

TOWN BOARD MEMBERS PRESENT:

Steven J. Walters	Supervisor
Michael Quinn	Councilman
Thomas Best, Jr.	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Mary Dosch, Sr. Account Clerk; Joseph Collins, Deputy Town Attorney; Rick Lardo, Principal Engineering Assistant; Drew Reilly, Planning & Engineering Consultant; Thomas Taylor, Sr. Public Safety Dispatcher

Supervisor Walters calls the meeting to order at 6:00 pm

Drew Reilly comments that Mr. Burke developed the townhouse project off Heatherwood Drive back in 2006-2007 which was a 56 unit townhouse development and then in 2013 Mr. Burke changed part of the project to 110 apartment building units. He paid \$11,950.00 in 2006-2007 as an application fee and is questioning why he has to pay a full application fee of \$6753.00 for the new 100 unit apartment complex because the Town already reviewed the original. This is just a change to the plan. The fee can only be waived with approval from the Town Board. He (Drew) doesn't believe they should waive the fee, it was a completely new plan and Rick spent a lot of hours reviewing it. Does the Town Board want to consider cutting that fee?

The Town Board discusses the proposal.

Mr. Reilly comments that he will put together a resolution reducing the fee, with justification included, for the Town Board to review. He will discuss the reduction with Mr. Lardo to come up with a reasonable amount.

Mr. Reilly introduces Shawn Dailey from his Office, who will be replacing Orst Ciolko as the interim Engineering Consultant.

Shawn Dailey reviews the Engineering Project Update as follows:

ARCHITECTURE ENGINEERING PLANNING ENERGY SERVICES CONSTRUCTION MANAGEMENT

**MEMO**

To: Hamburg Town Board

From: Wendel, Interim Town Engineer

Date: February 8, 2016

RE: Engineering Project Update

The following is an update to the Town Board on Engineering Department projects and activities:

A. Mt Vernon Sewer District – CIPP Lining

- a. United Survey Inc. is scheduled to begin the CIPP lining work on 2/8/16 (preparation work begun today). USI notified Town officials last week. USI expects the work to last approximately 1 week. Wendel representatives contacted the County to remind them of their obligations (work coordination and observation) and reminded USI that MVSD homeowners need to be notified prior to the start of field work. The Town's responsibilities include payment of USI's invoices.

B. Mt Vernon Sewer District - Lakeshore Road/Mt Vernon Blvd Sewer Replacement

- a. NCI has submitted their final design report, design plans and specifications to the Town Engineering Department. Wendel and Rick Lardo have reviewed this information and will be providing NCI with comments. Upon the plans being updated, they will be submitted to ECDEP for design approval prior to bidding.
- b. With the completion of the plans for this portion of the Mount Vernon sewer project, we are now beginning to focus on determining the remaining work that is required under the consent order. We also suggest re-starting the conversations with the County on potential take-over of this district.

C. RR Quiet Zone – Phase 2 – Bayview, Pleasant and Lakeview

- a. The Draft Design Report, Cost Estimates and Design Plans prepared by Erdmann Anthony were submitted to the Town Engineering Department for review in late December, 2016. The Engineering Department did not have any substantive comments on the draft report. The report is still being finalized. Once finalized the Draft Design Report will be submitted to review agencies for formal review/comment this month.
- b. The 60 day comment period for the Notice of Intent to Create the Quiet Zones concluded on January 19, 2016 with no comments received from interested/involved agencies. The NYSDOT though, would like to see the report amended to include the alternative closure of the Bayview road crossing.
- c. Based on follow-up discussions with the NYSDOT Rail Unit, NYSDOT is supportive of the closure of Bayview Road grade crossing to eliminate this crossing in its entirety. This action would require Town Board, Highway Department, NYSDOT and FRA approval. NYSDOT officials felt that

