

AGENDA

SPECIAL MEETING OF THE TOWN OF ALLEGANY PLANNING BOARD

**Wednesday, April 23, 2014
at 7:00 p.m.
Allegany Town Hall
52 W. Main Street, Allegany, NY**

Salute to the Flag

Old Business

None

New Business

Community Bank (#21-14)

Site Plan Approval for Office Building

Olean Physical Therapy (#22-14)

Site Plan Approval for expansion to existing building

Other Business

Zoning ordinance update:

Section 5.12: Sign Regulations

Correspondence

None

**Next Planning Board Meeting:
Monday, May 12, 2014**

**Town of Allegany Planning Board
Meeting Minutes**

Monday, **April 23, 2014** at 7:00 P.M.
Allegany Town Hall, 52 W. Main Street, Allegany, NY

APPROVED May 12, 2014

Present:

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

Also Present:

John Hare, Town Supervisor; David O'Dell, Town Board Member; Carol Horowitz, Town Planner; Steven Mountain, Town Engineer; Jerry Dzurhoff, Town Code Enforcement Officer; John Moshier, Town Highway Superintendent; Ray Jonak; Don Sue; Ryne Wight, Tom McElheny, Clark Patterson Lee Associates; Brett Fisk, Dick Burt, Community Bank; Kyle Duggan, Duggan & Duggan; Mike Droney, Olean Physical Therapy; Philip Winger, St. Bonaventure University; Kate Day Sager, Times Herald; Lynette Semsel, Secretary; Town Residents

Chairman DeFiore opened the meeting with the Pledge to the Flag at 7:00 PM. He explained the reason for this special meeting is to go over the two projects that will be at the former Castle site on Rt. 417: the new Community Bank Building and the expansion of Olean Physical Therapy. He then introduced Steven Mountain who will be the Town Engineer for these two projects.

NEW BUSINESS

Community Bank (21-14) Site Plan Approval for Office Building

As they are hopeful to be in the buildings by October, a “pre-meeting” was held between certain key people of the Town, Community Bank and Olean Physical Therapy Professionals to facilitate the project’s completion. The meeting allowed them to go over the items needed to present to the Planning Board at this special meeting in order to expedite the application. Chairman DeFiore asked if a representative of Community Bank would like to give an overview of the plans.

Mr. Brett Fisk, Director of Facilities, Community Bank, who works out of the Central Region in Sydney, NY gave a brief summary. They are proposing to construct an approximately 35,000 sq. ft. building that is all on one floor, on a slab. Approximately 25,000 sq. ft. will be finished office space with the remaining 10,000 sq. ft. as primarily file storage.

Mr. Tom McElheny, Engineer from Clark Patterson Lee went over the site, floor plans and elevations. He also presented a rendering of the bank building. Community Bank is

purchasing 10 acres from St. Bonaventure University of which 7 acres will be the Community Bank building property. Approximately three acres will be sold to Mr. Droney for the expansion of the Olean Physical Therapy facility. The site has been surveyed by Mike Canada surveyors and staked out with red flags showing the actual property line.

The Town has a sewer right-of-way in the back; therefore the applicant has “shoe-horned” the parking in to keep the cost of modifications to a minimum. It also pulls the project back from the houses that exist on Castle Drive and Cranberry.

For the Bank, they will grade off 4 feet from the high spot left from the old Castle Restaurant and bring it down to the original site grade in order to blend the two sites to make them more pleasing. (Olean Physical Therapy is on low ground).

The Bank building will not be a public access building, not a retail facility. There will be no banking, drive through or ATM services; therefore, the vehicles entering and exiting will be bank employees with occasional delivery trucks Monday through Friday with normal business hours.

The façade of the building will be a red masonry, insulated block that looks like brick or it will be brick; however, it will look just as it does in the rendering. St. Bonaventure University has covenants on the land and, therefore, they had to approve the façade before the project could even be brought before the Planning Board.

The solid walls that are the storage and maintenance building have been dressed up with some different colored brick to mimic the shape of the curved windows.

