

VILLAGE OF ELLICOTTVILLE
PLANNING BOARD WORK SESSION MINUTES
MAY 2, 2023

PRESENT: Sheila Burrell, Vice Chairperson
Sean Cornelius, Member
Chad Neal, Member
Damon Newpher, Member
Gregory Cappelli, Alternative Member

ALSO PRESENT: Gregory Keyser-Village Planner, Kelly Fredrickson-CEO, Doug Bush-Village Board, John Burrell-Mayor, Jeremy Wassel-Ellicott Development, Nathan Woodruff-Ratchet-Hatchet, Jeff Hayes-Applicant, Aaron Tiller-Architect, Jennifer Courtney-Applicant, John Gaughan-Applicant, Phil Tripi-Tripis Landscaping, Jim Fittante-Fittante Architecture, Caleb Henning-MDA Consulting Engineers, Ariel Clark-Applicant's Rep., Josh Harrison

DISCUSSION: Sheila Burrell, Vice-Chairperson opened the work session at 4:30 and presented the agenda for May 9, 2023. She noted there will be a public hearing for VZP-2022-227, 1-5 E. Washington Street, Ellicott Development, Special Use Permit and Site Plan Review of proposed restaurant/bar for Ratchet-Hatchet.

Jeremy Wassel of Ellicott Development advised that they purchased the property at 7 E. Washington Street and closed on April 21, 2023. On April 18, 2023 the Village Board approved the rezoning of 7 E. Washington Street from Village Residential to Village Commercial which will allow us to construct a 24 foot wide driveway to access the property. We are ready to move forward with the project.

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Mr. Keyser noted that the neighbors at 9 E. Washington Street and 11 E. Washington Street came in to view the plans.

DISCUSSION: Sheila Burrell stated there will be a public hearing for 23 Mill Street, Village of Ellicottville, Special Use Permit and Site Plan Review of a municipal parking lot.

Doug Bush, Village Board Member, presented the status of the proposed 128 space parking lot. He noted that Ellicottville provides half of Cattaraugus County's revenue in taxes. After meeting with County Legislators and CCIDA 80 percent of the funds needed to purchase the land that came up for sale was provided. The Village applied for grants, but there is very little grant money for parking lots available. MDA Consulting Engineers was hired to design the lot. A concern was expressed at a previous meeting that there will be increased traffic on Mill Street from the 128 spaces. He noted that Fitzpatrick & Weller already have 100 vehicles

going in and out on Mill Street. There will be no overnight parking and the Department of Public Works will take care of any garbage.

Mr. Keyser asked if the Board needs any more information before the public hearing scheduled on May 9, 2023? He noted that he received 2 comments in response to the public hearing notice which he will share on May 9. Board members agreed that the application is complete.

DISCUSSION: Sheila Burrell presented VZP-2021-123, 18 Elizabeth Street, Rick Desimone, Site Plan Amendment to approved new single-family residence.

Greg Keyser advised that the Planning Board granted Site Plan and Architectural Design approval on October 12, 2021, to construct a single-family dwelling on an undeveloped lot at 18 Elizabeth Street. However the approvals expire (1) one year from the date of approval if a building permit has not been issued. The Site Plan approval expired on October 12, 2022, and the applicant did not submit a building permit until March 2023. The approval was granted with a condition that stipulates the application be referred to the Planning Board for further Architectural Design Review if the first floor is elevated to meet local floodplain development regulations and changes are proposed to the exterior elevation plans. The first floor was subsequently raised to satisfy a base flood elevation of 1,539 feet which caused the height of the building to be increased by approximately 1 foot 6 inches.

The applicant is asking for an extension of the Site Plan approval to October 12, 2023 and an amendment to the Site Plan for the change in height. Does the Board need any additional information before the May 9, meeting? Board members agreed that the application is complete.

Damon Newpher asked if the siding will be brought down on the foundation as we have requested on other houses in the floodplain?

Jim Fittante, representing the applicant, said that the siding will be brought down on the foundation to reduce visual impact.

DISCUSSION: Sheila Burrell presented VZP-2022-138, 11 Parkside Drive, Robert & Beth Stephens, Site Plan Amendment for new single-family residence.

Greg Keyser advised that on September 13, 2022 the Planning Board granted Site Plan and Architectural Design approval for a new single-family dwelling. At that time Aaron Tiller advised that the applicants were in the process of purchasing the adjoining lot and would apply for a minor subdivision once the purchase was complete. They also agreed to have an easement in place for the Ellicottville/Great Valley Trail on their property.

John Burrell noted that the property owner has a choice to designate which elevation will be the front yard when on a corner lot?

Greg Keyser said this is not a corner lot. He noted that the changes are minimal and if the Board agrees a public hearing can be set for the June meeting.

DISCUSSION: Sheila Burrell presented VZP–2022–230, 29 Elizabeth Street, Jeff & Mindy Hayes, Architectural Design Review of proposed residential addition.

