

**Town of Hamburg
Planning Board Minutes
July 19, 2006
Actions Taken**

**Hamburg Village Line
4 lot major subdivision
Lakeview Road**

Approved with conditions

**Parker Commons
Parker Road
John Kalstek, developer**

Tabled to August 2nd, 2006

**Walmart & Benderson
Brierwood Plaza**

Tabled to August 2nd

**Southampton Condos
Big Tree Road
Alan Nigro**

Tabled for different sketch plan

**North Forest Properties
Rezoning from R-3, Multi-family
to C-1, Local Retail for offices**

**Recommendation to be made at
Next meeting**

**Town of Hamburg
Planning Board Meeting
July 19, 2006**

The Town of Hamburg Planning Board met for a regular session on Wednesday, July 19th, 2006 at 7:30 p.m. in Room 7B of Hamburg Town Hall. Those attending included: Chairman Gerard Koenig, Vice-Chairman David Phillips, Secretary Paul Eustace, Steve McCabe, Sasha Yerkovich, Karen Rogers. Others include: Attorney Don McKenna, Atty. Michael Fruth, Rick Lardo, Drew Reilly, Councilman Mark Cavalcoli & Terry Dubey, Stenographer. Excused: Richard Taber

Hamburg Village Line 4 lot Subdivision - Lakeview Road

Secretary Eustace read the following Legal Notice of Public Hearing:

<p>LEGAL NOTICE HAMBURG VILLAGE LINE 4 LOT SUBDIVISION LAKEVIEW ROAD</p> <p>Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on Wednesday, July 19th, at 7:30 p.m. in Room 7B of Hamburg Town Hall for a four lot subdivision known as "Hamburg Village Line Subdivision" for Henry</p>	<p>ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie, State of New York being part of Lot 10, Township 9, Range 8 of the Holland Land Company's Survey, being more particularly described as follows:</p> <p>BEGINNING at a point in the north line of New Lakeview Road at the southwest corner of lands conveyed to Alan & Pearl Knapp by Liber 4804 of Deeds at Page 70; thence northerly along the said west line of Knapp a distance of 1477.17 feet to the north</p>	<p>line of Lot 10; thence easterly along the north line of Lot 10 a distance of 475.30 feet (record) 474.29 feet (measure) to the west line of lands of George & Mildred Monckton by Liber 3454 of Deeds at Page 222; thence southerly along the said west line of Monckton a distance of 1488.38 feet to the north line of New Lakeview Road at the southeast corner of previously mentioned Knapp; thence westerly</p>	<p>along the north line of New Lakeview Road a distance of 485.29 feet to Point of Beginning, being 16.33 acres of land, more or less.</p> <p style="text-align: right;">Gerard Koenig, Chairman Paul Eustace, Secretary Planning Board</p> <p>Dated: 6-27-06 7-6</p>
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Mike Borowiak, of Nussbaumer & Clarke, appeared before the Planning Board on a proposed 4 lot major subdivision consisting of 4 acre lots for a total of 16 acres for single family dwellings on Lakeview Road. Half of the property consists of wetlands and the rezoning took place at the Town Board level from R-A to R-1. The Town Board suggested a staggering of homes to break up the monotony of row housing. Water and sewer utilities are available on the site. The applicant is looking for preliminary approval. No major comments were received from the NY State Department of Transportation. There is to be no further subdivision of land, (to be noted on the plan) and people should realize that there are commercial and industrial properties next door. The wetland area has been flagged, and are 7-to 800 feet back from the road. The overlay district normally requires 50% of lot width. That is why the setbacks are to be staggered.

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

Motion was made by Mr. Phillips, seconded by Mr. Eustace to approve the preliminary for the major subdivision of 4 lots; issue a Negative Declaration, waive the frontage requirement as stipulated in the overlay district regulation; file a map cover, waive the sidewalk requirement, and conditioned on Engineering approval on the drainage. Carried.

Engineering comments attached.

