

meety. 12-14-88

TOWN OF HAMBURG

PLANNING BOARD MINUTES

DECEMBER 16, 1987

The Town of Hamburg Planning Board met in regular session on Wednesday, December 16th, 1987 at the Hamburg Town Hall at 7:30 p.m.

Members attending included: Vice Chairman Richard Crandall, Elgin Cary, Sally Saunders, Sandy Carnevale, George Danyluk. Others attending were Dan Gorman, Attorney, George McKnight and Cindy Conlon, Stenographer.

EXCUSED: Dennis Gaughan, Gerald Valgora

Minutes of the meeting of 11-18-87 were approved on motion by Mr. Cary, seconded by Mrs. Saunders. Carried.

BENCHMARK REZONING - NEXT TO BELL'S PLAZA - FROM R-A TO C-2

A rezoning petition was presented to the Planning Board from the Town Board on approximately 15 acres of property located on South Park Avenue, adjacent to Bell's from R-A to C-2. The proposal is for further shopping center development. Since this parcel is in a wet lands, Benchmark has had to apply for a Development Permit from the Dept. of Env. Consv. No recommendation was made pending outcome of the Development Permit.

Motion was made to TABLE the matter by Mrs. Saunders, seconded by Mr. Carnevale, Carried.

BRIERWOOD SUBDIVISION - J. BURKE DEVELOPMENT - BETHLEHEM STEEL MANAGEMENT CLUB, NOW KNOWN AS GATEWAY.

This was the former Bethlehem Management Club property, now known as Gateway, located on Southwestern Rd. & Rogers. A portion of the vacant land will be developed into a subdivision of approximately 139 units. Part of the land is located in a wet lands area, is considered a Type I action, and a Full Environmental Impact Statement is required. A rezoning is also in order from R-A to R-1. The anticipated starting date for the subdivision is scheduled for spring. No further action can be taken at this time as an on site inspection must be made by the Town Engineer. The land is considered a Class II wetlands.

PUBLIC HEARING - SHORE MEADOWS SUBDIVISION - NORTH CREEK AND OLD LAKESHORE ROAD.

Secretary Danyluk read the following Legal Notice on Shore Meadows:

LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD
Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Town Hall, S-6100 South Park Avenue on the 16th day of December at 8:00 p.m. for the purpose of approving a residential subdivision known as SHORE MEADOWS SUBDIVISION.
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 50, T-9, and Range 8 of the Holland Land Company's survey, and being more particularly described as follows:

Beginning at a point in the southerly line of Old Lakeshore Road distant 566.07 feet northeasterly of the north line of North Creek Road, said point being on the northerly line of lands conveyed to Elizabeth H. Biggar; thence northeasterly along the southerly line of Old Lakeshore Road a distance of 820.00 feet to a point; thence southeasterly along a line measured at right angles to Old Lakeshore Road 290.00 feet to a point; thence southwesterly, parallel to Old Lakeshore Road 820.00 feet to the northerly line of lands conveyed to Elizabeth H. Biggar; thence northwesterly along said northerly line of Biggar 290.00 feet to the point or place of beginning containing 5.46 acres more or less.
DATED: December 1, 1987
G. GERALD VALGORA, CHAIRMAN
TOWN OF HAMBURG
PLANNING BOARD
12-3

PUBLIC HEARING - SHORE MEADOWS - CONTINUED

Vice-Chairman Crandall declared the hearing open. Mr. Charles Petit, representing the owner Jake Schoelkopf, noted that this is a 5 lot subdivision with a 70' right of way. At the present time, sewers are available. The Building Inspector noted in a memo that a soil perc test is required.

Vice-Chairman asked three times if anyone wish to be heard for or against this subdivision. The hearing was declared closed.

Motion was made by Mr. Danyluk, seconded by Mr. Cary to approve the preliminary plot plan with a modification and correction of the drainage calculation, as indicated by the Town Engineer. Carried.

JOHN BOSSE - SHOREHAM DRIVE PROPERTY

An evaluation has been requested about the Shoreham property for the rezoning. It has been stated that both sides should have the same zoning. The Town Board denied the west side rezoning, of R-2 and the east side is R-2. We have been asked to determine whether the east side should remain R-2 or should be changed to R-1. A memo was written by the Chairman, G. Gerald Valgora as follows:

It is my opinion that we recommend that the property on the east side of Shoreham Drive be rezoned to R-1 for the following reasons:

1. This appears to be inconsistent with our earlier recommendation but is not because of the following reasons: (a) It appears that the property on the east side was originally zoned R-1. (b) The Planning Board has always tried to keep property zoned the same on both sides of the street. (c) The property on the east side is more developed than the west side and in general, the developed lots meet the R-1 standards.

PLANNING DEPT. - G. MC KNIGHT

I have been contacted by both Jack Gilbert, Town Engineer, and Jack Lauchert, Town Building Inspector regarding this problem. John Bosse has been cited by the Building Inspector and is currently in court for the filling he has done along Rt. 5 without first appearing before the Planning Board. There are 2 problems involved: (1) The impact of this fill on the drainage patterns in the area. (2) Fill put in without the topsoil first being removed. Both the Building Inspector and the Town Engineer want a site plan showing existing and finished elevations. Where fill has already occurred only finished elevations can be shown, but for all of the other land that is to be filled, both elevations are needed.

