

Legal Notice
Town of Hamburg Planning Board
Work Session Jan. 4, 2006

The Town of Hamburg Planning Board will meet for a work session on Wednesday, January 4th, 2006 at 7:30 p.m. in the Conference Room at S-6122 South Park Avenue. The following will be discussed and possibly approve some:

1. Debo Day Care Center - Quinby Drive
2. Burke Medical Building #2, Amsdell & Southwestern Blvd.
3. Stone Bridge sketch plan - McKinley & Newton
4. Revised drawings for South Park Garage - Seqr determination and Special Use Permit
5. Debo Day Care - Quinby Drive
6. Ridgefield - Off East Eden Rd.

New Projects:

1. First Niagara Bank - Lakeshore Branch - 4923 Lakeshore Rd.
2. Special Use Permit - D. Gallineau - 6969 Southwestern Blvd.
3. Salisbury Sub. Bob Brunner - Clark St.
4. Southampton Condos - Nigro Dev. - Big Tree Rd.
5. Tractor Supply - Burke Business Park

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated: 12-21-05

**Town of Hamburg
Planning Board Work Session
January 4, 2006**

The Town of Hamburg Planning Board met for a Work Session on Wednesday, January 4, 2006 at 7:30 p.m. in the Conference Room at S-6122 South Park Avenue. Those attending included: Chairman Gerard Koenig, Secretary Paul Eustace, Sasha Yerkovich, Steve McCabe, Doug Nichols. Others: Attorney Michael Fruth, Attorney Don McKenna, Drew Reilly, and Terry Dubey, Stenographer. Excused: David Phillips

**Reorganization Results: Chairman Gerard Koenig
 Vice-Chairman David Phillips
 Secretary Paul Eustace**

Debo Day Care Center, 2 lot Subdivision, Special Use Permit - Quinby Drive

Drew Reilly reported that this item has been on the agenda for several months. It involves approval of the 2 lot subdivision, the Special Use Permit for a day care center, and site plan approval. The public hearing was held on the subdivision and the Special Use Permit and was tabled for better engineering drawings.

Two issues still at hand are the preservation of as many trees as possible and reduction of the detention pond. Also, there are two entrances, one way in, and one way out. Mr. Reilly asked if the trees in the play yard area could be kept?

Mr. Debo responded that many of the trees are diseased and will have to be removed. New trees will be planted. Doug Nichols of the Conservation Board is willing to walk the site again and mark trees that should be retained. The dry pond should be shrunk down and the 15' silt fence moved. The Engineering Department is willing to waive the sidewalk requirement. Item to be on January 18th agenda

Engineering comments are as follows:

Site Plan

The following are review comments on a site plan dated 7/15/05 and last revised on 11/11/05:

- We will review the site plan when it is revised in accordance with the Town's site plan requirements and resubmitted for review.
- The site landscaping is to be approved by the Planning Board.

Minor Subdivision

- The legal description is acceptable.
- There are no public sidewalks in the area. We have no objection to waiving the sidewalk requirement.
- We have no objection to waiving the map cover requirement.

All comments are to be satisfactorily addressed for approval.

South Park Garage - South Park near the Thruway

Mr. Reilly informed the board that new plans for this project have been submitted. The amended plan shows the building 5' off the property line. No variances will be needed on the side of the parking lot. Shrubbery has been added to the front and curbing has been put in. Fifteen parking spaces have been provided. The door is to be labeled as a service bay and to receive materials. Lighting will be shielded downward. A letter has been received from Department of Health on the septic system. The Thruway Authority has submitted a letter noting that they will accommodate the discharge from the site. A fence is proposed along the residential property line. The only trees that will be preserved on some in the back of the property. A full EAF is to be filed rather than the short form. The project is ready to be acted upon at the next meeting which involves a SEQR determination and Special Use Permit approval. Aesthetics have also been reviewed.

Engineering comments are attached.

