

TOWN OF HAMBURG

PLANNING BOARD MINUTES

5-25-88

The Town of Hamburg Planning Board met in regular session on Wednesday, May 25, 1988 at 7:30 p.m. in the Planning Board room.

Members attending included: Chairman Richard Crandall, Steve Strnad, Gerard Koenig, Sandy Carnevale, Elgin Cary, G. Valgora. Others attending included George McKnight, and Terry Dubey, Stenographer.

EXCUSED: Dan Gorman, Dennis Gaughan

Minutes of the meeting of 5-11-88 were approved on motion by Mr. Koenig, seconded by Mr. Carnevale. Carried.

EXECUTIVE SESSION:

1. Status of Locksley Park zoning change from R-2 to R-1. Members discussed issue, and possibility of changing the north end of Lake Shore back to R-1. However, at the last meeting, Locksley Park Taxpayers Assoc. wanted all of Locksley Park and Athol Springs up to Camp Road changed back to R-1. No decision was made. Applicant to be advised of same.

2. A disussion centered on landscaping and maintenance of grass at the McKinley Mall. Planning Board members noted that more trees should be planted in the front area of the mall to enhance beautification of the mall. Grass also should be better maintained. Planning Board Chairman to draft letter to Ms. Pat Franklin advising her of same.

AMSDELL PARK SUBDIVISION - PUBLIC HEARING

Secretary Elgin Cary read the following Legal Notice on the Public Hearing for Amsdell Park 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 May 25 at 8:00 p.m. for the purpose of approving a residential 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°25'04", a distance of one hundred fifteen and twenty-one 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 $91^{\circ}31'06''$ 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
TOWN OF HAMBURG
PLANNING BOARD

5-19

Chairman Crandall declared the hearing open. Messrs. Walsh, Burke, O'Neill, & Phelps appeared on behalf of the subdivision. Mr. Phelps presented renderings on the type of homes that will be built on the premises. Most homes will be 2200 s.f. to 3000 s.f. The legal agreement between Attorneys on the side yard requirement is being drawn up.

Chairman Crandall asked 3 times if anyone wished to be heard for or against the public hearing. Hearing no comments, the hearing was closed.

Motion was made by Mr. Valgora, seconded by Mr. Koenig to approve the preliminary for the subdivision. The legal agreement relative to the side yard requirements is yet to be resolved by the Attorneys. Carried.

SOUTHLAND SUBDIVISION - MR. WINNERT - SOWLES ROAD & SOUTH PARK DUPLEXES

Messrs. Winnert, Eppolito, and O'Neill appeared before the Planning Board on a proposal for duplexes to be located on South Park Ave. and Sowles Rd. The proposal calls for 10 units. Following comments were received from Engineering:

The project is located in 2 sewer districts: Hamburg Master District, Armor-McKinley Extension of ECSD #3. For reviews and permits - Fairgrounds Road is a town road; Sowles Road is a county road; South Park is a state highway. The assessor prefers that each duplex be sited on two sublots. The Environmental Assessment was submitted by Mr. O'Neill. Ditch should be enclosed and piped. Changes should be made on one sub-lot. Applicant was advised that a \$75 filing fee is required for public hearing on the subdivision as well as Legal Description. Tentative hearing could be scheduled for June 15th.

EAGLECREST SUBDIVISION - DUPLEXES

Messrs. Filipiak and Weber appeared before the Planning Board with a sketch of the proposed Eaglecrest Subdivision on Big Tree Road. Comments were received as follows: PLANNING - The public hearing can be scheduled for June 15, 1988. The legal description should include: The part of Parcels 18 and 19 as well as the road extension that are not part of the "St. Francis Soccer Field" since the lands are part of the subdivision.

