

Agenda

Natalie E. Nitsche Town Clerk

Town Board of the Town of Hamburg

July 13, 2026

1. Roll Call

2. Pledge of Allegiance

3. Minutes of Previous Meeting

RESOLVED, that the Town Board does hereby approve the minutes of the previous meeting as follows: May 18, 2026, June 8, 2026, June 22, 2026

4. Agenda Items

4.1. Public Hearing Proposed local law #11, 2026

4.2. Naming Alumni Park

4.3. Approval of local law to add a new chapter for Unmanned aircraft take-offs and landings.

4.4. Approval of the modified 2026 Schedule of Fines and Penalties

4.5. Unsafe structure at 6310 Southwestern Blvd.

4.6. Unsafe structure at 5272 South Park Ave.

4.7. Code Enforcement Training

4.8. 2027 Building and Electrical Permit Fees

4.9. Chapter 109 Amendments Referral and PH Resolution

4.10. Non-CFA Zoning Article XLIV Site Plan Review Amendments SEQR Negative Declaration

4.11. Non-CFA Zoning Article XLIV Site Plan Review Amendments Adoption Resolution

4.12. POLICE –Budget Admendment

4.13. PAF - POLICE - Crossing Guard PT

4.14. Authorize Amendment to Contract with the Town of Hamburg EMS

4.15. Amendment to the Volunteer Fire Company 2026 Contracts

4.16. BOCES Volunteer Work Program Agreement

- 4.17.Recreation Budget Adjustment - Tennis Grant**
- 4.18.Youth, Recreation, & Senior Services P.A.F.**
- 4.19.Taylor Road Alcohol Waiver Request**
- 4.20.Staffing Agreement between Scranton VFC and Hamburg EMS**
- 4.21.Budget Amendment – Recognition of ARPA Funds in Q1 and Q2 2026**
- 4.22.Finance/Personnel PAF**
- 4.23.Finance/Personnel New Hire PAF**
- 4.24.Lake Shore Volunteer Fire Company New Member-Tomczak**
- 4.25.Scranton Volunteer Fire Company, Inc New Member-Domin**
- 4.26.B&G Revenue Account - Progressive Insurance**
- 4.27.B&G Revenue Account Transfer**
- 4.28.Consent To Formation of Bayview Townhomes Water Works Corporation**
- 4.29.Approve General Obligation Serial Bonds or Notes by Newton Abbott Volunteer Fire Company for acquisition of a fire truck/emergency vehicle**
- 4.30.Grant Application Town of Hamburg WQIP Salt Facility Project**
- 4.31.Grant Application Town of Hamburg Mt Vernon Sanitary Sewer Project, Phase II**
- 4.32.Grant Application Blasdell Community Brownfield Opportunity Area (BOA) Nomination**
- 5. Public Comment**
- 6. Meeting is adjourned by Supervisor**

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.1. Public Hearing Proposed local law #11, 2026

Legal Notice

Town of Hamburg

Notice of Hearing Proposed Local Law #11, 2026

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on June 8, 2026, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #11, 2026; the proposed local law to add a Chapter to the Hamburg Town Code entitled " Unmanned aircraft take-offs and landings ". An abstract of the proposed local law is described as follows:

The purpose of this local law is to add to the Code of the Town of Hamburg a Chapter with requirements for unmanned aircraft and unmanned aircraft systems. A complete copy of the proposed amendments will be available at:

HAMBURG TOWN HALL

Town Clerk's Office/upper 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 the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 6:00 p.m. on the 13th day of July, 2026, at which time all persons interested may be heard.

Dated: June 8, 2026

Natalie Nitsche

Town Clerk

Town of Hamburg

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.2. Naming Alumni Park

WHEREAS, the Town of Hamburg has long been recognized as a community dedicated to parks, recreation, families, and civic pride; and

WHEREAS, the opening of the new National Football League stadium at the border of the Town of Hamburg presents a unique opportunity to celebrate the Town's special connection to sports while creating lasting opportunities and amenities for Hamburg residents; and

WHEREAS, over the past two years, the Town Board, Town staff, and community partners have worked to identify ways in which the residents of Hamburg can highlight and benefit from this opportunity, and

WHEREAS, for decades the Town of Hamburg has proudly been home to numerous Buffalo Bills and Buffalo Sabres players, coaches, Hall of Famers, champions, and other distinguished members of the Buffalo sports community, while generations of Hamburg residents have been among the most passionate and loyal fans in local and professional sports;

Be It Resolved, in recognition of this proud heritage, the individuals whose accomplishments have inspired our community, and the fans whose unwavering support has become an enduring part of Western New York's identity, the Hamburg Town Board names its town owned property at Parker Rd and Big Tree Rd/Rt 20 A as Alumni Park, a welcoming community destination that celebrates Hamburg's place in Buffalo's rich sports history.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.3. Approval of local law to add a new chapter for Unmanned aircraft take-offs and landings.

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

WHEREAS, the Code Review Committee reviewed the provisions for a new chapter to the Code of the Town of Hamburg entitled “Unmanned aircraft take-offs and landings”, and suggested the addition for the Town Board to consider; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing a local law to add a new chapter entitled “Unmanned aircraft take-offs and landings”

WHEREAS, a public hearing was held on July 13, 2026, for discussion and public comment concerning adoption of this proposed local law; and

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

WHEREAS, these proposed local law amendments were referred to Erie County through the 239-m referral process and received no objections; and

WHEREAS, the proposed amendments are in accordance with the recommendations of the Town of Hamburg Code Review Committee.

NOW THEREFORE BE IT RESOLVED, the Hamburg Town Board approves Local Law and adds a new chapter entitled “Unmanned aircraft take-offs and landings” to the Code of the Town of Hamburg

ATTACHMENTS:

[UAS code 5-9-26.docx](#)

Unmanned aircraft take-offs and landings

Purpose and intent

It is the intention of the Town of Hamburg to protect and enhance the public health, safety, security, privacy, and well-being of the residents of the community as well as of the guests and visitors thereto by the establishment of regulations and procedures governing the operation of unmanned aircraft (aka "drones") and/or unmanned aircraft systems (hereinafter "UAS").

Definitions

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

BUFFALO BILLS COMPLEX

All of the approximately 250 acre parcel of land situated in the Town of Orchard Park and in the Town of Hamburg, New York, locally known as "One Bills Drive," inclusive of the stadium, the Sports Training Performance Center, the Fieldhouse, parking lots, entrances, walkways and practice fields.

UNMANNED AIRCRAFT

[1] A device that is intended to navigate in the air without an onboard pilot; and

[2] An aircraft that is operated without the possibility of human intervention from within or on the aircraft. Unmanned aircraft are also referred to as "drones."

UNMANNED AIRCRAFT SYSTEM

An unmanned aircraft and associated elements (including communications links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system.

RESTRICTIONS ON USE

- A. It shall be unlawful for any person to take off or land in any zone within the Town of Hamburg an unmanned aircraft or unmanned aircraft system within one mile of and within two hours before or after an open air event sponsored by the Town of Hamburg and located within the Town of Hamburg, such events including, but not limited to, parades, concerts, street dances, festivals, art shows, sporting events and recreational events.
- B. It shall be unlawful for any person to take off or land an unmanned aircraft or unmanned aircraft system within two miles of the Buffalo Bills Complex on the day of any event held at the Buffalo Bills Complex and four hours prior to or four hours after any event held at the Buffalo Bills Complex.
- C. All unmanned aircraft or unmanned aircraft systems shall be subject to all applicable Federal Aviation Administration (FAA) regulations.

Exceptions

Express written permission required.

The takeoff or landing of an unmanned aircraft or unmanned aircraft system as proscribed herein may be permitted pursuant to a permit issued by the Town of Hamburg Clerk after approval is granted by the Town of Hamburg Police Department. The permit fee shall be set by resolution by the Town Board.

Enforcement

This chapter shall be enforced by the Town of Hamburg Police Department.

Penalties for offenses.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punishable by a fine set forth in the Schedule of Fines and Penalties.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.4. Approval of the modified 2026 Schedule of Fines and Penalties

WHEREAS, the Town of Hamburg Code established a Schedule of Fines and Penalties to be imposed for various violations throughout the Town Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board adopt the modified 2026 Town of Hamburg Schedule of Fines and Penalties.

ATTACHMENTS:

[DOC070626-001.pdf](#)

Proposed Fines and Penalties 2026 Code					
Description of Code/Section	Fine	Imprisonment Penalty	Civil Penalty	Second Repeat offense within 12 Months fine	Repeat offenses over two in a Five year period
Tampering with the Code 1-10	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Fire Prevention Bureau 28-9	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Historic Preservation 31-14	\$500 Minimum \$2,000 Maximum	Max 15 days		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Animals 67-12	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Beach Control 70-3	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Grass, weeds, and brush 75-5	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Building Construction and Fire Prevention 76-17	\$250 Minimum \$1,000 Maximum		\$1,000 Maximum	\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Plumbing and Site Work 76-27	\$250 Minimum \$1,000 Maximum	Max 15 days		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Unsafe Buildings 80-10	\$500 Minimum \$2,000 Maximum			\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Dead Trees 90-5	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Diesel Engine Control 93-6	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Dogs 100-14	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Removal of Topsoil 107-7	\$250 Minimum \$1,000 Maximum			\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Clearing,stripping, and erosion control 170-19	\$500 Minimum \$2,000 Maximum	Max 15 days		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Fair housing 109-7	\$2,000 Minimum \$5,000 Maximum			\$5,000 Minimum \$10,000 Maximum	\$10,000 Minimum \$20,000 Maximum
Firearms and other devices 111-3	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Fire Prevention Code 113-85	\$250 Minimum \$1,000 Maximum	Max 15 days		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Flood Damage Prevention 115-9	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum

Incinerators 135-6	\$250 Minimum	\$1,000 Maximum	Max 30 days		\$500 Minimum	\$2,000 Maximum	\$1,000 Minimum	\$2,000 Maximum
Junk Vehicles 145-11	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Junkyards 147-8	\$500 Minimum	\$2,000 Maximum	Max 15 days	\$2,000 Maximum	\$1,000 Minimum	\$4,000 Maximum	\$2,000 Minimum	\$8,000 Maximum
Lighting Nuisances	\$100 Minimum	\$500 Maximum	Max 15 days		\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Mobile Home Parks 165-9	\$500 Minimum	\$2,000 Maximum			\$1,000 Minimum	\$4,000 Maximum	\$2,000 Minimum	\$8,000 Maximum
Noise 175-6	\$100 Minimum	\$500 Maximum	Max 15 days		\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Parking Code 185-8	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Parks and Recreation General 188-15	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Parks and Recreation Boats in park 188-21	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Parks and recreation Boats in launch 188-25	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Garage sales 190-10	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Peddling and Soliciting 191-13	\$500 Minimum	\$2,000 Maximum	Max 30 days		\$1,000 Minimum	\$4,000 Maximum	\$2,000 Minimum	\$8,000 Maximum
Transient retail merchants 191-23	\$500 Minimum	\$2,000 Maximum	Max 30 days		\$1,000 Minimum	\$4,000 Maximum	\$2,000 Minimum	\$8,000 Maximum
Abandoned Refrigerators 200-2	\$100 Minimum	\$500 Maximum	Max 15 days		\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Sanitary Sewer 205-9	\$250 Minimum	\$1,000 Maximum			\$500 Minimum	\$2,000 Maximum	\$1,000 Minimum	\$2,000 Maximum
Sex Offender Residency 207-4	\$500 Minimum	\$2,000 Maximum	Max 15 days		\$1,000 Minimum	\$4,000 Maximum	\$2,000 Minimum	\$8,000 Maximum
Traffic Regs for shopping centers and assembly areas 210-4	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Smoking 213-5	\$100 Minimum	\$500 Maximum	Max 15 days		\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Snowmobiles 215-6	\$100 Minimum	\$500 Maximum			\$250 Minimum	\$500 Maximum	\$500 Minimum	\$1,000 Maximum
Solid Waste Dumping 220-2	\$250 Minimum	\$1,000 Maximum			\$500 Minimum	\$2,000 Maximum	\$1,000 Minimum	\$2,000 Maximum

