

TOWN OF ELMA PLANNING BOARD
1600 Bowen Road, Elma, New York 14059
Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~ March 15, 2022

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, March 15, 2022, at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

*Chairman Michael Cirocco
Member David Baker
Member Gregory Merkle
Member James Millard
Member Charles Putzbach
Alternate Thomas Reid*

TOWN REPRESENTATIVES:

*Phyllis Todoro - Town Attorney
Raymond Balcerzak - Asst Building
Inspector*

ABSENT:

*Member Michael Cleary
Member Robert Waver
James Wzykiewicz – Town Engineer*

I. Approval of Regular Meeting Minutes from February 15, 2022

Mr. Putzbach motioned to approve the Minutes of the EPB Regular Meeting held on February 15, 2022. Tom Reid 2nd the motion. Motion approved.

**II. Site plan Approval for a 60' x 80' pole barn addition for Day Trucking @ 840 Bullis Rd.
Applicant - Brad Day**

Mr. Brad Day of Day Trucking was present to discuss plans for a 60' x 80' barn addition to the existing shop building. New section will be used to "fix Stuff", storage and parking equipment in. looking to be a maroon and grey color scheme. The new section will be 3 feet taller and 22 feet wider (is 22 feet on either side of existing) There will not be any additional bathroom or plumbing.

Mr. Putzbach asked about the frontage of the property. Mr. Day stated they also own both the lots on either side of them. The house on the lot to the east is vacant.

There was much discussion about the stacked storage containers with a roof structure. They are listed on the plans as an existing building. Mr. Balcerzak mentioned there is no building permit for this structure and one could not be issued unless there were stamped architectural drawing. There are no codes covering use of these containers as permanent storage. Mr. Cirocco stated that he will research this. The EPB must consider the whole site as presented. Mr. Millard asked about access since it is 22 feet closer to the property line. Mr. Day said it wouldn't affect the access.

EPB reviewed the checklist:

Zoning: C-2

*Site & Building Details: need stamped plans, add window(s), lighting, truss and building colors
need engineered blueprints*

Lighting: need to add to plan, applicant advised he needs to keep all lighting downlit

II. Site plan Approval for a 60' x 80' pole barn addition for Day Trucking @ 840 Bullis Rd.
Applicant - Brad Day (Continued)

Checklist continued

Parking no change to parking

Drainage: need approval of drainage by town engineer

Signage: possible sign on building, need to check with building department for sign regulation and put on plans

Landscaping: N/A

Water Service & Septic System: no new water service

Fire Department: need fire department approval

A motion was made by James Millard and Seconded by Charles Putzbach to give Preliminary Site Plan Approval Yes-6 No-0

Applicant was given a copy of the checklist and asked to return to the next meeting

III. Site Plan Approval for Transit Towing & Recovery @ 1721 Transit Rd
Applicant – Attorney Jay Pohlman for Al Hassan

Attorney Jay Pohlman spoke for business owner Al Hassan about plans to move Transit Towing & Recovery from the current location at 2021 Transit Rd to the site at 1721 Transit Rd. Mr. Pohlman explained that this is a sister business to Transit Auto Detailing which has been in business about 30 years and details cars for auto dealerships. The business owner has leased a site at 1721 to move both businesses to. A new 10-foot wooden fence has been installed around the yard. Mr. Pohlman presented the plan to park employee cars and the tow trucks in the yard. The tow trucks are dispatched 24 hours a day. Drivers work 8 hour shifts and return to the yard for shift changes. Office hours are 8:30 am-5 pm with shift changes at night inside the yard. This property has 1.5 acres and is in the automotive overlay area. There is another business at this location, Utility Trailers of WNY sells RVs from this location and has a 5-year lease with the owner for 6 spots for the trailers. Mr. Pohlman mentioned that his client would like to have 6-8 cars out there for sale as well. The property is owned by Hooya Inc. Mr. Pohlman provided a picture of the new fence. Mr. Millard stated that it seems close to the adjacent house on Transit. Mr. Pohlman commented that the homeowner is happy with the new fence and been supportive of his client's business. He said there is a setback between the property line and the fence.

Mr. Millard asked what will happen to the current location. Mr. Pohlman said the Hassan family will continue to live there. He said this is the last piece to moving both businesses to the new location. When asked what was there now, he stated there are still 2 members of the family operating the phones for the towing business and the shop area is 1/3 full of stored soap and towels for the detailing business. Chairman Cirocco noted that the town does not allow any commercial operation at 2021 Transit Rd as it is zoned residential and they are currently not in compliance with the town on of Elma codes, any business must move to the new location or cease immediately. Mr. Pohlman stated he understood.

