

TOWN OF ELMA PLANNING BOARD

1600 Bowen Road, Elma, New York 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~ FEBRUARY 28, 2017

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, February 28, 2017 at 7:15 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Michael Cirocco

Member David Baker

Member Michael Cleary

Member Gregory Merkle

Member Robert Waver

ABSENT:

Member James Millard

Member Charles Putzbach

Alternate Thomas Reid

TOWN REPRESENTATIVES:

Raymond Balcerzak, Asst. Building Inspector

Phyllis Todoro, Town Attorney

James Wyzykiewicz, Town Engineer

After the Pledge of Allegiance, Chairman Cirocco asked everyone to continue standing to recognize a moment of silence for Harry Kaczmarek, a longtime member of the Elma Zoning Board and an asset to the community.

I. APPROVAL OF REGULAR MEETING MINUTES ~ JANUARY 17, 2017

Motion made by Robert Waver and second by David Baker to approve the Minutes of the EPB Regular Meeting held on January 17, 2017. Motion Carried.

II. FINAL SITE PLAN APPROVAL FOR MOOG INC, 1A/3A ADDITION LOCATED AT THE CORNER OF SENECA STREET AND JAMISON ROAD FOR MANUFACTURING AND OFFICE ADDITION

Donald Aubrecht, Architect (Fontanese, Folts, Aubrecht, Ernst Architects, P.C.) along with Mike Rowen, Project Manager and Richard L. Crance, Facilities Operations Manager of Moog returned for Final Site Plan Approval of Moog for Manufacturing and Office Addition.

Mr. Aubrecht stated since our last meeting, we have made a few revisions to the plans. We have added an elevator between Building #1 and the Service Entry Area. We have prepared the landscape plan with adding additional conifers and birch trees along with the maples to Seneca Street and Jamison Road.

The Elma Planning Board reviewed the checklist and accepted approval letters from the Spring brook Fire Department and the Elma Water Department. The Spring brook Fire Department noted they take no exceptions to the proposed plans, and the Elma Water Department stated they will be using existing water lines on sight and have no issues with the planned construction. The Elma Planning Board has noted that Moog must submit a letter regarding the warranty of the landscaping.

II. FINAL SITE PLAN APPROVAL FOR MOOG INC, 1A/3A ADDITION LOCATED AT THE CORNER OF SENECA STREET AND JAMISON ROAD FOR MANUFACTURING AND OFFICE ADDITION (CONT.)

Chairman Cirocco reviewed the SEQR (long-form) and made a motion for a negative declaration on the SEQR (long-form) and seconded by Michael Cleary. Yes-5, No - 0. Motion Carried.

Motion made by Gregory Merkle and seconded by Robert Waver for Final Site Plan Approval for Moog. Yes-5, No - 0. Motion Carried.

III. AMENDED SITE PLAN APPLICATION FOR WNY AUTO WAREHOUSE INC., DBA ELITE MOTORS FOR PROPOSAL OF 48 CARS TO DISPLAY LOCATED AT 5710 SENECA STREET

Alexander Kukhto and Colin Lucey were present on behalf of Elite Motors located at 5710 Seneca Street to amend their site plan that was approved on July 19, 2016 by the Elma Planning Board of displaying 30 vehicles to increase the amount to 48 vehicles.

Elite Motors is presently leasing space from John Anticola and the EPB on July 19, 2016 reviewed a preliminary site plan approval for a consignment of 30 parking spaces for Mr. Anticola. Then on July 20, 2016 the TB approved a business use permit for consignment of 30 spaces for Mr. Anticola. On September 21, 2016 Elite Motors went before the TB for approval of 30 vehicles for a used car business for Elite Motors. Tonight Elite Motors is seeking to increase the number of vehicles to 48. The issue the EPB has is Mr. Anticola came in front of the EPB initially and in the initial site plan that was approved for Mr. Anticola has no additional lighting that was required or approved. When Elite Motors took over the lease from Mr. Anticola on September 21, 2016 Elite Motors put spotlights on the top of the building and these light do not meet Elma Town Code and were not approved. According to Elma Town Code §144-86.13 (G) (1) The placement of lighting on the site shall be subject to review of the Planning Board to ensure the lighting is directed away from adjacent properties and does not produce night glow. The use of LED lighting is encouraged. (2) Site lighting shall consist of cut-off, shielded, or directional light fixtures. The use of LED light is encouraged. (3) The intensity of light at the perimeter of the site shall not exceed 0.1 footcandle.

There have been numerous complaints regarding the lighting and the brightness that is blinding for vehicles driving by this building. The Elma Planning Board had a photo to show Mr. Kukhto of the property at night with the lights on. Mr. Lucey noted that when the lights were installed they were suppose to come back and adjust them to actually point them down. The Elma Planning Board prefers that the light are mounted at the street and facing back. Mr. Kukhto mentioned he received quotes for lights mounted by the street and due to the cost being very expensive they had to put the lights on the building at this time. Chairman Cirocco said without the lighting being addressed the number of cars on the lot is irrelevant until Elite Motors meets the code. At this time Elite Motors is willfully violating the provisions of the Elma Town Code so action needs to be taken on the lighting and having Elite Motors return after this is corrected. Also the parking layout must show 6 spaces for customer parking and 3 employee parking spaces along with the 48 spots for vehicles for sale on the site plans. Elite Motors is applying for the whole site which Mr. Anticola owns the property and the parking problem with Cans to Cash side show 7 spaces and the there is a trailer there blocking this parking. These 7 spaces need to be obtainable and striping needs to completed on the Cans to Cash side of the parking lot.

III. AMENDED SITE PLAN APPLICATION FOR WNY AUTO WAREHOUSE INC., DBA ELITE MOTORS FOR PROPOSAL OF 48 CARS TO DISPLAY LOCATED AT 5710 SENECA STREET (CONT.)

The EPB is recommending the following changes to be made in order to return to the next Elma Planning Board meeting:

- Lighting needs to be addressed and if they stay on the building the lights need to be faced down with shields to meet Elma Town Code §144-86.13 (G).*
- The site plans needs to be updated showing 48 spots for vehicles to be sold, 6 spaces for customer parking and 3 employee parking space for Elite Motors and Cans to Cash side showing 7 striped parking spaces.*
- EPB is requesting that a letter be sent to Mr. Anticola stating that all 7 parking spots need to be striped and that these 7 spots are available for parking. Mr. Anticola needs to be present at the next EPB meeting that Elite Motors returns to or Elite Motors must have a signed letter stating Mr. Anticola is not available and the changes that have been submitted per the architectural drawings dated January 24, 2017 have Mr. Anticola's approval.*

A letter has been submitted to the EPB from the Fire Department regarding the access is acceptable and the plan has been reviewed.

IV. ADJOURN

Motion to adjourn at 8:40 pm by unanimous consent.

Respectfully submitted,

*Brenda Barry
Elma Planning Board Secretary*