



October 12, 2023

Dear Resident:

Thank you for taking the time to join us at the Community Meeting held on September 25<sup>th</sup> at our Orchard Grove residential project to discuss the proposed residential community located on Southwestern Boulevard, immediately north of Howard Road. We appreciate the productive conversation and the feedback provided by nearby property owners during the meeting.

Pursuant to our discussion during the Community Meeting, we would like to keep you informed of our progress and provide updates regarding the pending downzoning process for a portion of the Project Site.

Since hosting the Community Meeting, we have implemented additional updates to the Site Plan and subsequently presented this Site Plan to the Planning Board during its meeting held on October 4<sup>th</sup>. A copy of the current Site Plan, prepared by Carmina Wood Design updated on September 28<sup>th</sup> is attached hereto as **Exhibit “1”**.

#### **SITE PLAN UPDATES:**

In accordance with feedback received during the Community Meeting, Alliance Homes implemented the following updates to the Site Plan:

1. Extended the 6-foot-tall fence section from Howard Road along the northern property line to the limits of the proposed Permanent Open Space.
2. Maintained the existing intensive landscape buffer along the northern property line for the purposes of providing privacy, visual screening, and noise attenuation. Pursuant to neighbors' request, the landscape buffer is specified on the Site Plan as a staggered row of evergreen trees to provide year round screening benefits.
3. Established dumpster locations along the southeastern property line, away from the neighboring properties on Carlyes Court. The dumpsters will be fully enclosed per the requirements of the Town of Hamburg.

The following elements discussed during the Community Meeting will remain as proposed:

1. Maintain the 65 ft. building setbacks along the rear property line. Please note, the current C-1 zoning classification requires only 40 ft. rear yard building setbacks. The proposed R-3 zoning classification requires 50 ft. building setbacks. Alliance Homes has proposed 65 ft. building setbacks to provide additional privacy and room for screening.

2. Maintained demarcation of 4.9 acres along the northeastern portion of the Project Site that will consist of Permanent Open Space to remain permanently undeveloped.

## **REZONING CONDITIONS:**

In addition to the Site Plan Updates described above, Alliance Homes drafted and submitted proposed rezoning conditions to the Planning Board for its review that will ensure our compliance with specific design elements depicted on the enclosed updated Site Plan. As proposed, the rezoning conditions would be included in a resolution to be adopted by the Planning Board in its advisory capacity and the Town Board as requirements for our proposed project, which will also require Site Plan Approval from the Planning Board if the pending requested downzoning of a portion of the Project Site is approved by the Town Board. A summary of proposed rezoning conditions is included below as follows:

### **1. Building Heights**

Limit the height of the buildings to be located on the Project Site to two-stories.

### **2. Property Line Screening**

Install 6-foot-tall fencing along the rear property line of the Project Site from the demarcation line of the proposed Permanent Open Space to the Right-of-Way along Howard Road. The fencing shall reduce to 4-foot-tall for the 35 ft. span closes to the Howard Road Right-of-Way to facilitate vehicular visibility and safety along the Howard Road access driveways as illustrated on the updated Concept Site Plan.

### **3. Dumpster Locations**

All dumpsters shall be located toward the front of the Project Site with a minimum rear yard setback of 100 ft. All dumpsters shall be enclosed by a 6-foot-tall fence.

### **4. Minimum Building Setback**

The rear yard setback for any buildings shall be 65 ft. from the rear property line.

### **5. Maximum Density**

There shall be no more than sixty (60) residential units permitted on the Project Site.

### **6. Open Space Requirement**

A minimum of 4.0 acres of the Project Site shall be permanently deed-restricted for open space with no option for future development consisting of buildings, parking spaces, access aisles, driveways, or accessory structures.

## **DRIVEWAY ACCESS ON HOWARD ROAD:**

On September 26<sup>th</sup>, the Town of Hamburg provided us with e-mail correspondence received from the New York State Department of Transportation (“NYSDOT”) in response to the Town of Hamburg’s SEQR Lead Agency solicitation letter pursuant to the State Environmental Quality Review Act (“SEQRA”). In the e-mail correspondence, the NYSDOT indicated to the Town of Hamburg that it does not intend to allow the driveway shown onto Southwestern Boulevard in accordance with its Access Management policy on State Highways.

Alliance Homes followed up with the NYSDOT representative to further discuss the Southwestern Boulevard driveway access and has requested that the NYSDOT re-examine its position relative to a driveway onto Southwestern Boulevard. We will continue to collaborate with NYSDOT in the interest of attempting to maintain vehicular access onto Southwestern Boulevard as depicted on the updated Site Plan.

**PLANNING BOARD PROGRESS:**

Alliance Homes will be presenting the requested downzoning of portion of the Project Site to the Planning Board during its meeting to be held at 7:00 p.m. on Wednesday, November 1<sup>st</sup>.

It is anticipated that the Planning Board will vote to adopt a resolution to provide an advisory recommendation to the Town Board regarding the proposed downzoning of a portion of the Project Site from C-1 Local Retail Business District to R-3 Multifamily Residential.

