

**TOWN OF ELLICOTTVILLE**  
**PLANNING BOARD MEETING MINUTES**  
**Monday, July 29, 2024 at 6:00 p.m. at the Town Center**

**PRESENT:** Timothy Zerfas, Chairman  
Sheri Barrera, Member  
Dan Kruszynski, Member  
Jake Northrup, Member  
Robert Poole, Member  
Spencer Timkey, Member

**ALSO PRESENT:** Gregory Keyser-Town Planner, Kelly Fredrickson-CEO, Steven Reid- Reid Petroleum, Dean Yarnes, Northpark, Kaitlin Pfohl-Northpark, John Carbaugh-Northpark, Dennis Baldwin-Northpart, Caroline Dickey-Northpark, Aaron Tiller-Northpark, Jacob Alianello-MDA Consulting Engineers, Larry & Judy Wagner-2 Rogers Road, Bill Gugino-Steelbound/Whiskey Ridge

Mr. Timothy Zerfas, Chairman, called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. He presented the agenda and opened the public hearing for TZP-2023-267, 6599 US Route 219 N, Reid Petroleum, Special Use Permit and Site Plan review of proposed gasoline service station and general retail with drive-thru.

Mr. Steven Reid, applicant presented the Site Plan for the proposed gasoline service station and general retail Crosby's store with a drive- thru for pickup. The building design has been drawn from the surrounding ski themed architecture to fit with the feel of the community. The state-of-the-art convenience store with a drive-thru, fuel dispensing facility and EV fast charge will operate 24 hours a day. We have met the criteria in the Zoning Code for a Special Use Permit and site Plan approval.

Mr. Zerfas read the email from CODA Management stating that they are opposed to this project because it is too close to residential homes.

Mr. Zerfas opened the public hearing for TZP-2023-376, 6442 Route 242, North Park Innovations Group, Special Use Permit and Site Plan review of proposed expansion of existing product assembly business and construction of a new 10,080 square foot addition. He read the email from Mark Reinhard, 6464 Route 242, East in support of the building, but expressing concern that the new building will not have exterior lighting or that the new parking area will not interfere with the neighborhood. Lighting should not shine toward any houses, not be too high and not on during hours where there is no activity. The potential for noise including trucks, dumpster emptying, and other general noise is a concern. There is currently some loud noise around 6 am Monday through Friday.

Mr. Zerfas asked for questions or comments from the people attending. Nothing was submitted.

**Moved by Mr. Zerfas to close the public hearing for TZP-2023-267, Reid Petroleum, 6599 US Route 219 N, Special Use Permit and Site Plan Review of proposed gasoline service station and convenience store and TZP-2023-376, 6442 Route 242 North Park innovations, Special Use Permit and Site Plan review of proposed 10,080 s.f. addition. Seconded by Mr. Northrup. Ayes all. Carried.**

The Minutes of the June 24, 2024 Meeting were read.

**Moved by Mr. Zerfas to approve the Minutes of June 24, 2024 as read. Seconded by Mr. Kruszynski. Ayes all. Carried.**

Mr. Zerfas presented TZP-2023-267, Reid Petroleum Special Use Permit and Site Plan review of a gasoline service station and convenience store for discussion.

Mr. Keyser advised that the Planning Board classified the project as an UnListed Action and coordinated the environmental review with NYSDOT, NYSDEC and Cattaraugus County Health Department and issued a SEQR negative declaration on April 22, 2024. The Cattaraugus County Planning Board has approved the project. A traffic study was conducted and reviewed by NYSDOT. There are 3 or 4 residential properties in the area.

Ms. Barrera said she is concerned with the driveway location on Route 219 which is close to the driveway for Tim Horton's and vehicles pulling out of both driveways. Could there only be a driveway on Route 242?

Mr. Reid said they need the 219 driveway for fuel delivery. He said a stop sign can be put up on the Rt. 219 driveway.

Mr. Poole noted that the Kwik Fill in the Village is on the corner of Mill Street and Washington Street. There is traffic congestion from but it does not appear to be a major issue.

Mr. Zerfas expressed concern with the number of proposed signs and would like to see it reduced.

Mr. Reid said the signs are back lighted with a halo around them, not internally lighted. He presented the elevation drawing showing the signage on the building and canopy. He said he could eliminate the wall sign on the west facade. He noted that the pole sign on the corner at the intersection has been reduced from 20 feet to 15 feet in height. We need advertising signage. He agreed to eliminate the south canopy signage and change the other sides to a "C" instead of "Crosby's". The pizza & subs sign on the side of the building will be lighted with gooseneck lights.

Mr. Poole asked if some stone work could be put around the signposts on the corner?

Mr. Reid said he could add stone work matching the building about 5 feet high on the posts.

