

# TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## **MINUTES-RESCHEDULED MEETING -December 2, 2014 (Amended 12/16/14)**

The regular meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, rescheduled from November 18th due to a severe winter storm, was held on Tuesday December 2, 2014 at 6:08 PM in the Elma Town Hall Conference Room at 1600 Bowen Road, Elma, New York.

### PRESENT:

Chairman Thomas Reid (left at 7:20 PM)

Member David Baker

Member Michael Cirocco (Interim Chairman remainder of meeting)

Member Michael Cleary

Member Gregory Merkle

Member Robert Waver

Alternate Charles Putzbach

### ABSENT:

Member James Millard

### TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney

Raymond Balcerzak, Asst. Bldg. Inspector

James Wyzykiewicz, Town Engineer - absent

### I APPROVAL OF MINUTES - October 21, 2014

*Motion made by Robert Waver and second by Gregory Merkle to approve the EPB Minutes of 10/21/14.*

*Ayes: 7. Nays: 0. Motion Carried.*

### II 6890 SENECA ST - (2) STORAGE BLDGS 42' X 48'

Todd Huber, General Contractor and owner of Building Solutions and Mark Subjeck, owner of the proposed storage buildings for MS Properties of WNY, provided a revised site plan dated 11/6/14 for two storage buildings, plan originally submitted on 10/21/14. Exterior dimensions changed from 50'x50' to 42'x48'. Mr. Subjeck said the buildings will be rented out.

Chairman Reid led the discussion with the EPB regarding whether these were "accessory" buildings as interpreted by the Building Department, or a single site with multiple structures. An opinion from Attorney Todoro interpreted the two buildings as multiple structures on a single site. A poll vote was taken of the EPB to apply Codes relative to multiple single structures on a single site. All EPB voted "yes". Assistant Building Inspector Balcerzak and Town Attorney Todoro were in agreement. The EPB proceeded using the applicable Elma Building Codes. The buildings will be in a C-2 Zone, adjacent to Industrial Zone businesses.

Mr. Subjeck was advised that he will need to complete a new BUP and receive approval from the Town Board.

The current BUP was reviewed and the EPB advised the following changes to information provided:

- Change from Residential to Commercial.
- Item 5. Property Use: Commercial Storage.
- Item 9. Size 42'x48'
- Item 13. Commercial.

The exterior of both buildings will be identical:

- Two overhead doors in front with single line of windows.
- One man door with windows and adjacent window - both under a canopy.
- Cupola on the roof.
- Slightly less 25% window area, Mr. Balcerzak said that the Building Department is alright with this. Site coverage within Code.
- Shingled, pitch, brown roof, maximum height 35' to peak.
- Exterior: metal earth tone, tan cultured stone on front only, dark brown wainscoting on sides.
- One exterior 175 Watt down light per building.
- Parking was moved back from ROW with layout and number of spaces unchanged. Town Highway Code to apply to Conley Road.
- There will be no signs on the property.
- Drainage Plan approved per email 12/2 from Town Engineer Wyzykiewicz.
- Drainage District required per Town Engineer. Requires application to the Town Board and public hearing.
- Addition of one bathroom to each building.
- Letter of approval from EC Health Dept (11/6/14) for connecting two bathrooms to current septic system.
- Letter submitted by Mr. Subjeck signed by adjoining neighbor, outlining the plans for landscaping/screening, and agreement by neighbor.

*Chairman Reid said he would entertain a Motion to grant FSPA.*

*Motion by David Baker and second by Michael Cirocco to grant Final Site Plan Approval contingent upon:*

- 1. Revisions to BUP as outlined.*
- 2. Provide stamped survey of site to Building Department prior to Certificate of Occupancy being issued.*
- 3. Provide to the Building Department, Landscaping Warranty for two years on plants with estimated value of \$3,500 as outlined on 10/21/14.*

*Ayes: 7. Nays: 0. Motion Carried.*

### III 6091 SENECA ST - BLDG ADDN (SALT STORAGE)

The dimensions of the storage building were listed incorrectly on the agenda. The correct dimensions should be 20'x27'. On June 17, 2014 a Final Site Plan Approval was granted by the EPB for an addition of 14'x50' to an existing building, to be used for cold storage. The building was never erected and Mr. Huber has submitted a new site plan dated 11/10/14. The new size will be 20'x27', to be used as cold storage for salt.

It will be a wooden building (site plan needs to be corrected as metal building) with a shingled roof. There will be no exterior lights. Parking is not applicable.

Emergency access can be accommodated by either stone or paved areas surrounding the proposed addition.

Chairman Reid left meeting at 7:20 pm. Michael Cirocco stepped in as Interim Chairman in the absence of James Millard.

*Motion made by Robert Waver and second by Michael Cleary to grant Preliminary Site Plan Approval.*

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

In view of the early hour, the fact that Mr. Huber had submitted an Application for Site Plan Approval to the Building Department, and Mr. Huber being the only item on the EPB Agenda, the EPB chose to pass the following motion:

*Motion made by Charles Putzbach and second by Michael Cleary to use the EPB Checklist and continue the review of Mr. Huber's revised proposal.*

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

A blank SEQR Form was provided to Mr. Huber. He completed and signed Part I. Lead by Interim Chairman Cirocco, the EPB reviewed the SEQR line by line. Items 6. and 17. were changed from "no" to "yes". Part 2 was then completed line by line by the EPB.

*Motion made by Interim Chairman Cirocco and second by Michael Cleary to approve the Short Form EAF based upon the information and analysis and documentation, that the proposed action will not result in any significant adverse environmental impacts.*

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

The EPB Checklist was reviewed and completed indicating that all items were deemed to be satisfied. The EPB subsequently passed the following motion:

*Motion made by Michael Cleary and second by Robert Waver that because all plans were submitted by Mr. Huber on a timely basis, the SEQR indicated no adverse environmental impact and that there were no contingencies according to the EPB Checklist, Final Site Plan Approval be granted.*

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

#### IV WORKSHOPS

##### Planning & Zoning Board Training Sessions

December 9th & December 15th - 7-9 PM

Assoc. of Erie County Govt. - Orchard Park Municipal Bldg.

#### V DISCUSSION ITEMS

1. *Motion made by Michael Cirocco and second by Robert Waver to recommend to the Town Board that James Millard be appointed for another seven year term on the Planning Board effective 1/1/2015. Unanimous.*

2. *Motion made by Michael Cirocco and second by Michael Cleary to recommend to the Town Board that Thomas Reid be appointed as Chairman of the EPB for another year effective 1/1/2015. Unanimous.*
3. *Motion made by Robert Waver and second by Charles Putzbach to recommend to the Town Board that the EPB June Workshop be recognized as qualifying for mandatory educational credit. Unanimous.*
4. *Motion made by David Baker and second by Michael Cirocco to send a message to the ZBA indicating that the EPB believes that the Variance request by Alton's for a second digital sign be denied by the ZBA on the basis that no digital signs should be allowed in commercial zones due to their affect on Town planning.*

VI FYI

Meeting Schedule for 2015

Bldg Inspector's Report - October 2014

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MD-DGC Minutes - Town Web Site

VII ADJOURN

*Motion made to adjourn at 8:13 pm. Unanimous.*

Respectfully submitted,

Diane Rohl,  
EPB Secretary