

## TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

### MINUTES OF REGULAR MEETING June 19, 2007

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the Board or EPB, was held Tuesday, June 19, 2007 at 8:00 p.m. in the Elma Town Hall, 1600 Bowen Road, Elma, New York.

#### PRESENT:

Michael Cirocco Substitute Chairman  
Member David Baker  
Member Anne Fanelli  
Member Gregory Merkle  
Member Robert Waver  
Alternate Gregory Kalinowski (Substitute for Millard)

#### ABSENT:

Chairman Thomas Reid  
Deputy Chairman James Millard

#### OTHERS PRESENT:

Thomas Stynes, Assistant Building Inspector  
James Wyzykiewicz, Town Engineer  
Phyllis Todoro, Town Attorney

#### I APPROVAL OF MINUTES

*Motion to Approve Minutes of May 15, 2007, Made by Anne Fanelli and  
Second by David Baker.*

*Ayes: 6. Nays: 0. Motion Carried.*

#### II SPECIALIZED TREE SERVICE – 1241 Bowen Road, Elma

T. Michael Dugan, Owner of Specialized Tree Service, was referred to the EPB after being granted a variance on May 8<sup>th</sup> by the Town Board to store 2-300 gallon fuel tanks. Mr. Dugan stated that the tanks will be next to each other and about 50' from any building or property line. Tanks will be mobile but there are plans to have a concrete pad with adjacent pipes in the ground, filled with concrete. There will be electric power for lighting the area and powering the tanks. Overflow capacity will be 110%. Mr. Dugan stated that these tanks are not very visible from the road, but he will be lining the whole property with trees running down Jamison Road and also some between the barn and the shop. There was a review of the Town Board's variance regarding number and storage of vehicles.

*Motion to approve Building Permit for 2-300 gallon fuel tanks, Made by  
Robert Waver and Second by Gregory Merkle.*

*Ayes: 6. Nays: 0. Motion Approved.*

III GENERAL WELDING BUILDING ADDN – 991 Maple Road, Elma  
Mark Andol, Owner of General Welding and Terry Myers of LBM Construction  
appeared before the EPB. At the May 15<sup>th</sup> EPB Meeting General Welding was  
granted Preliminary Site Plan Approval contingent upon the following:

1. *Changes in Site Plan regarding lighting as agreed with the Planning Board.*

According to Terry Myers, exterior Lighting will be shoe box type mounted down  
and under the canopy with various candle power. Pole lights will be on the south,  
facing north. She provided a detailed list of the lights and specifications. (attached)  
The EPB was satisfied with the requested changes.

2. *Completion of a Type I SEQR and submittal to Erie County Department of  
Environment and Planning.*

The Type I SEQR was reviewed by the EPB. Thomas Stynes, Assistant  
Building Inspector, indicated that he did not see any non-compliance issues. In  
response to a question from Gregory Kalinowski regarding potential increase in  
traffic due to the plant expansion, Mr. Andol answered “No”.

*Motion to approve Type I SEQR, Made by Gregory Merkle and Second by  
Robert Waver.*

*Ayes: 6. Nays: 0. Motion Carried.*

3. *Receipt of final approval from the Erie County Health Department.*

Terry Myers indicated she had spoken with the Erie County Health Department  
and that General Welding had been given final approval verbally; but that the  
Department said it was “backed up about three weeks” in mailing out approvals.

4. *Letter and/or comment from NYS indicating approval of drainage proposed.*

Mark Andol explained the drainage system indicating that the land does naturally  
drain to the ditch, and that the property is actually in the middle of the ditch  
adjoining NYS property; and that they have worked “a lot with NYS.” James  
Wyzykiewicz noted that the underground storage is under the parking lot; and that  
they may have to alter the retention plan. He cautioned General Welding  
regarding the NYS ditch.

5. *Letter from the Jamison Road Fire Company indicating no fire hazards or non-  
compliance issues.*

Terry Myers supplied a copy of the letter from the Jamison Road Fire Company  
which stated that they had no issues to address regarding the proposed addition.

**6. *Drainage review by Building Inspector and Town Engineer to be completed for the Final Site Plan Approval.***

Terry Myers said that the wetlands will not be disturbed; that the retention is solely within the piping area; and that you could drive on this system. She also said that they have a contingency plan with the Army Corps of Engineers. James Wyzykiewicz said that at some time he will need to see the final drainage plan but that it need not hold up anything now.

*Motion to grant Final Site Plan Approval contingent upon approval from the Erie County Health Department, Made by Robert Waver and Second by David Baker.*

*Ayes: 6. Nays: 0. Motion Carried.*

**IV MOOG INC BLDG #20 ADDITION– Jamison Road, Elma**

Motion for Preliminary Site Plan Approval was granted at the May 15<sup>th</sup> EPB Meeting contingent upon the following:

**1. *Approval of drainage plan by Town Engineer.***

According to Don Aubrecht of FFAEB Architects, Moog will be using the larger pond as a retention area. They are awaiting a response from their engineering firm. He indicated that they do not expect to be pushing the parameters of the limits. Because there will be 70-90 or 100 new employees, “there will be an impact on fire and other ancillary services to a small degree”.

**2. *Approval of sewer system size from Department of Environment & Conservation.***

Mr. Aubrecht stated that Moog is working under existing permits issued by New York State; and since they are not exceeding 100,000 gallons/day, they are not required to work with the Erie County Health Department.

