TOWN OF HAMBURG
PLANNING BOARD AGENDA

DATE: 7-26-89

TIME	NAME	PURPOSE
7:30	Affordable Housing ~~EXECUTIVE MEETING~~	
8:00	Hearing Satellite Dish Butera	Bethford Drive
8:20	Public hear Duane Draudt Oakridge Subdivision	schedule & e. Initial Review
8:40	Abbott Pines Chi Chi's Chip Spittler	or [illegible] 75 Rezoning R-1 A to R-1 Rev. to site plan Eng to [illegible]
9:00	Big Tree Fire Hall Bayview Rd.	New fire station G. Eng Cons. & Cont c B.I. EAF.
9:20	Mr. Bernard Hamburg Agricultural Bldg.	Erie County Fairgrounds approved.
9:40	Used Car lot and boat sales Camp Rd. Collision	Expansion of parking lot 4839 Camp Rd.
10:00	Bernadine DeMike Royal Dance Theater	Proposed renovation
	Assembly of God - Hamburg Wesleyan McKinley Parkway	Site Plan Review
	Mr. Lewin Old Monclton Sub. Wildwood	size of lots

Approval of Minutes

1. Input on Facade Improvement Program - R. Hayes ✓
2. Drive cut from K. Holleran Restaurant - next to Copper Penny
3. Rezoning - N.E. corner 7 corners - across from [illegible] C-2 zoning
4. McDonald's change in site plan -

August 16th - Chi-Chi's Restaurant - McKinley Mall ring road
John Walling - 10,200 Linn Station Rd. Louisville, Ky. 40232
502-426-3900 (Engineer Bob Cornett - Roberts Group
3224 Tudor Drive Lexington, Kentucky 40503 (606-2232228

100% Reclaimed Paper

TOWN OF HAMBURG
PLANNING BOARD MINUTES
7-26-89

The Town of Hamburg Planning Board met in regular session on Wednesday, July 26th, 1989 in the Hamburg Town Hall. Those attending included Chairman Richard Crandall, Vice-Chairman Elgin Cary, Secretary Gerard Koenig, Sandy Carnevale, Dennis Gaughan, David Phillips, and Steve Strnad. Others attending included George McKnight, Dan Gorman, Attorney, and Terry Dubey, Stenographer.

Minutes of the meeting of 6-28-89 were approved as amended by Mr. Phillips, seconded by Mr. Cary. Carried.

PRINCETON SQUARE SUBDIVISION - PROPOSED P.U.D. DEVELOPMENT - AFFORDABLE HOUSING PROGRAM

Mr. Christopher Hull, Assistant Director of the Community and Economic Development Department, appeared before the Planning Board on a proposed site for a New York State Affordable Housing Program to be located in the Carnegie area on the paper streets of Bradford and Princeton. Approximately 30 new homes would be built using a combination of singles and doubles. If the State application is approved, Town of Hamburg residents would have a priority in the application process. The homes will be in the $90,000 to $100,000 price range and a rendering of the type of development was presented to the Board. The area involves 25 acres of land. The program is being sponsored by the Town of Hamburg who appointed Delta Development to undertake the project. This is a branch of Catholic Charities. The Town has been acquiring some of the land parcels. Carnegie was chosen as there have been in-rem properties that have been up for sale by the County and they have been affordable to purchase. The program would enable young couples to purchase a home with some help from the State in the form of a $20,000 buy-down per unit. The drainage, side yards, off street parking is something that can be restricted by the Planning Board in the form of a P.U.D. A public information session will be held on, and is scheduled for THURSDAY, AUGUST 10TH AT 7:00 P.M. IN HAMBURG TOWN HALL. It was further explained that the Engineering Dept., Building Inspection has been informed about the project. This is not a low-income housing program but an affordable housing program.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to forward a favorable recommendation on the rezoning of a 25 acre parcel in the Carnegie Subdivision, to a P.U.D. to allow a portion of land to be developed for the Affordable Housing Program, with the restriction that the program is available to Town of Hamburg residents only, that the housing will be in the form of a reduced frontage; that it meet the requirements as set forth in a P.U.D., and that this will not set a precedent for other developers in the Town. Carried.

