Town of Hamburg
Planning Board Meeting - January 19, 2005
Actions Taken

Stoynovski Subdivision - 4770 Brompton Parkway	Approved contingent on Engineering & ZBA approval.
South Park Woods	Tabled
Ridgefield Subdivision - Cluster Zoned R-A off East Eden Road	Tabled
Triangle Subdivision Bayview & Big Tree	Public Hearing set for February 2nd
Burke Business Park Southwestern Blvd.	Tabled for Rezoning process
Arthur Court Subdivision South Park Avenue	Concept unacceptable
Taylor Woods Change of condition	Tabled.

Town of Hamburg
Planning Board Meeting
January 19, 2005

The Town of Hamburg Planning Board held a regular meeting in Room 7B of Hamburg Town Hall on Wednesday, January 19, 2005 at 7:30 p.m. Those attending included: Chairman Gerard Koenig, Paul Eustace, Secretary, Karen Rogers, Sasha Yerkovich, Steve McCabe, Bob Reynolds. Others attending included: Councilman Cavalcoli, Rick Lardo, Kristin Haight (from Wendel) Don McKenna, Attorney, Michael Fruth, Attorney, & Terry Dubey, Stenographer. Excused. D. Phillips

Stoynovski (Zero Lot Line) Subdivision - 4770 Brompton Parkway

Secretary Paul Eustace read the following Legal Notice of Public Hearing:

LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD
STOYNOVSKI SUBDIVISION
4770 BROMPTON PKWY.

Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing for a 2 lot Subdivision known as the "Stoynovski" Subdivision located near 4770 Brompton Pkwy. on January 19, 2005 in Room 7B of Hamburg Town Hall at 7:30 p.m.

All that tract or parcel of land situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 48, T-9, R-7 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the easterly line of Brompton Parkway at a distance of 178.39 feet northerly from the northerly line of Sheldon Road at said point of intersection of said lines; thence northerly along the easterly line of Brompton Parkway on a curve to the right having a radius of 2814.79 feet, a distance of 107.70 feet to a point; thence N 73 degrees 09'-09" E, a distance of 111.16 feet to a point; thence S 01 degrees — 05'-32" W, a distance of 50.88 feet to a point; thence S 24 degrees 14'-55"E, a distance of 55.88 feet to a point; thence S 70 degrees — 57'-37" W, a distance of 100.70 feet to the place or point of beginning, being the same parcel of land as indicated as subdivision lot number 6 per a map filed in the Erie County Clerk's office under Map Cover 2926.

Gerard Koenig, Chairman
Paul Eustace, Secretary
1-13 Planning Board

Chairman Koenig declared the hearing open: Mr. Tom Pismarov, Contractor for Parkwood Construction, appeared before the Planning Board on a proposed 2 lot subdivision (zero lot line) on Brompton Parkway. The building is presently up. There are independent services in place. The proposed change will not adversely affect the neighborhood. Originally this was set for duplexes. The reason the project has been held up is they were waiting for an up to date survey since November. The structure is not occupied and provisions will be made for the installation of the fire wall between the units as required by the Code. The building has a basement separated by a concrete wall. A variance will be required on lot size.

Chairman Koenig asked 3 times if anyone wished to be heard for or against the subdivision.

Mr. Robert Pelekis of Brompton Pkwy. stated that he has a unit on that same side and would like to do the same thing. He has separate connections on each unit. He was advised that he could do the same thing.

Hearing no further comments, the hearing was declared closed.

Stoynovski Sub. (Cont.)

Engineering comments are: 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.

Motion was made by Mr. Reynolds, seconded by Mr. Eustace to forward a favorable recommendation to the Zoning Board on the variance for lot area. Carried.

Motion was made by Mrs. Yerkovich, seconded by Paul Eustace; that having reviewed the plan, the Environmental Assessment Form, and comments from our advisory board, Committees, and departments, we have determined that the project will not have a significant effect on the environment, and therefore issue a SEQR Negative Declaration, and we approve the preliminary subdivision plan contingent on Zoning Board approval, with the following conditions: Meet the requirements of the Engineering Department, approve the zero lot line subdivision and the recording of deed restrictions, issue a positive recommendation to the Zoning Board, that there be separate services for each unit, that the structure meets the conditions on the fire wall as outlined by Building Inspection. Carried.

South Park Woods - Change of Condition

Mr. Cliff Krumm appeared before the Planning Board for a change in the approval of South Park Woods (September 2003) relative to the 50 patio homes and 106 single family units to be located on South Park & Big Tree. The lot size for the single family units is 60' x 110'. Fifty-seven per cent of the site will be open space. The requirements on setback include 25' front yard, and 10' side yards. We are asking for relief due to the type of homes that will be marketed. This will affect 20-30 units.