Solid Waste Storage of refuse/littering 220-9	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Solid Waste Recycling General 220-30A.	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Solid Waste Recycling Collecting without authorization 220-30 B.	\$500 Minimum \$2,000 Maximum			\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Solid Waste Recycling Collecting offenses 220-30 C.	\$1,000 Minimum \$4,000 Maximum			\$2,000 Minimum \$8,000 Maximum	\$4,000 Minimum \$16,000 Maximum
Solid Waste Recycling improper disposal 220-30 D.	\$500 Minimum \$2,000 Maximum			\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Storage Trailers 225-9	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Storm Sewers 226-13	\$500 Minimum \$2,000 Maximum	Max 6 Months		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Stormwater management 226A-8	\$500 Minimum \$2,000 Maximum	Max 6 Months		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Subdivision of Land 230-7	\$250 Minimum \$1,000 Maximum	Max 15 days		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Swimming Pools 232-15	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Regulation of Town owned Property except operating a motor vehicle unauthorized on Town property 240-7A.	\$100 Minimum \$500 Maximum	Max 15 days	\$500 Maximum	\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Regulation of Town owned Property operating a motor vehicle unauthorized on Town property 240-7B.	\$100 Minimum \$500 Maximum	Max 15 days	\$500 Maximum	\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Tree Management except for clearing without a permit 243-16	\$500 Minimum \$2,000 Maximum	Max 15 days		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum

Tree Management for clearing without a permit 243-16	\$1,000 Minimum \$4,000 Maximum	Max 15 days		\$2,000 Minimum \$8,000 Maximum	\$4,000 Minimum \$16,000 Maximum
Trespassing 245-8	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Vandalizing Traffic Devices 262-3	\$100 Minimum \$500 Maximum			\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum
Waterfront Revitalization 270-7	\$250 Minimum \$1,000 Maximum			\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Zoning Code General	\$250 Minimum \$1,000 Maximum	Max 6 Months		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Zoning Code Special Use Permits 280-333	\$250 Minimum \$1,000 Maximum	Max 6 Months		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Commercial Wind Energy conversion Systems 280-353	\$250 Minimum \$1,000 Maximum	Max 6 Months	\$1,000 Maximum	\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Residential wind energy conversion systems 280-371	\$250 Minimum \$1,000 Maximum	Max 6 Months	\$1,000 Maximum	\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Solar Energy Systems 280-384	\$250 Minimum \$1,000 Maximum	Max 6 Months		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Battery Energy Storage Systems 280-396	\$250 Minimum \$1,000 Maximum	Max 6 Months		\$500 Minimum \$2,000 Maximum	\$1,000 Minimum \$2,000 Maximum
Bituminous Processing Facilities 280-418	\$500 Minimum \$2,000 Maximum	Max 15 days		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Adult-Use Cannabis	\$500 Minimum \$2,000 Maximum	Max 15 days		\$1,000 Minimum \$4,000 Maximum	\$2,000 Minimum \$8,000 Maximum
Unmanned aircraft takeoff and landings	\$100 Minimum \$500 Maximum	Max 15 days		\$250 Minimum \$500 Maximum	\$500 Minimum \$1,000 Maximum

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.5. Unsafe structure at 6310 Southwestern Blvd.

WHEREAS, the Town of Hamburg Code Chapter 80 references the procedure for unsafe buildings in the Town of Hamburg, and,

WHEREAS, the Supervising Code Enforcement Officer of the Town of Hamburg made a formal inspection of the property located at 6310 Southwestern Blvd. Hamburg, NY (SBL 194.00-3-11.2) and deemed the structure unsafe, and,

WHEREAS, the Supervising Code Enforcement officer provided the Town Board, in writing, a report of his findings and recommendations for demolition, and,

WHEREAS, the Town Board has considered the report, and,

BE IT RESOLVED, that the Town Board finds the structure located at 6310 Southwestern Blvd. Hamburg, NY unsafe and orders its removal, and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the Code Enforcement Department to advertise for demolition bids of said structure, and,

BE IT FURTHER RESOLVED, that the Town Board designates the Supervising Code Enforcement Officer, an Assistant Code Enforcement Officer, the Town Attorney or Deputy Town Attorney, and the Code Enforcement liaison from the Town Board to schedule and hold a public hearing on the demolition of the structure, and,

BE IT FINALLY RESOLVED, that once demolition bids are received, the Town Board shall make proper notification to the property owner stating the public hearing date, time, place, and estimated costs for the demolition.

ATTACHMENTS:

[DOC062526.pdf](#)

TOWN OF HAMBURG

CODE ENFORCEMENT DEPARTMENT

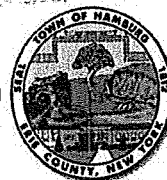
6100 South Park Avenue, Hamburg, New York 14075
(716)649-6111 ext. 2210 Fax (716)646-1967

Jeffrey Skrzypek

Supervising Code Enforcement Officer

Code Enforcement Officers

Paul Ryerse
Michael Vella
Scott Courteau
Travis Berube
Dave Rice
Kevin Jewett



Electrical Inspector

Jeremy Falbo

Senior Clerk Typist

Marlissa Rich

To: Supervisor Farrell-Lorentz & Town Board Members

Re: Unsafe Conditions of Structure at 6310 Southwestern Blvd.

From: Jeffrey Skrzypek, Supervising Code Enforcement Officer

Date: June 16, 2026

Inspection Findings: 6310 Southwestern Blvd. Lakeview, NY 14085

The main building has had water and waste water in the basement for past three years. The block foundation that is visible along the north side of the building shows damage to the foundation wall. The north exterior stair guard is partially missing. The second floor entrance roof has a visible hole. The roof of the rear structure shows signs of potential movement. Multiple exterior surfaces show deterioration in the wood siding, soffits, fascia's and gutters. The exterior garage has a hole in the roof on the south east corner. The entire garage also leans out of plumb. The abandoned structure has long been unsuitable for occupancy. The above items constitute this structure as an unsafe structure per the 2025 New York State Property Maintenance Code Chapter 3 Sections 304, 305 and 306.

Summary:

The Town residents have voiced numerous complaints to this department regarding the blight caused by this deteriorated property. The property is an unattractive nuisance and a detriment to the community. The Town residents are becoming more and more concerned and are looking to the Town to take action. The property owner was served a Violation Notice on **June 15, 2023** and numerous court dates followed.

Recommendation:

The unsafe and dilapidated condition of this property has continued to get worse year to year. The buildings are structurally compromised and pose an imminent risk of further failure. It is my recommendation that the Town of Hamburg require the building to be repaired or demolished to remediate the conditions that make this structure unsafe.

Respectfully submitted,

Jeffrey Skrzypek
Supervising Code Enforcement Officer

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.6. Unsafe structure at 5272 South Park Ave.

WHEREAS, the Town of Hamburg Code Chapter 80 references the procedure for unsafe buildings in the Town of Hamburg, and,

WHEREAS, the Supervising Code Enforcement Officer of the Town of Hamburg made a formal inspection of the property located at 5272 South Park Ave. Hamburg, NY (SBL 171.14-1-2.1) and deemed the attached chapel and detached greenhouse structures unsafe, and,

WHEREAS, the Supervising Code Enforcement officer provided the Town Board, in writing, a report of his findings and recommendations for demolition, and,

WHEREAS, the Town Board has considered the report, and,

BE IT RESOLVED, that the Town Board finds the attached chapel and detached greenhouse structures located at 5272 South Park Ave. Hamburg, NY unsafe and orders their removal, and,

BE IT FURTHER RESOLVED, that the Town Board authorizes the Code Enforcement Department to advertise for demolition bids of said structures, and,

BE IT FURTHER RESOLVED, that the Town Board designates the Supervising Code Enforcement Officer, an Assistant Code Enforcement Officer, the Town Attorney or Deputy Town Attorney, and the Code Enforcement liaison from the Town Board to schedule and hold a public hearing on the demolition of the structures, and,

BE IT FINALLY RESOLVED, that once demolition bids are received, the Town Board shall make proper notification to the property owner stating the public hearing date, time, place, and estimated costs for the demolition.

ATTACHMENTS:

[DOC062526-001.pdf](#)

TOWN OF HAMBURG

CODE ENFORCEMENT DEPARTMENT

6100 South Park Avenue, Hamburg, New York 14075
(716)649-6111 ext. 2210 Fax (716)646-1967

Jeffrey Skrzypek

Supervising Code Enforcement Officer

Code Enforcement Officers

Paul Ryerse
Michael Vella
Scott Courteau
Travis Berube
Dave Rice
Kevin Jewett



Electrical Inspector

Jeremy Falbo

Senior Clerk Typist

Marissa Rich

To: Supervisor Farrell-Lorentz & Town Board Members

Re: Unsafe Conditions of Structure at 5272 South Park Ave.

From: Jeffrey Skrzypek, Supervising Code Enforcement Officer

Date: June 16, 2026

Inspection Findings: 5272 South Park Ave. Hamburg, NY 14075

The chapel on the west side of the main building has multiple holes in the roof structure. The detached brick greenhouse located on the east side of the property has a collapsed roof. The wood framed portion of the green house is missing multiple roof panels and the roof structure has become deteriorated. The abandoned structure has long been unsuitable for occupancy. The above items constitute this structure as an unsafe structure per the 2025 New York State Property Maintenance Code Chapter 3 Sections 304, 305 and 306.

Summary:

The Town residents have voiced numerous complaints to this department regarding the blight caused by this deteriorated property. The property is an unattractive nuisance and a detriment to the community. The Town residents are becoming more and more concerned and are looking to the Town to take action. The property owner was served a Violation Notice on **February 10, 2023** and numerous court dates followed.

Recommendation:

The unsafe and dilapidated condition of this property has continued to get worse year to year. The chapel of the main building and the entire greenhouse are structurally compromised and pose an imminent risk of further failure. It is my recommendation that the Town of Hamburg require the building to be repaired or demolished to remediate the conditions that make this structure unsafe.

Respectfully submitted,

A handwritten signature in black ink that reads "Jeffrey Skrzypek".

Jeffrey Skrzypek
Supervising Code Enforcement Officer

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.7. Code Enforcement Training

Whereas, The State of New York requires continuing education for Code Enforcement Officers within the Building Inspection Department, and

Whereas, The Western Southern Tier Building Officials Association is holding a conference on September 16-18, 2026 located at the Chautauqua Harbor Hotel, 10 Dunham Avenue Celoron, NY, and

Be It Resolved, : That the Town Board authorize travel requests for Code Enforcement Officer David Rice to attend the WSTBOA Conference training on Wednesday, September 16 to Friday September 18, 2026.

BE IT FURTHER REOLVED: that the Town Board approved the training request for the Code Enforcement Officer at an annual cost of \$375.00. Use of a Town vehicle will be required.

Funds available in Account#

A.3620.0492 – Safety inspection – Training and Seminars

ATTACHMENTS:

[DOC070226-07022026123937.pdf](#)

**RICE , DAVID
REGISTRATION CONFIRMATION**



NY0012109

**PLEASE PRINT ALL PAGES OF
THIS DOCUMENT IMMEDIATELY
DAVID**

**Congratulations. You have been confirmed for Attendance at
The Western Southern Tier Building Officials Educational Conference
September 16 - 18, 2026
You are registered for all 3 days**

**The Conference will be held at:
Chautauqua Harbor Hotel
10 Dunham Ave
Celoron NY 14720**

To receive the group rate reservations must be made by August 25, 2026

<https://www.codesclass.com/wstboa/Hotel.html>

Registration will begin on WEDNESDAY September 16, 2026 at 7:00am. Class starts at 8:00am.

Please carefully review all information below for accuracy.

email any corrections to register@codesclass.com

**Last Name: RICE
First Name: DAVID
Middle Initial: L
Title: CODE ENFORCEMENT OFFICER
Address Line 1: 6100 SOUTH PARK AVE.
Address Line 2:
City: HAMBURG
State: NY
Zip: 14075
email: drice@townofhamburgny.gov
Municipality or firm: TOWN OF HAMBURG
NY Training Id Num: NY0012109
FDID Num: 15823
Phone Number: 716-649-6111**

Western Southern Tier Building Officials Educational Conference



INVOICE

July 2, 2026

INVOICE No: NY0012109 - 2026

Payable To:

WESTERN SOUTHERN TIER BUILDING OFFICIALS ASSOCIATION
PO BOX 167
DUNKIRK NY 14048

Attendee:

DAVID RICE
6100 SOUTH PARK AVE.
HAMBURG NY 14075

Payment must be made prior to attending the conference!