Mr. Bosse appeared before the Planning Board and asked that the homeowner's association should acquire the land as they are opposed to anything that he proposes. The property could be developed as R-1 property at the present time.

SHOREHAM DRIVE REZONING (CONTINUED)

Mr. Grabowski of Shoreham Drive noted that he wants lot sizes to be 80' and to maintain the consistency of 80' lots.

Mr. John Grabbenstatter of S-5876 Shoreham Drive wants to see proper development in this LakeView area.

Motion was made by Mr. Cary, seconded by Mrs. Saunders to TABLE this matter as there is controversy. Carried.

DEERFIELD HEIGHTS SUBDIVISION - PRELIMINARY PLAT OF 102 SUB LOTS PART OF LOT 43, T-9, R-7 LOCATED OFF MC KINLEY PARKWAY.

Mr. Charles Petit and Michael Sendor of Nussbaumer & Clarke appeared on a preliminary plat of a 102 sub-lot subdivision to be located on McKinley Parkway. The average lot size is 10,000 s.f. The existing gas well which is now on the property will be phased out. Comments are as follows:

PLANNING DEPT. - This is a preliminary plat and the applicant will be looking to have a public hearing. Both the plat map and the topographic map are at a 100' scale, but I couldn't get a match when I overlaid them. It does appear that lot 64 is below the top of the bank. The gorge area is proposed to be dedicated to the Town. However, if the Town is to have access, we will need some of the top of the bank. The boundary line is indefinite now anyway. The Town should have the acreage to be offered for dedication. Three variances are being requested. #2 can be a Planning Board decision while 3 should be based on recommendations from the Town Engineer and Highway Supt.

ENGINEERING - JACK GILBERT

Street names are subject to review and approval. We need a meeting with the several interested parties on the treatment of the gas lines, the sanitary sewers and the proposed road. Consider revision of some property lines to avoid future drainage problems. Don't forget the gas well. We have some concern about no sidewalks in part of the subdivision. We don't think you will save many trees by this action.

Due to the fact that environmental concerns have not been answered as yet, Motion was made by Mr. Danyluk, seconded by Mr. Carnevale to TABLE this issue and not yet schedule a public hearing until January. Carried.

BERGER'S SITE PLAN - MC KINLEY MALL -

Mr. Greg Quatchak appeared before the Planning Board on the site plan for the Berger's site at the McKinley Mall. The new store will be to the north of the theater entrance. The site plan was originally approved at the time the mall was being built. Comments were received as follows:

BUILDING INSPECTION - A 50' fire lane must be maintained and the building must be sprinklered. Six handicapped spaces are required. No drainage plan has been submitted as well as parking lot lighting.

SITE PLAN FOR BERGER'S (CONTINUED)

On the west side of the mall are concrete islands every two rows in the parking lot. This parking should be repeated. A fire hydrant could be used toward the east side of the building. Existing hydrants are too far apart.

Motion was made to recommend approval to the Town Board for the site plan, by Mr. Carnevale, seconded by Mr. Cary. Carried.

JOE CELLURA - CLIFFSIDE ESTATES -

Mr. Joseph Cellura appeared before the Planning Board on his Townhouse proposal on North Creek Road. A memo dated December 16th was received from the Building Inspector. I have asked the owner to supply a total square footage of the area to be developed. The proposed setback from the bank is 30'. Memo is attached. Elevations must be indicated on the site plan with the buildings. A topo is also required and drainage must be indicated. The Planning Board upon evaluation, felt that the 30' setback is not a problem. They felt that some type of barrier should be provided and the applicant felt that a low stone-type wall would be the most aesthetically compatible with the development.

Motion was made by Mr. Cary, seconded by Mrs. Saunders to forward a favorable recommendation to the Zoning Board for approval. Carried.

ERKER MARINE - SOUTHWESTERN BLVD.

Planning Board was advised that Erker Marine would like to put on an addition to their present building located on Southwestern Blvd. to store more expensive boats. It was noted that the structure will be 50' x 40' to the rear of the existing structure. No adverse impacts will be caused by this addition.

Motion was made by Mr. Carnevale, seconded by Mr. Danyluk to approve the addition as presented. Carried.

MISTER OIL CHANGE - NEW LOCATION AT LAKE & MC KINLEY

Mr. Jim Bushart appeared before the Planning Board for a proposed mister oil change to be located in the former repair shop on Lake and McKinley Parkway. They will be using the existing building and will be servicing cars to the back and front of the 3 bay building. The Town Engineering Dept. provided no comments as they is a re-use of an existing building. Applicant was advised to follow the Development Check list.

Motion was made by Mr. Danyluk, seconded by Mrs. Saunders to approve the site plan as presented. Carried.

Motion to adjourn the meeting was made by Mr. Cary, seconded by Mrs. Saunders. Carried. Meeting adjourned at 10:55 p.m.