For fire suppression for the back side of the building, they have been working with Town Highway Superintendent, John Moshier. There is a hydrant on Castle Drive and an extension of about 300 feet of line be will added to allow a hydrant on the back side of the building and there already is a hydrant in the front.

Sprinkling is not required by the use; however, the bank is looking at pricing of some type of chemical or dry suppression which would be right for their storage area. It must be a dry system as all the storage is paper.

They have the required number of parking spaces and have met the requirements for setbacks and height.

Mrs. Horowitz stated the bank does meet all the setback requirements; however, the numbers in the zoning compliance table do not reflect the zoning ordinance requirement that parking lots must also meet the building setback. It is not a concern because the parking lots do comply with the setback requirements; however, the table on the documents needs to show the correct figures and include the parking lots. For example, since the front setback is on a state highway it should be 50', not 40' as listed in the table. The parking lot in front of the building is set back far enough so that is not an issue. On the sides of the parking lot, there is a total of 40' side yard setback and they are also fine.

Mrs. Horowitz asked why the bank is providing 150 parking spaces when the zoning ordinance only requires 118 spaces. They answered that initially they will have about 100 employees from their current locations with the potential for about 50% growth in the future. They want to provide for the future now with the extra spaces in the parking area and have left the area to the west of the proposed building as grass for expansion.

Mr. Hellier questioned the flat roof on the building. Mr. McElheny answered that the design met the University's covenants and a flat roof is the most economical type. It will be a steel frame building. There will be rooftop air conditioning units. In a contractors' meeting they had today, they discussed the possibility of somehow masking them. Due to the size of the

building, if the rooftop air conditioning units are placed in the back, they will not be visible from the road. They will have at least a 2 ft. parapet anyway. Chairman DeFiore would like one condition of approval to be the noise limit on the air conditioning units.

Regarding lighting plan: There will be very little lighting – two poles in the back and light packs on the building. It is not intended to be a public access building so the lighting will be mainly for security.

They do have a storm water plan and the drainage calculations will be made available to the Town's special engineer. Currently there is a storm water basin on the 10 acres which will take care of the drainage from the Community Bank property; plus there will be a series of dry wells.

NYS DOT came out and checked the sidewalk in front indicating it is adequate. A sidewalk from the building to the street sidewalk will be provided for anyone walking to work. NYS DOT also did an inspection of the driveway cuts. No traffic light will be installed.

During construction there will be no trucking of cut materials off site, no trees will be cut. There will be no dumpster as all documents will be shredded.

The only sign will be on the building, as it is not a public facility. The applicant wants to identify the building as Community Bank but does not want to confuse the community that it is a public facility branch with banking as it is not.

Landscaping plan – most of the site will be grassed and the applicant is putting in a significant number of large trees and foundation planting along the front of the building. Mrs. Horowitz had two concerns:

1. The Ordinance requires planting trees at 30-40 ft. intervals along the frontage adjacent to Rt. 417. She asked the Board if they think the trees on the front lawn as opposed to trees in a row would meet that requirement. Due to the fact the right of way is so narrow at that section and salt is used on the roads in winter, Mr. McElheny said their landscape architect indicated the plan now is to move trees back out of the salt spray. They chose to go to clumping of trees rather than a strip planting. Mr. Kavanagh said he has no problem with the trees being planted back farther. If the trees are planted along the road, they can become a problem with line of sight. The other board members agreed.
2. The Ordinance requirement reads, "Parking lots with more than fifty spaces shall dedicate at least 5% of the interior area to landscaping. Landscaping ...should be established on planting islands throughout the parking lot." There are two green areas which might be sufficient; however, if the parking lot were expanded out, the Board might want to revisit that requirement. The Board agreed that the grass area adjacent to the building met this requirement.

The project has been referred to the County Planning Board and the Town Planning Board should have their recommendation before the May 12 meeting.