Attendance at The Western Southern Tier Building Officials Educational Conference
September 16 - 18, 2026

You are registered for all 3 days

\$375.00

PLEASE MAKE CHECKS PAYABLE TO:

WESTERN SOUTHERN TIER BUILDING OFFICIALS ASSOCIATION
WE DO NOT ACCEPT CREDIT CARDS

TAX ID: 27-4178308

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.8. 2027 Buildging and Electrical Permit Fees

WHEREAS, the Town of Hamburg Code established a permit fee schedule to be imposed for various building and electrical permits issued throughout the Town; and

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board adopts the 2027 Town of Hamburg Permit Fee Schedule, effective January 1, 2027.

ATTACHMENTS:

[Fee Schedule proposed 2027.xlsx](#)

[2027 Proposed Electrical fees split.docx](#)

Town of Hamburg

1-1-27 PERMIT FEES

PERMIT TYPE	FILING FEE	EXAMINATION FEE	MISCELLANEOUS FEE
RESIDENTIAL			
Single family residence	\$10.00	\$45.00	\$0.53/sq ft habitable space
Two Family Residence	\$10.00	\$45.00	\$0.53/sq ft habitable space
Town House, Condo	\$10.00	\$45.00	\$0.53/sq ft habitable space
Multiple Dwellings/Hotel/Motel (3 or more units per building)	\$10.00	\$45.00	\$1,050.00 per dwelling unit
Residential Additions	\$10.00	\$45.00	\$0.53/sq ft habitable space
Residential Alterations	\$10.00	\$40.00	1% construction cost *material cost*
Residential Demolition House	\$10.00	\$150.00	
Residential Demolition Garage	\$10.00	\$45.00	
Moving a Structure	\$10.00	\$45.00	\$0.53/sq ft
Mobile Home Replacement	\$10.00	\$210.00	Requires electric permit
Roof Replacement - Residential	\$10.00	\$65.00	
Residential Solar Panel	\$10.00	\$100.00	Requires electric permit
Residential Wind Energy System	\$0.00	\$275.00	1% construction cost *material cost*, requires electric permit
COMMERCIAL			
Commercial or Industrial Building	\$10.00	\$100.00	\$1.35/sq ft of gross floor area
Commercial or Industrial Addition	\$10.00	\$100.00	\$1.35/sq ft of gross floor area
Commercial or Industrial Alteration	\$10.00	\$100.00	1.1% construction cost *material cost*
Commercial Accessory Structure	\$10.00	\$45.00	\$0.35/Sq ft
Commercial Demolition	\$10.00	\$430.00	
Select Demolition	\$10.00	\$50.00	
Roof Replacement - Commercial	\$10.00	\$65.00	\$0.06/Sq ft.
Site Work: Non Residential Development	\$10.00	\$100.00	\$0.045/sq ft net site area.
			*Phased site projects, term to be at the discretion of code enforcement official
Site Work Renewal Fee		\$1,050.00 Maximum	*6 month permit*
Commercial HVAC Installation	\$0.00	\$55.00	\$55.00 per unit
Commercial Generator	\$10.00	\$265.00	Requires Electrical Permit
Commercial Solar Panel	\$10.00	\$265.00	Requires electric permit, 1.1% of Project Cost, requires electric permit
Commercial Wind Energy System	\$0.00	\$275.00	2% construction cost *material cost*, requires electric permit
Cell Tower	\$0.00	\$550.00	2% Project cost, requires electric permit
Cell Tower - Co Location	\$0.00	\$550.00	2% Project cost, requires electric permit
Battery Storage	\$0.00	\$550.00	2% Project cost, requires electric permit

Underground Tank/Removal/Replacement	\$0.00	\$110.00	
ACCESSORIES			
Decks	\$10.00	\$35.00	\$0.10/sq ft
Exterior Stairs/Ramps	\$10.00	\$35.00	
Handicap Ramp	\$10.00	None	
Carport	\$10.00	\$40.00	\$0.15/sq ft
Detached Garage	\$10.00	\$40.00	\$0.10/sq ft
Gazebo/Pavilion/Pergola	\$10.00	\$40.00	\$0.10/sq ft
Covered Porch/Patio/Deck	\$10.00	\$40.00	\$0.15/sq ft
Tool Shed	\$10.00	\$40.00	\$0.10/sq ft
Residential Accessory Structure	\$10.00	\$40.00	\$0.10/sq ft
Fence (Includes pool enclosure)	\$10.00	\$40.00	\$0.10/linear ft
Fence Replacement	\$10.00	\$40.00	
Inground Pool	\$10.00	\$165.00	Requires electric permit
Above ground Pool	\$10.00	\$70.00	Requires electric permit
Temporary Pools	\$0.00	\$25.00	Yearly, Electrical Included
Hot Tub	\$10.00	\$70.00	Requires electric permit
Whole House Residential Generator	\$10.00	\$65.00	Requires electric permit
Wood Burning Fireplace	\$0.00	\$75.00	
Temporary Storage Trailer	\$0.00	\$150.00	Only allowed with a construction permit
Tent Sale	\$10.00	\$65.00	
SIGNS			
Signs (Attached/Detached)	\$10.00	\$45.00	\$5.25/sq ft
A-Frame	\$10.00	\$100.00	*Annual Fee
Temporary Portable Signs	\$10.00	\$100.00	*45 Day Permit
Sign Reface	\$10.00	\$45.00	\$2.10/sqft
Digital Sign - Annual Permit	\$10.00	\$0.00	\$2.10/sq ft
PLUMBING & SEWER			
Plumbing - Residential	\$0.00	\$55.00	\$23.00 Per Fixture
Plumbing - Commercial	\$0.00	\$110.00	\$45.00 Per Fixture and \$420.00 Min
Sewer Lateral Replacement	\$0.00	\$55.00	
Sewer Lateral Repair	\$0.00	\$55.00	
Sump/Storm	\$10.00	\$45.00	
Water Line	\$10.00	\$45.00	
Water Line Replacement	\$10.00	\$45.00	
Sewer - Residential Single or Two Family	\$0.00	\$55.00	
Sewer - Multi Family	\$0.00	\$110.00	plus \$55.00 for each additional dwelling unit over two dwelling units
Sewer - Commercial with less than 1" domestic water line	\$0.00	\$55.00	

Sewer - Commercial with a 1" but less than 1 1/2" domestic water line	\$0.00	\$85.00	
Sewer - Commercial with a 1 1/2" but less than 2" domestic water line	\$0.00	\$220.00	
Sewer - Commercial with a 2" domestic water line	\$0.00	\$385.00	
Sewer - Commercial with a 3" domestic water line	\$0.00	\$880.00	
Sewer - Commercial with a 4" domestic water line	\$0.00	\$1,540.00	
Sewer - Commercial with a 6" domestic water line	\$0.00	\$3,465.00	
Sewer - Commercial with larger than a 6" domestic water line		\$30.80 per square inch of pipe diameter	
Plumbing/Site Utility Contractor License	\$0.00	\$100.00 \$300.00 \$50.00	Annual License Fee New License Test Fee Journeyman License Fee
Special Plumbing Test		\$500.00	
Late Fee For Plumbing Licenses		\$100.00	
MISC.			
Fire Repair	\$20.00	\$0.00	
Structural Repair	\$20.00	\$0.00	
Fire Prevention	\$20.00	\$0.00	
Re-Inspection Fee		\$75.00	FOR ASSESSED RE-INSPECTION
Tree Management		\$100.00	\$100 Per Acre
Tree Waiver	\$0.00	\$0.00	\$300 Per Tree
Topsoil Removal	\$10.00	\$40.00	\$1.10/CU Yard
Zoning Board (All)	\$10.00	\$210.00	
Special Event		\$50.00	
Zoning Compliance Letter	\$0.00	\$110.00	File retrieval, Research, and Certificate of Compliance
Home Business Permit	\$0.00	\$55.00	Annual Permit
Site Plan Waiver	\$0.00	\$175.00	
Domestic Fowl	\$10.00	\$45.00	*Must meet code requirements for size and distance
Coastal Erosion/Seawall Repair	\$0.00	\$55.00	
Flood Plain Management	\$0.00	\$55.00	\$0.03/sq ft net site area.
Mobile Home Park License			\$20.00 per lot
Operating Permit		\$125.00	

TOWN OF HAMBURG

ELECTRICAL FEES 1-1-2027

RESIDENTIAL FEES

RESIDENTIAL MINIMUM FEE: \$ 110.00

RESIDENTIAL SERVICE & METER EQUIPMENT

100 Amps – 225 Amps	\$ 110.00
With transfer switch	\$ 60.00
Over 225 Amps – 400 Amps	\$ 160.00
Over 400 Amps – 600 Amps	\$ 220.00
With transfer switch on replacement of service	\$ 60.00
Exceeding 2 meters, add per meter	\$ 25.00

RESIDENTIAL FEES:

One, two, multi family dwelling and hotel room (less than 200 Amps – 3 trips & 2,000 sq. ft.)	\$ 220.00
One, two, multi family dwelling and hotel room (less than 200 Amps -3 trips, over 2,000 sq. ft.)	\$ 330.00

RESIDENTIAL ADDITIONS OR ALTERATIONS TO EXISTING COMPLEX:

One & two family dwelling additions – 2 trips & up 1,000 sq. ft	\$ 110.00
One & two family dwelling additions – 2 trips & up 2,000 sq. ft.	\$ 160.00
Multi- family dwelling per unit	\$ 150.00

RESIDENTIAL SWIMMING POOLS & SPAS:

Residential in ground	\$ 160.00
Residential above ground	\$ 110.00
Spas & Hot tubs	\$ 110.00

RESIDENTIAL GENERATORS:

Flat fee	\$ 110.00
With service change included	\$ 150.00

RESIDENTIAL EV \$ 110.00

RESIDENTIAL SOLAR ELECTRICAL SYSTEM:

Base fee	\$ 110.00
Additional fee for each panel	\$ 11.00

Residential Fire Repair \$35.00

A REINSPECTION FEE FOR SOLAR PANELS AND GENERATOR INSPECTIONS WILL BE ISSUED WHEN THERE IS NO CONTRACTOR PRESENT FOR THE INITIAL INSPECTION

RE-INSPECTION FEE:

Conducted as a result of defective workmanship, project not ready for inspection or required contractor not on site during initial inspection:

Residential re-inspection	\$ 110.00
Commercial re-inspection	\$ 165.00

COMMERCIAL FEES

COMMERICAL/INDUSTIAL FEES:

Base Fee	\$ 220.00
Per outlet, fixture, or device	\$ 2.25

TRANSFORMERS:

Not to exceed 200 KVA	\$ 100.00
Over 200 KVA	\$ 125.00
Over 500 KVA	\$ 175.00

MOTORS:

Single unit of group not exceeding 5 motors which total capacity does not exceed Less or equal to 1H.P.	\$ 15.00
1 H.P. - 2 H.P.	\$ 20.00
2 H.P. – 20 H.P.	\$ 25.00
Over 20 H.P.	\$ 30.00

ELECTRIC RANGES – WATER HEATERS OR SIMILAR DEVICES:

Single Unit or 20 KW or less	\$ 35.00
Each additional outlet for devices Of 20KW or less	\$ 25.00
Cable heat (first unit)	\$ 75.00
Each additional unit	\$ 20.00
Heat pumps and/or air conditioners	\$ 85.00

ELECTRICAL EVALUATION:

Visual inspection resulting from no initial permit or as-built conditions: Calculated on site through report (Minimum fee)	\$ 220.00
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SITE LIGHTING:

Each light pole	\$ 22.00
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COMMERCIAL EV:

First EV Charger	\$220.00
Each Additional EV Charger	\$ 85.00

BATTERY STORAGE FACILITIES:

Base Fee	\$ 550.00
Each Battery Storage Bank	\$ 325.00

COMMERCIAL SERVICE & METER EQUIPMENT

100 Amps – 225 Amps	\$ 200.00
Over 225 Amps – 400 Amps	\$ 300.00
Over 400 Amps – 600 Amps	\$ 400.00
Over 600 Amps – 1,000 Amps	\$ 500.00
Every 100 Amps over 1,000 Amps	\$ 100.00

COMMERCIAL SWIMMING POOLS:

Pools	\$ 250.00
Spas & Hot tubs	\$ 175.00

COMMERCIAL SOLAR ELCTRICAL SYSTEMS:

Base fee	\$ 300.00
Additional fee for each panel	\$ 25.00

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.9. Chapter 109 Amendments Referral and PH Resolution

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

WHEREAS, the Code Review Committee has reviewed the Fair Housing regulations of Chapter 109 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 109 (Fair Housing), by amending § 109-6, entitled “Enforcement”; § 109-10 “Education and promotion of housing goals”; and 109-11 “Affirmatively furthering fair housing”.
-

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 sets a public hearing for August 10th, 2026, at 6 pm in the Court Room of Hamburg Town Hall.

