Town of Hamburg Planning Board
Meeting - March 2, 2005
Actions Taken

CVS Pharmacy **South Park & Lake Ave.**	**Re-approved with changes**

Town of Hamburg
Planning Board Work Session
March 2, 2005

The Town of Hamburg Planning Board met for a Work Session in the Conference Room at S-6122 South Park Avenue on Wednesday, March 2, 2005 at 7:30 p.m. Those attending included: Chairman Gerard Koenig, Secretary Paul Eustace, Karen Rogers, Bob Reynolds, Steve McCabe. Others attending included: Councilman Cavalcoli, Don McKenna, Esq., Michael Fruth, Esq., Drew Reilly, & Terry Dubey, Stenographer.**Excused: D. Phillips, Sasha Yerkovich**

South Park Woods - South Park & Big Tree Road

Mr. Ron Klimowicz, of Big Tree Fire Company, appeared before the Planning Board for a report as to what has taken place with his meeting with Cliff Krumm, and Mr. Martucci of Marrano, Marc-Equity on the side yard requirements for South Park Woods. He noted that the developer is of the impression that in R-2 there is no provision for setbacks.

Mr. Reilly responded that this was a condition of the approval. Mr. Klimowicz stated further that they talked about no air conditioners, fences, or bushes be placed in the side yards. Fences will be allowed from front to front. This would give them a 10-12' space between homes. There are also types of siding that provides one hour rating for fire protection. This should hold true for soffets and overhangs, as well as windows. The concern is public health and safety. Even the idea of sprinklered homes would be beneficial. It would behoove Marrano to take these suggestions into consideration, and come back with modifications. It was noted that the 48' width homes could be placed on the cul de sac where the lots are wider, which can be accomplished thru a deed restriction. Item is to be on March 16th agenda.

Ridgefield Estates - Tom Tasseff, Developer

The Planning Board reviewed the sketch plan for Tom Tasseff for 26 sub lots on Ridgefield Terrace.

Doug Nichols, Chairman of the Conservation Board has stated concern about a 24" high pressure gas line on the property line. This means that S.L. 22 must be moved away from the gas line. This is a National Fuel Gas line to which they are committed in keeping the location in place. This also means that a large easement (66') will be required. Other concerns include the need for a wetlands delineation, and land to be dedicated to the Town of Hamburg. An outstanding issue yet to be determined is an emergency egress. The Engineering Department is not in favor of a 3,000 ft. length of road, as this will be setting a precedent.

The neighbors of Beaubein Drive have emphasized their concern for no access to an undersized road that is not in very good condition. Input is required from the Traffic Safety Board. Mr. Reilly stated that this sketch should also be sent to the Hamburg Volunteer Fire Department for their input.

Ridgefield (Cont.)
Engineering concerns are:

The following are review comments on a cluster layout plan dated Feb. 2005:

(1) The plan shows a second means of ingress to the site off Beaubein Drive. How would this be maintained and how would access be controlled?

(2) The cul-de-sac to the north exceeds the maximum street length of 500 feet required in the subdivision regulations Section 230-22. The total street length from East Eden Road would be 3000 feet.

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

(4) The width of the gas line easement is to be shown.

(5) A cul-de-sac (not a temporary turn-around) is required at the end of the proposed road to the east.

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

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

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

(9) 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.

Planning Comments:

3. Ridgefield Cluster Subdivision (sketch plan)

-The applicant may return for additional input. Issues include access/length of cul-de-sac wetlands, drainage, lot layout, number of lots, gasline, future connections to the west and open space and other cluster requirements.

CVS Reapproval - Lake Avenue & South Park

Mr. Don Sennett, appeared before the Planning Board with a revised drawing for the CVS Pharmacy proposed on South Park Ave.& Lake, whereby they need 3 rows of parking. The building has been moved back and the green space will remain up front. This project has already been approved by the Village of Blasdell. Now, they are looking for reapproval by the Town of Hamburg. Two new light standards have been provided as well as 3" caliper trees.

