

**VILLAGE OF ELLICOTTVILLE
PLANNING BOARD MEETING MINUTES
JANUARY 13, 2026**

PRESENT: Nancy Rogan, Chairperson
Blair Hamilton, Member
Damon Newpher, Member
Josh Whitney, Member
Tracy Rivers, Alternate Member

ALSO PRESENT: Gregory Keyser-Village Planner, Kelly Frerickson-CEO, Chad Neal-Village Board, Aaron Tiller-Architect, John Hushen-Applicant, Paul Deeley-LaBella Engineering Consultants, Ben Heckathorn-Kinley Contractors, Laura Rifkin-Applicant, Karin Socha-46 Martha St. resident

AGENDA: VZP-2025-31 - 29 Washington Street, Gabriella Iuculano
Historic District/Architectural Review of new front entry doors

VZP-2025-70 - 8-10 Washington Street, Kathleen Moriarty
Special Use Permit for change of use to convert rear office space to residential use
Public Hearing January 13, 2026

VZP-2025-68 - 24 Fillmore Drive, Toby Jenkins
Site Plan & Architectural Design Review of new single-family dwelling. Public Hearing January 13, 2026

VZP-2025-58 - 22 Mechanic Street, Joe Riordan
Architectural Design review of new garage

VZP-2025-76 - 27 Mill Street, John & Ashley Figus
Subdivision review/ Lot line adjustment

VZP-2026-01 - 30 Fillmore Drive, Ellicottville Volunteer Fire Department
Architectural Design Review -renovations & addition

VZP-2025-73 - 21 Rockwell Avenue, John Hushen
Referral from Zoning Board of Appeals

VZP-2025-74 - 39 Martha Street, Daniel & Laura Rifkin
Referral from Zoning Board of Appeals

Nancy Rogan, Chairperson, called the meeting to order at 5:30 p.m. with five members

present and presented the agenda.

Nancy Rogan opened the public hearing for VZP-2025-70, 8-10 Washington Street, Kathleen Moriarty, Special Use Permit for change in use to convert a rear office space to a residential use.

Greg Keyser stated that the applicant is requesting approval to convert a portion of an existing condominium unit to a one-bedroom apartment. The current unit is approximately 1,600 sf and the proposed residential portion of the unit will be approximately 900 sf with the remaining 700 sf continuing to be used as office space. Access to the apartment is proposed through an existing courtyard door at the rear of the building. Access to the office space will continue to be from Washington Street.

Nancy Rogan asked for questions or comments from the people attending?

Mr. Keyser advised that no verbal or written comments were received in response to the public hearing notice which was published in accordance with local law.

MOTION: Moved by Damon Newpher to close the public hearing for VZP-2025-70, 8-10 Washington Street, Kathleen Moriarty, Special Use Permit for change in use to convert a rear office space to a residential use. Seconded by Josh Whitney. Vote 5-0. Carried.

Nancy Rogan opened the public hearing for VZP-2025-68, 24 Fillmore Drive, Toby Jenkins, Site Plan and Architectural Design review for a new single-family detached dwelling. She noted that the Planning Board reviewed the application in November. Aaron Tiller, representing the applicant provided the requested landscaping plan.

Mrs. Rogan asked for questions or comments from the people attending?

Greg Keyser advised that no verbal or written comments were received in response to the public hearing notice which was published in accordance with local law.

MOTION: Moved by Blair Hamilton to close the public hearing for VZP-2025-68, 24 Fillmore Drive, Toby Jenkins, Site Plan and Architectural Design review of a new single-family detached dwelling. Seconded by Josh Whitney. Vote 5-0. Carried.

The Minutes of the November 4, 2025 Planning Board Work Session were read.

MOTION: Moved by Josh Whitney to approve the Minutes of the November 4, 2025 Planning Board Work Session as read. Seconded by Blair Hamilton. Vote 5-0. Carried.

The Minutes of the November 12, 2025 Planning Board Meeting were read.

MOTION: Moved by Damon Newpher to approve the Minutes of the November 12, 2025 Planning Board Meeting as read. Seconded by Blair Hamilton. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-31, 29 Washington Street, Gabriella Luculano, Historic District and Architectural Design review of new front entry doors.