RESPECTFULLY SUBMITTED,

GEORGE DANYLUK, SECRETARY
PLANNING BOARD

TOWN OF HAMBURG

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



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Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

TO : PLANNING BOARD
FROM: PLANNING DEPARTMENT
DATE: 12-16-87
SUBJ: REZONING AND SITE PLAN FOR BELLS PLAZA EXPANSION-SOUTH PARK

THE PROPOSED EXPANSION AREA IS CURRENTLY ZONED C-2 ALONG SOUTH PARK TO A DEPTH OF 500 FEET AND 250 FEET. THE REQUEST IS TO HAVE THE C-2 ZONING EXTEND BACK FROM SOUTH PARK APPROXIMATELY 700 FEET.

THE SITE PLAN FOR THIS REZONING SHOWS 18,900 SQUARE FEET OF SMALL STORES ON THE NORTH SIDE OF BELLS SUPER MARKET THEN THE 100 FOOT POWER LINE EASEMENT THEN A 79,000 SQUARE FOOT FREE STANDING UNNAMED ANCHOR STORE.

MOST OF THE AREA PROPOSED FOR DEVELOPMENT FALLS WITHIN THE LARGE STATE DESIGNATED WETLANDS. THE APPLICANTS HAVE APPLIED FOR A DEVELOPMENT PERMIT FROM D.E.C. AND HAVE ALSO PROPOSED THE CONSTRUCTION OF AN ADDITIONAL STORM WATER DETENTION POND TO THE REAR OF THE DEVELOPMENT IN THE WETLAND.

THE SITE PLAN ALSO SHOWS OFF-STREET PARKING WITHIN THE 100 FOOT N.Y.S.E.G. EASEMENT. I DON'T KNOW IF THIS CAN BE DONE.

THE PROPOSES DEVELOPMENT WILL GO UP TO THE CENTURY 21-ALMEIDA PROPERTY LINE.

I FEEL THAT THE SITE PLAN PROPOSES TOO MANY DRIVEWAYS.

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ROBERT A. MARS

December 3, 1987

TO: PLANNING BOARD MEMBERS

SUBJECT: John Bosse Property - Shoreham Drive
R-2

It is my opinion that we recommend that the property on the east side of Shoreham Drive be rezoned to R-1, for the following reasons:

1. This appears to be inconsistent with our earlier recommendation but is not because of the following reasons:
 - (a) It appears that the property on the east side was originally zoned R-1.
 - (b) The Planning Board has always tried to keep property zoned the same on both sides of the street.
 - (c) The property on the east side is more developed than the west side and in general, the developed lots meet the R-1 standards.

G. GERALD VALGORA, CHAIRMAN
PLANNING BOARD

GGV:tad

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TO : PLANNING BOARD
FROM: PLANNING DEPARTMENT
SUBJ: JOHN BOSSE-LAND FILLING ALONG ROUTE 5
DATE: 12-16-87

I have been contacted by both Jack Gilbert, Town Engineer and Jack Lauchert, Town Building Inspector regarding this problem.

John Bosse has been cited by the Building Inspector and is currently in court for the filling he has done along Route 5 without first appearing before the Planning Board.

There are two problems involved:

1. The impact of this fill on the drainage patterns in the area.
2. Fill put in without the topsoil first being removed.

Both the Building Inspector and the Town Engineer want a site plan showing existing and finished elevations. Where fill has already occurred only finished elevations can be shown, but for all of the other land that is to be filled, both elevations are needed.

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December 16, 1987

SITE PLAN REVIEW

To: Planning Board

Re: Cliffside Estates, lot 43T9R8 Town of Hamburg, County of Erie, State of New York, plan dated 11/13/87.

You the members of the Planning Board will have to look at the plan that I will submit or have available at the meeting of December 16, 1987.

The Planning Board should read before they start reviewing this plan 29-165C and 29-165H. I requested the owner to give a total square footage of the area to be developed, unfortunately I have not received it. Under 29-165H the maximum density according to R1 is 10,000 square feet, R2 is 7,500 square feet, R3 & R4 is 8,125 square feet. The Planning Board should read 29-166.

Town House requirements for this development are covered for A,B,C,D,E,S,T,U. Under 29-166 A is 160 feet, A,B,C,D,E, is 305 feet, S,T,U is 188 feet. 29-166F, front yard is 35 feet, rear yard is 20 feet. Under 29-166B is 750 square feet per dwelling unit. Square footage for the dwelling units must be shown on the plan also. Under neighborhood commercial, 29-160A #1 (A) is 8,125 square feet served by public sanitary sewer is its density. 29-162A is 40 feet, B (4) side yard shall be 30 feet. 29-162C rear yard is 30 feet, 29-162F is 30 feet.

Building 3J fronting on North Creek Road, 30 feet should be 40 feet. Building 3H, 3G, 3F is 25 feet, should be 40 feet. Building 2L 20 feet and 27 feet, should be 40 feet. 2K, 20 feet and 27 feet, should be 40 feet. Building 2N is 20 feet and 27 feet should be 40 feet. Building 2M is 20 feet and 27 feet, should be 40 feet. Building 2N, rear yard should be 30 feet, is 29.1 feet. Building 3P 19 foot set back, should be 40 feet, 3Q 19 feet, should be 40 feet. Rear yard building 3Q should be 30 feet, is 29.8 feet. Between building 3G and 3J is 25.6 feet, should be 30 feet. Between building 3G and 3F 25 feet, should be 30 feet.

