

02/19/08 Planning Board Minutes

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

DRAFT MINUTES OF REGULAR MEETING, February 19, 2008

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, February 19, 2008 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 Robert Waver

ABSENT:

Member James Millard
Alternate Gregory Kalinowski

TOWN REPRESENTATIVES PRESENT:

None

I APPROVAL OF MINUTES

Motion to Approve Minutes of January 15, 2008 Made by Michael Cirocco and Second by David Baker.

Ayes: 6. Nays: 0. Motion Carried.

II EDUKIDS INC. DAY CARE – 6961 Seneca Street, Elma

Mr. Andrew Marino, Civil Engineer of Tredo Engineers, appeared before the EPB as a spokesman for the engineering and architectural aspects of the proposed new building. Nancy Ware, owner was also present in the audience. In an overview of the project, he indicated that the existing day care facility will remain open throughout the construction

and that the existing parking lot will also be used during this time. A temporary gravel driveway off of Jamison Road will be used for construction vehicles. Demolition of the current facility will occur after new construction is complete.

In response to a question of inconsistencies in square footage on various documents submitted to the Town, Mr. Marino said that total square footage of the new one story building will be 7,628.

Chairman Reid questioned the need for a Variance under Local Law 1–2007 Moratorium on Land Use Approvals in Commercial...Zones that was granted by the Town Board since the 10/22/07 Application for Business Use Permit indicated the zone as “Industrial”. Mr. Marino said that was incorrect and that the property is zoned “commercial” and was classified as such on the Short EAF and Part I of the SEQR.

In regard to the current sewage system, a temporary lateral will connect to the existing and the existing sewer piping and structures will be removed. A totally new system will connect to the building. It will be a grinder pump design and the current size will be adequate to handle the small increase in children of about 10 or 12 as well as any new staff.

Mr. Marino explained that there were currently three driveways, two on Seneca Street and one on Jamison Road, close to the Intersection. In the new plan, there will be one driveway exiting to Seneca Street using the existing curb cut and a new driveway, further up Jamison Road that will require a new curb cut and approval from the Erie County Department of Public Works and Highways.

Mr. Marino described the one story building as having white vinyl siding with a hip roof, architectural gray shingles and gables. Asked if there were other EduKids facilities in the area that are similar, Mrs. Ware responded that there is one on Como Park Boulevard in Lancaster. The new building will be about 70 feet back from the road as opposed to the current 40 feet. The playground will be fenced in, using some of the existing fence and installing some new fence as well.

The total size of the parking lot is 1.7 acres. A review of the parking lot layout and number of spaces indicated that they were less than 10% of the total acreage. Mr. Reid reminded Mr. Marino that the parking spaces needed to be 20 feet, not 19 feet. (It was

noted by the EPB that in the current Code there is no designation for day care facilities, only orphanages, schools or common uses.) Using “orphanage” as a guide, there needs to be one parking space/five persons or a total of 21 or 22 spaces. The drawing shows 22 spaces plus one handicap space. A suggestion was made to expand parking for future use rather than have to return to the EPB at a later date. Questioned about parking during the construction, Mr. Marino indicated that he had not made provisions for temporary parking. There was some question as to whether there would be enough room for buses entering and exiting.

Mr. Reid requested that lighting details be provided at the next meeting: Building mounted or free standing? Style? Color? Height? Wattage? He said that the EPB prefers minimum lighting that does not shine on adjacent property but that is adequate for safety and security on the premises. Also the current sign will be replaced but the new sign will remain in the same location on Seneca Street.

Mr. Marino said a new sprinkler system will be installed. Mr. Reid told him that it will be necessary to have a review by the Springbrook Fire Company for emergency access prior to final approval by the EPB.

Mr. Reid suggested that a rough schedule be submitted for the project; and that a time limit be designated as to how long after the completion of the new building, the existing building will be demolished.

A cursory review was made of the landscaping. A more detailed review by the EPB will be done at the next meeting. Mr. Reid also asked if there had been any complaints from neighbors regarding noise, lights or traffic. Mrs. Ware responded “No”. Asked if there were any traffic complaints from parents including parking problems, Mrs. Ware once again responded “No”.

Asked who had reviewed the plans, Mr. Marino said that the Building Inspector had seen them but that the Town Engineer had not.

Mr. Reid reiterated to Mr. Marino the following items which will need to be addressed before Final Site Plan Approval may be granted:

- 1) Letter of approval from the Erie County Health Department for sewer system.

- 2) BUP Application: Correct Item 7. Zone from Industrial to Commercial.
- 3) Letter of approval from EC Dept. of Public Works & Highways for curb cut.
- 4) Specify color scheme and type of materials for buildings and gables.
- 5) Lighting specs for building and parking lot: style, height, wattage, etc..
- 6) Number, dimensions and layout of parking spaces.
- 7) Specify how parking will be handled and where it will be during construction.
- 8) Provide general time schedule for project and for demolition of old building after project completion.
- 9) Review and approval of drainage plans by Jim Wyzykiewicz, Town Engineer.
- 10) Letter of no concern from Springbrook Fire Company regarding access.
- 11) Corrections to Part 1 – SEQR as reviewed by the Planning Board.

It was noted that a letter will have to be sent to the Erie County Department of Environment & Planning for an advisory review.

The EPB reviewed the Part 1 – SEQR, item by item, and discovered a number of errors or omissions which they corrected. They then requested that Mr. Marino submit a new EAF with the corrected information when he attends the next meeting. The corrected copy will be retained by the EPB as a checklist until the new form is submitted.

Motion to grant Preliminary Site Plan Approval by Michael Cirocco and Second by David Baker.

Ayes: 6. Nays: 0. Motion Carried.

Mr. Reid reviewed the progress that the Code Review Committee (CRC) has made since its inception. He briefly explained the process used to identify the proposed three commercial codes and the content therein. There was a consensus amongst the EPB that standards within the current codes need to be more detailed but perhaps not as much as some other towns who are experiencing more sustained commercial growth.

The EPB members also agreed that the biggest problem is enforcement. They cited many instances where violations have occurred during and most particularly after completion of a project but lack of staff within the Building Department made it impossible to follow up on these cases. Various options were suggested including having the EPB take a more active role in enforcement; making it public that the EPB will be more strict about adhering to the codes; having a section on the monthly agenda for citing violations as a

part of the official minutes; enforcing through citations and levying of fines; exploring the hiring of a Code Enforcement Officer; and meeting with the Town Board to discuss the current problems and how they relate to the new commercial codes being proposed.

III FYI

Building Inspector's Report – None

CRC Agendas & Minutes - 1/10/08, 1/24/08, 1/31/08, 2/07/08

Conservation Board Minutes - 1/29/08

Town Board Minutes - 1/16/08, 2/06/08

IV ADJOURN at 9:30 PM. Motion Unanimous.

Respectfully Submitted

Diane Rohl,
Recording Secretary