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HAMBURG, N.Y.

MAR 29 1990  
TOWN CLERK

Town of Hamburg  
Planning Board Minutes  
March 14, 1990

The Town of Hamburg Planning Board met in regular session on Wednesday, March 14th 1990 at 7:30 p.m. in Hamburg Town Hall. Those attending included: Chairman Richard Crandall, Vice-Chairman Elgin Cary, Secretary Gerard Koenig, Sandy Carnevale, Steve Strnad, David Phillips, and Dennis Gaughan. Others attending included: Dan Gorman, Attorney, George McKnight, Planner, Sheryl Bower, Asst. Planner, and Terry Dubey, Stenographer.

Minutes of the meeting of 2-28-90 were approved as amended by Dave Phillips, seconded by Mr. Carnevale. Carried.

**Executive Session:**

Chairman Crandall noted that he is in receipt of a draft containing a Declaration of Use and Building Restrictions for the Ravenwood North Industrial Park. The restrictions for Ravenwood Park North were devised as a method to address the concerns of the Hamburg Town Board and neighboring residents on the development of the approximately 200 acre industrial park. The content and format are based upon similar restrictions for the Ravenwood East Industrial Park combined with the Town of Hamburg Zoning Ordinance. This draft was compiled through the comprehensive research of Ron Hayes, George McKnight, Monte Riefler and Dan Bicz, representing Gateway Trade Center. It contains our best determinations for the Park and has been prepared in draft form as a basis of discussion and input by the Town Board and Planning Board. It is anticipated that a final draft will be released to the Ravenwood North Committee and the public.

The creation of restrictions is the first step in an overall procedure for the proper utilization of the Industrial Parks in the Town of Hamburg. Additional discussion is required in order to define a method to implement these restrictions. Your comments will be appreciated. Copies of the document were distributed. Planning Board members are to report back in 2 wks. with their findings.

2. Letters were received from Genesis Development and Stratford Homes relative to the cluster development which was first proposed at the Woods at Versailles noting that they are not in favor of such development.

3. Memo received for filing on Brierwood Village Subdivision Lot 29.

4. Report heard from Steve Strnad on Fee Schedule and In-Lieu Account meeting which was held on March 8, 1990. Copies of meeting will be forwarded to Planning Board members.

5. Reference was made to the Zoning Board applications of .

**Lakecrest applications continued:**

John Bosse on Lakecrest. Variances of 10' were granted on lot frontage. Applicant, when questioned by Mr. Spinner, agreed that he will conform to the request of the Planning Board on future sublots.

**Tiffany Meadows--Subdivision - Preliminary Review**

Mr. Mark Braun, developer, of Tiffany Meadows (former Wolfe Subdivision) appeared before the Planning Board on a preliminary plat of Tiffany Meadows located off Abbott & Holly Place. Comments from Engineering, Building Inspection, and Planning were received at the prior meeting. Applicant commented that he has tried to set forth modifications as requested. The lots still meet the requirements as set forth in the Zoning Ordinance. Comment of the Planning Director is that on lots fronting on Abbott Rd, the sketch be re-designed to show reverse frontage so that driveways come out to interior streets. The Abbott Rd., Best St. intersection is a difficult one and there have been several accidents there. There is a 150' radius. The Conservation Board still has not had time to review the subdivision. If the lots in Orchard Park are developed, there will be 2 lots. The review should be done in entirety, otherwise it will be an administrative nightmare on services that fall in Orchard Park. Mike Merritt noted that the Town of Hamburg would be the review agency. This should be submitted in some type of written form. One portion must be redesigned. Nussbaumer & Clark are the present engineers. The land is barren, with a small scrub area of trees. The developer should review more carefully the lots that are in Orchard Park. In the meantime, Mr. McKnight will sit down with Mr. Merritt. Recreation and Conservation should advise as to the green space.

Motion was made by Mr. Koenig, seconded by Mr. Phillips to **Table** until the March 28th meeting. Public hearing cannot be set at this time. Revisions are to be made. Carried.  
(meeting to be arranged with M. Merritt, G. McKnight, and M. Braun.)

