

Town of Hamburg Planning Board

Actions Taken, 8-8-90

Palmer Subdivison - 2 lots--approved by Planning Board waiving public hearing and map cover requirement.

BJ'S Wholesale Club - Milestrip Rd. Approved modified site plan for club.

Pier I and Restaurant- McKinley Mall Outparcel--Tabled for review by Engineering and Building Inspection. Also needs Town Board approval.

Durham Road Subdivision - Tabled for opinion from Town Attorney's office as to whether this is a true cluster development.

Oxford Heights Townhouses--Approved contingent upon plan being amended to reflect emergency exit on either Beth El Side or Mr. Saunders side. Letter required denoting same. Negative Declaration issued on project.

J.B. Amsdell - J. Bosse - Two lot subdivision on Amsdell Road. Approved contingent upon Conservation Board approval; filing of map cover waived. Negative declaration to be issued when Conservation signs off.

Abbott Pines Subdivision -- Tabled until response from Corps of Engineers is received; that cul de sac be relocated near sublots 15, 16, 17 and 18; and another walk thru to be done by Duke Spittler of the Conservation Board. Tabled until Sept. 12th agenda.

V.F.W. Proposed Club - South Park Avenue across from Shaw & Shaw Tabled until Sept. 12 meeting.

Keith Fisher- Exit 57 Site Plan - Camp Road. Approved contingent upon Engineering approval. Negative Declaration issued that there are no environmental concerns.

Saddlebrook Pointe Townhouses - E. Burke
Original motion on Saddlebrook rescinded. Preliminary approved and entrances are to be 48' wide and the east entrance is to be moved 10' further east for a minimum of 125'. Negative declaration issued for this portion.

Open Space for Brierwood - To Be discussed at the September 26th meeting.

Rezoning Petition of Southland Assoc. From R-3 to C-1 for Convenience store and office. Unfavorable recommendation submitted to Town Board as this would be spot zoning and this is a potential traffic hazard intersection.

**Town of Hamburg
Planning Board Minutes
August 8, 1990**

The Town of Hamburg Planning Board met in regular session on Wednesday, August 8, 1990 at 7:30 p.m. in Room 7. Those attending included: Chairman Richard Crandall, Vice-Chairman Elgin Cary, Secretary Gerard Koenig, David Phillips, Steve Strnad, Sandy Carnevale. Others attending included: George McKnight, Sheryl Bower, Duke Spittler, Pat Steele, Lee Rockwood, Rick Lardo, Bob Pietrocarlo, Attorney Dan Gorman, and Terry Dubey, Stenographer. Excused: D. Gaughan

Minutes of the meeting of July 25th were not approved as they were just received.

Executive Session:

1. Single family dwelling on Versailles Rd.--client of M. Rooth. Mr. McKnight informed the board that he received a call from Michael Rooth, Atty. inquiring as to a single family dwelling on a large parcel of land on Versailles Rd. The Engineering Dept. has expressed concern that additional homes will be subdivided on the property which requires a subdivision process. Applicant is to be advised that only one single dwelling is to be placed on the parcel and that no further subdividing be done unless they go thru the review process.

2. Palmer Subdivision - Sowles Road. Applicant has come in with a plot plan of the properties as requested. Since this is a two lot subdivision, no public hearing on this one is required and the map cover requirement is waived. Motion was made by Mr. Carnevale, seconded by Mr. Phillips to approve the 2 lot subdivision for Mr. Palmer. Carried.

3. Keith Fisher Site Plan--The request for the scales has been approved by the Zoning Board of Appeals. The Thruway Authority has contacted our office that they have signed off on the project. The site plan is poor and could be approved contingent upon Engineering and Bldg. Inspection approval.

BJ's Wholesale Price Club--Milestrip Road

Mr. Dave DePaulo appeared before the Planning Board on modifications that are being requested for the BJ's Wholesale Club: Several weeks ago, the Board approved the following for the site:

BJ's Wholesale Club.....	104,710 s.f.
Retail Bldg. "B".....	32,116 s.f.
Retail Bldg. "C".....	7,455 s.f.
Retail Building "D".....	13,932 s.f.
Retail Building "E".....	10,320 s.f.
Total.....	168,533 s.f.

