

Town of Hamburg Planning Board  
Meeting - July 16, 1997  
Actions Taken

Auto-Zone Discount Ctr.  
Camp Rd. & Franklin  
Zoned C-2

Approved conditionally pending  
satisfaction of Engineering  
Requirements

Room to Grow  
5197 South Park Avenue  
Day Care Center

Tabled to August 6th.

Tinseltown Theatres  
Southwestern Blvd.  
E. Burke - R. Chen

Tabled

Henry Woch Rezoning Petition  
4882 Southwestern Blvd.  
From R-2 to C-1

Favorable recommendation  
to be sent to the Town Board

South Shore Dome  
Southwestern Blvd.

Tabled.

Dennis Griffin Used Car Lot  
Camp and St. Francis Dr.

Tabled

Cloverbank Const.  
Lake Shore Rd. - Zoned M-3

Forwarded to ZBA and contingent  
approval given pending  
completion of Engineering items

Benderson Development  
Retail Center  
Seven Corners

No action taken

TOWN CLERK

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FILED IN THE  
TOWN OF HAMBURG OFFICE  
HAMBURG, N.Y.

**Town of Hamburg  
Planning Board Meeting  
July 16, 1997**

The Town of Hamburg Planning Board met for a regular session on Wednesday, July 16, 1997 in Room 7 of Hamburg Town Hall. Those attending included: Chairman Richard Crandall, Secretary Gerard Koenig, Dick Pohlman, Paul Eustace, Sue Ganey. Excused: D. Fitzpatrick, D. Phillips. Others attending included: Rick Lardo, Councilman Mark Cavalcoli, Councilwoman Kathy Hochul, Drew Reilly, Rich Whipple, Don McKenna, Attorney, and Terry Dubey, Stenographer.

Minutes of the meeting of June 18, 1997 were approved on motion by Ms. Ganey, seconded by Mr. Koenig. Carried.

**Auto Zone Discount Center - Camp Road (Almeida location)**

Mr. Carmen DiDiano appeared before the Planning Board for site plan review for an auto discount center to be located at the Anthony Almeida location on Camp Rd. & Franklin. Variances were granted at the Zoning Board meeting of July 1, 1997. A variance of 22' was granted for parking fronting Camp Rd; a variance of 21' fronting on Franklin St.; a variance of 10' on the side yard requirement and 25' on the exterior side yard. Also, a stipulation was made for an 8' cedar stockade fence was granted.

Drew Reilly noted that he has discussed the potential problem on parking setbacks. There are 3 spaces that are too close to the property line. They are supposed to be 10' off the property line. They are at 9'. This can be corrected by either removing the spaces, getting an interpretation from Building Inspection, or going to the Zoning Board for a variance. Comments from Engineering are as follows:

The following are review comments on plans last revised 7/3/97:

- (1) Include a plan drawing showing the waterline location and size, as well as the details for the RPZ backflow preventer.
- (2) **SHEET C1.1 - GRADING PLAN**
  - Provide a minimum of two (2) feet of cover above the 8" PVC highway underdrain tile (in roadbed cross-section).
  - The storm sewer along the north property line is to be installed within a dedicated Town drainage easement. Show the easement boundaries along the north property line.
  - Note on the plan that the Franklin Street storm sewer is to be constructed under a public improvement permit, and in accordance with the construction specifications of this office.
- (3) **SHEET C1.2 - STORMWATER DETAILS**
  - Detail Nos. 5 and 8 do not correspond with each other relative to the trash rack installation. Please clarify these details.
  - On Detail No. 5, please provide further detail of the 7 inch orifice, in relation to the manhole bench and 12" outlet pipe. In addition, what type material is the orifice to be made of?

**Auto-Zone Discount Center (Continued)**

The question of lighting was also raised. Response given on the hours of operation will be from 8:00 a.m. until 9:00 p.m. Monday thru Saturday. The lighting along the rear shines into the property. This is at .75 candle level. When the facility is closed, the lights are off. There will be security lights on the building.

Mr. Kenneth Hunter, resident of Staley behind this facility, asked on the issue of fencing whether the neighbors could have the good side facing them. Mr. DiDiano responded that they will comply with that request.

Motion was made by Mr. Pohlman, seconded by Mr. Eustace to issue a Negative Declaration, approve the site plan contingent upon meeting the requirements for the parking by the Building Inspection Dept., that the good side of the 8' cedar stockade fence face the neighbors; and contingent upon implementation of Engineering requirements as stipulated in their memo of 7-14-97,

**Room to Grow Day Care Center - 5197 South Park Avenue**

Bill Arlowe of Nussbaumer & Clarke and Pat Dickman appeared before the Planning Board on a revised drawing for Room to Grow Day Care to be located in the Club Park Avenue at 5197 South Park Avenue. Mr. Arlowe responded that the drop off area has been eliminated. There will be no after school program as it is not economically feasible.

Mr. Reilly explained that the original drawing showed the drive thru as one way around the building. Now, the present situation is very awkward, and the question is, how would fire apparatus get in and out of the facility in case of fire. The issue of additional landscaping was also discussed. Since the board was not pleased with the driveway situation, the item is to be tabled.

Comments from **Engineering** are as follows:

- (1) A site plan for this parcel was previously approved on 9/3/91.
- (2) The garbage dumpster is to be on a concrete pad.
- (3) The bus drop-off code requirements have not been addressed.
- (4) The existing septic system and proposed improvements should be reviewed by the Erie County Health Dept. to determine that there is sufficient capacity and treatment capability for the anticipated sewage flow. We will not approve the site plan prior to approval by the Health Dept.

Motion was made by Ms. Ganey, seconded by Mr. Pohlman to **Table** until the August 6th Work session. Carried.

**Tinseltown Theatres - Southwestern Blvd.**

Messrs. Ed Burke, Rory Chen of Cinemark, and Attorney Bob Walsh appeared before the Planning Board on the proposed theatre complex which is to be located on Southwestern Blvd.

Chairman Crandall pointed out that the Planning Board has received letters of support as well as letters of opposition to the project. The following have been received in support:

1. Frederick Kurtz, Kurtz Energy 5532 Pebble Beach.
2. Romanello's South 5793 South Park Avenue
3. Cipriani Companies of 65 Hawthorne, Orchard Park
4. Maplewood Apts. 4591 Southwestern Blvd.
5. The McGuire Group - Autumnview Manor - Southwestern Blvd.
6. James Clinton - 5492 Pebble Beach
7. Neutral letter from the Frontier Central School Dist.

**Opposed:**

1. David L. Valyo - 4008 Nottingham Terrace
2. Petition signed by 214 residents

Mr. Reilly also pointed out that a Traffic Study has been completed by EMS Consulting. However, the Planning Board has not had a chance to review it as yet. It was also noted that the Board is considering a positive declaration on the project, therefore requiring an Environmental Impact Statement.

Mr. Michael Betrus of 4007 Tudor Place presented the petitions to the Planning Board. He noted that the aesthetics are incompatible with the area adjoining the school. There will also be additional demands on fire protection and police. Besides environmental issues, traffic issues are a great concern. There are many accidents on Southwestern Blvd. at the present time. Also touched on concerns of devaluation of property values.

D. Bauer of Tudor Place noted that most of the residents he spoke with were in opposition to the proposal. Also spoke of the undesirable element that would come into the area as a result of the theatres.

Drew Reilly did a brief synopsis of what the traffic study suggests. The study suggests (a) improvements are necessary to improve the site. The site plan would remain the same with two entrances on to Bayview, one entrance to Berkley Square and the other main entrance would be lined up with HCK Furniture on Southwestern. The study then further says that the entrance on Southwestern (near HCK) would be a signalized entrance and paid for

by the developer. They are also proposing a connection at one end of the site to the school district to the signalized entrance on Southwestern. That would help solve the problem of the buses leaving events. What is also being suggested is that there would be a signal on Bayview & South Park. This is an existing problem and they suggest that the DOT pay for that signal. The study also talks about closing Bayview on the other side of South Park between South Park & 20. The conclusion then states it's better to keep that section open. The study states there is a problem and the solution is a light. As for bus traffic coming out, that Cinemark would provide access thru the cinema property to Southwestern. The DOT has not formally commented & this will not take place until their traffic safety people review the document. I am relaying the highlights of the report.

The project will also need a variance from the Zoning Board of Appeals as the height is about 56'.

Mr. Koenig asked if the school has expressed themselves about the access from their property as opposed to being separate from the theatre property. Mr. Chen responded that they have not resolved all the problems as yet. We are still in negotiation with the school on this matter.

Chairman Crandall then went on to explain the differences between a Negative Declaration and a Positive Declaration. In the case of a positive dec, this is a longer procedure. This requires us to look at the issues in greater detail. We have to decide as to how to proceed on the environmental impacts.

A resident of Nottingham Terrace noted that he has lived in the area for 9 years and has seen so many accidents on Camp and Southwestern. There are severe problems in that area. The rationale of putting in a signal on Bayview and South Park, when there is another signal 50 yards away, is ludicrous. It will not solve the problem. All you will be doing is stopping and going. It's a very busy intersection and a hazardous area.

Another resident noted that this will be right at the other end of our street where our children play. We have problems with our teenagers at night. By putting a cinema in that location, that type of atmosphere, even if you are a good parent, you will find others at the end of our street, where we live. Putting that type of theatre backing up to the school system, with our taxes, because someone is going to make money. You are going to take our children's welfare so that someone can make money on a theatre. Then children will be skipping school to go to a theatre. No, it's totally wrong.

Dave Russell of Lakeview noted that he is a 30 yr. resident of Hamburg. Traffic has always been a problem in the Town. If you are traveling on Route 5 in the morning, you take your life in your

hands. This project is in the right place. The school has no objection. I am in favor of the project.