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



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Town Engineer
GERARD M. KAPSIK, P.E.

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 7/19/06

SUBJ: 7/19/06 PLANNING BOARD MEETING AGENDA
Village Line Minor Subdivision - Lakeview Road

The following are review comments on a preliminary plat plan dated 1/6/06 and last revised on 6/16/06:

- (1) The legal description and survey for the project are acceptable.
- (2) Public sanitary sewer and water service is available along Lakeview Road.
- (3) The site is located in and subject to the requirements of the South Central Overlay District.
- (4) The adjacent parcels do not have public sidewalk. We have no objection to waiving the sidewalk requirement.
- (5) The filing of a Map Cover is required for the project. A note that the adjacent property is zoned and used for industrial purposes is to be provided.
- (6) Per the conditions of the 6/12/06 rezoning for this property, a drainage plan for the subdivision is to be submitted for review and approval by the Town Engineering Dept.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.

Town Engineer

Richard J. Lardo

Principal Engineer

Parker Commons Public Hearing - Parker Road

**TOWN OF HAMBURG
PLANNING BOARD
LEGAL NOTICE**

PARKER COMMONS PATIO HOMES
Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing for John Kalstek on a cluster development known as Parker Commons to be located on Parker Road on 7-19-06 at 7:45 p.m. in Room 7B of Hamburg Town Hall:

ALL THAT TRACT OR PARCEL OF
AND situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot Number forty-six (46), Township nine (9) and Range seven (7) of the Holland Land Company's Survey bounded and described as follows:
BEGINNING at a point in the

centerline of Parker Road at the northeast corner of lands conveyed by Liber 7309 of Deeds at Page 21; thence westerly along the north line of said deed a distance of 300.00 feet to the northwest line of said deed; thence southerly along the west line of said deed a distance of 300.00 feet to the

southwest corner of said deed; thence westerly forming an interior angle of 97°48'07" a distance of 810.68 feet; thence northerly forming an interior angle of 75°05'07" a distance of 258.49 feet; thence continuing northerly forming an exterior angle of 165°00' and along the west line of Liber 3219 of Deeds at Page 410 a distance of 682.44 feet; thence easterly forming an interior angle of 89°30' a distance of 771.76 feet to the east line of Liber 3927 of Deeds at Page 501; thence southerly along the said east line and extending south a distance of 458.00 feet; thence easterly forming an interior angle of 86°49'34" a distance of 400.29 feet to the centerline of Parker Road; thence southerly along the centerline of Parker Road a distance of 342.37 feet to the point of beginning.

Gerard Koenig, Chairman
Paul Eustace, Secretary
Planning Board

Dated: 6-28-06

Secretary Eustace read the legal notice for the public hearing:

Mike Borowiak and John Kalstek, developer, appeared before the Planning Board on a cluster concept entitled Parker Commons, located on Parker Road. Some revisions have been made as requested by Engineering to reflect a 110' road radius; a landscaped berm has been added; and the pond has been reshaped. The applicant has been working with the Planning Board and are pleased with the design. The road will be privately owned and maintained.

Mr. Reilly noted that there are still some items to be addressed such as a SHIPO determination and an archaeological report.

Mr. Steve Meissner of Parker Road stated that he spoke with an attorney who noted that building on an easement is a reckless idea, and questioned why the Town would allow building on an easement, near high tension wires.

Mr. Reilly responded that they have spent 3 months discussing this issue and disallowed a few of the lots, eventually ruling that this was not a problem.

