

TOWN OF HAMBURG PLANNING BOARD MINUTES

11-12-75

ACTIONS TAKEN

BUTTERMILK FALLS SUBDIVISION
VERSAILLES PLANK ROAD

PUBLIC HEARING
NO OPPOSITION.

MICHAEL FITZGERALD, ESQ.

DISCUSSION - LAKE SHORE
BY-PASS.

VICTOR LIBERATORE

LAND USE
McKINLEY PARKWAY

SANTORA'S RESTAURANT
CAMP ROAD

MUST CONFORM TO N.Y. STATE
DOT RECOMMENDATIONS AND TOWN
ENGINEERING DEPT. RECOMMENDATIONS.
APPROVED CONTINGENT ON ABOVE.

HAMBURG HISTORICAL SOCIETY
SOUTH PARK AVENUE
MR. DUKE SPITTLER

SITE PLAN REVIEW
APPROVED AS PER STIPULATIONS
IN MINUTES.

ARCH McALLISTER
MAELOU DRIVE

ZBA GRANTED NECESSARY
VARIANCES 11-5-75. SITE
PLAN APPROVED.

REZONING APPLICATIONS:

BENJAMIN J. NICOSIA & JACK KEIFFER, Bayview Road near Beetow Drive
R-F to R-2: This application was removed from the
table by motion made by Mr. Will, seconded by Mrs.
Howes. After discussion of same, the Planning Board
recommends to the Town Board rezoning of this property
from R-F to R-2 as this conforms with the Land Use
Plan, conforms with development of Beetow Drive
adjacent street and will fill out the area surrounded
by the Thruway, a Park and Hilbert College.

LIBERATORE BROTHERS, Scranton Road north side, east of Wood Avenue
R-4 to R-M: The Planning Board reviewed this appli-
cation and found same to be incorrect, therefore,
advised Mr. Liberatore to submit revised application.

LIBERATORE BROTHERS, S-5412 South Park Avenue, R-2 to R-M,
Planning Board suggested Mr. Liberatore revise appli-
cation and request rezoning from Sprague Avenue north
to cover Sub Lot's one thru seven.

TOWN OF HAMBURG PLANNING BOARD MINUTES

11-12-75

PENDING ITEMS:

- Big Tree Wesleyan Church - 4171 Fairview Parkway
Revised Site Plan must be submitted.
- E. P. Kirst & Sons, Inc. - 5727 South Park Avenue
Revised Site Plan must be submitted.
- Wayfarers Lodge #1148 - S.4855 Rogers Road
Revised Site Plan must be submitted.

TABLED ITEMS:

Robert Loomis - Mobile Camping Park, Milestrip Road.

The Town of Hamburg Planning Board members met in regular session on Wednesday, 11-12-75 at 7:30 p.m. Presiding was Chairman Weinheimer and others present were Mr. Will, Mrs. Howes, Mrs. Sherwood, Consultant Dawson, Building Inspector Lauchert and Mrs. Beale, stenographer. Absent: Mr. Recla, Mr. Sipprell, Mr. Corcoran and Attorney Benzinger. Others present, Councilman Schlehr, Mrs. Ainsley Rockwood and Assistant Town Engineer Geiger.

Minutes of the meeting of 10-29-75 were approved on motion by Mrs. Howes; seconded by Mr. Will. Carried.

BUTTERMILK FALLS SUBDIVISION - VERSAILLES PLANK ROAD

The following Legal Notice was read by Secretary Mrs. Sherwood:

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD
APPROVAL OF
SUBDIVISION PLAT
ON VERSAILLES PLANK
ROAD KNOWN AS
BUTTERMILK FALLS**

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 12th day of November, 1975 at 8:00 p.m. E.S.T. for the purpose of approval of Subdivision Plat. This property is further described as follows:

ALL THAT PLOT OF LAND situated in the Town of Hamburg, County of Erie and State of New York, being part of Lots Numbers 41 & 44, Township 9, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the centerline of Versailles Plank Road at the northwest corner of lands conveyed to