The project is to be finalized by the Building Inspection Department and the Blasdell Fire Dept.

Engineering Comments: 1. The Planning Board previously approved a site plan for this location on ll-17-04. 2. An out-of-district agreement will be required for sanitary sewer service.

Motion was made by Mr. Reynolds, seconded by Mr. McCabe to reapprove the plan for the CVS Pharmacy, with the condition that the Building Inspector and Fire Department sign off on the access around the back, and that this will not have an impact on the Negative Declaration. Carried.

Taylor Woods - Ryan Homes

The following letter was received from Ryan Homes for relief on the front and back setbacks for Taylor Woods. Chad Rush, Division Manager appeared:

> Thanks for taking your time to consider our request to alter the set-back requirements on the private drive of phase 2 of the community of Taylor Woods.
>
> As requested, I have reviewed the sub-division map in detail to determine what the minimum requirements would be. I have taken into consideration the Town's concern on this change being requested after the fact and the impact to Ryan Homes and Jim Youvinne on being able to build these homes, as was the original intent. In addition, I have tried to be forward looking to the needs of customers as to eliminate the need for variances on deck permits (house specific).
>
> I am requesting the front setbacks to be amended from 35 feet to 30 feet, the rear yard setbacks be amended from 35 to 20 feet, and the side yards be amended from 10 feet to 7.5 feet. This will allow for an acceptable mix of homes to be built, minimizes the impact to 3 existing customers and minimizes the request on the front setbacks therefore lessening the concerns on utilities placement.
>
> I will provide a map to look at together as well as stencils to show the house placements. I hope to be able to satisfy any additional questions tonight.
>
> Sincerely,
>
> Chad Rush
> Division Manager, Ryan Homes

Taylor Woods (Cont.)

Applicant was advised to come to the March 16th meeting with the letters from the two purchasers that they are in agreement with the changes in the setback.

Clark Street Gas Station & Deli

Kevin Saxon appeared before the Planning Board with his sketch plan for the gas station and Deli on Clark Street. They are still waiting for comments from the Town's Traffic Safety Board. In the meantime, they have discussed the project with Mike Asklar of the Erie County Highway Division. They have suggested that the drive cut be 30' only. They also do not want the drainage blocked and have requested a sloped curb. On the subject of drainage at the corner of South Abbott, there is a catch basin on pavement. It is not deep and the invert will work when cleared of debris.

Planning Comments: Referred to Orchard Park & ECDEP for input. A response was received from Dept. Of Env. & Planning. (See attachment).

Engineering Comments:

SUBJ: 3/2/05 PLANNING BOARD WORK SESSION AGENDA
Stop & Gas - 4973 Clark Street

The following are review comments on a sketch plan dated 1/15/05:

(1) We could not locate a previously approved site plan for this building.

(2) The proposed curbed island along the frontage is located within the Clark St. and Armor Duells Rd. right-of-way. Approval by the Erie County Highway Department (ECHD) will be required.

(3) Site drainage needs to be addressed.

(4) The garbage dumpster is to be placed on a concrete pad and screened on four sides.

(5) Provide the location of the existing utilities servicing the site.

(6) A typical pavement section is to be provided.

(7) Curbing or parking bumpers are required for all parking spaces.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo

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To	From MIKE ALSPAUGH
Co. TOWN OF HAMBURG	Co. ERIE CO. CD
Dept.	Phone # 858-6013
Fax # 648-0151	Fax # 858-7248

County of Erie

JOEL A. GIAMBRA
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT & PLANNING

LAURENCE K. RUBIN
COMMISSIONER

ANDREW M. ESZAK, AICP
DEPUTY COMMISSIONER

March 2, 2005

Andrew C Reilly, P.E.
Planning Department
Town of Hamburg
S-6100 South Park Avenue
Hamburg, New York 14075

Re: SEQR Referral Review, Lead Agency Designation
Action: Subway-Gas Station Site Plan
County Review #: SP-05-90
Location: 4973 Clark Street & Armor Duells Corners Rd., Town of Hamburg, Erie County, NY

Dear Mr. Reilly:

Pursuant to Article 8 of the Environmental Conservation Law and to adopted procedures, Erie County has reviewed this Unlisted SEQR action, referred to us on February 2, 2005.

