

A regular meeting of the Elma Town Board was held on Wednesday, June 14th, 2017 at 7:00PM, Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Supervisor	Dennis Powers
Councilman	Thomas Fallon
Councilman	James Malczewski
Councilman	Michael Nolan
Councilman	Tracy Petrocy

Also:	Building Inspector	Joseph Colern
	Highway Superintendent	Wayne Clark-Absent
	Water Superintendent	Eugene Stevenson
	Town Attorney	Phyllis Todoro
	Deputy Town Attorney	Dean Puleo
	Town Engineer	James Wyzykiewicz

Approximately 14 people attended the meeting.

The meeting was opened with the reciting of the Pledge of Allegiance.

Making the legal notice for the Public Hearing on the Conservation Easement for B. Jones at 2701 Girdle Rd part of the minutes Supervisor Powers opened the public hearing at 7:02pm. Speaking for B. Jones and no one spoke against. Supervisor Powers closed the public hearing at 7:05pm.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the perpetual Conservation Easement for B. Jones at 2701 Girdle Rd. Ayes-5. Noes-0. Carried.

Making the legal notice for the Public Hearing on the Stormwater Annual Report part of the minutes Supervisor Powers opened the public hearing at 7:06pm. No one spoke for or against the Stormwater Annual Report. Supervisor Powers closed the public hearing at 7:07pm.

Councilman Malczewski made the motion and Councilman Petrocy seconded the motion to approve the Stormwater Annual Report. Ayes-5. Noes-0. Carried.

Councilman Fallon made the motion and Councilman Petrocy seconded the motion to approve the minutes from the May 17th, 2017 meeting. Ayes-5. Noes-0. Carried.

#### Department Reports:

Town Engineer James Wyzykiewicz is requesting to have the Briggswood drainage ponds surveyed and staked for clarification before clearing the vegetation.

Councilman Nolan made the motion and Councilman Petrocy seconded the motion to add an item to the Agenda. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve the surveying and staking of the Briggswood drainage ponds for clarification before clearing the vegetation in the drainage ponds. Ayes-5. Noes-0. Carried.

Building Inspector Joseph Colern noted the monthly report for May with 28 permits issued, Fees collected of \$7083.11 with an estimated value of construction of \$976,852.

Water Superintendent Eugene Stevenson noted a leak was repaired at 2620 Bowen Rd. Mr. Stevenson would like to purchase a new pickup truck off the State bid list and work on Treehaven has started but will be on hold until the School sessions have ended.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to add an item to the Agenda. Ayes-4. Noes-1. (Councilman Nolan voted no) Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve the purchase of a new pickup truck for the Water Department off the State bid list, which has been budgeted for. Ayes-4. Noes-1. (Councilman Nolan voted no) Carried.

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Town Attorney Phyllis Todoro noted that the Comprehensive Plan Committee has started its meetings.

Councilman Fallon made the motion and Councilman Malczewski seconded the motion to approve the final SEQR for Local Law #3-2017 Subdivision of Land with the following resolution: WHEREAS, the Elma Town Code contains and specifies the local laws, and ordinances of the Town of Elma, and it has been determined that the Town Code is outdated and does not properly address allowed uses and processes for Subdivisions (Chapter 123: Subdivision of Land); and WHEREAS, the Elma Town Board formed a Subdivision Code Review Committee, and that committee working with a Planning consultant, has prepared draft language to revise the existing Chapter 123: Subdivision of Land in the Town of Elma Code and has recommended this language to the Elma Town Board; and WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Elma Town Board has conducted an environmental review of this new Code; and WHEREAS, the Town has identified that there are no other Permitting or Approval agencies for this action and received no substantial comments from other Interested Agencies; and WHEREAS, a public hearing was held regarding these Code amendments on 05/03/17 and no adverse comments were received; and WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to adopt this Code amendment by enacting a Local Law. NOW, THEREFORE BE IT RESOLVED, the Elma Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed amendment of Chapter 123, Subdivision of Land, will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues a SEQR Negative Declaration (represented by Parts 1, 2 and 3 of the EAF) in accordance with Section 617.7 of the SEQR regulations; and BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration. Ayes-4. Noes-1. (Councilman Nolan voted no) Carried.

Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Local Law #3-2017 Subdivision of Land with the following resolution: Whereas, the Elma Town Code contains and specifies the local laws, and ordinances of the Town of Elma; and Whereas, the Elma Town Board has evaluated these regulations as they relate to Subdivisions, determined that the laws to not properly reflect the needs of the Town and are outdated, issued a Moratorium on Subdivisions in November 2015 and formed a Subdivision Code Review Committee; and Whereas, the Subdivision Code Review Committee has reviewed these regulations, met over the last year, worked with a professional planning consultant, drafted amendments to the Subdivision of Land Law and has now recommended them to the Town Board; and Whereas, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law as follows: Be it enacted by the Town Board of the Town of Elma, New York, that the Elma Town Board amends the Elma Town Code as follows (full copies attached): Amend Chapter 123: Subdivision of Land, Articles I, II, III, IV and VI, by amending, deleting and adding to certain sections as shown in the attached full copy of the amendments; and Whereas, The Town of Elma held a public hearing on the proposed Code amendments on 05/03/17 and received no adverse comments; and Whereas, the Town Board has issued a Negative Declaration in accordance with SEQR requirements; and Now, Therefore, Be It Resolved, that the Elma Town Board amends Chapter 123 of the Town Code titled "Subdivision of Land" to provide for the revision of the Town Code as referenced above and as attached. Ayes-4. Noes-1. (Councilman Nolan voted no) Carried.

Councilman Nolan made the motion and Councilman Fallon seconded the motion to approve A. Lischer to attend the Court Clerk Conference in Ellicottville NY which has been budgeted for. Ayes-5. Noes-0. Carried.

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Councilman Malczewski made the motion and Councilman Fallon seconded the motion to approve Vouchers/Warrant #6 claim #595 thru #713 as follows: General Fund \$57,574.13; Highway Fund \$9,392.57; Water District \$27,390.27; Special District \$178,312.49.  
Ayes-5. Noes-0. Carried.

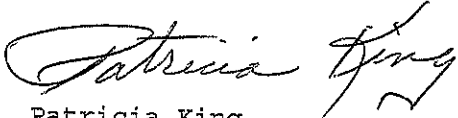
The next the Work Session will be July 19<sup>th</sup>, 2017 at 6:00PM with the Town Board meeting to follow at 7:00PM

All have received the Planning, Zoning and Conservation Board agenda and minutes that apply.

Meeting adjourned with a moment of silence for Councilman Nolan's Mother Marylou Nolan who recently passed.

Meeting Adjourned at 7:35PM. All in favor.

Respectfully submitted,



Patricia King,  
Elma Town Clerk

*Article I: Authority for Subdivision Control Amendments*

§ 123-1 Authorization of Subdivision Plat Approval

Amend § 123-1 A. as follows:

By authority of Town Law Section 276, the Town Board of the Town of Elma authorizes the Planning Board of the Town of Elma to review each plat for land subdivision within the Town and to recommend to the Town Board approval, approval with modifications, or disapproval in accordance with the procedures and standards herein after stated.

Delete § 123-1 D.

*Article II: Declaration of Policy Amendments*

Revise § 123-2 A. (2) as follows:

(2) Proper provisions shall be made for water supply, drainage, sewerage, broadband (supplying at least conduit), and other needed improvements and utilities.

Revise § 123-2 A. (4) as follows:

(4) Proposed streets shall compose a convenient system and shall be of such width, grade and location as to accommodate present and prospective traffic. Dead ends and cul-de-sacs are discouraged.

Amend § 123-2 A., by adding a new item (8), as follows:

(8) Subdivision design should include referencing the information and direction provided in the Town's adopted Comprehensive Plan (the Regional Comprehensive Plan - RCP and/or the most recent Plan).

Amend § 123-2 B. (1), as follows:

(1) In areas of the Town not having sewers, all lots proposed in a subdivision must have a percolation rate (done in accordance with New York State and Erie County Health Department standards) at a minimum rate of one inch in 30 minutes or better.

Amend § 123-2 B. (3), as follows:

(3) Subdivisions are only allowed in Residential A or Residential B zoning districts. Minor Subdivisions may be allowed in Residential C zoning district upon recommendation from the Planning Board and approval of the Town Board.

