

Town of Hamburg  
Planning Board Meeting  
January 7, 2026, Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 PM, followed by a Regular Meeting at 7:00 PM, on Wednesday, January 7, 2026, in Room 7B of Hamburg Town Hall.

**WORK SESSION**

Mr. Andrew Reilly presented to the Planning Board on a new Smoke shops and vape shops Code, that will be sent to the Town Board for revisions and ultimate approval.

**REGULAR MEETING**

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

Staff: Drew Reilly, Planning Department; Planning Board Attorney Joseph Gogan; Town Engineer Camie Jarrell

**Public Hearing- 7:00 PM, Matt Kavanaugh- Requesting Re-Approval for an as-built site plan for a retail development at 5100 Camp Road**

Mr. Matt Kavanaugh appeared on behalf of the project.

Mr. Kavanaugh stated that he is looking to not put the driveway in but putting some entrance/exit signs in.

Member Geraci read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a proposal by amended site approval of an as-built site plan for retail development at 5110 Camp Road. The Public Hearing will be held on January 7, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Chair Gronachan made the following statement:

“In order to hear from all the residence at a reasonable hour, a three-minute rule will apply during a public hearing. A public hearing is an opportunity for the community to share information on how they are impacted by the project. It is not a question-and-answer period, and I stress that we are not here to answer questions. All statements made during the hearing, as well as written correspondence, will be sent to the Planning Board as well as the applicant for response at a later time.”

Chair Gronachan declared the public hearing open. No one spoke.

Chair Gronachan declared the public hearing closed.

Mr. Reilly reiterated that the Planning Boards action tonight would be to authorize the Planning Department to prepare two resolutions. The question presented to the Planning Board was “There was a secrete negative declaration issued for this project. We can either note that on the record that there are not major enough changes to warrant changes to that negative declaration, or would you like to reissue a negative declaration?” There is also a condition that the applicant would work with the Building Department in the relocation of the sign and cover the sign that is already there.

Mr. Reilly stated that the only action would be to authorize Josh on what the Board would like to do with the SEQR and any other conditions they would like to add.

The Town of Hamburg Planning Board Chair authorized draft resolutions to be prepared for the January 21<sup>st</sup> Planning Board meeting with a note about the sign and that the existing sign needs to be covered.

**Public Hearing- 7:00 PM, Boston State Holdings, LLC- Requesting Preliminary Plat Approval for a 2-lot subdivision for an additional single-family lot to be spit from the Village at Cedar Valley at 3385 Cedar Valley Way**

Mr. David Burke appeared on behalf of the project as well as Attorney Sean Hopkins.

It was stated that this project was originally subjected to a very long review and approval process that did include issuance of a negative declaration pursuant to the State Environmental Quality Review Act. Looking at that document, it shows the density of the project with one additional family home is lower than what it was at the original point, so from a SEQR perspective there are no impacts associated with this request.

Member Geraci read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a two-lot subdivision for an additional single-family lot to be split from the Village at Cedar Valley at 3385 Cedar Valley Way. The Public Hearing will be held on January 7, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Chair Gronachan declared the public hearing open.

1. Michael Pack of 3358 Cedar Valley Way, looking for clarification of the following:
  - a. Is the project going to be part of the Cedar Valley Community, as there is a \$350.00 HOA fee?
  - b. If they are not part of the Cedar Valley Community, who will be responsible for paying the fee as the money goes towards maintaining the pond on the property?
2. Brandon Sieteski of 3357 Cedar Valley Way, voicing opposition to the proposal:
  - a. He had reached out to the developer regarding an additional driveway to be placed in the area where they are requesting the two-lot subdivision due to what he feels will be traffic issues through his neighborhood on Cooper Ridge and Cedar Valley Way.
  - b. There is only one entry way in and out of the neighborhood and there is already a lot of traffic as there are 144 homes there plus the additional, what he believes to be 144 units, within the Village at Cedar Valley.
  - c. He believes that better use of the property would be an additional driveway in and out of the Village at Cedar Valley Way
3. Peter Samardak of Sycamore Lane, voicing his opposition to the zoning change. He also feels that the property would be better used as an entrance for the location as well due to all the units.
4. Brandon Sieteski of 3357 Cedar Valley Way came back because he forgot to mention one of the reasons he was given as to why a driveway could not be added there was it would be too tight and it was too close to Pleasant Avenue. He questions what the difference is between what he is asking for and a residential driveway.

