

TOWN OF HAMBURG PLANNING BOARD MINUTES

5/12/76

ACTIONS TAKEN:

REVEREND ANDY JULIAN  
BETHEL COMMUNITY CHURCH  
3968 STALEY DRIVE

SUBMITTED EXISTING SURVEY  
MAP OF PROPERTY. DENIED,  
INSUFFICIENT PARKING ON PREMISES.

CHRISTINE CASTIGLIA  
S.4914 LAKE SHORE ROAD

INFORMATION ONLY.

NORM CASTINE  
COMMERCIAL BUILDING  
MAELOU DRIVE

SUBMITTED REVISED SITE PLAN.  
REFERRED TO ENGINEERING DEPT.  
AND TRAFFIC SAFETY BOARD.

NIGRO DEVELOPMENT CORP.  
KEN NIGRO  
McKINLEY PARKWAY

ADDITION TO NONCONFORMING BLDG.  
ZBA APPROVAL 5-4-76. APPROVED  
WITH STIPULATION BLACK-TOPPING  
COMPLETED WITHIN ONE (1) YEAR.

ROUNDTREE VILLAGE PART II  
HOWARD ROAD  
DENNIS PERRY  
GERALD GERTIS

TABLED.

OTHER ITEMS:

RE-ZONING APPLICATION REFERRED BY TOWN BOARD:

J.F.S., Inc. covering property on Lake Shore Road and Lakeview Road  
from R-F to Planned Development - TABLED.

PRESENTATION BY ATTORNEY CHARLES MAXWELL RE: ACME MARKET PROPERTY,  
McKinley Parkway and Milestrip Road.

PENDING ITEMS:

Jack Kieffer, Twilight Subdivision, Bayview Road.

Victor Liberatore, Scranton Road, Washington Street.

Final Plan must be approved by the Town Board.

Macedonian Church, Lake Avenue: re-zoning (300' deep) - Town Board.

TABLED ITEMS:

Robert Loomis - Mobile Camping Park, Milestrip Road.

TOWN OF HAMBURG PLANNING BOARD MINUTES

5/12/76

The Town of Hamburg Planning Board met in regular session on Wednesday, 5/12/76 at 7:30 p.m. Presiding was Chairman Recla and others present were Mrs. Sherwood, Mr. Will, Mrs. Howes, Mr. Cook, Mr. Corcoran, Mr. McKenna, Attorney Benzinger, Consultant Dawson, Building Inspector Lauchert, Jerry Geiger, Assistant Town Engineer, Councilman Schlehr and Mrs. Beale, stenographer. Also present: Mrs. Ester Jones and Mrs. Tychuiski representing the United Council of Hamburg Taxpayers Associations.

Motion was made by Mrs. Sherwood to approve the minutes of the meeting of 4/28/76; seconded by Mr. Corcoran. Carried.

Chairman Recla read letter from United Council of Hamburg Taxpayers Associations requesting copy of Planning Board agenda be sent to Southwest Taxpayers Association, Scranton, McKinley Taxpayers, Willet, Abbott, McKinley, Big Tree Taxpayers Association plus previous verbal request from Parker Area Taxpayers Association; as the Planning Board is an Advisory Board it was the unanimous decision of the Board that the agenda would not be mailed to the Taxpayers Associations as there are last minute changes. Mrs. Ester Jones was asked to convey this message to the United Council of Hamburg Taxpayers Association and inform them they are welcome to call the Building Inspection Department the day of the meeting and the agenda will be read over the phone.

Chairman Recla read letter from Town of Hamburg Industrial and Commercial Development Committee. Received and filed.

BETHEL COMMUNITY CHURCH - 3968 STALEY DRIVE

Reverend Andy Julian of 4042 Ockler Avenue, Hamburg, New York appeared before the Board and submitted a survey map dated 2/18/74 covering the property in question. He informed the Board there are approximately twenty (20) parishioners and if the number of parishioners increased, would schedule additional Sunday services. Reverend Julian would be leasing the front portion of the building and stated the back portion (two story portion) is rented as an apartment.

The survey submitted showed the existing building front yard setback to be 15 feet and showed four parking spaces to the rear of the building.

Two residents of Staley Drive were present; Mrs. Van Duser and Mrs. Casey and Mrs. Van Duser stated that Staley Drive is a dead-end street and if this church were permitted at 3968 Staley Drive felt it would cause parking problems for the residents of the street.

Motion was made by Mrs. Howes to deny the request for Bethel Community Church at 3968 Staley Drive as there is insufficient parking on the premises; seconded by Mr. Will. Carried.

MR. CHRISTINE CASTIGLIA - S.4914 LAKE SHORE ROAD

Building Inspector Lauchert informed the Board Inn On The Lake is located on the westerly portion of this property as shown on the Site Plan presented and is zoned Highway Commercial. The portion with the motel and frame house to the easterly side of the property

MR. C. CASTIGLIA - S.4914 LAKE SHORE ROAD, CONT'D.:

is zoned Neighborhood Business.

Mr. Christine Castiglia was present and informed the Board he is interested in putting an addition on connecting the motel, frame garage and frame house and after the addition is completed would demolish the existing frame house shown on the Site Plan to the northeast of the restaurant.

Motion was made by Mr. Cook to table the Site Plan covering S.4914 Lake Shore Road pending receipt of additional information; seconded by Mrs. Howes. Carried.

COMMERCIAL BUILDING - MAELOU DRIVE

Mr. Norm Castine presented a revised Site Plan as per the request of the Planning Board. Mr. Jack Becker, real estate agent was also present.