The Engineering Department has no objection and feels the change is possible. Additional infrastructure costs for utilities will be a result. Some of the homes will be two stories and 2,000 s.f. The project has also been held up due to downstream sewer capacity. A study has been requested by the County.

Mr. Reynolds noted that he would like to see the footprint before any relief is granted.

Motion was made by Mr. Reynolds, seconded by Mr. Eustace to Table to the Work Session in February.

Engineering Comments: Our office has no objection to the proposed setback changes from the developer's engineer. However, there will be additional infrastructure costs associated with these changes and the allowable depth of utilities will be limited.

Mr. Krumm was advised to contact the untility companies to see if the change would affect utility installation.

Ridgefield Subdivision Part 3 (Cluster Concept & Yield Plan) Zoned R-A

Mr. Tom Tasseff appeared before the Planning Board on a concept plan for cluster development off East Eden Road. The following are Engineering comments:

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Ridgefield Subdivision Part 3
Concept Plan Review

The following are review comments on a R-A subdivision and cluster layout plans dated Nov. 2004 and last revised on 1/5/05:

(1) The R-A concept does not show a secondary means of ingress to the site and is not acceptable. Both proposed cul-de-sacs and the existing road (Ridgefield Terrace) exceed the maximum street length of 500 feet required in the subdivision regulations Section 230-22.

(2) The cluster concept shows a second means of ingress to the site off Beaubein Drive. How would this be maintained and how would access be controlled? The cul-de-sac to the north also exceeds the maximum street length of 500 feet.

(3) The future access easement to the east is to be a paved dedicated roadway.

(4) The required stormwater detention area will probably need to be relocated or additional areas provided.

(5) A homeowners association would be required for Sublot Nos. 24 thru 26.

(6) Will the open green space areas be dedicated to the Town?

(7) All property lines on a curve are to be radial to the right-of-way.

(8) The site is not located in an existing water district. A water district extension will be required to service the site.

(9) The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.

(10) Erie County Sewer District 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.

The parcel is zoned R-A. There are 13 acres of wetlands involved. The sketch cluster shows 26 sub-lots, whereby the standard R-A shows 22 lots. It appears that some sub-lots are on the wetlands, which is not possible. Since there are so many outstanding Engineering issues involved, it was noted that this item should be tabled for further review at the February Work Session.

Motion was made by Mrs. Yerkovich, seconded by Mr. Eustace to Table. Carried.

Triangle Subdivision - Bayview & Big Tree

Mr. Kevin Saxon appeared on behalf of his 3 lot subdivision to be located on Bayview & Big Tree. The legal description has been submitted and a Public Hearing can be set for the February Work Session.

Motion was made by Mrs. Yerkovich, seconded by Mrs. Rogers to set the Public Hearing for February 2, 2005. Carried.

Burke Business Park - Tractor Facility - Southwestern Blvd.

Mr. Ed Burke appeared before the Planning Board with the proposal for a tractor business to be located in the business park. A rezoning will be required. A memo was sent to each board member and the applicant outlining the time frame for the rezoning. Mr. Burke will also arrange a meeting with the Town Board. Councilman Cavalcoli stated that the Board has some concerns and that representatives from the Frontier Central School should be invited to the Town Board meeting.

The following are review comments on a concept plan dated 1/12/05 and revised on 1/13/05:

(1) The site is located within the Town of Hamburg Master Sewer District. Ownership and maintenance responsibility for the existing and proposed sewer mains, as well as availability of sewer system capacity, will need to be determined. Appropriate agreements will need to be entered into and approvals obtained, as necessary.

(2) A public watermain extension 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) Storm water detention will be required for the site.

(4) The site is located in the Southwestern Overlay District.

(5) A New York State Department of Transportation (NYSDOT) permit will be required for work within the Southwestern Blvd. and South Park Avenue right-of-way.

(6) A Erie County Highway Dept. (ECHD) permit will be required for work within the Bayview Road right-of-way.

(7) The Frontier Central School District will be required to deed their existing entrance way to the Town as a public road.

(8) The proposed fifty (50') feet wide public road right-of-way will require a waiver from the Planning Board. Town Code Section 230-22 (A) requires a minimum right-of-way width of seventy (70') feet.

TOWN OF HAMBURG
ENGINEERING DEPARTMENT

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THOMAS J. QUATROCHE, JR.

