

Present:

Supervisor Donald Emhardt, Councilman Thomas Carlson, Councilman Scott Cummings, Zoning Board Member, William (Bill) Titus, Deputy/Code Clerk, Nicole Yacklon, Code Officer, Frank Watson, Town Attorney, Joel Seachrist, Rebecca Luba Town Clerk. Absent, James L Hurley.

Others Present: Dan Hicks, Garrett Hicks.

Supervisor Emhardt began the committee meeting at 4:30pm.

Supervisor Emhardt explained that the Committee was appointed by the Town Supervisor and approved at the November meeting by the Town Board. The committee's purpose is to ensure that the application submitted by Ellicott Development Corporation for the proposed Sunset View Planned Development Unit (PUD) is complete and has met the requirements taken from Town Zoning Law, Chapter 143.20, Planned Unit Development (PUD) Districts. Supervisor Emhardt explained that this project will be comprised of Townhomes, single family homes, a restaurant and recreational amenities for the residents of the PUD.

Supervisor Emhardt began to review with the committee and guests the qualifications for approval of a PUD, which consists of 7 factors:

1. The owner shall submit an application for a parcel of land in single or common ownership comprising of at least 4 acres. This has been met as property has 35.5 acres.
2. The Tract of land is served by a community or public water system and a sanitary sewer system. There is public water and sewer,
3. Where no community or public system exists, the applicant would undertake designing and constructing a central water supply and/or sewage treatment system to serve all dwelling units. This does not apply to this project as The Town is projected to go out to bid on waterlines in Mid-February and water is projected to be accomplished by Summer of 2025.
4. At Least 40% of the gross area of the site shall be preserved as permeant open space, free of buildings. Currently the site plan proposed has about 65% open space.
5. Two off street parking places for each dwelling. Each unit will have a 2-car garage.
6. The use of living plant material as adjunct to granting a special use PUD permit shall be mandatory. Ellicottville Development has met with the Chautauqua Watershed Conservatory, and any plants disturbed will be replaced. The developer will continue to work through the Chautauqua Watershed Conservatory for this project.
7. Any tract or parcel of land proposed to be developed in a subdivision shall be subject to other articles. The zoning for this parcel is Residential-Lakeside. The proposed project does meet with this current zoning, with a smaller footprint than originally submitted. Under Town law the developer must submit a vehicular traffic impact statement. This has

been completed and submitted to the Town. Developers will continue to work with the CWC (Chautauqua Watershed Conservancy) on screening and plantings.

Supervisor Emhardt asked if there were any questions from the committee. With no questions Supervisor Emhardt reviewed what the next steps would be for the project.

If the committee approves the proposed concept plan, the application will then go to the Town Board's December 11th meeting for approval or denial of the project's application. If the Town Board approves the application, they will then make a recommendation to the Zoning Board of Appeals. If they deny it will go back to the Developer.

The ZBA's role is to review additional detailed engineering plans for the site along with the concept plan application. This will be a public meeting. Councilman Cummings asked if the current IDA will be involved and Supervisor Emhardt stated that the IDA, the DEC, County Planning board, State Highway would all be involved with this project.

Councilman Carlson asked for clarification regarding public hearings and Attorney Seachrist explained that the public hearings will be on two levels: one with the ZBA Board of Appeals, and the other the Town Board for a special use meeting. If the ZBA approves the project, it will go back to the Town Board for a Special Use Permit which will have a public hearing attached to that meeting. Attorney Seachrist explained that this would give the public 2 levels/opportunities for public hearings.

Councilman, Tom Carlson made a motion that the committee authorize the Chairman of this committee to send a letter to the Town Board approving the concept plan based on the reasons reviewed and that there is no health, safety or welfare issues that have been discovered; and the committee is ready to proceed with the preliminary plan. Councilman, Scott Cummings seconded the motion, and the committee voted as published.

William (Bill) Titus – AYE

Don Emhardt – AYE

Tom Carlson – AYE

Scott Cummins – AYE

Motion is carried so that the Sunset View application/concept plan proceeds to the Town Board at the December 11th meeting.

Councilman Cummings expressed that he has been impressed with the Developer's second plan concept that shows the project was downsized and moved back and up.

Town Clerk, Rebecca Luba stated that the correspondence was compiled into an e-mail that was sent to each committee member, Town board member, and the ZBA board members as well as the Town Attorney Joel Seachrist. Supervisor Emhardt asked if those were on our webpage and Clerk Luba said no comments/letters would be placed on the webpage. For the future any other comments/letters will be compiled in one e-mail and be sent to Town board members, ZBA members, and Attorney Seachrist.

A motion to adjourn the committee meeting was made by Councilman, Tom Carlson and seconded by Councilman, Scott Cummins.

Meeting adjourned at 5:05pm.