

Town of Hamburg Planning Board  
Meeting - October 16, 1996

Cherry Hill Estates  
Fairgrounds & Quinby  
81 lots

Tabled for further review.

Richwood Estates  
Part II

Tabled for a traffic study.

South Park Apts.  
88 units - 11 bldgs.  
South Park Avenue

Concept plan approved

Brierwood Sports Dome  
Brierwood Plaza  
Southwestern Blvd.

Approved

South Shore Country Club  
Seasonal Indoor Driving  
Range - Camp Rd. &  
Southwestern Blvd.

Approved as an indoor driving range

Sotek Belrix  
Ravenwood North

Addition approved.

FILED IN THE  
TOWN CLERK'S OFFICE  
HAMBURG, N.Y.

Nov 21 9 40 AM '96

TOWN CLERK

Town of Hamburg  
Planning Board Meeting  
October 16, 1996

The Town of Hamburg Planning Board met in regular session on Wednesday, October 16, 1996 at 7:30 p.m. in the Public Meeting Room of Hamburg Town Hall. Those attending included: Chairman Richard Crandall, Vice-Chairman David Phillips, Secretary Gerard Koenig, Dick Pohlman, Don Fitzpatrick, Sue Ganey, Paul Eustace. Others attending included: Drew Reilly, Richard Whipple, Attorney, Don McKenna, Councilman Mark Cavalcoli, Rick Lardo & Terry Dubey, Stenographer.

Public Hearing - Cherry Hill Estates (formerly Tiffany Meadows)  
Abbott & Holly Place

Secretary G. Koenig read the following Legal Notice of Public Hearing:

**LEGAL NOTICE  
TOWN OF HAMBURG  
PLANNING BOARD  
MEETING - OCTOBER 16, 1996  
CHERRY HILL ESTATES**

Notice is hereby given that the Planning Board will hold a Public Hearing on a proposed 81 lot subdivision known as Cherry Hill Estates - off Abbott Rd. and Holly Place at 7:30 p.m. on October 16, 1996 in Room 7 of Hamburg Town Hall.

ALL THAT TRACT OR PARCEL OF LAND situate in the Towns of Hamburg and Orchard Park, County of Erie and State of New York being part of Lot Nos. 43 and 35, Township 9, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point at the southeast corner of Subdivision Lot 49 according to a map cover filed in the Erie County Clerk's Office under cover number 2168; thence westerly along the southerly line of map covers 2444 and 2168, 1108.15 feet to the southwest corner of Subdivision Lot No. 1 according to a map filed in the Erie County Clerk's Office under map cover 2444, thence northwesterly along the west line of Subdivision Lot No. 1, 170 feet to the northwest corner of Subdivision Lot No. 1; thence westerly along the south line of Holly Place 75.68 feet to a point; thence southeasterly along the easterly line of lands conveyed to the Town of Hamburg 113.67 feet to the southeast corner of lands so conveyed to the Town of Hamburg; thence westerly along the south line of lands so conveyed to the Town of Hamburg 170.52 feet to the westerly line of lands conveyed to Edward G. Benz and Emma A. Benz, his wife by deed recorded in the Erie County Clerk's Office in liber 4288 of deeds at page 159; thence southeasterly along the westerly line of lands so conveyed to Benz 1267.98 feet to the southerly line of lands so conveyed to Benz; thence easterly along the southerly line of lands so conveyed to Benz 1268.36 feet to the southwestern corner of lands so conveyed to the Diocese of Buffalo by deed recorded in the Erie County Clerk's Office in liber 6192 of deeds at page 47; thence northwesterly along the westerly line of lands so

conveyed to the Diocese of Buffalo 642.42 feet to the northwesterly corner of land so conveyed to the Diocese of Buffalo; thence northeasterly along the northerly line of lands so conveyed to the Diocese of Buffalo 555 feet to the center line of Abbott Road; thence northwesterly along the center line of Abbott Road 709.28 feet to a point; thence southwest-erly at right angles to the center line of Abbott Road 340 feet to the southwest-erly corner of subdivision lot no. 50 according to a map filed in said Clerk's office under cover no. 2168; thence northwesterly along the westerly line of said subdivision lot no. 50 according to a map filed in said Clerk's office under cover no. 2168, 164.87 feet to a point in the southerly line of Holly Place at the northwesterly corner of said subdivision lot no. 50 according to a map in said Clerk's office under cover no. 2168; thence southwesterly along the southerly line of Holly Place 60.35 feet to the northeast corner of subdivision lot no. 49 according to a map filed in said Clerk's office under cover no. 2168; thence southeasterly along the easterly line of said subdivision lot no. 48 according to a map filed in said Clerk's office under cover no. 2168; 172.5 feet to the point of place of beginning.

