



## ZBA

3/25/09 (Pg. 2)

problems. He said the top map shows the lighting proposed for the facility. He said the lighting will be pointed downward to reduce any obtrusiveness and they are designed to diffuse lighting to a 25' diameter area. He said that from the back of the building to the driveway is about 120' so the proposed lighting would not affect the driveway or the surrounding homes. He said the buildings are located a little over 100' off Rt. 394 and 50' in off of Wells Bay Road as well as the other property line. Mr. Barton asked about hours of operation and if the units would be accessible 24 hours.

Mr. Sampson said they would be 24 hour accessible but there would be no fence surrounding the units. He said he feels that fencing is an eye sore and obtrusive. He said he intends it to have a somewhat park like appearance with trees, plantings, a picnic area, etc., but no trash receptacles.

Mr. Stapleton asked if the Mayville facility was open 24 hours and if there had been any break-ins there. Mr. Sampson said someone had tried to get into one of the units but had failed. Mr. Stapleton asked Mr. Lawson about the photometric studies done in the Town of Ellicott because of the large density of lighting there for commercial development. He asked if there was anything in Mr. Sampson's application that raised any questions. Mr. Lawson said from what he has seen their lighting design is probably less than what could be used and will not be obtrusive.

Mr. Sampson said they intended to use an unlighted "V" style sign 4'x8' (each side) that will blend with the landscape. Mr. Lawson said our zoning only allows by right 50 sq. ft. of signage and Mr. Sampson would need a special permit for his sign.

Mr. Komar asked how many units will be in the two buildings. Mr. Sampson said there are 36 in each building. He provided photos of the units in Mayville. He said the buildings would have 5-12 pitch roof instead of the flat roof which is better for snow melt.

Doug Wells asked about the thinking of the water issue from snow melt on the road side of the driveway. He said it seems that the opposite side of the driveway during snow removal will create more of a runoff problem on the backside. Mr. Sampson said he is amenable to doing whatever makes sense there according to what Mr. Lloyd and the board thinks. Mr. Lloyd said Mr. Wells idea made sense as far as diversion. There was general discussion of what types of drainage and "slow down of water" measures would be best for the site. Mr. Sampson said pg. 3 of the drawings shows the check dams and how they will be used. Mr. Wells asked if there would be gutter on the buildings. Mr. Sampson said no, but the gravel should hold any water runoff from the roofs.

Mr. Lloyd said the unit contracts state that volatile or chemical items are prohibited, but sometimes it happens and the traps should catch any hydrocarbons of any kind before it gets to the lake and water system.

Mr. Stapleton stated for the record that Mr. Lloyd has joined the Zoning Board as an alternate and it is highly unusual that any board member would be engaged with an applicant in designing systems. He said for purposes of the record he wanted it to be known that Mr. Lloyd is the former highway superintendent and has been engaged by the town under contract for several years to do various flood mitigation projects and special projects for the town. He said that is why the applicant and Mr. Lloyd have been talking about the design. Mr. Lloyd said anything that he suggests is taken to either county engineering or the town engineer for verification.

Jeff Stallman asked about the entrances to the units. Mr. Sampson said entrances are located on all sides of the units.

Mr. Sampson mentioned silt fences with straw bales located on page 3 that will be necessary during construction or even afterwards to prevent soil erosion and runoff.

Mr. Barton asked about lights inside of the units. Mr. Sampson said there will be no electric or water in any of the units. He said they are on floating concrete slabs with no drains and they actually have a slight slope down toward the door which has a lip to prevent anything from blowing, etc. into the unit.

Donna Wells asked about the idea of picnic tables and asked who will take care of litter, etc. She asked who would be cleaning up. Mr. Sampson said he would be going by several times a day and would

## ZBA

3/25/09 (Pg. 3)

check things out, but he did not intend to place trash receptacles there. He said he envisioned people taking their trash with them when they leave.

Sharon Dunn asked about 24/7 access when there are no lights inside the units. Mr. Sampson said people will use flashlights and studies show that the 24 hour access is appealing to users even if they do not use it.

Mr. Stallman asked about leveling the property on the 125' before you get to the driveway for the units. He asked how much of a runoff, steepness of grade that will be. Mr. Sampson said the elevations show that there is 9' of fall from the driveway to the buildings and 16' of fall at the rear corner. Mr. Sampson said the surveyor's had measured the contours of the property in 1' foot increments.

Mr. Barton asked if the application should be sent to the Planning Board for review. Mr. Stapleton said there is a mandatory referral provision in the Zoning Law for any development within 500' of a state road that requires it be sent to the Chaut. Co. Planning Board for review. He said that the towns Planning Board should review it also. He said that typically there is a 30 day response period for these types of referrals.

Mr. Wells asked how close to Rt. 394 the sign would be. Mr. Sampson said it will be about 60' from the road edge. His concern was for visual safety of ingress and egress to Wells Bay Road. Mrs. Dunn expressed concern about the 55mph speed limit and safety of getting in and out of Wells Bay Road. There was general discussion of traffic conditions on Rt. 394.

Mr. Sampson requested that the board be expeditious in its decision since his time frame to rent the units out runs only to about October. Mr. Barton said that circumstances require that the matter be sent to those two boards. Mrs. Thomas said that the Planning Board will be meeting on 4/7/09, and County Planning usually has a written or verbal response within 30 days. Mr. Barton said if the application referral responses are received before the next ZBA hearing on 4/22/09, they can act at that time.

Mr. Stapleton advised that the ZBA will need to go over the entire Special Use Permit Section and the General Development Section when the responses are received and any conditions the board might make if they decide to allow the use would be discussed at that time.

Mr. Wells said he does not oppose the project but would like to have some of the drainage issues sorted out. He said perhaps the board might require that a review of the drainage be done after a years use to see how things are working and if any issues need to be addressed further. Mr. Wells asked what color the units will be. Mr. Sampson said they will be beige and green.

**Mr. Barton motioned that the Special Permit application of Scott Sampson to build two storage facilities at property located at Wells Bay Rd. and Rt. 394, Specifically Section 332.11-1-22.1 (old #3-1-36.1) be forwarded to the Town Planning Board and the Chautauqua County Planning Board for review and recommendation. Mr. Lloyd seconded and the motion was carried unanimously.**

The hearing was adjourned at 8:50 PM.

*Nancy Thomas*  
*Town Clerk*