

# VILLAGE OF ALDEN PLANNING BOARD

13336 Broadway  
Alden, NY 14004-1394

## APPROVED MINUTES OF THE MEETING ON July 20, 2016

Members Present: Chairman David Metz, Susan DeWitt, Dick Kegler, Doug Henry, Esther Kibbe, Paul Werner, Mark Casell, Joe Kraus, Melissa Corcoran, Sydney and Dave Willard, Superintendent of Public Works Keith Sitzman, Jacob Metzger, Metzger Engineering, CEO Joe Czechowski, and Sue Galbraith

Mayor Manicki swore the Oath of Office to newest/returning member Mark Casell. Chairman Metz welcomed and thanked Mark for joining the team.

Chairman David Metz brought the meeting to order at 7:30 PM. Chairman David Metz entertained a motion to accept the May meeting minutes.

Motion was made by Dick Kegler and seconded by Paul Werner. All were in favor and the motion was so moved and carried out.

### New Business:

A preliminary site plan was submitted for a commercial building at 13394 Broadway, proposed by Metzger Civil Engineering for Joseph Kraus, SBL#108.20-8-20.1. Notes from Superintendent Sitzman and CEO Czechowski were passed out and are attached to the minutes. The Site Plan Application Checklist was reviewed.

**210-51B(1) The preparation and certification of drawings, documents and information by a qualified professional engineer, architect, planner or surveyor, as appropriate.** Everything is in order, all plans were prepared by Metzger Civil Engineering.

**210-51B(2) The title of the drawing, name of the development, name of the applicant, name and seal of the person preparing drawing, North point, scale and date, to be included on all drawings.** Complete.

**210-51B(3) Boundary survey. *NOTE: Survey must show condition of property as of date of application.*** Boundary survey is on a separate sheet in packet, documentation and checklist. On survey- shed is no longer on the premise, bigger building now on site to the west.

**210-51B(4) Existing topography of the site with a contour interval of not more than two (2) feet.** Shown in drawing.

**210-51B(5) & 210-51B(6) no comment.**

**210-51B(7) The location of all utilities, including sanitary and storm sewers and water, gas and electric facilities, serving the site.** Water services were first proposed by Metzger Engineering to come off Broadway, but will need to revise plans to show, will be coming off west side of Westcott. Will have to go under the street to connect. Gas and electric are not shown on the submitted site plan and will need to be shown on the revisions.

**210-51B(8) no comment**

**210-51B(9) Preliminary architectural plans for proposed buildings or structures.** CEO Czechowski questioned the floor plan to determine the correct parking allotment. Jacob Metzger passed out ground floor plan maps to indicate that although it is a 9,000 sq. ft. building, only 5,100 sq. ft. is retail space.

**210-51B(10) The location and description of any existing or proposed fences or outdoor signs.** CEO Czechowski – do not have enough frontage to do a pylon sign, as you need 15' behind the right of way. Looking to erect a sign on the south side (front of the building) and east side over door, being attached to the building. CEO Czechowski questioned the issue of a fence, along the residential and south west portion of driveway near the hill behind Miller Collision, due to large difference in elevation. North side has a natural buffer, which will remain. Chairman Metz suggested a one year review to be included in the motion. Jacob Metzger also addressed the difference in 4' decline in

elevation on the easterly property line between the proposed building and Valu Home Centers. The pavement stops 3' from the property line, may suggest some kind of steps. Metzger Engineering submitted plans to NYS for curb cuts. CEO suggested eliminating the first parking spot for easier exiting/entering, since jog in apron. Street elevation is 869' and 866' at first parking spot, which is a 2.5' drop off or 6% which is allowed by the NYSDOT. Snow removal plans area if the snow gets too high, they will use a backhoe to clear it or plow to retention pond. Questioning the difference in elevation across parcel to be even with the property to the east and the drainage and water level of the retention pond to the north. Jacob explained the parcel goes 30'-40' before the drop off and will need to be filled, which should be adequate, ditch on east side towards Valu. 25 year storm posted.

