Town of Hamburg
Planning Board Minutes
12-13-89

The Town of Hamburg Planning Board met in regular session on Wednesday, December 13, 1989, at 7:30 p.m. in the Hamburg Town Hall. Those attending included: Chairman Richard Crandall, Vice-Chairman Elgin Cary, Secretary Gerard Koenig, Sandy Carnevale, Steve Strnad, David Phillips. Others attending included: George McKnight, Sheryl Bower, Dan Gorman, Attorney, Terry Dubey, Stenographer, and Councilman Mark Cavalcoli.

Excused: Dennis Gaughan

Minutes of the meeting of 11-29-89 were approved as amended by Mr. Phillips, seconded by Mr. Koenig. Carried.

Executive Session:

Chairman Crandall informed the board that the meeting that was held with the Town Board on Saturday was beneficial for all parties as a means of exchanging information and ideas. Lately, the Planning Board has been under a lot of pressure and criticism from the general public. However, the Planning Board has not acted wrongly on any given project. The outcome from the Hamburg Future Development Board has given us a series of ideas to work with and the first is education. There is a need to review changes in the zoning code,updating of maps to bring them into conformance with the Master Plan,as well as better communication on procedures. On education, the public should be informed as to the functions of each board, to better understand the process of Town Government. A forum should be set up to inform the public, and could be a sub-committee of the Planning Board. The target date for this forum should be late February or early March,with representation made from each board. Also, an audio visual could be put together as well as some type of slide presentation. A team could be organized to speak to various taxpayer groups within the Town itself. Something in written form as a handout could be compiled and placed in the Town Clerk's office as well as the public libraries.

Chairman Crandall pointed out that Planning Board members should do on site inspections prior to a meeting. Various people could be assigned to a project on a rotation basis similar to the setup that is done thru the Conservation Board.

Chairman Crandall also inquired as to why certain items are below the line as many times they should be on the agenda itself. More meetings should be arranged with the Town Board at various work sessions and there is a need to have a brainstorming session once in awhile. Procedures should be written in a form of work book for every board member, and especially, new members. Mr. Strnad noted that the Planning Board Federation Seminar is a very informative session which every new member should attend. A slide

Executive Session (Continued)
presentation could be used for training sessions as to what the duties are for a Planning Board member and what is a Master Plan. The Conservation Board has also expressed interest in having some joint meetings with the D.E.C to review the SEQR Law.

On the subject of having Engineering and Building Inspection present for meetings, a suggestion was made to ask for their input when approval is about to be given, but that it isn't always necessary to have the department present due to the fact that written correspondence from both departments has been readily made available.

On the issue of Townhouses for Brierwood, it was suggested that based on 29-164 of the code, this can be treated as a subdivision and that a public hearing would be necessary. The procedure to follow is based on subdivision regulations.

Lakewinds Subdivision - Public Hearing - Rt. 5 near Juno

Secretary Gerard Koenig read the following Legal Notice:

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TOWN OF HAMBURG
LEGAL NOTICE
Lakewind Woods Subdivision

Notice is hereby given that the Planning Board will hold a Public Hearing on Wednesday, December 13th, 1989 in the Hamburg Town Hall at 8:00 p.m. for the purpose of approving a 3 lot subdivision known as Lakewind Woods.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 42, Township 9, Range 8 of the Holland Land Company's Survey, bounded and described as follows:-

BEGINNING at a point in the southeasterly line of Lakeshore Road, New York State Route No. 5, (formerly known as Walden Cliffs, - Athol Springs Road) 239.55 feet southwesterly from the southerly line of Juno Drive as measured along the southwesterly line of Lakeshore Road, said point of beginning also being 657 feet southwesterly from the intersection of said southeasterly line of Walden Cliffs -Athol Springs Road with the westerly line of lands as shown on map filed in the Erie County Clerk's Office under Map Cover No. 1159; thence southeasterly at right angles 60.12 feet to a point in the westerly line of lands shown on Map Cover 2198; thence southerly along the west line of lands shown on Map Cover 2198 a distance of 525 feet to an iron set in the northerly line of a ten-foot wide drainage easement as shown on Map Cover 2196; thence westerly at an interior angle of 90° and along the northerly line of said aforementioned drainage easement 135 feet to a set iron; thence southerly at an interior angle of 90°, a distance of 5 feet to a point in the center line of said aforementioned drainage easement; thence westerly at an interior angle of 90° and along the center line of said aforementioned drainage easement 55.76 feet to a set iron; thence northwesterly at an interior angle of 146°, 51", 58" and along said aforementioned drainage easement 180.07 feet to a point in the southwesterly line of Lakeshore Road; thence northeasterly at an interior angle of 90° and along the southwesterly line of Lakeshore Road, 40 feet; thence northwesterly at an interior angle of 90° and along the southwesterly line of Lakeshore Road 10 feet; thence northeasterly and along the southwesterly line of Lakeshore Road 508.28 feet to the point or place of beginning.

