

TOWN OF HAMBURG PLANNING BOARD MINUTES

5/26/76

ACTIONS TAKEN:

VICTOR LIBERATORE  
APARTMENT BUILDING  
WASHINGTON SQUARE

SITE PLAN SHOWING 12-UNIT  
APARTMENT BUILDING &  
PROPERTIES TO BE SWALED.  
REFERRED TO ENGINEERING DEPT.

BETHEL ESTATES  
SENIOR CITIZENS HOUSING  
SOUTHWESTERN BOULEVARD

LANDSCAPING & BUILDING PLANS  
ACCEPTED - 50' strip either  
side of creek - easement.

TWILIGHT SUBDIVISION  
BAYVIEW ROAD  
RICHARD SKOP, P.E.

PUBLIC HEARING.  
NO OPPOSITION  
TABLED.

FOUNTAIN BLEU APARTMENTS  
SOUTH PARK AVENUE

SKETCH PLAN SUBMITTED -  
AUXILIARY PARKING. MUST  
SUBMIT TWO (2) REVISED SITE  
PLANS.

F. GARCIA  
120 LINDEN AVENUE

ZONING PETITION.  
LETTER SENT TO PETITIONER.

NORM CASTINE  
COMMERCIAL BUILDING  
MAELOU DRIVE

MUST SUBMIT REVISED SITE PLAN.  
LETTER SENT TO MR. CASTINE.

VICTOR LIBERATORE  
LIBERTY SQUARE SUBDIVISION  
LAKE SHORE ROAD

SKETCH PLAN  
TABLED.

J.F.S., INC.  
LAKE SHORE & LAKEVIEW ROAD

RE-ZONING APPLICATION  
FROM R-F TO PL. DEVELOPMENT  
TABLED.

WILLOW RUN SUBDIVISION PHASE III  
SOUTHWESTERN BOULEVARD

SQUARE FOOTAGE & FRONTAGE OF  
LOTS UNDER REVIEW - TABLED.

PENDING ITEMS:

Nigro Development Corp., McKinley Parkway - Must submit revised  
Site Plan.

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

TABLED ITEMS:

Robert Loomis - Mobile Camping Park

TOWN OF HAMBURG PLANNING BOARD MINUTES

5/26/76

The Town of Hamburg Planning Board met in regular session on Wednesday, 5/26/76 at 7:30 p.m. As Chairman Recla was out of town, presiding was vice-chairman Karen Sherwood and others present were Mr. Will, Mrs. Howes, Mr. Corcoran, Mr. Cook, Mr. McKenna, Attorney Benzinger, Consultant Dawson, Building Inspector Lauchert, Town Engineer Harris, Councilman Schlehr and Mrs. Beale, stenographer. Also present: Mrs. Ester Jones and Mrs. Helen Tychuiski representing the United Council of Hamburg Taxpayers Association.

Motion was made by Mr. Corcoran to approve the minutes of the meeting of 5/12/76; seconded by Mr. Cook. Carried.

ZONING CHANGE - BIG TREE ROAD & BRYANT

Mrs. Viola Killian and her daughter appeared before the Board and informed the Board they own the property at 4004 Big Tree Road which for years was zoned business and with the new zoning map is now zoned residence.

Mrs. V. Killian informed the Board this property is for sale and she had no idea the zoning had been changed until a prospective buyer checked the zoning at Town Hall and found it had been changed to residential zoning and was then not interested in purchasing same.

Chairman Sherwood informed Mrs. Killian that there had been public meetings which had been published in the Hamburg papers, and any interested residents were welcome to attend these meetings regarding changes in the zoning in the Town of Hamburg. Chairman Sherwood informed Mrs. Killian that it will be necessary for her to contact the Town Board as any amendment, supplement or repeal of the regulations, provisions or boundaries of the new zoning ordinance are up to the Town Board.

