Agenda

Brad M. Rybczynski Town Clerk

Town Board of the Town of Hamburg

December 8, 2025

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:

October 6,2025

4. Agenda Items

4.1. Public Hearing-application to establish landmark designation/Bay View Hotel

4.2. Public hearing Proposed Local Law 12, 2025 Oregon Road Rezoning

4.3. Public Hearing Proposed Local Law 13, 2025

4.4. Public Hearing Proposed Local Law #14, 2025

4.5. Public Hearing Proposed Local Law #15, 2025

4.6. Public Hearing Proposed Local Law #16, 2025

4.7. Public Hearing for Approval of a Cable Franchise Agreement with Spectrum Northeast, LLC

4.8. Proclamation Recognizing Ford's Buffalo Stamping Plant 75th Anniversary

4.9. 2026 Hamburg Town Board Meetings Schedule

4.10. Hamburg Town Arena Speaker System RFP

4.11. Highway Personnel

4.12. Winter Conference Travel

4.13. NYS Youth Bureau Youth Development Training: Out of Town Travel

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

4.15. Authorization to Contract with CivicPlus for Public Mass Notification / Emergency

Alerting

4.16. Chapter 76 Amendments Referral to Planning Board

4.17. B&G PAF

4.18. Southwestern Blvd and Big Tree Road Travel Center Rezoning Resolution

4.19. Pleasant Woods Subdivision Completion and Acceptance

4.20. Traffic Safety-Cooper Ridge

4.21. Vacation Carryover- Public Safety Dispatch

4.22. Senior & Community Center Construction Management Agreement

4.23. 18 Mile Golf Course Concession Contract Amended

4.24. Public Safety Dispatch – Surplus Equipment

4.25. Article LX Smoke Shops and Vape Shops Code Referral to PB

4.26. Chapter 34 Mandatory Training Code Amendments Referral to PB

4.27. 2026 Association of Towns Annual Meeting and Training School-Supervisor

4.28. Approve Spectrum Northeast LLC Cable Television Franchise Renewal

5. Public Comment

6. Meeting is adjourned by Supervisor

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.1. Public Hearing-application to establish landmark designation/Bay View Hotel

Public Hearing
Town of Hamburg

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Hamburg will hold a public hearing on December 8, 2025 at 7:00 o'clock p.m. or as soon thereafter, at Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY 140975, to consider the application to establish historic landmark designation of the Bay View Hotel, pursuant to Chapter 31 of the Hamburg Town Code, entitled "Town of Hamburg Historic Preservation Commission." The property is located at 3800 Hoover Road and identified as S.B.L. #159.11-1-1.

Written comments in advance of the hearing should be submitted to Brad M. Rybczynski, Town Clerk by US mail to 6100 South Park Avenue, Hamburg, NY 14075 or email at brybczynski@townofhamburgny.gov, no later than December 4, 2025.

Dated: November 3, 2025

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.2. Public hearing Proposed Local Law 12, 2025 Oregon Road Rezoning

LEGAL NOTICE

TOWN OF HAMBURG

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PLEASE TAKE NOTICE that there has been presented to the Town Board on November 3, 2025, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law 12, 2025 said local law provides for the amendment of Local Law #10, 1986, Chapter 280, entitled "Zoning", and provides substantially as follows:

For the adoption of an amendment to said Zoning Code to rezone a 0.35-acre lot at 4922 Oregon Ave (SBL# 170.66-1-6.1) from R-3 (Multi-Family District) to C-2 (General Commercial District); and

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 November 17, 2025, at 7:00 p.m. (local time), at which time all interested people may be heard.

Dated: November 3, 2025 Brad M. Rybczynski

Town Clerk

Town of Hamburg

4.3. Public Hearing Proposed Local Law 13, 2025

LEGAL NOTICE TOWN OF HAMBURG

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there has been presented to the Town Board on November 3, 2025, pursuant to the Municipal Home Rule Law, a proposed local law, to be known as proposed local law 13, 2025; said local law provides for amendments to the Hamburg Town Code in accordance with the recommendations of the Town of Hamburg Code Review Committee. The amendments can be described as follows:

Amendment #1 Add the following Chapter: Schedules of Fines and Penalties

The Town Board of the Town of Hamburg hereby establishes a unified Schedule of Fines and Penalties for the Town of Hamburg, which said Schedule may be adopted or amended from time to time, by resolution of the Town Board and filed in the office of the Town Clerk of the Town of Hamburg.

Amendment #2 Fines and Penalties. Specific fines and penalties are removed from throughout the Code and replaced with text indicating that fines and penalties will be set by a schedule of fines and penalties by resolution of the Town Board. Specific fines and penalties have been removed from the following sections:

- 1-10 Penalties for tampering with code
- 28-9 Fire prevention bureau
- 31-14 A. Historic Preservation Commission
- 67-12 Animals
- 70-3 Beach control
- 75-5 Brush, Grass and Weeds
- 76-17C.(1) Building Construction and Fire Prevention
- 76-17 C.(2) Building Construction and Fire Prevention
- 76-27 K.(1) Building Construction and Fire Prevention; Plumbing and site utility work
- 80-10 Unsafe buildings
- 90-5 Dead Trees
- 93-6 Diesel Engine Control
- 100-14 B. Dogs
- 107-7 Excavation and soil removal
- 107-19 B. Excavation and soil removal
- 109-7 A.(1) Fair Housing
- 111-3 Firearms and other devices
- 113-85 A. Fire prevention code
- 115-9 Flood damage prevention
- 135-4 B. Commercial operation of incinerators
- 135-6 Commercial operation of incinerators
- 145-11 B. Junk Vehicles
- 147-8 B. Junkyards; Enforcement
- 155-5 Lighting Nuisance
- 165-9 Mobile home parks

- 175-6 A. Noise
- 185-8 Parking code
- 188-15 Parks and Recreation
- 188-21 A. Parks and recreation; Use permit
- 188-25 A. Parks and recreation; Boat permit
- 190-9 B. Garage sales
- 191-13 Peddling and soliciting
- 191-23 Peddling and soliciting
- 200-2 Abandoned Refrigerators
- 207-4 Sex offender residence
- 210-4 Traffic regulations shopping centers and other areas of assembly
- 213-5 Smoking
- 215-6 Snowmobiles
- 220-2 Solid waste
- 220-9 F.(1) Solid waste; General prohibition against littering
- 220-30 A. Solid waste
- 220-30 B. Solid waste
- 220-30 D. Solid waste
- 225-9 B. Storage trailers
- 226-13 B. Storm Sewers
- 226A-8 D. Stormwater management and erosion and sediment control
- 230-7 Subdivision of land
- 232-15 Swimming pool code
- 240-7 A. Regulation of Town-Owned property
- 240-7 B. Regulation of Town-Owned property
- 240-7 D. Regulation of Town-Owned property
- 243-16 A. Tree management
- 245-8 Trespassing
- 262-3 Vandalizing of traffic devices
- 270-7 A. Waterfront Revitalization
- 280-305 A. Zoning administration
- 280-333 B. Special use permits
- 280-353 A. Commercial wind energy conservation systems
- 280-371 A. Residential wind energy conversion systems
- 280-384 Solar energy systems
- 280-396 Battery energy storage systems
- 280-418 Bituminous processing facilities
- 280-427 Adult-Use cannabis

Amendment #3 Sewer permit fees. Specific permit fees for sewers are removed from throughout the Code and replaced with text indicating that permit fee will be set in the schedule of permit fees set from time to time by resolution of the Town Board. Specific fees have been removed from 76-27P.

Amendment #4 Brush, Grass and Weeds. 75-4 B.

Amendment would be adding a subsection C. as follows:

Chapter 75 Brush, Grass and Weeds

- 75-4 Inspection; removal by town.

1. The actual cost of such cutting and removal, and grading, if necessary, plus a fee of 20% for inspection and administrative overhead therewith, shall be certified by the Building Inspector to the Town Receiver of Taxes and shall thereupon become and be a lien upon the property on which said weeds, grass and other vegetation were located, and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes levied and assessed against such property.