ATTACHMENTS:

[Fair Housing Amendments Clean Version.pdf](#)

Chapter 109

FAIR HOUSING

§ 109-1.	Policy.	§ 109-9.	Other remedies.
§ 109-2.	Definitions.	§ 109-10.	Education and promotion of housing goals.
§ 109-3.	Unlawful acts.	§ 109-11.	Affirmatively furthering fair housing.
§ 109-4.	Applicability.	§ 109-12.	Expedition of proceedings.
§ 109-5.	Exemptions.	§ 109-13.	Construal of provisions.
§ 109-6.	Enforcement.		
§ 109-7.	Penalties for offenses.		
§ 109-8.	Court action.		

[HISTORY: Adopted by the Town Board of the Town of Hamburg 8-4-196 by L.L. No. 8-1986; amended in its entirety 3-14-2005 by L.L. No. 2-2005. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 280.

§ 109-1. Policy.

It is the policy of the Town of Hamburg to provide for fair housing throughout the Town.

§ 109-2. Definitions.

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

ADVERTISING — Printing, circulating, placing or publishing or causing to be placed or published any written statement with respect to the availability of a dwelling for sale or rental.

DISABILITY — A physical or mental impairment which substantially limits one or more major life activities; a record of such an impairment or a condition regarded by others as such an impairment.

HOUSING UNIT — Any building, structure, or portion thereof which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one or more persons maintaining a common household.

MARITAL STATUS — Single, married, divorced, separated or widowed.

MILITARY STATUS — A person's participation in the military service of the United States or the military service of the state including, but not limited to, the Army National Guard, the Air National Guard, the New York Naval Militia, the New York Guard, and such additional forces as may be created by the federal or state government as authorized by law.[Added 5-23-2016 by L.L. No. 5-2016]

SEXUAL ORIENTATION — Heterosexuality, homosexuality, bisexuality, asexuality, whether actual or perceived, as well as a person's gender identity, self-image, appearance or expression.[Amended 5-23-2016 by L.L. No. 5-2016]

SOURCE OF INCOME — Payments from any lawful occupation or employment, as well as other payments, including, but not limited to, public assistance, public assistance security agreements, supplemental security income, pensions, annuities, unemployment benefits, government subsidies such as Section 8, or other housing subsidies.[Amended 5-23-2016 by L.L. No. 5-2016]

§ 109-3. Unlawful acts.

A. It shall be unlawful: [Amended 5-23-2016 by L.L. No. 5-2016]

- (1) To refuse to sell or rent or refuse to negotiate for the sale or rental or to deny any dwelling to any person because of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.
- (2) To discriminate against any person in the terms, conditions or provision of services or facilities in connection with the sale or rental of a dwelling because of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.
- (3) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.
- (4) For a person offering residential property for sale or rent or anyone acting on behalf of such a person to print or circulate or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for the sale or rental of a dwelling or to make any record or inquiry in connection with the sale or rental of a dwelling which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.

B. For purposes of this chapter, discrimination shall include:

- (1) A refusal to permit, at the expense of a disabled person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises (except that, in the case of rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted); and
- (2) A refusal to make reasonable accommodations in the rules, policies, practices or services when such accommodation may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

§ 109-4. Applicability.

This chapter shall apply to all residential structures located within the Town, as well as land zoned for residential uses.

§ 109-5. Exemptions.

- A. The prohibitions of this chapter shall not apply to a religious institution or organization limiting the sale, rental or occupancy of dwellings which it owns or operates to persons of the same religion or giving preference to such persons, unless membership in such religion is restricted on account of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children. **[Amended 5-23-2016 by L.L. No. 5-2016]**
- B. The prohibitions of this chapter against discrimination because of sex shall not apply to a residential building owned by a public body or by a private institution or organization and maintained, in whole or part, for the exclusive use of one sex.
- C. The provisions of this chapter shall not apply to:
 - (1) The rental of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of his family reside in one of such housing accommodations and the rental has occurred without advertising. **[Amended 5-23-2016 by L.L. No. 5-2016]**
 - (2) The restriction of the rental of all rooms in a housing accommodation to individuals of the same sex.
 - (3) The rental of rooms in a housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and he or members of his family reside in such housing accommodations.
 - (4) Solely with respect to age to the restriction of the sale, rental or lease of housing accommodations exclusively to persons 55 years of age or older.

§ 109-6. Enforcement.

- A. Filing of complaints.
 - (1) The Town shall receive and investigate complaints under this chapter. The Supervisor shall designate the Community Development Department Head of the Town to perform the function contained in this section and may also designate a not-for-profit fair housing organization to either assist the Community Development Department Head in conducting investigations or to complete said function and investigations.
 - (2) Any person or organization, whether or not an aggrieved party, may file with the Supervisor's designee a complaint of a violation of this chapter.
 - (3) The Supervisor's designee may investigate individual instances and patterns of conduct prohibited by this chapter, even without a complaint from another person or organization, and may initiate complaints in connection therewith.
- B. Investigation. The Supervisor's designee shall notify the accused party, in writing, within 30 days of the filing of any complaint. The designee shall make a prompt investigation in connection with the complaint and, within 100 days after a complaint is filed, determine whether the Town has jurisdiction and, if so, whether there is probable cause to believe that the person named in the complaint (hereinafter referred to as the "respondent"), has engaged or is engaging in an unlawful discriminatory practice. If, during or after the investigation, the designee believes that appropriate action to preserve the status quo or to prevent irreparable harm is advisable, the designee shall advise the Town Attorney, in writing, to bring immediately, in the name of the Town, any action necessary

to preserve such status quo or to prevent such harm, including the seeking of temporary restraining orders and preliminary injunctions.

- C. Action. If, at the conclusion of the investigation, the Supervisor's designee shall determine that there is probable cause to credit the allegation of the complaint, the designee shall certify the matter to the Town Attorney, who shall institute proceedings in the name of the Town. In the event of a conflict of interest between Town personnel and the respondent(s), the Supervisor's designee may refer the matter to outside counsel, providing notice to interested parties within 30 days of the date upon which the conflict was determined. **[Amended 5-23-2016 by L.L. No. 5-2016]**
- D. Conciliation. If, in the judgment of the Supervisor's designee, a conciliation agreement would satisfactorily resolve the complaint, he/she shall seek to facilitate such an agreement, which may include provisions requiring the respondent to refrain from unlawful discriminatory practices and pay such compensation and/or perform affirmative relief as is agreed upon by the parties. Conciliation agreements shall not be subject to confidentiality. **[Added 5-23-2016 by L.L. No. 5-2016]**

§ 109-7. Penalties for offenses.

- A. Any person found to have violated any provision of this chapter shall be subject to the following:
 - (1) A fine or penalty as set forth in the Schedule of Fines and Penalties. The Town may choose to designate a portion of any recovery to further the purposes of this chapter.
 - (2) Revocation or suspension of any license or permit necessary for the operation of the dwelling unit in question.
 - (3) Costs, expenses and disbursements incurred by the Town, necessary to obtain complete compliance by the respondent with the chapter; and/or restraining orders and temporary or permanent injunctions necessary to obtain complete compliance with this chapter.
- B. Each day a violation continues shall constitute a separate violation of this chapter.
- C. The Town Attorney may institute criminal action to punish a violation of this chapter by imprisonment for a term not exceeding 30 days if the above proceeding does not result in compliance with this chapter.
- D. The Town may choose to designate a portion of any penalties recovered to further the purposes of this chapter, including further public information; the engagement of a fair housing agency or agencies to further promote fair housing activities within the Town; the participation by the Town in/ with any other organization whose principal goal is to provide fair housing and/or housing counseling activities; the offset of any fees and/or expenses originated with the pursuit of this chapter.

§ 109-8. Court action. [Amended 5-23-2016 by L.L. No. 5-2016]

Any person claiming to be aggrieved by an unlawful discriminatory practice as defined by § 109-3A of this chapter shall have a cause of action in any court of competent jurisdiction within one year from the date of the occurrence for damages and such other remedies as may be appropriate. The court may:

- A. Award actual damages, including but not limited to mental anguish, embarrassment and humiliation;
- B. Award punitive damages;

- C. Award reasonable attorney's fees in the case of a prevailing plaintiff; and/or
- D. Grant as relief as it deems appropriate, any permanent or temporary injunction, temporary restraining order or other order. No bond shall be required prior to the issuance of injunctive relief.

§ 109-9. Other remedies.

Nothing in this chapter shall be construed to limit the rights of the complainant to pursue, at any time prior to or after the filing of a complaint, any other remedies which the complainant may have under the law of any state, the United States or any jurisdiction. Pursuit of one or more remedies available under this chapter shall not preclude the pursuit of any other remedy available under this chapter.

§ 109-10. Education and promotion of housing goals.

- A. Immediately after the enactment of this chapter, the Town shall commence educational activities which will explain the law and help to promote the Town's fair housing goals. Such activities shall continue while this chapter remains in force.
- B. Housing providers or real estate brokers selling or renting 20 or more dwelling units within a calendar year shall formulate an affirmative fair housing marketing plan, which must be filed with the Community Development Department Head or their designee. At minimum, such affirmative fair housing marketing plans shall include a statement of nondiscrimination and a marketing plan designed to attract a diverse pool of applicants. The Town may require annual reports of housing providers' compliance with their plans.
- C. Housing providers or real estate brokers selling or renting 20 or more dwelling units within a calendar year shall be required to use the equal opportunity logotype on applications and marketing materials and to display, in rental or real estate offices, a public notice of equal opportunity housing.

§ 109-11. Affirmatively furthering fair housing. [Added 5-23-2016 by L.L. No. 5-2016]¹

- A. In order to assure integration within a multifamily development, if affordable units are offered, affordable units shall not be clustered, but mixed with market-rate units. Additionally, the exterior appearance of affordable units shall be made to be the same as market-rate units by the provision of exterior finishes and materials of the same type and quality.

1. Editor's Note: This local law also renumbered former §§ 109-11 and 109-12 as §§ 109-12 and 109-13, respectively.

§ 109-12. Expedition of proceedings.

Any court in which a proceeding under this chapter is instituted shall assign the case for hearing at the earliest practicable date and cause the case to be expedited in every way.

§ 109-13. Construal of provisions.

Nothing in this chapter shall be construed to invalidate or limit any law of the state, the United States or any other jurisdiction that grants, guarantees or protects the same rights granted, guaranteed or protected by this chapter.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.10. Non-CFA Zoning Article XLIV Site Plan Review Amendments SEQR Negative Declaration

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

WHEREAS, the Town of Hamburg, over a three-year process, completed and adopted a new Comprehensive Plan for the Town; and

WHEREAS, zoning must be in accordance with a Comprehensive Plan, and the Town wants to continue the process of bringing the Town's Zoning Code and Zoning map into conformance with the Town's new 2022 Comprehensive Plan; and

WHEREAS, the Town formed a Comprehensive Plan Implementation Committee (CPIC) who, in accordance with the Comprehensive Plan and having completed other studies and reports on land use issues in the Town, has recommended that the Town Board pursue numerous code amendments; and

WHEREAS, the Town of Hamburg directed the Town Planner to work with the CPIC and a special zoning code committee to develop other priority zoning code updates that were not included in a CFA grant that was received by the Town; and

WHEREAS, the Town CPIC, special zoning code committee, and the Town Planner have developed specific Code amendments related to other various zoning issues in the Town; 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 280 (Zoning) "Article XLIV Site Plan Review" in its entirety; and

WHEREAS, a public hearing was held regarding these Code amendments on June 8th, 2026, and comments were received and acknowledged from the public, and from Erie County, based on the 239-m referral.

NOW, THEREFORE, BE IT RESOLVED, the Hamburg Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed amendments to the Zoning Code of the Town of Hamburg Code of Ordinances will not adversely affect the natural resources of the State and/or the health, safety, and welfare of the public and is consistent with social and economic considerations and, therefore, issues the attached SEQRA Negative Declaration in accordance with Section 617.7 of the SEQRA regulations; and

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to sign the Full Environmental Assessment Form (FEAF Parts 1, 2, and 3), which will act as the Negative Declaration.

