

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

MINUTES OF REGULAR MEETING ~ May 15, 2018

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, May 15, 2018 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 Gregory Merkle

Member James Millard

Member Charles Putzbach

Member Robert Waver

Alternate Thomas Reid (Ineligible for voting due to all EPB members present)

TOWN REPRESENTATIVES:

Raymond Balcerzak, Asst. Building Inspector

Phyllis Todoro, Town Attorney

James Wzykiewicz, Town Engineer

ABSENT:

I. Approval of Regular Meeting Minutes ~ April 17, 2018

Motion made by James Millard and second by Robert Waver to approve the Minutes of the EPB Regular Meeting held on March 20, 2018. Motion Carried. Mr. Cirocco abstained from voting.

II. 6350 Seneca LLC located at 6350 Seneca Street final site plan approval to move planned garage from West side of the property to the East side

Todd Huber presented his plan to move the planned garage for the "Spring Brook Hotel" from the West side of the property to near the tree line on the eastern side of the property. He stated his reason being to create more green space, give more privacy and to move it from being too close to the neighbor on the west. Chairman Cirocco asked if he owned the property on the other side of the tree line. Mr. Huber said that property was owned by someone else. Chairman Cirocco asked if there was any change in the size, style or architecture of the garage from the previous plan. Mr. Huber said the only change was to put in double car doors instead of single but everything else was staying the same. Mr. Millard asked what the side that faces Seneca St would look like. Mr. Huber indicated that it was match the look of the "Hotel". Mr. Cleary asked about any changes to the lighting- there is not. Mr. Putzbach asked for clarification on where the garage will be. Mr. Huber discussed where it will be on the property. Mr. Millard asked if Mr.

II. 6350 Seneca LLC located at 6350 Seneca Street final site plan approval to move planned garage from West side of the property to the East side (Cont.)

Huber had spoken to any of the neighbors about this change. He stated we had spoken with the neighbor on the west, Mr. Ken Little and he was in favor of the change. Mr. Millard asked where the drainage and water from the roof would go. Mr. Huber discussed the drainage stating there was a culvert pipe behind the garage and the water would discharge behind the building and to the creek. Chairman Cirocco asked James Wyzykiewicz, Town Engineer if there needed to be any changes to the drainage district. He said no there was no problem with the drainage. Mr. Baker asked for clarification on what is to the north of the proposed garage asking what would be the driveway. Mr. Huber showed the driveway and where there will be landscaping and a water feature in relation to where the garage is located. Mr. Baker asked if there was additional parking in addition to the garage. Mr. Huber showed where the parking lot will be on the plans. Chairman Cirocco asked Mr. Huber if he had a new stamped plan. Mr. Huber showed the copies he provided but he did not have a stamped plan. Chairman Cirocco stated that the multi dwelling code references that residents be formally notified of changes to the plan. In this case they were not. Mr. Huber stated that he was unaware of this code. Chairman Cirocco also asked if there was a public hearing for this project. Mr. Huber said there had been in either March or April of 2016. Mr. Reid asked which code they were following in regard to this. Chairman Cirocco referenced code 144-141a. There was discussion about the interpretation of this code. Mr. Huber stated he was fine with tabling tonight and that he could attend the next meeting.

The EPB made a motion to table Final Site Plan Approval pending notification of the contiguous neighbors about the changes to the plan. Motion made by Michael Cirocco and second by Charles Putzbach. Yes-7 No-0. Motion Carried.

III. Building Solutions, Inc. located at 6091 Seneca Street for approval for Auto Storage Lot for additional 120 new cars (see minutes from February 25, 2016)

Mr. Todd Huber presented his plan to add parking for an additional 120 new cars for Transittowne Dodge. Mr. Cirocco asked Mr. Huber if he had a copy of his business use permit. A copy was provided in the case folder from the building department. Mr. Huber stated that it had been ratified on March 23, 2016. Chairman Cirocco asked where the cars would be on the property. Mr. Huber showed on the plan were about 22 would be near the current parking and the rest would be further back on the property behind several existing buildings and cannot be seen from the road. Mr. Putzbach asked what the total number of cars would be. Mr. Huber said he planned for 355. Mr. Baker asked if the entire property is zoned commercial and it is. He also asked how far the new section would be in relation to Pound Rd. Mr. Huber stated it will be a distance from there behind a 22ft berm. Mr. Millard asked if there was anything separating this area from the parking for the Pennysaver business parking. Mr. Huber explained that there is a 1 ½ ft. grade difference from these 2 areas so cars cannot pull through between the 2 areas. Mr. Huber gave an overview of the new lot and its relation to the other buildings on the property. Mr. Millard asked if the grade currently exists. Mr. Huber said it does, the area was used for his business to store equipment on and he was not making any changes to the area. Mr. Baker asked if there will be new pavement. Mr.

III. Building Solutions, Inc. located at 6091 Seneca Street for approval for Auto Storage Lot for additional 120 new cars (see minutes from February 25, 2016) (Cont.)

Huber said no it is an existing stoned area. Mr. Reid asked Mr. Huber if he had notified the other businesses on the property of the new storage. Mr. Huber said yes, he had talked to them. Mr. Huber also said he had talked to the fire department and they should be sending a letter regarding this plan. Chairman Cirocco asked if there was any new lighting, Mr. Huber said there was not.

The EPB reviewed the site plan checklist. Chairman Cirocco said he had questioned whether an amended business use permit was needed but that he did not see anything that stated a limitation to the number of parking spaces.

There was discussion about limiting the number of spaces but the EPB agreed to allow the 120 spaces as mentioned on the plan.

A letter from the fire company is needed.

The EPB reviewed the SEQR. The EPB checked box #2 on the SEQR. Michael Cleary made a motion to approve the SEQR and seconded by Robert Waver. Yes- 7 No- 0. Motion Carried.

Mr. Baker asked if there are any plans to park other vehicles such as RV's, boats, semis or construction vehicles there. Chairman Cirocco said the application states it is for new car storage. If Mr. Huber wants to park other types of vehicles there he will have to reappear before the EPB.

Chairman Mike Cirocco entertained a motion to give Final Site Plan approval for an expanded new automobile storage for up to 120 additional cars as designated on the provided plan contingent upon receipt of a letter of approval from the fire department. Motion made by Charles Putzbach and seconded by Michael Cleary. Yes – 7, No – 0. Motion Carried.

IV. Correspondence

Chairman Cirocco read a letter from the Erie County Department of Health of Homeowners Associations and the maintenance of non- municipal waterlines within realty subdivisions. It was determined that the subject of this letter is not something that pertains to the EPB. A copy will be emailed to board members for them to read.

V. Adjourn

Motion to adjourn at 8:18 pm by unanimous consent.

Respectfully submitted,

*Barbara Blair
Elma Planning Board Secretary*