

Agenda

Natalie E. Nitsche Town Clerk

Town Board of the Town of Hamburg

March 23, 2026

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Minutes of Previous Meeting**
RESOLVED, that the Town Board does hereby approve the minutes of the previous meeting as follows: March 9, 2026
- 4. Agenda Items**
 - 4.1. Proclamation Honoring Jessica Underberg**
 - 4.2. Public Hearing Proposed Local Law #5, 2026**
 - 4.3. Nike Facility Easement**
 - 4.4. Annual Grass Cutting Bid**
 - 4.5. Out of Town Travel-Recreation**
 - 4.6. Schedule Public Hearing to Amend Ch. 65 of the Hamburg Town Code**
 - 4.7. Youth, Recreation, & Senior Services P.A.F.**
 - 4.8. B&G Budget Transfer**
 - 4.9. B&G Toro Greensmaster**
 - 4.10. POLICE - Out of Town Travel Request**
 - 4.11. B&G Olympia Ice Resurface Machine**
 - 4.12. Clerk's Office Fee Schedule**
 - 4.13. Amended LWRP Rezonings SEQR and Adoption Resolution (Camp Road and St. Francis Drive)**
 - 4.14. Chapter 34 SEQR and Adoption Resolution**
 - 4.15. Chapter 31 Amendments SEQR and Adoption Resolution**
 - 4.16. Cybersecurity Conference**

4.17.LGRMIF Grant Application

5. Public Comment

6. Meeting is adjourned by Supervisor

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.1. Proclamation Honoring Jessica Underberg

Whereas, Jessica Underberg has demonstrated outstanding leadership and dedication to the Erie County Fair and the broader agricultural community through her role as Chief Executive Officer and Fair Manager since 2017; and

Whereas, under her leadership, the Erie County Fair has continued to grow in excellence and reputation, earning 26 International Association of Fairs and Expositions (IAFE) awards in 2025 for achievements in agricultural programming, marketing, facilities, and competitive exhibits; and

Whereas, Jessica's commitment to innovation, tradition, and community engagement has strengthened one of Western New York's most cherished institutions, ensuring its continued success for generations to come; and

Whereas, on December 1, 2025, Jessica was inducted into the International Association of Fairs and Expositions Hall of Fame during the IAFE Convention and Trade Show in Denver, Colorado, receiving the organization's highest honor; and

Whereas, the IAFE Hall of Fame Award recognizes individuals whose distinguished careers exemplify exceptional leadership, unwavering commitment, and invaluable service to the fair industry; and

Whereas, IAFE President and CEO David Grindle noted that Jessica embodies the spirits of dedication and excellence that advances the industry while preserving its proud traditions; and

Whereas, Jessica's accomplishments bring great pride to the Erie County Agricultural Society, the Erie County Fair, and the entire Western New York Community; and

Now, Therefore, Be It Resolved, that we do hereby recognize and honor Jessica Underberg for her remarkable achievements, her leadership, and her lasting contributions to the fair industry and the community; and

Be It Further Resolved, that this proclamation stands as a tribute to their induction into the International Association of Fairs and Expositions Hall of Fame and in appreciation for her continued service,

dedication, and excellence.

In Witness Whereof, we have caused the seal of the Town of Hamburg to be affixed this 23rd day of March 2026.

Elizabeth Farrell Lorentz, Supervisor

Dan Kozub, Councilmember

Frank Bogulski, Councilmember

Lynne Dixon, Councilmember

Nick Ortiz, Councilmember

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.2. Public Hearing Proposed Local Law #5, 2026

Legal Notice

Town of Hamburg

Notice of Hearing Proposed Local Law #5, 2026

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on March 9, 2026, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #5, 2026; the proposed local law amends Chapter 31 of the Hamburg Town Code currently entitled “Historic Preservation Commission.”

A detailed copy of the proposed amendments will be available, for public review, during regular business hours at the following locations:

HAMBURG TOWN HALL

Town Clerk’s Office

6100 South Park Avenue

Hamburg, New York 14075

And on the Town of Hamburg’s website:

www.townofhamburgny.gov Click on Legal Notices & Bid

THEREFORE, pursuant to the statutes and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:00 p.m. on March 23, 2026, at which time all persons interested may be heard.

Dated: March 9, 2026

Natalie Nitsche

Town Clerk

Town of Hamburg

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.3. Nike Facility Easement

WHEREAS, the Town owns multiple parcels known as the Nike Recreational Facility; and

WHEREAS, the Senior & Community Center is currently under construction on the parcels, which will include a new septic system; and

WHEREAS, the new septic system will be located on a different parcel than the main building and as such the Town must grant an easement for the septic system between the two parcels in order to obtain approval of the septic system by the Erie County Department of Health.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the supervisor to sign the attached easement and the form and map to be filed with the County Clerk's office.

ATTACHMENTS:

[03-23-2026 Sr & Com Center Septic Easement.pdf](#)
[DOC031926.pdf](#)

SEPTIC SYSTEM/SANITARY EASEMENT

This agreement made this _____ day of March, 2026, by and between the TOWN OF HAMBURG, a municipal corporation organized and existing under the laws of the State of New York, party of the First Part, and the TOWN OF HAMBURG, a municipal corporation organized and existing under the laws of the State of New York, party of the Second Part:

WITNESSETH:

That the party of the First Part, for and in consideration of the sum of One Dollar (\$1.00) paid by the party of the Second Part hereby grant and release and convey to the party of the Second Part, its successors and assigns:

The perpetual right-of-way and easement and right to construct, reconstruct, maintain, operate and repair, and replace a septic system and related sanitary sewer lateral and to construct appurtenant structures therein as the party of the Second Part may deem necessary or desirable through and across the property, generally 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 32, Township 9, Range 8 and being more particularly bounded and described as follows:
Part of parcel S.B.L. No. 194.00-4-16.

Being an 80 ft by 190 ft easement for all septic system features as shown on the attached map.

The party of the Second Part shall have free ingress and egress to the above-mentioned right-of-way and easement for all purposes of the right-of-way and easement.

The party of the Second Part hereby agrees to repair and damage caused to the above mentioned right-of-way and easement, not encompassed by the work itself, by the operations of the party of the Second Part, its agents, contractors, or employees, and after disturbing land surfaces subject to the right-of-way or easement adjacent to the work done to restore these areas as nearly practicable to their original condition.

Reserving, however, to the party of the First Part the use of the right-of-way and easement except for the erection of buildings, fences or other structures or the planting of

trees, shrubs on the right-of-way, provided the use shall not, in the opinion of the party of the Second Part, interfere with the rights herein granted.

TO HAVE AND TO HOLD the right-of-way and easement herein granted unto the party of the Second Part, its successors and assigns, including all installations and appurtenances.

AND the party of the First Part covenant as follows:

FIRST: That the party of the First Part is seized of the premises in fee simple, and good right to convey the same.

SECOND: That the party of the Second Part shall quietly enjoy the right-of-way and easements.

THIRD: That the premises are free and clear from all encumbrances.

FOURTH: That the party of the First Part will execute or procure any further necessary assurances of the title to the right-of-way and easements.

This indenture shall be binding on the respective executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and the year first written above.