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: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Sketch Plan Review Triangle Duplexes
Big Tree & Bayview Roads

The following are review comments on a sketch plan dated 11/10/04 and revised on 12/20/04:

(1) Stormwater detention will be required for the project. Show the proposed location of the detention facilities.

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

(3) The site is located in the Hamburg Master Sewer District. Sewer service is currently available along Bayview Road.

(4) The Erie County Highway Department should be contacted for review and approval of work within the Big Tree Road right-of-way.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

Motion was made by Mr. Reynolds, seconded by Mr. McCabe to Table. Carried.

Arthur Court Subdivision - Liberatore Project

Board members expressed concern about the loss of beautiful trees that are in the back portion of this property. In their view, the concept is not acceptable as presented. A yield plan has not as yet been submitted.

Motion was made by Mrs. Yerkovich, seconded by Mr. Reynolds to Table for a better plan. Carried.

Taylor Woods -

Mr. Chad Rush appeared before the Planning Board for direction on a cluster subdivision on Taylor Road. A majority of the homes will not fit on the site. They would like relief on the front and rear yard setbacks to 20'. Board members noted that they would like to review the subdivision plan that was approved back in September of 2002.

Engineering Comments: The required utilities for this project have been approved and the sanitary sewer has been installed. The front yard setback cannot be reduced without review and approval of the Erie County Health Department and Erie County Dept. Of Environmental and Planning on behalf of Erie County Sewer District 3. The construction drawings will be required to be revised should the setback requirements be changed.

Motion was made by Mrs. Yerkovich, seconded by Mr. Eustace to Table. Carried.

Minutes of the meeting of December lst were approved on motion by Mr. Reynolds, seconded by Mr. McCabe. Carried.

Minutes of the meeting of December 15th were approved on motion by Mr. Eustace, seconded by Mr. McCabe. Carried.

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

Respectfully submitted,
Paul Eustace
Paul Eustace, Secretary
Planning Board

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING 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: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Taylor Woods Subdivision

The required utilities for this project have been approved and the sanitary sewer has been installed. The front yard setback can not be reduced without review and approval of the Erie County Health Department and Erie County Dept. of Environment and Planning, on behalf of Erie County Sewer District No. 3.

The construction drawings will be required to be revised should the setback requirements be changed.

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 : 1/19/05

SUBJ : 1/19/05 PLANNING BOARD MEETING 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

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
South Park Woods Subdivision

Our office has no objection to the proposed setback changes requested in the 12/1/04 correspondence from the developer's engineer. However, the developer should be advised that there will probably be additional infrastructure development costs associated with these changes and the allowable depth of utilities will be limited.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL/law

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Ridgefield Subdivision Part 3
Concept Plan Review

The following are review comments on a R-A subdivision and cluster layout plans dated Nov. 2004 and last revised on 1/5/05:

(1) The R-A concept does not show a secondary means of ingress to the site and is not acceptable. Both proposed cul-de-sacs and the existing road (Ridgefield Terrace) exceed the maximum street length of 500 feet required in the subdivision regulations Section 230-22.

(2) The cluster concept shows a second means of ingress to the site off Beaubein Drive. How would this be maintained and how would access be controlled? The cul-de-sac to the north also exceeds the maximum street length of 500 feet.

(3) The future access easement to the east is to be a paved dedicated roadway.

(4) The required stormwater detention area will probably need to be relocated or additional areas provided.

(5) A homeowners association would be required for Sublot Nos. 24 thru 26.

(6) Will the open green space areas be dedicated to the Town?

(7) All property lines on a curve are to be radial to the right-of-way.

(8) The site is not located in an existing water district. A water district extension will be required to service the site.

(9) The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.

(10) Erie County Sewer District 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.

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: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Sketch Plan Review Triangle Duplexes
Big Tree & Bayview Roads

The following are review comments on a sketch plan dated 11/10/04 and revised on 12/20/04:

(1) Stormwater detention will be required for the project. Show the proposed location of the detention facilities.

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

(3) The site is located in the Hamburg Master Sewer District. Sewer service is currently available along Bayview Road.

(4) The Erie County Highway Department should be contacted for review and approval of work within the Big Tree Road right-of-way.

All comments are to be satisfactorily addressed for approval.

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JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING AGENDA
Concept Plan Burke Business Park - Southwestern Blvd.

The following are review comments on a concept plan dated 1/12/05 and revised on 1/13/05:

(1) The site is located within the Town of Hamburg Master Sewer District. Ownership and maintenance responsibility for the existing and proposed sewer mains, as well as availability of sewer system capacity, will need to be determined. Appropriate agreements will need to be entered into and approvals obtained, as necessary.