Richard Crandall
Chairman
Gerard Koenig
Secretary
Planning Board

12-7

Lakewind Woods (Continued)

Messrs. Wojciechowski and Stachura appeared before the Planning Board on behalf of their 3 lot subdivision to be located on Rt. 5 near Juno Drive. Two parcels will be used for a single family dwelling unit (each) and the other will remain in its natural state. The zoning is R-1, and backs up to an existing subdivision. The woods will remain as much as practical. Comments were received as follows:

Planning - There should be a name or identifying title on the preliminary plat. The date should be included on the preliminary plat. A graphic scale should be included. A key or vicinity map should be included. Juno Drive should be included. Utility easements should be included, if appropriate. The proposed building setback lines should be included. The lot numbers should be included. A topographic map should accompany the preliminary plat.

After public hearing and implementation of the requested modifications, the applicant may proceed to final. Utility plans need approval by the County, a drainage plan is to be submitted to the Engineering Dept. for a PIP permit. When the final is prepared, it requires the signature of the Town Engineer, Health Dept. and Planning Board Chairman. Curb cut permits should also be obtained from the State if the parcel is on a State road, or a County permit if on a County road.

Chairman Crandall asked 3 times if anyone wished to speak for or against the proposed subdivision. Mr. Dana Jones asked what the parcels would be used for. Hearing no further questions, Chairman Crandall declared the hearing closed.

Motion was made by Mr. Koening, seconded by Mr. Phillips to proceed to final, contingent upon implementation of corrections as stipulated by Planning and Engineering. Carried.

Wanakah County Club - Proposed pro-shop, and golf cart storage--Lakeshore Road.

Messrs. Tom Kluckholm and Mike Manganello appeared on behalf of the proposed new pro-shop with golf cart storage to be located at the Wanakah Country Club on the Lake Shore Road. The existing pro shop will be torn down and replaced with 50' x 44' structure and the golf cart storage area will be 35' x 95'. This proposal will have no affect on the parking area. The old building sits over the gully. Comments were received as follows:

Planning - There may be a problem with the replacement building being built over the existing culvert, although the existing

Wanakah Country Club
(continued)

Engineering - 1. A location plan should be shown. We cannot locate the proposed building on the site from the plan. We do not recommend constructing a building over the culvert. If the culvert is to remain it should be encased with concrete. The swale to the south of the Golf Shop should be carefully graded to provide an overflow should the culvert become plugged or over-loaded.

Mr. Kluckholm noted that the culvert is encased now. It was suggested that the applicant should check with the Engineering Dept.

Motion was made to approve the site plan by Mr. Koenig contingent upon the Town Engineer's recommendations as stipulated in the memo dated 12-11-89, seconded by Mr. Carnevale. Carried.

Heritage Square Subdivision - L. Mason - McKinley Parkway.

Ms. Linda Mason appeared before the Planning Board on her proposed subdivision which is to be located on McKinley Parkway. Comments were received as follows:

Planning - No owner named or authorized agenty is named on the preliminary plat. The names of all owners, of all immediately adjacent unplatted land are not shown. Proposed building setback lines are not shown. A topographic map was not included with the preliminary plat.

Engineering - 2.3 The center of pavement radius on the future street is to be a minimum of 150 feet--show the radius on the plan. Lot lines on the curve and around the cul-de-sac are to be radial. Revise and lable on them "Radial" on the plan. 3.3 The property is in the Hamburg Northeast Sewer District and the Hamburg North Water District. 4.3 The proposed storm sewers and water line shown on the plan have not been reviewed. These utilities must be submitted in detail for review by the Engineering Dept. 5.3 Erie County Highway Dept. must approve the curb cut.

Board members noted that the second phase needs more detail. Input should also be sought from the Conservation Board as to whether there should be recreation land or money in lieu of. It was pointed out that the area will be treed but that there isn't much room to put a recreation area. Sketch is to be subitted to the Recreation Dept. for input. Mr. Cary pointed out that the area does not lend itself to the open space concept and does not feel that the green space concept applies in this situation.

Motion was made by Mr. Strnad, seconded by Mr.Koenig to approve the preliminary with changes. Carried . On site inspection will be done by S. Strnad and S. Carnevale.

