

**Town of Hamburg
Planning Board Work Session
June 1, 2005**

The Town of Hamburg Planning board met for a Work Session in the Conference Room at S-6122 South Park Avenue on Wednesday, June 1st, 2005 at 7:30 p.m. Those attending included Chairman Gerard Koenig, Secretary Paul Eustace, Sasha Yerkovich, Bob Reynolds, Steve McCabe, Karen Rogers. Others attending included: Drew Reilly, Attorney Don McKenna, & Terry Dubey, Stenographer. Excused: David Phillips

South Park Garage - South Park at the Thruway

Mr. Reilly informed the Board that nothing has changed since the last meeting. Lead Agency Status has been established and the only comments we have received are from the New York State Thruway acknowledging that the Town of Hamburg Planning Board is the lead agent in the project and to keep them advised of the outcome.

The Conservation Board has done an on site of the property and notes that there is a small wetland (1/6th of an acre in size), but there are no hydric soils. However, they question the results of the perc tests. Also, the soil type is to be identified. They also noted the safety issue on the entrance to the property. Fencing should be located at the back portion of the property to prevent cars from dropping off the edge and on to the Thruway.

The Conservation Board has requested a full Environment Assessment Form be completed. Comments must be received by June 20th 2005. The Zoning Board of Appeals will meet next Tuesday, June 7th for an interpretation on three sections of the code; namely, section 280-76 and 280-208.3B. Does this mean a residential zoning district, or does it apply to residential housing. We are interested in the setback to the next residential unit. There is only a 20' separation from the edge of the driveway to the property line.

Attorney McKenna noted that there is a trend on non-conforming uses. If there is a problem, perhaps the Zoning Board could issue a waiver, and advise the Board to amend the law.

Input will be required from the Big Tree Fire Department. Mr. Ron Klimowicz of Big Tree noted that this building will be within 6' from the property line, and 20' away from the residential unit. This could be a fire safety issue. Also, there is concern of traffic coming out of the driveway with line of sight problems. Though this will be a low volume traffic generator, cars should not be parked on South Park Avenue.

Mr. Reilly stated that there is a history with automotive repair facilities and the concern that cars will be parked everywhere. With the septic system in place, there is not much room left for cars. Also, there is the concern of 4 bays that will be double dipped with the width of the building. With 4 overhead doors, there could be an accommodation of up to 8 bays with 8 cars. The building should be cut in half.

(South Park Garage)

Mrs. Rogers noted that she is concerned with the aesthetics of the building and would like to see what the building will look like. (Engineering comments are attached).

BFG Manufacturing - Radio Tower - Jeffrey Blvd.

Applicant did not appear. Nothing has changed. The members of the Natural History Society appeared and they noted that they have not been contacted.

Motion was made by Mr. Reynolds, seconded by Mrs. Yerkovich to Table. Carried.

Hickey Farms Project - South Park & Big Tree

Mr. Reilly noted that nothing has changed. One building has been eliminated. The Department of Env. Conservation is pleased with the layout and avoidance of the wetlands. A decision could be made on the site plan at the next meeting. On item 5 of the Engineering memo, subdivision approval will not be required. The facilities will be sprinklered. Lands will be dedicated and tied into Rush Creek Park. Money will be required in lieu of land. A recreation fee should be charged. In the past, no fee has been collected on apartments and Mr. Reilly is to research this in the Code review committee. Mrs. Rogers would like to see colored renderings of what the buildings will look like.

Moscato 2 Lot Subdivision - McKinley and Arnold Court

This is a 2 acre parcel that is being divided for a single family dwelling unit. Frontage will be on Arnold Court.

Motion was made by Mr. McCabe, seconded by Mrs. Yerkovich to schedule a public hearing for June 15th, at 7:30 p.m. Carried.

Lombardo Monument and Flower Shop - Abbott Road

This is a separate lot located next to the funeral home. The monument and flower shop are considered as wholesale sales. Six spaces will be required for parking and Eliot Street (a paper street) should be abandoned. Detention will be located in the front. However, the engineer needs to do more work on the drainage. Project will also require additional landscaping.

