

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; Walter Rooth, III, Town Attorney; Joe Collins, Deputy Town Attorney; Marty Denecke, Director of Youth, Recreation and Senior Services, Milt Bradshaw, Town Assessor, Carl Morgan, Town Justice, Drew Reilly, Planning Consultant

Supervisor Walters calls the meeting to order at 5:30 pm.

Drew Reilly, Planning Consultant, reports that he has nothing on the Agenda tonight. He then reviews the Planning and Code Review Items (as per attached):

ARCHITECTURE ENGINEERING PLANNING ENERGY SERVICES CONSTRUCTION MANAGEMENT



MEMO

To: Hamburg Town Board
From: Drew Reilly - Planning Department
Date: June 27, 2016
RE: Planning: Town Board Items- 6/27/16 meeting

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

- A. Rezoning Items: Zak Management - Jeffrey Boulevard Rezoning: PB recommended and public hearing was held on 3/28/16. Several issues arose at that hearing, including the issue of a bar to be located at the site. Based on these issues, the Town Board referred the rezoning back to the Planning Board. This was on the Planning Board agenda in May and was to be on the June agenda but they were unable to appear (they are returning in July). They also attended the Zoning Code Review Committee meeting in June to discuss other zoning options.

Applicants for the rezoning of the former "Sisters" property at South Park and Sowles road have made application to the Town (copy of plan attached), but the Code Review Committee has not made a formal recommendation on this request. Please see the attached Code Review Committee Agenda for more information on rezoning items.

- B. The Planning Board held their last meeting on 6/15/16. The following are the highlights of that meeting; two small (2 lot) subdivisions, Mr. Cleary appeared to discuss his mini-storage project on the recently rezoned lands, David Homes discussed potential changes to the Villas at Brierwood project, and new development (retail) at the Colleys pools site on Camp was discussed. I have attached the agenda for July's Planning Board meeting.
C. The Code Review committee is working on numerous code revisions. I have attached a summary of those items and the last Code Review meeting agenda.
D. Sarah desJardins is dealing with a family emergency and has been and will be in and out of the office over the last few weeks and for the coming few weeks. If any issues arise that need immediate attention, do not hesitate to contact me.

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Legal Notice  
Town of Hamburg  
Meeting – July 6, 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, July 6, 2016 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue, to discuss and/or approve the following:

WORK SESSION

1. Boston State Holdings Co. LLC – Requesting Site Plan Approval of outdoor storage at 4233 Lake Avenue
2. Elderwood at Hamburg Skilled Nursing Facility (5775 Maelou Drive) – Requesting Site Plan Approval of a three-story building addition for 28 skilled nursing beds

REGULAR MEETING

1. Colley's Pools (4953 Camp Road) – Requesting Site Plan Approval of a 17,600 sq.ft. retail/restaurant building and related parking
2. West Herr Ford – Requesting Site Plan Approval of a proposed parking lot expansion at 4781 Camp Road
3. Russo Development – Requesting re-approval of a project that involves the construction of a new equipment storage area at 3710 Old Milestrip Road (Site Plan Approval was originally granted on May 7, 2014)
4. Zak Management (Jeffrey Kryszak) – Requesting rezoning of property located at 4090 Jeffrey Boulevard from M-1 and M-2 to PUD (Planned Unit Development).

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

Dated: June 21, 2016

Hamburg Code Review Committee  
June 15, 2016  
**AGENDA-Work Items**

I. Rezoning Issues

1. 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)- **No new info.**
2. 5272 South Park (NE corner with Sowles- Sister's facility)- **applicant has discussed- awaiting application**
3. **Outstanding Rezonings:** Krysak,

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), Barbed wire; section 280-277 A. 2. - PB approval instead of ZBA, Leashing of dogs (remove exemptions- **Input from TC received**), Transient merchant's law revision; background check, and E-cigarettes – **all ready for adoption process**
2. Construction noise/ working on weekend: Input received at previous meeting; Planning and BI to look into; **No action being taken**
3. Sidewalk maintenance; get copies of Amherst and V. Hamburg laws- specific issue on damaged sidewalks- **No action**
4. 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)- **copy to be discussed**
5. Setback from top of bank along lakefront; **draft to be discussed**
6. Town Training law update; **Town attorney has input**
7. Bed and Breakfast allowed in R districts (restrictions)
8. Solar law
9. **NEW:** Seasonal facilities, Food Trucks, Transient Merchants
10. **NEW:** Section 210-2 (Traffic controls for specific businesses- names outdated.