**3. *Response from Springbrook Fire Company indicating no fire hazards or non-compliance issues.***

Mr. Aubrecht said that Moog had met with the Springbrook Fire Company. They had two concerns: (1) an access road for emergency response and (2) location of the fire hydrant. Subsequently (1) Moog will create a turn around with a 40’ radius for emergency vehicles and (2) One fire hydrant will be located next to the road. The Fire Company was to have sent a copy of confirmation to the EPB but none had been received as of the Board Meeting. (Note: Copy received June 22<sup>nd</sup> and attached for information.)

**4. *Completion of Type I SEQR and submittal to Erie County Department of Environment and Planning.***

The EPB reviewed the Type I SEQR. Questions were asked of Moog regarding allotment of parking spaces. The said there will be about 100 (+-) spaces in the

**back. There will be some addition of visitors parking and some addition along the side for overlapping shifts. They have room to expand if necessary.**

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*Motion to approve Type I SEQR and to grant Final Site Plan Approval contingent upon receipt of a letter from the Springbrook Fire Company and submission of a revised plan to them complying with their requests, Made by Gregory Kalinowski and Second by David Baker.  
Ayes: 6. Nays: 0. Motion Carried.*

- V CLEVER METHOD BUILDING RENOVATIONS – 1200 Maple Road, Elma  
Christopher Potter of Clever Method and Matt Hasselback of Tommaso Briatico, Architects, appeared before the EPB. They referred to a letter dated June 13, 2007 and written to Joseph Colern, Building Inspector, in response to his review and suggested changes in their Site Plans. (Copy of letter is attached.) Plans indicated installation of a new and larger parking lot and addition of one pole light on the south side. A new septic system has been approved by the Erie County Health Department. The company offers web design business solutions. It will employ 27 people, 19 of which will be in the offices. They will also be doing some interior remodeling.

*Motion to grant Final Site Plan Approval contingent upon compliance with Town Building Codes regarding the necessary number of parking spaces and the dumpster enclosure, as indicated on the revised Site Plans, Made by Anne Fanelli and Second by David Baker.  
Ayes: 6. Nays: 0. Motion Carried.*

- VI ROBERT A. BALDUCCI CONSTRUCTION CO. – Pound Road, Elma  
Robert Balducci, owner and contractor, appeared before the EPB. Substitute Chairman Cirocco explained that the EPB is required to review and make any comments before the Town Board issues a Business Use Permit. Mr. Balducci explained that he runs a commercial concrete business. He is proposing a building with 60' frontage x 100' depth. The property is zoned industrial and surrounded by other businesses with the exception of one residence. He said the property is pretty much fenced but he may put in gates at a later date. In response to questions from the EPB he stated that his equipment consists of a curb machine, 3 highlifts, 6 pickup trucks which the men usually drive home and a dump truck. He also said that most of the equipment will be at job sites. There may also be 15-20 tons of stone on the property for job use. He stated that he will most likely have fuel tanks on site as well. The EPB asked about screening to which he said there is about 200' of vegetation that will stay. Mr. Ted Sluberski, potential nearby neighbor, was

asked to look at the plan. He subsequently replied that he had no problems as proposed.

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James Wyzykiewicz told Mr. Balducci that if he created any drainage problems, the Town would have to step in; that he would need a drainage district if there is any impact on the neighbors. It was suggested by Mr. Wyzykiewicz that he get a drainage district formed, talk to the Town Attorney and retain his own attorney.

*Motion to recommend to the Town Board that a Preliminary Business Use Permit be granted, Made by Robert Waver and Second by Substitute Chairman Michael Cirocco.*

*Ayes: 6. Nays: 0. Motion Carrier.*

VII UPDATE ON STEUBEN DRIVEWAY SIGN

Diane Rohl reported that there is no information on the request by the EPB of the Erie County Department of Public Works, Division of Highways, to install a warning sign at the proposed site of the new driveway on Jamison Road for Steuben Foods.

VIII UPDATE ON COURSE OFFERINGS – TVGA, Elma

Recording Secretary Diane Rohl reviewed with the EPB the information she received from TVGA, Engineering Consultants on Maple Road regarding their offering courses to fulfill the annual four hour training required by the State of New York for Zoning and Planning Board members. The Board decided to request that TVGA conduct two two-hour sessions at the Elma Town Hall in early September and/or October, from 7-9 PM. They also requested that Diane Rohl contact TVGA and send out invitations to adjoining smaller towns. The following topics were chosen by the Board:

1. Steps in the SEQR Process
2. Storm Water Pollution
3. Needs Assessment
4. Site Plan Review

IX PLANNING & ZONING SUMMER SCHOOL 2007 – July 26, 2007

SUNY Geneseo by Association of Towns – NYS

In view of the TVGA course offerings, the majority decided they had no desire to travel to Geneseo. Diane Rohl expressed an interest in attending the one day conference.

*Motion to approve attendance to the Planning & Zoning Summer School on July 26, 2007 at the SUNY Geneseo for Diane Rohl with all expenses paid, Made by Substitute Chairman Michael Cirocco and Second by David Baker. Ayes: 6. Nays: 0. Motion Carried.*

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X FYI

The following were included in the packet of information to the Board:

*Building Inspector's Report – April 2007*

*Building Inspectors Report – May 2007*

*Conservation Board Minutes – May 22, 2007*

*Town Board Minutes – June 6, 2007 ([www.elmanewyork.com](http://www.elmanewyork.com))*

*Concerts on the Green – Elma Summer 2007*

*Motion to adjourn at 9:46 P.M., Made by Anne Fanelli and Second by Robert Waver.*

*Ayes: 6. Nays: 0. Motion Carried.*

Respectfully Submitted,

Diane Rohl,  
Recording Secretary