Under 29-121 parking spaces, are 9 ft. X 18 ft., the driveway in front of 2 L,K,M,N is 16 feet wide, it must be 18 feet wide, for

two parking spaces, if they are located in front of a garage. Number 2 buildings are quades for apartments for units, they must require garages with proper parking spaces. The same two buildings in the middle with the 0 lot line is only 36 feet wide, 4 parking spaces will fit in there, but it is going to be very difficult to get four legal garage size openings with the fire wall between the two units, as it is a 0 lot line.

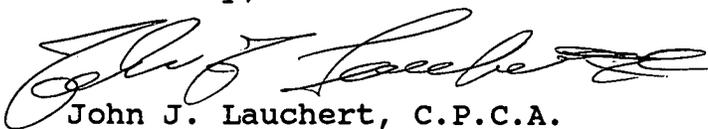
The north parking lot has 20 parking spaces, 20 legal parking spaces, plus 2 handicapped. For a 90 seat restaurant it is required to have 36 parking spaces. The south parking lot has 15 parking spaces, but some of them are not accessible, they are spaces # 2, 3, 4, 12, 13, 14, 15. Please read 29-121. The 10 foot set back off SouthWestern Blvd. violates 29-129-B-1 must be approved by the Zoning Board of Appeals.

I did not address the set back from the top of the high bank, because I requested from owner a topo for the land so that we could determine the top of the high bank, with this overlay on top of the topo. So that we can determine the proper set backs for each of the buildings. Buildings A,B,C,D,E,S,T,U are Town Houses, the required front yard set back under 29-66-F (1) is 35 feet, these set backs vary from 25 feet to 20 feet.

I said that I would try to help the developer of this property, but he must supply me with the information so that I can pass these recommendations on to you and to the ZBA. When plans are completed I would appreciate looking at them.

I hope this information is helpful to you, If I can be of any assistance, feel free to contact me.

Sincerely,



John J. Lauchert, C.P.C.A.
Building, Zoning, & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

JJL/cac

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SITE PLAN REVIEW

RE: LL Bergers, Preliminary dated November 19, 1987 drawing
83308-M6, Sigfried Construction November 20, 1987.

This proposed plan at the location of Department store #4 on the southeasterly side of the Mckinley Mall. The proposed building is approximately 175 ft. 3 inches X 183 ft. 3 inches, therefore it is 32,115 square feet which includes the passage way. The actual height of the building is 23 feet 4 inches, and 20 feet high. The 50 foot fire lane must be maintained as this building is sprinklered and this is required. On the plan it shows approximately 555 parking spaces, they appear they will be 9 feet by 18 feet with a 25 foot center isle. According to 29-119D 161 parking spaces are required and 6 of those must be handicapped.

The plan is very preliminary there is no drainage shown also no parking lot lighting or wall lighting. The building plans do not show any customer entrances to the east, north or south side only from the mall itself. No doubt there will be further revisions. There is an existing 27 inch storm sewer which can be connected in the southeasterly side. When better plans are available, I will gladly review them.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town Of Hamburg

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TO : TOWN PLANNING BOARD
FROM: TOWN ENGINEER GILBERT
DATE: 12-16-87
SUBJ: SITE PLAN REVIEW L.L. BERGER STORE

Following are our comments site plans received in our office on December 11, 1987.

- on the west side of the mall there are concrete islands every two rows in the parking lot. This parking should be repeated on this side.
- Fire hydrant could be used toward the east side of the building. Existing hydrants are too far apart.

cc; Lauchert
Lardo

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December 9, 1987

SITE PLAN REVIEW

To: Planning Board

Re: 4940 Southwestern Blvd., Erker Marine

This proposed 40 X 50 foot addition does not violate any zoning ordinances. Since this property is zoned C-2. In conjunction with the National Flood Insurance Program and the flood plane boundary community panel number #360244 effective date November 19, 1980. Procedures for flood damage prevention is covered by local law #1, 1987.

You should also be aware that this building is still open under a Temporary Certificate of Occupancy which expired on June 15, 1987. With the stipulations that they complete the final grading, paving, install fence, landscaping, remove topsoil, resurvey property, and stake property. I would appreciate if they would complete the existing building at their earliest convenience so that we have at least part of this building done.

When the plans are complete for the new proposed building, I would appreciate receiving a copy.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

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TO : PLANNING BOARD³
FROM: PLANNING DEPARTMENT³
DATE: 12-16-87
SUBJ: ERKEN MARINE EXPANSION SITE PLAN

THE PROPOSAL IS TO CONSTRUCT A FIFTY FOOT BY FORTY FOOT ADDITION TO THE REAR OF THE EXISTING STRUCTURE. IT IS TO BE USED ONLY AS A STORAGE FACILITY TO KEEP EXPENSIVE BOATS UNDER COVER.

I CAN THINK OF NO IMPACTS THAT WILL BE CAUSED BY THIS ADDITION.

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TO : Town Planning Board
FROM: Town Engineer Gilbert
DATE: 12-16-87
SUBJ: SITE PLAN REVIEW
ERKER MARINE

We have no comments on the subject site plan
which we received on December 10, 1987.


