

# Town of Hamburg Planning Board Public Hearing

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**Site Plan Application**

**November 20, 2024**

**Applicant** Alliance Homes

# Introduction:

- **Project Sponsor:** Alliance Homes
- **Address of Project Site:** 0 Southwestern Boulevard [SBL No. 170.12-4-3]
- **Size:** 13.06 Acres
- **Existing Zoning:** R-3 Residential Multifamily (“R-3”) per the decision issued by the Town Board on September 9th approving the downzoning of the western 6.88-acre portion of the Project Site from C-1 to R-3 subject to conditions.
- **SEQRA:** The Town Board issued a Negative Declaration during its meeting on September 9<sup>th</sup> after completing a coordinated environmental review.
- **Site Plan Application:** Filed on September 18, 2024
- **Planning Board Review:** The Planning Board reviewed the project during its meeting on November 4<sup>th</sup>
- Engineered plans and a SWPPP with Engineer’s Report submitted by Pat Sheedy, P.E. of Carmina Wood Design to Camie Jarrell, P.E. on October 28<sup>th</sup>

I want to...

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Howard Road

Sherwood Meadows  
Townhomes

Carlyes Court  
Project Site - 13.06 Acres

Foster Brook  
Senior

Brookview  
Apartments

Clifton  
Heights  
Apartments

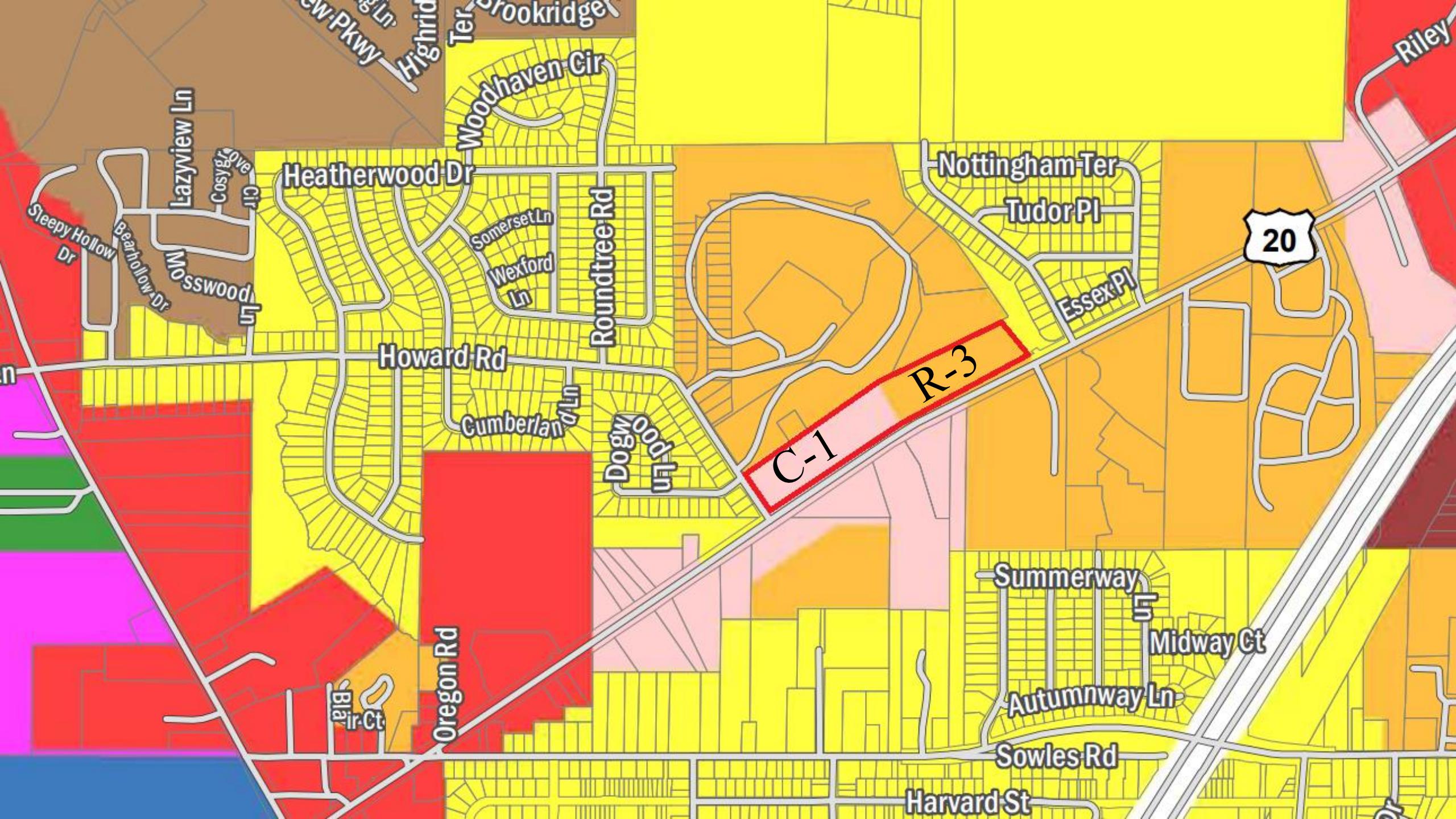


2017



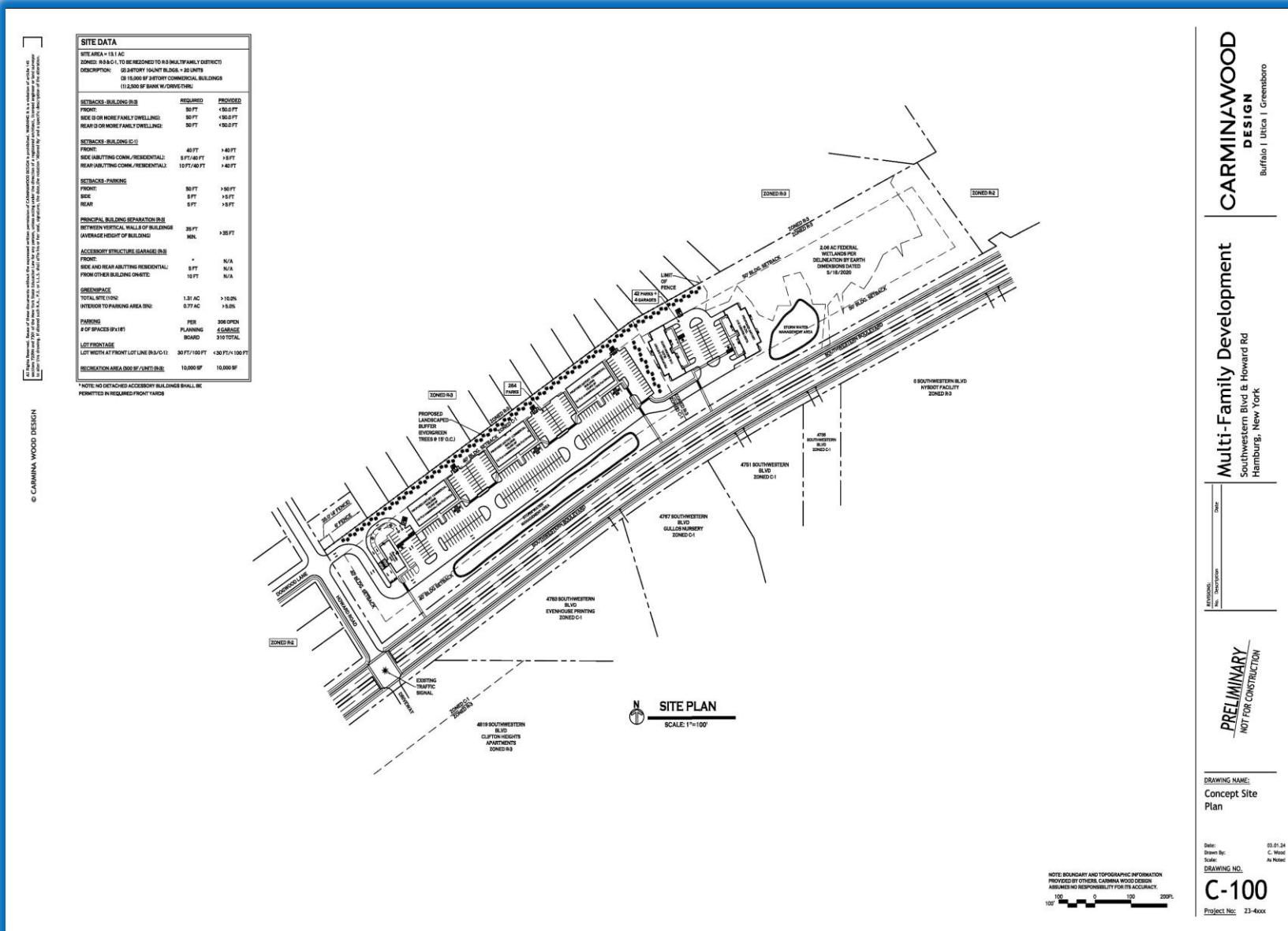
1:500

0 300 600ft



# As of Right Plan submitted by Liberatore to the Planning Board on March 4, 2024:

- 1. A proposed 2,500 sf bank with a drive-through on the easternmost portion of the property.
- 2. Three 2 story commercial buildings with a footprint of 15,000 sf. that would consist of first floor commercial/retail space and second story office space [40 ft. setback from property line].
- 3. 264 parking spaces.
- 4. Two 2-story multifamily buildings on the portion of the property zoned R-3 consisting of 10 units each with 42 parking
- 5. Landscaping including a staggered row of evergreen trees and 6-foot fence on the rear of the property.



# Previous Site Plan Presented to the Planning Board on November 3, 2023:

- 5 two-story buildings totaling 60 attached residential units
- Buildings oriented so fronts oriented towards Southwestern Boulevard
- Proposed Minimum of 4 acres of deed-restricted Permanent Open Space
- Intensive landscape buffering along rear property line including evergreen trees
- 6 ft. tall fencing along rear property line

At the request of the Planning Board, this plan is offered by the developer without comment. It is a matter of public record and may be reviewed by the public. It is the intent of the developer, and the developer's attorney, that this plan be reviewed by the public and the Planning Board, and that the developer's attorney be present at the hearing to answer any questions concerning this plan.