Mr. Meissner also noted that he checked with Erie County and there are 17.2 acres of land available and not 18.35 acres. Mr. Borowiak noted that they have produced an accurate survey based on a licensed surveyor. Mr. Kalstek responded that they have the deed and legal description and will own the property on July 20th. The issue of a fence was raised, and the response is that this will accomplish nothing as it is residential to residential. The proposed berm will be 3' in height. Also, drainage run off will not be allowed on other individual properties. Mr. Lardo of the Engineering

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 7/19/06

SUBJ: 7/19/06 PLANNING BOARD MEETING AGENDA
Parker Commons Subdivision

The following are review comments on a preliminary plat plan dated 6/2/06 and last revised on 7/12/06:

- (1) The site is tributary to Erie County Sewer District No. 3 (ECSD No.3). The district should be contacted to determine if there is sufficient available capacity in their system to service the site.
- (2) The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.
- (3) We have received an acceptable survey and legal description for the subdivision.
- (4) The typical lot detail is to include the location of the gas, electric, telephone, and other utilities, and proper documentation from the utility companies that the location is acceptable. Provisions for off-street parking are to also be shown.
- (5) The landscaped berm detail should include proposed landscaping.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.

Town Engineer

Richard J. Lardo

Principal Engineer

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TO : Planning Board

FROM : Engineering Dept.

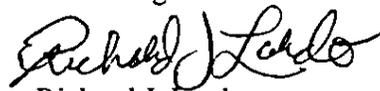
DATE : 7/19/06

SUBJ : 7/19/06 PLANNING BOARD MEETING AGENDA
Wal-Mart & Benderson Projects
Brierwood Plaza - Southwestern Blvd.

- (1) We have not received an acceptable legal description for the project. One description for the entire site is required.
- (2) The following are review comments on the June 2006 Environmental Assessment for the project:
 - The parties responsible for the implementation and maintenance of the recommended traffic improvements should be specified.
 - Transit service is currently not provided to the site. If service is made available, will buses be allowed on the property and will the site accommodate bus traffic?
 - Pedestrian facilities should be provided for access to the bank building.
 - Stormwater runoff discharges to the Woodstream Estates Subdivision drainage system. The total site discharge flow for the Wal-Mart, Benderson development, and NYSDOT stormwater systems combined is to be designed so as to not exceed the capacity of the subdivision drainage system for the 100 year storm event. Include the offsite areas tributary to the parcel in the drainage study.
 - The sanitary sewer video inspection report has not been submitted for our review.
- (3) We will review the detailed site plan and 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

**Comments on Wal-Mart Super Center &
Brierwood Square Development Env. Assessment**

To: Drew Reilly and Planning Board Members

From: Sarah desJardine

1. Long EAF—page 6 #12 - Apply ^{ment} should supply the Town with amount of sewage (gallons per day) they anticipate the project generating. (Including the Benderson portion)

2. Long EAF—page 8 #25 - Zoning Board approval is required for signage, does the applicant anticipate requesting a variance?

3. Page 13 - Utilities: The water usage table indicates the anticipated average use of water for domestic purposes to be 7,300 gpd, which does not include water usage for the garden center (approximately 200 gpd). However, on Page 7 of the long EAF, the applicant has indicated that anticipated water usage will be 6,800 gpd. Which number is accurate?

5. In my opinion, the applicant has addressed all environmental issues of concern in this Environmental Assessment document. However, I feel it would be appropriate for the Planning Board to issue a Positive Declaration if it chooses to, given that this is a Type I SEQR action. In addition, it might allay fears of the public who oppose the project that the Town is not giving this proposal the required "hard look."

(Parker Commons)

Department oversees the plans and will not approve it until all conditions are met.

Mr. Rick Buchanan asked about a row of pines along the property line. Mr. Kalstek responded that they are meeting with some landscapers and will need an approved landscaping plan from the Planning Department.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to table for further information such as the archaeological report and landscaping plan. There is to be no disturbance of land till this is completed. Carried. Item is to be on August 2nd agenda.

Walmart and Benderson Project - Brierwood Plaza

Mr. Reilly informed the board that an application has been made for the redevelopment of the Brierwood plaza on Southwestern Blvd. A full Environmental Assessment form has been submitted with an expanded Part III. Concerns have been identified. The proposal has been sent to various agencies for review. Based on the information submitted, the Planning Board has to decide whether they have enough information for a negative or positive declaration. The public hearing will be next. There will also be a hearing for the subdivision of the four parcels. The document will expand as more information is requested.

