

Olean Planning Board Public Hearing Minutes

**Monday, February 25, 2019
Council Chambers
Olean Municipal Building**

**7:00 p.m. Go To Meals, LLC (SP #02-19)
801 West State Street**

Attendance: Chairman: Tom Barnes
Members: Chris Chapman
Mary Fay
Craig Polson
Mark Sabella

Applicant: Deon Gayton, Go To Meals, LLC
Amy Howard, Go To Meals, LLC

Staff: Keri Kerper, Comm. Dev. Program Coordinator
Kathleen Monroe, Sr. Acct. Clerk Typist

Citizen(s): Ellen Snyder, 112 South Seventh Street
Deborah Kolasinski, 108 North Eighth Street
Marge Henkel, 910 West Henley Street

Recognizing a quorum, Chairman Tom Barnes opened the public hearing at 7:02 p.m. and Ms. Kerper read the legal notice of public hearing that was published in the Olean Times Herald on February 15, 2019.

Mr. Barnes explained the public hearing process and then asked if there were any questions or comments from the Board or those in attendance.

Ms. Snyder explained area residents have experienced problems with congestion from area businesses and expressed concern regarding increased traffic and potential parking issues near the location.

Mr. Gayton indicated the business will continue to be focused on a delivery service and customers who opt for pick up may park in the front parking lot of the building, on West

State Street or across the street on the northern side of West State Street. He explained the location will include a small seating area and the business is considering adding smoothies to the menu. Mr. Barnes advised smoothies are considered food preparation and the Board was under the impression no food preparation would be performed on-site. He advised if a customer decides to sit and eat the meal on-site, then the business is considered a restaurant under the City's Zoning Ordinance.

Mr. Barnes advised a restaurant permit would require a separate application or the applicant may wish to amend the current application to include food preparation and dining. He explained under the proposed application submittal customers would not be permitted to dine in the seating area or outside on the deck at the location.

There was detailed discussion regarding amending the site plan application versus submitting a new application to include food preparation and dining, and Mr. Gayton indicated he would like to move forward with the application as presented. He explained the business has advertised its Grand Opening and he does not wish to amend the application. Mr. Gayton advised if the business decides to add smoothies to the menu, they will submit a new site plan application and repeat the review process to include dining and food preparation to Code Enforcement Officials.

Ms. Snyder questioned the amount of customer traffic expected at the location, and Mr. Gayton explained the number of pick up orders is unknown at this time. He noted the meals go out for delivery on Mondays and the company has built a sizable meal delivery clientele during its seven years in business. Mr. Gayton advised the business plans to use the off-street parking spots located in front of the building for customers, employees and the loading/unloading of the delivery trucks.

Ms. Kolasinki questioned if the applicant is required to appear before the Board and hold another public hearing if they choose to perform food preparation at the location. Mr. Barnes explained the current application is for a retail operation and delivery service. He further explained the addition of food preparation and dining would require the applicant submit a new application, appear before the Board and hold another public hearing.

Mr. Barnes asked twice if there were any further questions or comments on the project.

Absent any further questions or comments, Mr. Barnes entertained a motion to declare the public hearing closed. A motion was made by Chris Chapman, seconded by Craig Polson to close the public hearing at 7:22 p.m. Voice vote, ayes all. Motion carried.