

# TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## MINUTES OF REGULAR MEETING- June 17, 2014

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday June 17, 2014 at 8:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York. The first 2014 EPB Workshop on SEQR, subdivisions and cluster developments, was presented from 6:00-7:45 PM.

### PRESENT:

Deputy Chairman James Millard

Member David Baker

Member Michael Cirocco

Member Michael Cleary

Member Gregory Merkle

Alternate Charles Putzbach

### ABSENT:

Member Robert Waver

Chairman Thomas Reid

### TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney

Raymond Balcerzak, Asst. Bldg. Inspector

James Wyzykiewicz, Town Engineer

## I APPROVAL OF MINUTES - May 20, 2014

Motion made by Michael Cleary and second by Michael Cirocco to approve the Minutes of the EPB Regular Meeting held on May 20, 2014.

Ayes: 6. Nays: 0. Motion Carried.

## II TIM HORTON'S REST/DRIVE THRU - Transit Rd South of #2151 - 1,950 Sq Ft

Patricia Bittar, PE with William Schutt Associates, appeared to present on behalf of Tim Hortons. She said that the number of light poles had been increased from five to seven, and the height reduced from 25' to 15'. All lights reflect downward. Type 4 will have shields and be on the residential property line. Type 5 without shields will be in the front. (Detailed specification sheets were included.) The driveway will be aligned with the residential driveway across Transit Road. A revised sign package (6/2/14) was submitted with a new site plan. Due to its size, the proposed sign will require a Variance from the ZBA. Michael Cirocco said that since it is 10' back from the road, he thinks it will be blocked by the trees and the neighbors will not see it.

At the request of the EPB on 5/20, a copy of a traffic study performed by SRF Associates was provided, concluding "site can expect AM peak hour queue lengths - with 95% confidence - between 10 to 17 vehicles..." PE Bittar responded that 25 cars can fit but they expect only 17. She said that as a result of the traffic study findings, the company is not going beyond the first 300' zoned C-2. Delivery trucks will be pulling forward into the site - not backing in as previously recorded. (C8)

Page -2- EPB (6/17/14)

While the EPB continued to express concerns regarding the volume of traffic at peak hours, citing the Bowen & Jamison Road drive through as an example, they accepted the information provided by SRF Associates. Daniel Blamowski, PE Real Estate Project Planner for Tim Hortons, pointed out in the color photo that the back of the building is the freezer/cooler area. The rear door is for deliveries and employee access. Employee parking will be in the rear. A total of 29 parking spaces will be provided. HC parking will be in the front across the walk. When questioned, Mr. Blamowski responded that the HC Law does not require that the spaces be directly attached but rather as close as possible. Sidewalks will be in the front, on the side and partially in the rear. Other items covered at the 5/20 meeting were reviewed once again: landscaping detail(\$13,164) with a two-year warranty, buffer areas (no fences), dumpster enclosures, roof HVAC not visible.

Town Engineer James Wyzykiewicz approved the drainage plan, discharging to the NYS Water system/DOT. PE Bittar said a letter had been submitted to the Elma Water Department, to the Spring Brook Fire Department, to the EC Health Department (Told it will be two weeks before a final decision). The SEQR has been completed and submitted to the Building Department who forwarded it to the appropriate agencies. PE Bittar expressed concern regarding not receiving copies of responses from agencies received by the Building Department. She was told they have deadlines (in this case June 23) after which they forward all information to the applicant. The Town Board will be responsible for approving the SEQR as Lead Agency.

*Motion made by Michael Cleary and second by David Baker to grant Preliminary Site Plan Approval pending receipt and follow up by applicant on any outstanding issues from agencies referenced above.  
Ayes: 6. Nays: 0. Motion Carried.*

### III CAMINO DEVELOPMENT -1221 Maple Rd

David Ogiony, owner of the previously constructed building now housing Moto Sales and a machine shop, is seeking EPB approval to modify the plan for the rear second building, originally approved June 19, 2012. The building orientation will be changed from north to west for easier access, especially in the winter.. The building size will be decreased from 3,250 square feet to 2,740 square feet. The storage area will be 56' x 40'; the office 25' x 20'. The side setback will be increased from 10' to 15'. Usage at this time will be personal - office and storage.

*Motion made by Michael Cirocco and second by Gregory Merkle to approve the revised site plan for a 2,740 sq ft building and change in orientation from N to W.*

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

### IV BROOKS RIGGING - 6820-6860 Seneca St

Property owner James Brooks is requesting an extension of the parking lot.

The original property is zoned Industrial. He recently purchased this parcel expressly for this purpose (zoned first 300' C-2 and remainder Residential). Moog Hydrolux Plant is currently leasing the property for office and engineering space. There is now a need for additional parking spaces.

Page -3- EPB (6/17/14)

There was discussion regarding extending parking into the Residential piece. Mr. Brooks agreed instead to a revision of the site plan; to not use the Residential portion at this time but to modify the parking to four rows of six cars each including two HC spaces - all to be 10' x 20'. There was no change for the ingress/egress. Additional lighting was reduced to one pole mounted light. A picture of the existing light pole and an aerial view of the property and buildings was submitted. Town Engineer reviewed and approved the drainage plan. The EPB requested that Secretary Rohl write a letter to the Town Board indicating that the EPB had reviewed Mr. Brook's proposal and that if in the future he needed to expand the parking, the EPB would be in support of his exploring others options.

