

Town of Hamburg
Planning Board Work Session
June 1, 2011
Minutes

The Town of Hamburg Planning Board met for a Work Session on Wednesday, June 1, 2011 at 7:00 p.m. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Peter Reszka, Gerard Koenig, Stephen McCabe, David Bellissimo, Sasha Yerkovich and Karen Rogers.

Others in attendance included Sarah desJardins and Attorney Cheryl McFaddon- Zak.

Public Hearing – Eckel Two-Lot Subdivision

Mr. McCabe read the following public hearing notice:

“Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on a two-lot subdivision known as Eckel Two-Lot Subdivision to be located on the west side of Taylor Road on the Hamburg-Boston town line on June 1, 2011 in Room 7B of Hamburg Town Hall at 7:00 P.M. The property is described as follows: SBL# 196.00-3-24.11.”

Mrs. desJardins stated that the subdivision plan was revised to indicate the location of the existing gas line that traverses his property, as well as the proposed new lot. She further stated that the Engineering Department would like the plans further revised to show the size of the gas line easement.

In response to a question from Mr. Koenig, Mrs. desJardins stated that she did notify the Town of Boston of this request and did not receive a response. She further indicated that no new correspondence had been received regarding this proposal.

Chairman Reszka declared the public hearing open. The following people spoke:

- Bill Eckel, applicant, stated that he would like to split a building lot off from his property so he can build a home on it for his son.

Chairman Reszka declared the public hearing closed.

Mrs. Yerkovich made a motion, seconded by Mrs. Rogers, to grant Conditional Preliminary Approval to this two-lot subdivision with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated June 1, 2011.
2. The filing of a Map Cover is waived.
3. The installation of sidewalks is waived.

Carried.

Engineering Department comments have been filed with the Planning Department.

Public Hearing – Wanakah Grill (2293 Pleasant Avenue)

Mr. McCabe read the following public hearing notice:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a proposal by the Wanakah Grill, 2293 Pleasant Avenue. The applicant is requesting Site Plan Approval to re-open the restaurant and install a new parking area. In accordance with the Town of Hamburg site plan ordinance, a Public Hearing will be held on June 1, 2011 at 7:00 p.m. in Room 7B of Hamburg Town Hall.”

In response to a question from Chairman Reszka, Mrs. desJardins stated that no correspondence has been received regarding this proposal.

Chairman Reszka declared the public hearing open. No one spoke.

Chairman Reszka declared the public hearing closed.

Mrs. Rogers stated that she would like a condition of any approval motion to be that the lighting is to be shielded and directed towards the building.

Mrs. Yerkovich made a motion, seconded by Mr. Bellissimo, to forward a positive recommendation to the Zoning Board of Appeals regarding the applicant’s request to provide fewer parking spaces than the Town Code requires. Carried.

Mrs. Yerkovich made a motion, seconded by Mr. McCabe, to grant Conditional Site Plan Approval to this project with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated June 1, 2011.
2. Approval is contingent upon the Zoning Board of Appeals’ approval of the requested parking variance.
3. The Planning Board directs that the lighting be shielded away from nearby residents and directed towards the building.

Carried.

Engineering Department comments have been filed with the Planning Department.

Brookview Apartments (Southwestern Boulevard)

It was determined that the applicant asked that the project be tabled until the Board’s next meeting.

Mr. Koenig made a motion, seconded by Mr. Bellissimo, to table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

Whispering Pines Subdivision

It was determined that the applicant asked that the project be tabled until the Board's next meeting.

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

Gullo's Garden Center (4767 Southwestern Boulevard)

Chairman Reszka stated that the applicant would like the rear portion of the site rezoned from R-A to C-1.

In response to a question from Chairman Reszka, Mrs. desJardins stated that she will provide the Board with the Town Board resolution from 2006 when the property in question was rezoned from R-2 to R-A.

Chairman Reszka stated that Mr. Gullo's request was referred from the Town Board to the Planning Board on May 23, 2011 for a recommendation.

Mrs. desJardins stated that the Gullo's Garden Center property is zoned C-1 except for this parcel, which was rezoned from R-2 to R-A previously.