We have recently reached agreement with an established office

FILED IN THE
TOWN CLERK'S OFFICE
HAMBURG, N.Y.
AUG 27 9 38 AM '90
TOWN CLERK

BJ's (Continued)

products company to locate a substantial outlet on this site. The attached plans have been approved by all parties. Therefore, we are hereby submitting these plans for your review and approval to make minor modifications. The revised plan contains the following building area:

BJ's Wholesale Club.....	104,710 s.f.
Retail Building "B".....	23,500 s.f.
Retail Building "C".....	31,500 s.f.
Retail Building "D" 1&2.....	6,370 s.f.
Retail Building "E".....	9,550 s.f.
Total.....	175,630 s.f.

It is important to note that although the requested change increases the total building area by 7,097 s.f., we are still providing all required parking on-site and all engineering plans remain consistent with the approved drawings. Retail Bldg. "E" has been modified and reduced in size to accommodate a minimum 25 ft. setback from the 24" National Fuel gas main currently under construction. Also, please find attached hereto the revised landscape plan for the site including the 30' wide green area along the east side of the site showing additional landscaping as requested.

Motion was made by Mr. Koenig, seconded by Mr. Strnad to approve the modified site plan for BJ's Wholesale Club. Carried.

Pier I Modification and Restaurant - McKinley Mall Ring Parcel

The Planning Board approved the following site:

Pier I.....	9,000 s.f.
Retail Bldg. #2.....	25,867 s.f.
Total	34,867 s.f.

Since then, we have been approached by a nationally recognized firm who wants to locate their restaurant on this site. The attached drawing has been approved by them. We are therefore submitting this drawing for consideration and permission to make these changes. If approved, we would prepare formal drawings and submit to Building and Engineering. On Pier 1, Bldg. A, 9,000 s.f. on Retail Bldg. B--11,410 s.f. Olive Garden Restaurant, Bldg. C--9,100 s.f. The square footage is 5,357 less than the original approval. 234 cars are required by the code. We are providing 235 parking spaces. We also have two committed tenants for bldg. B. Contracts are being finalized.

Motion was made by Mr. Koenig, seconded by Mr. Phillips to Table until a review can be made by Engineering and Building Inspection. On this site plan, the Planning Board can only make a recommendation to approve as the final approval comes from the Town Board. Carried.

Durham Road Subdivision - Public Hearing

Secretary Koenig read the following Legal Notice for Durham Subdivision:

LEGAL NOTICE
TOWN OF HAMBURG
SUBDIVISION HEARING
DURHAM ROAD SUBDIVISION

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Hamburg Town Hall, S-6100 South Park Avenue for the purpose of approving Durham Subdivision (approximately 14 sublots) on August 8th, 1990 at 8:00 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 30, Township 9, Range 8 of the Holland Land Company's survey and being more particularly described as follows:

Beginning at a point in the north-east line of lands formerly conveyed to Georgia M. D. Forman by Liber 1146 of Deeds at Page 516, 134.86 feet northerly of the north line of Durham Road as measured along said line of Liber 1146, Page 516; thence continuing northerly along the northeast line of said lands conveyed by Liber 1146 of Deeds at Page 516, 280.00 feet to the southerly line of lands conveyed by Liber 6272 of Deeds at Page 287; thence easterly at an interior angle of 89° 39' 55", 120.00 feet to a point; thence northerly at an exterior angle of 89° 39' 55" and along the easterly line of Liber 6272, Page 287, 120.00 feet to a point; thence westerly along the northerly line of lands so conveyed under Liber 6272 of Deeds at Page 287, 120.00 feet to the northeasterly line of Forman as previously mentioned; thence northerly along Forman's northeasterly line, 119.1 feet to the southwest corner of lands formerly conveyed to George C. Laub by Liber 1327 of Deeds at Page 460; thence northeasterly along the southerly line of Laub, 517.73 feet to the east line of Lot 30, Township 9, Range 8; thence southerly along the easterly line of Lot 30, 25.35 feet to the westerly line of Durham Road; thence southerly along the westerly line of Durham Road, 505.05 feet to the northerly line of lands conveyed by Liber 5809 of Deeds at Page 5; thence westerly along the northerly line of lands so conveyed by Liber 5809, Page 5, 121.55 feet to the westerly line of Liber 5809, Page 5; thence southerly along said westerly line, 166.81 feet to the northerly line of Durham Road; thence westerly along the northerly line of Durham Road, 67.64 feet to the easterly line of Liber 5875 at Page 324; thence northerly along said easterly line, 87.01 feet to the northerly line of Liber 5875, Page 324; thence westerly along said northerly line, 120.00 feet to the point or place of beginning.