A detailed copy of the proposed amendments will be available, for public review, during regular business hours at the following 2 locations:

HAMBURG TOWN HALL

Town Clerk's Office/upper level **and** Planning Department/lower level)

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 December 8, 2025 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: November 3, 2025 Brad M. Rybczynski

Hamburg Town Clerk

4.4. Public Hearing Proposed Local Law #14, 2025

LEGAL NOTICE TOWN OF HAMBURG

NOTICE OF PUBLIC HEARING Proposed Local Law #14, 2025

PLEASE TAKE NOTICE that there has been presented to the Town Board on November 3, 2025, pursuant to the Municipal Home Rule Law, a proposed local law, to be known as proposed local law 14, 2025; said local law provides for amendments of the Hamburg Town Code: Chapter 280 entitled "Zoning", by amending the Town's Zoning Map as follows:

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

the New York State Department of State (NYSDOS) has recommended that the Town adopt the Consistency Review Law, and the amendments to the Zoning Map, prior to adopting the LWRP amendment; the Town Board hereby proposes a local law to amend the Zoning Map of the Town of Hamburg to rezone the following parcels:

- Rezone SBL #: 150.16-2-27.13 that is split-zoned R-3 (Multi-Family Residential) and M-3 (General Industrial) to PR (Park/Recreation Lands District)
- Rezone SBL #: 150.16-2-27.11 from R-3 (Multi-Family Residential) to PR (Park/Recreation Lands District)
- Rezone SBL #: 150.16-2-27.2 from R-3 (Multi-Family Residential) to PR (Park/Recreation Lands District)
- Rezone SBL #: 150.00-1-6.3 from M-3 (General Industrial) to PR (Park/Recreation Lands District)
- Rezone SBL #: 159.00-1-16 from R-2 (Single Family Attached Residential) to PR (Park/Recreation Lands District)
- Rezone SBL #s: 159.18-4-9 and 159.18-4-15 that are split-zoned C-3 (Office District) and R-1 (Single-Family Residence District) to NC (Neighborhood Commercial General Residence District)
- Rezone SBL #s: 159.18-3-23 and 159.18-3-20 from C-3 (Office District) to NC (Neighborhood Commercial General Residence District)
- Rezone SBL #s: 159.18-3-25, 159.18-3-24, 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-1 (Single-Family Residence District)
- Rezone SBL #s: 196.13-1-6.1, 195.16-3-17.2, 195.16-3-17.1, 195.00-3-7.12, and 195.00-3-7.11 from R-A (Residential Agricultural) to PR (Park/Recreation Lands District)

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 December 8, 2025, at 7:00 p.m. (local time), at which time all interested people may be heard.

Dated: November 3, 2025

Brad M. Rybczynski

Town Clerk

Town of Hamburg

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.5. Public Hearing Proposed Local Law #15, 2025

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there has been presented to the Town Board on November 3, 2025, pursuant to the Municipal Home Rule Law, a proposed local law, to be known as proposed local law #15, 2025; said local law provides for an amendment to Chapter 280 of the Zoning Code of Town of Hamburg, to amend the Hamburg Town Code as follows:

Amend Article LIX Adult-Use Cannabis in its entirety

A detailed copy of the proposed amendment to Article LIX-Adult Use Cannabis is available during regular business hours (9:00 a.m. to 5:00 p.m.) Monday through Friday at:

HAMBURG TOWN HALL	HAMBURG PLANNING DEPARTMENT
6100 South Park Avenue	lower level of Town Hall
Hamburg, New York 14075	

The proposed amendment may also be found at the Town's website www.townofhamburgny.gov, click on "Legal Notices and Bids." AND-at the Planning Department page on the Town's website at: https://www.townofhamburgny.gov/508Planning

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 December 8, 2025, at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: November 3, 2025

Brad M. Rybczynski

Town Clerk

Town of Hamburg

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.6. Public Hearing Proposed Local Law #16, 2025

LEGAL NOTICE

TOWN OF HAMBURG

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on November 3, 2025, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed Local Law No. 16, 2025; said local law provides for the amendment to Chapter 227 of the Code of the Town of Hamburg entitled "Streets and Sidewalks", §227-8, entitled “Unsafe sidewalks; notice to repair; appeals”

A detailed copy of the proposed amendment to Chapter 227 of the Code of the Town of Hamburg entitled "Streets and Sidewalks", §227-8, entitled “Unsafe sidewalks; notice to repair; appeals” is available during regular business hours (9:00 a.m. to 5:00 p.m.) Monday through Friday at:

HAMBURG TOWN HALL HAMBURG PLANNING DEPARTMENT

6100 South Park Avenue lower level of Town Hall

Hamburg, New York 14075

The proposed amendment may also be found at the Town’s website www.townofhamburgny.gov, click on “Legal Notices and Bids.”

AND-at the Planning Department page on the Town’s website at:
https://www.townofhamburgny.gov/508Planning

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 at Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075, on December 8, 2025, at 7:00 p.m. local time, at which time all interested people may be heard.

Dated: November 3, 2025 Brad M. Rybczynski

Town Clerk

Town of Hamburg

4.7. Public Hearing for Approval of a Cable Franchise Agreement with Spectrum Northeast, LLC

NOTICE OF PUBLIC HEARING

Town of Hamburg

For the approval of a Cable Television Agreement between Spectrum Northeast, LLC and the Town of Hamburg

PLEASE TAKE NOTICE that the Town of Hamburg will hold a Public Hearing on December 8, 2025, at 7:00 p.m. at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075, regarding granting a cable television franchise agreement by and between the Town of Hamburg and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications.

A copy of the agreement is available for public inspection during normal business hours at the Hamburg Town Clerk's office, Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075. At such public hearing, all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement, if necessary.

By Order of the Board

Town of Hamburg

Brad M. Rybczynski, Hamburg Town Clerk

Dated: November 17, 2025

4.8. Proclamation Recognizing Ford's Buffalo Stamping Plant 75th Anniversary

Whereas, on September 7, 1949, Ford Motor Company broke ground in Hamburg, New York, beginning construction of what would become a cornerstone of our community; and

Whereas, the cement footers were poured September 12, 1949, the first steel column set on January 12, 1950, and production began the week of September 25, 1950-launching opportunity, growth, and thousands of careers for Western New York families when Ford introduced the automotive industry's first completely automated stamping press and welding machine lines for body parts--helping define the modern automotive stamping plant.; and

Whereas, the plant's capabilities and reach expanded steadily, including an internal rail car track enabling efficient shipping across the United States and to multiple countries (1955), new office space for Engineering, Accounting, Scheduling, Quality Control, and the Plant Operating Committee (1956), and the Stacker Building for advanced parts storage (1972); and

Whereas, a culture of precision and problem-solving defined the plant--from layout inspection and dimensional verification that ensured quality (1980s), to automation advances that improved efficiency and safety including removal of stamped parts (1984), to a high-speed Komatsu transfer press (1982) that helped launch the Ford Crown Victoria and Mercury Grand Marquis; and

Whereas, Buffalo Stamping has continued to modernize—refreshing its facility (1987), installing its first 4,000-ton Schuler high-speed press (1993), and in 2015, adding a cyclone system that shreds aluminum stamping scrap and supports Ford's closed-loop aluminum recycling program and today the plant operates two 4,000-ton Schuler transfer presses and employs advanced measuring technology in quality, enabling high-volume stamping with speed, precision, and consistency to deliver complex components with excellence; and

Whereas, this history is powered by people—skilled trades, inspectors, engineers, and teams who review designs, solve challenges, and take pride in every part—sustaining a legacy of innovation, craftsmanship, and community; and

Whereas, local partners have grown alongside the plant, including West Herr, which began in 1950 and celebrates 75 years of collaboration, recognizing the plant's contribution to lifelong, stable, good-paying jobs, charitable giving, and tax revenue that strengthen Western New York; and

Whereas, from its first production week in September 1950 through 2025, the Buffalo Stamping Plant in Hamburg NY has served as a source of pride for our residents and a driver of regional prosperity; and

Now, Therefore, Be It Resolved, the Hamburg Town Board, does hereby proclaim 2025 as Ford Stamping Plant 75th Anniversary in the Town of Hamburg and extend our sincere gratitude to the past and present employees, leadership, and partners whose dedication, teamwork, and commitment to quality have built an enduring legacy here since 1950; and

In Witness Whereof, we have caused the seal of the Town of Hamburg to be affixed this 8th day of December 2025.

Catherine Rybczynski, Supervisor

Elizabeth Farrell Lorentz, Deputy Supervisor

Town Board Members: Frank Bogulski, Megan Comerford, and Dan Kozub

4.9. 2026 Hamburg Town Board Meetings Schedule

BE IT RESOLVED, the Hamburg Town Board adopt the following meeting schedule for 2026 with Work Sessions starting at 5:30 pm and Regular Meetings starting 7pm unless otherwise noted:

January 5- Reorganizational Meeting (no Work Session)
January 26
February 9
February 23
March 9
March 23
April 13
April 27
May 4
May 18
June 8
June 22
July 13
August 10
September 14
September 28
October 5
October 19
November 2
November 16
December 14

4.10. Hamburg Town Arena Speaker System RFP

WHEREAS, the current speaker system at the Hamburg Town Ice Arena no longer serves its purpose due to age and disrepair;

BE IT RESOLVED; the Department of Youth, Recreation, and Senior Services be authorized to post and distribute a Request for Proposal (RFP) in relation to acquiring a new speaker system to be installed at the Hamburg Town Ice Arena.