*Motion made by Michael Cleary and Second by Charles Putzbach to recommend to the Town Board Final Site Plan Approval contingent upon submittal of a signed official survey; and the approval by the Town Board to allow extending the parking into the adjacent owned parcel zoned C-2.*

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

V KING'S AUTOMOTIVE SALES & SERVICE - 6511 Seneca St (Town Code §60)

Donald King, the new owner of the subject property, informed the EPB that he has lost his lease at his business in East Aurora and needs to occupy the Seneca Street site as soon as possible. (Site was an auto repair facility - now closed. It is located in the C-2 Automotive Overlay District). Mr. King said that he is on the Town Board Agenda on 6/18 for PBUP. He was in business at an East Aurora location for

four years. The business will consist of auto repair for resale and RV rentals. The following documents were submitted:

- Application for Site Plan Approval - Fee paid.
- Photocopy of basic site survey indicating location of building.
- Aerial view of site with parking plan superimposed. (Engineer's stamp)
- Front elevation as proposed. (Engineer's stamp)
- Sketch of Floor Plan.
- Engineer's Report by John M. Schaefer, PE. Dated 5/17/14.

Asked what he plans to do with the existing building, Mr. King stated that he will be re-facing the front with grey vinyl siding and replacing the roof - no additions. The floor plans consists of a customer service entrance, an office, two repair areas and a rear storage area. Parking requirements are listed under § 60-8 A. B. C. Mr. King said he does not need to use all of the existing backyard at this time and he proposes using milling or crushed stone for the rear. He said that his part of the shared driveway is 12' wide. The front yard (where cars will be displayed for sale) is paved; the backyard is for business use only and customers will be taken there. Under § 60-9 C. D. after reviewing all necessary documentation, the Planning Board shall make a recommendation to the Town Board for final approval. The Town Board shall determine final approval with any and all conditions.

It was determined by the EPB that the following documents will be required before they can issue any recommendation:

1. Stamped Survey of site.
2. Sign drawing including size, height, colors, lighting.
3. Building facade detail: type of siding, color (building, doors, trim).

Page -4- EPB (6/17/14)

Kings Automotive Sales & Service (cont'd)

4. Lighting specifications including number and locations.
5. Landscaping Plan with estimated value and 2 year warranty from owner.

6. Parking Plan showing existing and proposed parking (including surfaces).
7. Letter of approval from Elma Water Department.
8. Letter from Spring Brook Fire Department re: emergency ingress/egress.
9. Letter of approval from Erie County Health Department (septic system).

*Motion made by Deputy Chairman Millard and second by David Baker to advise the applicant of preliminary site plan requirements under §117-2 B.(3), Sketch Plan Conference, stating that the project does require full review by the Planning Board based upon scope, land use and site design characteristics.*

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

#### VI STONY MANUFACTURING -- 591 Pound Rd

Owner of Stony Manufacturing, James Wyzkiewicz, granted PSPA on 5/20, returned with a modified north side elevation to the proposed two story addition (1st Floor Manufacturing; 2nd Floor Office). This was requested specifically by Mr. Baker to break up the long wall space. The new rendering shows double hung windows and vertical steel siding with a steel roof.

*Motion made by Deputy Chairman Millard and second by Michael Cleary to approve the Short EAF, determining that the proposed action will not result in any significant adverse environmental impacts.*

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

*Motion made by Deputy Chairman Millard and second by Michael Cleary to grant Final Site Plan Approval.*

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

#### VII BUILDING SOLUTIONS, 6091 Seneca St - Addition to Existing Building

Prior to the meeting, the EPB had been notified by the Building Department that Todd Huber was planning on attending the June 17th

meeting. After all other applicants had been heard, Mr. Huber, owner of Building Solutions, requested that he be added to the agenda. With no objections from either Deputy Chairman Millard or any of the other EPB members, he was allowed to present his proposal. He submitted a sketch plan of the existing buildings on the site and the location of the proposed addition. The Floor Plan drawing showed an addition of 14' x 50' on the west side. It will be used for cold storage by Sports Service, a playground resurfacing company currently leasing space from Building Solutions. The addition will match the existing metal siding along with a shingled roof. There will be one light over the overhead door.

*Motion made by Deputy Chairman Millard and second by David Baker to approve the Short EAF, determining that the proposed action will not result in any significant adverse environmental impacts.  
Ayes: 6. Nays: 0. Motion Carried.*

Page -5- EPB (6/17/14)

#### Building Solutions (cont'd)

*Motion made by Michael Cirocco and second by Gregory Merkle to grant Final Site Plan Approval.  
Ayes: 6. Nays: 0. Motion Carried.*

### VIII WORKSHOPS

#### 2014 Planning and Zoning Summer School - NY Plan Fed & NYAT

Clarion Hotel, Batavia - August 8th - 9:15-3:45 (5 credit hours)

### IX FYI

Bldg Inspector's Report - May 2014

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MDCC Minutes - Town Web Site

X ADJOURN

*Meeting adjourned at 10:47 PM by unanimous consent.*

*Respectfully submitted,*

*Diane Rohl,  
EPB Secretary*