Jane Cannizzaro of 3950 Nottingham asked about the data that was compiled in the traffic study? Response: some of the traffic counts were from a 1992 study, Mr. Reilly stated that this will be a comment that we would make--that the study is not as up to date as possible. Some data was newer. There are a lot of tables to review. We will want more up to date numbers.

Mr. Scott Stuart of Nottingham asked if the study reflected the school buses going in an out during the day, parents dropping kids off at school. This is where the problem exists. It does not exist during the summertime. The study should reflect that.

Chairman Crandall noted that the study was done by Jim Smith of EMS Consulting. He does 95% of the studies that come before us. This board, including our consultant, have not had the opportunity to review the study. When we review it, we do go over it thoroughly. We respond to these studies and have a long way to go. Please do not draw any conclusions as we have not had a chance to analyze the document at length.

Mr. Steve Truskowski of 3949 Nottingham asked if the Planning Board has accepted the SEQR? Chairman Crandall responded that the Planning Board will be the lead agency. Has the Army Corps been contacted. Mr. Reilly responded that a letter from DEC identifies the soil on this parcel as hydric soil. Much of the topsoil was stripped from the area. There are no wetlands on site.

Also, traffic impact will be based on full build out. Mr. Truskowski asked how close to the school line will the road be? How much of the athletic field will be disrupted?

Dr. Glose of Frontier responded that at the present time they are discussing where the road will be located. We are talking about other areas which would not impact on the athletic field or the existing playground. The Board of Education would be reluctant to be involved in anything that would cost some of the athletic space. As far as the road is concerned, we have not made a determination one way or the other. This is a complex issue. The fact that the property is zoned commercially, the board understands that there will be something there at some time. The Board of Education is trying to assess what the issues are, what the possibilities are, the negative points, and how these points could be mitigated. I have been meeting with Mr. Burke to try to discuss what can or cannot be done. In terms of the roadway, we know there is a stacking of buses. It would be advantageous to the district to correct that problem. The proposal that we looked at would reduce traffic in the westerly direction. How we get from our parking lot to that point is still not resolved. The Board has not yet scheduled a meeting on this topic. Our next board meeting is

not until August 5th. There are many questions that still need to be answered. The reason I am here is to apprise the board about what is going on tonight so that I can take back the information to the school board. We are just taking and assessing information.

Mr. Truskowski pointed out that he would hate to see the new school building dwarfed by the cinema wall. He also inquired as to drainage, height of the Cinemark structure.

Barbara Stepian of 4516 Buckingham Lane noted that we do not need any more cinemas in the area. We have the McKinley Mall theatres and the Palace theater in Hamburg. I moved to Hamburg to live in a rural setting. I am having a difficult time in getting out of Willow Run Subdivision. Right now I hum 3 songs. With the theatres, I will have to hum 5 or six songs. I am concerned about the traffic and the accidents.

Mrs. Carol McCaffey of Roundtree Village stated concern about the traffic. My daughter runs along these roads as part of their workouts. Those roads are already treacherous. To put up the theatre will just make it more treacherous. Right now, it takes about 45 minutes to get to a graduation at Frontier. The congestion in that area is most difficult.

Mrs. Kowal of Breckenridge is opposed to the project. This project is not in the right place. It's too large and the building is too tall. This is not in the right location near the school and especially with buses coming in and out.

Mrs. Nancy Duke of Nottingham noted that it is very difficult coming out of their subdivision as the weeds are so tall on Route 20 that it is very difficult to see. Also, I am concerned about air quality, especially if 1,000 cars are leaving the theatre parking lot.

Brian Durant of Essex Place stated that this area will be used as a cut thru. Also is concerned of long lines coming out of the parking lot at 1:00 a.m.

Henry Kearns, owner of HCK Furniture on Southwestern Blvd. stated that he has maintained a business on Southwestern for the last 16 years. His children have been raised here. The land is zoned for commercial use. Many people do not want commercial in their back yards. However, that land has been sitting idle for the last 16 years and he would like to see it put to good use. I feel this is a higher and better use of the property. I am in favor of the project. As far as crime is concerned, you have that everywhere.

Mr. David Corbett, one of the principals of Berkley Square stated that the property is commercial and should be developed into something. The issues of traffic can be addressed thru traffic

studies. The design of the building can be addressed thru the site plan process. I personally have experienced that process. At the present time, there are many who use Berkley Square as a cut-thru to Big Tree. The exact location of ingress and egress and how to mitigate traffic can also be accomplished thru the site plan review process. I have done some research on Cinemark and learned that they have a good reputation. I too have a vested interest in Hamburg. This will be good for the tax base and can be completed successfully.

Anita Love of Towers Place noted that she will not feel deprived if she doesn't see foreign films. Where the project is to be located has serious traffic concerns.

One resident suggested that perhaps other sites should be considered such as the Brierwood Plaza on Southwestern Blvd. Another commented that the Cinemark on 490 in Rochester is grotesque.

Mr. Lee Weber, owner of the Maplewood Apts. on Southwestern noted that the problem with Southwestern is that people are driving far too fast. Perhaps a traffic signal would be a way to slow things down. He spoke in favor of the project.

Councilwoman Hochul noted that in her estimation, this is a very bad location for the project.

Councilman Cavalcoli stated that he has been the liasion to the Planning Board for 14 years. I am not in favor of the project in this particular site. There are many traffic problems to be dealt with. As a member of the Town Board we are very concerned about traffic and the safety of the residents.

Mr. Roger Pasquarella of the Village of Hamburg spoke in favor of the project. I too pay a lot in school tax. To put 400 apartments on that piece of land will only add to the traffic and not alleviate it.

Comments from **Engineering** are as follows:  
See attachment.

Motion was made by Mr. Koenig, seconded by Mr. Eustace to **Table** the matter until August 20th. Carried.

FROM: Engineering Dept.

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DATE: 7/14/97

SUBJ: 7/16/97 PLANNING BOARD MEETING AGENDA  
Tinseltown Plaza - Cinemas  
Southwestern Blvd. near South Park Avenue

The following are review comments on a conceptual site plan dated April 1997:

- (1) Appropriate storm water detention facilities will be required for the site.
- (2) Include an appropriate clearing, stripping, and erosion control (CSEC) plan and associated construction details.
- (3) The site is within the Town of Hamburg Master Sewer District. A mainline extension will be required to service the site.
- (4) Note on the plan that a New York State Dept. of Transportation (NYSDOT) permit is required for work within the Southwestern Blvd. highway right-of-way. We will not approve these plans without NYSDOT review and approval of the work on their right-of-way.
- (5) Note on the plan that a Erie County Highway Department (ECHD) permit is required for work within the Bayview Road highway right-of-way. We will not approve these plans without ECHD review and approval of the work on their right-of-way.
- (6) Parking area access drives should be radially aligned, in order to be at right angles to the interior ring road.
- (7) The site landscape plan is to be approved by the Planning Department.
- (8) We received a copy of the Traffic Impact Study for the project on 7/11/97. We will provide our comments following our review of the document.
- (9) We have not received a copy of the required Environmental Impact Study for review.
- (10) The proposed building height is in excess of the 35 feet maximum allowed under the Town Zoning Code.
- (11) Property ownership at the northwest corner of South Park Ave. and Southwestern Blvd. has been shown incorrectly on the site plan.
- (12) The proposed dumpster location should be shown on the site plan.

# Frontier Central School District

(9)



## Frontier Educational Center

5120 Orchard Avenue, Hamburg, NY 14075-5657

Telephone (716) 627-1060 Fax (716) 627-1075

Dr. Gerald P. Glose  
Superintendent

July 16, 1997

Mr. Richard Crandall, Chairman  
Town of Hamburg Planning Board  
S-6100 South Park Avenue  
Hamburg, NY 14075

RE: Proposed Cinemark Theater (20 screens) and  
Retail Plaza Development - BayView and Southwestern  
Boulevard. (Premises abutting Frontier School)

Dear Town Planning Board:

This letter is to be taken in conjunction with and as a follow-up to the May 21, 1997 letter sent by me to the Planning Board regarding the Cinemark Theater and Retail Plaza Development. There have been several proposals and discussions regarding the issues raised in that May 21st letter. Please be aware of the following:

- Mr. Burke has provided a revised estimated assessed valuation for the main theater building and the buildings to be located on the seven out-parcels. His figures indicate that the value will be \$21,560,500. Such an increase in assessed valuation would clearly be a benefit to the taxpayers to this community and would be of particular interest to the school district since this development would not require direct school district services.
- The developer has agreed to provide and pay for sidewalks along the BayView portion of the project.
- The developer has agreed to provide and pay for a berm and fencing between the development and the School District to limit easy access both of students into the development and of unwanted visitors from the complex onto school property.
- Mr. Burke has agreed to pay for the non-State aided portion of a roadway which is on District property that will allow ingress/egress from the High School/Big Tree complex directly to Southwestern Boulevard. Such a roadway will utilize the plaza's most westerly proposed ingress/egress roadway. Discussions are still taking place regarding where that roadway should be placed on school property

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prior to connecting up to the plaza's proposed roadways. It is important to the District that such a roadway not disrupt existing building and playing field space.