Also, **ALL THAT TRACT OR PARCEL OF LAND** situate in Lot 30, Township 9, Range 8 being more particularly described as follows:

Beginning at the southeast corner of lands formerly conveyed to George A. Laub by Liber 5638 of Deeds; thence southwesterly along the southeasterly line of Laub, 133.46 feet to the southeast corner of lands conveyed by Liber 5837 at Page 355; thence northerly along the easterly line of Liber 5837, Page 355, 144.87 feet to the southerly line of Durham Road; thence north easterly along the southerly line of Durham Road, 210.34 feet to the easterly line of Lot 30, Township 9, Range 8; thence southerly along the easterly line of Lot 30, 210.87 feet to the point or place of beginning.

Both parcels above totaling 4.9 acres of land excluding any highway.
Date: July 24, 1990

Richard Crandall, Chairman
Gerard Koenig, Secretary
Planning Board

8-2

Chairman Crandall declared the hearing open. Carol Guinane, representing Nussbaumer & Clarke and the Hogans, appeared on behalf of the subdivision, and noted that changes have been made to the subdivision as requested by Planning and Engineering from the last review. This is a cluster with 14 sub lots including 1.8 acres for recreation area that is to be dedicated to the Town without access. The cluster arrangement is the best use of this property. There are 12 sub lots on one side and 2 on the other side of the road. Changes have been made on parcels 9 and 12 and the lots have been increased. On sublots 1-7 they have been lengthened, and 10-11 have been increased in lot depth. Board members noted that the recreation area should have some type of easement for access in case of emergency situations. Comments from departments are as follows:

Planning--1. The names of all owners of all immediately adjacent unplatted land must be shown. A topographic map is required. The name of the owner is required to appear on the plan.

Engineering--1.3 This plan was revised and not noted on the plan. Use a revision block. 2.3 The owners of the adjacent parcels are to be shown. 3.3. The building set-back line is to be shown. 4.3 The zoning requirements are to be shown. 5.3 The name of the owner is to be shown. 6.3 A topo map is required. 7.3 It should be noted that this is a preliminary plot and not a final copy map cover.

Building Inspection--This property is zoned R-1 and requires 90 foot frontage at the set back line, 11,250 s.f. per lot served by a public sanitary sewer. S.L. 1, 9 and 12 would conform to this lot. S.L. 12 has 30' of frontage, on a straight line, but on the set back line it would exceed the code. Square footage for each lot should be shown on the plan. S.L. 7 is approximately 78 foot of frontage at the setback line. S.L. 13 is 88', s.l. 14 is 78' at the set back lines. All the other lots do not conform. There are many houses in this area that are on lots of this size. Placement of the proposed homes is important, so that they conform to other side yard and rear yard requirements of our code. There are also draingage problems in the area, and care should be given to provide adequate drainage of these lots. Contact Engineering as well as Highway. J. Lauchert.

Chairman Crandall asked if anyone wished to be heard for or against this proposal. Mr. Paul Howe, President of the Locksley Park Taxpayers appeared in opposition and presented a petition with 131 signatures who are also opposed. Mr. Howe noted that this is 4.9 acres of property and is not truly a cluster as the area is 5,000 s.f. short, & 2 lots are not contiguous. Also, the lots do not meet the code requirements of 90'as required by R-1 zoning. This is in conflict with the code, there is a sewer line that goes thru Trenton Rd. to Durham. Mr. Howe asked if the Hogan's are to be the developer or are they just selling the lots?

