

01/20/09 Planning Board Minutes

TOWN of ELMA PLANNING BOARD
1600 Bowen Road Elma, NY 14059

MINUTES OF REGULAR MEETING –January 20, 2009

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, January 20, 2009 at 8:00 PM in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid
Member David Baker
Member Michael Cirocco
Member Anne Fanelli
Member Gregory Merkle
Member James Millard
Member Robert Waver
Alternate Gregory Kalinowski

TOWN REPRESENTATIVES:

Raymond Balcerzak, Asst. Building Inspector
James Wyzykiewicz, Town Engineer
Phyllis Todoro, Town Attorney

I APPROVAL OF MINUTES

Motion to Approve Minutes of December 16, 2008 made by James Millard and Second by Michael Cirocco.

Ayes: 7. Nays: 0. Motion Carried.

II COMMERCIAL COLD STORAGE BLDG - 1021 MAPLE RD., ELMA

John Nuttle, Owner of Numarco Inc, a commercial plumbing contractor, appeared before the EPB to request approval for the construction of a McElroy pre-engineered metal building to be located behind his existing buildings at 1021 Maple Road. He provided a photograph of the proposed building and a geographic site plan as well as a drainage map and plot plan blueprint .

The total square footage will be approximately 8,640. The intended purpose will be for storage of equipment and project materials for his business as well as for storing of his personal car collection. Asked by Mr. Cirocco if he intended to rent out any space, he responded: "It is possible in the future if someone asks. I would apply for a Business Use Permit for strictly storage. There would not be anybody working there."

The building will be facing the Route 400 Expressway. It will be tan color with green trim and the doors will be brown. There will be a two foot overhang and the gutters will also be green. Lights will be over each of the five 3' standard entry doors.

The EPB waived certain requirements under the Commercial Code C-3, Section 144-86.13 Design Standards, A. Architecture, General Design (windows): B. Site Layout (walkways) C. Parking, and D. Landscaping (screening) due to the fact that it will not be visible from Maple Road.

Questioned about wetlands, Mr. Nuttle said he had researched the area and had turned the information over to the surveyor indicating that there are none. James Wyzykiewicz, Town Engineer, stated that because of the distance from the neighbors, he will not be recommending installation of a retention pond; and the plans are acceptable as submitted.

Motion to approve the Type I Short Form SEQR, indicating there will be no adverse environmental impact as a result of this construction, Made by Chairman Reid and Second by Anne Fanelli.

Ayes: 7. Nays: 0. Motion Carried.

Motion to grant Final Site Plan Approval was Made by Michael Cirocco and Second by Robert Waver.

Ayes: 7. Nays: 0. Motion Carried.

III BRUNETTO AUTOMOTIVE – 3211 TRANSIT (ADAMS MARTIAL ARTS)

Mr. William Adams, owner of the building at 3211 Transit Road appeared before the EPB. He was later joined by Bradley Brunetto, owner of Brunetto Automotive, currently located at 9393 Main Street, Clarence, NY 14031. He wishes to lease approximately 700 square feet of space within the building and use space outside to display used cars for retail and wholesale trade. Full details of the operation and site were reviewed on

November 18, 2008. At that time the request for Site Plan Approval was tabled pending satisfaction of these items. Mr. Adams provided a revised parking plan.

