

## **10/16/12 Planning Board Minutes**

TOWN of ELMA PLANNING BOARD  
1600 Bowen Road Elma, NY 14059  
Phone: 716-652-3260

SENIOR HOUSING, ELMA CTR OVERLAY & SEQR UPDATE WORKSHOP  
On October 16th from 6-8:00 PM Andrew Reilly, PE, Consultant with Wendel  
Duchscherer, gave a presentation to EPB, several of the ZBA and Town Board members.  
This will qualify for two hours of NYS required educational credit.

MINUTES OF REGULAR MEETING -September 18, 2012  
The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the  
EPB, was held on Tuesday, October 16, 2012 at 8:15 PM in the Elma Town Hall at 1600  
Bowen Road, Elma, New York.

### PRESENT:

Chairman Thomas Reid  
Member David Baker  
Member Michael Cirocco  
Member Michael Cleary  
Member Gregory Merkle  
Member James Millard  
Member Robert Waver

### ABSENT:

Alternate Charles Putzbach

### TOWN REPRESENTATIVES:

Attorney Phyllis Todoro  
Raymond Balcerzak, Asst. Bldg. Inspector  
James Wyzykiewicz, Town Engineer - Absent

### I APPROVAL OF MINUTES - September 18, 2012

Motion made by David Baker and second by James Millard to approve the Minutes of the

EPB Regular Meeting on September 18, 2012.

Ayes: 7. Nays: 0. Motion Carried.

## II ONE LOT SUBDIVISION - LOT#3 Bullis Road

Owner Robert Hesse of Briggswood Drive, Elma was represented by Valerie Sarcione, Project Engineer with Nussbaumer & Clarke Inc. A request was made for approval of a one lot minor subdivision, Lot #3, as designated under Building Codes 123.4 and 123.11. Total frontage on Bullis Road of the irregular lot is 133.57 feet as shown on Drawing No. 03J5-0030 dated 10/11/11. (Included was an aerial view of the parcel indicating the location as east of Girdle Road.) It is in a Residential B Zone. It was determined that the lot size complies with Code;

and that there will be no adverse affects to the neighbors. A letter of approval dated 8/31/12 from EC Department of Health for a private sewage disposal system was submitted. Town Attorney Todoro stated that a SEQR is not required.

Motion made by Robert Waver and second by Gregory Merkle to approve the one-lot minor subdivision.

Ayes: 7. Nays: 0. Motion Carried.

## III SEASONAL NURSERY. 1120 Bullis Rd, REVISIONS (Tabled 9/18/12)

Owner Bryan Young, Young Development, did not appear. The EPB had tabled approval from the September 18th meeting until all members had an opportunity to visit the site. All confirmed they had done so.

Members commented that trees planted on the berm to provide screening from the neighbors were an "appropriate distance apart, higher than six feet and more aesthetically pleasing than the fence originally proposed" and approved. It was also commented that if the fence was installed now, the trees would have to be removed.

Chairman Thomas Reid said he had talked to Mr. Young. He then provided information and fielded questions from the surrounding neighbors who were present. He said the following were the options:

1. Install a fence and remove some trees.
2. Stay with the existing planting.
3. Plant 30 more trees, six feet tall, to provide more screening.

After much discussion the EPB made the following decision:

Often it is necessary to revisit a site after granting Final Site Plan Approval. The EPB has reviewed the south edge of the Rumley property and offers the following: Motion made by Michael Cirocco and second by Robert Waver to not install the fence but instead, add a second row of trees located to the south of the current trees planted, staggered to fill in existing visual gaps between the resident's property and the business property.

Ayes: 7. Nays: 0. Motion Carried.

Motion made by Chairman Reid and second by Michael Cirocco to add Todd Huber to the Agenda.

Ayes: 7. Nays: 0. Motion Carried.

#### IV COMMERCIAL BUILDING - 6091 Seneca St (Pennysaver Leasee)

Owner/Contractor Building Solutions, Todd Huber appeared before the EPB to present the revised building plan. The original site plan was submitted on 2/21/12 and tabled due to incomplete information required.

Attorney Todoro said that the neighbors expected that there would be public notice. Due to Mr. Huber not submitting plans to the Building Department by the deadline, he was not on the Agenda posted on the Town Web Site.

Mr. Huber said he has a lease agreement with the Penny Saver for the proposed building, noting they are in the process of consolidating a few locations. He passed out several copies of the plans. The EPB commented that they were difficult to read, that the printing was too light and too small. Chairman Reid had a copy of the Minutes from 2/12/12, listing the documents required for Final Site Plan Approval. He used those as a guide to proceed.

Mr. Huber said that he was increasing the building size from the original request of 5,200 square feet to 8,180 square feet. He said the exterior will be cultured stone (similar to the house located directly behind the Elma Library) and the rest of the building will be a pastel colored vinyl siding. The front entry will be steel fabricated with an overhang. The roof will be shingled. The windows will be of residential/commercial design. An overhead door will be located on the east side of the building. There will be a security fence, possibly with a key pad. There will be the

following lighting: 50W shining on the building; 75W wall pack over the door; 150W wall sconces next to the doors; 16' pole lights.

Chairman Reid calculated the required parking at 29 spaces. Mr. Huber said there are 35 parking spaces on the plan, size @ 9'x20' and 20 existing spaces not being used. Proof of a two year Maintenance Bond for Landscaping from Badger & Gunner Insurance Agency for \$6,273.31 dated 10/16/12. The business sign will be on the building and be added to the existing signage located at the road.

In the absence of a blank Checklist, the Chairman used it as a guide in determining what will be required of Mr. Huber for Final Site Plan Approval. (The short form SEQR will be completed when Final Site Plan Approval is granted.)

Items required for Final Site Plan Approval:

1. Copy of letter from Army Corps of Engineers regarding wetlands.
2. Review & Approval of drainage plan by Town Engineer and filing of SWPP.
3. Approval from EC Department of Health.
4. Copy of letter from Spring Brook Fire Department.

Motion made by Chairman Reid and second by Michael Cirocco to table.  
Ayes: 7. Nays: 0.

Motion made by Chairman Reid and second by James Millard to call a Special Meeting for Wednesday, October 24th at 8:00 PM for the purpose of reviewing documents and granting Final Site Plan Approval to Todd Huber, Building Solutions.  
Ayes: 7. Nays: 0.

#### V WORKSHOPS/MEETINGS

1. Email Notice from EC Env & Planning: Online Training Courses  
<http://www.dos.ny.gov/lg/lut/index.html>
2. Municipal Dollars & Sense Training Workshop - TVGA  
Hearthstone Manor, Depew 11/2/12 8AM - 3:30 PM

#### VI FYI

Infinigy Letter to ZBA (9/25/12) NYSEG Tower - SEQR preparation notice

Bldg Inspector's Report - September 2012  
ECB Minutes - Town Web Site  
ZBA Minutes – Town Web Site  
Town Board Minutes - Town Web Site

VII ADJOURN

Motion made unanimously to adjourn at 10:10 PM.

Respectfully submitted,

Diane Rohl,  
EPB Secretary