Chairman Koenig noted that there is a series of letters that were received for and against the project. He stated that he has reviewed the report and is happy with it and feels that we are on track for a negative declaration. He did raise the question about Tim Rhodes and the property next door to Wal-Mart and if there is any progress toward providing another access point thru the Wal-Mart property so that he can get out of his driveway. A left turn lane on Rogers Road appears in Appendix "C". Traffic is a big issue, and the report on traffic has been submitted to the Traffic Safety Coordinator, Tim Ellis for review by him and George Triepel who is a traffic engineer. Mr. Ellis and Mr. John Tarnish are in the audience this evening.

Mr. Ellis stated that they will need more time to review the traffic study to be sure that all roads are studied.

Mr. Reilly noted that certain thresholds should be established and what mitigations will be provided. Mr. Cleason responded that in some cases, a wider shoulder can be provided.

Mr. David Phillips stated that he has a problem with the traffic study. He is confused with the Benderson build out and it should be better explained.

Mr. McCabe stated four of his concerns; namely, traffic, noise impacts, downstream sewer capacity and wetlands and air quality.

Mr. Cleason responded that they could prepare an Executive Summary. It was also noted that this could be on the Town's web site.

Walmart & Benderson (Continued)

Sasha Yerkovich commented that she feels a positive declaration should be issued because of the traffic. I also would like to see what an independent traffic engineer would say about the submitted report. We have that right to request so as to make a determination that is best for the Town. This is a type I action under SEQR and I would feel more comfortable for more detail, due to the size and scope of the project

Karen Rogers is inclined to want a positive declaration to best serve the Town and its residents. I am concerned about the traffic and safety of the community.

Paul Eustace is leaning toward a positive declaration based on the traffic.

Mr. Cleason responded that he would like to sit down with the Town Traffic Coordinator and the New York State Department of Transportation ahead of time to review the traffic.

Mr. Drew Reilly noted that he is concerned as to what the back of the building will look like facing Rogers Road. Mr. Rumsey of Benderson Development responded that they are looking at that and have come up with accent lighting. That portion of the plaza is recessed. Information will be available for the next meeting.

Chairman Koenig stated that the public hearing should be held on a different night, and not at the regular work session. A Tuesday or Thursday at 6:30 p.m. should be set. This determination will be made at the August 2nd work session. Also, we need to determine what room will be available for the hearing.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to table. Carried.

Southampton Condos - Big Tree Road

Mr. Alan Nigro appeared before the Planning Board on a concept plan for condos on Big Tree Road. Outstanding issues include the railroad tracks, wetlands, and an access road to the property. Also, there are many accidents on this stretch of road because of poor site distance. There is a current problem whereby buildings should be 50' back from the property line. There is to be no parking in the front. The buildings should be further away from the railroad tracks. A traffic analysis should also be conducted. The issue of the piece of property going to Wynterbrooke needs to be resolved. The entrance way should be different and traffic needs to be updated. Another sketch will be required.

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

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Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 7/19/06

SUBJ: 7/19/06 PLANNING BOARD MEETING AGENDA
Southampton Commons - Big Tree Road

The following are review comments on a sketch plan dated 6/23/06:

- (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 in a Town sewer district. A downstream capacity analysis is necessary to be performed in compliance with NYSDEC requirements.
- (3) Big Tree Road is a County highway. An Erie County Highway Dept. (ECHD) permit will be required for access to the site. Previous submittals for this site did not include a new access drive to Big Tree Road. We recommend that a traffic study be performed for access to the site.
- (4) The property line to the east has been revised. Was a new parcel of land created?
- (5) We will review the site plan when it is submitted in accordance with the site plan review check list.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.

Town Engineer

Richard J. Lardo

Principal Engineer

July 6, 2006

To: Planning Board Members

From: Planning Department

Subject: Review of Southampton Commons

Alternative #1: 12 buildings are proposed (8 units per building) totaling 96 units. One building is approximately 21 feet from the fence along the railroad tracks and one building is approximately 40 feet away from the fence.

