

Olean Planning Board Meeting Minutes

**Monday, February 26, 2018
Council Chambers
Olean Municipal Building**

Attendance:	Chairman:	Tom Barnes
	Members:	Chris Chapman Jerry Steiner Mary Fay
	Applicant:	Mark Burr, Cattaraugus County Jack Searles, Cattaraugus County
	Staff:	Keri Kerper, CD Program Coordinator Kathleen Monroe, Sr. Account Clerk Typist
	Other(s):	Mayor William Aiello Bob Clark, Olean Times Herald

1. Roll Call

Recognizing a quorum, Chairman Tom Barnes called the meeting to order at 7:13 p.m. and requested the roll call show all members present except Mark Sabella and Craig Polson.

2. Reading and approval of the February 12, 2018 meeting minutes

A motion was made by Mary Fay, seconded by Jerry Steiner to approve the February 12, 2018 meeting minutes with the following revision: addition of “r” in Ms. on page 3, paragraph 3, sentence 2. Voice vote, ayes all. Motion carried.

3. Old Business

i. Cattaraugus County (SP#01-18) 212 Laurens Street

In response to Mr. Barnes' question, Mr. Burr explained the County has applied for a sign variance to erect a 2.5' x 3.5' non-illuminated sign in a R3 district. Ms. Kerper advised the sign variance request is on the March 8, 2018 Zoning Board of Appeals agenda for review.

Mr. Barnes noted that in addition to the sign variance the County will need to acquire a sign permit issued by Code Enforcement.

In response to a comment, Ms. Kerper explained the application was referred to normal City divisions and no comments were received. She noted the Planning Board didn't mention placing any conditions on the project at the previous meeting.

A motion was made by Chris Chapman, seconded by Mary Fay to approve SP #01-18, as submitted. Voice vote, ayes all. Motion carried.

**ii. HK Olean Hotel, LLC as Assignee from Olean Gateway, LLC (SP#09-14)(SUP#05-14)
1404-1406 Buffalo Street**

Ms. Kerper explained the previous site plan and special use permit applications were approved by the Planning Board on January 12, 2015 with no conditions. She further explained on February 16, 2018, the applicant made a request for a six month extension for commencement of the project through August 26, 2018.

Mr. Ebert introduced himself to the Board and advised he represents the applicant and explained the delays experienced were due to acquiring approvals from the New York State Department of Transportation for the widening of Buffalo Street and the introduction of the new traffic signal. He advised another delay was due to receiving New York State Department of Environmental Conservation's approval for the Brownfield Area remediation work and ultimately receiving a Certificate of Completion.

Mr. Barnes referred to correspondence received from The Krog Group and Olean Gateway, LLC regarding the assignment of the 1404 Buffalo Street property, noting the City Attorney has advised it is a lawful and appropriate means to deal with the circumstance.

In response to Mr. Barnes' question, Mr. Ebert explained the two entities included in the assignment have different ownership structure; however, Peter Krog is managing member of Olean Gateway, LLC and HK Olean Hotel, LLC. Mr. Barnes noted the alternative of HK Olean Hotel, LLC reapplying for the Site Plan and Special Use Permit would delay breaking ground on the project and the Board does not want to slow down the project.

Mr. Barnes referred to the correspondence received from the applicant noting minor modifications to the structure. Mr. Ebert explained the minor modifications altered the original footprint from 65,000 square feet to 57,000 square feet; however, the infrastructure and parking would remain the same. Mr. Ebert indicated the minor modifications are due to the results of the Market Study performed, which has reduced the proposed 101 hotel rooms to 90 rooms thus reducing 2,000 square feet from each of the hotel's 4 stories.

In response to Mr. Barnes' comments, Ms. Kerper advised the emails and correspondence pertaining to the City Attorney's concurrence with the assignment of the parcel have been placed in the file. Ms. Fay requested a signed memorandum from the City Attorney on letterhead confirming his concurrence also be placed in the file.

Mayor Aiello advised he can also confirm the City Attorney's concurrence with the assignment of the parcel and explained he was present on the conference call with The Krog Group, Ms. Kerper and the City Attorney.

Mr. Ebert referred to the February 26, 2018 letter from Peter Krog informing that on January 26, 2018 HK Olean Hotel, LLC acquired the 1404 Buffalo Street parcel noting the assignment only applies to the hotel parcel at 1404 Buffalo Street, and Olean Gateway, LLC will remain owner and applicant for the remainder of the properties.

A motion was made by Mary Fay, seconded by Jerry Steiner to approve SP#09-14 and SUP#05-14 with the following components:

- Accept the minor 8,000 square foot building reduction modifications to 1404 Buffalo Street (SP#09-14) (SUP#05-14).
- Accept the assignment of (SP#09-14) (SUP#05-14) for the parcel located at 1404 Buffalo Street from Olean Gateway, LLC to HK Olean Hotel, LLC.
- Grant a six month extension for commencement of construction through August 26, 2018 to HK Olean Hotel, LLC (SP#09-14) (SUP#05-14) for the parcel located at 1404 Buffalo Street.
- Grant a six month extension for commencement of construction through August 26, 2018 to Olean Gateway, LLC (SP#09-14) (SUP#05-14) for the parcel located at 1406 Buffalo Street.

Voice vote, ayes all. Motion carried.

4. New Business

- i. There was no new business at this time.

5. Miscellaneous

Ms. Kerper explained the Olean Urban Renewal Agency (OURA) met on February 21, 2018 and as a result of the meeting she prepared Parts I and II of the Full Environmental Assessment Form relating to the disposition of 101 North Union Street (Manufacturers' Hanover Building) to Savarino Companies.

Ms. Kerper explained she determined the Olean Planning Board should be included in the Interested and Involved Agencies and is requesting it to review Parts I and II and provide comments within the 30 day timeframe. She noted the OURA is requesting Lead Agency status for the purpose of conducting a coordinated environmental review in accordance with the New York State Environmental Quality Review Act (NYSEQRA) regulations and the feedback from the Board will assist the Agency in moving forward with this determination.

Mr. Barnes requested at the next Planning Board meeting the members discuss Parts I and II of the draft Environmental Assessment Form (EAF) and return feedback to the OURA.

Mr. Barnes advised in the meantime, members may communicate directly with Ms. Kerper on behalf of the Board with any comments or concerns regarding the EAF.

A motion was made by Chris Chapman, seconded by Mary Fay to concur that the Olean Urban Renewal Agency be the designated Lead Agency for the purpose of conducting a coordinated environmental review of the proposed action in accordance with NYSEQR regulations. Voice vote, ayes all. Motion carried.

Mr. Barnes explained the Planning Board's policy regarding attendance, noting if a member is unable to attend a scheduled meeting due to foreseen circumstances, a call to staff the Friday before the scheduled meeting is required to ensure a quorum. He noted unanticipated and unforeseen events may occur prohibiting a member from attending a meeting and requested members contact staff as soon as it arises so, if necessary, the meeting may be canceled and rescheduled to save travel time for out of town applicants.

i. GML Section 239-l. -m, -n Referral Exemptions – Cattaraugus County Planning Board

Ms. Kerper advised she is working with Code Enforcement on the language to the above-referenced item and will continue to update the Board.

6. Next Meeting Date

The next Planning Board meeting has been scheduled for Monday, March 12, 2018, if there is business.

7. Adjournment

Motion to adjourn was made by Jerry Steiner, seconded by Chris Chapman. Voice vote, ayes all. Motion carried. The meeting ended at approximately 7:35 p.m.