

**Town of Allegany Planning Board**  
**Public Hearing/Meeting Minutes**  
Monday, **October 3, 2022** at 6:00 P.M.  
Town Hall, 52 W. Main St., Allegany, NY

**APPROVED**

**Present:**

Pete Hellier, Chairman  
Jason Crisafulli  
Spencer Pinney  
Dawn Snyder  
Jim Finch  
Kari Faulkner, Secretary

**Also Present:**

John Krist, Town CEO; Janet Hellier; Ryne Wight, Clark Patterson Lee

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Chairman Hellier opened the Public Hearing at 6:00 PM.

**Public Hearing – Community Bank Expansion – 3152 NYS Rt 417 – Clark Patterson Lee**

There were no questions or comments from the public.

*Mr. Finch made the motion to close the Public Hearing. 2<sup>nd</sup> by Ms. Snyder. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Mr. Finch – aye; Ms. Snyder – aye. Carried.*

Chairman Hellier opened the regular Planning Board Meeting with the Pledge to the Flag at 6:02 PM.

**Minutes**

*Mr. Crisafulli made the motion to approve the minutes of the September 12th Planning Board Meeting/Public Hearing, with minor verbiage changes. 2<sup>nd</sup> by Mr. Pinney. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Finch – aye; Ms. Snyder – aye. Carried.*

**Old Business**

**Arby's – 1779 Gargoyle Rd. – A&T Development/E&M Engineers**

Planning Board members reviewed referral response from Cattaraugus County Planning Board. County advisory in part, reads:

**Landscape Plan.**

**Inconsistencies in Landscape Schedule vs. Plan (per 4.13 (8)(g) “Landscaping shall be designed for easy maintenance. The selection of landscaping materials shall be compatible with the climate of western New York, soil type and condition, and water availability.)**

- 1. Inconsistencies in Landscape Schedule vs. Plan**
- 2. Landscape plantings are non-sustainable as shown (too close, incompatible growing conditions, subject to deer damage (hostas), etc.)**
- 3. Reduce mulch around trees to 2-3” maximum.**
  - a. 2-3” is an industry and instructional standard in WNY. Any additional mulch, particularly against the tree trunk may cause damage to the tree, including rot and fungus, which may greatly reduce the health and lifespan of the tree.**

**If client does not want to change options or planting methods, consider a landscaping bond for two years as allowed in 4.13 (8)(i).**

*Mr. Pinney made the motion to approve the proposed site plan with the following condition, ‘Applicant to consider Cattaraugus County recommendations regarding inconsistencies with the proposed landscaping plans.’ 2<sup>nd</sup> Mr. Crisafulli. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Mr. Finch – aye; Ms. Snyder – aye. Carried.*

**Community Bank Expansion – 3152 NYS Rt 417 – Clark Patterson Lee**

Planning Board members reviewed referral response from Cattaraugus County Planning Board. County advisory in part, reads:

**Advisories:**

- Require a Landscaping Plan – per Article IX Site Plan Review, Section 9.04 Application Content, number (9).**
- Require a Lighting Plan - per Article IX Site Plan Review, Section 9.04 Application Content, number (10).**
- Follow review criteria from Article IX in reviewing requested plans.**

*Chairman Hellier made the motion to approve the proposed site plan with the following conditions of approval, ‘Submission of landscaping plans, to be approved by Town of Allegany Code Enforcement Officer, prior to issuance of building permit. Submission of lighting plan, to be approved by Town of Allegany Code Enforcement, prior to issuance of building permit.’ 2<sup>nd</sup> Mr. Crisafulli. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Mr. Finch – aye; Ms. Snyder – aye. Carried.*

Board members discussed the large platform of affairs that are anticipated within the near future, these include, but are not limited to, completion of the Solar Law, revisions to the Town of Allegany Comprehensive Plan, revisions of the Town Zoning Ordinance III, creation of an Aquifer Overlay District, and the need for a 5G Cell Tower Ordinance.

Board members also discussed training opportunities, for each board member in order to obtain the required four hours per member, per year.

***Mr. Finch made the motion to adjourn the meeting. 2<sup>nd</sup> by Mr. Pinney. Chairman Hellier – aye; Mr. Pinney – aye; Mr. Crisafulli – aye. Mr. Finch – aye; Ms. Snyder – aye. Carried.***

The meeting was adjourned at 7:00p.m.

**Next Planning Board Meeting November 14, 2022 6 P.M.**

Respectfully submitted by:

Kari Faulkner, Planning Board Secretary