One entrance is proposed along Big Tree Road and there is no secondary access proposed.

The four buildings fronting Big Tree Road are 44 feet back from the property line.

A permanent easement area is proposed in the northern part of the property, which includes "Wetland #1."

Alternative #2

10 buildings are proposed (8 units per building) totaling 80 units. The two buildings closest to the tracks are approximately 60 feet away from them.

As in Alternative #1, one entrance is proposed with no secondary access, and a permanent easement area is proposed.

The two buildings fronting Big Tree Road are approximately 50 feet back from the property line.

General differences between the two plans are as follows:

- Alternative #1 is more dense.
- The buildings along the tracks in Alternative #1 are closer to the tracks.
- The buildings fronting Big Tree Road in Alternative #1 are closer to the road.

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TO: Planning Board

FROM: Engineering Dept.

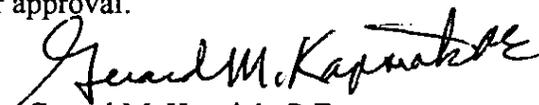
DATE: 7/19/06

SUBJ: 7/19/06 PLANNING BOARD MEETING AGENDA
Southwestern Commons
North Forest Office Providers - Southwestern Blvd.
Proposed Rezoning R-3 to C-1

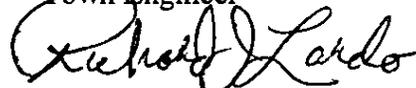
The following are review comments on the above-referenced Rezoning Application:

- (1) We have received an acceptable survey and legal description for the project.
- (2) The site is located within an existing water district. The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.
- (3) The site is located in a sanitary sewer district. A downstream sewer capacity analysis is necessary to be performed in compliance with NYSDEC requirements.
- (4) The parcel is located within the Southwestern Overlay District.
- (5) Storm water detention will be required for the development.
- (6) We have not received a site plan for the project to review.

All comments are to be satisfactorily addressed for approval.


Gerard M. Kapsiak, P.E.

Town Engineer



Richard J. Lardo
Principal Engineer

North Forest Properties - Southwestern Boulevard (Office Park) From R-3 to C-1

Mr. Mike Borowiak appeared on this proposal which was once known as Rose Garden Apartments. The parcel is zoned R-3, and the request is for C-1 for a total of 18,000 s.f. buildings. North Forest Properties has built in several communities in Western New York. The biggest objection is that the driveway does not match up with the entrance across the street.

Motion was made by Mrs. Yerkovich, seconded by Mr. McCabe to Table. Carried. Item on for August 2nd work session. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to approve minutes of June 7th and June 21st. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to adjourn the meeting. Carried. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Paul Eustace, Secretary
Planning Board

PEOPLE FOR WAL-MART

Please don't let the small hand full of people stop Wal-mart from coming to our neighborhood. They have a right to speak there concerns but what they are saying in there latest slinger passed around town just doesn't make sense.

#1 They have increased environmental concerns. Are they looking what is there now? It's a concern now with rats, bad roofs and structural damage to the vacant buildings not to mention the parking lot and garbage dump site it has become. This is a super store going in there not a waste plant. It's been properly zoned for retail stores for over 30 years. Wal mart is well-run companie that is profitable and won't just close and leave in a year or two. They are known to keep their properties up and well maintained.

#2 they say increased traffic (9000) vehicles per day

Where did they get this figure? Yes am sure we will have an increase I doubt very much it would be that high. But wouldn't that mean there must be a lot of people that need a store like this in this area of town. There is nothing on this end of town. With the great work they are doing now on route 20 the highway will be just fine. To handle any traffic.

#3 They say increased crime.

Yes Wal-mart may get a few shop lifters but I'm sure Wal-mart will have their own in house security, with security cameras and personal And what do we have now? A dark area with no lights open to anyone who comes by to do what ever. I ask what will this store do to increase the crime rate.