ATTACHMENTS:

DOC120425-001.pdf

TOWN OF HAMBURG
REQUEST FOR PROPOSALS

Sealed Proposals are hereby requested on the following:

"New Audio System at Town of Hamburg Ice Arena," all in accordance with specifications on file with the Hamburg Town Clerk, Brad Rybczynski, 6100 South Park Avenue, Hamburg, New York. These specifications may be obtained in the Hamburg Town Clerk's office during regular business hours on weekdays (Monday-Friday) from 9:00 a.m. to 5:00 p.m. (local time).

Sealed proposals on the above must be filed and submitted in writing to the Hamburg Town Clerk, 6100 South Park Avenue, Hamburg, New York 14075, no later than 11:00 a.m. (local time) on **Tuesday December 23rd**, 2025.

Proposals must be marked " New Audio System at Town of Hamburg Ice Arena".

THE TOWN BOARD RESERVES THE RIGHT TO REJECT ALL PROPOSALS AND TO WAIVE ANY INFORMALITIES.

Dated: December 9th, 2025 Brad Rybczynski
Town Clerk
Town of Hamburg

4.11. Highway Personnel

BE IT RESOLVED, that the Town Board approve the following Highway Dept. PAF

ATTACHMENTS:

DOC120325.pdf

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Department- HIGHWAY

Highway Superintendent Signature _____ 12/3/2025

Supervisor Signature _____

TOWN BOARD MEETING OF

PAGE 1 of 1

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	5213	ORTIZ, PATRICIA		CLERK/SEASONAL			$17.00	12/5/2025
2	5213	ORTIZ, PATRICIA	R	CLERK/PART TIME	12/8/2025		$17.50	
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6								
7								
8				A5010.102				
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rev 03/14

4.12. Winter Conference Travel

RESOLVED, the Town Board Authorize Highway Superintendent Ed Hughes to attend the 2026 Winter Conference in Saratoga Springs, New York from Sunday, January 18, 2026 through Thursday, January 22, 2026.

REGISTRATION:	$550.00
LODGING: (4 nights @$148.00 per night)	$592.00
MEALS: (5 days EACH @ $50.00 per day)	$250.00
TOTAL APPROXIMATE COST	$1392.00

Use of a town vehicle is requested.

Money is available in account A5010.492

4.13. NYS Youth Bureau Youth Development Training: Out of Town Travel

WHEREAS, the Association of New York State Youth Bureaus held its Annual Youth Development Training Conference and Youth Bureau Director's Training in Albany, NY on November 19-20, 2025. As the Department receives financial support from New York State to run its Youth Engaged in Service, Youth Mentoring, and Rec on the Go programs, it was essential to attend this training to receive information on State issues, regulations, innovations, and funding impacting positive youth development.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes Nicole Dayka, Youth-at-Risk Coordinator, who attended the conference to be reimbursed for the following expenses.

REGISTRATION: Free

LODGING: Free

MEALS ($50 per day x 2 days): $100

Travel: Will ride with someone

Total cost not to exceed $100

Money is available in A.7020.492 Seminars and A. 6772.492 Seminars.

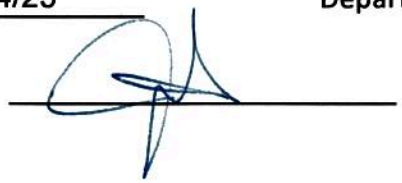
4.14. Youth, Recreation, & Senior Services P.A.F.

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

ATTACHMENTS:

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Date of Request: 12/4/25 Department: Youth, Recreation, Senior Services

Department Head Signature: 

Supervisor Signature: _____ Date: _____

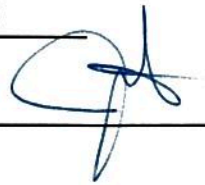
TOWN BOARD MEETING OF 12/8/25

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/ter hourly rate	Termination Date
1		Lepsch, Gavin	N	Rec. Attend. A.7184 PT	12/9/25		$16.00	
2		Duda, Liam	N	Rec. Attend. A7184 PT	12/9/25		$16.00	
3	4681	Wojtaszcyk, Darlene	R	Rec. Attend A.6772 P/T				12/9/2025
4	5051	Comerate, Philip	R	Rec. Attend. A7182. P/T				12/9/2025
5	5163	Haefner, Patrick	R	Rec. Attend. A7182. P/T				12/9/25
6	4679	Kuznicki, Thomas	R	Rec. Attend. A7182. P/T				12/9/2025
7	4793	Pope, Daniel	R	Rec. Attend. A7182. P/T				12/9/25
8	5162	Webber, William	R	Rec. Attend. A7182. P/T				12/8/2025
	5162	Webber, William	R	Rec Attend. A7310 P/T	12/9/25		$ 16.50	
9	1504	Denecke, Martin	R	Rec. Attend. A7310 P/T				12/3/2025
	1504	Denecke, Martin	R	Temp. Acting Dir. Of Rec.	12/4/25		$45.00	
				A7020.100				
10	5244	Antonio, Paige	R	Lifeguard A7180 P/T				12/8/2025
	5244	Antonio, Paige	R	Lifeguard A7310 P/T	12/9/25		$17.00	
11	5408	Balaya, Sophia	R	Lifeguard A7180 P/T				12/8/2025
	5408	Balaya, Sophia	R	Lifeguard A7310 P/T	12/9/25		$16.00	
12	5273	Coen, Mitchell	R	Lifeguard A7180 P/T				12/8/2025
	5273	Coen, Mitchell	R	Lifeguard A7310 P/T	12/9/25		$17.00	
13	5186	Davis, Brody	R	Lifeguard A7180 P/T				12/8/2025
	5186	Davis, Brody	R	Lifeguard A7310 P/T	12/9/25		$17.00	
14	5322	Dee, Hailey	R	Lifeguard A7180 P/T				12/8/2025
	5322	Dee, Hailey	R	Lifeguard A7310 P/T	12/9/25		$16.50	
15	5096	DeMeo, Isabella	R	Lifeguard A7180 P/T				12/8/2025
	5096	DeMeo, Isabella	R	Lifeguard A7310 P/T	12/9/25		$18.00	

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 12/4/25 Department: Youth, Recreation, Senior Services

Department Head Signature: 

Supervisor Signature: _____ Date: _____

TOWN BOARD MEETING OF 12/8/25
PAGE 2 of 3

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/ter hourly rate	Termination Date
16	4884	Emmerling, Scott		Lifeguard A7180 P/T				12/8/2025
	4884	Emmerling, Scott		Lifeguard A7310 P/T	12/9/25		$19.00	
17	5382	Fitzgerald, Matigan		Lifeguard A7180 P/T				12/8/2025
	5382	Fitzgerald, Matigan		Lifeguard A7310 P/T	12/9/25		$16.00	
18	5252	Gullo, Salvatore		Lifeguard A7180 P/T				12/8/2025
	5252	Gullo, Salvatore		Lifeguard A7310 P/T	12/9/25		$17.00	
19	4836	MacDonald, Marissa		Lifeguard A7180 P/T				12/8/2025
	4836	MacDonald, Marissa		Lifeguard A7310 P/T	12/9/25		$18.00	
20	5271	Meade, Juliana		Lifeguard A7180 P/T				12/8/2025
	5271	Meade, Juliana		Lifeguard A7310 P/T	12/9/25		$17.00	
21	5121	Patronik, Lucas		Lifeguard A7180 P/T				12/8/2025
	5121	Patronik, Lucas		Lifeguard A7310 P/T	12/9/25		$17.00	
22	5187	Radomski, Charlie		Lifeguard A7180 P/T				12/8/2025
	5187	Radomski, Charlie		Lifeguard A7310 P/T	12/9/25		$17.00	
23	5087	Radomski, Jackson		Lifeguard A7180 P/T				12/8/2025
	5087	Radomski, Jackson		Lifeguard A7310 P/T	12/9/25		$18.00	
24	4997	Regan,Abby		Lifeguard A7180 P/T				12/8/2025
	4997	Regan,Abby		Lifeguard A7310 P/T	12/9/25		$18.00	

rev 03/14

PERSONNEL ACTION FORM

Date of Request: 12/4/25 Department Youth, Recreation, Senior Services

Department Head Signature: _____

Supervisor Signature: _____ Date: _____

TOWN BOARD MEETING OF 12/8/25

PAGE 3 of 3

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	oyee Name			N or R	Position	Start date	Full time hourly rate	PT/Sea/ter hourly rate	Termination Date
25	5106	Regan, Maggie				Lifeguard A7180 P/T				12/8/2025
	5106	Regan, Maggie				Lifeguard A7310 P/T	12/9/25		$18.00	
26	5344	Tothero, Madeline				Lifeguard A7180 P/T				12/8/2025
	5344	Tothero, Madeline				Lifeguard A7310 P/T	12/9/25		$16.50	
27	5238	Vitko, Kaden				Lifeguard A7180 P/T				12/8/2025
	5238	Vitko, Kaden				Lifeguard A7310 P/T	12/9/25		$17.00	

25

4.15. Authorization to Contract with CivicPlus for Public Mass Notification / Emergency Alerting

WHEREAS, CivicPlus offers a Mass Notification platform that provides the Emergency Management Department with the capability to alert the public through a contract that includes Mass Notification, Communicator, Unlimited SMS, and Unlimited Emergency Voice Notification; and

WHEREAS, the Town currently maintains an existing contract with CivicPlus for web hosting services; and

WHEREAS, the Emergency and Mass Notification platform integrates seamlessly with the Town's existing CivicPlus web services; and

WHEREAS, the platform provides multiple-channel alerting, geo-targeting, polling features, mobile applications, unlimited SMS for all communications, unlimited emergency voice minutes, and includes NOAA integration, IPAWS capabilities, and access to white and yellow page data for emergency notifications; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hamburg hereby enters into an agreement with CivicPlus for a yearly contract, renewable on January 1 of each subsequent year; and

BE IT FURTHER RESOLVED, that funds are available in budget line A3020.440.