ENGINEERING - There is to be no connection between the trailer park private road and proposed Victorian Drive. There is to be a cul-de-sac at the south end of Victorian Drive. We question the use of a portion of the trailer park land to help create S.L. 18 & 19. A permit will be required from Erie County Highway Dept. to bring Victorian Drive into Big Tree Road. We point out there may be sight distance problems on Big Tree Road. If we allow the use of trailer park land to create S.L. 18 & 19, then we should require adjustment of the backline of S.L. 22.

Mr. McKnight pointed out that for snow plowing purposes, Mr. Smith of the Highway Dept. would prefer a blacktopped turn-around on both sides of the road.

Motion was made by Mr. Koenig, seconded by Mr. Valgora to set a public hearing for 8:20 p.m. on June 15th with the aforementioned modifications. Carried.

DON HOWE--SOUTHTOWNS DAY CARE CENTER - HAMBURG ROLLER RINK - SOUTH PARK AVENUE

Mr. Don Howe of the Hamburg Roller Rink appeared before the Planning Board with a proposal for a day care center to be located in the roller rink. The hours of operation for the center would be Monday thru Friday, 6:30 a.m. until 6:30 p.m. This operation would not conflict with the roller rink hours. Applicant was advised that a special use permit is required and a Public hearing must be held. Also, there is to be a fenced in play area for the children. Approximately 60 children would be using the facility.

BROOKRIDGE TOWNHOUSE COMMUNITY - BIG PUTNAM - BOSTON STATE ROAD.

Messrs. O'Neill and Bing Putnam appeared before the Planning Board with a proposal for a 6 unit Townhouse development on Boston State Road. A permit for the drive cut must be secured by the State as well as a sewer permit. The townhouses will be situated on 5 acres of property. The proposal must be filed with the Secretary of State. A drainage plan and Environmental assessment has already been filed. Applicant advised that he is also filling in one area of the property. The matter is to be cleared by the Building Inspector for the fill permit.

Motion was made to approve the site plan as presented contingent upon Building Inspection and Engineering approval. Carried.

MONTE RIEFLER - ADDITION TO PRE-CAST PLANT - PAUL RIEFLER INC.

Mr. Monte Riefler appeared before the Planning Board with an addition of 3880 s.f. to his pre-cast plant in the industrial park of the Paul Riefler complex. This addition will be situated adjacent to the present addition as a rebar shop.

Motion was made by Mr. Valgora, seconded by Mr. Strnad to approve the new addition. Carried.

JACKIE - KURT'S HOT DOG STAND - 3379 LAKE SHORE ROAD.

Jackie from Kurt's hot dog stand appeared before the Planning board on a deck which is being added to the Kurt's hot dog stand on the Lake Shore Rd. The deck is 16' x 30' and adjacent to the building.

Motion was made by Mr. Strnad, seconded by Mr. Cary to approve the deck for Kurt's hot dog stand. Carried.

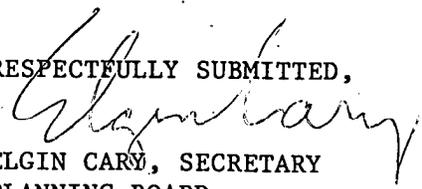
INSTANT OIL CHANGE - FORMER CASE LOCATION - MILESTRIP & MC KINLEY PARKWAY.

Building Inspector Lauchert had Instant Oil change revise their site plan and is asking for a referral to the Zoning Board on parking setback as it violates the present code.

Motion was made by Mr. Cary, seconded by Mr. Koenig to reject the site plan as presented and forward it to the Zoning Board with a favorable recommendation. Carried.

Motion was made to adjourn the meeting at 10:30 p.m. by Mr. Koenig, seconded by Mr. Valgora. Carried.

RESPECTFULLY SUBMITTED,


ELGIN CARY, SECRETARY
PLANNING BOARD

NEXT MEETING: JUNE 15, 1988
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 26, 1988

Ms. Pat Franklin
McKinley Mall Exec. Office
1 McKinley Parkway
Blasdell, New York 14219

Dear Ms. Franklin:

At the Planning Board meeting held on May 25th, a discussion of landscaping and maintenance came up with respect to the McKinley Mall. It is the consensus opinion of the members that the front of the mall area should include the plantings of additional trees to further enhance the beautification of the mall. It was also noted that the lawns surrounding the mall perimeters should be better maintained and better manicured.

