

**Town of Hamburg
Planning Board Meeting
April 5, 2006**

The Town of Hamburg Planning Board met for a Work Session on Wednesday, April 5th, 2006 in the Conference room at S-6122 South Park Avenue. Those attending included: Chairman Gerard Koenig, Vice-Chairman David Phillips, Secretary Paul Eustace, Karen Rogers, Steve McCabe, Richard Taber. Others attending included: Michael Fruth, Atty., Don McKenna, Attorney, Drew Reilly, and Terry Dubey, Stenographer. Excused: Sasha Yerkovich

Parker Ridge Phase IV - Cluster - Parker Road

Mr. Reilly informed the board that we are looking at a sketch for J. M. Kalstek Development in Parker Ridge. He noted that he is not happy with the front parcel. Mr. Kalstek stated that he has changed this portion to 2 lots. The regular layout shows lots 50' x 120', while others will be 55, 58, etc. A request was made to show a rendering of the type of patio home that is proposed. Mr. Reilly also noted that there are some lots near the power lines that he cannot see being developed. How will these lots be marketed? Forty lots are anticipated.

Mr. Phillips asked, as to this cluster, what benefit will there be to the Town? There has to be something unique about the property in order for the Planning Board to okay a cluster.

Mr. Kalstek responded that he is providing a landscaped berm in one area, a picnic pavilion, and some pathways. A suggestion was made to establish a community garden in the center of the facility, or tennis courts. Sidewalks or protected pathways were also suggested, especially if residents wish to walk to the mail center.

Mr. Phillips disagreed with the number of lots and feels there are too many lots and not enough green space. Board members suggested the elimination of lots 28, 29, 30, and 31. Mr. Kalstek noted that to reduce more lots will make the project financially impossible. The patio homes will be priced in the \$200,000 range for 1700 to 1800 s.f., first floor bedroom style with 3 different designs. There will be porches in the front of each unit and decks in the back. Mr. Kalstek is to find out from NYSEG about building under power lines.

Engineering Comments are as follows:

(1) General Comments

- The site is tributary to Erie County Sewer District No. 3 (ECSD No.3). The district should be contacted to determine if there is sufficient available capacity in their system to service the site.
- The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.
- A water district extension will be required for the R-1 development alternative.
- Storm water detention will be required for the development.

Parker Ridge (Cont)

Engineering Comments: R-1 and Cluster layout

- The proposed long, dead-end street shown on the R-1 layout exceeds the maximum street length of 500 feet required in Town Subdivision Regulations Section 230-22.
- The centerline of road radius at the 90 degree curve appears to be less than the 150 feet required for the R-1 layout.
- Cul-de-sacs would be required at the ends of both streets shown on the R-1 layout.

Item is to be on for the April 19th meeting.

Hogg's Dairy/Subway-5337 Old Lake Shore Road

Mr. Reilly informed the board that a site plan was once conditionally approved on 5-4-05. Kurt Allen issued a building permit and we didn't have a signed site plan. The "as built" drawing is not what we approved. Does the board wish to reapprove the "as built" drawing. Landscaping was required in the area where snow storage has been designated. At the present time, the rocks are the landscaping. It was suggested that some type of country planter be placed there during the warmer months and then taken in around November. Mr. Eustace was of the impression that the truck would be removed. Mr. Hogg explained that he needs that truck for bottle recycling. He stated that he has painted it to look more presentable. Curbing has been put in part way from the State. A walk in cooler and freezer is also located on the site. The parking lot was striped in the fall, but will be redone this spring. Mr. Hogg is to check with Rick Lardo in Engineering if there are other issues to be addressed. Resolution is to be prepared to approve "as built".

Caterpillar Alliance - 3793 Lake Shore Road

Mr. Mike Kubiszyn appeared before the Planning Board with a site plan for a caterpillar rental equipment to be located in Judy Marshall's facility on the Lake Shore. Apparently, the deal fell thru with Larry's Transmission and now Mr. Kubiszyn would like to lease the property. It is his intention to clean up the parking lot and make it more presentable. At the present time, he has an equipment repair business in Buffalo. The type of equipment he would be renting out would be excavator track loaders. He also plans to display equipment outside. Board members stressed that this should be done in an orderly fashion, with a limit of approximately 10-15 pieces. Some will be stored in the bays inside. There will be two people in the office. Board members decided that the department could issue a waiver.