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Durham Rd. Sub. Continued

Attorney Gorman responded that this is irrelevant as to whether Hogan's are the developers or whether they just wish to sell the land. Also, on the issue of the sewer, this is an item that can be addressed by the Engineering Dept. There is a solution.

Mr. Joseph Rugnetta, resident of Durham, stated that this development is out of place in the area as it is not in keeping with a residential flavor. Also, there are considerable drainage and traffic problems in the area presently.

A resident of 3126 Trenton Rd. noted that she has drainage problems now and is afraid that additional development will compound the problem. Chairman Crandall responded that in many cases, the drainage might be improved.

Mr. McCleary noted that this new proposed development will devalue present homes in the area.

Jerry Rasmus resident of Stratford noted that the proposed development will have a domino affect on the present properties and they presently like the area the way it is because there is room to move. She does not like the idea of small crowded lots. There is also a playground nearby and the development will increase the traffic.

Mrs. Elizabeth Hogan, applicant noted, that she grew up in the area. Many of the homes were converted cottages and also cited lot sizes. Many of the lots on Durham are 43' x 197, 82' x 120', 60' x 120', 76' x 120' 60' x 120', 30' x 120'.

Chairman Crandall asked 2 more times if anyone wished to be heard for or against the proposal. Hearing no further arguments, the hearing was declared closed.

Motion was made by Mr. Cary, seconded by Mr. Koenig to **Table** any action pending a decision from the Town Attorney as to whether 4.9 acres can be considered a cluster. Carried.

Oxford Heights Townhouse Development - Southwestern Blvd.

Secretary Koenig read the following Legal Notice on Oxford Heights:

LEGAL NOTICE
TOWN OF HAMBURG
OXFORD HEIGHTS TOWNHOUSES

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Hamburg Town Hall, S-6100 South Park Avenue for the purpose of approving Oxford Heights Townhouses on August 8th, 1990 at 8:15 p.m.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie, State of New York and being part of Lot 6, Township 9, Range 8 of the Holland Land Survey, so-called bounded and described as follows:

Beginning at the southwesterly corner of the lands conveyed to Michael W. Matusick recorded in Liber 7503 of deeds at Page 131:

THENCE, North 01°-26'-47" East along the westerly line of the said Matusick a distance of 1,382.04 feet to the northwesterly corner of the lands conveyed to Mary Ann Schickler recorded in Liber 385 of deeds at Page 555.

THENCE, South 89°-37'-47" East along the northerly line of the said Schickler, a distance of 545.54 feet to the southwesterly corner of the lands conveyed to the Hamburg Railway Company recorded in Liber 913 of deeds at Page 575.

THENCE, North 03°-29'-38" East along the westerly line of the said Hamburg Railway Company, a distance of 473.33 feet to a point in the southwesterly line of the lands conveyed to the Buffalo and Susquehanna Railway Company recorded in Liber 997 of deeds at Page 227, Parcel No. 2.

THENCE, North 22°-01'-24" West along the southwesterly line of the Buffalo and Susquehanna Railway a distance of 271.65 feet to a point in the southerly boundary of Southwestern Boulevard (100.0 feet wide).

THENCE, North 63°-10'-08" East along the southerly boundary of Southwestern Boulevard, a distance of 165.56 feet to its intersection with the easterly line of the said Hamburg Railway Company as referred to above.

THENCE, South 02°-49'-51" West along the easterly line of the said Hamburg Railway Company, a distance of 218.37 feet to its intersection with the northeasterly line of said Buffalo and Susquehanna Railway as referred to above.

THENCE, South 22°-01'-24" East along the northeasterly line of the said Buffalo and Susquehanna Railway, a distance of 180.68 feet to a point of curvature.

THENCE, along said northeasterly line on a curve to the right having a radius 1,465.69 feet, an arc distance of 428.76 feet to a point in the northerly line of the said Schickler as referred to above.

THENCE, South 89°-37'-47" East along the northerly line of the said Schickler, a distance of 17.08 feet to the northeasterly corner of the lands conveyed to the Buffalo and Susquehanna Railway Company recorded in Liber 1027 of deeds at Page 88.

