TOWN OF HAMBURG

PLANNING BOARD MINUTES

5-24-89

The Town of Hamburg Planning Board met in regular session on Wednesday, May 24th, 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, Dennis Gaughan. Others attending included George McKnight, Terry Dubey, Stenographer, and Attorney Dan Gorman.

EXCUSED: David Phillips

Minutes of the meeting of 5-10-89 were approved as amended by Mr. Gaughan, seconded by Mr. Carnevale. Carried.

Minutes of the Special Planning Board meeting held on 5-17-89 were approved as amended by Mr. Cary, seconded by Mr. Strnad. Carried.

REZONING PETITION OF LEE WEBER & GERALD FILIPIAK OF EAGLECREST INC. ON ABEL RD. & SOUTHWESTERN BLVD. FROM R-A AND M-2 TO R-1 FOR SINGLE FAMILY DWELLINGS

Messrs. Lee Weber & Gerald Filipiak appeared before the Planning Board on a proposed 140 sub lot single family subdivision which they would like to build on Southwestern Blvd. & Abel Rd. The lots would be 100' x 200'. The petition has not as yet been referred to the Planning Board as there are problems with the legal description. Part of the property is zoned R-2 and the other portion is an M-2 zoning. Board members noted that the parcel of property beloning to Mr. Georgi should be tested as the owner dumped residential organic matter on the one parcel. It was recommended that Traffic Safety should look at the plot plan especially on the parcel coming out from Abel Rd. Board feeling is that the proposal is an upgraded use of the land. The cul-de-sac should be checked out by the Highway Supt. Dick Smith. Also, Empire Soils should be called in to sample the soil to determine if anything is buried on one portion of the land. No action can be taken until the June 14th meeting.

OTHER MATTERS

1. Letter is to be written by G. McKnight to It's Your Day - Applicant told the board that there would be few cars. In essence, this is not correct. Cars are parked along South Park Avenue - Applicant to be advised that a parking area will be required for this business.

2. Physical Therapist - across from Town Hall. Same problem with parking.

3. The Planning Board members also took issue with the fact that a rescue boat operation building just sprang up at the Town Park. Questions were raised and concern that there was no site plan review, to whom was the permit issued and when, and the fact that the building spoils the view of residential homeowners who overlook the Town Park. A memo is to be sent to the Town Board on same.

RUSCHREEK SUBDIVISION (PUBLIC HEARING)

Secretary Gerard Koenig read the following legal notice of Public Hearing on Rushcreek Subdivision:

TOWN OF HAMBURG
LEGAL NOTICE
RUSH CREEK SUBDIVISION

Notice is hereby given that the Planning Board will hold a Public Hearing on May 24th, 1989 in the Hamburg Town Hall, S-6100 South Park Avenue at 8:00 p.m. for the purpose of approving RUSHCREEK SUBDIVISION.

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. 53, T-9, R-7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the westerly line of McKinley Parkway which is 915.6 feet southerly measured along the westerly line of McKinley Parkway from its intersection with the southwesterly line of Bay View Road; thence westerly at an interior angle of 88 degrees 37 minutes 50 seconds 1574.84 feet along the southerly line of lands formerly owned by Jerome W. Pierce described in a deed recorded in Liber 484 of Deeds at Page 629 as established by a boundary line agreement recorded in Liber 2894 of Deeds at page 171 to a concrete monument in the southeasterly line of the Erie Railroad; thence southwesterly along the southeasterly line of the Erie Railroad 866 feet to the center line of the Fairgrounds Road at a point 425.3 feet northwesterly measured along said center line of the Fairgrounds Road from the northerly line of premises formerly owned by Edgar Saunders described in a deed recorded in Erie County Clerk's office in Liber 455 of Deeds at page 88; thence southeasterly along the center line of the Fairgrounds Road 425.3 feet to the said northerly line of land formerly owned by Edgar Saunders described in a deed recorded in Erie County Clerk's Office in Liber 455 of Deeds at page 88; thence easterly at an interior angle of 127 degrees 5 minutes 19 seconds along the northerly line of lands formerly owned by Edgar Saunders 1898 feet to a point in the westerly line of McKinley Parkway which is 1002 feet southerly measured along said westerly line from the point of beginning; thence northerly at an interior angle of 90 degrees 23 minutes 29 seconds and along the westerly line of McKinley Parkway 1002 feet, to the point of beginning.

Subject to easements recorded in liber 5061, at page 77, in Liber 375 at page 539 and in liber 1849 at page 571 in the Erie County Clerk's office.

DATED: May 12, 1989

RICHARD CRANDALL,
CHAIRMAN
PLANNING BOARD
GERARD KOENIG, SECRETARY

5-18

RUSHCREEK SUBDIVISION

Chairman Crandall declared the hearing open:

Mr. Richard Brox, applicant for B&W Properties of Amherst, had called for a time delay as he has a conflict in the Town of Evans. Therefore, he could not speak for the subdivision.

