

**Town of Hamburg  
Planning Board Meeting  
September 21, 2005  
Actions Taken**

**ABASCO Subdivision  
5225 Southwestern Blvd.**

**Subdivision approved & Site Plan Approval  
Granted with conditions.**

**Krone 4 lot Subdivision  
Willett Road**

**Public Hearing set for 10-19-05 at 7:30 p.m.**

**K-Technologies  
Abel Road**

**To be on Work Session, Oct. 5, 2005**

**Dennis Debo Subdivision  
& Special Use Permit for  
Day Care Center  
Quinby Drive**

**Public Hearing set for 10-19-05 at 7:45 p.m.  
Special Use Permit - 8:00 p.m.**

**Gullo's Rezoning of parcel  
from R-2 to R-A, Res. Agricultural**

**Recommendation to be given to Town Board  
On October 5, 2005**

**Erie County Agricultural  
27,000 s.f. building  
McKinley Parkway**

**On for Oct. 5<sup>th</sup> Work Session**

**Town of Hamburg  
Planning Board Meeting  
September 21, 2005**

The Town of Hamburg Planning Board met for a regular session on Wednesday, September 21, 2005 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, Bob Reynolds, Karen Rogers, Sasha Yerkovich, Steve McCabe. Others attending included: Drew Reilly, Rick Lardo, Attorney Michael Fruth, Attorney Don McKenna, and Terry Dubey, Stenographer.

**ABASCO Subdivision - Public Hearing - 7:30 p.m. 5225 Southwestern Blvd.**

Secretary Eustace read the following Legal Notice of Public Hearing:

**LEGAL NOTICE**

**Town of Hamburg Planning Board  
Abasco 2 Lot Subdivision  
5225 Southwestern Blvd.**

Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a 2 lot subdivision known as Abasco Subdivision located at 5225 Southwestern Blvd. on September 21, 2005, at 7:30 p.m. in Room 7B of Hamburg Town Hall.

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 21, Township 9, Range 8, of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the south-east line of Southwestern Boulevard, as deeded to the County of Erie by deed recorded in the Erie County Clerk's Office in liber 2040 of Deeds at page 354; at the southwest corner of lands conveyed to Gateway Plaza, Inc. by deed recorded in said Erie County Clerk's Office in liber 6251 of Deeds at page 398; THENCE northeasterly along the east line of Southwestern Boulevard, a dis-

tance of 72.0 feet to a point; THENCE southeasterly at right angles, a distance of 20.0 feet to a point; THENCE northeasterly parallel with the east line of Southwestern Boulevard, a distance of 400.0 feet to a point; THENCE northwesterly at right angles, a distance of 20.0 feet to a point in the east line of Southwestern Boulevard; THENCE northeasterly along the east line of Southwestern Boulevard, a distance of 1063.79 feet to a point; THENCE southeasterly at right angles to Southwestern Boulevard, a distance of 1172.19 feet to a point in the south line of lands conveyed to Gateway Plaza, Inc., by deed recorded in the Erie County Clerk's Office in liber 6251 of Deeds at page 398; THENCE west along said south line of lands conveyed to Gateway Plaza, Inc., a distance of 1931.98 feet to the place or point of beginning, containing 20.48 acres of land, more or less.

**GERARD KOENIG, Chairman  
PAUL EUSTACE, Secretary  
Planning Board**

Dated: 8-18-05

Planning Board 9-21-05

Chairman Koenig declared the hearing open:

Mr. Reilly stated that ABASCO is present for the subdivision approval as well as site plan review. The applicant would like site plan approval so that they can construct foundations before the weather gets too cold. The truck route in the back is owned and maintained by Vic Liberatore.

Mr. Reynolds noted that there is a great deal of debris in the back, but the situation will be corrected and maintained by ABASCO. One of the fences will be taken down for approximately 60' to 70'. The variance on parking was granted by the Zoning Board of Appeals. There will be some type of truck traffic for deliveries. The Town Engineer has also set the clearing limits for the project. Trees will not be removed, and this will be a condition of approval.

Residents of Creekview stated that they do not want trucks going on residential property. A note is to be added to the drawing that there will be no idling of truck motors for long periods of time. A setback of 50' is to be maintained and there is to be no disturbance of property beyond the clearing limits. Fencing will also be replaced.

Kathy Scharlock asked how many truck deliveries would there be? Response: Deliveries will take place 3 to 5 months apart. It was pointed out that this is a light manufacturing industry that has been there for many years. He has a right to be there. The new building will be sprinklered. The fire hydrant on the property is privately owned. If trees are taken down, they are to be replaced.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to approve the minor subdivision and issue a Negative Declaration. Carried.

