

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING- May 20, 2014

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday May 20, 2014 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid (arrived at 7:20 PM)

Deputy Chairman James Millard

Member David Baker

Member Michael Cirocco

Member Michael Cleary (arrived at 7:20 PM)

Member Robert Waver

Alternate Charles Putzbach

ABSENT:

Member Gregory Merkle

TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney

Raymond Balcerzak, Asst. Bldg. Inspector

James Wyzykiewicz, Town Engineer

I APPROVAL OF MINUTES - April 15, 2014

Motion made by David Baker and Second by Robert Waver to approve the Minutes of the EPB Regular Meeting held on April 15, 2014.

Ayes: 5. Nays: 0. Motion Carried.

II STORAGE/OFFICE BUILDING - 5962 Seneca St - 6,960 Sq Ft (C-2)

Owner Bo Tucker, Creative Land Development, and John Schenne, Engineer with Schenne & Associates, returned to present the final plans for a metal storage building. Deputy Chairman Millard conducted the meeting. The following information was requested at the 4/15/14 meeting before FSPA could be enacted.

1. Stamped Survey: *Not provided. Mr. Tucker had stated at the 4/15/14 meeting that "he had no plans to make the proposed project a separate parcel from the total acreage" but the Site Location Plan C1A showed a lot 114' w x 300' d. Need clarification on an official survey to be submitted to the Building Department.*

2. Landscaping Plan with value and two year warranty: *A plan was provided with a discrepancy. The plant list did not coincide with the actual plan. One Taxus Hickii was removed, leaving six. Estimated value of \$1,250 was based upon six. Mr. Tucker offered to provide a check in lieu of a two-year warranty. Attorney Todoro said this did not comply with the intent of the new code. The EPB agreed to accept a letter from Mr. Tucker guaranteeing replacement within two-years.*

3. Drawing of Sign with detail: *The Sign Design showed a 4' x 8' sign mounted on posts. Mr. Tucker said it will be white with black letters and no lighting.*
4. Letter from Spring Brook Fire Department: *Dated 5/7/14 and received.*
5. Letter of Approval from EC Health Department: *Mr. Schenne said the request for septic system approval had been submitted a month ago, fees paid and the ECHD indicated there is presently a back log.*
6. Letter of Approval from EC Highway Department: *Dated 4/23/14 and received.*
7. Request to Town Board for Drainage District: *Mr. Tucker provided a copy of a letter with an incorrect date and an incorrect address. Need to resubmit to Town.*
8. Corrections to Application for Use Permit: *(need to be done)*
 - *Proposed Use: Add personal storage to "business/commercial as permitted".*
 - *Size of Lot: Indicate either 17 AC or correct individual lot size to 114'x 300'.*
 - *Size of Building - Frontage, Depth, Total Floor Area- Correct to 6,960 sq feet.*
 - *Air Conditioning: Correct "Front Office only" to 'None'.*
 - *No. of parking Spaces: Correct to 16 including 2 HC.*
9. Letter from Elma Water Dept: *Dated 5/14/14 and received.*

Shared with the applicant was a photograph of the side of the new building on Maple Road, constructed by Camino Development and partially occupied by the Moto Company. It showed a false chimney on the blank side wall to break up the space. Mr. Tucker agreed to do the same with his building, between the bays, closer to the front beyond the tree line, and matching the stone appearing on the front. Deputy Chairman Millard sketched it onto the submitted building plan. A copy of the photograph was also to be emailed to the Building Inspector.

With the assistance of the EPB, Deputy Chairman Millard completed Part 2. of the Short Environmental Assessment Form. He also completed the EPB Checklist.

Motion made by Deputy Chairman Millard and Second by Charles Putzbach to approve the SEAF based upon "that the proposed action will not result in any significant adverse impacts".

Yes : 5. No: 0.

Abstain: Reid & Cleary. (Rationale: Were not present for entire proposal review.)

Motion made by David Baker and Second by Robert Waver to grant Final Site Plan Approval contingent upon item(1) submission of stamped survey; (2) personal letter guaranteeing landscaping for 2 years; (5) letter from EC Health Department; (7) New Letter to Town Board for Drainage District; (8) Corrections to PBUP.

Yes: 5. No: 0.

Abstain: Reid & Cleary. (Rationale: Were not present for entire proposal review.)

III TIM HORTONS CAFE & BAKE SHOP - Transit Road South of #2151

Chairman Reid assumed the Chair. Diana Ulsrud, Owner of Two Creams LLC, Patricia Bittar of W/m Schutt Associates and Daniel Blamowski, PE/Real Estate Project Planner for Tim Hortons appeared before the EPB to present a proposal for construction of a Tim Hortons Cafe & Bake Shop. The property is currently zoned C-2 for the first 300'; Residential C for the remainder of the 1.34(+/-) AC parcel. Scheduled for a Sketch Plan Conference, the fee for application for Site Plan Approval will be paid upon proceeding with the site plan approval process.