THENCE, Southerly along the easterly line of the said Buffalo and Susquehanna Railway Company on a curve to the right having a radius of 1,482.69 feet, an arc distance of 77.42 feet to a point of tangency.

THENCE, South 02°-12'-21" East along the easterly line of the said Railway, a distance of 509.24 feet to its intersection with the northerly line of the lands acquired for the New York State Thruway, Erie Section Subdivision E-8-A.

THENCE, South 32°-33'-16" West along the northwesterly bounds of said Thruway, a distance of 936.26 feet to its intersection with the southerly line of the said Matusick lands.

THENCE, South 89°-48'-16" West along the southerly line of the said Matusick, a distance of 350.63 feet to the Point of Beginning containing 24.287 acres, be the same more or less.

Dated: July 24, 1990

Richard Crandall, Chairman
Gerard Koenig, Secretary
Planning Board

Chairman Crandall declared the hearing open:

Messrs. W. Tyun, D. Trent, & Judy Schmidt appeared before the Planning Board on their proposed townhouse development which is to be located on Southwestern Blvd. Comments from departments are as follows:

Building Inspection--Same as prior meeting.

Engineering--3.3 We have not received a copy of the Thruway approval for use of their easement as discussed on 7-11-90. 4.3 The State should approve the drive cut prior to plat approval. 6.3. The centerline radius of all curves should not be less than 150'. Town Codes 29-166(G)(J) and 29-164 are applicable. It was agreed that a variance would be acceptable to reduce the minimum radius to 100'. Show the radius and revise as necessary. 7.3 All street names are to be approved by this office.

Mr. Tyun noted that they moved some buildings closer to the Beth El side in order to get the 100' radius which cost them 6 units. Mr. Koenig noted that he still would like to see an emergency access indicated on the site plan. Mr. Strnad suggested that a letter should be obtained from Beth El as to whether they are in agreement with such an access.

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

Motion was made by Mr. Koenig, to approve Oxford Heights contingent upon the plan being amended to reflect an emergency exit on either side, and if it is on the Beth El side, to obtain a letter from them denoting same; and that the Planning Board issue a negative declaration that the environmental issues have been addressed, seconded by Mr. Phillips. Carried.

J.B.Amsdell Subdivision - J. Bosse - Amsdell Road

Secretary Koenig read the following Legal Notice for the J.B.Amsdell Subdivision.

LEGAL NOTICE
TOWN OF HAMBURG
SUBDIVISION HEARING
J.B. AMSDELL

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a public hearing on August 8th at 8:30 p.m. for the purpose of approving a 2 lot subdivision known as J.B. Amsdell.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie, State of New York, being part of Lot 39, Township 9, Range 8 of the Holland Land Company's survey and being more particularly described as follows:

Beginning at a point in the east line of Amsdell Road, 175.00 feet south of the south line of East Parkway; thence southerly at right angles, 154.03 feet; thence southerly forming an interior angle of 63° 43' 22", 324.33 feet to the east line of Amsdell Road on a curve; thence northerly along the east line of Amsdell Road along a curve having a radius of 1,120.92 feet, 154.596 feet; thence continuing northerly along Amsdell Road, 136.81 feet to the point of beginning.

JULY 20, 1990

RICHARD CRANDALL,
CHAIRMAN
GERARD KOENIG,
SECRETARY

47-263

J.B. Amsdell Subdivision (Continued)

Chairman Crandall declared the hearing open. Mr. Bosse appeared on behalf of the 2 lot subdivision which is located at 2592 Amsdell Road. The parcel is zoned R-2 and the lot will be used for a home in an existing neighborhood. Input has not yet been received from the Conservation Board. Asst. Planner Bower noted that a topo is required.

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

Motion was made to Table by Mr. Cary & seconded by Mr. Phillips for Conservation Bd. input & to approve on a contingency basis by Bldg.Insp.; to waive the filing of a map cover, and to issue a negative declaration that there will be no impact on the environment. (SEQR 90-51) was reviewed by Mr. Spittler. He states no concerns.

