

**VILLAGE OF ELLICOTTVILLE  
PLANNING BOARD MEETING MINUTES  
APRIL 11, 2023**

**PRESENT:** Sean Cornelius, Member  
Chad Neal, Member  
Greg Cappelli, Member

**ALSO PRESENT:** Gregory Keyser- Village Planner

**AGENDA: VZP-2022-227 - 1-5 Washington Street- Ellicott Development**  
Special Use Permit- Restaurant/Bar-Hatchet Ratchet

**VZP-2023-039-Mill Street Parking Lot-Village of Ellicottville**  
Special Use Permit & Site Plan Review -Public Parking Lot

**DISCUSSION:** Sean Cornelius, Acting Chairman called the meeting to order at 5:30 p.m. with three members present.

The Minutes of the March 7, 2023 Work Session were read.

The Minutes of the March 14, 2023 Planning Board meeting were read.

**MOTION:** Moved by Chad Neal to approve the Minutes of March 7, 2023 and the Minutes of March 14, 2023 as read. Seconded by Greg Cappelli. Vote 3-0. Carried.

**DISCUSSION:** Sean Cornelius presented VZP-2022-227, 1-5 Washington Street, Ellicott Development, Special Use Permit for Hatchet Ratchet restaurant and bar for discussion.

Mr. Keyser advised that Ellicott Development has purchased the property at 7 East Washington Street and is proposing a shared driveway to access the rear. They have applied to the Village Board for the rezoning of 7 East Washington Street from Village Residential to Village Commercial in order to construct a 24 foot wide driveway. Ellicott Development also owns 9 East Washington Street. The Village Board is expected to approve the request at the April meeting. Cattaraugus County Planning Board has approved the rezoning of 7 East Washington Street.

Mr. Richard Stanton, Village Attorney will provide the appropriate language for the document to change the 7 East Washington Street property from Village Residential to Village Commercial.

Greg Cappelli asked are we sure that Ellicott Development will not want to rezone the property at 9 East Washington Street in the future?

Mr. Keyser stated that 9 and 11 East Washington Street share a driveway and will remain as Village Residential. Cattaraugus County IDA uses the parking area at the rear and still needs a driveway to access it. Ellicott Development wants the area open for public parking. Cattaraugus County IDA wants it for their use only. The Planning Board should discuss closing off the driveway

Greg Cappelli asked, is the proposed deck at the rear of the building at ground level? Mr. Keyser said it is 2 to 3 feet off the ground and flush with the building. There will be steps to access it.

Greg Cappelli noted that the hours of operation should be controlled to make sure there will not be noise issues. The application said open until 10 p.m.

Greg Keyser stated that the hours of operation can be listed but the Planning Board cannot make them a condition of approval.

Mr. Keyser advised that a 6 foot high fence is proposed and the deck will be at 2 to 3 feet high. A natural vegetation barrier as a noise buffer may be needed.

Sean Cornelius stated that outdoor noise carries.

Chad Neal said that the neighbor was also concerned with lighting spilling onto his property.

Sean Cornelius asked, is there enough parking spaces?

Greg Keyser said that Ellicott Development did an analysis of required parking and there are enough spaces for all the businesses in the building.

Mr. Cornelius asked if there is parking for the Ratchet-Hatchet employees? Isn't it figured by the square footage of the business space?

Mr. Keyser said he will check the zoning requirements.

Greg Cappelli said that all businesses are being encouraged to have their employees park in the new 127 space municipal lot.

**MOTION:** Moved by Greg Cappelli to set a public hearing for VZP-2022-227, 1-5 Washington Street, Ellicott Development Special Use Permit application for restaurant/bar for Ratchet Hatched for May 9, 2023 at 5:30 p.m.

**DISCUSSION:** Sean Cornelius presented VZP-2023-039, Special Use Permit and Site Plan review of proposed municipal parking lot at Mill Street by the Village of Ellicottville for discussion.

Mr. Keyser presented the Site Plan and conceptual drawing for the proposed lot with 127 parking spaces and 5 handicap spaces on a 1.6 acre lot on Mill Street. The access will be from Mill Street with a pedestrian walkway to Martha Street. Fencing, lighting and drainage will be installed to meet standards.

On April 4 2023 the Zoning Board of Appeals held a public hearing on the request to reduce minimum front, side and rear yard setback requirements. About 20 residents attended and expressed their concerns and asked questions. Many of the concerns and questions were

about noise, lighting and fencing. No comments were submitted with regard to the variance requests.

Mr. Keyser noted that he will include the comments in the May meeting materials. The owner of 6 Martha Street expressed concerns with the lot next to her residence, but her property is in the Commercial District with commercial space on the first floor and residential space on the second floor.

The Zoning Board of Appeals granted the requested area variances to the minimum front, side and rear yard setback requirements.

Greg Cappelli advised that Cattaraugus County enabled the Village to purchase the property. Mr. Keyser noted that the property is zoned Village Commercial and a parking lot is an allowed use in the Commercial District.

The applicant has provided a photometric analysis of the proposed lighting with lighting directed down to the lot. Four light poles are proposed with dark sky lights. The headlights of the vehicles will drop below the fence line.

Mr. Cappelli noted that the fence surrounding the parking lot will be 10 to 15 feet of the property line giving homeowners even more buffer.

**MOTION:** Moved by Chad Neal to set a public hearing for VZP-2023-039, Village of Ellicottville, Special Use Permit and Site Plan review of proposed municipal parking lot at Mill Street for May 9, 2023 at 5:30 p.m. Seconded by Greg Cappelli. Vote 3-0. Carried.

**MOTION:** Moved by Chad Neal to adjourn at 6:00 p.m. Seconded by Greg Cappelli. Vote 3-0. Carried.

Submitted by: Donna Baldwin, Secretary