

Olean Planning Board Meeting Minutes

Monday, July 22, 2019

Council Chambers

Olean Municipal Building

Attendance:

Chairman: Tom Barnes

Members: Chris Chapman
Mary Fay
Gabrielle Kyser
Craig Polson
Mark Sabella

Applicant(s): Ray Wetherbee, CDS Housing
Michael Keith, PE (Hunt)
Corey Auerbach, Attorney (Barclay Damon)
Rick Bokman, Bokman Automotive

Staff: Keri Stephen, CD Program Coordinator
Kathleen Monroe, Sr. Account Clerk Typist

Other(s): Nick Pirrcio, WPIG
Paul Petruzzi, 305, 307, 310 & 312 E. Henley St.; 136 & 137 Fulton St.
Sally Jadowski, 1103 Buffalo St.
Dennis Waltrich, 117 Fulton St.
Grace Petruzzi, 305, 307 & 311 East Henley St.
Justus Derx, 116 Fulton St.
Harold Bell, 124 Fulton St.
Adele Sawaya, 122 Fulton St.
Marge Henkel, 910 West Henley St.
Deborah Kolasinski, 108 North 8th St.
Sandy Maurouard, 413 & 417 East State St.
Nate Smith, 1214 Irving Parkway
Mike Capozzi, 109 South Clinton St.

1. Roll Call

Recognizing a quorum, Tom Barnes called the meeting to order at 8:10 p.m. and requested the roll call show all members present except Jerry Steiner. Mr. Barnes thanked Mr. Polson for filling in during his absence as Acting Chairman at the Planning Board's previous meeting.

2. Reading and approval of the June 24, 2019 meeting minutes

A motion was made by Mary Fay, seconded by Chris Chapman to approve the June 24, 2019 meeting minutes. Voice vote, ayes all. Motion carried.

3. Old Business

- i. CDS Housing (SP#04-19)
422 East State Street

Mr. Barnes explained the Board declared a Negative Declaration on the project under the SYSEQRA review at the previous meeting.

Ms. Stephen explained various recommendations on the proposed project were made by City Departments, and agreed to by the applicant, which have been incorporated into the revised Site Plan. She explained the fire lane coming off of East State Street shall remain at the 20' required width. Ms. Stephen indicated the driveway on the west side of the building will be "ingress only" and a "Do Not Enter" sign will be located at the southern edge of the drive aisle. She advised the East State Street sidewalk has been pulled back away from the building for pedestrian safety and increased site visibility for vehicles exiting the site. Ms. Stephen explained the trail connection has been shifted to a high point in the trail and will include additional concrete. She explained the slope on the trail access is now at the 5% maximum. Ms. Stephen advised a fire hydrant has been added to the south end of the parking lot and a 15' easement for the waterline has been included in the plan.

Mr. Chapman expressed concern regarding traffic and community structure, which he noted are outside the purview of the Planning Board, and he will be cautiously voting to approve the project.

Mr. Polson indicated the number of units proposed, character of the neighborhood and traffic circumstances are a concern he shares; however, he will be voting in favor of the project.

Mr. Sabella expressed concern that although the parking spaces are consistent with New York State requirements and the Zoning Ordinance, he feels the number of spaces proposed is excessive. He questioned the formula used to calculate the number of units proposed. Mr. Wetherbee advised the size of the lot, state requirements regarding the size of a one bedroom or two bedroom unit, the inclusion of community rooms, elevators and common areas were considered to determine what could be reasonably constructed per Homes & Community Renewal, City and State rules and regulations. He explained a Market Study was performed to support the project showing the need for new affordable and accessible housing in the City, which hasn't seen a new development in over fifteen years.

After detailed discussion, a motion was made by Mary Fay, seconded by Mark Sabella to approve CDS Housing (SP# 04-19) with the following conditions:

- Parking lot striping and space dimensions shall be Code compliant.

- Lighting shall be shielded & directed downward.
- Fulton Street egress shall be left turn only with Code compliant signage.
- An easement shall be granted by the applicant to the following parcels: 132 Adams Street, 123 Fulton Street and 125 Fulton Street to provide access to said properties.
- Applicant shall obtain a State Pollutant Discharge Elimination System (SPDES) permit and provide proof of said permit to the City prior to commencement of construction.

Voice vote, ayes all. Motion carried.

Mr. Barnes thanked the applicant and noted CDS Housing has a large undertaking to show the neighborhood it will be a great neighbor.

Mr. Wetherbee invited those in attendance to visit one of CDS Housing's inclusive community-based developments located in Rochester, Elmira and Webster, New York. He indicated there is another development under construction in Syracuse. He thanked the Board and noted CDS Housing appreciates the approval and understands its responsibility.

Ms. Stephen advised signage is a separate permit process, and the application must be made through Code Enforcement.

4. New Business

- i. Bokman Automotive (SUP#02-19)
118-120 Stowell Avenue

Mr. Bokman introduced himself to the Board and explained he is proposing to convert a vacant parcel of land located at 118-120 Stowell Avenue into a private parking lot. He advised the previous home and garage have been demolished to install the proposed private parking and square off the existing parking lots. Mr. Bokman indicated fencing will be installed that will match the existing 8' shadowed stockade fence with a concrete base that acts as a wall to provide the correct elevation for drainage. He referred to the driveway cut on the site plan and indicated one light will be installed that will be shielded and directed downward.

