

12/20/11 Planning Board Minutes

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

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, December 20, 2011 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid
Member David Baker
Member Anne Fanelli
Member Gregory Merkle
Member James Millard
Member Robert Waver
Alternate Gregory Kalinowski

ABSENT:

Member Michael Cirocco

TOWN REPRESENTATIVES:

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

I APPROVAL OF MINUTES - November 15, 2011

Motion made by Anne Fanelli and second by David Baker to approve the Minutes of the Regular Meeting on November 15, 2011.

Ayes: 7. Nays: 0. Motion Carried.

II ONE LOT MINOR SUBDIVISION - Bullis & Girdle Rds (Hesse Property)

Valerie Sarcione, Project Engineer from Nussbaumer & Clarke Inc., representing the Robert Hesse Family, submitted a plot plan for Lot #1 dated 10/11/11. The property is

zoned Residential B \$144-98.C. Lot Size minimum frontage of 125 feet and depth of 250 feet. (Plan indicates frontage of 115.94' plus 9.07' at the southwest corner; depth of 304.70 -312.11.) All lots have not been split as yet according to Engineer Sarcione. Letters were submitted from the Erie County Health Department issuing a permit for a private sewage disposal system and indicating a positive perc test.

Motion made by Robert Waver and second by Anne Fanelli to recommend approval for a One-Lot Minor Subdivision Lot #1.
Ayes: 7. Nays: 0. Motion Carried.

III EASEMENT 280A LOT - 824 Ostrander Road

Owner of 824 Ostrander Road (Flag Lot) and proposed Lots A & B on Girdle Road, Kyle J. Miller submitted two options requiring his having an easement across the back of the proposed lots to access his property. Under the 280A Resolution adopted by the Town Board on 2/10/10, §II. b.10. Each Flag Lot shall have its own separate driveway that connects the Flag Lot to the public highway, with shared private driveways not permitted. If the proposal does not comply with the Town Board 280A Resolution, then §III.3. requires the Building Inspector to refer the application to the Planning Board for consideration under the NYS Town Law 280A.

The EPB said the goal was to maintain the driveway and make two 2 AC lots. Considerable discussion followed regarding how this could be accomplished. Town Engineer Wyzykiewicz commented that the two lots will most probably have drainage to the road. He recommended that Mr. Miller maintain the drainage ditch along his driveway instead of using part of Lot A and part of Lot B. Chairman Reid told Mr. Miller that an official, stamped survey will be required for Town Board verification of property dimensions. (Only a sketch was provided.)

Motion made by Chairman Reid and second by James Millard to recommend to the Town Board, approval under the Town Board 280A Resolution, of two-2 AC lots, Lot A measuring approximately 257.5' wide by 338'deep and Lot B measuring approximately 265.21' wide and 328.5' deep, that would be a minimum of 35' north of the 824 Ostrander lot. Approval will be contingent upon a signed survey that each lot is a minimum of 2 AC and the 35' distance has been maintained. Obtaining an easement for the driveway is

acceptable to the EPB. Also it is recommended that the east-west drainage improvement remain with the original 824 Ostrander property.

Ayes: 6. Abstain. 1. (David Baker)

IV CarMasters - 5770 Seneca Street

Redwood Circle, LLC Orchard Park, legal owners of CarMasters, appeared before the EPB. Debra Kerl indicated that their architect Patricia Bailey of Bailey & Harris was not available and that she would be presenting the plan. At the 10/18/11 EPB meeting Ronald Kimmel, owner of the property at 5800 Seneca Street, was referred to the Town Board for rezoning a part of the property from Residential C to Commercial C2. (Approved 11/16/11 Town Board Meeting.) The required blueprints were submitted and reviewed by the EPB:

S-1 Site Plan & Code Review

S-2 Grading Plan

S-3 Planting & Landscaping

S-4 Retention Basin Details

A-1, A-2 & A-3 Building Plan and Elevations

Appendices A-H (soil tests, exterior lighting, siding, drainage, sign, EC Hwy Dept)

Chairman Reid said the parking was reviewed at the October meeting. The front and side will be customer parking. There will be a gate separating the areas for repair vehicles. There will be one driveway with two lanes, one each for ingress and egress. The EPB requested that a pole mounted light be added to the parking lot. A separate recycling area will be in the back. Drainage will be underneath the parking lot. Town Engineer Wyzykiewicz said the drainage appears acceptable but will be contingent upon final SWPPP approvals.