(2) A public watermain extension 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) Storm water detention will be required for the site.

(4) The site is located in the Southwestern Overlay District.

(5) A New York State Department of Transportation (NYSDOT) permit will be required for work within the Southwestern Blvd. and South Park Avenue right-of-way.

(6) A Erie County Highway Dept. (ECHD) permit will be required for work within the Bayview Road right-of-way.

(7) The Frontier Central School District will be required to deed their existing entrance way to the Town as a public road.

(8) The proposed fifty (50') feet wide public road right-of-way will require a waiver from the Planning Board. Town Code Section 230-22 (A) requires a minimum right-of-way width of seventy (70') feet.

All comments are to be satisfactorily addressed for approval.

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JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 1/19/05

SUBJ: 1/19/05 PLANNING BOARD MEETING 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

Legal Notice
Town of Hamburg Planning Board
Meeting February 2, 2005

Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on the "Saxon's 3 lot Subdivision" on Bayview & Big Tree Road for duplexes on Wednesday, February 2, 2005 at 7:30 p.m. in the Conference Room at S-6122 South Park Avenue.

All that tract or parcel of land situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 8, Township 9, Range 8 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the north line of Big Tree Road, said north line also being the south line of Lot No. 8 at its intersection with the southwesterly line of Bay View Road; thence westerly along the north line of Big Tree Road 604.14 feet to the west line of Lot No. 8; thence northerly along the west line of Lot No. 8, 119.02 feet to the southwest corner of lands conveyed to Odyssey 2001, Inc. by deed recorded in Erie County Clerk's Office in liber 11037 of Deeds at page 8037; thence easterly along the south line of aforesaid deed, 149.69 feet; thence northeasterly along the southeast line of aforesaid deed, 210 feet to the southwesterly line of Bay View Road; thence southeasterly along the southwest line of Bayview Road 422.36 feet to the point of beginning

Gerard Koenig, Chairman
Paul Eustace, Secretary

Dated: 1-19-05

Legal Notice
Town of Hamburg Planning Board
Stoynovski Subdivision
4770 Brompton Pkwy.

Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing for a 2 lot Subdivision known as the "Stoynovski" Subdivision located near 4770 Brompton Pkwy. On January 19, 2005 in Room 7B of Hamburg Town Hall at 7:30 p.m.

All that tract or parcel of land situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 48, T-9, R-7 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the easterly line of Brompton Parkway at a distance of 178.39 feet northerly from the northerly line of Sheldon Road at said kpoint of intersection of said lines; thence northerly along the easterly line of Brompton Parkway on a curve to the right having a radius of 2814.79 feet, a distance of 107.70 feet to a point; thence N 73 degrees 09' -09" E, a distance of 111.16 feet to a point; thence S 01 degrees - 05'-32" W, a distance of 50.88 feet to a point; thence S 24 degrees 14'-55"E, a distance of 55.88 feet to a point; thence S 70 degrees -57' - 37" W, a distance of 100.70 feet to the place or point of beginning, being the same parcel of land as indicated as subdivision lot number 6 per a map filed in the Erie County Clerk's office under Map Cover 2926.

Gerard Koening, Chairman
Paul Eustace, Secretary
Planning Board

Dated: 1-6-05

Legal Notice

Town of Hamburg Planning Board

January 19, 2005

The Town of Hamburg Planning Board will hold a regular session on Wednesday, January 19, 2005 at 7:30 p.m. to discuss the following projects (Room 7B of Hamburg Town Hall):

1. Public Hearing - 7:30 p.m. Stoynovski Subdivision - 4770 Brompton Parkway
2. Public Hearing - 7:45 p.m. Dean Subdivision - Schoellkopf & Eckhardt Rds.
3. South Park Woods - change of condition in subdivision - Big Tree & South Park
4. Tasseff Sketch Plan - East Eden Road
5. Triangle 3 lot subdivision - Bayview Rd.& Big Tree Rd.
6. Burke Business Park - Southwestern Blvd.
7. Arthur Court Subdivision - P. Liberatore

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated: 1-6-05

TOWN OF HAMBURG

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CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

January 11, 2005

Memo To: Hamburg Planning Board & Town Board

From: Andrew C. Reilly, Planning Consultant

Re: Burke Property at South Park & Southwestern & Bayview

The Town of Hamburg has received an application from Burke Realty Co. For the development of a Business Park at their property located as noted above. The Park would include a roadway between Southwestern and Bayview and include approximately six building lots. The Planning Board recently approved a bank (Hamburg Credit Union) at the site right adjacent to the new school facility (Frontier Education Building) on Southwestern Blvd. During that review, the Planning Board inquired about the future development of the entire site. The proposed plan shows the schematic layout of the development of the remainder of the site and includes a specific plan for a tractor business on Lot #6. (The proposed tractor business is not allowed under the present zoning of the property which is C-1).

