

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES - MEETING December 16, 2014

The regular meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday December 16, 2014 at 7:00 PM in the Elma Town Hall Conference Room at 1600 Bowen Road, Elma, NY.

PRESENT:

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

ABSENT:

Member David Baker
Member Michael Cirocco

TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney
Raymond Balcerzak, Asst. Bldg. Inspector - absent
James Wzykiewicz, Town Engineer

I AMEND & APPROVE MINUTES - December 2, 2014

Motion made by Gregory Merkle and second by Michael Cleary to approve the EPB Minutes of 12/2/14 as amended.

Ayes: 6. Nays: 0. Motion Carried.

II BROOKSIDE PATIO HOMES - SEQR #173

A complete set of SEQR documents for the Brookside Patio Homes, Bowen Road, had been previously distributed to the EPB so that they would have adequate time to review the large amount of data prepared on behalf of owner Bryan Young. A letter (4/11/14) from Hopkins & Sorgi, Attorneys, was included and stated their firm represents Young Development Inc. The EPB was asked to comment to the Town Board, Lead Agency, on the proposed project.

Secretary Rohl brought the site plan for Brookside Patio Homes (1/1/14), originally submitted by Mr. Young to the EPB for review on January 21, 2014 as a cluster development of 54 patio homes on 30.36AC. She commented that in comparing the two proposals, it appeared as if they were identical except that according to Part I of the EAF, Section D.1.d., the proposed action is now a subdivision. For purposes of clarification, Attorney Dean Puleo, in the audience, read aloud the 1/21/14 EPB Minutes from his iphone off of the Town Web Site. Town Engineer Wzykiewicz made a few comments regarding the NYS 280A law, subdivisions and cluster developments. It was observed that the proposal does not seem to fit under either the cluster or subdivision codes.

As part of the SEQR, the following documents were submitted by Carmina, Wood, Morris, architects/engineers representing Young Development Inc.:

- Revised Long Form EAF
- Geotechnical Report
- Site Plan C-100 (8/29/14)
- Sanitary Sewer Calculations
- Traffic Impact Study
- Wetland Delineation
- Letter to US Army Corps of Engineers
- Phase I A/B Cultural Resource Investigation
- NYSOPPHP "No Impact" letter regarding Phase I Investigation
- Responses to Clark, Patterson Lee review of EAF (8/12/14)

Member Putzbach cited the Traffic Impact Study as prepared by SRF Associates, stating that the "proposed development will not result in any potentially significant adverse traffic impacts to the study area intersections." He said there is heavy traffic at Bowen & Bullis Roads, especially at certain hours; and he believes it will add to the traffic problems. Chairman Reid commented that it has been difficult to get this kind of determination from the NYDOT in the past.

Chairman Reid questioned the costs associated with tying into Pond Brook Waste Water Treatment Plant as referred to in the 4/11/14 letter from Hopkins & Sorgi. Attorney Todoro said there have been subsequent discussions between the Town and Mr. Young regarding usage calculations and the financial contributions cited.

He asked whether the EPB should think about this concept: Does this fit in as part of the Commercial Code? Is it in agreement with the Town's Master Plan for development within a walkup business area? Do we have a preference regarding owner occupied vs. multiple dwelling? After considerable discussion, the following responses were agreed upon:

A motion was made by James Millard and second by Gregory Merkle that Chairman Reid complete the Environmental Review Referral as follows, such form to be returned to Joseph Colern, designated as the Municipal Reviewing Officer.

SEQR #173 - Brookside Patio Homes

EPB Check Item 3. The proposed action presents concerns to this agency, we request a conference on this action. (If checking here, please indicate below a brief description of your concerns including whether they are during or/allowing construction implementation, estimated severity of the concern and whether the concern is directly related to the action.)

EPB Comments: What section of Town Code is to be used to evaluate this project? i.e. subdivisions, cluster, open space? What about sewers?

Does this action appear to meet permit requirements? If no, what permits:

EPB Comment: Not enough information.

Name of Lead Agency: *Town Board*

Signature of Responsible Officer in Lead Agency: *Thomas Reid, Chairman EPB*

Ayes: 6. Nays: 0. Motion Carried.

III FYI

Attendance Schedule for 2014

Bldg Inspector's Report - November 2014

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MD-DGC Minutes - Town Web Site

IV ADJOURN

Motion made to adjourn at 8:04 pm. Unanimous.

Respectfully submitted,

Diane Rohl,
EPB Secretary