

May 2,

TOWN OF HAMBURG PLANNING BOARD AGENDA

DATE: 4-27-88

TIME	NAME	PURPOSE
7:30	EXECUTIVE MEETING	
8:00	Richcrest Subdivision Public Hearing	<i>proceed to prelain.</i>
8:20	Grossman's addition Camp Rd.	<i>approved</i> Increase in addition
8:40	Liberatore Truck World - party tent	<i>no show</i>
9:00	Mr. Delmonte Used car lot	<i>no show</i> Next to Jim's Hot Dog stand
9:20	John & Lynda Sentz Day Care Center - Old Big Tree School	Shaw & Shaw building
9:40	Jay Milligan Crossing a paper street	<i>Work sessions</i>
10:00	Joe Powers, Gene Nanna, L.Nanna Joe Nanna	<i>not</i> Ice Cream Stand & Deli Takeout State Farm Insr. 5555 Camp Rd.
	George Case Used Cars 5559 Camp Road	site plan review

Approval of Minutes

1. Motion to approve Tri-Delta and sign ⁴⁰ mining drawing. *1/0/179*
2. *approved* Motion to approve Paul Riefler's *Don Kozon*
3. *tabled* Colley Pool Driveway *hobby for*
4. motion to approve *sign* takeout *D. Kozon*

TOWN OF HAMBURG

PLANNING BOARD MINUTES

APRIL 27, 1988

The Town of Hamburg Planning Board met in regular session on Wednesday, April 27th, 1988 at 7:30 p.m. in the Planning Board room.

Members attending included: Chairman Richard Crandall, Steve Strnad, Gerard Koenig, Sandy Carnevale, G. Gerald Valgora, Dennis Gaughan. Others attending were: George McKnight, and Terry Dubey, Stenographer. Member Elgin Cary also present.

EXCUSED: Attorney Dan Gorman

Minutes of the meeting of 4-13-88 were approved by Mr. Koenig, seconded by Mr. Gaughan. Carried.

EXECUTIVE SESSION -

1. Tri-Delta Aggregates Mining Site - Ravenwood North. Extra copies of the excavation plan were submitted for signing. Members want to be sure that the egress is to Route 179 for truck traffic, and not on Bayview or Big Tree Road. Applicant to be notified on condition.

Motion was made to approve the site contingent on egress to Rt. 179, by Mr. Gaughan, seconded by Mr. Koenig. Carried.

RICHCREST SUBDIVISION - DUPLEXES - BIG TREE ROAD.

Secretary Elgin Cary read the following Legal Notice on Richcrest Subdivision:

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD**

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Town Hall on April 27th, 1988 at 8:00 p.m. for the purpose of approving a subdivision known as RICHCREST 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 No. 16, Township 9, Range 8 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the northerly bounds of Big Tree Road distant four hundred twenty-four and fifty-two hundredths (424.52) feet westerly as measured along said northerly line of Big Tree Road from its intersection with the westerly line of "Bayview" as shown on a map filed in Erie County Clerk's Office under Cover No. 416; thence northerly at right angles to Big Tree Road a distance of one thousand thirty-two and seventy hundredths (1032.70) feet to the southeasterly bounds of the Penn Central Railroad; thence southwesterly along the southeasterly bounds of the Penn Central Railroad a distance of one thousand five hundred fourteen and ninety hundredths (1514.90) feet to its intersection with the northerly line of Big Tree Road; thence easterly along the northerly line of Big Tree Road a distance of one thousand one hundred fourteen and eighty-five hundredths (1114.85) feet to the point or place of beginning.

Dated: April 4, 1988

**RICHARD CRANDALL, Chairman
Planning Board**

RICHCREST SUBDIVISION (CONTINUED)

Chairman Crandall declared the hearing open. Mr. Zimmer, owner and Developer appeared before the Board with his proposal on approximately 13 acres of land that he would like to develop into duplex units on Big Tree Road. There are approximately 34 sub lots to be developed. Concern was expressed by the Building Inspector, Jack Lauchert, that there are too many drive cuts on Big Tree Road. However, the developer noted that it would be economically unfeasible to develop the property any other way. Also, a notation was made by the Conservation Board that it will be difficult to get FHA mortgages as many of the properties back up to railroad tracks.