TOWN OF HAMBURG

BY: _____

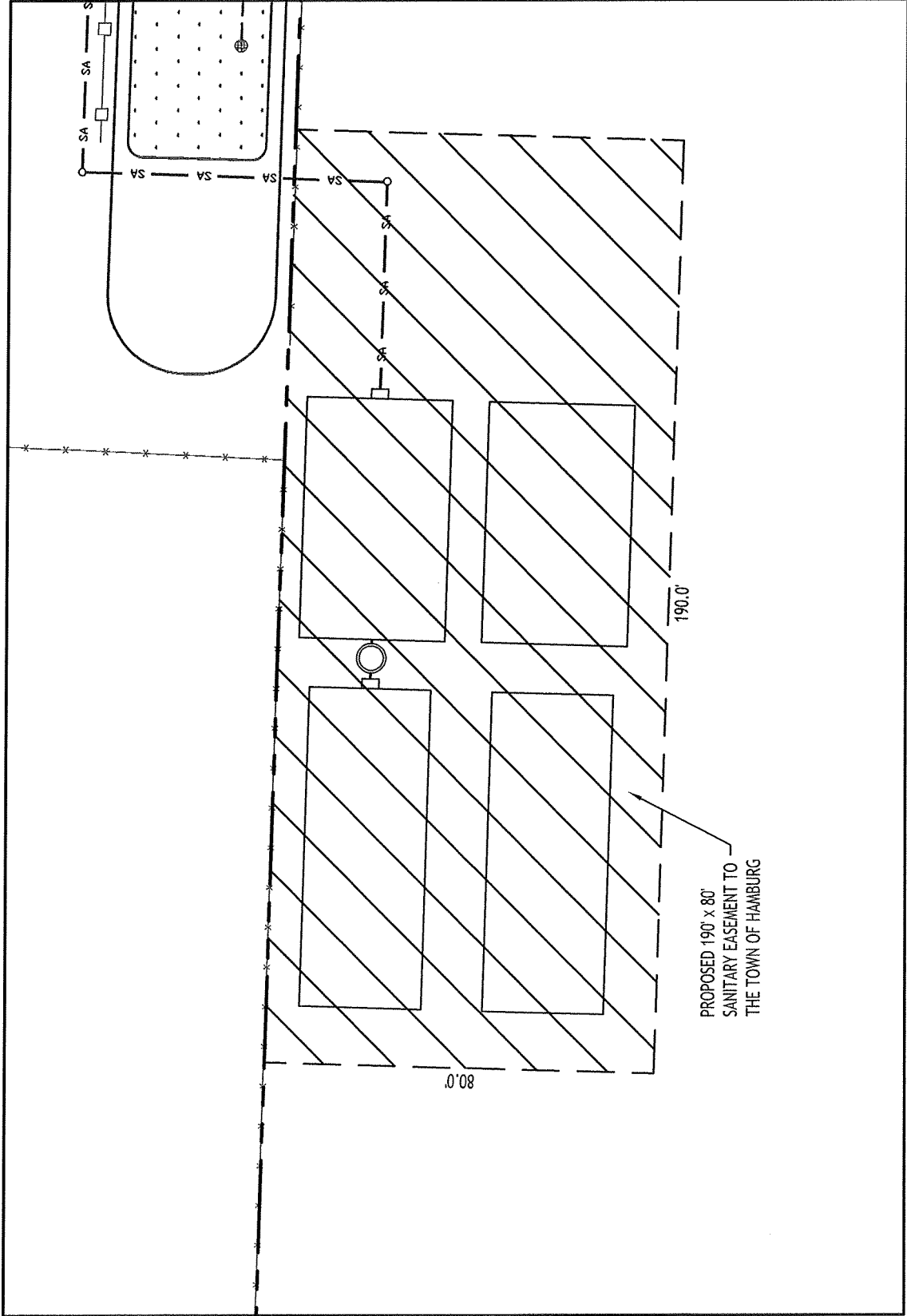
Elizabeth Farrell-Lorentz, Supervisor

State of New York)

County of Erie) ss:

On this ____ day of March, in the year 2026, before me the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, that by their signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, Erie County, New York



ARMINWOOD DESIGN Buffalo Utica Greensboro	PROJECT NAME: HAMBURG COMMUNITY CENTER	DATE: 3/4/26	DRAWING NAME: Septic System Easement
	ADDRESS: 2982 LAKEVIEW ROAD HAMBURG, NY	DRAWN BY: AJP	DRAWING NO.: SK C-400
		PROJECT NO.: 24-1116	

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.4. Annual Grass Cutting Bid

WHEREAS, the Town of Hamburg Code Enforcement Department is responsible for the enforcement of Town of Hamburg Local Law No. 9-1974 (Chapter 75) Brush, Grass and Weeds, Village of Hamburg Local Law No. 3 – 1998 Section 182-2 and Village of Blasdel Chapter 95 Article 1 and such services to perform cutting of grass and weeds on private property as required.

BE IT RESOLVED, that the Town Clerk is authorized to advertise for sealed bids entitled “Hamburg Code Enforcement 2026 Annual Contract for Grass/Weed Cutting Services”

Sealed bids must be received at Hamburg Town Hall, Town Clerk’s Office, 6100 South Park Avenue, Hamburg, New York 14075, and said bid will be publicly opened and read aloud on

April 28, 2026 at 11:30 a.m. in Conference Room (Building Inspection) Mailed bids should be sent to:
Town of Hamburg, Attn: Town Clerk 6100 South Park Avenue, Hamburg, New York 14075.

Please mark clearly on the envelope: Bid Enclosed – “Hamburg Code Enforcement 2026 Annual Contract for Grass/Weed Cutting Services”

Charged to Clean up of properties A3620.469

Town Board of the Town of Hamburg
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4.5. Out of Town Travel-Recreation

WHEREAS, the Town Board approves the out-of-town travel for Martin Denecke, who attended the Certified Playground Safety Inspector Course from March 4, 2026, through March 6, 2026; and

WHEREAS, actual and necessary expenses incurred in attending this training school, including registration fee, are proper municipal charges under Town Law §116(12) and General Municipal Law §77(b).

NOW THEREFORE BE IT RESOLVED, the Hamburg Town Board approves reimbursement of expenses for Martin Denecke's attendance at the Certified Playground Safety Inspector Course as follows: Registration: \$815; one (1) night hotel @ \$65.81 per night and two (2) nights @ 148.45 per night; and three (3) days of meals @ up to \$65.00 per day.

Funds are available in account A7020.0492

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.6. Schedule Public Hearing to Amend Ch. 65 of the Hamburg Town Code

Whereas, the Hamburg Town Code contains and specifies the local laws and ordinances of the Town of Hamburg; and

WHEREAS, the Code Review Committee reviewed various regulations of the Town of Hamburg Code and has sent these suggested revisions to the Town Board to begin the adoption process; and

BE IT RESOLVED that the Town Clerk is authorized to schedule a public hearing on a Proposed Local Law. The proposed local law would provide for amendments to the Hamburg Town Code in accordance with the recommendations of the Town of Hamburg Code Review Committee, specifically:

The purpose of this local law is to amend the provisions of Chapter 65 of the Code of the Town of Hamburg entitled "Alarm Systems", specifically §65-6. Avoidable Alarms, §65-7 Enforcement, §65-8 Penalties for offense and §65-9 Fines

BE IT FURTHER RESOLVED that, in accordance with the State Environmental Quality Review Act (SEQRA), the Town Board will seek Lead Agency status for this proposed legislation and authorizes the Planning Department to perform the appropriate mailings and notifications.

Be It Further Resolved, that the Hamburg Town Board hereby authorizes the referral of these proposed Code amendments to Erie County; and

Be It Finally Resolved, that the Hamburg Town Board sets a Public Hearing on these proposed Code amendments at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY at 7:00 pm on April 27, 2026.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.7. Youth, Recreation, & Senior Services P.A.F.

