Meeting No. 3
February 3, 2003
Public Hearing
Hamburg Town Board
S-6100 South Park Avenue
Hamburg, New York 14075

Deputy Supervisor Cavalcoli calls the meeting to order at 7:00 p.m.

Deputy Supervisor Cavalcoli states that no action will betaken this evening. There are members of the Planning Board present as well as our Planning Consultant, Drew Reilly. This is a moratorium governing major subdivisions. It does not affect commercial or industrial, only major subdivisions with more than four homes to be developed, or if it is in an overlay district it could be three homes. He then reads the following as published in the Hamburg Sun and the Front Page:

LEGAL NOTICE
TOWN OF HAMBURG
NOTICE OF HEARING ON PROPOSED LOCAL LAW #1, 2003

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on January 6, 2003, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #1, 2003; said local law provides for imposing a temporary moratorium on the processing (acceptance) of new major subdivision applications in the Town of Hamburg and provides substantially as follows:

TOWN OF HAMBURG
Local Law No. 1 - 2003

A local law imposing a temporary moratorium on the processing (acceptance) of new major subdivision applications in the Town of Hamburg

Title: shall be known as the "Hamburg Major Subdivision Moratorium".

Intent/Purpose: The Town of Hamburg adopted their "2010 Comprehensive Plan" in June of 1997, and shortly thereafter began its implementation. A zoning code review committee was set up to assist with the implementation of the plan, and has completed many of the actions recommended in the plan. Each year, the committee (through the Planning Department) does a review of the plan and its implementation.

At this time, the end of the fifth year of implementation (2002), the following was noted by the committee:

1. The committee is working on the following implementation actions:

    a. Tree protection ordinance
    b. Conservation easement law
    c. Route 5 overlay
    d. Wetlands protection ordinance
    e. Restrictions of above-grade utilities
    f. Requirements for bike paths
    g. Buffer, conservation areas usage
    h. Railroad buffer
    I. Building permit caps
    j. LWRP update
    k. Landscape standards
    l. Critical environmental area (CEA) designation
    m. Agricultural preservation program
    n. Implementation of open space and recreation plan
    o. Impact Fees

2. The Frontier School District, and several taxpayer's groups have noted concerns over the affect of subdivision growth on the School District, and Town infrastructure and services.

3. The rate of residential growth has increased to the point that over 200 permits for single family residential units were issued in 2002 (per the comprehensive plan - a moratorium is recommended at 300 residential permits).

4. The rate of residential growth is adversely affecting the aesthetic and open space of the Town, which is in conflict with some of the goals and objectives of the Town's comprehensive plan.

Based on these facts, the Town Board finds it necessary to enact a moratorium on major subdivisions, to allow the Town the time to amend the local laws and ordinances of the Town in accordance with the implementation actions of the comprehensive plan, and to complete a review and if necessary, update of the comprehensive plan to further address these issues.

Applicability: This local law shall apply to all areas within the Town of Hamburg (excluding the Village of Hamburg and Blasdell). It applies to applications (as of January 6, 2003) for major subdivisions as defined in Chapter 230 of the Code of the Town of Hamburg, entitled "subdivision of land". Completed applications received prior to January 6, 2003 that are before the Town Planning Board (sketch plan, preliminary or final plat) shall continue to be processed under the Town's current laws.

Moratorium: For a period of six (6) months from the date of adoption of this local law, the Town of Hamburg will not accept, process, review or otherwise act upon major subdivision applications. Any application received on or after January 6, 2003, will be returned to the applicant, and will not be accepted for processing until after the moratorium is removed.

Conflict with other laws: This local law is enacted pursuant to the provisions of the Town Law and specifically supercedes any section of the zoning or subdivision of land sections of the Hamburg Code, Town Law, or any other law which requires that the Town act upon major subdivision applications within limited periods.

Effective Date: This local law shall take effect immediately and shall remain in force and effect for a period of six (6) months from the date of its adoption by the Hamburg Town Board.