ATTACHMENTS:

[FEAF Part 1 for Amendment of Site Plan Review.pdf](#)
[FEAF Part 2 for Amendment of Site Plan Review.pdf](#)
[FEAF Part 3 for Amendment of Site Plan Review.pdf](#)

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐ Yes ☐ No		
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
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):

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. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
b. Is the use permitted or allowed by a special or conditional use permit?	□ Yes □ No
c. Is a zoning change requested as part of the proposed action? If Yes,	□ Yes □ No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? _____	
b. What police or other public protection forces serve the project site? _____	
c. Which fire protection and emergency medical services serve the project site? _____	
d. What parks serve the project 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)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? □ 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: _____ 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.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:	

iii. If other than water, identify the type of impounded/contained liquids and their source.	

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.	

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	

v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

E. Site and Setting of Proposed Action

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

c. Is the project site presently used by members of the community for public recreation? ☐ 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 ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ 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? _____ feet
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %
d. What is the average depth to the water table on the project site? Average: _____ feet
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained _____ % of site
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____
i. Is the project site in a designated Floodway? ☐ Yes ☐ No
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____

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

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature  _____ Title _____

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

Agency Use Only [If applicable]

Project :

Date :

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

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

Tips for completing Part 2:

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

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☐ NO

☐ YES

If “Yes”, answer questions a - j. If “No”, move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts:		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☐ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached:	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:	E3c	☐	☐
c. Other impacts:		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

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

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

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100-year or a 500-year floodplain.	E2j, E5a, E5b	☐	☐
c. The proposed action may result in development in an area potentially affected by sea level rise.	E2k, E5c	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts:		☐	☐
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6. Impacts on Air and Climate

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) or generate greenhouse gas emissions over 10,000 metric tons of carbon dioxide equivalents (See Part 1. D.2.h)

☐ NO

☐ YES

If “Yes”, answer questions a - i. If “No”, move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also have the potential to emit one or more regulated air contaminants at or above the following levels: i. More than 100 short tons/year of carbon monoxide (CO) ii. More than 100 short tons/year of oxides of nitrogen (NO _x) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island iii. More than 100 short tons/year of particulate matter (PM-10, PM-2.5) iv. More than 50 short tons/year of volatile organic compounds (VOC) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island v. More than 100 short tons/year of sulfur dioxide (SO ₂)	D2g D2g D2g D2g D2g	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐
b. The proposed action has the potential to emit 10 short tons/year or more of any one designated hazardous air pollutant, or 25 short tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may include a heat source capable of producing more than 20 million BTUs per hour.	D2f, D2g	☐	☐
d. The proposed action may exceed 50% of any of the thresholds in “a” or “b”, _____ above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of solid, hazardous, or hospital/medical/infectious waste.	D2f, D2s	☐	☐
f. The proposed action is subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231.	D2g	☐	☐
g. The proposed action will emit more than 10,000 metric tons of CO ₂ equivalents per year.	D2h	☐	☐
h. A municipality adopted comprehensive or individual plan addressing climate change applies to the proposed action and the proposed action would materially conflict with the achievement of one or more goals of the plan related to climate change.	C2d	☐	☐
i. Other impacts:		☐	☐

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

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

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

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

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

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

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

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

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. ☐ NO ☐ YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts:		☐	☐

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. ☐ NO ☐ YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts:		☐	☐

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☐ YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☐ NO

☐ YES

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

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

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

19. Impact on Disadvantaged Communities

The proposed project may impact a disadvantaged community.
(See Part 1. E.4)

☐ NO

☐ YES

If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool ?	E.4.c	☐	☐
b. The proposed action may create new air emissions or increase existing air emissions within a disadvantaged community.	D.2.f-i, E.4	☐	☐
c. The proposed action may create new wastewater treatment or discharges, or expand existing wastewater treatment or discharges, within a disadvantaged community.	D.2.d	☐	☐
d. The proposed action creates or expands a solid or hazardous waste management facility, or involves the generation of solid or hazardous waste, within or near a disadvantaged community.	D.2.r, D.2.s, D.2.t, E.1.f, E.1.g	☐	☐
e. The proposed action may increase traffic within a disadvantaged community.	D.2.j	☐	☐
f. The proposed action affects or involves one or more of the following facility types: i. landfill; ii. other industrial, manufacturing, or mining land uses; iii. major oil or chemical bulk storage facility; iv. municipal waste combustor; v. power generation facility; vi. risk management plan site; vii. remediation site; or viii. scrap metal processor.	C.3.c, D.1.a, D.1.g, D.2.a, D.2.d, D.2.f, E.1.a, E.1.b, E.1.h, E.1.v, E.4	☐	☐
g. Other impacts:		☐	☐

20. Future Physical Climate Risks

The proposed project may be vulnerable to future physical climate risks or increase the vulnerability of human or ecological communities to future physical climate risks.

☐ NO ☐ YES

(See Part 1. E.5)

If “Yes”, answer questions a - e. If “No”, proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is vulnerable to damage from a projected 100-year flood.	E2j, E5a	☐	☐
b. The proposed action is vulnerable to damage from a 500-year flood.	E2k, E5b	☐	☐
c. The proposed action is in an area potentially affected by sea level rise.	E5c	☐	☐
d. The proposed action may increase the vulnerability of human or ecological communities to the following: i. drought ii. temperature extremes (hot or cold) iii. extreme storms, including high winds iv. landslides v. coastal erosion vi. stormwater flooding vii. other climate or weather hazards? If yes, describe: _____	E5d	☐	☐
e. Other impacts:		☐	☐

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts

and

Determination of Significance

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

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

Reasons Supporting This Determination:

To complete this section:

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

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☐ Type 1
☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

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

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

Other involved agencies (if any)

Applicant (if any)

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

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.11. Non-CFA Zoning Article XLIV Site Plan Review Amendments Adoption Resolution

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

WHEREAS, the Town of Hamburg, over a three-year process, completed and adopted a new Comprehensive Plan for the Town; and

WHEREAS, zoning must be in accordance with a Comprehensive Plan and the Town wants to continue the process of bringing the Town's zoning Code and Zoning map into conformance with the Town's new 2022 Comprehensive Plan; and

WHEREAS, the Town formed a Comprehensive Plan Implementation Committee (CPIC) who, in accordance with the Comprehensive Plan and having completed other studies and reports on land use issues in the Town, has recommended that the Town Board pursue numerous code amendments; and

WHEREAS, the Town of Hamburg directed the Town Planner to work with the CPIC and a special zoning code committee to develop other priority zoning code updates that were not included in a CFA grant that was received by the Town; and

WHEREAS, the Town CPIC, special zoning code committee, and the Town Planner have developed specific Code amendments related to other various zoning issues in the Town; 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 280 (Zoning) "Article XLIV Site Plan Review" in its entirety; and

WHEREAS, a public hearing was held regarding these Code amendments on June 8th, 2026, and comments were received and acknowledged from the public and Erie County, based on the 239-m referral.

WHEREAS, the Hamburg Town Board, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, has issued a SEQR Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board amends Local Law #10 of the year 1986 of the Code of the Town of Hamburg Chapter 280 entitled “Zoning” to provide for the revision of the Town Code, as referenced above and attached.

ATTACHMENTS:

[4-11-26 Town of Hamburg Site Plan Law Clean Final Version.pdf](#)

ARTICLE XLIV Site Plan Review

§ 280-307 Intent.

The intent of site plan review within the Town of Hamburg is to ensure the efficient use of land, consideration of potential impacts on the community and the environment and their avoidance, wherever possible, and the promotion of high standards in the design, layout, landscaping and construction of development, to ensure development conforms to the Town of Hamburg Comprehensive Plan and provisions of this chapter.

§ 280-307.1 Authority; Enforcement.

The Town Board of the Town of Hamburg, pursuant to the provisions of §274-a of Town Law, does hereby grant the Hamburg Planning Board the power and authority to review and approve, approve with conditions, or disapprove plans that require site plan approval under this chapter.

§ 280-307.2 Applicability.

Unless otherwise provided and as regulated by the Subdivision Regulations of the Town of Hamburg, ¹ site plan review and a site plan approval shall be required for all uses, buildings, and structures that require a building permit or a certificate of occupancy under this chapter and for which an application therefor has been made to the Town of Hamburg, except for a farm, residential decks, signs, fences, one- family dwelling or a two-family dwelling and their permitted accessory uses, buildings or structures, or similar uses as determined by the Supervising Code Enforcement Officer prior to the issuance of a building permit or certificate of occupancy.

In general, this includes the following actions:

1. All new commercial, industrial, or institutional structures and uses.
2. All new multifamily housing.
3. Any exterior modification/or addition of existing commercial, industrial, institutional or multifamily buildings.
4. Any conversion of an existing residential structure to a nonresidential structure.
5. Any conversion of an existing nonresidential structure into a residential structure containing three or more dwelling units.
6. Any modification to an existing residential structure which increases the number of dwelling units in the building to three or more dwelling units.
7. Any conversion of an existing nonresidential building from one type of use specified in this chapter to another.
8. The removal of greenspace, significant revisions to landscaping, additions of impervious surface, and/or modifications which affect parking for commercial, industrial, or institutional structures and uses, or residential structures containing three or more dwelling units.

§ 280-308. Administrative review waiver.

- A. An administrative review waiver may be issued if a proposed project is minor in nature to the extent that a full site plan review before the Planning Board may not be necessary. An administrative review waiver requires the site to have previously approved existing structure(s) and use(s). If the modifications are deemed minor by the Administrative Review Waiver Committee, consisting of a representative of the Building Department, the Town Engineer, a representative of the Planning Department and the Planning Board Chair, an administrative review waiver may be issued upon payment of the required fee (as set by the fee schedule that is established by resolution of the Hamburg Town Board). A minimum of three (3) signatures from the Administrative Review Waiver Committee must be secured on the administrative review waiver application to approve an administrative review waiver. Should there be a tie vote from the Administrative Review Waiver Committee, the project will be required to come to the Planning Board for site plan review. Once the administrative review waiver is approved or the Planning Board has issued site plan approval if the waiver was not granted, then the applicant may apply for a building permit. Furthermore, the administrative review waiver may include conditions that must be met for the issuance of the building permit.
- B. In general, an administrative review waiver may be issued for a project that has met one or more following criteria as determined by the Administrative Review Waiver Committee:
- (1) Additions or detached accessory structures of less than 1,500 square feet or which represent less than 10% of the existing structure, whichever is less, where no variances are needed for construction.
 - (2) A minor change in use that does not require additional parking.
 - (3) Such other minor changes or similar uses as determined by the Administrative Review Waiver Committee.
- C. In certain cases, the preparation of a site plan application may be deemed necessary to meet the requirements of an administrative review waiver process. It may also be determined that the proposed project needs formal site plan approval from the Planning Board.
- D. Determinations and approval conditions for an administrative review waiver may only be appealed by the applicant by appearing before the Planning Board under a formal site plan application. Approval of any administrative review waiver shall remain in effect for a period of not more than one year, unless a successful application for a building permit has been made within that period.

1. Editor's Note: See Ch. 230, Subdivision Regulations.

§ 280-309. Pre-application and Sketch Plan Submittal Process.

- A. If desired, an applicant may submit an optional sketch plan application, including a form (available from the Planning Department and on the Town website) and the appropriate associated fee at least 14 calendar days prior to the next available Planning Board meeting. Applicants are also encouraged to schedule a coordination meeting with the Planning Department prior to submitting a sketch plan application.
- B. Although there are no specific material requirements for a sketch plan submittal, the applicant should supply as much information as possible to illustrate what they are proposing. A survey of the property and a sketch of what is proposed would be very important, and any other materials that could further outline the proposed project, including but not limited to: conceptual site plan and renderings, elevation drawings, aerial maps, etc...
- C. The purpose of sketch plan review is to assist the applicant with understanding any concerns of the Planning Board, application requirements, and interpretation of the type of project.
- D. The Planning Board will informally review the overall design and layout against the intent and requirements of this chapter and provide feedback to the applicant on potential issues or concerns that should be addressed or additional information that should be submitted, if the applicant proceeds to full site plan application. The applicant can decide as to whether to submit an amended sketch plan to the Planning Board for further review, make a formal site plan application, or decide not to proceed.

§ 280-310. Procedure for review and approval of a site plan application.

