

# **MDA Consulting Engineers, PLLC**

Telephone (716) 699-4650 Fax (716) 699-4682

P.O. Box 604 Three Bristol Ln. Ellicottville, New York 14731

May 17, 2022

Village of Ellicottville Zoning Zoning Board of Appeals

Re: Single-Family Residence New Construction

11 Madison Street

Dear ZBA,

Elaine Northrup owns the vacant lot at 11 Madison Street in the village (Tax ID# 55.035-3-54). Elaine is a long-time resident of Ellicottville and has owned this lot for over 30 years. She proposes to build a new single-family residence for herself in the community she calls home. The proposed home is of adequate dimensions to meet her physical needs as she ages and includes an accessory apartment to accommodate a live-in caretaker when the need arises. We have attached for your review the site survey prepared by Canada Land Surveying and proposed site plan prepared by MDA Consulting Engineers, PLLC. Also attached for your review are architectural prints prepared by Gerald Shaffer. I have included a check for \$321 for the \$46 Zoning Permit Fee and the \$275 Appeal for Area Variance Fee along with the appropriate zoning permit application form and ZBA application form.

Below is a zoning review of the proposed action.

# 3A.2 Village Residential District (VR)

#### B. Permitted Uses:

- -Single-family detached dwelling (permitted)
- -Accessory apartment (special use)

# C. Lot and Site Regulations

- 1. Min lot size is As Platted Existing lot is 7,817 sq. ft. As Platted
- 2. Side Setback- 10', 30' total Proposed is 10', 22' total
- 3. Rear Yard Setback-35' Proposed is 32.1'
- 4. Front Setback- 25' Proposed is 20'
- 5. Building Size- 1,000 sq. ft. min. Proposed is 2,860 sq. ft.

6. Lot Coverage- 60% max. – Proposed is 45% House 2,860 + patios, walks, & driveway outside front yard 638 =3,498/7,817 =45% Lot Coverage

# D. Height Regulations

Max. Height 28 ft. – Proposed is 23 ft. Min. Height is 1.5 stories – Proposed is 2 stories

#### E. Re-Subdivision of Lots

No re-subdivision of the lot is proposed

# F. Multi-Dwelling Use

Single-family residence is proposed

# G. Apartment/Lockout Units

One accessory apartment is proposed within principal structure.

## **Special Use Permit is required.**

- B.1 Dimensional Standards for Apartments Within Principal Structure
  - a. Setbacks Same as for principal structure
  - b. Min. Apartment Size- 550 sq. ft. Proposed is 735 sq. ft.
  - c. Max. Apartment Size- 40% of principal structure Proposed is 20%

# H. Accessory Building

None proposed

# I. Architectural Design Review

New structure is proposed.

Architectural Design Review is required.

#### J. Site Plan Review

New structure is proposed.

Site Plan Review is required.

# K. Requirements for Special (Conditional) Uses

- -One accessory apartment is proposed within principal structure.
- -The applicant intends to own and reside in the principal structure. The proposed accessory apartment is intended to accommodate a live-in caretaker when the need arises.

# L. Special Parking Regulations

Parking is proposed inside attached two-car garage.

#### 11. Historic Preservation

New construction is proposed within the Ellicottville Historic District.

Elaine Northrup has spent considerable time contemplating a home that complements the community she has called home for so many years. It is important to her that the home fits into the character of the residential village community. I look forward to the opportunity to present this project to the ZBA.

Please contact me if you have any questions.