**Patrick Eddy - 5 lot subdivision Elmhurst**

Mr. Patrick Eddy appeared before the Planning Board on his 5 lot subdivision which is located on Elmhurst. Board members were advised that the variances have been re-instated and the Town Engineer's office submitted a memo stating that the drainage plan is in, the bond is in place, and they are satisfied with the proposal. At the present time, the lots are legal. Letters of support were received from the Bldg. Inspector, and Town Attorney. A public hearing has been held and he can proceed with the construction plans. The reinstatement of variances took place at the March 6th, 1990 Zoning Board meeting.

Mr. John Grabowski of 5882 Shoreham Drive lives directly

**Elmhurst Subdivision (Continued)**

behind Patrick Eddy and is concerned with the variances that were granted. Mr. Eddy responded that this is not the same property. This property is behind Mr. Bosse's land, and is all vacant land. Mr. Grabowski noted that in an R-2, 7500 s.f. is required and Mr. Eddy has only 6,000s.f. He also noted concerns of the storm sewer. Motion was made by Mr. Phillips, seconded by Mr. Koenig to grant permission for the applicant to proceed to final. Carried.

**Innovative Homes - Bayview & Big Tree**

Applicant did not appear. To be advised of next meeting and to bring in a revised site plan if he plans to proceed with proposal.

Residents of affected area stated that they have concerns with respect to the traffic and the density. From the viewpoint of safety, they would like to see a lesser density and to alleviate the drive cut situation.

**Engineering - 7.3** A topographic map shall be provided. **9.3** The subplot at the corner of Bayview should not have access to Bayview Rd. Label No access to Bayview on the plan. **10.3** The revision block on the plan is to be used to indicated any revisions made. **11.3** Deed restrictions are to be submitted for approval by the Planning Bd. They should be the same or similar to those developed for use at the Twilight dual ownership duplex sub.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to Table until the next meeting. Carried.

**Hidden Hollow Estates - F. Parlato, D. Ganey**

Messrs. Ganey and Parlato appeared before the Planning Board on the proposed 24 lot subdivision which is to be located off McKinley Parkway. A memo of concerns from the Engineering Dept. was the point of discussion.

Messrs. Parlato and Reggentine noted that the project is designed with the green space in mind. Three aspects require a waiver from the subdivision regulations. The first issue relates to the lots. The lots are not radial to the road. They are designed specifically to highlight the contour of Rush Creek. This is to create a graceful, winding road, which backs up to the back portion by 25'. We need a variance that some of the lots will not be radial.

The second variance relates to the second bend in the road. (lots 16, 17, 18). It is 135' in radius instead of the required 150'. It is 13' shorter than the required amount. We need the more graceful bend. Mr. Reggentine assures me that all vehicular traffic, emergency or otherwise, would be able to travel the road.

**Hidden Hollow Estates (Continued)**

The third waiver or variance relates to the gutter road. I would like to build a road with stabilized shoulders as this is more aesthetically pleasing with a winding road. It also reduces the amount of trees that are to be removed. New York State uses stabilized roads exclusively. We feel these variances are essential for the type of project we are trying to implement.

Mr. Crandall noted that the matter of the shoulders may not be in the Planning Board purview. Mr. Gilbert's letter addresses the 25 acres of park area. The question raised was will this be dedicated to the Town. It was explained that the area will be permanently deeded to the homeowners in the form of an Association. Since this is privately owned, the homeowners will be paying taxes on the land. This is a private park. There is to be a legal agreement which is filed with the Subdivision Map and is referred to in every deed restriction.

Mr. Parlato again reviewed the stabilized shoulder concept. That is a country style road with stabilized shoulders on both sides. From an engineer standpoint, there is no gutter or no curb. It does however, have drainage. Instead of using a full section road of 28' we are cutting it to 22' and putting in 3' stabilized shoulders on each side of it. It still has the drainage capabilities but it cuts down on the cost to install. A stabilized shoulder is capable to full concrete curbing. The Town requires 28' pavement plus curbing to provide integrity and maintenance of the road, and to guide the drainage.

