******PRELIMINARY DRAFT******

MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT ZONING BOARD OF APPEALS/PLANNING BOARD WAS HELD AT THE ELLICOTT ADMINISTRATION BUILDING, 215 SOUTH WORK ST., FALCONER, NY 14733, ON MAY 21, 2026, AT 5:30 P.M.

PRESENT: Dan Evans, Ken Lyon, Paul Volpe, John Merchant, Patricia Martonis, Attorney Marilyn Fiore-Lehman, Code Enforcement Officer Brandon Shelters, and Secretary Kendra Newman

ABSENT: Valerie Pierce

Chairman Dan Evans opened the meeting at 5:31 PM and led in the Pledge of Allegiance.

Motion made by John Merchant, seconded by Ken Lyon, to approve the minutes of the April 16, 2026, meeting.

Carried. Ayes – 5 Noes – 0 Absent – 1

Chairman Dan Evans swore in Kristin Larson Melville, Phillip Landy, Anthony Pandolfe, Jen Krack, Trevor Edkin, Mia James, Will Merecki, Anthony Killinger, Roger Golden, and Phillip Colaiacovo.

Chairman Dan Evans opened the public hearing for Kristin Larson Melville, 80 Canterbury Rd, Jamestown, NY, for an area variance for a second accessory building measuring 20 ft x 12 ft. Said premises are described on the Town of Ellicott tax maps as Section 386.12 Block 1 Lot 12.

Kristin Larson Melville stated:

- Would like to put in additional 20 ft x 12 ft shed.
- Will be on skids.
- No utilities.
- Will be for additional storage of lawnmower, snowmobile, etc., and for residential use only.
- 15 ft from rear property line.
- Side setbacks will be met.
- Wooden – prefab Amish shed.
- No driveway.

Ken Lyon made a motion, seconded by Paul Volpe, to approve the area variance for a second accessory building measuring 20 ft x 12 ft as presented for Kristin Larson Melville, 80 Canterbury Rd, Jamestown, NY. Shed will be for personal use only and will not have any utilities. Said premises are described on the Town of Ellicott tax maps as Section 386.12 Block 1 Lot 12.

Carried. Ayes – 5 Noes – 0 Absent – 1

Chairman Dan Evans opened the public hearing for 7 Brew Drive Thru Coffee, 1013 Fairmount Ave, Jamestown, NY, for a site plan review for a drive thru coffee shop. Said premises are described on the Town of Ellicott tax maps as Section 386.10 Block 1 Lot 1.

Anthony Pandolfe, Project Engineer, stated:

- Looking for site plan review and setback variances for proposed 7 Brew site.
- Existing building will be demolished.
- Prefabricated building will be brought in – 510 sq ft building.
- Drive thru only - will be 2 drive thru lines.
- Will need setback variances for the building and drive thru – site is unbuildable if go by setbacks.
- Water will be off Southwestern Dr.
- Sewer will be tied into man hole in Raymour & Flannigan parking lot.
- Waiting on DOT for access and egress traffic studies and permit.
- Stacking driveway, double lanes with 24 total cars.
- Will be leasing property from Raymour & Flannigan.

Trevor Edkin, representing Raymour & Flannigan, stated they are in support of the project.

Mr. Pandolfe stated:

- Landscaping will include locus, honey trees, junipers, evergreen trees and shrubs, and dogwood shrubs.
- No out buildings.
- Dumpster enclosure.
- Will use existing light poles along Southwestern Dr.

Jen Krack, representative of 7 Brew, stated:

- Hours of operation are 5:30 am- 11 pm.
- May have to accommodate pedestrian access.
- No pick-up window – runners bring out drinks directly to customers.
- Texters take orders on IPADs – walking from car to car.
- Door on pickup side will be for runners to bring out drinks.
- No phone in orders – mobile orders on the app.
- Demographics align with high school/college age students – 8 am - 10 am and 2 pm - 4 pm busiest times.
- Only sell drinks – coffees, lemonades, energy drinks, smoothies.
- Box truck deliveries made during off peak times and staggered throughout week.
- LED rope lights around the building and canopy.

Mr. Pandolfe stated:

- Storm water drainage is on site.
- Will be same prototype as the Dunkirk location.
- Pylon sign out front.
- All electric – no gas.

Patricia Martonis made a motion, seconded by John Merchant, to approve the site plan for 7 Brew Drive Thru Coffee, 1013 Fairmount Ave, Jamestown, NY, as presented. Said premises are described on the Town of Ellicott tax maps as Section 386.10 Block 1 Lot 1.

Carried. Ayes – 4 Noes – 0 Abstained – 1 Absent – 1

Chairman Dan Evans opened the public hearing for Mia James and Will Merecki, 3817 E Ross Mills Rd, Falconer, NY, for setback variances for a garage. Said premises are described on the Town of Ellicott tax maps as Section 319.00 Block 1 Lot 14.2.

Mia James and Will Merecki stated:

- Would like a setback variance for a garage.
- Will not be in the way of new septic system.
- Existing shed will be taken down and place garage in that spot.
- No existing driveway – parking on side of road.
- Vehicle gets plowed in during the winter.
- Need a 10 ft reduction on the road side setback.
- Driveway will be stone.
- County highway department has already been on site.
- Garage will be metal (aluminum) with a gravel floor.
- No utilities.
- Windows on each side (do not open).
- One garage door and one-man door.
- Solar and/or motion lights and a security camera will be installed.
- No walkway to the house.
- Garage will be 12 ft x 20 ft – single car garage.
- Garage is prefab.
- Should not be any issues when backing out into road.
- Will use 16 ft J rebar stakes to anchor down.