Motion was made by Mrs. Yerkovich, seconded by Mr. Eustace to Table. Carried.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,
Paul Eustace, Secretary

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

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Town Engineer
GERARD M. KAPSIK, P.E.



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board

FROM : Engineering Dept.

DATE : 6/1/05

SUBJ : 6/1/05 PLANNING BOARD WORK SESSION
BFG - 3949 Jeffrey Blvd - Proposed Tower

The following are review comments on the proposed application:

- (1) The location of the tower should be shown on the parcel site plan.
- (2) Previously, Mercy Flight and the Erie County Sheriff have requested that aircraft warning lighting be provided at the top of all telecommunication towers, due to their frequent low level flights over the Town. A steady red light (non-flashing) should be used.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

RJL:law

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Supt. of Highways
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TO: Planning Board

FROM: Engineering Dept.

DATE: 6/1/05

SUBJ: 6/1/05 PLANNING BOARD WORK SESSION AGENDA
Hickey Farms Senior Apartments - Big Tree Road/South Park Avenue

We have not received the revised site plan drawings that were recently submitted, as referenced in the 5/18/05 Planning Board Minutes. The following are review comments on a conceptual site plan dated 1/27/05:

- (1) The Erie County Water Authority should be contacted to determine if there is adequate pressure and flow to service the site.
- (2) The site is located within the Highland Acres Sanitary Sewer District. Due to NYSDEC restrictions on the sizing of the Highland Acres sewer system recently constructed, there is not sufficient capacity available to service future site development in the area, including this project. It is our understanding that the developer's engineer is evaluating various alternatives to service the site through connections into other sewer districts, and that discussions between the developer and Erie County Dept. of Environment and Planning (ECDEP) have taken place regarding such. We have been working with ECDEP on an Intermunicipal Agreement between the Town and County for this project.
- (3) A New York State Department of Transportation (NYSDOT) permit is required for work within the South Park Ave. and Big Tree Road right-of-ways. We are unable to approve these plans without NYSDOT review and approval of the work on their right-of-way.
- (4) Stormwater detention and erosion control will be required for the site. A Stormwater Pollution Prevention Plan and Notice of Intent are to also be prepared.
- (5) Subdivision approval is required for this project. A 0.69 acre parcel along South Park Ave. is being subdivided and deeded to Peter Kasperk.
- (6) We will review and approve utility construction drawings when they are submitted.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
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TO: Planning Board

FROM: Engineering Dept.

DATE: 6/1/05

SUBJ: 6/1/05 PLANNING BOARD WORK SESSION AGENDA
Lombardo Monument & Flower Shop - Abbott Rd.

The following are review comments on a site plan dated 5/16/05:

- (1) Abbott Road is a County (not Town) road. We are unable to approve the site plan prior to review and approval by the Erie County Highway Department of the proposed work within the Abbott Road right-of-way.
- (2) Site landscaping is to be approved by the Planning Board.
- (3) Provide a profile view of the proposed sanitary sewer lateral. Include the pipe size, slope, and all construction details. Submit the plan to the Erie County Dept. of Environment and Planning (ECDEP) for review. We are unable to approve the site plan prior to approval by the ECDEP.
- (4) Provide curbing along the driveway entrance to the site.
- (5) Provide additional design elevations for the proposed drainage swale. Include all pipe size, slope, and invert elevations.
- (6) The drainage plan does not address the nine (9) acres of offsite area to the west which is tributary to the drainage system. Include this area in the drainage design and provide drainage calculations for review.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.

Town Engineer

Richard J. Lardo
Principal Engineer

June 1, 2005

Memo To: The Planning Board

From: Hamburg Planning - Andrew Reilly

Re: 6-1-05 work session agenda

The following are the Planning Department's general comments for the projects on the 6-1-05 agenda, (I did not send these to you ahead of time, due to the holiday and waiting for additional information):

1. Special Use Permit - South Park Garage

-The Planning Board received a great deal of input at the last meeting and requested that the Planning Department get input from other agencies and departments.

