

**BOROUGH OF HAMBURG
LAND USE BOARD
MEETING MINUTES
MAY 31, 2023**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Chairman Dan Hall in accordance with the Open Public Meeting Act, with regard to notices.

Chairman Hall invited all those present to participate in the flag salute.

Chairman Hall read the Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by special notice.

Those in attendance were Pattie Brown, George Endres, Christopher Feliciano, Chairman Dan Hall, Mayor Richard Krasnomowitz, William Oehler, Glenn David Roberts, Vice Chair Jeannette Tempe and Sam Villagomez. Glenn Kienz, Esq. and Ken Nelson, P.P. were in attendance.

OLD BUSINESS/NEW BUSINESS:

A. Zoning Ordinance Amendments

Ken Nelson discusses the proposed amendments as they relate to the Master Plan Reexamination Report and the review process performed by the subcommittee which began prior to the pandemic. The subcommittee reviewed the ordinances by page and in some instances, line by line and the amendments represent substantive changes. After the Board reviews and is in agreement with the changes to the zoning map, the next step would be to recommend the amendments to the Council for their review and approval.

A brief discussion of the amendment occurred at the January 9, 2023 meeting. Nelson reviews the amendments for the Board members not in attendance at the January hearing.

Nelson discusses the PD zone which allows commercial use. The PR zone permits only residential use. There were properties that are now proposed to be in the PR zone that were in the PD zone. Nelson discusses the proposed R1 and R2 zones and the required lot sizes. Environmental issues have altered the map since some areas are not suitable for development due to wetlands. Discussion continues on the HC and RO zones along Route 23 and Route 94 corridor. Recent changes were made to the properties located on the north side of the Borough from RO to HC near DeBoer's Auto.

Discussion on how to approach the review of the amendments. Mayor Krasnomowitz suggests that uses be discussed and Nelson's December 27, 2022 memo to the Board.

Board discussion on page 5, animal units and the keeping of animals determined by square footage of properties. Discussion on backyard chickens. Discussion on banning all farm animals as suggested by Attorney Kienz to eliminate the need to clarify animal units. Discussion on existing farm animals in the Borough.

Discussion on page 6 through 11, the residential zone permitted uses. Discussion on how to approach businesses and post pandemic remote work and work from home in the residential

zone. Board discussion on home occupation and home business that do not generate traffic. Additional discussion will be required to establish conditions.

Mayor Krasnomowitz discusses current business registration requirements. Governing body should decide how to regulate.

Discussion on page 8, conditional uses and prohibited uses in the residential zone. Use variance is required if conditional use fails to meet one condition of the zoning regulations. Houses of worship are discussed. Kienz indicates that proposals for new houses of worship would likely not hold up legally if the use was denied. Temporary rentals/ Air B& B reals are prohibited by bed and breakfast operations would be a conditional use.

Discussion on page 11, multifamily dwellings in the RO zone.

Discussion on page 12, specifically related to temporary storage containers, i.e. PODS. Board discusses the reason for having temporary storage on property for renovation work. Board decides to hold to the language requiring a zoning permit for containers on property over thirty (30) days.

Discussion on page 14, height of accessory structures. Existing structures over fifteen (15) feet would be grandfathered.

Discussion on page 16, Borough Center zone. Recommendation to change "brew pubs" to "breweries".

Discussion on page 18, service stations in Highway Commercial zone. Discussion on "mechanical" repair garages.

Discussion on page 20, I (Light Industrial zone) will be deleted. Discussion on whether the Board has a need for industrial zoning. Discussion continues on current properties with that use, Ames Rubber and Accurate Forming. Those properties in the future could be designated as areas in need of redevelopment. There are benefits to this designation.

Discussion on future trails for recreation.

Discussion on page 22, Section K, golf driving range. Need to determine if this section should be removed.

Discussion on page 23, parking of commercial vehicles in residential zones during certain hours on street and in driveway. Board discussion continues on whether this should apply to overnight or weekend parking and parking of emergency vehicles. Additional discussion will be needed.

Discussion on page 27, aircraft in connection with an airport. This section could be removed. Board discussion on Medivac helicopters which currently land at the Fireman's Pavilion or Borough park.

Board discussion continues on home business in residential zone including Uber drivers and internet sales. As long as the business does not generate traffic to the home, it is permitted.

Continued Board discussion on the keeping of farm animals.

PUBLIC:

There are no members of the public in attendance.

ADJOURN:

A motion is made at 8:20 p.m. p.m. by Tempe, second by Villagomez to adjourn with all others in favor.

Respectfully submitted,

A handwritten signature in blue ink that reads "Wendy Brick". The signature is written in a cursive, flowing style.

Wendy Brick
Secretary to the Land Use Board