4.16. Chapter 76 Amendments Referral to Planning Board

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

WHEREAS, the Code Review Committee has reviewed the "Building Construction and Fire Prevention" regulations of Chapter 76 and has sent these suggested revisions for 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 76 (Building Construction and Fire Prevention), by amending § 76-4 (L), entitled "Building Permits."
-

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby entertains this proposed local law amendment and authorizes the referral of this proposed law amendment to Erie County, and to the Hamburg Planning Board for its review and recommendation.

ATTACHMENTS:

minor code change chapter 76.docx

Current Code
76-4 L.

Time limits. Building permits shall become invalid unless the authorized work is commenced within 90 following the date of issuance. Building permits shall expire 12 months after the date of issuance. For good cause shown, an application may be made for a six-month period for an extension of said period upon payment of a renewal fee of 1/2 the original building fee. Permits can only be renewed twice (one year beyond the original permit expiration date), and upon such expiration the work shall continue only if a new permit is granted at the discretion of the Code Enforcement Department.

Proposed change
76-4 L.

Time limits. Building permits shall become invalid unless the authorized work is commenced within 90 calendar days following the date of issuance. Building permits shall expire 12 months after the date of issuance. For good cause shown, an application may be made for a six-month period for an extension of said period upon payment of a renewal fee of 1/2 the original building fee. Permits can only be renewed twice (one year beyond the original permit expiration date), and upon such expiration the work shall continue only if a new permit is granted at the discretion of the Code Enforcement Department.

4.17. B&G PAF

BE IT RESOLVED, that the Town Board approves the termination and hiring of the following employees in Buildings & Grounds.

ATTACHMENTS:

DOC120425.pdf

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Department- Buildings & Grounds

Department Head Signature _____

Supervisor Signature _____ Date 12/4/25

TOWN BOARD MEETING OF DECEMBER 8, 2025

PAGE 1 of 1

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	5405	Sean Hoelscher		Seasonal Laborer/ A.7140.102				11/19/2025
	5405	Sean Hoelscher	R	PT Laborer/A.7140.102	11/20/2025		$16.00	
2	5331	Brycen Roberts		Seasonal Laborer/ A.7140.102				11/20/2025
	5331	Brycen Roberts	R	PT Laborer/A.7140.102	11/21/2025		$16.00	

4.18. Southwestern Blvd and Big Tree Road Travel Center Rezoning Resolution

Whereas, the Town of Hamburg received a request from Briad Development, LLC to rezone 4.14 acres of land (SBL # 160.18-1-9.1) located at the intersection of Southwestern Boulevard and Big Tree Road from C-1 (Local Retail Business District District) to C-2 (General Commercial District) for the development of a small-scale travel center, to be anchored by an 8,700 sq-ft building with gasoline service, accompanied by several quick-service restaurant (QSR) establishments, and other site improvements; and

Whereas, the Code Review Committee reviewed the application and although they had concerns, found enough merit in the rezoning of this property (to C-2 General Commercial District) to send it to the Town Board to begin the process;

Now, Therefore, Be It Resolved, that the Hamburg Town Board hereby entertains, with concerns, this rezoning request and refers the application to the Planning Board for its review and recommendation; and

Be It Further Resolved, that the Hamburg Town Board would like to act as Lead Agency, in accordance with the New York State Environmental Quality Review Act (SEQRA) and hereby authorizes the Planning Department to perform the appropriate SEQR mailings, and to complete the required County Referral.

ATTACHMENTS:

01_Cover_Letter.pdf
02_Letter_of_Intent.pdf
06_Concept_Site_Development_Plan.pdf
04_SEQR_-_Circle_K_Hamburg.pdf
07_Floor_Plan_and_Renderings.pdf

GYMO
Architecture ■ Construction Management
Engineering ■ Land Surveying

Patrick J. Scordo, PE
Matthew J. Cervini, PE
Scott W. Soules, AIA
Brandy W. Lucas, MBA
Gregory F. Ashley, PLS
Peter S. Clough
Zachary P. Scordo, PLS
McKenzee E. Fisk-Kamide
Mark W. Tompkins, PE

18969 US Route 11
Watertown, New York 13601

Tel: (315) 788-3900
Fax: (315) 788-0668
E-mail: web@gymodpc.com

December 04, 2025

Town Board
Town of Hamburg NY
6100 South Park Avenue,
Hamburg, NY 14075

Re: Zone Change – Circle K / Jimmy John's / Dunkin / QSR

File: 2025-094

Dear Members of the Town Board,

On behalf of Briad Development, LLC (Briad), GYMO Architecture, Engineering, & Land Surveying, D.P.C. (GYMO) is submitting for the Zone Change for the Circle K / Jimmy John's / Dunkin / QSR construction project.

The project entails the construction of a new, +/- 8,700 SF building on the currently vacant lot located at the intersection of Southwestern Boulevard and Big Tree Road (tax parcel number 160.18-1-9.1). This building is proposed to accommodate a Circle K, Jimmy John's/Dunkin, and a QSR (Quick Service Restaurant has not been decided yet as of this time). The proposed project also includes fuel pump stations for the Circle K, drive-through areas, parking around the building, adjustments to the existing site grading, and the establishment of new stormwater management structures.

According to the Town of Hamburg Zoning Map, the proposed site is currently within the Local Retail Business District (C-1). The proposed use (filling station) is not a permitted use within the C-1 district. It is Briad's intention to pursue a zoning change from district C-1 to district C-2 (Commercial District). Once the zoning district change is approved, Briad Development intends to pursue a Special Use permit that is required for filling stations within the C-2 district.

GYMO is submitting 6 collated sets of the following documents regarding the above-mentioned project for the Zoning Change Application (GYMO also submitted an electronic set to Joshua Rogers) .

- Town of Hamburg Zoning Change Application
- Letter of Intent
- Part 1 Long EAF
- Site Survey
- Concept Site Plan
- Concept Floor Plan and Renderings
- Wetland Delineation Report
- Zoning Change Application Fee

If you have any questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
GYMO Architecture, Engineering, and Land Surveying, D.P.C.

Patrick Scordo, PE
President / CEO
Director of Engineering

Enclosure;

Cathy Rybcynski – Town Supervisor
Megan Comerford - Councilmember
Daniel Kozub - Councilmember
Elizabeth Farrell Lorentz - Councilmember
Frank Bogulski - Councilmember
Connor Chawgo - GYMO

Letter of Intent

Application: Circle K Convenience Store with Gas, along with 4 QSR brands

Current Zone: C-1

Property Size: Approx. 4 acres

Description of Development:

The proposed development consists of a multi-tenant commercial site designed to function as a small-scale travel center serving both the local community and motorists traveling along the Interstate I-90 corridor. The project will be anchored by a Circle K convenience store with gasoline service, accompanied by several quick-service restaurant (QSR) establishments, including Buffalo Wild Wings GO, Jimmy John's, and Dunkin', with two of the restaurant tenants—including Dunkin'—featuring drive-through facilities. An additional future QSR space with a drive-through is also planned as part of the development.

The Circle K fueling component will include seven (7) gas dispensers situated beneath an overhead canopy. The development proposes 43 standard parking spaces, supplemented by 14 parking spaces adjacent to the gas canopy, providing adequate parking capacity to accommodate customer demand while maintaining efficient site circulation.

The primary building on the property will be approximately 8,700 to 9,000 square feet, accommodating the convenience store and the restaurant tenants in a modern, efficiently designed structure.

The purpose of this development is to create a convenient and accessible travel stop offering essential services to residents, commuters, and regional travelers. By adding fuel service, multiple food options, and modern amenities, this project will enhance the available commercial services within the Town of Hamburg and offer an additional, strategically located stop along the I-90 travel route. Given the limited number of existing gas stations and food establishments in the immediate area, this project is expected to serve as a valuable and complementary addition to the Township's commercial corridor.