Dated: 9-19-96

Richard Crandall, Chairman  
Gerard Koenig, Secretary  
9-26  
Planning Board

Cherry Hill Estates (Cont.)

Messrs. Mike Metzger and Kevin Curry of Patrick Development appeared before the Planning Board on their proposed 81 lot subdivision to be located off Abbott Rd. near Holly Place. Comments from **Engineering** are as follows:

1. We have been working with the developer and Erie County Water Authority in addressing fire flow and pressure concerns associated with this subdivision. It is anticipated that this matter will soon be rectified. 2. A 20 ft. wide parcel is to be deeded to the Town for access to the detention basins. 3. What is proposed for that part of the detention basin B parcel located in the Town of Orchard Park? 4. Cherry Hill Drive and Cloverleaf Lane conflict with existing street names within the Town and are unacceptable. 5. The approval of the Town of Orchard Park and the Erie County Highway Dept. (South Abbott Rd.) will be required for the project. 6. Public sanitary sewer and water mains are located adjacent to the site. 7. The intersection layout of the road connection to Holly Place and Willow Drive should be shown. 8. The plan should be dated for reference purposes.

Mr. Metzger noted that they have been working on this drawing since September and have taken the recommendations of the Planning Board and have tried to implement them into a drawing that is acceptable to the Board. They have had several meetings with the Town of Orchard Park, both Planning and the Zoning Boards, who have deferred this project to the Town of Hamburg. They have been working with Msgr. Nugent in an attempt to alleviate some of the sewer and water problems that they have experienced.

Mr. Reilly noted that the Board has discussed layout and we tentatively approved a concept plan. They are working on water flow and pressure concerns also. There have been some questions raised about the detention basin as they straddle both Town lines. This subdivision was approved back in 1990 as a preliminary. However, the applicant did not proceed any further. Questions that were raised at that time were the two means of egress into the property. One was to be out to South Abbott as well as the paper street at the end of Holly near Best. The other location was at the end of the road at the elbow near Willow Drive and Holly. There is also a playground at that location and that was also a concern about additional traffic thru there. It is the policy of the Planning Board to require 2 means of egress when they are available. The question was also raised as to the continuation of access to the next property. At this point, the Board said no. We believe this should end this area of development.

There have been traffic concerns and the drawing was sent to the Traffic Safety Board for their review. Their reply is: Need to know width of entrance onto South Abbott. Do cul-de-sac lengths exceed code requirements. Concerned about the increased traffic

Cherry Hill Estates.

and impact on Holly Place and playground area. Opposed to use of paper street. Recommendation: Remove cul-de-sac interior islands; remove island on S. Abbot Rd. entrance: Minimum right of way is 70'. Increase lane width on streets to conform. Other ways that traffic could be controlled in that area would be to put additional stop signs, and in the area around the playground put a 15 mph speed limit--children at play. We know that Willow Drive is a narrow road and the question arises as to how do we bring in a wider road and connect into the present one. There is an Engineering solution to this problem. Mr. Mike Metzger noted that they can do a transition detail for this connection. This is usually done at the time of construction drawing review.

Also, Drew Reilly is to send a letter to Orchard Park confirming that we are lead agency on this project.

Mr. Joe Battin of 4899 Holly Place noted that he purchased a lot from Mr. Wolfe, in the first phase of Tiffany Meadows. Will this be inclusive and if so, is there a buffer zone between the existing phase and Cherry Hill? Also, if there are deed restrictions, we need to know about the sidewalks on Holly Place and who would pay for that?

Mr. Curry responded that he has a similar project to this in Clarence. Cherry Hill will have deed restrictions. I am not familiar with the restrictions on Holly Place. Resident was advised to check with his Attorney. The Town has no control over private deed restrictions.

Mr. John Gerken of 4941 Holly Place noted that the prior subdivision was known as Tiffany Meadows. As far as the streets, you said it's always been that way. We are getting mixed signals. Some of the things were okay because they have always been done that way. The deed restrictions and sidewalks on Holly Place are not going to be included. Is this a brand new subdivision, or a continuation?

