



**TOWN AND VILLAGE OF ELLICOTTVILLE
BUILDING / CODE ENFORCEMENT
DIVISION**

17 MILL ST. ELLICOTTVILLE, NY 14731

Code Enforcement Officer: Kelly Fredrickson, (716) 699-4773,

E-MAIL: kelly.fredrickson@evlengineering.com

Planner: Gary Palumbo, (716) 801-3016, E-MAIL: gary.palumbo@evlengineering.com

COMBINED APPLICATION

Jurisdiction: TOWN VILLAGE App. # 2021-202

<input type="checkbox"/> PRE-APPLICATION CONFERENCE	<input checked="" type="checkbox"/> SPECIAL USE PERMIT
<input type="checkbox"/> INTENT TO SUBDIVIDE	<input type="checkbox"/> MASTER PLANNED DEVELOPMENT
<input type="checkbox"/> HISTORIC DISTRICT REVIEW	<input type="checkbox"/> ARCHITECTURAL DESIGN REVIEW
<input type="checkbox"/> SITE PLAN REVIEW	<input type="checkbox"/> AMENDMENT TO SITE PLAN
<input type="checkbox"/> ZONING ORDINANCE AMENDMENT	<input type="checkbox"/> ZONING MAP AMENDMENT

APPLICANT INFORMATION:

Applicant's name: Michael Korzeniewski Date: _____

Mailing address: 8246 Rohr Hill Rd, East Otto NY 14729

Cell Phone Number: 716-969-5494 E-Mail: korzeusmc@gmail.com

Applicant must be (check all that apply): Owner Operator Lessee

Applicant's Engineer or representative: _____

Address: _____

Phone #: _____ E-Mail: _____

PROPERTY OWNER INFORMATION (if different than Applicant)

Name: Winkorz LLC, Dba Ashford Junction Depot

Mailing Address: _____

Cell Phone Number: _____ E-Mail: _____

PROPERTY / FACILITY NAME

Address: 5364 NYS Rte 242 E. Ellicottville, NY 14731

Property tax map #: 47.001 - 1 - 25

Current use of property:

Prior restaurant and retail store

Description of Proposed Project/Use (attach additional pages, survey and plans):

Restaurant, Ice Cream parlor and retail store.

Zoning Requirements from Town/Village Zoning Law

Front yard setback: _____

Rear yard setback: _____

Side yard setback: _____

Combined side: _____

Minimum lot size: _____

Width: _____

Height: _____

Floor area ratio: _____ (Village)

Usable Open space: _____

Site Information

Size of site: _____ Sq. Ft.

Size of area to be developed: _____ Sq. Ft.

Number of proposed lots: _____

Proposed method of Sanitary Sewage disposal: _____

Proposed method of Water Supply: _____

If public utilities are proposed, are they available to site?

Sanitary Sewer: Yes

No

Water: Yes

No

Will the project require the formation or extension of a Water and/or Sanitary Sewer District?

Sanitary Sewer: Yes

No

Water: Yes

No

Main Structure:

Construction type: _____

Front yard setback: _____ feet

Height: _____ stories, _____ feet

Side yard setback: _____ feet

of family units: _____

Total of both side yard setbacks: _____ feet

Size of lot: _____ Sq. Ft.

Rear yard setback: _____ feet

Usable Open Space: _____ %

Floor area ratio: _____ (village)

Corner or interior lot? _____

Other: _____

Accessory Building:

Description:

Percentage of yard: _____

Height: _____ feet

Setback from rear lot line: _____ feet

Setback from side lot line: _____ feet

Floodplain:

FIRM Zone _____ BFE _____
Flood Plain Development Permit Required? YES NO

ATTACHMENTS

Attach all relevant items listed in the Town/Village of Ellicottville Zoning Law for type of application(s) being submitted. Additional copies of all plans, documents and other application materials may be required. See attached list of required forms and information needed for type of application being submitted. Deadline for submittal is three (3) weeks prior to regularly scheduled meeting date. Meeting dates are subject to change by the Board Chair.

SIGNATURES

Applicant and Owner (if different) must sign the application.