Abbott Pines Subdivision - Off Lilydale and Knab Drive.

Secretary Koenig read the following Legal Notice:

LEGAL NOTICE
TOWN OF HAMBURG
SUBDIVISION HEARING
ABBOTT PINES

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Hamburg Town Hall, S-6100 South Park Avenue for the purpose of approving Abbott Pines Subdivision (approximately 51 lots) on August 8th at 8:45 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 Farm Lot 44, Township 9, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Beginning at a point in the Southeast corner of lands now or formerly owned by Matthew L. Vogt and Ruth L. Vogt, his wife, by deed recorded in Erie County Clerk's Office in Liber 4389 of Deeds at Page 145 and the center line of Abbott Road running thence Southerly along the center line of Abbott Road One Thousand Three Hundred Ninety nine and No. Hundredths feet (1399.00) to the Northeast corner of lands of Estelle C. Armorski recorded in Liber 5041 of Deeds at Page 453 running thence Northwesterly along the northerly line of Armorski's lands One Thousand Three Hundred Eight and Forty Hundredths feet (1308.40) to a point thence Northeasterly at an interior angle of 39°54'00" a distance of Five Hundred Seventy six and Forty five Hundredths feet (576.45) to a point thence Northwesterly at an exterior angle of 119°02'00" a distance of Two Hundred Nineteen and Twenty six Hundredths feet (219.26) to the Southwest corner of lands conveyed to Matthew L. Vogt and Ruth L. Vogt, his wife by deed first above mentioned thence Easterly along the Southerly line of said Vogt's land a distance of Eight Hundred Seventy one and Twenty Hundredths feet (871.20) to the point or place of beginning containing 22.98 acres of land more or less.

DATED July 13, 1990

TOWN OF HAMBURG
 PLANNING BOARD
 RICHARD CRANDALL
 CHAIRMAN
 GERARD KOENIG
 SECRETARY

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Abbott Pines (Continued)

Messrs. Fran Igoe, Mel Johnson and Paul O'Neill appeared before the Planning Board on the proposed 51 sub lot subdivision. Chairman Crandall declared the hearing open:

Engineering Comments: If the marsh and flood plain areas is to be deeded to the Town, it should be specified as passive recreation area.

Planning--A permit application has been filed with the Army Corps of Engineers, to approve the filling of a non-tidal wetland partially located on lots 6, 7, 8, 10, and 11. We have not received word from the Corps as of yet.

Building Inspection: This proposed subdivision must conform to the R-1 zoning with 90 foot lots minimum frontage and equal to 11,250 s.f. The lot in question at the present time is S.L. 22, which may infringe upon the 100 yard flood plan limit. I would like to know what the percentage of open space is for the subdivision to determine whether there will be a recreation fee required or not.

Mr. O'Neill noted that he walked the area with Duke Spittler and the marsh has been identified and located with stakes. It appears that s.l. 15 & 16 are shallow, Also, 35 and 30 pose a problem. These should be moved towards the south. Mr. O'Neill noted that the cul-de-sac can be pulled forward to remedy the situation.

Mr. Mike Antonik of Knab Drive spoke in opposition to the subdivision and asked how the drainage problem will be corrected. Mr. O'Neill explained that there will be back yard drains along the rear of the sublots. They will be intercepted with catch basins and piped. Storm run off will be draining in an enclosed system. It will run into the existing ditch and be piped, and eventually drain to the detention pond.

Mr. Meyers of Lilydale spoke in opposition to the project by stating that the neighborhood at the present time is experiencing a great deal of traffic problems on Lilydale. Mr. Igoe responded that a street was taken out and will go out on to S. Abbott only.

A resident noted that at the present time, the Armor Elementary school is filled to capacity and cannot take any more children in that school. Mr. Igoe noted that they have discussed the matter with Supt. Ogilvie and was advised that accommodations could be made to take in other students when the need arises, and sees no problem with the subdivision.

A resident of 4839 Knab Drive complained about traffic that comes off Clark Street, as their street is being used as a cut-thru now.

Abbott Pines (Continued)

Mr. Lardo noted that on the passive recreation area on the southwest corner, an acreage should be indicated.

