

## **09/21/10 Planning Board Minutes**

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

MINUTES OF REGULAR MEETING –September 21, 2010

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, September 21, 2010 at 8:00 PM in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

### PRESENT:

Chairman Thomas Reid  
Member Michael Cirocco  
Member Anne Fanelli  
Member Gregory Merkle  
Member James Millard  
Member Robert Waver  
Alternate Gregory Kalinowski

### ABSENT

Member David Baker

### TOWN REPRESENTATIVES:

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

### I APPROVAL OF MINUTES

Motion to approve Minutes of August 17, 2010 made by Anne Fanelli and second by Robert Waver.

Ayes: 7. Nays: 0. Motion Carried.

### II AURORA OPTOMETRIC GROUP - 980 West Maple Court

Dr. Keith Del Prince and Architect Mark Dean of Sutton Architects appeared before the EPB to respond to the list of actions required prior to Final Site Plan Approval as outlined at the August 17th meeting. A Variance for fifteen feet short of the minimum 100 feet lot

width at one point, was granted by the ZBA on September 14, 2010. Aurora Optometric Group, currently identified as IDOC Properties, is proposing a 13,400 square foot two-story (one level below grade) professional building. Details of occupancy are in the August 17th EPB Minutes.

1. Approval letter from the Jamison Road Fire Department -Received 9/21/10 with agreement by Aurora Optometric to fill in first floor of elevator shaft until needed.
2. Approval from the Elma Water Department - Met with Water Department & awaiting approval.
3. Approval from Town Engineer for drainage plan - Town Engineer approved two retention ponds and the rain garden under SWPP regulations.
4. Approval letter from the EC Health Department for septic or sewer - Pending. Letter to Aurora Optometric stating plans are being approved.
5. Approval letter from EC Dept of Environment & Planning for curb cuts - Met with DEC. Approval pending receipt of building permit and beginning of construction.
6. Variance from ZBA for road frontage - ZBA Variance 9/14/10.
7. Traffic pattern for both driveways - two way - Reviewed as on site plan.
8. Identify types of plantings and value for 2-year Maintenance Bond - Submitted list of plants with estimated value of \$16,678. Need to provide a two-year Maintenance Bond prior to Certificate of Occupancy.
9. Identify types of lighting and location for building and parking lot - Submitted comprehensive lighting plan indicating LED Ballard lights in the front of the building. Ground lights facing down. Everything else will be mounted on twenty foot poles. "Lighting will not be distributed off of the property and will provide enough light for on-site use." \*
10. SEQR - completed State Environmental Quality Review Form - Type I Short Form SEQR completed by EPB.\*\*

11. Business Sign (not covered at previous meeting) will be relocated from the East Aurora Office. A picture of the sign was submitted.

\* Karen Weisbeck, a neighbor residing at 1917 West Blood Road, expressed concern about lighting reflecting on her property. Mr. Cirocco brought up a computer view on the EC Intranet Mapping System of the proposed site and her property. He commented that SASI would probably block the lighting. Everyone was in agreement that her concerns were unfounded.

\*\* Motion made by Chairman Reid and second by James Millard 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 Gregory Merkle to grant Final Site Plan Approval contingent upon:

1. Approval Letter from the Elma Water Department.
  2. Receipt of two-year Maintenance Bond for landscaping.
  3. Approval from EC Health Department for septic system.
- Ayes: 7. Nays: 0. Motion Carried.

### III REBOY SUPPLY INC - 1280 Maple Road

Owner Matthew Reboy submitted a Plot Plan showing existing buildings and the location of the proposed 42x60 metal storage garage (adjacent and south of the current metal equipment building in the back of the property). Three Variances were granted by the ZBA at the September 14, 2010 meeting: Height, square footage and minimum side lot setback.

Mr. Reboy said that the building will be used to store trucks and equipment. He also said there will probably be a sink but no toilets and no floor drains. Sketches by Arc Tek indicate two over head doors on the front and four on the side with one man door on the front. It will be blue with white trim, white garage doors and a tan pitched roof. There will be no exterior lights as there are none in the parking lot and "not necessary for access" according to Mr. Reboy. The rear backs up to Steuben Foods property.

Motion made by Chairman Reid and second by Anne Fanelli to approve a 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.

Mr. Reboy was questioned as to whether he planned to do any landscaping around the building. He said that he had already cleaned up the entire site from brush and weeds and did not plan on doing anything more.