Chair Gronachan declared the public hearing closed.

Chair Gronachan asked the Planning Department if they had any insight, which Mr. Reilly replied that he did not. Mr. Reilly explained that this is a simple minor subdivision but because this is part of an approved overall plan, it does make it a little more difficult.

Member Clark was wondering if there was any discussion on what this space was for originally, and asked if the minutes could be reviewed to see if they were discussed.

Mr. Reilly said that he looked at the Green Space Plan and it wasn't part of it but if he remembers correctly, it was part of the open space located at the entrance between the development and Pleasant Avenue. He does not think that they can add another driveway out to Pleasant. He questions if they are going to create a problem because of placing a driveway at the busiest intersection when the entire development feeds out to Pleasant Avenue. That could have been a reason why it was left alone. He

recommended reviewing this with the Traffic and Safety Advisory Board before the Planning Board gives approval.

Chair Gronachan stated that she feels the Planning Department should reach out to Traffic Safety to ask for a report on that location.

Camie Jarrell, Town Engineer, stated that her department usually does not have comments on a two-lot subdivision. However, in general terms when a single-family home is developed, they do ask for a drainage plan and that is reviewed before construction starts. The Town requires that all runoff, roof leaders, sump pumps, those types of drainage items go to an approved drainage system which is often into the public road and storm sewer system. Often the rear yard has some kind of drainage as well and without having the plans for the subdivision she does not know what is behind the adjacent lots so is unsure where the drainage would go.

Chair Gronachan stated that she had been out to the location several times and she feels that it is a tight location. If other members would agree, she would like to have the old minutes to review and have a traffic study done before they move forward.

Member Chmura asked for clarification on the traffic study. She asked if the study looked at the impact of the distance of the proposed driveway for the one lot, and reiterated that the Board is not looking for a full-blown traffic study.

Chair Gronachan stated that she was correct, it is just the one driveway and intersection.

Mr. Hopkins spoke that in terms of SEQR, it is a reduction to what was originally approved. He had a chance to look back at the minutes and stated that there is nothing that talks about this specific portion of the project site, and it was just shown as green space. He feels that it is properly zoned for this use and although some do not like the multifamily it was always part of the overall project. Secondly, there was a question about this lot being part of the HOA. His client is open to that, and they would have to work out the mechanics with the AG's office.

Mr. Hopkins believes that Mr. Burke or the Russo's have contacted the Erie County Division of Sewage Management and they have no concern in terms of sanitary sewer capacity. As to the question of why this can be a driveway for a multi-family project versus a single-family project. It is a simple difference between the magnitude of traffic. A single-family home on this lot will create much less of an adverse traffic impact. The traffic impact for the remainder of this project has been vetted pursuant to SEQR and there was a traffic study prepared.

The Planning Board table the project to the January 21<sup>st</sup>, 2026 meeting so that the Board can get in touch with the Traffic Safety Advisory Board and do a preliminary draft of a resolution which will be ready to go. Chair Gronachan stated that as part of the resolution, there needs to be a condition that only one home will be built on the lot.

**Public Hearing- 7:00 PM, Tom Gorczyca- Requesting Preliminary Plat Approval of a 3-lot subdivision to be located at 3189 Pleasant Avenue**

Mr. Reilly said that these lots, many years ago, were potentially going to be built on but there was a sewer problem, and they didn't want to extend the sewers at the time due to the cost. It is his understanding that there are sewers in this area now. Also in the Town of Hamburg, as with many other municipalities, people file map covers with the County not realizing that they need local approval, and the County accepts them anyways which forms them. The oversight is not caught until they come in to try and get a building permit and find out that they did not receive subdivision approval.

Mr. Tom Gorczyca appeared on behalf of the project.

Mr. Gorczyca clarified that that he is trying to make one building lot out of the two proposed lots. The bottom lot has wetlands on it and he is working with the DEC to do a 100 ft. adjacent area.

Mr. Reilly asked for clarification as to whether Mr. Gorczyca is still proposing these two lots or is he getting rid of one and just doing one. Mr. Gorczyca stated that he proposes just one as there are wetlands.

Question was brought up regarding the flag lot. Mr. Gorgan stated that technically, as far as the Town of Hamburg is concerned, the lots in question are part of the flag lot because they were never properly subdivided. If it was divided into three parcels it would be a three-parcel subdivision with the flag lot and two other parcels. What Mr. Gorgan understands is that because of the wetlands on the lower parcel, it will not be a three-lot subdivision, it will be a two-lot subdivision that will not be part of the flag lot.

