

Town of Hamburg
Planning Board Meeting
June 17, 2026, Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 PM, on Wednesday, June 17, 2026, Room 7A/7B of Hamburg Town Hall.

REGULAR MEETING

CALL TO ORDER:

The meeting was called to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Member Chmura, Member Clark, Member Geraci, Member Ryan, Member Stewart, Member Zajac, Member Quandt (alternate)

Absent: Chair Gronachan

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

Public Hearing- 7:00 P.M., Jonathan Johnsen- Requesting Preliminary Plat Approval on a proposal for a 2-lot subdivision to be located at 2342 Pleasant Ave. (SBL#: 181.00-1-5.11)

Attorney Jonathan Johnsen appeared on behalf of the project for the Operating Engineers Training Fund.

Mr. Rogers explained to the Planning Board that the property is owned by the Operating Engineers. The lot that is being split is a unique subdivision. The lot is across from the railroad tracks and is zoned differently. There will be access to this land from Harbor Run Lane. At this point in time there is no proposed development and should there be any in the future, it could be for single family residential, not commercial development.

Member Geraci read the following Public Hearing Notice:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a public hearing on a proposal for a two-lot subdivision to be located at 2342 Pleasant Avenue

(SBL # 181.00-1-5.11). The Public Hearing will be held on June 17, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Member Chmura made the following statement:

“A public hearing is an opportunity for the community to share information on how they are impacted by the project; a three-minute rule will apply. It is not a question-and-answer period. All statements made during the hearing, as well as written correspondence regarding the project, will be sent to the Planning Department to be reviewed by the Planning Board as well as the applicant.”

Member Chmura declared the public hearing open.

Robert Piwko wanted clarification as to where the lot is located and once that was established, he had no objections to the project.

Steve McCabe questioned the total acreage for each of the parcels, what the land is zoned for, and how they are dealing with the possibility of a segmented review.

Member Chmura clarified that it is a total of 14 acres that are being subdivided from the 409 acres owned by Operating Engineers. At this point, there is no proposed development so they do not have any information about what may or may not occur on the property. The land in question is zoned R-1, which is single family residential. The remaining acres are zoned Residential Agricultural.

Member Chmura declared the public hearing closed.

SEQR

In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the two-lot subdivision proposed by Operating Engineers Training Fund, to be located on a parcel at 2342 Pleasant Ave (SBL# 181.00-1-5.11). Based on the Preliminary Plat, and review of the submitted materials and input from other departments, the Planning Board has determined that the proposed subdivision is not anticipated to result in any significant adverse environmental impacts and that a Negative Declaration is hereby issued, and the Planning Board Chair is authorized to sign the EAF, which will act as the Negative Declaration.

Motion made by Member Ryan, with a second from Member Geraci.

Resolution passed with no opposition.

Preliminary Plat Approval

The Hamburg Planning Board hereby grants Preliminary Plat Approval for the Operating Engineers Training Fund 2342 Pleasant Ave two-lot subdivision with the following conditions and waivers:

1. The installation of sidewalks in not warranted.

Finally, the Hamburg Planning Board waives the completion of the Final Plat, and the Hamburg Planning Board Chair is authorized to sign the Preliminary Plat once the Town Engineer signs off on the Plat.

Motion made by Member Ryan, with a second from Member Stewart.

Resolution passed with no opposition.

Public Hearing- 7 P.M., 3556 Lakeshore Development, LLC- Requesting Site Plan Approval for the development of a mixed-use site, offering condominiums for residential use, and commercial use, such as restaurants, hotel space, and continuing the use of some of the existing office space at the Gateway Building to be located at 3556 Lake Shore Road

Public Hearing- 7 P.M., 3556 Lakeshore Development, LLC- Requesting Preliminary Plat Approval on a proposal for a 2-lot subdivision to be located at 3556 Lake Shore Road

Attorney Thomas Reynolds and Mr. Andrew Tzanides appeared on behalf of the project and gave an update on the changes made since the last meeting that the Planning Board requested.

Member Geraci read the following Public Hearing Notices:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a public hearing on a proposal for the development of a mixed-use site offering condominiums for residential use and commercial uses such as restaurants, hotel space and the continuing use of some of the existing office space at the Gateway Building, to be located at 3556 Lakeshore Road. The Public Hearing will be held on June 17, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a public hearing on a proposal of a two-lot subdivision to be located at 3556 Lakeshore Road. The public hearing will be held on June 17, 2026, at 7:00 p.m. in room 7A/7B of Hamburg Town Hall”.