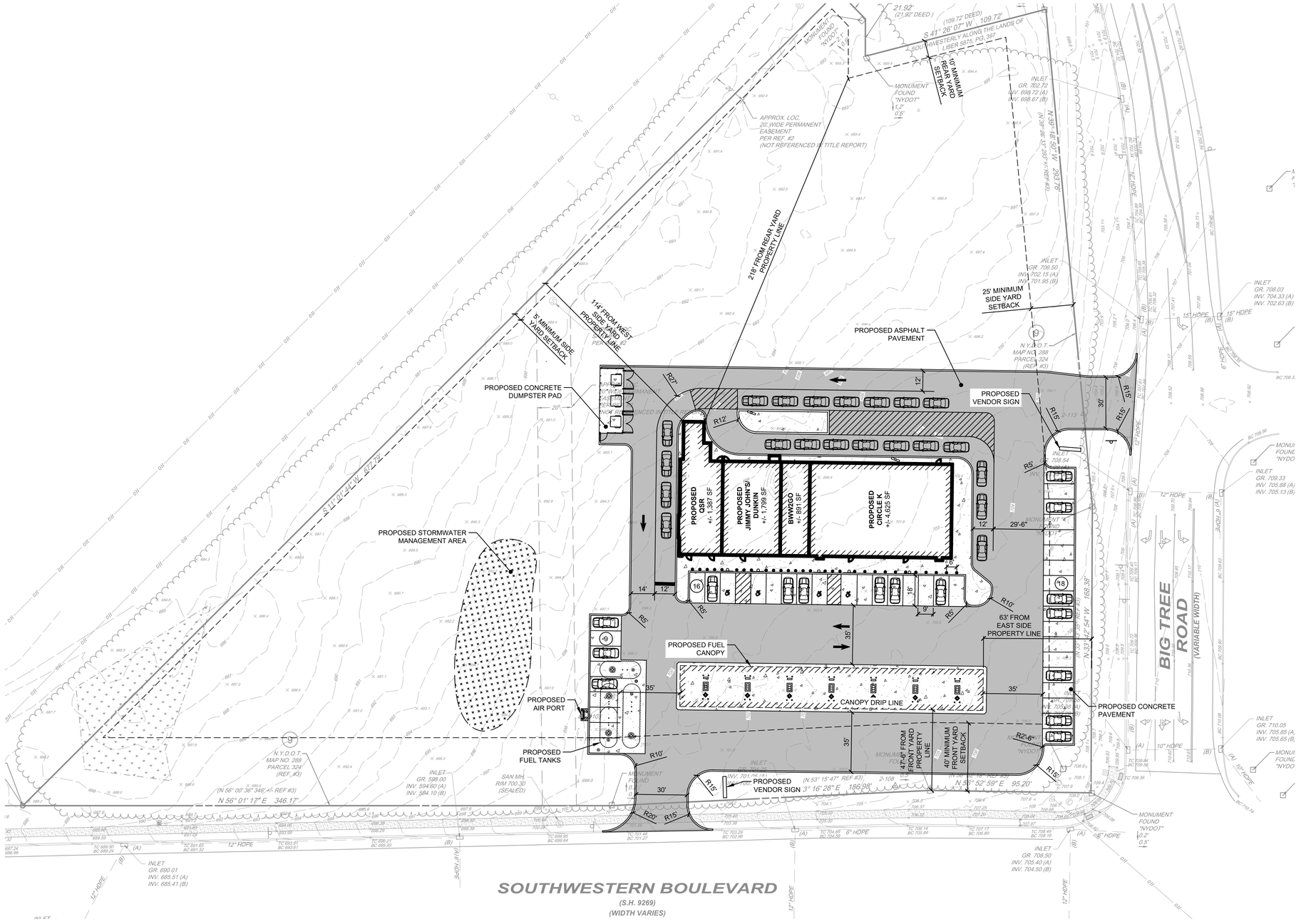
PLANNING DATA

ZONING CLASSIFICATION: LOCAL RETAIL BUSINESS DISTRICT (C-1)
PARCEL #: 160.18 -1 - 9.1
SEWER DISTRICT: ERIE COUNTY SEWER DISTRICT NO.3
WATER DISTRICT: ERIE COUNTY WATER AUTHORITY

ITEM	REQUIRED / ALLOWED	PROPOSED
MAX BUILDING HEIGHT	35 FT.	25 FT.
MAX LOT COVERAGE	75%	37.5%
MAXIMUM PRINCIPAL USE AND STRUCTURE SIZE	15,000 SF.	8,702 SF.
MINIMUM LOT WIDTH	100 FT.	> 100 FT.
MINIMUM FRONT YARD SETBACK	40 FT.	47 FT.
MINIMUM SIDE YARD SETBACK	5 FT. / 25 FT.	114 FT. / 79 FT.
MINIMUM REAR YARD SETBACK	10 FT.	218 FT.
PARKING SPACES	NUMBER OF PARKING SPACES IS DETERMINED BY THE TOWN OF HAMBURG NY PLANNING BOARD.	43 PARKING SPACES 14 GAS CANOPY SPACES

GENERAL SURVEY NOTES:

1. EXISTING CONDITIONS ARE BASED ON A FIELD SURVEY PREPARED BY BOWMAN CONSULTING TITLED *ALTA/NSPS LAND TITLE SURVEY* FOR BRIAD DEVELOPMENT, LLC, DATED OCTOBER 10, 2025.
2. THE SURVEY IS TIED HORIZONTALLY INTO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
3. THE SURVEY IS TIED VERTICALLY INTO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).



EXISTING LEGEND

	EXISTING WETLAND
	CONCRETE SIDEWALK
	20' PERMANENT EASEMENT
	PROPERTY LINE
	MINOR CONTOUR LINE
	MAJOR CONTOUR LINE
	STORM SEWER LINE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING ELECTRICAL BOX
	EXISTING TRANSMISSION POLE
	EXISTING UTILITY POLE
	EXISTING ELECTRICAL MANHOLE
	EXISTING GAS MARKER
	EXISTING CATCH BASIN
	SANITARY MANHOLE
	NYSDOT MONUMNET
	WETLAND MARKER
	TRAFFIC SIGN

PROPOSED LEGEND

	BUILDING
	CONCRETE
	ASPHALT PAVEMENT
	PAVEMENT PAINT
	STORMWATER MANAGEMENT AREA
	SETBACK LINE
	FULL HEIGHT CURB
	SIGN
	DRIVE THROUGH INTERCOM
	BOLLARD
(43)	PARKING COUNT

NORTH
BY DATUM

GRAPHIC SCALE
1 inch = 30 ft.
15 0 7.5 15 30 60

GYMO
Architecture
Engineering
Land Surveying
WWW.GYMODPC.COM
18969 US Route 11
Watertown, NY 13601
315.788.3900

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GYMO
ARCHITECTURE, ENGINEERING & LAND SURVEYING, D.P.C.
IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED, SUCH LICENSEE SHALL AFFIX HIS OR HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE, DATE AND A SPECIFIC DESCRIPTION OF ALTERATION.

SEAL:

PROJECT NO:	2025-094
SCALE:	1" = 30'
DRAWN BY:	CC
DESIGNED BY:	PS
CHECKED BY:	PS
DATE ISSUED:	11-14-2025

CONCEPT SITE DEVELOPMENT PLAN

CIRCLE K/ JIMMY JOHN'S/DUNKIN/BWW2GO
SOUTHWESTERN BLVD (NYS ROUTE 20) AND BIG TREE ROAD
TOWN OF HAMBURG, ERIE COUNTY, STATE OF NEW YORK

LAST REVISED: N/A

FOR APPROVALS ONLY
NOT FOR CONSTRUCTION

DRAWING NO.
C101

PLOT TIME: 11/14/2025 11:26:18 AM
PROJECT LOCATION: C:\Users\cdawson\GYMO DPC\2025-094 Circle K Waterfo..ilmmy John's Hamburg NY - Documents\04 Engineering\01 Drawings\Site 2025 - 094\Dawson\1.dwg

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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Circle K / Jimmy John's / Dunkin / QSR		
Project Location (describe, and attach a general location map): Intersection of Big Tree Road and NYS Route 20 (Southwestern Blvd)		
Brief Description of Proposed Action (include purpose or need): The proposed action consists of a zone change from C-1 to C-2 to allow the construction of a convenient store and a gas station facility with adjoining food services that is approximately +/- 8700 SF. This will include a drive-through area and 43 parking spaces for the proposed facilities as well as gas pumps associated with the Circle K. The proposed facilities will provide easier access to a gas station for traffic on the North side of Southwestern Boulevard and make the restaurant franchises available for local residents and other traffic.		
Name of Applicant/Sponsor: Briad Deveopment, LLC	Telephone: (973)214-9609 E-Mail: jtalerico@briad.com	
Address: 78 Okner Parkway		
City/PO: Livingston	State: NY07039	Zip Code: 07039
Project Contact (if not same as sponsor; give name and title/role): James Talerico (Senior Vice President of Restaurant and Retail Development)	Telephone: (973)214-9609 E-Mail: jtalerico@briad.com	
Address: 78 Okner Parkway		
City/PO: Livingston	State: NY	Zip Code: 07039
Property Owner (if not same as sponsor): James S. Metz & Jeffery Schwartz	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 Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	TOWN OF HAMBURG TOWN BOARD (ZONE CHANGE C-1 TO C-2)	12/05/2025
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	TOWN OF HAMBURG PLANNING BOARD (SITE PLAN APPROVAL, SPECIAL USE PERMIT)	PROJECTED JANUARY 2026
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	ERIE COUNTY PLANNING	PROJECTED MARCH 2026
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	DEC(SWPPP), DOT(DRIVEWAY PERMIT)	PROJECTED FEBRUARY 2026
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 Areas: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):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Zoning District C -1, Local Retail Business District.