- A. Once it is determined that a full site plan process is needed (see previous sections), the applicant must decide if they want to move forward with their application. If an applicant wants to move forward, a complete site plan application, including any specific information that the Planning Board requested during the sketch plan step (if the applicant received sketch plan direction), must be submitted to the Planning Department at least 14 calendar days prior to the next available Planning Board meeting. If the Planning Department determines that the application meets the site plan requirements, the application will be placed on the next available Planning Board agenda.
- B. Prior to any formal approval of a site plan, and once the Planning Board determines that the application is acceptable for further consideration and action, the Planning Board shall hold a public hearing, which shall be advertised at least once in a newspaper of general circulation in the Town at least five business days before such hearing. The Town shall also notify all adjoining property owners by mail of the public hearing. As a part of the public hearing for the site plan, a sign-in sheet shall be provided for the purpose of inclusion in Planning Board meeting minutes.
- C. Prior to moving forward with any decisions on the site plan application, the Planning Board shall hold the required public hearing, complete SEQR, and meet the requirements of County and adjoining community referral, if required, for the action.
- D. The Planning Board shall review the application, site plan and supporting data and, at a regular meeting of the Planning Board, after completing the public hearing, determining that all requirements have been met, after completing any required referrals and the SEQR process

(as needed), shall approve, approve with modification, or disapprove the site plan. The Planning Board Chair will sign the site plan once the Town Engineer has determined that the engineering plans are acceptable and authorize the chair to sign the plan. The signed site plan shall be kept in the Planning and Engineering department files.

- E. Approval of any site plan so deemed shall remain in effect for a period of not more than one year unless a successful application for a building permit (or any other necessary required permit for a site plan that does not require a building permit) has been made within that period. If the applicant cannot meet this expiration period, they can apply in writing to the Planning Department for a single six-month extension prior to expiration, that could be granted by the Planning Board. When an extension is received, the Planning Department shall add the request to the 'Other Business' portion of the next available Planning Board meeting for the Planning Board to approve or deny.
- F. Site plan applications that are tabled by the Planning Board for additional information, or at the request of the applicant, will remain as tabled items for up to ninety calendar days (six subsequent Planning Board meetings). If during this ninety-day period, no new information is received, or unless an extension is requested and approved, the application will be considered to be expired after this ninety-day period of inactivity. Prior to the expiration of the application, the applicant can request in writing to the Planning Department that the ninety-day period be extended for one additional ninety-day period. To begin the process again, within one hundred eighty days of the expiration, the applicant will need to resubmit the application with 50% of the required fee. After one hundred eighty days of the date of expiration of the application, a new application will be required with the full application fee.
- G. If a site plan has been approved with conditions, pre-construction related conditions must be met prior to issuing any permit to begin construction. Construction or post construction conditions must be ensured through the Town's inspection process and confirmed to be met prior to any certificate of occupancy or operation permit is granted.

§ 280-310.1. Authority to require additional data.

In addition to the required site plan and supporting data indicated in this Article, the Planning Board may request of an applicant or their agent additional supporting data or plans that the Planning Board deems necessary and pertinent to carry out its responsibility for site plan review as provided in this Article.

§ 280-311. Submission of site plan and supporting data.

- A. The applicant or their agent shall submit five (5) hard copies of the site plan application form, site plan, other required Town forms, a SEQR EAF (part 1), and an application fee (to be determined by the Town). An electronic copy of these materials must also be submitted.

The copies of a site plan and supporting data are to be prepared by and bearing the official seal and signature of a licensed architect, landscape architect, civil engineer or land surveyor (permitted by law to do such). These materials will include the following information, presented in drawn form at a scale approved by the Town and accompanied by a written text:

- (1) Survey of the property showing existing topographic features, including contours, large trees, buildings, structures, streets, property lines, utility easements, rights-of-way and

land use, and the zoning and ownership of surrounding property.

- (2) A site plan showing proposed lots, blocks, building locations, all land use areas, including any outdoor proposed uses, fire and emergency vehicle access (any communication with emergency service providers), and lighting (lighting analysis, if requested).
 - (3) An aerial photograph of the site and surrounding properties, marked up to illustrate how the proposed plan fits in with the surrounding properties.
 - (4) Traffic circulation, parking and loading spaces and pedestrian walks.
 - (5) Landscaping plans, including site grading, drainage existing and proposed landscape materials, including trees and shrubs, and their locations, identification of those materials to be removed, existing and proposed structures and all greenspace areas designed as part of the site environment. Natural site features and vegetation shall be preserved and integrated into the proposed site development wherever possible. These areas to be preserved/protected shall include some form or means to accomplish their protection, including the use of conservation easements. All new trees shall have a minimum of three inches of caliper measured six inches above the ground and be in accordance with the Town's approved tree and vegetation list.
 - (6) If requested by the Planning Board, a visualization of the proposed project and how the new development and proposed landscaping will help buffer or improve the character of the area (a visual impact analysis may also be requested).
 - (7) Preliminary engineering plans, including street improvements, storm drainage system, public utility extensions, water supply, sanitary sewer facilities, outdoor lighting and the location of existing and proposed fire hydrants as approved by the Fire Chief or Town Engineer.
 - (8) Preliminary architectural drawings/elevations for buildings to be constructed.
 - (9) Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas.
 - (10) Other information as determined during sketch plan review and/or during site plan application review.
- B. Stormwater pollution prevention plan. When applicable, a stormwater pollution prevention plan consistent with the requirements of the Town's laws, shall be required for final engineering approval and shall be submitted to the engineering department following site plan approval by the Planning Board. The SWPPP shall meet the performance and design criteria and standards in the Town of Hamburg laws. The approved site plan shall be consistent with the provisions of the Town's codes and laws.
- C. Access management. **[Added 8-17-2015 by L.L. No. 11-2015]**
- (1) General. One of the most important objectives of access management is reducing the potential for conflicts, particularly along the most heavily traveled roads. The best methods for achieving a reduction in conflicts are reducing the number of conflict points and separating through from local traffic. Land use development and transportation can be brought into balance, and conflicts can be reduced, through appropriate limitations on the number of driveways and the enforcement of driveway and corner clearance

standards.

- (a) Properties with frontage on two or more roads do not have the right to driveway access to all such roads.
 - (b) Driveways may be required to be located so as to provide shared access and/or cross-access with an abutting parcel or properties.
 - (c) Curb cuts and driveway spacing for new development or redevelopment will be evaluated by the Planning Board on a case-by-case basis to reduce conflicts and ensure traffic safety and efficiency. In certain cases, minimum spacing requirements, as deemed appropriate by the Planning Board and that comply with established State, County or Town standards, shall be applied.
- (2) Corner clearance. Corner properties present special problems because they are extremely attractive to high-volume peak-hour traffic businesses whose designs often create conflict areas that overlap with the conflict area of the intersection.
- (a) Corner clearance is to be measured along the road from the center line of the driveway pavement to the closest edge of the road pavement. Where road widening is planned or anticipated in the future, corner clearance should be increased to provide for the width of the additional lane.
 - (b) Driveways for corner properties shall meet or exceed the minimum corner clearance requirements as determined by the jurisdictional agency.
 - (c) Driveways should be located outside of the functional area of the intersection or, if this is not possible, driveways should be placed as far as possible from the intersection.
 - (d) Cross-access to adjoining properties should be encouraged to the greatest extent possible.
- (3) Driveway location.
- (a) Driveway location will be based on a site plan that has been approved by the Town Planning Board in consultation with the Town Engineer and, where appropriate, the Town Highway Superintendent (Or County or NYSDOT officials for County and NYS roadways).
 - (b) The Town Planning Board may allow the location of driveways (on Town roads) at less than the minimum driveway spacing standards and corner clearances standards if:
 - [1] A dual-driveway system, cross-access driveway system or shared driveway is proposed and this improves the safe and efficient movement of traffic between the parcel and the road;
 - [2] A driveway or driveways could be located so as to meet the minimum driveway spacing standards and corner clearance standards, but the characteristics of the parcel or the physical or operational characteristics of the road are such that a change of location will improve the safe and efficient

movement of traffic between the parcel and the road; or

[3] Conformance with the driveway spacing standards or corner clearance standards imposes undue and exceptional hardship on the property owner.

[4] The spacing is approved by the Town Highway Department.

- (4) For properties unable to meet the minimum driveway spacing standards or corner clearance standards, a temporary driveway may be granted. The granting of a temporary driveway will be conditioned on obtaining a shared driveway, cross-access driveway or unified parking and circulation with an adjoining parcel, and closure of the temporary driveway in the future.

D. Landscaping. [Added 8-17-2015 by L.L. No. 11-2015]

- (1) A detailed landscaping plan shall be included with the site plan submission. This landscape plan shall be prepared and certified by a New York State licensed landscape architect.
- (2) A minimum ground area of not less than 10% of the total site area to be developed shall be landscaped area. Five percent of internal parking areas) shall be green space (landscaped islands).
- (3) For all areas, planted deciduous trees shall have a minimum of caliper of 3 inches, measured six inches above grade. All planted coniferous trees shall have a minimum height of five feet above finished grade.
- (4) All existing trees larger than six inches in diameter, groups of trees and other natural vegetation shall be incorporated into the landscape plan to the maximum extent practicable to provide natural buffering from adjacent properties (especially residential uses). Efforts shall be made to preserve these features, especially along lot lines. If these trees along boundaries cannot be preserved, greater setbacks/buffers may be required. Areas noted on the site plan for preservation must be protected by an instrument (like a conservation easement) approved by the Town Attorney, delineated at the site and approved by the Town prior to construction. A note indicating this requirement must appear on the site plan to be approved.
- (5) Selected vegetative plantings shall be compatible with soil conditions on the development site as well as the regional climate.
- (6) Plastic or other types of artificial plantings shall not be permitted.
- (7) The landscaping design shall include the provision for pedestrian access to and from the site.
- (8) The landscape plan shall include trees and other design treatments that complement the existing streetscape design.
- (9) The arrangement and location of landscaped areas shall be dispersed throughout the development site so as to prevent unsightliness and eliminate the monotony of parked cars.
- (10) At least one tree per 30 feet of frontage shall be planted in the required forty-foot setback

area. Additional trees shall be planted throughout the developed area at a ratio of one tree per 30 feet of side and rear yard dimension with the area to be developed. Trees may be spaced evenly or clustered. Acceptable trees shall be limited to those trees listed on the Town's planting list. This list is available from the Planning Department. Substitution of planting material may be approved by the Planning Board.

- (11) All required vegetative plantings shall be maintained in a healthy and productive condition and shall be routinely examined. Plant materials shall be replaced, as necessary or as directed by the Town. The Town Code Enforcement Officer shall enforce the upkeep of landscaped areas through periodic inspections and in response to complaints (five years after site plan development finalized or final Certificate of Occupancy).
- (12) In areas of specific overlay districts, these districts may have additional or other specific landscaping requirements.

E. Architectural standards. **[Added 8-17-2015 by L.L. No. 11-2015]**

- (1) Blank walls and other dead or dull spaces at the street level shall be avoided. Visually interesting activities at the sidewalk edge shall be maintained and/or established to engage pedestrian interest.
- (2) Building frontages should be active, with large nonreflective, minimally tinted window openings at ground level.
- (3) New building forms and elevations should be detailed and articulated to create interesting rooflines and strong patterns of shade and shadow.
- (4) Large structures should be designed to reduce their perceived height and bulk by dividing the building mass into smaller-scale components.
- (5) The rear of buildings (existing and proposed) shall be enhanced, where appropriate, to improve public access from parking lots and to improve views to surrounding residential properties.
- (6) In some cases, the Planning Board may ask for alternative architectural plans to be submitted.
- (7) The visibility of rooftop equipment should be minimized by grouping this equipment away from public view. If visible, it will also be necessary to screen these units.
- (8) Building designs should incorporate traditional building materials such as masonry, stone, brick and other natural appearing materials. Building colors should accent, blend with or complement the surrounding environment.
- (9) Dumpsters shall be placed on a concrete pad, and completely enclosed.
- (10) In areas of specific overlay districts, these districts may have additional or other specific architectural requirements.

§ 280-312. Criteria for review and approvals.