Motion was made by Mr. Koenig, seconded by Mr. Phillips to Table approval until the response is received from the Corps of Engineers, that the cul de sac be relocated near sublots 15, 16, 17, & 18 and that another walk thru be done with Duke Spittler. Carried. (Matter to be on Sept. 12 agenda).

V.F.W. Site Plan Review - South Park Avenue

Mr. Mark Tiedeman, engineer representing the V.F. W. post, was present for site plan review for the proposed club, to be located on South Park Avenue, across from the Shaw & Shaw Legal offices. Comments are as follows:

Engineering--1.State D.O.T. road cut approval is required before plot approval. 2. The outside radius at the entrance should be a minimum of 25'. 3. The Thickness of the stone base in the pavement detail is not adequate. It is to be increased to 8"-10". 4. The proposed dumpster location is very poor. 5 feet of fill is required in this area, the side slope will be steep and the trucks will have a difficult time getting in and out. We suggest it be moved to the south of the building. 5. The minimum acceptable storm sewer pipe size is 10". CMP pipe is to be used. The pipe flows are to be directed to the rear of the parcel and not to South Park. Minimum cover on the pipes is to be 2 ft. 6. Show a drainage swale along both sides of the building and provide design elevations for the swale. 7. Sheet 3 shows a proposed new fire hydrant. The existing hydrants along South Park are properly spaces in accordance with Town Standards. If you require a hydrant for the building, it will be installed off a new private line on your property in accordance with Erie County Water specifications.

Conservation Board - Ms. Steele was present and read her review which is as follows: #9 Transportation--Proposal will have 89 parking spaces--full use at any given time will generate increased traffic on already busy highway with potential hazard due to the railroad underpass. The area also has limited sight range. Parking at front of site may also diminish sight distance. Refer to the Traffic Safety Board. #11. Noise/odor--Noise level in primary residential area will increase due to traffic of patrons and members leaving and arriving. This will differ from non-stop traffic flow at present time. #7--Odor--from increased auto traffic--carbon monoxide--may cause problems with and for nearby residents. #12--Water - Projected water use needs is far below Erie County Health dept. tables for such a project. Section B#23 states 50 gallons per day. This would not be adequate for more than 2-1/2 seat/day. For standard serve, the usage is 35/gal/seat a day; for a tavern it is 20; Banquet facility 20, Ice machine 24

V.F.W. Continued (Planning Bd. Minutes, Page 11, 8-8-90)
gallon hrs. This building will be using a septic system per County Health Dept. approval. I question the other septics in the area. (13) Neighborhood--C-1 and C-2 zone--but the general makeup of the area is primary residential--this will cause a distinct change to the area. Site plan does not show rear boundary of property--need more detailed map. Are there plans to donate land for green space at tracks or on the boundaries of the property? Donation of wet land should be considered. Will the tree buffer on the north property line remain? Can more of a buffer be provided. Can parking be moved nearer to rear of property to lessen noise.

Planning--Additional landscaping should be included along front of property. The edge of the right of way should be shown. This project was sent to Erie Co. Div. of Env. & Planning on 7-20-90.

Mr. Paul Guenther, resident of South Creek Road, concurred that the parking should be in the back rather than in front. Mr. Tiedeman responded that parking is rather limited as the septic system will be set in back. A suggestion was also made about berming to hide the cars.

Motion was made by Mr. Phillips, seconded by Mr. Strnad to **Table** until some of the concerns can be addressed. Applicant to be on Sept. 12th agenda.

Exit 57 - Keith Fisher site plan

Mr. Keith Fisher appeared for approval on his site plan for the Exit 57 facility on Camp Road. Comments are as follows:

Building Inspection--The revised site plan shows a proposed location for a scale. This is a typical drawing for this location which means the plan is very poor. This was part of the approved site plan for the building which is 100' x 245'. It was brought to our attention that there was never a signed site plan by the Eng. Dept. and since this is the same owner, the plan should be approved. The Zoning Board approved one sign and requires Planning Board approval before a permit can be issued. Plans should show landscaping, drainage, elevations, and location of utilities.