Sincerely,

Jacob D. Alianello, PE

Partner/ Project Engineer

MDA Consulting Engineers, PLLC

Jul a. alille

File No. 22250



# TOWN AND VILLAGE OF ELLICOTTVILLE BUILDING / CODE ENFORCEMENT DIVISION



17 MILL ST. ELLICOTTVILLE, NY 14731

Code Enforcement Officer: Kelly Fredrickson, (716) 699-4773

E-MAIL: kelly.fredrickson@evlengineering.com

Planner: Gary Palumbo, (716) 801-3016, E-Mail: gary.palumbo@evlengineering.com

# **ZONING PERMIT APPLICATION**

Jurisdiction: TOWN	✓ VILLAGE App. #
Application is hereby made to:  ☐ CHAGE IN USE	Date: REPAIR ALTER EXTEND  ✓ OCCUPY
LOCATION:	
Address: 11 Madison Street	
Property tax map #: 55.035-3-54	
APPLICANT INFORMATION: Applicant's name: Elaine F. Northrup	Date: 05/17/2022
Mailing address: P.O. Box 611, Ellicottville, NY	
Cell Phone Number: 716-807-6660	E-Mail: elainenorthrup@gmail.com
Applicant must be (check all that apply):   Ov	
Applicant's Engineer or representative: MDA C Address: 3 Bristol Lane, P.O. Box 604, Ellicotte	ville, NY 14731
Phone #: (716) 699-4650	E-Mail: jalianello@mdaengineers.com
_	
PROPERTY OWNER INFORMATION (if o	different than Applicant)
Name: same as applicant	
Mailing Address: n/a Cell Phone Number: n/a	E-Mail: n/a
Cell Phone Number: ""	E-Mail: ""

7-12-2021

Current use of property:  Vacant Lot	
Description of Proposed Project/Use (attach addition Construction of new 2-story house with lockout aparents)	·
Usable Open space: n/a - Max. Lot Covera  Site Information for proposed/existing structur	yard setback: 35 ft pined side: 30 ft a: As Platted area ratio: n/a (Village) age 60%  es:
Size of lot: 7,817 Sq. Ft. Size of area to Number of proposed lots: 1  Proposed method of Sanitary Sewage disposal: 6"	sanitary service
Proposed method of Water Supply: 3/4" SDR-9 was  Main Structure proposed or existing:  Construction type: Wood Frame  Height: 2 stories, 23 feet  # of family units: 1	Front yard setback: 20 feet Side yard setback: 10 feet
Size of lot: 7,817 Sq. Ft.  Usable Open Space: n/a %  Corner or interior lot? Interior  Accessory Building proposed or existing:	
Description:  n/a - none existing or proposed  Percentage of yard: n/a	Height: n/afeet
<del>-</del>	t Setback from side lot line: n/a feet
Flood Plain Development Permit Required	

2

ATTACHMENTS			
Attach all relevant items listed in the Town/Village of Ellicottville Zoning Local Law for a zoning permit. Additional copies of all plans, documents and other application materials may be required. Please include copy of survey if available. Plot Plan Survey Site Plan			
SIGNATURES			
Applicant and Owner (if different) must sign the application.			
I hereby certify that I have examined this application and know the same to be true and correct. All provisions of laws and ordinances covering this type of work will be complied with whether specified herein or not. The acceptance or approval of this application does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction, land use or the performance of construction. I have read and am familiar with the Town/Village of Ellicottville zoning law that is relevant to this application(s).			
Permission to inspect – I hereby consent to Town/Village of Ellicottville Staff inspection of the project site and adjacent property areas. Town/Village staff may enter the property without notice. Inspection may occur without the owner, applicant or agent present, If the property is posted with "keep out" signs or fenced with an unlocked gate, staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site.			
Applicant Signature: Date: 05/17/2022			
Applicant must be (check all that apply): Owner Operator Lessee/purchaser			
Applicant Name: Print Elaine F. Northrup			
Property Owner's Signature (if different than applicant)  Date: n/a			
Property Owner's Name: Print same as applicant			
Office use only:			
Application Fee: \$46.00			
Received by: on(Date)			
Project Number(s):			
Zoning Permit Approved - May obtain building permit.  Denied — Not in conformance with following provision(s) of the Zoning Ordinance:			
CEO Signature:			
Date:			

