

TOWN OF HAMBURG

PLANNING BOARD MINUTES

4-26-89

The Town of Hamburg Planning Board met in regular session on Wednesday, April 26th, 1989 at 7:30 p.m. in Hamburg Town Hall. Members attending included: Chairman Richard Crandall, Vice-Chairman Elgin Cary, Secretary Gerard Koenig, Steve Strnad, Sandy Carnevale, and Dennis Gaughan. Others attending included George McKnight, Terry Dubey, Stenographer and Attorney Dan Gorman.

EXCUSED: David Phillips

Minutes of the meeting of April 12 were approved on motion by Mr. Gaughan, seconded by Mr. Carnevale. Carried.

REZONING PETITION OF PAUL SZALAY PROPERTY ON SOUTHWESTERN BLVD. FROM C-3 TO C-2

Ms. Deborah Kaczka, agent, for Paul Szalay, appeared before the Planning Board with D. Klein and J. Reed for a proposed used car lot to be located on Southwestern Blvd. At the present time, the Szalay property is zoned C-3, office district, and is an abandoned linoleum store on Southwestern Blvd. They would like the zoning changed to a C-2, General Commercial. A site plan was presented showing the proposed improvements. They would keep the existing building and add a display area to it. Board members explained that the intent of zoning on Southwestern Blvd. is to discourage C-2 as this is near the college. By rezoning, this would set a precedent as zoning one parcel is considered spot zoning. Ms. Kaczka noted that at the present time, the property is in disarray, and the proposal would enhance the area. Question was raised as to availability of sewer and water. Ms. Kaczka was advised to check into this matter before a decision is rendered.

Motion was made by Mr. Strnad, seconded by Mr. Carnevale to TABLE any action on this rezoning petition until the utility issues have been resolved. Carried.

REZONING PETITION OF JAY POHLMAN SAPIO PROPERTY FROM (REAR PORTION) R-1 TO R-3

Mr. Jay Pohlman appeared before the Planning Board on a rezoning petition of the Sapio property on South Park Avenue in the King Arthur Court area for additional apartments. One portion of the property is situated in the R-1 zone and R-3 is required for apartments. The R-3 zoning is appropriate to square off the parcel. This is a logical extension and reasonable use of the land.

Motion was made by Mr. Cary, seconded by Mr. Koenig to forward a favorable recommendation on the rezoning from R-1 to R-3 on the back portion and have it all one zone. Carried. Findings are:

1. This is a logical extension for the proposed use as apartments.
2. Most of the land is already in the R-3 zone.
3. The proposal is compatible with other land in the area and with the Master Plan.

4-26-89

PUBLIC HEARING - DREAMS DAY CARE CENTER TO BE LOCATED IN THE FORMER WOODLAWN SCHOOL - ROYAL ACADEMY THEATRE - 3218 LAKE SHORE RD.

Secretary Koenig read the following Legal Notice:

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD**

Pursuant to Section 29-196.2 of the Zoning Ordinance, notice is hereby given that the Planning Board will hold a Public Hearing on April 26th, 1989 at 8:00 p.m. to consider the following:

Janet Brown and Sandy Yocum to establish "Dreams" Day Care Center in the Royal Academy Theatre building located at 3218 Lake Shore Road, Part of Lot 11, T-9, R-8. Hearing will be held in the Planning Board room, S-6100 South Park Avenue, Hamburg, New York.

DATED: APRIL 12, 1989
TOWN OF HAMBURG PLANNING BOARD
RICHARD CRANDALL,
CHAIRMAN

4-20

Chairman Crandall declared the Public Hearing open. Janet Brown and Sandy Yochum appeared on behalf of their proposed day care center to be located in the school. They noted that they would like to get their approval by 90 days so that they could be operating by September. At the present time, the zoning is N-C and a zoning amendment change is being proposed to include day care center in former schools.

It was agreed that the school is an appropriate use for the day care center. There is ample parking and an adequate play area.

Chairman Crandall asked 3 times if anyone wished to be heard in favor or in opposition to the proposal. Hearing no further evidence, the matter was closed.

Motion was made by Mr. Strnad, seconded by Mr. Gaughan to approve Dreams as a day care center in the Woodlawn School located at 3218 Lake Shore Rd.

PUBLIC HEARING FOR SATELLITE DISH ANTENNA TO BE LOCATED AT THE RED ROOF INN

Secretary Koenig read the following Legal Notice:

4-26-89

PUBLIC HEARING SATELLITE DISH (CONTINUED)

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD**

Pursuant to Section 29-196.3 of the Zoning Ordinance, notice is hereby given that the Planning Board will hold a Public Hearing on April 26th at 8:15 p.m. to consider the following:

Red Roof Inn for Satellite Dish Antenna on Part of Lot 12, T-9, R-8 located at 5370 Camp Road.

Public Hearing will be held in the Planning Board room in Hamburg Town Hall, S-6100 South Park Avenue.

Dated: April 18, 1989

TOWN OF HAMBURG
PLANNING BOARD
RICHARD CRANDALL,
CHAIRMAN
GERARD KOENIG,
SECRETARY

4-20

Chairman Crandall declared the hearing open:

Mr. Peter Hickey, representing Red Roof, appeared before the Planning Board on the proposed satellite dish antenna which is to be located at the Red Roof Inn on 5370 Camp Road. He explained that the dish is designed to improve the communication system with other Red Roofs nationwide. This is a 1.8 meter, 6 ft. oblong dish similar to the one that is located at the Holiday Inn. They will be using this for video conferences, etc.

Chairman Crandall asked 3 times if anyone wished to be heard for or against the dish antenna. No one spoke in opposition to the application.

Motion was made by Mr. Gaughan, seconded by Mr. Koenig to grant permission for the satellite dish antenna. Carried.

BILL HUBERT - THIRD OFFICE BUILDING - SOUTH PARK AVENUE

Mr. Bill Hubert appeared before the Planning Board for a third office building which is to be located on South Park Avenue. The facility will be used for a Family Counseling service. At the present time, a chiropractor occupies one building as well as an insurance office and a doctor for ocular restoration. Twenty-four parking spaces are required and they have 30 in place.

