

TOWN OF ELLICOTTVILLE
PLANNING BOARD MEETING MINUTES
Monday, October 23, 2023 at 6:00 p.m. at the Town Center

PRESENT: Richard Dayton, Chairman
Sheri Barrera, Member
Caitlin Croft, Member
Bonnie Koschir, Member
Daniel Kruszynski, Member
Timothy Zerfas, Member

ALSO PRESENT: Gregory Keyser-Town Planner, Kelly Fredrickson-CEO, Louise Isaacs-Applicant, Steven Reid-Reid Petroleum-Applicant, Heidi Lapin-WT Group

Mr. Richard Dayton, Chairman called the meeting to order at 6:00 p.m.

Mr. Dayton presented TZP-2023-300, 7200 Horn Hill Road, Louise Isaacs, a Special Use Permit and Site Plan Review for a 2 cabin campground.

Mr. Keyser noted that Ms. Isaacs held a pre-application conference with the Planning Board at the September meeting. He reviewed the application materials and suggested that the parking area be moved closer to the cabins. The access dirt path needs to be widened. An updated plan for the driveway needs to be provided.

Ms. Loiuise Isaacs presented her plans to use the land for a range of overnight camping experiences, on which are located 2 Amish style cabins suitable for seasonal or other temporary living on a 720 square foot lot. The proposed sanitary sewage disposal is an outhouse privy. Water supply will be a 5 gallon hot and cold dispenser in the kitchen and 64 fl oz container for the bathroom. Propane will provide heat in the winter. Electricity will be provided with plug in sites like those used for recreational vehicles.

Ms. Barrera asked, is it acceptable to not have the cabins on a concrete pad?

Mr. Keyser said that they will have to meet the fire code before a building permit can be issued.

Mr. Zerfas asked, is there a well for water?

Ms. Isaacs said yes. Each cabin will have a 5 gallon tank.

Ms. Koschir asked, how many people can each cabin sleep?

Ms. Isaacs said 2 people per cabin.

Ms. Barrera asked if there will be more than two cabins in the future?

Ms. Isaacs said more cabins in the future may be possible, but she is only proposing two now.

Ms. Koschir asked if there will be lighting in the parking lot?

Ms. Isaacs said there will be solar lights in the lot.

Ms. Barrera asked if there will be electricity to the cabins?

Ms. Issacus said yes each cabin will have a 50 amp hook up like a recreational vehicle.

Mr. Fredrickson noted that the Town Engineer will inspect the site and construction of the cabins to make sure everything meets the code and standards.

Mr. Keyser advised that Part 1 of the Short EAF has been provided. The project meets the definition of a Type 2 action involving the construction of non-residential structures less than 4,000 square feet. The Planning Board should classify the project as Type 2 SEQR action before acting on the application. The property is in the Cattaraugus County Agricultural District 5 and referral to the County Planning Board is required.

If the Planning Board feels it has enough information for a meaningful public review a public hearing can be set for the November meeting.

Moved by Ms. Croft to set a public hearing for TZP-2023-300, 7200 Horn Hill Road, Louise Isaacs, Special Use Permit and Site Plan review of proposed two cabin campsite for November 27, 2023 at 6:00 p.m. Seconded by Ms. Barrera. Ayes all. Carried.

Mr. Dayton presented TZP-2023-267, 6599 US Route 219, Reid Petroleum, Site Plan Review and Special Use Permit for a gasoline service station.

Mr. Keyser presented his staff report on the proposed project which has been updated since the pre-application conference on August 28, 2023. The underground fuel tank location and the underground detention vault have been moved back and now meet the front yard setback code. The parking lot setback and the Landscape buffer setback will need variances from the Zoning Board of Appeals.

Mr. Steven Reid presented the Site Plan and Elevation Drawings. He noted that the Town Zoning Law defines a Parking Lot: An area other than a road used for the parking of more than four automobiles. The pavement and drive aisles on the site plan are not a parking lot. The closest dimension to the actual parking lots (spaces) is 81'-10" and 38' respectively which are compliant to the setback requirements. .

The open space for the site meets or exceeds the 30% code requirement.

The minimum parking space size is 9.5' x 18'. The proposed parking stalls are 9.6' x 19 ft. The accessible spots are 8 ft x 19 ft with an 8 foot aisle in the middle.

The minimum aisle width is 24 feet to accommodate two-way traffic on site. The requirement has been met except for the proposed drive thru lane which is 12 feet and intended for one

way traffic. Signage designating “one way” will be posted. Vehicle stacking in the drive thru lane has been shown on Sheet CIR 2.0.

Mr. Keyser asked what percentage of business is driven by the drive thru availability?
Mr. Reid said about 2%. Orders are placed through an app and then picked up.

Mr. Reid referred to the Ingress and Egress noting the proposed driveway width is 50 feet which exceeds the recommended maximum width of 36 feet. The 50 foot width is for safety reasons and allows for safe entry and exit of fuel delivery trucks.

