

## **05/16/06 Planning Board Minutes**

The meeting on Tuesday, May 16, 2006 was called to order by Acting Chairman Cirocco at 8:00 PM with the Pledge of Allegiance.

Members present: David Baker also: Joe Colern, Building Insp  
Anne Fanelli Gene Stevenson, Water Supt.  
Greg Kalinowski, Alt Jim Wyzykiewicz, Town Eng<sup>l+r</sup>  
James Millard Robert Pierce, Attorney  
Michael Cirocco, Chairman

The minutes of the last meeting of April 18, 2006 were approved as submitted.

The first item on the agenda was Countryside Subdivision on Bullis & Girdle Roads for Preliminary Plat approval. Property owner Robert Hesse and Mike Borowiak from Nussbaumer & Clarke Inc. were present. Responses on the SEQR were discussed. No response has been received from the Army Corp of Engineers. Due to the items of concerns on responses on the SEQR, the Planning Board will not take any action on this project until the Town Board reviews the SEQR and makes a referral back to the Planning Board. The plan as presented (with 1 entrance and 1 exit) is acceptable to the Planning Board. A drainage district needs to be formed. Mrs. Fanelli is concerned about rezoning the property. Mr. Hesse stated a Phase I Archeological Study was done and submitted to SHPO. This matter is tabled pending further review of the SEQR and direction from the Town Board.

The next item on the agenda was Bo Tucker for a rezone on Seneca Street. No one was present for this case.

The next item on the agenda was Advanced Auto Parts for the corner of Transit Rd and Clinton St. Attorney Paul Silvestri representing Westminster Place, Al Hopkins from Metzger Civil Engineering, Jack Gordon and Mike Redlawsk from Westminster Place Partnership were present. Mr. Hopkins presented new plans showing the surrounding residences and reviewed the proposed plans. Changes made were: evergreen trees and

6' stockade fence will be put up for screening for the neighbor to the east, the sign was moved 30' off property line, the DOT required the entrance on Transit be moved further south, the apron on Clinton St was increased to 7'. Approval was received from the Erie County Health Dept on the septic, Water Department issues were addressed, lighting will be shielded & minimal, Town Engineer reviewed and approved drainage, signage was addressed, parking was reviewed and a reply was received from the EC Dept of Planning. Three parcels are incorporated for this project - 1 is presently owned by the applicant; ownership of the other 2 properties is contingent upon final approval of the project. Noise was addressed in reference to air conditioning units on the building. Chairman Cirocco entertained a motion to approve the preliminary site plan for Advanced Auto Parts. Mr. Millard so moved, seconded by Mr. Baker. Poll vote ( 5 ayes. Motion for preliminary approval carried.

Chairman Cirocco made the motion to adopt The Resolution of the Town of Elma Planning Board Preliminary Site Plan Approval for Proposed Advanced Auto Parts Store as presented as a statement of record to facilitate the needs of the applicant in collaboration to approve by the Town Attorney, seconded by Mr. Millard. Poll vote ( 3 ayes, 2 noes. Motion to adopt carried. (Mr. Baker and Mrs. Fanelli voted no.) See last page of the minutes on file in Town Clerk's Office for Resolution.

Mr. Silvestri requested the Planning Board grant Final Site Plan approval to Advanced Auto Parts.

Chairman Cirocco entertained a motion for Final Site Plan approval for Advanced Auto Parts contingent upon the formation of a Drainage District, a letter of intent of ownership of the property, and subject only to the building in regards to Westminster's application to build an Advanced Auto, approval from the DOT on the curb cut, and placement of the air condition units as noted on final plans. Mr. Millard so moved, seconded by Mr. Kalinowski. Poll vote ( 3 ayes, 2 noes. (Mr. Baker and Mrs. Fanelli voted no). Motion to approve carried.

The next item on the agenda was a preliminary site plan review for Brooks Rigging at 621 Conley Rd. Jim Brooks and Tim Shevlin were present. Mr. Brooks would like to build a 90'x125' steel cold storage building with minimal lighting and 3 overhead garage doors and a slight pitch to the roof and will sit behind the existing residence. The property is zoned Industrial. There will not be any additional driveway or parking

required. The exterior will be similar to an existing building on the property. The building sits 258G+ back, additional screening is not required. The Town Engineer has reviewed and approved the drainage. There are no issues with the Water Department. Chairman Cirocco entertained a motion to approve the preliminary Site Plan for Brooks Rigging for a 90G+x125G+ storage building. Mrs. Fanelli so moved, seconded by Mr. Baker. Poll vote G( 5 ayes. Motion for preliminary approval carried.

Chairman Cirocco entertained a motion for Final Site Plan approval to Brooks Rigging for a 90G+x125G+ storage building. Mr. Kalinowski so moved, seconded by Mrs. Fanelli. Poll vote G( 5 ayes. Motion for Final approval carried.

The last item on the agenda was final Site Plan approval for Bravo Caf+¼ & Catering. Dave Sutton from Deansutton Architects, Susan King from King Consulting Engineers, Philip & Carmela Puttacciato owners of Bravo were present. Mr. Sutton reviewed the project stating they will be using an existing 3500 sq. ft building that was used for retail and will now be used as a restaurant. The septic has been re-designed, parking has been expanded, drainage has been submitted and reviewed by the Town Engineer, a 8G+x25G+ walk-in cooler will be added to the north side of the building, re-striping and re-paving work will be done as well as paving of new parking area, more property was secured for parking from adjacent neighbor, the curb cut was discussed, there are 39 parking spaces and 2 handicap spaces, signage addressed, dumpster enclosure discussed, lighting was addressed as minimal, the Fire Dept has sent a letter requesting 5 spaces be eliminated along the building for a fire lane, a letter was received from the adjacent property owner allowing overflow of parking and for snowplowing, the Health Dept has received and reviewed plans and approval is still pending from the DEC on SPEDES Permit because of the excess of 1,000 gpd. They anticipate the restaurant having 65 seats and a small banquet room occupancy will be dictated by the Building Dept and the number of parking spaces. Chairman Cirocco made the motion to approve the final Site Plan for Bravo Caf+¼ allowing for 110 seats based upon a letter of intent for additional offsite parking from adjacent property owner\* and contingent upon the Building Dept verifying the entire parcel to include the newly acquired property is zoned Commercial. Poll vote G( 5 ayes. Motion to approve carried.

\*This is an exception to the code parking requirements regarding off-site parking; if ownership of adjacent property changes and the overflow of parking is no longer available the occupancy will have to be adjusted accordingly or a letter from the new

owner will have to be submitted to allow the overflow of parking.

New business:

Granting preliminary and final approval at one meeting for a single applicant was briefly discussed.

There being no further business, the meeting was adjourned at 10:20PM.

Respectfully submitted,

Jennifer M. Ginter  
Secretary/Clerk