A good example of the types of plantings the Planning Board would like to see is that of Wegman's across the street. Anything you can do to improve the situation would be very much appreciated.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

CC: Marianna Zamias

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TO : Town Planning Board
FROM: Town Engineer Gilbert
DATE: 5-25-88
SUBJ: SITE PLAN REVIEW
BROOKRIDGE TOWNHOUSE COMMUNITY

Following are our comments on a one sheet plan dated 5-20-88 and received in our office on 5-23-88:

- More information on water services.
- Section through pavement
- Show existing and proposed elevation.
- Need a drainage plan.
 - arrows to indicate flow
 - location of downspouts
- State permit required to tie road into Boston State Road.
- Relocate the proposed 300 feet of 8 inch PVC to new location. Show invert and rim elevations and slope.
- Information on gas & electric service.
- Locations of sanitary laterals.
- Provide curb or bumper blocks at visitor parking.

Jack Gilbert, Jr.

JJG, Jr./jnl

Att:

cc: J. Lauchert
R. Lardo

P.S. If the red marked plan is not returned to this office our review will stop.

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May 25, 1988

SITE PLAN REVIEW

TO: PLANNING BOARD

RE: 3510 MCKINLEY PARKWAY

The new revised sign site plan, and a letter dated May 24, 1988 shows existing metal signs, posts and they should be removed. The location of the pilon sign at the corner of McKinley and Milestrip violates the zoning ordinances. It must be approved by the Zoning Board of Appeals. The ten-foot set back requires Zoning Board of Appeals approval, also for parking.

If there is concerns over immediate construction they should apply to the Zoning Board of Appeals by noon on Friday May 27, 1988 to be eligible for the June 7 meeting of the Zoning Board of Appeals. All curbs on the site should be poured and placed. There appears to be no existing receivers for the storm drainage where the closest one on the right-of-way should be shown on the plan.

If any more information is required, feel free to contact me at any time.

Sincerely,

John J. Lauchert @cac

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

JJL/cac

LESLIE • J • HALFPENNY
ARCHITECT

17 May 1988

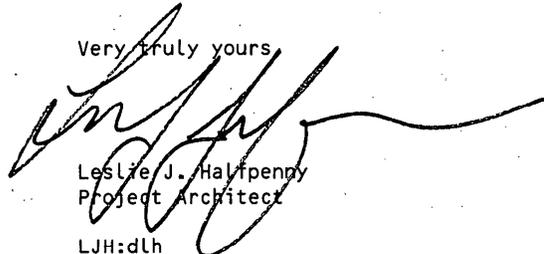
Dear Mr. McKnight:

On behalf of the Wesleyan Church of Hamburg, I would like to inform you and your board that the church has elected to abandon the expansion project as presented. They plan to sell the existing property to another smaller congregation and in the near future build a totally new facility on a site to be selected.

Thank you for your consideration and assistance in this matter.

Mr. George McKnight
Director of Planning
Town of Hamburg
S-1600 South Park
Hamburg, NY 14075

Very truly yours,



Leslie J. Halfpenny
Project Architect

LJH:dlh

cc: Dr. Donn Hewes
Wesleyan Church of Hamburg

Re: Wesleyan Church of Hamburg

HISTORIC COLDEN MILL COLDEN NEW YORK 14033

TELEPHONE

716-941-3444

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May 25, 1988

TO: George McKnight, Director Town of Hamburg Planning Department.

RE: Brierwood Plan unit Development

In reviewing the plans for this proposed development, I am very pleased to see in phase II where the town house development along Rogers Road will use burms along the roads for noise control. I think this is an excellent idea.

I also feel that it is very helpful to separate the new development from the exceptions along Cloverbank with earth burms. The wooded area around the exception which is the radio towers is a great idea, as most of this area is heavy wooded at the present time.