Mr. Parlato stated that it is a more attractive, aesthetically pleasing road, especially on a winding road. Secondly, it provides an area whereby one can walk alongside. Thirdly, since my lots are hand-cleared, I can save more trees near the road. This makes a big difference. I would like the road to be dedicated to the Town. Mr. Ganey and Mr. Smith and myself had a meeting on this subject. The Highway Supt. was not against the proposal. However, he felt it was a Planning Board decision. He could not say he was opposed as he is bound by the Town Engineering Specifications. Spaulding Lake is an example of the type of road desired. This is a cluster development. In the cluster concept, one has the option to change the lot sizes and the road.

Mr. Phillips noted that he is enthusiastic about the proposal, but from an Engineering standpoint, I don't know if the Planning Board has the authority to grant that variance.

Attorney Gorman stated that according to Subdivision Regulations 31-6, where because a topographic or other consideration unique to the site, strict adherence of the regulations of this ordinance would cause an unnecessary hardship, the Planning Board may authorize a variance, if such variance can

Hidden Hollow (Continued)

be without destroying the intent of the regulations. In granting variances, the Planning Board can impose such conditions as will in its judgement secure the objective and standards and requirements so varied. The Zoning Board can vary the zoning ordinance. The Planning Board can vary subdivision regulations only. Since a Public Improvement permit is issued by the Engineering Dept. the question arises as to whether the Planning Board has the ability to waive something within the right of way. We do have the ability to waive the sidewalk requirement which is in the right of way.

According to the letter, the Engineering comments have not been addressed. Mr. Parlato has had discussions with Mr. Gilbert. Some of the remarks addressed are contrary to what Mr. Gilbert has written. Reference was made to the letter...houses, fences and lot lines become crooked as viewed from the street without it. That is not so. With respect to the natural vegetation, construction and the spoil from basements will destroy all of it. Mr. Parlato stated that this is not true. The vegetation that I plan to preserve between lots will positively be preserved. There may be some spoils from run off. For the most part, it will be preserved.

Chairman Crandall noted that this is a unique subdivision. This is a unique development due to the fact that Mr. Parlato clears land without using bull-dozers. It is kind to the environment and the proposal leans toward Conservation ideas and more than anything else, preserves a number of trees. He has given thought to this project. However, we are looking at a relatively small subdivision of 24 homes. I think that this board could encourage something that might be a step above what we have been getting in the past. I am not indicating a like or dislike for concrete, gutter roads. I don't always like them. However, they serve a purpose because of easy maintenance. They look fairly decent. They are in the ordinance for a reason. However, we have an obligation to view the entire project. The setback and side lots line is shown on the map which is parallel with the contour of the street. That would contradict as to what is said in the letter. On Lot #7, there must be some manipulating to get the proper setback and maintain a proper side yard. I can understand where there could be some confusion with the situating. However, I would imagine that this would not be allowed in setting the contour of the street.

Mr. Parlato noted that they hand clear each lot before determining as to how the house is placed on the lot. All the lots are substantially larger than required by the ordinance. The setback line is 50' as opposed to the usual 35', which will help to preserve more tree area in the front. There should be something in writing from Mr. Reggentine to the Town Engineer certifying that the stablized shoulders will hold up, & that they will not cause increased maintenance to the town in the future. Also, that the

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Hidden Hollow (Continued)

radius of that curve would not prohibit a garbage truck with a caboose or a fire engine to get around the curb. Mr. Parlato noted that he had the letter in hand.

In the subdivision regulations relative to deed restrictions, they must comply to Town requirements and be reviewed by the Town Attorney's office. There can be deed restrictions without a homeowner's association. Every deed in the subdivision can contain 1/24th of the green space.

Mr. Koenig stated that the comments were received from the Engineering Dept. and the Planning Board at that time voted to over-rule. However, we failed to express the term that we granted a variance on these items. The stabilized shoulder is an Engineering problem. Preliminary approval is needed on those conditions as construction drawings must be completed before it can be filed and roads constructed.