Member Chmura made the following statement:

“A public hearing is an opportunity for the community to share information on how they are impacted by the project; a three-minute rule will apply. It is not a question-and-answer period. All statements made during the hearing, as well as written correspondence regarding the projects, will be sent to the Planning Department to be reviewed by the Planning Board as well as the applicant.”

Member Chmura declared the public hearings open.

No one spoke.

Member Chmura declared both the public hearings closed with no comments provided on either.

Mr. Rogers explained that the next step is for the Planning Board to discuss any potential site plan conditions and authorize Mr. Rogers to draft approval resolutions for the July 1st meeting.

Member Clark stated that in response to the State’s letter and their concern about invasive species or plants, perhaps a condition could be the Applicant would send a list of the plants they are going to put in for landscaping, and State Parks can look at those and approve them.

Member Ryan asked that with all the added space and people, will there be enough parking as the number of spaces has gone down?

There was discussion that there is a total of 863 parking spaces down from 907 from the original site plan submission in 2025.

Member Chmura stated that she was comfortable with that number of spaces as it aligns with the uses especially recognizing that the condominiums have their own parking available.

Member Geraci added that there is ample parking for turnover in the restaurant.

The Planning Board authorized Mr. Rogers to draft approval resolutions.

The project was tabled to the July 1st, 2026 Planning Board meeting.

Public Hearing- 7 P.M., Seven (7) Brew Coffee- Requesting Site Plan Approval of a proposal to construct a 510 sq-ft building with two drive-thru lanes to be located on a 0.78-acre parcel at 3701 McKinley Parkway (SBL#: 160.07-2-28.2)

Anthony Pandolfe of Carmina Wood appeared on behalf of the project. He gave an update on the colored renderings that were submitted as well as a traffic management plan.

Member Geraci read the following Public Hearing Notice:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a public hearing on a proposal to construct a 510 square foot building with two drive thru lanes to be located on a 0.78-acre parcel at 3701 McKinley Parkway (SBL#: 160.07-2-28.2). The Public Hearing will be held on June 17, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Member Chmura declared the public hearings open.

No one spoke.

Member Chmura declared the public hearings closed.

The Planning Board authorized Mr. Rogers to draft approval resolutions for consideration.

The project was tabled to the July 1st, 2026 Planning Board meeting.

Golf Carts Unlimited- Requesting Site Plan Approval of a proposal to construct a 4,700 sq-ft 1-story building with a 1,350 sq-ft covered patio to be located at 2330 Lakeview Road

Mark Passon appeared on behalf of the project.

Mr. Rogers explained that at the last meeting, a public hearing was held, and no one spoke regarding the project. A draft approval resolution was provided for the board.

Town Engineer Camie Jarrell added that at this time, there are no engineering questions or comments other than the letter should be dated June 12th.

Member Ryan asked if the Board confirmed the no outdoor storage requirement on the previous site plan?

Mr. Rogers mentioned that due to the fact that this is a rebuild of his prior project, that is something for this Board to consider.

Attorney Gogan added he is not sure of the answer, but did reiterate that it would not be an issue if the Board were to put it as a condition again.

SEQR

Whereas, The Hamburg Planning Board received a Site Plan application from Mark Passon requesting Site Plan Approval of a 4,700 sq-ft story building with a 1,350 sq-ft covered patio to be located at 2330 Lakeview Road; and

Whereas, the Hamburg Planning Board held the required public hearing on June 3rd, 2026, and received no objections from the public; and

Whereas, the Hamburg Planning Board in accordance with the New York State Environmental Quality Review Act (SEQRA) has done a thorough review of the project and its potential impacts and completed parts 2 and 3 of the EAF, and

Whereas, the Hamburg Planning Board, in accordance with SEQRA has determined that the proposed project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations.

Now, Therefore, Be it Resolved, that the Town of Hamburg Planning Board hereby determined that the proposed site plan approval and construction of a 4,700 sq-ft 1-story building with a 1,350 sq-ft covered patio is not anticipated to result in any significant adverse environmental impacts and that a Negative Declaration is hereby issued and that the Planning Board Chair is authorized to sign the EAF, which will act as the Negative Declaration.

Motion made by Member Stewart, with a second from Member Ryan

Resolution passed with no opposition.

Site Plan Approval

Based on the review of the Golf Carts Unlimited rebuild project, and having completed the SEQR process, the Hamburg Planning Board hereby approves the project with the following conditions and determinations:

1. Approval is contingent upon the Engineering Department comment letter dated 06/12/26.
2. The landscaping plan shall be approved by the Planning Department.
3. The installation of sidewalks is not warranted.
4. Outdoor storage is not permitted; outdoor display is permitted.