PRINCETON SQUARE CONTINUED

Mr. Gaughan noted that a couple of years ago, Mr. Izzo planned a development for that area, and the neighbors came out in opposition to the proposal because of increased traffic and devaluation of their homes. He expressed concern that this program would involve the same problems.

Mr. Gaughan voted "Naye" on the proposal.

FACADE PROGRAM - COMMERCIAL REHABILITATION - RON HAYES

At the last meeting, the Planning Board was asked for input on the facade rehabilitation program for the Town. Members noted that in their opinion, the main corridors and entrances to the Town should receive proper attention in bringing these avenues up to code.

COPPER PENNY RESTAURANT - WAYNE PENSENSTADLER - MIKE RANDALL

Mr. Wayne Pensenstadler and Mike Randall appeared before the Planning Board on a proposed driveway easement that they had agreed upon with Mr. Andrelejvic who is building on an adjacent parcel. They now have concerns about the driveway as the front building is also going to be a restaurant. Planning Board members noted that when the site plan was presented to them, it was for a proposed ice cream parlor. The agenda and minutes of the meeting reflect that this was their intent. Attorney Gorman stated that this is a private matter between the two parties. The only thing the Planning Board can do is to refer the matter to the Town Attorney and Building Inspector as this was not the original intent of the developer.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to request that the Building Inspector and Town Attorney investigate the matter to determine whether the applicant deviated from the original site plan. If there is a violation of the code, construction should be stopped and the building permit pulled. Carried.

PUBLIC HEARING - SATELLITE DISH ANTENNA - L. BUTERA - 3451 DICKENS RD.

Mr. L. Butera appeared before the Planning Board for a Special Use Permit on a satellite dish antenna which is located at 3451 Dickens Road in Blasdell. The dish has been in the back yard for almost a year. A neighbor complained on some litter that was in Mr. Butera's back yard and when the Building Inspector came to his home, he noticed the dish and asked if a permit was granted for it.

SATELLITE DISH CONTINUED.

The satellite dish is located in the back yard and is a black mesh style. Mr. Butera presented four letters from his neighbors who are not opposed to the dish. The dish was purchased from a firm in Depew and Mr. Butera stated that the representative from that company stated he didn't need a permit.

Motion was made by Mr. Koenig, seconded by Mr. Phillips to grant permission for the satellite dish antenna located on Dickens Road. Carried.

LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD

Pursuant to Section 29-196.3 of the Zoning Ordinance, notice is hereby given that the Planning Board will hold a Public Hearing on July 26th, at 8:00 p.m. to consider the following:

Liborio Butera for a Satellite Dish Antenna to be located on Part of Lot 36, T-9, R-8, 3451 Dickens Road.

Public Hearing will be held in the Planning Board room in Hamburg Town Hall, S-6100 South Park Avenue, Hamburg, N.Y.

DATED: June 19, 1989

TOWN OF HAMBURG
PLANNING BOARD
RICHARD CRANDALL,
CHAIRMAN
GERARD KOENIG, SECRETARY

6-29

DUANE DRAUDT SUBDIVISION - OAKRIDGE #9

Mr. Herbert Draudt appeared before the Planning Board on a proposed 16 sub lot phase of the Draudt Subdivision off Oakridge which will eventually be cut out to Bayview Road. Comments were received from Engineering as follows:

1. The minimum centerline of pavement curve radius is 150'. Show the radius on the plan.
2. All lot lines on a curve are to be radial. Revise those that are not. Lable the lot lines "Radial."
3. The proposed sanitary, storm and water lines shown on the plan have not been reviewed. These utilities along with a street lighting plan, pavement plan and a stripping and erosion control plan must be submitted in detail for separate engineering review and approval.

4. The connection to Bayview must be approved by the Erie County Highway Dept.
5. A location plan is required.
6. There are existing sewer and water districts.

Motion was made by Gaughan, seconded by Mr. Carnevale to approve the preliminary and proceed to Public Hearing. A legal description and $75.00 filing fee is required for the August 16th meeting. Carried.

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MR. TRZEPACZ AND CHIP SPITTLER--HYDRAULIC REPAIR BUSINESS TO BE LOCATED AT LAKEVIEW RD.

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Mr. Chip Spittler and Mr. Trzepacz appeared before the Planning Board on a revised site plan for Northeast Hydraulics to be located on Lakeview Rd. The site plan is yet to be reviewed by the Engineering Dept. At the last meeting, approval was given contingent upon Engineering and Building Inspection approval.

