

11/21/06 Planning Board Minutes

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

DRAFT û MINUTES OF REGULAR MEETING

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the Board, was held on Tuesday, November 21, 2006 at 8:00 p.m. in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

PRESENT: Absent:

Chairman Thomas Reid Member David Baker
Member Anne Fanelli Member Robert Waver
Member Greg Merkle
Member James Millard
Alternate Gregory Kalinowski (For Robert Waver)
Member Michael Cirocco (arrived at 8:18 p.m.)

OTHERS PRESENT:

Joseph Colern, Building Inspector
James Wyzykiewicz, Town Engineer
Phyllis Todoro, Town Attorney

I APPROVAL OF MINUTES

Motion to Approve Minutes as submitted by James Millard and Second by Gregory Kalinowski.

Ayes: 6 Nays: 0. Motion Carried.

II EXPRESS MART/TIM HORTONÆS û Preliminary Site Plan Approval

Mr. Frank Jacobson, Esq. appeared before the Board in the absence of Mr. Ralph Lorigo, Esq. Mr. Jacobson reviewed with the Board the exterior building materials of the proposed addition to the current Mobil Gas Station at 661 Jamison Road, Elma. The Board questioned what the roof was made of, the canopy and the columns. It was also suggested that the architecture and exterior materials of the gas station at Bowen and Bullis Roads would be an example of a building that fits into Elma. The Board would like

an asphalt roof, not metal and a traditional style building.

Mr. Jacobson said there will be one public restroom. There will be no walks or parking spaces allocated for the Express Mart or Tim HortonÆs except for one HC space; also there is no allocation for employee parking. The Board speculated that there could be 6-8 employees working at one time, asked where employees would park and where the patrons of the Express Mart would park. Mr. Jacobson stated that it was expected that the patrons would buy gas, leave their cars at the pump and then shop if necessary at the Express Mart. He explained the basic operation of Tim HortonÆs, stating that it would be strictly take-out, with no place for inside seating and that all of the facilities would be open 24 hours per day/7 days per week. It was determined that there would be a full take-out menu offered û as evidenced by the interior layout in the blueprints.

There was considerable discussion regarding the traffic pattern as laid out for the take-out window. The Board expressed concern regarding the number of cars that could be waiting in line, as well as the safety factor involving the potential back up of cars on Bowen Road and the difficulty for cars entering and exiting. Ideas were explored including an entry from Jamison Road instead of Bowen Road, the reconfiguration of the traffic lane for take-out that would wind around the building such as in East Aurora, and where parking spaces could be located. The Board estimated that anywhere from 8-10 cars could be in the take-out lane at any one time. The Board also suggested that other Tim Horton operations should be studied as to how they were laid out and how they handled the traffic.

Building Inspector Joseph Colern said a ZR-1 Form (change of use within 500 feet of a county road) would have to be filed with Erie County.

The following recommendations were made by the Board:

SITE PLAN:

1. Indicate on the Site Plan the number of parking spaces for employees (6-8) and how many additional spaces for walk-in patrons for the Express Mart and Tim HortonÆs.
2. Provide an acceptable layout of traffic pattern from entering to exiting Tim HortonÆs to handle at least 8-10 cars in the take-out lane.
3. Indicate how and where the overflow of cars will be handled in a manner that alleviates any potential traffic hazards.
4. Provide details on exterior lighting: Location, number of lights, wattage, direction in

which will they be pointing.

5. Determine the current capacity of the septic system. A letter will be required from the Erie County Department of Health stating that the current system can handle the additional capacity.
6. Obtain approval from the Town Engineer on the drainage system.
7. Identify landscape plan (bushes, trees, height). Plants should not be an obstruction to a driver's view when entering/exiting.
8. Provide detailed explanation of all exterior materials (i.e. columns).
9. Change roof from metal to asphalt shingle roof.
10. Provide details on any new signage.
11. File a ZR-1 Form with the Erie County Planning Department.

Motion to Table by James Millard and Second by Anne Fanelli.

Ayes: 6. Nays: 0. Motion Carried.

III AL-WIL AUTO SUPPLY û Preliminary Site Plan Approval

Mr. Thaddeus J. Fyda, architect, appeared before the Board to explain the details of the proposed one-story addition to the existing auto supply store located at 2811 Transit Road, Elma. The business has been operating at this location for 29 years. Hours of operation will be M-F 8-5, Saturday 9-2.

According to Mr. Fyda, the proposed addition will increase the size of the current structure from 1600 to 4500 square feet, or a total of 2900 square feet. Part of the space will be used for specialized paint materials and some additional supplies. The owners want to expand the retail space; add additional office space; increase the size of the paint mixing areas to three times its current size and provide a larger storage facility. Delivery trucks will access the site at the rear. Some trees will be removed and gravel will be laid down to accommodate the truck traffic. The front section of the side will be paved.