The results of this review are as follows:

o Erie County is an interested agency for this action and agrees that the Town Planning Board should act as SEQR lead agency for this action.

o The following comments/concerns have been identified and should be evaluated before SEQR/Project decisions are made on this Project:

1. For public sewer district #3: sanitary sewer capacity must be evaluated and effluent characterized by submitting two (2) sets of plans including site plan and profile and a completed Industrial Waste Survey Form to Erie County Sewer District#3.

2. Adequacy of storm drainage facilities, both natural and man-made, should be evaluated for impacts on county highway drainage. Traffic impacts on the nearby intersection should be evaluated. County road access design issues are under consideration at the County Highway Division.

3. Proposed expanded use of the site may have negative impacts (noise, light, traffic) on the residential neighboring land uses.

o Recommendation

The lead agency should thoroughly analyze the areas of environmental concern to determine if the action may have a significant effect on the environment and require evaluation of impacts in a DEIS.

o Erie County will have the future review and/or approval authority as follows:

Erie County Highway Division: Permits to modify curb cut, signage and work within the County Highway ROW.

Erie County Sewer District (ECSD) #3: approval authority for a connection and service to this parcel as a tributary to the Sewer District served by the Southtowns Sewage Treatment Plant.

Department of Environment and Planning (DEP) -
-Planning Division: site plan referral as per General Municipal Law, Article 12-B, Section 239 l and m. (Erie County Form ZR-1)

(Please note that statutory County review/approval procedures and criteria will apply regardless of the environmental determinations issued by the lead agency pursuant to SEQR).

Very truly yours,

Michael A. Alspaugh
Senior Planner

cc:
Carl Dimmig/Mike Asklar, ECHwy Div.
Charles Alessi, ECDEP - Sewerage Management/ECSD #3
Peter J. Ruffino, ECDEP - Sewerage Management
M617LeadTHam.

Highland Subdivision

Planning Comments:

-In October of 2003, the applicant presented a sketch plan (site plan) for the development of the applicant's properties for townhouses.

-The application could not go forward without the resolution of the abandonment of some of the paper streets in the area.

-It is our understanding that these issues were resolved in 2004 (it appears that a section of Highland Parkway was abandoned and the Dorchester "paper street" was re-aligned to continue its connection to Brompton Parkway (see map).

-The applicant owns other property in the area, but is segmenting its review from this application. This application is for 11 lots consisting of 4 zero lot line duplexes and 3 single family home sites.

-The property is zoned R-2 (incorrectly noted as R-3 on the drawing), and appears to meet the requirements of that zone (see review sheet).

FROM : Engineering Dept.

DATE : 3/2/05

SUBJ : 3/2/05 PLANNING BOARD WORK SESSION AGENDA
Highland Subdivision - Brompton Pkwy.

The following are review comments on a Preliminary Plat Plan dated Feb. 2005:

(1) There is an existing watermain servicing the site.

(2) A mainline sanitary sewer extension will be required to service the site. Erie County Sewer District No. 3 (ECSD No. 3) should be contacted to determine if there is sufficient available capacity in their system to service the site.

(3) The future development area should be identified as Sublot No.12. What use is proposed for this area?

(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) All property lines on curves are to be radial to the right-of-way. Label the lot lines as radial or revise as necessary.

(6) The re-alignment of Dorchester Road was not approved in 2004 as noted. The proposed alignment is not acceptable as shown. The right-of-way should be radial to Brompton Parkway to the rear of the sublots. A 70 feet wide right-of-way (not 50 feet) will be required for future development as a public road.

(7) Deed restrictions for the attached dwelling units should be reviewed and approved by the Planning Board.

