

**DATO DEVELOPMENT BRIERCLIFF TOWNHOMES**  
**0 BRIERCLIFF DRIVE**  
**PRELIMINARY PLAT APPROVAL**

**Whereas**, the Town of Hamburg received a Subdivision application from Dato Development LLC for the construction of a 57-unit townhouse subdivision project on 9.5 acres of vacant land, north of Briercliff Drive, west of Cloverbank Road; and

**Whereas**, the Hamburg Planning Board reviewed the application and revisions to the application at meetings from March of 2021 to February of 2024 (tabled for extensive periods at the request of the applicant); and

**Whereas**, The Hamburg Planning Board has reviewed the project and determined that the project 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 a Negative Declaration was issued by the Planning Board; and

**Whereas**, the Hamburg Planning Board held the required public hearing on 9/6/23 and received comments from the public; and

**Whereas**, the Hamburg Planning Board has determined that the proposed Preliminary Plat subdivision application is in accordance with the Town of Hamburg Subdivision Code, the Townhouse regulations in the zoning code, the requirements of the PUD approval, and other applicable regulations of the Town's zoning Code.

**Now, Therefore, Be It Resolved**, that the Hamburg Planning Board hereby issues Preliminary Subdivision Approval with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated 3/1/2024
2. Recreation fees in lieu of land will be required; as there are no appropriate lands for dedication to the Town.
3. Sidewalks shall be constructed as illustrated on the approved plans.
4. Permanent open space shall be as shown on the approved plan and protected through a Town approved easement;
5. The storm water management area will be restricted as permanent open space and will provide the appropriate drainage easement to the Town for emergency repairs;
6. The Heart trail shall be installed as illustrated on the plans during the first phase of development.

HAMBURG, NEW YORK

ZONING MAP - 7 A 10:33

TOWN CLERK'S OFFICE  
FILED IN THE