

TOWN OF HAMBURG PLANNING BOARD MINUTES

1-15-75

ACTIONS TAKEN

MARINE MIDLAND BANK  
LAKEWOOD & LAKE SHORE

Site Plan Review.  
Nonconforming building.  
Apply to Zoning Board  
for variance.

WILDWOOD SUBDIVISION PART II  
WILDWOOD & PLEASANT AVENUE

No one appeared.

GALLERY OF HOMES  
415 SOUTH PARK AVENUE

Site Plan Review.  
Site Plan to conform  
to Zoning Code.

JAY MILLIGAN  
PLEASANT AVE. & SOUTHWESTERN

Site Plan Review.  
Approved, contingent on  
grass area being labled.

TONY MARINO  
NORTH CREEK & STAFFEHL DRIVE

Four lot Subdivision.  
Legal Description to be  
submitted.

JOHN & SEBASTION JACOBI  
442 CAMP ROAD

Site Plan Review.  
Approved, contingent on  
curbing labled & 20'  
driveway.

REZONING APPLICATIONS

WEST-HERR FORD, INC.  
CORNER SOWLES RD. & CAMP RD.  
R-2 & R-F - Hwy. Commercial

Recommend to Town Board  
rezoning as same complies  
with Land Use Plan.

PETER J. AGLIATA  
SOUTHWESTERN BOULEVARD  
R-F - Highway Commercial

Tabled for on-sight  
inspection.

TABLED ITEMS

John Bosse - Tim Tam Meadows, Milestrip, Horton & Neff  
Robert Loomis - Mobile Camping Park, Milestrip Road.

PENDING ITEMS

Anthony Castiglia - Surfside Pizzeria, Lake Shore Road.  
Pony Post - Abbott Road and Willet.  
Al Conte - 4889 Lake Avenue.

TOWN OF HAMBURG PLANNING BOARD MINUTES

1-15-75

The Town of Hamburg Planning Board members met in regular session on Wednesday, 1-15-75, 7:30 p.m. Board members voted in the following:

Lester Weinheimer	- Chairman
Eugene Recla	- Vice-Chairman
Karen Sherwood	- Secretary

The Town Board appointed Julianne J. Howes as a member of the Planning Board at their Organizational Meeting of 1-6-75.

Presiding at the meeting of 1-15-75 was Chairman Weinheimer, others present: Mr. Recla, Mrs. Sherwood, Mr. Will, Mr. Sipprell, Mrs. Howes, Mr. Schlehr, Building Inspector Lauchert, Consultant Dawson, Attorney Benzinger and Mrs. Beale, stenographer.

MARINE MIDLAND BANK - LAKEWOOD & LAKE SHORE ROAD

Mr. Jerry Ruhl and Mr. Robert Culm appeared before the Board and presented a Site Plan covering the above property. Mr. Culm advised the Board that the existing building was previously a Texaco Service Station and is located next to the Bell's Market on Lake Shore Road. He explained that Marine Midland Bank is leasing the existing building and site and moving the existing Wanakah Branch to this location. The Bank request permission to remodel the existing building; add a small entrance and add a canopy at the rear of the building which will be used as a visual auto teller.

Chairman Weinheimer advised Mr. Ruhl and Mr. Culm that a variance will be needed because of the rear setback and it is, therefore, necessary to apply to the Zoning Board of Appeals for the necessary variance.

Mr. Culm asked to be placed on the Planning Board agenda of February 12, 1975 as they will complete the necessary application for the Zoning Board of Appeals meeting of Feb. 4, 1975.

Mrs. Sherwood advised the Board because of a conflict of interest she will not vote on this application.

Motion was made by Mr. Will to deny this application and advise applicant's to apply to the Zoning Board of Appeals for their decision; also advise applicant's to designate bumper curbs on Site Plan; seconded by Mr. Schlehr. Carried. Planning Board favorable to this application.

GALLERY OF HOMES - 415 SOUTH PARK AVENUE

Mr. Tom Smith, Sales Manager for Gallery of Homes and John Robshaw, Esq. appeared before the Board and submitted a Site Plan for review.