Mr. McCabe stated that when the property was rezoned to R-A, it is his understanding that the Town was attempting to help alleviate the hardship Mr. Gullo was experiencing in not being able to expand his greenhouse operations. He further stated that he thought at the time that Mr. Gullo's problem had been solved, and still thinks it has been solved, by allowing the property to be designated as R-A. He noted that he does not understand what Mr. Gullo's current hardship is that the Town is being asked to solve.

Mr. Koenig stated that one of the reasons the R-A zoning was appropriate was that it gave assurances to the nearby residents that nothing major would happen on the property. Mrs. Yerkovich stated that that is her recollection, as well.

Chairman Reszka stated that he has heard two reasons why Mr. Gullo wants to rezone the property to C-1. He noted that one reason is that if Mr. Gullo ever decides to sell his property, it would be easier if all of the parcels he owns there are zoned C-1 and another reason is that if he ever tries to get financing on the business, it would be problematic if part of his property is zoned residential.

Mrs. Yerkovich stated that she does not see a hardship, as none has been presented to the Board.

Mr. Bellissimo made a motion, seconded by Mrs. Rogers, to table this project. Carried.

At this point in the meeting, Mr. Gullo appeared. The Board determined that it would discuss the rezoning request with him.

Mrs. Rogers made a motion, seconded by Mr. Bellissimo, to remove Mr. Gullo's request for rezoning from the table. Carried.

In response to a question from Mrs. Yerkovich, Russ Gullo, owner of Gullo's Garden Center, stated that he would prefer that all of the parcels he owns that encompass the garden center be consistently zoned. He further stated that he is having all of his property surveyed and would like to merge all of the parcels into one with one zoning classification.

Mr. McCabe stated that the Planning Board supported rezoning the parcel in question to R-A seven years ago because this assured the nearby neighbors that nothing other than what Mr. Gullo is doing now on the site would occur there. He further stated that if the property is rezoned to C-1, the assurance the neighbors had goes away if Mr. Gullo ever sells the property.

Mrs. Yerkovich asked Mr. Gullo if the present situation with the two zonings on his property is a hardship at this point. Mr. Gullo responded that it is not. He further stated that rezoning the property would not change the way he does business or what type of business he does on the property.

Mrs. desJardins stated that it is possible for Mr. Gullo to merge all of his parcels into one even if there are two zoning classifications involved.

Mr. McCabe made a motion, seconded by Mrs. Rogers, to table this proposal. Carried.

Granite Shop (South Park Avenue)

Mrs. desJardins stated that Mr. Robinson, applicant, wishes to purchase vacant property on South Park Avenue and build a 6,000 sq.ft. structure in which he would manufacture and display granite counter tops, etc. She further stated that the property is located in the South Park Overlay District and the applicant is willing to remove the parking space closest to South Park Avenue so that he would provide the required forty (40) feet of green space along the road. She noted that it does not appear at this time that variances would be needed except for the number of parking spaces provided.

It was determined that several years an applicant requested a Special Use Permit for an automotive repair shop on this vacant property.

Mrs. desJardins asked the Board members to compile a list of questions and concerns for the applicant to address before the Board's next meeting. Following is the list:

1. What type and size of trucks would be used to deliver the granite, etc.?
2. Board members think the building is too big. Can the size be reduced?
3. What kind of equipment would be used in the manufacturing of the granite countertops, etc? Board members are concerned about the noise.
4. What would the hours of operation be?
5. Board members have concerns about sight lines if semi-trailers are used for deliveries.
6. Would dust be created on site?

7. How would the storage area in back not damage the septic system, given the weight of granite?
8. Is the storage area large enough for his needs?
9. Is there a snowmobile trail that runs through the property?
10. What would the size of the pylon sign be? Board members are concerned that it might obstruct sight lines along South Park Avenue.
11. The appearance of the building is unacceptable.
12. What is proposed relative to lighting on the site?

Board members concurred that this seems to be a problematic site for a project of this magnitude.

Mrs. Yerkovich stated that the proposed building's size is three (3) times as large as the previously proposed automotive garage.

Mrs. Yerkovich made a motion, seconded by Mrs. Rogers, to table this project.
Carried.

Mr. Koenig made a motion, seconded by Mr. Bellissimo, to approve the minutes of May 18, 2011. As there were five (5) ayes and one (1) abstention (Chairman Reszka), the motion carried.

Mr. Bellissimo made a motion, seconded by Mrs. Yerkovich, to adjourn the meeting. The meeting was adjourned at 7:45 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary

Planning Board