Member Geraci read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will conduct a Public Hearing on a three-lot subdivision to be located at 3189 Pleasant Avenue. The Public Hearing will be held on January 7, 2026, at 7:00 p.m. in Room 7A/7B of Hamburg Town Hall.”

Chair Gronachan declared the public hearing open. No one spoke.

Chair Gronachan declared the public hearing closed.

Mr. Reilly stated that due to the fact the public hearing was for a three-lot subdivision and it is going to be now a two-lot subdivision, he is unsure if another public hearing needs to be held.

A map cover must be filed to correct what is now showing in the County's database.

Chair Gronachan authorized the drafting of the resolution.

The Planning Board tabled the project to the January 21<sup>st</sup>, 2026 meeting so that Mr. Gorgan can verify that another public hearing does not need to be held as it was listed as a three-lot subdivision and it is now a two-lot subdivision.

Mr. Gogan asked for clarification as to what the Board was having him research. It is his impression that the notice is going to be sufficient, but he wants to know if that is what the Board is asking him to verify.

**Benderson Development- Requesting Site Plan Approval for a proposal to construct an 8,020 sq-ft multi-tenant outparcel building with a drive-thru lane to be located at 5400 Southwestern Boulevard**

Mr. Matt Oates, on behalf of Benderson, gave an update and reminded the Board the last time he was here was for a public hearing and there were no public comments. The Board did have some comments however about the drive through. Benderson had stated that they were thinking about it being a bank or café-style establishment and they accepted the condition that if it were to become more of a fast-food establishment they would have to come back to the Board for discussion. He also stated that the revised plans that were submitted had shown the sidewalk connection going from the front of the building.

The drainage engineer, who did the original site design, is working on an updated drainage report that still needs to be submitted to Camie for review.

Chair Gronachan had a question for Mr. Reilly. After visiting the Tim Hortons at McKinley and 20, she was wondering how can the Board ask for improvements on the stacking situation especially with a new project.

Mr. Reilly responded that when it comes to Tim Hortons, the DOT has their own generation of number since Tim Hortons generates an inordinate amount of traffic. As for other locations, a lot has been learned regarding parking lot design, especially with drive thrus and that stacking should be clear of other parking.

Mr. Oates stated that this design addresses some of that concern because they expect a low volume of drive thru activity.

Chair Gronachan had a follow up question of if part of the condition be that if it is rented to a drive thru, that it should be added to the resolution.

Mr. Reilly stated definitely. That it should be clearly articulated to the Building Department that if those users change, it may require coming back to the Planning Board.

Member Clark stated that since Tim Hortons and Starbucks are considered both a café and fast food maybe it should read "If the drive thru is a fast food or coffee use, the applicant will have to return to the Planning Board for Site Plan modification."

Member Chmura stated that it should also include high volume use which she stated is more than ten stacking.

New wording was suggested from Member Clark.

**SEQR:**

In accordance with the New York State SEQRA Law, The Town of Hamburg Planning Board has reviewed the Benderson Development Project, which involves the construction of an 8020 sq.-ft. multi-tenant retail/ restaurant outparcel building, with drive thru lane at 5400 Southwestern Boulevard, and held the required public hearing on December 17, 2025. Based on the review of this unlisted action, the Planning Board has determined that the project is not anticipated to result in any significant adverse environmental impacts, and the negative declaration is hereby issued.

Member Chmura made a motion, seconded by Member Clark, for the Benderson Development 5400 Southwestern Boulevard Retail/restaurant out parcel SEQR resolution dated January 7<sup>th</sup>, 2026. As the vote on the motion was six (6) ayes and one (1) abstention (Member Zajac), the motion carried.

**Site Plan Approval:**

Based on the review of Benderson Development project materials and having completed the secret process, the Hamburg Planning Board hereby approves the project with the following conditions and determinations:

1. Approval is contingent upon the Engineering Department comment letter dated January 5, 2026.
2. Sidewalks shall be installed as shown on the site plan dated December 1, 2025.
3. The landscaping plan, dated November 5, 2025, shall be approved by the Planning Department.
4. Lighting shall be dark sky complaint.

