

**Town of Hamburg Planning Board  
Legal Notice - Meeting - June 15, 2005**

The Town of Hamburg Planning Board will conduct its regular meeting on Wednesday, June 15th, 2005 in Room 7B of Hamburg Town Hall at 7:30 p.m. to discuss the following items:

1. Public Hearing - 7:30 p.m. - Moscato 2 lot Subdivision McKinley Parkway
2. Special Use Permit - South Park Garage - South Park near the Thruway
3. Hickey Farms - South Park & Big Tree
4. BFG Mfg. Radio Tower - Jeffrey Blvd.
5. Lombardo Monument and Flower Shop - Abbott Rd.

**Gerard Koenig, Chairman  
Paul Eustace, Secretary  
Planning Board**

**Dated: June 2, 2005**

**Town of Hamburg  
Planning Board Meeting  
June 15, 2005  
Actions Taken**

**Moscato 2 lot Subdivision  
McKinley Parkway**

**Preliminary approved**

**South Park Garage  
South Park near the Thruway**

**Tabled to July 6<sup>th</sup>, 2005**

**Hickey Farms Project  
South Park and Big Tree**

**Approved with conditions**

**Lombardo Monument & Flower Shop  
Abbott Road**

**Approved with conditions**

**Parker Ridge Amendment**

**Referred to Traffic Safety &  
Armor Fire Department**

**Town of Hamburg  
Planning Board Meeting  
June 15, 2005**

The Town of Hamburg Planning Board met for a regular session on Wednesday, June 15th, 2005 in Room 7B of Hamburg Town Hall at 7:30 p.m. Those attending included: Chairman Gerard Koenig, Vice-Chairman David Phillips, Secretary Paul Eustace, Sasha Yerkovich, Karen Rogers, Bob Reynolds, Steve McCabe. Others attending included: Drew Reilly, Rick Lardo, Attorney Don McKenna, Atty. Michael Fruth, and Terry Dubey, Stenographer.

**Moscato 2 Lot Subdivision - McKinley Parkway**

Secretary Eustace read the following Legal Notice of Public Hearing:

<p style="text-align:center"><b>LEGAL NOTICE TOWN OF HAMBURG PLANNING BOARD MEETING MOSCATO SUBDIVISION McKINLEY PARKWAY</b></p> <p>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 7:30 p.m. in Room 7B of Hamburg Town Hall.</p> <p>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:</p> <p>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</p>	<p>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.</p> <p style="text-align:right">Gerard Koenig, Chairman Paul Eustace, Secretary Planning Board</p> <p>Dated: 6-9</p>
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Chairman Koenig declared the hearing open:

Mr. & Mrs. James Moscato appeared before the Planning Board with a request to subdivide their present 1.76 acre parcel at 5157 McKinley Parkway into two lots, the other being for a single family dwelling for their daughter. The proposal meets all code requirements. Access will be from Arnold Court. No environmental concerns are involved.

Chairman Koenig asked if anyone wished to be heard for or against the proposal. Elaine Granica of South Park Avenue asked about the dimensions of the lot. Response: 16,000 s.f., and the lot size is 90' x 175'.

Chairman Koenig asked two more times if anyone wished to be heard for or against the proposal. Hearing no further comment, the hearing was declared closed.

(Moscato Subdivision)

Motion was made by Mr. Phillips, seconded by Mr. Eustace to issue a Negative Declaration on the 2 lot subdivision; approve the preliminary, waive the filing of a map cover, waive the installation of sidewalks, but require a recreation fee of \$1,000 for the dwelling unit. Carried.

Engineering comments are: 1. Public sanitary sewer and water service are available to the site. 2. Currently, there are no public sidewalks in the area. We have no objection to waiving the sidewalk requirement. 3. We have no objection to waiving the map cover for the project. 4. The legal description for the subdivision is acceptable.

**South Park Garage - South Park Avenue near the Thruway Bridge**

The request is to build an auto repair garage on South Park Avenue. This parcel is next to a residential dwelling unit and requires a Special Use Permit. Chairman Koenig noted that the session will concentrate on the correspondence which we have received so far. The Planning Board is the lead agent for the project.

