

meets' 2-25-87

TOWN OF HAMBURG

PLANNING BOARD MINUTES

2-25-87

The Town of Hamburg Planning Board met in regular session on Wednesday, February 25, 1987 at 7:30 p.m. in the Planning Board room.

Members attending included: Chairman G. Gerald Valgora, Richard Crandall, George Danyluk, Sally Saunders, Sandy Carnevale, Dennis Gaughan and Elgin Cary. Others attending included: Attorney Dan Gorman, and Stenographer Terry Dubey.

Minutes of the meeting of 2-11-87 were approved on motion by Mr. Carnevale, seconded by Mrs. Saunders. Carried.

HAMBURG TOWNSHIP POST 1419 V.F.W. ADDITION - 2985 LAKEVIEW ROAD ZONED R-A

Members of the V.F.W. appeared before the Planning Board on an addition and covered shelter to be constructed on their property on Lakeview Road. The parcel is zoned R-A. The covered shelter is approximately 66' x 70' and adj.bldg. includes a hall, lobby, kitchen and lavatories. Comments were received from Engineering and Building Inspection:

BUILDING INSPECTION:

The building appears to have the proper setback but violates 29-19(d) on height. The building is 4' too high, and 2' too wide to conform to the New York State Fire Prevention and Building Code, type III construction. Plan should be stamped by a licensed architect. Utilities should be designated on the site plan as well as location. The setback from North Creek Rd. should be a minimum of 22'. The parking lot size should be increased as there will be more people using the facility as parking is now for the existing building. J. LAUCHERT

ENGINEERING

Require first floor elevations in existing and proposed building  
Location of private sewage disposal system  
Location of water service line.  
Architect's seal required.

The open shelter area will be used for the Country Western event which is held every summer. Applicant noted that they could cut down on the size of the building to stay in conformance with the code. Revisions to be made for the March 11th meeting.

METRO PAVING - SOUTHWESTERN BLVD. ACROSS FROM GOLF COURSE - ZONED M-2 LT. IND.

Attorney Ron Tills appeared with the applicant for Metro Paving, Chris Pappas, with a survey of property on Southwestern Blvd. which once housed the old quansit hut. This is in answer to a complaint which was issued by the Building Inspection Dept. that a site plan and appearance is required before the Planning Board. Within 6 mos, they will be getting out of the paving business and reducing their equipment from 35 to 10 pieces. Remaining equipment includes 5 milling machines, 2 tractor trailers, and 2 pick up trucks. Applicant was reminded that the equipment should be stored in an orderly fashion to look as unobtrusive as possible. There is some remodeling being done for the office portion and 2 overhead doors have been replaced. Applicant is to prepare a better site plan for the next meeting.

2-25-87

MR. JOHN WABICH - WEST HERR FORD - SALES OFFICE - CAMP RD. & SOUTHWESTERN

Mr. John Wabich, representing West Herr Ford, appeared before the Planning Board for site plan review on a proposed pre-fab sales office building to be used on the present premises of West Herr Ford on Southwestern & Camp Rd. The Building Inspection Dept. and Engineering inquired as to the sanitary sewer and water connections. Mr. Wabich informed the board that there will be no lavatory facilities in the sales office. The sales office will be set on the paved portion of the parking lot.

Motion was made by Mr. Crandall, seconded by Mr. Gaughan to approve the site plan as presented. Carried.

MC KINLEY MEADOWS - MC KINLEY PARKWAY

Messrs. John Hannon and Richard Talty appeared before the Planning Board with a redesign of an apartment complex to be located on McKinley Parkway across from Cambridge Square. Approximately 14 buildings will be constructed on the 9.34+ acre site. The following comments were presented:

BUILDING INSPECTION:

Property is zoned R-3, 9-3/4 acres, 406,637 s.f. for 14 8 unit apartments. 112 apartments require 224 parking spaces. In using code 29-46A(3), it would permit 116 units on site. Proposal is for 112 and thus conforms to the code. Recreational facilities have not been indicated. Setbacks are proper. I will require building plans. A grading plan showing elevations is required. Elevations for sanitary sewers and storm sewers must be indicated. Erie County Highway must be contacted for road cut permits. Will the 1 1/2" water line be adequate to meet the needs should be determined by the Engineer. Units must be barrier free and accessible to the handicapped. Location of lighting, signage, must also be designated. Revisions should be made for the March 11th meeting.

