

Town of Hamburg
Planning Board Meeting
April 15, 2026, Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 PM, on Wednesday, April 15, 2026, in Room 7B of Hamburg Town Hall.

WORK SESSION

The zoning code amendments from Mr. Rogers were moved to the start of the regular meeting.

REGULAR MEETING

PLEDGE OF ALLEGIANCE

Cynthia Gronachan led the meeting attendees in the recitation of the Pledge of Allegiance.

ROLL CALL

Present: Chair Gronachan, Member Clark, Member Geraci, Member Ryan
Member Stewart, Member Chmura and Member Zajac

Absent:

Staff: Josh Rogers, Planning Department; Joseph Gogan, Planning
Board Attorney; Camie Jarrell, Engineering Department

Planning Board to discuss various zoning code amendments for a report and recommendations

Mr. Rogers spoke regarding the zoning code amendments that were discussed at previous Planning Board work sessions.

A. §230: Subdivision of Land

In the Town of Hamburg, four (4) lots or under is considered a minor subdivision and five (5) lots or more is considered a major subdivision

Suggested Changes:

1. Updating the definition of townhouse. It currently reads: Townhouse- One or more residential buildings having a common or party wall separating dwelling units.
2. §230-13.
 - a. There has always been Sketch Plan directions for Site Plans but not for Major/Minor Subdivision of Land. Mr. Rogers would like to see this provision added.
 - b. The applicant would submit a sketch plan to the Planning Department for staff review and input prior to meeting with the Planning Board.
 - c. After meeting with the Planning Department, the applicant would submit a Sketch Plan Application and pay the associated fee. The Sketch Plan will consist of a freehand layout of the site, street layout, proposed lot arrangement, existing structures, wooded areas, and any proposed wetland areas.
 - d. Currently it states that the developer will submit a United States Geological Survey Map that shows topographic contours of the site.
 - i. Does the Planning Board want this required in the Sketch Plan Phase? If not, would you want it required in a regular subdivision application?
 1. Member Chmura: Does not think that these types of maps would be required during the Sketch Plan phase but recognizes that topographic information is important.
 - e. When someone submits, the Sketch Plan Application will be available for the next Planning Board meeting.
 - f. It is codified that no formal approval will be given, when appearing for Sketch Plan it is for feedback.

Carl DiNezza- Requesting Preliminary Plat Approval on a proposal for a 2-lot subdivision at 58 North Shore Drive

Mr. Carl DiNezza appeared on behalf of the project and gave a brief overview of the project.

Mr. Rogers explained that Mr. DiNezza did receive the variances from the Zoning Board that he requested. Because this property is at North Shore Drive, he will need a coastal consistency determination from the LWP Committee.

A public hearing was scheduled for the May 6, 2026, Planning Board meeting.

Ten Lives Club Inc.- Requesting a use variance for the expansion of rescue services to be located at 3747 Lakeshore Road

The Applicant did not receive approval for a use variance from the Zoning Board during the April meeting and will be back before the Zoning Board May 5.

The project was tabled to the May 6, 2026, Planning Board meeting.

Brandon Santa- Requesting Site Plan Approval for a proposal to construct six (6) shop warehouse buildings along with other associated site improvements to be located on a 7.46-acre parcel at 0 Lakeshore Road (SBL #: 150.00-1-6.2)

Attorney Sean Hopkins and Anthony Pandolfe with Carmina Wood Design appeared on behalf of the project along with Brandon and Brittany Santa.

For the record, Mr. Hopkins would like to note that after the last meeting, Mr. Santa was spit on by someone in opposition to the project and in the past, Mr. Hopkins has been verbally attacked.

Mr. Hopkins gave a presentation and stated the following:

As part of the updated submission that was made on April 10, 2026, Mr. Hopkins and Mr. Pandolfe updated the FEAF Form, so it is consistent with the current information regarding meadows versus disturbed grounds. When it was put into Adobe, the program automatically unchecked some boxes and they were unaware of this until today which they have since corrected. The FEAF Amended Part 1 that is dated April 14, 2026, is the completed and final version.

Chair Gronachan asked for clarification in regard to Building Four on the site plan, has it been verified that it is 100 ft from the center of the Creek?

Mr. Hopkins answered yes, it has been verified.

Mr. Hopkins then presented on the updated Project Submission dated April 10, 2026:

- Updated Site Plan (C-100- Date: 04/10/26) and the updated Landscape Plans (L-100 and L-101- Date:04/10/26) and an Amended Part 1 of the Full Environmental Assessment Form with Exhibits “1” to “3” as follows”
 - Exhibit 1: DEC Freshwater Wetland BU-2 Parcel Jurisdictional Determination & Boundary Verification dated July 14, 2025.
 - Exhibit 2: Jurisdictional Determination issued by the United States Army Corps of Engineers dated April 11, 2025; and
 - Exhibit 3: No Impact Determination Letter issued by the NYS Office of Parks, Recreation and Historic Preservation dated March 2, 2025.
 - Based on discussions with the Erie County Division of Sewerage Management (ECDSM) subsequent to the Planning Board meeting held April 1st, it was determined that a 30-ft wide sanitary sewer easement,

centered on the pipe, will be required for the existing sanitary sewer located on the 10-ft wide parcel owned by the Woodlawn Sewer District and located to the north of the Project Site.