Mr. Hassan has 2 business use permits, 1 for the detail business and 1 for the towing business.

III. Site Plan Approval for Transit Towing & Recovery @ 1721 Transit Rd

Applicant – Attorney Jay Pohlman for Al Hassan (continued)

Mr. Millard asked what the business hours are. Mr. Pohlman said 8:30 am- 5 pm for sales. Detailing is from 11:00 am-8:00 pm, and the towing is a shift change 3 x a day.

Audience member Dick Shafer of 2002 Transit Rd spoke saying he was good with the businesses moving down the road but had concerns that there was still business operating at 2021. Chairman Cirocco stated they were here tonight to discuss the property at 1721 to make sure everything meets code so the business can move there ASAP.

Phyliss Todoro asked what the time frame is to move. Mr. Pohlman stated that the detailing business has already moved. The towing business has some registration they must apply for but will as soon as that is done.

EPB reviewed the checklist:

Zoning: C-2 with automotive overlay

Site & Building Details: have plans and use

Lighting: no new lighting currently. If must add lights will return to the EPB

Parking: N/A

Drainage: need approval from the town engineer

Signage: no new signage. Mr. Pohlman said no customers come there

Landscaping: N/A

Water Service & Septic System: no new water service

Fire Department: N/A

A motion was made by Michael Cirocco and Seconded by Charles Putzbach to give Preliminary Site Plan Approval Yes-6 No-0

The EPB reviewed the SEQR. Michael Cirocco made a motion to check box #2 on the SEQR, motion was seconded by Charles Putzbach Yes-6 No-0. Motion Carried.

A motion was made by Gregory Merkle and Seconded by Charles Putzbach to give Final Site Plan Approval contingent the town engineer reviewing the drainage on site. Yes-6 No-0 Motion Carried

IV. Site Plan Approval for proposed parking lot expansion, 2 new buildings, expansion of vehicle storage area and above ground fuel tank storage for Wilbert's U- Pull It @ 550 Pound Rd
Applicant – Todd Lewis

Mr. Todd Lewis, and Eric Wilbert from Wilbert's U Pull it and Mr. Randy Bebout from Bohler Engineering presented plans for the proposed expansion at the site on Pound Rd. Mr. Lewis gave an updated on previous work that had been done to the site. He said they completed the renovations and the business opened on Feb 14, 2022. They would like to continue to make improvements to the property. Mr. Bebout went through the 4 phased plan and described the improvements that are proposed.

IV. Site Plan Approval for proposed parking lot expansion, 2 new buildings, expansion of vehicle storage area and above ground fuel tank storage for Wilbert's U- Pull It @ 550 Pound Rd **Applicant – Todd Lewis (Continued)**

The property owners intend to combine the 3 tax parcels into one parcel. The redevelopment project will be designed as one project but will have four separate construction phases.

Phase 1 is the expansion of the customer parking lot. There will be 86 spaces up from 30. This number of spaces meets the town code for "other businesses". The width of the current driveway will be reduced. A second access driveway will be added on the north end of the property where there was a driveway at one time. They will contact the highway department and work with them if a new curb cut is needed. The parking area will be paved and spaces striped. There will be handicap accessible spots to meet state code.

Phase 2 of the project is the construction of 2 prefabricated metal buildings. One will be 1024 Sq. ft. building to be used as the "gas punch" building and will only have 3 sides. The other will be the vehicle recycling building and will be 11250 sq ft. . Mr. Lewis explained a little about their recycling process and the machinery used to get any fluids out of the vehicles. The new building will be blue to match the other buildings on the property. The new buildings will have a concrete area around the perimeter. The current area is gravel so there will be minimal change to the stormwater runoff. Phase 2 also includes new above ground storage tanks for oil, antifreeze, gasoline, and diesel storage. Mr. Lewis provided a copy of their petroleum storage certificate. These tanks are inspected monthly. There will not be any water or sewer service for the new buildings

Phase 3 of the project is the piping of the existing drainage ditch. It would pipe the ditch with drainage structures in the low spots. The ditch is classified as a riverine. It is intermittent and does not flow year-round. A wetland Consultant has been retained to perform a wetland delineation and obtain any permits needed from the ACOE. This phase is independent of the other phases and will be on hold until weather conditions allow for it to be completed. Piping the ditch will provide connectivity between the north and south vehicle storage areas. The plan provided will need to be reviewed by the town engineer.