ST. FRANCIS AUDITORIUM - LA SALLE AVENUE -

Architect, Jake Schneider, and Father Bill, Asst. Principal of St. Francis High, appeared before the Planning Board on site plan review for a proposed auditorium for the complex. The auditorium will house 800 people. On parking requirements, the school lot holds 150, The front of the school accommodates 10, the athletic field 75, the front of the gym 20, and the parish 200 for a total of 455 spaces. Planning Board members asked if the applicant could bring a letter from the parish ascertaining that shared parking is acceptable. Comments were received as follows:

BUILDING INSPECTION:

The new auditorium meets setback requirements. Requirements for parking can be figured as soon as a complete set of plans are available. Storm drainage should be indicated on the site plan. Location of utility lines, landscaping, lighting, should be designated. Drawings are to conform with New York State Fire Prevention Code.

ENGINEERING:

The roof downspout lines should be shown connected to storm sewer or ditch. Show location of new water and sanitary sewer lines. Revisions to be made for next meeting.

PLANNING BOARD MINUTES

2-25-87

PROPOSED PUBLIC VIEWING AREA FOR BUFFALO RACEWAY

Comments were received on the proposed public viewing area for Buffalo Raceway from Engineering:

1. Need existing and proposed elevations for the parking lot.
2. Need pavement detail, thickness and types of material.
3. Size, length, material and invert elevations for new culvert pipe under new driveway.

BUILDING INSPECTION:

The new proposed facility shows the barn approximately 20' from the new covered bleachers. This should be at least 30'. We don't know how many people the bleachers will hold, otherwise we could determine parking space requirements. Plans must conform to New York State Fire Prevention Code. The setback from South Park Avenue is adequate. Location of storm sewers and elevations should be indicated. Paving, street lighting and fencing must also be indicated.

PINE LAKES SUBDIVISION (FORMERLY BUTTERMILK FALLS)

Request for playground has been made by residents of area. Matter to be researched for the next meeting.

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

RESPECTFULLY SUBMITTED,

  
GEORGE DANYLUK, SECRETARY  
BOARD OF ZONING APPEALS

NEXT MEETING DATE: MARCH 11, 1987  
7:30 P.M.



**Susan Adams**

Licensed Sales Counselor  
Million Dollar Club

**REALTY WORLD® — Realty 1**

182 Lake Street, Hamburg, N Y 14075  
Bus: (716) 649-1234 Res: (716) 648-0031

*Each office independently owned and operated*



**REALTY WORLD® — Realty 1**

□ 4211 North Buffalo Rd., Orchard Park, N Y 14127  
Telephone: (716) 662-2277

☑ 182 Lake Street, Hamburg, N Y 14075-4826  
Telephone: (716) 649-1234

February 9, 1987

Hamburg Town Board  
Town Hall  
6161 South Park Ave.  
Hamburg, New York 14075

Re: Pine Lakes Subdevelopment  
Lakeview, NY

Dear Members of the Town Board:

I am writing to you regarding the Pine Lakes Subdevelopment in Lakeview.

I am the Project Sales Coordinator and work at REALTY WORLD-Realty 1. We conducted a survey of the residents in the area as to which would be the most desirable to have -- the proposed second lake or a playground. The survey came back overwhelmingly in favor of a playground.

In the past year, we have approximately 20 contracts of sale. We are now opening our third phase making 37 lots available. I expect sales to exceed last year's.

I am asking if it would be possible for you to do a feasibility study on putting up a playground there instead of the proposed second lake.

Would appreciate a response at your earliest convenience.

Yours truly,

REALTY WORLD-Realty 1

*Sue Adams*

Sue Adams

SA:pg  
Encl.

*cc: Greenfield  
Mc Knight  
Gilbert  
Laubert  
2/24/87*

*R+K*

From the Office of  
PAT MEAD  
Hamburg Town Clerk  
Date 2/12/87  
cc: *Pa Bd  
Lyle  
Bl. Sing...*

**THE RESULTS PEOPLE:**

*Each office independently owned and operated*

# TOWN OF HAMBURG

S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075 • (716) 649-6111 Ext. 231



Supervisor  
JACK QUINN, Jr.

## RECREATION DEPARTMENT

ALAN GREENFIELD  
Director of Recreation

RICHARD E. TRIPP  
Senior Recreation Supervisor

PETER YACOBUCCI  
Facility Manager

February 24, 1987

TO: George McKnight  
FROM: Alan Greenfield, Director of Recreation  
SUBJ: Pine Lakes Subdivision

We have received a request from residents of Pine Lakes Subdivision for the Town to build a playground in place of the proposed second lake.