A neighbor, across from the subdivision expressed concerns with respect to this project. Mr. Mark Parsons of 5111 Arnold Court addressed concerns with the traffic. At the present time, McKinley Parkway has a state speed of 55 m.p.h. It is difficult getting in and out now. The entrance to the subdivision will be right across from Arnold and there is a concern of stacking. He also asked as to what types of homes will be built. It was noted that homes will be in the $100,000 and upwards range.

At 9:00 p.m. Mr. Brox appeared. It was explained that the matter is to be tabled until the June 14th meeting so that the resident can appear again. The Engineering Dept. submitted the following memo:

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. Write no access and show the buffer on the plan.
3. All lot lines on a curve are to be radial. Show an "R" on radial lot lines.
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 this site. Pond location and size will be approved by the Town Engineer during review of the engineering plans and drainage calculations. The ponds shown should not be considered acceptable.
10. The street name Green Way is not to be used. Rush Creek Drive will be used for the stub.
11. The developer should be notified that a clearing, stripping and soil erosion control plan must be approved and a permit obtained for the site before starting any such work.

Also, there has not been anytime to sit down with the Recreation Director to determine how the recreation area should be set up.

Matter was TABLED for 2 weeks. Motion was made by Mr. Gaughan, seconded by Mr. Strnad. Carried.

EXPANSION OF PARKING LOT FOR WYNTREBROOKE ESTATES

Ms. Joan Goulding, Manager of Wyntrebrook Estates (823-6349) appeared before the Planning Board for a proposed expansion of a parking lot for the apartment complex at 3688 Big Tree Road. The enlarged lot will accommodate the tenants as well as the visitors. There are 5 buildings, for a total of 60 buildings. Each tenant has 2 vehicles. They will be adding 18 spaces for a total of 76 spaces. The Engineering Dept . noted that the proposed area for the lot is low and will need to be filled. Drainage arrows should be added to show surfact flow direction. The existing parking areas are all curbed. The perimeter of the site should also be curbed to keep people in the lot.

WYNTREBROOKE ESTATES (CONTINUED)

Motion was made by Mr. Cary, seconded by Mr. Gaughan to approve the parking lot for the apartment complex, contingent upon Engineering approval. Carried.

OTHER MATTERS:

Director of Planning McKnight informed the board that a meeting was held with the Chairman of the Planning Board, Mark Cavalcoli, and himself to review the number of rezoning requests that are being made. The Town Board is becoming concerned as to the number of requests. It was decided that the Zoning Ordinance and Master Plan should be reviewed. In terms of the master plan, the criteria is usually 1 generation into the future. In terms of the Zoning ordinance, it should be 5 years into the future. Planning Board members noted that a professional consultant should be hired for both of these projects. The Planning Board can recommend or evaluate but cannot do the work involved. Mr. McKnight is to send a memo to the Town Board that the Planning Board recommends an update of the master plan and the zoning ordinance, that a consultant should be hired, and that the money should come out of contingency or next year's budget.

Motion was made by Mr. Gaughan, seconded by Mr. Strnad. Carried.

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

Meeting adjourned at 9:30 p.m.

RESPECTFULLY SUBMITTED,

Gerard Koenig, Secretary
PLANNING BOARD

NEXT MEETING DATE:

JUNE 14, 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

May 24, 1989

TO: THE TOWN BOARD

SUBJECT: UPDATE OF MASTER PLAN & ZONING ORDINANCE

At the Planning Board meeting held May 24th, the following motion was made:

Motion was made by Mr. Gaughan, seconded by Mr. Strnad to have Mr. McKnight initiate the paper work to hire a professional consultant to update the master plan and the zoning ordiance. Carried. Money is to be taken out of Contingency or set aside in next year's budget for this service.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall

Richard Crandall, Chairman

RC:tad

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Receiver of Taxes
ROBERT A. MARS

May 25, 1989

TO: Supervisor Jack Quinn
Town of Hamburg

CC: All Councilman

SUBJECT: Water Rescue Building - Town Park

At the Planning Board meeting held on May 25th, the members took issue with the present water rescue building which is located at Town Park.

Questions that were raised were:

1. There was never a site plan review done on this building. The location of the building is very poor. It cuts off the vision of homeowners who overlook the lake.

2. To whom was the building permit issued and when?

The Planning Board has been designated to review site plans. No one ever saw this proposal. The building just sprang up. Planning Board is on record that they are opposed to this type of procedure.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall

Richard Crandall, Chairman

RC:tad

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May 30, 1989

It's Your Day
6127 South Park Avenue
Hamburg, New York 14075

Dear Ms. Joyce Eagan:

The Town Planning Board has asked me to write you about the parking problem on your site.

The Planning Board approved a small number of parking spaces based on your statement that you do a low volume of business and that wedding groups come together in one or two cars. This is obviously not what is happening. Your customers are parking on your front lawn as well as in the public right-of-way of South Park Avenue.

The Planning Board approval was "--contingent on adequate parking and approval of the sign by Building Inspection."

Please call my office for an appointment to show how adequate off-street parking can be provided so that an amended proposal can be submitted to the Planning Board.

Cordially,

TOWN OF HAMBURG PLANNING DEPT.

George McKnight

George McKnight, Director of Planning

GM:tad