The landscaping plan was reviewed. A raised berm will be along the retention area. A two-year maintenance bond will be required for the estimated value of \$9,800. The proposed sign will sit at the road on top of two nine foot block or brick pillars. It will be back lit. The request for a digital sign was denied by the Town Attorney as part of the newly adopted Sign Code.

The building will be steel siding with colored splitface block on the lower portions of the building (all sides). The roof will be steel. A sign will be on the upper front, limited to

10% of the facade. Two overhead doors will be on the west side, one for drive-in estimates and the other larger one for servicing. All painting will be inside and properly ventilated and exhausted according to DEC regulations. Hours of operation will be Monday-Friday 8-5; Saturday 8-1.

Motion by Chairman Reid and second by Anne Fanelli to approve the Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts.

Ayes: 7. Nays: 0. Motion Carried.

Motion by James Millard and second by Gregory Merkle to grant Final Site Plan Approval contingent upon receipt of approval letters from the Springbrook Fire Company and the Elma Water Department; and final SWPPP approval from the Erie County Health Department and approval from EC Highway Department.

Ayes: 7. Nays: 0. Motion Carried.

V BUILDING SOLUTIONS - 6091 Seneca Street

Todd Huber of Building Solutions was seated in the audience and invited by Chairman Reid to present his plan to the EPB. Mr. Huber said that his vehicles, which are parked outside, were recently burglarized two times and a number of tools were stolen from them. He said he wished to park the vehicles inside an existing building and needed another storage building for tools and supplies.

Secretary Diane Rohl asked Mr. Huber if he had paid the required Preliminary Use Permit Fee of \$75 for the rear building. He said he had paid it that morning. He proceeded to pass out three 8x10 sheets of paper showing a sketch of the existing and proposed building, the elevations from all sides of the proposed building, and a wall section indicating construction specs. (The EPB Members had no notice nor received any paperwork prior to the meeting.)

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In the absence of a site plan, Mr. Huber explained that the building would not be visible from the road; that it would be located 12' off of the 84 Lumber side and that a fence would be tied into their fence for security. He said the building would be stick built; 800 square feet (20' x 40'); all sides to be a split face material with champagne colored vinyl siding above; asphalt shingled roof; two overhead doors on the front (east), a man door

(south) and no windows. At this time there are no exterior lights but Chairman Reid requested that Mr. Huber bring a lighting plan when he appears before the EPB for Project #2.

Assistant Building Inspector Raymond Balcerzak submitted a list to the Chairman of ten items given to Mr. Huber by Building Inspector Colern which are required to comply with Town Codes prior to submittal to the EPB and/or Town Board. Chairman Reid scanned them and asked Mr. Balcerzak if he saw any that were a problem regarding this request for site plan approval. Mr. Balcerzak said "No".

Motion by Chairman Reid and second by Anne Fanelli to approve the Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts.

Ayes: 7. Nays: 0. Motion Carried.

Motion by Chairman Reid and second by James Millard to grant Final Site Plan Approval for addition of an accessory building 20' x 40' incidental to current business use as described under Code 144-2 B. Accessory Building and Code 144-84.B.(1) Permitted Uses: "Uses and structures customarily incidental to permitted uses", with no exterior lights at this time.

Ayes: 6. Nays: 1. (David Baker) Motion Carried.

VI WORKSHOPS - none scheduled.

VII MEETING SCHEDULE EPB - 2012

EPB Members received a copy of the meeting schedule for 2012. All are scheduled for the third Tuesday of the month and to begin at 7:00 PM.

VIII FYI

Bldg Inspector's Report - December 2011

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

VIII ADJOURN

Meeting was adjourned by unanimous consent at 9:25 P.M.

Respectfully submitted,

Diane Rohl, EPB Secretary