- Existing sewer line is located 2-ft north of the Project Site, therefore a 13-ft wide easement to be granted to the ECDSM will be provided on the project site. To accommodate moving Buildings No. 1-3 out of the proposed sanitary easement area, buildings 5 and 6 were reduced from 60-ft to 52-ft wide. The total square footage of all six (6) buildings was reduced from 79,500 sf to 75,220 sf, a reduction of 4,280 sf in impervious area.
- To address the access issued raised about southbound vehicles entering the Project Site that was discussed during the Planning Board meeting held on April 1st, the Applicant is proposing that all heavy construction vehicles shall be required to continue southbound and utilize the Woodlawn exit off of Route 5 to circle around and come back up Route 5 going northbound to make a right into the Project Site.
 - Though the applicant can agree to this, they cannot enforce this as it is a public right of way with third parties including tenants.
 - If you are using any kind of driving direction program, they direct you to go that way.
- Pursuant to the email from Joshua Rogers sent to the project team on Monday, March 30, 2026, regarding the proposed landscaping, the Landscape Plans and proposed plantings were revised in response to concerns regarding root spread and the proximity to the proposed buildings. It should be noted that the north building setback has been increased from 10-ft to 18-ft as shown on the revised Site Plan. Below is a summary of responses and revisions regarding the Landscaping Plan:
 - Kindred Spirit Oak- described as having a non-aggressive root system
 - Emerald Sentinel Red Cedar- described as having a relatively compact root system. They are ideal for tight spaces, often planted 3 to 4 feet from walls with a mature spread of 4 to 8 feet.
 - Standing Ovation Service Berry- described as ideal for tight spaces and features a fibrous, non-invasive root system that generally extends 12-18 inches deep and spreads roughly 3-4 feet wide

- Norway Spruce Upright- this planning has been replaced with red cedar where it was previously proposed behind buildings 1-3
- Iseli Fastigiate Spruce- described to possess a relatively shallow, compact root system, generally spreading 3 feet from the trunk to support their narrow 3- to 5-foot-wide canopy
- Dappled Willow- this planning has been replaced by a combination of service berry and kindred spirit oak.

Mr. Rogers asked can the Applicant or his team address the estimated construction timeline, if there are phases of the construction, and any type of noise mitigation that they are able to offer?

The Applicant responded that being as the project has not been approved, they have not gone through this too much. The goal would be to put all the infrastructure at once, then the individual buildings would be built based on demand with buildings 1-3 being built to start.

Mr. Rogers asked Mr. Santa to specify the kind of usage within the buildings themselves and asked does he intend on tenants having workshop space meaning that they would use machines or work on projects.

Mr. Santa responded that the ideal tenants would be plumbers, electricians, concrete layers, framers, painters and auto detailers. He also stated that yes, they could be working on projects inside the shops.

Mr. Rogers said previously it was stated that the buildings would be cold storage. He asked is there going to be utilities within the buildings themselves.

Mr. Santa answered there will be one bathroom, sink, electricity, and heat but no air conditioning.

Mr. Rogers asked Mr. Santa if he would be amenable to a condition of no hazardous materials, no flammable materials, things of that sort.

Mr. Santa answered that is something that would have to be given more detail due to the fact that different contractors have different supplies. However, in the lease there will be language about what is permitted in terms of storage.

Chair Gronachan stated that the Applicant mentioned that tenants may work in the buildings and asked would there be set hours.

Mr. Rogers stated that the Planning Board typically does not mandate hours of operation. However, there is a noise ordinance which does say no sleep-disturbing noise after 11 pm.

Mr. Hopkins stated that the tenants they are looking for typically work during the day and tend to start work earlier instead of working later.

Mr. Rogers asked would the applicant be amenable to having something in the lease that the tenants know what the traffic flow is to get back into the buildings?

The Applicant stated yes they would be ok with that, but the problem is one of enforcement.

Member Clark asked how far the buildings are going to be from the residential property lines.

The Applicant responded they will be 58 feet.

Member Zajac brought up on the Landscape Plan there is something listed as 'ALso' and he would like to know what that is.

Mr. Pandolfe explained that is an error and was mislabeled.

Member Zajac stated that the Applicant should make sure that they use deer fencing to help the plants get their potential fullness and height. He would also like to see Blue Spruce being replaced because he does not see them surviving for a long period of time.

Member Chmura stated that on the edit to the table, the applicant forgot to put the -3.5. She also asked with the two hydrants that are required, is that something that ends up going through the fire department review to make sure that the locations is accessible for any type of hazards.

Ms. Jarrell stated that the fire hydrant locations as well as anything related to the fire code goes through code enforcement and is typically shared with the fire companies. This is usually done after Site Plan approval during Engineering Approval. Ms. Jarrell gave a breakdown of the approval process from an Engineering Department point of view.

Member Chmura asked if you have a Site Development permit but there are multiple buildings, is there an instance where your Site Development permit has a different timeline or could the Planning Board tie the landscaping installation to the issuance of the certificate of occupancy?

Ms. Jarrell explained that the Engineering Department will not close the permit until everything is finished. They can hold the certificate of occupancy for a building until the surrounding area, or a reasonable footprint, is done.

Member Chmura asked if the stormwater management area would be installed at the beginning of the project in order to ensure that the infrastructure is right.

Ms. Jarrell answered absolutely, it would be required.

Chair Gronachan asked to clarify, if the Applicant were to not finish the project and build only four buildings, the berm, the landscaping, all the protection around the property is going to go in regardless of the number of buildings.

Mr. Hopkins affirmed that it is correct.

Ms. Jarrell wanted to reiterate that if Site Plan Approval is granted and the Applicant wants to make a change, that change goes to the Engineering Department. It is then reviewed by the Engineering, Planning, and Building Departments and they determine if it is a minor change, or if it would not require the project to be returned before the Planning Board. If those departments feel it is a major change, the project will then come back before the Planning Board.

The project was tabled to the May 6, 2026, Planning Board meeting.

OTHER BUSINESS

Member Chmura made a motion, seconded by Member Ryan, to adjourn the meeting. Carried.

The meeting was adjourned at 8:13 PM.

Respectfully submitted,
August Geraci, Secretary