Greg Keyser presented an overview of the application noting that the doors were installed without approval. The applicant was notified of the violation and instructed to re-install the old doors or apply for approval by the Planning Board. The applicant submitted an application and a public hearing was held on November 12, 2025. The Planning Board asked for modifications to the doors to better meet the historic standards. Ms. Luculano provided a proposal to add wood handles and the store's name on the glass panels. The 62 day period for making a decision ends January 13, 2026. He referred to his staff report with the historic standards and how the submission meets the Architectural Design and Historic District standards for the Planning Boards consideration. The Board should classify the project as a Type 2 SEQR Action before acting on the application.

Nancy Rogan advised that the Board has had discussion on the project for many months and now needs to make a decision.

MOTION: Moved by Blair Hamilton to classify the project as a Type 2 Action under 617.5(c)(1) involving the maintenance and repair of an existing structure. No further review under SEQR is required. Seconded by Damon Newpher. Vote 5-0. Carried.

MOTION: Moved by Damon Newpher to approve the new entry doors as reviewed under the Architectural Design and Historic District Standards at 29 Washington Street as per materials including photograph revision submitted in VZP-2025-31 by Gabriella Lucualno. Seconded by Blair Hamilton. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-70, 8-10 Washington Street, Kathleen Moriarty, a Special Use Permit for change in use to convert the rear office use to a residential apartment.

Greg Keyser presented the request to convert 900 sf of an existing condominium unit into a one-bedroom apartment. The remaining 700 sf will remain commercial office space. The Planning Board should classify the project as a Type 2 SEQR Action before taking action on the application. The project is subject to Cattaraugus County Planning Board Referral under 239-m of the General Municipal Code. The Planning Board should table the application pending receipt of a response from the County Planning Board.

MOTION: Moved by Josh Whitney to table VZP-2025-70, 8-10 Washington Street, Kathleen Moriarty, Special Use Permit for change in use to convert the rear office use to a residential apartment to the February 10, 2026 meeting pending receipt of comments from the Cattaraugus County Planning Board. Seconded by Blair Hamilton. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-68, 24 Fillmore Drive, Site Plan and Architectural Design review of proposed new single-family dwelling.

Greg Keyser advised that the Board should classify the project as a Type 2 SEQR Action before taking action on the application. The project is subject to Cattaraugus County Planning Board Referral under 239-m of the General Municipal Code. The Planning Board should table the application pending receipt of a response from the County Planning Board.

MOTION: Moved by Josh Whitney to table VZP-2025-68, 24 Fillmore Drive, Site Plan and Architectural Design review of a new single-family dwelling to the February 10, 2026 meeting pending receipt of comments from the Cattaraugus County Planning Board. Seconded by Blair Hamilton. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-58, 22 Mechanic Street, Joe Riodan, Site Plan review of new garage and demolition of existing garage.

Greg Keyser presented the proposal to demolish the existing deteriorating garage and replace it in kind with a 400 sf. new garage using the same footprint. The architectural design will be the same as the existing garage. Demolition of any structure larger than 200 sf requires a demolition permit. The project is a Type 2 Action under 617.5(c)(2) and 617.5(c)(12), involving the replacement and reconstruction of an accessory residential structure, in kind, on the same site. If the Board feels it has a complete application a public hearing can be set for the February meeting.

MOTION: Moved by Josh Whitney to set a public hearing for VZP-2025-58, 22 Mechanic Street, Joe Riodan, Site Plan review of a new garage and demolition of existing garage for February 10, 2025 at 5:30 p.m. Seconded by Blair Hamilton. Vote 5-0. Carried.

DISCUSSION Nancy Rogan presented VZP-2025-76, 27 & 29 Mill Street, John and Ashley Figus, a request for re-subdivision to allow a lot line adjustment.

Greg Keyser presented the request for re-subdivision to allow a lot line adjustment between 27 and 29 Mill Street needed to construct an addition to the existing dwelling. The Board should determine if the proposal is a Major or Minor Subdivision. Criteria for a Minor Subdivision approval are: Division into five or fewer lots or all lots are five acres or more in size; and all lots front on existing public highway; and all lots meet Health Department standards for water supply and sewage disposal; and does not have a major impact on the orderly growth or development of the Village. The proposal meets the criteria. No new lots are being created, both lots front on Village streets and have public water and sewer.