THEREFORE, pursuant to the statues and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on the 3rd day of February 2003 at 7:00 p.m. (Local time), at which time all interested persons may be heard.

Dated: January 6, 2003

CATHERINE RYBCZYNSKI
Town Clerk

Deputy Supervisor Cavalcoli comments on #2 that he is reading the law as it was presented for the public hearing. There has been input from the schools that they do not want that in there and they certainly would consider that as part of the change. However, he had to read it because it was published.

Deputy Supervisor Cavalcoli asks Catherine Rybczynski, Town Clerk to read any correspondence received.

Mrs. Rybczynski reads a letter from Gary Cooper, Frontier Central School District to Drew Reilly, Planning Consultant, stating that "the Frontier Central School District is currently undergoing a planning process in order to gather data regarding future enrollment. In addition to a study being conducted by Dr. Peter Rogerson from the University of Buffalo, Frontier is conducting its own census. While it is true that our elementary schools in the central part of the District, Cloverbank and Big Tree are experiencing increased enrollment, elementary schools in the north and south of the District have not experienced growth. The Frontier Central School District has not taken any position on potential growth and will not do so until such time that the data has become available and thoroughly studied. The District is unsure as to whether or not student population will increase and, whether the growth experienced at this point is due to new development and/or the turnover of existing housing."

The other piece of correspondence is a Site Plan or Zoning referral to County of Erie, N.Y. and Reply to Municipality. Drew Reilly explains that under general municipal law you have to refer local laws to the County, we sent them a referral and a copy of the law and they have a right to comment on that. They responded that it is of local significance and they didn't want to comment.

Mr. Reilly then comments that the papers have referred to this as a residential development moratorium and it isn't. It is a new subdivision moratorium, the moratorium does not stop the building of homes within the Town. There were 200 homes built last year and we will probably be in that range this year. This does not stop people from applying for building permits and building their homes. There are probably 1500 to 2000 approved building lots within the Town so there will still be homes being built. This is saying that they want to take a look at new applications coming into the Town to see if they are occurring the right way or should they change the laws that affect new applications. Those that are approved would be grandfathered, any law that they would change would not affect them.

Councilwoman Kesner comments that she welcomes this public hearing. She feels that it is the responsibility of this Town Board to take a breather and step back and take a hard look at where our Town is going and while we still have ample land left we need to make the assessment of whether we are protecting our trees, are we providing the buffers to our existing neighborhoods and are our recreation needs met. Do we want to take it to the next step to become like the Town of Amherst or to keep it with the country, rural flavor that it seems we all love. She thanks the residents for coming and looks forward to their input and also thanks Deputy Supervisor Cavalcoli and Councilwoman Hochul, Drew Reilly and Mr. Crandall for their efforts in bringing it to this point.

Councilwoman Hochul comments that this moratorium addresses what is a reality in this Town. There is a finite amount of space in the Town of Hamburg. Her opinion is that we cannot keep building as if there is no tomorrow. Councilwoman Kesner hit it on the head in talking about the character of this community. There are role models to the north and east, with unlimited growth who are looking for ways out of their crunch and they don't want to fall into the same mistakes made by other communities. She travels a lot and she was in Washington two weeks ago and the headlines read that a County their was proposing a moratorium to look at having one house per twenty acres. In comparison we are much more realistic than that. She is not saying they don't want more growth, but they want to be proactive, look at where they are going and make sure it is the way we want to go. She was elected to do that and she takes it very seriously. She totally supports this and she wants the next growth that occurs here to be more planned and responsible in a way that will ensure the integrity of this Town in decades to come. She feels we need to fill our empty commercial buildings. It is our responsibility to make sure those are filled up to help our school districts not vacant property which do not bring in sufficient tax funds.