© CARMINA WOOD DESIGN

SITE DATA		
SITE AREA = 13.1 AC		
ZONED: R3 & C-1, TO BE REZONED TO R3 MULTIFAMILY DISTRICT		
DESCRIPTION: 25 2-STORY 12-UNIT BUILDINGS = 60 UNITS		
<b>SETBACKS-BUILDING</b>		
FRONT:	50 FT	>50 FT
SIDE OR MORE FAMILY DWELLING:	50 FT	<50.0 FT MIN.
REAR OR MORE FAMILY DWELLING:	50 FT	N/A
<b>SETBACKS-PARKING</b>		
FRONT:	50 FT	>50 FT
SIDE:	5 FT	>5 FT
REAR:	5 FT	>5 FT
<b>PRINCIPAL BUILDING SEPARATION</b>		
BETWEEN VERTICAL WALLS OF BUILDINGS	35 FT	MIN. >35 FT
<b>ACCESSORY STRUCTURE/GARAGE</b>		
FRONT:	*	N/A
SIDE AND REAR ABUTTING RESIDENTIAL:	5 FT	N/A
FRONT OTHER BUILDING ON SITE:	10 FT	N/A
<b>GREENSPACE</b>		
TOTAL SITE (13.1 AC)	1.31 AC	>10.0%
INTERIOR TO PARKING AREA (5.0)	0.77 AC	>10.0%
<b>PARKING</b>		
# OF SPACES 9'X18'	PER PLANNING BOARD	134 OPEN
PER C-1 C-2 C-3 C-4 C-5 C-6 C-7 C-8 C-9 C-10 C-11 C-12 C-13 C-14 C-15 C-16 C-17 C-18 C-19 C-20 C-21 C-22 C-23 C-24 C-25 C-26 C-27 C-28 C-29 C-30 C-31 C-32 C-33 C-34 C-35 C-36 C-37 C-38 C-39 C-40 C-41 C-42 C-43 C-44 C-45 C-46 C-47 C-48 C-49 C-50 C-51 C-52 C-53 C-54 C-55 C-56 C-57 C-58 C-59 C-60 C-61 C-62 C-63 C-64 C-65 C-66 C-67 C-68 C-69 C-70 C-71 C-72 C-73 C-74 C-75 C-76 C-77 C-78 C-79 C-80 C-81 C-82 C-83 C-84 C-85 C-86 C-87 C-88 C-89 C-90 C-91 C-92 C-93 C-94 C-95 C-96 C-97 C-98 C-99 C-100 C-101 C-102 C-103 C-104 C-105 C-106 C-107 C-108 C-109 C-110 C-111 C-112 C-113 C-114 C-115 C-116 C-117 C-118 C-119 C-120 C-121 C-122 C-123 C-124 C-125 C-126 C-127 C-128 C-129 C-130 C-131 C-132 C-133 C-134 C-135 C-136 C-137 C-138 C-139 C-140 C-141 C-142 C-143 C-144 C-145 C-146 C-147 C-148 C-149 C-150 C-151 C-152 C-153 C-154 C-155 C-156 C-157 C-158 C-159 C-160 C-161 C-162 C-163 C-164 C-165 C-166 C-167 C-168 C-169 C-170 C-171 C-172 C-173 C-174 C-175 C-176 C-177 C-178 C-179 C-180 C-181 C-182 C-183 C-184 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# Site Plan Presented on October 2, 2024:

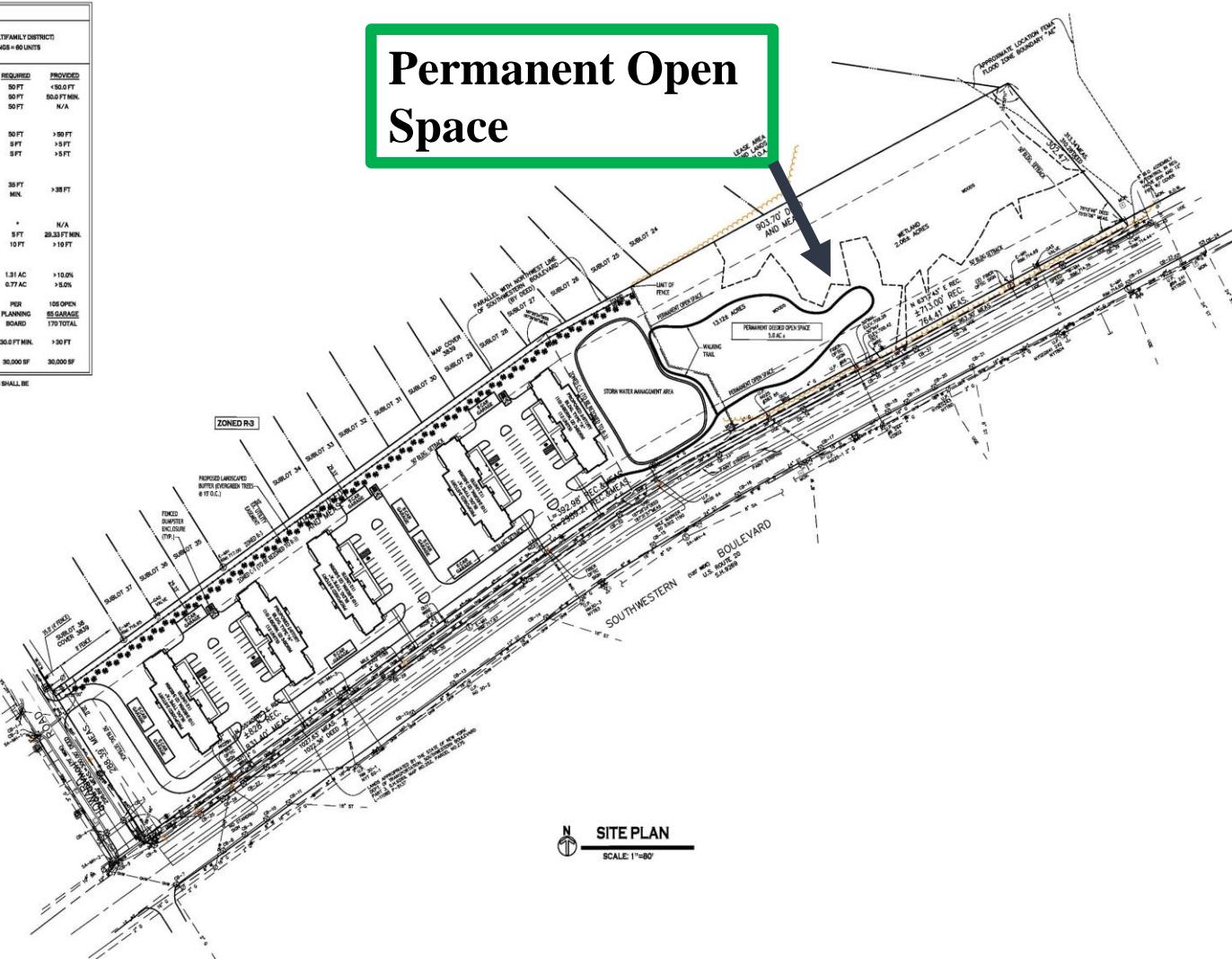
- Meetings held with residents on April 4, 2024, and April 24, 2024
- Buildings re-oriented so that the short side of the building faces rear of property
- No second-floor windows or balconies on the shorter end side of the buildings
- 50 ft. rear yard building setback
- 8 ft. fence with landscaping located 10 ft. from rear property line
- Approximately 5 acres of Permanent Open Space

© CARMINA WOOD DESIGN. All rights reserved. Changes of these documents reflect the most recent permanent record information. It is a violation of Article 111, Zoned R-3 & C-10, to be rezoned to R-3 MULTIFAMILY DISTRICT. Description: 100 2-STORY 12-UNIT BUILDINGS = 60 UNITS

SITE DATA		
SITE AREA = 13.1 AC		
ZONED: R-3 & C-10, TO BE REZONED TO R-3 MULTIFAMILY DISTRICT		
DESCRIPTION: 100 2-STORY 12-UNIT BUILDINGS = 60 UNITS		
SETBACKS-BUILDING	REQUIRED	PROVIDED
FRONT:	50 FT	<50.0 FT
SIDE OR MORE FAMILY DWELLING:	50 FT	50.0 FT MIN. N/A
REAR OR MORE FAMILY DWELLING:	50 FT	
SETBACKS-PARKING		
FRONT:	50 FT	>50 FT
SIDE:	8 FT	>8 FT
REAR:	8 FT	>8 FT
PRINCIPAL BUILDING SEPARATION		
BETWEEN VERTICAL WALLS OF BUILDINGS	35 FT	>35 FT
AVERAGE HEIGHT OF BUILDING	MIN.	MAX.
ACCESSORY STRUCTURE (SARDO)		
FRONT:	*	N/A
SIDE AND REAR ABUTTING RESIDENTIAL:	5 FT	>5 FT MIN.
FROM OTHER BUILDING ONE-SIDE:	10 FT	>10 FT
GREENSPACE		
TOTAL SITE (100%)	1.31 AC	>10.0%
INTERIOR TO PARKING AREA (10%)	0.77 AC	>5.0%
PARKING	PER	100 OPEN
# OF SPACES (9x18')	PER PLANNING BOARD	65 GARAGE 170 TOTAL
LOT FRONTAGE		
LOT WIDTH AT FRONT LOT LINE:	30.0 FT MIN.	>30 FT
REGISTRATION AREA (5000 SF/UNIT)		
REGISTRATION AREA (5000 SF/UNIT)	30,000 SF	30,000 SF

