

# TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## MINUTES OF REGULAR MEETING - July 21, 2015

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday July 21, 2015 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

### PRESENT:

Member David Baker, Acting Chairman  
Member Michael Cirocco  
Member Michael Cleary (left @ 8:30 PM)  
Member Robert Waver  
Alternate Charles Putzbach

### ABSENT:

Chairman Thomas Reid  
Member James Millard  
Member Gregory Merkle

### TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney  
Dean Puleo, Deputy Town Attorney  
Raymond Balcerzak, Asst. Bldg. Inspector - absent  
James Wyzykiewicz, Town Engineer - absent

## I APPROVAL OF MINUTES - JUNE 16, 2015

*Motion made by Michael Cleary and second by Michael Cirocco to approve the Minutes of the EPB Regular Meeting held on June 16, 2015.*

*Ayes: 4. Nays: 0. Abstain: 1. (Waver- did not attend 6/15/15) Motion Carried.*

## II PAGE'S ENTERTAINMENT CENTER INC - THE COVE- 4701 Transit Rd - Two-Story Front Porch

At the June 16, 2015 meeting, the EPB granted contingent Final Site Plan Approval for the two story front porch addition to the Cove Restaurant. While submitted by Brian Page with other documentation, the EPB failed to review the SEQR. Acting Chairman Baker reviewed the SEQR Part 1 (filled out by applicant), item by item, seeking input from the EPB. They were in agreement with Page's answers. Then Acting Chairman Baker followed the same procedure with the SEQR Part 2 (to be completed by the EPB as Lead Agency). The EPB reached consensus on the answers.

*Motion made by Michael Cirocco and second by Robert Waver indicating concurrence by the EPB that there will be "No, or a small impact may occur" on the environment as checked on questions 1-11 on the Short Form SEQR.*

*Ayes: 5. Nays: 0. Motion Carried.*

III MADE IN AMERICA STORE - 1,000 West Maple Court

Addition - new front covered porch and entryway

Owner Mark Andol, Architect John Lydon and Stephanie Koch, Project Manager of Lydon Architectural Services were present. Mr. Lydon corrected and initialed the Application for Site Plan Approval to indicate 1000 *West Maple Court*. A colored rendering of the plat and surrounding plats was submitted along with the Short Form SEQR. The building sits on approximately 8 AC including a detention pond. Mr. Lydon provided revised drawings consisting of:

- C-1 Site Plan
- A-1 Floor Plan (of covered porch and entryway)
- A-2 Roof Plan
- A-3 Elevations
- A-4 Colored Elevations

Mr. Andol explained that he wished to move the entire Made in America Store operation (now located at 1000 Maple Road) to the subject site and wants to be operational by May 1, 2016. Previously having purchased the building from TVGA, he has been using it as office space. Mr. Andol stated that the request before the EPB does not involve moving at this time but that the reason for moving is to have everything in the store on one level. Of the existing 18,000 sq. ft., he said he expects to be using 10,000 sq. ft. for the store. "The brick is in good condition. We will be using the same windows." Mr. Lydon said they want to get the porch out of the way; then do the rest of the work. The request before the EPB is for the exterior only - covered porch and entryway.

The proposed covered porch with a walkway, is approximately 6,000 sq. ft., with a separate foundation, totally apart from the brick building. Mr. Andol stated he wanted to have outdoor events in this area; that the corner will be a pavilion space. Mr. Lydon stated that the dormer will be letting daylight into the individual bays. Light fixtures will be mounted on the underside of the canopy. The standard all clad metal roof will be supported by stainless steel columns which are set in pilings. Two color options for the roof were shown on A-4, black and gray. Mr. Andol said a final decision has not yet been made. The sign shown on A-4 is not included at this time.

Parking was briefly discussed. Mr Lydon stated that there is room for 150 cars with another 50 spaces on the side. The covered porch does not intrude into the parking area. Eventually there will be 20 employees.

There were some questions from the EPB regarding what needs to be provided by Mr. Andol prior to EPB approval. Deputy Attorney Puleo advised that this proposal has nothing to do with the new use; and because there is no change in the site, parking, landscaping, signs, existing building, that this information is not required at this time. The EPB agreed that the only proposals under consideration for Final Site Plan Approval are the covered porch and entryway.

Town Engineer James Wyzykiewicz, notifying the EPB that he was going to be absent, sent an email (7/21 @1:38 PM) to EPB members stating: "I have reviewed the plans for Mark Andol and have no drainage concerns."

*Motion made by Michael Cirocco and second by Michael Cleary to recommend that Final Site Plan Approval be granted for the front covered porch and entryway, excluding lighting and signage, and with the metal roof colors to be either black or gray.*

*Ayes: 5. Nays: 0. Motion Carried.*

Mr. Andol was advised that the next step was to seek a Preliminary Business Use Permit from the Town Board. Then he will need to return to the EPB with the required documentation for the remainder of his project. Both Mr. Andol and Mr. Lydon were given copies of the newly adopted EPB Checklist.

Addition to Agenda as requested by Michael Cirocco - BROOKSIDE PATIO HOMES:

Mr. Cirocco expressed concern regarding the recommendation by the EPB to the Town Board, based upon information and documentation in the Long Form SEQR as submitted by Mr. Young. He said he attended the Town Board Public Hearing and now had questions. There was discussion amongst members and attorneys.

*Motion made by Michael Cirocco and second by Charles Putzbach that, based upon information obtained at the Public Hearing by the Town Board for Brookside Patio Homes, the EPB respectfully requests that the Town Board further review and investigate the following:*

- 1. Water table and feasibility of the site being proposed.*
- 2. The total site.*
- 3. Means of ingress and egress.*
- 4. Access by fire and emergency services.*

*Ayes: 2. (Cirocco & Putzbach). Nays: (Baker & Waver).*

*Tie vote. Motion denied.*

IV WORKSHOP (announcement previously sent by email)

*2015 Planning & Zoning Summer School*

*August 7th - (8:30 AM - 3:45 PM) Lodge at Holiday Valley, Ellicottville*

V REVISED EPB CHECKLIST

A copy of the EPB Checklist (as adopted on 6/16/15) was distributed.

VI FYI

Bldg Inspector's Report - June 2015

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 unanimous to adjourn at 9:00 PM.*

Respectfully submitted,

Diane Rohl,  
EPB Secretary