In the quarry area phase four, this has always been a problem area for many years in the Town of Hamburg. Because of the location and it being an old quarry and the gathering spots for many people use in the area. If you have ever had the privilege of going there and seeing the amount of junk that has been accumulated there over the years. When Bethel Steel was in operation it required us to ask them many times to clean up the area and for many years they tried. Unless they kept night guards in the area to have security, it was almost impossible to keep the people out of it. Because so much of it was accesible to the neighbors, especially to the west.

This area should be cleaned up, and it should be barricaded at the entrance. To eliminate vechiles from entering to dump more problems on to the site. It indeed will be a great area for development and there is at the present at least two lakes with a fourty foot high cliff. Consideration should be given for land burm along the Conrail Railroad Track. These tracks will be there for some time, and they would provide a buffer to the west of this site. Trees and shrubs should be planted along it as a live barrier to keep people from wandering to the railroad tracks. There are at least two gas wells on the property and should be fenced or removed.

I believe that more trees should be planted along the fairways that it join the new proposed development area. This will serve as a buffer for errant golfing shots. We know that most golfers feel they hit the ball straight and long. Unfortunately, some have hooks on a slice.

I know this plan does not show the location all the trees at the present time, and I know there are quite a few trees on the course. But, care should be given for future development adjacent to the course. I hope the people that live here are golfers.

Unfortunately, I will not be able to make the meeting today because I have to attend a meeting that was scheduled in December of 1987. It is very fortunate for me for the seventh year in a row that it was in the Town of Hamburg, this year it is at Brierwood. If I can be of any more assistance, feel free to contact me.

Sincerely,



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

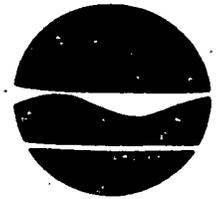
JJL/cac

New York State Department of Environmental Conservation

600 Delaware Avenue, Buffalo, New York 14202

Division of Regulatory Affairs

716/847-4552



Thomas C. Jorling
Commissioner

May 20, 1988

Mr. Paul O'Neill
Tallamy, VanKuren, Gertis and Associates
70 Linwood Avenue
P.O. Box 151
Orchard Park, New York 14127

Dear Mr. O'Neill:

Brierwood Village Planned Unit
Development/Proposed Amsdell
Park Subdivision
Town of Hamburg-Erie County

TOWN CLERK
MAY 24 3 06 PM '88
FILED IN THE
TOWN CLERK'S OFFICE
HAMBURG, N.Y.

Per our May 2, 1988 discussion and subsequent review of the preliminary plan dated March 21, 1988 for the Amsdell Park Subdivision (phase III of the Brierwood Village P.U.D.), the project is at least 100 feet from the boundary of regulated Freshwater Wetland ED-23. Therefore, the project will not require a permit pursuant to Article 24, Title 7 (Freshwater Wetlands Act) of the New York State Environmental Conservation Law.

The Amsdell Park Site is also outside of the 100 year floodplain, when reviewed against the Federal Emergency Management Agency's Flood Insurance Rate Map. The property is not within any Agricultural District certified pursuant to Article 25, Section 303 of the Agriculture and Markets Law. Additionally, there are no archeologically sensitive areas at the project site, according to the New York State Archeological Site File Map. Lastly, no hazardous waste sites have been identified within the project site.

In regard to the remainder of the Brierwood Village PUD, a preliminary environmental review has revealed that a Dam Permit and/or Mined Law Reclamation Permit may be necessary for the associated excavation operations and construction of a potential dam/water control structure. The preliminary environmental review has not identified any known hazardous waste sites. However, please recognize that this land was previously owned by the Bethlehem Steel Corporation and there exists the possibility of unearthing hazardous waste during construction activities. We recommend that at least a visual

inspection of the property be undertaken to determine whether there are any obvious dump sites. If so, then detailed analysis of any identified sites should occur, with prior input from this Department. Based on the plans we have received at present, no other environmental concerns for this project site have been identified.