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? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Zoning District C-2, General Commercial District.

C.4. Existing community services.

a. In what school district is the project site located? Hamburg Central School District

b. What police or other public protection forces serve the project site?
Town of Hamburg Police

c. Which fire protection and emergency medical services serve the project site?
Big Tree Volunteer Fire Department and the Town of Hamburg Emergency Services Department

d. What parks serve the project site?
Brush Mountain Park (closest park to site)

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)? Commerical

b. a. Total acreage of the site of the proposed action? 4.08 acres
b. Total acreage to be physically disturbed? 2.2 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.08 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
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: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 6 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: _____

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
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 2

ii. Dimensions (in feet) of largest proposed structure: +/- 21 height; +/- 80 width; and +/- 160 length

iii. Approximate extent of building space to be heated or cooled: +/- 8,700 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☑ Yes ☐ No

If Yes:

i. What is the purpose of the excavation or dredging? Foundations and Utilities

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): +/- 3,700 Cubic Yards
- Over what duration of time? 3 months

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Existing soils. Reclaimed as backfill if suitable, otherwise removed form site, native.

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? +/- 2.2 acres

vi. What is the maximum area to be worked at any one time? +/- 2.2 acres

vii. What would be the maximum depth of excavation or dredging? 6 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

Utilize native soils in backfill if suitable, otherwise remove from site

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: 2,400 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: Erie County Water Authority
- 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: 2,400 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):
Sanitary wastewater will be generated by the bathrooms constructed in the proposed Circle K and from daily operations of the food services.

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

- Name of wastewater treatment plant to be used: Southtowns Advanced Wastewater Treatment Facility
- Name of district: Erie County Sewer District No.3
- 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? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

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? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or +/-1.5 acres (impervious surface)

_____ Square feet or 4.1 acres (parcel size)

ii. Describe types of new point sources. Asphalt pavement, concrete sidewalk, fueling station, new building, dumpster pad

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)?

Stormwater will be directed to on-site stormwater management facility/structures

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑ Yes ☐ No

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? ☑ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Heavy equipment during construction

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)

Gas fueling stations

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? ☐ Yes ☑ No

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) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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): 3.6 visits a day from semi trucks, 3.2 visits a day from Panel Trucks

iii. Parking spaces: Existing 0 Proposed 43 Net increase/decrease 43

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: 4,200 kw/hrs

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): New York State Electric and Gas

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.

i. During Construction:

- Monday - Friday: 7:00am - 5:00pm
- Saturday: n/a
- Sunday: n/a
- Holidays: n/a

ii. During Operations:

- Monday - Friday: 24/7
- Saturday: 24/7
- Sunday: 24/7
- Holidays: Varies

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:

The use of construction equipment and similar construction-related activities may produce noise exceeding the existing ambient noise levels during construction hours only

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: Tree removal may be currently acting as a noise barrier

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:

Site Lighting, downward projecting features on 17-foot poles and gas canopy lighting. Building mounted lighting.

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 Petroleum / Diesel

ii. Volume(s) 40k/12k gal per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

Underground Storage Tanks connected to Circle K fuel stations

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: 0.6 tons per month (unit of time)
- Operation : 0.72 tons per week (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation: Bathroom use limited to customers, recycling bins available for use, general operations of proposed facilities

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation: Solid waste generated from the constructed bathrooms will be directed through the existing municipal sanitary sewer system and any non-recyclable waste will go to the nearest landfill via trash cans and the dumpster on-site.

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 covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	1.54	+ 1.54
• Forested	4.02	1.82	- 2.20
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	0.00	+/- 0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.00	+/- 0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.00	0.00	+/- 0.00
• Wetlands (freshwater or tidal)	0.06	0.06	+/- 0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	+/- 0.00
• Other Describe: Lawn Area	0.00	0.66	+0.66

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

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? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

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:

_____

_____

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? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

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? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

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? ☐ Yes ☑ No

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 ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

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? > 6.5 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:

RfB-Remsen silty clay loam	99.4 %
CtB-Collamer silt loam	0.6 %
	%

d. What is the average depth to the water table on the project site? Average: > 6.5 feet

e. Drainage status of project site soils:
☐ Well Drained: ____ % of site
☑ Moderately Well Drained: 99.4 % of site
☑ Poorly Drained 0.6 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % 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* or *ii*, 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 Wetland 1 (from delineation report) Approximate Size +/- 4,500 SF
- 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:
Squirrels | Birds | Snakes

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):

Northern Long-eared Bat, Monarch Butterfly

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? +/- 4.08
ii. Source(s) of soil rating(s): Web Soil Survey (Farmland Classification)

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:

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?

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 fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑Yes ☐No

If Yes:

i. Identify resource: WNY Southtowns Scenic Byway

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Byway

iii. Distance between project and resource: 2.5 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 Briad Development, LLC Date December 5, 2025

Signature Patrick J. Scorsa (CIVIL ENGINEER) for James Talarico Title Senior Vice President

PATRICK J. SCORSA

PRINT FORM



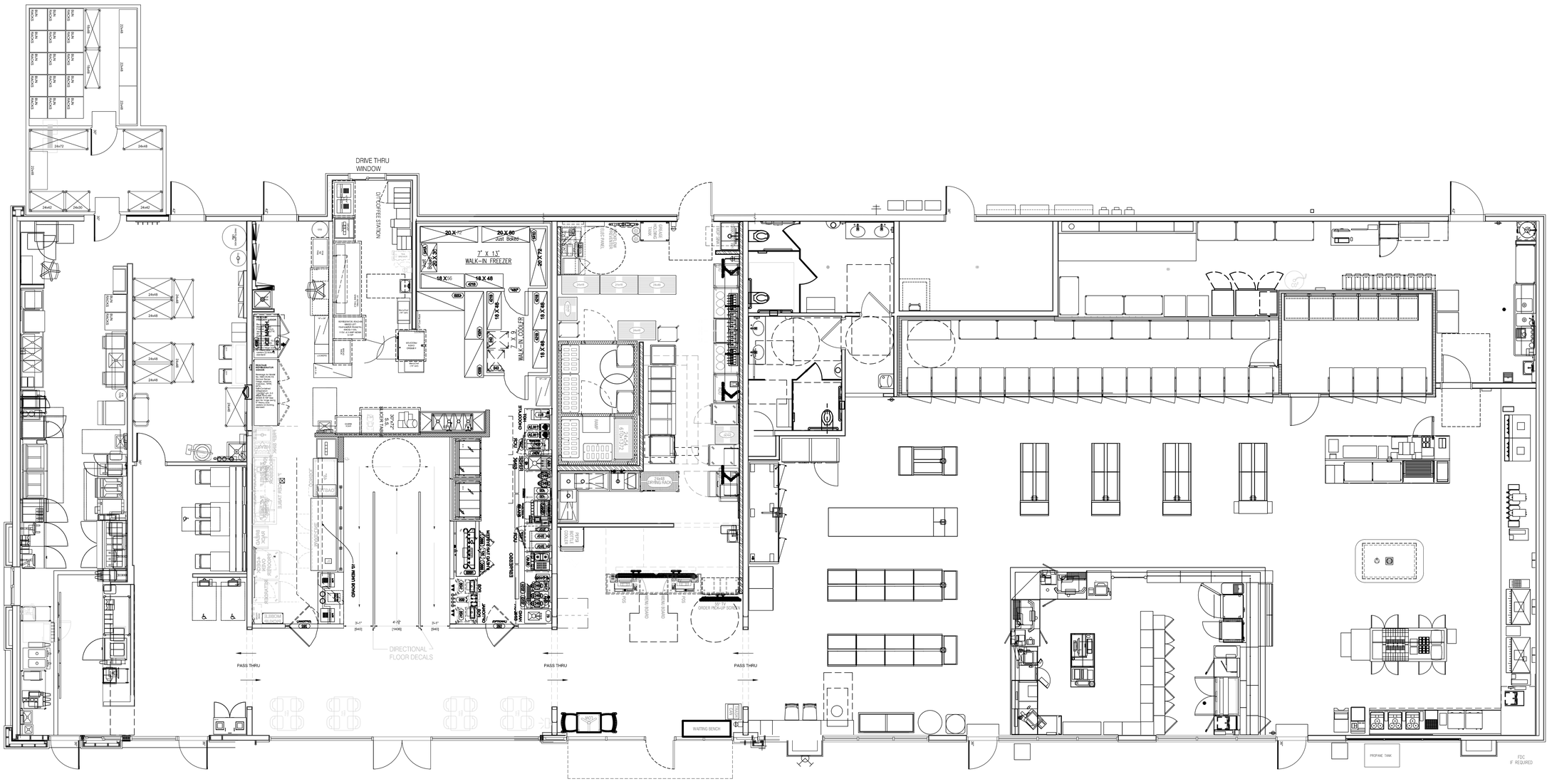
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.h.ii [Surface Water Features]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