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ABBOTT PINES SUBDIVISION - REZONING PETITION REFERRAL - FROM R-A TO R-1.

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Mr. Fran Igoe appeared before the Planning Board on a rezoning petition for a proposed subdivision to be located off Lilydale and Abbott Roads. Comments were received as follows:

PLANNING - This is an R-A district which is proposed for rezoning to R-1. The subdivision will be accessible to utilities via Lilydale and Best Streets. Vehicular access will be via Lilydale and Abbott Rd. The proposed subdivision appears to meet the applicable zoning requirements such as lot size and setbacks.

ABBOTT PINES CONTINUED

Mr. Igoe noted that there is no sewer or water on Abbott Rd. so that they will have to tye into Lilydale. The paper work on the rezoning was submitted to the Town Clerk's office as well as the S.E.Q.R. The proposal involves 22.98 acres of land with a minimum lot size of 90' x 125'. The developer is Mel Johnson from Visalia, Ca. 92291. The lots will be developed and sold by Century 21, Almeida Real Estate. A favorable recommendation was made as follows:

Motion was made by Mr. Phillips, seconded by Mr. Gaughan to forward a favorable recommendation to the Town Board for the rezoning of 22.98 acres of land from R-A to R-1 for the following reasons:

1. The proposal is contiguous to other R-1 zoning..
2. This is mostly scrub land and open fields and is conducive to single family dwelling units.
3. The utilities are available off Best St. and Lilydale.
4. The proposal is in keeping with the 2010 Master Plan.

Carried.

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BERNARD DI SIMONE - PAUL LAING - AG-CENTER FOR ERIE COUNTY AGRICULTURAL SOCIETY NEAR GATE #4 - SOUTH PARK AVENUE

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Mr. Ben Bernard of Bernard and DiSimone and Paul Laing appeared before the Planning Board on a conceptual drawing for a proposed ag-center which could be built next year. Initial drawings have been submitted to the Building Inspector Jack Lauchert. The proposed ag-center will be located near Gate #4 off the South Park Entrance to the Erie County Fair entrance,and near the practice track and pond. The building will be used all year round as an exhibition hall. The new facility will compliment some of the newer buildings at the fairgrounds site, such as the home show building. The new building will accommodate 1,000 people for a banquet and 6,000 for a concert. Trade shows, exhibitions, and agricultural shows are being planned. There are dressing rooms available and well as docks for bringing in supplies. There will be 20' x 26' doors that can be opened to accommodate the trade shows. The balcony will be used for storage and the facility can accommodate approximately 11,000 cars. 2500 parking spots are required for this particular building. Mr. Bernard prepared a short form E.A.F. for review.

The Armor Fire Company is to be notified of the construction of the new building.

Motion was made by Mr. Gaughan, seconded by Mr. Phillips to approve the site plan for the Erie County Agricultural Society as

AG-CENTER (CONTINUED)

set forth in the diagram of the Erie County Fair map. Carried.

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BIG TREE FIRE STATION #2 - PROPOSED 4 BAY STRUCTURE

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Messrs. Bob Brown and John Macon of the Big Tree Fire Co. appeared before the Planning Board on a proposed 4 bay fire station which will replace the one located on South Park Avenue. The new facility will be moved down the road further to alleviate the problems of moving equipment out on to South Park Avenue. Mr. Macon advised that he has presented the plans to the Engineering Dept. and the Building Inspector. The following comments were submitted by the Engineering Dept.:

1. The entire frontage of the parcel is to be piped. A catch basin is to be added at the center island. A driveway cut permit must be obtained from the Erie County Highway Dept. Show the existing pipe on the Frontier property frontage. The pipe should have more cover to avoid frost action.

2. Show the water service size.
3. Parking bumpers are to be added for all parking spaces.
4. Show the roof downspouts piped to a storm sewer. If P.V.C. pipe is used specify S.D.R. #35.
5. Provide swale grades on the west side. Add a swale on the south line.
6. We question the existence of "Existing Ditch" storm outlet. Hopefully the distance will not be excessive to provide an outlet.
7. The plan cannot be approved without detail sanitary plans. 2600 l.f. of sewer would be required. Permission must be obtained from Frontier School if connection is proposed into their private line. Maintenance must be determined also.
8. We suggest the finish floor grade be adjusted so as to eliminate the 3 foot of fill required. The site drainage could all be directed to the south as it drains naturally.
9. We suggest the west drive be narrowed down to 30' from the 60' proposed.