Chairman DeFiore made the motion to set a Public Hearing for the Community Bank Operations proposal on May 12, 2014 at 7:00 PM here at the Town Hall. 2nd by Mr. Sayegh. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

The bank is not closing on the property until they have approval of the site plan. There is a proposed lot line on the plans that is subject to change. If anything changes drastically, it

would have to come back to the Planning Board for amendment to the site plan. Mrs. Horowitz stated she is not expecting any major changes. Mr. McElheny said the only change they would recommend would be that the existing storm water pond be part of the bank's property because the Droney property would not be tributary to it.

Mrs. Horowitz said there are two reasons for showing where the parcel lines are going to be located on the map. One is a legal issue that, as the Board members are aware, they can only do site plan review on one, individual parcel. Second reason is for designating the setback requirements.

Supervisor Hare asked the Board if there is anything they feel is missing or need more detail in order to let the applicants know to expedite the process. Mrs. Horowitz listed the following:

1. A lighting plan
2. Revised site plan showing sidewalk and property lines and recalculations in the table
3. Definite dimensions of the retention pond
4. A revised utility plan

Olean Physical Therapy (22-14) Site Plan Approval for expansion to existing building

The expansion to the existing facility includes a two story section of the building that will house an expanded Health Club, which will be open to the public 24-hours a day. There will be a special fire rated door which separates the physical therapy offices from the Health Club. No windows will be on the back as these walls will have mirrors on the interior. The building will have a flat roof and have a whole new air conditioning system.

Chairman DeFiore asked if the fire suppression would be a whole new system or an extension of the present building. Mr. McElheny said there is none now and there isn't one proposed. Separating the two facilities with the 2 hour fire rated door allows for the occupancy number to be low enough not to require fire suppression. Mr. Droney said the two sections will be separate businesses. Once a patient is done with physical therapy, ideally that person would join the Health Club.

The exterior masonry will match the existing building. Lighting for this building will be comparable with that of the Community Bank building.

Chairman DeFiore asked if there will be any handicap accessibility between the top and bottom floors in the addition. Mr. McElheny said there will only be one set of stairs as it will be strictly cardio equipment on the second floor. .

The combined setbacks for the east and west sides of the building should more than meet the requirements. Mrs. Horowitz brought up a concern about the setback on the Rt. 417 side. The building meets the setback even though the new section is closer to the right-of-way line than the old section; however, the problem is that the parking addition must meet the 50 foot setback. The parking lot in the front of the building is only 8 feet from the Rt. 417 right-of-way and would need a variance. A drive aisle in a parking lot is considered part of the parking lot. If the parking spaces in that area were removed, then it would be considered a driveway and would not need to meet the 50 foot setback.

There is a possibility of granting a waiver. Mrs. Horowitz read the following from the Zoning Ordinance Section 4.15(E)(3)(b): *During the Site Plan Review process the Planning Board may waive the minimum front yard setback requirement to allow buildings to be closer to the front property line than that which would ordinarily be allowed, in order to accomplish the goals and objectives of this Zoning Ordinance II and the intent of the Route 417 Corridor*

Management Plan. Any such waiver shall clearly state the reasons for the waiver, and shall state the goals and objectives of this Zoning Ordinance and/or intent of the Route 417 Corridor Management Plan that support the waiver.

The Board decided to ask the Town Attorney if this waiver can apply to a parking lot. If so, then no variance will be needed and the parking spaces can be allowed. If the waiver does not apply and the applicant does not want to remove the parking spaces, then the applicant will have to get a variance to allow the spaces and the Planning Board will not be able to vote on Site Plan until the variance is granted.

Chairman DeFiore made the motion to set a Public Hearing for the Olean Physical Therapy Expansion proposal on May 12, 2014 at 7:10 PM here at the Town Hall. 2nd by Mr. Kavanagh. Mr. Kavanagh – aye; Mr. Hellier – aye; Mrs. Larson – aye; Mr. Sayegh – aye; Mr. DeFiore – aye. Carried.

Chairman DeFiore 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 8:30 p.m.

Respectfully submitted,


Lynette K. Semsel
Secretary