Please be advised that DEC staff will be officially approving sewer extension for both of these projects. Therefore, we are an "involved agency" under the State Environmental Quality Review Act (SEQR). Furthermore, we support the designation of the Town of Hamburg as SEQR Lead Agency and agree with the Town's position to prepare an Environmental Impact Statement (EIS) to thoroughly assess potential project impacts and environmental concerns.

Thank you for your cooperation. We look forward to meeting with you during the May 25, 1988 SEQR scoping session in order to discuss the proposal in greater detail.

Respectfully,



Steven J. Doleski
Regional Permit Administrator

SJD:ib

cc: Mr. George McKnight, Town of Hamburg
Burke Realty Company
Mr. Thomas Hersey, ECDEP
Region 9, Div. of Water

Town of Hamburg Conservation Advisory Board
s-6100 South Park Ave. Hamburg, N.Y. 14075

REVIEW OF PROPOSED ACTION

SEQR Application No. 88-14 Applicant: E.F. Burke Realty

Location of Proposed Action: South side of Amsdell Rd. 2950 feet west of Southwestern Blvd.

Type of Proposed Action: Single Family Subdivision of 109 housing units

___We foresee no significant effect on the environment and no conflict with open space areas identified in the 2010 Master Plan. Reasons:

1. The dedication of the wetlands at the back of the property to the Town of Hamburg as Open Space to be left untouched is to be commended.
2. The location of two walkways leading from the Subdivision to the wetlands insuring public access is an example of wise planning that will allow interested persons into the open area without crossing residential property.
3. The drainage area, which ranges from a shallow indentation to a ditch between the school property and the subdivision, appears adequate at present. This drainage area appears to run the entire length of the property.

___We are concerned about the following possible effects or conflicts.:

1. As mentioned in the Conservation Board's statement at this property's rezoning hearing, the stand of trees bordering the Amsdell school property provide a beautiful year round scenic vista and should be preserved. An strip area 30-35 feet deep along the school property line from Amsdell Rd. back would preserve the natural beauty as well as provide a buffer area that would benefit both the school and future subdivision homeowners in the following ways: noise reduction (especially for the subdivision residents from bus and school activity noise), privacy, preservation of a beautiful scenic vista, maintainance of small animal and bird habitats. Furthermore we feel that it is important to preserve the scenic beauty of the Town of Hamburg by proposing policies to save trees and visual buffers.
2. The preliminary site plan shows two access paths to the wetland and I suggest that an access path from the subdivision to the school also be considered in order to allow walkers easy access to the school.
3. There are a number of large and beautiful trees located on the property and preserving as many as possible is recommended.
4. In a statement to Mr. George McKnight, Richard Shands,

superintendent of the Frontier Central School District, requests the Planning Board to require the contractor to erect, own, and maintain a 6' chain Link fence along the common border. I take no position on this request other than to mention that I was recently informed that the chain link fence along the entire rear border of the school property was erected by the school district itself.

Signature Leona Rockwood Date 5/23/88

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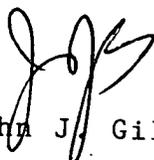
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RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

TO : Town Planning Board
FROM: Town Engineer Gilbert
DATE: 5-25-88
SUBJ: SITE PLAN REVIEW
EAGLECREST SUBDIVISION

Following are our comments on a one sheet plan dated 4-30-88 and received in our office recently:

- There is to be no connection between the trailer park private road and proposed Victorian Drive.
- There is to be a Cul-de-Sac at the south end of Victorian Drive.
- We question the use of a portion of the trailer park land to help create sublots 18 and 19.
- A permit will be required from Erie County Highway Department to bring Victorian Drive into Big Tree Road. We point out there may be sight distance problems on Big Tree Road.
- If we allow the use of trailer park land to create sublots 18 and 19 then we should require adjustment of the backline of subplot 22.


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