Town of Hamburg
Planning Board Meeting
1-5-05
Actions Taken

Buffalo Engine Components
Snyder Tank Location
Hoover Road **Approved.**

Town of Hamburg Planning Board
Work Session - January 5, 2005

The Town of Hamburg Planning Board met for a Work Session on Wednesday, January 5, 2005 at 7:30 p.m. in the Conference Room located at S-6122 South Park Avenue. Those attending included: Chairman Gerard Koenig, Vice-Chairman David Phillips, Secretary Paul Eustace, Steve McCabe, Bob Reynolds, Karen Rogers. Others attending included: Drew Reilly, Councilman Mark Cavalcoli, Michael Fruth, Attorney, Don McKenna, Attorney, and Terry Dubey, Stenographer.

Excused: Sasha Yerkovich

Reorganizational Results: Chairman Gerard Koenig, Vice-Chairman David Phillips, Secretary Paul Eustace.

Councilman Mark Cavalcoli thanked the board for their years of service and is looking forward to another successful year for 2005 in reviewing new projects. Also welcomed new member, Karen Rogers, to the Planning Board.

Buffalo Engine Components - (former Snyder Tank Facility) - Hoover Road

Mike Borowiak, of Nussbaumer & Clarke appeared before the Planning Board with an up-to-date survey of a reuse of an existing property for Buffalo Engine Components, consisting of 160,000 s.f. This item has been advertised for approval for tonight's session. The new owners will not have outside storage. Approximately 10-15 mixed use trucks will be in and out of the facility. This is a Type II action under SEQR .There is a note on the drawing indicating that there is public access to the waterfront.
However, an easement in writing is required. Attorney McKenna will need a legal description of the property.

Motion was made by Mr. Phillips, seconded by Mr. Reynolds to approve the site plan for Buffalo Engine Components, with a condition that there is to be no outside storage of materials, that an easement be drawn up for beach access, that the legal description is submitted to Don McKenna, Attorney, and that this is a type II action under SEQR. Carried.

Dean 3 lot Subdivision - Schoellkopf & Eckhardt Rd. - Jack Becker, Applicant

Jack Becker appeared before the Planning Board on a proposed 3 lot subdivision for single family dwellings to be located on Schoellkopf & Eckhardt Rds. This is a smaller subdivision and the board will "segment" its review from the remainder of the site. Development on this side of the road will have certain conditions attached.

Engineering comments are:

Dean Subdivision (Cont.)

If legal description is brought in on time, Public Hearing can be set for January 19,2005. Drew Reilly noted that a coordinated review will be needed for the project with Town Planning Board as lead agent. (To be sent to DEC, and Erie County Dept. Of Env. & Planning). Some form of detention will be required on the parcel. This is considered a major subdivision because of the sewer connection, and the filing of a map cover is required. Since there will be no donation of land, the recreation fee of $1,000 per unit is required.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to provide for a coordinated review and that the Planning Board is lead agent. Carried.

Engineering Issues:

DATE : 1/4/05

SUBJ : 1/5/05 PLANNING BOARD WORK SESSION AGENDA
Eckhardt Road 4 Lot Subdivision - Sketch Plan
Dean Becker

The following are review comments on a survey dated 1/20/03 and last revised on 12/15/04:

(1) The site is located within Erie County Sewer District No. 2 (ECSD No. 2). The district should be contacted to determine if there is sufficient available capacity in their system to service the site. A main line extension will be required.

(2) The Erie County Water Authority (ECWA) should be contacted for pressure and flow information in their system.

(3) Eckhardt Road and the land adjacent to the creek are subject to flooding. Previous development plans required that the creek area be undisturbed. The boundaries of the area affected by flooding need to be delineated to determine if there will be sufficient building area within the affected lots.

(4) Storm water detention will be required for the project. The detention area is to be part of the proposed sublots (privately owned and maintained). Show the detention area on the plan.

(5) It is considered that this is a 4 lot subdivision (Information Sheet shows 5 lots).

(6) We have not received a legal description for the project.

All comments are to be satisfactorily addressed prior to approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL/dhp

R.D. Murray Site Plan - Camp Road

Mr. Bill Savage, of R.D. Murray, appeared before the Planning Board on an on-going problem whereby changes were made to the site which resulted in an enforcement action by Kurt Allen, Building Inspector. The changes were not in conformance with the granted approvals. In trying to resolve the matter, it was agreed that R.D. Murray representatives should appear before the Planning Board to receive approval of the amended site. The applicant was of the impression that no new plan was required.

The Planning Board emphasized that a new site plan is required to show the future expansion of the building. Applicant was advised to prepare a site plan and appear for the February 2nd work session.

Burke Business Park - Southwestern Blvd.

Mr. Pat Burke of Burke Enterprises appeared before the Planning Board on a proposed business park to be located on Southwestern Blvd. For a 6 lot subdivision. The Hamburg Credit Union has been approved for their facility. On Parcel 5, (6.10 acres) an applicant known as the "Tractor Supply Company" is interested in building a facility for lawn equipment sales and display. Approximately 23 full time employees, & 17 part time employees will be located at the business.