\* NOTE: NO DETACHED ACCESSORY BUILDINGS SHALL BE PERMITTED IN REQUIRED FRONT YARDS

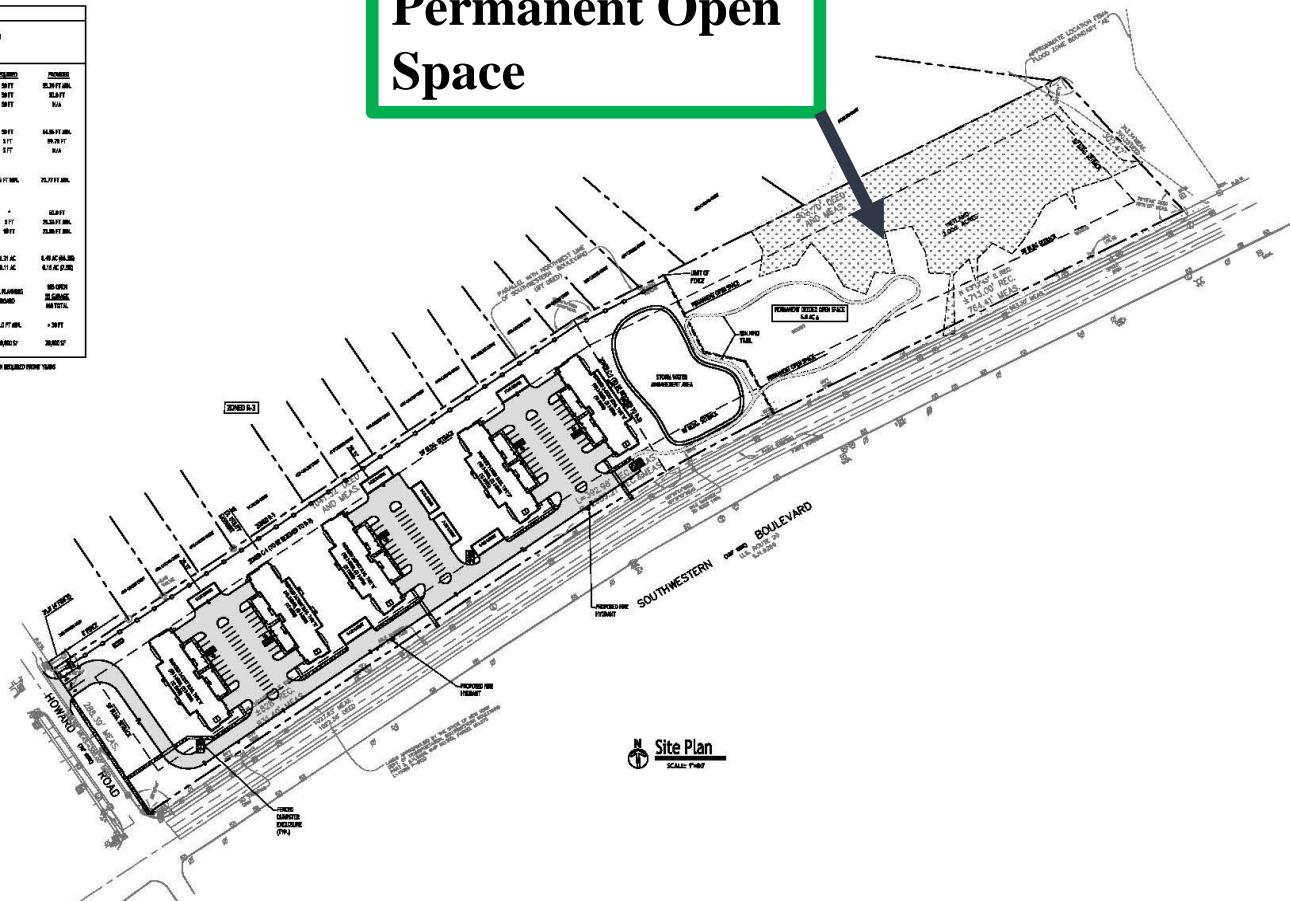
© CARMINA WOOD DESIGN



## **Updated Site Plan dated October 23<sup>rd</sup>:**

- 60 attached residential units on 13.06 acres - Density of only 4.59 acres per acre
- Deliberately designed to avoid the need for any area variances from the Zoning Board of Appeals
- Section 280-46A(4) of the Zoning Code: “Three-or-more-family dwellings over three stories in height: no minimum lot size. Density shall be determined based on compliance with all other minimum setback requirements of this section. The parcel of land for a permitted use shall be sufficient in size to adequately accommodate all buildings, required off-street parking, landscaping and other accessory uses as dictated by all other bulk regulations.”

# Permanent Open Space



N Site Plan  
SCALE 1:1000

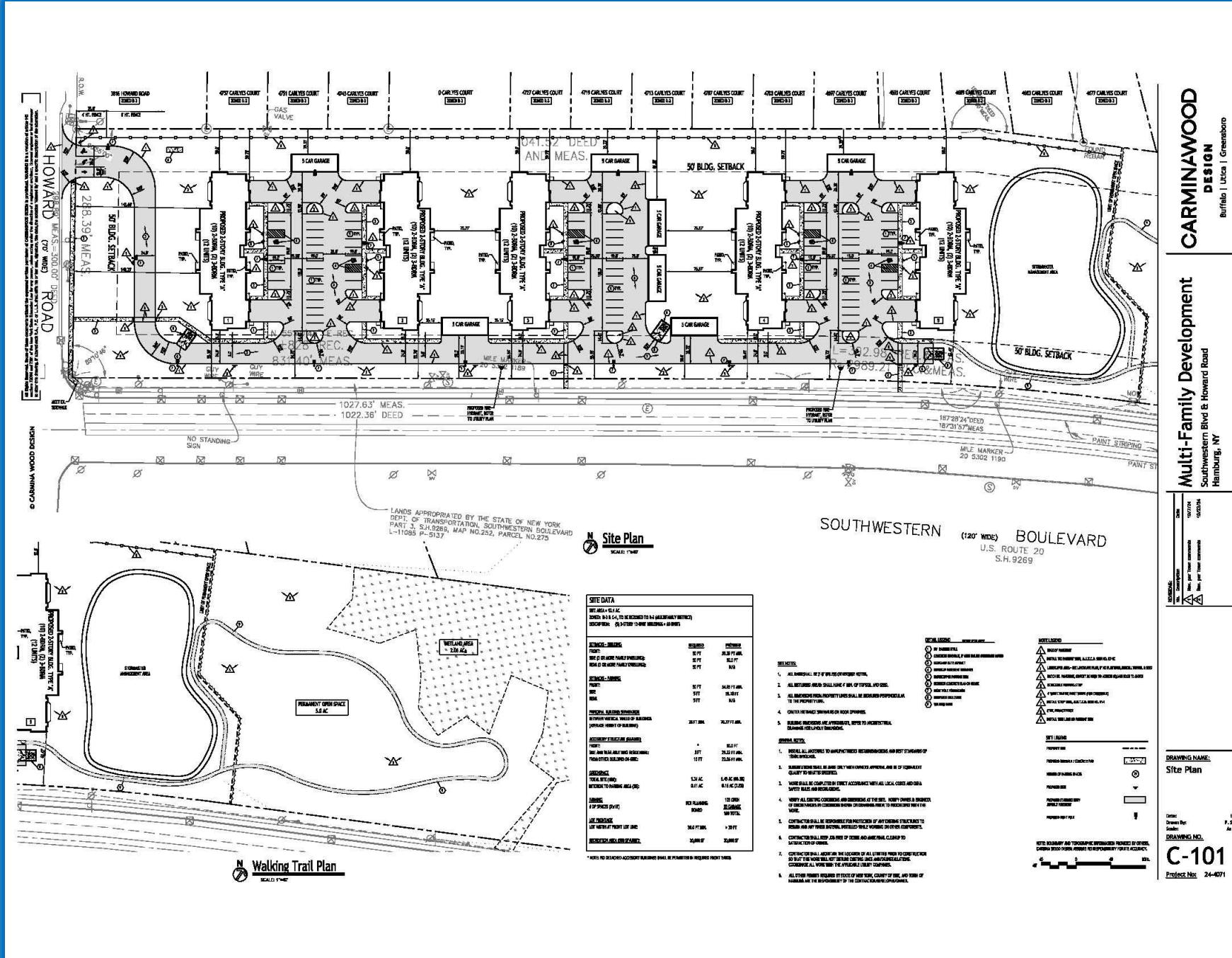
NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED  
CARRERA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR USE

DRAWING NAME:  
**Site Plan  
Overall**

dated: 6/8/24  
Drawn By: F. Sherry  
Scale: As Noted  
**DRAWING NO.**  
**C-100**  
Project No. 24-4071

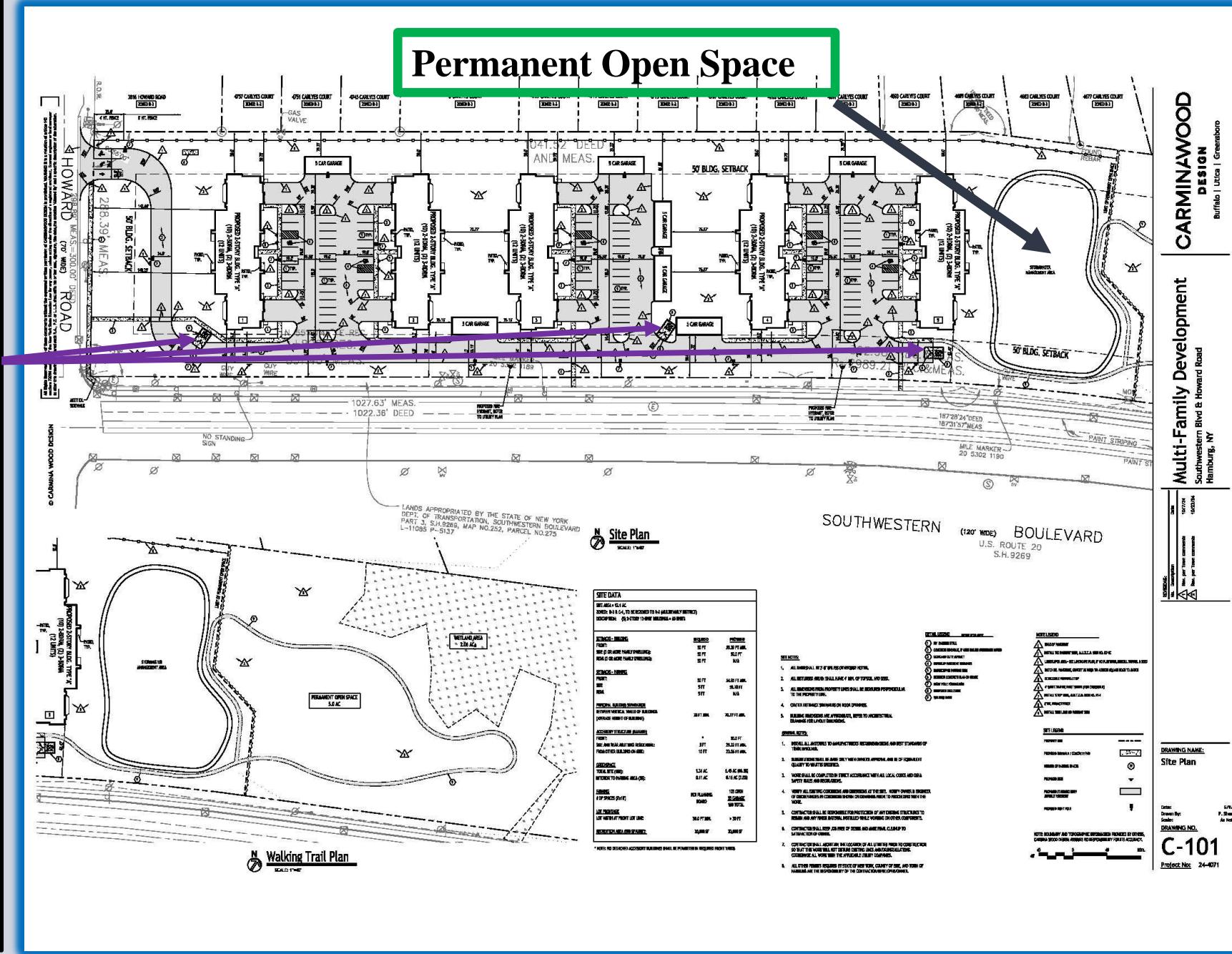
# Updated Site Plan dated October 23<sup>rd</sup>:

- 1. The previously proposed garage building located along the internal driveway onto Howard Road was removed based on the concern raised by the Planning Board regarding potential conflicts with vehicles entering and exiting the project.
- 2. A new five-foot wide public sidewalk has been added within the Howard Right-of-Way for the length of the Project Site
- 3. A sidewalk as depicted on the Site Plan [Drawing C-100] has been added along the north side of internal drive aisle that is parallel with Southwestern Boulevard with two sidewalk connections to the existing sidewalk located in the Southwestern Boulevard Right-of-Way.



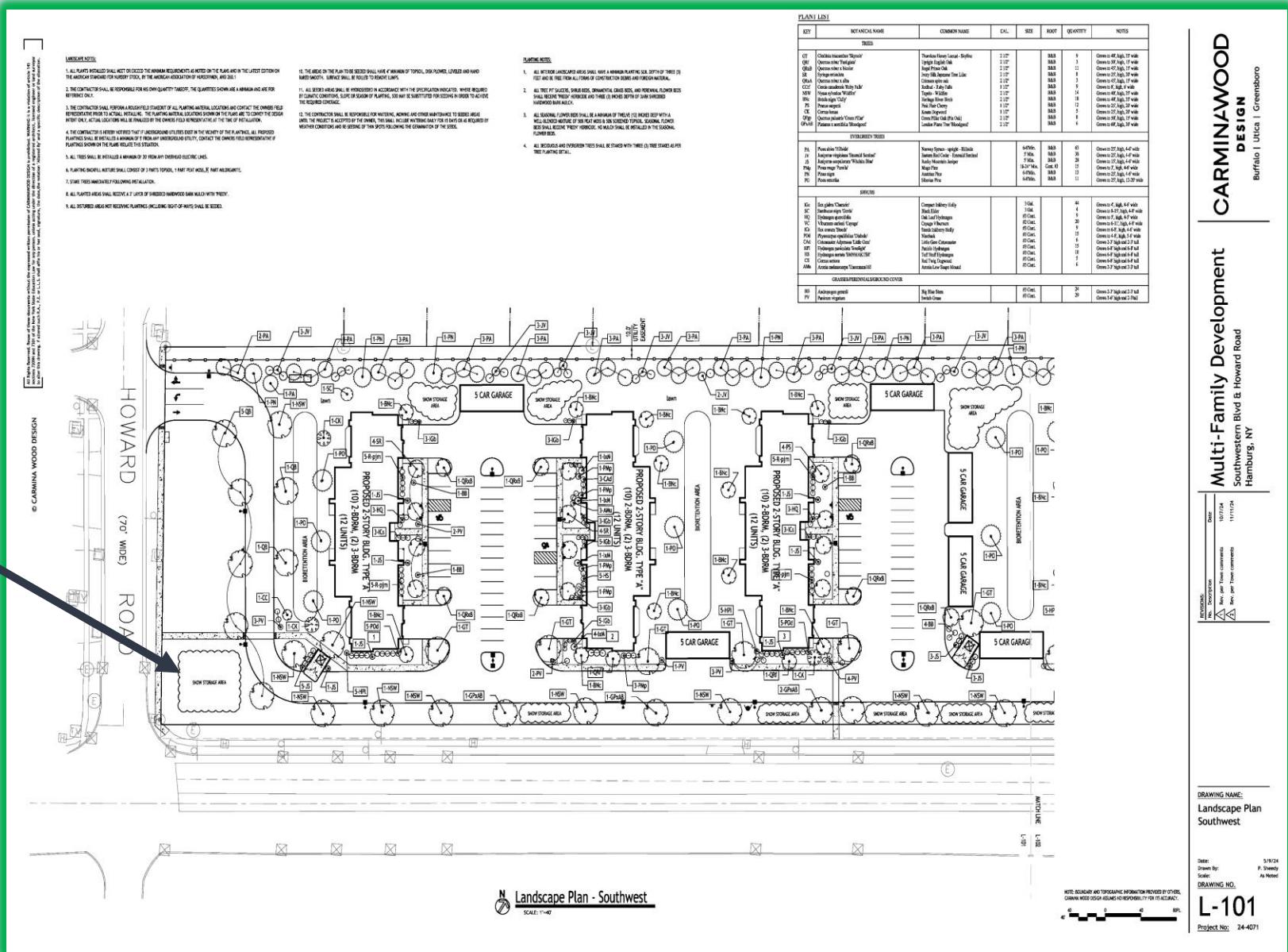
# Updated Site Plan dated October 23<sup>rd</sup>:

- 4. The driveway connection to Howard Road has been modified to include two (2) exiting lanes.
- 5. The three enclosed dumpsters were relocated from the rear site of the Project Site to the front side of the Project Site as requested by the Planning Board. Additionally, the dumpsters will also be screened with landscaping as depicted on the updated Landscape Plans [Drawings L-101, L-102 & L-103].
- 6. Truck Turn Plan [Drawing T-100] prepared to demonstrate that the project layout complies with the emergency access standards per Appendix D of the NYS Fire Code.
- 7. Location of the two proposed private fire hydrants added that will provide coverage for buildings within the 400 ft. requirement.



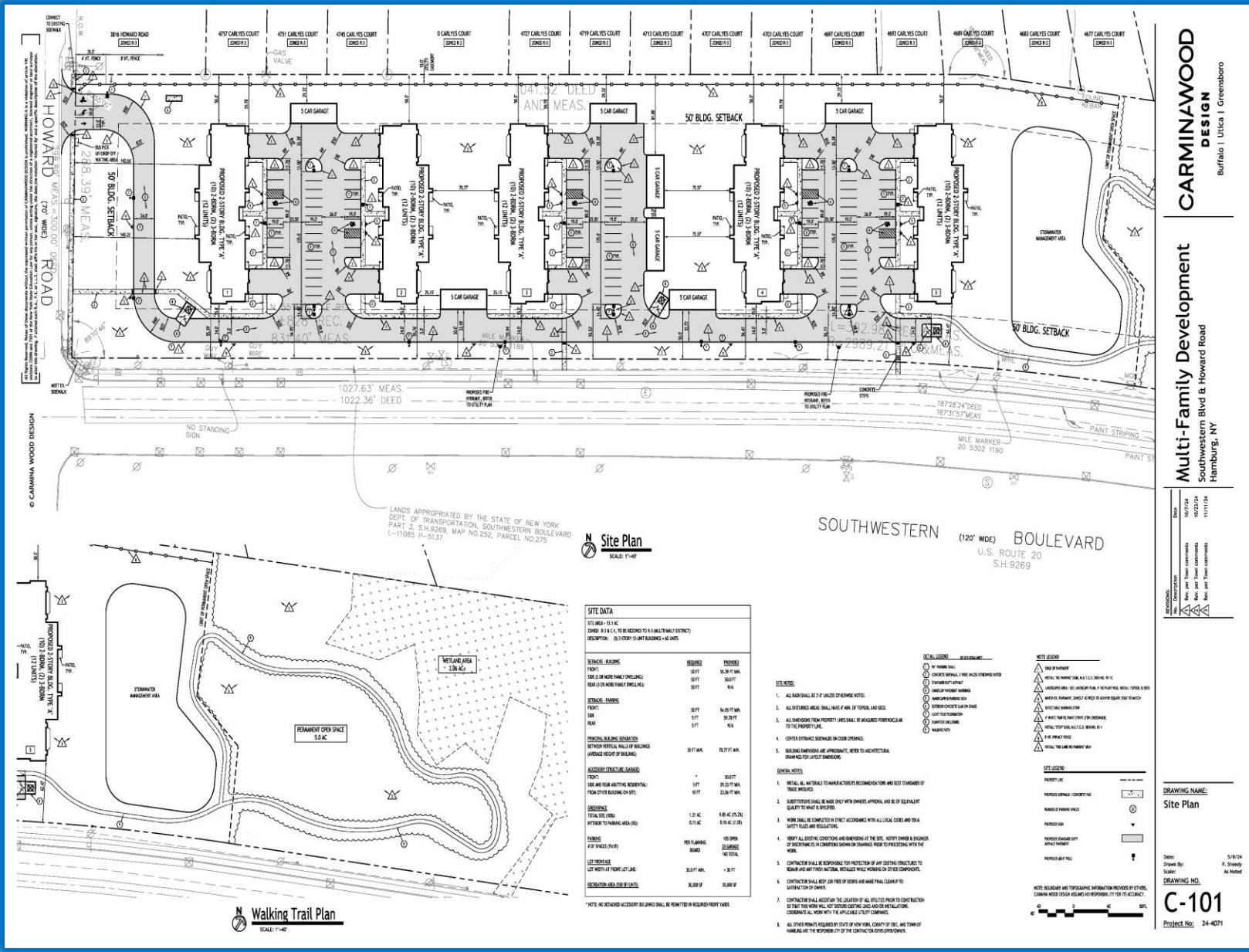
# Updated Site Plan Submission dated November 9<sup>th</sup>

- **Responses to Planning Board Comments:**
- **Comment No. 1:** Show snow storage areas on the Landscape Plan.
- **Response:** 12 snow storage areas have been added to the updated Landscape Plans as requested.



