

TOWN OF HAMBURG

PLANNING BOARD MINUTES

2-24-88

The Town of Hamburg Planning Board met on Wednesday, February 24, 1988 at the Hamburg Town Hall at 7:30.

Members attending included: Chairman Richard Crandall, G. Gerald Valgora, Elgin Cary, Sandy Carnevale, Steve Strnad, Gerard Koenig and Dennis Gaughan. Others attending were Dan Gorman, Attorney, Goerge McKnight, & Terri Karoczun, acting stenographer.

Minutes of the meeting of 2-10-88 were approved.

Chairman Crandall opened the Executive session dealing with several rezoning requests.

1. Ken Nigros project.. tabled.

2. MWS - Mark Sidebottom- Convenience Store - Bayview & Big Tree from R-2...C-2. Mr. & Mrs. Sidebottom were present with their proposed plan. The Town Board referred this matter back to the Planning Board for their recommendation for rezoning. A formal application has been filed for rezoning to C-2 with the Town Clerk's office. Spot zoning..no comments from audience...

Motion made by Mr. Valgora, & seconded by Mr. Koenig that Planning Board forward a favorable recommendation to the Town Board for the rezoning from R-2 to C-2 for the following reasons:

1. The nature of the property makes it totally impossible to develop it as residential property.
2. Roads & traffic pattern--- completely bounded on two sides by roads.
3. It's adjacent to M-1 & M-2 district.

When site plan is presented Traffic Safety should be notified.

Carried.

DENNIES PROPERTY - CAMP RD. FROM R-2 TO R-4 (MOBILE HOME PARK)

No one was present representing owner. Mr. Mcknight requested the Board to table this until next meeting & he will get in touch with owner asking him to appear to tell Board what he is planning to do and why. on March 16, 1988.

-four residents were present from area and ^{are} opposed to this rezoning. and also phone call received by Mr. Mcknight opposed this rezoning.

Members should go out and look at this parcel, from both Howard Road and from Camp Rd. and surrounding developments to get a better idea of it.

MCKINLEY BROMPTON - PRESENTED BY JAY POHLMAN R-2 to C-2

Wants some indication from Planning Board as to the possibility of having it rezoned for the erection of a car wash.

Wants to protect the residential integrity as much as possible. Changes would be made for traffic safety, if necessary

Residents have expressed concern about the east side of Mckinley becoming commercial (in the past). A lot of the attitudes of residents have changed in the last two years.

Mr. Crandall stated his dislike of the type of business proposed. Traffic safety was also discussed by members.

Closest neighbors have not expressed views to Mr. Pohlman about the car wash. Board will go out and look at the area and present their views at next meeting. George will send letter to J. Pohlman if matter will be brought up at next meeting.

PETER TRYBUS - FENCE SALES - (3600) SOWLES & SOUTHWESTERN

Peter Trybus presented a survey showing the property which he intends to rent for sales and also live in dwelling. Intends to do business by appointment only. Zoned properly already. Motion made by Mr. Valgorato approve site plan contingent upon George laying out appropriate parking on the plan itself. Seconded by Mr. Strnad, carried. (Mr. Trybus to meet with George on 3/1 at 9:00 in Planning Board office to show square footage so George can do parking).

DEERFIELD HEIGHTS SUBDIVISION

George presented Environmental Reviews and report from Ray Vaughan, member of Conservation Board. (his comments about reviews from E & E)

Mr. Crandall suggested to review the comments from Ray Vaughan--

1. regarding that the study relates to the impact upon the developer rather than the impact upon the public or the town.
2. Most of other comments were technicalities.
3. The impact on the Open Space if it were developed.

COMMENTS:

It could no longer be considered a natural woods, some of the wild life would leave, some would stay, the wooded area is now being intruded on by teenagers, skiers, etc. The people that use these woods now are in effect, trespassing. The Master Plan calls for the wooded area to be a public open space and that's what the heart of the issue is. But the Town does not have

the ability to purchase the land. The developer seems to be trying to keep as many trees as possible. The developer is offering approx. 12% of the area to the town, of open space around the ravine.

