

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

MINUTES OF REGULAR MEETING –April 21, 2009

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday, April 21, 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

TOWN REPRESENTATIVES:

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

I APPROVAL OF MINUTES

Motion to Approve Minutes of March 17, 2009 Made by James Millard Merkle and Second by Anne Fanelli.
Ayes: 7. Nays: 0. Motion Carried.

II MOOG – 7211 SENECA STREET - BLDG #12 MAIL RM/REC STORAGE

Donald Aubrecht, Architect with Fontanese, Folts, Aubrecht et al. and Richard Crance, Facilities Manager for Moog Inc. Granting of Final Site Plan Approval by the EPB was on November 18, 2008. According to Mr. Aubrecht, the “whole reason for coming back to the EPB is an attempt to reduce costs”. Submitted documents included: lighting specifications, a topographical print, a print of the landscape plan, a print of the floor plan, exterior views of the proposed metal building and renderings of the proposed building with mature landscaping.

Mr. Aubrecht reviewed the intended use for the building of 9,000 square feet: 1,500 square feet for office space and the remainder for records storage. He said the building will be located about 100 feet back from the road. He then explained parking, ingress and egress, location of the retention pond and removal of trees on the south side as they related to the landscape plan.

The previous proposal for the exterior of the building was synthetic stucco over foam insulation. New renderings showed an all metal building with light color on the upper exterior walls of the building and the dark color on approximately four feet in height on the lower parts, with a slightly enlarged area around the front and rear entrances. The colored panels of tan and red would come pre-painted from the factory and installed on site. Overhangs above doors and windows depict a green color. Lighting remains the same as previously approved. Third story windows shown on the originally approved drawings were removed.

A discussion ensued between the members of the EPB. They reiterated the fact to Mr. Aubrecht and Mr. Crance that when other commercial property owners have come before them requesting approval of metal buildings, that they asked the owners to at least having some contrasting material on part of the buildings. The EPB expressed concern regarding setting a precedent by approving an all metal building.

In response Mr. Aubrecht suggested that split face block in the contrasting color run from the door on the south corner, located twenty five feet back, across the front where the office is and around the corner twenty five feet back on the opposite side. The contrasting color would be metal around the remainder of the building as originally proposed.

Members of the EPB expressed their appreciation of past efforts by Moog to go above and beyond in the design and landscaping of previous buildings.

Motion made by Chairman Reid and Second by Gregory Merkle to amend the Final Site Plan Approval issued on 11/18/08, to comply with the drawings submitted and adding masonry, four feet up from the ground in the contrasting color, starting on the south side twenty-five feet back from the front (at the door), running across the front office to the opposite corner, ending twenty-five feet back. The contrasting color will continue at the four feet height around the perimeter of the building in the originally proposed metal material.

Ayes: 6. Nays: 1. (David Baker) Motion Carried.

III CALVARY CHAPEL OF NIAGARA FRONTIER – 2090 BOWEN ROAD
Reverend Mark Siena, pastor of the Calvary Chapel of Niagara Frontier, currently located at the corner of Broadway and Burwell in Lancaster, and Thomas Caley, Architect with Caley & Company, appeared before the EPB for a Site Plan Review. The Church has a contingent offer to purchase the former Luders Log Cabin building and adjacent property.

They would like to convert the existing building into a church that would have a sanctuary, general office space, social space and Sunday school rooms. According to Mr. Caley, there would be some minor interior work involving subdividing. The kitchen area would remain as a kitchen with the potential for subdivision at a later time to include more storage space. The existing exit doors with panic hardware and signage would remain unchanged.

The parking lot would be re-stripped with size according to the zoning ordinances. Mr. Caley stated that the "number of spaces were determined by the square footage of the dining room although, due to the size of the parish currently, all of the proposed spaces would not be filled. Paving on the south side of the building is only large enough to do parking on one side – not both sides. Space on the north side is large enough to accommodate a couple of dozen parking spaces." Depending on who owns the "road" could reduce the number of parking spaces in the front from sixteen to three.

Asked by Mrs. Fanelli: "What is the size of your congregation?" Reverend Siena responded: "One hundred adults and thirty to forty children." Asked by Chairman Reid where the edge of the property is on the Bowen Road side, Mr. Caley referred to a survey done in 1991 and responded that it is at the "202.98 line". Further discussion regarding the elimination of the grade crossing for the railroad, property being abandoned, and part of the building originally being on the right of way, put into question exactly what is Town property, and what is private property. Mr. Wyzykiewicz stated that there needs to be clarification as to who owns it: "Is it a road or was it given to the owner by the Town?" He also believes there are federal wetlands on the site. Chairman Reid also raised the question of traffic safety and the number of cars leaving the site at any one time to exit onto Bowen Road proper. It was suggested that a sign posting "right turn only" might help to reduce the danger. There is an intent to install a playground as well.

Mr. Wyzykiewicz stated that all of the properties on this stretch were originally residential; and that since this building has been abandoned for over a year, the property would revert to a residential classification. As for accommodating the location of a church, Mr. Caley was informed that by Town Attorney Todoro that the current Elma Town Code "does not disallow a church in a residential area".

The EPB agreed the four major issues to be resolved first are:

1. Where is an accurate deed? Who owns the front of the building?
2. Where are the federal wetlands on the site?
3. What are the suggestions to reduce impact of exiting traffic?
4. How do you plan to accommodate future growth?

It was determined that the following will be required before final site plan approval could be given by the EPB:

1. An accurate survey of the site including any easements.
2. Exterior building and site plan.
3. Plan for use of interior space.
4. Detail of exterior lighting, attached to the building and in the lot areas.
4. Detail of applicable parking spaces including location, size and lines.
5. Landscaping plan.
6. Clarification of location of federal wetlands.
7. Design, location and size of any signs.
8. Letter from Erie County Health Department for septic system.
9. Letter from Fire Department regarding access and safety.
10. Plan to allow for future growth.

IV ERIE CO. PROPOSAL – Establish Erie County Planning Board

The EPB received a full copy of the proposal by Erie County to establish a county wide planning board. Diane Rohl highlighted some of the major provisions of this draft including this being a voluntary board except for a paid director and necessary staff funding by the County appropriations; the review and comment on General Municipal Law 239m referrals from municipalities; the review and comment on proposals for developments that affect the environment, agriculture or conservation; act as lead agency under SEQRA on any proposed plan; provide technical assistance involving comprehensive plans, GIS, infrastructure, etc. "at such cost to the municipalities as the County legislative shall determine to be appropriate"; assist developers in planning new developments; etc. A comment was made by Supervisor Nolan who stepped in for a moment. He indicated that supervisors from the surrounding municipalities were not in favor.

Some general concerns discussed by the EPB were:

- According to Mr. Duell, an improvement in drainage on Pound Road as a result of the Balducci site.
- Town and County working with railroad to get the pipe cleaned out that is running under the tracks and currently contributing to flooding on Pound Road.
- Houses that are being built back from the road 500 feet or more and not near a fire hydrant; and/or difficult access by fire departments.

V FYI

Building Inspector's Report – March 2009

ECB Minutes - Town Web Site

ZBA Minutes – Town Web Site

DGC Minutes - 2/26/09 and 3/26/09

Town Board Minutes - 4/1/05 & 4/15/09 Town Web Site

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VI ADJOURN

Meeting was adjourned at 9:30 PM by unanimous consent.

Respectfully submitted,

Diane Rohl,
EPB Secretary