Jeff Hayes presented his plans for a single story addition to the rear of the existing non-conforming structure. On April 4, 2023 the Zoning Board of Appeals granted a variance to raise the roof on the existing non-conforming structure by 3 feet which would allow the ceiling on the second floor to be 7 feet 6 inches. The square footage of the house will be 722 square feet.

Greg Cappelli asked, is the 722 square feet the existing house or the new addition? Mr. Hayes said it is the total of the house with addition. He will install all new aluminum windows and will use a blue-gray hardie board siding on the whole house. This is a more uniform design.

Greg Keyser advised that the notification of the May 9, 2023 meeting will be sent to all neighbors tomorrow.

DISCUSSION: Sheila Burrell presented VZP-2023–118, 39 Martha Street, Daniel & Laura Riftkin, Architectural Design Review of proposed renovations and addition.

Caleb Henning, representing the applicants, presented the plans to renovate the existing house and add a two story addition at the rear. The existing porch will be removed and a new wrap around porch is proposed. The existing porch is approximately 10 feet from the front setback line. The new porch will be about 11 feet from the front setback line. The roof is proposed to be 28.8 feet in height where the zoning allows a maximum of 28 feet. Our application for a variance to the height is on the Zoning Board of Appeals agenda for May 2, 2023.

Greg Cappelli asked why do you need to have 28.8 feet in height?

Mr. Henning said that the entire interior is being renovated and the additional space is needed to accommodate the floor plan.

Mr. Cappelli asked what is the pitch of the roof?

Caleb Henning said 12/7.

Greg Cappelli asked, can you keep the roof at 28 feet?

Mr. Henning said he would have to have a conversation with his client regarding changes to the floor plan to accommodate a 28 foot high roof.

Sheila Burrell asked, will there be railings on the front porch?

Mr. Henning said he does not have that information at this time.

Damon Newpher asked, will the chimney for the fireplace be extended with brick?

Caleb Henning said he will find out what is planned.

Mr. Newpher asked, is the front entrance a double door with no glass?

Mr. Henning said yes.

Greg Keyser noted that there are windows in the rear of the house that are not double-hung, but are not visible from the street.

DISCUSSION: Sheila Burrell presented VZP-2023-126, 16 Martha Street, Daniel Saunders, Sign Permit application of a new ground/pole sign.

Greg Keyser noted that the 3' 6" by 2' 10" rectangular sign will be hung from posts by lighted chains or ropes. There will not be a gooseneck light shining down on the sign.

Greg Cappelli said he would like to see a sample of the lighting to make sure it is not distracting.

Mr. Keyser said he will ask the applicant to provide more information on the lighting for the May 9 meeting.

DISCUSSION: Sheila Burrell presented 13 Greer Hill, John Gaughan, Merger of Two Lots.

John Gaughan presented his plans to merge Lots 11 and 13 for taxation purposes and to build an outdoor fireplace. He owns both lots and his house is on lot 13 and he wants to prevent building on lot 11 which is vacant.

Sheila Burrell read from Section 3A of the Zoning Code: 3. In order to retain the scale and character of the Village, the combination of two (2) or more lots to expand the footprint of a proposed development or for the expansion of an existing building structure is prohibited.

Mr. Gaughan said he is not expanding his house.

Greg Cappelli asked, are you keeping lot 11 vacant to build a fireplace?

John Gaughan asked, will the value of the vacant lot change with improvements?

Greg Cappelli said you should ask the Assessor.

Mr. Gaughan noted that the merger will enhance lot 13 but take lot 11 off the tax rolls.

John Burrell noted that lot 11 is a building lot on the tax map. Merging it with lot 13 will take revenue from the Village which we discourage. He stated that the fireplace could be built without merging the lots.

Sean Cornelius said that he disagrees that Section 3A(3) applies to this situation.

DISCUSSION: Sheila Burrell presented VZP-2023-138, 18 Washington Street, Tammy Bess, Sign Permit Application for a new hanging sign for the Old West Company.

Ariel Clark, representing Tammy Bass presented the 46 inch by 28 inch hexagon wood sign which will be hung 9 feet above the ground in front of the door of the building. Lighting will shine down on the sign.

DISCUSSION: Sheila Burrell presents VZP-2023-143, 16 Mechanic Street, Jen Courtney, Architectural Design Review of Accessory Building.

Aaron Tiller, representing Jennifer Courtney, advised that the property is non-conforming with a house and garage in the rear making 3 living units. The plan is to remove the first floor apartment in the garage and restore it to a garage for vehicles. Eventually there will be plans to renovate the house at a future date.

Mr. Keyser advised that the notification of the May 9 meeting will be sent to the neighbors tomorrow.

The meeting was closed at 5:35 p.m.

Submitted by: Donna Baldwin, Secretary