

Town of Hamburg
Planning Board Meeting
September 16, 2026, Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 PM, on Wednesday, September 16, 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, Chair Gronachan, Member Quandt (alternate), Member Stewart, Member Zajac

Absent: Member Ryan (excused)

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

Public Hearing- 7:00 P.M., M&T Bank- Requesting Site Plan Approval on a proposal for a drive-up ATM kiosk to be located at 6000 South Park Avenue

Stephen Movalli from Scheid Architectural appeared on behalf of the project.

Chair Gronachan 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 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 drive-up ATM kiosk to be located at 6000 South Park

Avenue. The Public Hearing will be held on September 16th, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Chair Gronachan declared the public hearing open.

No one spoke.

Chair Gronachan declared the public hearing closed with no comment provided.

Architect Stephen Movalli explained to the Board that the Applicant is seeking Planning Board approval for a drive-up ATM kiosk to be located in the parking area behind the branch to give the customers additional ATM access. The project meets Town requirements for stacking and has no impact on stormwater or parking.

Chair Gronachan stated that in the resolution that has been presented by the Planning Department, there is no dark sky compliant condition listed, and asked for it to be added.

Chair Gronachan also asked if a condition that sidewalks are not warranted because of the location could be added, for consistency. She asked the Applicant is there any landscaping around the ATM?

Mr. Movalli stated that there is no landscaping due to the fact that the proposed ATM is in the middle of the asphalt parking lot.

Member Chmura stated for consistency, she would like to have the following added to the resolution: “Any proposed signage shall be in accordance with Article XXXVI of the Hamburg Town Code.”.

Town Engineer Camie Jarrell added that the Engineering comment letter is dated September 11, 2026. The only note on the comment letter is that the Engineering Department needs grades to ensure that the new ATM does not impact the drainage.

**M&T Bank Drive-Up ATM Kiosk
6000 South Park Avenue
SEQRA and Approval Resolution
September 16, 2026**

Whereas, The Hamburg Planning Department received a Site Plan Application from M&T Bank for the construction of a drive-up ATM Kiosk with up to five (5) stacking spaces to be located at 6000 South Park Avenue; and

Whereas, the Town of Hamburg Planning Board has determined that this is a Type II action under SEQR and no further SEQR review is necessary; and

Whereas, the Town of Hamburg Planning Board held the required public hearing on September 16th, 2026; and

Whereas, the Town of Hamburg Planning Board has thoroughly reviewed the project and Site Plan and received input from Town Departments, Advisory Boards, and consultants and has found the project to be in accordance with the Town Code.

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

1. Approval is contingent upon the Engineering memo dated 9/11/26.
2. All proposed lighting shall be dark sky compliant.
3. Any proposed signage shall be in accordance with Article XXXVI of the Hamburg Town Code.
4. Sidewalks are not warranted as they already exist along South Park Avenue.

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

Resolution passes with no opposition.

Mike Sweeney- Requesting Site Plan Approval on a proposal for a 55,000 sq-ft industrial storage building on an existing asphalt-gravel storage yard to be located at 3100 Lakeshore Road (SBL #:150.00-1-1.2)

Thomas Shelberg of DEL Resources appeared on behalf of the project along with Mike Sweeney.

**Sweeney Steel Industry Storage Building
3100 Lakeshore Road
SEQR and Approval Resolution
September 16, 2026**

SEQR

Whereas, the Hamburg Planning Board received a site plan application for Mike Sweeney for the construction of a 55,000 sq-ft industrial storage building on the existing asphalt-gravel storage yard to be located at 3100 Lakeshore Road (SBL # 150.00-1-1.2); and

Whereas, the Town of Hamburg Planning Board initiated the SEQR process for this Unlisted Action and received input from involved and interested agencies, Town Departments and Boards; and

Whereas, the Town of Hamburg Planning Board has reviewed the EAF submitted by the Applicant, and received input from the Planning Department; and

Whereas, the Town of Hamburg Planning Board held the required public hearing on September 2nd, 2026; and