5. The location of the dumpster shall be installed as shown in the site plan dated December 1, 2025.
6. Drive thru usage. The applicant shall provide the Town of Hamburg Building Department with a stacking report prior to the issuance of a building permit. If the stacking report indicates a number greater than eight, the applicant shall return to the Planning Board for site plan modification.
  - a. The applicant shall provide the Town of Hamburg Building Department with a stacking report prior to the issuance of the building permit for drive thru tenants. If the stacking report indicates a number greater than eight, the applicant shall return to the Planning Board for site plan modification.

Motion to approved by member Chmura seconded by Member Geraci. Resolution passes with no opposition.

**John Brokx- Requesting a Change of Use and Site Plan Approval for a proposal to turn a facility from industrial to recreational space at 6302 Monckton Drive**

Chair Gronachan reviewed the request that Mr. Brokx is looking to change the use from industrial to a private training facility at 6302 Monckton Drive. There was a public hearing held and there is a resolution before the Board for review.

Mr. John Brokx appeared on behalf of this project.

Mr. Brokx reminded the Board that they had requested two updates to the site plan which he has done and provided to the Board.

Mr. Reilly stated that due to the fact that Mr. Brokx hand drew on the original site plan, he needs to get a letter from the person who stamped that drawing that it is ok to amend that professional drawing as it is illegal to change a stamp plan. Mr. Reilly did say that tonight's action could be conditionally approved as long as it is stated that he gets a letter from the PE.

Member Chmura read the resolution:

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

**Whereas**, the Town of Hamburg Planning Board held the required public hearing on December 17, 2025, and

**Whereas**, in accordance with part 617 of the implementing regulations to Article Eight, State Environmental Quality Review Act SEQRA, the Environmental Conservation Law, the Town of Hamburg Planning Board has determined that the project is a type two action. No further SEQRA analysis is required and,

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

1. Sidewalks are not warranted as the project is on a street in an industrial area of Town
2. The Chair of the Planning Board is authorized to sign the site plan dated September 8, 2021, as amended by the applicant and provided to the Board on January 7, 2026. Which site plan must first have the written authorization of changes by architect James Allen Rumsey or successor of his professional practice.

Motion to approved by member Chmura seconded by Member Ryan. As the vote on the motion was six (6) ayes and one (1) abstention (Member Zajac), the motion carried.

**Matt Jaworski- Requesting Site Plan Approval of a proposal for parking improvements for a public mini-storage at 5661 Camp Road**

Attorney Sean Hopkins appeared on behalf of this project.

Mr. Reilly explained that after further research, this project requires a use variance from the Zoning Board of Appeals. Although the Planning Board does have a copy of that variance, the site plan that was approved does not show outdoor storage, therefore, it is his opinion that unless they receive additional information, Mr. Jaworski would have to go back and get an amendment of that use variance. The Town treats indoor regular storage and outdoor storage differently.

Mr. Hopkins stated that they were hoping to not have a need to return to the ZBA as he has two decision letters (dated November 2, 2025, and April 3, 2025) where they did indeed grant two use variances.

Mr. Reilly stated that the plan that was approved does not have outdoor use.

Mr. Hopkins acknowledged for the record that the site plan did not include outdoor storage. However, if the two use variances include outdoor storage, then he believes that it is simply an amendment to the site plan.

Member Chmura asked that Mr. Hopkins please present what this new revision is.

Mr. Hopkins responded that the originally approved site plan did not include outdoor storage, which is actually under construction right now. What the proposal was, is that

instead of those buildings being built at this time, there would be an outdoor storage area and as demand for mini storage units increases, they would be filled in as per the approved site plan.

Ms. Jarrell asked for clarification on is that from the site plan provided, as it states phase one in the title. She asked what he is requesting replacing phase one with, and asked about the possibility of the full build out still to the originally approved.

Mr. Hopkins stated the answer to Ms. Jarrell's question is yes.

Due to the questions regarding the ZBA, the project has was tabled until the January 21<sup>st</sup>, 2026 Planning Board meeting.

Mr. Gogan wanted the Board to consider (since this property has the ability to go back to the original plan) what kind of language they want to be used, is there going to be a time frame, and if they cannot go back to the original plan unless there is an amended site plan so that the decision is not on the applicant to do change whenever they want or is it going to be their decision as long as they through the engineering and building departments.

#### **OTHER BUSINESS**

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

The meeting was adjourned at 8:00 PM.

Respectfully submitted,  
August Geraci, Secretary