The Zak rezoning is still before the Planning Board and will be on their July Agenda.

They did receive a new rezoning application which did not come in time to be placed on the agenda and they still don't have a definitive recommendation from the Planning Board. It is a fairly substantial project. Sinatra Group has bought the property at South Park and Sowles Rd (the former "Sisters" property) and they will have to review all that information. Then the Town Board will have to review it and send it to the Planning Board. They have tried to address some of the concerns that the Code Review Committee had. He then discusses the Cleary rezoning.

Councilman Best questions the status of the proposed ice cream place (Oscar Williams) on Lakeshore Road near Lucia's Restaurant.

Mr. Reilly comments that Mr. Williams has been approved and there were some conditions placed on it. Mr. Williams attended the last meeting because he is not happy with the proposed project by Mr. Barrett.

Councilman Best comments that Mr. Williams had an issue with the curbing.

Mr. Reilly responds that issue was with the NYSDOT. The DOT said they would not give him a permit if he did not make the appropriate changes. They are two entirely different projects. Mr. Barrett did not have to alter the entrance and exit onto his property.

Mr. Reilly gives an update on the Quiet Zone project. He then discusses the proposed closing of Bayview Road.

Councilman Best comments on the Barrett project stating that the last time they spoke it was said that the Shoreline Revitalization Committee was supposed to give approval but they were not sure if they had the Committee anymore. However they do in fact have a Committee that was appointed at the Organizational meeting in January. Did this project go to that Board for approval?

Mr. Reilly comments that this was discussed and the Planning Board's attorney said that they had to move forward with the project. They have to get that committee reformed again and meeting on a regular basis. They do not make approvals they make recommendations.

Supervisor Walters questions when they will hold public hearings on all the proposed Code Revisions.

Mr. Reilly responds that they can break out the ones that are ready.

Supervisor Walters responds that they should take the first step to start the process.

Marty Denecke, Director of Youth, Recreation and Senior Services, states that he put a resolution on tonight’s agenda to consider the Youth Court proposal. Judge Morgan and Nicole Dayka spoke to the Board about this around a month ago. He wanted to know if there were any further questions and if not hopefully they will consider approving the proposal and they will put the program in place ASAP.

Supervisor Walters comments that he did ask if there would be overtime involved and Mr. Denecke was unsure at the time.

Mr. Denecke responds that there would be no overtime and Judge Morgan has agreed to do this pro bono. Based on the schedule set up they have enough money to pay Ms. Dayka to oversee the program and to provide training for the youth court employees.

Councilman Best comments that the last time he talked to Judge Morgan they were having trouble finding Court Officers.

Judge Morgan responds that they have had two retirements from that position and he has been trying to replace one of them. The pay is a problem. It is \$15.29 per hour and has not been increased in some time. He had Ms. Brauch canvass all the retired Police Officers in the area and no one was interested because the pay is significantly lower than what they are paying elsewhere. There is a real need for security in the court just because of the numbers involved. The Officers are stretched thin.

Councilman Quinn questions what kind of training is necessary.

Judge Morgan responds the more training the better. The court has always used retired Police Officers. He asks for their consideration as there is an immediate need.

Mr. Denecke comments that he requested that the Town Board consider doing a proclamation for a woman that turned 100 on Saturday.

**1.**

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

**RESOLVED,** that the Town Board move into Executive Session at 6:01 pm on a pending legal matter, personnel matter and a contractual matter.