First Niagara Bank - (Adjacent to 4923 Lake Shore Road)

Mr. Frank Brzezinski appeared before the Planning Board with a revised plan for the First Niagara Bank to be located on the Lake Shore Road. The revised drawing shows a connection to Orchard Avenue, which will be 1 way in and out. The parcel is zoned N-C, Neighborhood Commercial. The proposal meets requirements with the exception of the setback from the road. They want to be 10' back like the other businesses. Therefore, an appearance will be required at the

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com

Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06

SUBJ: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
First Niagara Bank (adjacent to 4923 Lake Shore Road)

The following are review comments on a site plan dated 3/22/06:

- (1) The existing Wanakah Pharmacy building was subdivided from the main parcel. Therefore, subdivision approval is required for the project. A separate address will be assigned for the proposed bank.
- (2) The proposed driveway to Orchard Avenues does not align with Woodlawn Avenue. The driveway should be relocated for proper alignment.
- (3) Note that a New York State Department of Transportation (NYSDOT) permit is required for work within the Lake Shore Road highway right-of-way. We are unable to approve these plans prior to NYSDOT review and approval of work in their right-of-way.
- (4) The building address will not be No. 4923. Remove the address from the drawings.
- (5) The property is located within the Town's Local Waterfront Revitalization Area. Therefore, the site plan is to be submitted to the Town Shoreline Revitalization Committee for review and comment.
- (6) We will review the site plan when it is prepared in accordance with the site plan review checklist.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

ZBA level. Forty-one parking spaces have been provided. Reference is to be made to the requirements as established in the Route 5 overlay. The building is aesthetically pleasing and they will add a lighthouse in the front in keeping with a nautical theme. A drawing is being sent to the Shoreline Committee for their review. A landscaping plan is to be provided.

Engineering comments are attached. Item to be on for the April 19th agenda.

Dollar General - Lake Avenue

A revised drawing was submitted for the Dollar General on Lake Avenue. The drawing has been reviewed by Mr. Adrian of the Village of Blasdell, and likes what he sees. The arrangement of the building has now been changed and the entrance will face Lake Avenue. It has also been pushed back further on the site. There will be additional landscaping of a hedgerow to be located along the parking area. The lights will match those like the CVS Pharmacy. As for the aesthetics of the building, there will be a wains coating with a 4'brick pier. Applicant was asked to provide a rendering for the next meeting. As for lighting, wall packs (goose neck) will be provided for security purposes. The building will have beige siding and red brick in the front. Item is to be on agenda for April 19th.

K-Technologies - Addition - 5424 Abel Road

Messrs. Joe and Jeff Kryszak appeared before the Planning Board relative to their proposed addition which is located at 5424 Abel Road. It appears that the parking lot has been enlarged. Engineering requirements have been met.

Motion was made to approve the site plan for the addition of K-Technologies by Dave Phillips, seconded by Paul Eustace. Carried.

Vanderbilt Properties - Rezoning from R-A to PUD.

This proposal was brought before the Town Board and referred to the Planning Board for consideration. This is right on the corner from Brierwood Medical, which was once the corn maize. Sewer and water are available to the site. This is a new type development for adult active living. There will be no assisted living facility on the parcel. Most of the units will be condominiums, with a mix of first floor singles. The garages will be located on the interior side of the unit. This idea is based on a style from Epcon Communities. Board members noted that this appears to be a high density area. They would like to see more green space on the site. Presently, there are 148 units provided.

Not only will a rezoning have to take place, but an amendment to the Master Plan to allow this use. Mr. Phillips will do the on site inspection of this property and report for the next meeting. Item to be on for April 19th.

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com

Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06

SUBJ: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Addition to K-Technologies - 5424 Abel Road

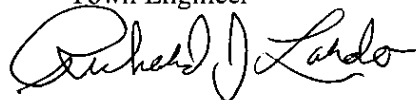
The following are review comments on a site plan dated 4/9/04 and last revised on 3/17/06:

- (1) Site plans for this parcel were previously approved by the Planning Board on 8/22/91, 11/17/93, and 11/18/94. The parking area has been enlarged and modified from the 1994 approved plan.
- (2) Landscaping is to be approved by the Planning Board.

All comments are to be satisfactorily addressed for approval.



Gerard M. Kapsiak, P.E.
Town Engineer



Richard J. Lardo
Principal Engineer



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com



Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06

SUBJ: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Vanderbilt Properties, Southwestern Blvd. near Amsdell Road
Proposed Rezoning RA to PUD.

The following are review comments on the above-referenced rezoning application dated 3/10/06:

- (1) We have not received an acceptable survey and legal description for the project.
- (2) The site is not located within a water district. A water district extension may be required for the project (if a public watermain extension is necessary to service the site).
- (3) The Erie County Water Authority (ECWA) should be contacted to determine if there is adequate pressure and flow to service the site.
- (4) The site is not located in a sanitary sewer district. A sewer district extension will be required to service the site. A downstream sewer capacity analysis is necessary to be performed in compliance with NYSDEC requirements.
- (5) The parcel is located within the Southwestern Overlay District.
- (6) Storm water detention will be required for the development.
- (7) A secondary access roadway to the condominium area should be provided.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

Best Buy - McKinley Mall

This issue came up at the time the McKinley Mall brought in a drawing on facade improvements, which was approved a year ago. Best Buy was considered as the Phase II for the project. Phase I has already been built; namely Bed, Bath and Beyond. This project needs approval from the Town Board. Planning Board is to submit a recommendation at the April 19th meeting.