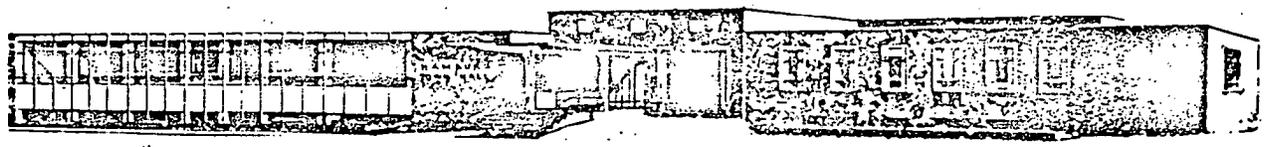
Since it appears that the second lake is mandated to insure proper drainage in the area, we would appreciate a recommendation from the Planning Board as to the status of the second lake.

We would further welcome suggestions on providing a recreational area in the subdivision.

Thank you for your cooperation.

COPY

# TOWN OF HAMBURG



## TOWN HALL

S-6100 SOUTH PARK AVENUE HAMBURG, NEW YORK 14075

TEL: (716) 649-6111



### RECREATION DEPARTMENT

BARBARA C. WICKS  
EUGENE F. WARDZINSKI  
Recreation Committee

ALAN GREENFIELD  
Director of Recreation

RICHARD E. TRIPP  
Sr. Recreation Supervisor

October 24, 1975

To: John J. Lauchert, Building and Zoning Inspector

Re: Proposed Buttermilk Falls Subdivision

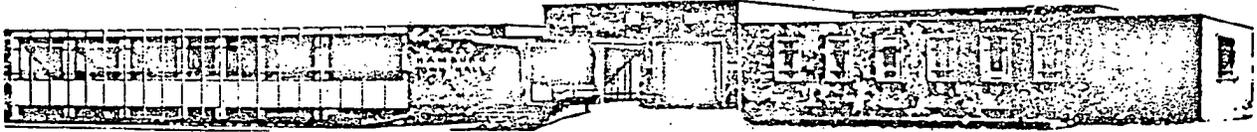
The sketch plan for the Buttermilk Falls subdivision has been referred to my office for comments and recommendations concerning recreational areas.

The following should be given serious consideration by the Planning Board:

- (1) Will the proposed drainage retention area meet the total recreational needs of the 258 new homes in the subdivision? Although the retention area kept in a natural state will meet the passive recreational needs of the area, I feel that there will be a demand also for active-type recreational areas.
- (2) Will the existing Lake View playground on Burk Road accomodate approximately 1,000 new participants? (Note: At the present time, the Town owns only a portion of the Burk Road recreational area.)
- (3) Is it desirable for small children to cross a busy highway (Lake View Road) to reach the playground on Burk Road?
- (4) Should monies in lieu of land be required to provide funds for the further development of Burk Road playground and/or for land

*"It's Great Living in Hamburg... The Town That Friendship Built"*

# TOWN OF HAMBURG



## TOWN HALL

S-6100 SOUTH PARK AVENUE HAMBURG, NEW YORK 14075

TEL: (716) 649-6111



### RECREATION DEPARTMENT

BARBARA C. WICKS  
EUGENE F. WARDZINSKI  
Recreation Committee

ALAN GREENFIELD  
Director of Recreation

RICHARD E. TRIPP  
Sr. Recreation Supervisor

Page 2: Buttermilk Falls Subdivision

acquisition in the general area bounded  
by Versailles Road, Heltz Road and Lake  
View Road?

I shall be happy to meet with the Planning  
Board to discuss any or all of the above  
considerations.

Respectfully,

Alan Greenfield  
Director of Recreation

Copy to: Barbara Wicks, Recreation Chairman

February 25, 1987

TO: TOWN OF HAMBURG PLANNING BOARD

FROM: JACK LAUCHERT, BUILDING INSPECTOR

ST. FRANCIS HIGH SCHOOL ALUMNI HALL & AUDITORIUM - ATHOL SPRINGS, N.Y.

I have been reviewing plans with Mr. Jake Schneider, Architect for this proposed construction. According to the site plan for this new auditorium it appears to meet our setbacks. I asked Mr. Schneider to submit a detailed study of the existing parking lots available on site. You have also received a copy of that plan. I have not been able to figure out requirements for parking as I don't have a complete set of plans for all the buildings in the complex. It appears that the existing parking lots and spaces to serve the facilities and this new proposal will replace the functions held in the gym to this location. This should meet their needs. A copy of the site area on Plan SP- showing the location of the aud. and existing parking spaces. I have reviewed the present plans and more information is forthcoming. A question of storm drainage should be answered at tonight's meeting. We should know the location of all utility lines, landscaping plan, lighting, and construction drawings should conform to New York State fire code.