Phase 4 is the expansion of the vehicle storage area. This phase will include removing existing vegetation grading to sheet flow for stormwater mitigation and installing 6' layer of gravel. . A 10-foot-high metal fence for screening and security around the perimeter of the vehicle storage area is also included in the plan.

Mr. Bebout stated that the overall project will not disturb more than 5 acres at any one time. A full SWPPP report will be provided. They are seeking preliminary approval so the prefab buildings can be ordered as it could take as long as 10-12 months to get them. The EPB discussed building setbacks with the applicants. Mr. Balcerzak asked if they were processing cars already. Mr. Lewis stated they are and have done over 1000 cars already.

IV. Site Plan Approval for proposed parking lot expansion, 2 new buildings, expansion of vehicle storage area and above ground fuel tank storage for Wilbert's U- Pull It @ 550 Pound Rd Applicant – Todd Lewis (Continued)

EPB reviewed the checklist:

Zoning: Industrial

Site & Building Details: need engineering blueprints and design elevations

Lighting: no new parking area lighting is proposed. There will be building mounted lights on all buildings including the front façade. Proposed fixtures will be dark sky compliant. Need to show on plans.

Parking: need to check with highway department about curb cut

Drainage: need approval from the town engineer

Signage: have a building permit for current sign

Landscaping: N/A

Water Service & Septic System: no new water service

Fire Department: need letter from the fire department

A motion was made by Thomas Reid and Seconded by James Millard to give Preliminary Site Plan Approval Yes-6 No-0

V. Site Plan Approval for a 50' x 100' pavilion for Calvary Heights Baptist Church @ 981 Bowen Rd Applicant – Rev. Philip Czekalski

Kevin Kabel, the lead pastor of the Calvary heights Baptist Church, was present to speak about a proposal to build a pavilion behind the existing church to be used for outdoor events. Pastor Kabel explained that the church is growing, and the current carport area is no longer big enough for their outdoor events. This will be a 50' x 100' pavilion behind the church to be used for both church and community events. It will be about 95 feet from the existing church, 20 feet from the existing sheds and about 75 feet from Route 400. The structure will not be seen from Bowen Rd, only from Route 400. Mr. Merkle asked how close to the residential neighbor. Mr. Kabel said it will be between 200-250 feet from the neighbor to the south with whom they have a good relationship. The property is about 7 acres. The new structure will be parallel to the church. Mr. Millard asked about driveway access to the pavilion. Mr. Kabel said there is an existing stone driveway to the sheds. This driveway will be paved to provide access to the pavilion. The area was a grass area that has been prepared for construction already. It will have a concrete floor.

V. Site Plan Approval for a 50' x 100' pavilion for Calvary Heights Baptist Church @ 981 Bowen Rd Applicant – Rev. Philip Czekalski (Continued)

EPB reviewed the checklist:

Site & Building Details: Does not have a new stamped survey. Ray Balcerzak said the plans provided would be sufficient as “blueprints

Lighting: new lighting in the pavilion only, no new lighting on the church or in the parking lot

Parking: no change to parking

Drainage: need approval from the town engineer

Signage: no new signage.

Landscaping: N/A

Water Service & Septic System: no new water service

Fire Department: need approval letter from the fire department

There was much discussion about needing a stamped survey. The new structure was drawn on the old survey that was provided, showing all the setbacks. The applicant was asked to provide a new stamped survey when the project is completed showing all new work done.

A motion was made by Michael Cirocco and Seconded by James Millard to give Preliminary Site Plan Approval Yes-6 No-0

The EPB reviewed the SEQR. Corrections were made the item numbers 10, 11, 12 & 13 and initial by Mr. Kabel. Michael Cirocco made a motion to check box #2 on the SEQR, motion was seconded by Thomas Reid Yes-6 No-0. Motion Carried.

A motion was made by Thomas Reid and Seconded by James Millard to give Final Site Plan Approval contingent on the building department approving a final stamped survey, town engineer approval and a letter of approval from the fire department Yes-6 No-0 Motion Carried

VI. Adjourn Motion to adjourn at 9:25pm by unanimous consent.

Respectfully submitted,



Barbara Blair

Elma Planning Board Secretary