Motion made by Member Stewart, with a second from Member Clark

Resolution passed with no opposition.

Ten Lives Club, Inc. - Requesting Change of Use and Site Plan Approval for the expansion of rescue services to be located at 3747 Lakeshore Road

Mr. Rogers reminded the Planning Board that for this project, the Planning Board previously had the applicant amend the parking layout. There are 100 parking spaces on the project site.

Town Engineer Camie Jarrell added that because this is a change of use, Engineering is not involved so there is no comment letter.

Change of Use and Site Plan Approval

Whereas, The Hamburg Planning Department received a Site Plan Application from Ten Lives Club for the expansion of feline rescue services to utilize an existing building, to be located at 3747 Lakeshore Road along with other associated site improvements; and

Whereas, the Hamburg Planning Board held the required public hearing on June 3rd, 2026; and

Whereas, the Town of Hamburg Planning Board has reviewed the project against the Town Code, has received input from Town departments and other agencies, has received additional information/reports from the applicant, and provided input to the applicant; and

Whereas, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Town of Hamburg Planning Board during its March 4th, 2026, meeting issued a SEQR Negative Declaration for the project; and

Whereas, the Zoning Board of Appeals granted a use variance for this project during its May 5th, 2026, meeting.

Now, Therefore, Be it Resolved, that the Town of Hamburg Planning Board issues change of use and conditional site plan approval for this project with the following conditions:

1. Sidewalks are not warranted as they already exist along Lakeshore Road.

Motion made by Member Stewart, with a second from Member Zajac.

Resolution passed with no opposition.

Chris Van Leaven - Requesting Preliminary Plat Approval on a proposal for a 4-lot subdivision to be located at 4261 Lake Shore Road (SBL #: 159.17-1-16.1)

Chris Van Leaven appeared on behalf of the project and gave a presentation regarding comments from the public hearing.

Mr. Rogers explained that a public hearing was held at the June 3rd, 2026 meeting, so the chance for the public to speak at the microphone has ended. That being said, the Planning Department is still accepting letters and emails from residents. All

correspondence that has been received has been forwarded to the Planning Board and added to the public comment folder.

Mr. Rogers reminded the Board that the LWRP Committee reviewed this project and has provided a positive recommendation.

Mr. Rogers took some time to clear up some questions from the public:

The Board was asked if it was the Lakeview Overlay District into consideration, but this project is within the Route 5 Overlay District, not the Lakeview Overlay District.

In terms of zoning, this property is R-1 which allows for single family homes or cluster housing if the Board approves. This means that apartments, commercial development, retail strip plazas, dispensaries, car washes etc. are not allowed.

There have been questions about stormwater draining in terms of grading. The action before the Planning Board is taking the overall parcel and deciding whether it has merit to be split into four (4) buildable lots. At this point in time, it is unknown whether or not there will be development on the two (2) vacant lots. Should development happen, the Planning Board does not have approval power over single family homes, so that developer would deal with the Town Engineer and Code Enforcement.

The Planning Board requested that the State Department of Transportation be contacted regarding access onto Route 5. Two (2) emails have been sent and there was no response. The typical DOT policy is that if there is arterial access or secondary access to their State Highway system, they try to push access onto that secondary road. In this case, the two (2) lots would have frontage onto Route 5 and do not have any secondary access. It is unclear what DOT would do, but Mr. Rogers would imagine that they would have to give access to any type of development.

The Town's Historic Preservation Commission questioned the historical significance of the property. The Planning Department did receive a copy of the survey done by Preservation Studios that was commissioned by the Town of Hamburg. This property is mentioned in the survey but is suggested that the Town do further research. It does not have a recommendation that it is a National, State, or locally designated property.

Chris Van Leaven provided a response to the public comments that were heard during the public hearing:

A letter was presented at the last meeting from Ms. Tavakoli, that was written on August 16, 2012, seeking a horse variance. At the time, she was not considering subdividing and did not see how to do it, but after 14 years of evaluation and planning, they figured out a way to do it that would keep much of the property character.

In September 2012 (14 years ago), Ms. Tavakoli appeared before the Zoning Board of Appeals, requesting a Use Variance for horses to be allowed which was ultimately granted. In January 2016 (10 years ago), she appeared before the Zoning Board of Appeals, requesting a Use Variance for business/professional office on behalf of a potential buyer, and that variance was denied. The buyer then moved her investment to East Aurora to pursue her plan.