-A coordinated SEQR review was started and we are awaiting responses from various agencies. We have received a letter from the Thruway Authority. We have received no other new information.

2. Hickey Farms

-The Planning Board has made a SEQR decision on this project (a Negative Declaration), and now can proceed to site plan approval.

-New Plans have been received and are presently being reviewed.

3. BFG Manufacturing - Site plan approval-tower

-No new information has been received.

-G. Bastedo reports (6-1-05) that they have not heard anything-just what they read in the paper.

New Projects:

1. Moscato Subdivision - Minor Subdivision - McKinley Pkwy.

-property is zoned R-1.

-The property does not fall in any zoning overlays

-The lots appear to meet all zoning requirements for single family homes on a sewer

lot.

-The lot configuration only allows a 50 +or-foot area for the placement of the house.

General Comments:

Is the driveway connecting from McKinley to Arnold a problem. Does the division bring this into consideration?

2. Lombardo Flower and Monument wholesale shop

Specific comments:

- The site is located in a C-2 district which allows wholesale and retail operations.
- The site is not located in any zoning overlay district.
- All of the surrounding zoning is C-2.
- The project appears to meet all C-2 bulk zoning requirements: lot width, coverage, required yards, etc.

-Using the "All other principal uses not above enumerated or excepted" category of 1 space per 350 feet, the project meets parking requirements. The parking setback requirement is also exceeded (35' requirement).

General Comments:

- The detention facility at the front can be problematic (aesthetics wise).
- Eliot Road (paper street) should either be abandoned or the right of way straightened.
- Landscaping along the road should be added.

Legal Notice
Town of Hamburg
Planning Board Meeting
Moscato Subdivision
McKinley Parkway

Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on a 2 lot subdivision known as Moscato Subdivision to be located on McKinley Parkway for a single family dwelling on 6-15-05 at 7:30pm in Room 7B of Hamburg Town Hall.

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 45, Township 9, Range 7 of the Holland Land Company's Survey described as follows:

BEGINNING at a point in the easterly line of McKinley Parkway (120 feet wide) at a point 135 feet south of the southerly line of the northerly arm of Arnold Court, said point being the southwest corner of lands conveyed to Nagel by deed recorded in Liber 6272 of Deeds at Page 471; thence easterly at right angles to McKinley Parkway and along the south line of lands conveyed to Nagel by deed recorded in Liber 6272 of Deeds at Page 471 and the south line of lands conveyed to Wycoki by deed recorded in Liber 9812 of Deeds at Page 385, a distance of 260.50 feet to the west line of Arnold Court (50 feet wide); thence southerly along the west line of Arnold Court a distance of 277.73 feet to the northeast corner of lands conveyed to Caputo by deed recorded in Liber 7196 of Deeds at Page 307; thence westerly along the north line of said lands conveyed to Caputo a distance of 302.77 feet to the east line of McKinley Parkway at the northwest corner of said lands conveyed to Caputo, which point is 300 feet north of the north line of the southerly arm of Arnold Court; thence northerly along the east line of McKinley Parkway a distance of 274.50 feet to the point of beginning.

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated:

Legal Notice
Town of Hamburg
Planning Board Agenda
Work Session 6-1-05

The Town of Hamburg Planning Board will meet for a Work Session on Wednesday, June 1st, 2005 at 7:30 p.m. in the Conference Room at S-6122 South Park Avenue at 7:30 p.m. to discuss the following items:

Old Projects:

1. Special Use Permit - South Park Garage - South Park at the Thruway
2. Hickey Farms - South Park & Big Tree
3. BFG Manufacturing - Jeffrey Blvd.

New Projects:

1. Moscato Subdivision - McKinley Parkway
2. Lombardo Monument and Flower Shop - Abbott Rd.

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated: 5-19-05.