1. Show the current spaces in the parking lot: There are 71 parking spaces plus 3 handicapped spaces indicated on the site plan. Those spaces on the south side designated as 8'6", will have to be increased to 9' as required by the Code. Mr. Adams said he will cut into the berm to gain the extra width.
2. Indicate the exact number of cars you will be displaying: 8-10 cars.
3. Indicate where the cars are going to be displayed: Mr. Brunetto said he would like to display between 8-10 cars with six in the front and four on the side. Total space needed would be about 200 square feet.
4. Indicate the driving lanes including one-way designation: Mr. Adams stated that there will be an entrance only sign from Transit Road and signs on the side indicating one-way only. Anne Fanelli questioned whether the Fire Company should inspect the site for emergency access. In response Mr. Adams said he had already cleared the area to allow for access.
5. Designate the total required parking for the Adams' site: Mr. Adams said he will be removing part of the front corner, reducing it from twenty feet to about ten feet. Customer parking will be in the front with employee parking on the side for Brunetto Automotive. Parking on the remaining sides will be for the whole facility. The current 74 parking spaces will be increased by ten to 84 parking spaces when partial removal of the berm is completed.
6. Indicate with lines, the striping of the parking spaces. Areas not paved currently will be stone bits, "almost like paving" according to Mr. Adams. Placement of stripes between spaces is indicated on the site plan.
7. Show the wattage of light over the exterior man door on the side: An existing window will be removed on the side and replaced with a new door. The current lighting will not be changed.
8. Have the drainage plan reviewed and approved by the Town Engineer: Town Engineer

James Wyzykiewicz said that “drainage is not much of an issue with us”. He said there is an outfall to Transit Road from the parking lot and that should there be a problem, the State would notify Mr. Adams.

The EPB reminded Mr. Adams that no free standing signs are allowed. He said there would probably be two signs on the building: one in the front and one on the side.

In addition, the EPB declared that if the following deadlines were not met, the Building Inspector is granted authority to issue a citation to Mr. Adams, resulting in a fine for non-conformance to building codes:

March 1st - Entrance and One-Way signs to be installed.

May 1st – Paving and striping of all parking spaces completed.

In reviewing the Type I Short Form SEQR, Chairman Reid corrected item #5 designation from “new” to “modifications”.

Motion to Approve the Type I Short Form SEQR, with the item #5 correction, indicating there will be no adverse environmental impact, Made by Anne Fanelli and Second by James Millard.

Ayes: 7. Nays: 0. Motion Carried.

Motion to Grant Final Site Plan Approval for parking and dealer in vehicles (Chapter 60) with the following stipulations:

1. All 8’6” parking spaces will be increased to 9’.
2. The first four spaces on the berm will be additional display space.
3. Clearly visible signs installed at the south entrance into the parking lot and one-way only signs on the south side of building.

Motion Made by Chairman Reid and Second by David Baker.

Ayes: 7. Nays: 0. Motion Carried.

IV DISCUSSION - DESIGN GUIDELINES

The EPB concurred that having more specific examples of what the Town Board views for the future look of Elma is important and that it will prove to be useful to building contractors and private citizens.

V REVIEW & DISCUSSION OF TOWN CODE RE: “STORED”

A reference to People v. Pethick (Quinlan Zoning Bulletin) was provided to the EPB. It concerned the definition of “stored” in a town’s code and whether the code was explicit enough. After some discussion the EPB directed Diane Rohl, Secretary, to contact Andrew Reilly from Wendel Duchscherer for reference material. The EPB decided to review any findings at their February meeting.

VI EDUCATION & WORKSHOPS

- a. Planning Board Overview- On-Line Tutorial- ECD Env & Planning
- b. Project Submittals, DEC Requirements, SEQRA Review, MS-4 Constr Workshop February 11, 2009 Cheektowaga – ECDE&P, DOH, DSM,

The EPB discussed the value of on-line tutorials as used this year by several members who were unable to attend local meetings due to their business commitments. Diane Rohl, Secretary, was requested to be certain that this type of instruction provided by recognized agencies and/or organizations is included in the Town Board Resolution as acceptable educational credit; and to provide any new language to the Town Board for inclusion if necessary.

VII FYI

Building Inspector’s Reports – November and December 2008

ECB Minutes - 12/9/08 Town Web Site

EPB Minutes – 12/16/08 Town Web Site

ZBA Minutes – 12/9/08 Town Web Site

Town Board Minutes - 12/17/08, 1/7/09 Town Web Site

VIII ADJOURN

Motion to adjourn at 9:23 PM made by Chairman Reid and Second by Michael Cirocco.
Ayes: 7. Nays: 0. Motion Carried.

Respectfully Submitted,

Diane Rohl,
Recording Secretary

