

## Board of Trustees Meeting Minutes

4/17/2017 7:00 PM

The regular meeting of the Board of Trustees was called to order at 7:00 pm with a salute to the flag led by Mayor G. Pearl.

Present: Mayor: G. Pearl; Trustees: K. Granger, R. Barton, J. Cummins, M. Meyers

Also Present: Kimberly Roth-Clerk Treasurer, Dominic Papasergi-Chief of Police/DPW Superintendent, Village Attorney-Joseph Miller, Aaron Tiller, Charles Bischof, Laura Lamb, Kathleen Eggert, William Wiedman, William Kolasa, Lori Bennett-Kolasa, Judy Grace, Fred Grace, Anthony Ramire, Mike and Natalie Smith, Stephen Carlson, David Drake, Steve Saunders, Ron and Linda Cecchi, Sandy Miller, Jeff Wallen, Raj & Harshida Patel, Raj Gulati, Dr and Mrs. Douglas Borromeo, Stuart Moore

### RESOLUTION #2017-073

On motion made by Trustee J. Cummins, second by Trustee K. Granger resolved to approve the payment of current bills. Aye-all, Nay-none.

### RESOLUTION #2017-074

On motion made by Trustee K. Granger, second by Trustee R. Barton accept the resignation from Lynda Dunn(planning board chairperson) with regret. Aye-all, Nay-none.

The May 1<sup>st</sup> 2017 regular board meeting is cancelled.

### PUBLIC SESSION

Mayor G. Pearl addressed the people and stated that each person could be heard but would have approximately a five minute limit due to the amount of people who would like to speak.

David Drake of White Oak Drive stated that property at 213 White Oak was not being properly maintained and that it is causing a lot of extra work for the homeowners adjoining the property. He is also concerned about the possibility of mosquitos because the pool is still filled with water. The house is in foreclosure and he wants to know if something can be done to clean up the property. The Mayor G. Pearl stated that he would have the village lawyer get in

contact with the bank attorney and he himself would look into contacting the Bank of New York.

The following were concerns regarding the Tanglewood Property/Subdivision.

Ronald Cecchi of St. Mary's Drive questioned why the Tanglewood Property was zoned as R3. He is concerned that its property value will go down if it is zoned as and R3.

Charles Bischof of St. Joe's Drive has concerns with the opening of St. John's Drive. He stated that it is proven that crime is lower on dead end streets. He also stated that their little community accounts for 25% of the Village tax base and should have a say on what happens there. He also doesn't want the property zoned as R3. He asked why it was changed from an R1 to and R3. He does not want duplexes to be built. He would like their community to be only single family residences.

Natalie Smith of St. Mary's Drive stated that her family moved to Allegany because of the nice community and the "sleepy street" that she lives on. She does not want duplexes to be built.

Dr. Raj Patel stated that he does not want any extra traffic on St. Johns Drive and said that it would cause the current residents to move.

Jeff Wallen had concerns with the water pressure.

Mike Smith stated that he is here to oppose the opening up of St. John's Drive.

Dr. Gopi Patel stated He has concerns for his small children playing and that it may change the character of the neighborhood.

Laura Lamb asked if the road has to be opened up could it have a no thru traffic sign.

Kathy Eggert questioned why there wasn't another public hearing to discuss the zoning of the Tanglewood Property after it was annexed.

Someone also asked if a gate could be at the road instead of opening up the road.

The following were responses to the above.

Mayor G. Pearl addressed the public and read the minutes from August 16, 2010. He stated that the current board of trustees is following what a prior board of trustees had already approved. Mayor G. Pearl stated that first he talked to Fire Chief Rick Stady and asked him about opening up St. John's Drive. Fire Chief Rick Stady stated that he would recommend it to be opened. It would open up the use of more fire hydrants and would make it much easier to respond to and to exit the area in case emergencies. In response to the zoning of the Tanglewood Property as an R3 he stated that there was much discussion regarding the choice to zone as an R3. In the current zoning laws there is not much of a difference between and R1 and R3 zone. The only difference is that a two family home is permitted in an R3 and not in and R1. All other developments would need a special use permit. He also stated that it would be

very hard for a two family residence to be put in as the plat plan is currently approved due to the parking restrictions.

