

TOWN OF HAMBURG PLANNING BOARD MINUTES

9/15/76

ACTIONS TAKEN:

MEADOWVALE SUBDIVISION  
BIG TREE ROAD & BAYVIEW ROAD  
MR. JOHN BOSSE

SUBMIT PRELIMINARY PLAN  
FOR REVIEW.

LIBERTY PARK SUBDIVISION  
LAKE SHORE CUT-OFF  
MR. VICTOR LIBERATORE

PUBLIC HEARING.  
TABLED.  
NO OPPOSITION.

PROPOSED OFFICE ADDITION - PART  
OF AMES STORE, TOWN HALL PLAZA  
DUNLOP TIRE & RUBBER CORPORATION

DEVELOPMENT CHECK LIST &  
COPY OF SIGN ORDINANCE SENT  
TO R. W. DORN.

PROPOSED BONANZA RESTAURANT  
TWIN FAIR SITE  
CAMP ROAD  
ROBERT HARRIS, ARCHITECT

APPROVED AMENDED TWIN FAIR  
SITE PLAN SUBJECT TO  
ENGINEERING DEPT. APPROVAL.

HOWARD ROAD SUBDIVISION  
HOWARD ROAD  
MR. JACK PATTERSON

SUBMIT LEGAL DESCRIPTION.  
SCHEDULE PUBLIC HEARING  
FOR 9/29/76.

PROPOSED B&J's CHARCOAL HOTS  
SOUTHWESTERN BOULEVARD  
MR. BERNARD DOWDALL

MUST SUBMIT REVISED SITE  
PLAN.

PROPOSED RESTAURANT  
NORTH CREEK ROAD & ROUTE 20  
MR. & MRS. ROBERT SURMA

SITE PLAN ACCEPTED AS PRESENTED  
SUBJECT TO ENGINEERING DEPT.  
APPROVAL.

PROPOSED OFFICE BUILDING  
SOUTHWESTERN BOULEVARD  
MR. ED McMAHON

SUBMIT REVISED PLAN.  
SEND REVISED PLAN TO AP-  
PROPRIATE BOARDS.

OTHER ITEMS:

HOWARD JOHNSONS RESTAURANT  
MILESTRIP ROAD

SITE PLAN APPROVED SUBJECT  
TO ENGINEERING DEPARTMENT  
APPROVAL.

PENDING ITEMS:

Christie Castiglia - Inn-On-The-Lake, Lake Shore Road.  
Photo-Mat, Town Hall Plaza - Must amend Town Hall Plaza Site Plan.

TOWN OF HAMBURG PLANNING BOARD MINUTES

9/15/76

The Town of Hamburg Planning Board met in regular session on Wednesday, September 15, 1976 at 7:30 p.m. Presiding was Chairman Recla and others present were Mrs. Sherwood, Mr. Will, Mrs. Howes, Mr. Corcoran, Mr. Cook, Mr. McKenna, Attorney Benzinger, Consultant Dawson, Mr. Brylski of the Building Department and Mrs. Beale, stenographer. Building Inspector Jack Lauchert was absent as he is attending the 47th Annual NYSBOC School in Ellenville, New York.

Minutes of the meeting of 8/11/76 were approved on motion by Mr. Will, seconded by Mr. Cook. Carried.

MEADOWVALE SUBDIVISION - BIG TREE ROAD & BAYVIEW ROAD:

Mr. John Bosse, owner-developer and Mr. Gerald Gertis of Tallamy, Van Kuren, Gertis & Thielman, Engineers, Surveyors and Planners appeared before the Board and submitted a Sketch Plan covering one hundred six (106) sub lots for single-family development in a R-2 District. Chairman Recla informed Mr. Gertis the minimum lot area must be 8,125 square feet and the lot width at building line must be 65'. Mr. Gertis stated the Preliminary Plan will show all proper dimensions. Board members requested the developer plant two (2) maple trees per lot for screening along the Bayview Road portion of the subdivision. The 10% of acreage to be Deeded to the Town of Hamburg is to be labeled "exception", is to be leveled, graded and seeded as per letter from Alan Greenfield, Director of Recreation. Proper acreage is to be shown on Preliminary Plan.

