

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING - April 16, 2013

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, April 16, 2013 at 7:05 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid
Member James Millard
Member David Baker
Member Michael Cleary (arrived at 7:10 PM)
Member Gregory Merkle
Member Robert Waver
Alternate Charles Putzbach

ABSENT:

Member Michael Cirocco

TOWN REPRESENTATIVES:

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

I APPROVAL OF MINUTES March 19, 2013

Motion made by James Millard and second by Gregory Merkle to approve the Minutes of the EPB Regular Meeting on March 19, 2013.

Ayes: 7. Nays: 0. Motion Carried.

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

Kevin Moyer and Trevor Wolf, Architect/Engineers of Facility Solutions Inc., returned to review the proposed addition for a tank hall and three more silo tanks to the south side of the facility. To make room, some docks will be removed and the new silos will be in that area, requiring no new paving. Total amount of land affected will be about .06 AC. Mr. Moyer said that there will be room for five additional tanks in the future but he is not certain when that will be.

The survey and digital pictures showed the location of the existing tanks, looking north at the building and the proposed three tanks which are shorter.

Motion by Chairman Reid and second by David Baker to approve the Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts.

Ayes: 7. Nays: 0. Motion Carried.

Motion made by James Millard and second by Robert Waver to grant Final Site Plan Approval.

Ayes: 7. Nays: 0. Motion Carried.

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

Owner and operator Bryan Young submitted an official stamped survey dated March 2013 from Carmina, Wood, Morris. Secretary Diane Rohl cited that PBUP was granted to *Seasonal Landscaping*; that the application listed *Young Development*; and that the SEQR listed *WKJ Young Group Inc.*, all for the same property. Mr. Young stated that it should be under the name of *WKJ Young Group Inc.* (after his children).

Mr. young reviewed the site plan, showing six Clump Rubrum (Maples) in front of the existing fence and Tall Hedge on New Bullis Road with Crown Vetch interspersed. Behind the fence is shown a berm (5' (+-)) with twenty-one 6-7' assorted evergreen trees on each of two berms. The one light pole located outside of the gate will remain. A locked gate will be installed across the 24' driveway.

Chairman Reid recognized Mr. Warchocki who lives across the street. Questioning the hours of operation, Mr. Young responded: "This is just a storage facility and not a business operation. The berm and the trees should take care of it." Asked what would happen if Mr. Young did not complete all items as requested, Chairman Reid said that the Building Department can pull his BUP. Attorney Todoro responded that he would not be given a penalty for that. Town Engineer Wzykiewicz asked if there were any limits to extensions. Chairman Reid said: "No, it depends on the circumstances; and that any other activity would require Mr. Young to come back to the Town Board for modification of the BUP." Mr. Young said that there should "never be a ton of vehicles there; that he used 18 wheel tractor trailers to drop off trees."

The following were reviewed with Mr. Young as agreed to at the 3/19/13 EPB meeting with his responses shown afterward:

1. Berm 5-6'; 42 evergreen trees 6-7'. yes,
2. Maple Trees: Put in a couple of Clump Maple trees. yes -six.
3. Could put in where the Crown Vetch is shown on the plan. yes.
4. Slider Gate: Only two people would have keys to access property. yes.
5. Tractor trailers: None unloading cars and parking there afterward. yes.
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. yes.
7. Lights: Replace existing ballast. Wattage unknown. yes.
8. Stone: Mr. Warchocki requested additional stone and/or gravel to be put at the entrance from the road. Mr. Young agreed. 3/19/13.
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. No grinding of brush. Mr. Young agreed. yes.
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 until 3PM. yes.

11. Trailer with sign parked on lot: "Will be moving to another location." yes.
12. Time Limit: Mr. Young agreed to have everything that he has agreed to, finished by August 1st. yes.

Motion by Chairman Reid and second by Michael Cleary to approve the Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts to the 2.9 AC site.

Ayes: 7. Nays: 0. Motion Carried.

Motion made by James Millard and second by Chairman Reid to grant Final Site Plan Approval for the storage of boats, cars and RVs (no business transactions) and to recommend approval to the Town Board contingent upon:

- 1. Amending BUP to exclude brush and grinding of brush on property. (To be done at the Seasonal Landscaping site on Bullis Road.)*
- 2. Amending hours of operation for Saturday to 7AM - 3PM and no Sunday hours except for watering until 3PM.*
- 3. Formation of a Drainage District.*

Ayes: 7. Nays: 0. Motion Carried.

IV ACCOUNTING GROUP OF WNY - 5780 Seneca St.

Plans were submitted by Ronald Kimmel, current owner of the property, for a Two-Story Office Building: 3,000 square feet on the first floor, 2,960 square feet on the second floor, total 5,960 square feet in a C-2 Commercial Zone. Architects from Lauer-Manguso were James Manguso and Robert Blood. Also present were two accountants from Accounting Group of WNY.

Mr. Blood gave an overview of the building and site. The exterior will have stone on the lower level with an insulation system above. Colors are beige and tan. (Two renderings were submitted showing east (street side) and north elevations.) There will be a ground sign 8 feet wide and 6 feet high, back lit, with colors matching the building. (rendering submitted) No signs will be on the building. Mechanical systems will be roof mounted with a parapet, and not visible from the street.

A 24' wide driveway will enter off of Seneca Street. (Letter of approval from EC DPW dated 4/8/13) There will be a patio for the employees in the rear. The dumpster will also be in the rear and enclosed by a wooden fence as shown on blueprint C-1.0. A letter from the Spring Brook Fire District No.1 took "no exceptions to the proposed plan" (4/12/13).

