

## TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

### MINUTES OF REGULAR MEETING - June 18, 2013

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, June 18, 2013 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

#### PRESENT:

Chairman Thomas Reid  
Member James Millard  
Member David Baker  
Member Michael Cleary  
Member Gregory Merkle  
Alternate Charles Putzbach

#### ABSENT:

Member Michael Cirocco  
Member Robert Waver

#### TOWN REPRESENTATIVES:

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

#### I APPROVAL OF MINUTES May 21, 2013

*Motion made by James Millard and second by Michael Cleary to approve the Minutes of the EPB Regular Meeting on May 21, 2013.*

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

#### II NYSE&G COMMUNICATIONS TOWER, STOLLE RD

Attorney Josh Silver, representing NYSEG, reviewed plans to install a 300' wireless smart grid tower on their substation facility on Stolle Road (Tax Map No. 147.001-1-17). According to Elma Code 59A-9 B (3),(6), it is necessary for the Planning Board to conduct a full site plan review and subsequently schedule a Public Hearing prior to making a recommendation to the Town Board. NYSEG will be responsible for notifying in writing the property owners within 500 feet.

Mr. Silver explained that NYSEG is installing towers at all of its substation locations to bring it into compliance with Federal regulations governing communications. A benefit will be the reliability of providing energy to homes that NYSEG services. He explained that plans had been submitted, reviewed and revised and a negative declaration made by the Elma Town Board on the Full EAF SEQR - copy provided to the EPB.

Mr. Silver explained that the tower gets the back log information from the substation and physically communicates it to the microwave antennae. Thus the reason for locating the tower adjacent to the substation.

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In response to questions from the EPB, Mr. Silver said wetlands were not being disturbed, the current access road will be used, there are some trees already there for screening and they are trying to use existing vegetation. There will be a pre-fabricated equipment shelter, 11.5' x 16' with no exterior lighting.

Mr. Silver said that the tower will be about 1600' back from Stolle Road and about 1425' to the nearest resident. NYSEG owns all of the way to Bullis Road, about 200 AC. Regarding the fall zone, he said that the tower is built to the highest standards and no residents could be damaged. A red light of "moderate intensity" will be on the tower. Mr. Silver could not answer whether the tower would be open to co-location but said he would have the answer for the next meeting. He was asked to also bring information on Smart Grid. Mockups will be provided for the Public Hearing. Mr. Merkle suggested that an engineer be present to answer any questions.

*The EPB unanimously approved scheduling a Public Hearing for NYSEG cell tower for 7:00PM on Tuesday, July 16 for the purpose of making a recommendation to the Town Board.*

### III ONE LOT MINOR SUBDIVISION - GIRDLE RD LOT #2 (Hesse Property)

Valerie Sarcione, Project Engineer from Nussbaumer & Clarke Inc., requested approval of Lot #2, a one lot subdivision, located in the Robert Hesse Subdivision on Girdle Road. According to Engineer Sarcione, this is to be the last lot. Previously approved by the EPB were Lot #1 on 12/21/11 and Lot #3 on 10/16/12. The property is zoned Residential B, having a frontage of 130.19' and a 100' setback, exceeding the minimum requirements. Included was a letter dated 8/31/11 from EC Department of Health for approval of a septic system (expiring on 8/31/14).

*Motion made by Chairman Reid and second by James Millard to approve a one-lot subdivision for Lot #2 as submitted on Drawing No. 03J5-0030 dated 10/11/11, Application for Site Plan Approval dated 6/5/13.*

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

### IV PROPERTY/RENOVATION SPRINGBROOK FIRESIDE, 6294 Seneca St. Properties at 6300 & 6320 Seneca St, Springbrook

An Application for Site Plan Approval was filed on 6/7/13 by Todd B. Huber, Building Solutions, Inc., listing Architect John R. Haas for 6300 and 6320 Seneca Street to "re-do the exterior of both buildings and improve parking". Mr. Huber stated that he owns 6300 Seneca Street and expects to close on 6320 Seneca Street in about two weeks. Both are in the C-1 (Neighborhood) Commercial Zone. Also submitted was a Stormwater Management Report from Schenne & Associates for Springbrook Fire Hall (6300-6320 Seneca Street) dated June 2013.