Mr. Burke was advised to fill out an EAF and appropriate forms for the project. Zoning for this park is C-1. The tractor business really should have a C-2 designation, as C-1 limits the size of the building and does not allow outdoor display. Also, this property is in the South Western Overlay District requiring screening and buffering which would defeat the purpose for outdoor display. In essence, a rezoning would be in order which could take at least 6 months to accomplish. Applicant was advised to speak to the Town Board on the matter. Meetings should also include DOT representatives as well as from the school district. Mr. Reilly is to try and coordinate a meeting with all principals involved.

Stoynovski Subdivision - 4770 Brompton Pkwy.

The proposal is for a two lot subdivision for the creation of zero lot line duplexes for sale. A fire wall will be required as well as separate utilities. Variances will be required as the lot sizes have been changed for R-2 zoning. A Public Hearing can be set up for January 19, 2005.

Engineering Comments are:

TOWN OF HAMBURG
ENGINEERING DEPARTMENT

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Town Engineer
GERARD M. KAPSIAK, P.E.

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board

FROM : Engineering Dept.

DATE : 1/4/05

SUBJ : 1/5/05 Planning Board Work Session Agenda
Stoyanovski Minor Subdivision
Brompton Parkway

The following are review comments on a survey dated 10/1/04:

(1) The proposed legal description is acceptable.

(2) The Building Inspection Department has informed this office that the dwelling was not built with the required fire rated wall between the units. The structure will require modification to meet the code prior to subdivision approval.

(3) The developer should be required to record the deed restrictions which are typically required by the Planning Board for zero lot line units.

(4) A separate house number will be assigned for each of the units.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL/dhp

South Park Woods - Change of Condition - South Park & Big Tree

Mr. Drew Reilly informed the Board that South Park Woods Subdivision was approved in 2003. At the present time the project is on hold for sewer issues. On the section for patio homes, there was a caviat that the front yard setback would be 20'. Now, they cannot meet the rear yard requirement and are asking for relief on the side yard. The rear yard setback that they would have is around 27.5' on lots 1-106. Item to be on for January 19th agenda.

Triangle 3 lot Subdivision - K. Saxon - Bayview & Big Tree

Kevin Saxon, of Sado Gas Sales, has modified his proposed subdivision from 5 lots down to 3 because of sewer issues. The applicant has applied for sketch approval. Item to be on next agenda.

Arthur Court Subdivision - Arthur Court - P. Liberatore

The proposal is for 22 single family homes (cluster layout). Zoning is R-3, Multi-family designation. Lot size is 55' x 100'. A detention pond will be required. There is a stand of beautiful trees in the back of the property that should be preserved.

Engineering Comments are attached.

Tasseff Sketch Plan - East Eden Rd. - Proposing a new layout with preservation of 40% of the property. Item to be on January 19th agenda.

Respectfully submitted,

Paul Eustace, Secretary
Planning Board

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/5/05

SUBJ: 1/5/05 PLANNING BOARD WORK SESSION AGENDA
Arthur Court Subdivision - Concept Plan

The following are review comments on a Concept Plan dated 11/22/04:

(1) The site is located within the Town of Hamburg Master Sewer District and Erie County Sewer District No. 3 (ECSD No.3). Both districts should be contacted to determine if there is currently sufficient capacity in the sanitary sewer systems for the anticipated flows.

(2) A homeowners association will be required to be established for the ownership and maintenance of the proposed private road, utilities, detention pond, and the common areas within the site.

(3) The site is located in an existing water district. The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.

(4) The proposed layout exceeds the maximum street length of 500 feet, as required in Town subdivision regulations Section 230-22(H).

(5) The road centerline curves do not have the 150 feet minimum radius, as required in Section 230-22(D).

(6) The plan should be revised accordingly and resubmitted in preliminary plat format.

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
JAMES F. CONNOLLY

TO : Planning Board

FROM : Engineering Dept.

DATE : 1/5/05

SUBJ : 1/5/05 PLANNING BOARD WORK SESSION AGENDA
Proposed Auto Shop - South Park Avenue at NYS Thruway

The following are review comments on a site plan dated 10/24/04:

(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 is located adjacent to the New York State Thruway (NYSTW). A permit from the NYSTW Authority will be required for storm water discharge to the NYSTW system. We are unable to approve these plans prior to NYSTW Authority review and approval.

(4) Show the location of the garbage dumpster. The dumpster is to be fenced and placed on a concrete pad.

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

(6) Specify that curbing be used at the entrance and around the entire parking lot perimeter.

(7) It appears that the building may not meet the 400 feet fire hydrant requirement of the New York State Fire Code. Show the location of the nearest fire hydrant and contact the Town Building Inspector for direction.

(8) The site Landscape Plan is to be approved by the Planning Board.

(9) Provide a typical pavement section.

(10) Extend the existing topographic survey fifty feet (50') off the property line.

(11) Provide additional site design elevations.