Kenneth London by a deed recorded in Liber 6291 of Deeds at page 562; thence northerly along the centerline of the Versailles Plank Road to a point 100 feet north of, as measured at right angles thereto, the north line of London by aforesaid deed; thence east parallel to and 100 feet north of, as measured at right angles thereto, the north line of London by aforesaid deed, a distance of 285 feet; thence northeasterly about 90 feet to a point; thence north about 425 feet to a point 100 feet south of the north line of lands lying in Lot 44, Township 9, Range 8 as conveyed to Raymond F. Ebel and Gertrude Ebel, his wife, by a deed recorded in Liber 1703 of Deeds at page 636; thence easterly along a line parallel to and a distance 100 feet southerly from the north line of lands so conveyed to Ebel by aforesaid deed, 165 feet to a point; thence northerly parallel to the centerline of Versailles Plank Road 100 feet to the north line of lands conveyed

to Ebel by aforesaid deed; thence easterly along the north line of lands conveyed to Ebel by aforesaid deed 114.86 feet to the east line of Lot No. 44, Township 9, Range 8; and the west line of Lot 41, Township 9, Range 8; thence northerly along the division line between aforesaid lots, 1098.87 feet to the northwest corner of lands lying in Lot 41, Township 9, Range 8 as conveyed to Raymond F. Ebel and Gertrude Ebel, his wife, by a deed as recorded in Liber 1703 of deeds at page 636, said point being 1098.24 feet south of the northwest corner of Lot No. 41, Township 9, Range 8 as measured along the west line of Lot 41, Township 9, Range 8; thence easterly along the north line of lands so conveyed to Ebel by aforesaid deed 1321.98 feet to a point; thence southerly and parallel to the west line of Lot No. 41, Township 9, Range 8, 659.34 feet to a point; thence east-

erly along the northerly line of lands so conveyed to Ebel by aforesaid deed 660.66 feet to a point; thence southerly parallel to the west line of Lot No. 41, Township 9, Range 8, 1298.88 feet to the southeast corner of lands so conveyed by Ebel by aforesaid deed; thence westerly along the south line of lands conveyed to Ebel by aforesaid deed 2309.62 feet to a point; thence northerly parallel to the centerline of Versailles Plank Road 200 feet to the northeast corner of lands so conveyed to London by first mentioned deed; thence westerly along the north line of lands so conveyed to London by first mentioned deed 221.78 feet to point of beginning.

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

**LESTER WEINHEIMER,
CHAIRMAN
TOWN OF HAMBURG
PLANNING BOARD**

BUTTERMILK FALLS SUBDIVISION - VERSAILLES PLANK ROAD
PUBLIC HEARING - Continued:

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

Chairman Weinheimer asked if anyone present wished to be heard in opposition to this subdivision; as there was no reply, hearing was closed by Chairman Weinheimer.

MICHAEL FITZGERALD - re: Lake Shore Road By-pass

Mr. Michael Fitzgerald appeared before the Board and discussed a possible Lake Shore By-pass. Mr. Fitzgerald said he is aware this was discussed twenty years ago but feels there is a need for such a by-pass and feels there are Federal funds available if fit into the proper category, such as; Federal funds are available for grade crossing elimination (Rogers Road, Cloverbank Road, Pleasant Avenue and Lake View Road); make provisions for rapid transit, could get funds from that source; Lake Shore Road would qualify for Costal Zone Management funds; funds available re unemployment, with Ford Motor Company and Bethlehem Steel both located on Lake Shore Road this might be a possible category for obtaining Federal funds.

Mr. Fitzgerald stated he strongly feels this deserves another look at and asked that the Planning Board discuss same. Chairman Weinheimer said the Regional Planning Board has to pick-up first but assured Mr. Fitzgerald the Planning Board will discuss same.

SANTORA'S RESTAURANT - CAMP ROAD

A revised Site Plan was submitted to Building Inspector Jack Lauchert as per Planning Board's request at the meeting of 10-29-75. Three parking spaces were eliminated (first three spaces nearest Camp Road, parking spaces along entire northerly line shown on a diagonal and bumpers shown at end of paved area at easterly end of property.

Letter dated 11-7-75 from New York State Department of Transportation, J. M. Galvin, Ass't. Resident Engineer, South Erie County as follows: "I have reviewed Site Plan - Santora's Restaurant #3 as requested and have the following comments:

1. The proposal basically conforms with current practices. I have indicated on the attached plan some additional details which must be included or excluded to make this proposal completely acceptable.
2. At the present time there is an open ditch across the frontage of this site. This ditch line is closed with pipe or pipe and concrete gutter across the frontage of the abutting properties. Concrete gutter alone will not be sufficient to close the ditch at this site. If the owner wishes to close the ditch, it must be done with 18" corr. metal pipe. In addition, if the ditch is closed, a drop inlet must be provided as a clean out and to accept surface drainage. The area over the pipe is to be graded forming a swale area which will drain to the drop inlet.
3. A permit will be required and we will recommend a performance bond for \$1,000.00. Refer any questions to 649-2157."