The following memo was sent by the Building Inspector:

We need a detail of the paving and bumper blocks should be designated. Elevations should be shown to assure that the water run off will be directed to the swale which runs to the west. Handicapped parking spaces must be indicated and the building must be handicapped accessible.

4-26-89

BILL HUBERT OFFICE BUILDING - SOUTH PARK AVENUE (CONTINUED)

by Mr. Cary, seconded by Mr. Koenig

Motion was made to approve the site plan contingent upon Engineering Dept. review and approval, as well as Building Inspection approval. Carried.

VICTOR LIBERATORE - PROPOSED CAR DEALERSHIP - CAMP RD.

Mr. Victor Liberatore appeared before the Planning Board on a site plan proposal for a Pontiac Dealership which is to be located near Mancuso's on Camp Road. The following memo was received from the Building Dept.:

There is no area map on this plan. If this is the property on the west side of Camp Rd. between Mancuso's and Leisureland, this is a court case and an illegally constructed parking lot. When the case is settled, I will proceed with development as the property is in receivership.

Mr. Liberatore explained that the property was leased to Stephen Case who was to appear before the Planning Board. He then went bankrupt. Mr. Liberatore would also like to park cars within the 35' setback.

Motion was made by Mr. Strnad seconded by Mr. Carnevale to reject the site plan & refer the matter to the Zoning Board of Appeals. Carried.

BRUSHCREEK SUBDIVISION - MC KINLEY PARKWAY

Mr. Dick Brox appeared before the Planning Board with a preliminary sketch of a proposed subdivision which is to be located off McKinley Parkway. This is an 43 acre parcel with woods in the southeast corner of the subdivision, and zoned R-1. Comments were received as follows:

PLANNING - This is a sketch plan layout. If the concept is acceptable, the applicant can go to a preliminary subdivision layout. The lots appear to be all 80 feet wide and between 125 and 150 deep. There is no lot line division between 96 and 97.

ENGINEERING -

1. All centerline pavement radius are to be a minimum of 150'.
2. The lots with McKinley & Fairgrounds frontages are to be without access to those roads and a berm is to be installed for a buffer.
3. All lot lines on a curve are to be radial.
4. We are aware of the selling points for cul-de-sac's but it appears to us and the Highway Supt. that there is an excessive number. The layout is not acceptable.
5. Adjacent property owners are to be shown.
6. A water district extension will be required.
7. The sewers will be in the Armor-McKinley extension to Dist. #3
8. Access to McKinley must be approved by the County.
9. Storm detention will be required for the site.

BUILDING INSPECTION

The 111 lot subdivision consists of 43 acres and zoned R-1. As many trees as possible should be retained. Buffers of 25' should be proposed or land berm considered. No green space has been provided for this subdivision.

4-26-89

BRUSHCREEK SUBDIVISION (CONTINUED)

Input should be sought from the Recreation Director, Dick Tripp as to what type of recreation should be selected for that area. ENG. Frontage should be piped.

Motion was made by Mr. Koenig, seconded by Mr. Strnad to TABLE this subdivision for input. Carried.

RICHARD REYNOLDS - GEORGE PACIFICO - LAKEVIEW WOODLANDS SUBDIVISION

Messrs. Reynolds and G. Pacifico appeared before the Planning Board on a subdivision sketch of Lakeview Woodlands Subdivision which is located off the Old Lake Shore Road. This involves 15 sublots with R-1 zoning. Applicant was advised that a SEQR is required. A question was also raised as to whether a topo is required to start the drainage review with the Eng. Dept.

Motion was made by Mr. Gaughan, seconded by Mr. Carnevale to approve the sketch plat and proceed to Public Hearing for May 10th. Applicant is to bring in the legal description, a \$75 filing fee and the SEQR. Carried.

MISSION HILL - PROPOSED MOBILE HOME PARK - CAMP ROAD

Messrs. Paul O'Neill, Nelson Keem, and Attorney Sullivan appeared before the Planning Board on a proposed mobile home park, known as Mission Hill. Mr. Crandall informed the applicants that there are still many unanswered questions relative to the project and would still like the matter tabled. Applicants asked for a copy of the unanswered questions which will be available to them.

Motion was made by Mr. Gaughan, seconded by Mr. Koenig:

RESOLVED, that because of unresolved questions that various Departments within the Town of Hamburg have raised, that a full determination of environmental significance of the proposed Mission Hill Mobile Home park be tabled for a minimum of two weeks. Carried.

ZONING AMENDMENT CHANGES

Members were sent a copy of the proposed zoning amendment changes which will be set up for Public Hearing at the Town Board level. Some changes will be required immediately.

On 29-19E Farm Buildings - no limit except that they shall be no closer to a lot line than their height, motion was made by Mr. Gaughan, seconded by Mr. Strnad to recommend approval of this change. Carried.

On 29-32A(1) Ten thousand, eight hundred square feet where the lot is served by a public sanitary sewer be changed to 90 x 125 or 11,250 s.f. Motion was made by Mr. Koenig, seconded by Mr. Carnevale to accept this change. Carried.

VOTE: Dennis Gaughan, Steve Strnad - Naye - They would like to see larger lot sizes. (100') 29-32B(i) (90 feet where a lot is served by a sewer.)

4-26-89

DAY CARE CENTER AMENDMENT CHANGE

Memo from George McKnight on Day Care Centers. Schools can be found in all zoning districts and are an ideal use for day care centers. Day care centers, however, are not allowed in all Zoning Districts. I would like to amend the zoning ordinance to allow day care centers in school buildings in any zoning district subject to the existing standards that are currently in force.

Motion was made by Mr. Carnevale, seconded by Mr. Strnad to amend the ordinance to allow day care centers in ^{former} schools, public or parochial. Carried.
in any district.

SITE PLAN FOR RADIO TOWER AT E.C.C. SOUTH - SOUTHWESTERN BLVD.