BE IT RESOLVED, that the Town Board approve the termination and hiring of personnel for the Youth, Recreation & Senior Services Department as follows:

ATTACHMENTS:

[scan_2026_03_19_11_22_22_415.pdf](#)

Date of Request:

Date of Request:

Date of Request:

Date of Request:

Department Head

Supervisor Signat

Supervisor Signat

TOWN BOARD MIN

PAGE 1 of

I request that a To

[illegible]

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.8. B&G Budget Transfer

BE IT RESOLVED, that the Town Board approves the following transfer to be made from A.1620.440 to A.8160.440 for the amount of \$450.00. Funds are to cover invoices paid to Farmer Pirates Compost LLC as grant funding has ended.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.9. B&G Toro Greensmaster

BE IT RESOLVED, that the Town Board authorizes the Buildings and Grounds Department to purchase a new Toro Greensmaster 3150Q for the total amount of \$50,482.01, per NYS Contract PC69682 from Grassland Equipment & Irrigation Corp. Purchase is on a lease-to-own basis with five (5) annual payments of \$11,263.54.

Funds are available in account A.7183.201 and A.7183.413, to be transferred to A.7183.478.

Town Board of the Town of Hamburg
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4.10. POLICE - Out of Town Travel Request

WHEREAS, the 2026 Beyond the Badge Health & Wellness Summit is being held Tuesday, April 7, 2026 to Wednesday, April 8, 2026 at the Cheswold Volunteer Fire Department in Cheswold, Delaware, and;

WHEREAS, Captain Todd Ehret will be a presenter at the Summit, and;

WHEREAS, all accommodations as well as meals are provided, and;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes Captain Todd Ehret to attend the 2026 Beyond the Badge Health & Wellness Summit with no cost to the Town of Hamburg.

ATTACHMENTS:

[2026 Beyond the Badge Health and Wellness Summit.pdf](#)



BEYOND THE BADGE

HEALTH & WELLNESS SUMMIT 2026

Cheswold Volunteer Fire
Department
April 7th & 8th, 2026
8am – 4pm

Agenda

Day 1:

Time: 8:00 AM – 4:00 PM

Time	Session	Speaker
8:00 – 8:15 AM	Registration & Welcome	Chris Workman- Cheswold PD
8:15 – 9:45 AM	Calming Story Seas: How Yoga Quieted the Storm Within	Vance Row – Ocean City, MD
9:45 – 10:00 AM	Break	—
10:00 – 11:30 PM	Finding Your Tribe	Lt. Matthew Davis –Arapahoe County, CO
11:30 – 1:00 PM	Lunch & Networking (1.5 hrs.)	—
1:00 PM – 2:30 PM	Unlocking Elite Performance: Transforming Officer Well-Being & Building Unstoppable Teams	Capt. Todd Ehret – Hamburg, NY
2:30 PM – 2:40 PM	Break	—
2:40 PM – 4:00 PM	PTSD911 – Why Self Care Matters	Milton Nagel, Annapolis, MD

Day 2:

Time: 8:00 AM – 4:00 PM

Time	Session	Speaker
8:00 – 8:15 AM	Registration & Welcome	Chris Workman – Cheswold PD
8:15 – 9:45 AM	Strong Doesn't Mean Untouched	SSgt Amos Callaway - DOC
9:45 – 10:00 AM	Break	—
10:00 – 11:30 PM	Line of Duty Death. Navigating the Ultimate Sacrifice.	Chief (ret.) Chris Cowan
11:30 – 1:00 PM	Lunch & Networking (1.5 hrs.)	—
1:00 PM – 2:30 PM	BYAC Crash Course	Denise M. Coyle, LMFT, CTS
2:30 PM – 2:40 PM	Break	—
2:40 PM – 4:00 PM	The Seven Deadly Sins of Public Safety Wellness	Sgt. (ret.) Rich Creamer – Lighthouse & Wellness

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.11. B&G Olympia Ice Resurface Machine

BE IT RESOLVED, that the Town Board approves the purchase of one (1) Olympia Ice Resurface Machine for the amount of \$130,778.00, after trade-in, from CTM Services, Inc. (Sole Source). Purchase is on a lease-to-own basis with one down payment of \$27,817.80 and four (4) additional annual payments.

Funds available in account A.1640.201 and A.7185.413 to be transferred to A.7141.478.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.12. Clerk's Office Fee Schedule

BE IT RESOLVED that the Town Board approves the attached fee schedule for the Town Clerk's office.

ATTACHMENTS:

[Schedule of Fees for Town of Hamburg Clerk.docx](#)

Schedule of Fees for Town of Hamburg Clerk's Office:

Dog Licenses :

\$18.00-unfixed canine
\$15.00-unfixed dog with senior discount (65+)
\$11.00-fixed canine
\$8.00-fixed dog with senior discount (65+)

Genealogical Research: (i.e. applying for dual citizenship, etc.)

1-3 years \$22.00	31-40 years \$102.00
4-10 years \$42.00	41-50 years \$122.00
11-20 years \$62.00	51-60 years \$142.00
21-30 years \$82.00	61-70 years \$162.00

Vital Records:

Certified Copy of Marriage Certificates \$10.00
Marriage License: \$40.00 (\$17.50 for active-duty members)
One-Day Marriage Ceremony Officiant License - \$25.00
Death Certificates: \$10.00
Birth Certificates \$10.00

Solid Waste Garbage Licensing:

\$400.00 per license & includes 1 truck
\$75.00 per additional truck

FOIL:

Per sheet of paper \$0.25
CD records \$1.00
Thumb drive records \$2.00
** plus cost of postage**

Permits:

Peddler Permits: \$100.00 per employee
Transient Merchant: \$500.00 per day
Firework Display Permit Fee: \$100.00

Misc.

Maps: \$5.00
Copies \$0.25 per sheet
Non-Resident Notary Fee \$2.00

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.13. Amended LWRP Rezoning SEQR and Adoption Resolution (Camp Road and St. Francis Drive)

WHEREAS, the Town of Hamburg has completed a draft amendment of the Town's Local Waterfront Revitalization Program (LWRP) and is proceeding towards adoption; and

WHEREAS, the New York State Department of State (NYSDOS) has recommended that the Town adopt amendments to the Zoning Map as outlined in Section V of the draft LWRP, prior to adopting the LWRP amendment; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law which proposes to amend the Town's Zoning Map as follows:

Be it enacted by the Town Board of the Town of Hamburg, New York, that the Hamburg Town Board amends the Town Zoning map as follows (as illustrated on the attached maps):

- Rezone SBL #: 159.18-3-24 from C-3 (Office District) to NC (Neighborhood Commercial General Residence District)
- Rezone SBL #s: 159.18-3-25, 159.18-3-22, 159.18-3-21, 159.18-3-19, 159.18-3-18, and 159.18-3-17 from C-3 (Office District) to R-3 (Multifamily Residence District); and

WHEREAS, amendments were made to rezone SBL #s: (159.18-3-25, 159.18-3-22, 159.18-3-21, 159.18-3-19, 159.18-3-18, and 159.18-3-17) which are homes along St. Francis Drive from C-3 to R-3 instead of R-1, due to some property owners having two-family dwellings on their parcel, which are not allowed in R-1, but are allowed in R-3, as well as matching the existing R-3 zoning in Athol Springs to the north; and

WHEREAS, an amendment was made to rezone SBL #: 159.18-3-24 to NC which is currently vacant, to allow for the flexibility of a single-family home or a low-intensity commercial use that meets the existing neighborhood character; and

WHEREAS, a public hearing was held regarding these zoning map amendments on January 26, 2026, and comments were received and acknowledged from the public; and

WHEREAS, the required § 239-m County Referral was completed and no objections were received; and

WHEREAS, the Hamburg Town Board, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, previously established itself as Lead Agency, conducted a coordinated environmental review, and issued a SEQR Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Zoning Code of the Town of Hamburg be amended as follows:

To amend Local Law #10 of the year 1986 of the Code of the Town of Hamburg Chapter 280 entitled “Zoning” to provide for a change in the boundary of the Zoning Map whereby the Zoning is changed from C-3 (Office District) to NC (Neighborhood Commercial General Residence District) and R-3 (Multifamily Residence District) for the properties indicated above (see attached amended map as referenced above and attached).

