Development Area in accordance with New York State Town Law Section 280 A (4), which allows for a private easement to access lots without public road frontage. He noted that a 20-foot wide stone driveway is proposed in a 25-foot easement, and a fire truck turnaround is proposed in accordance with Appendix D of the fire code. He stated that he will work with the fire department on an acceptable geometry for the turnaround.

Mr. Wood stated that a private hydrant would be installed at the end of the driveway to service the three (3) lots.

Mr. Wood stated that the benefits to the Town of this Open Development Area would be as follows:

- All utilities would be private.
- The driveway would be private.
- There would be one (1) driveway off South Creek Road instead of three (3).
- It would maintain the rural character of the area and create lots with a lot of green space.
- The driveway and utilities would be maintained by the three (3) property owners instead of the Town.

Mr. Wood stated that all three (3) lots would meet the R-A zoning requirements except for the requirement that each must have road frontage.

Mr. Wood stated that building a public road would be cost prohibitive to the applicant and noted that it would cost \$167,000 per lot.

In response to a question from Chairman Clark, Mr. Wood stated that building the private driveway is cheaper because it would not have to be built to Town specifications.

Mr. Wood stated that letters of support have been received by the Town Board from nearby neighbors.

In response to a question from Mr. Reilly, Mr. Wood stated that four (4) lots currently exist, including Mr. Stachera's home, and the property lines will simply be rearranged. He noted that the new homes would be hundreds of feet from any other homes.

In response to a question from Ms. McCormick, Mr. Wood stated that there would be one (1) single-family residence on each of the three (3) new lots.

Mrs. Comerford stated that the location for the proposed driveway is in an area where very few trees would have to be removed, and the project is in keeping with the character of the neighborhood.

Mr. Reilly stated that the Planning Board will want to see what the sight distances would be at the road where the driveway comes in.

Mr. Wood stated that signage would be installed indicating the addresses of the three (3) lots.

Mr. Reilly stated that the Planning Board is charged with issuing a report to the Town Board to aid it in making a decision.

It was determined that input from the fire department and Engineering Department will be requested.

In response to a question from Chairman Clark, Mr. Wood stated that more than likely a pull-off would be installed because of the length of the driveway and noted that that is a requirement of the fire department. He stated that he would submit a design of the driveway showing the turnaround for Board members to review.

In response to a question from Mr. Reilly, Mr. Stachera, applicant, stated that the property to the south of this is currently being farmed.

In response to a question from Ms. McCormick, Mr. Stachera stated that the line of existing trees between lots 2 and 3 would be maintained.

In response to a question from Mr. Reilly, Mr. Wood stated that even if the land does not perc, sand filters would be used. He noted that the soil is quite sandy in this area.

Board members discussed whether the Conservation Advisory Board (CAB) should be contacted for input at this juncture. Mr. Schawel stated that the Board should wait to see where the road is proposed exactly, and if CAB input is needed after that, it will be sought.

Chairman Clark stated that whether the CAB's input is needed will depend upon whether there is some sort of water flow issue or if a large number of trees need to be cut down.

Mrs. Comerford stated that she would rather get the CAB involved earlier rather than later. Mr. Reilly concurred with Mrs. Comerford.

It was determined that Mrs. desJardins will contact the CAB.

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

REGULAR MEETING

Public Hearing – 7:00 P.M., Moncton Family Trust - Requesting Preliminary Approval of a three-lot subdivision to be located at 2819 Lakeview Road

Attorney Richard Friedfertig appeared on behalf of the applicant.

Chairman Clark noted that a Negative Declaration was issued on July 1, 2020.

Ms. McCormick read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on a three-lot subdivision known as the Moncton Family Trust Three-Lot Subdivision to be located at 2819 Lakeview Road. The public hearing will be held at 7:00 P.M. in Room 7 B of Hamburg Town Hall.”

Chairman Clark declared the public hearing open. No one spoke.

Chairman Clark declared the public hearing closed.

Chairman Clark made the following motion, seconded by Mr. Chapman:

“Whereas, the Town of Hamburg has received a subdivision application from the Moncton Family Trust to subdivide the property located at 2819 Lakeview Road; and

Whereas, The Hamburg Planning Board has reviewed the project and determined that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and a Negative Declaration was issued by the Planning Board on July 1, 2020; and

Whereas, the Hamburg Planning Board held the required public hearing on July 15, 2020.