Motion made by Michael Cirocco and second by Anne Fanelli to grant Final Site Plan Approval for an all metal building with no special exterior adornment and no additional landscaping due to its location as being behind existing structures and not visible from the road.

Ayes: 7. Nays: 0. Motion Carried.

#### IV ELMA TOWN GRILLE - 6650 Clinton Street/Bowen Road

Mr. James Zimmerman appeared before the EPB representing Patricia Curran, owner of the property on which the Elma Town Grille is located and Norman Bealer, owner of the restaurant.

A variance was granted by the ZBA at the September 14, 2010 meeting to erect a 24x24 foot garage for the storage of two vehicles and restaurant furniture and supplies. A sketch print was submitted of the proposed garage. It is to have white vinyl siding with a black gable roof and one overhead garage door. Lighting will consist of a light pack over the man door and decorative lights mounted on the building on either side of the overhead door. A similar photograph was included.

The location of the garage was drawn in on a photocopy of a survey of the building site believed to be from 1991. Parking spaces were not delineated. The proposed garage did not appear to be according to scale. Questions were raised regarding access by the Fire Department in case of emergencies.

As a result, the EPB tabled the request for Final Site Plan Approval until the October 19th meeting, requesting the following be provided:

1. Letter from the Elma Fire Dept. confirming access.

2. Updated survey and scale drawing of the area indicating existing buildings, proposed garage and delineation of required parking spaces.

#### V REVISED SITE PLAN - ONLINE AUTO CONNECTION

Mark Subjeck, owner of Online Auto Connection and Michael Bevilacqua, building contractor of Bevilacqua Homes, LLC, came before the EPB to review their revised blueprints as requested by the EPB at their July 20th and August 17th meetings. The following items were submitted and approved. (*italics*)

1. No reference to the materials used nor view of the sides of the second story:  
Trim shown around windows and cornice work on roof edges.
2. The color scheme as agreed to was not noted (charcoal and ash generally):  
Color scheme to be ash and charcoal as noted on blueprint.
3. Date on drawing was not updated to current revisions:  
Revised as of 8/30/10 shown on blueprint.

It was noted by Chairman Reid that a Type I Short Form SEQR indicating that the proposed action will not result in any significant adverse environmental impacts, had previously been approved at the January 19, 2010 meeting.

According to Elma Code 144-86.13D (4): For every 30 feet of road frontage, a street tree shall be planted in accordance with New York State Department of Transportation standards.

A request was made by Mr. Subjeck to eliminate five trees from the front at the road because "they are blocking the view of the cars and the DOT said that the trees are in the way of the overhead lines" between the telephone poles. There was also a question as to what is meant by a "street tree" and whether, when mature, that many trees would block the view of those exiting onto Transit Road.

The EPB reviewed the entire landscape plan, noting that there would still be twenty-two trees left to be planted on the property as well as other plantings.

Motion was made by Michael Cirocco and second by Chairman Reid that since there could be a safety issue regarding clear visibility exiting onto Transit Road because of proposed ten trees planted along the Right-Of-Way area, therefore only five trees will be

required in the road frontage.

Ayes: 5. Nays: 2. (James Millard, Gregory Kalinowski) Motion Carried.

#### VI SUGGESTED REVISION TO EPB DEADLINE POLICY (3/16/10)

The EPB revised their Motion of 3/16/10 by voting to change the deadline for submission of projects to the Building Department for EPB Agenda from Tuesday at 4:00 PM prior to the meeting to Wednesday at 4:00 PM prior to the meeting.

Ayes: 7. Nays: 0. Motion carried.

#### VII CONFERENCES/TRAINING SEMINARS

1. Floodplain & Stormwater Workshops, Batavia, Oct 13th & 14th
2. Municipal Dollars & Sense Workshop, Hamburg Oct 22nd
3. Land Use Law Seminar, NYC, Nov 8th

4. NIMBYs & Windpower - EC Dept of Environment & Planning:  
EPB requested that both be scheduled for November 16th @6-8 PM.  
Diane Rohl will take care of the arrangements with the County and inviting other Boards to attend.

5. Green Infrastructure, Cheektowaga, Oct 28th

#### VIII FYI

Bldg Inspector's Report – July & August 2010

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

DGC Minutes - July 29, 2010 (No meeting in August)

Town Board Minutes - Town Web Site

#### IX ADJOURN

Meeting adjourned by unanimous consent at 10:10 PM.

Respectfully submitted,

Diane Rohl,  
EPB Sec'y