- A Traffic Impact Study has been prepared for the Tinseltown Plaza by EMS Consulting. Whereas the school district will defer to the expertise of the Planning Board in reviewing and making specific recommendations for traffic flow in this already congested area, it would seem appropriate to have a signal light at the Plaza's westerly most exit to Southwestern Boulevard and to have appropriate right and left-hand turn lanes throughout the key intersections. A signal light might also be appropriate at the corner of BayView and South Park.
- It is very important that the District have a strong working relationship with the Tinseltown Plaza representatives once the project is completed. This plaza could provide many positive educational opportunities for the students at the High School/Big Tree complex as well as the rest of the District. Although representatives from Cinemark USA have indicated in a letter to Mr. Burke that Cinemark is a "very civic-minded corporation" and that "it is now and always has been our policy to work with the community to promote proper youth development" I have not had direct conversations with representatives from Cinemark nor have the specifics of any such relationship been identified. There is a scheduled meeting with a representative of Burke Realty, Cinemark and the District in which discussion on this relationship can be initiated.
- Finally, it is very important for both Burke Realty and Cinemark USA to join the partnership already in place among the school districts, the Town and Villages in Hamburg to address issues related to our youth. We know from a recent study completed at Roswell Park Cancer Institute that drug, alcohol and tobacco use among our teens has increased significantly over the past four years. On October 7, 1997 there will be a Summit to deal with the issue of drug, alcohol and tobacco use in the Town of Hamburg, and approximately 150 representatives from all walks of life in the community will be in attendance to grapple with the issue. The proposed movie theater/plaza complex will attract many of our community's youth. It is important that every effort be made to seize on the opportunity to positively influence our youth. To that end, the dedication of some space and some sort of revenue stream be available in the Plaza complex to influence/counsel our youth. Discussions on exactly what form this will take have been preliminary to date. The potential impact can be

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significant and just as importantly, the collaborative effort between the schools, the Town and the business community could be precedent setting. I am hopeful that the key players in this project can reach agreement on this very important issue.

The Frontier Central Board of Education has kept an open mind on this project. It sees the financial benefit to the taxpayers of the community; it is also sensitive to the concerns that have been identified. Before the Board takes a position one way or the other, there are several questions that need to be answered and more specific information that needs to be in place. The Board recognizes that this project is a financial and educational opportunity; however, it is also aware of some of the concerns that have been raised and must be addressed.

Thank you for the opportunity to provide input from the School District on this very significant project. The District is most interested in its progress.

Sincerely,

*Gerald P. Glose*

Gerald P. Glose

GPG:gmf

cc: Board of Education

July 9, 1997

Richard Crandall, Chairman  
Town Planning Board  
S-6100 South Park Avenue  
Hamburg, NY 14075

LICENSED REAL ESTATE BROKERS  
RESIDENTIAL SALES-APARTMENTS-APPRAISING  
BUSINESS OPPORTUNITIES-FINANCING-LEASING  
COMMERCIAL PROPERTIES

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6455 Lake Avenue                      Orchard Park, NY 14127  
Telephone (716) 675-3000  
Fax (716) 675-3226

Re:    Proposed Cinemark Theater  
         Southwestern-Bayview-South Park Ave.  
         Hamburg, New York

Dear Dick,

I want to thank you and your board for the time and effort extended to date on the above referenced Cinemark proposal. This communication is directed to summarize the past progress and hopefully update and assist your board's analysis of this application.

Preliminary Review (Planning Board Meeting 5/21/97)

Enclosure #1 - minutes attached

Subsequent to the May 21, 1997 meeting to address the concerns set forth therein we have researched and report as follows;

Enclosure #2 (Frontier Central School letter 5/21/97)

Obviously, as was emphasized at the May 21, 1997 planning board meeting, with the close proximity of the Frontier School, primary concerns should be for the safety and welfare of the students. This was further emphasized in Dr. Glose's letter. Although the Frontier School District did not object to the theater development they justifiably requested certain improvements be addressed and/or included in the plot plan.

Those being:

1. Modify plan or provide additional drive to Southwestern Blvd. which could serve as an ingress/egress easement alleviating the traffic within the school parking lot. The developer has agreed to provide and subsidize the same. (Easement drive shown on revised plot plan enclosure #3)
2. Sidewalks - along development property on Bayview Road. Developer has agreed to provide the same.
3. Berm and/or fencing - separating the development premises and the school. Developer has agreed to provide the same.

Richard Crandall  
July 9, 1997  
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4. The Frontier School Board requested that we search out and advise approximately what assessed dollar value the development could mean for the town and/or school district. A review of the proposed plot plan and conversations with Fred Kingsbury from the town assessor's office developed Enclosure #4 estimating the same.

5. Traffic - evaluating comments from New York State Department of Transportation, town planners, town engineering and meetings with the town safety AdHoc committee (Enclosure # 5) our traffic consultant engineer James Smith from EMS Consulting has done a thorough traffic Impact Study that should address and improve all present and future traffic concerns (TIS) copy attached Enclosure #6.

Cinemark management has agreed to meet and work with the school on establishing a smooth, realistic compatible business blend with the school district and students. In visiting the Cinemark theater in Gates (Rochester, NY) conversations with the manager indicate absolutely no problems with the nearby school and the students. They advised that although some of the movie's open at approximately 11:00 a.m. the video game room upon request of the town does not open until after school dismissal.

To address the mentioned concerns with water pressure I refer to Enclosure #7 verification letter from Nussbaumer & Clarke Inc. dated July 9, 1997.

To address the area resident comments set forth at the Planning Board meeting of May 21, 1997 we respond as follows;

Most were justified concerns dealing with both present or the possible worsening of future traffic flow problems. **Certainly people with questions or concerns of this nature any good planner should applaud.** However, the Jim Smith (EMS Consulting) TIS report when implemented should more than adequately remedy their mentioned concerns.

To address those comments from area residents questioning the wisdom of the developers, their management expertise and/or the need for more theaters and development. **It never ceases to amaze me how people can immediately transform themselves into an expert on business they know absolutely nothing about!** To address this I refer to Enclosure #8, a descriptive package outlining the management and background development history of the Cinemark Theater Corporation. I personally find it difficult to question the credentials of a corporation that

Richard Crandall  
July 9, 1997  
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presently has over fourteen screens in 166 theater's throughout the United States, Canada, Chile, Japan, and Mexico with new developments on going through Argentina, Brazil, Costa Rica, Ecuador, El Salvador and Peru. **I would have to think their track record and past performance indicates they do a pretty thorough analysis and review before a site decision is made.**

With all of the enclosures and above written for your analysis, I respectfully trust we have updated your review both thoroughly and adequately addressing all neighbor, safety and traffic concerns surrounding the development premises.

It is obvious that on completion of this proposed development and the roadway mitigation set forth in enclosure #6 (Jim Smith, EMS Consulting TIS report) the suggested traffic lights at both South Park - Bayview intersection and the westerly drive on Southwestern Blvd. will greatly improve a now hazardous highway situation.

Looking forward to hopefully both your planning board concurrence and the bringing forth of another taxable improvement to our Hamburg Township, I remain,

Very truly yours,

  
Edmund F. Burke

EFB/pn  
Enclosures

- cc:
- All Planning Board Members
  - Drew Reilly
  - Planning Board Attorney Donald McKenna
  - Town Attorney James Sorrentino
  - Supervisor Patrick Hoak
  - Engineers Gerry Kapsiak/Rick Lardo
  - Councilman Mark Cavacoli
  - Traffic Safety, Tim Ellis

**BERKLEY SQUARE**

4330 Berkley Place  
Hamburg, NY 14085

July 15, 1997

Mr. Richard Crandall, Chairman  
Town of Hamburg Planning Board  
6100 South Park Ave.  
Hamburg, NY 14075

Re: Proposed Cinemark Theater & out-parcels  
Bayview Rd. / South Park Ave. / Southwestern Blvd.

Dear Mr. Crandall:

The principals of the development entities of the Berkley Square PUD have read the Traffic Impact Study dated July 1997 and have met with the Burke organization.

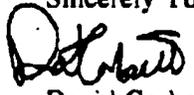
Appropriate and successful commercial development within the proximity of Berkley Square should improve the area and sustain or increase property values of our development. The proposed use of the commercially zoned Burke property should lend an up-scale image to the area.

To be an enhancement to the significant investment we have made at Berkley Square, the "Tinseltown Plaza" building designs, signage, landscaping, lighting, and signage must be attractive from every visible angle, including from Berkley Square. We have not seen the renderings for this parcel, but are satisfied with the front elevation of the movie complex as shown in a color photo. The sides and rear of the theater as well as all four sides of proposed out-parcel restaurants and businesses should be pleasing to the eye.

The traffic issues as discussed in the Traffic Impact Study are important to the safety and convenience of all area residents and especially to Berkley Square residents and future homeowners. We would like the opportunity to meet with the Town Engineering Department to discuss some traffic issues.. In particular, without a signal light at Bayview Road and South Park Avenue, many motorists are now using Berkley Square as an alternate route to points North on South Park Avenue and East onto Big Tree Road. The proposed project may create an opportunity to correct some awkward and unsafe intersections and ensure that future commercial and commuting traffic flows harmoniously with adjoining residential neighborhoods.

In conclusion, we support the Town of Hamburg in its continuous efforts to bring much needed tax revenue and additional amenities to the area. This parcel can bring both to the Town. The Burke organization has demonstrated their capacity to attract a suitable user to the parcel, as well as their willingness to address the concerns of your Board and those of neighboring owners impacted by the project.

Sincerely Yours,



David Corbett  
Principal

Fax - 649-5504

July 15, 1997

Ms. Drew Reilly  
Planning Coordinator  
Town Planning Board  
8-6100 South Park Avenue  
Hamburg, NY 14075

Re: Proposed Cinemark Theater and  
Retail Shopping Development  
Southwestern Blvd - South Park Ave. - Bayview Rd.

Gentlemen:

This communication is directed as concerned businessmen and certainly two of the largest property owners and taxpayers in the nearby vicinity of the proposed Cinemark development.

Our company has developed, owns and manages the following properties:

- 1.) Maplewood Apartments (presently 150 apartments, soon to be 276)  
4591 Southwestern Blvd.  
Hamburg, New York 14075
- 2.) Eagle Crest Mobile Home Park (273 families)  
3 Eagle Crest Drive  
Hamburg, New York 14075

Needless to say with approximately 549 family units under our management we have extended a considerable monetary investment within the near proximity to the above referenced development.

To satisfy our concerns we contacted Mr. Burke and were allowed the opportunity to completely review the July 1997 Traffic Impact Study together with other documentation setting forth the plot plan, design, elevations and styling of the proposed Cinemark Theater.