On the site plan, motion was made by Mr. Phillips, seconded by Mr. Eustace to approve the site plan for the ABASCO addition based on the following conditions:

1. There is to be no outside storage of materials.
2. A sign is to be placed stating No idling of trucks at the southwest corner of the property,
3. No changes in the clearing limits as recommended by the Town Engineer without Planning Board approval.
4. If the fence along the back lot line is removed, a screening of 6' board on board fencing is to be located near the loading dock area,
5. There is to be no removal of trees at the southeast corner. Carried.

Engineering Comments: Minor Subdivision—the required survey & legal description are acceptable. On the site plan, the following are review comments: The Planning Board is to review and approve the site landscaping plan.

**Krone 4 Lot Subdivision - Willett Road**

Attorney Jay Pohlman appeared before the Planning Board on the 5 acre parcel for the subdivision of 4 lots on Willett Road. An out of district agreement from District 6 has been made on the sewer. A survey was done on the soil (Canadian Silt Loam) and the only impact will be on Lot 2. The City of Lackawanna has been notified and no return comments have been sent. A Public Hearing can be set for October.

Motion was made by Mr. McCabe, seconded by Mrs. Yerkovich to set the Public Hearing for October 19, 2005 at 7:30 p.m. Carried.

**K-Technologies - Abel Road**

Applicant did not appear. A use variance was granted back in 1999. Issues to be resolved include aesthetics, landscaping, and parking. Applicant to be at Work Session. Motion was made by Mr. Reynolds, seconded by Mrs. Yerkovich to Table. Carried.

**Dennis Debo Subdivision and Special Use Permit for Day Care Center - Quinby Drive**

The proposal meets zoning requirements on the subdivision. A variance was granted by the Zoning Board on the side yard requirement. The Engineering Department will require storm water calculations and design. If any trees die off, they are to be replaced.

Motion was made by Mrs. Yerkovich, seconded by Mr. Eustace to set the Public Hearing for the subdivision and Special Use Permit for the day care center for October 19, 2005 at 7:45 p.m. and 8:00 p.m. Carried.

**Erie County Agricultural Society - Horse Barn Replacement**

Mr. Dennis Laing appeared before the Planning Board on a proposed 27,000 s.f. paddock building for horses to be located at the back stretch at turns 2 and 3 of the Fairgrounds. This will be a pre-engineered 8' structure with concrete floors. Item to be placed on October 5<sup>th</sup> agenda for approval that night.

**Gullo's Rezoning - Southwestern Blvd.**

Dave Dercacz appeared before the Planning Board on a proposed expansion for Gullo's Garden Center located at Southwestern Blvd. The application has been amended for the parcel to be R-A, Residential Agricultural. The area will be used for the planting of trees (balled and burlaped). The existing business is zoned C-1. On October 5<sup>th</sup>, the Planning Board will submit their recommendation to the Town Board. On October 19<sup>th</sup>, site plan approval can be given. The existing 55' x 40' building will be moved to the back portion of the property with a new building for the front.

# TOWN OF HAMBURG

## ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522  
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VINCENT J. SORRENTINO

Town Clerk  
CATHERINE A. RYBCZYNSKI

Supt. of Highways  
JAMES F. CONNOLLY

TO : Planning Board  
FROM : Engineering Dept.  
DATE : 9/21/05  
SUBJ : 9/21/05 PLANNING BOARD MEETING AGENDA  
Krone Minor Subdivision - Willett Road

The following are review comments on a survey dated 8/10/05:

- (1) The legal description is acceptable.
- (2) Public water service is available to the site.
- (3) There are no public sidewalks in the area. We have no objection to waiving the sidewalk requirement.
- (4) We have no objection to waiving the map cover requirement.
- (5) Public sanitary sewer service is available from Erie County Sewer District No. 6 (ECSD No. 6). An Out-of-District Service Agreement with ECSD No. 6 is required for sewer service.

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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JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 9/21/05

SUBJ: 9/21/05 PLANNING BOARD MEETING AGENDA  
Addition to K-Technologies - 5424 Abel Road

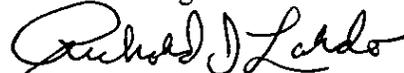
The following are review comments on a site plan dated 4/9/04 and last revised on 8/1/05:

- (1) Site plans for this parcel were previously approved by the Planning Board on 8/22/91, 11/17/93, and 11/18/94. The parking area has been enlarged and modified from the 1994 approved plan.
- (2) Provide existing and proposed site elevations.
- (3) Upon completion of the topographic survey, the design engineer should contact this office to discuss the site drainage.
- (4) Provide a typical pavement section.
- (5) Provide curbing along the parking lot perimeter.
- (6) Provide site lighting locations.
- (7) Landscaping is to be approved by the Planning Board.
- (8) Show the location of the roof drains.

