

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES - MEETING February 17, 2015

The regular meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday February 17, 2015 following the EPB In-House Workshop at 8:00 PM in the Elma Town Hall Conference Room at 1600 Bowen Road, Elma, NY.

PRESENT:

Chairman Thomas Reid
Member David Baker
Member Michael Cleary
Member Gregory Merkle
Member Robert Waver
Alternate Charles Putzbach

ABSENT:

Member Michael Cirocco
Member James Millard

TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney - absent out of town
Raymond Balcerzak, Asst. Bldg. Inspector - absent on vacation
James Wyzykiewicz, Town Engineer - absent out of town

I APPROVE MINUTES - December 16, 2014

Motion made by Michael Cleary & second by Gregory Merkle to approve the EPB Minutes of 12/16/14.

Ayes: 6. Nays: 0. Motion Carried.

II CROSBY'S CONVENIENCE STORE ADDN (Tim Horton's) - 950 Maple Road

Applicant Reid Petroleum Corporation was represented by David Petrosewitz. Also present was Robert Bender, a real estate representative from Tim Horton's.

Mr. Petrosewitz took the lead, stating that they will be leasing the property and existing building from Bach's Towing. Proposed is an addition of 579 sq. ft. on the south side for a Tim Horton's drive through; and the refurbishing of the Maple Express building, formerly the Yellow Goose, to now be known as Crosby's. Also included in the Agenda materials were black & white photo renderings of existing/proposed elevations for the site per L 2 Proposed Elevations 2/6/15.

Mr. Petrosewitz distributed six color photos of other Crosby minimarts at various locations in Western New York. Included was the before (Yellow Goose) and after (Crosby's) of their store in Gasport which he stated would be similar to Elma. He said the siding would be vinyl in a desert sand color with either stone or brick masonry on the bottom on the front and north sides - same height as depicted.

Exterior painting will match the desert sand color. There would be pilasters on the corners. The roof is only two years old and will not be replaced. The Crosby sign will be back lit (LED) and located on the front of the building. Mr. Petrosewitz said that the company is "trying to achieve a standardized look. We would like to have a good looking building".

Lighting under the canopy (gas pumps) will be converted to spot lights and two existing pole lights with recessed LED lights will be moved to allow for traffic flow. According to LP 1 Lighting & Landscape 2/6/15, three 175W wall packs will be mounted on the building - two in the back and one on the south. A 25' pole with two 400W bulbs will be located at the beginning of the que in the rear. Lights are expected to be on 24-7 (if the building is open) but also because of safety issues.

Diane Rohl, Secretary, commented on the landscaping plan, observing that there was a good balance in scale of plants as well as the number of evergreens vs. deciduous materials. She also gave the applicant a copy of the new Town Code (144-86.14) requiring an estimated value of all plants shown on LP 1, and a two year written warranty which becomes effective with a CO. A new concrete pad will house two dumpsters, shielded from view by landscaping on two sides. The leech field for the septic system is behind the building. A request for the septic system has already been filed with the ECHD. In discussing changes to the site, Mr. Petrosewitz said they had permission from Bach's.

A considerable amount of time was taken in reviewing the traffic pattern and the parking. The que will accommodate 12 cars with 5 more between there and the street. A 6" curb will border the drive through with a "redi-rock" retaining wall alongside the rear and also bordering the area for proposed parking spaces #10-12. Customers will enter at the north end off of Maple Road and exit at the south end. The applicant said that Bach's is allowing them to use their driveway which exits on West Maple Court for emergency purposes. It was observed that it might also be used by drivers entering the que. The installation of curb cuts will be necessary. (West Maple Court is a Town road. There was a question as to whether approval was the responsibility of the Highway Department or the Town Engineer.) Currently customers are expected to enter at the north end from Maple Road and exit at the south end of the property. Chairman Reid compared this site as being similar to the Tim Horton's at Bowen and Jamison regarding congested traffic flow within the site and lack of parking spaces.

