

## **10/18/11 Planning Board Minutes**

TOWN of ELMA PLANNING BOARD  
1600 Bowen Road Elma, NY 14059  
Phone: 716-652-3260

ELMA COMMERCIAL CODE REVIEW AND ISSUES  
Workshop for all Town Boards - 6:00 - 7:45 PM  
Presented by Drew Reilly & Fred Frank, Wendel Duchscherer

ELMA PLANNING BOARD MEETING - 8:00 PM  
The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, October 18, 2011 in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:  
Deputy Chairman James Millard  
Member David Baker  
Member Michael Cirocco  
Member Anne Fanelli  
Member Gregory Merkle  
Member Robert Waver  
Alternate Gregory Kalinowski

ABSENT:  
Chairman Thomas Reid

TOWN REPRESENTATIVES:  
Phyllis Todoro, Town Attorney  
Raymond Balcerzak, Asst. Bldg. Inspector  
James Wyzykiewicz, Town Engineer (arrived at 8:15 PM)

I APPROVAL OF MINUTES - September 20, 2011  
Motion made by David Baker and second by Robert Waver to approve the Minutes of Regular Meeting on September 20, 2011.

Ayes: 7. Nays: 0. Motion Carried.

II R/O SILO UTILITY BLDG, (STEUBEN FOODS), 1150 MAPLE (30'X38')  
Thomas Taggart, Vice President of Engineering for Steuben Foods and Stahlman Consulting, LLC., Engineers presented a one sheet Location/Site Plan for a new R/O (reverse osmosis) Treatment Room. The building will be a small part of the overall renovation plan by Steuben Foods. It will be 25' high and not visible from the road. It will contain three storage vessels for ingredients used in the plant. (No new chemicals will be used.) The floor will be concrete with floor drains.

Four exterior lights were proposed: 1 - Wallpack, 1- Recessed Canopy and 2 - Remote Emergency Halogen Lamps. The parking lot is scheduled for expansion in 2012 for an additional 30-35 employees. The driveway and guard shack off of Jamison near Bowen that was previously approved by the EPB, Erie County and the DOT have been eliminated due to the cost of the expansion per Mr. Taggart.  
Mr. Baker requested that in the future, more detailed plans be provided.

Motion for a negative declaration on a Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts made by Robert Waver and second by David Baker.  
Ayes: 7. Nays: 0. Motion Carried.

Motion for Final Site Plan Approval made by David Baker and second by Michael Cirocco.  
Ayes: 7. Nays: 0. Motion Carried.

III ELMA COMMONS, 3461 TRANSIT (Behind Enterprise Car Rental)  
Column Development, (Pano Georgiadis), 289 Ramsdell Avenue, Buffalo, owner of the proposed site, requested the rezoning of 68.2 feet in the rear of his property "to match the C-3 Major Commercial Code in the front 300 feet". Proposed by Architects Wylier and Associates was a two-story multi-use dwelling consisting of 6,000 square feet of commercial space on the first floor and four apartments totaling another 1,500 square feet on the second floor. One of the apartments will be ADA (American Disabilities Act) compliant and equipped with an elevator.

There was a question of the proximity to the adjacent residence of the proposed driveway. It was determined that there needs to be some type of buffer and even the possibility of the need to move the driveway.

There was discussion regarding mixed use for this site. Confirmation of allowed uses in the C-3 Major Commercial Code, 144-86.13, A. and B. will be requested of the Building Department.

Motion to recommend to the Town Board to rezone (Code 144-16.B.) 68.2 feet located in the rear of 3461 Transit Road to C-3 Major Commercial contingent upon Final Site Plan Approval by the Planning Board of the proposed Elma Commons Project. (Code 144-86.) made by David Baker and second by Gregory Merkle.  
Ayes: 6. Nays: 1. (Anne Fanelli)

**IV CAR MASTERS COLLISION & GLASS, 5800 SENECA ST (10,348 SQ FT)**  
Ronald Kimmel, owner of 5800 Seneca Street, requested re-zoning of his property, stating that he had previously had 500 feet approved as rezoned. Engineer James Wyzykiewicz stated that as of 10/1/08 the newly adopted Town Map indicates only 300 feet as rezoned. Under that new C-2 Intermediate Commercial Code, (144-85.B.), the areas on Seneca Street from Old Pound Road/Northrup Road to Transit Road, states that new buildings up to 10,500 square feet (150% of the maximum allowed footprint) shall be considered for a special use permit by the Town Board. (The Town Board issued a SUP at the 10/5/11 Meeting.)