The building will be set back 100 feet from Transit Road. There will be no removal of green space from the front of the building, only the rear. The front and side of the building will be brick, the back will be brick with block. Parking in the front for seven cars will be increased by six more. There are 4-5 spaces in the front for truck rentals. Parking in the rear will be for 4-5 cars. The number of employees is expected to increase from nine to twelve people.

The exterior of the building is masonry. A sprinkler system may be installed in and around the storage and painting and mixing areas even though it is not required under fire code regulations. Mr. Fyda said there are lights on the exterior for security in the parking lot and all around the building.

The following recommendations were made by the Board:

1. Specify the type of materials in the construction of the building.
2. Provide detailed explanation of exterior lighting.
3. Provide details on any new signs.
4. Have the drainage system approved by the Town Engineer.
5. Delineate parking for seven additional spaces.
6. Specify width of driving lane on side of building. (15 feet required)
7. File a Short Form (Type II) SEQR.

Motion to Grant Preliminary Site Plan Approval pending satisfaction of the above specified items, by James Millard and Second by Michael Cirocco.

Ayes: 6. Nays: 0. Motion Carried.

IV ENTERPRISE CAR RENTAL - Preliminary Site Plan Approval

Mr. Daryl Martin, Architect and Mr. William Snyder appeared before the Board to explain the details of a proposed building to be located at 3461 Transit Road, Elma, with approximately 530 feet of frontage on approximately four acres, two of which are designated wetlands and will remain undisturbed. According to Mr. Martin: The Army Corps of Engineers have approved the delineation of wetlands at the site and a letter was submitted to the Board. The building will be a one story, wood frame structure with asphalt shingle roof, approximately 1600 square feet in size. Business hours will be: M-F 7:30-6:00; Saturday 9-12.

Enterprise Car Rental owns a fleet of 75 cars but only about 10% are on the grounds at one time. It was later determined that there could be as many as eighteen (increased from an initial estimate of twelve) cars on site at any one time. No repairs or refueling is done at this Enterprise location. Cars are under warranty and repairs are performed by the dealer if necessary. Enterprise Car Rental is also a hub for car rentals to patrons of businesses such as Carstar Collision, Basil Chevrolet, etc.

There will be pole lights, two in the front and one in the back.

Town Engineer James Wyzykiewicz recommended a drainage district be formed by the Town Board and asked if it would be detaining or retaining water. Mr. Martin responded that it would detain water. It would be necessary to get a curb cut permit from New York State Department of Transportation to tie into the drainage system. Approval from the Erie County Health Department will be necessary for the septic system. There also needs to be a buffer zone of 100Æ between the septic system and the wetlands. According to Mr. Martin, there will be no intrusion into the wetlands area. It was noted that although the wetlands are under the jurisdiction and control of the federal government, specifically the Army Corps of Engineers, it is the responsibility of the Board to make them aware of plans for the site.

The following recommendations were made by the Board:

1. Request a permit from NYS DOT for a curb cut..
2. Request formation of a Drainage District from the Elma Town Board.
3. Obtain letter from the Fire Company indicating there are no fire hazards or non-compliance issues.
4. File ZR-1 Form to Erie County Division of Environment and Planning .
5. Inquire of owner of the adjacent property currently being rented, whether he desires any kind of buffer between his house and the business. Report results back to the Planning Board.

Motion to Grant Preliminary Site Plan Approval subject to satisfaction of the above specified items, by Gregory Kalinowski and Second by James Millard.

Ayes: 5. Nays: Anne Fanelli. Motion Carried.

V OLD BUSINESS

A. BOARD MEETING TIME - There was a discussion regarding changing the meeting time of the Board to the ôwinter scheduleö. No decision.

B. LETTER REGARDING COUNTRYSIDE SUBDIVISION -A copy of a letter from the Erie County Department of Public Works in regard to the Countryside Subdivision was provided by the Building Inspector. Joseph Colern stated that there were issues pending for a final SEQR. He stated that the developer had not contacted him in months. Questions were raised about a reference in the letter to the requirement of General Municipal Law Section 239. Diane Rohl will have more information at the next Board

meeting regarding the purpose and specific requirements of this Law.

VI NEW BUSINESS

A. PROJECTOR SCREEN - Michael Cirocco stated it would be helpful to have a projector screen to show property images from the GIS Internet site instead of using the wall. Diane Rohl suggested that the purchase of a screen could be shared equally from the budgets for the Planning Board and the Conservation Board since both use the GIS system at their meetings. Consent was unanimous to approach the Conservation Board with the request.

B. MUTUAL COOPERATION û There was a discussion among Board members regarding the importance of the various municipal organizations working together. It was felt that in so doing, there would be more opportunities for mutual cooperation and for a clearer vision of how the Town of Elma needs to grow to meet the changing needs of its residents while still retaining its original character. Diane Rohl would draft a proposed letter for the next meeting.

Motion to Adjourn at 9:55 p.m. by James Millard and Second by Gregory Merkle.
Ayes: 6. Nays: 0. Motion Carried.

Respectfully submitted,

Diane Rohl,
Secretary to the Planning Board