

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 July 16, 2020 AT 6:00 P.M.

PRESENT: Dan Evans, Pat Martonis, Paul Volpe, Valarie Pierce and John Merchant, Attorney William Duncanson, Code Enforcement Officer David Rowe and Secretary Danielle Calkins

ABSENT: Ken Lyon,

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

Motion made by Pat Martonis, seconded by Valarie Pierce to approve the minutes of the June 18, 2020 meeting.

Carried. Ayes – 5 Noes – 0 Absent – 1

Dan Evans opened the public hearing for The Krog Group (Merril Lynch), 55-57 Southwestern Dr, Jamestown, NY 14701 for the rezoning of a residential parcel to commercial (mercantile) to combine parcels. Said premises are described on the Town of Ellicott tax maps as Section 386.10 Block 1 Lot 20, and Section 386.10 Block 1 Lot 19.

Notice of the public hearing had been published and notices to neighboring properties had been sent.

No one attended the meeting on behalf of The Krog Group based on the recommendation of the Code Enforcement Officer.

The Board stated the following:

- That this would not be a case of spot zoning.
- Would it cause issues to have a mercantile building where the residential lot is now because rezoning the parcel for the sign the Krog Group wants would give them the ability to do that.
- The neighborhood of the property has come in for other meetings to do with this property but was only concerned what the property line would look like near their property.
- Besides the one neighbor the other properties nearby are mercantile (across the street).

Patricia Martonis made a recommendation, seconded by John Merchant to consider the rezoning request and to the Town Board.

Carried. Ayes – 5 Noes – 0 Absent – 1

Dan Evans opened the public hearing for Lawson Boat and Motor, 365 Fluvanna Ave, Jamestown, NY 14701 for a site plan review, pursuant to Section 121-11 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 370.09 Block 1 Lot 19

Notice of the public hearing had been published and notices to neighboring properties had been sent.

Attorney Duncanson swore in Neil Robbins and Andrew Finson.

The property and buildings were described as follows:

- The business will be for storage and rentals only. They will not be selling boats.

- They are proposing 1 1/5 buildings into the Town of Ellicott out of 4 buildings wanted. The additional 2 1/5 buildings will be located in the City of Jamestown after the sale of property from the City.
- The portion of property being purchased of the City of Jamestown is a 50' easement of which a 10' ft easement will remain to be utilized as a bike/walking path.
- They will not have boats along the side of the road.
- The buildings will be 38x116 and will contain one overhead door and 1-man door.
- The buildings will match the current buildings on site (Blue and White).
- Native plants will be used in the landscaping (Per DEC Regulations).
- There will be paving leading up to each building but everywhere else should be gravel.
- Outside lighting will be on the buildings. There will not be any pole lights.
- They plan to connect to local sewer and water.
- The SEQR is included in the packet provided.
- The request will need to include the parcel of the old lumber site in order to stay within the 25% coverage requirement.
- There are approvals that will still be required of the County of Chautauqua and the City of Jamestown.

Patricia Martonis made a declaration, seconded by Paul Volpe that the Town of Ellicott will be lead agency on the project.

Carried. Ayes – 5 Noes – 0 Absent - 1

Patricia Martonis made a motion, seconded by John Merchant that after studying the environmental assessment more carefully the board is satisfied that there are no environmental issues and the environmental impact statement is not necessary and this board is issuing a negative declaration of environmental significance.

Carried. Ayes – 5 Noes – 0 Absent - 1

Patricia Martonis made a motion, seconded by John Merchant to approve the site plan for Lawson Boat & Motor, 365 Fluvanna Ave, Jamestown, NY pursuant to Section 121-11 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 386.11 Block 3 Lot 19. The approved site plan is for 4 building that is contingent upon approval from the Chautauqua County Planning & Board Review, The City of Jamestown Planning Review and the sale of City of Jamestown Properties and that all concerns are met with the site plan and right of ways.

Carried. Ayes – 5 Noes – 0 Absent - 1

Motion made by Pat Martonis, seconded by Val Pierce to adjourn the meeting at 7:03 PM.

Carried. Ayes – 5 Noes – 0 Absent - 1

Danielle Calkins, Secretary