18

After our review we and our company totally support the development of this project. The Traffic Impact Study (TIS) suggested mitigation shows major improvement to the now present problems that today plague the Southwestern-South Park-Bayview intersection. The TIS suggested street lights on both the aforementioned intersection and the westerly driveway to Southwestern will greatly improve traffic congestion. It will also benefit our Maplewood tenants in exiting or walking to the beneficial nearby shopping.

A development of this caliber could also assist and justify the town's effort to reduce traffic speed limits on both the County Road-Bayview Drive and the State Road-Southwestern Blvd.

Thank you for allowing us the opportunity to voice our opinion and we respectfully request that your planning board protect our investment in your community with a just and proper decision on the above.

Very truly yours,



Mr. Lee Weber  
Mr. Gary Filipiak

19

81 Buffalo Street, Hamburg, New York 14075  
(716)648-6200 • Fax (716)648-1254



Post-It™ brand fax transmittal memo 7571		# of pages >
To	Hamburg Planning Board	
Co.	Board	
Dept.		
Fax #	648-0151	

July 14, 1997

Hamburg Town Planning Department  
S- 6100 South Park Avenue  
Hamburg, NY 14075

Re: Proposed Cinemark Theater Development  
Hamburg, NY

Gentlemen:

This letter is written as a long time resident and businessman within the Hamburg community. Needless to say I am very much concerned with any development and the adding of nearby conveniences for my family shopping and entertainment.

Having observed the various news articles on the referenced Cinemark theater, I contacted the land owner, Edmund F. Burke, for a more in depth review of the proposed complex.

Much to my surprise it is identical to a theater complex I recently visited during an overnight stay in the Rochester suburb of Gates, NY. The theater was extremely impressive and definitely a step above any complex now in the Western NY area.

A theater of this prototype should be viewed as the newest state of the art entertainment complex and be welcomed as a positive improvement in the many features our town has to offer.

The construction of this development will greatly enhance the undeveloped area where Mr. Burke has proposed this construction. I also will be happy to see this additional tax revenue for the Town of Hamburg.

Very truly yours,  
*Frederick P. Kurtz*  
Frederick P. Kurtz  
Certified Industrial Gas Consultant

Residence:  
5532 Pebble Beach Drive  
Hamburg, NY 14075

"Innovative responses to a changing environment"

# Romanello's South

716-649-0450 • FAX 716-649-0864

5793 South Park Avenue, Hamburg, New York 14075

July 16, 1997

Mr. Richard Crandall, Chairman  
Town of Hamburg Planning Board  
S-6100 South Park Avenue  
Hamburg, NY 14075

Post-It™ brand fax transmittal memo 7571		# of pages ▶
To <i>Richard Crandall</i>	From	
Co.	Co.	
DEPT: <i>Planning Board</i>	Phone #	
Fax # <i>648-0151</i>	Fax #	

Re: Proposed Cinemark Theater & Outparcels  
Bayview Rd.-South Park Ave.-Southwestern Blvd.

Gentlemen:

This letter is composed as a longtime businessman within the Hamburg community. Our Romanello's South restaurant facility is less than a mile from the above referenced development.

With our Romanello's large monetary investment in the Hamburg community we are always concerned with any new development in the community, whether it be residential or business.

Certainly in efforts to protect our investment within your Hamburg community we requested the opportunity to review plans for the Cinemark Theater and proposed out parcel plots thereto. We found this to be a compatible business to ours and certainly the Cinemark Theater and eventual retail outlets would be a vast aesthetic improvement to the weeds and debris we have witnessed for years. The July 1997 Traffic Impact Study and mitigation shown therein positively indicates the developers sincere intent to improve the traffic in and about that now troublesome Southwestern-South Park-Bayview intersection.

In our (Romanello's Restaurant) analyzation of the above referenced development we feel it can do nothing but improve the area and in today's slow W.N.Y. economy will lend all surrounding or nearby business an added plus.

One business almost always compliments and adds to others, for a restaurant this Cinemark Theater has to do more than that. With Cinemark being the "state of the art giant" within the movie industry they will generate thousands of viewers. Hopefully a percentage of them will become regular customers of Romanello's.

With the above written for your documentation Romanello's wishes to go on record in favor of this development and respectfully request that your board renders a decision that will protect and push forward the financial interest of the businessmen within our Hamburg community.

Very truly yours

*J T Romanello*  
John Romanello

Post-It™ brand fax transmittal n

To	Town of Hamburg
Co.	Planning Dept
Dept.	
Fax #	648-0151

**CIPRIANI COMPANIES**

July 16, 1997  
 Town of Hamburg Planning Department  
 S-6100 South Park Avenue  
 Hamburg, New York 14075

RE: Proposed Cinemark Development  
 South Park - Southwestern - Bayview

Gentlemen:

We are forwarding this communication as tax paying property owners within the vicinity of the above proposed development.

These properties are defined as follows:

1. Parcel A - approximately 10+ acres of vacant land across from the referenced development on the southerly side of Southwestern Blvd.
2. Parcel B - approximately 1+ acres abutting the development and Frontier School property on the westerly side of development.

With owning the above properties we are very much concerned with any development that is approved for the area. We contacted Mr. Burke for an explanation and review of the Cinemark theater and out parcel shopping as proposed. Mr. Burke also afforded us a review of the July 1997 traffic impact study.

After having reviewed the above, we as two of the largest and most immediately affected neighbors wish to go on record as being positively in favor of this development. The theater rendering is aesthetically pleasing and the mitigation set out in the traffic study will be a definite improvement of traffic flow for Southwestern and the South Park intersection. In addition it will upgrade property values eventually creating much needed taxable revenue for the Hamburg community.

Thank you for the opportunity of expressing our views and we respectfully look forward to a sensible planning decision.

Very truly yours,



Mario G. Cipriani  
 65 Hawthorne  
 Orchard Park, NY 14127

Frank Cipriano  
 65 Hawthorne  
 Orchard Park, NY 14127

Fax - 649-5504

July 15, 1997

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

Re: Proposed Cinemark Theater and  
Retail Shopping Development  
Southwestern Blvd. - South Park Ave. - Bayview Rd.

Gentlemen:

This communication is directed as concerned businessmen and certainly two of the largest property owners and taxpayers in the nearby vicinity of the proposed Cinemark development.

Our company has developed, owns and manages the following properties:

- 1.) Maplewood Apartments (presently 150 apartments, soon to be 276)  
4591 Southwestern Blvd.  
Hamburg, New York 14075
- 2.) Eagle Crest Mobile Home Park (273 families)  
3 Eagle Crest Drive  
Hamburg, New York 14075

Needless to say with approximately 549 family units under our management we have extended a considerable monetary investment within the near proximity to the above referenced development.

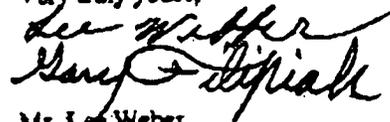
To satisfy our concerns we contacted Mr. Burke and were allowed the opportunity to completely review the July 1997 Traffic Impact Study together with other documentation setting forth the plot plan, design, elevations and styling of the proposed Cinemark Theater.

After our review we and our company totally support the development of this project. The Traffic Impact Study (TIS) suggested mitigation shows major improvement to the now present problems that today plague the Southwestern-South Park-Bayview intersection. The TIS suggested street lights on both the aforementioned intersection and the westerly driveway to Southwestern will greatly improve traffic congestion. It will also benefit our Maplewood tenants in exiting or walking to the beneficial nearby shopping.

A development of this caliber could also assist and justify the town's effort to reduce traffic speed limits on both the County Road-Bayview Drive and the State Road-Southwestern Blvd.

Thank you for allowing us the opportunity to voice our opinion and we respectfully request that your planning board protect our investment in your community with a just and proper decision on the above.

Very truly yours,



Mr. Lee Weber  
Mr. Gary Filipiak

24

# THE MCGUIRE GROUP

1827 SENECA STREET • BUFFALO, NY 14210 • (716) 826-2010

FRANK J. MCGUIRE/CHAIRMAN

July 15, 1997

Mr. Richard Crandall  
 Town of Hamburg Planning Board  
 S-6100 South Park Avenue  
 Hamburg, NY 14075

Re: Proposed Cinemark Theater and  
 Retail Shopping Development  
 Southwestern Blvd.-South Park Ave.-Bayview Rd.

Gentlemen:

I am writing you as the Owner of Autumn View Manor (160 bed) Health Care Facility, S-4650 Southwestern Blvd., Hamburg, New York.

With having a sizable investment within your Hamburg community, we are extremely concerned with any nearby development in the area.

Subsequent to reading newspaper articles on the proposed Cinemark Theater development we contacted Mr. Burke for a review and presentation of the above referenced proposal.

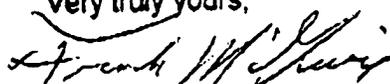
We found the proposed theater to be aesthetically pleasing and the Traffic Impact Study with suggested mitigation thereto a definite improvement to the area. The suggested traffic light on Southwestern will definitely benefit the ingress/egress to our property and the development in general could assist town efforts to reduce the speed limit on Southwestern Blvd. All of this greatly improves the safety of our patient visitors.

It is a shame to see property vacant for so many years doing nothing but harvesting weeds and debris. The town now has the opportunity to correct this by approving a quality taxable development that will benefit the entire Southwestern community.

Both the theater and the out parcel shopping will prove a true convenience and source of entertainment for not only our patients visitors, but the multitude of nearby tenants in Bethel Estates or Maplewood Apartments as well.

Autumn View Manor strongly endorses the above referenced development and respectfully requests that your board protects our investment in the community with a just and pro-pre decision on the same.