**210-51B(11) The location of all proposed roads, access drives, pedestrian walks and off-street parking areas.** It was suggested that a sidewalk be installed from Broadway to the south end of the building, for pedestrian traffic, so that they would not need to enter thru the parking lot. Joe Kraus said there is no door on that side of the building and there is a steep 2' grade in that section. Will consider putting in a sidewalk with 2 steps and landscaping to help with uneven grade. Was questioned on whether any bumpers would be installed on the parking spaces adjacent to the Westcott side to protect the residents. There is a 3' drop (867'-864') in elevation from the hill on the property to the south west to the driveway. Jacob is aware of the 3 to 1 slope and the plans are to stabilize it with landscaping and mulch. The driveway elevation will be 865' – 2' difference from the south and 1' difference from the north. CEO explained the width of the driveway has room to be 20" wide. According to code a one way has to be 15", but a two way has to be 30", so this will have to be a one way egress exit only to Westcott. This would allow more room to make up elevation, and driveway will need to be clearly marked as a one way. The owner stated trucks will not be an issue. Any modifications to the driveway would need a variance. The engineers did re-iterate that there is a 45' radius width would be adequate for emergency vehicles.

**210-51B(12) A general landscaping plan and planting schedule.** There are some trees on the lot that would be nice to be saved if possible, at the east end between the building and Valu. Joe Kraus said he will maintain eastern portion to Valu, as it is not done right now.

**210-51B(13) A plan for grading.** Superintendent Sitzman recommended curbing on north side of parking lot and driveway. Also recommended DI (drainage inlet) be placed in middle of egress road to Westcott. Since 2' drop from the front of the building to Broadway, will have lip/ swale around perimeter of building and the porch will be elevated.

**210-51B(14) A plan for exterior lighting.** See § 210-30, **Artificial Illumination.** Lighting on Broadway and northwest side of building, small lights above service doors. Will be reviewed after one year, once approved.

**210-51B(15) Provisions for water supply, sewage disposal and storm drainage.** 6" water from Westcott. Meter, tap in and gate valve are all at the owner's expense. Plumbing must be done by someone with a Village Plumbing License.

**210-51B(16) Location of outdoor storage, if any, including dumpster and compactor enclosures.** No dumpster, nothing outside.

**210-51B(17) no comment.**

**210-51B(18) The nature and plans for buffer zones between residential and nonresidential properties and uses, when applicable.** One year provision.

**210-51B(19) The sanitary sewer plan showing rim and invert elevations.** Looks good.

**210-51B(20) A statement as to the daily estimated sanitary sewer flow.** No issues, 900 gallons/day.

**210-51B(21) Conformance to any approved federal, state and county standards.** Backflow prevention monitored by the county and DPW.

**210-51B(22) Record of application for and status of all necessary permits from other government bodies.** NYDOT – Broadway.

**210-51B(23) An estimated project construction schedule.** Goal is for December 2016.

B-1 district only allows for parking in the rear according to the code, to require business to be in the foreground for aesthetic reasons. This causes the parking to not be in compliance. The Planning Board will draft a letter to the Village Board seeking to modify the code to allow parking on the side. The code is up for review at a Public Hearing on August 11, 2016.

MOTION by Dick Kegler and seconded by Paul Warner to recommend approval of the preliminary and final site plan to the Village Board, with the following conditions:

- 1) All of the items addressed in the attached letter from CEO Czechowski dated July 19, 2016 must be addressed to the satisfaction of the Village of Alden. This shall include resolving any non-compliance issues with parking as per the Village Code.
- 2) All of the items addressed in the attached letter from Supt. Sitzman dated July 20, 2016 must be addressed to the satisfaction of the Village of Alden.
- 3) The water service will be taken from Westcott Avenue. Final plans must reflect this.
- 4) The proposed gas and electric service locations to the structure must be shown on the final plans.
- 5) If there are any complaints regarding exterior illumination of the site within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 6) If there are any complaints regarding buffering of the site adjacent to the residential properties within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 7) A walkway from the Broadway public sidewalk to the front porch area of the proposed building must be installed.
- 8) Guard rails/parking bumpers must be installed on the 3 parking spaces on the west side of the building (west property line) to prevent vehicles from rolling towards the slope in that area.
- 9) Signage must be installed at the west end of the Westcott exit drive, indicating "DO NOT ENTER, EXIT ONLY" or similar language to prevent vehicles from using the drive for ingress.
- 10) The Westcott egress drive may be reduced in width (minimum width of 15 feet), and the asphalt will be sloped to the center of the driveway with drainage inlets located in the center of the driveway as well.
- 11) Finalized site plans, showing all of the above, in the quantity required, must be submitted to the Village of Alden for final review and endorsement.