John J. Gilbert, Jr.

JJG,Jr./jnl

cc: J. Lauchert

R. Lardo

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SITE PLAN REVIEW

To: Planning Board

Re: Lakeview Subdivision 5 lot preliminary plot plan

This parcel of property has already been reviewed and variances granted by the Zoning Board of Appeals for a different plan at the same location. These lots more than exceed the code which is required since it is zoned R-A.

We need more lots in the Town of Hamburg. These are sure 5 big lots. If they pass the soil percolation test, no doubt a building permit can be obtained with your approval. Hope to have a speedy approval at this location.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

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TO : Town Planning Board
FROM: Town Engineer Gilbert
DATE: 12-9-87
SUBJ: SITE PLAN REVIEW
MR. OIL CHANGE ON MCKINLEY PKWY

Since this is a new use for an existing building there is no need for our review and we have no comments.


John J. Gilbert, Jr.

JJG, Jr./jnl

Encl.

cc: J. Lauchert
R. Lardo

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TO : TOWN PLANNING BOARD
FROM: PLANNING DEPARTMENT
DATE: 12-16-87
SUBJ: MR. OIL CHANGE SITE PLAN
MCKINLEY AND LAKE AVE.

THIS IS A REUSE OF AN EXISTING STRUCTURE. AN OLD GAS STATION/
COLLISION SHOP IS BEING CLEANED UP AND IS PROPOSED TO BE USED AS A
"TEN MINUTE" OIL CHANGE.

THE PROPERTY IS ZONED C-2 (GENERAL COMMERCIAL) AND THIS IS A
PERMITTED USE.

BECAUSE CUSTOMER'S DON'T LEAVE CARS WHILE THEY ARE BEING SERVICED,
OFF STREET PARKING NEEDS ARE FOR EMPLOYEES ONLY.

THE PROPOSED GRASS AREAS DO NOT CURRENTLY EXIST AND WILL HELP THE AESTHETICS
OF THIS CORNER.

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Town Attorney
JEAN PETERSON

Town Clerk
PATRICIA A. MEAD

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

SITE PLAN REVIEW

To: Planning Board

Re: 3261 McKinley Parkway

This was an old gas station many years ago, it was changed to a service repair garage for cars and small trucks. It closed approximately a year ago. Any new business on this property will no doubt be an improvement. As we have always had cars parking too close on the corner on the proposed green area which should be at least ten feet back with grass planted and possibly low shrubs with proper curbing. The existing 30 foot driveway on the most westerly driveway 30 feet wide, should be removed as it is too close to the intersection. There is an existing driveway 32 feet wide, more to the east. Under 29-119C three spaces for each service space, therefore 9 parking spaces. For this type of a business normally the only parking that would be required would be the employee parking. There should be adequate parking for the employee on the north easterly side away from the corner from the front, that is needed for turning.

The waiting lines for entering this establishment which is at the rear, they enter the rear and come out the front. Most of the people stay with their cars although there is a inside waiting room. This is a very fast operation, that is why it is existing at the present time. It does very good business on Abbott Road near Willet, on the Hamburg side. They built the building and improved it each year since they occupied it. If the plans are approved by the Planning Board I would like to have better plans for the remodeling and construction of the interior of this building. I would also like to see what the outside of the building looks like, if there is any proposed changes or any proposed signs. The existing gas islands are to be removed and if there are any underground storage tanks they must be removed or filled with concrete.

Hope this information is helpful to you, if I can be of any more assistance feel free to call me.

Sincerely,

John J. Lauchert, C.P.C.A.
Town of Hamburg JJL/cac

TOWN OF HAMBURG

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



Supervisor
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TO : TOWN PLANNING BOARD
FROM: TOWN ENGINEER GILBERT
DATE: 12-7-87
SUBJ: SITE PLAN REVIEW
WOODLEDGE SUBDIVISION

Following are our comments on the Grading Plan and Subdivision Map received on November 16, 1987:

On the Grading Plan

- We need the storm drainage calculations. They should take into account the other parts of the subdivision to the north.
- Storm drainage pipe to be a minimum of 12 inch diameter, bituminous coated corrugated metal pipe-use 16 gauge for 12 inch pipe.
- Minimum cover of 24 inches over pipes.
- Yard drain receiver detail - 24 inch square inside dimensions with 12 inch sump.
- We require 15 foot easements.
- On the easement on the west side of lot 1 please advise if developer owns property to the west of lot 1.
- No easement shown at south end of lot 2 where sanitary sewer crosses.
- What is the circle under the word ROAD?
- Has Erie County Highway Department made its review?

On the Subdivision Map

- Show all easements.
- Under General Notes 6 the town has a standard note which should be used.

Sheet 2 of 2
Woodledge Subdivision

-Change Phase I to Part I.

-Under the word EXCEPTION you have an elevation of
710.8 which creates an interesting set of contours.
Could it be in error?

In general there is no area map which allows us to
figure out where you are on North Creek Road.

Your marked up drawings are attached. If they
are not returned with revised drawings we make no
further reviews.



John J. Gilbert, Jr.

JJG, Jr./jnl

Encls.

cc: J. Lauchert
R. Lardo



Cliffside Inn

2051 NORTH CREEK RD., P.O. BOX 146, LAKEVIEW, NEW YORK 14085 (716) 627-5074

December 1, 1987

To Whom It May Concern:

As the current owner of the Cliffside Inn, it has occurred to me albeit late, that my feelings on the subject of development of the Cliffside property site are not known.

A year ago I decided that the Inn should be sold. We were and are not showing the rate of growth we should. After lengthy investigations it was determined that as a destination restaurant several factors were at work:

1. More of our trade was coming from communities outside our own.
2. Fine dining was not in demand in this area as in others, i.e., Amherst, Williamsville, etc.
3. The number of people whose incomes fall within the ranges which ordinarily frequent establishments such as ours was well below standard.

These as well as several other statistics point to a grim downside picture.

Mr. Cellura approached us in 1986 indicating an interest in the property. We, however, declined. He resurfaced this Spring and proposed a joint venture which would bring to the area several families whose socio-economic status was compatible to our operation. This coupled with the Schoelkopff development, the E. J. Burke project and the Gateway office complex sale plus indication from professionals in real estate who indicate a demand for high end housing were factors in our decision to get involved. I did, however, indicate to Mr. Cellura that only under ideal circumstances would we become involved. The most important circumstance being to keep the integrity of the Cliffside Inn intact.

The plans submitted provide for smooth access and egress to the Inn and as I observed all aspects of the engineering studies first hand saw a viable plan emerge which allows for efficient, safe use of the land while enhancing not detracting from the restaurant. The proposed construction essentially provides perimeter housing along the cliff while keeping the front of the property unobstructed so as to protect the restaurant from obscurity within the complex.

After reviewing the engineers data and more importantly from my first hand experience as owner and maintainer of the property in question, I am convinced that the 30 foot setbacks are safe and sound. When 40 feet and 60 feet setbacks are discussed the aforementioned integrity of the property becomes progressively jeopardized. Increases in the setbacks make the townhouses obstructions to the restaurant rather than enhancements. The unobstructed area in front of the restaurant becomes proportionately constricted much like a noose around a neck. The restaurant cannot tolerate further obscurity in an already difficult market. The overall look of the project becomes cluttered with more a sense of restriction rather than openness which are mutually detrimental to both potential homeowners and restauranteur.

Although perhaps viewed as trivial or insignificant, the decision to deny the 30 foot setback has far-reaching ramifications. Setting aside the asthetic aspects set forward, please consider the following:

1. The 30 foot setback is a contingency within the purchase contract which if not met would jeopardize the entire project.
2. Under the current circumstances the restaurant cannot survive without some input and/or upgrading of community life.
3. The potential loss of approximately 70 full and part-time jobs should the project fail.
4. Yet another failure of the town to demonstrate a progressive posture and enthusiasm to develop the community.

In conclusion gentlemen, I implore you to approve the 30 foot setbacks as requested. As an individual who has had extensive dealings with the E. P. A. as part of my daily operations and having reviewed the engineering and geophysical data that it is both safe and realistic to grant the variance as requested. Perhaps more importantly it is progressive, forward thinking that the community so desperately needs to take advantage of the potential being offered via the Buffalo Renaissance. Mr. Cellura and I are responsible members of the community who know with some vision see the enormous potential and ambience present within the community. We would certainly not jeopardize the environment and upon the presentation of substantiated data and/or statistics would withdraw the request for the variance.

Thank you for your time and I will be available at the hearing should further input be necessary.

Sincerely,

Sal J. Persico
President

SJP:kp

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ROBERT A. MARS

TO : TOWN PLANNING BOARD
FROM: TOWN ENGINEER GILBERT
DATE: 12-16-87
SUBJ: SITE PLAN REVIEW DEERFIELD HEIGHTS SUBDIVISION

Following are over comments on the subject plans received on December 11 in our office.

- street names are subject to review and approval
- we need a meeting with the several interested parties on the treatment of the gas lines, the sanitary sewers and the proposed road.
- consider revision of some property lines to avoid future drainage problems.
- don't forget the gas well.
- we have some concern about no sidewalks in part of the subdivision. We don't think you will save many trees by this action.

cc: Lauchert
Lardo

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TO : PLANNING BOARD
FROM: PLANNING DEPARTMENT
SUBJ: DEERFIELD HEIGHTS SUBDIVISION (PREVIOUSLY MCKINLEY SUBDIVISION)
DATE: 12-16-87

This is a preliminary plat and the applicant will be looking to have a public hearing.

Both the plat map and the topographic map are at a 100 scale, but I could'nt get a match when I overlayed them. It does appear that lot 64 is below the top of the bank.

The gorge area is proposed to be dedicated to the Town. However, if the Town is to have access, we will need some of the top of the bank. The boundary line is indefinite now anyway. The Town should have the acreage to be offered for dedication to the Town.

Three variances to the subdivision are being requested. I'm not sure what #1 is. Number Two can be a Planning Board decision while number 3 should be based on recommendations from the Town Engineer and Highway Superintendent.

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December 16, 1987

SITE PLAN REVIEW

To: Planning Board

Re: Deerfield Heights subdivision, part of lot 43T9R7 off
Mckinley Parkway.