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To Hamburg Planning Board	From	
Co.	Co.	
Dept.	Phone #	
648-0151	Fax #	

Very truly yours,  
  
 Frank J. McGuire  
 Chairman

25

Post-It™ brand fax transmittal memo 7671		# of pages >
To	Town of	From
Co.	Hamburg	Co.
Dept.	Planning	Phone #
Fax #	Board	648-0151

July 17, 1997

Richard Crandall, Chairman  
 Town of Hamburg Planning Board  
 S-6100 South Park Avenue  
 Hamburg, New York 14075

Re: Proposed Cinemark Theater & Outparcels  
 Bayview Rd./South Park Ave./Southwestern Blvd.

Dear Mr. Crandall:

I have been a longtime resident within the Hamburg community and a businessman operation several businesses throughout Western New York.

In my everyday commuting between business and home I pass the above referenced property. Having observed the recent newspaper articles on the proposed development in the close proximity of my residence I called Mr. Burke for a detailed presentation of the above.

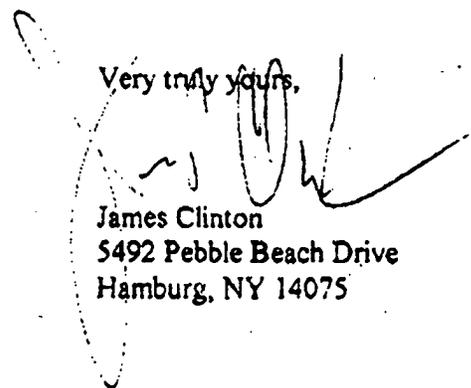
The theater complex and outparcel shopping will be a welcome entertainment and convenience to our Hamburg community.

As a Hamburg resident and family man, I can appreciate the above, however as a businessman I realize the major positive impact this development will have on neighboring Southwestern Blvd. properties and businesses.

The Traffic Impact Study indicates a positive improvement to the highway and traffic flow control and I'm sure as sensible town planners all concerned will welcome the taxable revenue generated by this property improvement.

Speaking as a taxpaying resident of our community I strongly support this development and respectfully solicit your approval of the same.

Very truly yours,



James Clinton  
 5492 Pebble Beach Drive  
 Hamburg, NY 14075

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

OUR REASONS FOR OPPOSITION ARE AS FOLLOWS:

- 1. TRAFFIC PROBLEMS WILL BECOME UNMANAGEABLE ON ROADS WHICH HAVE HEAVY TRAFFIC CURRENTLY.
- 2. WITH THE PLANNED EXPANSION OF THE MCKINLEY MALL THEATER COMPLEX AND THE NEARBY LOCATION OF THE HAMBURG CINEMA AND PALACE THEATERS, WE FEEL ADDITIONAL DEVELOPMENT OF MOVIE THEATERS IS UNNECESSARY.
- 3. DRAINAGE, SEWAGE AND ROAD ISSUES ARE A PROBLEM.
- 4. SIXTY TO SIXTY-FIVE FOOT HIGH WALLS IN AN AREA ZONED FOR 35 FT. MAXIMUM IS UNACCEPTABLE.
- 5. FIRE PROTECTION ISSUES.
- 6. DECREASED PROPERTY VALUES OF NEARBY RESIDENCES DUE TO REDUCTION OF QUALITY OF LIFE IN THE AREA.
- 7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. W. Boland	Saville Ave Hamburg
2. Brian Smith	4008 Essex Pl Hamburg
3. Julie Durant	4008 Essex Pl. Hamburg
4. <del>Cam Anderson</del>	3429 <del>DOLPHIN DR</del> <del>BLVD</del>
5. Al Fulco	32 Sherburn Dr, Hamburg
6.	
7.	
8.	
9.	
10.	

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE  
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7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. Marian Belrus	4007 Tudor Pl. Hamburg
2. Michael S. Best	4007 Tudor Pl. Hamburg
3. Moriji Todouou	3954 Nottingham
4. JANE Cannizzaro	3950 Nottingham HAMBURG.
5. Ginger Mesler	3944 Nottingham Hamburg
6. Kelly S. Nelson	3972 Tudor Pl Hamburg NY 14075
7. John Redson	3972 Tudor Pl Hamburg, NY 14075
8. Carol Dombrowski	3971 Tudor Pl. Hamburg, NY 14075
9. Demetrius Kerna	4498 Buckingham Hamburg NY 14075
10. David Pethorly	4531 Buckingham Hamburg NY 14075

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

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7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. Jean Gralson	3738 Dogwood Ln.
2. Dominic Corvito	3749 Dogwood Ln.
3. Mark E. Hayduk	3993 NOTTINGHAM TERRACE
4. Nancy A. Hayduk	3993 Nottingham Terrace
5. Dave Prater	3992 NOTTINGHAM TERR
6. Ronald Sallins	3980 Nottingham Terr.
7. Jeffrey Phil	3991 TUDOR PLACE
8. Cathy Muskowsky	3949 Nottingham Terrace, Hamburg
9. Albert Muskowsky	3949 NOTTINGHAM TERRACE, HAMBURG
10. Donald Thompson	3970 Nottingham Terrace Hamburg

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NAME	ADDRESS
1. Lisa Cline	4436 WINDSOR TERR. HAMBURG NY 14075
2. Ann Coleman	3661 Briarwood Ct. 14075
3. Mary & Bogdan Zyzanski	10 Park Square 14075
4. Karne Weber	4013 Tudor Place 14075
5. Karne Butler	54102 Highview Pkwy 14075
6. Barbara Stepien	4516 Buckingham Lane Hamb 14075
7. Anna Love	4053 Towers Pl. Hamb. 14075
8. Debra O'Brien	481 Misty Meadow Ln Hamb 14075
9. Karie Schallmo	5239 Fairgrounds Rd Hamb 14075
10.	

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NAME	ADDRESS
1. Mr & Mrs Ronald Weber	4013 Tudor Pl.
2. Mr + Mrs Ron Bryanak	4014 Tudor Pl
3. MR. & MRS Rita Durbic	4019 Tudor Pl.
4. Edwin Stenzel	4566 Buckingham Lane
5. Dorely Bauer	3998 Nottingham Terrace
6. Dennis Bauer	4003 Tudor Pl!!
7. Janice Bauer	4003 Tudor Place
8. Jil P. Powers	3998 TUDOR PL
9. Sandy Chase	3992 Tudor Pl
10. Aurora Tadjer	3988 Tudor Pl

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

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7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME

ADDRESS

1. Mr + Mrs. George Osborne 3981 Tudor Hamburg NY
2. Mr & Mrs. John + Lori Lauter 4004 Tudor Hamburg NY
3. Mr & Mrs Anthony Piscitillo 3960 Tudor Pl. Hamburg NY
4. Mr Mrs. ROBERT WOJNAR 3965 TUDOR PL. HAMBURG N.Y.
5. Mr & Ms DAVE + RENAE SCHOENLE 3957 TUDOR PL HAMBURG NY
6. Mr & Mrs Frank Patten 3948 Tudor Pl Hamburg NY
7. Mr & Mrs Kent Fournier 3956 Tudor Place Hamburg NY
8. Mrs Elizabeth Yancy 4465 Buckingham Ave Hambr. 14075
9. Mr. + Mrs. Daniel Calouis 4464 Buckingham La. Hambr. 14075
10. W. J. Corwin 4446 BUCKINGHAM LN Hambr. 14075

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NAME	ADDRESS
1. <i>[Handwritten Name]</i>	4438 Buckingham Lane Hamburg N.Y.
2. <i>[Handwritten Name]</i>	4438 Buckingham Lane Hamburg N.Y.
3. <i>[Handwritten Name]</i>	4430 Buckingham Hamburg N.Y.
4. <i>[Handwritten Name]</i>	3125 Nottingham, Hamburg N.Y.
5. <i>[Handwritten Name]</i>	3933 Nottingham Ter. Hamburg, N.Y.
6. <i>[Handwritten Name]</i>	3921 Nottingham Hamburg N.Y.
7. <i>[Handwritten Name]</i>	3935 Nottingham Hamburg, N.Y.
8. <i>[Handwritten Name]</i>	3938 Nottingham Ter., Hamburg N.Y.
9. <i>[Handwritten Name]</i>	3940 Nottingham Terr Hamburg N.Y.
10. <i>[Handwritten Name]</i>	3941 Nottingham Hamburg N.Y.

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NAME	ADDRESS
1. Scott Sullivan	3971 Nottingham Terr.
2. Debbie Swawig	3971 Nottingham Terr
3. David Valyo	4008 Nottingham Terrace
4. Maureen Bush	4012 Nottingham Terrace
5. Christine E. Wirth	4018 Nottingham Terrace
6. Joseph Lewis	4024 Sussex Pl
7. Beverly Lewis	4024 Sussex Pl
8. Tugenia Omyel	4018 Sussex Pl.
9. Adriana Pontuciero	11 Dudley Ave.
10. Dominic Curtrucco	11 Dudley Ave.

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

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- 7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. Donald Dangel	4018 Sussex Pl.
2. Jack Sancer	4515 Buckingham Lane
3. Marilyn Pace	3984 Sussex Place
4. Dick Smith	4001 Sussex Pl.
5. Laurie Kelly	4009 Sussex Place
6. Tony Szpluh	4660 Roundtree Rd
7. Betty Kiesel	4650 Roundtree Road
8. Harlene Napora	4606 Roundtree Rd.
9. Dan Lunn	4590 Roundtree Rd.
10. Matt F...	4580 Roundtree Rd.

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

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- 7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. Jean Bellinger	4580 Round Tree Rd
2. Dorothy Price	4572 Roundtree Rd -
3. Mary Radars	4538 Roundtree La
4. Ken Radars	
5. Jim Zurek	4537 Countryside Rd.
6. Kathy Skelton	3711 Woodhaven Cir
7. Cliff Brantley Sr.	3602 Cumberland Ln.
8. Michelle Brantley	3707 Woodhaven Cir.
9. Carol Mann	3701 Woodhaven Cir.
10. Jeff M. Mann	3701 WOODHAVEN CIR

WE THE UNDERSIGNED RESIDENTS OF THE TOWN OF HAMBURG ARE OPPOSED TO THE BUILDING OF A 20 THEATER COMPLEX AT THE CORNERS OF BIG TREE ROAD, SOUTH PARK AND SOUTHWESTERN BLVD.