The following documents were submitted and reviewed overall:

- Letter of authorization by W/m Schutt Associates.
- Application for Site Plan Approval - pending EPB recommendation.
- EPB Checklist.
- Site Plan C-3.
- Color copies of Building Elevations.
- Color Copies of Signs. (Size exceeds Building Code. Needs ZBA approval.)
- Exterior Lighting Specifications.
- Landscaping Plan C-7.
- Landscape Value Estimate Form (\$13,164).
- Truck access/egress plan C-8.
- Aerial of proposed site and adjacent properties.
- Photometric Site Plan.
- SEQR - Short Environmental Assessment Form.
- Letter from Fischione Construction Co. - no objection to proposed plan.

EPB Member Cirocco brought up on the wall TV, using Google, the view of the site and surrounding areas including Transit Road. Patricia Bittar stated that the frontage will be 100'. The building size will be 1,953 square feet with a seating capacity for 23 customers. Lighting will be pointing downward. The exterior will be redbrick with contrasting base veneer of 18-14". Mr. Blamowski showed samples of the exterior materials to the EPB. There will be striped awnings. The roof will be asphalt shingles and designed to hide any mechanicals.

Total parking will be 29 spaces, 9' wide, exceeding Code requirements of three spaces/25 sq ft gross size or two spaces/5 seats. The south side (parking) will be buffered with a row of evergreens. The north side (drive thru) will have no buffer as it is bordered by an asphalt parking lot. The dumpster will be enclosed. The drive thru will have a lane with a 15 car cue. Concern was expressed by the EPB regarding:

1. Volume of cars normally at a TH drive thru as being more than fifteen.
2. Transit Road narrows just at the driveway creating traffic concerns. EPB request for limited traffic cue.
3. Driveway appears to be directly across the street from a residence.
4. Location of HC parking spaces as being too far from building.
5. Question as to size of turnaround area.
6. Traffic safety as delivery trucks have to back in to unload.

According to Project Engineer Bittar, there are no wetlands. The drainage plan will include a detention pond and stormwater discharge plan.

Plans have been submitted for approvals to the Town Engineer for Drainage; EC Health Department for septic system; Spring Brook Fire Co. for emergency ingress/egress; DOT when Lead Agency is determined. (At this time it is unknown as to whether it will be the EPB or the Town Board.) According to Mr. Blamowski, a request for PBUP is on the Town Board Agenda for May 21st.

Motion made by Chairman Reid and Second by Michael Cleary to determine that under Town Code 117-2 B.(3), Sketch Plan Conference, the project does require full review under this Chapter, based upon its scope and/or land use and site design characteristics, and advise the applicant of preliminary site plan requirements in accordance with Section 117-3 of this chapter.

Ayes: 7. Nays: 0. Motion Carried.

Member David Baker suggested that in the future, all applicants be required to provide an aerial view as part of any Site Plan.

IV MANUFACTURING/OFFICE METAL BLDG ADDN - 591 Pound Rd

James Wyzykiewicz (Town Engineer), owner of Stony Manufacturing, presented a photograph of the side of the existing building. It is located in an Industrial Zone. He explained that is it his intent to demolish a 24' x 40' section and replace it with a two story, 3000 square feet addition, 55' at the widest and 66' long. The lower floor will be for manufacturing; the upper floor for office space.

Mr. Wyzykiewicz said he will be matching the metal siding to the existing building and "may have to paint the vertical siding to match the color". The south side will have double hung windows and one man door; the rear double hung windows only. There will be no windows on the north side. He said there will be a camera and exterior lights in the parking lot to deter thefts but no lights will be on the exterior of the building. The drainage system has a retention pond in the railroad track area and all downspouts will be directed there. Currently the property has two sand filter septic systems. Questioned as to whether a SEQR is required, the Town Attorney said she will check into it. EPB Member David Baker requested an elevation of the north side of the building. He said he believes it needs windows to break up the wall space.

Motion to grant Preliminary Site Plan Approval made by James Millard and Second by Michael Cleary.

Ayes: 7. Nays: 0. Motion Carried.

V WORKSHOPS

Subdivisions & Patio Homes Approval Process - Drew Reilly, Wendel
EPB Workshop - June 17th 6-7:45 PM @ Elma Town Hall

VI UPDATE ON MDCC

Chairman Reid asked what had transpired at the May 14th Town Board Meeting regarding the MDCC Recommendations Report prepared by Andrew Reilly. Secretary Rohl told the EPB that it was received by email an hour before the meeting and that she had prepared copies for the Town Board Agenda. Also, that it was moved to the end of the Agenda and then not discussed nor acted upon.

Chairman Reid shared some background of recommended MDCC Overlays; and that they were reduced by the MDCC from an original seven overlay districts to a final four overlay districts as part of the recommendations to the Town Board.

VII FYI

Bldg Inspector's Report - March & April 2014

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

Town Board Minutes - Town Web Site

MDCC Minutes - Town Web Site

VIII ADJOURN

Meeting was adjourned at 8:45 PM by unanimous consent.

Respectfully submitted,

Diane Rohl,
EPB Secretary