Mr. Reilly explained that there was a subdivision of this property that was approved 4 years ago. However, it never got any further. It has nothing to do with the existing homes. There was a separate subdivision. It then died on the vine. There is a subdivision that some of you live in, that was done years ago. This piece of property had a subdivision approved 4 years ago, but nothing happened.

Mr. Gerken noted that he does not see the merit of looking at the old plan as far as egress. Why can't we have one entrance on South Abbott? Mr. Reilly responded that there was a lot of work done before. This board always prefers 2 means of egress. The board has not made a decision on this subdivision. This is the reason for a Public Hearing.

Mr. Gerken then asked about the Erie County Sewer District. Response: They are in Erie County Sewer District. #3.

Cherry Hill Estates (Cont.)

Mr. Metzger spoke on the green space issue. They have been asked to donate money in lieu of. This is \$600 per dwelling unit, which would come to approximately \$48,600. This money could be used to benefit the area where the subdivision goes in. The residents were encouraged to meet with the Recreation Director to go over the needs of their area. Residents noted that their playground is a mess and would like the board to take another look at this problem. Councilman Cavalcoli stated that the residents should get in touch with Mr. Tripp.

Mr. Mark Radder brought up several issues. Traffic safety is a great concern. Signage is absent in the area. There have been several accidents in the vicinity. He also raised questions as to water and sewer. Mr. Metzger responded that based on the County's findings, there is sufficient capacity to take on this project.

Mr. Lou Pinko noted that the park issue must be addressed. He also noted that kids in the neighborhood play in the streets. They also get the traffic cutting thru to other others such as Knab and Clark Streets.

Mr. Gerken asked if there would be sidewalks and bike paths in this new subdivision?

Mr. Jim Lyons noted that the Planning Board should drive thru their subdivision some Saturday afternoon. Kids are all over and these are very narrow streets. Also, they should ask the bus drivers how difficult it is to get thru their subdivision. Residents also asked for a traffic study.

Motion was made by Mr. Phillips, seconded by Mr. Pohlman to **Table** for further review. Carried.

**Richwood Estates Part II - Fairgrounds Rd.**

Messrs. George Phelps, Tom Greenauer, and Pete Johnson appeared before the Planning Board on this proposal for 82 sub lots. Mr. Johnson noted that they will be designing storm water detention. The actual size and location will be provided in detailed engineering drawings. They also plan to continue the delineation on S.L. 50. Mr. Johnson also noted that they could solve Mr. Scully's flooding problem. At the present time, the ditch is an overgrown mess. They would clean out the ditch and do whatever is necessary to alleviate the flooding problems.

The following letter was received from Charles A. Sickler, Supvr. of Design for County of Erie Dept. of Public Works: Preliminary review of concept plans produced comments as recently forwarded by John Balthasar of this office. For further clarification, initial review indicates that access should be acceptable, but final approval is reserved until further plans and comments are received. Determination of the overall effect of this

# TOWN OF HAMBURG

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Supervisor  
PATRICK H. HOAK

Councilmen  
D. MARK CAVALCOLI  
JAMES F. CONNOLLY  
KATHLEEN COURTNEY HOCHUL  
THOMAS J. QUATROCHE, JR.

Town Attorney  
VINCENT J. SORRENTINO

Town Clerk  
GEORGE DANYLUK

Supt. Of Highways  
RICHARD A. SMITH

Receiver of Taxes  
ROBERT A. MARS

TO : Planning Board  
FROM: Engineering Dept.  
DATE: 10/15/96  
SUBJ: 10/16/96 PLANNING BOARD MEETING AGENDA  
Sketch Plan Review-Richwood Acres Part 2  
Fairgrounds Road

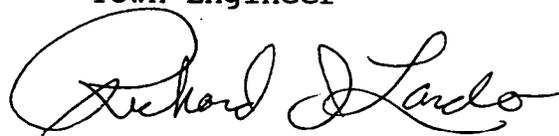
The following are review comments on plans issued  
8/14/96:

1. The site is within Erie County Sewer District No. 3 (ECSD No. 3). The district should be contacted to determine if there is sufficient excess capacity in their system to service the site.
2. The site is in an existing Town water district. The developer, Town, and the Erie County Water Authority (ECWA) have been working together to improve water service to the site. It appears that this matter will soon be rectified.
3. Storm water detention facilities will be required for the site, as well as appropriate arrangements for maintenance of the facilities.
4. Town subdivision regulations, Section 31-22 (D-3) require that the centerline road radius is to be a minimum of 150 feet. The northern entrance off Fairgrounds Road appears to be less than 150 feet. Revise as required.
5. The proposed 850 feet long dead end cul-de-sac exceeds the maximum street length of 500 feet required in Town subdivision regulations Section 31-22(H). A 70 feet wide right-of-way west of the cul-de-sac was reserved for a future road on Map Cover No. 2462, as approved by the Planning Board in 1985. This right-of-way should be used to connect the roadway into Fairgrounds Road, or the cul-de-sac street length should be reduced to a maximum of 500 feet in length.