Ridgefield Estates - Phase III off East Eden Road

A coordinated review is to be done on this project. Additional copies of the subdivision plan will be needed for Planning Board, Highway, Building Department, County Health Department, DEC, DOT, ECDEP. And the water authority. If all goes well, a Negative Declaration could be issued at the February 15th meeting. (Engineering comments are attached.)

First Niagara Bank - Lake Shore Road

The proposed bank will be located near the Wanakah Pharmacy on the Lake Shore Road. Maxie's and an electronic shop will be taken down and replaced with the bank. The old mobile home park has also been removed. The entrance on Old Orchard Avenue does not line up well with the road. It will be a difficult driveway plus added traffic to the residents on Orchard. This is an N-C zone. The property is being leased by the bank. The project is also in the W-C District. The project should be reviewed by the Traffic Safety Board. A coordinated review will be needed. Five copies are required for the review.

Motion was made by Mr. Eustace, seconded by Mr. Koenig to establish the Planning Board as Lead Agency on the project. Copies to be sent to the DEC, Traffic Safety, and the water and sewer districts involved.

Engineering comments are attached.

Southampton Condos - Big Tree Road

Alan Nigro appeared on behalf of a proposed condominium project. The Conservation Board has expressed concern of placing buildings so close to the railroad tracks. The proposal is for 8 unit buildings, 4 up, and 4 down. Each building will have 8 garages. More detail is needed. A wetland

TOWN OF HAMBURG

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Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board
FROM : Engineering Dept.
DATE : 1/4/06
SUBJ : 1/4/06 PLANNING BOARD WORK SESSION AGENDA
Proposed Auto Shop - South Park Avenue at NYS Thruway

The following are review comments on a site plan dated 12/19/05:

- (1) The site is located in the South Park Overlay District.
- (2) Note on the plan that a New York State Dept. of Transportation (NYSDOT) permit is required for work within the South Park Avenue highway right-of-way. We are unable to approve these plans prior to NYSDOT review and approval of work on their right-of-way.
- (3) The site Landscape Plan is to be approved by the Planning Board.
- (4) The septic system is to be approved by the Erie County Health Department (ECHD). We are unable to approve these plans prior to ECHD review.
- (5) It appears that the building is not within the 400' hydrant requirement of the New York State Fire Code. Contact the Building Inspector for direction.
- (6) Site Drainage and Utility Plan - Sheet SP-2
 - The proposed drainage swale along the north property line conflicts with the proposed trees as shown on the Landscape Plan. Revise as necessary and include design elevations for the swales.
 - The storm sewer pipe between catch basins is to have a minimum diameter of ten (10") inches and a minimum of two (2') feet of cover on top of the pipe. Revise as necessary.
 - Provide design elevations for the storm water detention pipe and French drain. Revise pipe size to 36" as required per drainage calculations.

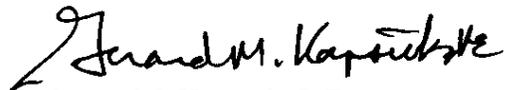
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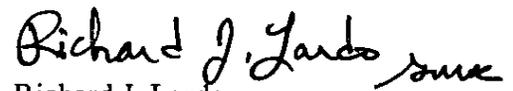
(7) Site Details - Sheet SP-3

- Provide a minimum of ten (10") inches of stone foundation course for standard duty pavement.

(8) Show the waterline service size and the details for the RPZ backflow preventer, as required by the Erie County Water Authority.

All comments are to be satisfactorily addressed for approval.


Gerard M. Kapsiak, P.E.
Town Engineer


Richard J. Lardo
Principal Engineer

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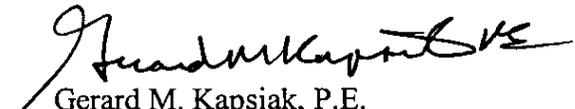
Supt. of Highways
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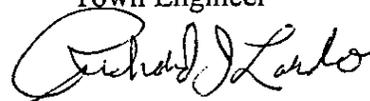
TO : Planning Board
FROM : Engineering Dept.
DATE : 1/4/06
SUBJ : 1/4/06 PLANNING BOARD WORK SESSION AGENDA
Ridgefield Subdivision Part 3
Site Plan Review

The following are review comments on a site plan dated Nov. 16, 2005:

- (1) The site is not located in an existing Town water district. A water district extension and NYSDEC Water Supply Permit will be required to service the site.
- (2) The property lines for Sublot Nos. 1, 2, 22, and 23 are to be extended to the west property line.
- (3) Label the stormwater detention area on the plan.