The Board discussed the snow load of the garage and the pitch of the roof. Mr. Merecki will need to prove the garage is NYS compliant for the snow load.

Patricia Martonis made a motion, seconded by Paul Volpe, to approve the 15 ft setback variance for Mia James and Will Merecki, 3817 E Ross Mills Rd, Falconer, NY, for a 12 ft x 20 ft garage as described with the expectation that a New York State certificate for snow load is provided to the Code Office. It will be a metal garage with a gravel floor and a gravel driveway. There will be one garage door, one man door, and 2 windows that will let in light (not actual windows). There will also be a motion light. The neighbor has a expressed a concern about the septic system which was looked at. Said premises are described on the Town of Ellicott tax maps as Section 319.00 Block 1 Lot 14.2.

Carried. Ayes – 5 Noes – 0 Absent – 1

Chairman Dan Evans opened the public hearing for Anthony Killinger, 3593 Lake St, Jamestown, NY, for an area variance for an accessory building on a vacant parcel across the street from dwelling. Said premises are described on the Town of Ellicott tax maps as Section 369.10 Block 1 Lot 33.

Anthony Killinger stated:

- Seeking a variance for a 10 ft x 16 shed (behind garage) across the street from dwelling.
- 5 ft from property line of neighbors.

- 10 ft from the garage.
- Will use gravel driveway to access shed.
- Lot is 25 ft x 157 ft deep.
- Back side will be 75 ft from woods.
- Shed will be prebuilt on skids.
- No utilities.
- Will be for personal use only.
- Will have barn style doors with a stone walkway.
- Was given a variance last year for the garage.
- Garage is full – needs additional storage.
- Will match the garage.

Patricia Martonis made a motion, seconded by John Merchant, to approve the area variance for a second accessory shed that will match the existing garage for Anthony Killinger, 3593 Lake St, Jamestown, NY. Shed will be 10 ft x 16 ft, on skids with no lights, located 10 ft from the existing garage and be for personal use only. Said premises are described on the Town of Ellicott tax maps as Section 369.10 Block 1 Lot 33.

Carried. Ayes – 5 Noes – 0 Absent – 1

Chairman Dan Evans opened the public hearing for Roger Golden, 456 Howard Ave, Jamestown, NY, for an area variance for a 40 ft x 50 ft garage on a vacant lot adjacent to house. Said premises are described on the Town of Ellicott tax maps as Section 386.19 Block 1 Lot 11.1.

Roger Golden stated:

- Right of Way (well road) between house and lot for garage.
- Would like to put a 40 ft x 50 ft garage on vacant lot.
- Driveway will be off the well road – has access to well road in deed.
- Buffer will be kept the same.
- Large lot – 48 ft off the road.
- Will be leaving the woods -- only disturbing where garage will be built.
- No upstairs – 12 ft ceilings.
- Will be putting a lift in to work on cars.
- Will have electric and gas (heat) - no water.
- Will be used for storing cars only.
- Building is from Eastern States – metal.
- Concrete floor.
- No windows, 2 overhead doors, and 1 man door.
- Sconce lighting on sides of doors.
- Parcels cannot be combined due to the Right of Way.

Ken Lyons made a motion, seconded by John Merchant, to approve the area variance for a 40 ft x 50 ft garage for Roger Golden, 456 Howard Ave, Jamestown, NY. Driveway will be gravel. There will be gas and electric. Garage will have 2 garage doors, one man door, no windows, and lighting by the doors. It will be for personal use only. The parcels cannot be combined due to the gas well Right of Way. Said premises are described on the Town of Ellicott tax maps as Section 386.19 Block 1 Lot 11.1.

Carried. Ayes – 5 Noes – 0 Absent – 1

Chairman Dan Evans opened the public hearing for Phillip Colaiacovo, 3411 Old Fluvanna Ave, Jamestown, NY, for setback variances for the construction of a pole barn. Said premises are described on the Town of Ellicott tax maps as Section 369.10 Block 4 Lot 22.

Phillip Colaiacovo stated:

- Would like to build a 26 ft x 30 ft pole barn on a gravel pad.
- Need setback variances off of Old Fluvanna Rd and Brown St.
- Driveway will be off of Old Fluvanna Rd.
- Back will be 10 ft from fence.
- Lot is approximately ½ acre.
- Shed was there when purchased.
- Will have electric and possibly plumbing.
- Sconce lighting on the garage for security.
- Garage will be for personal use only.
- Garage will match the house (brown/black).
- Windows on each side.

Patricia Martonis made a motion, seconded by Ken Lyon, to approve the two setback variances for Phillip Colaiacovo, 3411 Old Fluvanna Rd, Jamestown, NY, for a 26 ft x 30 ft pole barn. A site visit has already been done with Code Officer Shelter. Lot is 107.4 ft on Fluvanna side, 95 ft on the Brown St side, and the back side is 195 ft. Building will have a gravel floor with electric, plumbing, lights for security reasons, and will match the house. Building will be for personal use only. Said premises are described on the Town of Ellicott tax maps as Section 369.10 Block 4 Lot 22.

Carried. Ayes – 5 Noes – 0 Absent – 1

Motion made by Patricia Martonis, seconded by John Merchant, to adjourn the meeting at 6:47 PM.

Carried. Ayes – 5 Noes – 0 Absent – 1

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Kendra Newman, Secretary