- (6) Any contemplated variance from the above items (No. 4 and No. 5) is to be authorized in accordance with Town subdivision regulations Section 31-6. We do not consider that a variance would be in the best interest of the subdivision residents or the Town.
7. The Erie County Highway Department (ECHD) should be contacted to determine if the proposed road connection to McKinley Parkway is acceptable.
8. Beech Avenue and Jeanlen Drive do not exist (not part of a filed map cover) and should not be shown in the subdivision plans.
9. The existing right-of-way of Quinby Drive is 49.5 feet wide (not 60 feet as shown).
10. A right-of-way should be reserved along the westerly portion of the site, in order to provide for a possible future through-street connection to Arthur Court.
11. The developer should review and respond to 9/16/96 and 9/17/96 correspondence received from residents of Fairgrounds Road, relative to drainage and wetlands concerns associated with the proposed subdivision



Gerard M. Kapsiak, P.E.  
Town Engineer



Richard J. Lardo  
Principal Engineer

RJL/dhp

project on area traffic patterns is your responsibility. We would be happy to review Level of Service or signal analysis of McKinley Pkwy. at Quinby and Bayview. David Comerford Deputy

Mr. Johnson noted that they wish to be tabled as they plan on doing a traffic study of the area to ascertain the best location for access.

Mr. Jay Pohlman, Attorney for the residents, asked if he could work with the developer in solving some of the outstanding issues. Chairman Crandall noted that he has no problems with this provided that there are no extensive time delays as this project has been on-going for awhile.

Motion was made by S. Ganey, seconded by Mr. Fitzpatrick to **Table** for the results of a traffic study. Carried.

**South Park Apartments - Multi-Family housing - 88 units - 11 apartment buildings - South Park Avenue (formerly Malke Property)**

Messrs. Don Morlock, John Oster, and Janet Meiselman appeared before the Planning Board for conceptual approval of an 88 unit complex on South Park Avenue. Comments from **Engineering**: 1. The site is in an existing water district. A watermain extension will be required to service the site. The Erie County Water Authority (ECWA) should be contacted for pressure and flow information in the system. We are aware of water pressure and flow problems in the area, and have been working with ECWA and other developers on improving the situation. The apartment developer should be required to participate in this regard. 2. Note on the plan that a NYS DOT permis required for work within the highway right-of-way. We will not approve these plans without review and approval of the work on their right-of-way. 3. The front part of the site is in the Town of Hamburg Master Sewer Dist. and the rear portion is in Erie County Sewer Dist. No. 3. When the proposed sanitary sewer system for the apartments is designed, the appropriate district should be contacted to determine if there is sufficient available capacity in their system to service the site. 4. The site plan review checklist was not complied with in preparing these plans. Revise site plan accordingly. 5. Include an appropriate clearing, stripping, and erosion control plan and associated construction details.

Applicant was asked to rearrange the parking layout so that it would be more convenient for the residents.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to grant conceptual approval for the plan and that the applicant relocate some of the parking spaces for the convenience of the residents. The overall plan is acceptable to the board. Carried.

**Becker Subdivision - Schoellkopf Rd.**

Mr. Bill Arlow of Nussbaumer & Clarke appeared before the Planning Board on a proposed 36 acre development consisting of 82 lots located at the intersection of Kellerman and Eckhardt Rds. Board members noted that there has been no alternative plan submitted. They are opposed to having so many drive cuts on to Schoellkopf. The ideas of cluster and reverse frontage was also discussed. At the Work Session of October 2nd, the Planning Board asked to see a drawing eliminating the curb cuts on Schoellkopf and to redesign to have rear lot frontage on Schoellkopf. The Schoellkopf Trail has been designated in the Town's Open Space Plan and should be adhered to.