Chief of Police/DPW Superintendent D. Papasergi addressed the concern with the water pressure. He stated that the pressure will be better. The new water line will be looped and connect into St. John's Drive and will go over to Maple Avenue.

Chief of Police/DPW Superintendent D. Papasergi addressed the concern with the opening up of St. John's Drive. He stated that there should be 2 means of egress for Fire, Police and DPW staff. He also stated that the roads are illegal. He stated that the Village has done a lot for the neighborhood in that area. The speed limit was changed to 25mph. Also over \$100,00 was put into the neighborhood last summer.

Chief of Police/DPW Superintendent D. Papasergi also stated that the board had much discussion before making the decision of zoning the property as an R3. One of which was watching what the Field of Dreams Project had to go through to get their Special Use Permit approved. The owner of that project almost decided to leave Allegany because of the complexity and the time it took to get approved. He also stated that he believes the property values will increase due to the cost of the new homes that would be built in the area.

Village Attorney Joseph Miller addressed the public in regards to the zoning. He stated that the Tanglewood Property was in the Town previously and was zoned with the Town as an R1. Once the annexation took place the property became unclassified. The Village Board at a meeting April 3, 2017 zoned it as an R3.

William Kolasa(Tanglewood) stated that they have no plans to build duplexes on the Tanglewood Property. He stated that it would not be financially prosperous. He said that the plans are for high end single family residential homes. He also stated that property values will go up. Mr. Kolasa asked if anyone on the Village Board had any personal involvement or agenda.

Aaron Tiller(Tanglewood) stated that he would like the property kept as a R3 because he doesn't want to limit himself.

William Wiedman(Village of Allegany Zoning Chairman) was asked if it is possible to have a two family dwelling in an R1 district? He stated that the individual would have to apply for a variance and have to provide all the documentation that is required. It would be under the discretion of zoning board.

Ron Cecchi asked the Board of Trustees if they are willing to look into changing their decision.

Mayor G. Pearl stated that his decision has not changed. Board of Trustee K. Granger also stated that her decision has not changed. Board of Trustees R. Barton and J. Cummins agreed to discuss it further. The concerns that were brought up will be discussed at a meeting in the near future.

**PUBLIC SESSION WAS CLOSED.**

Mayor G. Pearl referenced the current influx of requests to the Clerk's Office and stated that he feels we need more help in the office. Clerk Treasurer K. Roth stated that the office has been very busy lately due to the resident requests but she feels that staffing is sufficient.

Bonagany will be addressed at a meeting in the near future. Mayor G. Pearl and Trustee R. Barton have met with the committee and will report back as to any recommendations.

The bid for the 7<sup>th</sup> Street project can't be prepared until Eric Wohler's from the Cattaraugus County Health Department approves the plans that were submitted. He has been completing requests and taking time to respond to a Board of Trustee member but has not had time to review the water plans.

#### RESOLUTION 2017-075-ENTER INTO EXECUTIVE SESSION

On motion made by Trustee K. Granger, second by Trustee R. Barton to enter into executive session regarding contracts and current issues. Aye-all, Nay-none.

#### RESOLUTION 2017-076-CLOSE EXECUTIVE SESSION

On motion made by Trustee J. Cummins, second by Trustee R. Barton resolved to close executive session. Aye-all, Nay-none.

Trustee K. Granger stated that it is only right to reconsider and think about what was presented to the Board of Trustees tonight.

#### RESOLUTION 2017-077- APPROVAL TO ADJOURN MEETING

On motion made by Trustee M. Meyers, second by Trustee K. Granger resolved to adjourn the meeting at 10:13pm. Aye-all, Nay-none.

Respectfully submitted.

Kimberly Roth/Clerk Treasurer