**Big Tree Fire Department - Ron Klimowicz 2<sup>nd</sup> Asst. Chief**



*Big Tree Volunteer Firemen's Co., Inc.*

4307 South Park Avenue  
Blasdell, New York 14219-2837

Organized - 1936

Town of Hamburg Planning Department  
Attn: Andrew C. Reilly  
S-6100 South Park Ave.  
Hamburg, N.Y. 14075

June 14, 2005

Dear Mr. Reilly,

As per our discussion during the Town Planning Board work session on June 1, 2005, the following concerns have been raised by the Plan Review Committee of the Big Tree Volunteer Fire Company, in regards to the South Park Garage project adjacent to the New York State Thruway:

South Park Garage (Cont.)

- Hydrant location(s) - The closest hydrant locations are at South Park and Howard and South Park and Beetow. Less than 250' (per site plans) from property does not conform with codes. There is not enough information on site plan to determine if plans meet codes.
  - Calculations done by BTVFC show hydrant locations aprox. 550' from Howard Road to driveway and aprox. 740' from Beetow to driveway
- Number of parking spaces(9,10 or 12 ?) vs.: the number of bays(4), which appear to be two or three deep, in the building
  - Anticipated number of employees (5 or 6?) leaves only 3 or 4 parking spaces left for customers
  - Wire trucks and equipment to be repaired or stored(?) on site vs. number of parking spaces
- Overflow parking on South Park Ave.
- Accessibility to the building with a full lot of cars
- Incomplete Plans do not show separation distance between existing housing and the proposed project
  - Calculations by The BTVFC show 18' from closest home to lot line
  - Plans submitted show separation between driveway and home, in fact the driveway is directly adjacent to the home to the north
  - Plans submitted show a 6' separation from lot line
- Fencing between the residential property and the proposed building and how this may hamper firefighting capabilities.
- Traffic entering and exiting South Park Ave.
- Accessibility to the building with a lot full of cars in the event of an emergency
  - If the only accessible point is at South Park Ave. this may delay firefighting capabilities in the event of a fire.

The Site plans are incomplete and to many questions remain with to many contradictions between the minutes of the previous meeting, the short environmental assessment form and the site plan development information sheet.

Thank You  
Ronald Klimowicz



2nd Assistant Chief  
Big Tree Volunteer Fire Company

State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance

6-16-05

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law.

The Dunbar  
Planning Bd. has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Moscosto 2 lot subdivision

SEQR Status:

Description of Action: 0.76 acre parcel to be split off of 5157  
McKenly Parkway for a single family dwelling

Location: 5157 McKenly Parkway

Reasons Supporting This Determination: During review of this project, the \_\_\_\_\_  
\_\_\_\_\_ identified the relevant areas of environmental concern which are analyzed below:

1. No environmental problems. Meets code  
requirements. Lot size 90' x 175'

The Plan Board, therefore, concludes that the project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration. In reaching this decision, the Hamburg Planning Bd. carefully considered all "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

**For Further Information:**

Contact Person: *Drew Kelly*  
*Town of Hamburg Planning Dept.*  
Or: *S-6100 South Park Ave.*  
*Hamburg N.Y. 14075*  
*649-2023*

# TOWN OF HAMBURG

## ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522  
e-mail: [engineering@townofhamburgny.com](mailto:engineering@townofhamburgny.com)

Supervisor  
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JOAN A. KESNER  
THOMAS J. QUATROCHE, JR.

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 : 6/15/05

SUBJ : 6/15/05 PLANNING BOARD MEETING AGENDA  
Proposed Auto Shop - South Park Avenue at NYS Thruway

The following are review comments on a site plan dated 3/30/05 and last revised on 4/11/05:

- (1) The site is located in the South Park Overlay District.
- (2) Note on the plan that a New York State Dept. of Transportation (NYSDOT) permit is required for work within the South Park Avenue highway right-of-way. We are unable to approve these plans prior to NYSDOT review and approval of work on their right-of-way.
- (3) The site Landscape Plan is to be approved by the Planning Board.
- (4) The septic system is to be approved by the Erie County Health Department (ECHD). We are unable to approve these plans prior to ECHD review.
- (5) Show the fence along the entire length of the New York State Thruway (NYSTW) property boundary, as required by the Thruway Authority.

All comments are to be satisfactorily addressed for approval.