7-12-2021 3



# TOWN AND VILLAGE OF ELLICOTTVILLE BUILDING / CODE ENFORCEMENT DIVISION



17 MILL ST. ELLICOTTVILLE, NY 14731

Code Enforcement Officer: Kelly Fredrickson, (716) 699-4773

E-MAIL: kelly.fredrickson@evlengineering.com

Planner: Gary Palumbo, , (716) 923-1325, E-MAIL: gary.palumbo@aecom.com

# **ZONING BOARD OF APPEALS APPLICATION**

Property is in:   TOWN  VILLAGE App. #
APPLICANT INFORMATION:
Applicant's name: Elaine F. Northrup Date: 05/17/2022
Mailing address: P.O. Box 611, Ellicottville, NY 14731
Cell Phone Number: 716-807-6660 E-Mail: elainenorthrup@gmail.com
Applicant must be (check all that apply): Owner Operator Lessee
Applicant's Engineer or representative: MDA Consulting Engineers, PLLC (Jacob A. Alianello, PE)
Address: 3 Bristol Lane, P.O. Box 604, Ellicottville, NY 14731
Phone #: (716) 699-4650 E-Mail: jalianello@mdaengineers.com
PROPERTY OWNER INFORMATION (if different than Applicant) Name: same as applicant
Mailing Address: n/a
Cell Phone Number: n/a E-Mail: n/a
TYPE OF APPEAL:
✓ Area Variance Use Variance Interpretation of Zoning Law text or map
Section of Zoning Law from which variance is requested: 3A.2 - Village Residential District (VR)
Describe the requested variance: Requested front, side, and rear yard setback variances to construct
new home
Is this appeal from a decision of the Town/Village of Ellicottville Building Official? YES VO
If yes, what as the type of decision or permit? n/a
Date of decision: n/a
A previous appeal has has not been made with respect to this decision or with respect to the property. If a previous appeal was made, provide the Appeal # and Date of Appeal

## Reasons Supporting Your Appeal

Please reply to the questions below for the type of appeal that you are making. These are the criteria that the Zoning Board of Appeals will use to evaluate your appeal. Provide as much detail as possible. Feel free to attach an additional statement.

# **AREA VARIANCE**

In making it's determination on an area variance, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance were granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making that determination, the ZBA will consider these five questions.

- 1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?
  - No. The owner is a long-time of resident of Ellicottville and has owned this lot for over 30 years. The owner is intimately familiar with the character of the neighborhood and proposes to fit the size, style, and placement of the proposed house consistent with the neighboring residences and community.
- 2. Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?
  - The benefit sought by the applicant is to build an accessible home for herself with room for a live-in caretaker, in her own community, on a lot she has owned and maintained for many years. The minimum reasonable size for such a dwelling cannot be achieved without an area variance on this relatively small parcel.
- 3. Is the requested area variance substantial?

  The requested area variance is 5 feet in front, 2 feet in the rear, and 8 feet on the side. The requested front variance matches the neighboring houses on either side, the side variance is against an alley which provides additional separation between residences, and the rear variance is minimal.
- 4. Will the proposed variance have a adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
  - No. The proposed turn-around driveway will not impact flow of traffic on Madison Street. Surface water runoff will be directed to permanent on-site stormwater control practices (rain gardens and dry wells) to prevent adverse impacts on adjacent properties. Lot coverage is below zoning limits for the parcel.
- 5. Is the alleged difficulty self-created, which consideration shall be relevant to the decision of the board, but shall not necessarily preclude the granting of the area variance.

The applicant has owned and maintained this vacant lot for over 30 years, and now desires to build a home suitable for her needs on this lot as she ages. The required setbacks would result in a house that is too small to meet the needs of an aging resident. There are few vacant lots remaining in the village residential core.

#### **USE VARIANCE**

In order for the Zoning Board of Appeals to grant a use variance, the applicant shall show that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove unnecessary hardship, the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- 1. The applicant cannot realize a reasonable return, provided that lack of return is substantial, as demonstrated by competent financial evidence; and
- 2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood; and
- 3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

2 | Page

4. That the alleged hardship has not been self-c	created	
Provide a statement that discusses each of these point caused unnecessary hardship.	nts, demonstrating that the zoning regulation	is have
INTERPRETATION OF ZONING LAW		
Provide a statement that describes what the Building interpretation, and why.	g Official determined, what you believe sho	uld be the
	Attach additional	statement.
PROPERTY / FACILITY NAME Northrup Residence		
Address: 11 Madison Street		
Property tax map #: 55.035-3-54		
Current use of property: Vacant Lot		
Description of Proposed Project/Use (attach addition Construction of new 2-story house with lockout ap		d plans.
Zoning Requirements from Town/Village Zoning L	aw.	
Front yard setback: 25 ft , Rear yard setbac	sk: 35 ft , Side yard setback: 10 ft	,
Combined side: 30 ft , Minimum lot siz	ze: As Platted , Width: As Platted	,
Height: 28 ft , Floor	area ratio: n/a (Village)	
Usable Open space: n/a - Max. Lot Coverage	ge 60%	
Site Information		
Size of site: 7,817 Sq. Ft. Size of area to	be developed: 7,817 Sq. Ft.	
Main Structure:		
Construction type: Wood Frame	Front yard setback: 20	feet
Height: 2 stories,feet	Side yard setback: 10	feet
# of family units: 1	Total of both side yard setbacks: 22	feet
Size of lot: <u>7,817</u> Sq. Ft.	Rear yard setback: 32.1	feet
Usable Open space:%	Floor area ratio: n/a	(Village)
Corner or interior lot? Interior	Other: Lot Coverage: 45%	