The Board reviewed the revised Site Plan and motion was made by Mr. Will to accept Site Plan subject to Engineering Department approval and the following additions shown on the Site Plan: delineate leach field from parking area with curbing, grass over leach field and to be so labeled on plan, lights four corners of property to illuminate parking area and additional concrete bumpers to be shown on plan in northeast corner of lot; seconded by Mr. Cook. Carried.

Copy of revised Site Plan submitted to Engineering Department and the Traffic Safety Board.

NIGRO DEVELOPMENT CORP. - S.4215 MCKINLEY PARKWAY

Mr. Ken Nigro appeared before the Board and submitted copies of the Plot Plan covering this property which showed the proposed two story addition 30' x 30' to be attached to the north side of the existing building. The existing garage on the Plot Plan will be removed and additional parking provided.

The existing building is nonconforming and Mr. Nigro applied to the Zoning Board of Appeals on May 4, 1976 and received approval for construction of the two story addition pending Site Plan review by the Planning Board.

Motion was made by Mr. Will to accept the plan with the following modifications: curbs and trees to be shown in northerly portion of property and shorten width of driveway located on the property also northerly end; with stipulation black-topping is completed within one year; seconded by Mrs. Howes. Carried.

ROUNDTREE VILLAGE - PART II, HOWARD ROAD

Mr. Dennis Perry of Marrano Enterprises, Inc., owner/developer and Mr. Gerald Gertis of Tallamy, Van Kuren, Gertis & Thielman, engineering and surveying firm presented sketch plan of Roundtree Village Part II.

ROUNDTREE VILLAGE - PART II - HOWARD ROAD, CONT'D.:

Mr. Perry again brought to the attention of the Board that Marrano Enterprises, Inc. purchased this subdivision after the original plan had been approved by the Planning Board and are now presenting a revised plan which they feel better fits the contour of the land, better engineering, more marketable appearance and less density. They are interested in constructing expandable type dwellings geared to young families.

As the Board felt the new plan requires considerable time for study and review, motion was made by Mrs. Sherwood to table same; seconded by Mr. Cook. Carried. The Planning Board to determine if a special meeting will be scheduled to discuss Roundtree Village Part II and a re-zoning application on this agenda.

RE-ZONING APPLICATION - J.F.S., INC. (from R-F to Planned Development)

This application covers property bounded on the east by Lakeview Road, on the west by North Creek Road and on the north by Walden Cliffs (Route 5) Road and consists of approximately 143 acres.

Mr. Jake Schoellkopf, V., president of J.F.S. Inc. appeared before the Board; also Mr. Ed Griffiths of J.F.S. Inc., Mr. Gerald Gertis and Mr. Dave Bartz of Tallamy, Van Kuren, Gertis & Thielman, engineering and surveying firm.

Mr. Gertis presented a Subdivision Sketch Plan (Exhibit C) as follows: total site area: 143 ± acres; commercial area - 10 ± acres, R-4 Zoning - 35 sublots - 65' x 120' = 7800 sq. ft., R-2 Zoning - 399 sublots - 70' x 125' = 8750 sq. ft.; total planned subdivision lots, four hundred thirty-four (434). Mr. Gertis said they are aware 10% land area may be required for recreation and feel fees would be more advantageous to further develop the existing playfield south of the site.

Mr. Gertis immediately after the presentation of Exhibit C submitted Exhibit D (Sundance Village); an open space concept plan with the following site data: total area: 143 ± acres; Commercial area: 10 ± acres; developed area 88 ± acres; open space area: 45 ± acres; total single family lots - 423. Mr. Gertis stated this plan conforms to all aspects of the cluster portion of the proposed zoning ordinance except the side yard requirements of 5' minimum and total of both: 13'. Mr. Gertis further stated the New York State Building Code requirement is a minimum of 5' and a total of 10' which gives the builder more flexibility in home design and location.

It was further explained that the open space area shown on Exhibit D shall be conveyed to Special District and upon completion of all or part of the development any yearly maintenance charges for these lands, developed or not, shall be borne by the residents of the district.

Consultant Dawson noted that a portion of this property as shown on the 1974-1990 Proposed Land Use Plan is open space reservation area as suggested by the Environmental Committee.

RE-ZONING APPLICATION - J.F.S., INC. - Cont'd.:

Motion was made by Mrs. Sherwood to table this application; seconded by Mr. Cook. Carried. The Planning Board to determine if a special meeting will be scheduled to discuss this application.


OTHER ITEMS:

Attorney Charles Maxwell appeared before the Board re: proposed re-zoning to Mixed Residential, Acme Markets, Inc. property located on the southeast corner of McKinley Parkway and Milestrip Road, Hamburg, New York. Also present with Attorney Maxwell was a representative of the Acme Markets, Inc.

Attorney Maxwell presented a four page letter dated May 12, 1976 to the Planning Board stating the history of Acme's ownership of this property, consisting of 70 acres, outlining the New York State Department of Transportation proposals for a Cloverleaf Interchange at the corner of McKinley Parkway and Milestrip Road, affecting to various degrees, the Acme parcel. Also in 1969 the County of Erie submitted to Acme correspondence and maps concerning the acquisition of this property for stadium use. In 1970 Acme retained Robert C. Montgomery, an appraiser to analyze this property as "condemnation blight" (photo-stat attached of the material parts of the Montgomery appraisal).

A copy of the letter with attached maps and correspondence to be forwarded to Town Attorney Walter Rooth.

Motion was made by Mrs. Howes to adjourn meeting at 12:35 a.m., seconded by Mr. Will. Carried.

  
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ARTHUR WILL, SECRETARY  
TOWN OF HAMBURG PLANNING BOARD

Next regular meeting: 5/26/76  
7:30 p.m.