If the Planning Board adopts a resolution at the November 1<sup>st</sup> meeting, either in favor or against the proposed rezoning, the rezoning will then go before the Town Board for the purpose of holding a public hearing followed by a decision on the matter.

As always, please reach out to us if you have any questions or comments. We are available by e-mail at [bill@alliancehomes.com](mailto:bill@alliancehomes.com) or by phone at 716-646-6555.

Sincerely,

Alliance Homes  
716-646-6555  
[www.alliancehomes.com](http://www.alliancehomes.com)

Enc. [Updated Site Plan – 11” x 17” size copy]

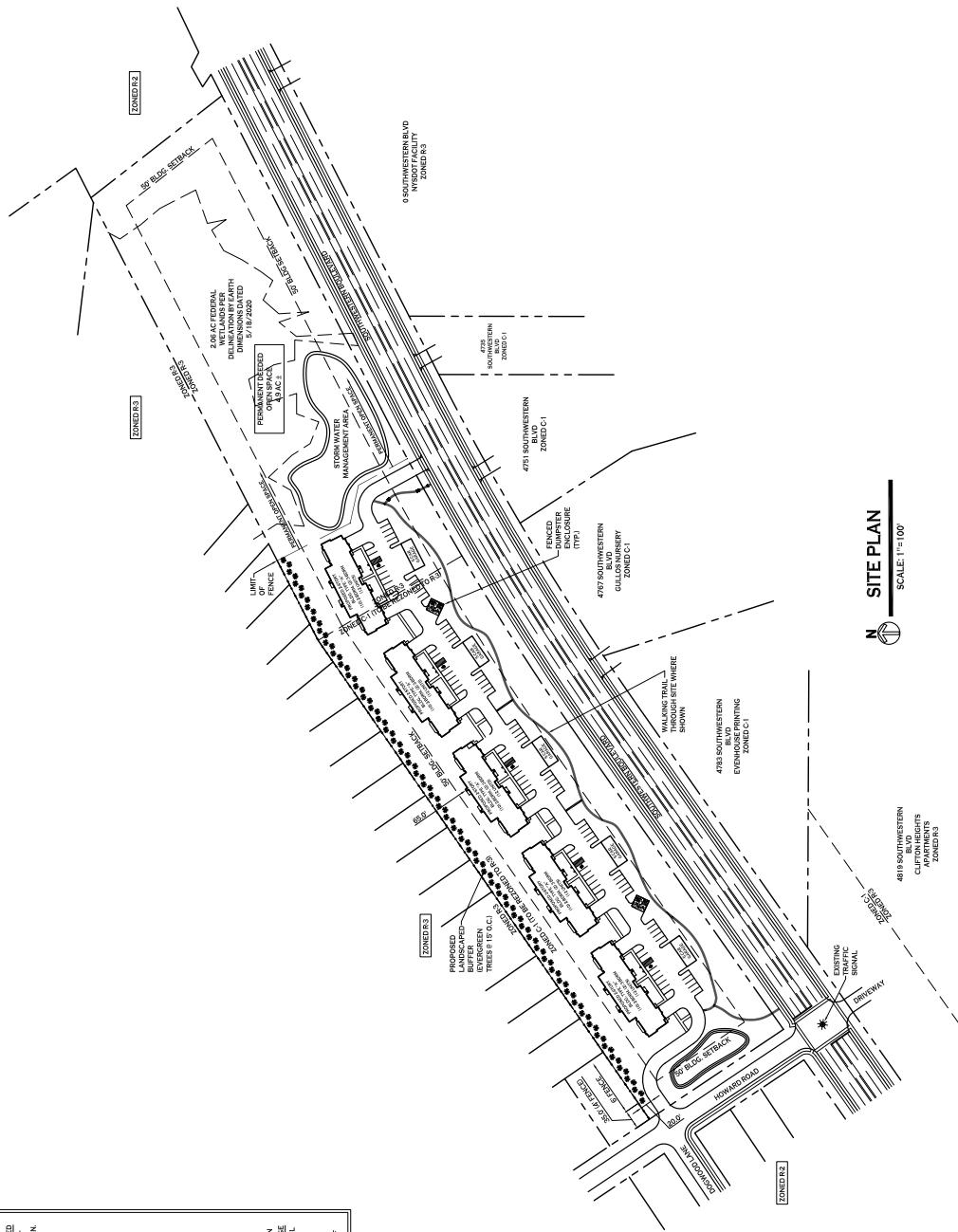
SITE DATA

SITE AREA = 13.1 AC  
 ZONED: R3 & C-1, TO BE REZONED TO R3 MULTIFAMILY DISTRICT  
 (5) 2-STORY 12-UNIT BUILDINGS = 60 UNITS  
 DESCRIPTION:

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

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to show that this damping is limited by the  $\tau_{\text{d}}$  of the system. For  $\tau_{\text{d}} < \tau_{\text{d}}$ , the damping is not sufficient to damp the system. For  $\tau_{\text{d}} > \tau_{\text{d}}$ , the damping is sufficient to damp the system. For  $\tau_{\text{d}} = \tau_{\text{d}}$ , the damping is exactly right.



## SITE PLAN

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NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS, CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

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