All comments are to be satisfactorily addressed for approval.


Gerard M. Kapsiak, P.E.
Town Engineer


Richard J. Lardo
Principal Engineer

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TO: Planning Board

FROM: Engineering Dept.

DATE: 1/4/06

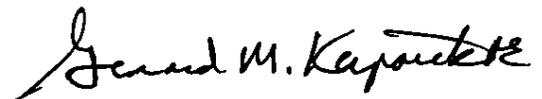
SUBJ: 1/4/06 PLANNING BOARD WORK SESSION AGENDA
First Niagara Bank (adjacent to 4923 Lake Shore Road)

The following are review comments on a site plan dated 12/19/05:

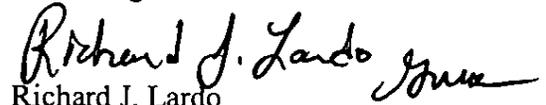
- (1) It appears that the existing Wanakah Pharmacy building is being subdivided from the main parcel. Therefore, subdivision approval is required for the project. A separate address will be assigned for the proposed bank.
- (2) Ingress and egress to Lake Shore Road, a cross-access agreement, and parking for the entire parcel are to be properly addressed.
- (3) Provide a site plan for the entire parcel and exclude the area shown outside of the contract limit lines.
- (4) Note that a New York State Department of Transportation (NYSDOT) permit is required for work within the Lake Shore Road highway right-of-way. We are unable to approve these plans prior to NYSDOT review and approval of work in their right-of-way.
- (5) Show the location of Woodlawn Avenue on the opposite side of Orchard Avenue. The proposed driveway to Orchard Avenue does not align with Woodlawn Avenue. The driveway should be relocated for proper alignment.
- (6) Obtain the approval of the Erie County Water Authority (ECWA) to reuse the existing water service. Show the waterline service size and the details for the RPZ backflow preventer, as required by ECWA.

- (7) The existing sanitary sewer service lateral cannot be reused. Provide a profile drawing of the proposed lateral and include all construction details. Submit the sewer service to the Erie County Department of Environment and Planning (ECDEP) for review and approval. We are unable to approve the plan prior to ECDEP review and approval.
- (8) Provide erosion control measures as necessary.
- (9) Label the existing storm sewer running through the site between Orchard Avenue and Lake Shore Road as a private storm sewer.
- (10) All proposed storm sewers are to have a minimum diameter of 10 inches and a minimum of 24 inches cover on top of the pipe. Revise as necessary.
- (11) The Town Highway Department requires that the existing open ditch along Orchard Avenue be enclosed with pipe. Revise as necessary.
- (12) Address off-site storm water runoff from east of the site.
- (13) Include detail drawings for all storm sewer pipe and catch basins
- (14) The site landscape plan is to be approved by the Planning Board.
- (15) The orientation of the proposed dumpster shown on Sheet No. L-1A differs from that shown in the other site plan drawings.

All comments are to be satisfactorily addressed for approval.



Gerard M. Kapsiak, P.E.
Town Engineer



Richard J. Lardo
Principal Engineer

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TO: Planning Board

FROM: Engineering Dept.