I hereby certify that I have examined this application and know the same to be true and correct. All provisions of laws and ordinances covering this type of work will be complied with whether specified herein or not. The acceptance or approval of this application does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction, land use or the performance of construction. I have read and am familiar with the Town/Village of Ellicottville zoning law that is relevant to this application(s).

Permission to inspect – I hereby consent to Town/Village of Ellicottville Staff inspection of the project site and adjacent property areas. Town/Village staff may enter the property without notice. Inspection may occur without the owner, applicant or agent present, If the property is posted with “keep out,, signs or fenced with an unlocked gate, staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site.

Applicant Signature: *M. J. [Signature]* Date: _____

Applicant must be (check all that apply): Owner Operator Lessee

Applicant Name: ^{Print} Michael Koczeniewski

Property Owner's Signature (if different than applicant) _____ Date: _____

Property Owner's Name: ^{Print} _____

Office use only:

Application Fee(s) _____

Received by: _____ on _____ (Date)

Project Number(s): _____

December 17, 2021

Town of Ellicottville Planning Board
17 Mill Street
Ellicottville, NY 14731

Dear Members,

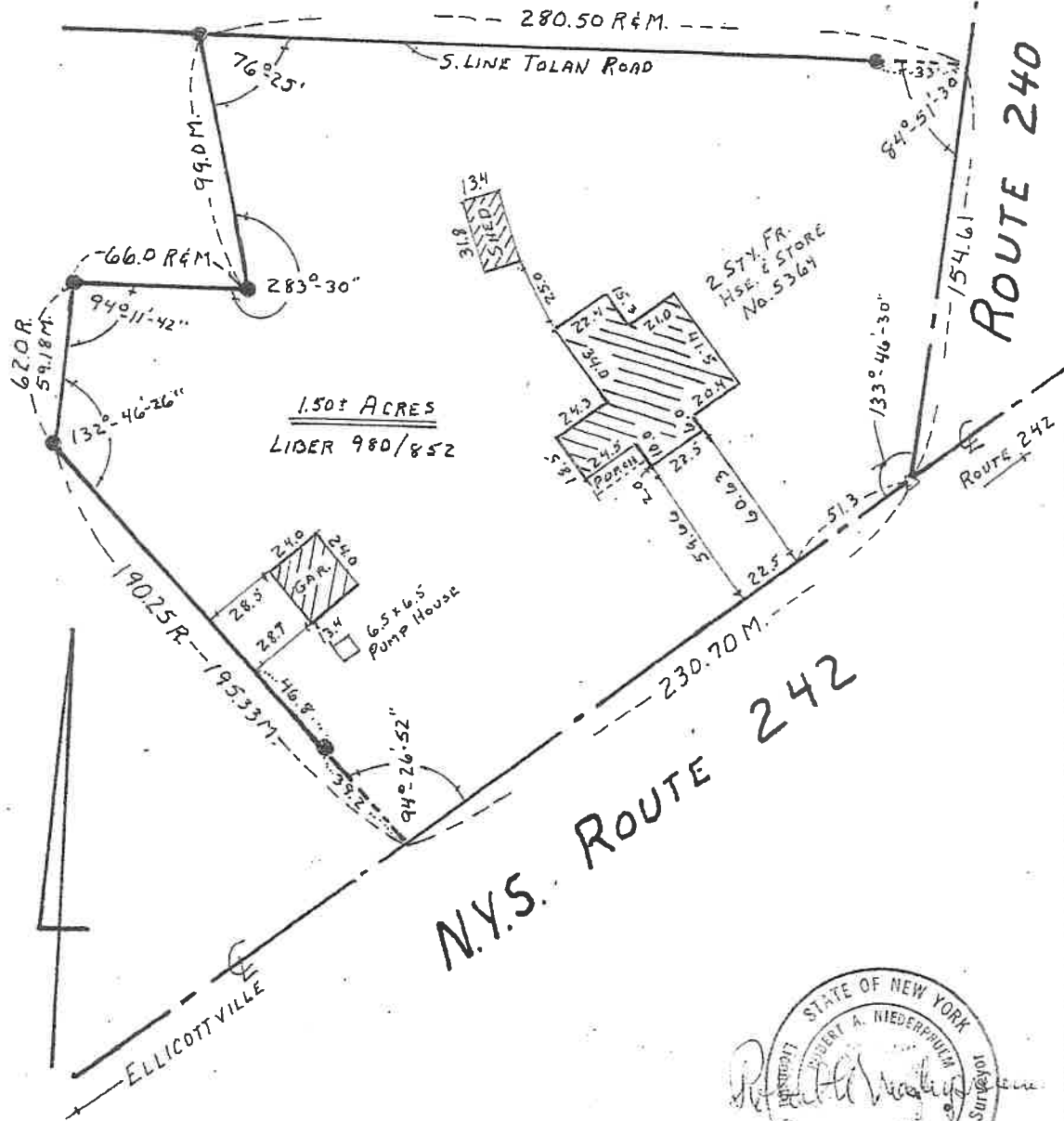
My wife and I are respectfully requesting a special use permit to reopen a restaurant, retail shop and ice cream parlor at the property located at 5364 NYS Route 242 East, Ellicottville, NY 14731, on the corner of NYS Route 240 and NYS Route 242, Property tax map # 47.001-1-25. This location operated as a