Car Masters Collision and Glass, (Redwood Circle LLC) is proposed for the site. Currently located in Schmidt's Collision on Broadway and Transit Roads in Lancaster, the Owner/Operators Kevin and Deborah Kerl said they need to vacate the premises. Represented by Architects Bailey & Harris of East Aurora, various aspects of the new project were reviewed. It will include a front office, showroom and sales area and parking for 34 vehicles. (Code requirement is 25.) Signage will be on the building and a free standing at the road. Because it will be necessary for the applicants to return to the EPB subsequent to determinations by the Building Department and Town Board, further review of the specific plans and elevations provided were not done. Engineer James Wyzykiewicz said he would need copies of drainage plans for his approval. He also recommended that a drainage district be established and that there may be a need for

fencing around the Retention Pond. Mr. Baker requested that the Architect bring samples of the materials to be used on the metal building.

Deputy Chairman Millard recommended on behalf of the EPB, that the applicants check with the Building Inspector for clarification of zoning on the 10/1/08 adopted Town Map; and if necessary, return to the EPB for a rezoning recommendation to the Town Board.

#### V SEASONAL NURSERY - 1120 BULLIS RD (Zoned C-2 and Industrial)

Bryan Young reviewed details of the 12.6AC site, approximately 12,770 square feet total of buildings, stating that 10,000 square feet will be used for retail sales and 9,000 square feet will be office space. The front is zoned C-2 Intermediate Commercial while the rear is zoned Industrial. There will be three metal buildings in the rear, approximately 500' from the road: (1) storage of shredded topsoil; (2) storage of vehicles; (3) maintenance of vehicles. One Plan (unlabeled) indicated the uses and locations of various areas including the topsoil pile and the "irrigation" pond in the very rear of the property.

He said he had already installed berms planted with evergreens around the sides and back for screening purposes. Some residents in adjacent homes questioned whether the berms would change the drainage and potentially cause flooding.

One resident across the street from one of the three driveways was concerned about traffic and lights. The right driveway will be for employees; the middle driveway for customers and the left driveway for truck deliveries. Mr. Young responded that although he did not set up a meeting with residents as promised at the September meeting, he would meet with the residents individually and put up either landscaping or a stockade fence as screening - whichever they would prefer. He also said that the Erie County DOT will have to approve his plan and that the DEC would be making weekly inspections.

Site Plan C-100 indicated required vs. proposed setbacks, greenspace, for the C-2 and Industrial parcels. The Plan showed in more detail how the site was to be divided up based on usage. Code requirements for 9x20 parking spaces were calculated at 100; the plan proposes 148 spaces (fully lined) including spaces for the handicapped. Landscaping was indicated for the site with the exception of the front.

A colored picture of the front elevation of the main building was provided - no side or

rear views. Exterior building materials and lighting are needed. Mr. Young said he was thinking about changing some of the exterior. No details were available for a free standing road sign. He told the EPB that he would have to vacate his current premises on Southwestern Boulevard by August first.

(Note: The EPB Checklist for documentation required of contractors was completed by Diane Rohl for the EPB meetings of 9/20/11 and 10/18/11.)

A motion to grant Preliminary Site Plan Approval was made by Deputy Chairman Millard and second by David Baker.

Ayes: 6. Nays: 1. (Anne Fanelli)

VI FYI

Bldg Inspector's Report - September 2011

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

Town Board Minutes - Town Web Site

VII ADJOURN

Meeting was adjourned at 10:30 PM by unanimous consent.

Respectfully Submitted,

Diane Rohl,  
EPB Secretary