A site plan was submitted by the Erie County Dept. of Public Works on constructing a 180' free standing telecommunications tower to be located south of the facility (Building 7) at Erie Community South. The tower is to be jointly used by the County and Buffalo Telephone Co. and the County will own it. We are asking for permission from the local governing body to construct this tower.

Motion was made by Mr. Koenig, seconded by Mr. Carnevale to grant permission for the tower. Carried. Steve Strnad - Abstained.

MEMO ON SIDEWALKS

The Engineering Dept. is unhappy with our changing of the sidewalk requirement in Deerfield Subdivision, for 2 reasons:

1. Could we legally waive the sidewalk requirement retroactively?
The construction plans with sidewalks had been approved.

2. There is no control over grades on the property without sidewalks. This creates problems with driveways as well as adjacent properties where there is not the common benchmark of the sidewalk.

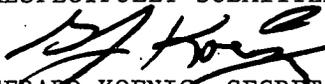
Additionally, at least two builders have told the Engineering Dept. they would like sidewalks.

MEMO ON BING PUTNAM'S PROPERTY

Unit built without Building Permit. Matter is to be referred to the Town Attorney's office.

Motion to adjourn was made by Mr. Carnevale, seconded by Mr. Koenig. Meeting adjourned at 11:15 p.m.

RESPECTFULLY SUBMITTED,


GERARD KOENIG, SECRETARY
PLANNING BOARD

NEXT MEETING DATE:

MAY 10, 1989
7:30 P.M.

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
DANIEL J. HENRY
PATRICK H. HOAK



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

April 18, 1989

George McKnight,
Hamburg Town Planner
S-6100 South Park Avenue
Hamburg, New York 14075

RE: HAROLD MONCKTON PROPERTY
LAKE VIEW ROAD

Dear George:

My research of Chapters 29 and 30 of the Zoning Code indicate that extensions or enlargements of a non-conforming use in an R District are not permitted under any circumstances.

Since Mr. Monckton's premises are in an R-A District, no expansion or extension of his non-conforming use can be permitted. If his property was in a C, M or mixed use district, an expansion of up to 25 percent of the gross floor area of the buildings would be permitted.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

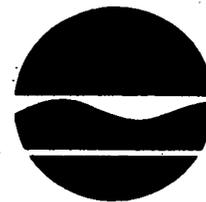

DANIEL J. GORMAN
Planning Board Attorney

DJG:sr

c: Vincent Sorrentino
Town Board members
Richard Crandall

New York State Department of Environmental Conservation

600 Delaware Avenue, Buffalo, New York 14202-1073 - 716/847-4550



Robert F. Flacke
Commissioner

September 29, 1982

Mr. Bill Hubert
7135 Taylor Road
Hamburg, New York 14075

Dear Mr. Hubert:

This letter is being written in regard to our field inspection of a parcel of land at 5897 South Park Avenue, Town of Hamburg, Erie County. At the time of our inspection, you were interested in buying the parcel and constructing a small insurance office and parking lot on the east end of the property. Please note the following in regard to that proposal:

1. It would not appear that there would be any objection by the D.E.C. to your proposal to use approximately 300 feet of property on the east end of your parcel for development. At the present time there is less than 50 feet of marginal wooded wetland that would be affected by the proposal to level off the eastern portion of the existing parcel for a parking area.
2. I have enclosed an application form for the freshwater wetlands permit that would be required for the proposed work. The instructions and address for returning the application are found on the back of the form.
3. The application fee for the proposed work will be twenty-five dollars (\$25.00) (see enclosed information sheet).

If you have any further questions regarding this application, please feel free to contact me. You can reach me by phone at 847-4550.

Sincerely,

James R. Snider
Sr. Wildlife Biologist

JRS:mkb
Enclosure

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April 26, 1989

MEMO TO: Planning Board
FROM: Planning Dept.
SUBJECT: Liberatore Auto Dealership

This project must be rejected because the off-street parking is not 35 feet back from the edge of the right-of-way. The applicant may wish to apply to the Zoning Board of Appeals for a lesser setback.

How is the drainage to be handled on the property line with Mancuso?

This building was originally proposed for a Pontiac dealership but I have received notification from the Village of Hamburg that the dealership will be located within the Village limits. Is this project still viable?

If there is to be a free-standing sign, it should be located on the site plan.

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April 24, 1989

SITE PLAN REVIEW

Re: 5829 Camp Rd. Anthony Alemdia's property

At the present time this is in Hamburg Town Court. I will not issue and building permits till I have the site plan signed and approved by the Town of Hamburg Planning Board. I was hoping that Mr. Almedia would be required to appear at your meeting so that you could inform him that he must put his railroad ties curbs where they are proposed on the plan as submitted.

The area between railroad ties curb and the front property line should be left for grass only. There should be no vehicle parking in this area or storage of wood or other materials. At the present time he has installed a wooden six foot stockade fence between his property line and the property abutting Staley Dr.

He has installed a small portion of a fence adjacent to his two car frame car garage. Site plan also requires him to put planters in. I would appreciate if you would tell me what the planners look like so that possibly he could dress up the entire property. I am withholding any building permits until I receive your approval. I request at your meeting in writing so it can be part of the permanent record for this situation as it exists.

Looking forward to a favorable response.

Sincerely,

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

JJL/cac



County of Erie

DENNIS T. GORSKI
COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JOHN C. LOFFREDO, P.E.
COMMISSIONER

April 25, 1989

846-8300 Area Code 716

Planning Department
Hamburg Town Hall
6100 South Park Avenue
Hamburg, NY 14075

Attn: George McKnight
Director of Planning

Re: Erie Community College/South Campus
Proposed Telecommunications Tower

Gentlemen:

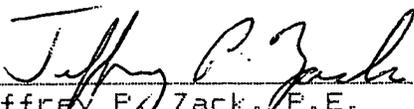
The County of Erie is planning on constructing a 180' free standing Telecommunications Tower to be located just south of the Facilities Building (No. 7) at Erie Community College/South Campus. The attached sketches show the approximate location. The Tower is to be jointly used by the County and Buffalo Telephone Co. The County will own said tower.