Doherty 4 lot Subdivision - Versailles Rd.

Planning Comments:

-Prior applications made on this portion of Mr. Doherty's property. These did not go forward due to sewer issue and Mr. Doherty changing his mind.

-Other sections of Mr. Doherty's property did receive Minor Subdivision approvals.

-We are assuming that this particular piece of property exists as a separate tax parcel and therefore would be a 4 lot subdivision.

-The subdivision appears to meet all zoning requirements.

-Previous discussions and subdivisions in this area had a buffer being located in the rear of the properties.

-The subdivision is in the Lakeview Overlay and should include identification of significant trees and environmental features. Creativity is encouraged.

Engineering Comments:

The following are review comments on a Minor Subdivision Preliminary Plat Plan dated 2/11/04:

(1) The Planning Board previously approved a subdivision plan for this site in 1998 that has expired.

(2) Public sanitary sewer and water service are available to the site.

(3) Currently there are no public sidewalks located on the north side of Versailles Road. We have no objection to waiving the sidewalk requirement.

(4) We have no objection to waiving the map cover requirement.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL:law

BFG Radio Tower - Jeffrey Blvd.

The proposal is for a 150' radio tower. This will not need a Special Tower Permit. Since the project is in an industrial zone, site plan review is required. The concern is its proximity to the Penn Dixie site. This is the area whereby lighting should be at a minimum for their astronomy projects. The tower will require a steady red light that could interfere with the Penn Dixie's projects. A copy of the site plan is to be sent to Jerry Bastedo.

Mark Schmidt 4 Lot Subdivision - Amsdell Road

This parcel is in an R-l district with no sewers. Lots appear to meet all zoning. The applicant must provide a single subdivision drawing in accordance with Town requirements.

Engineering Comments: 1. This is a 4 lot minor subdivision. One preliminary plat plan showing the four sublots should be submitted. The legal description is to be revised accordingly. 2. Public water service is available to the site. 3. Public sanitary sewer service is not available to the site. 4. There are no public sidewalks in the area. We have no objection to waiving the sidewalk requirement. 5. We have no objection to waiving the map cover.

Autumnview Manor Addition - 4650 Southwestern Blvd.

Planning Comments:

-This project was before the Planning Board in May and June of 2004. At that time, comments were given about sewer and water, and other issues. The applicant did not return after those meetings.

-The applicant has now submitted a full set of drawings for a smaller project.

-The project is located in an R-3 zoning District and within the Southwestern Blvd. Overlay. The project appears to meet all zoning requirements (what is the height of the building)?

-The project entails adding 26 beds to the facility. Based on the parking requirements for senior housing of 1 space/5 residents, the project would require 6 new spaces. The applicant is showing 24 spaces and adding 32, a net increase of 8 spaces (adequate).

-The site contains hydric soils and should be investigated for wetlands.

Autumnview - Southwestern Blvd.

Engineering Comments:

(1) The site is located in the Southwestern Overlay District. The site landscape plan is to be approved by the Planning Board.

(2) The sanitary sewers for this site discharge to a private sewer owned and maintained by the Frontier School District. The school district's approval is required for the additional anticipated sewage flow. The new sanitary sewer is to be approved by the Erie County Department of Environment and Planning (ECDEP). Include a plan and profile drawing and all associated details. We are unable to approve the site plan prior to review and approval by the ECDEP.

(3) The proposed waterlines are to be approved by the Erie County Water Authority and the Erie County Health Department. Include a detail drawing of the waterline abandonment at the north end of Buckingham Lane.

(4) Appropriate legal documents are to be prepared for the discontinuance of the waterline easement along the portion of 8" waterline being abandoned.

(5) The existing 8" watermain is required to be tapped into the 36" main on Southwestern Blvd.

(6) The Engineer's Report needs to include the 8" public watermain extension which is to be installed by ECWA along Southwestern Blvd.

(7) Provide parking bumpers to match the existing bumpers for all new spaces in the southwest parking lot expansion. Provide curbing for all spaces in the northerly parking area expansion.