Attorney Robshaw advised the Board that the garage at the rear of the property will be removed in the near future and the driveway will be completed as soon as the weather permits.

The following Zoning Code requirements were brought to the attention of Mr. Smith and Attorney Robshaw:

§ 29-21, G Design requirements for off-street parking and truck-loading areas.

- (3) All aisles within parking areas shall have a minimum width of twenty-four (24) feet when the parking spaces are at a ninety-degree (90°) angle with the driveway; eighteen (18) feet when the parking spaces are at sixty degrees (60°); and twelve (12) feet when the parking spaces are at forty-five degrees (45°).
- (6) Accessory off-street parking areas shall be marked off into parking spaces with a minimum width of ten (10) feet, and a minimum length of twenty (20) feet; or, in the case of parking spaces for trucks or special equipment, parking spaces of a minimum size to be determined by the municipality based on the nature of the parked vehicle.

Applicant to be advised that Site Plan must conform to the Zoning Code re: § 29-21 G paragraph (3) and (6); 7 parking spaces to be provided.

JAY MILLIGAN - PLEASANT AVENUE & SOUTHWESTERN BOULEVARD

Mr. Michael Macaluso of Macaluso Building Corporation appeared before the Board regarding construction of metal building at 1901 Pleasant Avenue for JM Productions, Inc. Mr. Macaluso advised the Board that Mr. Jay Milligan is requesting a building 60' x 100' for storage of his cars and transport-trailers used for his American Thrill Show.

The Site Plan submitted also included adjoining property at 5831 Southwestern Building which is an existing building formerly used for a gas station which Mr. Milligan wishes to remodel for an office.

The Zoning Board of Appeals at their meeting of 1-7-75 granted

JAY MILLIGAN - PLEASANT AVE. & SOUTHWESTERN BLVD. - Cont'd.:

a variance of 5' in the rear yard setback for the construction of the building 60' x 100' to be located on Pleasant Avenue; also granted a variance of 9' in front yard setback and 9' variance in rear yard setback for remodeling existing building at 5831 Southwestern Boulevard because of the triangular shape of the lot.

Motion was made by Mr. Recla to approve Site Plan contingent on grass area being so labeled; seconded by Mr. Will. Carried.

TONY MARINO - 4 LOT SUBDIVISION - NORTH CREEK RD. & STAFFEHL DR.

Mr. Marino appeared before the Board regarding the above 4 Lot Subdivision which is cut almost in half by the N. Y. State Thruway.

Mr. Marino advised the Board that Lot's 1 thru 3 have already been sold and further stated that there is a gas line easement at the rear of these lots. Lot four (4) which is north of the Thruway was discussed and the Board asked Mr. Marino if he would deed a 50' strip adjacent to the Thruway running the length of this lot to the Town of Hamburg. As this lot has 191.91' frontage on Staffehl Drive, Mr. Marino asked if the Board would accept a 25' strip starting in the southeasterly portion of the frontage on Staffehl Drive and increasing to 50' approximately 200' from this point. The Board was agreeable to this suggestion. (Lot #4 - 16.55 acres.)

Mr. Marino advised the Board that he has Erie County Health Department approval for septic systems on all four (4) lots.

Chairman Weinheimer again advised Mr. Marino that Lot #4 as shown on the General Plan falls into an area zoned Light Industrial.

The Board advised Mr. Marino to submit a Legal Description of the entire parcel and show portion in Lot 4 to be Deeded to the Town of Hamburg. This Legal Description is necessary before a Public Hearing can be scheduled.

Attorney Benzinger asked that the Town Board be notified that as lanes along the Thruway are desirable, we would have to have a history of the title along the Thruway, therefore, a survey should be made.

JOHN AND SEBASTION JACOBI - 442 CAMP ROAD

Mr. John and Sebastian Jacobi were present with Carl Radomski of Petricca & Perfetto for Site Plan Review of the property at 442 Camp Road.

JOHN AND SEBASTION JACOBI - 442 CAMP ROAD - Cont'd.:

The Zoning Board of Appeals at their meeting of 1-7-75 granted permission to remodel existing nonconforming building and to continue operation of same as a restaurant - 442 Camp Road.

Motion was made by Mr. Sipprell to approve the Site Plan contingent on driveway being 20' wide and curbing labled; seconded by Mr. Will. Carried. (Curbing in curved areas to be poured and pre-cast in straight areas.)

REZONING APPLICATIONS:

West-Herr Ford, Inc., property at the corner of Sowles Road and Camp Road, north of existing car lot on north side of Sowles Road.

The original application submitted at the Planning Board meeting of 11-27-74 was incorrect; applicant resubmitted application showing: R-F and R-2 to be rezoned to Highway Commercial.

Motion was made by Mr. Sipprell, seconded by Mr. Recla to recommend to the Town Board rezoning of this property as it conforms to the Land Use Plan.

Peter J. Agliata, property on Southwestern Boulevard approximately 1100' northeasterly of Schultz Road. Requesting rezoning from R-F to Highway Commercial.

Motion was made by Mr. Schlehr, seconded by Mr. Recla to table this application until an on-sight inspection can be made by Planning Board members.

OTHER ITEMS:

Chairman Weinheimer advised Board members that he and Mr. Recla recently attended a meeting with the Town Board and the Town Board would like the new Zoning Ordinance completed before June 1975. Also stated Mr. Greenfield is preparing a map on Town owned real-estate to be used in compiling the Recreation Map. Also stated any land donated to the Town it is a Town policy decision that it will be shown as "Deeded to the Town of Hamburg".

Building Inspector Lauchert advised the Board that the Association of Towns Meeting to be held in New York City on February 10, 11 and 12th, 1975, the Supervisor was authorized to screen applicants desiring to attend. Attorney Benzinger will attend from the Planning Board.

OTHER ITEMS - Cont'd.:

Building Inspector Jack Lauchert advised the Board that the Land Use Map has been taken into Buffalo for printing.

Chairman Weinheimer appointed Mr. Recla as Chairman of the sub-committee for the new Zoning Ordinance. Mr. Recla appointed the following members to this committee: Mr. Schlehr, Mrs. Sherwood, Mr. Sipprell and asked that Mrs. Howes and Mr. Will attend as many of these sub-committee meetings as possible. Mr. Recla also stated that Chairman Weinheimer's input would be very helpful and asked that he attend whenever possible. This committee will be working with Consultant Dawson on the new Zoning Ordinance. The meetings will be held on the off Wednesday's, with the first meeting scheduled for January 22, 1975 at 7:30 p.m.

The minutes of the meeting of 12-11-74 were approved on motion made by Mr. Schlehr; seconded by Mr. Recla with the notation that the Public Hearing re Laub Subdivision will be scheduled after the Legal Description is received.

Consultant Dawson submitted copies of text on Adoption of Zoning Ordinance and explained that the entire text does not apply to our proposed Zoning Ordinance. Outlined on the blackboard "Proposed Minimum Lot Area and Width Dimensions for one-family detached dwellings other than Mobile Homes". This outline to be typed and sent to each member before sub-committee meeting of 1-22-75.


CORRESPONDENCE

Letter received from County Legislator, David C. Saunders enclosing a copy of a local law that is pending before the Erie County Legislature, asking that the Board members discuss same and advise him of your comments, either pro or con.

Copy of letter received from William R. Harris, P.E., Town Engineer to Mr. Stephen Flak, Assistant Public Health Engineer, Erie County Dept. of Environmental Quality, 95 Franklin Street, Buffalo, New York re: Proposed Monckton Subdivision, Part II, stating "we do not feel that the addition of approximately 20 homes in the proposed subdivision will have any appreciable detrimental affect on the system, and we would recommend approval of the proposed Monckton sewer lines." Letter received and filed.

Received phone call from Mrs. Lou Lester, Chairman of the Village Planning Commission asking that the Village be notified of all rezoning applications and Site Plans adjacent to the Village. Letter sent to Mrs. Lester stating the Village will be notified of the above and asking that they return the same courtesy to the Town.

Meeting adjourned at 12:15 a.m.

  
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Karen Sherwood, Secretary  
Town of Hamburg Planning Board

Next regular meeting: 1-29-75