Mr. Barnes advised the Zoning Ordinance requires the height of the fence to be 4' as it approaches the street to provide visibility. He explained the curb cut will be a separate permit application submitted to the Common Council. Mr. Barnes noted the greenspace requirement has been met.

Mr. Bokman explained a drainage plan is being prepared for the project and will be submitted to City Departments for review and approval. He indicated a catch basin will be installed in the parking lot and connected into the 8" drain currently located in the back lot then it will flow into a 12" drain that connects into the storm sewer.

Mr. Barnes advised that the parking area containing 9'x 20' parking spaces shall be striped and include a Code compliant drive aisle consistent with the City Zoning Ordinance.

A motion to declare the Planning Board Lead Agency for an uncoordinated NYSEQRA review was made by Chris Chapman, seconded by Craig Polson. Voice vote, ayes all. Motion carried.

The Planning Board reviewed Parts I & II of the Short Environmental Assessment Form prepared for the project and made the following changes to Part I: question 4. add “Urban and Commercial”; question 9. mark “yes”; question 12b. change to “yes”; question 17b. add “Runoff will be directed to existing drainage system or new drain will be connected to Stowell Avenue”. Mr. Bokman indicated they will either install curbing to direct the water or install a concrete base for the fencing to sit upon that creates a wall above grade and protects against runoff. Mr. Barnes advised the applicant will need to make this decision prior to the public hearing and include it on the site plan. No changes were made to Part II. After brief discussion, a motion indicating that the Planning Board made a finding that the project would have no significant impacts, and that the Planning Board therefore issues a Negative Declaration for (SUP#02-19), was made by Chris Chapman seconded by Craig Polson. Voice vote, ayes all. Motion carried.

A motion to certify the application complete was made by Mark Sabella, seconded by Mary Fay. Voice vote, ayes all. Motion carried.

A motion was made by Craig Polson, seconded by Chris Chapman to set the public hearing for Monday, August 12, 2019 at 6:30 p.m. Voice vote, ayes all. Motion carried.

Ms. Stephen explained the public hearing process to the applicant, and advised the materials would be available from Community Development on Wednesday morning.

5. Miscellaneous

Ms. Stephen referred to Code Enforcement Supervisor Jennings’ July 22, 2019 memorandum stating that Mr. McNamara appeared in court and plead guilty to the noncompliance tickets issued by Code Enforcement. She noted the correspondence states the cooker will be started very early in the morning to avoid large smoke issues, and Mr. McNamara is aware the smoke is an issue and he will clean the cooker each day the best he can in between operations. She indicated the memorandum further advises the seating he has on-site will be minimized (removal of one table) and will not encroach upon the line of view but he still proposes some seating. Mr. Jennings’ correspondence also advised that the cooker has been relocated to the west corner of the property, which cleared up the site obstruction issue and the handicap signage has been completed although the striping between the two handicap spaces needs to be put down.

Mr. Barnes advised the site plan application was approved as a take-out chicken operation and the business should not be serving food for on-site consumption. He recommended the seating at the location be removed immediately as it was not on the original site plan that was reviewed and approved.

Mr. Barnes advised that if the business desires to have seating on-site for dining, then the applicant should submit a new application to include on-site consumption as a restaurant and appear before the Board for review to include restroom facilities, adequacy as to the required number of parking spaces, etc.

Mr. Barnes requested Code Enforcement Officials ticket Mr. McNamara for each day that he is in violation of the City Zoning Ordinance and site plan approval.

In response to a comment, Ms. Stephen advised she consulted with the City Attorney regarding Mr. McNamara cooking off-site, and unfortunately, this stipulation was not included as a condition in the approval, therefore, it cannot be enforced.

Mr. Barnes suggested the Board use this experience as a learning tool and place conditions on projects that may become an issue in the future.

Mr. Barnes advised he received another call from Ms. Kolasinski claiming Mr. McNamara is also cooking chickens during weekdays in addition to weekend hours. Ms. Fay questioned the days of week that Mr. McNamara was approved to cook chickens, and Ms. Stephen advised she does not recall, so she will review the previous minutes and report back to the Board.

Ms. Stephen advised that Ms. Kyser has provided a resignation letter to the Board and she would like to thank her for her service. Ms. Kyser advised she has purchased a home outside of the City, therefore, she has to resign her seat on the Board. Ms. Kyser noted she enjoyed serving on the Board. Mr. Barnes thanked Ms. Kyser for her hard work and dedication during her time on the Board and congratulated her on her new home.

Ms. Stephen advised staff is continuing to try to find online training options for members in order to meet the 4 hour annual training requirement. She indicated the training information will be forwarded to members when it becomes available.

6. Next Meeting Date

The next Planning Board meeting has been scheduled for Monday, August 12, 2019 at 6:30 p.m.

7. Adjournment

A motion to adjourn was made by Chris Chapman, seconded by Mary Fay. Voice vote, ayes all. Motion carried. The meeting ended at approximately 9:10 p.m.