The Town of Hamburg zoning ordinances do not permit construction of towers of this height. It is the County's request that we be granted permission to construct the 180' tower on county property.

We thank you for your consideration in this matter and await your favorable response. If you have any questions, or require further information, you may contact me at 846-8824.

Very truly yours,

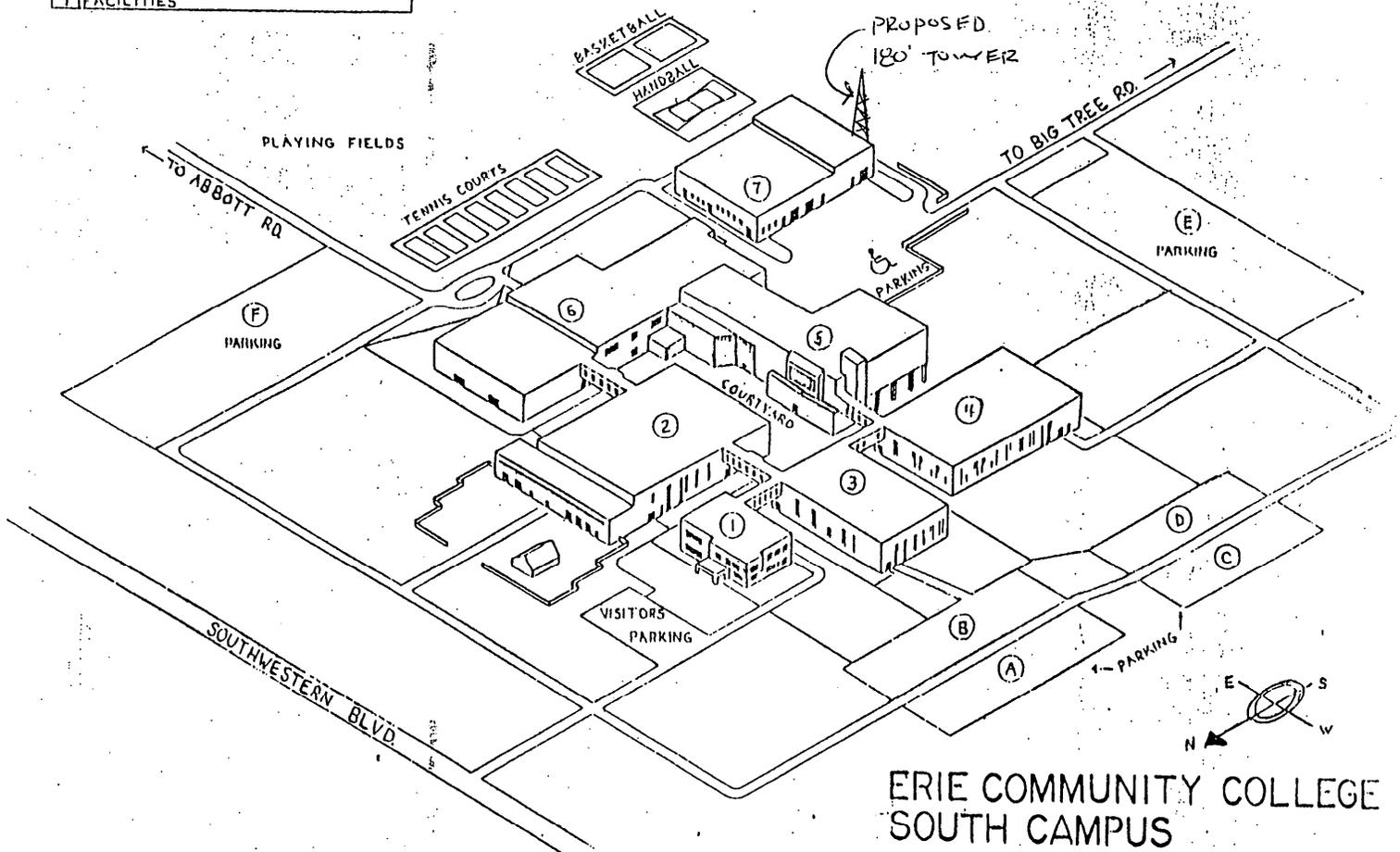
JOHN C. LOFFREDO, P.E.
COMMISSIONER OF PUBLIC WORKS


Jeffrey P. Zack, P.E.
Construction Project Mgr., Bldgs.

JPZ/mjm
Attachment

cc: J.C. Loffredo, P.E.
R.T. Crandall, A.I.A.
Curtiss Spangler
File [JPZHTH]

KEY	
1	SHENTON ADMINISTRATION
2	VOCATIONAL/TECHNICAL EDUCATION
3	MATHEMATICS/PHYSICAL SCIENCE
4	BUSINESS/HUMANITIES/SOC. SCIENCE
5	STUDENT CENTER
6	PHYSICAL EDUCATION
7	FACILITIES



ERIE COMMUNITY COLLEGE
SOUTH CAMPUS

TOWN OF HAMBURG

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ROBERT A. MARS

April 28, 1989

TO: WHOM IT MAY CONCERN

SUBJECT: Day Care Center in Royale Dance Theater
Woodlawn School - Lake Shore Road

Please be advised that Janet Brown and Sandy Yochum appeared before the Planning Board on April 26th for a Special Use Permit to have a day care center in the Woodlawn School (Royale Dance Theater) on the Lake Shore Road in Woodlawn.

Motion was made by Mr. Strnad, seconded by Mr. Gaughan to approve "Dreams Day Care Center" in the Woodlawn School, Royale Dance Theater" on the Lake Shore Road. Carried.

Very truly yours,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

RC:tad

TOWN OF HAMBURG

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ROBERT A. MARS

TO: PLANNING BOARD
FROM: ENGINEERING
DATE: 4-26-89
SUBJ: PACIFICO-REYNOLDS SUBDIVISION REVIEW

The following are review comments on plans dated 4-1-89 and received on 4-21-89:

1. The site is in the Wanakah Water District.
2. The site is in the Erie County Sewer District #2.
3. The entire frontage of the site is to be piped for storm drainage.
4. Lakeview is a County road and all plans must be reviewed by the County Highway Department.