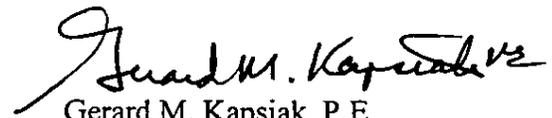
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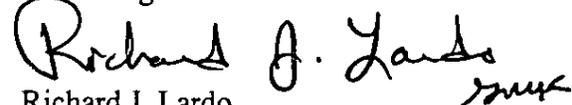
SUBJ: 1/4/06 PLANNING BOARD WORK SESSION AGENDA
South Hampton Condos - Big Tree Road

The following are review comments on a sketch plan dated 11/11/05:

- (1) The private driveway east of the site is to be shown. Agreements (if any) with the adjacent owner for use of the driveway for site access should be provided to the Planning Board.
- (2) Label Big Tree Road as a County highway. An Erie County Highway Dept. (ECHD) permit will be required for access to the site. Previous submittals for this site did not include a new access drive to Big Tree Road. The existing driveways on the south side of Big Tree Road are to be shown. We recommend that a traffic study be performed for access to the site.
- (3) Sanitary sewer capacity and public water supply issues will need to be addressed.
- (4) We will review the site plan when it is submitted in accordance with the site plan review check list.

All comments are to be satisfactorily addressed for approval.


Gerard M. Kapsiak, P.E.
Town Engineer


Richard J. Lardo
Principal Engineer

January 4, 2006

To: Planning Board - Drew Reilly & G. Koenig

From: Conservation Advisory Board
Doug Nichols

Subject: Southampton Commons

This site has considerable standing water—even outside the identified wetlands. The 3 major soil types underlying the site all show seasonal wetness as a characteristic. The majority of the site is populated with greystem and red osier dogwood. Cat-tails are abundant in the identified wetlands. Very little flagging remains in the wetlands and it is recommended that the area be re-delineated and re-flagged prior to the commencement of any site work.

The greatest concern, however, is the proximity of the eastern most 2 buildings to the Norfolk & Western tracks. The rear walls of the building are 112 feet from the center line of the tracks. We have written about this in previous EAF's, we believe that is a serious health and safety issue. In a rollover or projectile accident, the health and safety of the residents in those buildings would be severely affected. Leaking gas or corrosive liquids are serious concerns, as is the possibility of a projectile accident pushing rail cars right thru the buildings.

We strongly recommend that those 2 buildings be eliminated from the plan. This project will require a full EAF.

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Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board

FROM: Engineering Dept.

DATE: 1/4/06

SUBJ: 1/4/06 PLANNING BOARD WORK SESSION AGENDA
Stone Bridge Subdivision - McKinley Pkwy. at Newton Rd.

The following are review comments on a cluster concept plan dated 2/2/04 and last revised on 11/16/05:

- (1) The site is located within Erie County Sewer District No. 3 (ECSD No. 3). ECSD No. 3 should be contacted to determine if there is currently sufficient capacity in the sanitary sewer system for the anticipated sewage flows.
- (2) The site is not located in an existing water district. A Town water district extension or an Out of District Agreement with the Village of Hamburg will be required to service the site. The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.
- (3) The Erie County Highway Department should be contacted to determine if the proposed road connection to McKinley Parkway is acceptable.
- (4) The proposed roadway does not meet the Town code requirements regarding maximum dead end street length of 500 feet.
- (5) The roadway is to be labeled as a "Private Drive".
- (6) The proposed building setback line is to be dimensioned.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

December 31, 2005

Memo To: Planning Board

From: Conservation Board

Subject: Stone Bridge Patio Homes

The following comments are for your consideration.

1. Memorandum to the Planning Board, dated May 12, 04 is still applicable.
2. The environmental assessment dated 11-21-05 is not acceptable for a major subdivision. The long form must be submitted.
3. The revised plan dated 3-2-04 - revised 2-14-04 and 11-16-05 shows several street (ROW crossings of the high pressure gas line. This proposal should be submitted to National Fuel for approval, since they have very stringent requirements for road crossings over high pressure lines.
4. Plotted lots should not extend into any portion of the wetlands. Delineation of the wetlands may show lots 10-14, 34, 35, and 38 extend into wetland. Wetland boundaries seldom follow straight lines.

Duke Spittler

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TO : Planning Board

FROM : Engineering Dept.