Mr. Parlato was agreeable as to the deed restrictions. The Planning Board is the board that can waive the requirements.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to grant the variance from the subdivision regulation and conceptually approve the stabilized shoulder road pending review & determination by the Town Engineer based on an acceptable New York State specification. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to grant a variance on the non radial lot lines and that the setback conform parallel with the winding road in order to enhance the development and establish a 50' setback, and that the positioning of the house on the setback line & adjacent houses be considered in relationship to frontage to the road for an aesthetic overall appearance. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Strnad to vary the 150' radius as it applies to S.L. #7. to 135'. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Strnad that construction plans for all the infrastructure be provided as well as a draft of the title, deed, and association. This preliminary subdivision layout for the open space should indicate the verbage private parkland, never to be built upon. Approval and review of the deed restrictions to be completed by the Town Attorney. Carried.

**Hillsboro Estates - Paul O'Neill and Fran Igoe-Mel Johnson, Developer.**

Messrs. Paul O'Neill and Fran Igoe appeared before the Planning Board on a proposed 90' x 125' subdivision which is to be developed by Mel Johnson. This is a part of the old Pinehurst

**Hillsboro Estates - Continued**

Subdivision which was acquired from John Bosse. They have resubdivided to current standards and no variances will be required. There is one problem and that is a restriction to alignment, of an old paper street. The only change from the cover map is the width of the right of way. The right of way is 60'. The hub of the subdivision was originally an 18 hole golf course, in the center with roads around it. The Pinehurst Elementary School is on the property. Fairway Court bends around the back of the school and eventually out to Lake Shore, Route 5. The developer would like to save the area with as many of the trees as possible. The Environmental Assessment is in but nothing has been received from the Conservation Board with respect to passive or active recreation. Comments were received as follows:

**Building Inspection--**This proposed subdivision appears to conform to the R-1 zoning classification for single family residents with a public sanitary sewer. Minimum lot size is 90 x 125', equalling 11,250 s.f. which is required by the code. A 35' front yard setback is required. Side yards are a minimum of 10' with a total of 25'. The rear yard is a minimum of 30'. Lakecrest Drive and Hewson Rd. will be constructed to the Town of Hamburg specifications approved by the Town Engineer.

**Planning--**The name of the subdivision should be on the preliminary plat. The zoning requirements: district and lot size should be indicated on the plat. The names of all proposed or existing subdivisions immediately adjacent should be shown. A topographic map is required. How will the recreation needs of the subdivision be met?

**Engineering--**1. The site is in the Wanakah Water Dist. 2. The site is in the Erie County Sewer District #2. 3. The site is not in a wetland or flood plain. 4. State permission is required to connect into Rt. 5. (5). All lot lines are to be radial or 90 degree to the street. Label them on the plan as such and revise as necessary. 6. The curve data is to be shown on the plot. 7. There are four (4) stub streets shown on the original map cover. The developer must Prove that he owns these streets. 8. Access is to be provided to the adjoining parcel. The block length is 2500 feet, the code length is 1500 feet. 9. Two (2) walkways to the school property were provided for on the previous map cover. At least one (1) walkway to the school property should be provided. 10. The name of the owner or his agent is to be shown. 11. The zoning requirements are to be shown. Do all lots meet the code? 12. The names of all adjacent owners are to be shown. 13. Are any deed restrictions proposed? 14. A topographic map is required. 15. Dimension the proposed set back line.

Motion was made to approve the preliminary and proceed to Public Hearing, by Mr. Phillips, seconded by Mr. Strnad. Carried. Applicant was advised of the \$75.00 filing fee and the legal description should be submitted by 3-16-90. Carried.

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**Rezoning Petition of Roger Duffett--Old Lakeview Road**

A rezoning petition was presented to the Planning Board for Roger Duffett who would like to move his present business into a new facility on Old Lakeview Rd. At the present time, the proposal infringes on many of the code requirements. The existing building is presently in the right of way. The parcel is zoned R-2 and the request is for an M-2, Light Industrial. Planning Board members noted that there are many problems with the site.

1. The lot line of the existing building is in the right of way. The proposed building in the northeast corner would be 1' off the right of way, thereby making a bad situation worse.