All comments are to be satisfactorily addressed for approval.

  
Gerard M. Kapsiak, P.E.

Town Engineer



Richard J. Lardo

Principal Engineer

# TOWN OF HAMBURG

S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075 • (716) 649-8111 • FAX (716) 649-4087



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Supt. of Highways  
JAMES F. CONNOLLY

October 6, 2005

To: The Town Board

Subject: Gullo's Expansion and rezoning from R-2 to R-A, Residential Agricultural

The Planning Board is submitting a favorable recommendation on the rezoning of a parcel of property behind Gullo's to Residential Agricultural for their purposes:

Motion was made by Mr. McCabe, seconded by Mr. Phillips to submit a favorable recommendation on the rezoning from R-2, to Residential Agricultural for the following reasons:

1. This is a good use of the property and a logical expansion for the nursery business.
2. This proposal will be a more effective use with the growing of trees and horticultural Products surrounding residential areas.
3. This will also match the commercial area. Carried.

Gerard Koenig, Chairman  
Paul Eustace, Secretary  
Planning Board

GK:tdi

# TOWN OF HAMBURG

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Supt. of Highways  
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 9/21/05

SUBJ: 9/21/05 PLANNING BOARD MEETING AGENDA  
Quinby Drive Day Care Facility

The following are review comments on a sketch plan (Option1) dated 7/15/05:

- (1) The proposed site is located on a parcel being subdivided from a larger parcel. Minor subdivision approval will be required for the project.
- (2) The entire site is currently wooded and should be shown or noted on the plan.
- (3) We will review the site plan when it is prepared and submitted for review.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.  
Town Engineer

Richard J. Lardo  
Principal Engineer

(Gullo's)

Motion was made by Mr. Phillips, seconded by Mrs. Yerkovich to place the item on the Agenda for October 5<sup>th</sup> for recommendation to the Town Board and to set a Public Hearing. Carried.

Matusick Rezoning

Motion was made by Mr. Phillips, seconded by Mr. McCabe to amend the motion of September 7<sup>th</sup> and delete a portion of the phrasing. (See recommendation attached).

Motion was made by Mr. Phillips, seconded by Mr. Reynolds to approve the minutes of 8-3-05. Carried.

Motion was made by Mr. Phillips, seconded by Mr. Reynolds to approve the minutes of the 8-17-05 meeting. Carried.

Motion to adjourn was made by Mr. Phillips, seconded by Mr. Reynolds to adjourn. Carried. Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Gerard Koenig, Chairman  
Paul Eustace, Secretary  
Planning Board

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September 7, 2005

Supt. of Highways  
JAMES F. CONNOLLY

To: The Town Board  
Cindy Conolon-Legal Department  
Rick Lardo - Engineering

Subject: Rezoning of Mitchell Matusick on property on McKinley Parkway

from R-2, to H-C, Hamburg Commercial.

The Planning Board made the following favorable recommendation for the Mitchell Matusick rezoning from R-2 to H-C, Hamburg Commercial at their meeting of 9-7-05.

Motion was made by Mr. Phillips, seconded by Mr. McCabe to forward a favorable recommendation for this rezoning on property on McKinley Pkwy. From R-2 to H-C, Hamburg Commercial as it is compatible with the Master Plan.

Carried.

Public Hearing is to be set for October 24, 2005 at 7:00 p.m.

Gerard Koenig, Chairman  
Paul Eustace, Secretary  
Planning Board

Town of Hamburg Planning Board  
Meeting - September 21, 2005  
Legal Notice

The Town of Hamburg Planning Board will conduct a regular meeting on Wednesday, September 21, 2005 at 7:30 in Room 7B to discuss and possibly approve the following:

1. Public Hearing 7:30 p.m. ABASCO Subdivision and site plan approval  
5225 Southwestern Blvd.
2. Krone 4 lot subdivision - Willett Road
3. Site plan review for K-Technologies addition located on Abel Road
4. Dennis Debo Day Care Center - Quinby Drive - Special Use Permit  
& Subdivision

Gerard Koenig, Chairman  
Paul Eustace, Secretary  
Planning Board

Dated: 9-8-05