(12) Show the roof downspouts piped to a storm sewer system.

(13) Provide appropriate clearing, stripping, and erosion control measures and associated construction details.

(14) Include a site location map.

(15) Include a septic system design. The system is to be approved by the Erie County Health Department (ECHD). We are unable to approve these plans prior to ECHD review.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

WENDEL DUCHSCHERER
ARCHITECTS & ENGINEERS
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MEMORANDUM

TO: Hamburg Planning Board

FROM: Andrew C. Reilly, PE, AICP

DATE: January 5, 2005

SUBJECT: 1/5/05 WORK SESSION
WD PROJECT NO. 3008-04-MHAM

1. ~~Stojanovich~~ Stoyanovski Minor Subdivision

   This is a new application for a minor two-lot subdivision. The proposal is to take an existing duplex lot with a duplex unit and make it a zero lot line duplex lot (creating two separate lots with the lot line running down the common wall between the two units). Each lot then can be sold independently.

   If applicable, the Planning Board can place this item on the January 19, 2005 agenda and schedule a public hearing.

2. South Park Woods Subdivision

   This subdivision received preliminary subdivision approval by the Planning Board in 2004. The project has not proceeded and received final subdivision approval due to sewer issues.

   In the meantime, the applicant would like to have a condition of the preliminary approval modified (allowing lots to be allowed to meet all cluster requirements). Please see letter from applicant. This item can be taken care of at the work session meeting or placed on the January 19, 2005 agenda.

3. Becker (Dean Subdivision) – Eckhardt Road

   This piece of property has a long history associated with it. In the past a major subdivision was proposed on both sides of the road. The project went through many revisions, but still resulted in a Positive Declaration – requiring an EIS. The applicant never proceeded with the EIS, and years later we received a letter officially withdrawing the application so a new project could be proposed.

   In the last couple of years, we have had several proposals for smaller subdivisions on this side of the road. We resolved that we could work with this smaller subdivision and "segment" its review from the remainder of the site. This was predicated on the fact that further development on this side of the road would have certain conditions and warrant a review of the whole piece of property. These proposed projects never proceeded; some due to sewer issues.

The present proposal is for three lots off of Eckhardt Road. If acceptable, the Planning Board can place this on the January 19, 2005 agenda and call for a public hearing.

4. Triangle Subdivision – Bayview and Big Tree Road

This land also has a long history including requests for rezoning and larger scale residential developments.

This applicant recently submitted a five-lot subdivision for this property that appeared on your December agenda. The applicant has amended the plan to a three-lot subdivision due to sewer issues. In the long term, lot "1" would be potentially subdivided into additional lots.

If acceptable, this minor subdivision could be placed on the January 19, 2005 agenda and a public hearing called.

5. R.D. Murray Site Plan

As you are aware, R.D. Murray received site plan approval for their site many years ago. This approval first required rezoning and then site plan approval, which both included conditions on these approvals.

Recently changes were made to the site which then resulted in an enforcement action by the building inspector. These changes at the site were not in conformance with the approvals given the project and did not receive any approvals by the Town.

In trying to resolve this enforcement action, it was agreed that R.D. Murray representatives would appear before the Planning Board to receive approvals of the amendments to the site. At the first meeting with the Planning Board, the applicant misunderstood the Planning Board and thought that no new plan was needed and that they did not need to return to the Planning Board. We have cleared this up with the Planning Board and applicant and are expecting the applicant to re-appear before the Planning Board with an amended plan for possible site plan approval.

6. Arthur Court Subdivision (Concept Plan)

This is a new major subdivision application before the Planning Board (Concept Plan). This proposal is a cluster development plan (and needs a regular layout to confirm lot count). The proposal is to utilize the existing Town road, Arthur Court, for additional development. New lots would be placed along the south side of the road and the road extended as a private road to allow for additional development.

Issues for this Concept Plan include: Lot count, applicability of cluster development, road ROW expansion, length of dead-end, and quality and usage of greenspace.

7. Buffalo Engine Components

Project was reviewed at December meeting and an updated site plan was requested. With the updated site plan, the Planning Board could give approval to the project.

No new plans have been received.

8. South Park Garage

Project was tabeled from previous meetings. Applicant was to submit new plans. No new plans have been received to date.

9. Hamburg Business Park – Concept Plan

Full application materials were not received for this Concept Plan, but was accepted because of unavailability of the Planning Department staff during the Holidays. It is our understanding that the applicant is looking for direction on this proposed business park layout and the development of Parcel 5 (applicant to explain project).

Application should be treated like Commerce Park in which we would approve an overall Development Plan and complete SEQR for the park. Individual development plans and possible subdivision approvals will be necessary from the Planning Board as each site is developed.

Issues that will need addressing during this Site Plan review and SEQR include: Layout of the road, traffic, types of uses allowed, development at the school, engineering issues, other potential environmental impacts.

TOWN OF HAMBURG
PLANNING DEPARTMENT

SITE PLAN, SUBDIVISION, AND SPECIAL USE PERMIT REVIEW WORKSHEET

Name of Project: Brompton Pkwy - Stoszkovich - Minor Subd.

