

04/18/06 Planning Board Minutes

The meeting on Tuesday, April 18, 2006 was called to order by Chairman Reid at 8:00 PM with the Pledge of Allegiance.

Members present: Anne Fanelli also: Tom Stynes, Asst Bldg Insp
Greg Kalinowski, Alt Gene Stevenson, Water Supt.
James Millard Rosemary Bapst, Dep. Town Atty
Thomas Reid, Chairman

The minutes of the last meeting of March 21, 2006 were approved as submitted.

The first item on the agenda was a discussion with Iroquois on the drainage problems at the athletic fields on Woodard and Girdle Rds. Architect Tim Mertzlufft from Gordan Jones Assoc and Dave Carlin, Grounds Supt from Iroquois were present. Mr. Mertzlufft stated the School will be working with Erie County to resolve the issue with the pond and runoff of water onto adjacent neighboring properties. 1500 linear feet of 18" pipe will run west along Woodard Rd then under Woodard Rd to a drainage system 350' north of Bullis Rd. The existing pond will be drained at a low point at the corner of Woodard and Girdle Rds and then completely filled in. The County will be laying the pipe. The existing berm will be moved further down toward Woodard. The County is expected to begin working on laying the pipe the end of May/early June. Mr. Mertzlufft addressed questions and concerns of local residents.

The next item on the agenda was a public hearing for Countryside Subdivision on Bullis and Girdle Roads for Robert Hesse. Mr. Kalinowski made a motion the Legal Notice be made part of the minutes, seconded by Mr. Millard. Poll vote 4-0. Motion carried. Valerie Sarcione from Nussbaumer & Clarke Inc was present on behalf of Mr. Hesse and spoke in favor of the project. Ms. Sarcione stated Mr. Hesse is proposing 19 single family lots on 41+ acres on the northeast corner of Bullis & Girdle Rds and would like to have 36 acres rezoned from Residential C to Residential B. The road will be built to Town specs and all lots will have septic systems. Four (4) lots will front on Girdle Rd and three (3) lots will front on Bullis Rd. Kathy Zilke of Bullis Road read a letter opposing this project stating the land is primarily agricultural and should be left for agricultural use. Other Elma residents spoke against the project questioning the value of the homes, lot

sizes, the rezoning, traffic flow and other traffic concerns with the new road being so close to the intersection of Bullis & Girdle. Chairman Reid closed the public hearing at 9:02PM. This matter is tabled until the next Planning Board meeting.

The next item on the agenda was a preliminary Site Plan Review for Advanced Auto Parts. Attorney Paul Silvestri and Mike Metzger from Metzger Civil Engineering were present. Proposed is 6900 sq. ft. retail building on the northeast corner of Transit Rd & Clinton St on approximately 1 acre, with 41 parking spaces and a septic system (A SPEDES Permit is not required). They were approved an area variance by the Zoning Board of Appeals. The Town Board approved the preliminary BUP and approved a Negative Declaration on the SEQR. A referral from the Planning Board to the Erie County Dept of Environment & Planning for their review is required. There is a small depressed area for water retention that is being required by the NYS DOT. The side set back is 10G⁺. The neighbor to the east has trees on their property, further screening was discussed. Application has been made to the DOT on the curb cut and accesses. The Building Dept requires a 2G⁺ change to the Clinton St entrance. The Town Engineer recommends the formation of a drainage district. Lighting was addressed. For approval, a new plan showing the surrounding residences is required. Mr. Millard made the motion authorizing the Building Department to make a referral to Erie County Dept of Environment and Planning for their review of this project. Mrs. Fanelli seconded the motion. Poll vote G⁺(4 ayes. Motion carried.

