

TOWN OF ELMA PLANNING BOARD
1600 Bowen Road, Elma, New York 14059
Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~January 16, 2024

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, January 16, 2024, at 7:03 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

*Member Michael Cleary
Member David Baker
Member Gregory Merkle
Acting Chairman James Millard
Member Charles Putzbach
Alternate James Lembke*

ABSENT:

*Chairman Michael Cirocco
Member Robert Waver
Raymond Balcerzak - Asst Building Inspector
James Wzykiewicz – Town Engineer*

TOWN REPRESENTATIVES:

Phyllis Todoro - Town Attorney

I. Approval of Regular Meeting Minutes from December 19, 2023

David Baker motioned to approve the Minutes of the EPB Regular Meeting held on December 19, 2023. Michael Cleary 2nd motion. Motion approved.

II. New Business

The board welcomed new alternate member Mr. James Lembe. He is also an alternate member of the Elma Zoning Board so he will help to facilitate communication between the two boards.

The board thanked Mr. David Baker for his 30 years of service on the Elma Planning Board. Tonight is his last meeting. Mr. Baker asked that his payment for this meeting be donated to the EMW Boys & Girls Club

III. Site Plan Review for a 180' x 50' pole barn @ 555 Pound Rd for Triple Nickel Industrial Park
Applicant- Mark Subjeck

Mr. Mark Subjeck spoke about building a new metal building at his Triple Nickel Industrial Park at 555 Pound Rd. It is a 50' by 180' pole barn that will be located behind "the cottage". It will have eight 20-foot bays to rent out as storage for items such as boats or RV's. He also hopes to rent some out to small businesses such as painters or HVAC businesses to use as storage for their trailers and tools. The building will have heat.

The EPB discussed having a preliminary use permit. Mr. Subjeck did attend the last Town board meeting and got approval from them. When a specific tenant is known he will get a business use permit for that specific tenant. There is a cottage on the property that will be in front of the new building.

III. Site Plan Review for a 180' x 50' pole barn @ 555 Pound Rd for Triple Nickel Industrial Park (continued) Applicant- Mark Subjeck

It is currently rented out. After some discussion it was decided the zoning is industrial but has a residence on it therefore the setback from a residential zone due not apply in this case.

EPB reviewed the checklist:

Site & Building Details: site plan and blueprints provided. Needs a stamped survey.

Lighting: The lighting on the back of the building, which faces the street, needs to be down lite and shielded. A lighting plan was provided. No new lighting in the parking lot.

Parking: The entire site is paved and striped. There will not be any spaces designated for the new building.

Drainage: The town engineer was not present but had given his approval to the building inspector over the phone.

Signage: no new signage

Landscaping: There is no new landscaping planned. The applicant stated there is an existing berm that is between the road and the building. Mr. Millard expressed that he would like to go look at the site and see the berm and how much of the building will be visible from the road.

Water Service & Septic System: Location of fire hydrant are on the site plan. The building will have one bathroom in it. The applicant provided a copy of a letter from the water department approving the backflow preventer. The septic system will be behind the building (between Pound Rd & the building. Approval from the Erie County Health Department is needed.

Fire Department: Spring Brook Fire District proved a letter of approval.

A motion was made by James Millard and Seconded by Michael Cleary to give Preliminary Site Plan Approval Yes-5 No-0 Motion Carried

IV. Site Plan Review for replacement of 2 underground fuel tanks @ 950 Maple St for Crosby's Convenience Store Applicant Tony Nasiadka

Tim Arlington from Apex Consulting presented the plan for Reid Petroleum and Crosby's Convenience Store to replace the existing underground fuel tanks. There are currently four underground fuel storage tanks that are almost 30 years old and are near their life expectancy. Two of these tanks are steel and two are non-double walled fiberglass. These four tanks will be replaced with two new 15,000-gallon tanks. One will hold 15,000 gallons of unleaded gasoline, The other will have 4 5,000-gallon compartments to hold supreme, ultra and diesel. These tanks are going in the same place the existing tanks were. They will be double walled fiberglass tanks. The existing canopy will stay, and they will be adding two pumps for a total of four. There will be a new concrete mat.

The building was remodeled in 2014 with a 600 sq ft addition for the drive thru. This addition was not near the tanks.

The code for fuel storage tanks states they are not to exceed 12,000 gallons. The applicant will be going to the zoning board on Jan 30 seeking a variance for the size of the tanks. He was scheduled to attend the meeting on January 9th, but the meeting was rescheduled due to the weather. It is now scheduled for Tues January 30th.

Mr. Millard stated that code 144-51C says that the setback needs to be fifty feet for both above ground and underground storage tanks.

Mr. Millard read the code for storage tanks. There are no wetlands in the area and there is no transfer of volatile materials between tanks. The project needs approval from the building inspector.

IV. Site Plan Review for replacement of 2 underground fuel tanks @ 950 Maple St for Crosby's Convenience Store (Continued) Applicant Tony Nasiadka

Mr. Millard asked if there was any change to the traffic plan, ingress, or egress. Mr. Arlington said there is not. The only change above ground is the size of the concrete pad and adding two pumps. There is no additional lighting.

Mr. Millard stated that the way he read the code there may be two items that need a variance, the size of the tanks and the setbacks. The EPB will need clarification about the code regarding the setbacks.

Mr. Millard said that at this point he felt the EPB should consider this a sketch plan as they will need more information before they can act. There would be two actions they need to take. One would be to make a recommendation to the town board to approve the project. The second would be to approve the site plan. The applicant needs to get the necessary variances before they can act. Once the variance(s) are approved the applicant should get on the agenda for the next planning board meeting.

VI. Adjourn Motion to adjourn at 8:10 pm by unanimous consent.

Respectfully submitted,



Barbara Blair

Elma Planning Board Secretary