HAMBURG VFW TOWNSHIP POST - 2985 LAKEVIEW ROAD

Property is zoned R-A. The building appears to have proper setback but violates 29-19 on height (D). This is a pole building <sup>4</sup>1' too high, 2' too wide to conform to the New York State Fire Prevention and Building Code. Type III construction. The site plan should be stamped by a licensed architect or engineer in the State of New York as well as conformance to fire code. Utilities should be designated on the site plan as well as location. The setback from North Creek Rd. should be a minimum of 18' - 22'. The parking lot size must be increased as there will be more people using the facility. The parking lot now is for the existing building. The new building will take up part of the parking space and a new lot must be added.

PUBLIC VIEWING AREA - BUFFALO TROTTING ASSOC. -

The new proposed facility shows the barn approximately 20' from the new covered bleachers. This should be at least 30'. We don't know how many people the bleachers will hold, we could determine parking space requirements. Plans must conform to New York State Fire Prevention Code. There is a proper setback from South Park Avenue, and existing plan roadway. When plans are more complete, it should show the location of the storm sewers and other related requirements. Please forward construction drawings showing elevations and drainage. Paving street lighting and fencing should also be designated on the site plan.

SHOW 22'  
N1-But  
SHOULD BE  
18'

2-25-87

Please familiarize yourself with this application. This is the first dish antenna for Special Use Permit to be heard by the Planning Board under the new code. The application is attached for your information.

Public Hearing has been set for March 11, at 8:00 p.m.

Terry

2-4-86APPLICATION #2925 - (CONTINUED)

ROLL CALL:	Chairman Peter Blaauboer	yes	
	Vice-Chairman George Swanekamp	yes	
	Secretary Charles Moore	yes	
	Commissioner Ed Reska	yes	
	Commissioner Paul Schlehr	yes	
	Commissioner Norton Boldt	yes	
	Commissioner Charles Spinner	yes	GRANTED

APPLICATION #2916 TABLED - Susan Halt for dish antenna located at 4843 Jack's Trail

Motion was made by Mr. Spinner, seconded by Mr. Reska, to remove Application #2916 from the table. Carried.

Building Inspector Lauchert stated that the application was tabled from last month. Mr. Spinner noted that it was tabled to determine if the dish could be lowered, without interfering with the reception and make it less noticeable.

The following note was read into the minutes: This note is in addition to one given to Mr. Jeff Nixon that declares my displeasure with the Holt's satellite dish. I now understand that the glare from the dish when facing south and east will affect my using the back yard of my home. There is a lovely patio in the rear of the house and this patio was a selling point when the house was purchased. And at the time of purchase, the dish had not been erected. There must be something that can be done as this illegally placed dish is and will continue to be very troublesome. Sue Green - 3604 Horton Avenue.

Mr. Halt stated that he checked with the contractor who said it could be lowered about 2' without interfering with the reception. At the present time, the dish has a 4' concrete foundation, and would cost another \$600 to move it.

Chairman Blaauboer asked if the color on the dish could be changed to reduce the glare. Mr. Halt responded that he is willing to lower the dish and paint it with a low gloss latex paint when the weather allows. However, he cannot get rid of the dish completely as he has a great deal invested. There is no way that he can free himself of the contract obligation.

Mr. Nixon spoke in opposition to the application. He noted that he can't live with this dish. The pictures show a great deal of glare. When you focus on the dish for a long period of time, you have spots in front of your eyes. Mr. Halt noted that he will not point the dish at his house. However, there are no guarantees that in the future this might change. There are other neighbors in the area who are opposed to the satellite dish also. As far as painting the dish is concerned, it has a flat finish already and there is still a glare. It truly affects the people in the area. I don't feel a contractor has the right to put up something like this even with a permit.

Chairman Blaauboer explained that if a permit were issued, the location would have been specified. However, the permission should be obtained first, before a permit is granted.

2-4-86APPLICATION #2916 (CONTINUED)

We are dealing with an active neighborhood with relatively small lots. You are in close proximity to your neighbors. No matter where the antenna is placed it will intrude upon their ability to enjoy the neighborhood. Most of the antennas which we have reviewed are well hidden by large lots and a great deal of shrubbery. It does appear to be intrusive on the neighborhood.

Mr. Halt noted that he doesn't understand that if someone does not like the looks of something in my yard, that I can't have it. I have a light above my pool. Maybe I am in violation there also.