Roll Call Vote: Esther Kibbe – aye

Sue DeWitt – aye

Paul Warner – aye

Dick Kegler – aye

Mark Casell – aye

Dave Metz – aye

Doug Henry – aye

MOTION by Sue DeWitt and Seconded by Doug Henry to recommend to the Village Board, to change

Village Code Section 210-27F(j), to read as follows: "In any B-1 District, no parking spaces shall be located in the front yard of the property". This clarification would fulfill the intent of the Master Plan to not have parking front of buildings in this district, but still allow parking on the side of said buildings.

Roll Call Vote: Esther Kibbe – aye

Sue DeWitt – aye

Paul Warner – aye

Dick Kegler – aye

Mark Casell – aye

Dave Metz – aye

Doug Henry – aye

In other matters: CEO Czechowski has been approached by another business located on Broadway/Emerson (Methodist Church) in the B-1 District that probably also will fall under the same parking stipulations. They will be submitting a site plan for a Snap Fitness in the near future. This poses a problem, as there is insufficient parking. This facility is a turnkey and allows for 24 hour access, which would be impacted by the winter parking ban. Parking is an issue that will have to be addressed.

**Old Business:**

Update on Severyn patio home development. Model is complete on outside, working on completing inside. They have to put street in before they can build any of the Birch Creek homes. The street will be even with the village sidewalk. Backflow preventer is very prevalent, is there anything in the code to prevent this in the future? CEO Czechowski recommended researching ideas for a possible code change in the future.

**Communications:**

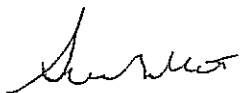
Letter was received by Gordon Panek requesting no fence be erected between his property on Homecourt and the Severyn Patio Home Subdivision. Panek's property adjoins the subdivision at the retention pond and they would like the village and developers to waive the requirement of the 6' fence and keep a natural barrier. The Village Board is already aware of the request and has discussed it with the developers. They both agree a modification can be made to the site plan if the resident signs a waiver.

John Wild, another Homecourt resident, and southern neighbor to Panek's also voiced his concerns in a phone call to the Mayor. He would like to see barriers at the turn around to prevent anyone from accidentally driving into his yard. The Village and developer are not interested in entertaining this request, as there is a 20' barrier and two 6' fences separating the properties.

Chairman David Metz entertained a motion to adjourn the meeting. Motion was made by Dick Kegler and seconded by Esther Kibbe. All were in favor and the meeting adjourned at 8:45 PM.

The next regular Planning Board meeting will be held on Wednesday, August 17, 2016 at 7:30 PM.

Submitted By,




Sue Galbraith  
Secretary to the Village of Alden Planning Board

**Village of Alden  
Department of Public Works**

# Memo

**To:** Village of Alden Planning Board  
Joe Czechowski- CEO

**From:** Keith Sitzman, Superintendent of Public Works 

**CC:** Mayor Manicki and Village Board  
File

**Date:** July 20, 2016

**Re:** Review of site plan application dated July 8, 2016 for Kraus/ Broadway  
Commercial Site Plan

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In review of the site plan, I offer the following comments;

#### Drawing 2, SP

- 1- All concrete sidewalks with the Village or State Right-of Way are to be as per attached Village of Alden sidewalk specifications.
- 2- The project is very close to the 1 acre threshold for Stormwater Permit requirement. The project limits should be staked prior to construction to ensure disturbed area remains less than 1 acre.

#### Drawing 3, Grading and Drainage

- 1- Is there curbing to be installed along the northern edge of the west driveway and north parking lots to contain surface water on the property, or can drainage inlets be move away from the pavement edge and the pavement edge raised.
- 2- How will water be prevented from running into the south side of the building.

#### Drawing 4, Sanitary & Water

- 1- Tap and valve are to be provided and installed by the owners contractor.
- 2- Site plumbing is to be installed by a plumber licensed to work in the Village of Alden.
- 3- Curb stop is to be a quarter turn valve provided and installed by the owners' contractor.