Our review plan is not attached.

JJG BY RJL

John J. Gilbert Jr.
Town Engineer

RJL/me

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April 24, 1989

SITE PLAN REVIEW

Re: 5829 Camp Rd. Anthony Alemdia's property

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The area between railroad ties curb and the front property line should be left for grass only. There should be no vehicle parking in this area or storage of wood or other materials. At the present time he has installed a wooden six foot stockade fence between his property line and the property abutting Staley Dr.

He has installed a small portion of a fence adjacent to his two car frame car garage. Site plan also requires him to put planters in. I would appreciate if you would tell me what the planners look like so that possibly he could dress up the entire property. I am withholding any building permits until I receive your approval. I request at your meeting in writing so it can be part of the permanent record for this situation as it exists.

Looking forward to a favorable response.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Insp.
Code Enforcement Officer
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April 24, 1989

To: Planning Board

Re: Brushcreek Park - subdivision, Preliminary review

This proposed 111 lot subdivision between the west side of the McKinley Parkway and the east side of the Fairgrounds Road by the railroad track. This is approximately 43 acres and zoned R-1, lots eighty (80) feet wide, 10,000 square feet served by a sanitary public sewer which this will be.

This proposed sub-division is in a heavily wooded area although, some tree farming has been done on this site recently. As many as possible of the existing trees on the site should remain. Twenty-five (25) foot buffers should be proposed on the west side of McKinley Parkway which backs up to sub-lot 1, 103-111. This twenty-five (25) foot buffer would assure that the land would either stay in its natural state or a land berm could be considered. The same is true along the right-of-way at the north westerly corner which covers sub-lot 33-41. Buffer should also be along Fairgrounds Rd. adjacent to sub-lot 42, 43, 44 with the same conditions.

No green space has been provided in this sub-division. If the Planning Board feels this is necessary. I recommend that if it is to be three (3) phased that one phase off the highway and the second phase weither it be McKinley or Fairgrounds and the other phase off the other highway. The third phase should be the center portion. But, consideration should be strongly recommended that a loop water line system be connected between McKinley Parkway and Fairgrounds Rd. This should be done in the first phase.

It may be difficult to build a house with proper set backs on sub-lot 19. Depending on the size of the house and location of the lot. All the other lots would with careful planning should fit on the lot, depending on the size of the house. If the houses that are built on this site are built to conform to the present contour of the land and as many trees are left as possible. You will have a large amount of different design homes. This sub-division could be a real asset to our town.

When more information is available, I will review.

Sincerely,



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

JJL/cac

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April 24, 1989

SITE PLAN REVIEW

Re: Wood frame and concrete block building for a restaurant,
corner of Rogers and Southwestern Blvd.

This proposed new restaurant is located on the lot that has a change in elevations. The building is not only wood frame but, also concrete block. The proposed 5 foot 6 high privacy fence will separate the two properties from the existing Copper Penny Restaurant.

On the fence it appears on the site plan, which should be stamped by a license architect or engineer that one post sticks out into the driveway. This has to be moved out of the driveway. All curbs should be poured in place, especially the rounded ones. A detail of this should be shown on the plan. I would like to see the copy of the proposed plans for the screen which surrounds the dumpster. Twenty-four parking spaces are required of which one is required, for handicapped but three are shown on the plans, this is more than adequate. Location of the closest fire hydrant should be shown on the plan. A detail of the proposed landscaping should also be shown. Existing and proposed elevations should also be shown.

When I have time, I will review the plans and be in contact with the owner.

Sincerely,

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

JJL/cac

TOWN OF HAMBURG

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

Town Clerk
GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

April 24, 1989

SITE PLAN REVIEW

Re: Lakeview Woodlans Preliminary Plate, lot 48T9R8, north side of Lakeview Rd., east of Old Lakeshore Rd.

This proposed sub-division appears to be in three phases. It would be proper if the Planning Board requested a copy of all three phases. This will show what is proposed in phase I will not be a hindrance in phase II, & III. I would like to see a copy of the entire proposed sub-division.

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April 24, 1989

SITE PLAN REVIEW

Re: New Office building, 5899 South Park Ave.

Need a detail of the proposed new plan paving and show bumper blocks so the cars do not leave the parking area. Elevations should be shown on the plans to assure the water runs off the site either North or South to a new proposed swail which will run to the west. More elevations on the plan.

There appears to be enough parking with the two additional handicapped parking spaces. On the existing parking, the handicapped spaces should be shown. The new proposed building has to be accessible for the handicapped, therefore it must be barrier free.

I hope this information is helpful to you.

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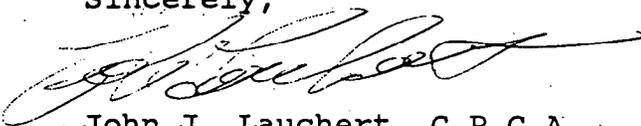
April 25, 1989

SITE PLAN REVIEW

Re: Proposed new one store masonry building for Victor Liberatore Sr., located on Camp Road.

There is no area map on this plan. If this is the property on the west side of Camp Rd. between Maculsco and Leisure Land, part of this lot is a court case at the present time in the Hamburg Town Court. If this is the property the case involves a illegally constructed parking lot. When that case is finally settled in court, then I will proceed on with development on this. This has been pending, because part of the property was in receiver ship.

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April 26, 1989

MEMO TO Planning Board

FROM: Planning Dept.

SUBJECT: Lakeview Woodlands Sub.

This is a sketch plan layout if it is acceptable a Preliminary Subdivision can be prepared that will cover the items required in the Town Subdivision Regulations

An Environmental Assessment will also be required.

All lots are in excess of the Zoning Ordinance requirements.

I have no specific comments

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April 26, 1989

MEMO TO: TOWN PLANNING BOARD

SUBJECT: Day Care Center - Woodlawn School

Schools can be found in all zoning districts and are an ideal use for day care centers. Day care centers, however, are not allowed in all Zoning Districts. I would like to amend the zoning ordinance to allow day care centers in school buildings in any zoning district subject to the existing standards that are currently in force.

