

CITY OF OLEAN
DEPT. OF COMMUNITY DEVELOPMENT



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Olean Planning Board Meeting Minutes

Monday, July 13, 2020
Council Chambers
Olean Municipal Building

Attendance: **Chairman:** Tom Barnes (via telephone)
Members: Chris Chapman
Mary Fay
Reed McElfresh
Mark Sabella

Applicant(s): Courtney Cox, Savarino Companies, LLC
Matt Harrington, Contractor representing VB West State

Staff: Keri Kerper, CD Program Coordinator
Kathleen Monroe, Sr. Account Clerk Typist

Other(s): Bob Clark, Olean Times Herald
Nick Pirricio, WPIG
Larry Herbst, 121 North Union St.

1. Roll Call

Recognizing a quorum, Chairman Tom Barnes called the meeting to order at 6:42 p.m. and requested the roll call show all members present except Jerry Steiner and Craig Polson.

2. Reading and approval of the June 22, 2020 meeting minutes

A motion was made by Mary Fay, seconded by Chris Chapman to approve the June 22, 2020 meeting minutes. Voice vote, ayes: Mary Fay, Chris Chapman, Reed McElfresh and Mark Sabella. Abstaining: Tom Barnes. Motion carried.

3. Old Business

- i. Savarino Companies, LLC (SP #03-20)**
101 & 107 North Union Street

Mr. Barnes referred to the comments received from the Department of Public Works Divisions on the project, and advised the cross connection control required on services on main buildings is not within the purview of the Board.

Mr. Barnes explained the Board previously reviewed the SEQR for the project at its June 8, 2020 meeting. He noted the 30 day time period has expired and the Board received responses from interested and involved agencies concurring with the Planning Board to act as Lead Agency.

A motion indicating that the Planning Board made a finding that the project would have no significant impacts, and that the Planning Board therefore issues a Negative Declaration for (SP #03-20), was made by Chris Chapman, seconded by Reed McElfresh. Voice vote, ayes: Chris Chapman, Reed McElfresh, Mary Fay and Mark Sabella. Abstaining: Tom Barnes. Motion carried.

A motion was made by Reed McElfresh, seconded by Chris Chapman to approve Savarino Companies, LLC (SP # 03-20) with the following condition:

- The exterior lighting and signage shall be satisfactory to Code Enforcement and the State Historic Preservation Office.

Voice vote, ayes: Reed McElfresh, Chris Chapman, Mary Fay and Mark Sabella. Abstaining: Tom Barnes. Motion carried.

Mr. Barnes thanked the applicant and congratulated them on the project moving forward.

**ii. VB West State, LLC (SP #04-20)
1403 (1407) West State Street**

Mr. Barnes advised no comments were received from the Department of Public Works Divisions on the project.

There was discussion regarding the greenspace requirement for the project, and the Board strongly encouraged the addition of greenspace in some manner.

After brief discussion, a motion was made by Mary Fay, seconded by Mark Sabella to approve VB West State, LLC (SP # 04-20) with the following conditions:

- The applicant shall follow the City's procedure and make application for a sign permit.
- Planter boxes shall be installed at an appropriate size and location and to the satisfaction of Code Enforcement.
- Lighting shall be shielded and directed downward.

Voice vote, ayes: Mary Fay, Mark Sabella, Chris Chapman, Reed McElfresh and Mark Sabella. Abstaining: Tom Barnes. Motion carried.

Mr. Barnes thanked the applicant's family for continuing to invest in the City.

4. New Business

There was no new business at this time.

Miscellaneous

Mr. Barnes referred to Code Enforcement Supervisor Jennings' July 13, 2020 correspondence to the Board explaining Mr. McNamara's attorney Richard Buck contacted the City and advised he will be representing Mr. McNamara in addressing the City's concerns. Mr. Barnes indicated the applicant and his attorney should be available to attend the next regularly scheduled Planning Board (when there is business) meeting to discuss the current operations at the location.

Mr. Barnes reminded members of previous conversations had on the subject property and reiterated the applicant has been refusing to cook off-site. He indicated if Mr. McNamara chooses to continue on-site consumption, he would be required to submit a new Site Plan application to Code Enforcement and appear before the Board for its review and approval to operate as a restaurant.

Ms. Fay agreed with the manner in which to proceed and noted customers are currently dining on-site at the location.

Ms. Kerper advised she would relay this information to Code Enforcement on how the Planning Board is requesting to proceed and Captain Jennings would make notification to the applicant to return before the Board to discuss the current operations at the location.

Mr. Barnes inquired about conducting future meetings virtually. Ms. Kerper explained there is no internet in the Council Chambers to conduct a virtual Go To Meeting during a public hearing. She explained the Municipal Building is now open for business and practicing social distancing. Ms. Kerper advised she would consult with the Mayor and City Attorney regarding the nature of conducting future meetings.

5. Next Meeting Date

The next Planning Board meeting has been scheduled for Monday, July 27, 2020 at 6:30 p.m., if there is business.

6. Adjournment

A motion to adjourn was made by Chris Chapman, seconded by Mary Fay. Voice vote, ayes: Chris Chapman, Mary Fay, Reed McElfresh and Mark Sabella. Abstaining: Tom Barnes. Motion carried. The meeting ended at approximately 7:00 p.m.