Having no further discussion, Chairman Crandall asked 3 times if anyone else wished to be heard for or against the proposal. Hearing no further comments, the hearing was declared closed.

Motion was made by Mr. Gaughan, seconded by Mr. Koenig to approve the preliminary and proceed to final. Carried.

GROSSMANS - MODIFICATION IN SITE PLAN FOR LARGER AREA - CAMP ROAD

Mr. R. Koch, representing Grossmans, appeared before the Planning Board with a modification on the site plan for their facility on Camp Road. The building is to be enlarged by 4,160 s.f. There will be no change in drainage. One drive will be closed off and rerouted to accommodate trucks coming to the receiving area.

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

PROPOSED DAY CARE CENTER - FORMER BIG TREE SCHOOL - SHAW & SHAW LEGAL OFFICES.

John & Lynda Sentz appeared before the Planning Board on a proposed day care facility to be located on the second floor of the Shaw & Shaw Building located on South Park and Big Tree Road. At the present time, there is no child care facility for infants and the proposal calls for care for infants up to 14. Applicant was advised that a Special Use Permit will be required and that there be a sufficient play area to accommodate the use. Mrs. Sentz would like to start with 18 children.

JAY MILLIGAN - CORBO DEALERSHIP - SOUTHWESTERN & SOWLES ROAD.

Applicant appeared before the Planning Board with a request to cross a paper street for a proposed auto dealership that is now located in the former Edwardo's Restaurant on Sowles and Southwestern Blvd. The following matter was researched by George McKnight:

Building Inspector Jack Lauchert asked Mr. Milligan to appear before the Planning Board to receive permission to cross paper street Harvard. He owns the former restaurant on the north side of Harvard and two vacant lots on the south side.

Mr. Milligan wants to construct a (large) building in which to store his vehicles but there is no direct access to a public street which is the basis for the Building Inspector's request.

4-27-88

JAY MILLIGAN (SOWLES & SOUTHWESTERN)

The Town Attorney, Jim Sorrentino said that the Planning Board does not have the legal authority to grant the request. He further stated that if approval to cross the paper street were given, after a period of time Mr. Milligan would acquire ownership of that section of the paper street through adverse possession. The same would happen if the paper street were used as a driveway to Southwestern.

The Town Engineer has recommended against the abandonment of the west end of Harvard because of the large number of privately owned lots that are located on the rest of this paper street. My recommendation is that the Planning Board ask for time at a Town Board work session with Jay Milligan to get a policy direction on development of this area. If Ron Corbo Oldsmobile decides they would like to open a full size dealership at this location, more space and a safer entrance onto Southwestern will be necessary.

Time on the Work Session has been scheduled for May 2, 1988 at 7:00 p.m. Tim Ellis of Traffic Safety, Jack Gilbert, and Jack Lauchert have also been requested to attend as well as Planning Board members.

Also, there is a stipulation on the site plan that if there is any change in the dealership, any change in drive locations, etc. that a full site plan will be required.

Motion was made by Mr. Gaughan, seconded by Mr. Carnevale to approve the survey as presented. Carried.

PROPOSED ICE CREAM STAND - FORMER STATE FARM INSURANCE BLDG. - 5555 CAMP ROAD

Messrs. Joe Powers, L. Nanna, J. Nanna appeared before the Planning Board for a proposed ice cream stand to be located in the former State Farm Insurance Bldg. on Camp Road. There is a proposed seating capacity of 20 seats. Applicants were advised that this is a bad location due to the fact that there is no parking facility to handle the traffic and also, there could be no stacking of cars along Camp Road due to the heavy volume of traffic.

