

AGENDA
MEETING OF THE
TOWN OF ALLEGANY PLANNING BOARD

Monday, April 11, 2016
at 7:00 p.m.
Allegany Town Hall
52 W. Main Street, Allegany, NY

Salute to the Flag

Minutes:

February 11, 2016
March 08, 2016 – Canceled

Old Business:

None

New Business:

Christopher DiCerbo Application #11-16 & 12-16
Site Plan Review and Special Use Permit
Project: Woodside Tavern/Restaurant

Other Business:

Appointment of Vice-Chair for 2016

Correspondence:

Next Planning Board Meeting:
May 09, 2016

Town of Allegany Planning Board
Meeting Minutes
Monday, April 11, 2016
Allegany Town Hall, 52 W. Main Street, Allegany NY

APPROVED May 9 , 2016

Present:

Frank R. DeFiore, Chairman

John Sayegh

Rick Kavanagh

Peter Hellier

Joseph Chamberlain

Audience guests present: Don Sue (Allegany Town Zoning Board); Teresa Kavanagh; Nicholas DiCerbo, Esq. and Christopher DiCerbo

Chairman Frank DeFiore opened the meeting with the Pledge to the Flag at 7:00 p.m.

Minutes: Chairman DeFiore asks Board members for any comments to the Planning Board minutes of February 8, 2016. Motion to accept the minutes as written by Pete Hellier and 2nd by Rick Kavanagh. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Of note our March 8, 2016 Planning Board Meeting was cancelled due to “no new business/or old business to discuss”

Old Business: None.

New Business: Planning Board has received Application #11-16 and 12-16 from Christopher DiCerbo as a “Request for Site Plan Review & Special Use Permit” as a change in use for 3319 West River Road in the Town of Allegany, New York which property was formerly the O’Dea’s Tubing area would now be transformed into a Tavern/Restaurant. Note this Application will require a Public Hearing.

Chairman DeFiore addresses the Planning Board that on March 24, 2016 a pre-application conference was held whereas Chairman DeFiore met with applicant Christopher DiCerbo and Town Supervisor John Hare, Town Highway Superintendent John Moshier and CEO Jerry Dzurhoff. Also notified in attendance at pre-application conference was our Consulting Town Planner, Carol Horowitz. One of the requests at the pre-applicant conference was that the applicant provide the Planning Board with building renovations/site plan layout.

At this time the Board is now being provided with such documents as produced by applicant. Parking lot size was also discussed with amount of vehicles previously parked along the Four Mile Road, accessibility of fire personnel and vehicles to be able to move readily about the area, if needed.

Chairman DeFiore advises the Planning Board that the Town was notified that they are looking to reenter contract with Steve Mountain as Contract Engineer for this application, as Tom McElheny is the applicant's Engineer.

Chairman DeFiore addresses the Board that they need to "rate" the building to determine parking lot necessity for this business, it can be rated as a restaurant, or as a night club/hall/café or recreational facility. Discussions about parking lot size, capacity and lighting for the parking lot were had by the Board.

Chairman DeFiore addresses the Board that this Application for SEQR purposes most appropriately falls into a SEQR Unlisted action. Board member Rick Kavanagh questions the board on what determination for the structure of the building is being sought. A short discussion is had regarding making conditions of approval that would need to be met by the applicant.

Chairman DeFiore makes a Motion to list this application as an "Unlisted SEQR action." Motion is 2nd by John Sayegh. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Board member Pete Hellier inquires of applicant if there has been drainage problems in the area and/or flooding. Applicant informs board that the areas have been overgrown with grasses as of this date and that there is no drainage issues that exist. Lighting was then discussed briefly. Emergency vehicles accessibility was again discussed.

Chairman DeFiore moves Board to consider that the applicant's site plan is therefore informationally complete to date. Motion is 2nd by John Sayegh. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Chairman DeFiore begins to discuss public hearing date as a Point of Order is called for by Board Member Rick Kavanagh. Mr. Kavanagh suggests that prior to setting a public hearing the Board should complete the Short Environmental Assessment Form (Sections 2 & 3).

Board is provided with SEAF forms and Chairman DeFiore goes over questions with audience and board. Form is completed all in agreement and signed by Chairman DeFiore.

Board Member Rick Kavanagh makes a Motion for Negative Declaration after completing the Assessment form for the SEQR that there is a negative declaration for the DiCerbo plan. 2nd by Chairman DeFiore. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Chairman DeFiore makes a Motion that a Public Hearing on Application 12-16 by Christopher DiCerbo be held at the Town of Allegany Town Hall on May 9, 2016 at 7:05 p.m. Motion 2nd by Rick Kavanagh. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Board member Pete Hellier and Board discusses Health Department regulations for site briefly. Board members thank applicant for attending the meeting.

Chairman DeFiore discusses his suggestion for vice chairperson for 2016 and nominates John Sayegh. Motion is made for vice chairperson to be John Sayegh and 2nd by Rick Kavanagh. Ayes: J. Sayegh, R. Kavanagh, P. Hellier, Joe Chamberlain and Chairman DeFiore. Motion carried.

Board recognizes Joe Chamberlain as new Planning Board member at this his first meeting.

Motion to close meeting at 7:42 p.m. is made by Chairman DeFiore and 2nd by Rick Kavanagh. Ayes: Chairman DeFiore, Pete Hellier, John Sayegh, Rick Kavanagh and Joe Chamberlain.

Next Meeting – May 9, 2016 * Public Hearing.

Respectfully Submitted:

Donna G. Stady, Secretary to Planning Board