Planning - S. Bower--1. It is unacceptable to alter a professionally sealed plan. An area map of the location is required. The layout of all off street parking, including the required handicap spaces must be shown, along with curbing and barriers. The proposed building is existing. The layout of all drives must be shown. It is impossible to tell where the entrance drive on Camp Rd. is located. Also, reference dimensions from the nearest street intersection must be shown. Landscaping must be included. The edge of Camp Rd. R.O.W. must be shown. Only 3 copies of the plan have been delivered to the Planning Dept. Because many of the necessary requirements are missing from the plan a thorough review is impossible. This plan has not been

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Exit 57 (Continued)

distributed to the required agencies. When better quality revisions are submitted, the plan can be distributed.

Engineering--1. Revisions have been made to the plan since 4-2-90 and not noted in the revision block. Revise as necessary. There are hand inked notes on the plan. The final plan should have these notes made on the original before prints are made. This will ensure that the professional whose stamp and signature appears actually made the changes.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to approve with changes incorporated. Carried. Also, a negative declaration should be issued noting no environmental concerns.

Saddlebrook Point Townhouses - E. Burke

Messrs. Patrick and Ed Burke, and Jim Walsh appeared before the Planning Board for site plan review on the Saddlebrook Pointe Townhouses. Attorney Gorman noted that at the last meeting, the Executive Session again commenced after Mr. Burke left. The motion from the last meeting should therefore be rescinded.

Motion was made by Mr. Cary, seconded by Mr. Carnevale to rescind the motion from the last meeting on Brierwood. Carried. Comments on Saddlebrook are as follows:

Building Inspection--This is a 48 unit townhouse development. It appears to conform to most of the parts of 29-166 of the code, with exception of 29-166A which limits the length of the Townhouses to 160', and this unit is 9 inches larger than the code requires. Also memo of May 16th was again reviewed.

Planning- 8. Bower--Many of the lots do not meet the 2000 s.f. minimum. Units 36 and 38 do not meet the rear yard requirements. This development exceeds the required minimum of 500' of common recreational area per unit.

Engineering--3.4 Access to Amsdell Road has been approved by the county but we have been told the entrance must be reduced from 75' to 36'. This should be shown on the plan. 4.4 The east entrance should be moved approximately 10' further east for a minimum 125' between Devonshire and the entrance road. Show Devonshire on the plan. 5.4. It should be noted on the plan that only lots 47 and 48 have access to Amsdell Road.

Also five pocket parks with benches and a jogging trail have been designated on the plan.

Motion was made by Mr. Koenig, seconded by Mr. Phillips to approve the preliminary for Saddlebrook, noting that the entrances be 48' wide and that the east entrance be moved 10' further east for a minimum of 125'. Also, a negative declaration can be issued for this portion. Carried.

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Open Space for Brierwood--Attorney Gorman noted that he has been getting calls on Emerald Green. This is scheduled for the next agenda. However, if there is an over-all item on green space for Brierwood, it should be advertised as such. This item--green space for Brierwood will be on the Sept. 26th agenda.

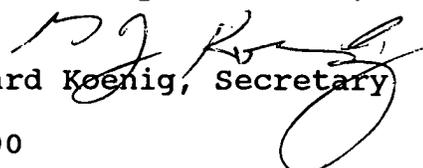
Rezoning Petition of Mr. Winegar, Southland--on South Park near Sowles.

Mr. Winegar appeared before the Planning Board on a proposed rezoning petition from R-3 to C-1 for a convenience store and office to be located on the corner of South Park and Sowles. This is near the duplexes that Southland has built. Board members feel that this would be spot zoning. Also, Conservation Board noted that this is a very dangerous corner and a lot of accidents occur in this vicinity.

Motion was made by Mr. Strnad, seconded by Mr. Phillips to forward an unfavorable recommendation to the Town Board on this rezoning petition, as this would be considered spot zoning and a potential traffic hazard area. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to adjourn the meeting. Carried. Meeting adjourned at 11:30 p.m.

Respectfully submitted,


Gerard Koenig, Secretary

Next Meeting: August 22, 1990
7:30 p.m.