

TOWN OF ELLICOTTVILLE
PLANNING BOARD MEETING MINUTES
Monday, May 20, 2024 at 6:00 p.m. at the Town Center

PRESENT: Timothy Zerfas, Chairman
Sheri Barrera, Member
Caitlin Croft, Vice-Chairperson
Daniel Kruszynski, Member
Jake Northrup, Member
Spencer Timkey, Member

ALSO PRESENT: Gregory Keyser-Town Planner, Kelly Fredrickson-CEO, Jacob Alianello-MDA Consulting Engineers, Reid Smith-Applicant, Ron Lang

Mr. Timothy Zerfas, Chairman called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. He presented the agenda.

Mr. Zerfas presented TZP-2024-017, 6089 Route 219, Reid Smith, Special Use Permit to reopen a restaurant.

Mr. Keyser advised that the applicant is requesting a Special Use Permit amendment to reopen a restaurant that has been closed for more than two years. Other than blocking off the entrance closest to the intersection, no substantial improvements or changes are proposed to the property or exterior of the buildings.

The property is located in the HD District where restaurants are allowed with a Special Use Permit from the Planning Board. Other uses occurring on the property include a motel which is currently active and allowed with a Special Use Permit. The property complies with dimensional zoning requirements.

The application was tabled at the April meeting because the Board had questions with regard to the parking lot layout and driveway access as well as the amount of traffic on Route 219 and Holiday Valley Road.

Mr. Reid Smith, applicant noted that the proposal is to close the entrance on Route 219 closest to the intersection and use the entrance further to the northwest and the entrance on Holiday Valley Road. If the Board prefers we can keep it open.

Mr. Kruszynski noted that the board agrees that the entrance closest to the intersection could be a traffic hazard. He noted that traffic on Holiday Valley Road is excessive between 3 and 6 p.m.

Mr. Timkey said that closing the entrance is a good idea as it prevents congestion at the intersection. However should it be left open for emergency vehicles?

Mr. Reid said that by closing the entrance he can provide more parking spaces. The spaces will be striped leaving traffic lanes open for vehicles. He noted the parking plan submitted in the materials.

Ms. Croft asked can you angle the spaces along Holiday Valley Road for easier backup and pull out?

Mr. Zerfas asked how many spaces are provided?

Mr. Keyser said 35 (20 for the restaurant and 15 for the motel).

Mr. Kruszynski asked will there be bollards or just lines to designate the parking spaces?

Mr. Smith said just lines.

Mr. Barrera asked, will the motel spaces be designated?

Mr. Smith said no but they are all located on the side of the lot near the motel.

Mr. Kruszynski asked is it possible to have 2 parking lots with separate entrances?

Mr. Smith said that the restaurant is more family oriented and not the same style as Slopeside. He does not anticipate parking issues.

Mr. Croft asked can you provide a parking plan showing the snow storage area?

Mr. Reid said yes.

Moved by Ms. Croft to table TZP-2024-017, 6089 Route 219 South, Special Use Permit Amendment to reopen a restaurant to June 24, 2024 pending receipt of a revised parking plan. Seconded by Mr. Kruszynski. Ayes all. Carried.

Mr. Zerfas presented TZP-2024-019, 2 Rogers Road, Anthony Villani, Residence with accessory building and apartment- ZBA Referral.

Mr. Keyser noted that the Planning Board should consider this a pre-application conference and presented his staff report on this proposal to construct a new single-family residence, as well as a detached barn with an accessory apartment. The applicant is appealing a zoning permit denial requesting variances from the dimensional requirements for the AR District and the accessory apartment. The ZBA referred the application to the Planning Board for their Site Plan Review and advisory comments.

Mr. Keyser noted that this project was approved by the Planning Board previously. The applicant had water and septic systems issues and construction was not started and the approval expired. The applicant has made changes to the Site Plan and has reapplied for Site Plan and Architectural Design approval. Variances are requested for the rear yard setbacks for the principal structure and the accessory structure retaining wall. A variance is also requested for the maximum gross floor area for an accessory apartment which is 1200 square feet. The proposed apartment is 1268 square feet.

Mr. Jacob Alianello, representing the applicant, advised that the 5 acre lot was part of the Roger Subdivision that was created in the 1980's. The lot has frontage on both Rogers Road and Sugartown Road. He noted that the apartment has been reduced to 1200 square feet.

Mr. Keyser said that he interpreted the zoning to designate the front yard on Sugartown Road and the rear yard on Rogers Road. The applicant sited the buildings on the flat areas reducing the size of the retaining wall. The driveways are at slopes less than 15%.

Mr. Zerfas asked about the water well and septic system?

Mr. Alianello said they are proposing one well for both structures, but will have 2 if necessary. The septic system has been submitted to Cattaraugus County Health Department for review. We should have their approval before the Site Plan review by the Planning Board.

Mr. Zerfas asked if the second barn/garage was necessary with the attached garage on the house?

Mr. Alianello said the applicant needs the barn for storage.

Mr. Zerfas asked about the retaining wall and landscaping?

Mr. Alianello said the retaining wall will be 6 feet high at its highest point. No landscaping is proposed.

Mr. Kruszynski asked if the retaining wall fails will it impact the neighbor?

Mr. Alianello said no.

Mr. Keyser noted that if the structures are moved more grading and disturbance will be needed.

Ms. Croft asked how will emergency vehicles distinguish which structure initiated the 911 call?

Mr. Lang said they have 2 numbers for the structures with 2 driveways.

Mr. Keyser said that the zoning does not prohibit 2 driveways.

Mr. Zerfas asked if there are plans to revegetate the lot that has been clear cut?

Mr. Lang said they can put in landscaping.

Mr. Zerfas asked if the architectural design and materials of the buildings will match?

Mr. Alianello said yes. They plan to build the barn first and use it for a staging area.

Mr. Keyser noted that if the setback requirements were met this review would not be necessary. The accessory apartment is allowed with a Special Use Permit. The Site Plan review addresses the slopes and the consulting engineer has reviewed the drainage plan. The ZBA is struggling with the application and has concerns with short term rentals which are allowed. They are looking for recommendations. Do you have serious concerns about

the project. Are there options that would not require variances? The ZBA has to determine if the project meets the five criteria (tests) including Is it self-created? A public hearing is scheduled for June 13, 2024.

Moved by Ms. Croft that based on its review of the application for a Special Use Permit and Site Plan approval the Planning Board does not find any issues that preclude the Zoning Board of Appeals granting the area variances for the setbacks requested. Seconded by Mr. Kruszynski. Ayes all. Carried.

Mr. Keyser noted that Louise Isaacs may be on the June meeting agenda.

Mr. Keyser advised that Bill Northrup has applied to the Town Board for rezoning of his property to commercial to allow the expansion of his manufacturing facility. He has requested that the Planning Board set a public hearing on the site plan for the June 24, 2024 meeting pending approval by the Town Board.

Planning Board members agreed that they do not want to set a public hearing until they review the application.

Mr. Keyser noted that the Southern Tier West Local Government conference is June 4, 2024 at Houghton College. Planning Board members can fulfill their training requirement by attending.

Moved by Mr. Zerfas to adjourn. Seconded by Mr. Northrup. Ayes all. Carried.

The meeting was adjourned at 7:15 p.m.