- A. The Planning Board shall review the site plan and supporting data and take into consideration

the following:

- (1) Harmonious relationship between proposed uses and existing adjacent uses.
 - (2) Maximum safety of vehicular circulation between the site and street network.
 - (3) Pedestrian and bicycle accommodation.
 - (4) Adequacy of interior traffic circulation and parking and loading facilities, with particular attention to vehicular and pedestrian safety.
 - (5) Adequacy of landscaping, areas to be protected, and setbacks in regard to achieving maximum compatibility with and protection of adjacent property and land uses.
 - (6) The specific requirements of any overlay or other Town design requirements (wetlands, floodplains, conservation areas, etc.).
 - (7) Aesthetic, landscaping and other design requirements.
 - (8) Infrastructure impacts.
 - (9) Public health and safety.
 - (10) Drainage, flooding, and grading impacts.
 - (11) Environmental impacts.
 - (12) For residential development, the adequacy of open space, playgrounds, and other recreational amenities.
 - (13) Other applicable ordinances and laws of the Town of Hamburg.
- B. Should changes or additional facilities be recommended by the Planning Board, recommended approval of the site plan shall be conditional upon satisfactory compliance by the applicant with the changes or additions.
- C. In cases where any action of the Zoning Board of Appeals is required, the site plan shall be the subject of a preliminary review by the Planning Board, in accordance with the review procedure set forth above, before action is taken by the Zoning Board of Appeals. After such action by the Zoning Board of Appeals, the Planning Board shall conduct a final review of the site plan.
- D. The Planning Board, in making its decision concerning the site plan, shall determine if a sidewalk is warranted to be placed along the site's frontage along a town, county, or state highway. The Planning Board shall state in its approval resolution the reasoning as to whether the sidewalk is or is not required for the site's frontage (Reference to the Town of Hamburg's Sidewalk Plan shall be made – once adopted).

§ 280-313. Performance bond as condition of approval.

The Planning Board may require, as a condition of site plan approval, that the property owner file a performance bond, in such amount as determined by the Town Engineer, to ensure that the proposed development will be built in compliance with accepted plans.

§ 280-313.1. Violations of approved plans. [Added 6-25-2012 by L.L. No. 2-2012]

In the event that, during construction, the property is not developed in accordance with the approved site plan, the Building Inspector will utilize his enforcement responsibilities to bring the site into conformance with the approved plan. In the case where the site cannot be brought into conformance with the approved plan (for example, an area denoted on the plan for preservation of trees is disturbed), the Building Inspector can issue a stop-work order and require the owner/applicant to return to the Planning Board for potential approval of a revised plan. This approval of a revised plan may require mitigation actions (for example, replacement of trees in a higher ratio than those removed, screening, additional landscaping, improved aesthetics to the site, etc.) or modifications to the plan, and bonding in accordance with § 280-313.

§ 280-313.2. Violations and penalties.

A violation of this Chapter and conviction thereof shall be punishable by a fine as set forth in the Schedule of Fines and Penalties.

§ 280-313.3. Landscaping installation certification. [Added 4-13-2015 by L.L. No. 3-2015]

Where a landscape plan is specifically required by law, or where it is required by the Planning Board, the applicant shall submit a certification from the Engineering Department that the required landscaping has been installed in accordance with the approved landscape plan. This certification shall be submitted to the Building Department along with other required information, prior to the Building Department issuing a certificate of occupancy (CO) or a conditional CO.

§ 280-314. Site plan revisions.

A property owner wishing to make any changes to an approved site plan shall submit a revised site plan to the Planning and Engineering Departments for review and approval. Any changes deemed significant variation from the approved plan, as determined by these departments, shall go before the Planning Board for approval.

§ 280-315. Other Requirements.

1. Requirement for EV charging stations for site plans (in accordance with Chapter LXII Electric Vehicle Charging Stations).

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.12. POLICE –Budget Admendment

WHEREAS, the Town of Hamburg Police Department receives distribution payments from a share of assets forfeited from defendants from time to time and,

WHEREAS, these items are not included in the 2026 budget,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the receipt of the following monies and approves a budget amendment to the revenue account as follows:

ATTACHMENTS:

[POLICE Budget Adjustment AF_2548.10.pdf](#)

Board Meeting Date: **Monday, July 13, 2026**
Resolution Number:

Recoveries and Sales Budget Adjustment			
Receipt	Revenue Code	Expenditure Code	
Amount	To Increase	To Increase	Purpose/Source
\$2,548.10	B.4358.519		Assets Forfeited
Total:			
\$2,548.10			

**Town Board of the Town of Hamburg
July 13, 2026 Meeting**

4.13. PAF - POLICE - Crossing Guard PT

Be it resolved, that the Town Board approve the termination of personnel for the Police Department as follows:

ATTACHMENTS:

[Signed Police PAF_Schott_S-Crossing Guard.pdf](#)

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 6/29/26 Department: POLICE

Department Head Signature: *Peter D. ...*

Supervisor Signature: *[Signature]* Date: 7/2/2026

TOWN BOARD MEETING OF 7.13.2026

PAGE 1 of 1

POLICE

Dr. D. J. J.

James Earl Ray

7.13.2026

4

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

[illegible]

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.14. Authorize Amendment to Contract with the Town of Hamburg EMS

Whereas, the Hamburg Volunteer Ambulance Company, Inc. ("HVAC/HEMS"), a not-for-profit corporation, provides staffing, management, vehicles, equipment and supplies for the provision of basic life support and advanced life support, first response services in the Town; and

Now, Therefore, Be It Resolved, that the town is authorized to pay HVAC the sum of up to three hundred fifty thousand dollars (\$350,000.00) for such services, equipment and supplies. Funds will be transferred from A000.0000.0909.000 to A000.4540.0423.0000 (Ambulance Maintenance and Service Contracts).

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.15. Amendment to the Volunteer Fire Company 2026 Contracts

Resolved, the Town of Hamburg Board authorizes an amendment to the Volunteer Fire Company 2026 contracts as reviewed with the Fire Chiefs.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.16. BOCES Volunteer Work Program Agreement

THIS AGREEMENT, made this 16th day of June, Two Thousand Twenty-Six, between TOWN OF HAMBURG ("TOWN"), a municipal corporation with a principal office at 6100 South Park Avenue, Hamburg, New York, and the Board of Cooperative Educational Services for the Second Supervisory

District of Erie, Chautauqua, and Cattaraugus Counties, also known as Erie 2-Chautauqua-CattaraugusBOCES ("E2CCB"), having its principal offices at 8685 Erie Road, Angola, New York 14006.

WHEREAS, the Town of Hamburg is desirous of providing volunteer work experience to E2CCB student Drew Norton ("Student"), throughout the Town of Hamburg Recreation Department by assigning tasks/duties, providing general on-going supervision at the site, and providing verbal feedback

to E2CCB staff relative to the student's performance.

WHEREAS, the E2CCB will comply with all TOWN insurance requirements, provide proof of insurance meeting the TOWN requirements, transportation arrangements, initial one-on-one training on assigned tasks, on-going follow-up and assistance as needed to the student.

NOW, THEREFORE, in consideration of the good and valuable consideration recited below, and the mutual promises contained herein, it is hereby agreed as follows:

1. THAT the TOWN shall provide volunteer work experience to the Student through E2CCB at the Town of Hamburg Recreation Department.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.17. Recreation Budget Adjustment - Tennis Grant

WHEREAS, a check for \$2,500.00 was received by the Youth, Recreation & Senior Services Department from the United States Tennis Association as a grant for Town of Hamburg Youth, Recreation & Senior Services Tennis Programs.

NOW, THEREFORE BE IT, RESOLVED, that the Town Board does hereby authorize a budget amendment in 2026 to increase the appropriate expenditure lines to be used for future program needs.

Transfer \$2,500.00 from A000.0000.2705.0000 (Gifts and Donations) to A000.7310.0412.0000 (Recreation Supplies).

**Town Board of the Town of Hamburg
July 13, 2026 Meeting**

4.18. 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 attached.

ATTACHMENTS:

[DOC070626.pdf](#)

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 7/6/26 Department: Youth, Recreation, & Senior Services

Department Head Signature: _____

Supervisor Signature: _____ Date: _____

TOWN BOARD MEETING OF 7/13/26

PAGE 1 of 1

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

#	Emp #	Employee Name	Town Resident Yes (Y) or No (N)	New(N) or Rehire (R) or Change (C)	Position/Status/Fund	Start date	Full Time hourly rate	Part Time hourly rate	Separation Date
1	4693	Flanigan, James	Y	C	Van Driver PT A6772 to Van Driver Seasonal A6772	8/3/26		\$17.00	
2	5036	Pratico, Lawrence	Y	C	Van Driver PT A6772 to Van Driver Seasonal A6772	7/28/26		\$17.00	
3	5151	Barton, Virginia	Y	C	Rec. Attend PT A6772 to Rec. Attend. Season A6772	7/14/26		\$16.50	
4	4937	Wenzel, Traci	Y	C	Rec. Attend PT A6772 to Rec. Attend. Season A6772	7/14/26		\$16.50	
5	5423	Lepsch, Gavin	Y	C	Rec. Attend PT A7184 to Rec. Attend. Season A7184	7/14/26		\$16.00	
6	5401	Watkins, Sam	Y	C	Rec. Attend PT A7310 Rec. Attend. PT A6772 to Rec.				7/14/2026
7	4698	Lauria, Theresa	Y	C	Attend Seas. A6772 Rec. Attend. PT A6772 to Rec.	7/14/26		\$17.50	
8	3604	Kruska, Joanie	Y	C	Attend Seas. A6772	7/14/26		\$18.00	
9									
10									
11									
12									
13									
14									
15									

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.19. Taylor Road Alcohol Waiver Request

RESOLVED, that the Hamburg Town Board does hereby approve alcohol waivers for August 2026
Taylor Road Cabin rentals are as follows:

8/1/26
8/2/26
8/6/26
8/7/26
8/8/26
8/9/26
8/10/26
8/14/26
8/15/26
8/16/26
8/20/26
8/22/26
8/23/26
8/27/26
8/29/26
8/30/26

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.20. Staffing Agreement between Scranton VFC and Hamburg EMS

Resolved, the Hamburg Town Board approves a staffing agreement between Scranton VFC and Hamburg EMS effective immediately; and

Be It Further Resolved, Scranton VFC will provide the town with a copy of said agreement annually when the Scranton VFC agreement with the town is executed; and

Be It Further Resolved, notification of any proposed changes in staffing hours or schedule to said agreement will be provided in writing to the Town prior to the change taking place.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.21. Budget Amendment – Recognition of ARPA Funds in Q1 and Q2 2026

WHEREAS, the Town of Hamburg has received funding through the American Rescue Plan Act (ARPA) to assist with eligible expenditures related to the public health emergency and recovery efforts; and

WHEREAS, ARPA funds were expended during the first and second quarters of fiscal year 2026 to support projects and services in accordance with the eligible uses outlined by the U.S. Department of the Treasury; and

WHEREAS, it is necessary to amend the 2026 Town Budget to recognize said revenues, appropriate the related expenditures, and authorize the transfer of funds accordingly;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby authorizes the Finance Department to make the following budget amendment to reflect the use of ARPA funds during Quarter 1 and Quarter 2 of Fiscal Year 2026:

Account Number	Amount
A.4089	98,204.25
A.9950.975	75,495.98
A.9901.900	5,118.11
A.1690.207.403	952.27
A.1690.478.403	16,637.89
B.5031	5,118.11
B.8020.456.403	5,118.11
H108.5031	8,298.98
H108.1440.456.403	8,298.98
H119.5031	67,197.00
H119.1490.440.403	67,197.00

**Town Board of the Town of Hamburg
July 13, 2026 Meeting**

4.22. Finance/Personnel PAF

RESOLVED, that the Town Board approves the attached PAF for the Finance and Administration Department.

ATTACHMENTS:

[DOC070926-001.pdf](#)

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 7/7/26 Department: Personnel

Department Head Signature: [Signature] Date: 7/9/26

Supervisor Signature: [Signature]

TOWN BOARD MEETING OF 7/13/26

PAGE 1 of 1

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

[illegible]

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.23. Finance/Personnel New Hire PAF

WHEREAS, the Finance and Administration Department has a vacancy in its Account Clerk position;
and

WHEREAS, the Civil Service list provided less than three candidates and the posting was therefore made public;

THEREFORE, BE IT RESOLVED, based on the recommendation of the Director of Finance, the Town Board hereby approves the attached PAF appointing Heather Brown to the fulltime provisional Account Clerk position contingent on all pre-employment requirements being met. It is a Managerial Confidential position, the salary is \$22.00 per hour and funds are available in A1430 and A1310.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.24. Lake Shore Volunteer Fire Company New Member-Tomczak

BE IT RESOLVED, that the Hamburg Town Board approves that attached recommendations for the membership Grace Isabelle Tomczak

ATTACHMENTS:

[DOC063026.pdf](#)



Lake Shore Volunteer Fire Company, Inc.