Mr. Bosse and Mr. Gertis informed Preliminary Plan must be submitted to Planning Board for review.

TOWNE MEADOWS - NILES AVENUE & HORTON AVENUE:

Mr. Bosse requested approval from the Planning Board for phasing of Towne Meadows in two (2) parts as this subdivision is located in Sewer District No. 3 and the number of sewer tap-in permits are limited, therefore, he does not want to go to the expense of installing the utilities for the entire subdivision at this time.

Motion was made by Mr. Cook to approve phasing in two parts of Towne Meadows Subdivision with the stipulation a temporary turn around is provided on Tim Tam Trail at the westerly boundary of Sub Lot 15; seconded by Mrs. Howes. Carried. Mr. Bosse also informed the Board they are changing the name of Arthur Way to Jacks Trail

Chairman Recla also informed Mr. Bosse the Planning Board received a memo from Building Inspector Lauchert informing them of a drainage problem in the Clearview Subdivision and Mr. Bosse was to contact Mr. Lauchert September 20th to discuss same.

LIBERTY PARK SUBDIVISION - LAKE SHORE CUT-OFF - PUBLIC HEARING:

The following Legal Notice was read by Mrs. Sherwood:

**LEGAL NOTICE  
TOWN OF HAMBURG  
PLANNING BOARD  
APPROVAL OF SUBDIVISION  
PLAT KNOWN AS LIBERTY  
PARK LOCATED ON LAKE  
SHORE CUT-OFF**

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 15th day of September, 1976 at 8:15 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, situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 42, Township 9, Range 8 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point on the west line of the said Lot No. 42 at the southwest corner of premises conveyed to Frederick Langbein by deed recorded in the Erie County Clerk's Office in Liber 626 of Deeds at page 564; thence northerly at an angle of 87°42' measured from the east to the north along the west line of Lot No. 42 a distance of 1,111.73 feet to a point on the southeast line of the Lake Shore Cut-off, so called; thence northeasterly along the southeast line of the Lake Shore Cut-off, so called, an arc distance of 914.92 feet to a point; thence in a straight line continuing along the southeast line of said Lake Shore Cut-off, so called, a distance of 155.40 feet to the westerly corner of premises conveyed to Alfred Schardt by deed recorded in the Erie County Clerk's Office in Liber 4917

of Deeds at page 251; thence southeasterly along the southwesterly line of said premises so conveyed to Alfred Schardt and at an angle of 90°9' with the last described line measured from the southwest to the southeast a distance of 347.97 feet to a point on the east line of premises so conveyed to Frederick Langbein as aforesaid; thence southerly at an angle of 123°45' with the last described line measured from the northwest to the south a distance of 179.18 feet to a point; thence easterly at an angle of 87°46' with the last described line measured from the north to the east a distance of 704.18 feet to a point on the northwest line of premises now owned by Niagara Mohawk Power Corporation described in a deed recorded in the Erie County Clerk's Office in Liber 1019 of Deeds at page 592; thence southwesterly and along the northwesterly line of said premises owned by Niagara Mohawk Power Corporation, a distance of 2,182 feet to a point on the south line of said premises so conveyed to Frederick Langbein as aforesaid; thence westerly along the south line of said premises so conveyed to Joseph Langbein as aforesaid and at an angle of 135°52' with the last described line measured from the northeast to the west, a distance of 188.45 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

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Chairman Recla asked if anyone present wished to be heard in favor of this subdivision? Mr. Gerald Gertis of Tallamy, Van Kuren, Gertis & Thielman, Engineers, Surveyors and Planners of this subdivision stated he is in favor of same. Mr. Victor Liberatore, owner/developer was not present. Chairman Recla asked if anyone present wished to be heard in opposition to this subdivision? No one voiced any opposition to same.

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

Liberty Park Subdivision tabled for two weeks. If the Planning Board does not act within 45 days, the subdivision is automatically approved.

PROPOSED OFFICE ADDITION - AMES STORE - TOWN HALL PLAZA:

Mr. R. W. Dorn, Retail Stores Supervisor for Dunlop Tire and Rubber Corporation appeared before the Board and stated Ames had approached Dunlop Tire and Rubber Corporation regarding their opening a store and service area in what was originally Grant's Automotive Service Center. There is an existing service area and Dunlop proposes a 20' x 35' addition to the front corner of the store to be used for office and display area.