THE ARCHITECT SHALL BE RELEASED FROM ANY AND ALL LIABILITY FOR THE CONVENIENCEMENT OF ANY WORK PERFORMED WITHIN THESE DOCUMENTS PRIOR TO OBTAINING ALL REQUIRED PERMITS FROM THE RESPECTIVE JURISDICTIONAL AGENCIES



1 DESIGN DEVELOPMENT PRELIM CIRCLE K, BUFFALO WILD WINGS, DUNKIN + JIMMY JOHN'S COMBO, QSR

Scale: 3/16" = 1'-0"

PROJECT

CIRCLE K, BWW,JJ/DD,QSR
Southwestern Blvd & Big Tree
Rd. Hamburg, NY 14219

Issued:

Structural Engineer	MEP Engineer	Designer	Architect
Smiley Structural Engineering 410 Peachtree Parkway Suite 4245, Cumming GA 30041 (678)-720-8189		Scs Designs LLC 1430 Glenwood Road Brooklyn, New York 11230 ssdesignllc@gmail.com	Urban Tectonics LLC 106 Essex Avenue Glen Ridge, NJ 07028 (646) 207-0429

SEAL & SIGNATURE

SHEET NAME

SHEET NUMBER

DD1.1

Urban Tectonics LLC

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1 DESIGN DEVELOPMENT PRELIM AXON. CIRCLE K, BUFFALO WILD WINGS, DUNKIN + JIMMY JOHN'S COMBO, QSR

Scale: NTS

PROJECT

CIRCLE K, BWW,JJ/DD,QSR

Southwestern Blvd & Big Tree Rd. Hamburg, NY 14219

Issued:

Structural Engineer	MEP Engineer	Designer	Architect
Smiley Structural Engineering		Scs Designs LLC	Urban Tectonics LLC
410 Peachtree Parkway Suite 4245, Cumming GA 30041 (678)-720-8189		1430 Glenwood Road Brooklyn, New York 11230 ssdesignllc@gmail.com	106 Essex Avenue Glen Ridge, NJ 07028 (646) 207-0429

SEAL & SIGNATURE

SHEET NAME

SHEET NUMBER

DD1.2

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1 DESIGN DEVELOPMENT PRELIM AXON. CIRCLE K, BUFFALO WILD WINGS, DUNKIN + JIMMY JOHN'S COMBO, QSR

Scale: NTS

PROJECT

CIRCLE K, BWW,JJ/DD,QSR
Southwestern Blvd & Big Tree
Rd. Hamburg, NY 14219

Issued:

Structural Engineer	MEP Engineer	Designer	Architect
Smiley Structural Engineering		Scs Designs LLC	Urban Tectonics LLC
410 Peachtree Parkway Suite 4245, Cumming GA 30041 (678)-720-8189		1430 Glenwood Road Brooklyn, New York 11230 ssdesignllc@gmail.com	106 Essex Avenue Glen Ridge, NJ 07028 (646) 207-0429

SEAL & SIGNATURE

SHEET NAME

SHEET NUMBER

DD1.3

Urban Tectonics LLC

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4.19. Pleasant Woods Subdivision Completion and Acceptance

BE IT RESOLVED, that the Town Engineer's report on the completion and acceptance of the PLEASANT WOODS SUBDIVISION work performed under Public Improvement Permit Nos. 1090, 1091 and 1092 be received and accepted, and that the Supervisor is authorized to sign the report, and

BE IT FURTHER RESOLVED, that this action does not relieve the developer of the responsibility for completing the required street lighting installations under Public Improvement Permit No. 1093

BE IT FURTHER RESOLVED, that this resolution becomes effective on the day the report is signed by the Supervisor.

ATTACHMENTS:

12-08-25 Pleasant Woods Subdivision Report.pdf

Report on Public Improvements in
PLEASANT WOODS SUBDIVISION

Public Improvement Permit No. 1090 covering 14.12 acres of clearing, stripping, and erosion control and 4.35 acres of topsoil and seeding, having been performed in Pleasant Woods Subdivision in accordance with the approved plans and under the inspection of the Engineering Department. As Engineer, I have inspected the same and have found it to be satisfactory and acceptable, and therefore recommend that the Town Board accept this public improvement.

Public Improvement Permit No. 1091 covering 3,606 LF of storm sewer, 2035 LF of swales and .7 acres of detention, having been installed in Pleasant Woods Subdivision, in accordance with the approved plans and under the inspection of the Engineering Department. As Engineer, I have inspected the same and have found it to be satisfactory and acceptable, and therefore recommend that the Town Board accept this public improvement.

Public Improvement Permit No. 1092 covering 877.40 LF of standard pavement and curbing and one standard duty cul-de-sac, having been installed in Pleasant Woods Subdivision in accordance with the approved plans and under the inspection of the Engineering Department. As Engineer, I have inspected the same and have found it to be satisfactory and acceptable, therefore recommend that the Town Board accept this public improvement.

Amount of Maintenance Bonds: $ 73,921.88
Developer: Essex Homes of WNY, Inc.

Said two-year maintenance bonds totaling: $ 73,921.88
Cover the above Public Improvement Permits.

Town Engineer — Date 12/4/25

Ed Hughes, Town Highway Superintendent — Date

Kenneth Farrell, Town Attorney — Date

Cathy Rybcztnski, Town Supervisor — Date

4.20. Traffic Safety-Cooper Ridge

WHEREAS, Cooper Ridge is a residential street in the Town of Hamburg, and is the main entry into the Cooper Ridge neighborhood, and

WHEREAS, the intersection of Cooper Ridge and Cedar Valley Way creates a 3-way T-intersection, but only has a stop sign on Cedar Valley Way, and

WHEREAS, residents and users of this intersection have observed recurring safety concerns, especially with children getting on and off school buses, and

WHEREAS the addition of stop signs on Cooper Ridge, creating a 3-way stop, is warranted to address safety concerns

THEREFORE, BE IT RESOLVED, upon recommendation of the Traffic Safety Advisory Board, and in accordance with the Federal and New York State Manual of Uniform Traffic Control Devices, that the Buildings and Grounds Department be directed to install and maintain the following two,

R1-1C Stop Signs on Cooper Ridge at the intersection with Cedar Valley Way.

Funds available in account DB.5110.0205 S

4.21. Vacation Carryover- Public Safety Dispatch

BE IT RESOLVED, that the Town Board authorize the following employees from the Public Safety Dispatch Office to carry-over unused Vacation hours from 2025 to 2026 with the stipulation time off is utilized in the First Quarter of 2026:

Sean Crotty 40hrs of Vacation

Connor Moses 40hrs of Vacation

4.22. Senior & Community Center Construction Management Agreement

WHEREAS, the Town of Hamburg recently awarded construction of the Senior & Community Center project and coordination of the project has already begun; and

WHEREAS, construction of the project is scheduled to run for at least one and a half years and will require significant time and effort in coordinating, inspecting, and supervising the work; and

WHEREAS, the Town Engineer has contacted and met with several firms to provide construction management services and recommends the Town select Square Engineering DPC; and

WHEREAS, the Engineering Department worked with Square Engineering DPC to develop the detailed scope and prepare the agreement for the services, which has been reviewed by the Town Attorney. The services shall include 6 months of part-time support (10 hours per week) and 1 year of full-time (40 hours per week) on-site inspection, including supplying an office trailer, for a fee not to exceed $327,000.

