

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING - March 19, 2013

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, March 19, 2013 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Deputy Chairman James Millard
Member David Baker
Member Michael Cleary (arrived at 7:05 PM)
Member Gregory Merkle
Member Robert Waver

ABSENT:

Chairman Thomas Reid
Member Michael Cirocco
Alternate Charles Putzbach

TOWN REPRESENTATIVES:

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

I APPROVAL OF MINUTES February 19, 2013

Motion made by Gregory Merkle and second by David Baker to approve the Minutes of the EPB Regular Meeting on February 19, 2013.

Ayes: 5. Nays: 0. Motion Carried.

II STEUBEN FOODS - 1150 Maple Rd. - TANK HALL ADDITION

Kevin Moyer and Trevor Wolf, Architect/Engineers of Facility Solutions Inc., reviewed the proposed addition for a tank hall and three more silo tanks to the south side of the facility. The purpose will be to allow Steuben Foods to process and hold more milk. An aerial view showed the front facing Servotronics and the back facing Jamison/Maple Roads. Currently there is a loading dock in this area. Four doors will be removed. The concrete pad, used as a backup area for trucks, will be the base for the extension of the building and the silo tanks. The remaining space will be used for future tanks.

One overhead door on the south wall and another on the west wall will be man doors. There will be no new lighting except for a light over the man doors. An existing light pole will have to be moved back twenty feet. Some space is being taken from the parking lot, currently used as a backup area for trucks. There will be no impact to the roadways. Town Engineer Wzykiewicz indicated there are no drainage issues.

Motion by Gregory Merkle and second by Robert Waver to grant Preliminary Site Plan Approval, stipulating that a survey of the property indicate the requested changes and the future plans; and a Type I Short Form SEOR be submitted prior to the EPB granting Final Site Plan Approval.

Ayes: 5. Nays: 0. Motion Carried.

III SEASONAL NURSERY BUFFALO RV - 90 New Bullis Rd, Elma

Mr. Bryan Young of Young Development appeared before the EPB for a Site Plan Review and recommendation as directed by the Town Board.

Mr. Young stated that he is using the vacant lot at 90 New Bullis Road as a holding area for nursery stock, saying that there "would be no retail sales at the site". He also said he would be grinding up brush and dead trees at the back of the lot. He added that "if the brush was going to be an issue, he would not do it and do it at Seasonal Landscaping instead". He then proceeded to say that he was also going to store cars, boats, and RVs, "letting Buffalo RV store some of their RVs and there could be some other companies storing theirs as well". Deputy Chairman Millard said he had visited the site and counted 144 vehicles parked there. In response, Mr. Young continued to say he was "not exactly sure" of the use and that he "was not soliciting anything; doing them (companies) a favor; looking to utilize for a nursery; isn't meant to be permanent anything; strictly storage; will not be any customers looking at it". He also said he "doesn't have the slightest idea of how many vehicles there will be. There are times when there is going to be nothing. Whether there are two or sixty, it doesn't affect the neighbors".

For screening purposes Mr. Young said he was going to move trees behind the existing fence and put up a five foot berm inside. There will also be a locked gate, slider type, located in the front. The gate will be installed now and "once the weather breaks, will do the berm". There is an existing pole light which he will fix and no other lights will be on the property. Mr. Young said he will cut down the existing Tall Hedge in the front of the fence and see if it comes back. "If it does not live, I will take it out and put in grass. There will be Crown Vetch on the berm. He will also plant 42 evergreens, 6-7' feet tall, 10' on center, staggered." As for the property boundaries, Mr. Young said he owns beyond the fence (on the North Blossom Road side) but it is wetlands. (There was no survey provided and the site drawing submitted had no dimensions.) Mr. Young also said that he currently does not own the property but "he is going to close in 10-20 days".