Wal-Mart Super Center - To be located in the Brierwood Plaza - Southwestern Blvd.

Mr. Steve Cleason, of APD Engineering, appeared before the Planning Board with a sketch of a proposed 205,000 s.f. Wal-Mart Super Center to be located in the Brierwood Plaza on Southwestern Blvd. The acreage of the site is 43 acres of which 24 is to be developed. The building dimensions are 594' x 418'. There will be a retaining wall for the facility as the elevations of the site drop rapidly. There will be another traffic signal at the entrance where the Bank of America is located.

The first item of business is to establish Lead Agency Status.

Motion was made by Mr. Taber, seconded by Mr. Eustace,

Whereas, the Town of Hamburg Planning Board has received an application from Wal-Mart for a building permit to construct a 205,000 s.f. Super Center to be located at 5450 Southwestern Blvd, and

Whereas, a preliminary review of the proposed action indicated that this is a SEQR Type I action because of the size of the proposed building, and

Whereas, the potential exists for possible significant environmental issues pertaining to the proposed action,

Now Therefore, Be It Resolved, that the Hamburg Planning Board authorizes the Planning Department to initiate a coordinated review and seek Lead Agency status on behalf of the Planning Board. Carried.

Item to be on for April 19th, 2006.

Motion was made by Mr. Phillips, seconded by Mr. Eustace to adjourn the meeting. Carried. Meeting adjourned at 10:30 p.m.

Respectfully submitted,
Paul Eustace, Secretary

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
Email: engineering@townofhamburgny.com



Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06

SUBJ: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Wal-Mart - Southwestern Blvd. near Rogers Road

The following are review comments on a site plan dated 11/21/05 and last revised on 3/17/06:

- (1) It appears that an additional parcel is being created along Route 20. Minor subdivision approval may be required.
- (2) The site location map has several errors. Revise as necessary, removing the private driveways.
- (3) The site is located within the Southwestern Overlay District.
- (4) Curbed landscape islands should be provided along the front of the building.
- (5) The proposed traffic signal and work within the Route 20 right-of-way is to be reviewed and approved by the New York State Department of Transportation (NYSDOT).
- (6) We have concerns regarding infiltration/inflow into the existing private sanitary sewer servicing the site that will need to be addressed.
- (7) Existing utility lines (sanitary sewer, storm sewer, and water) are to be relocated so that they are not running beneath the building.
- (8) We will review the site plan when it is properly prepared in accordance with the site plan review check list.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com

Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO : Planning Board

FROM : Engineering Dept.

DATE : 4/5/06

SUBJ : 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Advanced Auto Electronics - 4536 Big Tree Road

The following are review comments on a sketch plan last revised 2/6/06:

- (1) The New York State Department of Transportation (NYSDOT) has not finalized their highway reconstruction plans for this area. A NYSDOT permit will be required for the project.
- (2) The site is located in the Southwestern Overlay District.
- (3) We will review the site plan when it is properly prepared in accordance with the site plan review checklist.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

April 4, 2006

Memo To: Hamburg Planning Board

From: Planning Department

Re: 4-5-06 Agenda

The following memo will outline the status of the projects on the 4-5-06 agenda:

1. Buffalo Rehab—The application is still in the sketch plan stage, and the applicant should be bringing back an amended site plan based on the input received to date. Most of the issues related to the concerns of the adjoining neighbor. A memo was received from S. Carnevale of the Conservation Board expressing concern that the wooded area to the east needs to be cleaned up (dead trees have fallen).

Action: Sketch plan direction.

2. Parker Ridge Phase IV—The application is in the required sketch plan stage necessary for the use of a cluster development. The applicant at the last meeting presented an amended site plan and received additional comment. New plans have been submitted for additional direction from the Planning Board.

The Planning Department has requested that the applicant provide sketch plans with dimensions so that a proper review can be done regarding whether or not the submitted R-1 layout works to determine the lot count for a cluster proposal.

Action: sketch plan direction and possible authorization to utilize cluster development.

3. Hoag's Dairy: Previously approved (with conditions) site plan, that never was signed because plan never submitted meeting the conditions of approval. Applicant has constructed plan and is now pursuing approval of the plan (representing how he constructed.)

Action: Possible approval of amended plan for signature by the Chairman.

4. Caterpillar Alliance: Site of previously approved Larry's Transmission service. Owner has possible new tenant. The Planning Board should determine whether or not to issue a new site plan approval or recommend that a site plan waiver be done. Concerns include the aesthetics of the property. No plans submitted as of 4-5-06

Action: Direction to applicant and Planning Department.