Councilman Quatroche comments that there is something for everyone in Hamburg when it comes to living here. Whether it is rural areas, urban, suburban or Village living we have something for everybody in this Town. We have a lot of diversity and want to keep that. We started that process through the Master Plan under the leadership of Deputy Supervisor Cavalcoli and Councilwoman Hochul in taking on the tough issues. They have enough controversy and they try not create much more, but when it is worth it they do. These are good things to bring our community forward on. He thanks Deputy Supervisor Cavalcoli, Councilwoman Hochul and the Planning Board for all the stances they take in making sure all the growth in the Town is responsible and also Drew Reilly who gives us expert advice on how to handle these situations. He also looks forward to everyone's input at this time.

Deputy Supervisor Cavalcoli comments that he would like to caution everyone that their intent is not to stop building in the Town of Hamburg. We are looking at the way the development is done, where the development is done, as part of the process they will be looking at many things he cited before such as tree ordinances, conservation easements, wetlands protection, above ground utilities, bike paths, buffers, building caps, local waterfront, landscape standards, critical environmental areas, implementation of our Open Space and Recreation Plans, agricultural preservation lands and possibly impact fees. All these things will be looked at, not all will be accomplished. At the early meetings they will be looking at priorities of what they can accomplish in the six months and as liaison to the Planning Board, Planning Department and Conservation Advisory Board it is his strong commitment to make sure they stay on task and expedite this as soon as they can to try and accomplish this within the six months and make sure that the goals they have set are realistic. What they cannot accomplish in the six months will not hold up the process. However, if they need to extend this beyond the six months for whatever reasons to bring it to completion then so be it.

Each of the residential areas have to understand that they are not the last ones, there will be more homes built, there will be more subdivisions, this Town needs to grow, but in a positive, acceptable way that meets our environmental needs. When he started out on the Conservation Board almost 30 years ago we had over 50% open space in this Town, we are down to 35%. We cannot say there will be no more homes built or businesses in this Town, but lets give it our best shot and make it the best place to live. They need to put their heads together to come up with the best approach to having the subdivisions looking nice, providing the needs of our residents and going from there. He then opens up to the public for comment.

Joseph Martin, representing the Niagara Frontier Builders Association, comments that they are opposed to the moratorium on residential construction for several reasons. One, they think it sends up a red flag to the business community in Western New York Individually, you may personally draw the distinction between housing construction and commercial or industrial development. The business community however, does not. We feel that you are needlessly polarizing vital segments of your Town's economy and populace to no real advantage. As we are aware, there are enough existing permits in the pipeline to continue the current pace of residential construction in Hamburg for several years to come. He then talks about the economics of housing construction. The value of the annual, new-residential construction in Hamburg is in the $30 to $40 million-dollar range. That means lots of goods, materials and services are purchased from Hamburg businesses. Lots of construction, reforestation, recreation and various other fees also add to the Town's tax coffers, and lets not forget the increase in property and sales tax revenues that accrue from these new residences. He then comments on the new residents. He feels that if you surveyed the new home owners, you will find that many of them are you. Empty nesters, successful boomers, aspiring generation x-er's from all areas of Hamburg are building new homes in the community in which they were born and raised. Would you seek to deny them that opportunity? He then comments on the impact of new construction on schools and town services. At a recent meeting sponsored by the Hamburg Chamber of Commerce three Hamburg area school officials specifically asked Town Board members not to draw a connection between the current state of school crowding and new residential home construction, because they could not support such a conclusion with their enrollment data. How do you then associate school over-crowding with the construction of new homes when responsible school officials will not make that claim? He then comments on the impact on Town services. A recent Central Indiana study, on residential housing construction demonstrated that most new subdivisions, with home values above the $200,000 range in construction costs, became "net revenue producers" for the communities studied, in that they generated more tax revenues than they consumed in local municipal services. A similar "Nutter Study" in Clarence ascribed the same positive condition to residential construction, with a value of over $225,000, in that community. This is not a seeming anomaly to our industry. We know from observation that most newer homes will be occupied by smaller families with fewer children than in existing neighborhoods and many of these children may choose to attend private or parochial schools. These smaller families consume less in services, at all levels of town government, and pay a much higher per-capita tax than residents of many of the existing sections of Hamburg, in effect bringing much needed tax relief to existing homeowners. Lastly, the Town of Hamburg Master plan does not call for such a moratorium until the residential housing permit level exceeds 300 units during a fiscal year. In summary, while we recognize the stated, laudable intent to "regroup your planning process" and establish "fair and equitable methods for dealing with all residential and commercial development" in Hamburg we think it injudicious to establish a "Moratorium" that accomplishes nothing other than to inflame already existing sentiments against any form of economic development in Hamburg. It is difficult enough, in Western New York's current harsh economic climate for businesses to grow and survive under any conditions. What the business community doesn't need are additional hoops to jump through, hurdles to vault or roadblocks like this one to overcome. Please vote against this moratorium. Thank you for the opportunity to speak this evening.