DATE : 1/4/05

SUBJ : 1/4/06 PLANNING BOARD WORK SESSION AGENDA
Robert Brunner Subdivision - Salisbury Place

The following are review comments on a Preliminary Plat Plan not dated:

- (1) Main line sanitary sewer and waterline extensions are required to service the parcels. Therefore, major subdivision (not minor) approval will be required.
- (2) The tax maps indicate that the Salisbury Place right-of-way is not fifty (50') feet wide adjacent to these parcels. The 22.85 feet width shown as Salisbury right-of-way will require dedication to the Town.
- (3) The Town Highway Department may require that additional right-of-way be provided for a turn-around area at the end of Salisbury Place.
- (4) Identify the party being granted the utility and access easement on proposed Sublot No. 1.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
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Richard J. Lardo
Principal Engineer

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Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board

FROM: Engineering Dept.

DATE: 1/4/06

SUBJ: 1/4/06 PLANNING BOARD WORK SESSION AGENDA
Brierwood Medical Center Building No. 2 - Southwestern Blvd.

The following are review comments on a sketch plan last revised on 8/18/04:

- (1) The entrance off Southwestern Blvd. is a private driveway. All references to Glen Eagle Drive and Executive Drive are to be removed from the drawing.
- (2) It appears that an ingress and egress easement and/or cross access agreement will be required with the adjacent parcels.
- (3) Stormwater detention will be required for the site.
- (4) Minor subdivision approval may be required for the parcel.
- (5) Mainline water and sanitary sewer extensions may be required to service the site.
- (6) We will further review the proposed site plan when it is prepared and submitted in accordance with the site plan review checklist.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

is needed. A wetland delineation is required. The delineation is to be re-flagged. The private road is to meet town standards. The issue of a recreation area was raised. Mr. Nigro noted that there will be 104 apartments and 16 buildings, to be built by Big House Design out of Texas. Applicant is to bring in a revised sketch when ready

Other Projects:

1. Burke Medical Building #2 - No new plans received.
2. Stone Bridge Patio Homes - McKinley & Newton - no new drawings received.
3. Gallineau Special Use Permit - Southwestern Blvd. Need survey for automotive repair And Special Use Permit.
4. Salisbury Subdivision - Not ready.
5. Tractor Supply - nothing new received.

Motion was made by Mr. Eustace, seconded by Mr. McCabe to adjourn. Carried. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Paul Eustace
Paul Eustace, Secretary
Planning Board

**State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance**

Date:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act-SEQR) of the Environmental Conservation Law.

The Town of Hamburg Plng Bd has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Ridgefield Terrace - Phase III

SEQR Status: Unlisted

Description of Action: The creation of a 23 lot subdivision and all related appertances (road, water, sewer, stormsewer etc.

Location: Ridgefield Terrace (off of East Eden Road
Town of Hamburg, Erie County, New York

Reasons Supporting this determination: During review of this project, the Hamburg Plng. Bd. identified the relevant areas of environmental concern which are analyzed below:

1. **Impact on Land:** The creation of the cluster development allows the development to reduce its physical impact on the 57 acre parcel to less than 20 acres. The cluster also allows the subdivision to avoid some of the poorer soils on the site.

2. Impact on water: The layout of the subdivision avoids the State and Federal wetlands on the site. These wetlands will either be dedicated to the Town or protected by conservation easements to the maximum extent practicable. The drainage system will be designed to all Town and State standards. It has been reported that there is adequate water supply for the site and that there is capacity in the sewer system.

3. Impact on Plants and Animals: There are no reported threatened or endangered species on the site, and the cluster will allow large areas of the site to remain in their natural state.

4. Impact on Aesthetic Resources: The cluster layout and location of the project will reduce the potential aesthetics impact of this project.

5. Impact on Historic and Archaeological Resources: The project will not impact any historic structures, and a Stage I Cultural Resource Investigation concluded that the project will not impact any culturally important resources.