*Article III: Word Usage and Definitions*

Amend § 123-3 H., as follows:

(H) The word "Plat" means map or chart.

Amend § 123-4, as follows:

Remove the definition of "INTERIOR LOT."

Amend the definition of "SUBDIVISION," as follows:

SUBDIVISION

The division of any parcel of land into two or more lots, block plots, or sites, with or without new streets or highways, for the purpose of sale, transfer of ownership, or development. It also includes any alteration of lot lines or dimensions of any lots or sites shown on a plat previously approved and filed in the office of the County clerk. The definition of a Subdivision excludes lots that are over five acres in size. The Town of Elma also further defines of subdivision as a Minor or Major Subdivision as follows: Leave the definitions of "MINOR" and "MINOR SUBDIVISION" as they are.

*Article IV: Approval Procedure*

Amend § 123-6 A., as follows:

- A. Submission of a sketch plan: Any owner of land shall, prior to subdividing land, submit to the Town Clerk, at least 10 days prior to the regular meeting of the Town Board, two copies of a sketch plan of the proposed subdivision, which shall comply with the requirements of Article VII, Section 123-19, of these regulations for the purposes of classification and preliminary discussion. The Town Board shall discuss the application and supply input to the owner. If the Town Board finds that this application is in general accordance with the Town's regulation, they then will refer it to the Planning Board for their input in accordance with the following. Paragraphs B., C., and D. remain the same.

Amend § 123-7 A., as follows:

- A. Application and fee. Within six months of a classification by the Planning Board of a proposed subdivision as a minor subdivision, the subdivider shall submit an application for approval of a minor subdivision plat. The plat shall conform to the layout shown on the sketch plan, plus any recommendations made by the Town Board and Planning Board. Said application shall also conform to the requirements listed in Article VII, § 123-18. All applications for plat approval for a minor subdivision shall be accompanied by a fee as set by the Town Board by resolution from time to time.

Amend § 123-7 C., as follows:

- C. Subdivider to attend Planning Board and Town Board meetings. The Subdivider, or their duly authorized representative, shall attend meetings of the Planning Board and Town Board to discuss the proposed minor subdivision plat.

Amend § 123-7 D., as follows:

- D. Approval Procedure.
  - (1) The Minor Subdivision Application shall be placed on the next available Town Board meeting agenda (submission must take place prior to the deadline for the Town Board Agenda).
  - (2) The Town Board shall complete a cursory review of the application (with input from the Building Department) and refer the application to the Planning Board with any comments they have. If warranted, the Town Board could also begin the SEQR process by authorizing a coordinated review.
  - (3) The Planning Board, within 62 days of referral of the Plan to them, shall act by resolution on the application. In the event the Planning Board does not act within the 62 day period, the application will automatically be placed on the next Town Board agenda.
  - (4) The Planning Board shall either recommend approval, conditional approval with or without modifications, or disapproval of the plat. The Planning Board may also provide input on SEQR to the Town Board. The Planning Board shall specify in writing its supporting reasons for recommending approval with conditions or disapproval of the minor subdivision.
  - (5) The Town Board will receive the recommendation and make a SEQR decision on the Minor Subdivision. If a SEQR Negative Declaration is issued, the Town Board can set a Public Hearing on the application.
  - (6) Once the Public Hearing is scheduled, noticed and held in accordance with Town Law, the Town Board can act on the application; approve, approve with conditions, with or without modifications, or disapprove.

Amend § 123-8 A. (1), as follows:

- A. Application and fees.
  - (1) Prior to the filing of an application for the approval of a major subdivision plat, the subdivider shall file an application for consideration with a preliminary plat for the proposed subdivision. Such preliminary plat shall be clearly marked "preliminary plat" and shall be in the form prescribed by Article VII, § 123-20, hereof. The preliminary plat shall, in all respects, comply with the requirements of §§ 276 and 277 of the Town Law and as set forth in these regulations, except where a waiver may be specifically authorized by the Town Board.