2. This is a residential zoning (R-2) and the request is for an M-2, Light Industrial. This would not be in conformance with the 2010 Master Plan.

3. The back yard would be 5' off the railroad tracks.

4. Parking is not adequate and would not meet the 35' setback on the northeast corner.

Mr. Fred Kokot, of 3632 Center Lane, spoke in opposition to the rezoning application. They are presently 1' away from the line. The proposed change is a significant one from R-2 to M-2. This is a residential area and the neighbors are opposed to the proposal. The proposed structure will not meet the current zoning requirements.

Motion was made by Mr. Carnevale, seconded by Mr. Strnad to grant an unfavorable recommendation to the Town Board. Carried.

**Woods at Versailles**

Applicant did not appear. However, correspondence was received on the additional open space. The developer is offering another 1.4 acre parcel.

**Engineering Comments:**

2.3 Versailles Plank is a County road and should be labeled as such. Written permission from the Erie County Highway Dept. is required for road access prior to preliminary plat approval. We question if lots facing Versailles should be allowed. At least the three corner lots with double frontages are to be labeled as not having access to Versailles. 3.3 The area will be in the Wanakah Water District. 4.3 An extension of the Erie County Sewer District #2 will be required for sewer service. 5.3 All lot lines on a curve are to be radial. Label the lines as radial on the plan. Revise as necessary. 6.3 The minimum centerline radius on curves is 150'. Show the radii on the plan. Revise as necessary. 7.3 The name of the owner is to be shown. 8.3 The names of all owners adjacent to the parcel are to be added. Show the streets and sublots in the Pine Lakes Subdivision. 9.3 A street connecting to the Pine Lakes Subdivision in accordance with Section 31-17-E should be considered. 10.3 - Clarification of ownership must be determined for the shaded 4.6 and 1.4 acre parcels. 11.3 Sublots are to be numbered in consecutive order. Revise as necessary. The proposed road at Sublots 34 and 100 must be revised to intersect more at right angles. 13.3 The cul-de-sacs are to have a 75' radius--label the radius on the plan & revise as necessary. 14.3 - The cul-de-sac, Lots 109 to 127, is longer than the maximum allowed 500 feet. The block length, S.L.127 to 145, exceeds the 1500 foot maximum length. The Highway Supt. has requested the use of cul-de-sacs be restricted. We request the cul-de-sac be eliminated and the road

**Woods at Versailles Continued**

extended and connected to the road near S.L. 140-141. Filed and Received.

**Proposed J. C. Penney Store - McKinley Mall -**

Messrs. Don McKenna, Greg Quatchak, Jim Vasilko, & Hans Berntheil appeared before the Planning Board on the proposed anchor store of J. C. Penney on the south end of McKinley Mall. This facility is proposed to be constructed next to the current theaters. Initially the store was to be a square building but has now been changed to an elongated rectangle. There will be improvements due to the relocation as water lines need to be moved, as well as the sewer. Minor grading must also be done. However, there will be no difference in elevations. Fire hydrants must also be relocated. The following comments were received from departments:

**Engineering--**1. The Sibley's site plan at the mall was never approved as required by the Town codes and the State under SEQR regulations. In addition, the Berger's site plan was modified after approval in the Sibley's plan. We request that the Penny's plan not be approved until the developer obtains approvals for the previously mentioned plans or that the plans for Penny's include the necessary modifications for the Sibley's site plan. 2. The fire hydrants have been moved 200 and 270 feet from the previously specified 500 foot spacing. The spacing is to be 500' maximum. Revise as necessary. 3 Storm Sewer--Corrugated metal or concrete pipe is to be used in place of the 12" P.V.C. Provide drainage calculations for the site. Stone rip-rap is to be added at the storm outlet into the main ditch. 4. The relocated ring road runs along side the main ditch. This section of road is to have guide rail installed along it. 5. Additional curbed islands are to be installed between the parking area and the building in place of the painted islands. 6. Islands are also required next to the ring road at the south end of the store. 7. Add pre-cast parking bumpers in the employee parking area. 8. The sanitary sewers must be approved by Erie County Dept. of Env. & Planning, Sewage Management prior to approval.