John Bosse - Preliminary of Pinehurst Subdivision -Lakecrest Drive

Mr. John Bosse appeared before the Planning Board on a resubdivision of an old map cover of Pinehurst. Eight lots have been developed. Comments were received as follows:

Engineering - Several of these lots have been resubdivided and houses constructed without Planning Board approval. All proposed and previously subdivided lots are to be included as new sublots in the proposed map cover. (2) The paper section of Fairway Court cannot be used as part of Sublot 9. (3) A location plan is required. (4) Adjacent owners and existing lots are to be shown. Show existing houses and their numbers. (5) The developer has submitted a drainage plan to this department for review. Upon Planning Board approval of the resubdivision, we will review the plan for compliance with our construction specifications.
(6) Sanitary sewer service must be submitted and approved by Erie County Dept. of Env. & Planning and this department. (7) Water and fire protection must be submitted and approved by the Erie County Health Dept. Wanakah Water, Lakeview Fire Company and this dept.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to **Table** this matter for clarification by legal counsel as to exceptions on the subdivision. Carried.

Applicant was also advised that the one page Environmental Assessment is not acceptable and will have to redo the other required pages.

Draudt Subdivision #10

Messrs. Duane Draudt and Bob Runge appeared before the Planning Board on a preliminary of Draudt Subdivision off Bayview Road. Comments were received as follows:

Engineering - 1. The sublot west of the parcel was subdivided and sold by the developers without Planning Board approval. The existing house should be shown on the plan. 2. We suggest the subdivision be named Draudt Subdivision, Ext. 10. The proposed site is in existing sewer and water districts. Erie County Sewer District 3 must approve the sewer taps. 4. Access to Oakridge Drive for S.L. 4 requires the completion to Ext. 2. It would be more logical to include this lot in ext. 9. Since the preliminary plan or construction drawings have not been approved this can be easily done and should be.

Planning - The lot width at the front line lot 4, is not 25'. There may be some questioning of the narrowing of Lot 3 access drive. Fire Dept. approval will be required. Four lots will be created in this subdivision. Mr. McKnight to discuss the splitting of a lot with Mr. Gilbert.

Draudt Subdivision Ext. 10

Motion was made to accept the preliminary with changes by Mr. Phillips, seconded by Mr. Koenig. Hearing to be set for either December 27th meeting or January 10th. Carried.

Water Valley Nursery - Dave Derkacz - Gowanda State Rd.

Mr. Dave Derkacz appeared before the Planning Board on a proposed rezoning of property along Gowanda State Road. At the present time, Mr. Derkacz is using this parcel for tree storage. A variance was granted thru the Zoning Board for this use. However, Mr. Derkacz feels that a rezoning might be in order as there are other commercial properties surrounding his. His request is for C-1 for retail sales.

Chairman Crandall noted that he recalls that one neighbor had a problem with the bulk storage area, that it looked unsightly. Mr. Derkacz responded that the facility is now completed. A request was made for an on-site inspection. Messrs. Carnevale and Strnad will review the site. It was suggested that signatures be obtained for those who would be in favor of the proposal.

Motion was made by Mr. Phillips, seconded by Mr. Carnevale to **Table** this matter until the next meeting. Carried.

Pine Grove Estates - Ed Burke

Mr. Ed Burke appeared before the Planning Board on the townhouse units for Pine Grove Estates. Mr. Burke noted that he felt he had the approval for this area as it was discussed in detail. Chairman Crandall noted that he is aware that Conceptual approval was given, but nothing else. Comments were received as follows:

Engineering
When the plans have been reviewed we will forward them. Since the drawing was just submitted, there was not enough time to do the review. Mr. McKnight stated that in his discussion with the Planning Board Attorney, the townhouse development should be treated as a subdivision, based on 29-164 of the code. Mr. Burke responded that he does not feel this is the direction in which he should be going and asked for a meeting with Jim Walsh and Dan Gorman to review the matter.

Motion was made by Mr. Phillips, seconded by Mr. Koenig to **Table** this matter until the legal issue is resolved.

Other Matters

Mr. McKnight informed the group that the Conservation Board

Other Matters continued

will be doing an on-site inspection of the proposed Manfreda Subdivision on East Eden Rd. Planning Board members are also invited.

2. Mr. Laing of the Erie County Ag Society noted that he does not want to pave 32 acres for the new convention center. Mr. Ben Bernard is to come in with a revised site plan.

3. Rushcreek Subdivision - There has been a change in the design and layout of the subdivision due to the fact that there is a right of way for the power line and the lots had to be moved forward. Since this is a significant change, applicant is to revise the site plan and come back before the Planning Board.

4. Mr. Cary brought up the fact that the fee for green space is too low. The fee should be increased.

Motion to adjourn the meeting was made by Mr. Phillips, seconded by Mr. Koenig. Carried. Meeting adjourned at 11:00 p.m.

Respectfully Submitted,

Gerard Koenig, Secretary
Planning Board

Next Meeting: December 27, 1989
7:30 p.m.