Applicants were also advised to fill out an environmental form on the project.

Motion was made by Mr. Gaughan, seconded by Mr. Strnad to approve the site plan for the Big Tree Fire station facility to be located on Bayview Road contingent upon approvals of the Engineering Dept., Conservation Board, and Traffic Safety. Carried.
(5 copies of the drawing are needed for signing.)

ROYAL DANCE CENTER - B. DE MIKE, LAKE SHORE ROAD.

Mr. McKnight informed the board that the Royal Dance Center on Lake Shore Road in Woodlawn is planning a renovation and expansion of the center. Ms. DeMike was not present and concern was expressed about the circular driveway and that it would not be allowed because of the traffic problem on to the Lake Shore Rd. which is a very busy highway. There was no concern expressed about the canopy that she would like to put up in the front. No action was taken. Mr. McKnight is to call Ms. DeMike.

WESLEYAN CHURCH OF HAMBURG - MC KINLEY AT BAYVIEW

Messrs. Mars and Backridge of Huff-Morris Architects, as well as representatives of the Wesleyan Church of Hamburg were present for a site plan review of a proposed church which is to be located on 23 acres of land on McKinley and Bayview Roads. This was the former Assembly of God parcel which is now being traded. The present site of the church is too small and they need a larger facility for the Sunday school. It was noted that the site plan should be forwarded to Traffic Safety for their review as this is near a busy corner of McKinley and Bayview intersection. The Rush Creek linear trail is also closeby and that open space corridor needs to be protected. The 15 feet along the top of the bank should also be protected.

Engineering submitted the following comments:

1. Approval for the road cuts must be obtained from Erie County Highway prior to plan approval.
2. Addition of storm DI's are required for the southern most parking area. Road D and E.
3. Manhole #2 should have an inlet receiver or top.
4. Specify the type of pipe to be used for storm sewers.

It was noted that signage should be designated on the site plan.

Motion was made by Mr. Gaughan, seconded by Mr. Phillips to approve the site plan as follows:

1. Approval is contingent upon Engineering and the obtaining of the curb cut permit.
2. That there be a 15' perpetual easement along the bank of Rush Creek to be left in its natural state.
3. That as many of the trees are to remain to protect the open space concept and the linear corridor along Rush Creek.

Carried.

OLD MONCKTON SUBDIVISION - OFF WILDWOOD.

Messrs. Lewin and Perla appeared before the Planning Board on the old Monckton Subdivision located off Wildwood. The question was raised as to whether they would be grandfathered on these 21 lots as the Engineering was drawn based on 80' lots. It was noted that since the map was drawn in 1984, the developer has 3 years after a code change to complete the project and that they would be grandfathered. The proposed single family units to be developed would be in the $125,000 range.

FACADE IMPROVEMENTS

At the last meeting, Mr. Hayes asked for input from the Planning Board on a proposed facade improvement program within the town. The Planning Board members agreed that rehabilitation money should be used along the public corridors or entrances to the Town of Hamburg.

MC DONALD'S RESTAURANT - SECOND LANE DRIVE THRU

Plans were submitted for a second lane (drive thru) for the McDonald's Restaurant located on McKinley Parkway near the McKinley Mall. The second lane is needed as an additional drive thru to expedite customer traffic.

Motion was made by Mr. Koenig, seconded by Mr. Gaughan to approve the drive thru for the additional lane for customer convenience. Carried.

SCRANTON PARK SUBDIVISION -

Mrs. Sebastiano appeared before the Planning Board on the proposed Scranton Park Subdivision. Apparently, most of the buffer of trees was being removed as the road was cut for the subdivision. It was noted that part of the problem was due to the fact that there is a swale back in that part of the woods. Mrs. Sebastiano again expressed concern that as many of the trees remain in tact as possible.

Motion was made to adjourn the meeting by Mr. Phillips, seconded by Mr. Cary. Carried. Meeting adjourned at 10:45 p.m.