BUFFALO, NY ROCHESTER, NY MINNEAPOLIS, MN, NEW YORK METRO PHOENIX, AZ RICHMOND, VA WASHINGTON, DC

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- the process (which would include a public information meeting) could be completed within 6 to 12 months from formal authorization of the action by the Town of Hamburg.
- d. Wendel had further discussions with the NYSDOT Rail Unit relative to the disposition of the Bayview Road rail crossing as part of the Final Design Report. Based on those conversations with concurrence from the Town, the Final Design Report should be revised to include removal of the Bayview Road crossing as part of the preferred alternative.
 - e. Removal of the crossing would be advanced as a separate action and not as part of the Quiet Zone Project. NYSDOT indicated that funding most likely would be available for eliminating the crossing.
 - f. Wendel has completed a sketch of this potential Bayview closure and has done some preliminary estimates of the costs. We are also researching mechanisms for paying for these costs without impacting Town taxpayers (utilizing monies from the Quiet zone grant and other sources of grant dollars).

As you are aware, Wendel (and its designee Orest Ciolko) was appointed as Town of Hamburg Interim Engineer on 5/11/15. Wendel has been acting in this role through the end of 2015. Our work was performed under our 2015 Town Planning agreement. We have continued as your Interim Engineer into 2016 and we would respectfully request the Town Board formally re-authorize Wendel as Interim Engineer until the Town makes a decision on its current RFP for Professional Engineering services. Wendel has been re-appointed as Town Planner and we have submitted our 2016 Planning contract for signature. We can perform these engineering services under our 2016 Planning Contract.

When the Town Board issues a resolution on this matter, please note that "Wendel and their designees" will be the Interim Engineer. Andrew Reilly, PE and Shawn Dailey, PE will be the main contacts for Wendel, but other professionals within Wendel will also be assisting in Town matters. Orest Ciolko will not be representing Wendel in any Town matters as of 2/1/16.

If you have any questions, do not hesitate to contact Wendel (Drew Reilly or Shawn Dailey).

Mr. Reilly comments that the Town will need to schedule a public informational meeting on the closing of Bayview Road. The Highway Superintendent will have to agree with the closing of that road along with public input and agency input.

Mr. Reilly then submits his Planning Department Update memo as follows:



MEMO

To: Hamburg Town Board
From: Drew Reilly – Planning Department
Date: February 8, 2016
RE: Planning: Town Board Items

The following is an update to the Town Board on Planning Department/ Town Planning projects:

- A. Rezoning Items: Benderson- Camp Road (Old Hydro-Air site): PB recommended and public hearing set for 2/22/16. Kryzak- Jeffrey Boulevard: PB recommended and public hearing to be set at next Town Board meeting. Cleary – public mini-storage Southwestern Boulevard; tonight schedule the public hearing (PB recommended).
- B. The Planning Board’s next meeting is 2/17/16. Agenda items include the site plan for the new apartment complex on Southwestern Boulevard (old driving range), cell towers on Town properties and expansion of a public mini storage facility on Southwestern. See attached agenda for additional items.
- C. The Code Review committee is also working on the following code revisions: elimination of temporary SUP’s, approval of barbed wire by the Planning Board (not ZBA), dogs allowed to not be leashed, transient merchant law (adding background check), and e-cigarettes (adding to prohibition on smoking on Town property). Other small revisions have also been added. It is the Planning Department’s recommendation that once all of these code revisions are ready that they be processed all together. See attached agenda from this month’s planned Code Review meeting on 2/17/16.
- D. A public hearing is scheduled for 2/22/16 for the amendment to the PUD zoning district.

In the meantime, if you have any questions, do not hesitate to contact me or Sarah.