#4 They say hidden cost to tax payers.

Well I didn't hear that they will be tax free or they were asking for Indian land rights I, am sure they will be paying proper taxes to our are town along with a great increase in sales tax. I see that as a good thing. We aren't even talking

yet about the people that will be given a chance for a job and paying taxes.

Then they say who stands to profit from this store? I say we all do the town and the people of our great community. Please lets not be another city of buffalo and study it for the next 3 or more years. I have the most confidence in are elected officials that they would realize what a great opportunity this is and I know they would watch this project to be sure every thing was done to code. Please let's welcome them in our community and get going on this greatly needed super store. They have a blue print of a great looking store and will landscape around the property to make it look great. Also it will be lighted with security cameras and security personnel.

Bob Hasenoehrl
Local neighbor and business owner

H A M B U R G F I R S T
M I S S I O N S T A T E M E N T

TO PRESERVE HAMBURG AS A GREAT PLACE TO LIVE AND RAISE A FAMILY. TO
MAINTAIN A SUITABLE BALANCE OF RESIDENTIAL, BUSINESS AND COMMERCIAL
ZONES THROUGH PUBLIC ACTION.

CONCERNS WITH WAL MART

ENVIRONMENT

TRAFFIC

ADDITIONAL INFRA STRUCTURE

CRIME

REAL ESTATE VALUES

FIRST DO NO HARM

ENVIRONMENT

FROM THE MASTER PLAN:

PAGE 36 - THE POTENTIAL FOR OTHER FEDERALLY REGULATED WETLANDS ALSO EXIST IN THOSE AREAS FO HYDRIC SOILS, AND TO A LESSER DEGREE POTENTIALLY HYDRIC SOILS.

PAGE 38 - WOODED AREAS IN THE TOWN OFFER BOTH NATURAL/ENVIRONMENTAL AND VISUAL BENEFITS. THE TOWN, INCLUDING THE TOWN'S CONSERVATION BOARD, ADVOCATED IMPORTANCE IN MAINTAINING THE AESTHETIC AND ECOLOGICAL FEATURES WHICH WOODLANDS PROVIDE.

PAGE 95 - THIS AREA OFFERS ENCOURAGING ENVIRONMENT FOR OFFICE PARKS, AND ACTIVE RECREATION IF THE TOWN PLANS CAREFULLY/ THE TOWN MUST PLAN T6HIS AREA JUST AS A SMALL P.U.D. SHOULD BE PLANNED:PROPOSALS FOR DEVELOPMENT SHOULD BE REVIEWED AND TAKEN ON INDIVIDUAL MERIT, CONSIDERING ITS COMPATIBILITY WITH THE SURROUNDING USESETC.

PAGE 114 -COMMERCIAL ZONING REGULATIONS

A) C-1 NEED T6SET RETAIL LIMIT SIZE

B) C-2 MOTOR SERVICE USE SHOULD REQUIRE A SPECIAL USE PERMIT, AND ADD MINI-STORAGE PROVISION..

FROM THE "SITE DESCRIPTION FOR WAL MART" WE SEE THAT WE WILL LOSE APPROXIMATELY 2 ACRES OF FOREST - CONTRADICTIONS REGARDING THE EXISTING WETLANDS - THE PROJECT WILL PRODUCE OPERATING NOISE EXCEEDING THE LOCAL AMBIENT NOISE LEVELS

.....WAL MART PRESENTED ITS STUDY TO THE TOWN PLANNING BOARD THAT INDICATED THE PROPOSED SUPER CENTER WOULD HAVE NO SIGNIFICANT ENVIRONMENTAL IMPACT.....THIS STUDY WAS PAID FOR BY WAL MART.

