

**TOWN OF ELLICOTTVILLE
PLANNING BOARD MEETING MINUTES
Monday, September 25, 2023 at 6:00 p.m.at the Town Center**

PRESENT: Richard Dayton, Chairman
Sheri Barrera, Vice-Chairperson
Robert Poole, Member
Timothy Zervas, Member

ALSO PRESENT: Kelly Fredrickson-CEO, Paul Wyatt-Applicant, Louise Issacs-Applicant

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

The Minutes of the August 28, 2023 meeting were read. Corrections were made.

**Moved by Mr. Poole to approve the Minutes of August 28, 2023 as corrected.
Seconded by Mr. Zervas. Ayes all. Carried.**

Mr. Dayton presented TZP-2023-292, 6248 Sommerville Valley Road, Paul Wyatt, an application for lot line adjustment to reconfigure three existing parcels and create one 14.38 acre lot and two 2-acre lot. .

Mr. Wyatt presented his plans to sell the 14.38 acre lot with the house on it and to retain the two 2-acre lots.

Kelly Fredrickson advised that pursuant to Section 2.6(B) of the Town's subdivision regulations, the approval of lot line adjustments is made to the Planning Board, as an amendment to an approved Final Plat. In this case, the Final Plat consists of the existing parcels as presently shown on the tax map. The Planning Board may approve the changes if it determines that the adjustments are minor, and that the proposed lots comply with the zoning requirements.

Mr. Fredrickson advised Lot 2 does not have any frontage and access is proposed from Sommerville Valley Road along an existing gravel driveway through a private 50 foot right-of-way on Lot 1. While shared driveways are allowed the subdivision lot layout standards require that each lot has sufficient frontage to provide access from an existing road. A right-of-way will be required for access to the landlocked parcel. The front lot may be difficult to build on with the creek running through it and the required setbacks.

While there appears to be sufficient area for a building envelope, the Health Department may further limit the location of a septic system and well due to separation requirements and their proximity to the tributary.

Mr. Wyatt said he plans to tap into the existing spring for water to the new lots. Tim Zerfas noted that a right-of-way will be needed to access the spring as a water source.

Mr. Dayton advised that documentation showing access to the landlocked lot needs to be provided to the CEO.

Moved by Mr. Poole to approve the request for lot line adjustments to the property at 6248 Sommerville Valley Road to create one 14.38 acre lot and two 2 acre lots as presented in materials in TZP-2023-393 by Paul Wyatt with the condition that documentation showing access to the landlocked parcel will be provided to the Code Enforcement Officer. Seconded by Mr. Zerfas. Ayes all. Carried.

Mr. Dayton presented TZP-2023-300, 7200 Horn Hill Road, Louise Isaacs, a pre-application conference involving the establishment of a campground with 2 Amish Style cabins.

Ms. Louise Isaacs presented her intentions to use the land for a range of overnight camping experiences, on which are located 2 Amish style cabins or other accommodations of a design or character suitable for seasonal or other temporary living. 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. She hopes to be open year round with propane heat in the winter. Electricity will be provided with plug in sites like those used for recreational vehicles.

Mr. Fredrickson advised that the property is located in the Low Density District where the proposed use is allowed with a Special Use Permit and Site Plan Review from the Planning Board. The current use of the property is for rented agriculture. There is a small tributary that flows south across the central portion of the property.

Mr. Zerfas noted that the Cattaraugus County Health Department has criteria for outhouse design that meets the standards and can be approved.

Mr. Dayton noted that Ms. Isaacs lives in Florida. How does she plan to operate the camp? Ms. Isaacs said that her parents live here and will manage and maintain the property. She will also manage it remotely from Florida.

Mr. Dayton referred to the application materials noting that Peter Krog owns the property. Ms. Isaacs said she has an agreement with Mr. Krog to establish campgrounds on the property and will provide documentation giving her authority.

Mr. Fredrickson advised that a parking plan and driveway locations will be required. Ms. Barrera advised that setbacks for the lots will need to be provided.

Mr. Poole asked if the cabins will have foundations or sit on the ground? Ms. Isaacs said they will sit on the ground.

Mr. Dayton asked if the zoning allows the cabins to sit on the ground?

Mr. Fredrickson said that an engineer will have to sign off on the plan. Concrete pads may be required.

Mr. Dayton stated that it appears the plan will work and Ms. Isaacs can submit an application for the October meeting.

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

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