6. Impact on Open Space and Recreation: Although the project will result on the loss of open space, the project will end up with land being permanently protected as important open space.

7. Impact on Transportation: The project will only result in minor increases in traffic to roads with sufficient capacities.

8. Noise and Odor Impact: Noise and odor impacts will be temporary and occur during construction activities. Standard conditions will be placed on these activities to minimize their adverse impacts.

9. Impact on Growth and Character of Community or Neighborhood. The cluster development results in lots greater than 1/2 acre which matches the character of the area, and allows for the preservation of large areas of greenspace which will protect the character of the community. The subdivision is a logical extension of an existing subdivision and is laid to accommodate potential connection to adjoining lands previously discussed for development.

The Hamburg Planning Board, therefore, concludes 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 consideration. In reaching this decision, the Planning Board carefully considered all "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

For Further Information:

Contact Person:

**Town of Hamburg Planning Department
S-6100 South Park Avenue
Hamburg, NY 14075**

**GERARD KOENIG, CHAIRMAN PLANNING
BOARD**

Dated:

January 3, 2006

Memo To: Hamburg Planning Board

From: Planning Department

Re: 1-4-06 Agenda Items

The following reports on the status of the applications presently scheduled to be on the 1-4-06 Planning Board work session agenda:

1. Debo Day Care Center - site plan and SUP

The applicant previously received sketch plan direction from the Planning Board and now has submitted his site plan for consideration (Public Hearings were held on the minor subdivision and on the Special Use Permit, each was tabled).

If the plan is determined to be acceptable for public review (plan is not 100% complete, but is complete enough to get public input), the Planning Board could call for an additional public hearing on the Special Use Permit (if changes are deemed substantial).

Please see our separate review memo, for our comments on this site plan. Issues included preserving as many trees as possible and possibly a single entrance to the facility.

2. Burke Medical Building #2—site plan approval (still at sketch plan). At previous Planning Board meetings, we supplied direction to the applicant on his sketch plan and did determine that the proposal is in accordance with the PUD. It is up to the applicant at this time to decide whether or not to proceed to full site plan approval.

3. Stone Bridge Patio Homes: Cluster Development—sketch plan The applicant in a previous year, received sketch plan direction on a cluster development for this site. The current proposal includes some additional lands, and is still a cluster development proposal.

At our last Planning Board meeting, the applicant explained that additional wetland areas had been found on the site, that could affect the “regular” layout. We gave them additional direction, at that meeting, and authorized the use of cluster development.

It is now the applicant’s decision as to whether to get more sketch plan input or proceed with full approvals.

4. South Park Garage—site plan/SUP/ SEQR determination.

The applicant has submitted a new plan for the Planning Board to consider. Based on this new plan, we would recommend another SUP Public Hearing, and then a SEQR decision must be made.

5. Ridgefield Terrace Phase III - Preliminary sub. Approval/SEQR

We were awaiting further input from the NYSDEC prior to making a SEQR determination on this subdivision. Based on conversations with the NYSDEC, we can proceed with a SEQR determination, once Lead Agency has been established (we did not to a coordinated review on this action). We are now in receipt of a preliminary plat and a full EAF that can be utilized to complete the coordinated review (establishing Lead Agency). Once complete (first meeting in February), the Planning Board can issue their determination.

I have completed a Negative Declaration for the Planning Board to review for the February meeting.

6. First Niagara Bank - site plan approval/SUP

The applicant is appearing before the Planning Board for the first time, and is looking for input on their proposal for a bank.

See our separate review memo. This project will require a Special Use Permit (Bank in N-C zone), and site plan approval.

7. D. Gallineau - site plan/SUP

The applicant will need to provide a site plan for us to consider (I spoke to him prior to the holidays). Although this property was previously utilized for auto repair, it has lost its grandfather status and will require a Special Use permit and site plan approval.

8. Salisbury Subdivision - Subdivision approval

The applicant has submitted a minor subdivision application for these two lots at the end of Salisbury Street. If a sewer extension is needed to serve these lots, then the application will be treated as a major subdivision. The proposal appears to meet all zoning requirements for lots serviced by public water and sewer.

