

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

**Monday, January 14, 2013
at 7:00 p.m.
Allegany Town Hall
52 W. Main Street, Allegany, NY**

AGENDA

Salute to the Flag

Minutes

December 10, 2012

Old Business

None

New Business

Bonaventure Square: Status Update (Jason Crisafulli)

Other Business

Zoning ordinance update:

Discussion of accessory uses on draft Schedule A

Discussion of potential changes to Schedule B, Dimensional Regulations

Correspondence

None received

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

**Town of Allegany Planning Board
Meeting Minutes**

Monday, January 14, 2013 at 7:00 P.M.
Allegany Town Hall, 52 W. Main Street, Allegany, NY

APPROVED February 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, Rodney Gleason; Bob Nolan; 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 December 10, 2012.

Mr. Kavanagh made a motion to recommend to the Allegany Town Board to appoint Mr. Frank DeFiore as Chair of the Planning Board. 2nd by Mrs. Larson. Mr. Hellier – aye; Mr. Kavanagh – aye; Mrs. Larson – aye; Mr. Sayegh – aye. Mr. DeFiore – abstained. Carried.

Mr. Hellier made a motion to approve the minutes of the December 10, 2012 meeting with a minor correction. 2nd by Mr. Kavanagh. Ayes all. Carried.

OLD BUSINESS: None

NEW BUSINESS: Bonaventure Square: Status Update (Jason Crisafulli)

Mr. Crisafulli discussed the changes to the Bonaventure Square project they would like to present in new architectural drawings within the next week. They are not planning to change the layout of the project. Their version of Phase 1 includes the hotel, the retail, and the family entertainment center. The residences (apartments) were also included in the approved Town's Phase 1. Using the exact same layout (footprint) for the family entertainment, the change they are proposing is to add two stories and place the residences above. Since the entertainment footprint is larger than the original apartment footprint, they can have the same amount of space for the apartments in the added two stories and not exceed the height limit original to the apartments. This would allow them to do more with less land and provide more opportunities in Phase 2. If they did build the apartments in Phase 2, they would come back to the Board for approval.

After much discussion, the Planning Board determined that, since the Town Board, in their Establishment of Planned Development (P-D) Zoning District and Approval of Development Plan Adopted August 26, 2010 and amended June 9, 2011, was specific on the number of stories, height limit, space for each building, the Town Board would have to make the determination if Kinley's proposal is still within the parameters.

Mr. Sayegh moved to refer Kinley Corporation's request to build the apartment building over the entertainment/restaurant space in the Bonaventure Square Development plan to the Town Board and the Town Attorney for their determination on whether this is a significant change or within the height parameters set by the Town Board in their Establishment of Planned Development (P-D) Zoning District and Approval of Development Plan Adopted August 26, 2010 and amended June 9, 2011. If the Town Board and Town Attorney should determine this needs to be treated as an amendment to the Zoning Ordinance, The Planning Board recommends that such an amendment should be adopted. 2nd by Mr. Hellier. Ayes all.

Mr. Kavanagh stated that moving the apartments over the entertainment center will mean a change in the footprint of the project. Kinley is approved for the building that sits out in front and, if it is not going to be built, the footprint obviously changes; i.e. the utilities, parking, clock tower.

Mrs. Horowitz: It is going to require an amendment to the Planning Board's special use permit as there has to be adequate parking for all the components they are providing. They are redoing the architecture; however, they also need to redo the site plan. The present plans would need the apartments grayed out and marked Phase II or whatever.

Mr. Hellier asked if the sports arena is still viable. Mr. Crisafulli answered that anything is possible but they are not pushing it. The area that shows the apartments and the arena will be considered Phase II and they are not sure what their plans will be and they will come back to the Board when this is determined.

Mr. Giardini pointed out they will have temporary parking where the arena would be located. This would be gravel. When the permanent parking is determined, the area will be paved.

Once the Town has made their determination on the height limits, Kinley will bring the final drawings back to the Planning Board.

In the Town Board and the Planning Board's approvals, there was a list of requirements, water, drainage, sewer, etc., and Mrs. Horowitz asked Mr. Crisafulli to make sure those are all checked. We will need the engineering drawings to be able to send them to the Town Engineer for review. She mentioned Kinley must get their approvals from the County and D.E.C.

OTHER BUSINESS: Zoning ordinance update:

Mrs. Horowitz presented the Board with a schedule for 2013 to continue updating the Zoning Ordinance. The Board continued their discussion of accessory uses in draft Schedule A and the potential changes to Schedule B, Dimensional Regulations.

Specific items to be looked at in the future:

- Parking lot setbacks may be excessive.*
- 100' road frontage requirement.*

Mrs. Larson moved to adjourn. 2nd by Mr. Kavanagh. Ayes all. Carried.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,



Lynette K. Semsel
Secretary