.....STORM WATER RUNOFF FROM PARKING LOTS AND ROOFTOPS CARRIES POLLUTANT. THIS RUNOFF GOES INTO OUR STORM DRAINS, AND THEN INTO OUR WATERWAYS. RUNOFF LEADS TO EROSION, FLOODING, AND THE FLOW OF POLLUTANTS, LIKE OIL, CHEMICALS, BACTERIA AND HEAVY METALS INTO WATERWAYS.

...IN OCT, 2004 THE U.S. SUED WAS MART FOR VIOLATING THE CLEAN WATER ACT IN 9 STATES.

...ELIMINATION OF NIGHT SKY.

TRAFFIC

WE WILL HAVE AN INCREASE IN TRAFFIC 24 HOURS PER DAY. TRAFFIC ENGINEERS SHOWED SUCH BOX STORES GENERATED AN AVERAGE OF 76,000 TO 92,000 CARS EACH WEEK. INCREASES IN AUTO AND TRUCK TRAFFIC CAN INCREASE AIR POLLUTANTS SUCH AS CARBON MONOXIDE, SULFUR DIOXIDE, OZONE, PARTICULATE MATTER AND LEAD. CHILDREN ARE ESPECIALLY VULNERABLE.

IN EVERY CASE WE RESEARCHED,, THE DEVELOPER, WAL-MART, COMES UP WITH ONE FIGURE AND WHEN THE TOWN DECIDES TO DO ITS OWN STUDIES, IT IS FOUND THAT THE IMPACT OF ENVIRONMENTAL ISSUES SUCH AS TRAFFIC IS HIGHER.

CRIME

FROM THE STUDY "IS WAL-MART SAFE" BASED ON A DETAILED ANALYSIS OF LOCAL POLICE INCIDENT REPORTS (CALL FOR SERVICE) COVERING 551 WAL-MART STORES IN 434 CITIES AND 30 STATES:

.....NUMBER OF REPORTED CALLS 148,331

.....THE INCREASED DEMANDS OF POLICING HAVE POSED SERIOUS CHALLENGES. SOME CONCERNS INCLUDE INCREASED PRESSURE ON COMMUNITY POLICE, BUDGETARY PRESSURE AND PUBLIC SAFETY.

.....WAL-MART STORES HAD MORE CALLS FOR SERVICE THAN NEARBY TARGET STORES. FOR EXAMPLE THE AVERAGE RATE AT WAL-MART STORES WAS 400% HIGHER THAN THE AVERAGE RATE OF INCIDENTS AT NEARBY TARGET STORES AND 6 TIMES HIGHER FOR NUMBER OF REPORTED CRIMINAL INCIDENTS DEFINED AS "SERIOUS OR VIOLENT".

REAL ESTATE

WE WERE INFORMED AT THE MAY PLANNING BOARD MEETING THAT REAL ESTATE VALUES AND THE IMPACT ON OTHER THINGS SUCH AS LOCAL BUSINESSES ARE NOT PART OF ANY ENVIRONMENTAL STUDY, BUT THESE MUST BE TAKEN INTO ACCOUNT BY OFFICIALS WE ELECTED TO REPRESENT OUR INTERESTS. MANY OTHER TOWNS LOCALLY AND NATIONALLY HAVE TURNED DOWN SUCH PROJECTS AFTER CAREFULLY STUDYING THEIR IMPACT. WE NEED TO ENCOURAGE OUR ELECTED OFFICIALS TO CAREFULLY STUDY THE IMPACT OF THIS PROJECT IN TERMS OF ENVIRONMENT, ADDITIONAL INFRASTRUCTURE,

CRIME AND LOSS OF REAL ESTATE VALUES. THIS MEANS REQUIRING THE DEVELOPER TO PAY FOR AN INDEPENDENT PEER REVIEW. SO BE IT.

WE, HAMBURG FIRST, WOULD LIKE TO PUBLICALLY STATE THAT WE ARE IN FAVOR OF A NEW DEVELOPMENT AT BRIERWOOD SQUARE.