Whereas, the Town's LWRP committee has reviewed the waterfront assessment form (WAF) and recommended to the Planning Board that the project is consistent with the Town's LWRP, and the Planning Board has reviewed this information and determined that the project is consistent with the Town's LWRP (Coastal Consistency Determination; 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 has reviewed Part 1 of the FEAF and has completed Parts 2 and 3 of the FEAF and reviewed the criteria for determining significance in accordance with Section 617.7 of SEQR; and

Now, Therefore, Be it Resolved, that the Town of Hamburg Planning Board has determined that the proposed project will not have significant adverse impacts on the natural resources of the State and/or the health, safety, and welfare of the public and is consistent with social and economic considerations and therefore issues a Negative Declaration in accordance with Section 617.7 of SEQR; and

Be, It Finally Resolved That, that Town of Hamburg Planning Board Chair is authorized to sign the Full Environmental Assessment Form (EAF Parts 1,2,3) which will act as the SEQR Negative Declaration.

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

Resolution passes with no opposition.

Site Plan

Based on the issuance of a Negative Declaration, the Town of Hamburg Planning Board hereby grants conditional site plan approval for this project with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated 09/11/2026.
2. Any lighting shall be shielded and dark sky compliant and shown on the plans.
3. Sidewalks are not warranted as they already exist along Lakeshore Road

Motion made by Member Chmura, with a second from Member Quandt.

Resolution passes with no opposition.

A.K. Kaid- Requesting Change of Use and Site Plan Approval on a proposal for a retail cannabis dispensary and associated site improvements to be located at 3233 Lakeshore Road

Tommaso Briatico of Tommaso Briatico Architects appeared on behalf of the project.

Chair Gronachan stated the following changes that were requested by the Planning Board have been made:

- Removal of the patio and pergola.
- The garage door has been removed.
- Security questions have been addressed

Member Chmura asked for the following resolution edits:

- Number 6- it is not the project that will be fully enclosed, it should be that all business operations shall be within the fully enclosed building and that a walk-up window shall not be permitted.
- Number 12- please add “and lounges shall not be permitted”.

Chair Gronachan asked for the following resolution edits:

- Number 10- the statement is no longer accurate as the garage door has been removed. It should read “All glass facades/windows on the building shall be tinted per the site plan dated 9/3/2026.”

**AK Kaid Retail Cannabis Dispensary
3233 Lakeshore Road
SEQR and Site Plan Approval Resolution
September 16, 2026**

SEQR

Whereas, the Hamburg Planning Board received a site plan application from A.K. Kaid for an 1,890 sq-ft retail cannabis dispensary at 3233 Lakeshore Road; and

Whereas, the Applicant received a use variance from the Zoning Board of Appeals on February 3rd, 2026; and

Whereas, the Tow of Hamburg Planning Board has determined the project to be a Type II Action under State Environmental Quality Review Act (SEQRA); and

Whereas, the Hamburg Planning Board held the required public hearing on August 5th, 2026, and received no objections from the public

Now, Therefore, Be it Resolved, the Town of Hamburg Planning Board has determined that no further environmental review is required, and a Negative Declaration is hereby issued.

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

Resolution passes with no opposition.

Site Plan Approval

The Town of Hamburg Planning Board hereby grants Conditional Site Plan Approval to A.K. Kaid for an 1,890 sq-ft retail cannabis dispensary at 3233 Lakeshore Road for the Site Plan dated 9/3/26 with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated 09/11/2026.
2. The landscaping plan (dated 9/3/26) shall be approved by the Planning Department.
3. Sidewalks are not warranted as they already exist along Lakeshore Road.
4. Any lighting shall be shielded, dark sky compliant, and there shall be no neon or flashing color lights.
5. Any proposed signage shall be in accordance with Article XXXVI of Hamburg Town Code.
6. Hours of operation shall be within the hours of 9 am to 9 pm on weekdays and Saturdays, and within the hours of 12 noon to 9 pm on Sundays.
7. All business operations shall be within a fully enclosed building. A Walk-up window for the sale of cannabis products shall not be permitted.
8. Security features shall be incorporated as listed in the attached written narrative submitted by the Applicant, dated 9/14/2026.
9. The Applicant has received their Adult-Use Retail Dispensary license from New York State and shall submit proof of their license to the Building Department and Planning Department prior to the issuance of any certificate of occupancy.
10. All glass facades/windows on the building shall be tinted per the site plan dated 9/3/2026.
11. Outdoor seating shall not be permitted.
12. On-site cannabis consumption and lounges shall not be permitted.