Accessory Building:			
Description: n/a - none existing or propose	ed		
Percentage of yard: n/a	Height: n/a	feet.	
Setback from rear lot line: n/a feet	. Setback from side lot	line: n/a	feet.
Floodplain:			
FIRM Zone n/a BFE	n/a		
Flood Plain Development Permit Required	? YES	NO	
ATTACHMENTS			
Attach all relevant items listed in the Town/Villag being submitted. Additional copies of all plans, do required. See attached list of required forms and ir submitted. Deadline for submittal is three (3) weel dates are subject to change by the Board Chair.	cuments and other appl aformation needed for ty	ication materials m pe of application b	ay be being
SIGNATURES			
Applicant and Owner (if different) must sign the applicat	ion.		
I hereby certify that I have examined this application and and ordinances covering this type of work will be compliant approval of this application does not presume to give authoral law regulating construction, land use or the perform Town/Village of Ellicottville zoning law that is relevant.	ed with whether specified had nority to violate or cancel the ance of construction. I hav	nerein or not. The according provisions of any o	eptance or ther state or
Additional Fees may be charged for: pre-application mee labor. Permit Fees are NON-REFUNDABLE	tings, SEQR review, and a	dditional legal/consul	ting/engineering
Permission to inspect – I hereby consent to Town/Village property areas. Town/Village staff may enter the property applicant or agent present, If the property is posted with enter the property. Agency staff may take measurements, samples, sketch and photograph the site.	without notice. Inspection 'keep out' signs or fenced	may occur without the with an unlocked gate	ne owner, , staff may still
Applicant Signature:		Date: 05/17/2022	2
Applicant must be (check all that apply)	Owner Open	ator I	essee
Applicant Name: Print Elaine Northrup			
Property Owner's Signature (if different than app.  Property Owner's Name: Print same as applicant	licant)	Date: May	7,7022
Office use only:			
Application Fee(s)			
Received by:	on		(Date)
Project Number(s):			

# Short Environmental Assessment Form Part 1 - Project Information

# **Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

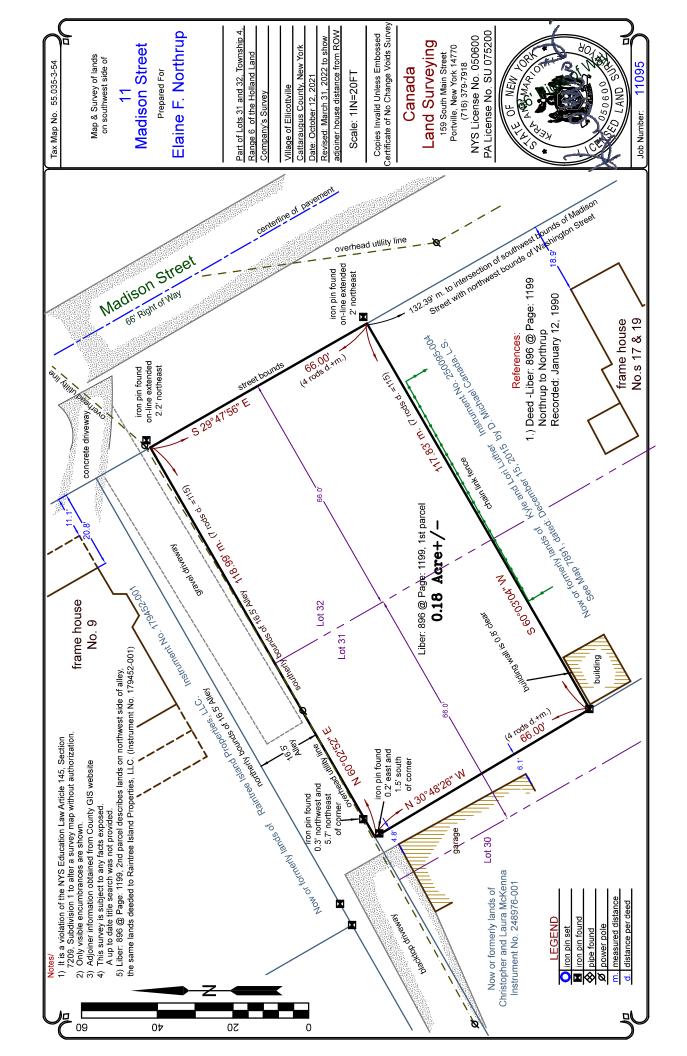
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