VICTOR LIBERATORE - WASHINGTON SQUARE - 12 UNIT APARTMENT BUILDING:

Mr. Liberatore presented a Site Plan showing the proposed apartment building, to complete Washington Square complex, and the properties to be swaled on Deacon Street. Mr. Liberatore informed the Board his engineers had worked with the Town Engineering Department regarding the proper swaling of the properties involved.

Motion was made by Mr. Cook to submit the Site Plan to the Engineering Department for their approval; also to the Town Board; seconded by Mr. Will. Carried.

BETHEL ESTATES - SENIOR CITIZENS HOUSING - SOUTHWESTERN BOULEVARD:

Recent plans covering the above development were reviewed by the Planning Board; landscaping plans, paving detail, drainage plan showing retention area, recreation areas, floor plans and Site Plan.

Board members again discussed the fifty (50) foot strip on either side of the creek which originally was to be deeded to the Town of Hamburg. The Board requested the fifty (50) foot strip on either side of the creek be shown as an easement instead of dedicated to the Town

BETHEL ESTATES - SOUTHWESTERN BLVD. - CONT'D.:

of Hamburg and a letter will be sent to Mr. Chason of Renewal Housing Corporation, 99 Park Avenue, New York, New York informing him a letter will be forthcoming from Planning Board Attorney Joseph Benzinger covering this matter.

Motion was made by Mr. Corcoran to accept the plans submitted covering Bethel Estates, Southwestern Boulevard, Hamburg, New York; seconded by Mrs. Howes. Carried.

TWILIGHT SUBDIVISION - BAYVIEW ROAD

The following Legal Notice was read by Secretary Art Will:

**LEGAL NOTICE  
TOWN OF HAMBURG  
PLANNING BOARD  
APPROVAL OF  
SUBDIVISION PLAT  
ON BAY VIEW ROAD  
KNOWN AS  
TWILIGHT SUBDIVISION**

Notice is hereby given that the Planning Board of the Town of Hamburg will hold a public hearing at the Hamburg Town Hall, S.6100 South Park Avenue on the 26th day of May, 1976 at 8.30 p.m. E.D.S.T. for the purpose of approval of Subdivision Plat. This property is further described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York, being part of Lot 54, Township 9 and Range 7, bounded and described as follows:

BEGINNING at the intersection of the north line of lands deeded to John Ansteth, Liber 898, Page 348 and the west line of Bay View Road, thence easterly along the northerly property line 212.87 feet to the northeasterly corner; thence southerly along the easterly property line 354.75 feet to the southeasterly corner; thence westerly along the southerly property line 1560.90 feet to the southwesterly corner; thence northerly along the westerly property line 362.34 feet to the northwesterly corner; thence easterly along the northerly property line 1349.02 feet to the point of beginning.

Full opportunity to be heard will be given to all citizens and all parties in interest.

**EUGENE RECLA,  
Chairman  
Town of Hamburg  
Planning Board**

PUBLIC HEARING - Cont'd.:

Acting Chairman Mrs. Sherwood asked if anyone present wished to be heard in favor of this subdivision? Richard Skop, P.E. informed the Board he wished to state he is in favor of this subdivision and stated it would be an improvement to the area.

Secretary Art Will read the following correspondence:

From County of Erie, Department of Public Works, Division of Highways, dated May 13, 1976 and signed by Fred P. Osborne, Permit Engineer: "This office has received and reviewed the Preliminary Site Plan re: Twilight Subdivision, and do not foresee any problems. Naturally, more detailed plans of the project, particularly drainage, will be necessary before a permit can be issued."

Erie County Soil and Water Conservation District, dated May 14th signed by Edwin R. Merriman, District Manager: "The enclosed report from the Soil Conservation Service outlines some potential problems with the Twilight Subdivision. Although the development is not large, some provision should be made for managing the additional storm water that will be created by grading, shaping, homes and roadways. We will be pleased to meet with the developer and your department to discuss the methods and design of storm water management." Copy of report given to Richard Skop, P.E., copy on file.