Mrs. Claudia Witt spoke in opposition to the application. Not only do we have to put up with the glare but as I sit and look out my kitchen window there is a dome out there which is above the fence line and it is ugly. I feel it is reducing my property value especially if I try to sell my home. A prospective buyer might say I don't want to buy there because of the dish.

Chairman Blaauboer noted that he would like to see the dish moved closer to Mr. Halt's dwelling. I would also like to see it a bit lower. It is higher than the average antenna by at least 2'. If you lowered it, and moved it closer to the house, it would be less of an intrusion on the rest of the neighborhood. Mr. Halt noted that he has a water problem in his yard. If I located the dish elsewhere, I take away from the rest of my yard. I have an above-ground pool there presently. I can't do anything with that corner. That is why I had it placed there.

Mr. Spinner noted that the location may not have any bearing on the issue whatsoever. In other words, it doesn't matter where the dish is placed in the back yard, the neighbors still consider it to be ugly and don't want it period. Being so high, it is more noticeable. Mr. Spinner commented that he is not sure as to the legal authority the board has at all. I don't feel we have any legal authority for it. All we can do is make sure that it is installed properly and that it doesn't hurt anyone else. Legally, I am not sure where we stand. There is no law on the books.

Chairman Blaauboer responded that the entire code is based upon the premise that zoning ordinances are established so that everyone within the control of the zoning ordinance will have free use of their property without infringing on your neighbor. That is the concept of zoning codes. We have established in previous codes where things can be located. We have set parameters. I don't see why we can't do it with this problem.

Mr. Spinner stated that he wished the installer could have been present as the dish is just too high. Most of the dishes are lower to the ground. Mr. Halt noted that the height is necessary to pick up the first two satellites, comprised of 48 channels.

In Executive Session, Mr. Spinner made a motion that because the law as it stands in the Town of Hamburg, and because there is no law on the books in terms of standards addressing a satellite dish; because we have granted permission for satellite dishes throughout the Town, it is my feeling that our role is to make sure that the location within a yard should have the least effect on the neighbors; it should be properly secured in the ground and that the height does not interfere with others. The reflection should not interfere with the rights of others.

2-4-86APPLICATION #2916 (CONTINUED)

I move that we allow the antenna on two conditions: (1) that the antenna be lowered by a minimum of 2 feet, or to be lowered to the most extent possible so as not to lose his reception, and that he paint the antenna in a dull finish so as to minimize the reflection, seconded by Mr. Swanekamp. Carried.

ROLL CALL:	Chairman Peter Blaauboer	yes	
	Vice-Chairman George Swanekamp	yes	
	Secretary Charles Moore	yes	
	Commissioner Ed Reska	yes	
	Commissioner Paul Schlehr	yes	
	Commissioner Charles Spinner	yes	
	Commissioner Norton Boldt	yes	GRANTED

Chairman Blaauboer commented that for the record, the code does not have provisions for satellite dish antennas. That means that any structure not identified by the code cannot be built, and the permit cannot be granted until the Zoning Board addresses the matter. We address this matter on an individual basis. There is nothing in the code to go by. When we have a revised code, it will be included. We have not denied an antenna to anyone. We do not feel that we have the right to deny any applicant. We address the matter based on safety, aesthetics, etc. We are somewhat limited on what we can do on this issue. An individual property owner has the right to enjoy his property.

EXTENSION REQUEST FOR APPLICATION #2848 - Tom Corcoran - garage

Motion was made by Mr. Schlehr, seconded by Mr. Reska to grant a 6 month extension. Carried.

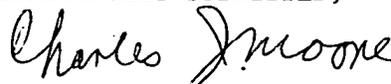
ROLL CALL:	Chairman Peter Blaauboer	yes	
	Vice-Chairman George Swanekamp	yes	
	Secretary Charles Moore	yes	
	Commissioner Ed Reska	yes	
	Commissioner Paul Schlehr	yes	
	Commissioner Charles Spinner	yes	
	Commissioner Norton Boldt	yes	GRANTED

OTHER MATTERS:

1. Letter of Agreement was presented for the Freeman Bell application. Board members agreed this should be reviewed by the Zoning Board Counsel and if it is in order, Secretary Moore can sign off. Letter given to Guy Van Baalen for review.

Motion to adjourn the meeting was made by Mr. Moore, seconded by Mr. Schlehr. Carried. Meeting adjourned at 9:05 p.m.

RESPECTFULLY SUBMITTED,



CHARLES J. MOORE, SECRETARY

NEXT MEETING DATE:

3-4-86