SUBJECT: Sidewalks

The Engineering Dept. is unhappy with our changing of the sidewalk requirement in Deerfield Subdivision, for 2 reasons:

1. Could we legally waive the sidewalk requirement retroactively? The construction plans with sidewalks had been approved.
2. There is no control over grades on the property without sidewalks. This creates problems with driveways as well as adjacent properties where there is not the common benchmark of the sidewalk.

Additionally, at least two builders have told the Engineering Dept. they would like sidewalks.

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RESOLVED, that because of unresolved questions that various Departments within the Town of Hamburg have raised, that a full determination of environmental significance of the proposed Mission Hill Mobile Home Park be tabled for a minimum of two weeks.

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April 25, 1989

SITE PLAN REVIEW

To: Planning Board

I have always encouraged people who make appearances in front of the Planning Board to follow the development check list. We've had some problems recently with some of the plans which have been stamped or tentatively approved by your board. They must also conform to the New York State Uniform Fire Prevention & Building Code.

The Benderson Plaza off Milestrip Rd., behind the old Howard Johnson's, is a typical example as many of the parking spaces may violate the state building code. All architects or engineers who design buildings here in the Town of Hamburg must conform not only to town regulations but, also to the New York Uniform Fire Prevention & Building Code. They must make sure their buildings conform to both regulations.

We also seem to have problems with the Mausoleum on Camp Rd. As some of the utilities are not shown on the plan. The same is for the "ugly" yellow building on Seven Corners. No review of the site plan either.

We try to help people after their approval of the plans by the Planning Board. Sometimes it becomes very difficult. If we could give you some guidance or advice before your approval it would be helpful not only to the people, but also to the people in this department. Your cooperation is appreciated.

If I can be of any further assistance, feel free to contact me.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Insp.
Code Enforcement Officer
Town of Hamburg
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April 26, 1989

MEMO TO: Planning Board
FROM: Planning Dept.
SUBJECT: Liberatore Auto Dealership

This project must be rejected because the off-street parking is not 35 feet back from the edge of the right-of-way. The applicant may wish to apply to the Zoning Board of Appeals for a lesser setback.

How is the drainage to be handled on the property line with Mancuso?

This building was originally proposed for a Pontiac dealership but I have received notification from the Village of Hamburg that the dealership will be located within the Village limits. Is this project still viable?

If there is to be a free-standing sign, it should be located on the site plan.

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April 18, 1989

George McKnight,
Hamburg Town Planner
S-6100 South Park Avenue
Hamburg, New York 14075

RE: HAROLD MONCKTON PROPERTY
LAKE VIEW ROAD

Dear George:

My research of Chapters 29 and 30 of the Zoning Code indicate that extensions or enlargements of a non-conforming use in an R District are not permitted under any circumstances.

Since Mr. Monckton's premises are in an R-A District, no expansion or extension of his non-conforming use can be permitted. If his property was in a C, M or mixed use district, an expansion of up to 25 percent of the gross floor area of the buildings would be permitted.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

DANIEL J. GORMAN
Planning Board Attorney

DJG:sr

c: Vincent Sorrentino
Town Board members
Richard Crandall

PRE-FILE CAVALCOLI

Resolved, that a Public Hearing be scheduled for 7:15 p.m. on Monday, May 22, 1989 in the Hamburg Town Hall amendments to the text of the Zoning Ordinance of the Town of Hamburg.

Article VIII - R-1 Single Family Residence 29-32 Minimum lot size

A. Lot Area

- (1) Eleven Thousand, two hundred fifty (11,250) square feet where the lot is served by a public sanitary sewer.

B. Lot width at the building line

- (1) Ninety (90) feet where a lot is served by a public sanitary sewer.

ARTICLE XXVII - Supplemental Lot Size and Open Space Regulations

29-162 Limitations on obstructions in required open space.

B. In R Districts:

- (4) No detached accessory buildings shall be permitted in required front yards and the size of all accessory buildings on a property shall not exceed fifty (50%) percent of the square footage of the principal building up to a maximum of seven hundred (700) square feet. Farm buildings used for agricultural purposes are exempt from this limitation.

ARTICLE XXXIV - Special Use Permits

29-196.2 Nursery Schools and Day Care Centers.

This may be permitted in the R-A, R-3, R-4, C-1, C-2, C-3, M-1, M-2, M-3 and P.U.D. and in former public or parochial school buildings in all zoning districts provided that

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April 21, 1989

MEMO TO: Planning Board

FROM: Planning Department

SUBJECT: Zoning Ordinance Amendments

Even though we will be looking at a comprehensive review of the zoning ordinance, I feel it would be beneficial to the Town to enact a couple of changes immediately.

29-19E Farm buildings no limit except that they shall be no closer to a lot line than their height.

29-32A(1) Ten thousand, eight hundred (10,800) square where the lot is served by a public sanitary sewer, = 90 x 120 now 80 x 125 or 90 x 130 = 11,700 s.f.

29-32B(1) Ninety (90) feet where a lot is served by a public sanitary sewer

29-162B(4) No detached accessory buildings shall be permitted in required front yards and the size of any accessory building shall not exceed fifty (50) percent of the square footage of the principal building up to a maximum of seven hundred (700) square feet. Farm buildings used for agricultural purposes are exempt from this limitation.

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.. April 20, 1989

Mr. Paul O'Neill
TVG&A
70 Linwood Ave.
P.O. Box 151
Orchard Park, New York 14127

RE: Brierwood Subdivision Pt. I

Dear Mr. O'Neill

The plans for Brierwood Pt. I received in our office on 4-19-89, numbered 1 to 30 and last revised on 4-19-89 have been approved.

This approval is for a duration of one year. If construction has not been completed and accepted within one year the plans will be subject to review and possible revision.

Please submit one copy of the approved plans in reproducible form (mylar reverse print) for our use.

