

AGENDA
MEETING OF THE
TOWN OF ALLEGANY PLANNING BOARD

Monday, August 11, 2014
at 7:00 p.m.
Allegany Town Hall
52 W. Main Street, Allegany, NY

Salute to the Flag

Minutes

July 14, 2014

Old Business

None

New Business

None

Other Business

Informational presentation: Kody Sprague

Community Bank

Status Update: revisions to site plan

Zoning ordinance update:

Revised Article II, Definitions

Revised Article V, Supplemental Regulations: Signage Regulations

Correspondence

Letter from R. McNamara to Town Board, re Go-Kart race track

Next Planning Board Meeting:
Monday, September 8, 2014

**Town of Allegany Planning Board
Meeting Minutes**

Monday, **August 11, 2014** at 7:00 P.M.
Allegany Town Hall, 52 W. Main Street, Allegany, NY

APPROVED September 8, 2014

Present:

Frank DeFiore, Chairman
Pete Hellier
Rick Kavanagh
Helen Larson
John Sayegh

Also Present:

John Hare, Town Supervisor; Kody Sprague, Sprague Development; Robert McNamara; Tiffany Tredway; Carol Horowitz, Town Planner; Lynette Semsel, Secretary

Chairman DeFiore opened the meeting with the Pledge to the Flag at 7:00 PM.

Minutes

Chairman DeFiore asked for corrections, additions, deletions to the July 14, 2014 Planning Board Meeting.

Mr. DeFiore made the motion to approve the minutes of the July 14, 2014 meeting with a minor correction. 2nd by Mr. Sayegh. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

Other Business

Informational presentation: Kody Sprague – Revitalization Project for Exit 24, Old K-Mart plaza.

Mr. Sprague presented preliminary plans for the property. He is currently in the due diligence phase. He still has an opt-out period of 30 days while he is exploring the feasibility of the project. His possible goal is to redevelop it into a retail plaza likely utilizing some of the road frontage for outparcels. At this time, he is not changing the footprint but he is currently getting asbestos testing and estimates for roof repairs. His first steps would be to secure the roof and improve the frontage along 417, erect a sign, fix the curbing and the blacktop for the first 30-40 feet to bring the property to the point where he can market it to potential tenants. He would like to start the façade work before winter.

Mr. Sprague indicated a major obstruction to the project is the lack of sewer out to the property. Mr. Hare said the Town is working on possible grant money and other avenues for securing the funding. Mrs. Horowitz stated, before any construction of the sewer line could be done, the Town Board would have to form a sewer district. If the project is driving the request, Mr. Sayegh said the Town could apply for casino funds from the county.

The project would be in the Route 417 West Corridor Overlay District so any new construction would have to conform to the requirements of that overlay district. The K-Mart plaza and K-Mart building pre-date the Town's Zoning Ordinance and no site plan was ever approved for that parcel; therefore; to change or alter the building facade would not trigger the requiring of site plan review.

Mr. Sayegh explained that Start-Up NY, the new program from New York State, will provide tax incentives for new manufacturing projects and, if any part of the tenancy of Mr. Sprague's proposed project includes manufacturing, the manufacturer might be able to apply for the program and take advantage of those incentives.

Informational presentation: Robert McNamara – Go-Kart Track Project - Old Drive-in Theater Property, Rte. 417.

Mr. McNamara presented his rough plans for a Go-Kart race track, restaurant, command center, bleachers, scale house and a tech house. He is currently negotiating to purchase the property from the owner, Living Waters Church.

Mrs. Horowitz explained the process necessary for this project to proceed. Since this project is not a permitted use in the I-1 Zoning District where the property is located, Mr. McNamara will have to apply to the Town Board for an amendment to the Town's Zoning Ordinance to add "commercial recreation facilities" to the list of special permitted uses in the I-1 Zoning Ordinance. It would be a zoning amendment, not to the map, but to the text; therefore, it has to go through the Zoning Amendment process.

The Town Board would hold a public hearing; conduct SEQRA review on the amendment; refer the amendment to the County Planning Board; and refer the amendment to the Town Planning Board for a recommendation. If all these steps get approval, then the Town Board would make a decision. If they do approve the amendment, "commercial recreation facilities" would be added, probably as a special permitted use; therefore, an application to the Town Planning Board for special use permit would be required. The Planning Board would then have to conduct SEQRA review on the application where the questions would be more detailed; i.e., noise, lighting, dust and mitigation measures. The Planning Board would then hold a public hearing and determine if a special use permit should be approved.

Mr. McNamara is scheduled to present his proposed plans to the Town Board August 12, 2014. Mr. DeFiore thanked Mr. McNamara for meeting with the Planning Board.

Update on Community Bank Project

Mrs. Horowitz emailed and received a reply from Tom McElheny (Clark, Patterson Lee) pertaining to the progress of the amended landscaping plan to be submitted for the Planning Board's review and approval. He indicated the rain held them up on their work to get a finished elevation of the property. He expects they will have the information available in time for the September Planning Board meeting.

Training Hours

Everyone other than Mr. Kavanagh has enough training hours; however, the training coming up at STW is free. If anyone wants to attend, they can do so.

Other Business

Zoning ordinance update:

Revised Article II, Definitions
Revised Article V, Supplemental Regulations
Revised Article IV, District Regulations


The Board continued their discussion and changes on the Zoning ordinance update.

Section 5.07: There was some confusion on (D) and (E) and the Board requested Mrs. Horowitz to rework these.

Mr. Hellier made the motion to close the meeting. 2nd by Mr. Kavanagh. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,


Lynette K. Semsel
Secretary