ATTACHMENTS:

[11x17 Hamburg Rezoning Inset Map 3.pdf](#)

[FEAF Part 1 - Amended 2026 Hamburg LWRP Rezoning Camp Road and St Francis Drive.pdf](#)

[FEAF Part 2 - Amended 2026 Hamburg LWRP Rezoning Camp Road and St Francis Drive.pdf](#)

[FEAF Part 3 - Amended 2026 Hamburg LWRP Rezoning Camp Road and St Francis Drive.pdf](#)



Town of Hamburg

2025 Hamburg LWRP Proposed Rezoning Map 3

ERIE COUNTY, NEW YORK



Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. shall assume no liability for 1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused or; 2. Any decision or action taken or not taken by the reader in reliance upon any information or data furnished hereunder. Data Sources: Erie County GIS, NYS GIS Program Office, Town of Hamburg, Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 2026 Amended Hamburg LWRP Rezonings (Camp Road and St. Francis Drive)		
Project Location (describe, and attach a general location map): Various Areas in the Hamburg Waterfront Revitalization Area (WRA)		
Brief Description of Proposed Action (include purpose or need): The proposed action involves implementing recommendations from the draft 2025 Hamburg LWRP to: •Rezone SBL #: 159.18-3-24 from C-3 (Office District) to NC (Neighborhood Commercial General Residence District) •Rezone SBL #: 159.18-3-25, 159.18-3-22, 159.18-3-21, 159.18-3-19, 159.18-3-18, and 159.18-3-17 from C-3 (Office District) to R-3 (Multifamily Residence District). Amendments were made to rezone SBL #: (159.18-3-25, 159.18-3-22, 159.18-3-21, 159.18-3-19, 159.18-3-18, and 159.18-3-17) which are homes along St. Francis Drive from C-3 to R-3 instead of R-1, due to some property owners having two-family dwellings on their parcel, which are not allowed in R-1, but are allowed in R-3, as well as matching the existing R-3 zoning in Athol Springs to the north. An amendment was made to rezone SBL #: 159.18-3-24 to NC which is currently vacant, to allow for the flexibility of a single-family home or a low-intensity commercial use that meets the existing neighborhood character.		
Name of Applicant/Sponsor: Town of Hamburg	Telephone: 716-649-6111	
	E-Mail:	
Address: 6100 South Park Avenue		
City/PO: Hamburg	State: NY	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town Board Approval	
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	County 239 referral	
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	DOS Approval	
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☒ Yes ☐ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☒ Yes ☐ No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Area: West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

Open Space and Greenspace Plan

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? C-3 _____	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☐ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? <u>NC and R-3</u>	☒ Yes ☐ No
C.4. Existing community services.	
a. In what school district is the project site located? <u>Frontier CSD and Hamburg CSD</u>	
b. What police or other public protection forces serve the project site? <u>Hamburg Police and Erie County Sheriff's</u>	
c. Which fire protection and emergency medical services serve the project site? <u>All Fire Districts in the Hamburg WRA</u>	
d. What parks serve the project site? <u>All parks in the Hamburg WRA</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres	
b. Total acreage to be physically disturbed? _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	☐ Yes ☐ No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? _____ iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	☐ Yes ☐ No
e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	☐ Yes ☐ No

f. Does the project include new residential uses? ☐ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____	☐ Yes ☐ No ☐ Yes ☐ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☐ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☐ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ _____ • Operation: _____ _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ _____ • Operation: _____ _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	☐ Yes ☐ No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ _____	☐ Yes ☐ No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	☐ Yes ☐ No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	☐ Yes ☐ No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	☐ Yes ☐ No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joshua Rogers Date 12/22/2025

Signature  Title Planner

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project :	2026 Amended Hamburg LWRP Rezoning
Date :	3/23/26

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☒ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:					
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	☐	☐		
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐		
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐		
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐		
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐		
vi. 43 tons/year or more of methane	D2h	☐	☐		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐		
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐		
f. Other impacts: _____ _____		☐	☐		

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐		
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐		
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐		
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐		

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If “Yes”, answer questions a - e. If “No”, go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If “Yes”, answer questions a - c. If “No”, go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO

☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO

☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Part 2 of the FEAF identified no moderate to large environmental impacts and these rezonings presently include no proposals for any construction. The rezonings are being done in accordance with Section V of the Town's Draft 2025 Local Waterfront Revitalization Program.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
The Town's Draft 2025 Local Waterfront Revitalization Program

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Hamburg Town Board _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: 2026 Amended Hamburg LWRP Rezoning (Camp Road and St. Francis Drive)

Name of Lead Agency: Hamburg Town Board

Name of Responsible Officer in Lead Agency: Elizabeth Farrell-Lorentz

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Joshua Rogers

Address: 6100 South Park Avenue, Hamburg, NY

Telephone Number: 716-649-2023

E-mail: jrogers@townofhamburgny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.14. Chapter 34 SEQR and Adoption Resolution

WHEREAS, the Hamburg Town Code contains and specifies the local laws and ordinances of the Town of Hamburg; and

WHEREAS, the Code Review Committee reviewed various regulations of Chapter 34 and sent these suggested revisions to the Town Board to begin the adoption process; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law as follows:

Be it enacted by the Town Board of the Town of Hamburg, New York, that the Hamburg Town Board amends the Hamburg Town Code as follows (full copies attached):

- Amend Chapter 34 “Mandatory Training”, by renaming it “Training and Attendance Requirements for Planning Board and Zoning Board of Appeals” and adding new subsections; and

WHEREAS, a public hearing was held on February 23rd, 2026, for discussion and public comment concerning adoption of this proposed local law; and

WHEREAS, the Town of Hamburg has determined that this proposed local law amendment is a Type II action under SEQR, and no further SEQR review is necessary; and

WHEREAS, this proposed local law amendment was referred to Erie County through the 239-m referral process and received no objections; and

WHEREAS, the proposed local law amendment is in accordance with the recommendation of the Town of Hamburg Code Review Committee and the Town of Hamburg Planning Board.

NOW THEREFORE BE IT RESOLVED, the Hamburg Town Board amends Local Law #1 of the year

2009 of the Code of the Town of Hamburg Chapter 34 entitled “Mandatory Training” to provide for the revisions of the Town Code as referenced above and attached.

ATTACHMENTS:

[Chapter 34 Mandatory Training Amendments Re-Formatted.pdf](#)

Chapter 34 Training and Attendance Requirements for Planning Board and Zoning Board of Appeals

Article I Training

§ 34-1. Legislative authority.

Town Law §§ 267(7-a) and 271(7-a) require all Zoning Board of Appeals and Planning Board members, and people appointed as alternates to such boards, to receive a minimum number of hours of training each year. Accordingly, in order to ensure compliance with these requirements, and to enhance the qualifications of Zoning Board of Appeals and Planning Board members, whose decisions can affect the function and appearance of communities well into the future, while impacting property interests important to individual residents, the following training requirements are established.

§ 34-2. Minimum number of hours; exemption.

Each member of the Zoning Board of Appeals and Planning Board, including any alternates to either board, shall receive a minimum of four hours per year of training related to the areas of zoning, planning and/or land use. Members who are attorneys licensed in the State of New York, planners, or other land use professionals who focus their practices on areas relevant to the work of a planning board or zoning board of appeals are exempt from such requirements.

§ 34-3. Acceptable forms of training. [Amended 10-15-2018 by L.L. No. 7-2018]

Acceptable forms of training shall include traditional classroom-style training and up to two hours per year of approved online training. In accordance with § 34-5 and § 34-6 of this chapter, online training will require a methodology to receive certificates of completion and will require Town Board approval of any online training program or course.