Date Reviewed: 1/3/05

Date of Plan: 10/1/04 minor subdivision

Does the project meet all the requirements of the application checklist? Yes No ?

If not, which requirements still need to be met? _____

Is the applicant the owner of the property? (Yes) No

If not is there a letter authorizing applicant to act on the behalf of the owner? Yes No —

What is the zoning of the property? R-2

Is this an allowable use within this zoning classification? Yes No Public Sewer?

Zoning Requirements	Required	Proposed
Lot Area/Coverage	20,000 sq ft	< 14,000
Lot Width @ Build line	70+30 = 100'	>100' btwn 2 Lots.
Lot Width @ Street line	30'	52.22
Setbacks: Front	35'	35.55'
Rear	30 or bldg Height	Height of bldg? Rear Yard ?
Side (1) (Total)	10 (Zero lot line)	14.09
Height of Building(s)	2½ stories / 35'	Ex. Bldg Height ? ✓ OK
Off Street Parking (setback)		
Off Street Parking (# of spaces)	2/unit = 4 total	NA

Variance Req'd

Jim

Supplemental Regulations that need to be met - (Comments) ZBA for 0-Lot line (Lot size)

Is the proposed project within an overlay district or the CEA? Yes (No)

If an overlay district which one?

If the project is within an overlay district or the CEA what additional requirements must be met?

If the project is a subdivision, are all regulations met? (Yes) No

If not, which ones need to be fulfilled?

If the project is a subdivision, has the legal description been OK'D by engineering? Yes No ?

Is this property referred to in the Open Space/Recreation Plan? Yes (No)

If so, what is referenced? (i.e. trails, woods, wetlands, etc.)

What soil types are on this site according to the Erie County Soils Manual? N/A

a. Hydric Soils? Yes No Which ones?

b. Potentially Hydric Soils? Yes No Which ones?

b. Problematic Soils? Yes No Which ones?

Does this project need to be referred to any other agencies? Yes No

If so, who?

Additional Comments: Minor Subdivision

Min. Lot Size

TOWN OF HAMBURG
PLANNING DEPARTMENT

SITE PLAN, SUBDIVISION, AND SPECIAL USE PERMIT REVIEW WORKSHEET

Name of Project: Dean Subd. - Eckhart Rd. 4 lot Subd.

Date Reviewed: 1/3/05 Major Subd. if Sewer extension needed

Date of Plan: 12/15/04

Does the project meet all the requirements of the application checklist? Yes No

If not, which requirements still need to be met? _____

Is the applicant the owner of the property? (Yes) No

If not is there a letter authorizing applicant to act on the behalf of the owner? Yes No

What is the zoning of the property? R-1

Is this an allowable use within this zoning classification? (Yes) No

Zoning Requirements	Required	Proposed
Lot Area/Coverage	15,000 ft²	> 28,000 ft²
Lot Width @ Build line	90'	110'
Lot Width @ Street line	30'	110'
Setbacks: Front	35'	70'
Rear	30'	-
Side (1) (Total)	10'/25'	-
Height of Building(s)	35'	≤ 35'
Off Street Parking (setback)		
Off Street Parking (# of spaces)	2 per unit.	

Supplemental Regulations that need to be met - (Comments)

Is the proposed project within an overlay district or the CEA? (Yes) No

If an overlay district which one? Lakeview Overlay

If the project is within an overlay district or the CEA what additional requirements must be met?

If the project is a subdivision, are all regulations met? (Yes) No

If not, which ones need to be fulfilled?

If the project is a subdivision, has the legal description been OK'D by engineering? Yes No

Is this property referred to in the Open Space/Recreation Plan? (Yes) No

If so, what is referenced? (i.e. trails, woods, wetlands, etc.) High water Table & Trail

What soil types are on this site according to the Erie County Soils Manual? Cb CoA

a. Hydric Soils? (Yes) No Which ones? Cb

b. Potentially Hydric Soils? (Yes) No Which ones? CoA

b. Problematic Soils? Yes No Which ones? Both

Does this project need to be referred to any other agencies? Yes No

If so, who?

Additional Comments:

TOWN OF HAMBURG
PLANNING DEPARTMENT

SITE PLAN, SUBDIVISION, AND SPECIAL USE PERMIT REVIEW WORKSHEET

Name of Project: Arthur Court Subdivision

Date Reviewed: 1/3/05

Date of Plan: 11/22/04

Does the project meet all the requirements of the application checklist? (Yes) No Concept Plan

If not, which requirements still need to be met? _____

Is the applicant the owner of the property? Yes No ?

