

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING -December 17, 2013

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday December 17, 2013 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Thomas Reid
Member Michael Cirocco
Member Michael Cleary
Member Gregory Merkle
Member James Millard
Member Robert Waver
Alternate Charles Putzbach

ABSENT:

Member David Baker

TOWN REPRESENTATIVES:

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

Prior to the Agenda, Chairman Reid recognized the Executive Director of the Boys & Girls Club of Elma, Marilla & Wales (EMW). She expressed her appreciation for past support and said the Club had substantially increased their membership this year. She stressed how they were working with children in various ways such as health and education; that in order to serve the children better, area boys' and girls' clubs are working together to obtain funding.

I APPROVAL OF MINUTES - November 19, 2013

Motion made by James Millard and second by Michael Cleary to approve the Minutes of the EPB Regular Meeting held on November 19, 2013.

Ayes: 7. Nays: 0. Motion Carried.

II NYSEG TOWER - Stolle Road. DEMOLITION BOND

Motion made by James Millard and Second by Gregory Merkle to rescind the Motion of 11/19/13 for a Demolition Bond of \$42,000; and to require a Demolition Bond of \$63,000 according to Town Code §59A-9 which requires one and one-half times the demolition cost. (Cost \$42,000 x 1 1/2 = \$63,000).

Ayes: 7. Nays: 0. Motion Carried.

III MEADOWBROOK PATIO HOMES - Bowen Road

Absent owner Bryan Young, 2401 Bowen Road, LLC, was represented by Attorney Peter Sorgi. Hopkins & Sorgi, PLLC. He stated that Christopher Wood PE of Carmina, Wood & Morris, PC was at another meeting.

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Mr. Sorgi presented a Sketch Plan for 53 patio homes, to be located 520' from Bowen Road, behind Pond Brook, not visible from the road. Access would be by a strip of land between Pond Brook and the Elma Plaza recently purchased by Mr. Young. Chairman Reid said that the private road would have to be built like a public road since the Town may take it over some time in the future. Mr. Sorgi said his purpose was to present the concept and to see if it was acceptable to the EPB before doing any SEQR or engineering plans. The site is approximately 20.3 AC, a part of Camp Centerland which is a total of 80 AC and zoned Residential B & C. Mr. Sorgi stated this was a "cluster development" and under NY Town Law §281, now §278, allows for density of 74 homes on this site. He said that 37% (7 AC) was open space. Chairman Reid challenged this, saying that "cluster developments" are laid out so that all of the homes are in one area and the remaining land is open space. In this plan, the open land surrounds the patio homes - partially due to wetlands.

In response to Mr. Sorgi's "as of right density" statement, Town Engineer James Wyzykiewicz said: "You don't have a right because there is a Moratorium still in effect; also "as of right" requires a public road and this plan is a private road." Asked the selling price of the proposed patio homes, Mr. Sorgi responded that they would be "lower value"; lot size varies between .16 - .20 AC; that he had taken Mr. Young to see homes selling in another development for \$220,000. He also said that they would request a tie into the Pond Brook Sewer Plant and that if they had to build their own sewer plant, it would make "the project cost prohibitive". Town Sewer Plant Engineer Tim Walczyk was in the audience and was questioned by Chairman Reid regarding current usage for Pond Brook and Springbrook Shores.

Chairman Reid said the bigger question is: What is best for the Town and the property owners? He polled the individual EPB members for their opinions on the proposed use of this land. Some of the responses were:

- Patio homes are better than apartments.
- Would like to review density requirements according to Town Law.
- Owner occupied is preferential to tenancy and absentee ownership.
- Apartments have a higher impact on schools.
- Cannot keep the Plaza stores full as it is now.
- The proposed Patio Homes cannot be seen from the road.
- Environmental concern: sewer system.
- Question of capacity of existing Pond Brook sewer plant.
- Would like a larger area of open space.
- Like to see ways to get to Plaza: sidewalks, etc. - tie into Pond Brook.
- Potential for a Land Conservation Easement Agreement.

No decisions or recommendations were made.

IV RECOMMENDATION TO TOWN BOARD FOR EPB MEMBER 2014

Motion made by Michael Cirocco and second by Michael Cleary to recommend that David Baker be re-appointed for another seven year term on the Planning Board effective 2014.

Ayes: 7. Nays: 0. Motion Passed.

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V EPB Attendance Record 2013

The Attendance Record for 2013 was distributed to the EPB Members. Members will be paid for the year subsequent to individual claim forms submitted to Town Board for approval.

VI EPB Meeting Schedule 2014

The Meeting Schedule for 2014 was distributed.

VII FYI

Bldg Inspector's Report - November 2013

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MDCC Minutes - Town Web Site

VIII AUDIENCE RECOGNITION

Covered during regular meeting.

IX ADJOURN at 8:30 PM by unanimous consent.

Respectfully submitted,

Diane Rohl, EPB Secretary