William R. Harris, P.E., Town Engineer dated May 12, 1976: "We have no comments at this time."

Recreation Department, Alan Greenfield, Director of Recreation dated May 6, 1976: "The proposed 41 lot Twilight Subdivision on Bayview Road appears to be too small to encompass a recreation or park area in the immediate subdivision. Since the available park areas in this section of the Township are quite inadequate, it is highly recommended that an area be developed near this site with the proposed sub-division contributing to any costs incurred therein."

Hamburg Traffic Safety Board, E. Pemberton, Secretary, dated May 6, 1976: "Length of dead end street too long, but Traffic Safety Board has been informed property in questionlandlocked if length of proposed street now allowed. Hereby approved with reservation re length of dead end street."

Acting Chairman Mrs. Sherwood asked three times if anyone present wished to be heard for or against this subdivision, as there was no reply, hearing was closed.

Motion was made by Mr. McKenna to table Twilight Subdivision Site Plan; seconded by Mrs. Howes. Carried.

Reply also received from Big Tree Fire Department; copy of Preliminary Site Plan showing location of fire hydrants marked in red (hydrants 500' apart), re Twilight Subdivision.

FOUNTAIN BLEU APARTMENTS - SOUTH PARK AVENUE:

Mr. Joseph Ippolito and Mr. Marty Carroll submitted a plan to the Planning Board re proposed parking improvements for Fountain Bleu Apartments and informed the Board eighteen feet (18') of the proposed parking spaces would be on Mr. Victor Liberatore's property on the corner of South Park Avenue and Sprague Avenue. Mr. Ippolito informed the Board residents of the apartment buildings are now parking on the private road making the road one (1) lane and the proposed plan would provide additional parking. Mr. Ippolito said the present situation is a hazard for fire equipment and also obstructs the line-of-sight for traffic exiting onto South Park Avenue.

Mr. Victor Liberatore was also present and informed the Board he is in agreement with the proposed parking improvements contingent on the owners of the Fountain Bleu Apartments erecting a decorative wall parallel with South Park Avenue between Fountain Bleu Apartments and Mr. Liberatore's apartments; a fence to be erected behind Mr. Liberatore's garages and new apartment building and fixed curbing in the parking area to prevent cars going beyond the twenty foot (20') depth of the parking spaces. Acting Chairman Mrs. Sherwood informed Mr. Liberatore the above stipulations would have to be worked out between the owners of Fountain Bleu Apartments and Mr. Liberatore.

The Planning Board requests two (2) revised Site Plans: one revised Site Plan covering Fountain Bleu Apartments and one revised Site Plan covering Mr. Liberatore's property on the corner of South Park Avenue and Sprague Avenue showing all proposed additions.

FERDINAND GARCIA - RE-ZONING - 120 LINDEN AVENUE:

Mr. Ferdinand Garcia appeared before the Board with his Attorney John Wojcischowski regarding property at 120 Linden Avenue. Attorney Wojcischowski informed the Board that the Bethlehem Steel Company owns adjoining property except for one dwelling approximately 1/2 mile from 120 Linden and fronting on Lakeview Avenue. Mr. Garcia stated that he has paid taxes on this property many years.

This re-zoning application was referred to the Planning Board by the Town Board and on February 11, 1976 the Planning Board recommended to the Town Board denial of the re-zoning application (to Highway Commercial) as this is an inappropriate zone in a secluded area and the Land Use Plan proposes General Industry Zoning.

After discussion of the property at 120 Linden Avenue, the Planning Board requested a letter be sent to Mr. F. Garcia informing him this matter was tabled and will be discussed at a special meeting to be held in two weeks as the new zoning ordinance will be in effect after June 1, 1976 and the Board feels this will be more advantageous to the applicant. The Board will advise Mr. Garcia of their recommendation to the Town Board after the special meeting in two weeks.

