

02/28/07 Planning Board Minutes

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

DRAFT MINUTES OF REGULAR MEETING February 28, 2007

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the Board, was held Tuesday, February 28, 2007 at 8:05 p.m. 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

OTHERS PRESENT:

Joseph Colern, Building Inspector
James Wyzykiewicz, Town Engineer
Phyllis Todoro, Town Attorney

I APPROVAL OF MINUTES

Motion to Approve Minutes of January 16, 2007 Made by Michael Cirocco and Second by Gregory Merkle.

Ayes: 7. Nays: 0. Motion Carried.

II STEUBEN FOODS û PHASE II, 1150 MAPLE ROAD û REVISED DRIVEWAY

Due to public pressure from surrounding neighbors and concern for traffic safety because of trucks entering and exiting Jamison Road in an area partially hidden from sight of oncoming cars, Mr. Taggart met with Building Inspector Joseph Colern and Town

Supervisor Michael Nolan to discuss the matter. As a result Steuben Foods requested consideration of a change to the previously approved plan (January 16, 2007) for the new driveway.

Matthew Edwards, Architect with Fontanese, Folts, et al. and Thomas Taggart, Vice President of Engineering at Steuben Foods appeared before the EPB with the revised location of the new driveway exiting onto Jamison Road. It will be located approximately in the middle of the two prior site plans, or about 300 feet west of what was approved in January. According to Mr. Edwards, moving the driveway will improve the site lines from east and west. It will be located about .2 miles from the crest of the hill. The proposed landscaping will remain the same with a 5-7 foot berm and 100 feet of green space. The guard shack will be located at the end of the new driveway. There will be lights all along the driveway with a sign and a photo-light at the entrance.

Employee use will be restricted to the Maple Road entrance. Mr. William Bierl of 921 Jamison Road expressed his appreciation for the cooperation of Steuben Foods in moving the driveway.

Mr. Reid asked Mr. Taggart if he had talked to the Jamison Road Fire Chief. Mr. Taggart said he had talked to him on the phone but had not met with him personally. Mr. Taggart said he would do that. Upon further questions from Mr. Reid it was determined that it will not be necessary to have a letter from the Fire Chief as previously requested by the EPB.

Upon a question from Mr. Taggart regarding the need for a Right-Turn-Only Sign, the EPB discussed the improved site lines of the new site plan and determined that it would no longer be necessary. On the other hand, the Planning Board will still have to contact the Erie County Highway Department to request that a warning sign with flashing lights be placed near the entrance of the new driveway on Jamison Road.

Motion to declare null and void the Approved Site Plan submitted to the EPB on January 16, 2007: Made by James Millard and Second by David Baker.
Ayes: 7. Nays: 0. Motion Carried.

Motion to Approve the Short Form SEQR indicating that the Proposed New Site Plan will not have a significant impact on the surrounding area: Made by James Millard and

Second by David Baker.

Ayes: 7. Nays: 0. Motion Carried.

Motion to Approve the Revised Site Plan, removing the restriction for Right-Turn Only; requesting that the Planning Board request of the Erie County Highway Department that a sign with flashing lights be installed on Jamison Road near the driveway entrance; and stipulating that it will no longer be necessary For Steuben Foods to obtain a letter from the Jamison Road Fire Chief: Made by James Millard and Second by Robert Waver.

Ayes: 7. Nays: 0. Motion Carried.

III RECOMMENDATIONS TO TOWN BOARD FOR TRAINING

Effective January 1, 2007 New York State requires all planning and zoning board members to complete at least four hours of training each year. The EPB discussed their needs and interests and decided that they would like more training in the SEQR process and exploring what other towns have done successfully regarding zoning laws, including multiple layers. They also decided that they would like to receive training as a group.

Motion to make a recommendation to the Town Board regarding scheduling of training sessions for the full Board in Elma on the subjects of SEQR and/or Zoning : Motion made by Anne Fanelli and Second by Thomas Reid.

Ayes: 7. Nays: 0. Motion Carried.

Gregory Kalinowski shared with the EPB his experiences at the NYS Association of Towns Meeting in New York City (February 18-21).

He indicated that the seminars were well done and he managed to not only attend a number of them but bring back a myriad of materials which he copied and shared with all of the Members for their review at a later date.

IV MORATORIUM DECLARED BY TOWN BOARD

The EPB discussed the Town Board's latest decision to declare a six month moratorium on all Commercial and Industrial Building. Further discussion took place immediately prior to the EPB Meeting at a Town Board Work Session. James Wzykiewicz, Town Engineer, who was present at the meeting, explained that as a result of information from the NYS Association of Towns Meeting, the Town Board had changed its strategy; that it was going to declare their intent to amend the zoning laws, hold a public hearing and subsequently vote on passage of an amendment to the zoning laws declaring a six month

moratorium on commercial building and the interface between the commercial and industrial codes. Any exceptions to the Moratorium would be decided by the Town Board on a case by case basis. The Town Board indicated that it would be scheduling a joint meeting between the Zoning, Planning and Conservation Boards to get their input. The Town Board will hire consultants to assist them in the revision process.

A lengthy discussion ensued exploring what this could mean in terms of the Town's appearance, location of businesses, etc. and how it would tie into the Regional Comprehensive Plan adopted in 2003. This Plan called for the revision of building codes which was never done.

V RECOMMENDATION FOR ALTERNATE EPB MEMBER

The EPB acknowledged the resignation of James Tuck, long time Alternate for the Planning and Zoning Boards. It then discussed the necessity of alternates being present at every meeting since often times the approval process spans multiple meetings. It acknowledged the exemplary attendance of Mr. Kalinowski and his contributions to the EPB in the past. As a result the EPB decided it would be better to have only one Alternate that was expected to be present at every meeting as opposed to spreading that responsibility between two Alternates and having a less efficient process.

Motion to accept the resignation of James J. Tuck, Alternate, with regret:

Motion to leave the second Alternate position vacant and require that the first Alternate to be in attendance at every meeting:

Motion to request that the Alternate be compensated at the same rate as the regular EPB Members since he will be required to attend all meetings:

Made by James Millard and Second by Michael Cirocco.

Ayes: 7. Nays: 0. Motion Carried.

VI TRAINING SEMINARS

The EPB reviewed the information on upcoming training seminars sponsored by Erie County Department of Environment and Planning.

VII INFORMATION

Diane Rohl, Recording Secretary, explained that copies will be provided of any correspondence produced on behalf of the EPB that is outside of routine matters. Other materials were provided to keep them updated. The EPB was given the

following information:

- a) Letter to Orchard Park - Proposed Knoche Farms Subdivision
- b) Letter to Express Mart/Tim Horton's Drawings Request
- c) Association of Towns NYC - Conference Materials
- d) Town Board Meeting Event March 7th @ Historical Building
- e) Building Inspector's Report January 2007
- f) Elma Conservation Board Minutes 1/23/07
- g) Elma Conservation Board Agenda 2/27/07

Motion to Adjourn at 9:10 P.M. Made by Gregory Merkle and Second by David Baker.
Ayes: 7. Nays: 0. Motion Carried.

Respectfully submitted,

Diane Rohl,
Recording Secretary