

## **03/16/10 Planning Board Minutes**

TOWN of ELMA PLANNING BOARD  
1600 Bowen Road Elma, NY 14059

MINUTES OF REGULAR MEETING –March 16, 2010

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday March 16, 2010 at 8:00 PM in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

### PRESENT:

Member David Baker  
Member Michael Cirocco (arrived at 8:15)  
Member Anne Fanelli  
Member Gregory Merkle  
Member James Millard  
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

### I APPROVAL OF MINUTES

Motion to Approve Minutes of February 23, 2010 made by Anne Fanelli and second by Robert Waver.

Ayes: 7. Nays: 0. Motion Carried.

### II OPEN SPACE SUBDIVISION - GIRDLE/JAMISON RDS

William Miller requested a Sketch Plan Conference with the EPB. He had originally appeared before this Board on May 20, 2008 indicating he was intending to purchase

property on the southeast corner to build two homes for his son and himself; also that he was considering purchasing the remaining available acreage to develop residential lots with five AC minimums. He has since built the two homes and is seeking advice from the EPB on the feasibility and process for obtaining approval for development of the parcel for sale.

Mr. Miller does not own the property as yet but indicated that he had two weeks in which to decide whether he was going to purchase it or not. He presented a December 16, 2009 survey on which lots were numbered 1-13 with boundaries and dimensions hand drawn. The entire parcel is bounded by Girdle, Jamison and Ostrander Roads.

The EPB reviewed the Sketch Plan and determined that it was not a subdivision per se but, depending on the size of the lots, some fell under Section 100-2, some under Section 100-3, some potentially under Section 280A and some might require variances. Deputy Chairman Millard expressed concern regarding the size of the lots and the lack of open green space now being supported by the County and State. Mr. Miller indicated that the "existing woods will not be touched". Others asked if there were any options to design differently the placement and/or size of lots. Mr. Miller had no answers at this time. He said that there would be a private driveway to which the EPB questioned who would be responsible for maintenance. He responded that most likely there would have to be a Homeowners Association. Town Attorney Todoros said that there could be deed restrictions to prevent owners from building other than a single family home and from splitting their lots.

Asked what he had done thus far, Mr. Miller said he had spoken to the gas and electric companies. The EPB then reviewed the various agencies and steps he would have to take to satisfy all requirements before proceeding with any development. The Town Engineer explained what could be required under the new Stormwater Regulations.

Motion made by Gregory Merkle and second by Robert Waver that, as specified in Elma Code Section 117-2. B.(3), the project does require full agency review based upon its scope and/or land use and site design characteristics.

Ayes: 7. Nays: 0. Motion Carried.

### III DISCUSSION - DEADLINE FOR AGENDA ITEMS TO EPB

Subsequent to a discussion at the February meeting, a motion was made by Michael

Cirocco and second by David Baker to adopt the following policy:

All items for placement on the Agenda shall be received by 4:00 PM at the close of business of the Tuesday prior to the scheduled meeting. Special consideration for an exception to this policy may be given by the EPB Chairman. Should the meeting need to be cancelled for any reason, the Agenda for the rescheduled meeting shall remain the same as for the cancelled meeting.

Ayes: 7. Nays: 0. Motion Carried.

#### IV DRAFT - CHECKLIST FOR SITE PLAN REVIEW & APPROVAL

Diane Rohl prepared two draft checklists. The first list was a one-page list of brief items normally required during the applicable sketch plan conference - site plan review - preliminary site plan review - final site plan review process. The second list was a more detailed, identifying specifics within the codes. The EPB chose the first, suggesting some additions to the list. Building Inspector Colern had also included some revisions/additions.

The EPB requested that the list be revised and then emailed to the members one week prior to the next meeting so that they could review it beforehand. Members were also asked to email any further suggestions to Diane Rohl. The final checklist will become part of the applicant's permanent file.

Another list, also referred to as a "Checklist", had been developed some time ago by Michael Cirocco. Its purpose was to keep an audit trail of the process for each applicant. Such document would also be a part of the official file. This checklist will be reviewed once again for consideration at a future meeting.

#### V ERIE COUNTY FARMLAND PROTECTION SEMINAR

A seminar on agricultural planning will be held on March 25th at the Erie County Cooperative Extension in East Aurora. This would count for 2.25 hours towards annual training requirements. Members who were interested in attending were instructed to contact Diane Rohl for registration.

#### VI CHANGE IN MEETING TIME FOR EPB

Mr. Kalinowski mentioned that the Town Board and ZBA had changed their starting

times from 8:00 PM to 7:00 PM and inquired as to whether the EPB would like to do the same. An informal poll resulted in a decision to remain at 8:00 PM.

#### VII FYI

Building Inspector's Report – Jan & Feb 2010 (combined)

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

DGC Minutes - February 25, 2010

Town Board Minutes - Town Web Site

#### VIII ADJOURN

A motion to adjourn at 9:25 PM was made by unanimous consent.

Ayes: 7. Nays: 0. Motion Carried.

Respectfully submitted,

Diane E. Rohl,  
EPB Secretary