**Planning -** 1. The location of the proposed store should be shown on a kep map of the entire site. 2. The landscaping around the store should be shown. 3. The entrances to the store should be clearly marked.

**Building Inspection--**The building is 196' x 420' deep for a total of 83,160 s.f. Four hundred sixteen parking spaces are required. Seven hundred seventy-three have been provided. Of these, 8 arrequired to be handicap. These must conform to the N.C.A.N.S.I. 117.1 - 1986 standard. Since some of the storm sewer water lines and sanitary sewers will be located in the building and are proposed to be removed, new lines will have to be constructed

**J. C. Penney Store (Continued)**

outside of the building. Since this is in the rock area of the mall site, if any blasting is required to install the utility lines or foundations, especially around the area of catch basin #7, permits are required. The ring road is going to be relocated near the drainage swail, which is around the perimeter of the mall, where the ring road is less than 15 feet from the top of the bank. The guard rail should be placed within 5 feet of the ring road. The landscaping plan should also be considered as part of the site plan review. The plantings should be shown. A 16' size sidewalk on the east and west of the main building is shown. Next to the building, there should be shrubbery. Landscaping should be considered along the south side near the truck dock. In the concrete islands that are proposed, landscaping should be provided of low growing shrubbery.

Chairman Crandall pointed out that the problems from before stemmed from the fact that islands and curbing were to be placed in the parking lot and this was never done. Mr. McKnight is to research the material and get the information to Mr. Vasilko of the problems that still exist with Berger's and Sibley's. Also, the Zamias Corporation will put together a letter stating why they cannot be in compliance.

Revisions and modifications must be completed. Traffic Safety and the Fire Department input is required on the site plan.

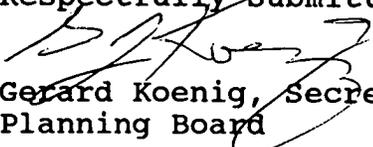
Motion was made by Mr. Strnad, seconded by Mr. Gaughan to **Table until the April 11th meeting.** Carried.

**4 Lots on Versailles**

Mr. McKnight informed the board that an individual is trying to build a home on Versailles Road. This was property that once belonged to Mr. Beckman. The Engineering Dept. cannot issue an address for the structure unless there is a new resubdivision of one parcel. Planning Board noted that the restriction should be waived in order for this person to build. Applicant advised to proceed with permit process and secure address.

Motion to adjourn the meeting was made by Mr. Koenig, seconded by Mr. Phillips. Carried. Meeting adjourned at 11:30 p.m.

Respectfully Submitted,

  
Gerard Koenig, Secretary  
Planning Board

Next Meeting: March 28, 1990 7:30 p.m.

# TOWN OF HAMBURG

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Councilmen  
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PATRICK H. HOAK

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Supt. of Highways  
RICHARD A. SMITH

Receiver of Taxes  
ROBERT A. MARS

## MEMORANDUM

TO: Planning Board

FROM: Traffic Safety Advisory Board *TAE*

RE: varia

DATE: March 20, 1990

With regard to George McKnight's request for a poll of the Traffic Safety Advisory Board's position on Frank's Trailer Court, the position of the TSAB is the same. It is felt that an additional driveway into Amsdell Road would help to reduce existing congestion ( see memo of 2/6/87).

Regarding the proposed expansion at the McKinley Mall, once again, we request that the mall insure some type of delineation between the ring road and parking spaces. We suggest curbing or islands, since painted lines on pavement have not insured proper usage of the ring road concept. Also, the proximity of parking spaces to the relocated ring road (with no apparent delineation) may be hazardous. We also request that signage conform to the New York State Manual of Traffic Control Devices. The proposed use of a P4-3 (no parking) is an incorrect application of this sign, Handicapped signage is provided for in the proposal, and it should be as close to store entrances as possible.

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TO: Town Planning Board  
FROM: Town Engineer Gilbert  
DATE: 12-8-88  
SUBJ: SITE PLAN REVIEW  
SIBLEY'S - MCKINLEY MALL

Our comments are one plans dated 11-14-88.