9. Southampton Condos—site plan sketch - The Town has seen proposals for this site for at least ten years. Different proposals reached different approval levels, but no action was ever taken on these proposals. Therefore, no approvals exist, and any proposal would require the full review process.

10. Tractor Supply (Burke Business Park) site plan approval

The applicant is presently completing the FGEIS for the proposed rezoning and Business park. At this time, we can continue our site plan review of the first proposal, the Tractor Supply business.

Once the rezoning is approved and findings made, the Planning Board can issue a site plan approval. At this time, the applicant is looking for input on the proposed sketch plan. They have not provided any detailed plans to the Town.

**State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance**

Date:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act-SEQR) of the Environmental Conservation Law.

The Town of Hamburg Plng Bd has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Ridgefield Terrace - Phase III

SEQR Status: Unlisted

Description of Action: The creation of a 23 lot subdivision and all related appertances (road, water, sewer, stormsewer etc.

Location: Ridgefield Terrace (off of East Eden Road
Town of Hamburg, Erie County, New York

Reasons Supporting this determination: During review of this project, the Hamburg Plng. Bd. identified the relevant areas of environmental concern which are analyzed below:

1. **Impact on Land:** The creation of the cluster development allows the development to reduce its physical impact on the 57 acre parcel to less than 20 acres. The cluster also allows the subdivision to avoid some of the poorer soils on the site.

2. Impact on water: The layout of the subdivision avoids the State and Federal wetlands on the site. These wetlands will either be dedicated to the Town or protected by conservation easements to the maximum extent practicable. The drainage system will be designed to all Town and State standards. It has been reported that there is adequate water supply for the site and that there is capacity in the sewer system.

3. Impact on Plants and Animals: There are no reported threatened or endangered species on the site, and the cluster will allow large areas of the site to remain in their natural state.

4. Impact on Aesthetic Resources: The cluster layout and location of the project will reduce the potential aesthetics impact of this project.

5. Impact on Historic and Archaeological Resources: The project will not impact any historic structures, and a Stage I Cultural Resource Investigation concluded that the project will not impact any culturally important resources.

6. Impact on Open Space and Recreation: Although the project will result on the loss of open space, the project will end up with land being permanently protected as important open space.

7. Impact on Transportation: The project will only result in minor increases in traffic to roads with sufficient capacities.

8. Noise and Odor Impact: Noise and odor impacts will be temporary and occur during construction activities. Standard conditions will be placed on these activities to minimize their adverse impacts.

9. Impact on Growth and Character of Community or Neighborhood. The cluster development results in lots greater than 1/2 acre which matches the character of the area, and allows for the preservation of large areas of greenspace which will protect the character of the community. The subdivision is a logical extension of an existing subdivision and is laid to accommodate potential connection to adjoining lands previously discussed for development.

The Hamburg Planning Board, therefore, concludes 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 consideration. In reaching this decision, the Planning Board carefully considered all "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

For Further Information:

Contact Person:

**Town of Hamburg Planning Department
S-6100 South Park Avenue
Hamburg, NY 14075**

**GERARD KOENIG, CHAIRMAN PLANNING
BOARD**

Dated:

Legal Notice
Town of Hamburg Planning Board
Meeting - January 18, 2006

The Town of Hamburg Planning Board will meet for a regular session on Wednesday, January 18th, 2006 at 7:30 p.m. in Room 7B of Hamburg Town Hall to discuss/or approve the following site plans:

1. Debo 2 lot Subdivision and Special Use Permit and Site Plan - Quinby Drive
2. South Park Garage - South Park near the Thruway - SEQR and Special Use Permit
3. First Niagara Bank - Lake Shore Road
4. Hamburg Village Line Subdivision
5. Strawski Development - Lakeview Road
6. Burke Medical Building #2 - Southwestern and Amsdell Road

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated: Jan. 5, 2006