Betty Newell, President/CEO Hamburg Chamber of Commerce, comments that on behalf of the 800 plus members of the Hamburg Chamber of Commerce, the Board of Directors has asked her to share the concerns and opinions regarding the six-month moratorium for major subdivisions applications. The primary goal of this correspondence is to go on record requesting that Town officials expedite and complete all tasks relating to the intent and purpose of the moratorium in the six-month time frame allowed by this law so there is no need to extend this moratorium or implement a successive moratorium with different objectives. The Chamber supports an update to the Master Plan that clearly defines common policies that are fair to all. There is need for all Town Departments regulating development to understand and subscribe to these policies in the same manner. This will eliminate arbitrary requests that result in wasted time and expense of going back to the drawing board on items that have been approved by Planning officials. The business community continues to be concerned over the lack of representation in the planning process. This lack of communication may have led to what appears to be "changing the rules in the middle of the game". Most particularly given the outcome of discussions at the June 3, 2002 Work Session when assurances were given that there would not be a moratorium. Please select some business persons for assistance on the Zoning Code Review Committee. The Chamber would be happy to supply a list of those who are interested. A moratorium is an act of local government to re-evaluate their existing Master Plan and local laws regarding land planning and development. It is not a tool to control growth. In fact, in 2003 we are expecting to build close to 200 new homes. This growth is not unexpected; as the 2010 Master Plan has been followed almost exactly. Development has occurred in those areas designated by the Master Plan after careful scrutiny by the Town Planning Consultant and Planning Board. Virtually no rezonings for residential development have taken place since the Master Plan was adopted in 1996. A question that must be answered is "How much developable land is available?' The Chamber appreciates the careful look taken in regard to green space and other environmental issues. The hope is that a long-term policy comes out of this six month break. The Chamber believes that there is a misunderstanding of the effects of development on the tax base. These are the concerns addressed in items #2 and #3 of the Law. She then states the statistics of homes built in the Town for the last five years. Wealth needs to be created. Homeowners generate the need for goods and services. A successful business community creates jobs and a stronger tax base that keeps levies at bay. As assessments increase the lower the tax rate increases. It is interesting to note that the median age in the Town of Hamburg is 38. By that time of life most people have "grown-up" families that do not traditionally overburden the schools. This supported by the fact that 34.3% of households have individuals under eighteen years of age living in them. Dr. Gerald Glose, Chair-Elect has provided information on the impact of housing growth on the tax base, which is attached. The Chamber hopes that these thoughts and concerns will assist Town officials in conducting the studies required to achieve the goals of the six month moratorium on major subdivisions. Additionally they hope the Town officials will not only continue to work with business but expand on the current relationship, which will help all sectors of the community.

