

**PRELIMINARY DRAFT/UNAPPROVED MINUTES**

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT ZONING BOARD OF APPEALS/ PLANNING BOARD WAS HELD AT THE ELLICOTT ADMINISTRATION BUILDING, 215 SOUTH WORK ST., FALCONER, NY 14733 ON December 17, 2020 AT 6:00 P.M.**

**PRESENT: Dan Evans, Pat Martonis, Paul Volpe, Valerie Pierce and Ken Lyon, Attorney William Duncanson, Code Enforcement Officer David Rowe, and Secretary Danielle Calkins**

**ABSENT:**

Dan Evans opened the meeting at 6:00 PM and led in the Pledge of Allegiance.

**Motion made by Pat Martonis, seconded by Paul Volpe to approve the minutes of the November 19, 2020 meeting.**

**Carried.            Ayes – 5                      Noes – 0                      Absent – 0**

**Dan Evans opened the public hearing for Terry Catanese, 1917 E Main St, Falconer, NY 14733 for a site plan review, pursuant to Section 121 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 354.20 Block 1 Lot 2.**

Attorney Duncanson swore in Terry Catanese.

**Terry Catanese stated that:**

- He will utilize a 12x14 shed set back about 20ft from the property line.
- Will have a maximum of 12 cars for sale at a time with possible 5 in the back that he will be working on.
- Hours of operation will be everyday as needed from 8am-8pm but not consistently.
- The shed will be on skids and he will use a generator for power and look into hooking into city electric.
- There will be no septic and no dumpster.
- One motion light will be on the side of the building.
- He may put one car out for sale in the gravel driveway at a time.

The Board stated that they expect there to be absolutely no encroachment on the neighbor's property from the drive way. They also stated their preference that the business utilize city electric due to the noise pollution from the generator.

**Pat Martonis made a motion, seconded by Valerie Pierce to approve the site plan review, pursuant to Section 121 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 354.20 Block 1 Lot 2. The used car dealership will be run out of a 12x14 shed on skids with electric hookups. A generator will be utilized at first but city electric may be obtained in the future. There will be a maximum of 12 cars for sale on the property with one being displayed at the front of the property as long as there is no encroachment on the neighbor's property. The property will not need a dumpster or septic system but there will be one motion light on the shed.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent – 0**

**Dan Evans opened the public hearing for Scott Sampson, 3828 West Oak Hill Rd, Jamestown, NY 14701 for an area variance for a second garage, pursuant to Section 146-7 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 353.00 Block 3 Lot 25**

Attorney Duncanson swore in Scott Sampson.

**Scott Sampson stated that:**

- The garage will be 24x24 to hold personal items such as ATVs, bicycles, tools and a lawn tractor.
- The garage will have metal siding that will match the house as close as possible.
- There will be electric inside but not outside. There will be no heat or plumbing,
- There will be two overhead doors and one-man door.
- It will attach to the current gravel driveway.
- The property is 26 acres.
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**Ken Lyon made a motion, seconded by Pat Martonis approve the area variance for a second garage for Scott Sampson, 3828 West Oak Hill Rd, Jamestown, NY 14701 pursuant to Section 146-7 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 353.00 Block 3 Lot 25. The second garage will be 24x24 with inside electric only. It will have metal siding that will match the house and will connect to the current gravel driveway. The garage will store personal items and will not be used for any commercial use.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent – 0**

**Dan Evans opened the public hearing for Rebecca Toner OBO Storke Renewables, LLC, 3365 N Main St Ext, Jamestown, NY 14701 for a special use permit and site plan review for a solar farm pursuant to Section 146-15 and 146-79 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 353.00 Block 1 Lot 26.2**

Attorney Duncanson swore in Rebecca Toner.

**Rebecca Toner stated that:**

- Storke Renewables is looking to build a community solar farm
- The parcel will need to be sub-divided to allow for an access road.
- Storke Renewables has not submitted the SEQR as well as the DEC and FAA still need to determine if the project is viable due to the environment and possible glare for the airport.
- There will be no out buildings and will connect to current substations.
- Each solar array will connect to a different substation.
- Underground lines will be used.

**The Board agreed that the solar array is a permitted use for the land and they look forward to an official site plan review after the DEC and FAA approvals.**

**Dan Evans opened the public hearing for HAWC Wellness Enterprises LLC, Strunk Rd and Rt 430 for a site plan review, pursuant to Section 121 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 369.00 Block 2 Lot 50.**

Attorney Duncanson swore in Andy Johnson and Wayne Quatrone.

**Andy Johnson and Wayne Quatrone stated that:**

- The building will be a 5,000sq ft building across from the SPCA.
- Andy Johnson submitted the following into the record:
  - Location map, Contour Map, Satellite View, Soil Map, SEQR Map, Storm Water Map, 1ft Contour Map, Floor Plan, Survey, Civil Plans, Architectural Drawings, and a letter from the County Department of Planning.

- There an archeological study that is still needed.
- They will own their own well and septic because there is not a public option.
- There will be low level security lights on the back of the facility that are not shown in the drawings.
- It is preferred if The Town of Ellicott took the lead on the SEQR after the archeological testing is done.

The Board stated that they expect there to be absolutely no encroachment on the neighbor's property from the drive way. They also stated their preference that the business utilize city electric due to the noise pollution from the generator.

**Pat Martonis made a motion, seconded by Paul Volpe to table the approval of the site plan review, pursuant to Section 121 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 369.00 Block 2 Lot 50. The board will make a determination after the archeological study come back.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent – 0**

**Motion made by Ken Lyon, seconded by Valerie Pierce to adjourn the meeting at 7:24 PM.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent - 0**

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Danielle Calkins, Secretary