#### Drawing 7, D1

- 1- Revise sidewalk specifications to comply with the Village Specifications. (attached).
- 2- RPZ plan and elevation, meter is to be revised from "Neptune" to "Master Meter", supplied by the Village of Alden, cost to be paid by the owner.
- 3- Note 10, revise Village of Alden DPW, not ECWA meter shop, and # 937-7392.

#### Drawing 8, D2

- 1- Existing sewer main is VCT. New sewer tap can be done with a sable connection.

# VILLAGE OF ALDEN



## Detailed Specifications

### *Specification for:*

### INSTALLATION OF CONCRETE SIDEWALK- within the Village of Alden

#### 1. Demolition/ Excavation:

The contractor is responsible for removal and disposal of existing sidewalk or excavation to subgrade. Any existing tree roots shall be removed until below the subgrade level. Contractors are not to stockpile materials or debris on public highways.

The subgrade shall be thoroughly compacted and all soft spots removed and replaced by a suitable, approved fill material.

- a) When a fill exceeding one foot in thickness is required, it shall be thoroughly compacted by tamping in layers not exceeding six (6) inches.

#### 2. Base:

The contractor shall supply and install a compacted stone base course for all sidewalks. Base course is to be a minimum of 4" depth of #1 crushed limestone or #1 crusher run limestone per NYS DOT specifications. Base course is to be compacted prior to placing concrete sidewalk.

#### 3. Concrete:

Redi-Mix concrete shall be 4000 psi Class "D" concrete as per NYSDOT specifications.

#### 4. Sidewalk Installation:

- a) Sidewalks shall conform to the specifications hereinafter set forth or as approved by the Village.
- b) All sidewalks must be set to the grade and line established by the Village.
- c) THICKNESS — the walk shall not be less than 4 inches thick. Across driveways it shall be increased to 6 inches thickness.
- d) The walk must have a cross-slope pitch of one-quarter (1/4) inch per foot towards the roadway.
- e) The sidewalk width shall be five (5) foot, or to match adjoining sidewalks.
- f) JOINTS — All walks abutting or adjoining any building, foundation, existing sidewalks, or rigid structure shall have a 3/8-inch expansion joint running the entire length of said walk.
- g) EXPANSION JOINTS — shall be provided at all intersecting walks, drives, curbs and other flat concrete surfaces. Expansion joints shall be provided every 100 feet of run.

- h) JOINTING — The walk shall be cut into separate rectangular slabs not greater than 5 feet on any one side, the surface edges of each slab shall be rounded to a ¼ inch radius and markings shall be exactly at cuts between slabs, unless otherwise specified.
  - i) FINISH — Finish shall be fine bristle broom finish.
  - j) CURING — All concrete sidewalks must be cured and kept moist for a period of not less than one week. Curing must be accomplished by using an approved curing compound.
  - k) PROTECTION — When completed, the sidewalk must be protected from traffic and elements for at least one week. In cold weather concrete shall be protected from freezing by blankets or other suitable means. Contractor is responsible for maintaining vehicular access to commercial properties throughout construction.
  - l) Reinforcement – all sidewalks through driveways are to be reinforced with 6x6 wire mesh.
5. All excavated materials are to be removed from site.
6. Existing conditions- contractor is to saw cut all existing driveways and sidewalks at removal points. Contractor is responsible for restoration of all driveways, sidewalks, and grass areas. All areas are to be restored with in-kind materials and quality of installation.
7. Contractors are not to wash out concrete trucks or equipment on public roadway or right-of-way (R.O.W.).