If not is there a letter authorizing applicant to act on the behalf of the owner? Yes No

What is the zoning of the property? R-3

Is this an allowable use within this zoning classification? (Yes) No

Zoning Requirements	Required R-3	Required Cluster	Proposed	
Lot Area/Coverage	9,000 ft²	Total 5 AC/5,000	5500 ft²	7.8 AC
Lot Width @ Build line	70'	50	55'	
Lot Width @ Street line	30'	- 30'	55'	
Setbacks: Front	35'	20'	-	
Rear	30'	20'	-	
Side (1) (Total)	5/15	5/10'	-	
Height of Building(s)	35'	35'	∠35'	
Off Street Parking (setback)				
Off Street Parking (# of spaces)	2 per unit			

Supplemental Regulations that need to be met - (Comments) Cluster Dev. Regulations.

Is the proposed project within an overlay district or the CEA? Yes No

If an overlay district which one? S. Park Overlay.

If the project is within an overlay district or the CEA what additional requirements must be met?
Front Setback - 40 ft
Tree preservation / planting
Sidewalks
Underground Stormwater Storage

If the project is a subdivision, are all regulations met? Yes No Concept Plan.

If not, which ones need to be fulfilled?

If the project is a subdivision, has the legal description been OK'D by engineering? Yes No Not yet.

Is this property referred to in the Open Space/Recreation Plan? Yes No

If so, what is referenced? (i.e. trails, woods, wetlands, etc.) Possible floodplain

What soil types are on this site according to the Erie County Soils Manual? FbB OrB Farnham, Orpark

a. Hydric Soils? Yes No Which ones? ~~Possibly OrB~~

b. Potentially Hydric Soils? Yes No Which ones? OrB

b. Problematic Soils? Yes No Which ones? Federal Wetland OrB

Does this project need to be referred to any other agencies? Yes No

If so, who?

Additional Comments: Need regular layout.
Trees on site are important to preserve!

TOWN OF HAMBURG
PLANNING DEPARTMENT

SITE PLAN, SUBDIVISION, AND SPECIAL USE PERMIT REVIEW WORKSHEET

Name of Project: Hamburg Business Park

Date Reviewed: 1/3/05 Concept Plan

Date of Plan: 12/27/04

Does the project meet all the requirements of the application checklist? Yes No Concept Plan

If not, which requirements still need to be met? All

Is the applicant the owner of the property? (Yes) No

If not is there a letter authorizing applicant to act on the behalf of the owner? Yes No —

What is the zoning of the property? C-1

Is this an allowable use within this zoning classification? Yes No

Zoning Requirements	Required	Proposed
Lot Area/Coverage	None / 75%	
Lot Width @ Build line	100'	
Lot Width @ Street line	—	
Setbacks: Front	40'	
Rear	30'	
Side (1) (Total)	See Regs.	
Height of Building(s)	35'	
Off Street Parking (setback)	35'	
Off Street Parking (# of spaces)	See Uses	

28035

Supplemental Regulations that need to be met - (Comments) Floodplain?

Is the proposed project within an (overlay) district or the CEA? (Yes) No

If an overlay district which one? Southwestern Overlay 280-115

If the project is within an overlay district or the CEA what additional requirements must be met?

If the project is a subdivision, are all regulations met? (Yes) No Concept Plan

If not, which ones need to be fulfilled?

If the project is a subdivision, has the legal description been OK'D by engineering? Yes No Not Yet

Is this property referred to in the Open Space/Recreation Plan? Yes (No)

If so, what is referenced? (i.e. trails, woods, wetlands, etc.) Floodplain - Fine Hard Soils.

What soil types are on this site according to the Erie County Soils Manual? BrA, Ch, OrA All poorly drained Soils.

a. Hydric Soils? Yes No Which ones?