Mr. Arlow responded that the Beckers are concerned with privacy and safety and liability on that trail. This could probably be accomplished thru a dedication to the Town. Also, the cul-de-sac should be shortened so as to maintain the alignment of Schoellkopf Rd.

Residents nearby noted that this is a very ordinary subdivision on a small parcel of land. They would like the integrity of the neighborhood maintained and are opposed to the size of the lots. Dr. Stephen Otto acted as spokesman. Others that appeared were K. Schneider on Lake Shore and Charlotte Yerkevich. Residents were advised to attend a Master Plan meeting which is scheduled for October 30th for their input on Lakeview issues.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to **Table** for an alternative drawing. Carried.

**Brierwood Sports Dome - Plaza -**

Mr. Tony Battista appeared before the Planning Board on the proposed Sports Dome complex which is to be located in the Brierwood Square Plaza on Southwestern Blvd. A variance on height was granted by the Zoning Board of Appeals on Oct. 8, 1996. They are before the Planning Board for site plan approval.

There are no engineering issues to be addressed. Benderson has also presented a letter on the intent of the future of the plaza. To: Planning Board: This letter is to confirm our intentions to work with the Planning Dept. for the above-referenced property as discussed during the October 2, 1996 Planning Board Public Work Session. In the event that our company receives municipal approvals for two (2) indoor sports facilities (air supported structures) placed behind the existing plaza and approvals for an anchor tenant to lease the large space adjacent to the existing Callahan's Restaurant, our company would begin a program over time to address the blacktop and landscaping concerns

of the Planning Dept. provided, of course that these tenants open for business. We would be willing to discuss during the submittal process, on a project by project basis, what issues could be addressed and "chip away" at these requirements. It has always been our practice to do what is reasonable and makes sense. We appreciate your understanding, and I look forward to working with you on this project and advancing our relationship.

The applicant is willing to provide fencing to the neighbor in the rear, which is the Lake Heights Apts. The note should be changed on the drawing to read 65' for height.

Motion was made by Mr. Phillips, seconded by Ms. Ganey to approve the Sports Dome for the Brierwood Plaza and issue a Negative Declaration. Carried.

#### **South Shore County Club - Indoor Driving Range**

Ms. Maureen Elwell appeared before the Planning Board on the air supported seasonal structure to be located at the South Shore Country Club on Camp and Southwestern Blvd.

They too received a variance in height for the air supported structure. We are also present for site plan approval.

Mr. Eustace asked why the structure was not relocated more towards the back. Response given is that there are no restroom facilities in that location nor were utilities available. They need the structure closer to the club.

Mr. Eustace noted that this will be an unsightly look at a very major intersection of the Town. Mr. Pohlman and Ms. Ganey also stated that they are not happy with the location of the structure as this is a main entrance to the Town. It does not benefit the appearance of the Town. Mr. Arlow responded that they could put in more trees and additional landscaping subject to the discretion of the Planning Dept.

Motion was made by Mr. Phillips, seconded by Mr. Fitzpatrick to approve the site plan for the indoor driving range, which is to be seasonal, and enhance the area with additional landscaping near Route 20 to be approved by the Planning Dept. and to issue a Negative Declaration for the project. Carried. Opposed: P. Eustace, Sue Ganey, Dick Pohlman.

#### **Sotek Belrix for an addition - Ravenwood North**

Mr. John Maurer and V. Racenis appeared before the Planning Board on a proposed 16,000 s.f. addition which is to be used for their facility in Ravenwood North. The addition will generate 2 trucks per day which is still within the limits of the EIS.

**Engineering Comments:** 1. Provide a sanitary sewer profile,

invert and rim elevations, and pipe footages. Note that the 8" sanitary sewer is to be inspected by the Town Engineering Dept. under a private improvement permit. 2. A sanitary sewer permit is required from the Village of Blasdell and the Town of Hamburg. We will not approve the plans without the review and approval of the Village. 3. Provide all storm pipe footages and slopes. 4. An additional catch basin is required at the pipe junction/change of direction located at the northwest corner of the building.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to approve the 16,000 s.f. addition for Sotek Belrix subject to Engineering requirements and that this proposal still meets the criteria as established by the Ravenwood EIS. The 50' future expansion is not to be approved. (Note to be added). Carried.

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

Respectfully submitted,

Gerard Koenig, Secretary  
Planning Board

Next meeting:

Master Plan Update - 7:30 p.m. Oct. 30th