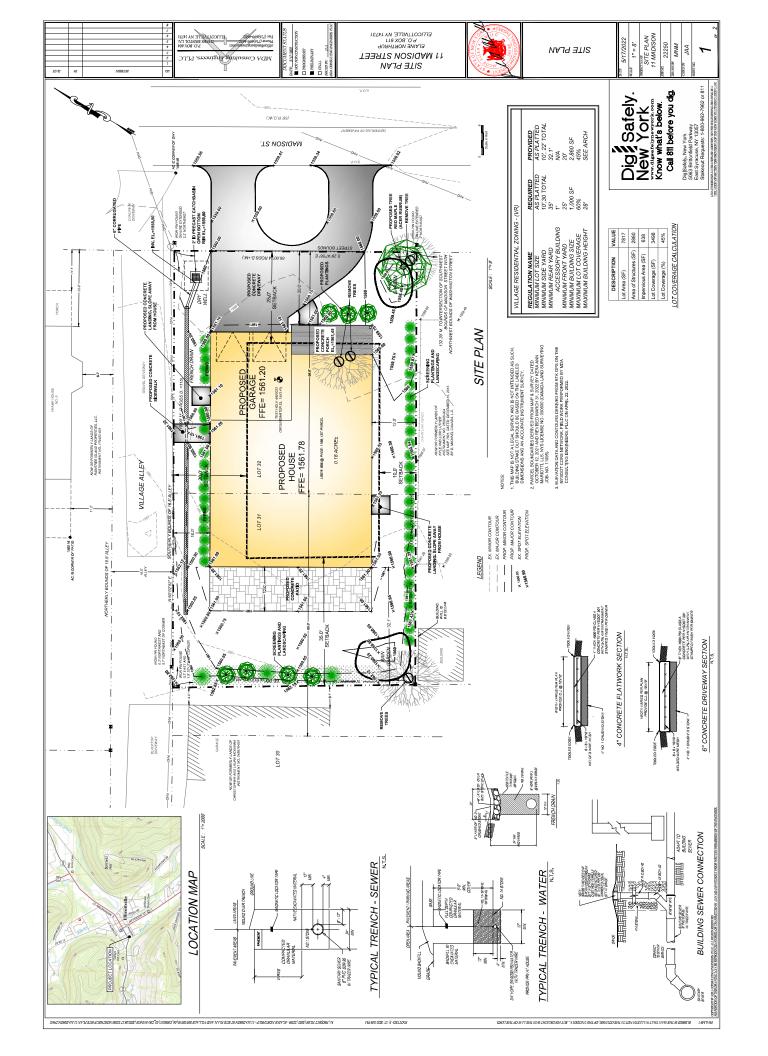
Part 1 – Project and Sponsor Information		
Name of Action or Project:		
New Residence at 11 Madison Street		
Project Location (describe, and attach a location map):		
11 Madison Street, Ellicottville, NY 14731		
Brief Description of Proposed Action:		
New single-family wood frame home at 11 Madison Street in the Village of Ellicottville		
Name of Applicant or Sponsor:	Telephone: (716) 699-46	50
Jacob A. Alianello	E-Mail: jalianello@mdae	ngineers.com
Address:		
P.O. Box 604, 3 Bristol Lane		
City/PO:	State:	Zip Code:
Ellicottville	NY	14731
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	l law, ordinance,	NO YES
If Yes, attach a narrative description of the intent of the proposed action and the e may be affected in the municipality and proceed to Part 2. If no, continue to ques		nat 🗾
2. Does the proposed action require a permit, approval or funding from any other		NO YES
If Yes, list agency(s) name and permit or approval: Village of Ellicottville: building permit or approval: Village of Ell		an 📗 🔽
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	0.18 acres 0.18 acres 0.18 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercia	al 🔽 Residential (subu	rban)
Forest Agriculture Aquatic Other(Spec	eify):	
Parkland		