L 1 Layout Plan shows 4" bollards bordering the sidewalk across the front and in front of the proposed parking spaces #1-4 adjacent to the building on the north side. Mr. Reid said people will park in front of the mart whether parking is allowed or not. It was noted that there is limited space due to the gas pumps. The EPB observed that spaces #5-6 and #7-9 required customers to walk across traffic areas creating a hazardous situation. Spaces #10-12 are on the north side; spaces #13-15 are in a rear section which borders West Maple Court. Mr. Petrosewitz said they were attempting to comply with the Town Code requiring 14 spaces for customers and employees. Mr. Reid responded that he would rather have a safer traffic pattern with fewer parking spaces (13?); that the EPB has the power to grant a variance to this requirement and suggested that spaces #5-9 be eliminated.

Motion made by Chairman Reid and second by Michael Cleary to grant Preliminary Site Plan Approval (PSPA) with the following to be provided prior to granting of Final Site Plan Approval (FSPA):

1. Details of veneer on bottom of building: Material, color & height.
 2. Lighting specification sheets: Wall packs, pole lights, spotlights.
 3. Dumpster screening on remaining two sides: Fencing? type & height?
 4. Landscaping: Value of planting material & signed two year warranty.
 5. Parking: Reduce # of spaces & allow vertical parking in front of building.
 6. Letter from Bach's Towing granting permission for alterations/access.
 7. SEQR : Included in original submission on 2/17/15.
 8. Sign: clarification re: location - front only or on north side also.
 9. Letters of approval required from:
 - Elma Highway Dept.(Wayne Clark) - curb cuts on West Maple Court.
 - Elma Water Dept. - (Eugene Stevenson) location of fire hydrants, access,
 - Jamison Fire Dept. - emergency access.
 - Elma Town Engineer (James Wzykiewicz) - drainage plan.
 - EC Health Dept. - septic system.
- Ayes: 6. Nays: 0. Motion Carried.

III UPDATE ON BROOKSIDE PATIO HOMES (Young Development)

Thomas Reid, Chairman, said that he met with the Supervisor Powers, Building Inspector Colern, and Town Attorney Todoro, the intent to "figure out where we stand" with the patio homes project. Also, a discussion of the EPB comment on the SEQR (EPB meeting 12/16/14) stating that it was not clear in the minds of the EPB, under which code the project should be considered: regular subdivision or cluster subdivision? In a second meeting with Mr. Young and his attorney present, Mr. Young made some suggestions to help his plan be in compliance with density requirements of a cluster subdivision. No final decisions were made.

IV RECOGNITION OF POND BROOK RESIDENTS

About four residents of Pond Brook were in attendance and asked to be heard. They said they had been to Town Board meetings and had also emailed various members of both boards. They said they were not against the patio home proposal per se, but expressed various concerns. One of the residents gave to the Chairman some photographs she had taken, showing how small the buffer area would be between her backyard and the proposed site. She cited a lack of privacy and the adverse affect it would have on her property value.

Another resident said exiting from Pond Brook was already a problem and installing another roadway (patio homes) would add to that. She had done a personal traffic count at various times and gave the Chairman a hand drawn version of the entrance/exit pattern with some vehicle counts.

The longest discussion was about the existing sewer plant in Pond Brook. The following issues were raised:

- The cost of the identified repairs to the existing system.
- Questioning whether the system can handle another section of housing.
- Who will pay the costs for current repairs & tie-in for patio homes?
- Will the tie-in shorten the life span of the current system?

Chairman Reid said that at this time, Brookside Patio Homes (Bryan Young) is not scheduled for any EPB meeting.

IV WORKSHOPS

A. EPB IN-HOUSE WORKSHOP

The EPB In-House Workshop (from 6-8 prior to the meeting) reviewed the revised EPB Checklist. A few revisions were made. They will be covered at the second EPB Workshop prior to the regular EPB meeting on March 17th. A review of the Subdivision Code, Cluster Subdivision Code and applicable case law decisions will also be scheduled. The new Multiple Dwelling Codes will be scheduled for either the April or May meeting dates. Workshop times will be from 7-8 PM with regular meeting to follow. All workshops are eligible for educational credits and any credits in excess of four can be carried over to the next year.

B. NYPF 2015 Conference

April 12 - April 14 @ Sagamore Resort, NY

V FYI

Bldg Inspector's Report - December 2014

ECB Minutes - Town Web Site

ZBA Minutes - Town Web Site

Town Board Minutes - Town Web Site

MD-DG Minutes - Town Web Site

VI ADJOURN

Motion to adjourn at 10:15. Unanimous.

Respectfully submitted,

Diane Rohl,
EPB
Secretary