

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

**Monday, February 11, 2013  
at 7:00 p.m.  
Allegany Town Hall  
52 W. Main Street, Allegany, NY**

**AGENDA**

**Salute to the Flag**

**Minutes**

January 14, 2013

**Old Business**

Appoint Deputy Chair of Planning Board

**New Business**

Bonaventure Square:

Amendment to Site Plan

**Other Business**

Zoning ordinance update:

Schedule B and Dimensional Regulations

**Correspondence**

None received

**Next Planning Board meeting:  
Monday, March 11, 2013**

**Town of Allegany Planning Board  
Meeting Minutes**

Monday, February 11, 2013 at 7:00 P.M.  
Allegany Town Hall, 52 W. Main Street, Allegany, NY

**APPROVED March 11, 2013**

**Present:**

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

**Also Present:**

John Hare, Town Supervisor; Carol Horowitz, Town Planner; Kinley Corporation  
Representatives: Jason Crisafulli, Mike Giardini, Charlene Rhodes, Rodney Gleason; Kathy  
Martin, resident; Donald Sue; Lynette Semsel, Secretary

---

Chairman DeFiore opened the meeting with the Pledge to the Flag at 7:00 PM. He then asked if there were any corrections or changes to the minutes of January 14, 2013.

***Mr. Hellier made a motion to approve the minutes of the January 14, 2013 meeting. 2<sup>nd</sup> by Mr. Sayegh. Ayes all. Carried.***

**OLD BUSINESS: Appoint Deputy Chair of Planning Board**

Mr. DeFiore recommended to the Planning Board to appoint Mrs. Helen Larson as Deputy Chair.

***Mr. Kavanagh made a motion to appoint Mrs. Helen Larson as Deputy Chair of the Planning Board. 2<sup>nd</sup> by Mr. Sayegh. Ayes all. Carried.***

**NEW BUSINESS: Bonaventure Square: Amendment to Site Plan**

Mrs. Horowitz indicated to the Board that an application for an Amendment to the Site Plan for the Bonaventure Square project was presented by Kinley Corporation at the end of the previous week. She also stated she had prepared a memo comparing the approved Site Plan with the new proposal which the Board should already have received. She then asked Mr. Giardini to explain the drawing he brought to the meeting.

Mr. Giardini combined the 4.0 and 4.1 sections of the original utility plan drawings to show the sewer and water lines for Phase I. He further stated he doesn't want to build Phase II utility lines until they know what will be constructed so they know where to put the lateral. Nothing changes in this Utility Plan other than, when it is constructed, Phase I will be done first with Phase II constructed later. The drainage stays the same also.

Mrs. Horowitz said the plans were originally reviewed by the Town Engineer. They also need to be presented to the Cattaraugus County Health Department for approval and Mr. Crisafulli stated they have been submitted to Eric Wohlers.

There will be a temporary 92-space, gravel parking area behind the apartment/retail complex. Kinley Corp. does not want to pave this area until the actual Phase II plans are completed. Mr. Giardini said the NYS DEC is very particular about the drainage under paved areas and Kinley wants to know exactly where the final parking area is located before they pave it.

Mrs. Horowitz had some concerns about the parking as the original approved plans for the hotel, bookstore, apartment building and entertainment/retail showed 532 parking spaces. The current plans presented only have 409 total spaces which is 123 fewer. The total number of parking spaces for the project was the recommendation from SRF Associates, Traffic Engineering & Planning Consultants and were based on each building's use per the Urban Land Institute Methodology for shared parking. When the Board was evaluating the site plan for Phase I, the parking spaces for the Sportsplex were subtracted out to come up with the figure of 532 spaces. The difference of the 123 spaces is mostly coming out of the total of the apartment building and Mrs. Horowitz is of the opinion that there is not enough parking. Mr. Crisafulli would like to know exactly how many parking spaces the Town requires. Mr. Giardini said the zoning regulations require one space per unit for hotels and apartments; retail depends on the type of business.

Mr. Crisafulli asked, if they stay with the apartment building where it was originally located even though they feel it would be wasting space, would they be able to just go ahead with the project. Mrs. Horowitz answered that they have an approval to build.

Mr. Hellier and Mr. Kavanagh both disliked the gravel parking. Concerns were how long the parking would remain gravel; the noise from cars driving over gravel; the area to be used is raised and the lights from the cars will shine on the residences; the difficulty of, or lack of, the marking of spaces; and the fact there are less spaces than were at the original location for the apartments.

Mrs. Horowitz was concerned that, no matter how attractive the apartments are, those who rent may not want to park in the gravel parking lot and have to fight for a space. Mr. Crisafulli said the gravel parking lot is very temporary. Mr. DeFiore asked if Kinley could bring lengthen the gravel parking lot to add more parking. Mr. Crisafulli answered they could do so.

Mr. Hellier suggested the Planning Board refigure the total parking spaces needed per the code. Mrs. Horowitz said she can refigure the parking spaces by using only the zoning ordinance which may end up to be higher than what is in the SRF study. She added there were no minimum standards that the Town Board imposed; only that parking has to be adequate for each phase of the development. For example, if the bookstore is the first to be built, then parking for that building would need to be included.

Mr. Crisafulli mentioned that the bookstore will now be medical offices which close at 5 pm and would not be taking parking spaces in the evening. A portion of the second floor of the stand-alone building might also be medical offices. The bowling alleys will be on the first floor with kids' lanes on the second. The second floor also has a mezzanine overseeing the first floor.

On the current approved plans, angled parking in one area is shown due to the fact it is very constrained. This section of the roadway is marked one-way. There was some discussion on whether it was feasible to make it two way as it cause some problems in the initial phase but the consensus was to leave it one way. Once the project is done, the traffic will flow as intended.

Mrs. Horowitz went over the elevations on the plans. She asked Kinley for an elevation of the north which wasn't shown on the plans. She will take the plans to the Town Engineer,

Mark Alianello. She also asked Mr. Crisafulli if they ever did the road abandonment and he and Mr. Hare said it had been done.

Mrs. Horowitz also stated she felt there was nothing in what Kinley is proposing that rises to reopening SEQR; however, the Board should make a decision and motion on their decision.

***Mr. Sayegh made a motion that Kinley's proposed Site Plan Amendment does not warrant reopening SEQR. 2<sup>nd</sup> by Mrs. Larson. Ayes all. Carried.***

Since this is an amendment to the site plan, a public hearing is optional and the board made the following decision:

***Mr. DeFiore made a motion that Kinley's proposed Site Plan Amendment does not warrant having a public hearing. 2<sup>nd</sup> by Mrs. Larson.***

Discussion: Mr. Kavanagh felt the gravel parking could cause enough noise to warrant a public hearing. Mr. Hellier stated he thought one purpose of a public hearing is to inform the public of the new plans.

***Mr. Kavanagh – nay; Mr. Hellier – nay; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore - aye. Carried.***

Mr. DeFiore asked that the plans be placed on the Town's Website.

**OTHER BUSINESS:**

Mr. Hare asked to address the Board stating one of the provisions in the County's referral requirement is that the Town can enter into an agreement. There is a checklist of items that are routinely returned to the Town as a local issue and not a county issue. With this agreement, these items will not have to go to the County for approval first which will expedite the process.

**Zoning ordinance update:**

The Board continued their update on the Zoning Ordinance, Schedule B, including height limits, setbacks, lots of record, flag lots. Mrs. Horowitz will look up information regarding flag lots.

***Mr. Hellier moved to adjourn. 2<sup>nd</sup> by Mr. Kavanagh. Ayes all. Carried.***

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

Respectfully submitted,



Lynette K. Semsel  
Secretary