Chairman Recla informed Mr. Dorn the Town Hall Plaza Site Plan would have to be amended and drawings submitted to the Planning Board of the proposed addition and existing service area.

Development check list and copy of sign ordinance to be mailed to Mr. Dorn for delivery to the architect for Dunlop Tire & Rubber Corporation. Mr. Dorn was informed a sidewalk must be provided in front of the proposed addition and must be shown on the plan.

BONANZA RESTAURANT - TWIN FAIR SITE - CAMP ROAD:

Mr. Robert D. Harris, Architect presented Site Plan, Area Map, Floor Plan, Elevations and Section and Fire Protection System Details for the proposed Bonanza Restaurant on a land locked parcel on the Twin Fair site, subject to present property owners approval. Size of proposed building: 47'8" wide x 103.33' deep; building will be setback approximately 170' from front property line. Mr. Harris stated ingress and egress will be provided by covenant only; they will use existing ingress/egress of the Twin Fair Store. Seating capacity of restaurant: 174; they will provide 79 parking spaces over and above Twin Fair's.

Motion was made by Mr. Will to approve amended Twin Fair Site Plan subject to Town of Hamburg Engineering Department; seconded by Mr. McKenna. Carried.

HOWARD ROAD SUBDIVISION - HOWARD ROAD:

Mr. Jack Patterson of Cipco Construction Corp., site developers submitted Preliminary Plat covering Howard Road Subdivision. This subdivision covers fifty-five (55) sub lots for single-family development. The ten foot (10') easement, to be blacktopped by developer, was shown on the plan between sub lot's 30 and 31 and along the westerly boundary of sub lot 31. This easement will connect with a ten foot (10') easement in Roundtree Village Subdivision.

Chairman Recla informed Mr. Patterson a legal description must be submitted in order to schedule a public hearing and such hearing must be advertised in a Town newspaper at least five days before such hearing. Mr. Patterson stated he would submit the legal description to the Building Department so the public hearing can be scheduled for the Planning Board meeting of 9/29/76.

B&J'S CHARCOAL HOTS, SOUTHWESTERN BOULEVARD, SITE PLAN REVIEW:

Mr. Bernard Dowdall submitted Site Plan for proposed B&J's charcoal hots. This property is zoned C-1. Size of proposed building: 20' x 39'. The property frontage is 100' which is on an angle; actual width of lot at building line is 80'. This is an odd shaped lot being 80' in width for a depth of approximately 250'; then widens out an additional 239' for a depth of approximately four hundred feet (400'). This property will be served by a septic system. Mr. Dowdall informed the Board his engineer, Byron F. Whitford had talked to Erie County Health Department and they will not schedule percolation tests until the Town of Hamburg Planning Board has approved the Site Plan.

In reviewing the Site Plan, Board members informed Mr. Dowdall the lot width at the building line must be 100'. Mr. Dowdall's father was present and owns adjoining property to the west and stated the lot width can be increased 20'. The Site Plan shows a total of fifteen parking spaces and Mr. Dowdall was informed one space for each 25'square feet of gross floor area must be shown on the plan for a total of thirty-two (32) parking spaces. Also, if adequate parking cannot be provided on site, applicant has the option of making application to the Zoning Board of Appeals for a variance in the number of required parking spaces. Also informed topographical elevations must be shown on the plan.

A revised Site Plan must be submitted to the Planning Board covering the proposed B&J's Charcoal Hots drive-in type restaurant.

PROPOSED RESTAURANT - NORTH CREEK ROAD AND ROUTE 20:

Mr. & Mrs. Robert Surma and Ronald Hosken, Architect were present and submitted Site Plan, Area Map, Landscape Plan, Survey, Basement Plan, First Floor Plan, also second and third floor plan, elevations north and south and elevations east and west covering proposed restaurant at the above address. Also submitted certification showing existing septic system (2 septic tanks and sand filter) was inspected and approved by the Erie County Health Department in 1973 with the understanding the property would be used for a nursing home or restaurant. The existing dwelling has been vacant for sometime.

Board members reviewed the plans submitted and motion was made by Mr. Will to accept Site Plan as presented subject to Town of Hamburg Engineering Department approval; seconded by Mr. Corcoran. Carried.

PROPOSED OFFICE BUILDING - SOUTHWESTERN BOULEVARD:

Mr. Ed McMahon, owner and Mr. John Cirrincione and Mr. Robert Mieninger presented a Site Plan to the Planning Board covering a proposed office building. Mr. McMahon will use the second floor for an insurance office and Mr. Cirrincione and Mr. Mieninger will use the lower floor for general contractors office.

PROPOSED OFFICE BUILDING, SOUTHWESTERN BLVD., CONT'D.:

The Board in reviewing the Site Plan informed Mr. McMahon fifteen parking spaces must be provided and shown on the plan also, topographical elevations, therefore, a revised Site Plan must be submitted. Chairman Recla also informed Mr. McMahon a copy of the Site Plan will be sent to the NYS DOT, Town of Hamburg Engineering Department and Traffic Safety Board for their comments and/or recommendations.

HOWARD JOHNSON'S RESTAURANT - MILESTRIP ROAD:

The following replies were read by Chairman Recla covering copy of Site Plan of Howard Johnson's Restaurant sent to:

William R. Harris, P.E., Town Engineer, dated 9/15/76: "A new sanitary sewer line is proposed along the southerly side of Milestrip Road to serve this establishment. At Mr. Fallon's suggestion we have been holding up approvals of the sewer as well as the Site Plan pending discussions with the State Department of Transportation regarding the highway corridor for the proposed Milestrip Improvement. As far as the Site Plan itself is concerned there is very little engineering data on the plan. We find no existing topography, finish grades or grading arrows, and no existing elevations along Milestrip Road. In addition, it would appear that it might be advisable to have a drainage receiver in the rear parking lot. Also, we see no cross section or description of the pavement for the driveway or parking area."

Hamburg Traffic Safety Board, dated 8/21/76: "Driveway locations should be field checked to insure there are no conflicts with existing roadway and drive configurations. Overall plan appears well designed."

New York State Department of Transportation, D. H. Ketchum, Regional Director, dated 8/30/76 to: Leo J. Fallon, Supervisor: "As a followup to our phone conversation of August 24, 1976, I am sending the following additional information. The enclosed plan identifies the property in question in orange. The green area has been acquired by either New York State or Erie County for highway purposes. The heavy blue line shows property which would be necessary for construction of an expressway in this corridor. The red solid line and red broken lines identify two possible property acquisitions which would permit construction of a non-expressway highway facility. This red area is the strip described in our August 9th letter and is the link missing in a highway corridor which is otherwise continuous between Route 5 and Route 20. The solid red strip retains approximately 250 feet of the orange property measured southward from existing Mile Strip Road. The broken red alternative increases the usable remaining depth of this orange property to approximately 300 feet. Your cooperation in this matter is appreciated. Please call if you have any further questions."

Mr. James Brylski of the Building Department showed on the Site Plan submitted the above proposed expressway and non-expressway in relation to proposed restaurant and parking area.

HOWARD JOHNSON'S RESTAURANT - MILESTRIP ROAD, CONT'D.:

Consultant Dawson stated that the expressway route is in the Highway Law in contrast to the Regional and State DOT thoughts for the Hamburg By-pass.

The Board in discussing and reviewing Howard Johnson's Site Plan and information submitted from the New York State Department of Transportation assumed that the owner has been advised of the proposed expressway route and non-expressway route.

Motion was made by Mr. Cook to approve the Site Plan subject to Town of Hamburg Engineering Department approval; seconded by Mr. Will. Carried.

OTHER ITEMS:

The Board requested a letter be sent to the Town Board recommending they make plans for acquiring land for a general purpose park in the area northerly of Howard Road and encompassing Athol Springs Creek.

Motion was made by Mr. Will to adjourn the meeting at 12:45 a.m., seconded by Mrs. Howes. Carried.



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ARTHUR WILL, SECRETARY  
TOWN OF HAMBURG PLANNING BOARD

Next regular meeting: 9/29/76  
7:30 p.m.