1. The site plan was already approved by this office and the Town Board on 5-25-88.
2. The site plan presented omitted islands necessary for parking and traffic control. Some of the islands were specifically requested during the review process by this office.
3. Also the need for islands came about in the Public Hearings (and the E.I.S.) to avoid the "Sea of Asphalt" common to strip plazas of the 1950's.
4. It will not be signed unless revisions are presented that meet the criteria as discussed and agreed upon previously.

  
Jack Gilbert

RL/dp

CC: R. Lardo  
J. Lauchert

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May 11, 1988

TO: THE HAMBURG TOWN BOARD

SUBJECT: Recommendation to approve site plan for  
Sibley's Dept. Store - McKinley Mall

Mr. Greg Quatchak appeared before the Planning Board on the site plan for Sibley's Department Store which is to be located in the McKinley Mall.

Motion was made by Mr. Koenig, seconded by Mr. Cary to forward a favorable recommendation for approval by the Town Board on the Sibley's site with implementation of changes as recommended by the Building Inspector, Engineering Dept. Traffic Safety on proper signage in accordance with New York State V&T regulations, and the donation of excess topsoil to the Town of Hamburg. Carried.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

*Richard Crandall*  
Richard Crandall, Chairman

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November 29, 1988

TO: Planning Board

RE: Sibley's site plan & Berger's site plan

Enclosed please find four (4) sets of drawings for Sibley's and Berger's at the McKinley Mall. Plan number P1-1, and P1-2 revised 11/11/88. The site plan will reflect the development in the parking lot layout for Sibley's and Berger's at the McKinley Mall. It is still under construction and it this is not completed. Tim Ellis, Hamburg Traffic Safety Board, and I have been in contact with Hamburg Associates concerning this. This has been revised at the request of Berger's and Sibley's to meet their needs for better operation in the parking lot.

As you are aware Berger's is already open, Sibley's plans on opening in 1989. The base will be in and temporary striping will be installed on the parking lot. The curbs and stop signs will be erected.

I would appreciate if you would review and approve the attached site plans. Hope to hear a favorable response from you.

Sincerely,

John J. Lauchert, C.P.C.A.  
Building, Zoning & Plumber Inspector  
Code Enforcement Officer  
Town of Hamburg

JJL/cac

All curbs should be poured in place, rounded or straight. The painted island should be shown on the plan. The signage of the mall should be approved by Tim Ellis of the Traffic Safety Board.

The storm sewer exits under the Ring Road, riprap should be placed in the drainage swail. All proposed new utility lines should be install under the Ring Road, especially to the east, before pavement is installed. If construction plans are available, I would like to review.

On the pavement, it is surprising to see that they are not using soil cement for the new proposed parking lot. I hope that they will eliminate the bird baths as they are existing on the site and fill in holes along the existing Ring Road.

A detail of the mall lighting should be shown on the plan. When more plans are available, I will review.

Sincerely,



John J. Lauchert, C.P.C.A.  
Building, Zoning & Plumbing Inspector  
Code Enforcement Officer  
Town of Hamburg

JJL/lb

# TOWN OF HAMBURG

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



Supervisor  
JACK QUINN, JR.

Councilmen  
D. MARK CAVALCOLI  
JAMES F. CONNOLLY  
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PATRICK H. HOAK

Town Attorney  
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Town Clerk  
GEORGE DANYLUK  
Supt of Highways  
RICHARD A. SMITH  
Receiver of Taxes  
ROBERT A. MARS

May 11, 1988

TO: THE PLANNING BOARD

FROM: Town Engineer Jack Gilbert *JG*

SUBJECT: Site Plan Review - Sibley's at McKinley Mall

Following are our comments on the subject plans received on May 6, 1988.

- Our comments are concerned with islands versus striping and can better be understood by looking at the plan. We want to see a situation where parkers will not infringe on the space needed for trucks using the L. L. Berger dock.

If the marked up plans are not returned to us with the amended plan, we will not continue the review.