Dr. Gerald Glose, President elect Hamburg Chamber of Commerce, comments that he would like to thank the Board for its concern to have a planned and responsible growth pattern in the Town. He then presents some statistics from Frontier Central Schools, which are very similar to Hamburg Central, over th last five years Town Housing starts has been in the range of 185 - 213 homes. The enrollment in the School over that same time period shows little or no growth in the enrollment despite the fact that we are averaging 190 to 200 houses each year. The concern over the Lancaster or Orchard Park phenomena is not holding true. Hamburg Central is actually losing enrollment in that time period. Deputy Supervisor Cavalcoli states that for public information, the enrollment for Frontier Central runs from 5,590 to 5,643 the Hamburg Central enrollment runs from 4,195 to 4,291 over five years. Dr. Glose comments that it is interesting to note that the high number was in 1998-99 and the low 2002-03 so they actually lost enrollment and the same is almost true for Frontier, the change was 15 students over 5 years despite the fact that 1,000 houses were built. The other piece of this is the impact on the tax rate. The Frontier Assessed Valuation ranges from $1,167,928,474 in 1998-99 to $1,252,293,785 in 2002-03, so the property wealth is increasing by approx. 1.5% each year. He then talks about the tax rate which goes from $17.59 in 1998-99 up to $18.96 in the current year, which is just under 2% which is a very responsible rate increase. The tax levy is the amount of money that the school district needs to raise in taxes. They look at expenses and all other revenues, such as state aid, sales tax, etc. and in 1998-99 the tax levy was $20,562,403 and that increased to $23,756,165 in 2002-03. The increases in the tax levy over the years went from 3.3 to 4.0% and what everyone needs to understand is that if there was not an increase in Assessed Valuation and the property wealth did not increase then the tax rate would not increase 1.9% but would increase the 3.3% leading to almost double the increase in the tax rate if it weren't for the growth wealth. This is an important point. They are not promoting unplanned and irresponsible growth, but from a taxpayers perspective it is important to know that the taxes would be doubled if the responsible growth that has been taking place, didn't take place.

Councilwoman Hochul questions if he has what percentage of the growth is commercial as opposed to residential. Betty comments that they can split that out. Dr. Glose comments he doesn't have that information, but the Hamburg Central situation is very similar and that they count on 1.25 - 1.75% Assessed Valuation growth to help subsidize the increase in the tax rate. The last thing he wants to point out, row 9 talks about the Frontier Full Value Tax Rate this is different from the tax rate (about $3.00 per 1,000 lower) and what this means is that various Town's throughout the State have fractionalized assessing. The State comes along and applies an equalization ratio so that when you apply the equalization ratio to the fractionalized assessment you get full value. They do that for all Towns. When you take Frontiers full value and tax rate you get those numbers that are $14.59 through $14.71 (small difference). He points this out because Frontier has the 23rd lowest full value tax rate out of 28 School Districts in Erie County. The Taxes at Frontier are very low compared to other districts of similar size and quality in the area. This is something that we as taxpayers and citizens hold as very important. Deputy Supervisor Cavalcoli that they appreciate that information and clarifies that he is speaking as a member of the Chamber.

Steve McCabe, 5282 Lakeshore Road, comments that he wants to extend his thanks and gratitude for a very courageous action. The fact that they unanimously proposed a moratorium on new residential subdivisions says a lot about what they think about where this Town is headed. With 2,000 subdivision lots already approved and grandfathered for development during this board's watch, the moratorium is a logical and overdue first step toward restoring some common sense toward growth in our Town. It's also a forward-looking and courageous move for this board, given the enormous financial, political, and rhetorical pressures that special interests are exerting. As residents and taxpayers he can only hope that it has not come too late. The challenge now before the board and all town taxpayers is to see to it that we make the most of the six month reprieve we have been granted. The critical next steps should be to ensure that we emerge from the moratorium with a master plan that gives our planning board the codification and direction it needs to preserve and protect the qualities that have made Hamburg such a desirable and affordable place to live and work. For example, in revising our master plan, we could learn from the recent over-development disaster that has befallen northern Amherst and East Amherst, where planning boards in those "hot communities" of the 1980s and 90s knuckled under and allowed developers to build on hydric soils. Under water for months during spring thaw and whenever it rains, these soils don't support building footings well. The result being when they dried, they shrank away from footings and foundations, cracking them and the houses they supported, and turned $200,000 homes into handyman specials – sometimes overnight. Much of the open space left in Lake View and southwest Hamburg – today's "hot community" – is underlain by hydric soils. When we emerge from the current moratorium, will our master plan have the safeguards and our planning board the commitment to ensure that we don't allow Hamburg's developers to repeat Amherst's mistakes? As a Hamburg resident and small business owner he has made his home and invested his career in this community. We don't need a "hot community" label to tell us what we already know; that we have built a livable community with excellent schools, light traffic, and affordable taxes. Far from being concerned about how development interests might perceive our moratorium, we should take pride in it as reflective of our confidence in the enduring value we have built in Hamburg. The task before us over the next six months and beyond is to find ways to preserve what we are so fortunate to have.