June 22, 2026

Hamburg Town Board
S-6100 South Park Avenue
Hamburg, New York 14075

Attn: Natalie Nitsche

At the last regular company meeting of the Lake Shore Volunteer Fire Company Inc. held on Wednesday, June 17, 2026, the following applicant was approved for active membership:

Grace Isabelle Tomczak
3049 Old Lake View Rd.
Hamburg, NY 14075

Please notify us upon the Town Board's approval of their membership.

Thank you for your consideration in this matter.

Sincerely,

Peggie Lipka

Peggie Lipka
Corresponding Secretary
Lake Shore Volunteer Fire Co. Inc.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.25. Scranton Volunteer Fire Company, Inc New Member-Domin

BE IT RESOLVED, that the Hamburg Town Board approves that attached recommendation for the membership of Sean Domin.

ATTACHMENTS:

[DOC070926.pdf](#)



Scranton Volunteer Fire Company, Inc.

5395 Scranton Road, Hamburg, N.Y. 14075

(716) 648-4563 phone

(716) 648-3531 fax



July 8, 2026

Town of Hamburg Supervisor
Elizabeth Farrell Lorentz
6100 South Park Avenue
Hamburg, NY 14075

Dear Supervisor Farrell Lorentz,

Please be advised that at our monthly meeting on July 8, 2026, we voted the following person into our membership for your approval.

Sean Domin
5479 Strnad Drive
Apt G6
Hamburg, NY. 14075

Thank you for your consideration on this matter.

Sincerely,

Mary Best
Corresponding Secretary

FILED IN THE
TOWN CLERK'S OFFICE
JUL 11 - 9 A 10 39
HAMBURG, NEW YORK

"smoke detectors never sleep"

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.26. B&G Revenue Account - Progressive Insurance

WHEREAS, the Buildings & Grounds Department received a check from Progressive Insurance for \$3,625.00, and

THEREFORE BE IT RESOLVED, the Town Board approves funds in the amount of \$3,625.00 to be deposited into Revenue Account A000.0000.2680.0000.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.27. B&G Revenue Account Transfer

WHEREAS, the Buildings & Grounds Department received a check from Just Like New Golf Balls LLC for \$125.00, and

THEREFORE BE IT RESOLVED, the Town Board approves funds in the amount of \$125.00 to be deposited into Revenue Account A000.0000.2655.0000 and transferred to A.7183.423.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.28. Consent To Formation of Bayview Townhomes Water Works Corporation

WHEREAS, Sean Hopkins, Esq. of Hopkins Sorgi & McCarthy PLLC, 35 California Drive, Suite 100, Williamsville, NY 14221, is forming a water works corporation to be named Bayview Townhomes Water Works Corporation under Article 4 of the New York Transportation Corporations Law; and

WHEREAS, the purpose of this corporation is to engage in any lawful act or activity relating to water service for fifty-seven (44) homes to be located at Riley Blvd. and Bayview Rd. Hamburg, NY 14075, for which a water-works corporation may be organized under New York State Transportation Corporations Law; and

WHEREAS, as a condition for the formation of the corporation, the controlling municipality needs to give its consent; and

WHEREAS, the Town Board of the Town of Hamburg deems it is in the best interest of the Town to approve the formation of the Bayview Townhomes Water Works Corporation;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby adopts this resolution for purpose of consenting to the formation of the Bayview Townhomes Water Works Corporation, by Hopkins Sorgi & McCarthy PLLC, to engage in lawful acts of activities relating to water service for fifty-seven (44) homes to be located at Riley Blvd. and Bayview Rd., Hamburg, NY 14075, which is allowed under Article 4 of the New York Transportation Corporations Law subject to the following condition:

1. The responsibility for the cost of any improvements, repairs or maintenance of this private water utility shall be the responsibility of the Homeowner's Association, Water Works Corporation, and/or the residents serviced by the private utility, and should a Homeowner's Association or the Water Works Corporation fail to exist or fail to satisfy all such responsibilities, the residents serviced by the private water utility shall pay the cost of any improvements, repairs, and/or maintenance of the private water utility. Should the Town of Hamburg be required to pay the cost of any improvements, repairs and/or maintenance of the private water utility, the residents serviced by such private water utility shall fully reimburse the Town of Hamburg for any and all costs of any improvements, repairs and/or maintenance of the private water utility.

NOW, THEREFORE BE IT RESOLVED, the Supervisor is hereby authorized to execute the Consent to Formation letter approving the formation of a water works corporation to be known as the Briercliff Townhomes Water Works Corporation.

ATTACHMENTS:

[DOC070926-002.pdf](#)

**TOWN OF HAMBURG
TOWN CLERK'S OFFICE
6100 SOUTH PARK AVE. HAMBURG, NEW YORK 14075
(716) 649-6111**

CERTIFICATE OF TOWN CLERK

I, Natalie Nitsche, Town Clerk of the Town of Hamburg, in the County of Erie, State of New York,
HEREBY CERTIFY, as follows:

That the attached Resolution "Consent to Formation of Bayview Townhomes Water Works Corporation" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on July 13th, 2026.

IN WITNESS WHERE OF, I have hereunto set my hand and affixed the corporate seal of said Town of Hamburg this 14th day of July, 2026.

Natalie Nitsche, Town Clerk
Town of Hamburg, Erie County, NY

Sworn to before me
this 14th day of July, 2026

Notary Public

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.29. Approve General Obligation Serial Bonds or Notes by Newton Abbott Volunteer Fire Company for acquisition of a fire truck/emergency vehicle

Whereas, on July 6, 2026, the Board of Directors of the Newton Abbott Volunteer Fire Company, Inc. adopted a bond resolution authorizing General Obligation Serial Bonds or Notes of not more than \$1,100,000.00 to finance the acquisition of a fire truck/emergency vehicle and authorized the expenditure of sums for such purpose and will conduct a public hearing at the Fire Hall 3426 Abbott Road, Orchard Park New York for this purpose.

Now, Therefore, Be It Resolved that the town board of the Town of Hamburg hereby approves the bond resolution adopted by the Board of Directors of the Newton Abbott Volunteer Fire Company, Inc. on July 6, 2026.

ATTACHMENTS:

[Newton Abbott Vol. Fire Co. Resolution \(1\).pdf](#)

**BOND RESOLUTION DATED 7-6-2026, 2026 OF
THE BOARD OF DIRECTORS OF THE NEWTON
ABBOTT VOLUNTEER FIRE COMPANY, INC., OF THE
TOWN OF HAMBURG, NEW YORK, AUTHORIZING
GENERAL OBLIGATION SERIAL BONDS OR NOTES OF
NOT MORE THAN \$1,100,000 TO FINANCE THE
ACQUISITION OF A FIRE TRUCK/EMERGENCY
VEHICLE, AUTHORIZING THE EXPENDITURE OF
SUMS FOR SUCH PURPOSE, AND DETERMINING
OTHER MATTERS IN CONNECTION THEREWITH.**

BE IT RESOLVED by the Board of Directors of the Newton Abbott Volunteer Fire Company, Inc., (hereinafter referred to as the "Fire Company"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The acquisition of a fire truck, which may include equipment and apparatus required in connection therewith (hereinafter referred to as the "Purchase"), is hereby authorized and serial bonds in an aggregate principal amount of up to \$1,100,000 are hereby authorized to partially finance the cost of such Purchase, and such amount is hereby appropriated therefor.

Section 2. The maximum aggregate cost to the Fire Company is estimated to be up to \$300,000 for said Purchase. The plan to finance the cost of said Purchase is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized and by grant funding from the State of New York. In the event such grant funding is obtained by the Fire Company then the portion of the maximum cost to be financed by bonds or bond anticipation notes as authorized hereby shall be reduced by an amount equal to the amount of such grant funding.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 27 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty (20) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years to be measured from the date of the bonds or the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier, (c) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds, (d) the notes authorized by this resolution shall mature within one (1) year from the date of their issuance, or as otherwise permitted by law, (e) said notes are not issued in anticipation of bonds for an assessable improvement, and (f) prior to the issue of the bonds or notes herein authorized, there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Fire Company.

Section 5. It is hereby determined and declared that the Fire Company reasonably expects to reimburse its general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for

expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Fire Company Treasurer, the Fire Company's chief fiscal officer. The Fire Company Treasurer and the Secretary or Assistant Secretary are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Fire Company and to attest to the same.

Section 7. The faith and credit of the Newton Abbott Volunteer Fire Company, Inc., are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Monthly appropriations shall be made in sufficient to pay the principal of and interest on such obligations becoming due and payable in such month.

Section 9. This resolution, before becoming effective, shall be approved by the Town Council of the Town of Hamburg pursuant to U.S. Internal Revenue Code Section 147 (f).

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

NAYS

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.30. Grant Application Town of Hamburg WQIP Salt Facility Project

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) is soliciting applications through the New York State Consolidated Funding Application (CFA) from eligible municipalities for the Water Quality Improvement Program (WQIP); and

WHEREAS, the WQIP is a competitive, statewide reimbursement grant program open to local governments to implement projects that directly improve water quality or habitat, promote flood risk reduction, restoration, and enhanced flood and climate resiliency, or protect a drinking water source; and

WHEREAS, the Town of Hamburg Highway Department has identified that the existing salt storage facility is inadequate and a potential source of groundwater contamination.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Hamburg Town Board authorizes EECG Consulting to prepare and submit a grant application to NYSDEC through the 2026 NYS Consolidated Funding Application (CFA) on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED THAT,

If the grant is awarded, the Town of Hamburg will commit to the 25% match required for the development and implementation of the proposed project, additionally, the Town of Hamburg will designate EECG Consulting to manage the grant on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED, that all project costs shall be temporarily funded from the Town of Hamburg Highway Fund Balance (DB00.0000.0909.0000) until grant reimbursement funds are received, at which time the reimbursement shall be applied to the project, and the remaining local match shall be funded from Highway Fund Balance.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.31. Grant Application Town of Hamburg Mt Vernon Sanitary Sewer Project, Phase II

WHEREAS, the New York State Environmental Facilities Corporation (EFC) is offering \$425 million in grants for clean and drinking water projects to selected municipalities with infrastructure projects that protect public health and/or water quality; and

WHEREAS, the Town of Hamburg owns and operates the sanitary sewer system in the Mt Vernon Community and due to the four (4) sanitary sewer overflows in that system, the NYSDEC has put the Town of Hamburg under an Order on Consent to eliminate those overflows; and

WHEREAS, the Engineering Department is currently conducting inspections of the 330 manholes within the system and identifying repairs to improve the system; and

WHEREAS, the Town of Hamburg will submit the Mt Vernon Sanitary Sewer Project, Phase II for funding to the NYS WIIA Clean Water Grant Program to perform various repairs, lining, and sealing of the manholes.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Hamburg Town Board authorizes EECG Consulting to prepare and submit a grant application to EFC on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED THAT,

If the grant is awarded, the Town of Hamburg will commit to the 75% match required for the development and implementation of the proposed project, additionally, the Town of Hamburg will designate EECG Consulting to manage the grant on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED, all project costs will be initially funded from Mount Vernon Sewer District Fund Balance (S002-0000-0909-0000) pending reimbursement from the awarded grant funds.

Town Board of the Town of Hamburg
July 13, 2026 Meeting

4.32. Grant Application Blasdel Community Brownfield Opportunity Area (BOA) Nomination

WHEREAS, the New York State Department of State (NYSDOS) is soliciting applications through the New York State Consolidated Funding Application (CFA) from eligible municipalities to complete a Brownfield Opportunity Area (BOA) Nomination for a community affected by known or suspected brownfields; and

WHEREAS, the BOA program applies a neighborhood or area-wide approach, rather than the traditional site-by-site approach, to the assessment and redevelopment of known or suspected brownfields and other vacant or abandoned properties; and

WHEREAS, the Town of Hamburg will work in partnership with the Village of Blasdel on the development of the proposed Blasdel Community BOA Nomination.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Hamburg Town Board authorizes EECG Consulting to prepare and submit a grant application to NYSDOS through the 2026 NYS Consolidated Funding Application (CFA) on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED THAT, if the grant is awarded, the Town of Hamburg will commit to the 10% match required for the development and implementation of the proposed project, additionally, the Town of Hamburg will designate EECG Consulting to manage the grant on behalf of the Town of Hamburg; and

BE IT FURTHER RESOLVED, all project costs will be initially funded from the Town of Hamburg General Fund Balance (A000-0000-0909-0000) pending reimbursement from the awarded grant funds.