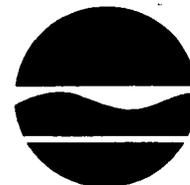
Gerard M. Kapsiak, P.E.  
Town Engineer

Richard J. Lardo  
Principal Engineer

(South Park Garage)

Letter from DEC:

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, Region 9**  
270 Michigan Avenue, Buffalo, New York, 14203-2999  
Phone: (716) 851-7165 • FAX: (716) 851-7168  
Website: www.dec.state.ny.us



Denise M. Sheehan  
Acting Commissioner

June 9, 2005

Mr. Andrew Reilly  
Town of Hamburg Planning Department  
S-6100 South Park Avenue  
Hamburg, New York 14075

Dear Mr. Reilly:

**DESIGNATION OF SEQR LEAD AGENCY  
SOUTH PARK AVENUE CAR REPAIR GARAGE  
SOUTH PARK NEAR NEW YORK STATE THRUWAY  
(NEXT TO 4962 SOUTH PARK AVENUE)  
TOWN OF HAMBURG, ERIE COUNTY**

In response to your May 19, 2005 letter, this office has reviewed the proposed project and has identified the following environmental concerns in connection with this project:

1. In accordance with the New York State Environmental Conservation Law, a State Pollutant Discharge Elimination System (SPDES) permit is required for a facility whose treated wastewater discharge to groundwater is greater than 1000 gallons per day, and for all discharges to surface water. Depending upon the volume of the proposed discharge, permits and/or plan approvals will be required from this Department or the Erie County Department of Health, 95 Franklin Street, Buffalo, New York 14202, telephone: (716) 858-6966.

It appears that the Town of Hamburg should act as SEQR Lead Agency, as the environmental impacts of the proposal are primarily of local significance.

Thank you for providing this office the opportunity to review the proposed project. If you have any questions, please feel free to contact Ms. Penny Dempsey or me at (716) 851-7165.

Respectfully,

Steven J. Doleski  
Regional Permit Administrator

4962 South Park Ave.  
Hamburg, New York 14075  
June 8, 2005

Hamburg Town Planning Board  
S6100 South Park Ave.  
Hamburg, New York 14075

Dear Board Members:

I am writing to express my opposition to the auto repair garage proposed at South Park Avenue next to the Thruway. I reside at 4962 South Park Avenue, which is directly next door to the proposed garage. This garage would directly impact my home, as well as those of my neighbors. I am opposed to this project for the following reasons:

The land found between South Park Avenue, Howard Road and the Thruway can best be characterized as residential. I am aware that the zoning is C-2 but no businesses have ever been on this land. There are six homes on the land and most of them have been there close to 50 years or more. Our home has been here for 45 years. Why anyone wanted to change the zoning here to C-2 makes no sense because it is mainly a residential area. This was done as a Town wide re-zoning without any of our consent. The homes are well kept with lovely yards and the families living here take pride in their homes and land. To put up a large auto repair garage would destroy the character and aesthetics of this little neighborhood. It would literally stand out like a sore thumb and adversely affect the value of all the homes.

What about standing cars and junk cars? An auto repair garage, by the very nature of the business will have a large amount of cars coming and going and just standing waiting for work. There is also the possibility of old or junk cars left standing around for months. This would again affect the aesthetics of the neighborhood and cause all our homes to look shabby. Also, is this the first thing we want people traveling on the Thruway to see of our community: a large metal building and standing junk cars? What a lovely public relation picture for our Town.

There would be an increase in noise and fumes not only from the garage itself but from having all the trees removed from the lot. The trees now buffer the noise from the Thruway and South Park and absorb a lot of the fumes coming from these roads. This would not only affect the quality of our yards but could have an effect on our heating and cooling also. It would definitely be hotter in the summer and colder in the winter without this vegetative buffer.

The lot is a welcome green space and wildlife sanctuary in an area where we are continually losing this precious resource. Many animals reside here or use it as a migration corridor, such as: deer, rabbit, groundhog, hawks, mallard ducks and a large number of birds, including, hairy woodpecker, cardinal, gold finch, downy woodpecker, blue jay, nuthatch, chickadee and sparrow. At some point green space must be seriously considered by the Town or we will end up looking like one big strip mall and asphalt jungle.