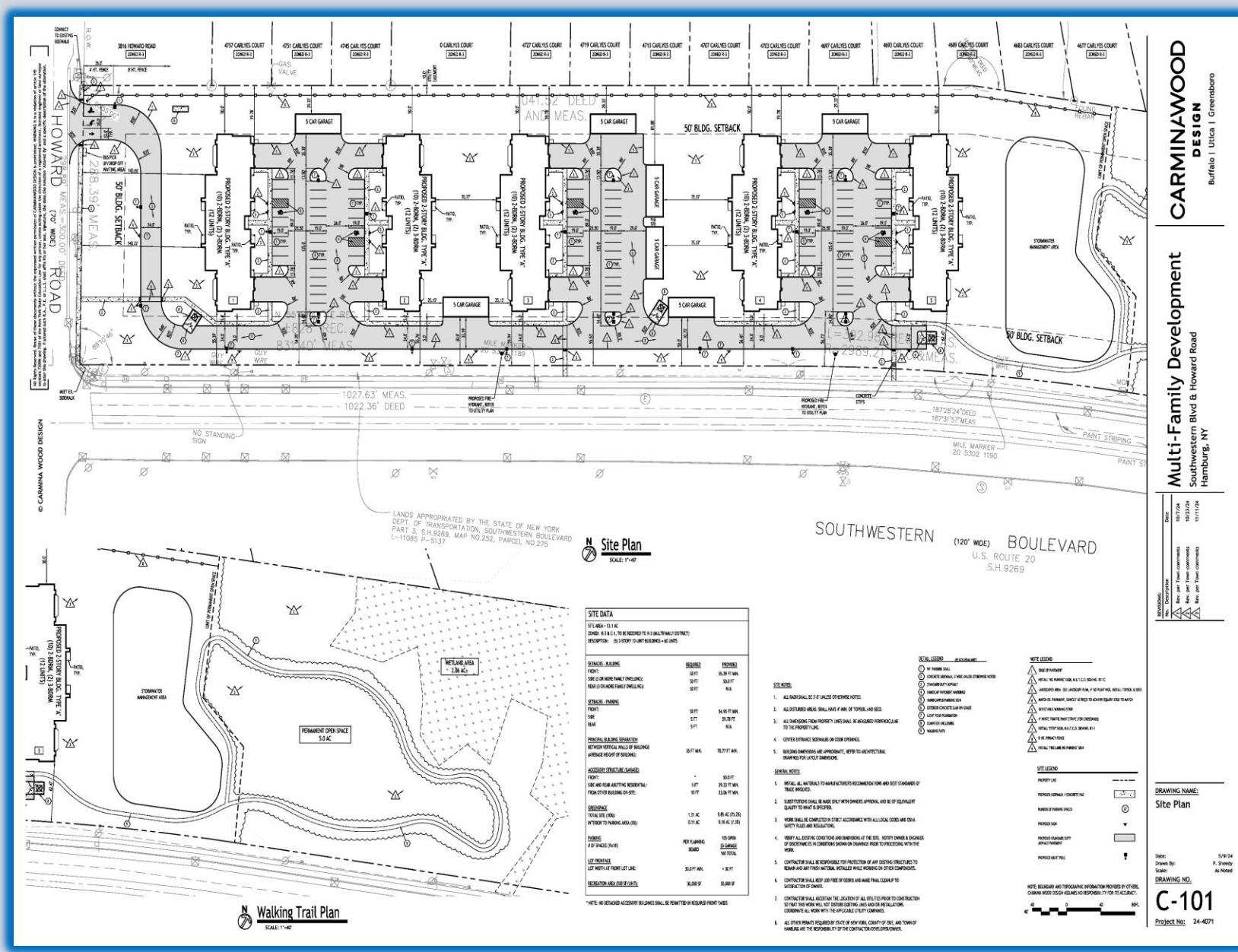
# Updated Site Plan Submission dated November 9<sup>th</sup>

- **Comment No. 2:** Show school bus pick up and drop off area near Howard Road driveway.
- **Response:** A 4 ft. by 8 ft. bus stop pick up/drop off area has been added adjacent to the western side driveway connection on Howard connected to the proposed public sidewalk extension along Howard on the Site Plan Drawings.
- **Comment No. 3:** Extend sidewalk on Howard to the western boundary of the project site.
- **Response:** The sidewalk has been extended to the western boundary as shown on the updated Site Plan Drawings.



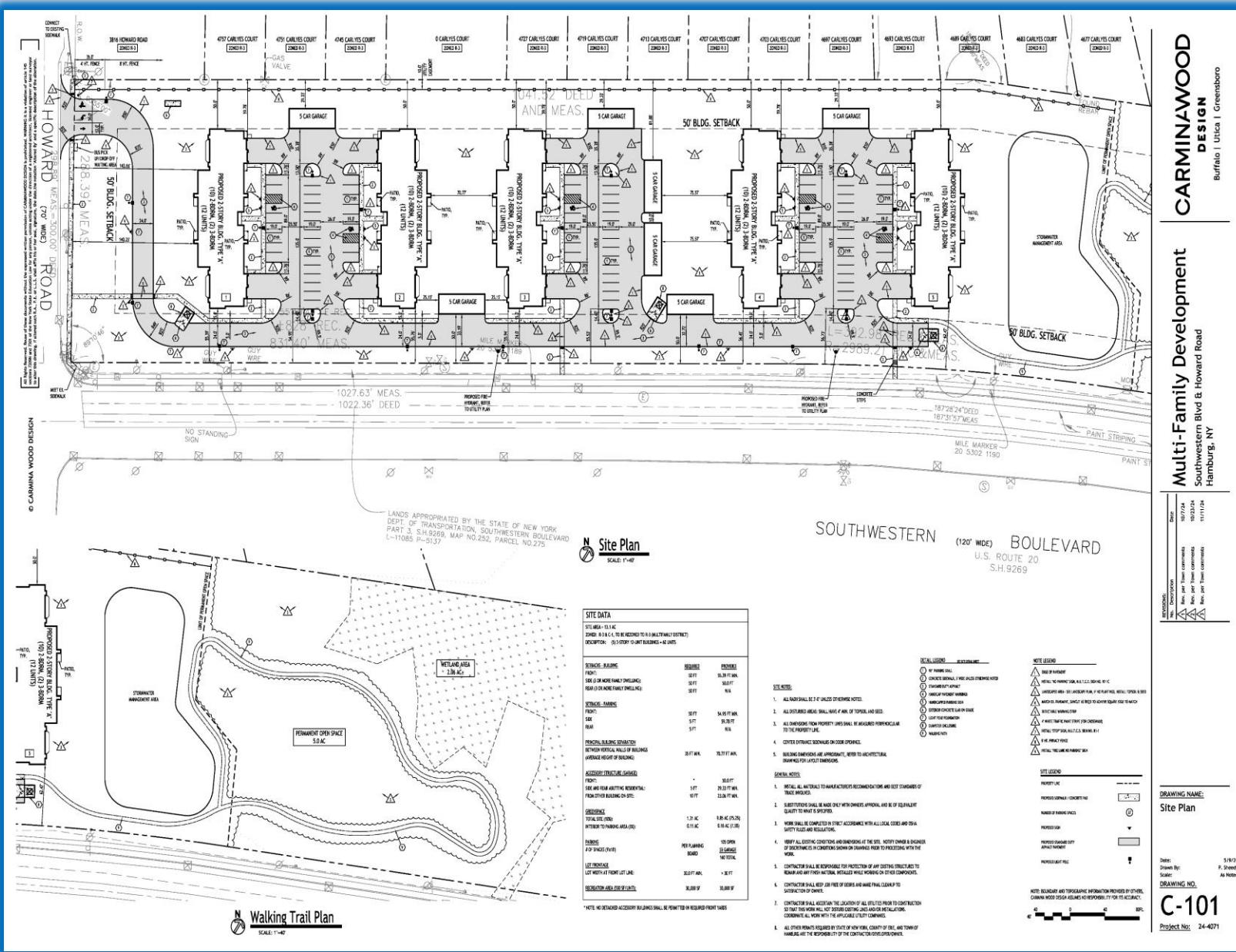
**E-MAIL FROM CHRIS HULL (BIG TREE  
VFC CHIEF) DATED OCTOBER 1, 2024:**

- Comment No. 1:** We are unable to note any additional hydrants for this project. Please provide hydrant placement(s). If none are added then a request would be to add a hydrant on at least a 12-inch main located near the third building on the Southwestern side of the access road.
- Response:** Two private fire hydrants were previously added to the Site Plan drawings on October 9<sup>th</sup> as previously submitted to the Planning Department. The proposed waterline service will be an 8" service, this size is adequate to serve the proposed buildings and private hydrants. Any larger diameter size waterline is not typical for residential or multi-family developments and typically used for transmission lines and not service lines.
- Comment No. 2:** We are also requesting enough room to be able to make the turns in each apartment build lot for our apparatus.
- Response:** A fire truck turning plan was previously submitted on October 9<sup>th</sup>.



**E-MAIL FROM CHRIS HULL (BIG TREE  
VFC CHIEF) DATED OCTOBER 1, 2024:**

- **Comment No. 3:** *Questioning if the end of Howard Road that leads into Southwestern Blvd should be widened and a left had turn lane added for traffic safety and volume.*
- **Response:** The driveway connection was previously widened to a 3 lane (1 ingress, 2 egress) as shown on the Site Plan Drawings previously submitted on October 9th.
- **Comment No. 4:** *Requesting no parking signs be added to the complex road to help prevent parking issues that create congestion in needed responses.*
- **Response:** Fire Lane no parking signs were previously added to the Site Plan Drawings submitted on October 9th.

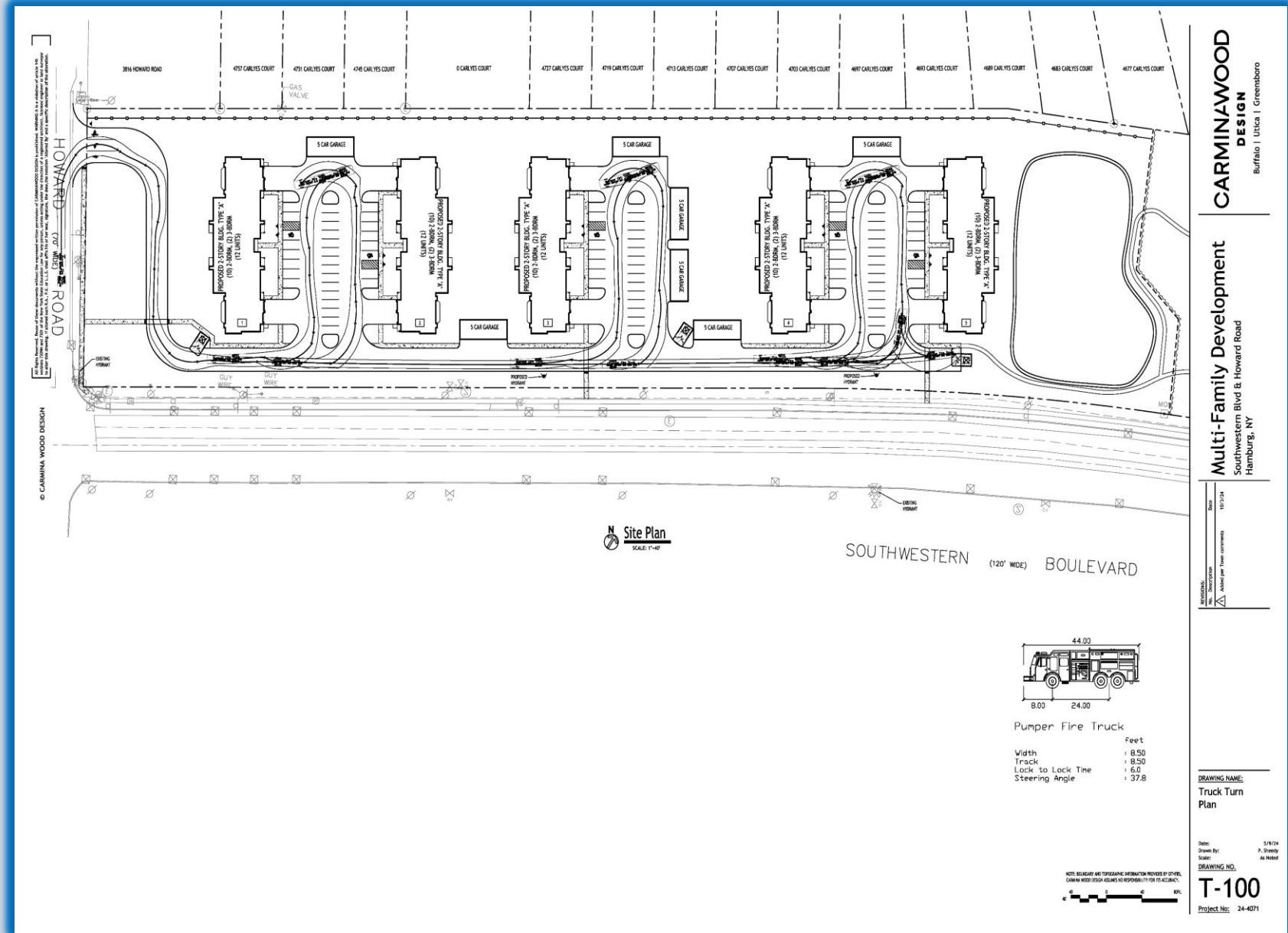


# Truck Turn Plan

## [Drawing T-100]

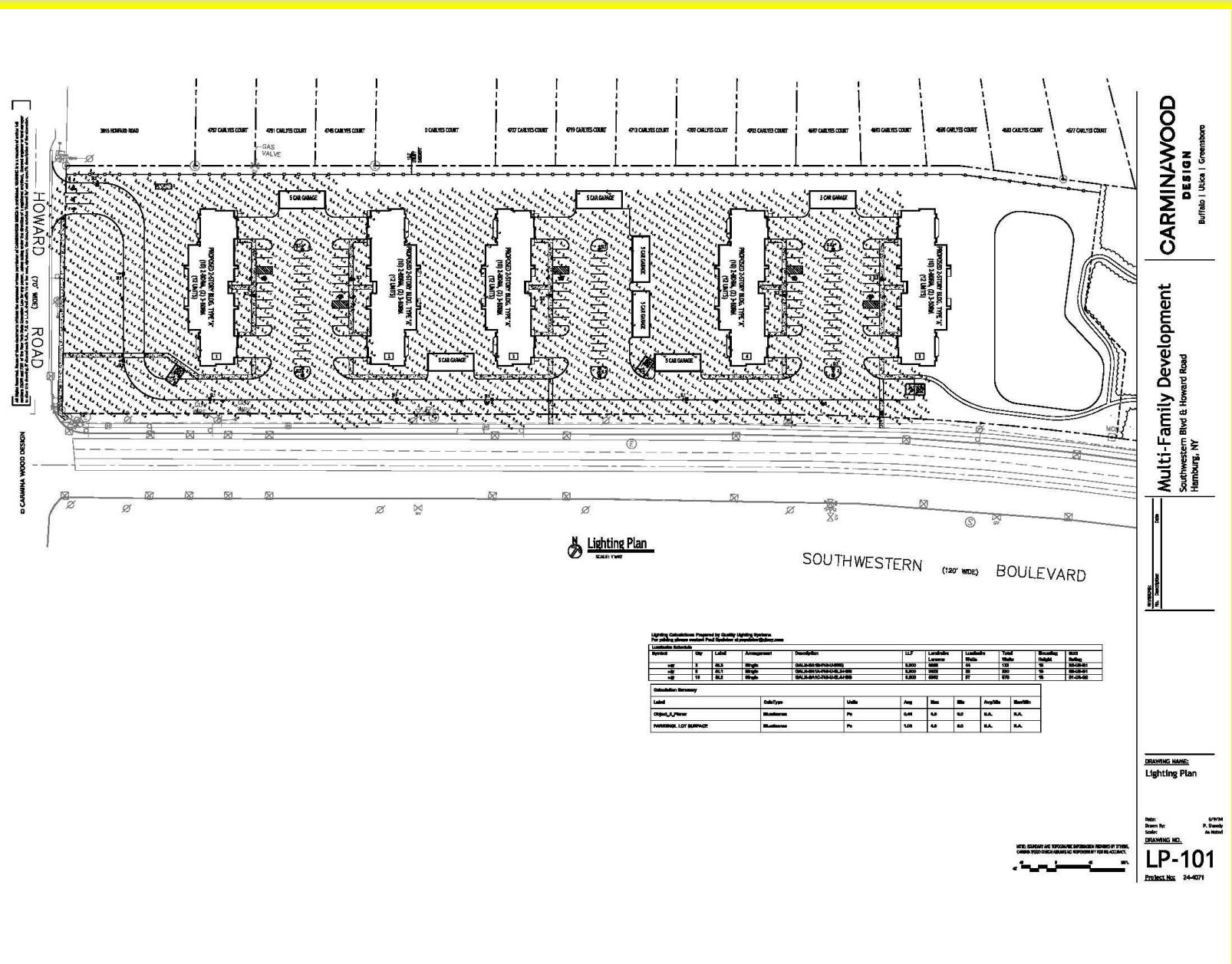
### dated October 3rd:

- Demonstrates compliance with Appendix D of the NYS Fire Code.



# Lighting Plan [Drawing LP-101]:

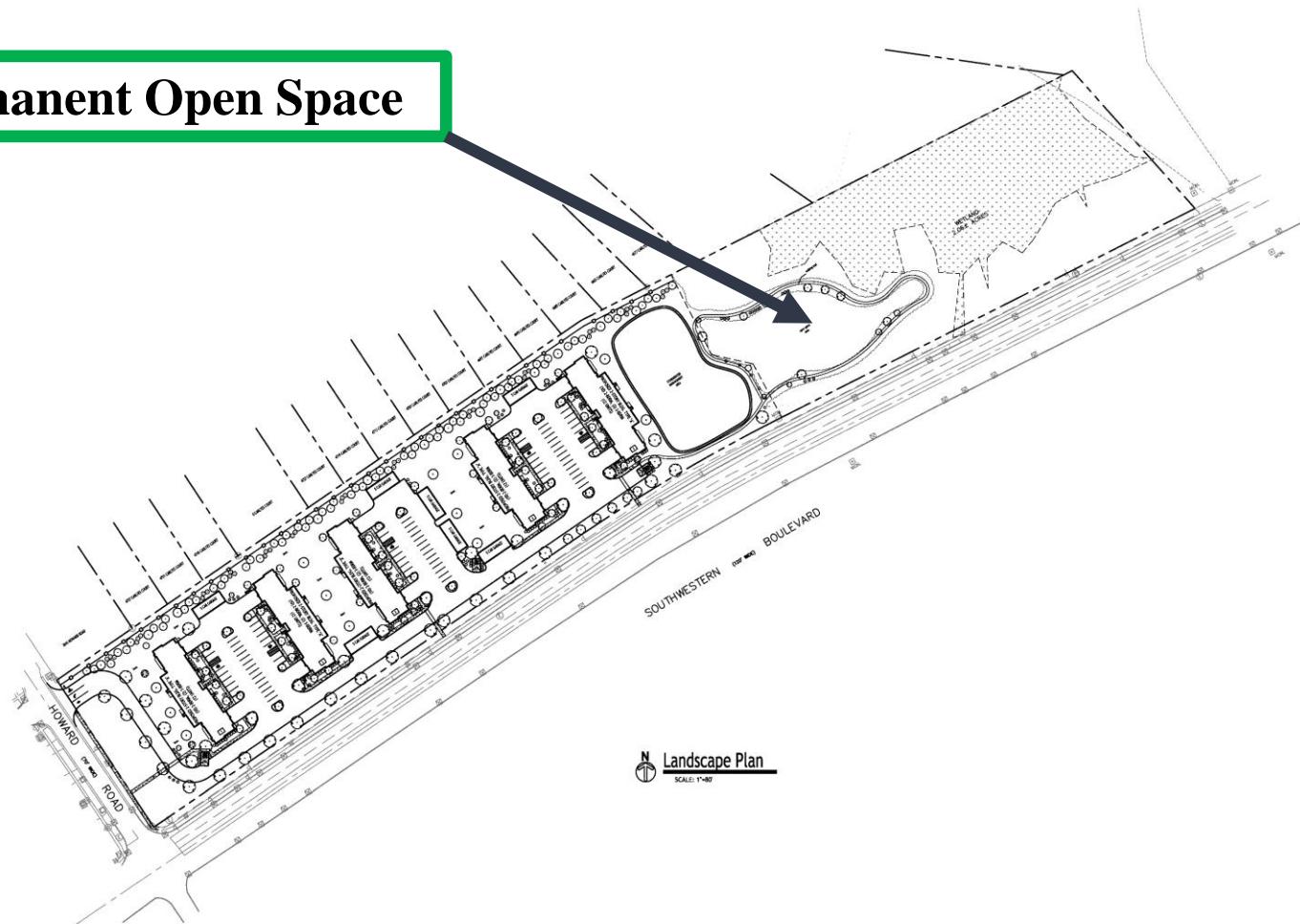
- Dark Sky Compliant Lighting Plan
- No lighting spillover onto adjacent properties



## Overall Landscape Plan [Drawing L-100]:

- 295 Trees
- 143 Bushes & Shrubs
- 53 Ornamental Grass and Perennials
- Approximately 5 acres of Permanent Open Space

Permanent Open Space



# **Landscape Plan – Southwest [Drawing L-100]:**

**LAWSUIT**

1. ALL PLAYERS SHALL MEET OR EXCEED THE AMERICAN DISABILITY ACT STANDARDS ON THE AIRPORT AND IN THE AIRPORT ON THE AIRPORT TERMINAL AND IN THE AIRPORT ACCESSIBLE TO PERSONS WITH DISABILITIES.

2. THE TERMINAL SHALL BE IMPROVED FOR PERSONS WITH DISABILITIES, INCLUDING THAT THERE ARE A BARRIER AND AN ELEVATOR.

3. THE CONTRACTUAL AGREEMENTS OF ALL PLAYERS SHALL REQUIRE EACH CONTRACTOR TO MAKE THE AIRPORT ACCESSIBLE TO PERSONS WITH DISABILITIES. THE PLAYING SURFACE, LOCATIONS DOWN THE AIRPORT TO SUPPORT THE DESIGN OF THE AIRPORT, ACTUAL LOCATION SHALL BE SUPPORTED BY THE OWNER/TENANT/HOLDER ON THE AIRPORT TERMINAL.

4. ALL PLAYERS SHALL BE A MEMBER OF A TEAM OF PERSONS WITH DISABILITIES, CONTRACTS WITH THE AIRPORT TERMINAL, AND PLACEMENTS SHOWING THE AIRPORT TERMINAL THE INABILITY.

5. ALL TEAMS SHALL BE PROVIDED A NUMBER OF PLACES AND EQUIPMENT FOR PERSONS WITH DISABILITIES.

6. PLAYING FACILITIES SHALL CONSTITUTE A FAIR, OPEN, AND FAIRLY PLACED PLACES.

7. SEATING SHALL BE PROVIDED FOR PLACEMENT.

8. ALL PLAYERS SHALL RECEIVE A PAYMENT OF MONEY FOR SERVICES PROVIDED WHICH MEET THEIR NEEDS.

9. ALL INSTITUTIONS AND/OR BUSINESSES PROVIDED PLACEMENTS WHICH MEET THEIR NEEDS SHALL BE USED.

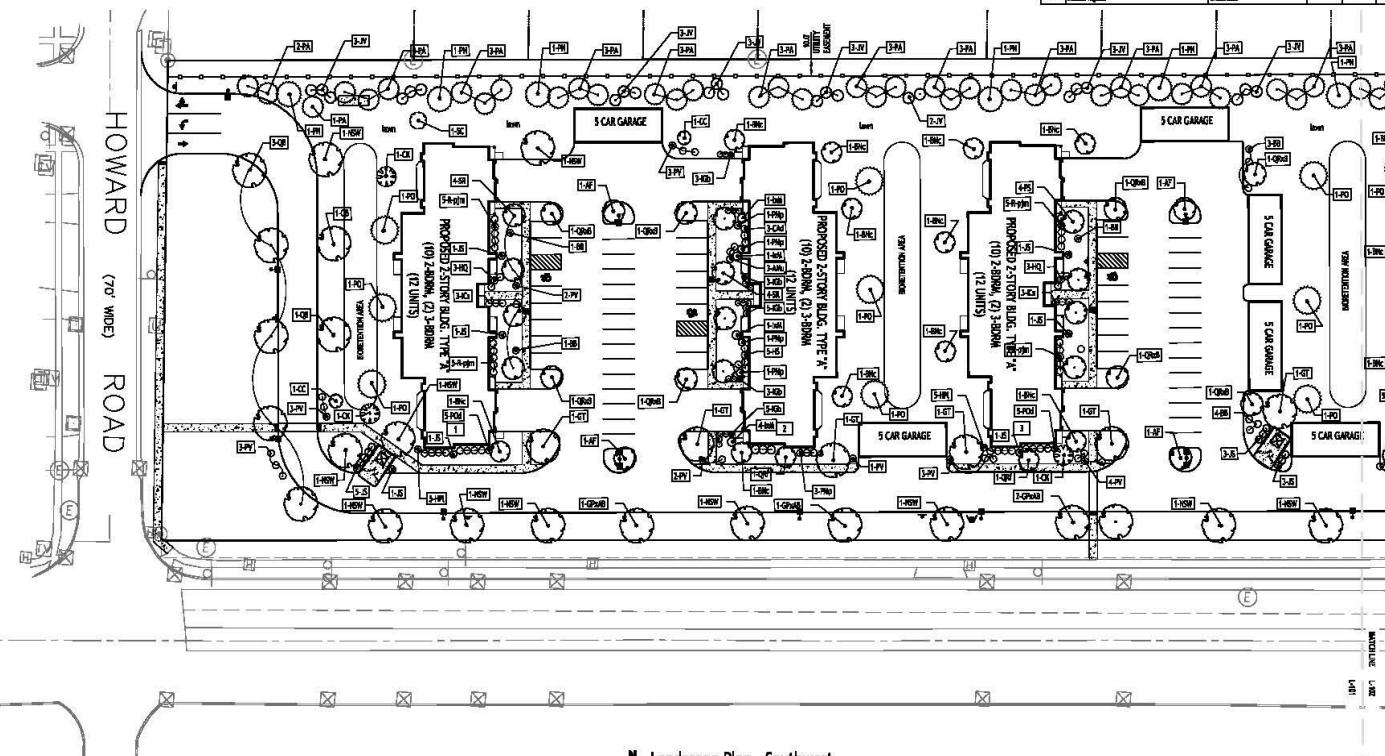
18. THE APPLICANT OR PLANT IS TO BE SHOWN NAME & ADDRESS OF TOYER, DEP. PLANT, LIAISON AND NAME  
AND ADDRESS OF THE SOURCE PLANT LOCATED TO RECEIVE LATE.

19. ALL DESIGN DRAWINGS ARE TO BE SUBMITTED IN ACCORDANCE WITH THE SPECIFICATION POSITION, WHERE REQUIRED  
SPECIFICATIONS ARE TO BE SUBMITTED IN SOURCE OF PLANT, AND BE SUBMITTED FOR REVIEW AND APPROVAL TO ACHIEVE  
THE REQUIRED DRAWINGS.

20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MACHINES, TOOLS AND OTHER EQUIPMENT TO BE USED  
IN THE WORK. IF EQUIPMENT IS ACCEPTED BY THE OWNER, THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR 120 DAYS OR AS REQUIRED BY  
WEATHER CONDITIONS AND RE-DELIVERY OF THIS EQUIPMENT FOLLOWING THE COMPLETION OF THE WORK.

**PLANTING REQUIREMENTS:**

1. ALL NEWLY LANDSCAPED AREAS SHALL HAVE A DEDICATED PLANTING BED, EXCEPT IN CASES OF THREE (3) FEET AND BE FREE FROM ALL FORMS OF CONSTRUCTION WASTE AND FOREIGN MATERIAL.
2. ALL TREE PLANTINGS SHALL BE, CHAMPIGNON, GRASS SEED, AND POTENTIAL FLORAL SEED, EXCEPT THOSE SPECIES WHICH ARE THREE (3) FEET IN DIAMETER OR GREATER, WHICH SHALL HAVE A DEDICATED PLANTING BED.
3. ALL NEWLY PLANTED SEED BEDS SHALL BE A MINIMUM OF ONE (1) INCH DEEP WITH A THIN, EVEN LAYER OF SOIL, WHICH MAY NOT EXCEED ONE (1) INCH DEEP. SOIL, LEAVES, LEAVES SHALL BECOME "WILTING" PERIODS, NO WILTING SHALL BE INSTANTANEOUS IN THE BUNDLED PLANT BEDS.
4. ALL REEDS AND BUNDLED TREES SHALL BE STABBED WITH THREE (3) TIE STAKES AS PER THE PLANTING PLANS.



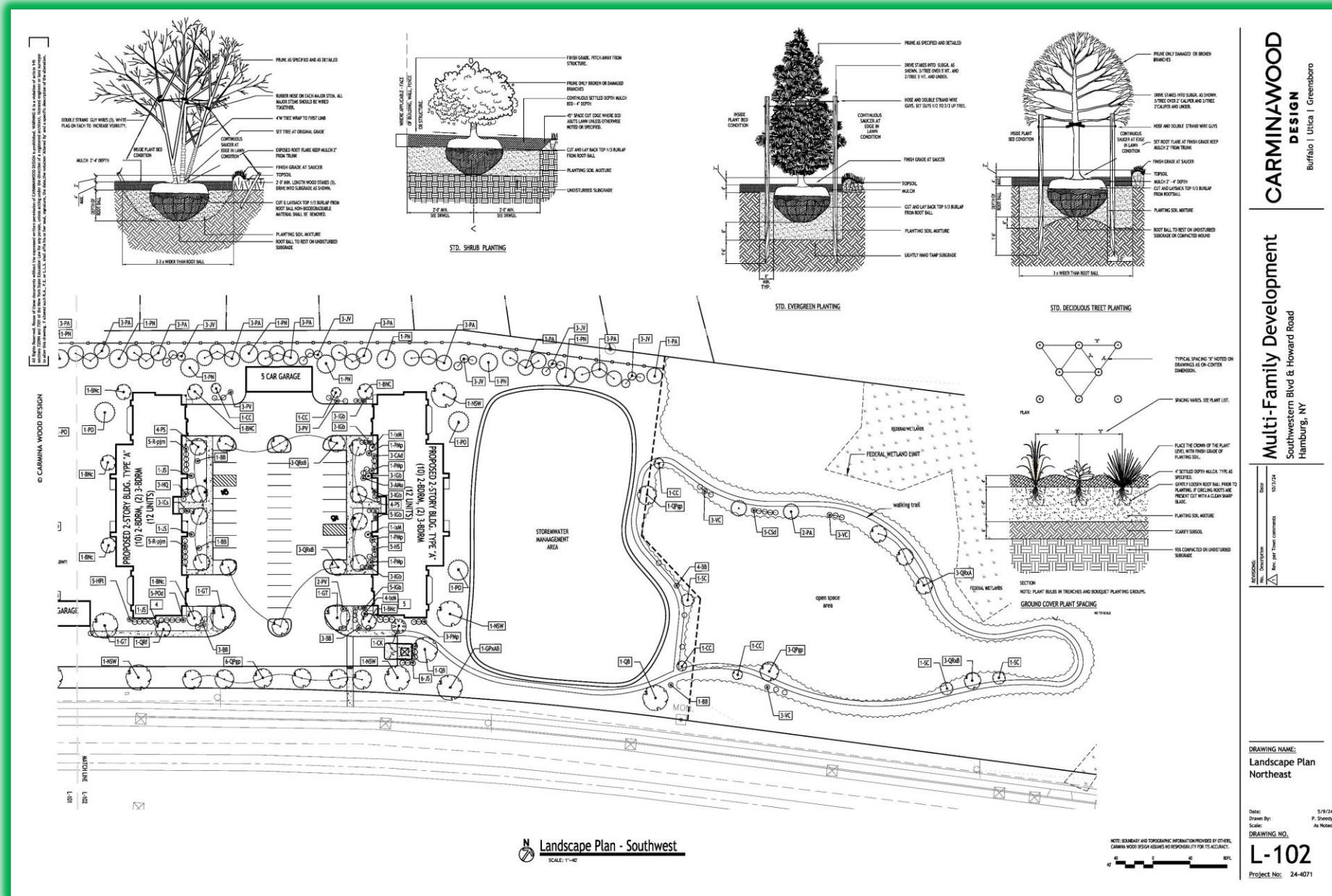
 Landscape Plan - Southwest

DRAWING NAME:  
**Landscape Plan  
Southwest**

Date: 5/17/24  
Drawn By: P. Shandy  
Scale: As Noted  
DRAWING NO.  
**L-101**  
Project No. 24-4071

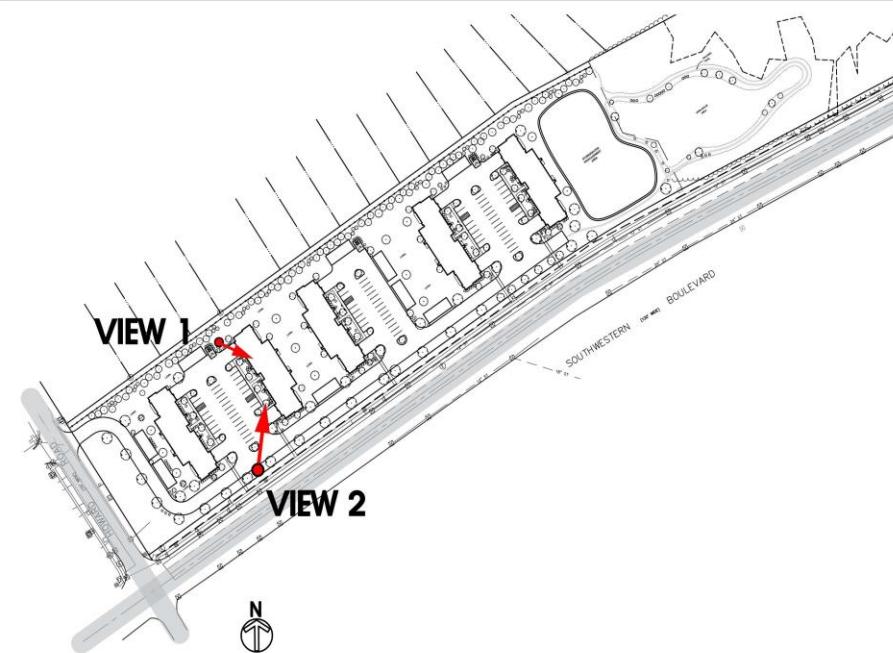
2007

# Landscape Plan – Northeast [Drawing L-102]:



**Color Building Rendering Plan  
prepared by Sutton Architecture:  
dated September 5, 2024, based on  
input from the Town Board:**

- 1. Bump out with a depth of approximately 1 ft. was added on the front elevation of the building
- 2. Bump out with a depth of approximately 2.5 ft. was added on the sides of the building.
- 3. The brick water table was wrapped around the Southwestern Boulevard side of the building.
- 4. Four different colors and building materials have been utilized consisting of cedar impression siding, two tone siding and the brick water table.
- 5. Brick on the front façade has been increased for the entry of the first floor.
- 6. Metal railings have been added to the balconies instead of wood as previously depicted.



VIEW 1 (EAST)



VIEW 2 (NORTH)

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**Multi-Family Development  
Howard Rd & Southwestern Blvd  
Orchard Park, New York  
9.5.2024**

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**CARMINA WOOD  
DESIGN**







## Recent Successes:

### Orchard Grove Apartment Homes:

- 150-Unit Luxury Multifamily Community
  - Orchard Park, NY
  - Mixture of Apartments and Townhomes with attached garages
  - Completed in 2022
- Amenities include a clubhouse, fitness center, dog park, pickle ball courts, outdoor firepit

### Walnut Grove Apartment Homes:

- 55-Unit Luxury Multifamily Community
  - Williamsville, NY
  - Mixture of Apartments and Townhomes with attached garages
  - Completed in 2017

### Avalon Townhomes:

- 13-Unit Luxury Townhome Community
  - Amherst, NY
  - Completed in 2015

### 62 North Townhomes:

- 16-Unit Townhome Community
  - Amherst, NY
  - Completed in 2022

**Portfolio is 100% leased with waiting lists**

# **Planning Board's Previous Review:**

## **Planning Board Review:**

- Initial presentation to the Planning Board on May 17, 2023
- 3 members of the Planning Board attended in-person site tours at the Orchard Grove Apartment Homes and provided positive feedback
- The Project Sponsor proposed six (6) zoning condition in connection with the proposed downzoning of the C-1 zoned portion of the Project Site:

## **Planning Board Favorable Recommendation:**

- During the meeting of the Planning Board on November 1, 2023, the Planning Board adopted a resolution recommending the Town Board approve the request to rezone the western 6.88 acres of the Project Site from (C-1) Local Retail Business District to (R-3) Residential Multifamily District subject to six (6) zoning conditions proposed by the Project Sponsor
- Planning Board also recommended that the Town Board issue a Negative Declaration pursuant to the State Environmental Quality Review Act (“SEQRA”)

## **The 14 Zoning Conditions Imposed by the Town Board on September 9, 2024:**

- 1. The maximum height of buildings to be constructed on the Project Site shall be limited to two-stories and thirty-five feet.
- 2. There shall be no more than sixty (60) residential units permitted on the Project Site and the maximum number of units per building shall be limited to twelve (12) units.
- 3. The multifamily buildings shall be located such that shorter end sides of the buildings shall be oriented towards the rear boundary of the Project Site with parking spaces to be located between the buildings as depicted on the Concept Site Plan [Drawing C-100] prepared by Carmina Wood Design dated May 9, 2024.
- 4. There shall not be any second-floor windows or balconies on the shorter end side of the buildings to be oriented towards the rear boundary of the Project Site as required by Zoning Condition No. 3.
- 5. The required setback of the multifamily buildings from the rear boundary of the Project Site shall be fifty (50) feet.
- 6. An eight-foot-tall fence shall be installed on rear portion of the Project Site from the demarcation line of the proposed Permanent Open Space to the Right-of-Way along Howard Road. The fencing height shall reduce to 4 feet tall for the 35 ft. distance closest to the Howard Road Right-of-Way to facilitate vehicular visibility and safety along the Howard Road access driveway.

## **The 14 Zoning Conditions Imposed by the Town Board on September 9, 2024:**

- 7. A staggered row of evergreen trees with a minimum planting height of six feet at the time of planting and a planting separation of fifteen feet shall be installed on the inside portion of the fence to be installed on the rear portion of the Project Site pursuant to the terms and conditions of Condition No. 6 above.
- 8. All dumpsters to be located on the Project Site shall be enclosed by a six-foot-tall fence in accordance with Town requirements.
- 9. A stormwater management system shall be installed on the Project Site in connection with the project complying with applicable standards including the handling of a 100-yr storm event.
- 10. Approximately five acres of the Project Site as depicted on the current Concept Site Plan [Drawing C-100] prepared by Carmina Wood Design dated May 8, 2024, shall consist of Permanent Open Space to be protected via the recording of a Declaration of Restrictions at the Erie County Clerk's Office. The Declaration of Restrictions shall contain language prohibiting buildings, parking spaces, access aisles, driveways and accessory buildings within the Permanent Open Space, to be approved by the Town Legal Department.
- 11. Lighting will be provided on the sides of the building facing Southwestern Boulevard.
- 12. Dark sky compliant lighting will be provided for the entire project site and there will not be any lighting spillover onto the residential properties to the rear of the project site.
- 13. Sidewalk connections are to be made along Howard Road to Southwestern Boulevard, and sidewalks shall be installed as shown on the site plan submitted to the Town Board.
- 14. Site plan approval by the Planning Board is required to ensure that the above requirements are met, and other site plan issues are addressed (including landscaping, fencing, lighting, parking lot design, building aesthetics, and other site improvements).

## Conclusion:

- Requesting that the Planning Board authorize the preparation of a draft Site Plan Approval Resolution for its consideration on December 2<sup>nd</sup>
- Questions...