§ 34-4. Acceptable providers. [Amended 10-15-2018 by L.L. No. 7-2018]

Acceptable providers of training shall include the Town Planner or other approved planning consultant; regional planning counsels; County Planning Agencies; a New York State agency; a New York State association, e.g., the Association of Towns, Conference of Mayors or New York Planning Federation; and an accredited college, professional associations including but not limited to the American Planning Association, New York Planning Federation (NYPF), or any other provider approved by the Town Board in advance of a member's attendance at such training.

§ 34-5. Submittal of certificates of completion required; date due; Town Board review.

Each member shall submit to the Town Attorney certificates of completion or other documents verifying their compliance with these training requirements on or before January 1 of the year following the year in which the training was completed. Upon receipt, such verification shall

be forwarded to the Town Board for review. If the Town Board, in its sole discretion, determines that any such training is not acceptable, it shall provide the member with notice, including a statement of the reason why such training is deemed unacceptable, and allow the member 120 days to attend additional training to replace the training hours disapproved by the Town Board.

§ 34-6. Course approval by Town Board prior to attendance.

Any member may submit information regarding a particular training course to the Town Board in advance of attending such course, with a request for approval of such training course. The Town Board shall indicate its approval or rejection of such training course, in writing, to the member within 15 days of receipt of the member's request.

§ 34-7. Excess hours carried over.

Training received by a member in excess of four hours in any one year may be carried over into succeeding years, up to a maximum of four hours carried over, upon the approval of the Town Board.

§ 34-8. Failure to meet requirement; removal; hearing.

- A. Any member who fails to meet the minimum training requirements set forth in both the New York State Town Law and herein will not be eligible for reappointment to their respective board.
- B. A member failing to meet the minimum training requirements set forth in both the New York State Town Law and herein may be removed prior to the expiration of their term, upon prior notice and the opportunity for a hearing. The member shall notify the Town Board, in writing, within 10 days of receipt of the notice of removal that he/she requests a hearing. The Town Board shall schedule a hearing regarding such removal within 20 days of receipt of the member's request; and the Town Board shall forward its decision, in writing, to the member within 10 days from the date the hearing was completed.

§ 34-9. Effect on decisions of boards.

No decision of a Zoning Board of Appeals or Planning Board shall be voided or declared invalid because of a failure of a member or members to comply with the training requirements set forth herein.

§ 34-10. Stricter state requirements to prevail.

While the training received by a member to meet the training requirements recited herein can also be utilized to meet the requirements set forth in the New York State Town Law, members are not excused from complying with the requirements set forth in the New York State Town Law, if such requirements are greater than those set forth herein.

Article II Planning Board

§ 34-11. Responsibilities of Planning Board members.

- A. Each member of the Planning Board shall be expected to review and familiarize himself/herself with the Town's Site Plan Review Regulations (Article XLIV), the Town's Subdivision Regulations (Chapter 230) and those portions of the Zoning Law which relate to the powers and duties of the Planning Board, and Article 16 of NYS Town Law.
- B. The members of the Planning Board shall be expected to conduct themselves in conformity with all rules and regulations that may be adopted by the Town Board and/or by the Planning Board, as the case may be, for the conduct of meetings and public hearings.
- C. No member of the Planning Board may miss more than five (5) regularly scheduled meetings of the Board during a calendar year, other than for a medical or other emergency or for any other just cause approved, in advance, by the Chair of the Planning Board. It is expected that Board members be on time and call the Chair or Secretary if he/she cannot attend a meeting.
- D. The Town Board shall have the power to remove, after public hearing, for cause, any Planning Board member. Cause for removal shall include, but shall not be limited to:
 - (1) Noncompliance with the minimum requirements relating to training and education as established in this Chapter and/or by Town Law;
 - (2) Noncompliance with the meeting attendance requirements as established by this Chapter;
 - (3) Failure to comply with the residency requirements as are set forth for Public Officers or in the Town Law;
 - (4) Failure to disclose a conflict of interest as required by the Town's Code of Ethics;
 - (5) Failure to comply with any rules or regulations as may be prescribed for the conduct of Board members by the Town Board or Planning Board; and
 - (6) Such other and further cause as may be established by the Town Board by local law.
- E. Prior to the conduct of any public hearing for the removal of a Planning Board member for cause, the Town Board shall provide the Board member with a statement setting forth the alleged grounds for such removal at least 30 days prior to the conduct of the public hearing. During the public hearing, the Town Board shall have the power to hear testimony and receive evidence presented by the Town Attorney, by the Chair of the applicable Board or by any other person in support of, or against, the grounds for such removal. The Board member shall have the right to present witnesses and other evidence in defense of the removal action and the Town Board shall have the power to hear other witnesses and members of the public, and receive documentation and evidence relevant to the issue of the alleged cause for the Board member's removal.
- F. Any determination of the Town Board with regard to removal of a Planning Board member shall be made by the Town Board, in writing, and a copy shall be provided to the Planning Board member and filed in the Office of the Town Clerk within five business days after the Town Board's determination.

- G. Each member of the Planning Board shall be required to keep records of his/her attendance at required training sessions and to provide to the Planning Department as the case may be, certificates of attendance for completion or other proof of completion of training courses on an annual basis. The Planning Department shall keep records of the attendance of each Board member at the required training courses and shall present, at the close of each calendar year, a list of each Board member's courses and credits earned in that year, together with any credits carried over from previous years, to the Town Clerk and to the Town Board.
- H. A copy of this Chapter shall be supplied by the Town Clerk to each member of the Planning Board.

Article III Zoning Board of Appeals

§ 34-12 Responsibilities of Zoning Board of Appeals members

- A. Each member of the Zoning Board of Appeals shall be expected to review and familiarize himself/ herself with Article XLV Zoning Board of Appeals, and Article 16 of NYS Town Law.
- B. The members of the Zoning Board of Appeals shall be expected to conduct themselves in conformity with all rules and regulations that may be adopted by the Town Board and/or by the Zoning Board of Appeals, as the case may be, for the conduct of meetings and public hearings.
- C. No member of the Zoning Board of Appeals may miss more than three (3) regularly scheduled meetings of the Board during a calendar year, other than for a medical or other emergency or for any other just cause approved, in advance, by the Chair of the Zoning Board. It is expected that Board members be on time and call the Chair or Secretary if he/she cannot attend a meeting.
- D. The Town Board shall have the power to remove, after public hearing, for cause, any Zoning Board of Appeals member. Cause for removal shall include, but shall not be limited to:
 - (1) Noncompliance with the minimum requirements relating to training and education as established in this Chapter and/or by Town Law;
 - (2) Noncompliance with the meeting attendance requirements as established by this Chapter;
 - (3) Failure to comply with the residency requirements as are set forth for Public Officers or in the Town Law;
 - (4) Failure to disclose a conflict of interest as required by the Town's Code of Ethics;
 - (5) Failure to comply with any rules or regulations as may be prescribed for the conduct of Board members by the Town Board or Zoning Board of Appeals; and
 - (6) Such other and further cause as may be established by the Town Board by local law.
- E. Prior to the conduct of any public hearing for the removal of a Zoning Board of Appeals member for cause, the Town Board shall provide the Board member with a statement

setting forth the alleged grounds for such removal at least 30 days prior to the conduct of the public hearing. During the public hearing, the Town Board shall have the power to hear testimony and receive evidence presented by the Town Attorney, by the Chair of the applicable Board or by any other person in support of, or against, the grounds for such removal. The Board member shall have the right to present witnesses and other evidence in defense of the removal action and the Town Board shall have the power to hear other witnesses and members of the public, and receive documentation and evidence relevant to the issue of the alleged cause for the Board member's removal.

