

08/18/09 Planning Board Minutes

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

MINUTES OF REGULAR MEETING ;V August 18, 2009

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday August 18, 2009 at 8:00 PM in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

PRESENT:

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

ABSENT:

None

TOWN REPRESENTATIVES:

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

I APPROVAL OF MINUTES

Motion to Approve Minutes of July 21, 2009 made by Anne Fanelli and second by David Baker.

Ayes: 7. Nays: 0. Motion Carried.

II BROOKS RIGGING, 621 CONLEY RD ;V 60X90X16 STORAGE BLDG

Owner James Brooks appeared before the EPB. He had indicated earlier that he had not hired an engineer or contractor as yet but planned on having someone else construct the

pole barn. He also requested that the Application for Site Plan Approval and the building plans be changed to reduce the size of the pole barn from 70'x90'x18' to 60'x90'x16'.

He requested Final Site Plan Approval for the construction of a detached pole barn with metal siding, to be used for the storage of trailers now stored outside due to the lack of room in the shop. The proposed building will not be heated, has no toilets, and has no floor or insulation nor outside lights. The roof will be pitched 1/2" more than the other buildings. There will be two or three overhead doors on the east end of the pole barn. The west side of the building is tree lined. It is not visible from the road.

There are two other commercial buildings on the property, both metal, essentially the same construction with metal siding. There is also a house which is currently being rented.

Motion to make a negative declaration for a Type I Short Form SEQR, noting that the proposed action will not result in any significant adverse environmental impacts was made by Chairman Thomas Reid and second by James Millard.
Ayes: 7. Nays: 0. Motion Carried.

Motion to grant Final Site Plan Approval for the metal pole barn as submitted and subsequently modified in size, without any exterior enhancements or landscaping required due to the positioning of the building and its not being visible from the road, was made by David Baker and second by Robert Waver.
Ayes: 7. Nays: 0. Motion Carried.

III RECOMMEND TWO MEMBERS TO 280-A/SUBDIVISION COMMITTEE

As a result of the Moratorium on 280As and Subdivisions that was adopted by the Town Board, the EPB made the following recommendations:

Motion to recommend Chairman Thomas Reid and Anne Fanelli to represent the EPB on the 280A/Subdivision Committee was made by Chairman Thomas Reid and second by James Millard.
Ayes: 7. Nays: 0. Motion Carried.

IV HIGHLIGHTS 1/2 NYAT PLANNING & ZONING SUMMER SCHOOL

Diane Rohl distributed The Open Meetings Law, Minutes and Meeting Procedures, one

of the handouts from the August 7, 2009 Conference.
Also included was a copy of some highlights of the meeting.

V PLANNING & ZONING CONFERENCE

An announcement of the annual NY Planning Federation 9/13-15/2009 @ Lake Placid, NY was given to the EPB for consideration in complying with the NYS annual training requirements for Planning and Zoning Boards.

VI VISIT TO ROBERT A. BALDUCCI CONSTRUCTION , POUND ROAD

Chairman Thomas Reid requested that this item be added to the Agenda as a follow-up report to an on-site visit made to Balducci Construction. Present were Raymond Balcerzak, Asst. Building Inspector, Mr. Balducci, owner and himself. This was pursuant to complaints expressed at the July EPB meeting by Mr. David Duell of 90 Pound Road.

The following were the findings of that visit:

„Ī The Site Plan was reviewed, and although there were „§some gray areas;” (Chairman Reid), basically it was within acceptable limits.

„Ī Outside mounted camera was not working at the time but it was determined that Mr. Balducci has a right to protect his property.

„Ī Pond is probably about 10 feet over but it was redone to specifications. Drainage intake done to the approved Site Plan.

„Ī Gravel being dumped on back of property does not require a special permit.

„Ī Business Use Permit issued by the Town Board specified hours of operation as 7:00AM to 7:00 PM. Actual hours remain an issue.

Mr. Duell complained that trucks were operating earlier and later in the day than approved by the Town Board. Chairman Reid asked if he was willing to compromise. Mr. Duell stated: „§I am willing to be open minded but I am afraid there will be more business.;” Chairman Reid referred Mr. Duell to the Town Board for resolution of his concerns regarding hours of operation.

VII FYI

Resolution to Town Board 9 Rezoning for Online Auto Connection

Building Inspector's Report 9 July 2009 (not available)

ECB Minutes - Town Web Site

ZBA Minutes 9 Town Web Site

DGC Minutes - 7/30/09
Town Board Minutes - Town Web Site

VII ADJOURN

Unanimous Motion to adjourn at 8:40 PM. Motion Carried.

Respectfully Submitted,

Diane Rohl,
EPB Secretary