

Town of Allegany Planning Board
Joint Special Meeting With Allegany Town Board
Minutes
June 8, 2011 at 7:00 PM Senior Citizen's Center – Birch Run Rd.

Present Planning Board:

Bob Phillips, Chairman
Frank DeFiore
Peter Hellier
Rick Kavanagh
Helen Larson

Town Board

Supervisor Patrick Eaton
Councilman John Hare
Councilman James Hitchcock
Councilman Ray Jonak
Councilman Hans Sendlakowski
Town Clerk Mary Peck

APPROVED July 11, 2011

Also Present:

Carol Horowitz, Town Planner; Lynette Semsel, Secretary; Nick Pircio, Kate Sager, Times Herald; Rodney Gleason, Highway Superintendent; Don Sue; Phil Winger, St. Bonaventure; Robert Blood, Architect, Lauer-Manguso; Mike Droney; Jim Rouleau; Jan Pelligrini; Anne Juliano; Nate Mills, Justine Nobles, Mary Gergel; Cecelia Pleakis; J. Willard Taylor; Mike Giardini; George & Sue Anthony; Robert & Helen Stritof; Corey Wiktor; Steve Teuscher; Pat Conroy; Jason Crisafulli; Tyler Brandt; Tom & Kathy Martin; Bobbie & Matt Shawley; Marlena Mosley; Townspeople.

Supervisor Eaton opened the meeting at 7:00 PM with the salute to the flag. He then thanked everyone for coming to the public hearing. The purpose of the Town board's hearing is for a zoning amendment request for height changes and fencing changes at the Bona Square site. The fencing as currently written is to be entirely enclosed. The Town Board wants to give the Planning Board and the property owners the ability to negotiate what type of berm, bushes, trees, etc. they want. The Planning Board's public hearing is on the site plan application as required by State law.

Motion to open the Town Board Public Hearing meeting was made by Ray Jonak. 2nd by John Hare. Ayes all. Carried.

Motion to open the Allegany Planning Board Bona Square Phase 1 Site Plan Application Public Hearing was made by Frank DeFiore. 2nd by Helen Larson. Ayes all. Carried.

A brief description of the site design was made by the landscape architect, Robert Blood. The approximately 18 acre parcel lies on the north side of Route 417, across from St. Bonaventure. The main entrance will be directly across from the Francis Drive. Using detailed architectural renderings, Mr. Blood pointed out the entrance courtyard, gathering space, bookstore, 2-story retail/office building, entertainment complex, 4-story apartment building, 4-story hotel, district energy plant that will serve power to the buildings on site, all part of the initial phase of development. A 2-floor sports complex and a pedestrian-only pathway to the parking area will be the second phase of development. A secondary entrance and exit of the road, which is proposed to be a public road, will exit onto Route 417 near Willard Street.

Superintendent Eaton asked for comments from the public.

Mr. George Anthony, a resident on Willard Street, asked for the height of the sports complex and how close is it to the property line. Mr. Blood answered that the building has not yet been designed but would probably be in the neighborhood of 60 feet high and between 50 to 70 feet from the property line. Mr. Anthony then asked if he would see the wall and what will that do to the property values of those living on Willard Street.

Mike Droney is the business owner right next to the access road: There is an elevation difference between his property and the parking lot and he asked how this will affect water drainage. Does the access road have to have the crookedness following the property line? He has a very busy practice and his concern is over snow removal. He has a curb cut that he may reopen and if a new curb cut is done, his patients may have difficulty from a safety issue with driving. Could the road be straightened so it is parallel with all the property lines? He has tried to purchase a small wedge of property from the University and he still would like to do so. His issues are the lowness of his property and how will the water drainage be addressed, the closeness of the road to his building, snow removal, and the fence and curb cut.

Superintendent Eaton: The drainage will be handled in this area with a roadside gutter which will eventually take it into Route 417 drainage system. Regarding the fence, we are bound to provide it now; but, based on how things go tonight, that could change and we will be able to talk about an alternative. As far as the curb cut, the State would have the say on it and the applicant will have to submit the application to them for work permits and curb cuts.

Anne Juliano asked whether an environmental study was done on the cogeneration plant to see what effect it would have on the area.

Sue Anthony questioned how soon the phase 2 sports complex will go in and does the Planning Board have any idea about the property values and could they give any advice about it. She is planning on selling in a couple of years and is concerned there will be a major loss in value because of the sports complex in her backyard. Superintendent Eaton said the assessor could do some research on it.

Tom Martin, Cranberry Road, had privacy concerns. A large part of their yard does not have any trees and, sitting on their deck, they would be facing the parking lot. He asked for the distance from the property line to the pavement of the parking lot and was told it is in the neighborhood of 20'. He made the comment that this is now a PD zone which gives the Planning Board more flexibility. Prior to the change, a commercial development against a residential property would have given 40' buffer. He expressed his displeasure that the buffer has gone from 40' to 20' right along his property line. He then asked if he could get a berm put in and an 8' fence to maintain their privacy. He questioned how much spillage from the lights will be. Councilman Hare answered the lighting will shine down on the parking lot and not out.

Bobbie Jo Shawley, Cranberry Road, asked the location of the power plant and the safety and size. Craig Marlett answered that the Power Plant is a much larger description than what it really is. It is a building with boilers in it. He stated they have very strict standards put on them by the Town. It is a 5,000 sq. foot building.

Jan Pelligrine, Cranberry Road, asked if there will be an access road from the power plant and parking lot to Castle Drive. She was told the Castle Drive will be an emergency access only—a gated solution.

Mary Gergel asked the distance from the fence to her property line and was given the answer that it is 80 feet from her house to the fence and about one foot from her property line to the fence.

Kathy Martin, Cranberry Road, stated: “Currently you alluded you are bound to fencing along the property line but that could change based on what happens tonight. What point do we address that issue if we want something other than a fence?” Superintendent Eaton said they will address that at the Town Board meeting, Thursday, June 9. If the Board wants to change that, then the applicant will be required to talk to the residents to address their needs.

Motion to close the Town Board portion of the public hearing was made by John Hare. 2nd Ray Jonak. Ayes all. Carried.

Motion to close the Planning Board portion of the public hearing was made by Rick Kavanagh. 2nd Peter Hellier. Ayes all. Carried.

Meeting adjourned at 7:35 PM.