Ray Vaughan is concerned as to the Terms of the relationship of the wooded area of the Master Plan and to the development and whether or not it has been discussed adequately so that the Planning Board can take action. If the Project is to go forward it needs some action done by the Planning Board very shortly because the developer has met with the S.Towns Home Builders and wants to present a Home Show in the front area for next fall and he has to be able to start construction.

Mr. Crandall had been given petitions from interested parties at the meeting which totaled 75 for and one against for the subdivision.

Petitions had no addresses but several members of Board verified residents in the area were signers.

Conservation Board raised question as to how many people were in favor or protecting the woods, how many would like to see the development. The petition is an informal survey. (should have contained addresses).

Sandy Carnevale made the following motion,

1. The action is to accept the drafted Environmental Impact statement as addressing those concerns that have been raised regarding this development.
2. Have George on behalf of the Planning Board to prepare a Negative Declaration in that the impact on the environment has been adequately addressed and that the developer is doing everything possible .

Seconded and carried.

Motion was made by Mr. Valgora that letter be sent by George to Superintendent of Highway and also Engineering Department to keep as many trees as possible left standing even if in right of way. Seconded and carried. *Proceed to final.*

SOUTHTOWN'S SEAFOOD - BEN BERNARD & DAVE NORTON
Lake Avenue behind old Twin Fair

Mr. Gorman declined from participating due to Conflict of Interest.

The east drive is to be eliminated and the other one should be widened to accommodate the large delivery trucks. Parking might be a problem on Friday nights.

The fill was tested as a suggestion from Mr. McKnight as a result of Duke Spittler from the Conservation Board noticing that trees were used in some areas for the fill. They checked and did not come upon any trees in the testing.

Drainage should be reviewed with Jack Gilbert by the developers.

Motion was for approval of site plan contingent upon Engineering approval & Planning Dept. approval & Building Dept. approval. and the elimination of the east drive. seconded and carried.

TASEF - EAST EDEN ROAD

Subdivision - Question, how could rear area be developed with only one access drive. Drainage impact. How many Lots?

R-A to R-1 needed. Sketch plan available but no one present.

Tabled.

CAPRIOTTO'S SUPPLY - EXPANSION Abbott Road

Expansion would be warehouse (storage.) Additional parking is available across the street on property owned by Capriotto. (Orchard Park TOWNSHIP)

Dennis Gaughan made motion for approval on the site plan subject to and contingent upon the proposer keeping the property across the street and if he should fail to keep the property across the street then he should provide adequate parking on the site. Seconded and carried.

ZIMMER-BIG TREE

Zimmer had presented a site plan involving 13 acres on Big Tree Rd. Town Engineer presented comments in a memo to Board along with comments on plan by J. Lauchert

BOARD COMMENTS:

Where do driveways come out in relation to Brook Gardens and Eaglecrest driveways.

Street should be checked to see if it is a dedicated street.

Suggested Mr. Zimmer take memo, map for review, analyze it and re-present it to Planning Board.

W. J. MILLIGAN, JR - SOWLES RD. & SOUTHWESTERN BLVD

Old restaurant being turned into office for JM Productions. Negotiating with GM for test evaluation dealership at this area. No variances are necessary. Have improved drainage, and repaved. Driveway entrance is in a bad area (always has been). Dealership would only involve about 5 or 6 cars. Concern about full-fledged dealership. Would have to acquire more land. Main driveway entrance is right at intersection. New entrance on Sowles Road put in by prior tenant with approval by Planning Board.

Mr. Milligan stated that if GM becomes a prosperous venture, probably a dealership would be put somewhere with more room or acquire more land in area. He is very concerned with traffic safety.

Drawn site plan with seal is needed.

Traffic impact will be less than previous business.

Motion made for approval, pending site plan with seal, is presented to Board. Seconded & carried

BRIERWOOD ESTATES Amsdell Road- Mr. Burke

was present with counsel and other representatives involving subdivision

Jim Walsh, counsel for Mr. Burke presented plan to Board.