Dorothy Harrington, E. Pleasant Dr., comments that we are struggling now with taxes and people not being able to pay their bills and this is not a good outlook. But, she doesn't want to see anymore farmlands go for housing developments. She feels we should find ways to support the farmers. As far as the new homes, one gentleman said these homes may not have children in them, as a school board member she knows that people who have no children in school always vote no on the school budget.

Linda Cooper, No. Creek Road, quotes from the Zoning Code 280-120.16 purpose and intent of the Lake View Overlay District "to preserve the rural nature and important natural resources of the Lakeview area of the town. This district contains significant tracts of freshwater wetlands and woodlands, as well as wildlife habitats and management areas and designated conservation areas. Rural development guidelines shall be applied to managed growth and achieve a more desirable environment than what would be possible through the strict application of existing zoning regulations. It seems to her that this should give our Planning Board the latitude and the mandate to use the existing zoning regulations and also to use the overlay as their guidelines for the decisions that they make. The aesthetics and layout of proposed development shall be reviewed to prevent the area from taking on a suburban appearance. She feels that these are all important things as they tweak the Master Plan. As recommended in the 1994 Open Space Recreation Plan cluster developments shall be required for all proposed subdivisions that contain important natural resources and open space.

To her this should constitute the bulk of developable land. Important environmental and cultural features shall be mapped to illustrate existing conditions for all site plan and subdivision applications. To depict existing conditions and permit effective site division analysis. She comments that she has yet to see a map presented to the Planning Board. "In accordance with the Town of Hamburg Tree Preservation Law the amount of land cleared shall be minimized and developments shall be designed around significant resources, i.e. Wetlands, steep slopes, scenic vistas, flood plain boundaries, significant woodlands. Important habitats on the site shall be identified and the relative values of these areas for supporting wildlife shall be determined. She comments that she has yet to see that happen at the level of the Planning process. She could go on but the point she is trying to make is, to the Board - hats off to Deputy Supervisor Cavalcoli, Councilwoman Hochul and everyone that helped develop this overlay, if we don't have it in this, how is it going to get better. The point is we have to enforce it. If we can't enforce this now at what point in the future can we. One other point, respectfully to the Chamber, they say that there are 200 new builds in Hamburg. The Donato subdivision has 81 units. Drew Reilly clarifies that the 200 number is what was built in 2002. The 81 units are proposed. Drew comments that Donato has a subdivision on Fairgrounds that hasn't gotten final approval for 82 homes, a new one on Southwestern that has 60 lots, this is only a sketch plan, and the one he is building was approved in 1985. You are mixing building permits with subdivision lots, someone may have a 200 unit subdivision but it may take 10 years to build it at only 20 builds per year. We average about 200 homes per year. There may be 1500 lots available, but only 200 are built. For example Buttermilk Falls only builds 20 houses a year, but there are 200 lots approved in there. Linda questions if you get a building permit would that entitle you to clear a lot to put a home on. Drew comments that if you get a building permit you can clear a lot. Drew comments that all the subdivisions she named are at sketch plan, no approvals have been given. Most of them are at positive declaration because they don't meet the Lake View Overlay. He doesn't want anyone to think that they are ignoring the Town laws. They have not approved anything that does not meet the Town laws. Linda comments that the Chamber of Commerce should put their efforts into trying to get someone in the Brierwood Plaza. Deputy Supervisor Cavalcoli comments that her name will be added to the list of people who are trying to do that.