restaurant and antique/gift shop up until approximately 2 years ago. My wife, Melanie Korzeniewski and I (Michael Korzeniewski) purchased the property in October of this year under Winkorz LLC. Our plan is to operate Thursday through Sunday, Thursday and Friday we plan to be open for business between the hours of 11:00am and 8:00pm, on Saturday and Sunday we would like to open at 6:00am for breakfast and again remain open until 8:00pm. The days may fluctuate based on holiday breaks as well as local events. As the property was previously used for similar purposes there will be no changes to water, sewer, parking or structures at this time. The existing sign attached to the building, that measures 4x8 feet, will be utilized with our name and logo. In the front of the building off of Route 242, there is an existing parking lot measuring 80 feet wide by 60 feet deep, that can accommodate approximately 8 vehicles. On the rear of the building, entering from Tolan Road, there is an existing parking lot measuring 60 feet wide by 80 feet deep that can accommodate approximately 16 vehicles. You will find the following documents attached; Survey of property dated April 21, 2012, a copy a same survey showing existing parking lots with dimensions and photo of the front of the building as looking at it from Route 242. In the picture the middle structure that is 2 stories will be utilized as the gift shop and ice cream parlor. The section on the right that is currently painted green will be the location for the restaurant portion of our business. The middle structure is wheelchair accessible from both the front and rear, the restaurant portion is wheelchair accessible from the front of the building only, due to the kitchen in the rear.

