

Town of Hamburg
Planning Board Meeting

April 6, 2016

Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 P.M. followed by a Regular Meeting at 7:00 P.M. on Wednesday, April 6, 2016 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, Doug Schawel, William Clark, Augie Geraci and Robert Mahoney.

Others in attendance included Town Planner Sarah desJardins, Principal Engineer Rick Lardo and Attorney Ryan McCann.

Excused: David Bellissimo and Al Monaco

WORK SESSION

Chairman O'Connell stated that the second application on the Work Session agenda (RGDM, LLC Self Storage) would not be discussed because the applicant withdrew the project.

Gullo's Garden Center (4767 Southwestern Boulevard) – Requesting an amendment to the existing Special Use Permit to allow a Farmers' Market on Sundays from July to October

Mrs. desJardins stated that Gullo's Garden Center would like to operate a farmers' market in the parking lot from July to October. She noted that this type of operation is allowed per the Town Code.

Mr. Clark made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on April 20, 2016. Carried.

Glenn Wetzl – Requesting Sketch Plan Direction on a proposed senior apartment project on Southwestern Boulevard in front of the Brookview Apartment complex

Attorney Sean Hopkins, representing the applicant, stated that the Planning Board previously approved an apartment development on the rear of this property owned by Glenn Wetzl, and at that time Mr. Wetzl did not have specific plans for the remainder of the site. He stated that Mr. Wetzl now believes that senior housing (independent living) is the most appropriate use of the front of this site. He noted that there is a demand for senior housing, and it would complement the apartment complex in the rear of the site.

Attorney Hopkins stated that Mr. Wetzl has learned that there is more of a market for smaller buildings with elevators in each building. He stated that three (3) 29-unit buildings are proposed, and they would be targeted for younger seniors.

Attorney Hopkins stated that Chris Wood, engineer, will be looking at access around the buildings.

Mrs. desJardins stated that subdivision approval will be required in conjunction with the Site Plan review. She further stated that access to the senior housing should be considered from the existing access road to the apartment development so that there would not be an additional curb cut on Southwestern Boulevard.

It was determined that Chris Wood and Attorney Hopkins will meet with Mr. Lardo, Mrs. desJardins and Supervising Code Enforcement Official Kurt Allen regarding access around the buildings.

Mr. Clark made a motion, seconded by Mr. Schawel, to table this project. Carried.
Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

Public Hearing – 7:00 P.M., Oscar Williams – Requesting a Change in Use and Site Plan Approval of an ice cream store to be located at 4187 Lakeshore Road

It was determined that the applicant received a variance from the Zoning Board of Appeals on April 5, 2016 for the parking setback.

Mr. Clark read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a public hearing on a proposal by Oscar Williams to operate an ice cream store at 4187 Lakeshore Road. The public hearing will be held on April 6, 2016 at 7:00 P.M. in Room 7B of Hamburg Town Hall.”

Chairman O’Connell declared the public hearing open. No one spoke.

Chairman O’Connell declared the public hearing closed.

Mr. Clark made the following motion, seconded by Mr. Schawel:

“In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Oscar Williams project, which involves the reuse of the building as an ice cream store and held the required public hearing on April 6, 2016. The project meets the criteria established in the SEQR law as a Type II action (617.5 (c) (7) and therefore does not require completion of the SEQR process.

Conditional Site Plan Approval is hereby granted with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated April 6, 2016.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Clifton Heights Apartments

Attorney Sean Hopkins, representing the applicant, stated that he and Chris Wood, engineer for the project, met with Mr. Lardo and Supervising Code Enforcement Official Kurt Allen regarding fire access around the proposed building in the southwest corner of the site. He noted that it was determined that in order to comply with the New York State Fire Code, vehicular access has been added behind this building. He stated that this resulted in 25 feet of the 50-foot conservation easement area being impacted behind this building.

Attorney Hopkins stated that the applicant will be asking the Town Board to amend the zoning condition it imposed in conjunction with the rezoning of this property in November 2015 that required the perimeter of the property to be a conservation easement area in order to allow the construction of the fire access around this one (1) building.

Attorney Hopkins stated that the conservation easement was originally offered by the applicant. He further stated that the area adjacent to the buffer area to be impacted is wooded.

Attorney Hopkins asked Board members to consider forwarding a positive recommendation to the Town Board on April 20, 2016 regarding amending the condition of rezoning and conditionally approving this project. He noted that if the Planning Board approves this project conditioned on the zoning condition being amended and the Town Board chooses not to amend the zoning condition, the applicant would have to come back to the Planning Board with an amended site plan.

Board members agreed to consider Attorney Hopkins' request.

Mr. Clark made a motion, seconded by Mr. Schawel, to table this project and authorize the Planning Department to put resolutions together for a positive recommendation to the Town Board regarding the amended zoning condition, as well as approval. Carried.

Engineering Department comments have been filed with the Planning Department.

Lucia's Restaurant (4151 Lakeshore Road)

Mrs. desJardins stated that the applicant received two (2) variances from the Zoning Board of Appeals on April 5, 2016 regarding lot coverage and the parking setback.

Mr. Clark made a motion, seconded by Mr. Schawel, to schedule a public hearing to be held on April 20, 2016. Carried.

Engineering Department comments have been filed with the Planning Department.

Dollar General (South Park Avenue)

Chairman O'Connell stated that the project has been withdrawn by the applicant.

David Homes – Requesting an amendment to an approved Site Plan for the Villas at Brierwood on Southwestern Boulevard

Chairman O’Connell stated that when the applicant contacts the Planning Department or the Building Department about the sidewalk that was to be constructed from Southwestern Boulevard into the development, the Planning Board will consider the applicant’s request to amend the approved Site Plan.

Mr. Clark made a motion, seconded by Mr. Geraci, to table this project until the sidewalk issue is resolved. Carried.

Engineering Department comments have been filed with the Planning Department.

Frank Russo – Requesting Preliminary Approval of a 14-lot subdivision as an extension of Niles Avenue

Keith Marquis, engineer, representing the applicant, stated that the wetlands and the detention area have been identified on the Preliminary Plat, as requested by the Planning Board. He stated that three (3) lots are not buildable because of the amount of wetlands contained on them.

It was determined that the applicant will advise the Planning Board at its next meeting what his intention is for the three (3) lots that are not buildable.

Mr. Clark made a motion, seconded by Mr. Geraci, to table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Clark made a motion, seconded by Mr. Schawel, to approve the minutes of March 2, 2016 and March 16, 2016. Carried.

Mr. Schawel made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 7:20 P.M.

Respectfully submitted,

William Clark, Secretary

Planning Board

Date: April 11, 2016