PROPOSED USED CAR LOT GEORGE CASE - 5559 CAMP ROAD

Mr. George Case appeared before the Planning Board on a proposed used car lot which is located next to the Pizza Hut on Camp Road. At the present time, a business known as the Water Wizard is situated there now. There is approximately 130' of frontage on Camp Road with a depth of 139'. Mr. Case would like to park closer than the 35' requirement and will need a variance from the Zoning Board.

Motion was made by Mr. Strnad, seconded by Mr. Gaughan to reject the site plan as presented and forward a favorable recommendation to the Zoning Board for the proposed car lot. Carried.

PAUL RIEFLER - PRE CAST CONCRETE PLANT - CAMP ROAD.

An item was presented to the Planning Board, at the suggestion of Jean Peterson to apply an amendment on the approved site plan for Paul Riefler's pre-cast concrete plant as follows:

WHEREAS, the site plan, dated 1-7-88 and stamped by Cabell Brown, shows that the new building will have a "zero" lot line on the east side thereof, when

PRE-CAST CONCRETE PLANT - CAMP ROAD (CONTINUED)

certain premises are conveyed to the Hamburg Industrial Agency,

BE IT RESOLVED, that the Planning Board acknowledges this zero lot line is acceptable and complies with the law.

After extensive discussion, Board members agreed that a legal opinion from Dan Gorman is required and tabled the matter for two weeks.

REQUEST FOR DRIVEWAY BESIDE NORTH SIDE OF COLLEY'S POOLS FOR TRUCK DELIVERIES

Applicant from Colley's Pools has made a request to have a driveway on the north side of Colley's Pools for truck deliveries. Planning Board members advised that this should be indicated on the site plan and if another drive cut is necessary, application must be made to the State D.O.T. for drive cut.

JOE GIGLIO - PIZZA TAKE OUT AND DELI - WOODLAWN

A survey was presented for Joe Giglio's Pizza take out on the Lakeshore Road in Woodlawn. Applicant was cited by the Building Inspector and a request has been made for a Planning Board appearance. Applicant to be notified of next meeting.

LOCKSLEY PARK TAXPAYERS ASSOC. -REQUEST FOR ZONING CHANGE BACK TO R-1, NOW R-2.

A letter was received from Paul Howe, President of the Locksley Park Taxpayers to have their zoning changed back from R-2 to R-1 along the Lake Shore Road. A response is to be sent to Mr. Howe asking that they appear at the next Planning Board meeting on May 11th.

Motion was made to adjourn the meeting by Mr. Valgora, seconded by Mr. Cary. Carried. Meeting adjourned at 10:45 p.m.

1. Letter from Mary C. Dearing-McLure requesting fencing behind Quality Transp. on 6570 Gowanda State Rd. Chairman to respond by letter. Mr. Carnevale agreed for fence area.

RESPECTFULLY SUBMITTED,

Elgin Cary
ELGIN CARY, SECRETARY
PLANNING BOARD

NEXT MEETING : MAY 11, 1988
7:30 P.M.

Move to approve the site plan for Paul Riefler, Inc.'s proposed pre-cast plant addition abutting its existing plant:

WHEREAS the site plan, dated 1-7-88 and stamped by Cabell Brown, shows that the new building will have a "zero" lot line on the east side thereof, when certain premises are conveyed to the Hamburg Industrial Agency,

BE IT RESOLVED, that the Planning Board acknowledges this zero lot line is acceptable and complies with the law.

talk to Don Borman

(Ask J. Magavern for survey showing premises to be conveyed.)

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 29, 1988

Mr. Paul J. Howe
President
Locksley Park Taxpayers
S-4564 Exeter Terrace
Hamburg, New York 14075

*send to 3214 Overton Rd.
Hamburg N.Y. 14075*

Dear Mr. Howe:

This is to acknowledge receipt of your letter dated April 18th, 1988 regarding a zoning change for Lake Shore Road.

