

**AGENDA**  
**MEETING OF THE**  
**TOWN OF ALLEGANY PLANNING BOARD**

Monday, May 09, 2016  
at 7:00 p.m.  
Allegany Town Hall  
52 W. Main Street, Allegany, NY

Salute to the Flag

Public Hearing:

Woodside Application (#12-16)

Minutes:

April 12, 2016 Meeting

Old Business:

Woodside Application (#12-16)

New Business:

None

Other Business:

None

Correspondence:

None

**Next Planning Board Meeting:**  
June 13, 2016

**Town of Allegany Planning Board**  
**Meeting Minutes**  
Monday, May 9, 2016 at 7:05 p.m.  
Allegany Town Hall, 52 W. Main Street, Allegany NY

APPROVED June 13, 2016

**Present:**

Frank R. DeFiore, Chairman	Joseph Chamberlain
John Sayegh	Peter Hellier
Rick Kavanagh	

**Audience guests present:** Kathy Martin (Allegany Town Board member); Don Sue (Allegany Town Zoning Board); Nicholas DiCerbo, Esq.; Christopher DiCerbo, and Teresa Kavanagh.

Chairman Frank DeFiore opened the public hearing with the Pledge to the Flag at 7:05 p.m.

**PUBLIC HEARING:**

Chairman Frank DeFiore announces: This is a public hearing on the proposed Woodside Application for a special use permit (application #12-16).

Each board member has for review the Chairman's Report, Town of Allegany Agricultural Data Statement; and previous owner's County Health Department information. Chairman DeFiore asks any audience members if they would like to speak in reference to the Woodside Application. No requests to speak are made by the guests. Chairman DeFiore discussed fencing of the area and location of setbacks. Board member Peter Hellier inquired about the septic and water system. A brief discussion was held regarding the County's recommendations which the applicant is currently in the progress of handling.

As there are no further comments made Chairman DeFiore asks for a Motion to close the public hearing. Motion to close public hearing is made by Planning Board Member John Sayegh motion to close the Public Hearing at 7:10 p.m. and 2<sup>nd</sup> by Pete Hellier. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, J. Chamberlain and Chairman DeFiore.

**Minutes:** Chairman DeFiore asks Board members for any comments to the Planning Board minutes of April 11, 2016. Move to accept the minutes as written by Chairman DeFiore and 2<sup>nd</sup> by Joseph Chamberlain. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, J. Chamberlain and Chairman DeFiore. Motion carried.

**Old Business:**

Chairman DeFiore discusses Woodside Application. Board member Rick Kavanagh inquires of applicant what applicant was planning as far as lighting of outside area and shielding of noise/music to surrounding homes and also water requirements. Also discussed was parking lot size, drive aisles and ability for potential emergency vehicles entering and exiting the area.

Chairman DeFiore discussed the fencing around the area and also Health Department requirements for a kitchen. Applicant is following Health Department regulations regarding his kitchen design.

As there is no further discussion, Chairman DeFiore makes a Motion to approve the applications by Christopher DiCerbo for Special Use Permit (#12-16) and Site Plan Review (#11-16) to operate a restaurant/tavern at the 3319 West River Road (Tax map # 93.004-2-28-1) as shown on the site plan dated 3/24/2016 with the following conditions:

- 1) That all entrances and exits will conform with the Federal, State & County and local regulations regarding distances from roadways and maintain the appropriate site distances.
- 2) Maintain all of the drive aisles so as to allow emergency vehicles as well as personal vehicles for a safe ingress and egress.
- 3) Continue to maintain all parking spaces in accordance with Town of Allegany ordinances regarding size as well as Federal and State regulations including but not limited to special needs spaces in numbers and size.
- 4) Following County Health Department recommendations regarding the septic systems for water, kitchen and operating permit approvals.

Motion was 2<sup>nd</sup> by John Sayegh. Ayes: R. Kavanagh, P. Hellier, J. Sayegh, J. Chamberlain and Chairman DeFiore. Motion passed.

Applicant Christopher DiCerbo thanks the Board for their time.

Motion to close meeting at 7:20 p.m. is made by Chairman DeFiore and 2<sup>nd</sup> by Rick Kavanagh. Ayes: Chairman DeFiore, P. Hellier, J. Sayegh, J. Chamberlain and R. Kavanagh.

Next Meeting – June 13, 2016.

Respectfully Submitted:

Donna G. Stady, Secretary to Planning Board