

AGENDA

MEETING OF THE TOWN OF ALLEGANY PLANNING BOARD

**Monday, September 8, 2014
at 7:00 p.m.
Allegany Town Hall
52 W. Main Street, Allegany, NY**

Salute to the Flag

Minutes

August 11, 2014

Old Business

None

New Business

Nicholas Porcello DBA Valley View Dental Clinic (#87-14)
Expansion of building and parking lot (site plan approval)

Other Business

Country Inn & Suites facade renovations: Status Update

Community Bank

Status Update: revisions to site plan

Zoning ordinance update:

Revised Article V, Supplemental Regulations

Correspondence

None

**Next Planning Board Meeting:
Monday, October 6, 2014 (1st Monday of the month)**

Town of Allegany Planning Board
Meeting Minutes
Monday, **September 8, 2014** at 7:00 P.M.
Allegany Town Hall, 52 W. Main Street, Allegany, NY

APPROVED October 6, 2014

Present:

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

Also Present:

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 August 8, 2014 Planning Board Meeting.

Mr. Kavanagh made the motion to approve the minutes of the August 8, 2014 meeting as written. 2nd by Mr. Hellier. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

New Business

Nicholas Porcello DBA Valley View Dental Clinic (#87-14)
Expansion of building and parking lot (site plan approval)

Mrs. Horowitz wanted to note for the record that this project will require variances for both the building on the north side and the parking lot on the north side and the front setback. The side setbacks are called out on both the original plans and current revised plan. (The revised plan was delivered this afternoon to the Town Hall and first distributed to the Board at this meeting.) The original proposed site plans, dated August 7, 2014 and provided with the application, were deficient as they omitted the 0.170 additional right-of-way area that has been acquired by Cattaraugus County. The plans that came in this afternoon do show that parcel; however, they do not call out the exact dimension for the required property yard setback. They indicate “approximately 5 feet.” The variance Valley View Dental Clinic received in 2012 from the Zoning Board of Appeals was for a setback of 5 feet; however, the right-of-way is at an angle allowing for the possibility that the dimension may be less than the required 5 feet where the parking lot is to be expanded. It is critical, especially for the Zoning Board of Appeals, to know exactly what is being requested in terms of a variance. Mrs. Horowitz will contact the applicant

to get a precise figure on the distance. The Zoning Board of Appeals is set to have a public hearing on these setback variances on Monday, September 15, 2014.

The Board had a general discussion on the plans; however, since no one representing the applicant attended the meeting, the decision was made to table the project until the October 6, 2014 meeting. The project still has to go to the County Planning Board and the Town of Allegany Zoning Board of Appeals for approvals before the Planning Board can proceed with their approval. The decision on whether or not to waive the public hearing for the site plan was also tabled.

Mr. Kavanagh made a motion to table the Valley View Clinic Expansion, #87-14, until the October 6, 2014 Planning Board meeting. 2nd by Mr. Hellier. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

Other Business

Country Inn & Suites facade renovations: Status Update

Mrs. Horowitz informed the Board that the Fairfield Inn/Marriott Hotel presented plans to the Town Code Enforcement Officer on the façade renovations for the present Country Inn & Suites. They are proposing to completely redo the façade, taking off the clapboard and replacing it with a type of stucco. They are also taking off the peaked porch and adding a porte-cochère which would be attached to the building wall and then supported by two pillars in the parking lot. Since the Country Inn & Suites approval precedes the Overlay District, there was no architectural review. In reviewing the situation with Jerry Dzurhoff, Code Enforcement Officer, and based on the criteria that was used for the old K-Mart building at Exit 24, Mrs. Horowitz stated they determined there did not seem to be any trigger to warrant Planning Board approval and only a building permit would be required.

Mr. Kavanagh disagreed. He felt strongly that, though the Zoning Ordinance did not require approval of the renovations to the Country Inn and Suites, the Planning Board should not sit back and do nothing. The Overlay District was put into place to ensure that whatever is built will not look like just another corporate unit.

His opinion was that the Zoning Ordinance should be amended to require certain renovations, such as changing the façade and general appearance of the building, to meet the requirements of the Overlay District regardless of when the original site plan approval was given. This amendment would need to be in the Site Plan Approval section of the Zoning Ordinance. He said new buildings, such as Microtel, were held to a higher standard with specific requirements to the character of the façade, all sides of the building, the architectural detailing, etc.

Mr. Kavanagh made a motion that the Planning Board write a letter to the Code Enforcement Officer expressing their concerns regarding the aesthetics of the renovations being done to the current Country Inn & Suites building as it converts to a Fairfield Inn and the current 417 Overlay District requirements.

The Planning Board was able to access the plans submitted to the Code Enforcement Office by the applicant. Included was a rendering of the building showing the alterations for the façade, the roof, and the types of materials being used. After studying and discussing the

rendering, the Board agreed the renovations would be acceptable in the Overlay District and Mr. Kavanagh withdrew his motion.

The Board does want to look into changing the Zoning Ordinance to avoid problems in the future in this overlay district.

Community Bank Project: Status Update

The NYS DEC had a number of issues with the grading and seeding at the Community Bank project; therefore, the applicant has not had a chance to get the required new landscaping plan and elevations ready for the Board's approval. The Board is hopeful they will present these at the October 6, 2014 meeting.

Go-Kart Track Project - Old Drive-in Theater Property, Rte. 417: Status Update

Mrs. Horowitz said the Town Board did not have a complete application on this project until after their August meeting. Mr. McNamara has since paid the fee and Mrs. Horowitz helped him fill out the SEQR forms and the application is on the agenda for the Town Board's meeting tomorrow night (September 9) for the Town Board to formally refer it to the Planning Board. The amendment to the Zoning Ordinance to add "commercial recreation" as a special use in the I-1 District will be on the October 6, 2014 Planning Board agenda as a referral from the Town Board. It is only a text amendment to the zoning law and not project specific. If the Planning Board recommends the amendment and the Town Board approves it, the applicant would be required to come back to the Planning Board for a special use permit.

Other Business

Zoning ordinance update:

The Board continued working on updating the ordinance.

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

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,


Lynette K. Semsel
Secretary