Deputy Chairman Millard invited John Warchocki of 91 New Bullis Road (directly across the street) to speak. He said he was concerned about the hours of operation and the number of vehicles, saying he had met with Mr. Young. According to Mr. Warchocki, the followed were agreed to by Mr. Young:

1. Berm: 5-6'; 42 evergreen trees 6-7'.
2. Maple Trees: Put in a couple of Clump Maple trees if not too wet there.
3. Could put in where the Crown Vetch is shown on the plan. (squiggle lines)
4. Slider Gate: Only two people would have keys to access property.
5. Tractor trailers: None unloading cars and parking there afterward.
6. Hours: Mr. Warchocki said he would not have a problem with Mr. Young watering on Sunday until 3:00 PM but no other activity. Mr. Young said Monday-Saturday hours on his Preliminary BUP Application are fine.

7. Lights: Replace existing ballast. Wattage unknown.
8. Stone: Mr. Warchocki requested additional stone and/or gravel to be put at the entrance from the road. Mr. Young agreed.
9. Brush: Deputy Chairman Millard requested that all brush (dead trees, bushes, etc) not be dumped here but be put at Seasonal Landscaping on Bullis Road. Mr. Young agreed.
10. Hours of Operation: Mr. Young agreed to changing his hours of operation to: Monday-Friday 7AM-9PM and Saturday 7AM-3PM. Sunday no hours with the exception of watering.
11. Trailer with sign parked on lot: "Will be moving to another location."
12. Time Limit: Mr. Young agreed to have everything that he has agreed to, finished by August 1st.

Town Engineer James Wyzykiewicz said all of his concerns were addressed and that he recommended a drainage district be formed.

Member Gregory Merkle asked Mr. Warchocki if he represented all of the surrounding neighbors. He answered: "No, that some are elderly or others will meet at his house to discuss this."

Motion made by Michael Cleary and second by Robert Waver to grant Preliminary Site Plan Review contingent upon Mr. Young forming a drainage district (see above); providing an official, stamped survey; completing a Type I Short Form SEQR; amending the Preliminary Business Use Permit by reducing the hours of operation (see above); moving the storage of brush to the Seasonal Landscaping site (see above); and returning to the April EPB Meeting for final determination of a recommendation to the Town Board.

Ayes: 5. Nays: 0. Motion Carried.

IV BALDUCCI CONSTRUCTION - 521 Pound Rd - DRAINAGE PLAN

Town Engineer James Wyzykiewicz requested a review of the Balducci drainage plan, informing the EPB that the ZBA did grant Mr. Balducci a Variance for the increased size of his parking lot, stipulating that he will need to continue the existing buffer to the end of his property between he and his neighbor. Mr. Wyzykiewicz said he checked with the DEC and it will not be necessary to complete a SWPPP; but that he would like the EPB to request a revised site plan from Mr. Balducci indicating the changes and the new drainage plan.

Mr. Balducci responded that he has tried to get details of what is required from the Town Engineer but was told that due to the technicalities, Mr. Balducci's engineer should contact Mr. Wyzykiewicz. Deputy Chairman confirmed to Mr. Balducci that he needs to do as requested by the Town Engineer; and then return to the EPB for review and Final Site Plan Approval.

V WORKSHOPS/MEETINGS

A. Spring 2013 Regional Government Workshop, Pittsford, NY
May 16th 8:00AM - 5:00 PM (8 hours educational credit)

B. Town of Elma Multi-Board Meeting
End of April or May 20 - to be determined by majority vote.

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VI FYI

Bldg Inspector's Report - February 2013

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MDCC Minutes - (Multiple Dwelling Code Committee) - Town Web Site

VII AUDIENCE RECOGNITION

1. John Warchocki - Noted under Seasonal Nursery.
2. Marcia Glis - Complained that although Mr. Young agreed to take care of the problem, he has done nothing since the last EPB Meeting to reduce the level of lighting spilling over onto her property from Seasonal Landscaping. Raymond Balcerzak, Assistant Building Inspector, said that it was checked and Mr. Young will not be given a Certificate of Occupancy until it is corrected.

VIII ADJOURN

Meeting adjourned by unanimous consent at 8:30 PM.

Respectfully Submitted,



Diane Rohl,
EPB Secretary