- F. Any determination of the Town Board with regard to removal of a Zoning Board of Appeals member shall be made by the Town Board, in writing, and a copy shall be provided to the Zoning Board of Appeals member and filed in the Office of the Town Clerk within five business days after the Town Board's determination.
- G. Each member of the Zoning Board of Appeals shall be required to keep records of his/her attendance at required training sessions and to provide to the Planning Department as the case may be, certificates of attendance for completion or other proof of completion of training courses on an annual basis. The Planning Department shall keep records of the attendance of each Board member at the required training courses and shall present, at the close of each calendar year, a list of each Board member's courses and credits earned in that year, together with any credits carried over from previous years, to the Town Clerk and to the Town Board.
- H. A copy of this Chapter shall be supplied by the Town Clerk to each member of the Zoning Board of Appeals.

Article IV Alternate Board Members

§ 34-13. Alternate Members of Planning and Zoning Boards

The Town Board of the Town of Hamburg hereby enacts this Article to provide a process for appointing alternate members of the Planning Board and Zoning Board of Appeals. These individuals would serve when members are absent or unable to participate on an application or matter before the respective board.

- A. Definitions. As used in this Article, the following terms shall have the meanings indicated:

ALTERNATE MEMBER

An individual appointed by the Town Board when a regular member is unable to participate on an application or matter before the respective Board, as provided herein.

MEMBER

An individual appointed by the Town Board to serve on the Town Planning Board or Zoning Board of Appeals pursuant to the provisions of the local law or ordinance that first established such Planning Board or Zoning Board of Appeals.

PLANNING BOARD

The Planning Board of the Town of Hamburg as established by the Town Board

pursuant to the provisions of § 271 of the Town Law.

ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the Town of Hamburg as established by the Town Board pursuant to the provisions of § 267 of the Town Law.

- B. Alternate members of the Zoning Board of Appeals and Planning Board may be appointed by the Town Board for a term of two years, with the term to expire on December 31 of the second year after the date of their appointment.
- C. The Chairperson of the Planning Board or Zoning Board of Appeals may designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Planning Board meeting or Zoning Board of Appeals meeting at which the substitution is made.
- D. All provisions of state law relating to Planning Board and Zoning Board of Appeals Board member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law/local ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

§ 34-14 Supersession of Town Law

This chapter is hereby adopted pursuant to the provisions of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York State Statute of Local Governments. It is the intent of the Town Board, pursuant to § 10 of the New York State Municipal Home Rule Law, to supersede the provisions of:

- A. Section 271 of the Town Law relating to the appointment of members to Town Planning Boards.
- B. Section 267 of the Town Law relating to the appointment of members to Town Zoning Boards of Appeals.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.15. Chapter 31 Amendments SEQR and Adoption Resolution

WHEREAS, the Hamburg Town Code contains and specifies the local laws and ordinances of the Town of Hamburg; and

WHEREAS, the Code Review Committee reviewed various regulations of Chapter 31 and sent these suggested revisions to the Town Board to begin the adoption process; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law as follows:

Be it enacted by the Town Board of the Town of Hamburg, New York, that the Hamburg Town Board amends the Hamburg Town Code as follows (full copies attached):

- Amend Chapter 31, currently entitled “Historic Preservation Commission”; and

WHEREAS, a public hearing was held on March 23rd, 2026, for discussion and public comment concerning adoption of this proposed local law; and

WHEREAS, the Town of Hamburg has determined that this proposed local law amendment is a Type II action under SEQR, and no further SEQR review is necessary; and

WHEREAS, this proposed local law amendment was referred to Erie County through the 239-m referral process and received no objections; and

WHEREAS, the proposed local law amendment is in accordance with the recommendation of the Town of Hamburg Code Review Committee and the Town of Hamburg Planning Board.

NOW THEREFORE BE IT RESOLVED, the Hamburg Town Board amends Local Law #6 of the year 2022 of the Code of the Town of Hamburg Chapter 31 entitled “Historic Preservation Commission” to provide for the revisions of the Town Code as referenced above and attached.

ATTACHMENTS:

[Town Code Chapter 31 - 3.6.26 Revised.docx](#)

Chapter 31 **Historic Preservation Law**

§ 31-1	Title.
§ 31-2	Statutory authority.
§ 31-3	Purpose.
§ 31-4	Definitions.
§ 31-5	Historic Preservation Advisory Board regulations.
§ 31-6	Designation of historic landmarks, sites and districts.
§ 31-7	Certificates of appropriateness required.
§ 31-8	Criteria for approval of certificate of appropriateness.
§ 31-9	Application for certificate of appropriateness.
§ 31-10	Hardship criteria.
§ 31-11	Hardship application procedure.
§ 31-12	Maintenance and repair required.
§ 31-13	Administration; enforcement; display of certificate.
§ 31-14	Penalties for offenses.
§ 31-15	Appeals.
§ 31-16	Conflict with other provisions.
§ 31-17	Compliance required prior to action.
§ 31-18	Applicability.
§ 31-19	Severability.
§ 31-20	When effective.

§ 31-1 **Title.**

This chapter shall be Chapter **31** of the Code of the Town of Hamburg and may be cited as the "Historic Preservation Law of the Town of Hamburg."

§ 31-2 **Statutory authority.**

In accordance with General Municipal Law § 96-a, entitled "Protection of historical places, buildings and works of art," and Article 5-k of the General Municipal Law, entitled "Historic Preservation," the Town Board of the Town of Hamburg has the authority to provide, by local law, regulations, special conditions and restrictions, for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, works of art and other objects having special character or special historical or other aesthetic interest or value. Pursuant to that authority, the Town Board has

prepared and adopted this chapter setting forth standards to be followed in historic preservation.

§ 31-3 Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded in its past, and inasmuch as Hamburg has many significant historic, architectural and cultural resources which constitute its heritage, this chapter is intended to:

- A. Protect and enhance the landmarks and historic districts which represent distinctive elements of Hamburg's historic, architectural and cultural heritage.
- B. Foster civic pride in the accomplishments of the past.
- C. Protect and enhance Hamburg's attractiveness to visitors and support and stimulate the Town's economy.
- D. Increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in education programs.

§ 31-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADAPTIVE REUSE

Conversion of a building originally designed for a certain purpose to a different purpose.

ALTER

To change one or more exterior architectural features of a landmark, and improvement on a landmark site or a structure within an historic district.

BUILDING

Any structure or part thereof having a roof supported by columns or walls for the shelter or enclosure of persons or property.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Hamburg Town Board approving plans for the alteration, construction, removal or demolition of a landmark, an improvement to a landmark site or a structure within an historic district, and contingent upon all other necessary planning, zoning, and building code approvals.

CONSTRUCTION

Building an addition or making an alteration to an existing structure or building a new principal or accessory structure.

DEMOLITION

Destruction of a building, structure or improvement.

EXTERIOR

Architectural style, design, general arrangement and components of the outer surfaces of an improvement, building or structure as distinguished from the interior surfaces, including, but not limited to, the kind and texture of building material and the type and style of windows, doors, signs and other such exterior fixtures.

FACADE

The exterior of a building or structure that can be viewed.

HISTORIC DISTRICT

A geographically definable area so designated pursuant to this code.

IMPROVEMENT

Any building, structure, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment or any part thereof.

LANDMARK

Property, object, structure or natural feature or any part thereof so designated pursuant to this code.

LANDMARK SITE

A significant historical or cultural site where buildings or structures no longer exist, so designated pursuant to this code.

OWNER

A person, firm or corporation which has fee ownership of property or a lesser ownership interest therein, a mortgagee or vendee in possession, a receiver, an administrator, an executor, a trustee, or any other person, firm or corporation in control of property.