Joe Kilian, United Council of Hamburg Taxpayers, comments that the League of Women Voters, a couple of years ago, talked about sprawl. Sprawl is on the fringes of Hamburg. The United Council had people come in and give dissertations on School budgets and they said that the schools are full. People made comments on the number of children per household, etc. and he has a hard time believing that we are not going to need another school. All these new homes are supposed to bring more goods and services. But look at our businesses, what happened. Where did all our business go. The last thing is what happens when the well goes dry, like Amherst and Lancaster.

Mark Walling, 79 Central Ave., comments that as Elected Officials they have the opportunity to do something that has a truly long-term impact and to do things that show vision. Most of what they do does not fall in that category, it is mostly nuts and bolts, this is definitely in that category. He is an attorney who is currently representing some people in the Village who are now involved in a development dispute within the Village. He has seen the sad result of lack of Planning enforcement. The Town has taken a much more far-sited standpoint in adopting the Master Plan, the proposal the Board is considering tonight is similarly an issue of what vision the Town has of it's future. Obviously the Town Board is considering this moratorium because of deep concerns about the current pace of development in the Town. A good example is Buttermilk Falls, 200 lots approved, only building 20 per year. The question is not how many we are building per year, it is what is in the pipeline, what is going to happen down the road. One thing that came out of the lawsuit in the Village, is that the anticipated affect of a higher tax base was washed out by the infrastructure cost in the Village.

Due to technical difficulties the following is abridged:

Katie Schneider, Old Lake Shore Road, speaks in favor of the moratorium.

Theresa Allen, North Creek Road, questions how a person gets appointed to the Code Review Committee.

Dorothy Harrington, East Pleasant, questions about the preservation of trees, is there an ordinance to protect existing trees. Councilwoman Hochul responds that they are looking into an ordinance for tree preservation.

Aleksandra Yerkovich, Old Lake Shore, speaking as a resident, comments that she is pleased to see that so many people are concerned about this issue and that they could all come together to discuss this issue. As a citizen, she is pleased that we all have the opportunity to be heard. She urges everyone to get involved in their community.

Charles Castiglia, Holiday Lane, applauds the Town Board for their attention to continued growth, but is concerned with the way Hamburg will be perceived as a community to move into for perspective home buyers and the perception that the moratorium will have on business in this Town.

Mark Zimmerman, 1482 North Creek, doesn't see the moratorium as having a negative affect. Feels people would see that there isn't continued building of homes and overcrowding and would therefore want to buy a home in Hamburg.

Joe Killian comments if there are less houses will their taxes go up.

Councilman Quatroche comments that economy and tax base are important and the Town Board will make responsible tax measures for the next forty years.

Councilwoman Hochul comments that due to supply and demand existing homes would be more desirable. The Town Board needs to make tough choices because they love the community, we have a wonderful housing stock now and we need to preserve the quality of life.

Councilwoman Kesner comments that we have a great balance between the businesses and neighborhoods and the Town Board needs to set the tone for development and they owe it to our residents to keep the character of our community.

Councilman Cavalcoli comments that he has lived here for 34 years and is totally committed to the quality of life. It is a marvelous Town to live in. This moratorium deals with residential growth, they need to move forward, the Board is not here to stop development but to fine tune the Master Plan. He is impressed with the quality of the people and the comments at the meeting and he thanks the Planning Board and Supervisor Hoak. The Planning Board puts in countless hours doing their job.

Drew Reilly comments that they will be discussing farmland and other issues. People can get the outline of changes in the local law for code review from the Planning Department.

Councilwoman Hochul comments that the Board is showing how concerned they are about the community by putting a four month moratorium on cell towers, which was approved at the Work Session this evening.

I.
RESOLVED, that the Town Board close the public hearing and adjourn at 8:30 p.m.

Moved: Cavalcoli Seconded: Hochul
Roll Call: Ayes: Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

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Catherine Rybczynski, Town Clerk