The next meeting of the Planning Board is scheduled for May 11th and time has been allocated for Locksley Park on that evening. If you appear by 8:15 p.m. we will be able to review your request that night.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

RC:tad

LOCKSLEY PARK TAXPAYERS ASSOCIATION
S-4564 Exeter Terrace
Hamburg, New York 14075

April 18, 1988

Mr. Richard Crandall
Chairman, Planning Board
Hamburg Town Hall
6100 South Park Ave.
Hamburg, New York 14075

Dear Mr. Crandall,

The Locksley Park Taxpayers Association is hereby petitioning the Planning Board to rezone the area that includes Locksley Park and Athol Springs up to the boundary of Camp Road back to the original pre-1987 zoning code of R-1.

Thank you for your consideration to this matter.

Sincerely,

Paul J. Howe (SH)

PAUL J. HOWE

President

Locksley Park Taxpayers

PJH:sh

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 22, 1988

MEMO TO: PLANNING BOARD

SUBJECT: Jay Milligan Development

Building Inspector Jack Lauchert asked Mr. Milligan to appear before the Planning Board to receive permission to cross paper street Harvard. He owns the former restaurant on the north side of Harvard and two vacant lots on the south side.

Mr. Milligan wants to construct a (large) building in which to store his vehicles but there is no direct access to a public street which is the basis for the Building Inspector's request. The Town Attorney, Jim Sorrentino said that the Planning Board does not have the legal authority to grant the request. He further stated that if approval to cross the paper street were given, after a period of time Mr. Milligan would acquire ownership of that section of the paper street through adverse possession. The same would happen if the paper street were used as a driveway to Southwestern.

The Town Engineer has recommended against the abandonment of the west end of Harvard because of the large number of privately owned lots that are located on the rest of this paper street.

My recommendation is that the Planning Board ask for time at a Town Board work session with Jay Milligan to get a policy direction on development of this area. If Ron Corbo Oldsmobile decides they would like to open a full size dealership at this location, more space and a safer entrance onto Southwestern will be necessary.

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 28, 1988

MEMO TO: Jack Quinn, Supervisor

FROM: George McKnight

SUBJECT: Family Day Care

At the Town Board work session of October 19, 1987, Carolyn Hoffman and Donna Kranitz appeared before you to explain the State program for Family Day Care Services. Based on the discussion and the strict limitation on the number of children permitted for each provider, the Town Board agreed that this would not fall under our nursery school/day care requirement in the Zoning Ordinance. The first applicant since our meeting is a Mrs. Linda Szuba of 4189 Glenwillow Drive.

Wally Bratek did the necessary fire inspection but on the advice of Jack Lauchert won't put the approval in writing without something in writing from the Supervisor stating the use is acceptable. Please help to expedite this as all other State approvals have been given and Mrs. Szuba is just waiting for the fire inspection o.k. to be able to start her business.

Craig A. McClure
Mary Carol Dearing-McClure
6571 Stevens Road
Hamburg, N.Y. 14075

Mr. Richard Crandall
Hamburg Town Planning Board
S6100 South Park
Hamburg, N.Y. 14075

April 22, 1988

Dear Mr. Crandall,

As the homeowners of 6571 Stevens Road, we are requesting that the town planning board consider the following matter at their next meeting scheduled for April 27. The back portion of our property overlooks a parking lot whose frontage is at 6570 Gowanda State Road, currently occupied by Quality Transportation, Inc. On any given day this parking lot is filled with a minimum of 12 yellow school buses which are clearly visible from our backyard. These buses were not present a year ago when we moved into our home. In addition to the buses, there are approximately 7 junk cars and assorted parts in one portion of the lot. These too are within view and pose a threat to children and animals because of their easy accessibility. Our house is not the only residence effected by this problem. Two other homes and one church also border on this unsightly view.

We have spoken with Donald Torrey, the owner of Quality Transportation, and he is aware of our concerns. We would like the board's help in our efforts to have a fence erected which would hide the view of these vehicles. Whether the owner or renter assume financial responsibility, our primary concern is that the fence be installed as soon as possible. We appreciate your consideration and prompt action in this matter.