(8) It is not acceptable to provide a concrete cap over the existing 15" HDPE storm sewer located under the Unit D addition. Replace the pipe with an appropriate strength material and provide full encasement as necessary. Provide rip-rap stone for the pipes discharging into the pond. Provide drainage calculations for the detention pond. Include an emergency overflow spillway for the pond.

(9) Sheet SP-5 Paving Details - Provide a minimum of 10" of stone base.

P.W. Playland - 2 lot Subdivision - Southwestern Blvd.

This parcel contains hydric soils and will be split into two lots. The zoning is R-A and the lots are both slightly under 2 acres not counting road ROW. The applicant will need a variance as well as a wetland delineation.

Engineering Comments:

(1) Sanitary sewer service is not available to the site.

(2) The proposed sublots should be numbered.

(3) The watermain does not extend across the full frontage of the parcel. The Erie County Water Authority (ECWA) should be contacted to determine if they will require that the main be extended to service the site.

(4) We have no objection to waiving the public sidewalks and map cover.

Hilbert College Academic Building & Theatre

The application materials need improvement. A full EAF is required plus appropriate fees. The South Park Overlay District needs to be considered.

Engineering Comments:

(1) Show the location of the entire proposed sanitary sewer forcemain. Submit the plan to the Erie County Dept. of Environment and Planning (ECDEP) for review. We are unable to approve the site plan prior to approval by the ECDEP.

(2) An additional fire hydrant should be provided at the northwest corner of the project.

(3) If there will be a garbage dumpster, it should be shown on the plan and be properly enclosed.

(4) Include appropriate clearing, stripping and erosion control measures on the plans.

(5) A permit from NYSDOT is required for work within the South Park Avenue right-of-way. We are unable to approve these plans prior to NYSDOT review and approval of the work on their right-of-way.

(6) Show the location of the handicap parking spaces.

(7) The three feet deep ditch (not a swale) along the west side of the proposed access road should be piped or relocated further away from the road. Provide an overflow outlet for the detention pond. Include rip-rap stone at all pipe end sections.

Hrushak 2 lot Subdivison - Dorothy Place

A better drawing is required and the application states that this is for a duplex. Applicant to be advised that there is not enough room for a duplex.

Engineering Comments:

(1) The sublots should be numbered.

(2) Public sanitary sewer and water service are available to the site.

(3) Currently there are no public sidewalks in the area. We have no objection to waiving the sidewalk requirement.

(4) We have no objection to waiving the map cover requirement.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL:law

Town of Hamburg Conservation Advisory Board

S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075

March 2, 2005

To: Planning Board

From: Conservation Advisory Board

Subject: Hickey Farms

On February 26th, Messrs. Andrle, Carnevale, Lorquet, and Nichols dia a team evaluation of the Hickey Farms site. The site provides habitat for deer and small mammals and is a nesting and breeding site for birds. The tree population of the northern 2/3's of the site consists mainly of cottonwoods, aspens, elms, silver maples and thornapples. The southern l/3 shows these species plus some black cherrys and oaks.

The wetlands had only fragmentary evidence of delineation and it would appear that whatever delineation was done, was done some time ago. There are definitely federal wetlands on the site which need delineation and approval by USACOE.

The eastern l/3 of the site, which is not going to be developed, would be an excellent area for dedication to the town. This area contains the Rush Creek corridor (an important area for preservation) as well as wetlands designated as "A", B, "RC-A", "RC-B" & "C". The area is habitat to a good variety of small mammals, birds amphibians, reptiles, invertibrates, and with the addition of a simple trail would make a walkable pleasant green space site.

In developing the site, care should be exercised by the site contractor to preserve a buffer between the upland and lowland portions of the site. In particular, the cherries and oaks should be preserved as "seed" trees to improve the long term mix of hardwoods in the area.

This project will require a tree permit.

Doug Nichols, Chairman
Conservation Board