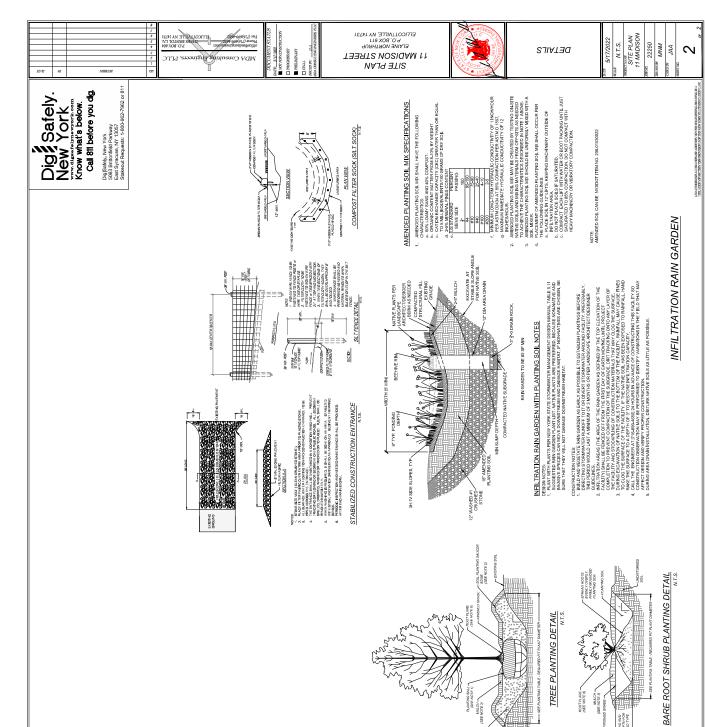
Page 1 of 3 SEAF 2019

5.	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?		<b>V</b>	
	b. Consistent with the adopted comprehensive plan?		<b>V</b>	
			NO	YES
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?			~
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Y	Yes, identify:		<b>V</b>	
				Ш
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	b. Are public transportation services available at or near the site of the proposed action?			
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	,		<b>V</b>
9.	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If tl	he proposed action will exceed requirements, describe design features and technologies:			
				~
10.	Will the proposed action connect to an existing public/private water supply?		NO	YES
	If No, describe method for providing potable water:			
11.	Will the proposed action connect to existing wastewater utilities?		NO	YES
	If No, describe method for providing wastewater treatment:			
			Ш	
12.	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	t	NO	YES
whi	ich is listed on the National or State Register of Historic Places, or that has been determined by the			<b>V</b>
	mmissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the te Register of Historic Places?			
	Ellicottville Historic District National Register: 91PR02592			_
arcl	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for haeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13.	a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
			<u>~</u>	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<b>V</b>	
If Y	Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	<b>V</b>	
16. In the project site leasted in the 100 years fleed plans		VEC
16. Is the project site located in the 100-year flood plan?	NO	YES
	<b>V</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		<b>~</b>
a. Will storm water discharges flow to adjacent properties?	<b>✓</b>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<	
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)?  If Yes, explain the purpose and size of the impoundment:		
Two small rain gardens and one infiltration dry well are proposed to manage stormwater runoff onsite.		1
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility?  If Yes, describe:		
ii res, describe.		
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?  If Yes, describe:		
ii res, describe.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Jacob A. Alianello, PE Date: 05/17/2022		
Signature:		







SEE NOTE 6)

The Northrup Residence 11 Madison Street Ellicottville, New York

Schematic Design

17 May 22

K

Gerald

Gerald Shaffer, Architect 5095 Old Goodmon Road Clarence, New York 14031

East (Front) Elevation

COMMITTEE SEAN METAL PARK POORING

skin book akonss

0.9

CANON WAY

0-6

PIRST PLOOR LINE

WHITE CHARBONED SIDING

CEILING

SPACE SPACE

17 May 22 55° × の名から 07.75CE CRAWILY CACE. PANTE! 0.0 DINING ASON でなる。 First Floor Plan MAKER BEDROOM 150x 150 LIVING APEA 19°× 20° GEINING SLORES TAIBERT 827.00 54.400

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# The Northrup Residence

11 Madison Street Ellicottville, New York

Schematic Design



Gerald Shaffer, Architect 5095 Old Goodrich Road Clarence, New York 14031

CARETAKER BERCOM | (04×12° CARETARDS BODROOM 2 104×12° CARTAKEE CITTING AREA 103x 194 6 MODE 25 ATTIL STORAGE 2 MODAGE LOFT APER open to Living area (Belon)

The Northrup Residence

11 Madison Street Ellicottville, New York

Schematic Design

17 May 22



Gerald Shaffer, Architect 5095 Old Goodnich Road Clarence, New York 14031

Second Floor Plan