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the agreement with Square Engineering DPC and for work on the project to begin immediately.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the transfer of funds from the General Fund unassigned fund balance A.0000.0909 to Capital Project Fund H119.1440.0440-Contracted Services

4.23. 18 Mile Golf Course Concession Contract Amended

BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign a Contract Amendment between the Town and Nora's on 9, LLC. (Concessionaire at 18 Mile Creek Golf Course). The original contract was signed on April 28, 2025 (Town Board Resolution, 4/7/25 Agenda Item # 20)

4.24. Public Safety Dispatch – Surplus Equipment

WHEREAS, the Public Safety Communications Office has several portable and mobile radios that have been replaced as part of the recent upgrade to the P25 Police Radio System and are no longer compatible.

THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the attached list of equipment to be declared surplus and offered for sale to local Fire and EMS agencies, with any remaining items to be sold via auction or eBay; and

BE IT FURTHER RESOLVED, that the proceeds from the sale of said surplus equipment shall be deposited into account A.2665 and transferred to A.1650.204.

ATTACHMENTS:

Public Safety Dispatch Surplus Equipment to be sold.docx

Public Safety Dispatch Surplus Equipment to be sold:

Kenwood UHF Portable Radios

Kenwood UHF Mobile Radios

Miscellaneous Accessories for Kenwood Radio Products

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.25. Article LX Smoke Shops and Vape Shops Code Referral to PB

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

WHEREAS, the Town has received complaints from residents regarding smoke shops and vape shops; and

WHEREAS, the Code Review Committee has generated a draft for smoke shops and vape shops regulations, and has sent these suggested revisions for 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 proposes to amend the Hamburg Town Code as follows (full copies attached):

- Add a new "Article LX Smoke Shops and Vape Shops" to Chapter 280

NOW, THEREFORE, BE IT RESOLVED , pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQRA), it is the intent of the Town of Hamburg Town Board to establish itself as SEQR Lead Agency and conduct a coordinated review of proposed revisions to Chapter 280 – Zoning.

BE IT FINALLY RESOLVED, that the Hamburg Town Board hereby entertains this proposed local law amendment and authorizes the referral of this proposed law amendment to Erie County, and to the Hamburg Planning Board for its review and recommendation.

ATTACHMENTS:

DOC120425-002.pdf

Article LX
Smoke Shops and Vape Shops

§ 280-429. Findings; purpose.

To further the goals of New York State's tobacco use prevention and control program, as identified in New York State Public Health Law § 1399-ii, the Town of Hamburg finds that:

A. Tobacco is a leading cause of preventable death and disease in New York State;

B. Adolescent brains are uniquely vulnerable to the effects of nicotine and the formation of nicotine dependence;

C. Tobacco and vapor/e-cigarette retail outlet density is associated with high rates of youth and adult tobacco use, as well as higher rates of initiation of nicotine use among adolescents and young adults;

D. Tobacco and vapor products usage is linked to an increased incident in cancers and disease and therefore is harmful to the public health; and

E. Restricting the sale of tobacco and vapor/e-cigarette products to certain zoning districts and reducing the concentration of sale locations will reduce the availability of tobacco and nicotine to residents, including adolescents, improving public health and lessening the incidence of various cancers and diseases.

§ 280-430. Definitions.

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

SMOKE SHOP(S) — Any shop, store or business of which the primary activity is the sale, manufacture, or promotion of tobacco, tobacco products, and accessories, either at wholesale or retail, dedicated to the sale of tobacco products and/or smoking paraphernalia, as herein defined.

SMOKING PARAPHERNALIA — All equipment, products, and materials, of any kind, which are used, intended for use, or designed and/or adapted for use in packaging, repackaging, storing, containing, injecting, ingesting, inhaling and/or otherwise introducing into the human body tobacco products.

TOBACCO PRODUCTS — Tobacco, tobacco products, including but not limited to cigarettes, chewing tobacco, cigars, electronic cigarettes, vape pens, vapors, e-liquids, e-vaporizers and other like substances, CBD (cannabidiol), and CBD products, including but not limited to CBD gummies and/or CBD oil.

§ 416-3. General regulations.

A. Smoke shop locations may only operate between the hours of 8:00 a.m. and 10:00 p.m. on weekdays and Saturdays, and 12:00 noon and 9:00 p.m. on Sundays.

B. A special use permit (§ 280-318) is required for each and every smoke shop. No smoke shop may open, operate, or exist in the Town without first obtaining a special use permit from the Planning Board following a public hearing. A property owner and/or landlord shall not permit a tenant or subtenant to open or operate a smoke shop within the Town unless a special use permit has been obtained for the demised premises.

C. A smoke shop is only allowable, subject to a special use permit, on a parcel of land in the C-2 General Commercial District.

D. It is unlawful for a smoke shop to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shop.

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E. Each and every smoke shop shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. One said sign, measuring approximately 144 square inches, shall be placed in a conspicuous location near each public entrance to each and every smoke shop. It shall be unlawful for a smoke shop to fail to display and maintain, or fail to cause to be displayed or maintained, said signage.

§ 416-4. Location.

A. A smoke shop shall be allowable only within the C-2 General Commercial District, subject to the issuance of a special use permit, and subject to the regulations set forth herein.

B. No smoke shop shall be permitted within 500 feet of another smoke shop.

C. No smoke shop shall be permitted within 500 feet of a school, nursery school, day care, playground, public library, municipal park, or other similar uses where children regularly gather at the discretion of the Supervising Code Enforcement Officer.

D. No smoke shop shall be permitted within 500 feet of the lot line of any lot zoned for residential use.

E. No smoke shop shall be permitted within 500 feet of a house of worship.

F. Said distances shall be measured from property line to property line.

§ 416-5. Penalties for offenses.

A violation of this chapter constitutes an offense, and the owner, person, or smoke shop violating this chapter shall be subject to a fine of no less than $500 per day for each and every day that the violation exists, as set forth in the Schedule of Fines and Penalties. This chapter shall be enforced by the Town of Hamburg Code Enforcement Department, the Town of Hamburg Police Department, and/or the New York State Police.

§ 416-7. Existing smoke shops.

The provisions of Article XLI of Chapter 280 of the Town Code concerning nonconforming uses in existence at the time of the adoption of this chapter shall apply to smoke shops. In addition to the provisions of Article XLI of Chapter 280 of the Town Code, if there is any change in the ownership of an existing smoke shop after the adoption of this chapter, then any further use of such property as a smoke shop shall be required to conform to this chapter and be required to apply for a special use permit, as applicable. No existing smoke shop shall be permitted to expand the square footage of its existing footprint without conforming to this chapter and obtaining a special use permit, as applicable.

§ 416-8. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

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4.26. Chapter 34 Mandatory Training Code Amendments Referral to PB

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

WHEREAS, the Code Review Committee has reviewed the "Mandatory Training" regulations of Chapter 34 of Hamburg Town Code, and has sent these suggested revisions for 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 proposes to amend 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

NOW, THEREFORE, BE IT RESOLVED , pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQRA), it is the intent of the Town of Hamburg Town Board to establish itself as SEQR Lead Agency and conduct a coordinated review of proposed revisions to Chapter 34 – Mandatory Training.

BE IT FINALLY RESOLVED, that the Hamburg Town Board hereby entertains this proposed local law amendment and authorizes the referral of this proposed law amendment to Erie County, and to the Hamburg Planning Board for its review and recommendation.

4.27. 2026 Association of Towns Annual Meeting and Training School-Supervisor

WHEREAS, the Town of Hamburg is a member of the Association of Towns of the State of New York, and

WHEREAS, the 2026 Annual Meeting and Training School is being held on February 14th-18th, 2026, in New York City, and

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

NOW THEREFORE, BE IT RESOLVED, the Town Board does hereby authorize Supervisor Elect Elizabeth Farrell Lorentz to attend the Association of Towns of the State of New York Annual Meeting and Training School with the following expenses:

Registration: $150
Up to four nights Hotel @ $303 per night
Four Days of meals @$50 a day

BE IT FURTHER RESOLVED, the Town Board Authorizes either mileage and parking reimbursement or plane fare and ground transportation reimbursement to travel to and from the Meeting and Training School.

Funds Available in A.1220.0492

Town Board of the Town of Hamburg
December 8, 2025 Meeting

4.28. Approve Spectrum Northeast LLC Cable Television Franchise Renewal

STATE OF NEW YORK

Town of Hamburg

County of Erie

In the Matter of the Granting of a Cable Television Franchise Held by Spectrum Northeast, LLC in the Town of Hamburg, County of Erie, New York

RESOLUTION

An application has been duly made to the Board of the Town of Hamburg, County of Erie, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Hamburg, New York on December 8, 2025 at 7:00 P.M. and notice of the hearing was published in the Buffalo Business First on November 28, 2025.

NOW, THEREFORE, the Board of the Town of Hamburg finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Hamburg hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Hamburg for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of Hamburg hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a _____ vote was thereby declared adopted.

Dated: December 8, 2025.

_____