A SQUARE SIMILAR IN MANY RESPECTS TO SNYDER SQUARE WOULD BE DELIGHTFUL, WITH AN ECLECTIC MIX OF RETAIL, BUSINESS AND ENTERTAINMENT AND RECREATION..

I WOULD LIKE TO ADD A PERSONAL CONCERN.

MY HUSBAND AND I HAVE BEEN CONCERNED, AS HAVE MORE IMPORTANT PEOPLE THAN OURSELVES, ABOUT GLOBAL WARMING. WE HAVE DONE, IN OUR MEAGER WAY, WHAT WE CAN BUT IT IS MUCH MORE SERIOUS NOW. I BELIEVE THERE WILL COME AN AWAKENING TO THE FACT THAT STORES OF THIS MAGNITUDE AND 24/7 HOURS ARE GREATLY DIMINISHING OUR CHANCES OF SURVIVAL . YES, SURVIVAL.

JUST ONE MORE MINDLESS WAY WE ARE DOING FURTHER DAMAGE TO OUR FRAGILE COUNTRY, - PLANET.

THINK.

PRAY.

Patricia A. Akren

Comments on article to call Planning Dept.

1. One resident wants Walmart to put in sidewalks and a biking path on Rogers Rd.
2. Patricia Clark is pleased with Brierwood idea.
3. Theresa Wojtanik says we need stores in our area. (Meadow Drive)
4. Maureen Healy of Lakeview wants Walmart
5. Eleanor Bastedo of 4804 Crestwood is opposed to everything.

July 6, 2006

To: Planning Board Members

From: Planning Department

Subject: Review of Southampton Commons

Alternative #1: 12 buildings are proposed (8 units per building) totaling 96 units. One building is approximately 21 feet from the fence along the railroad tracks and one building is approximately 40 feet away from the fence.

One entrance is proposed along Big Tree Road and there is no secondary access proposed.

The four buildings fronting Big Tree Road are 44 feet back from the property line.

A permanent easement area is proposed in the northern part of the property, which includes "Wetland #1."

Alternative #2

10 buildings are proposed (8 units per building) totaling 80 units. The two buildings closest to the tracks are approximately 60 feet away from them.

As in Alternative #1, one entrance is proposed with no secondary access, and a permanent easement area is proposed.

The two buildings fronting Big Tree Road are approximately 50 feet back from the property line.

General differences between the two plans are as follows:

- Alternative #1 is more dense.
- The buildings along the tracks in Alternative #1 are closer to the tracks.
- The buildings fronting Big Tree Road in Alternative #1 are closer to the road.

**Town of Hamburg
Planning Board Legal Notice
Parker Commons Patio Homes**

Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing for John Kalstek on a cluster development known as Parker Commons to be located on Parker Road on 7-19-06 at 7:45 in Room 7B of Hamburg Town Hall:
p.m.

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 Number forty-six (46), Township nine (9) and Range seven (7) of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the centerline of Parker Road at the northeast corner of lands conveyed by Liber 7309 of Deeds at Page 21; thence westerly along the north line of said deed a distance of 300.00 feet to the northwest line of said deed; thence southerly along the west line of said deed a distance of 100.00 feet to the southwest corner of said deed; thence westerly forming an interior angle of $97^{\circ} 48' 07''$ a distance of 810.68 feet; thence northerly forming an interior angle of $75^{\circ} 05' 07''$ a distance of 258.49 feet; thence continuing northerly forming an exterior angle of $165^{\circ} 00'$ and along the west line of Liber 3219 of Deeds at Page 410 a distance of 682.44 feet; thence easterly forming an interior angle of $89^{\circ} 30'$ a distance of 771.76 feet to the east line of Liber 3927 of Deeds at Page 501; thence southerly along the said east line and extending south a distance of 458.00 feet; thence easterly forming an interior angle of $86^{\circ} 49' 34''$ a distance of 400.29 feet to the centerline of Parker Road; thence southerly along the centerline of Parker Road a distance of 342.37 feet to the point of beginning.

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

Dated: 6-28-06