Now, Therefore, Be It Resolved, that the Hamburg Planning Board hereby issues Preliminary Plat Approval with the following conditions:

- I. The installation of sidewalks is waived.
- II. The filing of a Map Cover is waived.
- III. Fees in lieu of land will not be required, as this is a commercial subdivision.
- IV. Any buildings on these lots will require Site Plan Approval by the Town of Hamburg Planning Board.

Carried.

Lindsay Buncy/Marie Domon-Pazch – Requesting Site Plan Approval of the addition of a coffee shop and co-working space at 4900 Lakeshore Road

Marie Doman-Pazch stated that an addendum has been added to the memberships that mentions the use of indoor/outdoor co-working for work purposes only, and a gate system would be installed that would be access only.

Ms. Doman-Pazch stated that an updated parking plan and the inside layout of both proposed businesses was submitted to the Planning Department. She stated that they are planning to partner with a company called Grit Seed that has a texting application that monitors any type of data that is wanted. She noted that this company will help the applicants manage Covid-19 operations, provide data regarding how many people want to use the space, as well as how and when they plan to use the space. She stated that it would be similar to reserving a tee time at a golf club.

Ms. Doman-Pazch stated that the businesses on this site have different peak operating times, and Grit Seed can keep track of who plans to visit the site, how long they plan to stay and what the purpose of the visit will be.

Ms. Doman-Pazch stated that she reached out to Uber and Lyft and is revising the co-working membership levels to provide complimentary rides to and from the space. She noted that the coffee shop will add to its employees' pay the ability to get to and from work via Uber or Lyft at the coffee shop's expense. She stated that the coffee shop is already implementing pick up orders, with delivery options available, which would minimize traffic to the site.

Ms. Doman-Pazch stated that she reached out to Ready Bike Share about having a Ready Bike Share at this site. She noted that bike racks will be made available to patrons as well.

Ms. Doman-Pazch stated that she received correspondence from the adjacent property owner to the south, as well as the owners of the Public House, indicating that the applicants can use their parking spaces if needed.

In response to a question from Ms. McCormick, Lindsay Buncy stated that she spoke to Roger Gibson, Supervisor Code Enforcement Official, and learned that they need one (1) handicapped parking space for every 25 spaces.

In response to a question from Mr. Chapman, Mrs. desJardins stated that she has spoken to Mr. Gibson several times, and he has indicated that a coffee shop is a permitted use in this zoning district.

It was determined that there are three (3) ways to exit the coffee shop in the case of an emergency.

It was determined that 14 parking spaces are proposed.

In response to a question from Mrs. Comerford, Ms. Buncy stated that one (1) of the parking spaces proposed is not on their property and noted that her attorney has indicated that they can use that property for parking.

Mrs. desJardins stated that Attorney Puglisi would have to review that situation.

Mrs. desJardins stated that she received correspondence from that adjacent property owner objecting to the applicants using his property for parking.

Chairman Clark asked the applicants not to show parking on property that they do not own.

It was determined that the Shoreline Revitalization Committee, Traffic Safety Advisory Board and Fire Department would be contacted for input.

It was determined that all deliveries for the new coffee shop would be made to the existing coffee shop in Springville, and Ms. Buncy would transfer those deliveries to the new coffee shop using her personal vehicle.

Ms. Doman-Pazch stated that if her membership gets to a level that cannot be handled at this location, she will be more than glad to open a second location.

Chairman Clark made a motion, seconded by Mr. Mahoney, to schedule a public hearing to be held on August 5, 2020. Carried.

James Cleary – Requesting Site Plan Approval of a proposal to create a wedding/event center at 6653 Taylor Road

Chairman Clark stated that correspondence was received from the Hamburg Racquet Club, and most of the group's concerns have to do with the lease it has with the current land owner. He noted that this is not something the Planning Board can weigh in on because it is a private contract between two entities.

In response to a question from Ms. McCormick, Chris Wood, engineer for the project, stated that the applicant will review the lease with the Hamburg Racquet Club and see what access he is obligated to provide for the tennis facility from the parking lot to the tennis facility.

Chairman Clark made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on August 5, 2020. Carried.

OTHER BUSINESS

Ms. McCormick made a motion, seconded by Mr. Schawel, to approve the July 1, 2020 minutes. Carried.

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

Respectfully submitted,
Kaitlin McCormick, Secretary

July 31, 2020