It's great to see a new subdivision of this nature come into the Town of Hamburg, it's definitely needed as we need more lots to build more houses, to better serve the people so they can live in the fine Town of Hamburg.

Sublot 84 and 90 the front must face Red Oak Court, subplot 91 the front of the house must face to the south facing Winding Woods Lane. I would like to know the depth of the 22 inch high pressure gas line the 76 foot National Fuel gas easement especially the depth of the pipe under Winding Woods Lane, Winding Woods Court and Copperfield Drive.

The open space at the north side of the property says land to be deeded to the Town of Hamburg. I am not sure the Town of Hamburg wants it, it only creates more open space owned by the Town and difficult to maintain. Before the Planning Board accepts this you should check with Town Fathers. Also, the Planning Board should be aware of Recreational land or if there is adequate recreational facilities available and would rather have a recreational fee for each dwelling unit when the building permit is obtained.

One of the requested variances that no sidewalks east of existing sanitary sewer, why not? All 100 lots appears as they layed out at the present time to confirm to their requirements for the R-1 residential zoning.

I hope this information is helpful to you, If I can be of any more assistance feel free to contact me.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer JJL/cac

LEGAL NOTICE

TOWN OF HAMBURG PLANNING BOARD

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing at Town Hall, S-6100 South Park Avenue on the 16th day of December at 8:00 p.m. for the purpose of approving a residential subdivision known as SHORE MEADOWS SUBDIVISION.

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 50, T-9, and Range 8 of the Holland Land Company's survey, and being more particularly described as follows:

Beginning at a point in the southerly line of Old Lakeshore Road distant 566.07 feet northeasterly of the north line of North Creek Road, said point being on the northerly line of lands conveyed to Elizabeth H. Biggar; thence northeasterly along the southerly line of Old Lakeshore Road a distance of 820.00 feet to a point; thence southeasterly along a line measured at right angles to Old Lakeshore Road 290.00 feet to a point; thence southwesterly, parallel to Old Lakeshore Road 820.00 feet to the northerly line of lands conveyed to Elizabeth H. Biggar; thence northwesterly along said northerly line of Biggar 290.00 feet to the point or place of beginning containing 5.46 acres more or less.

G. GERALD VALGORA, CHAIRMAN

TOWN OF HAMBURG PLANNING BOARD

DATED DECEMBER 1, 1987

DEED RESTRICTIONS -- MCKINLEY HEIGHTS

1. Residential building only.
2. No building or addition thereto shall be erected upon any building lot until the plans, specifications have been approved in writing by the seller. The seller shall be entitled to retain a copy of the plans, specifications and plot plan as part of their permanent record. Upon completion of any building, the seller upon request, shall issue a certificate of acceptance evidencing its approval of the building in accordance with the submitted plans and specifications.
3. Before any lot is cleared, the seller must be notified and approved with the buyer to make sure elected clearing takes place and preserve as many trees as possible.
4. All houses built must have a minimum square footage of 2450 s.f.
5. No boats, trailers, motor homes or commercial vehicles shall be parked in any driveway for longer than twenty-four hours.
6. No fence shall be erected on any lot until the design, materials, location and height thereof have been approved in writing by the seller.
7. All swimming pools must be of below ground type and must have their location and grade approved in writing by the seller.
8. No basketball hoops or backboards shall be erected in front or side yards of this subdivision which are visible from the street.
9. No clothes poles or clothes lines shall be erected or installed within this subdivision which are visible from the street.
10. No owner of any subdivision lot covered by these restrictions shall, after finish grade is completed by the developer or building contractor, alter, disturb, disrupt or change the established grade level in such a manner as to obstruct or disturb the drainage of surface water, nor may they remove any additional trees.
11. Any structure erected on any lot in this subdivision shall comply with the zoning ordinances of the Town of Hamburg.
12. All purchasers shall attempt to design the exterior of their home as maintenance-free as possible.

TOWN OF HAMBURG

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DANIEL J. HENRY
PATRICK H. HOAK

*Recd. 10-12-88
Planning Dept.*

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

MEMORANDUM

TO: George McKnight, Director of Planning

FROM: Traffic Safety Advisory Board

RE: Briarwood DEIS

DATE: October 7, 1988

George:

The Traffic Safety Advisory Board has scrutinized the appropriate sections of the Briarwood DEIS as you requested. The Board has the following comments: or questions:

Has the Erie County Highway Division been contacted for their input on the DEIS and/or the project in general? *no co*

Has an Intersection Capacity Analysis been completed for the data on roads that has been submitted (DEIS pp. 34-45)? *yes*

If the above has been completed, please clarify how assumptions were derived on submitted data.

Will any of the surrounding roads be widened in the foreseeable future? *highway and some no plans*

Is the data submitted based on the most recent statistics available? *yes*

Does the data submitted present a realistic projection of potential traffic flow capacities and patterns? *DOT*

Will future projections and development dictate the need for traffic control devices or mechanisms? *possible*

Thank You.