A colored rendering of both buildings was submitted with elevations in black and white. Irregular lot dimensions of both properties with parking layout and basic landscaping was indicated on the same plan labeled Project No. JRH13-49 and dated 5/30/13. The frontage of #6300 is 224' and #6320 is 86'. (no official survey)

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Mr. Huber initially said that although currently there are two lots, he intends to combine the properties into one and have one driveway exiting from #6300. He wants to bring in about 3,000 yards of fill. Asked if there were wetlands, he responded: "No but possibly within 100'. I have to confirm with the DEC." Town Engineer Wzykiewicz pointed out that the drainage plan will require it be specified as one or two lots. He also said that if two lots, there could be easements involved. If combined into one lot, there would be multiple buildings located on one lot. At that point, Mr. Huber was not quite certain what he intended.

Mr. Huber said he would like to get Site Plan Approval so that he can do facade as well as interior renovation. He envisions the old Fire Hall (#6300) as being converted into a restaurant overlooking Cazenovia Creek, possibly with fire department memorabilia; and the old Karate site (#6320) as an ice cream/coffee shop with dining on the side and two apartments above. Currently there is one large apartment. The garage would remain for use by the tenants. The exterior of the buildings would complement each other with combinations of stone and siding and the addition of a bell tower to #6300 and overhang for outdoor dining.

Mr. Huber was given a blank copy of the EPB's Checklist so that he could make note of the information required by the EPB before Final Site Plan Approval could be granted. Depending upon the final decision by Mr. Huber of one or two lots, this may or may not be all inclusive.

- Determine whether one combined lot or two lots.
- Official, stamped survey of property or properties.
- Property lines and setbacks.
- If non-conforming lot, need ZBA Variance.
- Size and number of parking spaces. (Determined by use.)
- Exterior lighting/ building and parking lot.
- Traffic pattern in proposed parking lot.
- Identify landscaping and value
- Dimensions of existing buildings plus overhangs.
- Rendering of proposed sign(s), placement and dimensions.
- Drainage Plan. Need for easement?
- DEC determination of whether there are wetlands.
- P-BUP from Town Board to determine intended usages/applicable codes.

Chairman Reid polled the EPB members to determine whether they agreed with the overall plan and intended usages as specified by Mr. Huber. Affirmation was unanimous.

*Motion made by Chairman Reid and second by James Millard to grant Preliminary Site Plan Approval that constitutes both properties at 6300 and 6320 Seneca Street, based*

upon the concept submitted and the sketch plan submitted including building elevations and intended uses.

Ayes: 6. Nays: 0. Motion Carried.

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Mr. Huber requested that the EPB examine the rationale behind the C-1 (3000 sq. ft.) Commercial Code designation instead of C-2 (7,000 sq ft.) on the section of Seneca Street from Old Pound Road/Northrup Road to Rice Road, citing financial concerns by prospective developers. He said the size of the building allowed and the parking required does not allow for recouping of investment.

V WORKSHOPS/MEETINGS

1. *2103 Conference on the Environment - bi-national conference  
October 3-5, 2103 in Buffalo, NY*
2. *2013 Planning/Zoning Summer School  
Various Locations around NYS - July 24 - August 2*
3. *Preliminary Planning for In-House Workshops - Discussion*

Secretary Diane Rohl is working on two programs for the fall. One would be an in-depth, hands on presentation on the new SEQR regulations and the DEC form required to be completed on line. The second would be training in the use of the new Town Web Site.

VI FYI

Bldg Inspector's Report - May 2013  
ECB Minutes - Town Web Site  
ZBA Minutes - Town Web Site  
Town Board Minutes - Town Web Site  
MDCC Multiple Dwelling Code Committee Minutes - Town Web Site  
280-A Town Board Resolution (in Agenda materials)  
Spring Brook Fire Co. Letter (6/6/13) - Alton's Additions

VII Audience Recognition  
None.

VIII ADJOURN

Meeting adjourned at 9:10 PM by unanimous consent.

Respectfully submitted,

Diane Rohl,  
EPB Secretary