

Hamburg Town Board Work Session

Catherine A. Rybczynski, Town Clerk

2-22-2021

James Shaw, Supervisor	(Present)
Shawn Connolly, Councilmember	(Present)
Elizabeth Farrell, Councilmember	(Present)
Karen Hoak, Councilmember	(Present)
Michael Petrie, Councilmember	(Present)

ALSO PRESENT: Catherine Rybczynski, Town Clerk; Walter Rooth III, Town Attorney; Christopher Hull, Director, CDBG; Tom Lardo, Engineering; Jason Bock, IT Assistant; Dan Stanford, Town Assessor; Peter Dienes, Capt. HPD, Patrick Ryan, Director of Buildings and Grounds; Roger Gibson, Chief Code Enforcement Officer; Martin C. Denecke, Director of Recreation, Youth, and Senior Services; Brigid LaVelle, Chief Court Clerk; Pat Ryan, Director of Buildings & Grounds; Camie Jarrell, PE, Engineering Consultant; Drew Reilly, Planning Consultant; Sarah desJardins, Planning Board Consultant; William Clark, Planning Board Chair; Planning Board Members Dennis Chapman, Bob Mahoney, Megan Comerford, Jennifer Puglisi, Planning Board Attorney

1.

RESOLVED, that the Town Board opens the Work Session at 5:31 P.M.

On a motion of Supervisor Shaw, seconded by Councilwoman Hoak, the following resolution was

ADOPTED	Ayes	5	Shaw, Connolly, Farrell, Hoak, Petrie
	Noes	0	
	Abstained	0	

Supervisor Shaw requested all present to stand and then led the recitation of the Pledge of Allegiance.

Supervisor introduced Drew Reilly to address a joint meeting of the Town Board and Planning Board to speak about the issues of McKinley Mall, area around the thruway and Camp Road (Gateway entrance to the town), Eighteen Mile Creek, Rezoning of Wetzl Development (lead agency), and LWRP.

The Following is the Report submitted by Drew Reilly of Wendel

The following is an update to the Town Board on Planning Department's projects/activities. I will be in attendance at the Town Board Work Session on 2/22/21. In the meantime, if you have any questions, do not hesitate to contact me.

Rezoning Items:

Brierwood PUD - potential rezoning for multi-family (applicant requesting C-1 to PUD). The applicant met with the Code Review committee and received input, and they returned to the Code Review committee on 9/23 to receive a recommendation on entertaining the rezoning request. The Code Review Committee recommended entertaining this request. The Town Board has referred this request to the Planning Board, and the Planning Board is reviewing. The SEQR coordinated review process has been completed and the Planning Board may be making their recommendation at an upcoming meeting.

Wetzel Rezoning - Site to the east of the old Wal-Mart building request for a rezoning from C-1 to R-3 for multi-family housing along Big Tree Road. They returned to the Code Review committee on 9/23 and received a recommendation to entertain this request with concerns. The Town Board has referred this request to the Planning Board, and the Planning Board is reviewing. The applicant presented an alternative rezoning plan to the Planning Board and the applicants returned to the Town Board for your consideration and the Town Board did a "re-referral" to the Planning Board (Rezoning of C-1 and R-1 property to R-3). While this rezoning application was at the Planning Board, the Planning Board received a subdivision application for the property to the east of this site (Parker road subdivision). In reviewing these two projects, the Planning Board believes and has requested that the Town Board allow the Planning Board to be Lead Agency on this rezoning application, so that they can complete the SEQR evaluations together on these projects (cumulative impacts). The Town Board may need to formally authorize this at a future meeting. The Planning Board has also requested that the Town Board hold their public hearing so that the Planning Board can receive additional public input (this also will be taken up at a future meeting).

Planning Board Meetings:

The Planning Board held their last meeting on 2/17/21. The next meeting will be held on 3/3/21. The 2/17/21 meeting included the following three new projects; a site plan waiver project, a 2-lot subdivision and a new business next to Hamburg Self Storage. The agenda also included a new Bobcat of Buffalo building, a pole Barn (approved), a reuse of a church for an office, the Wetzel rezoning and the Parker road subdivision. The proposed Dollar General on Southwestern received a Positive Declaration from the Planning Board at a prior meeting and we still have not received a draft scope to begin the EIS process.