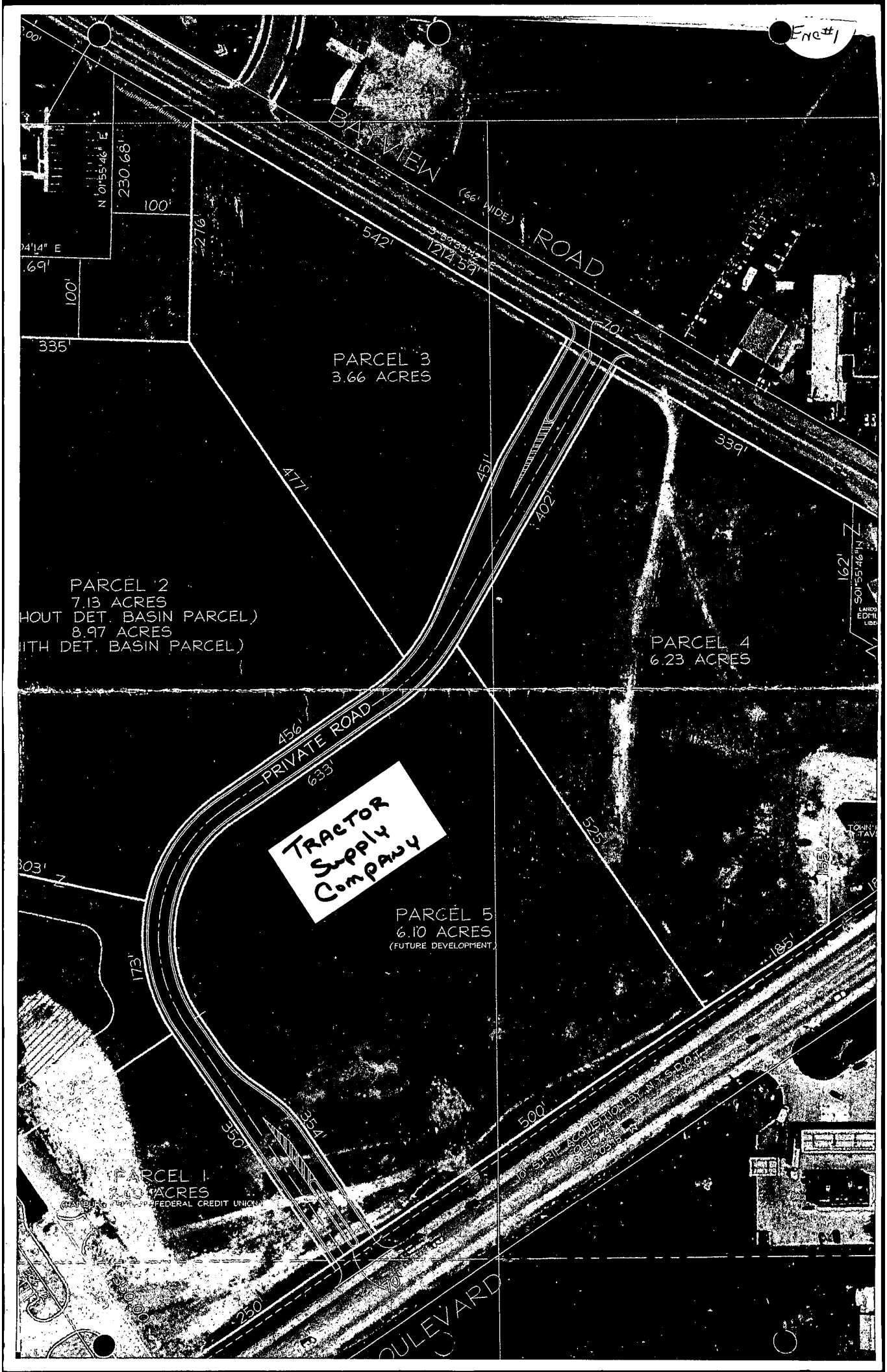
b. Potentially Hydric Soils? Yes No Which ones?

b. Problematic Soils? Yes No Which ones?

Does this project need to be referred to any other agencies? Yes No

If so, who?

Additional Comments: Floodplain
Wetland Soils?
Detention capacity vs. high water table
Buffer to existing uses on Rt. 62
No driveways for parcel #1 onto 62
All driveways off new road.
Driveway encroachment on Parcel 1
- Sideyard modifications for corner lots 280-164 & 280-165
- Landscaping?
Min. Topsoil Standard?



Enc#1
BAYVIEW ROAD
(66' WIDE)
PARCEL 3
3.66 ACRES
PARCEL 2
7.13 ACRES
HOUT DET. BASIN PARCEL)
8.97 ACRES
ITH DET. BASIN PARCEL)
PARCEL 4
6.23 ACRES
PRIVATE ROAD
TRACTOR Supply Company
PARCEL 5
6.10 ACRES
(FUTURE DEVELOPMENT)
PARCEL 1
FEDERAL CREDIT UNION
OULEVARD

the E/F Burke Co.

LICENSED REAL ESTATE BROKERS
RESIDENTIAL SALES-APARTMENTS-APPRAISING
BUSINESS OPPORTUNITIES-FINANCING-LEASING
COMMERCIAL PROPERTIES

6455 Lake Avenue Orchard Park, NY 14127
Telephone (716) 675-3000
Fax (716) 675-3226

January 5, 2005

To: Gerry Koenig, Chairman
Drew Reilly, Project Coordinator

From: Edmund F. Burke – E.F. Burke Co.

Re: **Hamburg Business Park** (Workshop meeting 1/05/05)

Gentlemen,

To assist your board's review of the above project and committed business purchasers for the same, I enclose herewith the following;

Enclosures:

1. Overall site (**Hamburg Business Park**) showing intended roadway ingress / egress, separate parcels with intended purchaser identification thereto.
2. Parcel #2 - **Hamburg Central Credit Union** - Your board's preliminary site approval 7/21/04
3. Parcel #5 - **Tractor Supply Co. (TSC)** – Photograph and informational package based on previous development in other communities.

We look forward to meeting with your board this evening and addressing any questions concerning our proposal.