Drainage is also a serious issue. The lot is a wetland and has been for as long as anyone living around it can remember. There is standing water on it almost all year and it contains many wetland plants, including: several kinds of sedge, false Solomon's seal, trout lily and Jack-in-the-pulpit. This wetland holds the run off from South Park Avenue and our property and keeps our yards from being consistently soggy or flooding. Water does not perk out of this land even after months of dry weather. Dig there now after this dry spell and you will hit mud a foot or so down. How can the proposed septic system work properly on such a piece of land? Will we end up with contaminated water on our property when the septic system is overtaxed? Will the amount of water on this lot stay in the storm water containment or end up flooding our backyards? What about toxic hazards, such as, oil and gas in the storm run-off? How will all the water and wet soil conditions affect their building?

There is also a concern with traffic and fire safety. There is an increase in fire hazard with this type of business, especially with it being so close to our home. The driveway for the business is about 100 feet from the guardrail on the Thruway bridge. The view of oncoming northbound traffic is obscured by the railing and guard rail on the bridge. Also northbound cars on South Park Avenue would not have a good view of the driveway till they were half way over the bridge. The south bound lanes of South Park Avenue also converge to one lane across from the driveway. It would be difficult making a left turn into the driveway from the southbound lane. There would be increased traffic on the bridge and a possibility of congestion at an already busy area.

In closing, I thank you for you time and attention and I ask you to please look into this matter. Thank you.

Sincerely,



Elaine E. Granica

4220 Howard Road  
Hamburg, NY 14075  
June 10, 2005

Mr. Gerard Koenig  
Mr. Drew Reilly  
Hamburg Town Planning Board  
S. 6100 South Park Avenue  
Hamburg, NY 14075

Gentlemen:

I am writing to support the efforts of Irene and Elaine Granica to oppose approval of the auto repair garage proposed for South Park Avenue next to the NYS Thruway.

I have lived at my current address (which is just around the corner from the Granica home) for 42 years. I have witnessed the increase in traffic and the subsequent hazards that have resulted. Any new business with an entrance/exit onto South Park Avenue will definitely create an additional traffic hazard. The traffic that backs up from Big Tree Road to at least the fairgrounds area makes it at times next to impossible to enter South Park Avenue from our road (Howard Road) or any driveway along this strip. Also, school buses heavily travel this particular section of South Park Avenue. No matter what future changes might be made to South Park, I'm convinced that the Thruway bridge will remain the same width thus creating an additional hazard if an additional entrance/exit was added so close to the bridge. I would strongly urge a traffic safety study before any decisions are made about approving the proposed garage.

I attended the first planning meeting regarding this issue and am sorry to not be able to attend on June 15. I listened to the pros and cons and fully agree with the objections set forth by the Granica family with regard to the size of the building, the proximity to their residence, noise and fumes emanating from the business, and especially the dangers of entrance from and exit to South Park Avenue. Drainage on the property would also concern me because in the 42 years that I have lived here I can rarely remember when that property was not under water. There are many important issues to be resolved and hopefully after an in-depth study you will decide in favor of the requests of the Granica family.

Respectfully,

*Joan M. Suto*  
Joan M. Suto

June 15, 2005

Town of Hamburg Planning Board Member  
S6100 South park Avenue  
Hamburg, N. Y. 14075

RE: South Park Garage near 4962 So. Park

Dear Planning Board:

MY HUSBAND & I are against the proposed auto repair shop next to 4962 So. Park Ave. The area from Beetow Drive to Rt. 20 is a very busy area & we don't need anymore businesses there. You have to be very cautious driving in that area & it isn't fair to the resident's who have lived there for 45 years. Please consider all these problems in your decisions.

Sincerely,

David & Beverly Haugh

June 9, 2005

56/00 Town of Hamburg Planning Board Member  
~~4962~~ South Park Avenue  
Hamburg, NY 14075

Subject: South Park Garage – South Park at the Thruway

Dear Planning Board:

As a homeowner on South Park Avenue we are against the above project being considered. South Park has enough congestion, especially in that area, without adding another business.

We also believe this will create a nuisance that invades the neighbor's peace and quiet as well as enjoyment of their property, which could cause legal issues. Not to mention the beauty of that area being taken away.

Please consider our concerns.

Sincerely,

Jeffery & Michele Gorcica

(South Park Garage)

**Traffic Safety Board Comments (6-13-05)**

The Traffic Safety Board is concerned about auto service shops that park vehicles in excess of their allotted spaces, like the shop on South Park and Big Tree. TSAB suggests Police Department input and NYSDOT input on this project. A request should be made, if this project is approved, to post NY#62 with No Parking signs to prevent sight obstruction on this busy thoroughfare.

Mr. Reilly noted that Tom Casey, of the County Health Department, called into Planning and stated that they have not yet finished their review and have some concerns. It appears that a sand filter system will be used and they are concerned about these types of systems next to residential units. As far as perc tests are concerned, they usually have to witness the tests. There are high ground water conditions that exist on the site.

Mr. Jim Allen, of the Allen Group, noted that they are willing to make changes as required. The building has been turned to South Park Avenue and has been reduced from 8,000 s.f. to 5400 s.f., 60' x 90'. The drive location has been moved 100' from the bridge with 5 doors. The sand filter system will be away from the residence and moved towards the Thruway. The building has been redesigned similar to S&S Service which is located on Southwestern and Camp Roads. Twenty two parking spaces have been provided.

Mr. Reilly stated that double deep bays will affect the parking requirements. Also, a fire hydrant will be required. The building inspector will be asked to review the dimensions based on state fire code. The Town Engineering Department is concerned about the drainage.

The applicant was asked to work with the Health Department as well as the NY State Dept. Of Transportation to make sure that the entrance is correct from a safety standpoint. Also, how will noise and odor be controlled? Mr. Allen is to review the special use permit conditions and give their interpretation as to how these concerns can be mitigated. How will this be mitigated to the general character of the neighborhood. A full Environmental Assessment is to be completed. Also, aesthetics are very important.

Chairman Koenig asked if there was any new information that should be included in tonight's session? Mrs. Irene Grancia responded that she noticed that the Planning Board looked at the site while they were on their tour and said that since the rain, it is like a lake. Response: The Conservation Board has done their on site inspection of the site.

Board noted that the building is too big for the site.

Mr. Tom Moran inquired as to what wire trucks are. Drew Reilly reviewed the Fire Control sheet. On items to be stored, there is a comma after wire; it does not mean wire trucks.



**Part 2. PROJECT IMPACTS AND THEIR MAGNITUDE**

**Responsibility of Lead Agency**

**General Information (Read Carefully)**

In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.

The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project of site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

The number of examples per question does not indicate the importance of each question

In identifying impacts, consider long term, short term and cumulative effects.

**Instructions (Read carefully)**

- a. Answer each of the 20 questions in Part 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

**IMPACT ON LAND**

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
1. Will the proposed action result in a physical change to the project site? [ ] No <input checked="" type="checkbox"/> Yes			
<b>Examples that would apply to column 2</b>			
Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Construction on land where the depth to the water table is less than 3 feet.	[ ]	<input checked="" type="checkbox"/>	[ ] Yes [ ] No
Construction of paved parking area for 1,000 or more vehicles.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Construction that will continue for more than 1 year or involve more than one phase or stage.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Construction or expansion of a sanitary landfill.	[ ]	[ ]	[ ] Yes [ ] No
Construction in a designated floodway.	<input checked="" type="checkbox"/>	[ ]	[ ] Yes [ ] No
Other impacts: _____	[ ]	[ ]	[ ] Yes [ ] No
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) <input checked="" type="checkbox"/> No [ ] Yes			
Specific land forms: _____	[ ]	[ ]	[ ] Yes [ ] No





**IMPACT ON AGRICULTURAL LAND RESOURCES**

10. Will the Proposed Action affect agricultural land resources?  No  Yes

Examples that would apply to column 2

The proposed action would sever, cross or limit access to agricultural land (Includes cropland, hayfields, pasture, vineyard, orchard, etc.)

Construction activity would excavate or compact the soil profile of agricultural land.

The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.

The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff)

Other impacts: \_\_\_\_\_

**IMPACT ON AESTHETIC RESOURCES**

11. Will proposed action affect aesthetic resources?  No  Yes  
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

Examples that would apply to column 2

Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural

Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of the resource.

Project components that will result in the elimination or significant screening of scenic views known to be important to the area.

Other impacts: Scenery of thruway

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, pre-historic, or paleontological importance?  No  Yes

Examples that would apply to column 2

Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.

Any impact to an archaeological site or fossil be located within the project site.

Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.

Other impacts: \_\_\_\_\_

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?  No  Yes

Examples that would apply to column 2

The permanent foreclosure of a future recreational opportunity.

A major reduction of an open space important to the community.

Other impacts: Thruway impacted (snow-mobils)

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**IMPACT ON CRITICAL ENVIRONMENTAL AREA**

14. Will Proposed Action impact the exceptional or unique characteristics of critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?

No  Yes

List the environmental characteristics that caused the designation of the CEA.

\_\_\_\_\_  
 \_\_\_\_\_

**Examples that would apply to column 2**

Proposed Action to locate within the CEA?

Yes  No

Proposed Action will result in a reduction in the quantity of the resource?

Yes  No

Proposed Action will result in a reduction in the quality of the resource?

Yes  No

Proposed Action will impact the use, function or enjoyment of the resource?

Yes  No

Other impacts: \_\_\_\_\_

Yes  No

**IMPACT ON TRANSPORTATION**

15. Will there be an effect to existing transportation systems?  No  Yes

**Examples that would apply to column 2**

Alteration of present patterns of movement of people and/or goods.

Yes  No

Proposed action will result in major traffic problems

Yes  No

Other impacts: Poor driveway location - in problem area

Yes  No

**IMPACT ON ENERGY**

16. Will proposed action affect the community's sources of fuel or energy supply?  No  Yes

**Examples that would apply to column 2**

Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.

Yes  No

Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.

Yes  No

Other impacts: \_\_\_\_\_

Yes  No

**NOISE AND ODOR IMPACTS**

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?  No  Yes

**Examples that would apply to column 2**

Blasting within 1,500 feet of a hospital, school or other sensitive facility.

Yes  No

Odors will occur routinely (more than one hour per day). ?

Yes  No

Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.

Yes  No

Other impacts: LAX operation

Yes  No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
14. Will Proposed Action impact the exceptional or unique characteristics of critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?			
Examples that would apply to column 2			
Proposed Action to locate within the CEA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Action will result in a reduction in the quantity of the resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Action will result in a reduction in the quality of the resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Action will impact the use, function or enjoyment of the resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON TRANSPORTATION</b>			
15. Will there be an effect to existing transportation systems?			
Examples that would apply to column 2			
Alteration of present patterns of movement of people and/or goods.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in major traffic problems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts: <u>Poor driveway location - in problem area</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON ENERGY</b>			
16. Will proposed action affect the community's sources of fuel or energy supply?			
Examples that would apply to column 2			
Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>NOISE AND ODOR IMPACTS</b>			
17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?			
Examples that would apply to column 2			
Blasting within 1,500 feet of a hospital, school or other sensitive facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Odors will occur routinely (more than one hour per day). ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts: <u>LAX operation</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**IMPACT ON PUBLIC HEALTH**

18. Will Proposed Action affect public health and safety?  
 No  Yes

Examples that would apply to column 2

Proposed Action may cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.

Proposed action may result in the burial of "hazardous wastes" in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)

Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.

Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.

Other impacts: Traffic Issues

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

19. Will proposed action affect the character of the existing community?  
 No  Yes

Examples that would apply to column 2

The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.

The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.

Proposed Action will conflict with officially adopted plans or goals.

Proposed Action will cause a change in the density of land use.

Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.

Development will create a demand for additional community services (e.g., schools, police and fire, etc.)

Proposed Action will set an important precedent for future projects.

Proposed Action will create or eliminate employment.

Other impacts: Overlay District Requirements (Aesthetics)  
and impact to Neighborhood (sup)

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?  
 No  Yes

**IF ANY ACTION IN PART 2 IS IDENTIFIED AS A POTENTIAL LARGE IMPACT OR IF YOU CANNOT DETERMINE THE MAGNITUDE OF IMPACT, PROCEED TO PART 3**

(South Park Garage)

Motion was made by Mr. Phillips, seconded by Mrs. Yerkovich to Table to the Work Session on July 6<sup>th</sup>, 2005.

**Hickey Farms Project - South Park and Big Tree**

Mr. Mark Trammell, and Mike Merritt, appeared before the Planning Board with renderings as to the type of buildings that will be located on the site. There will be 4 types of buildings, which will be all brick construction with a community building and a rental office (1 story). There will be 16 unit buildings as well as 12 unit buildings (3 story). The buildings will be sprinklered.

Mr. Mike Merritt, Engineer, noted that they have worked out all the sewer problems. They have met with the County and have come up with a solution to go with the original alignment. They have received a letter from the County stating that the trunk line will not go thru this property.

Motion was made by Mr. Phillips, seconded by Mr. Eustace as follows:

WHEREAS, the Town of Hamburg received a site plan application from MHT Holdings, Inc. For the Hickey Farms Housing project consisting of 290 residential housing units, an office clubhouse and maintenance building, garages, and infrastructure improvements, and

WHEREAS, in accordance with SEQR, the Town of Hamburg Planning Board, acting as Lead Agency, conducted a coordinated review resulting in the issuance of Negative Declaration on April 20, 2005, and

WHEREAS, the Planning Board has thoroughly reviewed the site plan dated May 9, 2005, and finds it in conformance with Town regulations, applicable guidelines and with the variances received from the Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board issues a conditional Site Plan approval of this project with the following conditions:

1. The design plans be reviewed by the Town Engineering office and approved.
2. All other required approvals be obtained by County, State and other Agencies.
3. The driveway onto South Park Avenue be a right-in, right-out only entrance designed to State standards.
4. That extra precautions and protections be taken along the railroad property to ensure that the track stability is not compromised.
5. The owner work with the Town Board and other Town Officials for the possible dedication of property along Rush Creek to the Town of Hamburg.

Hickey Farms Cont.

6. No disturbance of the wetland areas take place, except in areas noted on the Plan. Wetland Areas and other open space areas need to be properly delineated in the field to ensure their protection.
7. Agreements be entered into between the Owner and the Town for the utilization of the Clubhouse facilities.
8. The issue of the extra lot being created on South Park Avenue be resolved. Without subdivision approval, this lot must be labeled as a non-building lot or joined to the other lot. *Carried.*

**Lombardo Monument and Flower Shop**

Mr. Daryl Martin, Engineer, appeared on behalf of the request for a monument and flower shop to be located on the east side of Abbott Road between Lakeview and Burmon Streets for a 30' x 60' facility consisting of 1800 s.f. The structure will be a wood frame with vinyl siding and will look more like a residence. Traffic Safety is concerned about truck deliveries and if there is enough room for a turn around. Mr. Martin responded that a small truck and van will be used for deliveries. There will be no loading dock. Only samples will be on display in the retail center and flower arranging will be done in house.

The site plan is to be sent to Orchard Park as it is very close to the boundary. There will be no sidewalks on the premises.

Engineering comments are attached.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to issue a Negative Declaration for the project, approve the site plan for Lombardo's monument and flower shop, contingent on approval by Engineering and Orchard Park. *Carried.*

**Hilbert College Site Plan - South Park Avenue**

Site plan can be signed off. No additional landscaping in front is required.

**Parker Ridge Amendment**

A memo was sent by John Kalstek asking for relief of the emergency access road as it is impractical to achieve. Board noted that request should receive input from Traffic Safety and the Armor Fire Department. Motion was made by Mr. Phillips, seconded by Bob Reynolds to forward a communication to them.

**Carried.**

# TOWN OF HAMBURG

## ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522  
e-mail: [engineering@townofhamburgny.com](mailto:engineering@townofhamburgny.com)

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PATRICK H. HOAK

Councilmen  
D. MARK CAVALCOLI  
KATHLEEN COURTNEY HOCHUL  
JOAN A. KESNER  
THOMAS J. QUATROCHE, JR.

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: 6/15/05

SUBJ: 6/15/05 PLANNING BOARD MEETING 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. The developer has received approval from the Erie County Dept. of Environment and Planning (ECDEP) which allows the developer to install a sewer line and connection into the County's McKinley trunk sewer. The Town Board has approved (on 6/13/05) an Intermunicipal Agreement between the County and Town for this purpose.
- (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) A 0.69 acre parcel along South Park Ave. is being subdivided and deeded to Peter Kasperek. If the parcel is joined to Mr. Kasperek's existing property, no action is required. If a new subplot is being created, subdivision approval is required.

# TOWN OF HAMBURG

## ENGINEERING DEPARTMENT

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Supt. of Highways  
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

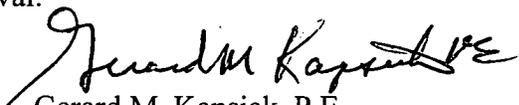
DATE: 6/15/05

SUBJ: 6/1/505 PLANNING BOARD MEETING 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.

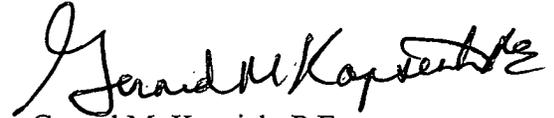
All comments are to be satisfactorily addressed for approval.

  
Gerard M. Kapsiak, P.E.  
Town Engineer

  
Richard J. Lardo  
Principal Engineer

- (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  
Principal Engineer

**Traffic Safety has comments on Burke's Business Park.**

4. Tractor Supply- TSAB suggests NYSDOT input on this project, especially with regard to conditions at NY#62 and Bayview. We request Police Department and Erie County Highway input as well. The proposed service road will alleviate many existing problems, but it's proximity to NY#62 may be a concern. TSAB would support service road ONLY if developer pays for and installs traffic signal at service road and US#20, and the intersection is capable of handling the large volume of traffic that will result.

To be forwarded to Mr. Burke.

Minutes of the May 4<sup>th</sup> meeting were approved by Mr. Reynolds, seconded by Mr. Eustace. Carried.

Minutes of the May 18<sup>th</sup> meeting were approved by Mr. Phillips, seconded by Mr. Eustace. Carried.

**APA Dinner (see attachment)**

Motion was made by Mr. Phillips, seconded by Mr. Eustace to adjourn. Carried. Meeting adjourned at 9:45 p.m. Carried.

**Respectfully submitted,**

**Paul Eustace, Secretary  
Planning Board**

# TOWN OF HAMBURG

S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075 • (716) 649-6111 • FAX (716) 649-4087

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Supt. of Highways  
JAMES F. CONNOLLY

June 17, 2005

To: Traffic Safety  
Armor Fire Company

Subject: Parker Ridge Subdivision Phase III Temporary Access Road

Mr. Kalstek has asked for relief from this requirement of the site plan. We would like input from Traffic Safety and the Fire Department relative to this matter.

Please advise.

Very truly yours,

Town of Hamburg Planning Department

  
Andrew C. Reilly, P.E. AICP  
Planning Consultant

ACR:tad

Attachment



June 10, 2005

To: Town of Hamburg Planning Board

RE: Parker Ridge Sub division Phase 111  
Temporary Access Road

During approval of Phase 111 the Board asked for a temporary emergency access road between sub lots 28 and 29 in Phase 11.

At the time we thought this would be practical and I secured easements of 5' on each lot for a 10' wide temporary road. Upon further consideration, there are electrical boxes, cables boxes, telephone boxes inside the public right of way on John Michael Way which makes it impractical to install a road in that location.

If an emergency occurred on Harmony Way, emergency vehicles could still drive around the right of way. We also have a stub street for future access back to Parker Road . I am asking the Board to wave this condition for Phase 111

Respectively Submitted,

A handwritten signature in black ink, appearing to read 'John Kafstek', is written over the typed name and title.

John Kafstek  
President J & M Home Builders

Cc/ Rick Lardo/ Drew Reilly

MEMO

To: Hamburg Planning Board  
From: Hamburg Planning Department  
Date: June 15, 2005  
Re: June 15, 2005 Agenda

The following are the Planning Department's comments on the Agenda of the June 15, 2005 Planning Board Meeting.

- ✓ 1. **Moscato - 2-lot subdivision - Public Hearing**
  - No comments, if Public hearing goes well, it is ready for approval
2. **South Park Garage - site plan/sup application**
  - First decision to be made is a SEQR decision. At this time, unless additional information is submitted addressing environmental issues, I would recommend a positive Declaration (requiring an EIS). If the Applicant prefers, they can ask for the action to be tabled so that they can provide additional information and possibly revise the Site Plan.
3. **Hickey Farms - Site Plan approval.**
  - The project has received a Negative Declaration and can proceed to Site Plan approval.
  - If the Planning Board feels comfortable with the status of the Site Plan, you can give the project conditional Site Plan approval. This will require many conditions and I have attached a resolution with a listing of these conditions (others can be added).
4. **BFG Manufacturing Radio Tower - Site Plan**
  - No new information received and the Applicant has asked to be tabled.
5. **Lombardo Monuments and Flower Shop- Flower Shop - Site Plan.**
  - Questions have been raised concerning the project and we hope that the Applicant can answer these questions.