The Map Cover may not be filed until construction is complete or a performance bond is filed with the Town. We require the Map Cover linens be submitted first to this office for review before county approvals. The Town will be last to sign before filing. We require one linen (not signed) for our use and six photo copies of the Map Cover after filing.

Very truly yours,


John J. Gilbert, Jr.
Town Engineer

RJL/cad
CC: Planning w/plans ✓
✓ E. Burke

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LEGAL NOTICE

TOWN OF HAMBURG

PLANNING BOARD

Pursuant to Section 29-196.3 of the Zoning Ordinance, notice is hereby given that the Planning Board will hold a Public Hearing on April 26th at 8:15 p.m. to consider the following:

Red Roof Inn for Satellite Dish Antenna on Part of Lot 12, T-9, R-8 located at 5370 Camp Road.

Public Hearing will be held in the Planning Board room in Hamburg Town Hall, S-6100 South Park Avenue.

Dated: April 18, 1989

TOWN OF HAMBURG PLANNING BOARD

RICHARD CRANDALL, CHAIRMAN
GERARD KOENIG, SECRETARY

DATED: April 18, 1989

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April 24, 1989

SITE PLAN REVIEW

Re: Wood frame and concrete block building for a restaurant,
corner of Rogers and Southwestern Blvd.

This proposed new restaurant is located on the lot that has a change in elevations. The building is not only wood frame but, also concrete block. The proposed 5 foot 6 high privacy fence will separate the two properties from the existing Copper Penny Restaurant.

On the fence it appears on the site plan, which should be stamped by a license architect or engineer that one post sticks out into the driveway. This has to be moved out of the driveway. All curbs should be poured in place, especially the rounded ones. A detail of this should be shown on the plan. I would like to see the copy of the proposed plans for the screen which surrounds the dumpster. Twenty-four parking spaces are required of which one is required, for handicapped but three are shown on the plans, this is more than adequate. Location of the closest fire hydrant should be shown on the plan. A detail of the proposed landscaping should also be shown. Existing and proposed elevations should also be shown.

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April 24, 1989

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of Lakeview Rd., east of Old Lakeshore Rd.

This proposed sub-division appears to be in three phases. It would be proper if the Planning Board requested a copy of all three phases. This will show what is proposed in phase I will not be a hindrance in phase II, & III. I would like to see a copy of the entire proposed sub-division.

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April 24, 1989

To: Planning Board

Re: Brushcreek Park - subdivision, Preliminary review

This proposed 111 lot subdivision between the west side of the McKinley Parkway and the east side of the Fairgrounds Road by the railroad track. This is approximately 43 acres and zoned R-1, lots eighty (80) feet wide, 10,000 square feet served by a sanitary public sewer which this will be.

This proposed sub-division is in a heavily wooded area although, some tree farming has been done on this site recently. As many as possible of the existing trees on the site should remain. Twenty-five (25) foot buffers should be proposed on the west side of McKinley Parkway which backs up to sub-lot 1, 103-111. This twenty-five (25) foot buffer would assure that the land would either stay in its natural state or a land berm could be considered. The same is true along the right-of-way at the north westerly corner which covers sub-lot 33-41. Buffer should also be along Fairgrounds Rd. adjacent to sub-lot 42, 43, 44 with the same conditions.

No green space has been provided in this sub-division. If the Planning Board feels this is necessary. I recommend that if it is to be three (3) phased that one phase off the highway and the second phase weither it be McKinley or Fairgrounds and the other phase off the other highway. The third phase should be the center portion. But, consideration should be strongly recommended that a loop water line system be connected between McKinley Parkway and Fairgrounds Rd. This should be done in the first phase.

It may be difficult to build a house with proper set backs on sub-lot 19. Depending on the size of the house and location of the lot. All the other lots would with careful planning should fit on the lot, depending on the size of the house. If the houses that are built on this site are built to conform to the present contour of the land and as many trees are left as possible. You will have a large amount of different design homes. This sub-division could be a real asset to our town.

When more information is available, I will review.

Sincerely,



John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Insp.
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April 24, 1989

SITE PLAN REVIEW

Re: 5829 Camp Rd. Anthony Alemdia's property

At the present time this is in Hamburg Town Court. I will not issue and building permits till I have the site plan signed and approved by the Town of Hamburg Planning Board. I was hoping that Mr. Almedia would be required to appear at your meeting so that you could inform him that he must put his railroad ties curbs where they are proposed on the plan as submitted.

The area between railroad ties curb and the front property line should be left for grass only. There should be no vehicle parking in this area or storage of wood or other materials. At the present time he has installed a wooden six foot stockade fence between his property line and the property abutting Staley Dr.

He has installed a small portion of a fence adjacent to his two car frame car garage. Site plan also requires him to put planters in. I would appreciate if you would tell me what the planners look like so that possibly he could dress up the entire property. I am withholding any building permits until I receive your approval. I request at your meeting in writing so it can be part of the permanent record for this situation as it exists.

Looking forward to a favorable response.

Sincerely,

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

JJL/cac

TOWN OF HAMBURG

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



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RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

April 25, 1989

SITE PLAN REVIEW

To: Planning Board

I have always encouraged people who make appearances in front of the Planning Board to follow the development check list. We've had some problems recently with some of the plans which have been stamped or tentatively approved by your board. They must also conform to the New York State Uniform Fire Prevention & Building Code.

The Benderson Plaza off Milestrip Rd., behind the old Howard Johnson's, is a typical example as many of the parking spaces may violate the state building code. All architects or engineers who design buildings here in the Town of Hamburg must conform not only to town regulations but, also to the New York Uniform Fire Prevention & Building Code. They must make sure their buildings conform to both regulations.

We also seem to have problems with the Mausoleum on Camp Rd. As some of the utilities are not shown on the plan. The same is for the "ugly" yellow building on Seven Corners. No review of the site plan either.

We try to help people after their approval of the plans by the Planning Board. Sometimes it becomes very difficult. If we could give you some guidance or advice before your approval it would be helpful not only to the people, but also to the people in this department. Your cooperation is appreciated.