MOTION: Moved by Blair Hamilton that the Planning Board determines the project meets the criteria for a Minor Subdivision and grants the lot line adjustment at 27 and 29 Mill Street as presented in materials in VZP-2025-76 submitted by John and Ashley Figus. Seconded by Damon Newpher. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2026-001, 30 Fillmore Avenue, Ellicottville Volunteer Fire Department. Architectural Design review of renovations and new additions.

Paul Deeley of LaBella, representing the applicants presented the elevation drawings of the proposed 2,900 sf addition and a floor plan for the interior changes.

Ben Heckathorn, of Kinley Contractors, advised that using the same building envelope exterior renovations to the siding and roof will be done as the building is currently having a water problem. A new roof of 30 year shingles with overhang and doors and siding are proposed

The addition on the north side of the building will also add an ambulance bay.

Paul Deeley explained the need for a decontamination space as fires contain carcinogens that adhere to the firefighters PPE and clothing. New York State mandates that a decon space be provided. We have allowed firefighters to enter the building without going through the apparatus room. Space for future EMS growth is also provided.

Nancy Rogan asked if the Board members had questions?

Greg Keyser noted that architectural design review does not require a public hearing. The project is a Type 2 Action under 617.5(c)(2) and 617.5(c)(9) involving the rehabilitation of a structure and construction of an addition less than 4,000 sf. The Planning Board should classify the project as a Type 2 Action before acting on the application.

The project is subject to Cattaraugus County Planning Board referral under 239-m of the General Municipal Law. The Planning Board should table the application to the February meeting pending receipt of comments from the County Planning Board.

MOTION: Moved by Josh Whitney to table VZP-2026-001, 30 Fillmore Drive, Ellicottville Volunteer Fire Department, Architectural Design review of proposed renovations and new addition to the February 10, 2026 meeting pending receipt of comments from the Cattaraugus County Planning Board. Seconded by Damon Newpher. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-73, 21 Rockwell Avenue, John Hushen, a referral from the Zoning Board of Appeals.

Greg Keyser presented the proposal to demolish an existing residence and two accessory structures and construct a new single-family detached dwelling. The applicant has applied to the ZBA for 3 area variances. Two for the front yard setback to allow the new house to align with the other houses on the street and one for the side yard setback to allow for a patio.

The ZBA is asking for an advisory opinion on the Site Plan and Architectural Design from the Planning Board before granting any variances.

Board members agreed that there are no major issues with the project.

MOTION: Moved by Damon Newpher that the Planning Board finds no issues with the proposed project and recommends that the Zoning Board of Appeals grant the variance requests in VZP-2025-73, 21 Rockwell Avenue by John Hushen. Seconded by Josh Whitney. Vote 5-0. Carried.

DISCUSSION: Nancy Rogan presented VZP-2025-74, 39 Martha Street, Daniel Rifkin, a referral from the Zoning Board of Appeals.

Greg Keyser presented the proposal to renovate the existing single-family residence including the construction of multiple additions to the first, second and attic floors, as well as a new concrete patio at the front of the residence and a new wood deck at the rear. The applicant has applied to the ZBA for two front yard setback variances to allow the second floor addition and the front patio to be less than 25 feet from the front property line.

The ZBA is asking for an advisory opinion from the Planning Board on the Site Plan and Architectural Design before acting on the variance requests. Planning Board members agreed there are no major issues with the project.

MOTION: Moved by Blair Hamilton that the Planning Board finds no issues with the proposed project and recommends that the Zoning Board of Appeals grant the variance requests in VZP-2025-74, 39 Martha Street submitted by Daniel Rifkin. Seconded by Josh Whitney. Vote 5-0. Carried.

Greg Keyser presented the 2026 meeting schedule.

MOTION: Moved by Blair Hamilton to adjourn at 6:00 p.m. Seconded by Josh Whitney. Vote 5-0. Carried.

Submitted by Donna Baldwin, Secretary