Mr. Keyser advised that a turning radius/path analysis has been provided which suggested the additional width may be appropriate to accommodate an unobstructed clearance for tractor trailers.

Ms. Koschir asked, are the curb cuts approved by NYS DOT?

Mr. Reid said yes. The curb cut is 160 feet from the intersection where the requirement is 150 feet. 75 feet of spacing is recommended between major commercial driveways.

Ms. Koschir asked, are there any plans to connect the Tim Horton’s curb cut and the Crosby’s curb cut?

Mr. Reid said no.

Mr. Keyser noted that the zoning mentions off-setting driveways.

Ms. Barrera said that the driveway at Route 219 is too close to Tim Horton’s.

Mr. Reid said they could move it 5 or 6 feet to the South, but it may interfere with the intersection.

Ms. Barrera asked, can you install a traffic light out of the parking lot?

Mr. Kruszynski said that the amount of traffic generated may not support a traffic light.

Mr. Dayton stated that a traffic study would provide that information.

Mr. Keyser noted that the 20 foot landscape buffer requirement is not met. The adequacy of the landscaping plan and planting schedule should be reviewed. Plantings are not recommended in the detention pond.

Mr. Reid advised that the site is adjacent to a residential use and additional plantings in lieu of a fence or berm are proposed as the residential structure is 104 feet away from the property site. The dumpster site will be fenced in.

Ms. Barrera noted that there are 2 Elm trees proposed. Are they resistant to Dutch Elm disease?

Mr. Reid said yes, the plan calls for deciduous trees.

Ms. Barrera asked if there will be shrubs?

Mr. Reid said he can add shrubs and will find a species that will fill in the buffer area.

Ms. Barrera advised that a fence would require minimal maintenance, only painting.

Mr. Dayton referred to the open ditch that exists. Will it be maintained?

Mr. Reid said the ditch is in the NYS r-0-w and will be maintained by NYSDOT.

Mr. Reid stated that snow storage areas are identified on Sheet C-2.0.

Mr. Keyser noted that the snow storage area is the same area as the detention pond and should be reviewed by NYSDEC during SEQR.

Mr. Reid presented the signage plan including drawings. Signage on the east and west elevations will be illuminated with gooseneck lights. The sign on the south elevation would be back lit channel letters. The LED price sign will not be a message board. It will display a static price of the fuel products sold at the location. The proposed "Crosby's" sign on top of the LED price sign will be back lit channel letters. This ground sign will be 20 feet high and located at the corner of the intersection. A second 8 foot high ground sign at the west entrance will be illuminated from the ground up. Four foot wide canopy logos will be rear lit channel letters.

Mr. Dayton asked if the 20 foot ge sign could be lowered. He asked how high is the canopy?

Mr. Reid said 16 feet from the ground with 4 feet of canopy space (20 feet).

Mr. Dayton asked if there is potential for the lights to be dimmed after 11 p.m.?

Mr. Reid stated that they have issues in lots that are not so well lighted. Especially under the canopy. Certain wattage is required for safety.

Mr. Keyser noted that the Planning Board has allowed ground mounted upward projection fixtures, back lit signs and static electronic displays in the past.

Ms. Barrera asked if the service station will be open 24/7?

Mr. Reid said it depends on the need. We have not determined hours yet.

Mr. Keyser said that the Planning Board can set hours of operation as a condition of approval.

Mr. Reid said they hope to have the fueling station open 24 hours. Perhaps 18 hours for the store.

Mr. Keyser noted that 18 foot high LED light poles with unshielded light fixtures are proposed. The Planning Board should consider shorter light poles and require down shielded or full cutoff light fixtures to reduce light trespass.

Mr. Reid said they are willing to install shields.

Mr. Dayton noted that with the development at the corner of Routes 242 and 219 the Town Board should contact New York State about installing sidewalks.

Mr. Keyser said that construction of sidewalks will need NYSDOT approval.

Planning Board members instructed Mr. Keyser to write a letter to the Town Board asking them to contact NYSDOT requesting the installation of sidewalks along Route 242.

Mr. Keyser advised that Part 1 of the Short EAF has been provided. The Planning Board should classify the project as an Unlisted Action and coordinate the environmental review with involved agencies.

Ms. Barrera referred to the Short EAF #8 and asked that the answers to a, b and c be yes. Mr. Reid agreed to make the change.

Moved by Ms. Barrera to classify the project as an Unlisted Action under SEQR and coordinate the environmental review with involved agencies. Seconded by Ms. Croft. Ayes all. Carried.

Mr. Keyser noted that the involved agencies have 30 days to respond. The process will include referral to the Cattaraugus County Planning Board and application to the Town Zoning Board of Appeals for area variances.

The Minutes of the September 25, 2023 meeting were read. Corrections were made.

Moved by Ms. Barrera to approve the Minutes of September 25, 2023 as corrected. Seconded by Mr. Zerfas. Ayes all. Carried.

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

The meeting was adjourned at 7:10 pm.