5. First Niagara Bank: New sketch plan has been submitted for the Planning Board's review.

Action: Sketch plan direction (Need to address overlay)

6. Tractor Supply: sketch plan has been submitted. Drew Reilly spoke with the applicant about the Town's adversity to the proposed outdoor storage area across the front of the site, as well as the aesthetics of the building. The applicant indicated that Tractor Supply will not consider changing either one of these conditions and no compromise appears imminent. The applicant requested that the application be tabled to 4-19-06.

7. Dollar General: The application is still in the sketch plan stage, and the applicant plans to submit an amended site plan based on the Planning Board's and Blasdell Planning Commission's input at the March 15, 2006 meeting. The main concerns were the orientation and aesthetics of the building, the parking lot, lighting, and signage.

Action: Sketch plan direction.

8. Advanced Auto Electronics: Nothing new has been received from the applicant.

9. K-Technologies: On 12-21-05, the Planning Board was close to granting site plan approval, but there were outstanding technical issues that needed to be resolved with the Engineering Department.

10. Vanderbilt Properties: This request was referred to the Planning Board because a PUD is proposed. The proposal is for an adult lifestyle community. The land is currently zoned R-A. The Master Plan would have to be amended to allow this project. The applicant is looking for Planning Board direction regarding both the PUD request and the proposed layout of the project.

Action: Direction on project layout and PUD request.

11. Best Buy - McKinley Mall - In early 2004 an expansion plan for the mall was approved. The applicant phased the expansion with Bed Bath & Beyond being Phase I and Best Buy being Phase II. The Best Buy plan is in accordance with the expansion plan approved in 2004.

Action: Recommendation to Town Board on site plan approval. First through sketch plan direction.

12. Walmart - Brierwood Plaza: This will be the first time the Planning Board will review this sketch plan. The Walmart Supercenter is proposed in the former South Shore Plaza. The proposal is to re-use the existing 52,000 s.f. building on the west side of the plaza, and the

remaining structures would be demolished. This is a Type I SEQR action and a Positive Declaration should be discussed. Potentially large issues regarding this project will probably include traffic, drainage, the question of sewer capacity, the character of the neighborhood and neighbor opposition. This parcel is in the Southwestern Blvd. Overlay, which requires a landscape plan, as well as a 50' landscaped setback area from Southwestern Blvd.

Action: Sketch for direction and discussion of whether or not a Positive Declaration is appropriate.

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com

Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06

SUBJ: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Buffalo Rehab Group - Medical Park, 4780 South Park

The following are review comments on a sketch plan dated 2/17/06:

- (1) The Planning Board previously approved a site plan for the existing building on this parcel as a VFW Post on 8/21/96.
- (2) The names of the sanitary sewer district and water district are shown incorrectly on the development information sheet (should be Hamburg Master Sewer District and Hamburg North Central Water District).
- (3) We will review the site plan when it is properly prepared in accordance with the site plan review checklist.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.
Town Engineer

Richard J. Lardo
Principal Engineer

TOWN OF HAMBURG

ENGINEERING DEPARTMENT

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111, Ext. 2350 • Fax (716) 649-2522
mail: engineering@townofhamburgny.com

Supervisor
STEVEN J. WALTERS

Councilmen
D. MARK CAVALCOLI
KATHLEEN COURTNEY HOCHUL
JOAN A. KESNER
THOMAS J. QUATROCHE, JR.

Town Engineer
GERARD M. KAPSIK, P.E.



Town Attorney
VINCENT J. SORRENTINO

Town Clerk
CATHERINE A. RYBCZYNSKI

Supt. of Highways
JAMES F. CONNOLLY

TO: Planning Board

FROM: Engineering Dept.

DATE: 4/5/06 PLANNING BOARD WORK SESSION AGENDA
Best Buy - McKinley Mall

The following are review comments on a site plan Sheet C-2 not dated:

- (1) The drawing is to be dated. Include a revision box to record changes to the drawing.
- (2) Show the location of any garbage dumpsters for the building.
- (3) Sanitary sewer and waterline connections are to be designed and approved as part of the site plan approval process. Remove the note regarding design of these utilities with the building plans. Storm sewers and roof drains are also to be designed and approved as part of the site plan submittal.
- (4) Sanitary sewer improvements are also to be submitted to the Erie County Department of Environment and Planning (ECDEP) for review and approval. We are unable to approve the site plan prior to ECDEP review and approval.
- (5) Include all required detail drawings.

All comments are to be satisfactorily addressed for approval.

Gerard M. Kapsiak, P.E.

Town Engineer

Richard J. Lardo
Principal Engineer

**Town of Hamburg
Planning Board Work Session**

**K-Technologies
Jeff Kryszak
5424 Abel Road**

Approved site plan