

**TOWN OF ELLICOTTVILLE**  
**PLANNING BOARD MEETING MINUTES**  
**Monday, March 28, 2022 at the Town Center at 6:00 p.m.**

**PRESENT:** Richard Dayton, Chairman  
Sheri Barrera, Vice-Chairperson  
Bonnie Koschir, Member  
Gary Mathe, Member  
Robert Poole, Member  
Timothy Zerfas Member

**ALSO PRESENT:** Kelly Fredricson-COE, Jim Uhrinek- Contractor

Mr. Richard Dayton, Chairman called the meeting to order at 6:00 p.m. and opened the public hearing for **TPB-2021-201** a Special Use Permit applicant for an accessory apartment in the existing garage at 5 Sundance Road.

Mr. Fredrickson presented his staff report on the proposal. The 25' x 25 garage has an approximately 625 s.f. footprint. The 5-acre lot is in the Agricultural-Residential District where single-family homes are allowed as a Permitted Use and accessory apartments require a Special Use Permit. Based on the application, survey and available plans the minimum lot size, width, setbacks, height and open space requirements are met.

The Cattaraugus County Health Department has reviewed and approved the proposed new sewer disposal system designed for the garage apartment.

Mr. Jim Uhrinek, contractor representing Dean Groff, owner, advised that a water line to the apartment will be installed with an ultraviolet light system and an additional softener system. We are not tapping into the line to the house.

Ms. Barrera asked if there are enough parking spaces for both the house and apartment? Mr. Uhrinek said yes. An additional gravel space will be provided next to the garage for parking.

Mr. Poole asked is the apartment for family use only? Mr. Uhrinek said yes. It is a 2-bedroom apartment for guest use.

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

**Moved by Mr. Mathe to close the public hearing for TPB-2021-201, 5 Sundance Road, Special Use Permit application for an accessory apartment. Seconded by Ms. Koschir. Ayes all. Carried.**

The Minutes of the February 28, 2022 meeting were read.

**Moved by Ms. Barrera to approve the Minutes of February 28, 2022 as read. Seconded by Mr. Zervas. Ayes all. Carried.**

**TPB-2021-201, Dean Groff, 5 Sundance Road  
Accessory Apartment Special Use Permit**

Mr. Dayton presented TPB-2021-201, Special Use Permit for an accessory apartment at 5 Sundance Road for discussion. He noted that the Planning Board needs to act on SEQR before acting on the Special Use Permit application.

Mr. Dayton presented EAF Part 2 for the Planning Board to review.

**Moved by Ms. Barrera based on the review of the Short Environmental Assessment Form, the establishment of an accessory apartment at 5 Sundance Road will not have a significant impact on the environment when compared to the criteria in Section 617.5 of the SEQRA Regulations and to issue a Negative Declaration. Seconded by Mr. Zervas. Ayes all. Carried**

Ms. Barrera asked if there is a chance that there could be two owners in the future?

Mr. Fredrickson said no. This lot is part of a previously approved subdivision and can not be further divided.

**Moved by Ms. Barrera to approve a Special Use Permit establishing an accessory apartment ancillary to the single family residence at 5 Sundance Road in accordance with the application and plans submitted December 17, 2021. The approval is granted with the following modification and conditions:**

- A. Accessory apartment shall have Cattaraugus County Health Department approved sewage disposal system installed along with an ultraviolet light system installed on the water supply well. These shall be tested and approved by Cattaraugus County Health Department prior to issuing a Certificate of Occupancy. Seconded by Mr. Mathe. Ayes all. Carried.**

**OTHER BUSINESS**

Mr. Fredrickson advised that a new planner has been hired by the Town/Village and will start at the end of April.

Mr. Zervas said that the "Drinking Water Project " committee has not met so he does not have an update.

Ms. Barrera asked for an update on the "Tiny Homes" project?

Mr. Fredrickson said they are still working on engineering and design issues.

**Moved by Mr. Zervas to adjourn. Seconded by Mr. Poole. Ayes all. Carried**

The meeting was adjourned at 6:25 p.m.