Sincerely,

Mary Carol Dearing-McClure
Craig McClure

Mary Carol Dearing
Craig A. McClure

LEGAL NOTICE

TOWN OF HAMBURG

PLANNING BOARD

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Town Hall on _____ for the purpose of approving a Subdivision known as AMSDELL PARK:

All that tract or parcel of land situated in the Town of Hamburg, County of Erie and State of New York, being part of Lot 34, Township 9, Range 8 and being more particularly described as follows;

Beginning at a point along the south line of Lot 34 one thousand one hundred thirty and twenty-five hundredths feet (1130.25') east of the southwest corner of Lot 34; thence north and parallel to the west line of said lot a distance of three thousand ninety-six and four hundredths feet (3096.04') to a point in the centerline of Amsdell Road, being a sixty-six and no hundredths feet (66.00') wide right-of-way; thence easterly along said centerline a distance of two hundred eleven and thirty-three hundredths feet (211.33') to a point; thence southerly on a line parallel to the west line of Lot 34 a distance of three hundred ten and fourteen hundredths feet (310.14') to a point; thence easterly and at right angles a distance of forty-one and eighty-nine hundredths feet (41.89') to a point; thence southerly and parallel to the west line of Lot 34 a distance of fourteen and ninety hundredths feet (14.90') to a point; thence easterly and parallel to the centerline of Amsdell Road a distance of one hundred twenty and fifty-four hundredths feet (120.54') to a point; thence northerly along a line parallel with the west line of Lot 34 a distance of three hundred ten and fourteen hundredths feet (310.14') to a point on the centerline of Amsdell Road; thence easterly along said centerline, at an interior angle of $70^{\circ}25'04''$, a distance of one hundred fifteen and twenty-one

AMSDELL ROAD, AMSDELL PARK (CON'T)

hundredths feet (115.21') to a point; thence southerly and parallel with the west line of Lot 34 a distance of two hundred ninety-one and fifty-seven hundredths feet (291.57') to a point; thence easterly and at right angles a distance of one hundred and no hundredths feet (100.00') to a point; thence northerly and parallel to the west line of Lot 34 a distance of two hundred fifty-six and no hundredths feet (256.00') to a point in the centerline of Amsdell Road; thence easterly along said centerline a distance of six hundred seventeen and thirty-seven hundredths feet (617.37') to a point; thence southerly at an exterior angle of $69^{\circ}50'22''$ a distance of three hundred fifty and no hundredths feet (350.00') to a point; thence easterly and parallel to the centerline of Amsdell Road a distance of one hundred and no hundredths feet (100.00') to a point; thence southerly at an interior angle of $110^{\circ}09'38''$ a distance of three hundred and no hundredths feet (300.00') to a point; thence westerly and at right angles a distance of one hundred and no hundredths feet (100.00') to a point; thence southerly and at right angles a distance of one hundred and no hundredths feet (100.00') to a point; thence easterly and at right angles a distance of one hundred and no hundredths feet (100.00') to a point; thence southerly and at right angles a distance of four hundred sixty-six and eighty hundredths feet (466.80') to a point; thence westerly at an interior angle of $92^{\circ}31'34''$ a distance of two hundred seventy and ninety-five hundredths feet (270.95') to a point; thence southerly at an exterior angle of $91^{\circ}32'06''$ a distance of one thousand three hundred eighty-two and thirty-four hundredths feet (1382.34') to a point on the south line of Lot 34; thence westerly along said south line a distance of nine hundred ninety-five and thirty-three hundredths feet (995.33') to the point or place of beginning. Above described parcel of land said to contain 70.53 acres, more or less.

DATED: _____

RICHARD CRANDALL, CHAIRMAN
PLANNING BOARD

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 29, 1988

TO: THE TOWN BOARD

Attached is an excerpt from the Planning Board minutes of 4-13-88 with respect to a trade off on parkland on Sundance Village.

This is a matter that will have to be discussed at a Town Board work session for the next step.

A tentative work session date is May 16 at 7:00 p.m.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

RC:tad