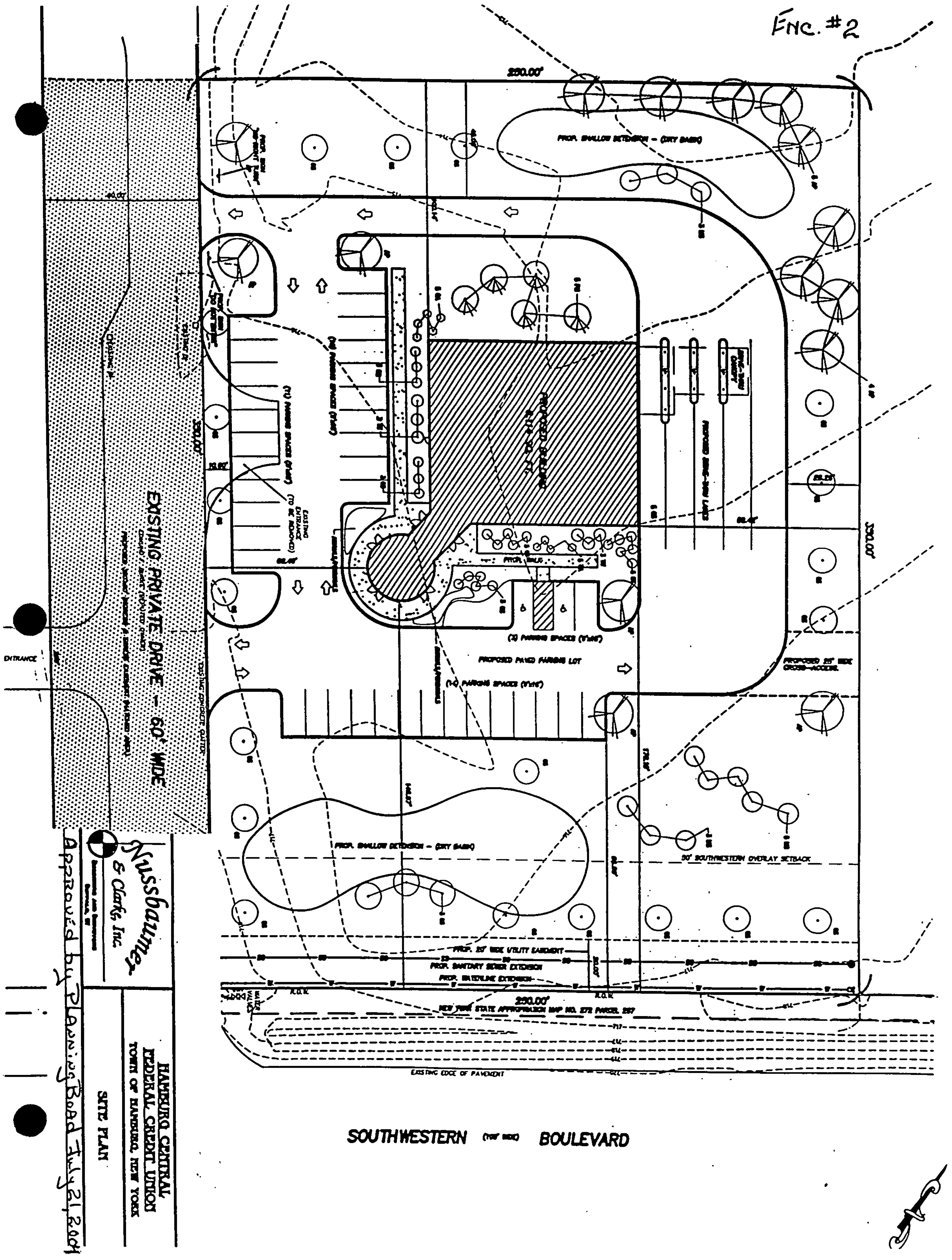
Very truly yours,

Edmund F. Burke

Enclosures:

cc: All Board Members and Counsel

Enc. #2



250.00'
PROP. SHALLOW DETENTION – (DRY BASIN)
PROPOSED BUILDING
EXISTING PRIVATE DRIVE – 60' WIDE
PROPOSED PAVED PARKING LOT
(3) PARKING SPACES (9'x18')
(14) PARKING SPACES (9'x18')
PROPOSED 25' WIDE CROSS-ACCESS
330.00'
PROPOSED DRIVE-THRU LANES
PROP. WALK
ENTRANCE
EXISTING CONCRETE GUTTER
50' SOUTHWESTERN OVERLAY SETBACK
PROP. 20' WIDE UTILITY EASEMENT
PROP. SANITARY SEWER EXTENSION
PROP. WATERLINE EXTENSION
R.O.W.
NEW YORK STATE APPROPRIATION MAP NO. 272 PARCEL 287
EXISTING EDGE OF PAVEMENT
SOUTHWESTERN BOULEVARD
Nussbaumer & Clarke, Inc.
HAMBURG CENTRAL FEDERAL CREDIT UNION
TOWN OF HAMBURG, NEW YORK
SITE PLAN
Approved by Planning Board July 21, 2004

Enc. #3

COR
BROKERAGE INC.

542 Towne Drive, Fayetteville, NY 13066
315•663•2110 Fax: 315•663•2119
www.corcompanies.com

January 3, 2005

VIA Federal Express Delivery

Mr. Edmund Burke
E.F. Burke Realty Co.
6455 Lake Avenue
Orchard Park, NY 14127

Re: Tractor Supply Company

Dear Ed:

Enclosed please find photo packages of the Oneida, NY Tractor Supply store. These photographs were taken just prior to completion of the building in September, 2004.

