

Alliance Homes Multi-Family Development Project
Intersection of Howard Road and Southwestern Boulevard
Site Plan Approval Resolution
December 4th, 2024

WHEREAS, the Town of Hamburg received a Site Plan application from ARR Holdings, LLC, requesting Site Plan Approval of a multi-family development project consisting of (5) 2-story 12-unit multi-family residential buildings and all related improvements to be located on approximately 6.88 acres of a 13.12 acre parcel of vacant land at the intersection of Howard Road and Southwestern Boulevard; and

WHEREAS, the proposed project site was the subject of a rezoning (from C-1 to R-3) process and the Town Board approved this rezoning on September 9, 2024 subject to fourteen (14) conditions; and

WHEREAS, a coordinated environmental review of the proposed rezoning and project was conducted by the Town Board in capacity as the lead agency pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board issued a Negative Declaration on September 9, 2024; and

WHEREAS, a Site Plan Application with supporting documentation was filed with the Planning Department on September 18, 2024; and

WHEREAS, the Hamburg Planning Board has reviewed the Site Plan application for the project at several meetings and held the required public hearing on November 20th, 2024, and received comments from the public and received input from Town Departments, Town Advisory Committees, and Town's consultants; and

WHEREAS, the Hamburg Planning Board has determined that the project is in accordance with the fourteen (14) conditions of the rezoning imposed by the Town Board on September 9, 2024, and the applicable sections of the Town's Codes; and

Now, Therefore Be It Resolved, that the Hamburg Planning Board grants Conditional Site Plan Approval with the following conditions:

1. Compliance with the fourteen zoning conditions imposed by the Town Board on September 9, 2024.
2. Approval is contingent upon the Engineering Department comment letter dated 12/2/2024.
3. Lighting to be installed in connection with the project shall be dark-sky compliant.
4. Sidewalk connections are to be made along Howard Road to Southwestern Boulevard, and sidewalks shall be installed as shown on the Site Plan dated 12/4/2024 by Carmina Wood Design.

5. The Landscape Plans will be referred to the CAB for review and comment and shall be approved by the Planning Department.
6. The driveway on Howard Road will contain two exiting lanes and one entering lane as depicted on the Site Plan dated 12/4/2024 by Carmina Wood Design.
7. Dumpsters will be located in the front of the Project Site as relocated per the recommendation of the Planning Board shall be fully enclosed and screened as depicted on the Landscape Plan, dated 11/11/2024 by Carmina Wood Design.
8. In accordance with Zoning Condition No. 10 imposed by the Town Board on September 9, 2024, 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 prior to recording at the Erie County Clerk's Office. A recorded copy of the Declaration of Restrictions shall be provided to the Planning Department and Town Attorney's Office upon recording at the Erie County Clerk's Office.
9. If the New York State Department of Transportation ("NYSDOT") approves a right-in right-out only driveway onto Southwestern Boulevard prior to the commencement of construction activities in furtherance of the project, then the Applicant shall be required to obtain a Highway Work Permit from NYSDOT and to construct a right-in right-out only driveway onto Southwestern Boulevard.
10. If NYSDOT approves an adjustment of the signal timing for the traffic signal at the intersection of Southwestern Boulevard and Howard Road as requested by the Town of Hamburg, then the signal timing shall be adjusted as approved by NYSDOT.
11. A trail shall be installed onto a portion of the project site as shown on the Final Overall Site Plan [Drawing C-100 - Date: 12/4/24] prepared by Carmina Wood Design and shall be installed prior to any Final Certificates of Occupancy being issued for any building to be located on the project site.
12. The property owner, including any successors, and/or assigns, shall be responsible for permanently maintaining the trail per the Final Overall Site Plan [Drawing C-100 - Date: 12/4/24] prepared by Carmina Wood Design.