The Planning Board has a full agenda (over 10 items) for the meeting on 3/3/21, and Sarah will provide a copy of that agenda to the Board.

Code review committee

- The committee last met on 2/10/21. At that meeting a rezoning application for the Pizza Hut site on McKinley was discussed (currently most of the site is zoned residential). This rezoning will be coming to the Town Board soon. Discussions at this*

meeting also included the outstanding rezoning items and the active code revision proposals; Camp Road interchange area, the McKinley Mall area, Battery storage law, setbacks from the lake, bed and breakfast, and the LWRP update.

- *I met with the Town Board on 8/2/20 to review outstanding Code issues and to get direction on the prioritization of Code Review committee items for 2020/2021. As a result of that meeting, a meeting was held on 9/22 to discuss the draft code amendment developed by the CAB for the protection of 18 Mile Creek. This meeting resulted in providing direction to me to finalize this Code section. I have provided a draft of that law to the CAB and Councilman Connolly. A copy of this law is being presented to the Town Board for consideration of beginning the adoption process at your next meeting.*

I have also provided additional information and recommendations for prioritization of these Code amendments to Councilwoman Farrell (to determine which issues may need addressing in the Comprehensive Plan and which may need action at this time).

- *It is also my understanding that the Planning Board has produced a new “mixed use zoning district”. This should be reviewed by the Code Review Committee and potentially referred to the Town Board.*

Resolutions/Actions/Public Hearings:

The Planning Department has not submitted any resolutions for the agenda tonight but may be submitting resolutions for the next meeting; Wetzl rezoning public hearing and the new CEA law.

We will be requesting that the Town Board consider allowing the Planning Board to be the SEQR Lead Agency on the Wetzl rezoning; so that they can concurrently complete SEQR on the Wetzl and Parker road project. If acceptable, a resolution would be needed at your next meeting.

We will also be discussing the proposed zoning code revisions for the McKinley Mall site and the Camp Road interchange at the Work Session. I will be bringing additional materials for this discussion.

Other Planning Department activities:

We continue to work with the Comprehensive Plan Committee in preparing for the completion of an update to the Comprehensive Plan. A pre-kick-off meeting was held on 11/9/20 to discuss the upcoming kick-off meeting with the entire committee and the Comprehensive Plan direction (working out the type of meetings to be held and preparing information for those meetings). Wendel has also begun gathering data and producing updated “existing conditions”. A Zoom kick-off meeting was then held on 11/30/20. The Committee and Wendel have set up sub-committees which are focused on specific topics and will help to involve others in the community with the Plan. Once we finalize the list, we

can begin to solicit others to be involved in the project. A survey of residents has begun and as of the date of this memo, we have received over 1000 responses. Please see Councilwoman Farrell (or contact me) for additional information on the Plan. The goal is to have a Plan completed by the end of 2021.

Meetings have taken place about other large multi-family projects that may be proposed in the Town (no applications have been received).

The Town of Hamburg has completed your contract with the NYSDOS to complete the update to the Town's LWRP. Mark Melewski, the grants administrator, has confirmed with the NYSDOS that Wendel, as you Town Planner, can complete the LWRP. Wendel would team with WWS Planning and Mr. Melewski to complete this project. Wendel and WWS Planning completed your last LWRP and have completed numerous LWRP's throughout NYS including the City of Buffalo. Wendel has put together a draft contract for the Town Board's consideration at a future meeting.

end of report

Supervisor Shaw brought representatives from Evans Insurance to the table for a presentation.

A report was given by Evans Insurance representatives.

The Town Board conducted an item by item discussion of the agenda for the Regular Town Board meeting.

The Work Session was brought to a close at 6:55 PM.

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Deputy Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Catherine A. Rybczynski, RMC
Town Clerk