

## TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

### MINUTES OF REGULAR MEETING –December 21, 2010

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, December 21, 2010 at 8:00 PM in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

#### PRESENT:

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

#### TOWN REPRESENTATIVES:

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

#### I APPROVAL OF MINUTES

*Motion to approve the Minutes of November 16, 2010 made by James Millard and second by Anne Fanelli..*

*Ayes: 7. Nays: 0. Motion Carried.*

#### II OCTANE ENTERPRISES - 1721 Transit Road

Christopher Glinski, owner of Octane Enterprises, moved in December 2010 into the building at 1721 Transit Road that formerly housed an auto sales business. He has a lease-to-buy arrangement with James Turner, the current property owner. At the 12/8/10 Town Board Meeting, after issuance of a Preliminary Business Use Permit, Mr. Glinski was referred to the EPB for a recommendation under Dealers in Motor Vehicles, Elma Code 60-3.C.

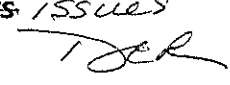
It was determined that this auto sales business will be located in a specifically zoned area for new or used car lots under Elma Code 60-6.(3) AREA 3. Mr Glinski stated that he plans on using only 26 parking spaces for cars on display (paved) but that in the future, he plans on having 45 cars on display (currently gravel). The building has one paint bay that is OSHA approved according to Mr. Glinski. He said he is going to use it for detailing; that he has no intention of doing any collision work but will be doing repairs and brakes. He also said he painted the building exterior (orange) and does not intend to paint anything more now.

Chairman Reid confirmed that the Town Board is lead agency and therefore the EPB does not need to act on the SEQR. The following resolution was passed:

*Motion made by Chairman Reid and second by James Millard that subsequent to the site review by the EPB under Elma Code 60-9.C, the Town Board give final approval contingent upon the modification of the Application for Use Permit to delete reference to "collision repair" from Items 5. and 11.*

*Ayes: 7. Nays: 0. Motion Carried.*

III SYLVIA'S PLACE - 2460 BOWEN ROAD (near Bullis)

Senior Housing Developer Bryan Young of Young Development appeared before the EPB for the second time at his request. Chairman Reid indicated at the outset of the meeting that there will be no action taken by the EPB. He also said that based upon the action by the ZBA on 12/14/10 to grant a continuance until further information is received, the EPB will attempt to provide clarification as to who has the responsibility for reviewing the numerous ~~Variance requests~~ <sup>ISSUES</sup> according to the Elma Town Code. 

Mr. Young briefly reviewed his proposal once again, stating that the only change since he presented to the EPB in November was that he had acquired an additional fifty-three feet of land. He said that the lot size now complied with Town Code (300 feet depth minimum for a buildable lot) and that it will allow for storm water detention and drainage to flow to the storm drain at Bullis Road.

The EPB reviewed each of the ~~Variance requests~~ <sup>ISSUES</sup> by Mr. Young as provided by the Building Inspector Joseph Colern to the ZBA. (ZBA Minutes of 12/14/10 were not available at this time.) The following were determined by the EPB as referenced in the Town Codes:

- 144-36.B. Multiple Dwellings Off Street Parking - Town Board  
Chairman believes there is no specific code for "Senior Housing".
- 144-42.A. Units of Measurement - Size of Parking Space - Zoning Enforce Officer
- 144-85.B. Uses Permitted by SUP - ZBA
- 144-85.D. Uses Permitted by SUP - Town Board & Public Hearing
- 144-86.2.D. Bulk Requirements Required Yards - EPB
- 144-86.3.A.(1) Design Standards - EPB
- 144-93.5 Objectives - EPB
- 144-93.8 Submission Requirements - EPB
- 144-93.9.B.(2) Design Standards Building Setbacks - ZBA
- 144-93.9.D Design Standards Site Layout - EPB
- 144-93.9.E(2) Design Standards Parking & Loading Areas - EPB
- 144.93.9.G (7) Design Standards Signage - ZBA

Town Engineer James Wyzykiewicz said a SPEDES Permit will be required from Erie County; also that the Town Board will have to determine a sewer district.

Following considerable discussion on parking requirements in the Elma Center Overlay District - 56 spaces proposed vs. 96 required in the Code - Mr. Young offered to get information from Orchard Park on their Overlay District and provide it to the EPB.

**IV RECOMENDATION FOR EPB APPOINTMENT - 2011- 2017**

*Motion made by James Millard and second by Michael Cirocco to recognize past contributions by Robert Waver in his membership role and to unanimously recommend to the Town Board that he be appointed to the EPB for another seven year term beginning January 1, 2011.*

*Ayes: 7. Nays: 0. Motion Carried.*

Members were provided a copy of their attendance at EPB meetings for 2010 as submitted to the Town Clerk. They also received a preliminary status report of their accrued educational credits as of the December meeting.

**V NYAT CONFERENCE, NYC - FEB 20-23, 2011**

Following the guidelines received from the Town Supervisor, there were no requests for conference attendance.

**VI FYI**

EPB Meeting Schedule 2011  
Bldg Inspector's Report – November 2010  
ECB Minutes - Town Web Site  
ZBA Minutes – Town Web Site  
Town Board Minutes - Town Web Site

**VII ADJOURN**

*Meeting adjourned by unanimous consent at 9:30 PM.*

Respectfully submitted,



Diane Rohl,  
EPB Recording Secretary