Mr. Zerfas noted that the Village Zoning Board of Appeals expressed concern that landscaping be done in a timely manner and suggested a bond be put in place.

Mr. Reid said that he hopes to have the project completed in November, but would like to wait until spring to put in the landscaping to prevent having to replace plantings that do not survive the winter.

**Moved by Mr. Poole to grant Special Use Permit and Site Plan approval for proposed gasoline service station, general retail store with drive-thru at 6599 Route 219 N as submitted in materials in TZIP-2023-267 by Reid Petroleum with conditions:**

- 1. Changes to signage as discussed will be implemented.**
- 2. The landscaping will be installed in the spring.**

**Seconded Mr. Northrup. Ayes all. Carried.**

Mr. Zerfas presented TZIP-2023-376, 6442 Route 242, North Park Innovations Group, Special Use Permit and Site Plan review of proposed expansion of existing product assembly business and construction of a new 10,080 square foot addition for discussion.

Mr. Keyser presented his staff report advising that the project was reviewed by the Town Board as part of the rezoning application. It was deemed to be an Unlisted Action and a SEQR negative declaration was issued on June 19, 2024. The Cattaraugus County Planning Board recommended approval on July 25, 2024.

Mr. Aaron Tiller, representing the applicants addressed the noise and lighting concerns expressed by a neighbor. Garbage pickup is once a week and may be the early morning noise. The new loading dock will reduce the current noise as you cannot hear noise with the doors closed.

Ms. Dickey said that they are currently storing products in containers outside. Once everything is moved inside the noise will be minimal.

Mr. Poole suggested that the time for dumpster pickup be changed from 6 am to later in the day.

Mr Tiller advised that all outside lighting will be motion activated and will shine down. Parking lot lighting will be dark sky compliant.

**Moved by Mr. Zerfas to grant Special Use Permit and Site Plan approval of the proposal to expand an existing product assembly business and construct a new 10,080 square foot addition at 6442 Route 242 as presented in materials in TZIP-2023-376 by North Park Innovations Group with the conditions:**

- 1. The lighting will be dark sky compliant.**
- 2. Noise reduction measures will be implemented..**

**Seconded by Mr. Poole. Ayes all. Carried.**

Mr. Zerfas presented US Route 219, North Delaware, LLC, pre-application conference for a planned residential development.

Mr. Bil Gugino, representing Steelbound/North Delaware presented the plans for a townhouse community as part of the industrial park. Phase 1 would be the renovation of the pole barn into 6 units with garages. The units will be 2 bedrooms and 2 baths. One of the existing buildings is rented to Cattaraugus County and one is warehouse space for Steelbound. Phase 2 is the conversion of the existing building into 4 units with a clubhouse. Phase 3 is the construction of 5 more duplex units to be sold as individual living space. There will not be any rentals. This will be a gated community with parking. Homeowners will access the community via golf carts or shuttle service. A future concept may be a recreational building for indoor activities which will be open to the public. A bike trail and the Ellicottville/Great Valley trail will be additional amenities. The total project will be 24 units and a possible recreational building.

Ms. Barrera asked if this project will require subdivision approval?

Mr. Keyser said yes.

Board members agreed that the concept is good and the applicant should move forward in the approval process.

Mr. Zerfas presented TYP-2024-019, 2 Rogers Road, Anthony Villani, Special Use Permit Site Plan Review and Lot Line adjustment

Mr. Jacob Alianello, representing the applicant, presented the project to construct a new single-family residence and a detached garage with an accessory apartment. On July 11, 2024 the Town Zoning Board of Appeals granted a 15.5 foot area variance from the minimum 60 foot rear yard setback requirement for the proposed single-family residence and a 30 foot variance from the minimum 60 foot rear yard setback requirement for the proposed retaining wall.

Mr. Keyser advised that the accessory apartment requires a Special Use Permit. The Village Engineer recommended that more rip rap be added to the drainage swale to prevent erosion. A lot line adjustment is proposed and subject to review by the Planning Board under Section 2.6(B)(1) of the Subdivision Regulations. The applicant is purchasing a 30 by 30 foot parcel at the driveway entrance from the neighbor. Cattaraugus County Planning Board review is required. The project meets the definition of a Type 2 action under SEQR Section 617.5 and the Planning Board should classify the project as a Type 2 SEQR action before taking action on the application. If the Planning Board feels it has enough information for a meaningful public review a public hearing can be set for the September meeting.

**Moved by Ms. Barrera to set a public hearing for TYP-2024-019, 2 Rogers Road, Anthony Villani, Special Use Permit, Site Plan Review and Lot Line Adjustment for August 29, 2024. Seconded by Mr. Zerfas. Ayes all. Carried.**

**Moved by Mr. Zerfas to adjourn. Seconded by Ms. Barrera. Ayes all. Carried.**

The meeting was adjourned at 7:05 p.m.