PRESERVATION

Retention of essential character of an improvement, object, building, natural feature or structure as embodied in its existing form, integrity and material. This feature includes the retention of trees, landscaping and vegetation of a site. This term may include temporary stabilization work, as well as ongoing maintenance of historic building materials.

HISTORIC PRESERVATION ADVISORY BOARD, PRESERVATION BOARD or BOARD

The Town of Hamburg Historic Preservation Advisory Board.

PROPERTY

Land and improvements thereon.

RECONSTRUCTION

Reproduction of the exact form and detail of a vanished building, structure, improvement or part thereof as it appeared at a specific time.

REHABILITATION

Repair or alteration that enables buildings, structures or improvements to be efficiently utilized while preserving those features of buildings, structures or improvements that are significant to their historic, architectural or cultural values.

RESTORATION

Recover of the form and details of a building, structure or improvement and its site during a particular time.

SITE

A plot or parcel of land.

STRUCTURE

Anything constructed or erected which requires permanent or temporary location on the ground. The term shall include, but not be limited to, buildings, walls, fences, signs, billboards, lighting fixtures, screen enclosures and works of art.

SUPERVISING CODE ENFORCEMENT OFFICER

The Supervising Code Enforcement Officer of the Town of Hamburg.

TOWN

The Town of Hamburg, County of Erie, State of New York.

TOWN BOARD

The Town Board of the Town of Hamburg, Erie County, New York.

TOWN CLERK

The Town of Hamburg Town Clerk.

§ 31-5 Historic Preservation Advisory Board regulations.

- A. There is hereby created a volunteer Board to be known as “The Town of Hamburg Historic Preservation Advisory Board.”
- B. The Preservation Board shall consist of no less than seven and no more than nine members. The Town of Hamburg shall be the primary residence of each Board member. Board members, (except for the Town Historian) shall serve a term of two years. Members shall serve without compensation. In addition to the members, there shall be an attorney appointed from the Town of Hamburg Legal Department to act in an advisory capacity to the Board.
- C. Appointment of Preservation Board members shall be made by the Town Board.
- D. To the extent available in the Town of Hamburg, the Preservation Board should consist of the following:
 - 1) All members shall have a known interest in, and shall have demonstrated significant interest and commitment to the field of historic preservation, evidenced either by involvement in a local historic preservation group, employment or volunteer activity in the field of historic preservation, or other serious interest in the field.
 - 2) At least one member shall be the Town Historian, appointed annually;
 - 3) At least two members shall be representatives of the Hamburg Historical Society.
 - 4) At least one member shall be a licensed NYS Realtor.

- E. The Chairperson and Vice Chairperson shall be elected by and from voting members of the Preservation Board. The term of office shall be two years. If the Chairperson or Vice Chairperson cannot fulfill his or her term of office, a successor shall be elected by and from the membership of the Board to fulfill the remainder of the term until the next regular election.
- F. If any Board Member shall resign or otherwise cannot fulfill his or her term of office, the Town Board shall appoint an interim member to serve the remainder of the term.
- G. The Vice Chairperson shall ensure that minutes of all Board meetings are suitably recorded, prepared and distributed.
- H. The powers of the Preservation Board shall include:
 - 1) To recommend designation of historic landmarks, sites and districts to the Town Board for its consideration.
 - 2) To advise and make recommendations at the request of the Town Board on matters of employment of staff and professional consultants as necessary to carry out the duties of the Board.
 - 3) To make recommendations at the request of the Town Board regarding criteria for the identification of significant historic, architectural and cultural landmarks and/or the delineation of historic districts.
 - 4) To make recommendations to the Town Board regarding surveys of significant historic, architectural and cultural landmarks within the Town.
 - 5) To increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in education programs.
 - 6) To advise the Town Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Town.

- 7) To advise the Town Board acquisition of a landmark or structure by the Town where its preservation is essential to the purposes of this chapter and where private preservation is not feasible.
 - 8) To assist the Supervising Code Enforcement Officer in the advisement to the Town Board approval or disapproval of applications for certificates of appropriateness, subject to review and approval by the Supervising Code Enforcement Officer.
- I. The Board shall meet at least once quarterly.
 - J. A quorum for the transaction of business shall consist of a majority of the fully authorized membership of the Board.
 - K. Any and all advisory opinions or recommendations made to the Town Board shall include a list of all members present at the meeting where such advice or recommendation was authorized.

§ 31-6 **Designation of historic landmarks, sites and districts.**

- A. The Preservation Board may recommend designation of an individual property as a landmark, subject to Town Board approval, if it:
 - 1) Is associated with the lives of individuals or people or events significant in the national, state or local history.
 - 2) Embodies the distinctive characteristics of a type, period or method of construction.
 - 3) Represents the work of a master architect or designer or possesses high artistic values.

- 4) Represents a significant or distinguished entity whose components may lack individual or special distinction.
 - 5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
- B. The Preservation Board may recommend designation of a property or a group of properties as an historic site, subject to Town Board approval, if it contains significant historical or cultural sites where buildings or structures no longer exist, such as a battlefield, cemetery or former transportation facility; or sites which may yield information important to area history or prehistory.
- C. The Preservation Board may recommend designation of a group of properties as an historic district, subject to Town Board approval, if it:
- 1) Contains properties which meet one or more of the criteria for designation as a landmark; or
 - 2) Is an area that represents several periods or styles of architecture typical of different areas of history; or
 - 3) Is an area that has several buildings of the same architectural period or style and thus constitutes unified architectural streetscape consistency or a significant community uniformity of style; or
 - 4) Is an area connected with significant events or cultural occurrences or developments involving ethnic, religious groups or other groups of special historical interest; and
 - 5) By reason of possessing such qualities, constitutes a distinct section of the Town of Hamburg.

- D. The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be published on the Town website for public inspection.
- E. Notice of a proposed designation shall be sent by the Town Clerk to the owner(s) of any property(ies) proposed for historic designation at least 30 days prior to a meeting open for public discussion. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the meeting. A copy of the notice of proposed designation shall also be sent to the Town Board, and the Supervising Code Enforcement Officer.
- F. The notice of proposed designation shall also be sent to the Town of Hamburg Highway Department, the Town of Hamburg Engineering Department, the Town of Hamburg Planning Department, the Town of Hamburg Assessor, Preservation Buffalo Niagara and any other Town department and/or county or state agency as appropriate. Each department/agency shall be given 60 days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Advisory Board.
- G. The Preservation Board shall hold a meeting open for public discussion prior to recommending to the Town Board designation of any landmark, historic site or historic district. The Board, the property owner and any interested parties may present testimony and documentary evidence at the meeting which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the meeting. A notice of the meeting shall be published on the Town website at least 30 days prior to the meeting.

- H. Upon the affirmative vote of a majority of the fully authorized membership of the Preservation Board, the Board will recommend to the Town Board the designation of an historic landmark, site or district. The Town Board will review the Preservation Board's recommendation for designation of an historic landmark, site or district and determine whether to take any further action on the recommendation. If the Town Board chooses to take further action, the Town Board will conduct a public hearing on at least 60 day written notice to any owner of property being considered for designation prior to designation of any historic landmark, site or district. A public hearing notice must be published by the Town Clerk in the Town's designated official newspaper at least 30 days prior to the hearing date.
- I. The Town Board shall file notice of each property designated as a historic landmark, site or district and of the boundaries of each designated historic district with the Erie County Clerk's Office, the Town of Hamburg's Clerk's Office, the Town of Hamburg Building Inspection Department, the Town of Hamburg Planning Department, the Town of Hamburg Highway Department, the Town of Hamburg Engineering Department, and the Town of Hamburg Assessor.
- J. Minutes of any business conducted by the Historic Preservation Advisory Board shall be posted to the Town's website.

