

TOWN OF ELMA PLANNING BOARD
1600 Bowen Road, Elma, New York 14059
Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~ MARCH 21, 2017

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, March 21, 2017 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

*Chairman Michael Cirocco
Member David Baker
Member Michael Cleary
Member James Millard
Alternate Thomas Reid*

ABSENT:

*Member Charles Putzbach
Member Gregory Merkle
Member Robert Waver*

TOWN REPRESENTATIVES:

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

I. APPROVAL OF REGULAR MEETING MINUTES ~ FEBRUARY 28, 2017

Motion made by Michael Cleary and second by Thomas Reid to approve the Minutes of the EPB Regular Meeting held on February 28, 2017. Motion Carried.

II. AMENDED SITE PLAN APPLICATION FOR WNY AUTO WAREHOUSE INC., DBA ELITE MOTORS FOR PROPOSAL OF 48 CARS TO DISPLAY LOCATED AT 5710 SENECA STREET

Elite Motors located at 5710 Seneca Street is looking to amend their site plan application that was approved on July 19, 2016. Elite Motors was approved to display a total of 30 vehicles for sale and would like to increase the amount to a total of 48 vehicles.

Elite Motors returned with revised site plans that were requested from the EPB along with the changes that needed to be made to the lights on the building. On the revised site plan it was to show the location of the 5 customer parking spots and the location of the 3 employee parking spots along with the 48 parking spots showing how the vehicles will be displayed. It was also requested from the EPB meeting in February that Cans to Cash stripe designated customer parking spots (weather permitting). Elite Motors was informed at our February meeting that the proposal to increase the vehicles can not be addressed until the lighting issues have been corrected. Elite Motors has pointed 6 lights down and left 1 light up to show the difference. Elite Motors stated they will point the last light down if this is acceptable. Mr. Reid asked if the lighting is on the current site plan. Mr. Cirocco stated that the current site plan does not show lighting and that the lighting was never approved. On the original site plan for Mr. John Anticola there was no additional lighting required or needed for his consignment of vehicles therefore Elite Motors was never granted lighting. Mr. Reid stated that the current site plan for Elite Motors needs to show the lighting for an enforcement issue. The EPB has informed Elite Motors that they must show the location of the lights on the site plan along with the wattage and types of lights. The EPB wants it noted that all lights must be turned down and facing the building.

II. AMENDED SITE PLAN APPLICATION FOR WNY AUTO WAREHOUSE INC., DBA ELITE MOTORS FOR PROPOSAL OF 48 CARS TO DISPLAY LOCATED AT 5710 SENECA STREET (CONT.)

The EPB commented that the cars are still not parked as according to the site plans. Elite Motors said they were not sure if this site plan was accepted from the February meeting so it can be done as early as tomorrow. Mr. Cirocco stated that the cars should have been parked as per the site plan right after the February meeting and now because the site plans has not been followed it presents the issue that you have not been in compliance for months now. The EPB needs to visit the site and see if the amount of cars would be acceptable according to the site plan. Chairman Cirocco stated that we still have some board members who do not feel that there is enough space for the additional vehicles that you are requesting. On the current site plan submitted today from Elite Motors it is showing 48 spots to display vehicles. Currently Elite Motors is displaying more than 30 vehicles they were approved for. Mr. Reid asked the applicant why there was more than 30 vehicles being displayed at this time. The applicant apologized for not being in compliance with the amount of cars. The EPB stated that when the town sets a limit you must comply with the limit.

At this time the EPB can not approve Elite Motors due to Elite Motors is still not compliance. The EPB has agreed to give Elite Motors until March 28, 2017, to address the following issues: All vehicles need to be parked according to the revised site plan from the March 21st EPB meeting. All lights need to be turned down and facing towards the building and striping completed for customer parking for Cans to Cash (weather permitting). The stamped site plan must show the location of the lights on the building (facing down and towards the building), wattage and type of lights (you can submit photos of the lights) along with the 5 customer parking spots, 3 employee parking spots and the 48 parking spots for the vehicles to be displayed for sale. If by March 28, 2017, these items are not completed then the EPB will recommend to the Elma Town Board that no more that 30 vehicles can be displayed and the lights be taken down or they can rescind your Business Use Permit. Even if these items are done three weeks from now, EPB will still take action if Elite Motors is not in compliance with the above items by March 28, 2017.

Elite Motors has submitted a letter from the Spring Brook Fire District and from a letter from Mr. Anticola stating that Elite Motors has approval regarding the changes that they are proposing.

Elite Motors will have to return to the next EPB meeting on April 18, 2017. If the EPB approves the site plan application, Elite Motors will be sent to the Elma Town Board seeking approval to amend the Business Use Permit reflecting these changes.

III. MISCELLANEOUS:

Tom Reid gave the EPB an update on Subdivision committee.

IV. ADJOURN

Motion to adjourn at 8:47pm by unanimous consent.

Respectfully submitted,

*Brenda Barry
Elma Planning Board Secretary*