Respectfully submitted,

Gerard Koenig, Secretary
Planning Board

TOWN OF HAMBURG

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

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JAMES F. CONNOLLY
DANIEL J. HENRY
PATRICK H. HOAK

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

July 27, 1989

To: John Michalek, Esq.
Deputy Town Attorney
Hamburg Town Hall

Dear John:

At last night's Planning Board meeting, Mr. Pensenstadler and Mike Randall appeared on behalf of the Copper Penny Restaurant at Southwestern Blvd. and Rogers Road.

They had originally agreed on a driveway easement for another facility which was purported to be an ice cream parlor on an adjacent parcel. We have now learned that this is another restaurant in competition with the Copper Penny.

At the time that Mr. Andrelejvic and Karen Holleran appeared before the Planning Board meeting in August of 1988, they stated that the wood frame building would be for an ice cream parlor. Now, we understand that the building is not the same as indicated on the site plan, nor for that use. It is now known as the Red Rooster Restaurant.

I am attaching the minutes of the meeting whereby the Planning Board approved the facility for an ice cream parlor.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall, Chairman

CC: J. Lauchert, Building Inspector

meeting 8-17-88

TOWN OF HAMBURG

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Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

August 3, 1989

TO: ALL PLANNING BOARD MEMBERS

Would you please go out and take a look at Deerfield Heights and the stockade fence that is being put up all along McKinley Parkway. At no time did the Planning Board ever approve a stockade fence on top of a berm. To our knowledge, the berm was supposed to be landscaped.

A building permit was issued for the fencing. I wrote to Jim Sorrentino to find out if there was any way to have it taken down.

Attached is his note to me.

Terry Dubey

TOWN OF HAMBURG

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July 28, 1989

Jim Sorrentino, Town Attorney

SUBJECT: Fence on Top of Berm - Deerfield Heights Subdivision

Last night, I happened to notice 6' posts in place for a fence to be located on top of the berm located at Deerfield Heights. To my knowledge, neither the Planning Board Chairman or myself ever remember agreeing to a stockade fence (6' in height) on top of a berm for this development.

In looking at the site plan, there is no indication of that type of fence. We recall asking for a berm with attractive landscaping surrounding it. I can't imagine how this subdivision will look once the stockade is up.

I checked with the Building Dept. The permit was issued. Is there any way legally this could be taken down. It was not built according to the site plan.

Sincerely,

Terry

Terry Dubey
Planning Dept.

8-1-89

Dear Terry

cc: Town Board

Planning Board could take action if Developer does not comply with approved site plan

RECEIVED
JUL 28 1989
LEGAL DEPT.
TOWN OF HAMBURG

RECEIVED
JUL 27 1989
LEGAL DEPT.
TOWN OF HAMBURG

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July 26, 1989

MEMO TO: The Planning Board

FROM: The Planning Dept.

RE: Abbott Pines Subdivision

This is an R-A district which is proposed for rezoning to an R-1 District. The subdivision will be accessible to utilities via Lilydale and Best Sts. Vehicular access will be via Lilydale St. and Abbott Rd. The proposed subdivision appears to meet the applicable Zoning requirements such as lot size and setbacks.

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RE: Oakridge Subdivision #9

This is the final stage of development proposed for this subdivision. The proposal appears to meet all the appropriate zoning requirements such as lot size and setbacks.

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SUBJECT: Wesleyan Church of Hamburg

1. All curb cuts must be approved by the County (county road)

2. Lighting should be provided in parking lots.

3. Rush Creek which runs along the property is part of the town's linear trail system and must remain open space.

4. One of the proposed additions falls in Road B as it presently exists--is there a proposed road change?

Town of Hamburg Conservation Advisory Board

S-6100 SOUTH PARK AVENUE HAMBURG, NEW YORK 14075

TO: THE HAMBURG PLANNING BOARD

FROM: THE CONSERVATION ADVISORY BOARD

SUBJECT: SEQR 89-39, HAVENWOOD SUBDIVISION
SOUTHWESTERN BOULEVARD

DATE: JULY 19, 1989

The revised site plan for the Havenwood Subdivision calls for a "50 foot drainage easement". The CAB asks that this be corrected to read "a 50 foot open space corridor, to be dedicated" -- NOT an easement; to be in accordance with the 2010 Master Plan which shows the present stream as an Open Space trailway.