§ 31-7 Certificates of appropriateness required.

No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property within an historic district, nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a certificate of appropriateness from the Town Board. The Historic Preservation Advisory Board shall advise the Supervising Code Enforcement

Officer who will then make recommendations to the Town Board regarding any applications for a certificate of appropriateness.

§ 31-8 Criteria for approval of certificate of appropriateness.

- A. In passing upon an application for a certificate of appropriateness, the Town Board shall not consider changes to the interior of buildings.

- B. The Town Board's decision shall be based upon the following principles:
 - 1) Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.

 - 2) Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.

 - 3) New construction shall be compatible with the property in which it is located and/or the surrounding historic district.

- C. In applying the principle of compatibility, the Town Board shall consider the following factors:
 - 1) The general design, character and appropriateness to the property of the proposed alteration or new construction.

 - 2) The scale of proposed alteration or new construction in relation to itself, surrounding properties and the neighborhood.

 - 3) Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.

- 4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setbacks.
- 5) The importance of historic, architectural or other features to the significance of the property.

§ 31-9 Application for certificate of appropriateness.

A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such certificate with the Supervising Code Enforcement Officer for review by the Town Board. The application shall contain:

- 1) The name, address and telephone number of the applicant.
- 2) The location and photographs of the property.
- 3) Elevations drawings of proposed changes, if available.
- 4) Perspective drawings, including the relationship to adjacent properties, if available.
- 5) Samples of color and/or materials to be used.
- 6) Where the proposal includes signs or lettering, a scale drawing showing the type(s) of lettering to be used, all dimensions and colors, a description of materials to be used, the method of illumination and a plan showing the sign's proposed location on the property.

(7) Any other information deemed necessary in order to visualize the proposed work.

B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Town Board. The Town Board shall act to approve or deny a certificate of appropriateness within 65 days of the date upon which a completed application is filed with the Town Board. If the application is not acted upon within 65 days, the application shall be deemed approved. The applicant may request an extension of the decision date, if so desired. The certificate of appropriateness required by this chapter shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Town of Hamburg.

§ 31-10 **Hardship criteria.**

A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

- 1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.
- 2) The property cannot be adapted for any other use permitted by Chapter 280, Zoning, which would result in a reasonable return.
- 3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that the property is incapable

of earning a reasonable return regardless of whether that return represents the most profitable return possible.

§ 31-11 Hardship application procedure.

- A. After receiving written notification from the Town Board of the denial of a certificate of appropriateness, an applicant may commence the hardship application process.
- B. The Town Board shall hold a public hearing on the hardship application, at which time an opportunity will be provided for proponents and opponents of the application to present their views.
- C. The applicant shall consult in good faith with the Town Board, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- D. All decisions of the Town Board shall be in writing. A copy shall be sent to the applicant by certified mail, and a copy shall be filed with both the Town Clerk's office and the Building Inspection Department. The Town Board decision shall state the reasons for granting or denying the hardship application.
- E. No building permit or demolition permit shall be issued while the hardship application is pending. The Town Board shall make a determination on whether a hardship exists. Building and demolition permits shall be issued in accordance with that determination.

§ 31-12 Maintenance and repair required.

- A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any architectural feature of a landmark or property within an historic district which does not involve a change in design, material, color or outward appearance.

B. No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Town Board, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration include:

- 1) Deterioration of exterior walls or other vertical supports.
- 2) Deterioration of roof or other horizontal items.
- 3) Deterioration of exterior chimneys.
- 4) Deterioration or crumbling of exterior stucco or mortar.
- 5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.
- 6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for public safety.

§ 31-13 Administration; enforcement; display of certificate.

- A. Administration. The Supervising Code Enforcement Officer shall administer and enforce the provisions of this chapter. In connection with overseeing this responsibility, the Supervising Code Enforcement Officer shall provide a permit procedure coordinated with the established building permit procedure.
- B. Enforcement. All work performed pursuant to this chapter shall conform to any requirements included herein. It shall be the duty of the Supervising Code Enforcement Officer to inspect periodically any such work to assure compliance.

In the event of a finding that the work is not being performed in accordance with the certificate of appropriateness, the Supervising Code Enforcement Officer shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as the stop-work order is in effect.

- C. The certificate of appropriateness shall be displayed on the building in a location conspicuously visible to the public while work pursuant to the certificate is being done.

§ 31-14 Penalties for offenses.

- A. Any person who violates any provision of this chapter or any regulation adopted hereunder is guilty of an offense punishable by a fine and/or penalty as set forth in the Schedule of Fines and Penalties. Each week's continued violation shall constitute a separate violation.
- B. Failure to comply with any provision of this chapter shall result in the termination of any permits issued or any proceedings commenced under provisions of this chapter.
- C. Any person(s) who demolishes, alters, constructs or permits a landmark to fall into a serious state of disrepair which results in a violation of this chapter shall be required to restore the property and its site to an appearance acceptable to the Town Board. Any action to enforce this subsection shall be brought by the Town Attorney upon authorization by the Town Board. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

§ 31-15 Conflict with other provisions.

Where this chapter imposes greater restrictions than are imposed by the provisions of any law, ordinance or regulation, the provisions of this chapter shall apply. Where

greater restrictions are imposed by any law, ordinance or regulation, such greater restrictions shall apply.

§ 31-16 Compliance required prior to action.

No decision to carry out or approve an action subject to the provisions of this chapter shall be rendered by any department, board, committee, officer or employee of the Town of Hamburg until there has been full compliance with all requirements of this chapter. This shall not prohibit environmental, engineering, economic feasibility or other studies, preliminary planning or budgetary processes, nor the granting of an application relating only to technical specifications and requirements, but not authorizing commencement of action until full compliance with this chapter has been met.

§ 31-17 Applicability.

This chapter shall apply to the entire area of the Town of Hamburg, excluding that area within the corporate limits of the Village of Hamburg.

§ 31-18 Severability.

If any section, clause or provision of this chapter or the application thereof to any persons or entities is adjudged invalid, the adjudication shall not affect other sections, clauses or provisions of this chapter or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and, to this end, the various sections, clauses or provisions of this chapter are declared to be severable.

§ 31-19 When effective.

This chapter shall take effect immediately.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.16. Cybersecurity Conference

WHEREAS, InfraGard Buffalo is hosting a cybersecurity conference “FBI Buffalo: Strengthening your Security with Operation Winter SHIELD” on March 24, 2026, from 9:00 am – 12:00 pm in Cheektowaga, NY,

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes Jeff Pulinski to attend the conference with no cost to the department.

Town Board of the Town of Hamburg
March 23, 2026 Meeting

4.17. LGRMIF Grant Application

WHEREAS, the NYS Local Government Records Management Improvement Fund (LGRMIF) grants program

provides funds to help local governments establish records management programs or develop new program components, and

WHEREAS, through document conversion and access, local governments may choose to convert records to another format through the use of microfilming or imaging, and

WHEREAS, as a means to enhance efficiency, the Town of Hamburg Building Department is requesting funds from the LGRMIF program to convert records to a digital format.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Hamburg Town Board authorizes EECG Consulting, LLC to prepare and submit the LGRMIF grant application to the New York State Archives, and

BE IT FURTHER RESOLVED, that if the grant is awarded, the Town of Hamburg will commit to the development and implementation of the proposed project, additionally, the Town of Hamburg will designate EECG Consulting, LLC to manage the grant on behalf of the Town of Hamburg, and

BE IT FURTHER RESOLVED, as no match is required, all project costs will be initially funded from the Town of Hamburg General Fund Balance (A000-0000-0909-0000) pending reimbursement from the awarded grant funds.