Area is on southside of Amsdell Road. 29 acres at rear of property is Wetlands.

110 to 112 subdivision lots. Presently zoned RA, wants to rezone to R-2 with R-1 restrictions. All single family homes. Price of homes will be in \$120,000 range.

Sideyard footage presenting problem. Should have no less than 10' on each side. Legality of rezoning R-2 with R-1 restrictions.

COMMENTS FROM BOARD:

Opposition from public will be big problem.
Straight R-1 rezoning would be much easier to accomplish.
Possible cluster development. (could have lesser sideyards)
More than one driveway for access and exit to subdivision should be made.
Overall density has to be as if R-1.--If lot sizes are 10,000 sq. ft. size lot has met average density and then can offer Wetlands.

Town has several subdivisions with R-2 zoning (only single family residences)

Area has sewers that can be extended to subdivision.
Water pressure is bad and water cost will become increased in near future.
Wanakah Water and Erie County Water both service the area around this proposed subdivision.
The water question might be the biggest problem for this subdivision being started.

Motion was made to have Dan Gorman look into the clustering idea (with the wetlands or without) and also if we could recommend the R-2 with restrictions and if it would be acceptable and what the restrictions will be.

Developer would like guidance from Boardand also its feelings about his proposals.

VIEW OF BOARD PRESENTED FOLLOWING VIEWS:

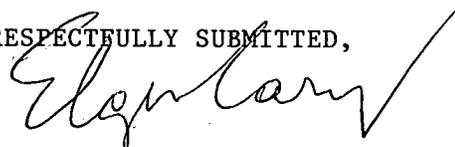
R-2 would be approved with restrictions but entrance way should be changed.
Water question should be looked into by developer.
Three preferred R-1 but would go along with R-2 with restrictions.
Clustering would not set a precedent.
Developer should re-submit on 3-16 for another review.
Planning Board cannot approve preliminary subdivision until zoning is appropriate.
Public hearing will have to be held by Planning Board.

HILLCREST CEMETERY

Proposed sign at entrance way, 4 x 8 approved by board.

Meeting was adjourned at 11:00.

RESPECTFULLY SUBMITTED,



Elgin Cary, Secretary
Planning Board

NEXT MEETING 3-16-88

7:30 p.m.

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S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075 • (716) 649-6111



Supervisor
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Councilmen
D. MARK CAVALCOLI
JAMES F. CONNOLLY
DANIEL J. HENRY
PATRICK H. HOAK

Town Attorney
VINCENT J. SORRENTINO

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GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

March 2, 1988

TO: THE HAMBURG TOWN BOARD

Rezoning Petition - MWS Enterprises - Convenience Store
Bayview & Big Tree Rd.

At the meeting of 2-24-88 of the Planning Board the following favorable recommendation was made for a convenience type store to be located on premises of Bayview and Big Tree Roads.

Motion was made by Mr. Valgora, seconded by Mr. Koening that the rezoning be changed from R-2 to C-2 for the following reasons:

1. The nature of the property makes it totally impossible to develop it as residential property.
2. Roads and traffic pattern--completely bounded on two sides by roads.
3. It is adjacent to M-1 and M-2 districts.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall

Richard Crandall, Chairman

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1. TASSEFF SKETCH SUBDIVISION

a. Concern with how the rear area would be developed with only one access point. How many lots might go in. The drainage way does not show on the town map--is it very large?

2. SOUTHTOWN'S SEAFOOD

Problem with 2 driveways. Adequate parking except for Friday evening. Problem with the fill for construction. Is site to be regraded to meet the grades shown?

3. CAPRIOTTO AUTO SUPPLY

Wants to add a warehouse supply addition behind the existing building. They own approximately 23 acres of land. They currently sometimes store trucks where the proposed addition will go. Parking should not be affected.

4. BIG TREE TWO FAMILY HOME SUBDIVISION.

Too many lots for only one entrance. One un-numbered lot behind lot #1. Give this land to a lot or lots. Regrading will be necessary to channel drainage. Entrances will have to be carefully located in relation to Brook Gardens. Minor