

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF SPECIAL MEETING - June 25, 2012

The Special Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Monday, June 25, 2012 at 6:05 PM in the Conference Room of the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid
Member David Baker
Member Michael Cirocco
Alternate Charles Putzbach

ABSENT:

Member James Millard
Member Michael Cleary
Member Gregory Merkle
Member Robert Waver
Raymond Balcerzak, Asst. Bldg. Inspector
James Wyzykiewicz, Town Engineer

TOWN REPRESENTATIVES:

Attorney Phyllis Todoro

- I **SEASONAL NURSERY, 1120 Bullis Rd, REVISED SITE PLANS**
Owner: Bryan Young, Young Development
Action: Final Site Plan Approval w/ contingencies

Chairman Reid stated that the EPB had reviewed the details of the final site plans using the EPB Checklist at their last meeting on 6/19/12. He reminded the EPB that he had requested a straw poll vote since the EPB could not give Final Site Plan Approval until the Town Board had approved the SEQR - scheduled for 6/20/12. The results of that poll were approvals from all members.

Copies of letters from the following agencies were obtained from the Building Department and provided to the EPB. They had been referred to by Christopher Wood, Architect of Carmina, Wood and Morris at the June 19th regular meeting.

- NYS DEC - SEQR Lead Agency designation
- EC Department of Public Works - Traffic Proposals
- EC Department of Public Works - Cleaning of ditches and piping
- NYS DEC - request for Negative Declaration on SEQR from Town Board

- NYSEG email - not allowing anything within easement area
- Spring Brook Fire Co - contingent requirements

In response to questions from the audience, Mr. Young said he was going to remove the berm underneath the power lines at the rear of his property at the request of NYSEG. In regard to chemical storage, Chairman Reid informed the EPB that the Town sent a certified letter on 6/22/12 as required by law, to Bryant Zilke, a farmer located within 500 feet. Mr. Young then said that he will be placing a berm of trees between Seasonal Landscaping and the Zilke Farm as a buffer. He told the four neighbors in attendance that "some trucks will be stored inside and that some will be outside". Diane Rohl said she received an email from Town Engineer Wyzykiewicz approving the final drainage plan.

Diane Rohl informed the EPB that she had attended the Town Board Meeting on June 20th and based upon the recommendations to the Town Board from Steven Tanner, SEQR Consultant from Clark Patterson Lee, she had drafted contingencies to the Final Site Plan Approval Motion. Mr. Tanner reviewed them and made some modifications. They are part of the final motion as listed below, with a clarification of directions for the road improvements by Chairman Reid.

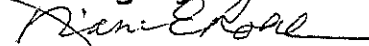
Motion to grant Final Site Plan Approval made by Chairman Thomas Reid and a second by Michael Cirocco, subject to the following contingencies as recommended by Steven R. Tanner, P.E., SEQR Consultant, Clark Patterson Lee:

- 1. Receipt of letter of approval from the Erie County Department of Public Works, creating a right-hand turning lane for traffic travelling east and strengthening of the road shoulder on the north side at the proposed site at 1120 Bullis Road.*
- 2. Receipt of letter of approval from the Department of Environmental Conservation, regarding the containment plan to prevent contamination of surrounding soils from the storage of chemicals, fuel or vehicles containing chemicals. Such improvements need to be made before the issuance of a Certificate of Occupancy by the Town Building Inspector.*
- 3. Receipt of a copy of the acknowledgement of the Notice of Intent for the Stormwater Pollution Prevention Plan from the NYS Department of Environmental Conservation.*
- 4. Notification by the Town Board to any farmer within five hundred feet of the proposed site to meet NYS Agriculture District notification requirements.*

Ayes: 4. Nays: 0.

Motion carried.

Meeting adjourned at 7:05 PM.


Respectfully submitted,
Diane Rohl, EPB Secretary