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- 6. DECREASED PROPERTY VALUES OF NEARBY RESIDENCES DUE TO REDUCTION OF QUALITY OF LIFE IN THE AREA.
- 7. ADJACENT TO DISTRICT ELEMENTARY AND HIGH SCHOOL.

NAME	ADDRESS
1. Donald McHenry	3690 Woodhaven Circle
2. Linda McHenry	3690 Woodhaven Circle
3. Joann. ...	3694 Woodhaven Circle
4. Eleanore ...	3766 Woodhaven Circle
5. Virginia Mc ...	3708 Woodhaven Circle
6. Peggy A. Barone	4529 Round Tree
7. Diane L. Zahradnik	4537 Roundtree
8. Ann Silosa	4547 Roundtree
9. David E. Silosa	4547 Roundtree
10. Kenneth E. ...	4551 Roundtree

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NAME	ADDRESS
1. <i>Richard D. Poulos</i>	4607 <i>Rountree Rd</i> Hamburg 14075
2. <i>John J. ...</i>	4631 <i>Rose &amp; ... Rd</i> Hamburg 14075
3. <i>Elisa ...</i>	4631 <i>Rountree Rd</i> Hamburg 14075
4. <i>Cory J. McElroy</i>	3651 <i>Deerwood Dr.</i> Hamburg 14075
5. <i>Patricia Pratta</i>	3681 <i>Breckenridge Dr.</i> Hamburg 14075
6. <i>D. Pirota</i>	3671 <i>Breckenridge Dr.</i> Hamburg 14075
7. <i>D. ...</i>	3687 <i>Breckenridge Dr.</i> Hamburg
8. <i>A. ...</i>	" " " "
9. <i>Candace Kowal</i>	3685 <i>Breckenridge Rd</i> Hamburg 14075
10. <i>James W. ...</i>	3685 <i>BRECKENRIDGE RD</i> HAMBURG 14075

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NAME	ADDRESS
1. Kim Gundatich	4922 Springway Lane
2. Kyle Casali	3633 Breckenridge Rd.
3. JOHN H. LAUTER	4004 TUDOR PL.
4. Henry J. Knudsen	3973 Yale Ave.
5. [Signature]	4364 Lumbert Dr.
6. Deborah Heyman	3890 Cornell St.
7. [Signature]	3890 Cornell St.
8. [Signature]	3514 Heatherwood Dr. Hamburg
9. [Signature]	3514 Heatherwood Hamburg
10. Raymond [Signature]	2757 Pleasant Ave. Lakewood NY.

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NAME	ADDRESS
1. Richard J. Galt	4021 ESSEX PL. HAMBURG
2. Chris Galt	PO Box 113 <del>Essex</del> HAMBURG
3. Jack Danstler	4013 ESSEX PL. HAMBURG
4. Susan Galt	4007 ESSEX PL HAMBURG
5. <del>[Signature]</del>	4007 ESSEX PL HAMBURG
6. Georgia Goodspeed	4001 Essex Pl Hamburg
7. Bernard Higgins	3995 Essex Pl Hamburg
8. Cecilia Krug	3990 Essex Pl. Hamburg
9. Sherry Helvey	3996 Essex pl. Hamburg
10. J. J. [Signature]	4022 Nottingham Ln

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NAME	ADDRESS
1. Mrs. J. Shield	3991 Tudor Pl Hamburg NY 14075
2. Renee Becker	3982 Tudor Pl Hamburg NY 14075
3. David Macy	4265 Misty Meadow Hamburg NY 14075
4. Cheryl Labinski	4008 Tudor Hamburg NY 14075
5. Fred J. Rubin	4002 Nottingham Hamburg NY 14075
6. E. S. Wilson	3994 Nottingham HAMBURG N.Y. 14075
7. Marie Lela	3988 NOTTINGHAM HAMBURG, N.Y. 14075
8. Pamela T. Henry	3986 NOTTINGHAM HAMBURG, NY 14075
9. Ronald C. Henry	" Nottingham Hamburg 14075
10. Lawrence C. Henry	3980 Nottingham Hamburg 14075

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NAME	ADDRESS
1. Robert W. Andrews	4545 Buckingham Ln.
2. Sydi Nicoloff	4558 Buckingham Ln.
3. Margaret Kluber	4584 Buckingham Lane, Hamburg, N.Y. 14075
4. Paul A. Labisi	4008 TUCKER PL. / HAMBURG, NY 14075
5. Marlene A. McFelly	4534 Buckingham Ln. Hamburg NY 14075
6. Donald F. McFelly	4534 BUCKINGHAM LA HAMBURG, NY 14075
7. John A. Swander	S-5083 College St. Ham S. N.Y.
8. Linda N. Swander	S-5083 College St. Hamburg N.Y.
9. J. F. Ruggetta	3208 Durham Rd. Hamb. N.Y.
10. Dennis Doyle	3572 Howard Rd. Hamb., N.Y.

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NAME	ADDRESS	
1. Robert Nelson	3976 Nottingham	14075
2. James Hainiki	3967 Nottingham	14075
3. Josephine & Kaeylee	3967 Nottingham	14075
4. Bonnie & Eaton	3964 Nottingham	14075
5. Jeanne Sue	3957 Nottingham	14075
6. Ed Sue	3957 Nottingham	14075
7. Dina Rajski	3960 Nottingham	14075
8. DAVE Rajski	3960 Nottingham	14075
9. Denise Quella	3956 Nottingham	14075
10. Fred Ailla	3956 Nottingham	14075

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NAME	ADDRESS	
1. <i>Frank Saccomanno</i>	4260 Camp Road	Hamburg N.Y.
2. <i>Terudy Beil</i>	3879 Princeton	Hamburg ;
3. <i>Harold Beil</i>	3879 Princeton	Hamburg ;
4. <i>Carol Kreege</i>	3747 Dogwood Ln.	Hamburg, NY
5. <i>Robin Gonnitto</i>	3749 Dogwood Ln	HAMBURG, NY
6. <i>Sharon Wright</i>	3751 Dogwood Ln	Hamburg, N.Y.
7. <i>Kim L. Wright</i>	3751 Dogwood Ln.	Hamburg N.Y.
8. <i>Rich Kiley</i>	3755 Dogwood Ln	Hamburg, N.Y.
9. <i>Sharon Kiley</i>	3755 Dogwood Ln	Hamburg, N.Y.
10. <i>LINDA SZAL-SUTTON</i>	3765 Dogwood Ln	HAMBURG, NY

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NAME	ADDRESS
1. Barry Sullivan	3765 ROGERS Ln. Hamburg.
2. Ann Wilshaw	3823 Howard Ave.
3. R. S. Wilshaw	3823 Howard Ave.
4. B. M. Stutzman	3833 Howard Rd.
5. S. D. Offhaus	3803 Howard Rd.
6. Franck	3777 HOWARD Rd
7. Joseph D. Smith	3773 HOWARD RD.
8. Gubuck R. Rolod	3720 HOWARD RD.
9. Helen Roland	3720 Howard Rd
10. Julie Roland	3720 Howard Rd

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NAME	ADDRESS
1. JANE, DAUMIO	3717 Howard Rd Hamburg
2. ED. KOTERAS	3710 HOWARD RD HAMBURG
3. Prisha Barbat	3707 Howard Rd. Hamburg
4. Danielle M. Moisidis	3697 Howard Hamburg
5. Patricia M. M... ..	3697 Howard Hamburg
6. Michael M...	3697 Howard Hamburg
7. Gray B. Santiago	3815 Howard Rd. Hamb.
8. Hector Santiago	3815 Howard Rd. Hamb.
9. Rosemary Puytill	3770 Dogwood Ln. Hamburg
10. Connie Gillen	3690 Dogwood Ln. Hamburg

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NAME	ADDRESS
1. Pamela Pacyon	3652 James Ave 14219
2. Sandra Kimowski	3973 Yale Ave 14075
3. Ron Soper	82 GILBERT AVE 14219
4. Tom Gillen	57 Gilbart Ave 14219
5. JAMES GUERRA	3976 SUMMERWAY LANE
6. DONALD B Hagen	3986 LINCOLN AVE HAMBURG NY
7. William LOPEZ JR.	4929 Winterway Ln. Hamburg,
8. Martene Guen	3976 Summerway Lane Hamburg, NY.
9. Pedro Rivera	5858 Harvard St. Hamburg, NY.
10. Tina Rivera	3858 Harvard St Hamburg NY

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NAME	ADDRESS
1. <i>[Signature]</i>	4881 Sunway Lane Hamburg
2. <i>[Signature]</i>	4873 Springway Lane Hamburg
3. <i>Jordan Duffey</i>	4881 Sunway Ln. Hamburg
4. <i>Janet Heintzman</i>	3284 Ashley Dr Blasdell
5. <i>Chack Heintzman</i>	// // //
6. <i>Maquet McAnery</i>	4080 Harwood Blasdell
7. <i>Pat McAnery</i>	4080 Harwood. Blasdell
8. <i>Don Dunderberg</i>	4922 Springway Hamburg
9. <i>Annie Japer</i>	82 Melburn Ave Blasdell
10. <i>Jeff Byler</i>	3401 Big Tree Hamburg NY 14111

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To: Town Of Hamburg Planning Board  
Hamburg Town Hall  
6100 South Park Ave.  
Hamburg, New York 14075

From: David L. Valyo  
4008 Nottingham Terrace  
Hamburg, New York 14075

I am writing you today to express my opinion on some of issues that will be discussed at the Planning Board on 7-16-97.

Tinseltown Plaza- Hamburg does not need a 20-theater complex with additional retail outlets.

