

VILLAGE OF ELLICOTTVILLE
PLANNING BOARD WORK SESSION MINUTES
SEPTEMBER 3, 2024

PRESENT: Nancy Rogan, Chairperson
Chad Neal, Member
Damon Newpher, Member
Blair Hamilton, Alternate Member

ALSO PRESENT: Gregory Keyser-Village Planner, Kelly Fredrickson-CEO, Aaron Tiller-Architect, Austin Baker-Green Room Sports Lounge, Bo Sunshine-Ellicottville Bake Shop, Nathan Woodruff-Ratchet Hatchet

Nancy Rogan, Chairperson opened the meeting at 4:30 p.m. and presented the agenda for the September 10, 2024 meeting.

DISCUSSION: Greg Keyser presented VZP-2024-37, 20 Adams Street, Judith Majury, Architectural Design review and Historic District approval of the demolition of the existing 300 square foot deck and construction of a new 435 square foot deck in its place. The public hearing is set for September 10, 2024 and no verbal or written comments have been received in response to the public hearing notice which was published in accordance with local law.

DISCUSSION: Greg Keyser presented VZP-2024-41/42, 14-16 Washington Street, John Rounds, Site Plan and Special Use Permit approval to construct a new covered front porch, and a garage attached to the existing building with a breezeway. The 2 existing accessory buildings at the rear will be demolished. The exterior renovations require Architectural Design and Historic District review. The Planning Board held a public hearing on August 13, 2024 and tabled the application pending further review of adherence to the Historic District regulations and the Comprehensive Plan.

Aaron Tiller representing the applicant presented his response to Elizabeth Lowe's letter concerning adherence to the Comprehensive Plan and Historic District regulations. He also presented documentation from SHPO when they designated the Historic District in Ellicottville. He provided Mr. Keyser with over 100 pages of SHPO information for the Board to consider including inventory forms of the original buildings and photographs from 1890 showing porches. Section 7 page 5 of the Historic submission referees to second story porches as a significant feature in the Village. He also presented photographs of recent projects where second story porches were built. The goal is to remove the Alpine look at the front of the building and create a 1890's look.

Greg Keyser noted that he is not a Historic Preservation Planner. There is a lot of information to consider and there is a specific time period in play.

Nancy Rogan advised that a large group of people worked on the 1991 Zoning Regulations. There is a lot to consider, even what is built today will become historic.

Nancy Rogan asked can Aaron Tiller submit a separate application for the rear garage addition and demolition of the two accessory buildings? Can the application be designated Part A and B?

Greg Keyser said yes by administrative process.

DISCUSSION: Aaron Tiller advised that he has been asked by the property owner at East Washington Street where a garage with accessory apartment was approved previously, to design a 12 foot by 24 foot picnic pavilion for the rear yard. What style would the Board recommend, ornate, simple or rustic timber?

Greg Keyser noted that an accessory structure is allowed per the zoning.

Damon Newpher said the pavilion would blend in with the existing garage structure.

DISCUSSION: Greg Keyser presented VZP-2024-58, 38 Washington Street, Austin Baker, Green Room Sports Lounge, a Special Use Permit to allow the establishment of an indoor golf simulator and sports lounge with a bar/food service.

Austin Baker advised that there will be a lounge area with chairs and couch and a 10 to 12 person bar in the front with a golf simulator in the kitchen. Food items will be pre-packaged snacks. We are filing for a liquor license. Occupancy will be 60 to 65 people. Hours of operation will be weekday 11: a.m to 10 pm, and weekends 11 am to 12 pm. These times may change depending on bookings for the golf simulator.

Kelly Fredrickson stated that he will inspect for fire code and occupancy regulations.

Nancy Rogan asked if a sign permit application will be submitted?

Austin Baker said he has to design a logo for a sign before submitting an application.

Greg Keyser advised that if the Planning Board feels it has enough information for a meaningful public review a public hearing can be set for the October meeting.

Mr. Keyser noted that Chad Neal is related to Austin Baker so he may want to recuse himself from voting on the application.

Nancy Rogan noted that she is a neighbor of Judith Majury and will recuse herself from voting on the application.

DISCUSSION: Greg Keyser presented VSP-2024-10, 5 E. Washington Street, Ellicottville Bake Shop, sign permit application for a new 95.5 inch by 34 inch (13 sf) wall sign to be located in the upper left corner of the building facing Mill Street. The sign will be constructed of a solid core aluminum panel with black letters on a white background. Section 12 of the Sign Code states: Only one sign for each face of structure to which fastened is permitted.

There are 4 other signs currently on the face of the building one of which is for the Ellicottville Bake Shop.

Bo Sunshine said it appears that more than one wall sign is allowed.
Mr. Keyser said yes.

Greg Keyser stated that perhaps Ellicott Development would consider another monument sign listing the businesses in the building. There is one on the corner at Kwik Fill.
Damon Newpher said he agrees with Mr. Keyser that another sign would be beneficial.

Mr. Keyser said he will contact Ellicott Development and explain that the individual businesses are asking for wall and ground signs and inquire about considering another sign listing the businesses.
Greg Cappelli said the Planning Board needs to consider the long term impact.

DISCUSSION: Greg Keyser presented VSP-2024-11, Ratchet Hatchet Sign permit application for a new 3 foot by 3 foot (9 sf) ground sign to be located 4 feet from the sidewalk on the East Washington Street side of the property. Planning Board review is required for ground signs which do not meet the standards in Section 12-2-A: 3: The sign is setback at least 60 feet from the center of the road. The sign will be approximately 30 feet from the centerline of the road.

Section 12-2-A: 6.: Only one ground sign per location is allowed. The Village Center has a ground sign at the corner of Mill Street and East Washington Street. There are smaller signs at the entrance to the Plaza. The standard does not produce small traffic signs or wall signs identifying occupants or services available in a particular portion of the plaza.

Nathan Woodruff advised that the sign will only be out when they are open. Customers have stated that they cannot find the business because of our location in the building. Can I put a gooseneck light over the directional parking sign on the wall?

Nancy Rogan said yes.

Greg Keyser said he will contact Ellicott Development in the next 2 days about a monument sign for the businesses.

DISCUSSION: Nancy Rogan referred to 14-16 Washington Street and noted that the SHPO documentation for the Historic District is not part of the Village Zoning Regulations.

Damon Newpher noted that the Planning Board has only approved porches on buildings where they existed previously. The proposed porch looks great. What happens if we allow one? Will we be setting a precedent?

Nancy Rogan asked what is the purpose of the porch?

Damon Newpher said he has concerns with maintaining the property.

Blair Hamilton stated that this is not just a historic question.
Greg Keyser noted that there are multiple standards to consider.

DISCUSSION: Greg Keyser advised that the Village Board is working on an amendment to the local cannabis law. The ZBA denied the variance to allow the business at the Blue Collar property. New York State denied a license to Rural Resurgence at 11 Martha Street. It appears there is not a location in the Village where cannabis is allowed based on the existing law. With the 200 foot standard from Village Residential property every proposal will require a variance.

Nancy Rogan asked, are they allowed in the Industrial District?
Greg Keyser said yes. We should look at Village Commercial 1 also. The local law should not be so restrictive as to prevent a business from opening. New York State has set up a monopoly.

The meeting was closed at 5:30 p.m.

Submitted by: Donna Baldwin, Secretary