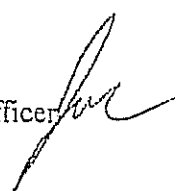




13336 BROADWAY  
ALDEN, ERIE CO., NEW YORK 14004-1375  
WWW.ERIE.GOV

## MEMORANDUM

TO: Village of Alden Planning Board  
Keith Sitzman, Supt. of DPW

FROM: Joseph Czechowski, Code Enforcement Officer 

DATE: July 19, 2016

SUBJECT: Kraus Commercial Building Preliminary Site Plan Submission

I have had an opportunity to look over the preliminary site plan submission of the proposed commercial building at 13394 Broadway. I have the following comments:

- 1) In past discussions, it was indicated that the building will be used for a retail business. Is this still the case? Also, what is the breakdown of areas within the building (a preliminary floor plan would be useful for this). All of these factors affect the required number of parking spaces for the project.
- 2) 22 parking spaces are proposed, which, upon initial review, may not be enough to meet the requirements of Village Code. Also, Section 210-27F requires that all parking spaces in a B-1 District must be located in the rear yard of the property.
- 3) The southernmost parking space on the east side of the building should be eliminated as it does not meet the minimum size. The curbing should be extended along the driveway entrance to the second parking space.
- 4) Exterior lighting details should be addressed to ensure no lighting infringes on the residential properties adjacent to the project.

- 5) What is the proposed fencing/buffering along the northwest corner of the property along the residential property at that location?
- 6) What are the provisions for snow removal? Are any guardrail
- 7) What is being proposed along the south property line on the Westcott access driveway to stabilize the slope and prevent erosion?

I do not believe any of the above items would require an additional review at another Planning Board meeting provided all items are addressed with appropriate conditions and waivers or variances are obtained as appropriate and no substantial changes to the site plan layout are needed as a result.

**PLANNING BOARD**  
**Village of Alden**

**MEMORANDUM**

TO: Village Board of Trustees

FROM: David Metz, Village of Alden Planning Board Chairman *DM*

DATE: July 22, 2016

SUBJECT: Kraus Commercial Building Formal Site Plan

The Village of Alden Planning Board, after reviewing the formal site plan submission dated July 2, 2016, for a commercial building at 13394 Broadway, proposed by Joseph Kraus, hereby recommends that the Village Board approve said site plan with the following conditions:

- 1) All of the items addressed in the attached letter from CEO Czechowski dated July 19, 2016 must be addressed to the satisfaction of the Village of Alden. This shall include resolving any non-compliance issues with parking as per the Village Code.
- 2) All of the items addressed in the attached letter from Supt. Sitzman dated July 20, 2016 must be addressed to the satisfaction of the Village of Alden.
- 3) The water service will be taken from Westcott Avenue. Final plans must reflect this.
- 4) The proposed gas and electric service locations to the structure must be shown on the final plans.
- 5) If there are any complaints regarding exterior illumination of the site within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 6) If there are any complaints regarding buffering of the site adjacent to the residential properties within one year of the date of issuance of the final

Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.

- 7) A walkway from the Broadway public sidewalk to the front porch area of the proposed building must be installed.
- 8) Guard rails/parking bumpers must be installed on the 3 parking spaces on the west side of the building (west property line) to prevent vehicles from rolling towards the slope in that area.
- 9) Signage must be installed at the west end of the Westcott exit drive, indicating "DO NOT ENTER, EXIT ONLY" or similar language to prevent vehicles from using the drive for ingress.
- 10) The Westcott egress drive may be reduced in width (minimum width of 15 feet), and the asphalt will be sloped to the center of the driveway with drainage inlets located in the center of the driveway as well.
- 11) Finalized site plans, showing all of the above, in the quantity required, must be submitted to the Village of Alden for final review and endorsement.

PLANNING BOARD  
Village of Alden

MEMORANDUM

TO: Village Board of Trustees

FROM: David Metz, Village of Alden Planning Board Chairman *DM*

DATE: July 22, 2016

SUBJECT: Proposed Code Change

As a result of recent discussions at our Planning Board meeting of July 20, 2016, pursuant to the proposed site plan for a commercial building at 13394 Broadway, we have found a section of Village Code that we believe warrants consideration for a modification.

Specifically, Section 210-27F(1)(j) currently requires vehicles parked in a B-1 Zoning District to be located in the rear yard of the property. After reviewing this issue, the Planning Board feels that the intent of the Master Plan in this district is to prevent vehicles from being parked in front of a building, but parking to the side of a building would be acceptable.

Therefore, we are requesting that the Village Board consider a change to the above code section to read as follows:

“In any B-1 District, no parking spaces shall be located in the front yard of the property”.

This clarification would fulfill the intent of the Master Plan to not have parking front of buildings in this district, but still allow parking on the side of said buildings.

Thank you for your consideration on this request.