This complex will cause more unnecessary traffic congestion at the corner of Route 20 and Southwestern Boulevard as well as the length of Southwestern Boulevard that runs from Seven Corners to Camp Road.

In case you have not noticed, there is plenty of empty plaza space in the Town of Hamburg and the Village of Hamburg, Hamburg does not need any more empty plazas.

As far as Tinseltown Plaza creating jobs for area, these jobs created will be low paying no benefit garbage jobs.

I seriously doubt that the construction of Tinseltown Plaza will lower my property and school taxes. My taxes go up every year.

The Mall, Palace and Camp Road theaters already established in Hamburg suffice Hamburg's theater needs.

Sears National Tire and Battery- allowing this building to be built is REDUNDANCY on Sears behalf.

In case you have not noticed Sears already has a place in the Mall to sell tires and batteries.

Their garage at the Mall is quite a large facility and if they

cannot draw enough customers to that garage then there is definitely something wrong with their marketing department. Allowing this unnecessary construction by Sears will just add to the traffic congestion at Seven Corners.

Auto Zone Discount Store- the former Tops store on Camp Road as well as the former WoolWorths store in the village of Hamburg as well the now mostly empty South Shore Plaza would accommodate a auto parts store in lieu of more unnecessary construction.

South Shore Dome- I knew that Dome would be a permanent fixture and a eyesore when the Town Planning Board gave its initial approval for its construction.

The Dome should be removed.

I applaud the efforts of the East Aurora planning board that stymied WalMart and Tops from building there.

Why cannot the Town of Hamburg and Village of Hamburg planning boards put a stop to unnecessary wanton construction in Hamburg?

I have talked to people in East Aurora and they do not want East Aurora to end up as Hamburg-OVER DEVELOPED.

At present we have a lot of empty commercial buildings in the town and village of Hamburg and cannot see why the Planning Boards continue to approve the building of more commercial buildings.

Little by little the forest lands of Hamburg are being eliminated by the unnecessary approval of more commercial and residential development.

When my father and mother first to moved Hamburg back in the

sixties Hamburg was a charming quaint little town, but due to irresponsible actions of the people who are in charge of the development of Hamburg, Hamburg as become "A BLACK TOP JUNGLE". May the quaint little town of Hamburg that me and others were raised in "REST IN PEACE".

*David L. Valyo*

David L. Valyo

CC Kathy Hochul

P.S. I started writing this letter to you at 7:00PM on 7-11-97. It is now 9:00PM on 7-11-97. My house is the fifth house down from Route 20. I could not tell you how many times since I have sat down to write this letter to you-I have heard the SCREECHING SOUND of tires from the cars that are using Route 20. Any more traffic congestion problems in this part of Hamburg will only result in spilling of more BLOOD from car accident victims.

**Woch Rezoning - 4882 Southwestern Blvd.**

Mr. William Woch appeared before the Planning Board on a rezoning petition that he filed last year, but was asked to hold, until the Master Plan was adopted. That action has now been taken and Mr. Woch is again applying for his rezoning from R-2 to C-1. The property is located across from Michael's Banquet facility on Southwestern. A recommendation to the Town Board is now in order.

**Engineering** comments. Sewer and water service are available to the site.

Mr. Reilly explained that the Master Plan has designated the east side of Southwestern to be commercial. There are a few residences along that stretch. This is an undue burden on the residents as it is difficult to sell their property as residential. One of the areas suggested to be turned into commercial is this specific area. There is proper buffering along that way. The Master Plans says that rezoning in this area should be considered.

The proposed rezoning is in conformance with the Master Plan and the buffering from adjacent property is sufficient. This proposal will meet the requirements of the Master Plan and the overlay district on Southwestern. Southwestern is a very busy road. Also, the neighbors are in favor of a rezoning.

Councilman Cavalcoli stated that some type of signage should be put up advertising that the property is being rezoned from R-2 to C-1.

Motion was made by Mr. Pohlman, seconded by Mr. Koenig to forward a favorable recommendation to the Town Board on this property from R-2 to C-1 for the following reasons:

1. The proposal is in conformance with the Master Plan.
2. The buffering from adjacent property is sufficient.
3. The proposal will meet other requirements of the Master Plan such as the Southwestern Overlay District.
4. Adjacent neighbors are in favor of the rezoning.

Carried.

**South Shore Dome - Southwestern Blvd.**

Ms. Karin Stamy appeared before the Planning Board on the South Shore Dome application for year round use on Southwestern Blvd. She asked for a 30 day adjournment because authorization must come from the bankruptcy court so as to proceed. All she can do is sit and take notes on what is being discussed on the forthcoming scoping.

Dome (Continued)

Drew Reilly reviewed some of the items that are being considered for the scoping check list.

**Part II SEQR**

1. Impact on land--Does it exceed any of the thresholds identified? (No) we said yes, but it is not potentially large.

2. Impact on water--(no) the seasonal use of a dome would not have an impact on water.

3. Impact on air--yes, minor. You will have more generation in traffic by having a year round use as opposed to seasonal use. (small to moderate). Number of trips should be combined with the entire golf course. We have received a schematic of the trips generated by a preliminary study. We will also assume that all 3 elements will be in operation at the same time.

4. Impact on plants and animals (No).

5. Impact on agricultural land and resources. (No).

6. Impact on Aesthetic resources. Four of the items were exceeded. Proposed land uses, project components, are they different from current surrounding land use. Proposed land use visible to users of aesthetics which are significant to reduce aesthetic quality. Project components different from or in sharp contrast for screening and scenic views important to the area. Conflict with the Town's overlay district.

7. Impact on historic resources (no)

8. Impact on open space and recreation. (yes) minor. Subject to interpretation. In the original approval, it was stated that the dome would be taken down so that the hole could be used in the summertime. The applicant will have to address that if the dome is up, how will that hole affect the recreation characteristics of the area (small).

9. Will there be an affect on existing transportation systems? (yes).

10. Impact on Energy. (no could be yes) small.

11. Noise and odor impact (no)

12. Impact on public health (yes), the issue of the distraction at the busy intersection to cause accidents.

13. Impact on growth and character of the community. Large impact. Proposed action will conflict with adopted plans and goals of the community to the overlay district.

14. Proposed action will set a precedent for future projects.

Dome continued

(large impact). We allowed a higher structure due to the fact that it was only going to be up 6 months in the winter.

Chairman Crandall pointed out that the fact that we have a Southwestern Overlay will be considerably greater in the summer months. When everything is covered with snow, it doesn't matter. The intent was to have it as nice as we could on the Southwestern stretch and this certainly does not match the intent in the overlay zone.

The last category is growth and character. It affects the character of the community. This is a SEQR issue and a Southwestern Overlay issue. It affects the image of Hamburg and is a visual image. It is a regional issue on a high piece of land.

Mr. Peter Przybyl asked if we are really making strides in the Hamburg area with this type of project?

Motion was made by Mr. Pohlman, seconded by Ms. Ganey to Table. Carried.

#### Dennis Griffin Used Car Lot - Camp and St. Francis Drive

Mr. Reilly noted that a new site plan was just brought in this afternoon and there has been no time to review it. Comments have been received from **Engineering**:

- (1) The site plan review checklist was not complied with in preparing these plans. Revise site plan accordingly.
- (2) Existing site elevations are required. Additional proposed grade elevations are required for the site, as well as arrows to indicate directions of drainage flows.
- (3) The site is in a flood plain. A flood plain development permit from the Building Inspector will be required for the site.
- (4) Concrete curbing is to be installed at the two (2) entrances. Curbing or parking bumpers are required for all parking spaces and along the 30 foot setback line in the vehicle display area.
- (5) Show the water service size and location.
- (6) Show the proposed sanitary sewer service lateral location to the building. Include the proposed pipe size, slope, and a profile view. Include the manhole rim and invert elevations for the existing manhole near the south property line. Submit the plan to the Erie County Dept. of Environment and Planning (ECDEP), for review on behalf of the Southtowns Sewage Treatment Agency. We will not approve the site plan prior to approval by the ECDEP.

- (7) Include an appropriate clearing, stripping, and erosion control (CSEC) plan and associated construction details.
- (8) Note on the plan that a New York State Dept. of Transportation permit is required for work within the Highway right-of-way. We will not approve these plans without NYSDOT review and approval of the work on the right-of-way.
- (9) Include the proposed storm sewer pipe material, slope, and invert elevations. Show the roof downspouts connected to the storm sewer. The storm sewer shall have a minimum of two (2) feet of cover and a minimum diameter of ten (10) inches. The storm sewer shall only change direction at structures.
- (10) Stone parking areas are not acceptable. Include a proposed pavement section.
- (11) The site is located within the boundaries of the Town's coastal management zone, as designated by the Town's Local Waterfront Revitalization Program. Therefore, a Federal Consistency Assessment Form is to be prepared and submitted to the Town's Shoreline Revitalization Committee for review and approval.

Correspondence received from Norm Masse - Shoreline Committee

To: Richard Crandall, Chairman Planning Board

From: *N. Masse*  
Norm Masse, Chairman - Shoreline Committee

I have reviewed the site plan for Dennis Griffin's Used Cars on St. Francis at the circle and have the following concerns:

1. What is the height of the building?
2. Where will washing of cars take place. If there is any oil changing, how will that be handled, especially as to how it relates with the open drainage.
3. Would like to see trees planted at 30' centers instead of 40'.
4. Would like to see the entranceway addressed. The throat of the driveway is not large enough to handle traffic coming off St. Francis Drive.
5. Will there be a sign and where will it be located?

Mr. Reilly pointed out that the Traffic Safety Board would also like to take a look at this site plan. Mr. Griffin asked if he could clean up the property as there is 30 years of growth. Applicant was advised that he could do basic clean up, but no bulldozing.

Motion was made by Mr. Pohlman, seconded by Ms. Ganey to **Table**. Carried.

