

SPECIAL BOARD MEETING

MAY 17, 1989

Chairman Crandall opened the meeting on the subject of Bierwood Village Subdivision relative to the Horizons Home show which is scheduled for fall. There are a number of items to be addressed and some misunderstandings clarified. The side yard requirement issue is of paramount importance to the builders of the homes for the show.

Attorney J. Walsh explained to the board the rationale on the construction of homes on various problem lot sizes. Points emphasized were:

- A. Authorize construction of homes having a 40' x 60' "footprint" upon Subdivision lots 3, 5, 9, 15, 17, 23, 28, 30, 33, 34, 52, 79, 81, 91, 95, 100.
- B. Authorize construction of houses having a 40' x 50' "footprint" upon Subdivision lots 7, 26, 44, 98.
- C. Lot 64 - Special Case:

Permit house to face Amsdell Rd. and eliminate 80' of the 30' berm. Will produce more attractive development. Rear lots of 64, 65, 66 can be combined (from architectural sense) to form a park-like area.

- D. Split Lots 76-77-78 into two lots which will have approximately 120 foot frontage each.
- E. Permit the following subdivision lots to have two side yards, each with a minimum width of 10 feet: Subdivision Lots 40, 42, 93.

Chairman Crandall pointed out that he has received many calls on the model home which is located on Amsdell Rd. whereby residents have questioned the setback. It is a very large home set on a small lot. If that is the affect, that the changes will create, it will look crammed in. The elevations on Amsdell have been raised to counteract that look. Mr. Burke noted that they have balanced the land. There are many subdivisions in the Town where the homes are too close together.

Mr. Burke noted that the 14 builders have a certain home that they would like to market as this is one of their best sellers. We are trying to accommodate the builders as this is a good-looking house. We are trying to have them build it so as to avoid crowding. Mr. Strnad noted that a bigger house on a smaller lot does not make sense. If someone is willing to spend more money on a bigger home, I don't agree with it. The price ranges of the home will be from \$150,000 up. The homes will be 20' feet from one's neighbor. There will be an alternate plan on the homes so as not to create the affect of being one on top of another. At the present time the ordinance requires 25' on the side yard. The proposal is for 20'. This is in relation to R-1 zoning. A decision should be made on a planning concept. Whatever is decided at this point, could follow thru on the rest of the development. Mr. Burke noted that it is their intention to have larger lots on the other phases of the development. Mr. Strnad noted that if the developer has more flexibility, there will be no need to go to the Zoning Board of Appeals for a variance. Attorney Walsh responded that there are deed restrictions that must be dealt with to avoid the situation.

5-17-89

There is a commitment on the part of the developer to design future phases with larger lots. We are not sure how the town house development will market. We think it will go well. If it does not market well, then we will change to single family. On areas that will be single family they will be laid out with 90' lots, so that there will be no problem. The homeowner's regulations does not speak to sizes of lots. There will be different restrictions for different phases. The question was raised if the developer will be in here for the next phase for an additional five feet. Mr. Burke responded that they will not be. Under the concept as far as P.U.D. is concerned the approval is subject to approval of the Planning Board. Therefore, a P.U.D. is made up of different elements. Each one of the elements as submitted becomes a fresh element that we are reviewing for the first time, so that we can apply restrictions that are appropriate to that particular situation, regardless of what was done in the past. With that in mind, if we go with approving the concept of lesser distances between houses, that would set no precedent upon future elements for approval. Chairman Crandall noted that the Planning Board should make it clear that we do not like narrower distance with a wider house. We do not like a narrow lot. We don't want to see a big house on a small lot. That is the official position of the Planning Board with any future layouts. We will not approve that idea. Action that is taken on this particular layout will not set a precedent.

Chairman Crandall stated that when Mr. Walsh was in the last time, it was not yet determined as to the percentage of lots that would have the larger home. At least with the aforementioned memo, we have specific lots; which is less than a third of the development totalling 101 lots. There are 23 lots out of the 101 that are affected totalling 20%. The main concern is that we will not be repeating the situation again.

RESOLVED, that the Memorandum dated 5-17-89 as submitted by J. R. Walsh, Attorney for Brierwood Village Subdivision, be accepted; that there is no precedent set, that the decision was made upon a unique situation that was apparent in this particular layout, being Part of Lot 38, T-9, R-8. Motion was made by Mr. Phillips, seconded by Mr. Koenig. Carried.

Motion to adjourn the meeting was made by Mr. Koenig, seconded by Mr. Phillips. Carried.

RESPECTFULLY SUBMITTED,

Gerard Koenig
Gerard Koenig, Secretary
Planning Board

MEMORANDUM
for
BRIERWOOD VILLAGE SUBDIVISION

dated 5/17/89 submitted by James R. Walsh

A. Authorize construction of houses having a 40' x 60' "footprint" upon Subdivision Lots 3, 5, 9, 15, 17, 23, 28, 30, 33, 34, 52, 79, 81, 91, 95, 100.

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D. Split Lots 76-77-78 into two lots which will have approximately 120 foot frontage each.

E. Permit the following subdivision lots to have two side yards, each with a minimum width of ten feet: Subdivision Lots 40, 42, 93.

NOTE: UPON ALL SUBDIVISION LOTS WITHIN THE SUBDIVISION, NO BUILDING CAN BE CONSTRUCTED LESS THAN TWENTY FEET FROM ANY OTHER BUILDING.

UNLESS VARIED AS ABOVE, R-1 ZONING REGULATIONS APPLY.

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

SPECIAL PLANNING BOARD MEETING

A special Planning Board meeting has been called for Wednesday, May 17th at 7:30 p.m. to meet with Jim Walsh and E. Burke on Brierwood Home Show. Meeting will be held in the Planning Board room.

RICHARD CRANDALL, CHAIRMAN

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May 19, 1989

Pierce & Cash
40 Main Street
Hamburg, New York

Gentlemen:

Attached are minutes of the Planning Board meeting held on 5-10-89 on Mission Hill, the proposed Mobile Home Park matter has been tabled as a result of the Town Board Resolution passed on May 12th.

This is a potential lawsuit and we were advised by Ernie Holfoth that we should let the insurance carrier know about the matter.

Sincerely,

TOWN OF HAMBURG PLANNING DEPT.

Terry Dubey, Secretary to
Planning Board

TD:me

Attachment

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Members in attendance at Special Planning Board Meeting held
on May 17, 1989:

Chairman Richard Crandall
Vice-Chairman Elgin Cary
Secretary Gerard Koenig
Steve Strnad
Sandy Carnevale
David Phillips
Dan Gorman, Attorney
George McKnight