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ROBERT A. MARS

September 15, 1988

TO: The Town Board

SUBJECT: Rezoning Petition of Anthony Castiglia
Lakeside Funeral Home on Contiguous Parcels
on Camp Road from R-1, R-2 & C-3 to C-1

At the Planning Board meeting held on September 14, 1988, a favorable recommendation was made on the rezoning petition of Anthony Castiglia for Lakeside Memorial Funeral Home from R-1, R-2, & C-3 to C-1. Motion was made by Mr. Koenig, seconded by Mr. Strnad to recommend favorably for the following reasons:

1. The proposed change is for lots contiguous with the property already zoned C-1.
2. The proposed change will not affect the parking requirements of the property.
3. The parking lot is part of the business and should have commercial zoning.
4. The use is not being changed.
5. The proposal is in keeping with the Master Plan.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

RC:tad

TOWN OF HAMBURG

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JOHN A. MICHALEK

Town Clerk
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RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

June 5, 1991

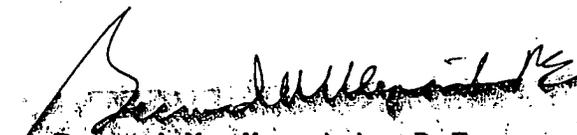
Vicki Rathburn
Real Estate/Construction
Business Manager
BOB EVANS FARMS, INC.

SUBJ: SITE PLAN REVIEW
BOB EVANS - COMMERCE PARK

The plan received on 5-22-91 is acceptable to this office.

The plan cannot be approved until mainline sewer extension plans are approved and the sewer is installed or Performance Bonded.

If you have any questions please contact this office.


Gerard N. Kapsiak, P.E.
Town Engineer


Richard J. Lardo
Principal Engineer

Disc. #3
RJL/jal

cc: Planning Department
Building Inspection

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May 11, 1988

TO: THE HAMBURG TOWN BOARD

SUBJECT: Recommendation to approve site plan for
Sibley's Dept. Store - McKinley Mall

Mr. Greg Quatchak appeared before the Planning Board on the site plan for Sibley's Department Store which is to be located in the McKinley Mall.

Motion was made by Mr. Koenig, seconded by Mr. Cary to forward a favorable recommendation for approval by the Town Board on the Sibley's site with implementation of changes as recommended by the Building Inspector, Engineering Dept. Traffic Safety on proper signage in accordance with New York State V&T regulations, and the donation of excess topsoil to the Town of Hamburg. Carried.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall
Richard Crandall, Chairman

TOWN OF HAMBURG

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May 11, 1988

TO: THE PLANNING BOARD

FROM: Town Engineer Jack Gilbert *JG*

SUBJECT: Site Plan Review - Sibley's at McKinley Mall

Following are our comments on the subject plans received on May 6, 1988.

- Our comments are concerned with islands versus striping and can better be understood by looking at the plan. We want to see a situation where parkers will not infringe on the space needed for trucks using the L. L. Berger dock.

If the marked up plans are not returned to us with the amended plan, we will not continue the review.

CC: J. Lauchert
R. Lardo

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October 31, 1988

Mr. Donald Spittler, Jr.
Schultz Road
Lakeview, New York 14085

SUBJECT: Saw Mill Operation for Logging of Homes

Please be advised that your proposed use was discussed at the Planning Board meeting of 10-26-88. Based on 29-16 of the town code, the use is not listed. Therefore, it is not a permitted use.

There are three alternatives which you may pursue: a use variance, a rezoning, and a complete stoppage of the operation. For your information.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Daniel J. Gorman
Daniel J. Gorman,
Attorney

DJG:tad

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Receiver of Taxes
ROBERT A. MARS

October 12, 1988

TO: Planning Board
FROM: Engineering Dept.
SUBJ: HAVENWOOD SUB. - SKETCH PLAN REVIEW

The following are comments on a site plan dated 10-3-88 and received in this office on 10-7-88:

- The owner should be advised the proposed site is not in wetlands but is within the 100 year flood boundary as established by F.E.M.A. Special measures must be taken into consideration for house and storm sewer construction.
- Access to Route 20 for driveways should not be allowed. A planting & berm buffer strip should be reserved along Route 20.
- Right of ways for the site are to be shown as 70'. The cul-de-sac must have a 75' radius 150' row. Presently it is less.
- The unnamed entrance road should intersect the interior road at more of a 90 degree angle.
- All horizontal curves must have a 150' minimum center-line radius. Presently they are shown as about 60'.
- The site is not in a water district. A new water district must be created for service.
- The site is in the Master Sewer District service should not be a problem.
- The phase lines are subject to Engineering review depending on utility layout. They should not be approved as shown.

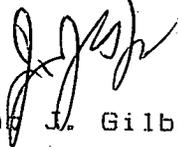
-The utilities shown on the plan are to be removed. For Preliminary Plan Approval. The utilities as shown are not according to the Engineering Dept. Construction Specifications. The owner has a copy of our specifications. His engineer should have one also.

-The existing sanitary trunk sewer must be relocated on Sub Lot 28 and possibly more will not be usable.

-We may have problems with the stream relocation.

-A topographic map is to be provided or contour lines should be shown on the plan. A vicinity map is to be shown.

The drawing is not being returned with this memo.



John J. Gilbert, Jr.

cc: R. Lardo
J. Lauchert