Based upon review and discussion by the Planning Board, the following processes could be followed to continue with this proposed project.

Option I: Standard process for site plan approval.

1. The applicant submits a site plan for the development of the Park, and a site plan for the specific lot development (Tractor-business). This is what has been done to date.

2. The Planning Board would concurrently review these two plans in accordance with SEQR and the Town's site plan regulations.

3. The Town Planning Board would conduct a SEQR coordinated review that would result in either a SEQR Negative Declaration or Positive Declaration. Due to the "generic" nature of the business park proposal, it would be difficult to issue a standard Negative Declaration. Typically, business parks, industrial parks, etc. are done under a Generic Environmental Impact Statement (GEIS).

4. Once the SEQR process is completed (will be discussed in other options), the Planning Board would continue with issuing a site plan approval for the park and the tractor sale business. Please note that at this time, we do not believe that a tractor sale business could be approved at this location (zoning does not allow outdoor uses or buildings over 15,000 s.f.). There are other issues with the business park plan that would have to be worked out during the SEQR process or during site plan review.

- Positives of this option: Quickest approval if no Positive Declaration, and simplest process.
- Negatives of this option: Zoning not correct for tractor sales, and Negative Declaration for business park is difficult.
- Schedule: N/A because too many problems.

Option 2: Rezoning for entire site and GEIS.

1. The applicant would submit a rezoning application for the property to be rezoned from C-1 to C-2. The business park plan and tractor plan could also be submitted.

2. The Zoning Code Committee would review this application and determine it has merit and recommendation to the Town Board.

3. The Town Board could either reject the application as being not in conformance with the Comprehensive Plan or accept it as having merit and refer it to the Planning Board (also can declare themselves Lead Agency).

4. The Planning Board could then begin their reviews, utilizing comments from all involved and interested agencies. Once satisfied, the Planning Board would recommend potential action on this property to the Town Board.

5. I would recommend that early on in the Planning Board's review, that a Positive Declaration be made by the Town Board and a GEIS process started.

6. See separate listing at the end of this memo for the discussion of the GEIS process.

7. Based on the GEIS, the Town Board would review the property with the appropriate conditions (including use limitations, improvements, etc.)

8. Once the SEQR GEIS process is complete and Positive Findings are made (and the property is rezoned), the Planning Board would approve the park site plan and any individual site plans. The Planning Board would use the Findings and Thresholds and conditions of the rezoning established in the GEIS process to ensure that each project is in accordance with the Town Board's approvals.

Positives of this option: No individual SEQR may be needed for any future actions, it sets a framework for marketing the site, future approvals should be quick and efficient.

Negatives of this option: Time and costs for a GEIS, and the zoning could be turned down, etc.

Schedule–see attachment.

Option 3: Rezoning only the tractor business site.

This process would be similar to Option 2, but we do not recommend it since it appears to be spot zoning.

Option 2- Actions/Schedule

Action	Schedule
1. Owner submits rezoning application, and site plans for Business Park and Tractor Sales	Mid-January
2. Town Code Committee and Town Board decide on merit of application.	Early February
If choose to Entertain Rezoning 3. Start SEQR Lead Agency (intent to Positive Dec.) refer to Planning Board	Early February
4. Applicant appears before Planning Board, and Town Bd. Issues Positive Dec. & calls public scoping meeting	Early March
5. Applicant submits draft scope	Early March (after Pos.Dec.)
6. Town continues review (at Planning Board) and public scoping meeting held	Late March/early April
7. Final scoping document issued	Early April
8. Applicant complete DGEIS and Planning Board continues reviews of site plans and rezoning	April-May
9. DGEIS submitted	May
10. Town determines if DGEIS complete & calls Public Hearing	End of May
11. Public Hearing on DGEIS, rezoning and any other approvals requiring Public Hearing	Mid-June
12. Town determines substantive comments	End of June
13. Applicant completes draft of FGEIS and submits to Town (hard copies & disk)	Mid-July
14. Town amends FGEIS as necessary and accepts FGEIS	Early August

15. Town provides Findings (waits required time frame)	End of August
16. Town Board issues Findings, approves rezoning	Early September
17. Planning Board approves Business Park site plan and any submitted site plans	Mid-September

*Future applications for construction in Park would be treated as site plan approvals at Planning Board. Could be approved in one meeting, if meets SEQR Findings and conditions of rezoning.