

TOWN OF ELMA PLANNING BOARD

1600 Bowen Road, Elma, New York 14059

Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~ DECEMBER 20, 2016

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, December 20, 2016 at 7:00 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 James Millard

Member Charles Putzbach

Member Robert Waver

Alternate Thomas Reid

TOWN REPRESENTATIVES:

Raymond Balcerzak, Asst. Building Inspector

Phyllis Todoro, Town Attorney

James Wyzykiewicz, Town Engineer

I. APPROVAL OF REGULAR MEETING MINUTES ~ SEPTEMBER 20, 2016

Motion made by James Millard and second by David Baker to approve the Minutes of the EPB Regular Meeting held on September 20, 2016. Motion Carried.

II. SITE PLAN APPLICATION REVIEW FOR (1) 45' x 66' AND (1) 48' X 60' STORAGE BUILDINGS LOCATED AT 6411 SENECA STREET

Mark Subjeck, property owner of 6411 Seneca Street and Todd Huber, Contractor were present to speak in regards to the application for storage buildings that will be located behind Mr. Subjecks duplex on 6411 Seneca Street. Mr. Huber explained that they would like to modify the existing lot to incorporate two additional buildings. The buildings would be set back from the road and the drive would run along the south side of the existing duplex to the rear. One of buildings will be approximately 200 feet back from the road. The second building would run to the rear of the property of which the depth of the property is 436' (which will run into the rear of the lot line by approximately 10 feet). The current drainage issues would actually be remedied and further consolidate the water issues by channeling it into a drainage pipe which would be put in, which will run into the retention area on Mr. Sahlens property (previously Elma Collision building). The water will at present be collected along the southern property line and then will discharge at the northern corner of the property and actually pass thru Mrs. Dorothy Zilliox property and end up going to Joe Sahlens property and the water will actually back feed to Seneca Street and run under Seneca Street into the Springbrook stream.

The EPB addressed the concerns with lot size and whether a variance is required for the lot based upon the frontage also with the deed and what is a buildable or not buildable lot. EPB stated the current commercial code 100 feet of frontage is required but according to the deed this was a conforming lot at 80' originally.

II. SITE PLAN APPLICATION REVIEW FOR (1) 45' x 66' AND (1) 48' X 60' STORAGE BUILDINGS LOCATED AT 6411 SENECA STREET (CONT.)

Phyllis Todoro stated "That according to Fire Code of New York State 503.2.1 Dimensions, Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulder, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet and 6 inches (4115 mm)". Copies of the Fire Code of New York State were made and distributed to all EPB Members for their review. The Planning Board will reference Fire Code of NY503.1 to see if this is applicable to this site plan.

Chairman Cirocco questioned if the Deed applies to previous code does the zoning apply to previous code? Mr. Huber stated the original parcel up and down Seneca Street was in fact for the commercial zone type of depth of the property. The map specifically runs along the rear property line and if you look at how the map is contoured it coincides exactly to the rear property line of which I am making reference too except for where the lot exceeded the depth of the rear property line which is nonconforming lot for that depth and the width from the 2008 map.

Phyllis Todoro asked about the square footage of the structures. Mr. Huber stated that each structure will be less than 3000 square feet total. Phyllis stated that according to code §144-71 This districts regulations allow for the establishment of minor commercial uses in structures consisting of a footprint of no larger than 3000 square feet, with the total area of the structure not to exceed 6,000 square feet, that complement surrounding neighborhoods. Mr. Huber interprets the code as per building and not total. Mr. Huber asked if the existing duplex would be part of that square footage footprint? Chairman Cirocco responded by saying yes due to it is part of the existing property.

Due to concerns of the EPB, Chairman Cirocco proposed that we table action on this tonight to research access and the exception of the fire code being applied to this application and the permitted uses and the interpretation of the square footage of the buildings. EPB agreed that Mr. Huber will have to confirm fire access by a letter from the Fire Company.

At this time the EPB will review the checklist for the return of the applicant for the next EPB meeting to receive final site plan approval pending the following items required are submitted.

- **Site & Building Details:** Stamped survey is required. Property details, layout for buildings and Engineered blue prints were all submitted. Need details on colors, siding, roofing, etc on buildings need to be updated on drawings and application.
- **Lighting:** Details needed on all lighting on building exterior with manufacturer's specifications and wattage.
- **Parking Lots:** Show 1 handicap & 2 regular parking spots
- **Drainage:** Chairman Cirocco asked Mr. Wzykiewicz if he reviewed the drainage and Mr. Wzykiewicz said normally we would require onsite retention but they intend to in the letters submitted that Mrs. Zilliox is going to give them an easement and they will use the onsite retention that is available going to Mr. Sahlens property. Mr. Wzykiewicz stated that before any occupancy is granted we recommended a drainage district is formed and recorded along with the easement be shown allowing this. This easement would be filed on Zilliox's deed for future purposes in case the property is sold. Mr. Huber stated that in order for this to happen that we will have a survey done and the terminology explained of which the costs will be absorbed by us.

II. SITE PLAN APPLICATION REVIEW FOR (1) 45' x 66' AND (1) 48' X 60' STORAGE BUILDINGS LOCATED AT 6411 SENECA STREET (CONT.)

- *Signage : There is no signage required.*
- *Landscaping/Screening: No additional screening is needed.*
- *As stated on application the Hours of Operation: 6 Days a week from 7 am - 6 pm*
- *Letters will be required from Erie County Health Department & Letter from Fire Department confirming Fire Access along with additional plans requested.*
- *No Outside storage (all inside)*

Chairman Cirocco made a motion to table action pending the applicant completing our requested list and second by Mr. Merkle.

III. MISCELLANEOUS ITEMS:

- *EPB Members were asked to complete their vouchers for the Year 2016 Elma Planning Board Meetings by Chairman Cirocco.*
- *Elma Building Department was asked to look at the lighting at Anticola on the corner of Seneca and Transit due to several complaints.*

IV. ADJOURN

Motion to adjourn at 8:30 pm by unanimous consent.

Respectfully submitted,

*Brenda Barry
Elma Planning Board Secretary*