If I can be of any further assistance, feel free to contact me.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Insp.
Code Enforcement Officer
Town of Hamburg
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April 26, 1989

MEMO TO: PLANNING BOARD

FROM Planning Dept.

SUBJECT: Bing Putnam Townhouse

One townhouse has been built and is occupied. There is no approved site plan. The Engineering Dept. stated that State law requires filing a map cover.

The Engineering Dept. has not issued a street address

If this is the case, should the problem be referred to the Town Attorney for action.

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April 27, 1989

TO: THE TOWN BOARD

SUBJECT: Rezoning Petition of Sapip property on land east of
South Park from R-1 to R-3 for apartments

At the Planning Board meeting held on April 26th, a favorable recommendation was made for proposed apartments on South Park near Quinby Drive, from R-1 to R-3.

Motion was made by Mr. Cary, seconded by Mr. Koenig to forward a favorable recommendation based on the following findings:

1. This is a logical extension for the proposed use as apartments.
2. Most of the land is already in the R-3 zone.
3. The proposal is compatible with other land in the area and with the Master Plan.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

TOWN OF HAMBURG

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April 26, 1989

MEMO TO: Planning Board

FROM: Planning Dept.

SUBJECT: Buchcreek Park Subdivision

This is a sketch plan layout. If the concept is acceptable, the applicant can go to a Preliminary Subdivision layout. The lots appear to be all 80 feet wide and between 125 and 150 deep.

There is no lot line division between 96 and 97

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TO: Planning Board

FROM: Engineering Dept.

DATE: 4-26-89

SUBJ: SKETCH PLAN REVIEW
BUSHCREEK PARK SUBDIVISION

The following are review comments on plans last revised 4-87-89 and received in our office 4-19-89:

1. All centerline pavement radius are to be a minimum of 150'.
2. The lots with McKinley & Fairgrounds frontages are to be without access to those roads and a berm is to be installed for a buffer.
3. All lot lines on a curve are to be radial.
4. We are aware of the selling points for cul-de-sac's but it appears to us and the Highway Superintendent that there is an excessive number. The layout is not acceptable.
5. Adjacent property owners are to be shown.
6. A water district extension will be required.
7. The sewers will be in the Armor-McKinley extension to District #3.
8. Access to McKinley must be approved by the county.
9. Storm detention will be required for the site.

All comments are to be addressed for approval. The review plan is not being returned.

Very truly yours,

John J. Gilbert, Jr. P.E.
Town Engineer

RJL/dp

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TO : Planning Board
FROM: Engineering Dept.
DATE: 3-22-89
SUBJ: MASONRY BLDG. CAMP RD. FOR VICTOR LIBERATORE

The following comments have not been addressed from our last review:

1. Existing and proposed elevations are to be shown on the plan.
6. A State approval of the drive must be obtained prior to plan approval.
7. A site location plan is to be shown.

We will not review the plan last revised on 4-18-89 and received 4-24-89 until the above comments are addressed.

We must have more time between receiving the plan and the meeting to properly review it.

Our review plan is not attached.


John J. Gilbert, Jr.

RJL:jnl

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April 26, 1989

MEMO TO Planning Board

FROM: Planning Dept.

SUBJECT: Lakeview Woodlands Sub.

This is a sketch plan layout if it is acceptable a Preliminary Subdivision can be prepared that will cover the items required in the Town Subdivision Regulations

An Environmental Assessment will also be required.

All lots are in excess of the Zoning Ordinance requirements.

I have no specific comments

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April 26, 1989

MEMO TO: TOWN PLANNING BOARD

SUBJECT: Day Care Center - Woodlawn School

Schools can be found in all zoning districts and are an ideal use for day care centers. Day care centers, however, are not allowed in all Zoning Districts. I would like to amend the zoning ordinance to allow day care centers in school buildings in any zoning district subject to the existing standards that are currently in force.

SUBJECT: Sidewalks

The Engineering Dept. is unhappy with our changing of the sidewalk requirement in Deerfield Subdivision, for 2 reasons:

1. Could we legally waive the sidewalk requirement retroactively? The construction plans with sidewalks had been approved.
2. There is no control over grades on the property without sidewalks. This creates problems with driveways as well as adjacent properties where there is not the common benchmark of the sidewalk.

Additionally, at least two builders have told the Engineering Dept. they would like sidewalks.

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April 26, 1989

RESOLVED, that because of unresolved questions that various Departments within the Town of Hamburg have raised, that a full determination of environmental significance of the proposed Mission Hill Mobile Home Park be tabled for a minimum of two weeks.

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4-27-89

TO: HAMBURG SUN
FRONT PAGE

TOWN OF HAMBURG

LEGAL NOTICE

LAKEVIEW WOODLANDS SUBDIVISION - PHASE I

Notice is hereby given that the Planning Board will hold a Public Hearing on Wednesday, May 10, 1989 in the Hamburg Town Hall at 8:00 p.m. for the purpose of approving LAKEVIEW WOODLANDS SUBDIVISION:

All that tract or parcel of land situate in the Town of Hamburg, County of Erie, and State of New York, being part of Lot Number Forty-eight (48), Township Nine (9), Range Eight (8) of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the southeasterly line of Lake View Road, three hundred (300 ft.) feet southeast of a stone monument No. 8 placed in the northeasterly corner of Old Lake Shore Road and Lake View Road; running thence southeasterly along the northeasterly line of Lake View Road a distance of two thousand four hundred and fifteen feet (2,415 ft.) to a point; thence easterly a distance of two hundred twenty-five feet (225 ft.) to a point; thence northeasterly along a line parallel with Lake View Road a distance of two thousand four hundred and fifteen feet (2,415 ft.) to a point; thence westerly along a line parallel to Old Lake Shore Road a distance of two hundred twenty-five feet (225 ft.) to the place of beginning; such rectangular plot of land to exclude seven (7) existing parcels.

RICHARD CRANDALL, CHAIRMAN

GERARD KOENIG, SECRETARY

PLANNING BOARD

DATED: April 27-89