

TOWN OF ELLICOTTVILLE
PLANNING BOARD MEETING MINUTES
Monday, August 26, 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
Robert Poole, Member
Spencer Timkey, Member

ALSO PRESENT: Gregory Keyser-Town Planner, Kelly Fredrickson-CEO, Jacob Alianello–MDA Consulting Engineers, Larry Wager-2 Rogers Road

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-2024-019, Anthony Villani, 2 Rogers Road, Site plan approval to construct a single-family residence and Special Use Permit to establish an accessory apartment in a proposed accessory building.

Mr. Zerfas asked for questions or comments from the people attending?

Mr. Keyser advised that no verbal or written comments were received in response to the public hearing notice which was published in accordance with local law.

Mr. Jacob Alianello, representing the applicant noted that neighbors attended the ZBA public hearing for the variance requests and offered comments or questions at that time. .

Moved by Mr. Northrup to close the public hearing for TZP-2024-019, Anthony Villani, 2 Rogers Road, Site Plan approval to construct a single-family residence and Special Use Permit to establish an accessory apartment in a proposed accessory building. Seconded by Mr. Poole. Ayes all. Carried.

Mr. Zerfas presented TZP-2024-019, Anthony Villani, 2 Rogers Road, Site Plan and Special Use approval to construct a single-family residence and an accessory building with accessory apartment for discussion.

Mr. Keyser presented his staff report on the proposal to construct a single-family residence with attached garage and an accessory barn with an apartment. The project does not need Cattaraugus County Planning Board referral. The Zoning Board of Appeals granted area variances for the setbacks with conditions that the Cattaraugus County Health Department approve the water and sewer systems and that adequate erosion protection measures be implemented. The Planning Board should classify the project as a type 2 SEQR action before acting on the Site Plan and Special Use Permit requests. He offered motions for the Board to consider.

Moved by Ms. Barrera that in accordance with Section 617 of SEQR Regulations, the construction of a single-family residence with an accessory apartment in an accessory building is a SEQR Type 2 Action and requires no further review under SEQR. Seconded by Ms. Croft. Ayes all. Carried.

Moved by Mr. Zerfas that based on the standards for review found under Section 6.4 and Section 7.5, Site Plan and Special Use Permit approval be granted for the construction of a single-family residence and an accessory apartment in an accessory building at 2 Rogers Road as presented in materials in TZP-2024-019 by Anthony Villani with conditions:

- 1. Cattaraugus County Health Department approval of the water and septic systems.**
- 2. Permanent erosion protection will be provided where channelized flow is created by the site grading, utilizing riprap and flow dispersion design techniques.**

Seconded by Ms. Barrera. Ayes all. Carried.

Mr. Keyser advised that there is also a request for a lot line adjustment before the Board. Mr. Alianello stated that the transaction for purchasing the 20' by 27' triangle at the corner of the property is not finalized. We cannot put in the driveway until that happens. Can we have flexibility to have a condition to adjust the driveway in the future. Mr. Fredrickson said you will need to submit a plan for the driveway.

Moved by Ms. Barrera that the proposed lot line adjustment is a de minimus change to the subdivision plat and requires no further review under SEQR or the Town's Subdivision Regulations. The Planning Board grants the lot line adjustment with condition:

- 1. Approval by the Code Enforcement Office and Planning Department of the finalized location of the driveway before a permit is issued.**

Seconded by Mr. Northrup. Ayes all. Carried.

The Minutes of the July 29, 2024 meeting were read. Corrections were made.

Moved by Mr. Zerfas to approve the Minutes of July 29, 2024 as corrected. Seconded by Mr. Kruszynski. Ayes all. Carried.

Ms. Corfft noted that she is working on writing grant applications for the Town and needed to use information in the Comprehensive Plan dated 2018. The Comprehensive plan needs to be updated for future use.

Mr. Keyser noted that typically a Comprehensive Plan is reviewed every five years.

Moved by Ms. Croft to request that the Town Board approve review and updating of the Comprehensive Plan by the Planning Board. Seconded by Ms. Barrera. Ayes all. Carried.

Ms. Barrera noted that previously the committee to review the Comprehensive Plan was made up of members from the Town Board, ZBA and Planning Board.

Ms. Barrera asked if the Town Board has adopted a Short-Term Rental law?

Mr. Keyser said not yet but they are working on one.

Moved by Ms. Croft to adjourn. Seconded by Mr. Northrup. Ayes all. Carried.

The meeting was adjourned at 6:20 p.m.