Amend § 123-8 B., as follows:

- B. Purpose. The preliminary plat and the supporting documents for a proposed subdivision constitute the material to be officially submitted to the Town Board. One copy shall later become the official record of the Town Clerk. They show the layout of the subdivision and its public improvement, so that the Town Board can indicate its approval or disapproval of the subdivision prior to the time that the final plat,

including the design and detailing of the public improvements and utilities, is completed. Approval of the preliminary plat does not constitute an approval of the final plat, nor should it be considered a valid basis for the construction of site improvements or other commitments which depend upon its design characteristics.

Amend § 123-8 D., as follows:

D. Subdivider to attend Town Board and Planning Board meetings. The subdivider or their duly authorized representative, shall attend the meeting of the Town Board and Planning Board to discuss the preliminary plat.

Delete § 123-8 E., replace as follows:

E. Approval procedure.

- (1) Upon receipt of the Preliminary Plat Application by the Town Clerk, the application shall be placed on the next available Town Board agenda.
- (2) At the Town Board meeting, the Town Board shall review the application, provide input to the applicant, and refer the application to the Planning Board for their review, comment, and recommendation.
- (3) The Town Board may also begin a SEQR coordinated review process by authorizing the mailing of SEQR Lead Agency documentation to appropriate Interested and Involved Agencies.
- (4) The application will then be placed on the next available Planning Board meeting agenda.
- (5) The Planning Board within 62 days of receipt of the referred action, shall by resolution, either recommend to approve, with or without modifications, or recommend to disapprove such preliminary plat. The Planning Board shall also provide input to the Town Board on SEQR.
- (6) The Town Board, based upon input from the Planning Board and, if requested, other Involved and Interested Agencies, shall act in accordance with the State Environmental Quality Review Act.
- (7) If the Town Board issues a Negative Declaration or Conditioned Negative Declaration, then the application shall be considered complete and the Town Board shall schedule and hold a Public Hearing within 62 days of the complete application.
- (8) If the Town Board decides that an Environmental Impact Statement is required, and a public hearing on the Draft Environmental Impact Statement is held, the public hearing on the preliminary plat and the draft environmental impact statement shall be held jointly within 62 days after the filing of the Notice of Completion of such Draft Environmental Impact Statement in accordance with the provision of the State Environmental Quality Review Act. If no Public Hearing is held on the Draft Environmental Impact Statement, the Public Hearing on the preliminary plat shall be held within 62 days of filing the Notice of Completion.
- (9) Notice of the Public Hearing shall be advertised at least once in the official newspaper as legally designated by the Elma Town Board at least five (5) days before such hearings (if an EIS is required follow SEQR requirements).
- (10) Within 62 days from the date of such Public Hearing, the Town Board shall act by resolution of the preliminary plat. The Town Board shall either approve, with or without modifications, or disapprove the preliminary plat.
  - a. Notwithstanding the forgoing provisions, the time in which the Town Board must take action may be extended by mutual consent of the owner and the Town Board.
  - b. When approving the preliminary plat, the Town Board shall state, in writing, the modifications and/or waivers under Article 9 of the Real Property Law, that, if any, it deems necessary for submission of the plat in final form with respect to:
    - (i) The specific changes which it will require in the preliminary plat.
    - (ii) The character and extent of the required improvements for which waivers may have been specifically requested and which in its opinion, may be waived without jeopardy to the public health, safety, and general welfare.
    - (iii) The categories of improvement or the amount of all bonds therefore which the Town Board shall require as a requisite to approval of the final plat.
  - c. The action of the Town Board, plus any conditions attached thereto, shall be noted on three (3) copies of the preliminary plat. One copy shall be returned to the subdivider, one copy shall be retained by the Planning Board and one forwarded to the Town Board through the Town Clerk for preliminary approval, disapproval, or modification.

Amend § 123-9 A., as follows:

- (2) The final plat and other supplementary documents shall be filed with the Clerk of the Town Board, together with a written application for final approval, within six months after approval, with or without modification, of the preliminary plat, unless such time limit is extended by mutual consent of the applicant and the Town Board.
- (3) Town Board action.

- (a) Within 62 days from the date of such public hearing or from the date of submission of the final plat, if no such hearing is held, the Town Board, by resolution, shall either approve, conditionally approve, with or without modification, or disapprove the final plat and authorize the signing of such plat.
- (b) If a SWPPP was submitted in accordance with § 123-21B (5) of these regulations, the Town Board shall not approve the final plat unless the plat and SWPPP comply with the requirements of Chapter 120 of this Code.

Amend § 123-9 B., as follows:

- B. Partial development. If desired by the subdivider, the final plat may consist only of that portion of the approved preliminary plat which is proposed for recording and development at the time, provided that such portion conforms to all applicable requirements of these regulations and that the subdivision is being submitted for approval progressively in contiguous sections satisfactory to the Town Board.

Amend § 123-9 C., as follows:

- C. Purpose. The final plat and the supporting documents for a proposed subdivision constitute the complete development of the subdivision proposal. After a public hearing, as required, and approval by the Town Board, this complete submission along with the performance bond and the general liability insurance policy, as approved by the Town Board, becomes the basis for the construction of the subdivision and the inspection services by the Town Board and by the Town Engineer or other delegated Town official or representative.

Delete § 123-9 E. (1), § 123-9 E. (2), and § 123-9 E. (3), and replace as follows:

- (1) Upon receipt of the Final Plat Application by the Town Clerk or Clerk of the Planning Board, the application shall be placed on the next available Town Board agenda.
- (2) At the Town Board meeting, the Town Board shall review the application, provide input to the applicant, and refer the application to the Planning Board for their review, comment, and recommendation.
- (3) The application will then be placed on the next available Planning Board meeting agenda.
- (4) The Planning Board within 31 days of receipt of the referred action, shall by resolution, either recommend to approve, with or without conditions, or recommend to disapprove such final plat.
- (5) If recommend for approval, the application shall then be considered complete, and the Town Board, at their next meeting, shall decide if a public hearing is required or not (if the final plat is in substantial conformance with the preliminary plat, then a public hearing may not be required). If a public hearing is required, a public hearing shall be held within 62 days of the complete application.
- (6) If a public hearing is required, a Notice of Public Hearing shall be advertised at least once in a newspaper of general circulation in the Town of Elma at least five (5) days before such hearings.
- (7) Within 62 days from the date of such Public Hearing (or referral by the Planning Board, if no public hearing is held), the Town Board shall act by resolution on the final plat. The Town Board shall either approve, with or without conditions, or disapprove the final plat.
  - a. Notwithstanding the forgoing provisions, the time in which the Town Board must take action may be extended by mutual consent of the applicant and the Town Board.
- (8) Upon signature of all parties, the subdivision plat shall be filed by the applicant in the office of the County Clerk. Any major subdivision plat not so filed or recorded within 60 days of the date upon which such plat is approved or considered approved by reason of failure of the Town Board to act shall become null and void.
- (9) If conditional approval is granted, the Town Board shall empower a duly authorized person or persons to sign the plat upon compliance with such conditions and requirements as may be stated in its resolution of conditional approval. Within five days of the resolution granting conditional approval, the plat shall be so certified by the Clerk of the Planning Board (or Town Clerk) as conditionally approved and a copy filed in his office, and a certified copy mailed to the subdivider shall include a statement of requirements which, when completed, will authorize the signing of the conditionally approved plat. Conditional approval of a plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Town Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted, for a period not to exceed two additional periods of 90 days each.

Amend § 123-9 F., as follows:

- F. Filing. Upon completion of the requirements in this section and those in §§ 123-11 and 123-12 of Article V and notation to that effect upon the subdivision plat, the subdivision plat shall be deemed to have final approval and shall be properly signed by the duly designated officer of the Town Board upon receipt of notification that the required bond and insurance has had the approval of the Town Attorney. The final plat may then be filed by the applicant in the office of the Erie County Clerk. Town Board approval of a final plat shall not be deemed an acceptance by the Town of any street or other land shown as offered for cession to public use.

Amend § 123-9 G., as follows:

- (1) The final approval of a final plat or the certificate of the Town Clerk as to the failure of the Town Board to act within the time required by law shall expire within 60 days after the date of the Town Board resolution authorizing the duly designated officer of the Town Board to sign the drawings, or from the date the certificate is issued unless filing of the plat or a section thereof is accomplished within that time period in the office of the Erie County Clerk in accordance with § 278 of the Town Law.
- (2) Expiration of an approval shall mean that any further action shall require payment of a new filing fee, as well as Town Board review of all previous findings. On and after such expiration of plat approval, any formal offers of cession submitted by the subdivider shall be deemed to be invalid, void and of no effect.

Amend § 123-9 H., as follows:

- H. Filing in sections. At the time the Town Board grants plat approval, it may permit the plat to be divided into two or more sections subject to any conditions the Board deems necessary in order to ensure the orderly development of the plat. In accordance with § 276 of the Town Law, the applicant may file a section of the approved plat with the County Clerk. In these circumstances, plat approval on the remaining sections of the plat shall continue in effect for a period of three years from the filing date of the first section. When a plat is filed by section with the County Clerk, the applicant shall, within 30 days, file with the Town Clerk the entire approved preliminary plat. The subdivider shall not be permitted to begin construction of buildings in any other section until such section has been filed in the office of the County Clerk and the required improvements have been installed and approved in such section or a bond covering the cost of such improvements has been posted.

#### Article VI: General Requirements and Design Standards

##### § 123-17. Design standards

Amend § 123-17 B. (3), as follows:

- (3) Street widths (see Town Design Standards on file in the Town Clerk's office)

Delete § 123-17 B. (3) (a) and (3) (b)

Amend § 123-17 B. (4), as follows:

- (4) Pavement, drains and culverts. All pavement, gutters, drains, culverts and other street improvements required by the Planning Board shall conform to Town specifications, which are available in the Town Clerk's office.

Delete § 123-17 B. (4) (a); (b); (c), (d), (e) and (f)

Delete § 123-17 D. (2) (b)

Delete § 123-17 D. (3) (b)

~~Delete Article VIII: Clustering~~

#### LEGAL NOTICE

##### Town of Elma

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, County of Erie, will meet at the Elma Town Hall, 1600 Bowen Road, Elma, New York, on the 14th day of June, 2017, at 7:00 PM, for conducting a public hearing to consider and discuss and if need be act upon the proposed Open Space Protection and Land Conservation Easement for the Jones property on Ostrander Road as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Elma, County of Erie, and State of New York, being Lot No. 21, Township 10, Range 6 of the Buffalo Creek Reservation, more particularly bounded and described as follows:

BEGINNING at a point in the center line of Girdle Road, which point is also the southwest corner of lot 21; thence northerly along the center line of Girdle Road 20 feet to the southwest corner of lands conveyed to Barbara R. Jones by warranty deed recorded in the Erie County Clerk's Office at Liber 8781 at page 179; thence easterly and parallel to the south line of lot 21, along Barbara R. Jones' south line 283 feet to the southeast corner of the above described Barbara R. Jones' property; thence northerly parallel to the center line of Girdle Road and along Barbara R. Jones' easterly line 110 feet to the northeast corner of said Barbara R. Jones' property; thence westerly parallel to the south line of lot 21 and along Barbara R. Jones' north line a distance of 283 feet to a point in the center of Girdle Road, which point is also the northwest corner of Barbara R. Jones' property; thence northerly along the center line of Girdle Road 50 feet to a point thence easterly and parallel to the south line of said lot 21 to a point on the easterly line of lands owned or formerly owned by Hobart V. Roberts, Jr. and Bertha A. Roberts by Deed recorded in the Erie County Clerk's Office in Liber 5174 of Deeds at page 402; thence southwesterly and along the easterly line of the Hobart V. and Bertha A. Roberts lands to a point on the south line of lot 21, which point is also the southeast corner of lands owned or formerly owned by Hobart V. Roberts, Jr. and Bertha A. Roberts; thence westerly and along the south line of lot 21 and Roberts' south line 930 feet to the point or place of beginning.

By order of the Town Board of the Town of Elma, Erie County, New York

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Elma, Erie County, will meet at the Town Hall, 1600 Bowen Road, Elma, New York, on the 14th day of June, 2017, at 7:00 pm, for the purpose of conducting a public hearing to review the Annual Stormwater Report, at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same.

By Order of the Town Board of the Town of Elma, New York  
Patricia A. King  
Town Clerk of Elma