Also enclosed is some pertinent data relating to average hourly customer counts. The typical Tractor Supply customer spends between $40 - $50.00 per visit to the store. The average store makes approximately 180-210 sales per day. As you can see, Tractor Supply does not generate a large amount of retail traffic.

Finally, I have enclosed a book entitled "Becoming A Category of One". This book was published in 2003. It highlights extraordinary companies that have virtually little or no competition. As such, I can only envision Tractor Supply becoming an asset to the Hamburg retail community.

Moreover, Tractor Supply comes to Hamburg asking for no special concessions such as low interest loans, tax incentives, tax breaks, etc.

I trust this information will be helpful. As always, I look forward to working with you.

Sincerely,

COR Brokerage, Inc.

David T. Eade
Vice President

:dc
Enc(s)

March 24, 2004

Ronald C. Lyon, PE
Dubois & King Inc.
One Wentworth Drive
Williston, VT 05495

RE: Customer Traffic Analysis
Planned Rutland, VT Store

Dear Mr. Lyon:

Your firm and your traffic analysis consultant, Resource Systems Group, has asked Tractor Supply Company (TSC) to provide information on the number of customers and vehicular traffic generated by our stores. We understand this information is needed for the driveway applications being submitted to the Vermont Transportation Department, for the new store TSC is planning on Route 7 south of Rutland. (That store is being developed on TSC's behalf by Primax Properties.)

TSC does not measure vehicular traffic at our stores, but we do record the number of customers. Therefore, as you suggested we pulled customer data from several freestanding TSC stores of comparable size and market profile to our planned Rutland location. That data is enclosed on the following page.

As you review the enclosed data, please note: [1] TSC is only now entering the Northeast with our freestanding store concept (such as our planned Rutland facility) — all our existing stores in your region are located in-line within shopping plazas, and therefore are not a comparable measure to the standalone store we will open in Rutland. [2] The new freestanding prototype that TSC is now rolling out is slightly larger (by about 2,600 SF) than the freestanding stores we historically have operated — this extra square footage will allow us to stock more merchandise in-store, although the slightly larger prototype has the same number of customer check-out registers as our older stores. We therefore believe the enclosed customer count data is very comparable to the traffic we anticipate for our new Rutland location.

Lastly, as you and the Vermont Transportation Department consider TSC's plans for Rutland, please note that we are not a high traffic retailer marketing to the general population. TSC sells fairly specialized merchandise for farmers, ranchers and rural-lifestyle customers (e.g. livestock feed, equine supplies, welding equipment, etc). We are <u>not</u> a generalized hardware or home improvement store. Our customer counts are much lower than most retailers with comparable sized stores, but our average per-customer sales ticket is higher. We maintain a relatively small in-store staff (reflecting our lower customer traffic), with only 4± employees during a typical weekday shift and 6 to 8± employees on peak weekend shifts.

Tractor Supply is very excited about the opportunity to open a store in Rutland and to bring a new and needed retail concept to that area. Please pass our thanks on to the Vermont Transportation Department and to Resource Systems Group for their consideration and assistance. If you have any questions about TSC or our Rutland project, please feel free to call me.

Sincerely,

TRACTOR SUPPLY COMPANY

Mark D. Gillman
Director of Real Estate

cc: Frank S. Alexander, Jr. (Primax Properties)

Tractor Supply Customer Counts for Comparable Freestanding Stores

	Subject	*Comparable 1*	*Comparable 2*	*Comparable 3*	*Comparable 4*
Location	Rutland, Vermont	Covington, Georgia	New Port Richey, Florida	Orange Park, Florida	Saline, Michigan
Address	US Route 7	GA Route 142	FL Highway 54	US Highway 21	US Highway 12
Store Size	21,680 SF	19,067 SF	19,067 SF	19,067 SF	19,067 SF
City Population	17,200	11,500	16,000	10,000	11,000
Metro Suburb?	No	Atlanta	Tampa	Jacksonville	Ann Arbor
Highway Traffic	23,200	24,800	29,000	39,000	27,200
Store Customers: Average Hourly per Week (2003)	not yet open	17.1	11.0	18.5	25.5
Store Customers: Average Hourly during Saturday Peak (2003)	not yet open	33.3	17.0	31.5	24.8

NOTE: Traffic count source is local State DOT reports for 2002 or 2003 as available, and shows combined two-way highway traffic.

STORE	BLDG SIZE	CPD	POPULATION	AVERAGE HOURLY CUST COUNT	SAT.AVGE HRLY CC (peak season)
Covington GA	19067		11,500	17.1	33.3
Newport Richey FL	19067		16,000	11	17
Orange Park FL	19067		10,000	18.5	31.5
Saline MI	19067		11,000	25.5	24.8

TSC
TRACTOR SUPPLY Co.