**Cloverbank Construction - Lake Shore Road**

This is for a proposed office and warehouse for the storage of construction materials, and the property is zoned M-3. The board was advised that they would like to having parking closer than the required 35, which would be in conformance with other businesses along that stretch.

Comments from **Engineering** are as follows:

- (1) The subject parcel is not located within a sanitary sewer district. The owner of the parcel will need to apply to the Town Board for approval as an out-of-district customer to the Hamburg Master Sewer District.
- (2) The sanitary sewer lateral is to be connected into the sewer main (not the manhole). A minimum slope of 1/4 inch per foot (2%) must be provided for the 4" sewer lateral. Submit the plan to the Erie County Dept. of Environment and Planning (ECDEP), for review on behalf of the Erie County/Southtowns Sewage Treatment Agency.
- (3) The storm sewer between CB No. 2 and CB No. 3 is to have a minimum diameter of ten (10) inches.
- (4) Silt fence or hay bales should be provided for erosion control along the north property line. The undeveloped area east of the building should not be disturbed. Note that all disturbed areas are to be topsoiled and seeded.
- (5) The driveway curbing is to be 30 feet apart (width of driveway) and connected at the concrete apron. The right-of-way area alongside the driveway is to be topsoiled and seeded (not paved as shown).
- (6) It appears that the RPZ backflow preventer and water meter could be located inside the building instead of the exterior hot box.

Motion was made by Mr. Pohlman to forward a positive recommendation to the Zoning Board; that parking can be in conformance with adjacent industrial properties; that a Negative Declaration can be issued, and that approval can be given conditionally upon completion of all Engineering requirements, seconded by Mr. Koenig. Carried.

**Benderson Development - Seven Corners Retail Development**

Messrs. Bob Alonzo and Tony Battista appeared before the Planning Board with a schematic of what the retail facility would look like at Seven Corners. No action can be taken on this project as there is not enough information that has been submitted. This will be a brick-faced site with signage that will be aesthetically pleasing. These will be standard, round signs which will be matching for all tenants.

Engineering comments are as follows:

- (1) The only site plan drawing which we have received for this project is the 6/16/97 proposed site plan for the National Tire & Battery Store, showing the site separate from the remainder of the plaza. An overall site plan should be submitted showing an interconnection between the tire store and the rest of the plaza, as well as the proposed driveway locations for the plaza.
- (2) The site plan submitted for the Tire & Battery Store is not in compliance with the checklist requirements. The site plan should be revised accordingly and resubmitted for review.

Motion was made by Mr. Koenig, seconded by Ms. Ganey to **Table**.  
Carried.

Motion was made by Ms. Ganey, seconded by Mr. Koenig to adjourn the meeting. Carried. Meeting adjourned at 11:45 p.m.

Respectfully submitted,

Gerard Koenig, Secretary  
Planning Board

Next meeting: 8-6-97

# TOWN OF HAMBURG

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

Supervisor  
PATRICK H. HOAK

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



Town Attorney  
VINCENT J. SORRENTINO

Town Clerk  
GEORGE DANYLUK

Supt. Of Highways  
JAMES F. CONNOLLY

Receiver of Taxes  
ROBERT A. MARS

July 16, 1997

Harris, Beach & Wilcox  
One Grimsby Drive  
Hamburg, N. Y. 14075-3764

Attention: Karin L. Stamy

Re: South Shore Sports Dome

Dear Ms. Stamy:

With regards to our telephone conversation of 7-15-97 and your letter of 7-15-97, we would offer the following:

We are aware that your clients have filed for federal bankruptcy protection and that you need approvals from the Bankruptcy Court prior to proceeding with any work. We have anticipated delays on your clients part due to the filing, but we are doing our best to keep the process moving in an attempt to keep within some reasonable time frame. We both have stated in correspondence that neither party wants to delay this process.

With this in mind and considering that notices have been put in the paper, we will be continuing with our process of scoping the Environmental Impact Statement, on July 16, 1997. At that time we will hope to get some public input on the potential scope of the document.

With regards to you not supplying us with a draft scope and the Town providing information to you only two days before this meeting, we believe it is a moot point. With or without this information, you are still awaiting approvals from the court prior to doing anything. With this in mind as stated previously, we are trying to keep the process moving.

Through our July 2nd Work Session and our July 16th meeting, we will be assisting you with the formulation of the draft scope by obtaining input from the public and other agencies. As you stated at our last meeting (7-2-97), you needed input from us to determine scope items. Both parties agreed that the issues needed clarification - even what the project description is, was argued.

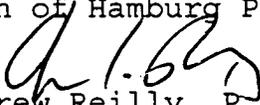
.With this input, hopefully you will be able to generate an accurate scope acceptable to the Town, and other involved and interested parties. Thus we will be able to reduce the 60 day time period given in the SEQOR law for lead agency review of the draft scope. As you know, the lead agency is responsible for the final written scope.

If you are unable to attend the public information meeting tonight, we will provide you with our minutes. With this information, the information sent to you on 7-14-97, and the input you received on 7-2-97, you should be able to write an accurate Draft scope. We are looking forward to receiving this as soon as you get approval from the Court.

Thank you for your consideration in this matter.

Very truly yours,

Town of Hamburg Planning Dept.

  
Andrew Reilly, P. E.  
Planning Consultant

CC: R. Boehm  
R. Crandall  
P. Blaauboer

**State Environmental Quality Review**

**Positive Declaration**

**Notice of Intent to Prepare a Draft EIS  
Determination of Significance**

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

The Hamburg Planning Board, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:** Southshore Country Club Sportsdome

**SEQR Status:** Type I  
Unlisted X

**Description of Action:** Operation of a Sportsdome at the South Shore Country Club at the intersection of Southwestern Blvd. and Camp Rd.

**Location:** S5076 Southwestern Blvd., Erie County  
Hamburg, N. Y.

**Reasons Supporting This Determination:**

The operation of a year round sports dome at this location has the potential to significantly impact the aesthetic resources of the Town, adversely impact the transportation system and public health and safety of the Town, and will affect the character of the community and is in conflict with the adopted plans and goals of the Town.

**For further information:**

Contact Person: Andrew C. Reilly, P.E. AICP

Address: S-6100 South Park Avenue  
Hamburg, N. Y. 14075

Telephone #: 649-2023

Dated: 7-16-97

2772 SOUTH CREEK RD  
HAMBURG NY 14075  
JULY 14, 1997

HAMBURG TOWN PLANNING BOARD

RE: GOLF DOME

GENTLEMEN:

I THINK EVERY UNUSUAL STRUCTURE - AS THIS DOME - SHOULD BE CONSIDERED INDIVIDUALLY, ON ITS MERITS, WITH LOCATION BEING A KEY CONSIDERATION.

I WOULD NOT FAVOR EXTENDING THE DOME PERMIT FOR THE WHOLE YEAR'S OPERATION FOR 2 REASONS:

① IT IS AN UGLY STRUCTURE STANDING AT THE VERY ENTRANCE TO OUR TOWN.

② THE ORIGINAL PERMIT WAS GRANTED FOR A PARTIAL YEAR, AND THIS AGREEMENT SHOULD BE ADHERED TO.

THIS CORNER OCCUPIED BY THE GOLF COURSE USED TO BE ONE OF THE FEW REMAINING BEAUTY SPOTS AFTER WE ALL BUT DESTROYED CAMP ROAD AS AN ENTRANCE TO THE VILLAGE. THE DOME MIGHT HAVE A PLACE ON A COLLEGE ATHLETIC FIELD OR ADJACENT TO A FOOTBALL STADIUM, BUT IT IS QUITE OUT OF PLACE IN ITS PRESENT LOCATION.

THANK YOU FOR SOLICITING RESIDENTS' OPINIONS!

PAUL R. GOENTHER

mc  
July 16, 1997

HAMBURG TOWN HALL  
Town Board  
South Park Avenue  
Hamburg, New York 14075

Dear Messrs Hoak, Cavalcoli, Quatroche Jr., Ms. Hochul & Ms. Kesner:

I am unable to attend the meeting regarding the "Golf Dome." Hence this statement:

1. I consider the dome an eyesore anytime of the year. The term used by some residents "beached whale" describes it well.
2. Your granting of a permit for temporary use during selected months was an unwarranted gift to the developer in the first place.
3. The developer's chain of economic hardship and miscalculation in my mind is nothing less than a ploy contemplated at inception of the project.
4. Anything less than a requirement by you that the structure be disassembled immediately is an insult to the residents.

Sincerely,

*Donald A. Eichler/sjm*

Donald A. Eichler  
6711 E. Eden Road  
Hamburg, NY

DAE/sjm

July 14, 1997

Town of Hamburg  
Planning Board,

As a resident of Town of  
Hamburg I would like to give  
my opinion on the South Shore  
dome.

I find it a delight to see  
something clean and modern  
in place of a garage, gasoline  
station and fields of cars  
that are on the market.

I am not a golfer and  
never have been but I am  
for a well designed and  
planned eatery and relaxed  
area.

Sincerely,  
Marion Rostad

This also shows no. 22  
Along: It will show the  
one piece as the one  
up at the 20 x 100 B.  
It would probably  
cover on the floor.

Thank you for your  
concerns  
Sincerely,  
Paul & Marie Orsola  
10150 25th St  
Aurora, IL 60015-0521

Res # 522 Plenum - Arc



BALD EAGLE (Haliaeetus leucocephalus)

Jul 17, 1991

Thank you for Planning Board

Comments:

Please be advised that the  
underground strength of the  
"The Dome" Base is not what  
other name used for the  
high mass masonry structure  
the #20 & #75 - in our view.

A structure of this sort  
was polluted on our drawings  
and should not be allowed  
NO! I don't see a person at all  
It shows in the plan down  
completely & the arch return  
as it should be - Green.

We also understand that  
a similar type structure  
is proposed for the  
Green Wood Square Plaza

BALD EAGLE (Haliaeetus leucocephalus)