SANTORA'S RESTAURANT - CAMP ROAD - Cont'd.:

Letter dated 11-3-75 from Town of Hamburg Conservation Advisory Board, Ainsley Rockwood-Chairman: "The Conservation Advisory Board has no objections, in fact it probably will improve the appearance of the property."

Letter dated 11-12-75, William R. Harris, P.E., Town Engineer: "It is noted that the drawing calls for top courses totaling 2" of asphaltic concrete, including 1-1/2" binder course and 1/2" wearing surface. We have usually recommended a minimum of 2-1/2" including 1-1/2" binder and 1" wearing surface. It is therefore recommended that the 1/2" wearing course be increased to 1". We have no other comments."

Motion was made by Mrs. Sherwood to approve Site Plan contingent on plan conforming to N.Y.S. DOT recommendations and Town of Hamburg Engineering Department recommendation of 1" wearing surface to be shown on plan in pavement detail; seconded by Mrs. Howes. Carried.

HAMBURG HISTORICAL SOCIETY - SOUTH PARK AVENUE

Mr. Duke Spittler appeared before the Board and submitted a Site Plan covering property on South Park Avenue and proposed building for the Hamburg Historical Society and Buffalo & Erie County Historical Society. The proposed building will be steel construction; 40' wide by 160' long. The front portion labeled "office" will be used by the Hamburg Historical Society and the remainder of the building will be used by the Buffalo & Erie County Historical Society. The rear portion labeled "carriage storage room" will be used to store carriages now stored in Pavilion, New York.

In reviewing the Site Plan, the Board requested two additional exits (one in office and one in storage portion on north side of building) concrete slab and vestibule added to front of building and plan to be stamped by licensed architect or engineer.

Motion was made by Mr. Will to approve the Site Plan with the stipulation the above requests are shown on the plan; seconded by Mrs. Sherwood. Carried.

The Site Plan will be submitted to the appropriate Boards for their comments.

ARCH McALLISTER - Warehouse - MAELOU DRIVE

The Zoning Board of Appeals granted the necessary variances covering Site Plan for the above on 11-5-75, therefore, motion was made by Mrs. Sherwood to approve the Site Plan; seconded by Mr. Will. Carried.

HAL CASEY - CAMP ROAD

Building Inspector Jack Lauchert informed the Board a temporary Certificate of Occupancy was issued to Mr. Casey with the following stipulations: 10 parking spaces to be shown on Site Plan and are to be striped, grass in five foot area and pre-cast curbs installed

HAL CASEY - CAMP ROAD - Cont'd.:

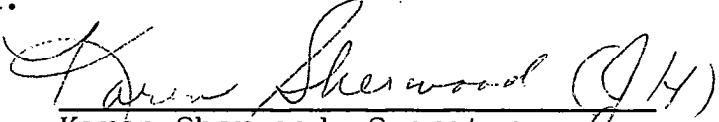
on or before expiration date July 1, 1976, therefore, motion was made by Mr. Will to approve Site Plan with the aforementioned stipulations; seconded by Mr. Weinheimer. Carried.

VICTOR LIBERATORE - MCKINLEY PARKWAY

Mr. Victor Liberatore appeared before the Board and again discussed Land Use for property he owns on McKinley Parkway and asked the Board to reconsider this use as he feels this particular property would be an ideal location for banquet facilities and motel facilities because of the accessibility to the Thruway, Milestrip Road, Route 219. This property backs up to Niagara Mohawk power lines and the Thruway.

This property is presently zoned for singles and/or doubles. The Land Use Map shows this property for single family dwellings. The Planning Board will discuss this property at their sub-committee meeting on 11-19-75.

Motion was made by Mr. Will to adjourn meeting at 11:15 p.m., seconded by Mrs. Howes. Carried.


Karen Sherwood, Secretary
TOWN OF HAMBURG PLANNING BOARD

Next regular meeting: 11-26-75

Received and filed copy of Zoning Ordinance, Town of North Collins, New York from Boston Planning Board based on last joint meeting.