Respectfully yours,
CONSERVATION ADVISORY BOARD

Donald J. Spittler

Donald Spittler
Chairman

DS/ck

Town of Hamburg Conservation Advisory Board

S-6100 SOUTH PARK AVENUE HAMBURG, NEW YORK 14075

TO: THE HAMBURG PLANNING BOARD

FROM: THE CONSERVATION ADVISORY BOARD

SUBJECT: SEQR 89-28, BENDERSON DEVELOPMENT
4950 CAMP ROAD

DATE: JULY 19, 1989

The proposed new building construction should pose no significant impact. The area, adjacent to Hill's Department Store and in front of the Dinner Belle Restaurant, is already zoned commercial. The landscape plan has merit, as the existing buffer on the Northwest side consists mainly of dead or dying Lombardy Poplars and needs to be improved.

Respectfully yours,
CONSERVATION ADVISORY BOARD

Donald J. Spittler

Donald Spittler
Chairman

DS/ck

14-16-4 (9/84)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF REGULATORY AFFAIRS

PROJECT I.D. NUMBER

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I Project Information (To be completed by Applicant or Project sponsor)

1. Applicant/sponsor: ERIE COUNTY AGRICULTURAL SOCIETY

2. Project Name: ERIE COUNTY AGRI-CENTER

3. Project location:
Municipality: Hamburg, NY County: Erie

4. Is proposed action:
☒ New ☐ Expansion ☐ Modification/alteration

5. Describe project briefly: Building size 210' x 350' x 35' steel frame structure, exhibition hall 150' clearspan x 316'+/-, exterior walls masonry wainscot with insulated metal siding above, facility will be multi-purpose use for exhibitions, trade shows, sports events, large and small animal shows, concerts, banquets, etc.

6. Precise location (road intersections, prominent landmarks, etc. or provide map)
Hamburg Fairgrounds, off South Park Entrance

7. Amount of land affected:
Initially 1.70 acres Ultimately 1.70 acres

8. Will proposed action comply with existing zoning or other existing land use restrictions?
☒ Yes ☐ No If No, describe briefly

9. What is present land use in vicinity of project?
☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☒ Parkland/open space ☐ Other
Describe:
Present county fairgrounds

10. Does action involve a permit/approval, or funding, now or ultimately, from any other governmental agency (Federal, state or local)?
☒ Yes ☐ No If yes, list agency(s) and permit/approvals
Hamburg Building Permit

11. Does any aspect of the action have a currently valid permit or approval?
☐ Yes ☒ No If yes, list agency name and permit/approval type

12. As result of proposed action will existing permit/approval require modification?
☐ Yes ☒ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Bernard & DeSimone Architects Date: 7/26/89

Signature: Benjamin F. Bernard

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II Environmental Assessment (To be completed by Agency)

A. Does action exceed any Type I threshold in 6 NYCRR, Part 617.12? If yes, coordinate the review process and use the FULL/LONG FORM EAF.
☐ Yes ☐ No

B. Will action receive coordinated review as provided for Unlisted Actions in 6 NYCRR, Part 617.7? If No, a negative declaration may be superceded by another involved action.
☐ Yes ☐ No

C. Could action result in ANY adverse effects on, to, or arising from the following: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Historic, archeological, visual or aesthetic, or other natural or cultural resources; agricultural districts; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, movement of fish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Secondary, cumulative, or other effects not identified in C1-C6? Explain briefly.

C7. A change in use of either quantity or type of energy? Explain briefly.

PART III Determination of Significance (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL/LONG FORM EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide here, and on attachments as necessary, the reasons supportng this determination:

Agency Name _____ Agency Preparer's Name _____

Preparer's Signature/Title _____ Date _____

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July 27, 1989

To: John Michalek, Esq.
Deputy Town Attorney
Hamburg Town Hall

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They had originally agreed on a driveway easement for another facility which was purported to be an ice cream parlor on an adjacent parcel. We have now learned that this is another restaurant in competition with the Copper Penny.

At the time that Mr. Andrelejvic and Karen Holleran appeared before the Planning Board meeting in August of 1988, they stated that the wood frame building would be for an ice cream parlor. Now, we understand that the building is not the same as indicated on the site plan, nor for that use. It is now known as the Red Rooster Restaurant.

I am attaching the minutes of the meeting whereby the Planning Board approved the facility for an ice cream parlor.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall

Richard Crandall, Chairman

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