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

Resolution passes with no opposition.

Planning Board to discuss and potentially issue SEQRA Findings in connection with a proposed subdivision by Parker Road Developers, LLC to be located on the west side of Parker Road, south of Big Tree Road

Mr. Rogers provided background on the latest SEQRA updates and procedural standpoint for the Parker Road Residential Subdivision project.

Mr. Rogers stated that in August, the Planning Board did accept the FEIS as complete and the Planning Board also offered a public comment period of up to ten (10) days following the completion of the FEIS.

The Planning Department put together the information that has been discussed on the record and put together in a findings statement.

Mr. Rogers has suggested that the Planning Board make a findings decision at the October 7th, 2026, meeting.

After consideration of the FEIS, the whole point of the Planning Board is to maintain a balance of economic and social considerations, not only of SEQR but also weighing the potential significant adverse environmental impacts and deciding if the FEIS has mitigated those impacts to the maximum extent.

Mr. Rogers asked the Planning Board to consider the following:

- Look at each of the impacts and see if there is a mitigation that was not offered before.
- Is there something in the findings that may sway your decision one way or another?
- Are there things that you would potentially want added that were not talked about before under the findings?

Member Clark asked at what point would the Planning Board distinguish between the As-of-Right and the Cluster as far as the findings? Also, is this the stage where there should be a distinction between the two plans?

Mr. Rogers answered that was left open-ended because there are two considerations. The As-of-Right is the plan that was submitted and the cluster is the alternative. The Planning Board must decide what plan mitigates the potential impacts to the maximum extent possible.

Member Clark stated it is his opinion that the Cluster mitigates more of the issues than the As-of-Right in most categories. He believes that should be reflected in the findings statement.

Chair Gronachan stated the original project that was presented to the Planning Board was a full subdivision with sixty-five (65) houses, with a difference between the As-of-Right and Cluster being only six (6) houses. There are buffers for both plans however she feels that the As-of-Right offers more for the homeowner.

Chair Gronachan added she believes the backyard is larger, which allows the homeowner more freedom to what he/she wants to do. After being on the Planning Board for many years, she has heard many complaints that people are unaware of the limitations in the use of their property in cluster developments.

Chair Gronachan stated that the cluster development may add greenspace to the outside of the homeowners' lot, but limits to the use of the property (there may be situations where lots are not big enough for a deck). If approved, she explained she wants stipulations that need to be made very clear that advertising of the subdivision needs to clarify what a cluster is, and what exactly is allowed to be built on that lot.

Member Chmura questions if it is the right of the Planning Board to comment on that. If a plot is advertised to a potential buyer, is it not the responsibility of the developer to communicate what is available and what is possible?

Chair Gronachan said that no, it is not the Planning Board's responsibility that the information is told to the buyer. However, due to the past problems cluster developments have caused in the Town of Hamburg, this is something that she believes should be addressed. When talking about the economic aspect, in her opinion, she feels that having the number of houses in the As-of-Right, because they are bigger and there will be more, is actually an increase to the economic balance.

Member Stewart agreed with Chair Gronachan.

Member Clark added that there is an opposing position on the larger lots from a Town standpoint. With the larger lots, there are more roads that get turned over to the Town for maintenance as well as more utilities. The smaller cluster home development is better economically for the Town, as it generates a smaller expense of infrastructure.

Member Geraci stated when it comes to marketability, the cluster homes have a better opportunity to be sold than the bigger homes due to cost.

Member Stewart added that he feels that Hamburg is a desirable location with people looking to move here. He does not want to lower the Town's standards as far as what type of residential homes are being built. In the future, he asked will building As-of-Right lots (which offer bigger lots/square footage) be neglected and the status quo become building cheaper priced homes?

The project was then tabled to the October 7th, 2026 Planning Board meeting.

OTHER BUSINESS

Member Chmura made a motion, seconded by Member Stewart, to adjourn the meeting. The motion carried.

The meeting was adjourned at 7:55 P.M.

Respectfully submitted,
August Geraci, Secretary