Mr. Van Leaven mentioned that there has always been a rumor but on the original drawings from the 1950's, there is no tunnel.

Mr. Van Leaven explained that what the Applicant is looking for is the subdivision of the property; in other words they are looking to draw property lines. The Applicant is not planning on removing any buildings. The additions to the home were done in 1974 which is what brings the façade to what is currently known.

Mr. Van Leaven also detailed that the proposal would only have the potential of three additional households on a road that has around 17,000 vehicles a day. He added that when comparing this location to Beach Road, there is a 400% higher line of sight at this location.

Mr. Van Leaven explained that there is no intention to modify the property lines. They are surrounded by a six (6) foot chain link fence and plants. He anticipates that there will be a noise reduction, as there will be less noise at one time from mowing, and less heavy machinery noise as each estate will have less to take care of and maintain. If people were to build on the two lots, there would be less noise after they are built due to the fact that there is less maintenance needed on a new building.

A lot of the existing landscaping has far exceeded its useful life span. Landscaping and trees have been removed/modified over the years due to a multitude of situations including storms, wind, invasive species, natural life span, deterioration, preference, etc. They do not have current plans to remove trees or modify much of the landscaping, and this subdivision preserves the majority, even if someone was to build on the two building lots.

Mr. Van Leaven said that the smallest lot at about .67 acres would be almost double the average lot size of Beach Avenue, and triple the average lot size on Durham Road or Stratford Terrace.

Mr. Van Leaven believes that there will be higher property values for surrounding neighbors, and added that statistics show that when million plus dollar houses are built in a neighborhood, the surrounding properties increase in value. There will be better maintenance of all structures and grounds (beautifying the property further), an increase in tax revenue for the Town of Hamburg, and properties that are more consistent with R-

1 zoning. More families will be able to enjoy the beautiful property and gorgeous lake views right here in Hamburg, NY.

Mr. Rogers explained to the Planning Board that they are responsible for making a SEQR decision and potentially an approval decision on this four (4) lot subdivision. The Public Hearing has been closed, and the Board has heard the response from the Applicant. If the Planning Board feels comfortable after discussion, they can suggest he draft approval resolutions.

Town Engineer Camie Jarrell stated that because this is just a subdivision of land, there is no engineering comment at this time. For general information, when an individual home is constructed they come in for buildings permits and they are required to submit a grading and drainage plan for the lot which is reviewed by the Engineering Department.

Member Zajac asked Mr. Van Leaven why he proposed two buildable lots and not just one 2-acre lot?

Mr. Van Leaven answered due to the fact that there is plenty of space; he reiterated it is almost three times the average building lot in that area

Member Zajac asked how did he come to the determination to have two buildable lots instead of splitting the properties with the houses and just having the rest as one lot?

Mr. Van Leaven responded that this is the plan that was formulated. It is an 8.5-acre property that is being split and due to the size of the lots, they did not see an issued in adding the fourth lot.

Member Zajac asked if Mr. Van Leaven sees that it is easier to market them as two separate lots?

Mr. Van Leaven responded that the lots are probably going to go up for sale at the same time, so potentially someone could buy both of them.

Member Chmura authorized Mr. Rogers to draft approval resolutions. She added that a potential condition would be for any neighboring lots to maintain the existing buffer so that the character of the area is maintained.

Attorney Gogan mentioned it would be something similar to a conservation easement that would run with the land. The conservation easements can spell out who is to maintain the property, how it gets cared for etc. It is a contract that runs with the land that deals with what is going to happen with the buffer.

The project was tabled to the July 1st, 2026, Planning Board meeting and the Planning Department was authorized to produce draft approval resolutions for consideration.

Liza Acanfora - Requesting Site Plan Approval on a proposal for a childcare center to be located at 4090 Jeffrey Blvd

Steve Geltz from Daryl Martin Architect appeared on behalf of the project.

The Applicant is looking to build a daycare in the back portion of an existing building that is already zoned a combination of M-1 and M-2.

Mr. Rogers explained that this project requires a special use permit, and the Applicant is to appear before the Zoning Board of Appeals at their July meeting.

Town Engineer Camie Jarrell added that the Engineering Department will need to know the surface materials that will be used on the playground, as well as any drainage involved depending on if the playground will be built on existing asphalt. The Planning Board may want to consider if there should be some bollards provided on the adjacent parking lot..

The project was tabled to the July 15th, 2026, Planning Board meeting for a public hearing.

OTHER BUSINESS

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

The meeting was adjourned at 8:37 P.M.

Respectfully submitted,
August Geraci, Secretary