CC: J. Lauchert  
R. Lardo

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TO: Planning Board

FROM: Town Engineer Gilbert

DATE: 3-14-90

SUBJ: PRELIMINARY PLOT REVIEW  
RESUBDIVISION OF MAP COVER 1477 - HEWSON ROAD

The following are review comments on a plan dated 2-26-90 and received on 3-5-90:

1. The site is in the Wanakah Water District.
2. The site is in the Erie County Sewer District #2.
3. The site is not in a wetland or flood plain.
4. State permission is required to connect into Rt. 5.
5. All lot lines are to be radial or 90 degree to the street. Label them on the plan as such and revise as necessary.
6. The curve data is to be shown on the plot.
7. There are four (4) stub streets shown on the original map cover. The developer must PROVE that he owns these streets.
8. Access is to be provided to the adjoining parcel. The block length is 2500 feet, the code length is 1500 feet.
9. Two (2) walkways to the school property were provided for on the previous map cover. At least one (1) walkway to the school property should be provided.
10. The name of the owner or his agent is to be shown.
11. The zoning requirements are to be shown. Do all lots meet the code?
12. The names of all adjacent owners are to be shown.
13. Are any deed restrictions proposed?
14. A topographic map is required.
15. Dimension the proposed set back line.

Our review plan is not being returned with these comments. All comments are to be addressed for approval.

  
Jack Gilbert

RJL/dhp

To: The Planning Board  
From: Sheryl Bower, Assistant Planner  
Re: Plan Approval Process

3/6/90

The present system of plan approval has allowed for some plans to be approved before review comments has been received from all of the necessary agencies. This lack of comment has been caused by; 1. The Planning Department not having any "rules" on when it will accept plans before a scheduled appearance before the Planning Board, and 2. The agencies involved have varying rates of return on their comments.

To alleviate this problem we recommend that final action shall not be taken on plans at the first meetings review in order to allow receipt of comments from all referral agencies and to allow all members to make follow up visits to sites in order to evaluate any concerns raised. It is also recommended that at least 32 days should pass after the Planning Dept. has received the original plan and the Environmental Assessment Form before plan approval is given. This waiting period should allow all participating agencies ample time to return their comments. The 32 days is based on the longest allowed time of response, ie. from the Erie County Dept of Environment and Planning, which in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in thirty (30) days after receipt of full information, the municipal agency may take final action without considering such reply.

It is also recommended that plans and EAF's must be delivered to the Planning Dept. no later than noon of the Monday a week prior to the meeting to be on the agenda. At present I spend a considerable amount of time running back and forth to the Town Hall to distribute and mail plans. If this distribution could be handled in one trip, it may free up enough time to allow the planning department to actually get around to doing some planning.

There will be circumstances where it may be impossible for a developer to adhere to these proposed time constraints. When this situation arises it may be necessary for the Planning Dept. to expedite the return of responses from any missing agency.

#### RECOMMENDATIONS

1. A SITE PLAN OR SUBDIVISION PLAN SHOULD NOT BE GIVEN APPROVAL AT IT'S FIRST APPEARANCE IN FRONT OF THE PLANNING BOARD.
2. TO INSURE THAT ALL AGENCIES HAVE HAD AN OPPORTUNITY TO RESPOND A WAITING PERIOD OF 32 DAYS IS NECESSARY.
3. FOR A PROPOSED DEVELOPMENT TO BE ON THE AGENDA ALL NECESSARY INFORMATION MUST BE RECEIVED BY THE PLANNING DEPARTMENT NO LATER THAN NOON ON THE MONDAY ONE WEEK PRIOR TO THE MEETING.

Sheryl L. Bower

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March 16, 1990

Mr. Roger Duffett  
Legion Drive  
Hamburg, New York 14075

Subject: Rezoning Petition on Old Lakeview Road

The rezoning petition which has been filed by you has been forwarded to the Planning Board.

On March 14, 1990 an unfavorable recommendation was submitted by the Planning Board to the Town Board. Do you wish to proceed to Public Hearing or do you prefer to withdraw your petition.

Please call George McKnight at 649-2023 if you have any further questions.

Sincerely,

Town of Hamburg Planning Dept.

George McKnight, Director

GM:tad