Sincerely,



Michael Korzeniewski
Winkorz LLC
8246 Rohr Hill Road
East Otto, NY 14729

Ellicottville 47.001-1-25
TOLAN ROAD



N.Y.S. ROUTE 242



PART OF LOT 21, T. 4, R. 6 H. L. C.
 TOWN OF ELLICOTTVILLE
 CATTARAUGUS CO., NEW YORK

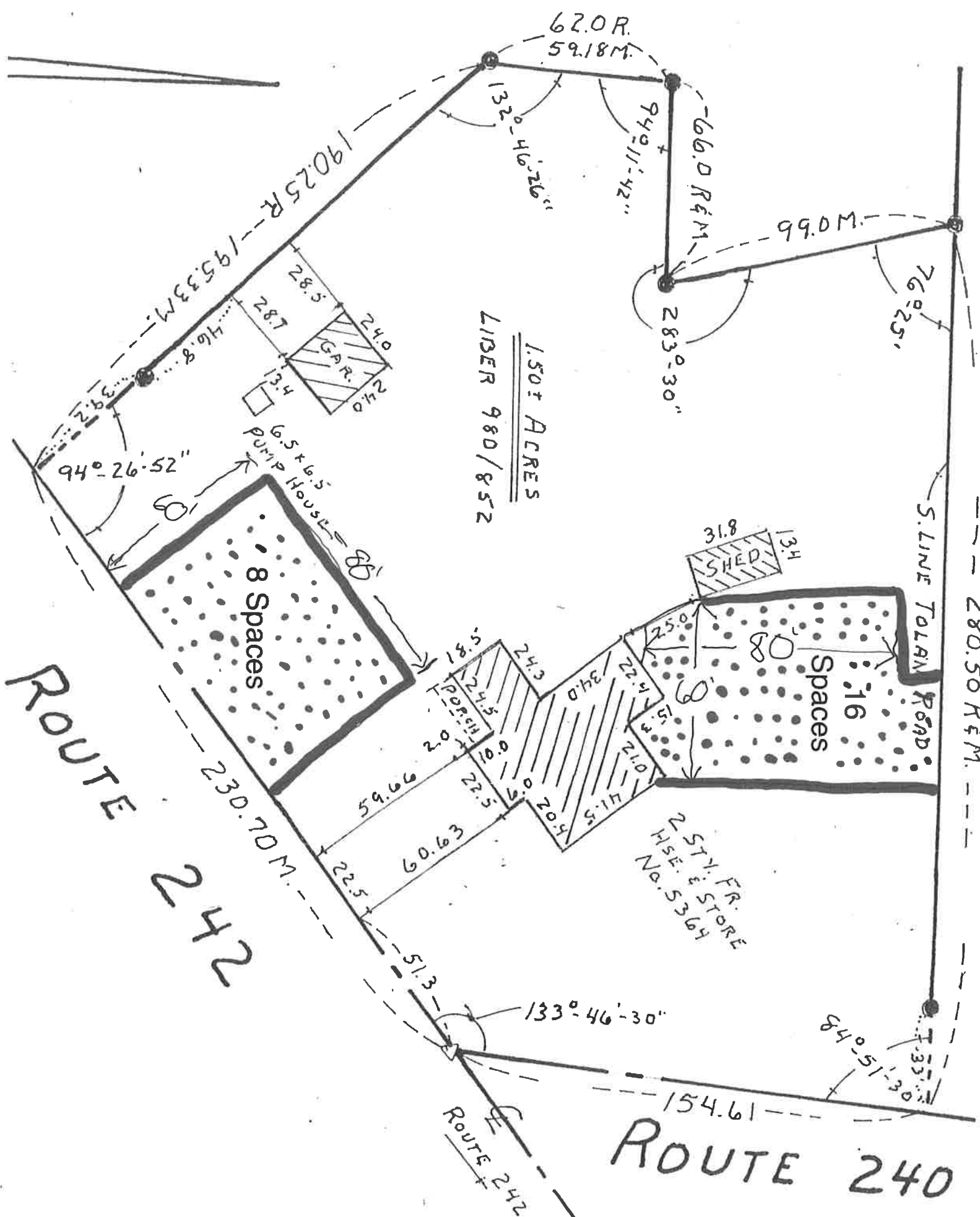
O = SET IRON PIN ● = FOUND IRON PIN

ROBERT A. NIEDERPRUEM Engineer - Surveyor	
19 CIRCLE END DRIVE	674-5618 WEST SENECA, NY 14224
RE-SURVEYED	DATE APRIL 21, 2012
	SCALE 1" = 50'
	FB L.L.
	JOB NO. 9340

This map void unless STAMPED with New York State Licensed Land Surveyor's Seal No. 028085.

NOTE: This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

Altering any item on this map is in violation of the law, excepting as provided in Section 7209, Part 2 of the New York State Education Law.





ELLCOTTVILLE
COUNTRY STORE
& ANTIQUES

EAT
good food

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Ashford Junction Depot			
Project Location (describe, and attach a location map): 5364 NYS RTE 042 E, Ellicottville NY 14731			
Brief Description of Proposed Action: Reopen Restaurant and gift shop along with Ice Cream parlor.			
Name of Applicant or Sponsor: Michael Korzecuski		Telephone: 716-969-5494	
Address: 8246 Rohr Hill Rd		E-Mail: Korzecusmi@gmail.com	
City/PO: East Otto		State: NY	Zip Code: 14729
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
Town of Ellicottville Planning Board, Special Use permit			
3. a. Total acreage of the site of the proposed action?		<u>1.5±</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.5±</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Michael Korzeniewski</u>		Date: <u>12/1/21</u>
Signature: <u>mm. 7/</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?,"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT