

03/15/11 Planning Board Minutes

TOWN of ELMA PLANNING BOARD
1600 Bowen Road Elma, NY 14059

MINUTES OF REGULAR MEETING –March 15, 2011

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, March 15, 2011 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:

Rosemary Bapst, Deputy Town Attorney
Joseph Colern, Bldg. Inspector
James Wyzykiewicz, Town Engineer

I APPROVAL OF MINUTES (Note: February meeting cancelled.)

Motion to approve the Minutes of January 18, 2011 as amended made by Anne Fanelli and second by James Millard.

Ayes: 7. Nays: 0. Motion Carried.

II TRANSIT COMMONS PROFESSIONAL OFF PARK - 2701-2731 Transit

Frank Campofelice, owner of Walden Development Group, LLC and Patricia Bittar, Project Manager of Wm. Schutt & Associates, PC appeared before the EPB to request Final Site Plan Approval. Included in documents submitted was the EPB Checklist for Site Plan Review or Approval. (The copy was completed and signed by Chairman Reid. Attached to Minutes.)

ARCHITECTURE: Patricia Bittar said there will be four one-story buildings located on the 11.4 AC parcel: two @18,000 square feet and two @12,000 square feet, a total of 60,000 square feet. The two smaller buildings will be situated diagonally at the north end of the property. Two buildings will be red brick on all four sides. Two buildings will be red brick on three sides with tan vinyl siding on the rear of the buildings. There will be brick headers and sills around the windows. The roof will be asphalt. (Pictures and samples of exterior materials were provided.) Mr. Campofelice said he intends to build all four buildings at once but only the shells. He said this will allow for flexibility in size of office space as requested by tenants. He said he expects future tenants to be professionals. No retail sales.

LIGHTING: Pat Bittar explained there is a LED lighting system within the parking areas, nine single pole, triple mounted lights, 22 feet high and level with the roof. There are also two single pole, double mounted lights on the Transit Road side. Street lighting will be facing in. There will be recessed lighting in doorways as well as in the soffits. No lighting is provided in the rear of the buildings.

PARKING: Mr. Campofelice also indicated that the entire parking lot will be finished. Parking will be in the front of all of the buildings. It will be fenced and have 303 parking spaces with 8 allowed for handicapped parking. (Code requires 200 minimum parking spaces.) The size of the spaces will be 9 x 20 feet. Parking will not be designated and will be mostly for employees. Five feet wide concrete sidewalks connect the buildings. There will be a series of three adjacent driving lanes coming off of Transit Road: one ingress lane, one left hand turn egress lane and one right hand turn egress lane, each 12' wide.

FIRE SYSTEM: A recommendation was also made by Blossom Fire Company Chief Dudek to install a Knox Box at each building, allowing the Fire Department access without having to wait for a key holder. Building Inspector Colern stated that the recommendation is not required but that it is under discussion between the owner, the Fire Chief and himself. Mr. Campofelice said there will be a LED system in the doorways. A truck circulation plan was submitted. A letter from Blossom Fire Company Inc. dated 3/15/11 stated that it was "satisfied with access for emergency vehicles and on site fire hydrants".

SEPTIC SYSTEM: An on-site septic system is proposed with an alternating sand filter

system. They will be rotated every six months. Initial comments to the plan were received and a final plan, awaiting approval, has been submitted to the DEC and Erie County Health Department. In response to a question, Pat Bittar said there was little chance of tying into the West Seneca Sewer District. Engineer Wyzykiewicz advised that if the Town of Elma decides to have a sewer district, everyone in that area would have to pay, whether they were part of it or not.

DRAINAGE: Questioned about the drainage during construction, Ms. Bittar said that the drainage system is designed to catch any sediment before it goes into the sewer system. "This actually allows less runoff than what is running off now. We are trying not to change underlying water." There are new DEC guidelines as of March 1, 2011. The goal is to reduce runoff and clean up water. There will be five rain gardens and a water retention pond. Inspections are once per week. The retention pond will have a six feet wide lip around the perimeter before it deepens. This is to help prevent anyone from drowning in case they fall in. Lot coverage will be 41% (according to plans) for the buildings and the parking lot.

SITE: Set backs are 11.8 feet on the side, 41 feet in the rear and 51 feet in the front. Code requirements are 10 feet/40 feet/50 feet. Five identified federal wetlands are in process of determination by the Army Corps of Engineers.

The next step will be a field walk. Mr. Campofelice said that if they had to address the issue of wetlands, it would not change the buildings.

SCREENING: HVAC will be self contained with individual air conditioners per unit. It is estimated that there will be a potential of 60 units. The dumpster will be located in a screened area.

SIGNS: There will be a main sign at the roadway indicating Transit Commons with the addresses of the four individual buildings. It is proposed to be 10 feet wide and 46 inches high, a total of 78" in height including the stand. There will also be signs affixed to the buildings, one placard for every two doors, none illuminated.

LANDSCAPING: Pat Bittar provided a copy of the proposed landscaping costs of \$86,500. Landscaping is included on all sides of the buildings including the rear except

for the Bullis Road side. Smaller shrubs are in beds in the front of the buildings. Trees are planned for Transit Road as well as interspersed within the parking lots. She said there would be 67 trees 60 feet apart with 15% in the parking lot. Chairman Reid told Mr. Campofelice that he would need to post a two year maintenance bond before a Certificate of Occupancy could be issued. As an example, Chairman Reid cited the agreement with On Line Auto Connection allowing them to deviate from the Code requirement of a tree every thirty feet, but still requiring the minimum number of trees according to the Code. They had to be planted in the front and not in the back.

Motion made by Chairman Thomas Reid and second by Michael Cirocco to approve the Environmental Review Referral (as provided by the Building Department) to designate Transit Commons as a Type I action, indicating that the proposed action does not pose any concern to the Agency.
Ayes: 7. Nays: 0. Motion Carried.

Motion made by Chairman Thomas Reid and second by Michael Cirocco to recommend Final Site Plan Approval contingent upon satisfaction of the following items:

1. Approval letter from DOT.
2. Approval from Town Engineer.
3. Approval letter from Elma Water Department.
4. Approval letter from Erie County Health Department.
5. Confirmation of wetlands designation by DEC.
6. Submission of two-year landscaping maintenance bond.

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

III SYLVIA'S PLACE (Senior Housing) - 2460 BOWEN ROAD

In response to questions during the course of the meeting, Diane Rohl, EPB Secretary confirmed that the following actions had been taken:

ZBA on January 11, 2011 - Variances granted:

144-36B: 56 Total parking spaces (96 spaces required)

144-85B&D: Building footprint of 23,074 square feet (10,000 maximum)

144-42A: Parking Space size 9x18 (9x20 required)

144-93.9B(2) Front setback at 42 feet (required 5min-10max feet)

144-939G(7) Free standing sign 6x6 out of ROW (no free standing signs)

Town Board actions:

2/16/11 Solicit Lead Agency on the SEQR

3/02/11 Approve Drainage District #188

In the absence of Brian Young, Lowell Dewey, Engineer of C&S Engineers, appeared before the EPB. He provided a detailed Engineer's Report (March 2011) and two schematics: C-106, a photograph of the current surrounding area including the gas station and part of Pond Brook with the proposed building superimposed on the site. C105, a site plan. Both showed the proposed sanitary sewer and drainage routes. Mr. Dewey said that they do not need to pump but gravity feed will suffice. He said that it will run parallel to the house driveway on Bowen Road; and that the property owner will provide an easement; and that Mr. Young will repair the road. Joseph Colern stated that Brian Young had dropped off contracts for the purchase of two parcels, both contingent upon his receiving Final Site Plan Approval.

Mr. Dewey explained the water service. He said he had reviewed the plan with Water Superintendent Eugene Stevenson and that he liked it. Mr. Dewey offered to get a letter of approval from him. The sewer will be private and Mr. Young will maintain it from the site to the manhole at Pond Brook. Currently the Treatment Plant is handling about 2,000 gallons/day; the capacity is 20,000 gallons. It is estimated that Sylvia's Place will generate another 3,000 gallons/day, calculated at 50 gallons for 60 tenants per day. Mr. Dewey also said that the Town Supervisor is arranging for a study to determine "if anything else has to be done. Mr. Young will also pay for this study".

Attorney Bapst said that there is typically a cost when you join a system. Mr. Dewey said that Mr. Young will pay the cost based upon water consumption. He also said that the result would be people from Pond Brook would pay less. Town Engineer Wzykiewicz added that Sylvia's Place will be the biggest user and that the Town Board and attorney will have to resolve this matter legally.

Mr. Dewey explained the drainage plan, stating everything flows to the rear. "The detention pond will be dry between storms and will collect water by underground pipes. There will also be an 18" storm sewer that will connect to the Bullis Road side." Mr. Dewey said they could add the person who is next to the gas station and not providing an easement. Mr. Wzykiewicz said that he is not recommending that neighbors join in because they will be responsible for any repairs.

Submitted was a letter from Earth Dimensions Inc. stating that an investigation of the proposed site in 2006 , "did not identify any areas which qualified as federally jurisdictional wetlands" and " no state regulated wetlands within or adjacent to the project site".

Mr. Dewey said the DOT will require two curb cuts. A letter from the Elma Fire Company Chief Schmelzer stated that they had "no other objections" once the driveways were widened from 22 feet to 24 feet wide. According to Mr. Dewey, Mr. Young has agreed to do that. The parking spaces will be 9x18 feet according to the Variance granted by the ZBA. Mr. Dewey said there may be some objection by the County to putting in a sidewalk at the road because it could encroach on the ditch; and, if that is the case, it would not be done. Anne Fanelli said she would like to see one because of safety - walking on Bowen Road.

Chairman Reid asked if anyone from the audience had questions. Mr. Marshall, President of the Pond Brook Home Owners' Association questioned as to whether there were enough parking spaces; the easements; the sewer system and sewer plant. He said he would like to speak with Mr. Wzykiewicz after the meeting to learn more about the sewer plant.

The following were also submitted by Brian Young but not reviewed:

- Cost proposal dated 3/7/2011 for \$22,500 for landscaping.
- A-1 Overall First Floor Plan
- A-2 Overall Second Floor Plan
- A-6 Elevations
- C-101 Site Plan
- C-102 Demolition Plan
- C-103 Grading & Erosion & Sediment Control Plan
- C-104 Utility Plan
- C-105 Landscaping Plan
- C-106 Overall Utility Plan
- C-501 Site Details - Paving & Parking
- C-502 Site Details - Fencing & Screening
- C-503 Site Details - Piping & Drainage
- C-504 Site Details - Erosion & Sediment Details

- Note: Preliminary EPB Checklist submitted 1/18/11 meeting

IV T & T TRADING GROUP LLC - Seneca St (Old Reid's Tires)

Thomas Reid, Chairman of the EPB, recused himself from the Board due to a conflict of interest. James Millard assumed the role of Deputy Chairman. Mr. Reid represented himself as one of the owners of T&T Trading Group.

Mr. Reid requested permission to use a banner sign of approximately 33 square feet to cover the existing sign/canopy for the length of time his business occupies the facility. Elma Code 144-79 E. Signage, Section (8) states that building signs shall be completely affixed to a building. Asked about the free-standing lighted sign in front of the business, Mr. Reid stated that it was temporary and will be picked up as soon as the ice underneath has melted.

Section (12) states: "Temporary signs, banners or other promotional signage shall not be permitted to exist on the site for longer than seven days unless granted by the Planning Board." The EPB agreed that the Reid's Tires awning sign affixed to the building is in poor condition. Mr. Reid stated that he had no plans to re-do the awning. The EPB passed the following:

Motion made by Michael Cirocco and second by Anne Fanelli to grant an extension for a temporary banner for one year. In addition, the applicant would be required to return to the EPB for another extension at the end of the one year.

Ayes: 7. Nays: 0. Motion Carried.

V FYI

Letter - EC Dept Env & Planning: Change in Sewer Regs 1/01/11

Bldg Inspector's Reports – 2010 Annual & January 2011

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

Town Board Minutes - Town Web Site

VI ADJOURN

Meeting was adjourned by unanimous consent at 10:35 PM.

Respectfully submitted,

Diane Rohl,
EPB Secretary