

TOWN OF HAMBURG PLANNING BOARD MINUTES

9-24-75

ACTIONS TAKEN:

THE FRUITY STAND
LAKE SHORE ROAD
MR. R. DINKEL, MR. ED HAUCK

SITE PLAN REVIEW
APPROVED WITH EXCEPTIONS.

NIGRO DEVELOPMENT CORP.
S.4215 MCKINLEY PARKWAY
KEN NIGRO - V. LIBERATORE

REVISED SITE PLAN
APPROVED WITH STIPULATIONS
AS SHOWN IN MINUTES.

MACEDONIAN CHURCH
4785 LAKE AVENUE
FRANK MATTHEWS

REVISED SITE PLAN
MUST SUBMIT PLAN.
RE-ZONING QUESTION-PORION
OF PROPERTY.

TOWNE MEADOWS SUBDIVISION
WEST OF NILES AVENUE
JOHN BOSSE

PUBLIC HEARING
NO OPPOSITION.

OTHER ITEMS:

Traffic Safety Board would like to meet with Reverend Black of Big Tree Wesleyan Church, Fairview Parkway. Letter sent to Reverend Black regarding such meeting.

Chairman Weinheimer received letter from Boston Planning Board re another joint meeting discussion on 9-25-75 at 8:00 p.m. Letter received and filed.

PENDING ITEMS:

Pony Post - Abbott and Willett.

TABLED ITEMS:

Robert Loomis - Mobile Camping Park, Milestrip Road.

TOWN OF HAMBURG PLANNING BOARD MINUTES

9-24-75

The Town of Hamburg Planning Board members met in regular session on Wednesday, 9-24-75 at 7:30 p.m. Presiding was Chairman Weinheimer and others present were Mr. Will, Mr. Sipprell, Mr. Recla, Mrs. Sherwood, Mrs. Howes, Mr. Corcoran, Consultant Dawson, Building Inspector Lauchert, Assistant Town Engineer Geiger and Mrs. Burgwardt, stenographer.

Minutes of the meeting of 9-10-75 were approved on motion by Mr. Recla; seconded by Mrs. Sherwood. Carried.

Building Inspector Jack Lauchert attended meeting on 9-23-75 at Hamburg Town Hall re: Pierce Avenue and Lake Street traffic problems.

The Traffic Safety Board would like to meet with Reverend Black of Big Tree Wesleyan Church, Fairview Parkway re driveway locations. Letter dated 10-2-75 from Building Inspector Lauchert to Reverend Black concerning recommended revisions for Site Plan, also more engineering data to be shown, such as elevations, utilities, drainage and pavement detail. Reverend Black informed to contact Kathy Triepel for information concerning location and time of the next Traffic Safety Board meeting.

Chairman Weinheimer read memo from Traffic Safety Board stating they would like minutes of meeting along with Site Plans. Building Inspector Lauchert will write letter to the Traffic Safety Board to explain what was discussed at the meeting regarding any Site Plan submitted to Traffic Safety, for their comments and recommendations.

Chairman Weinheimer announced another joint meeting discussion on 9-25-75 at 8:00 p.m. as per letter received from the Boston Planning Board. Letter received and filed.

Building Inspector Jack Lauchert informed the Planning Board of a new type construction called Panel-Bloc masonry panels as partitions and outside walls. Model home is being constructed in Scranton by Paul Riefler Inc. It is their hope to construct a moderately priced home.

THE FRUITY STAND - LAKE SHORE ROAD

Mr. Robert Dinkel, owner of the Fruity Stand and Mr. Ed Hauch, architect, appeared before the Board and presented plans for a proposed addition. Mr. Dinkel stated that he needs the addition because his business has changed in that he not only sells produce on the premises but also supplies fresh produce to about thirty area restaurants. Mr. Dinkel said there will be no change to the existing structure. Addition will be on north side of present building and will consist of a small office, lavatory and an open area, fenced, with roof to store crates, vegetables, etc. Mr. Dinkel informed the Board he does all the delivery of produce with his own truck, will not be using other trucks.