The next item on the agenda is a Site Plan Review for Building Solutions to construct a third building at 6091 Seneca St to house Pines Lawn & Garden, Inc. Todd Huber was present. Mr. Huber stated the new building will have the same contour, exterior and lighting as existing buildings. The new building will have 4 employees and no walk-in customers. The Town Board has given preliminary Business Use Approval to Pines Lawn & Garden as well as the two other businesses on the property: Buffalo Embroidery Co & Gunner Construction Services. Mr. Huber has received approval from the Erie County Health Dept and will submit a copy of that letter to the Building Dept. Water Superintendent Gene Stevenson mentioned that a main should be installed with an additional fire hydrant because the buildings sit back 880G⁺ from the road. Chairman Reid entertained a motion to approve the Site Plan for the addition of the building that will house Pines Lawn & Garden Inc contingent upon the submittal of the approval letter from the Erie County Health Dept and also to recommend the Town Board approve the Business Use Permits for Gunner Construction, Buffalo Embroidery Co and Pines Lawn

& Garden Inc. Mr. Millard so moved, seconded by Mr. Kalinowski. Poll vote 4 ayes. Motion carried.

The next item on the agenda was a discussion on Phase II of the Northrup Rd Development for Fischione Construction. Mr. Fischione and Lisa Thompson were present. Mr. Fischione stated they received concept approval of the Phase II development back in 2001. The 4 280-A lots will have a minimum 25' frontage and meet the Zoning footprint. There will be a common driveway with each lot having their own right of way to the road. A hydrant was moved from the turnaround to the road. There is a water line extension, a drainage district has been formed and a SEQR has been completed. A letter from the Fire Company approving the road and turnaround is required as well as a one (1) year performance bond on the water lines. Concept approval of Phase II of the Northrup Rd Development by the Town Board in 2001 will be verified by the clerk before further action is taken.

The next item on the agenda was Final Site Plan approval for Aurora Sales & Service on Seneca St. Ken Gough was present. Mr. Gough has received approval from the Health Dept, application has been made to the DOT, a drainage district is in the process of being formed, the Town Engineer will review the drainage, and the dumpster has been enclosed as requested. The exterior will be split face cinder block with a metal natural tone colored roof. Lighting was addressed as being directional and minimal. Further screening was discussed. Chairman Reid entertained a motion to approve the site plan contingent upon approval from the DOT on the curb cut and culvert, a drainage district being formed and approval by the Town Engineer on drainage. Mrs. Fanelli so moved, seconded by Mr. Millard. Poll vote 4 ayes. Motion carried.

The next item on the agenda was Bravo Caf^e, 5781 Seneca St. This matter is tabled until next month.

The next item on the agenda was preliminary site plan approval for Daniel & Scott Smolarek for a Dental and Professional Office building at 5121 Clinton St. Daniel Smolarek, Scott Smolarek and Architect Mark Dean from Dean Sutton Architects LLP were present. Mr. Dean stated proposed is a 4000 sq. ft. professional office building with 12 offices, 27 parking spaces and 2 handicap spaces. The set back requirements have been met as well as commercial land use. Mr. Smolarek (Scott) will utilize eight (8) offices for his dental practice and the other four (4) will be leased out. Lighting was

addressed as minimal. The sanitary facilities are being looked into as to whether there will be septic or sewers. A plan showing screening and the surrounding residences is required for final approval as well as approval from the DOT on the curb cut. A Type I SEQR was recommended. The Town Engineer will review the drainage. A drainage district will need to be formed. A letter will be sent to the Town of Lancaster regarding this project. Mr. Kalinowski made the motion to approve the preliminary site plan. Mr. Millard seconded the motion. Poll vote- 4 ayes. Motion carried.

New business:

Conservation Board Chairman Fred Streif mentioned the Conservation Board would like to work with the Planning Board on applications for easements and offer their services on any other matters the Planning Board would like to discuss. Diane Rohl, Secretary and Alternate to the Conservation Board, introduced herself and mentioned the purpose and concerns of the Conservation Board.

There being no further business, the meeting was adjourned at 11:20PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary/Clerk