Legal Notice
Town of Hamburg
Meeting – February 17, 2016

The Town of Hamburg Planning Board will meet for a Work Session at 6:30 P.M., followed by a Regular Meeting at 7:00 P.M. on Wednesday, February 17, 2016 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue, to discuss and/or approve the following:

WORK SESSION

1. Towne Chrysler Dodge Jeep – Requesting Site Plan Approval of a parking area that was installed without approvals at 5130 Camp Road
2. Upstate Tower d/b/a/ Verizon Wireless – Requesting a Special Use Permit and Site Plan Approval to construct a 75' wireless communications tower at 5820 South Park Avenue
3. Hanania Family Partnership – Requesting Site Plan Approval of a new apartment community on vacant land located at 4819 Southwestern Boulevard

REGULAR MEETING

1. Public Hearing - 7:00 P.M., Upstate Tower – Requesting Site Plan Approval of a new cellular tower to be erected at 6100 South Park Avenue
2. Public Hearing - 7:00 P.M., Upstate Tower – Requesting Site Plan Approval of a new cellular tower to be erected at 2720 Lakeview Road
3. Michael Schmidt (5139 Southwestern Boulevard) – Requesting a Special Use Permit and Site Plan Approval of two (2) new self-storage buildings totaling 13,900 sq.ft.
4. Michael Jablonski – Requesting a Special Use Permit to erect a residential wind energy conversion system on property located at 3134 Old Lakeview Road
5. Oscar Williams – Requesting a Change in Use and Site Plan Approval of an ice cream store to be located at 4187 Lakeshore Road

Daniel O'Connell, Chairman
William Clark, Secretary
Planning Board

Dated: February 4, 2016

Hamburg Code Review Committee
February 17, 2016
AGENDA-Work Items

I. Rezoning Issues

1. Applicant (Scott Schranz) discussed his idea for the Lakecrest Estates site (4261 Lakeshore road) at previous meeting
2. 4701 Big Tree Road; request to rezone 42 acres of land from C-1 and R-1 to R-3 for a multi-family development. Gave further input at October, 2015 meeting (applicant needs to decide)
3. Hamburg Self Storage rezoning: referred to PB by TB
4. Backus- Lakeshore Road: WC to NC
5. Mr. Kryzak: concerning volleyball courts on Jeffrey Blv.: rezoning (maybe PUD?) or law revision **Coming to meeting- needs law revision for PUD**
6. 6685 Southwestern – RA zoning wants business; gave direction
7. **New: Hydro-Air/Benderson site; commercial development- Industrial zone- Applicant attendance**

II. Code Issues

Outstanding:

1. Conservation Area language- started- possible moratorium; on hold.

Other/Newer issues:

1. Temporary SUP's; eliminate 280-310 B (1) and (2); missed-including with others (with items 2, 3, 4 and 5 below)
2. Barbed wire; section 280-277 A. 2. - PB approval instead of ZBA; including with others
3. Leashing of dogs; change to existing law supported at last meeting; remove exemptions.
4. Transient merchant's law revision; background check; Town Attorney's office has completed
5. E-cigarettes; Town Attorney's office completed
6. Construction noise/ working on weekend: Input received at previous meeting; Planning and BI to look into; **No action being taken?**
7. Sidewalk maintenance; get copies of Amherst and V. Hamburg laws- specific issue on damaged sidewalks
8. Kurt added: unlimited size attached garages and updates to new sign law (**including exception for existing pole signs to be converted to ground signs- no limitation on frontage**)
9. Setback from top of bank along lakefront; Kurt completing
10. **New:** PIP law update
11. **New:** Town Training law update

Tom Taylor comments that he would like to send another dispatcher to communication training school on-line at a cost of \$439.00. Don O'Bryant is proposing to retire in May. He would like to replace him. They have to be hired within 60 days of calling for the list. He would also like to replace the dispatcher they removed from the budget. If they are going to hire one he is hoping to hire two at the same time.

Supervisor Walters responds that he should start the canvass for the position and in the meantime they will discuss it.

1.

On a motion of Supervisor Walters, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that the Town Board move into Executive Session at 6:27 pm on personnel matters, specific person in a specific department and labor negotiation matters.