THE FRUITY STAND - LAKE SHORE ROAD - Cont'd.:

The Board in discussing the plan submitted informed Mr. Dinkel that the proposed addition is to be kept 40' from the west property line. Parking spaces figured on basis of 1493 square feet: (retail store, 1 for each 150 sq. ft. = 10 spaces - plus - 2, wholesale area; total of 12 parking spaces required - 13 parking spaces shown on plan.

Motion was made by Mr. Will to accept the Site Plan with the following stipulations: fencing to be heavy gauge with slats, black-topping to be completed within one year from this date; seconded by Mr. Sipprell. Carried.

NIGRO DEVELOPMENT CORP. - S.4215 MCKINLEY PKWY.

Mr. Ken Nigro and Mr. Victor Liberatore appeared before the Board and submitted a revised Site Plan, also submitted pictures of this property since landscaping was completed. Mr. Nigro and Mr. Liberatore informed the Board they have leased office space to U. S. Sugar Company and have agreed to give VIP parking in front for their employees and parking in the rear for their customers. The Board informed Mr. Nigro he cannot have trucks parked in the back portion of his lot anymore and must have signs made and erected indicating this. Mr. Liberatore felt the split rail fence requested by the Board to be erected on lot line on north boundary should be held up until Mac Motors Site Plan is presented to the Board.

The Board discussed the revised Site Plan in executive session and when the public meeting was reopened the following motion was made:

Mr. Will made a motion to accept the revised Site Plan with the following stipulations: south proposed driveway to be eliminated, use north driveway only; parking area blacktopped within one year, including auxiliary parking area; detail of pavement to be shown on Site Plan; no entrance onto Sheldon Road; erect split-rail fence on lot line on north boundary, extend fence to auxiliary parking (east side); complete Site Plan and submit six (6) copies to Building Inspector; must have architects seal on plan; motion seconded by Mr. Sipprell. Carried.

MACEDONIAN CHURCH - 4785 LAKE AVENUE

Mr. Frank Matthews appeared before the Board and presented a revised Site Plan. Originally the parking lot was planned to be located behind the church but as the Macedonian Church members want a soccer field it will be necessary to change part of the parking area to the front of the building. The rear portion of this lot, southerly portion, is a low area.

Adjourned for public hearing at 9:00 p.m.

Re-appeared after public hearing for more discussion which follows:

MACEDONIAN CHURCH - 4785 LAKE AVENUE - Cont'd.:

The Board requested the following be shown on a revised Site Plan: show future parking area and blacktopping, lighting to be shown on plan; third and fourth catch basin to be shown on plan; proposed location of soccer field; landscaping: grass, shrubs and trees to be shown; proposed location of future church; minimum of 35' front setback; grassed area to extend from front right-of-way back 35 feet; paving detail: 6" of base, 2" of course and 1" of fine; must have architects seal on plan; parking area to be striped - 110 spaces required; show 6" curb around entire parking area and roadway. Must submit six (6) copies of revised Site Plan to the Building Inspector.

Property is zoned Residence Farm and under this classification parking is not allowed in front yard. The general area is mostly business zoned and plan is for General Business under the Proposed Land Use Plan, therefore, the Planning Board recommends the Town Board rezone the area south of Lake Avenue from the B&O Railroad to Smokes Creek to General Business. If not rezoned it would be undue hardship to Macedonian Church. Letter sent to Town Board on 9-25-75 recommending rezoning as per motion by Mr. Will; seconded by Mr. Recla. (Rezone property back 300 feet.)

TOWNE MEADOWS SUBDIVISION - WEST OF NILES AVENUE

The following Legal Notice was read by Secretary Karen Sherwood:

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD
APPROVAL OF
SUBDIVISION PLAT
LOCATED WEST OF
NILES AVENUE
KNOWN AS
TOWNE MEADOWS**

Notice is hereby given that the Planning Board of the Town of Hamburg will hold a public hearing at the Town Hall, S6100 South Park Avenue on the 24th day of September, 1975 at 9:00 p.m., E.D.S.T. for the purpose of approval of Subdivision Plat. This property is further described as follows:

BEING ALL THAT TRACT OR PARCEL OF LAND located west of Niles Avenue in the Town of Hamburg, County of Erie, State of New York and being part of Lot's 33 and 34, Township 10, Range 7 of the Buffalo Creek Indian Reservation, and further bounded and described as follows:

BEGINNING at the intersection of the west right of way line of Niles Avenue with the north right of way line of Arthur Avenue as shown on Map Cover 1442; thence

south along the west right of way line of Niles Avenue a distance of two hundred twenty (220.0) feet; thence west a distance of one hundred twenty-two (122.0) feet; thence south a distance of thirty (30) feet; thence west along the south line of Sub Lot 154 of Map Cover 1442, a distance of two hundred seventy eight (278.0) feet to the southwest corner of Sub Lot 154; thence south along the east line of Sub Lot 158 of Map Cover 1442, a distance of three hundred forty nine and six tenths (349.6) feet to the southeast corner of Sub Lot 158; thence west along the south line of Map Cover 1442, a distance of one thousand five hundred nine and eighty-four hundredths (1509.84) feet to the southwest corner of Sub Lot 173 of Map Cover 1442; thence north along the west line of Sub Lot 173 and its extension north, a distance of six hundred fifteen and five tenths (615.5) feet more or less to the north right of way line of Arthur Avenue; thence east along the north right of way line of Arthur Avenue, a distance of four

hundred (400.0) feet to the southwest corner of Sub Lot 136 of Map Cover 1442; thence north along the west line of Sub Lot 136, a distance of three hundred (300.0) feet more or less to the south line of New Milestrip Road; thence easterly along the south line of New Milestrip Road about one thousand two hundred eighty five (1285) feet to the east right of way line of Neff Street; thence south along the east right of way line of Neff Street, a distance of three hundred eighty (380.0) feet more or less to the north right of way line of Arthur Avenue; thence east along the north right of way line of Arthur Avenue, a distance of two hundred forty four (244.0) feet to the point or place of beginning and containing 33.5 acres more or less.

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

**LESTER WEINHEIMER
CHAIRMAN
TOWN OF HAMBURG
PLANNING BOARD**
Dated: September 16, 1975

TOWNE MEADOWS SUBDIVISION - PUBLIC HEARING - Cont'd.:

Chairman Weinheimer asked if anyone present wished to be heard in favor of this subdivision? Mr. John Bosse was present and stated he is in favor of this subdivision.

Chairman Weinheimer asked if anyone present was in opposition to this subdivision; there was no reply. Hearing was closed by Chairman Weinheimer.

Chairman Weinheimer advised Mr. Bosse if the Board does not act within 45 days, the subdivision is automatically approved. Mr. Bosse asked the Board if he would be permitted to start cleaning out the scrub and he was advised not to chop down anything larger than 6" in diam. The Board will act on this subdivision at the Planning Board meeting of 10-15-75 and advised Mr. Bosse they see no difficulty with same.

Re: Site Plan, E. P. Kirst & Sons, Inc., 5727 South Park Avenue:

Letter dated 9-24-75 from William Harris, P.E., Town Engineer: Re above Site Plan: "The proposed work involves, or is very close to, existing sewer and water facilities as well as other public utilities. When similar work was proposed some time ago problems came up in regard to these matters."

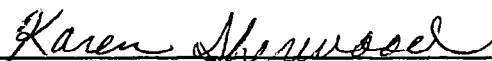
"In view of the above we would like more information than is shown on the plan before giving our approval. Also, we would like more information regarding the proposed drainage."

"It is suggested that the owner contact us and arrange a meeting on the site with representatives of our office and possibly the Erie County Water Authority."

Letter dated 9-18-75 from N.Y.S. Department of Transportation, J. M. Galvin, Assistant Resident Engineer, South Erie County re the above Site Plan: "The proposed drive (74' wide) is unacceptable. I have indicated on the attached plan our minimum requirements to control access. This is a suggested location. We will consider any other location which will give the desired control and meet the requirements. Drainage will not affect the State System. A permit will be required. Refer any questions to 649-2157."

Letter dated 10-2-75 from Building Inspector John Lauchert to E. P. Kirst & Sons, Inc. advising them of the above letter from William Harris, Town Engineer and Mr. Galvin, Assistant Resident Engineer, N.Y.S. Department of Transportation.

Motion was made by Mr. Will to adjourn meeting at 11:00 p.m., seconded by Mr. Sipprell. Carried.


Karen Sherwood, Secretary
Town of Hamburg Planning Board

Next regular meeting: 10-15-75