

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

MINUTES OF REGULAR MEETING – February 23, 2010

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held Tuesday February 23, 2010 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:

Phyllis Todoro, Town Attorney
Raymond Balcerzak, Asst. Bldg. Inspector
James Wzykiewicz, Town Engineer

I APPROVAL OF MINUTES

Motion to Approve Minutes of January 19, 2010 made by James Millard and second by Anne Fanelli.

Ayes: 7. Nays: 0. Motion Carried.

II REQUEST TO REMOVE SUBLOT 6 FROM SEWER DISTRICT OF THE MEADOWS SUBDIVISION

Mr. David Macholz of 2003 Girdle Road (Sublot 5) appeared before the EPB to request that the adjacent lot he purchased in August 2009 at 2005 Girdle Road (Sublot 6) be removed from the Meadows Subdivision; and that the two lots be combined into one residential building lot at 2003 Girdle Road; and that Sublot 6 be removed from Meadows Sewer District. Accompanying his request was a recommendation for same from Phyllis Todoro, Elma Town Attorney. (That letter is attached as part of official minutes.) Mr. Paul Cieslik, Attorney representing Mr. Macholz, was not present.

James Wzykiewicz stated that up until now there have been no expenses to the sewer district on the vacant lot. He also said that the Town map plat will have to be corrected by the Building Department; and Erie County will also have to modify their records. Chairman Reid commented that "in the long run, there will be less expense since there will be no house there".

A resolution was made by Chairman Thomas Reid and a second by Michael Cirocco to remove Sublot 6 (Six) from the Meadows Sewer District under the following conditions:

1. Officially change the subdivision plat by taking the vacant land lot (Sublot 6) out of the plat and authorizing the change. Tax map will then show the property as one parcel. (Todoro Letter 2/12/10)
2. There will be no building of another home on the combined lots.
3. The deed restrictions will run with the land.
4. If, in the future, the current landowner of the combined lots wishes to separate the lots, it will be necessary for him to appear before the Elma Planning Board for approval.
5. If, in the future, the current landowner of the combined lots wishes to separate the lots, he will also be responsible for the repayment of any back sewer taxes to the Sewer District for Sublot 6 from the date of removal to the date of the reversal.

Ayes: 7. Nays: 0. Motion Carried.

III OCTANE AUTO SALES, 6535 SENECA ST – Ref. Town Bd 1/20/10

Owner: Christopher Glinski, 28 Clermont Ct, Lancaster

Requested Action: Site Plan Review and Recommendation

Under Section 60.3 of the Elma Town Code, auto dealers wishing to open a new business are referred to the EPB by the Town Board for site plan review and recommendation, before the Town Board will issue a special use permit. A Preliminary Special Use Permit was approved at the January 20, 2010 Town Board Meeting.

Mr. Glinski said plans to lease the property and would like to open a second auto sales business in Elma, his current business being located at Genesee and Transit Roads next to Salvatore's. He said he did not intend to make any improvements to the existing building, 900 square feet of which is indicated for this use on the Application for Use Permit. Mr. Glinski also said that the business would involve selling of cars, auto detailing and installation of remote starters; no spray painting on the premises; any repairs would be sent out to sub-contractors.

In response to questions by the EPB, Mr. Glinski said that Joseph Colern, Building Inspector had assisted him by marking on the Google photograph of the site, and the survey, some of the parking spaces; also that there is currently 10,000 square feet of paved and gravel parking; and that a maximum of twenty-five cars on display is planned. Mr. Glinski said it would probably be more like 18-25 cars for sale with an additional three spaces for customers and two spaces for employees.

Mr. Glinski said there is no lighting currently on premises but that he has requested of NYSEG that a 400 watt directed light be installed on the existing pole near the existing sign. The light would shine on the cars for sale and not impinge on the surrounding properties, according to him.

A motion was made by Chairman Reid and second by Anne Fanelli to recommend to the Town Board that, according to the site plan as submitted, a Special Use Permit be granted for 6535 Seneca Street as a suitable use for the sale of used cars under Section 60.3 of the Elma Town Code with the following stipulations:

- 1. The Town Engineer review the drainage and make a recommendation to the Town Board.*
- 2. Twenty-five parking spaces maximum for autos for sale be marked to scale on a to-scale drawing, with an additional designation for three spaces for customer parking and two spaces for employee parking on approved "paving" material.*
- 3. Ingress and Egress routes be indicated on the drawing.*
- 4. Appropriate permit be issued (if not currently existing) for the trailer parked on the site, such trailer to be leased by Mr. Glinski and used for storage.*

Ayes: 5. Nays: David Baker and James Millard. Motion Carried.

IV EPB REQUIREMENTS FOR SITE PLAN REVIEW & APPROVALS

The EPB expressed concern that previous deadlines for submission of documents to the Building Department are being excepted; and that the time interval between the EPB receiving the final Agenda and their ability to investigate and/or visit a site prior to a meeting is being compromised. Stopping short of passing a resolution, the EPB unanimously requested that the requirements under Section 117 Site Plan Review of the Elma Town Code be more strictly adhered to. This would include any referrals from the Town Board under Section 60-3 Dealers and any other referrals as applicable. Examples cited in particular were, not excluding all other provisions as previously mentioned:

- ✓ Building(s) on site plan be to scale, clearly visible and identified.
- ✓ Building dimensions be specified and clearly marked.
- ✓ All parking spaces be marked individually and to scale.
- ✓ Lot area and types of paving be indicated.
- ✓ Location and patterns of ingress/egress be shown to scale.
- ✓ Adjacent buildings within 200 feet be identified.
- ✓ Landscaping and any buffers to the sides or rear be shown, especially in mixed use areas.
- ✓ Outdoor Lighting be marked with wattage & light pattern.
- ✓ Signs be shown on drawings: location, size, type.

- V **FYI**
 - Revised Town Law 280A (adopted 2/10/10)
 - Building Inspector's Report – Jan & Feb are due in March
 - ECB Minutes - Town Web Site
 - ZBA Minutes – Town Web Site
 - DGC Minutes - February 8, 2010
 - Town Board Minutes - Town Web Site

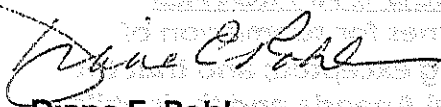
VI OVERVIEW OF NEW STORMWATER REGULATIONS

Town Engineer James Wzykiewicz told the EPB that changes have been made to the Stormwater Regulations affecting retention areas, changes from impervious to pervious surfaces, drainage to road ditches, etc. He stated that what used to be recommended may now be required. This could require changes to the Town's subdivision regulations and the site plan review requirements.

VII ADJOURN

A motion to adjourn at 9:40 PM was made by unanimous consent.
Ayes: 7. Nays: 0. Motion Carried.

Respectfully submitted,



Diane E. Rohl,
EPB Secretary

- ✓ Building(s) on site plan to be clearly visible and identified
- ✓ Building dimensions to be clearly marked
- ✓ All parking spaces to be marked individually and to scale
- ✓ Lot area and type to be indicated
- ✓ Location and pattern of driveway(s) to be shown to scale
- ✓ Adjacent buildings within 300 feet to be identified
- ✓ Landscaping and any buffers to the sides or rear to be shown
- ✓ especially in mixed use areas
- ✓ Outdoor lighting to be marked with wattage & light pattern
- ✓ signs to be shown on drawings