A detention basin will be installed. Water will drain into a swale and be directed to the northwest corner which feeds into the sewer on Seneca Street. There are no identifiable wetlands. Town Engineer Wzykiewicz said you cannot put the swale on another property; would need a permanent easement; would require specific language (DEC) in the deed regarding the easement and maintenance. He also said that since more than 1 AC is being disturbed, SWPP requires drainage history for 10-25 year period. Mr. Blood agreed to provide the information.

Mr. Kimmel agreed that his property at 5800 Seneca Street would allow the swale on the east to be on the property from 5780 Seneca Street. He agreed as owner of 5800 Seneca Street, to grant an easement to the owner of 5780 Seneca Street to allow maintenance of the swale, to be recorded in the deeds as legally required.

Exterior lighting will consist of three pole lights shaded. A flood light will be on the back of the building, with lights at the entrance door and canopy, all directed downward. A landscaping plan was submitted on C-4.0 along with a colored rendering. The total estimate from A.F.A. Landscape Construction (4/9/13) is \$6,520.

The interior floor plan indicates 10 offices with two conference rooms and other rooms with various uses. There are currently eight employees. Elma Code Article IV Off Street Parking Section 144-39 H. Other business or professional offices: two (2) spaces for each office or suite of offices, plus one (1) space for each three hundred (300) square feet of gross floor area. Section 144-40 Additional uses: For all other principal uses not above enumerated or excepted, off street parking shall be required as follows: one (1) space for each three hundred fifty (350) square feet of gross floor area. Mr. Blood explained that he proposes 22 parking spaces and one handicap space (11 offices x 2 spaces/office = 22 spaces). The spaces are 9 x 20. ~~(9 x 20)~~. The EPB questioned the calculation of the required spaces based upon the lack of definition in the Elma Code between "office" vs. "suite of offices" and requested clarification from the Building Dept.

Motion by Chairman Reid and second by Robert Waver to approve the Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts.

Ayes: 7. Nays: 0. Motion Carried.

Motion made by Gregory Merkle and second by Robert Waver to grant Final Site Plan Approval contingent upon:

1. An Easement Agreement regarding drainage and maintenance of swale to be recorded in both Deeds as approved by an Attorney.
2. Provide a two-year Landscaping Maintenance Bond to the Building Dept.
3. Application to be submitted to the ECHD for approval of septic system.
4. Form a Drainage District.
5. Submit a drainage plan to the Town Engineer for approval.
6. Provide 10-25 year drainage history as required under SWPP .

Ayes: 7. Nays: 0. Motion Carried.

V ALTON'S - 2331 Transit Rd. - Addition

Owner Milton Koutsandreas and Architect Daryl Martin presented blue prints outlining the proposed addition of 7,093 square feet for an additional foyer and banquet room (extension of existing banquet room) on the north and east sides of the building; also an additional 2,108 square feet on the south side for walk-in cooler/freezer and storage space. Total square footage for the entire building would be 19,958 square feet. No new lavatories will be added, therefore negating the need for ECHD approval.

According to A-2, the banquet addition will match the existing architecture, also having a metal roof. No lighting was shown. Mr. Martin indicated there will be no new signs or fences. The dumpster is being moved to the north side. There was no landscaping plan submitted.

It is estimated that the existing banquet room holds 140-150 people; the new banquet room will seat 200-250 people. Parking was calculated on the basis of 2 spaces for each five seats. Current parking spaces total 153; Seventy-eight spaces are to be added according to ST-1, totaling 228 spaces. The plan includes seven handicap spaces. Town Engineer Wyzykiewicz reviewed the plans and commented that less than 1 AC is being disturbed including the new green space. He said that a drainage plan will be required. A full EAF Type II SEQR was submitted.

Motion made by Chairman Reid and second by Michael Cleary to grant Preliminary Site Plan Approval. The following will be required prior to final approval:

- 1. Specification of materials and colors to outside of building.*
- 2. Type, wattage and location of any exterior lighting - building or parking lot.*
- 3. Adjustments to size of parking spaces (10x20) with total number added.*
- 4. Landscaping plan with estimated value and 2-year maintenance bond.*
- 5. Letter of site plan review by the Spring Brook Fire Department.*
- 6. Drainage plan to be approved by the Town Engineer.*

Ayes: 7. Nays: 0. Motion Carried.

VI ADD TO AGENDA - DIGITAL SIGN AT TRANSITOWNE DODGE

Concern was expressed by EPB members that at the 4/17/12 EPB meeting Transitowne Dodge had agreed to move the digital sign across the street to the Kia site in West Seneca. No date was specified. The EPB was considering sending a letter until Raymond Balcerzak, Assistant Building Inspector, said that the Building Department had spoken to them and they were in process of moving it.

Motion made by David Baker and second by Michael Cleary to send a letter from the EPB requesting removal of the sign as per agreement on 4/17/12.

Ayes: 3. Nays: 4. (Merkle, Millard, Waver and Reid.)

VII ADD TO AGENDA - UPDATE ON BALDUCCI CONSTRUCTION INC

Town Engineer Wyzykiewicz said he received a preliminary drainage plan from Mr. Balducci's engineer. He stated that the proposal shows a deeper and larger retention pond area. He believes Mr. Balducci will probably be ready by May.

VIII 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

Confirmed the date of April 30th at 7:00 PM for the joint meeting of the Town Board, EPB, ZBA and ECB. Agenda items were previously volunteered by various board members.

IX FYI

Bldg Inspector's Report - March 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

X AUDIENCE RECOGNITION

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

XI ADJOURN

Meeting adjourned by unanimous consent at 9:54 PM.

Respectfully Submitted,


Diane Rohl,
EPB Secretary