NORM CASTINE - COMMERCIAL BUILDING - MAELOU DRIVE:

Traffic Safety Board comments: "With addition of lighting and curbing; lighting not to restrict sight distance, no objection."

NORM CASTINE - MAELOU DRIVE - CONT'D.:

William R. Harris, P.E., Town Engineer: "From an inspection of the site it appears that it is lower than the surrounding terrain, which could cause drainage problems. The Site Plan shows very little topography, so it is difficult to verify or refute this impression. It is recommended that the applicant be requested to submit a plan showing existing topography as well as proposed finished grades. The existing topography should be shown for a distance of approximately 100 feet outside the boundaries of the site. Also, if it is planned to drain the site to the road ditch it is requested that his engineer investigate this ditch and satisfy himself and this office that it will drain the surface water away from the site in a satisfactory manner."

The Planning Board sent a letter to Mr. Castine requesting the following information be shown on a revised Site Plan; also copy of letter from William R. Harris, P.E., Town Engineer:

1. topography map, as well as proposed finished grades
2. all grass area must be labeled and landscaping in front of building
3. green area at left of driveway to be enlarged and extended and light installed as shown on copy of plan enclosed
4. bumpers shown in northeast corner to prevent cars from driving over property line
5. rear yard and front yard setbacks to be shown on plan
6. water connection to be shown on plan
7. delineate leach field from parking area with curbing

Letter also stated the Board appreciates Mr. Castine's co-operation.

VICTOR LIBERATORE - SKETCH PLAN, SUBDIVISION - LAKE SHORE CUT-OFF:

Mr. Victor Liberatore appeared before the Board with Mr. Gerald Gertis of Tallamy, Van Kuren, Gertis, Thielman, Engineering and Surveying Firm and submitted a Sketch Plan of proposed subdivision covering approximately 34 acres - presently Zoned R-2. This property would be serviced by the new Sewer District No. 2. Total number of lots: 97; minimum lot size 70' x 125', area: 8750 square feet. Mr. Gertis informed the Board there is an existing 48" water line thru this property also power transmission line. Mr. Gertis also stated that he has been working on this plan for six months but until they received approval from Erie County Sewer District No. 2, which they now have, the plan could not be submitted to the Planning Board.

Motion was made by Mrs. Howes to table the Sketch Plan for Liberty Square Subdivision; seconded by Mr. Corcoran. Carried.

J.F.S., INC. - RE-ZONING APPLICATION - LAKE SHORE ROAD AND LAKEVIEW-ROAD FROM R-F to PLANNED DEVELOPMENT:

The above re-zoning application remained tabled.

WILLOW RUN SUBDIVISION PHASE III - SOUTHWESTERN BOULEVARD:

Letter received from Michael Arcangel with sketch drawing indicating square footage and lot frontage of lots under review at the above referenced project.

WILLOW RUN - PHASE III - CONT'D.:

Letter received and filed. Planning Board discussed calculations submitted and in reviewing same felt there was an error on S.L. 119. Building Inspector Jack Lauchert talked to Mr. Arcangel and reviewed sketch drawing submitted and found the calculations to be in order.

OTHER ITEMS:

Several members of the Planning Board, Councilwoman Wicks and Mr. Jake Schoellkopf walked the area on Lakeview Road and Lake Shore Road regarding the re-zoning application before the Board, on Sunday May 23, 1976.

Special meeting of the Planning Board to be held on June 9, 1976 at 8:00 p.m. in the Planning Board Room, Hamburg Town Hall.

Motion was made by Mrs. Howes to adjourn meeting at 11:45 p.m.; seconded by Mr. Corcoran. Carried.

  
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ARTHUR WILL, SECRETARY  
TOWN OF HAMBURG PLANNING BOARD

Special meeting: 6/9/76 - 8:00 p.m.  
Regular meeting: 6/16/76- 7:30 p.m.

(Residence of Attorney & Mrs. Joseph Benzinger - June 13th, 1976  
221 Pierce Avenue - 2:30 p.m.)