**PRESENT:**

Pete Hellier, Chairman

Spencer Pinney

Jason Crisafulli

Dawn Snyder

**ABSENT:**

Jim Finch

**ALSO PRESENT:**

Grace Straub, Town Clerk; Tony Papasergi, Village Maintenance Worker; Greg Straub, Town Highway Department; Residents of the Town and Village of Allegany, NY.

**5:00 PM**

**Public Hearing – Blue Buffalo Carwash**

Public Hearing on the application of the proposed Blue Buffalo Car Wash on the following parcels of land in the Town of Allegany:

3027 NYS Route 417 SBL# 94.062-1-20

3031 NYS Route 417 SBL# 94.062-1-19

3033 NYS Route 417 SBL# 94.062-1-18

3037 NYS Route 417 SBL# 94.062-1-17.2

1. Chairman Hellier opens the Public Hearing.
   * Residents raise concerns about the dead trees currently on the lot. Chairman Hellier explains that the planning board can require Blue Buffalo to remove dead trees when working on landscaping. Another concern had to do with the height of the fences on the lot. Chairman Hellier explains that this can also be a requirement for construction.
   * Residents also raise concerns about congestion and traffic flow problems along Rt. 417, explaining that it is already difficult to turn out of their street. They say it is a safety hazard when making a left turn off of both Allegany St. and Park St. Chairman Hellier explains that the planning board is not in control of traffic flow or traffic devices, and any changes made would need to be done through the State DOT.
   * Another resident inquired about the sound level of the vacuums used in the car wash. Chairman Hellier assured them that Blue Buffalo had agreed to move the vacuums inside the facility to decrease noise level and upgrade the type of vacuums used.

**MOTION TO CLOSE THE PUBLIC HEARING**

Motion by Chairman Hellier to close the public hearing at 5:45 PM. 2nd by Mr. Crisafulli. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

**5:45 PM**

**Public Hearing – Jones Residence**

Public Hearing on the application of the Jones residence, located at 3288 Buffalo Road in the Town of Allegany, SBL#: 93.002-2-34.3.

1. Chairman Hellier opens the Public Hearing.
   * An Allegany resident who owns property next to the proposed Jones residence had questions about the project as well as clarification on terminology being used by the planning board to make their decision. The resident’s main concern was about the auxiliary dwelling possibly being used as a short-term rental, reiterating that auxiliary dwellings are only permitted to be used by permanent residents.

**MOTION TO CLOSE THE PUBLIC HEARING**

Motion by Chairman Hellier to close the public hearing at 5:57 PM. 2nd by Ms. Snyder. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

**Salute to the Flag opened the meeting**

**MOTION TO ACCEPT MINUTES FROM THE JUNE 12, 2023 PLANNING BOARD MEETING & PUBLIC HEARING**

Motion by Mr. Crisafulli to accept the minutes from the June 12, 2023 Planning Board Meeting and Public Hearing as written. 2nd by Ms. Snyder. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

**CORRESPONDENCE**

**None**

**NEW BUSINESS**

1. Blue Buffalo Carwash
   * Tabled until next month’s meeting while the board waits to hear back from NYS & Catt. County approvals.
2. Jones Residence
   * Special use analysis: granted on the basis that the project would not cause a detriment to the current neighborhood.
   * Carter’s right of way was reviewed and will be protected as it is drawn in the site plan.

**MOTION TO GRANT SPECIAL USE PERMIT**

Motion by Mr. Pinney to grant special use permit. 2nd by Mr. Crisafulli.

Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

1. Motherhouse/Homecare & Hospice
   * Community Care of WNY DBA Homecare & Hospice would like to use the 2nd and 3rd floors of the Motherhouse as office space. Due to the current zoning not aligning with the billing needs of the organization, they will require a special use permit.
   * A letter must be composed by Supervisor Higgins stating that the special use permit has been approved. This will be on the upcoming Town Board Meeting Agenda.

**MOTION TO GRANT SPECIAL USE PERMIT**

Motion by Mr. Crisafulli to grant special use permit. 2nd by Ms. Snyder.

Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

1. Take 5 Area Variance Request
   * Representative discussed project with the board.
   * Chairman Hellier asked for a new building design that is more fitting with the town.

**OLD BUSINESS**

None

**OTHER BUSINESS**

1. Aquifer Proposal Discussion
   * Board went over corrections made by Russel of Urban-Mead up to no. 7 on the aquafer proposal.
   * Mr. Straub and Mr. Papasergi will be working on signage to be displayed throughout the town and village that have QR codes leading to a webpage with information about the local aquafer.
2. Special Meeting
   * A special meeting is scheduled for July 17, 2023 at 5:00 PM to cover the remaining Aquafer Proposal review.

**FROM THE FLOOR – none**

**MOTION TO ADJOURN THE MEETING**

Motion by Mr. Pinney to adjourn the meeting at 7:45 PM. 2nd by Ms. Snyder. Chairman Hellier – aye; Mr. Crisafulli – aye; Mr. Pinney – aye; Ms. Snyder – aye. CARRIED

Respectfully submitted,

Michele Lovern

Building & Zoning Clerk

8/14/2023