

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING MEETING MINUTES

January 26, 2023
Little Valley, NY

DRAFT

PLANNING BOARD MEMBERS PRESENT:

Charles W. Couture, Chairman	Allan J. Ormond
Paul D. Mager, Vice Chairman	James J. Valent
Michael J. Zaprowski, Secretary	David L. McCoy
Kathleen M. Ellis	
Daniel J. Brown	

PLANNING BOARD MEMBERS ABSENT:

Mark Smith
Robert C. Keis
Tina J. Abrams
Danny Newbury
Andrea L. Mellon, Assistant Secretary

PLANNING DEPARTMENT STAFF

Crystal J. Abers, Director
Kate O'Stricker

GUESTS:

1. CALL TO ORDER
Charles Couture, Chairman, called the meeting to order at 7:00 p.m.
2. WELCOME & OPENING REMARKS
None
3. APPROVAL OF MINUTES
 - 3.1. December 29, 2022
Charles Couture called for a motion to accept the minutes. Michael Zaprowski moved to approve with a second from Al Ormond. Motion carried.
4. NEW BUSINESS
 - 4.1. General Municipal Law Section 239 (l) & (m) Referrals
 - 4.1.1 Town of Allegany – Special Use Permit Renewal
 - 34-38 West Union Street
We received their Ag Data Statement which was complete and their Special Use Permit which complied with Allegany SUP Guidelines and Addendum to SUP Renewal Procedure. The Short EAF Part 1 is complete.

The referral is now complete and it has significant or inter-community impact. The staff recommendation is to approve.

Dan Brown motioned to accept the staff recommendation to approve with a second by Jim Valent. Motion carried.

- Town of Great Valley – Site Plan Review
 - 4808 Rt. 219 and Humphrey Road (OFF) Solar Project

This is a proposed solar project on three parcels. All three parcels have active Mining Permits. The Town of Great Valley parcel has been mined but has not completed the reclamation and the form indicates that the other two parcels have not been mined, however the Real Property Map does not match. The three properties have lease agreements.

The referral is incomplete and there is significant countywide or inter-community impact. The staff recommendation is to return it due to the several errors/missed questions on the EAF and forms did not include all three parcel numbers.

Paul Mager motioned to accept the staff recommendation with a second by Michael Zaprowski. Motion carried. Dan Brown abstained.

- City of Salamanca
 - Local Law and Zoning Text Amendment for 486 East State Street

They are seeking to change the classification from R-1 (single family residential) to B3 (Neighborhood Commercial). The property owner has proposed to have a commercial building with multiple units. The amendment was approved after several meetings. Concerns were answered by the property owner. Spot zoning was questioned, however the property directly across the street (Antones) is zoned B3. Council declared to be lead agency for SEQR. We received the short EAF and B3 is permitted under the zoning regulations and consistent with the comprehensive plan.

The referral is complete, there is significant countywide or inter-community impact and the staff recommendation is to approve.

Dave McCoy motioned to accept the staff recommendation with a second by Kathleen Ellis. Motion carried. Michael Zaprowski and Jim Valent abstained.

- Town of Machias
 - Solar Moratorium

SEQR: Type II Action

Basic requisites of Land Use Moratorium

- Reasonable time frame – 6 months
- A valid public purpose
- Address a situation where the burden imposed by the moratorium is being shared substantially by the public at large – Town wide
- Strictly adheres to the procedure
- Time certain when the moratorium will expire.

The Moratorium meets the five basic requisites.

There was a public hearing on January 17 at 6:45. The referral is complete and there is significant countywide or inter-community impact. The staff recommendation is to approve.

Paul Mager motioned to accept the staff recommendation with a second by Dave McCoy. Motion carried.

4.2 Environmental Review

4.2.1 Town of Great Valley – Lead Agency SEQR

- 4808 Route 219 and Humphrey Road (OFF) Solar Project
Kate will send them a letter telling them about the issues that we found on their EAF and the recommendations that we suggest. She will add a clause that talks about decommissioning and using Ag Land that the Board asked for in the letters.
- City of Olean – Lead Agency SEQR
- South Union Sidewalk Replacement Program
They are proposing roadway/pedestrian improvements to South Union Street that will entail the removal and replacement of existing sidewalks on the east side of the road and a 10 foot multi-use path. The Department agrees with the Town Board being the Lead Agency.
Al Ormond motioned to accept with a second by Jim Valent. Motion carried.
- Town of Machias
- Felton Hill Road East and West Solar Project - Negative Declaration Type I action
- 4578 Felton Hill Road East and West Solar Project
The Town is the Lead Agency on this matter. We received a letter stating it has been determined that the proposed action will not have a significant effect on the environment so an Environmental Impact Statement will not be prepared. This Referral has been here in June and July and was sent back as incomplete, so we have not received a complete referral for the two projects. The Planning Board has not approved them.
Motion by Al Ormond with a second by Dan Brown that we received the Negative Declaration and we have concerns about the project. Motion carried.
- Town of Persia – SEQR Positive Declaration
- Gowanda Solar Farm, LLC
They saw that there would be one or more adverse impacts including the removal of significant agricultural acreage from production for a substantial period of time. They will be preparing the required Environmental Impact Statement. Kate will send them a letter telling them that we received the Declaration

5 CORRESPONDENCE

5.1 Town of Farmersville

- Part 3 – Solar Moratorium
We can now close out this file.

6 OLD BUSINESS

None

7 REPORTS/OTHER BUSINESS

7.1 Chairman's Report

We received our first snow of the year last night. It's hard to believe that Buffalo received 4 feet of snow last month. They have nowhere to put it and have to pile it up, while we have places to put that much snow.

7.2 Department Reports

- Director's Report

Crystal Abers has nothing to report, except for the fact that they have been extremely busy. They have hired a new planner that will start in February.

- Staff Reports

7.2..1 Kate O'Stricker

They have been very busy filling in for the planners. They have a new RAISE Grant for Cattaraugus County Southern Tier Trails for 10 million dollars that is due the end of February. We were awarded \$600K from Community Development Lot Grant for the Mobile Home Replacement Initiative. With that money, we will be replacing three if not four mobile homes. Once we get our release of funds, it will be going out for the applicants to fill out for the lottery in the next couple of weeks. Land Bank is doing well; all of our demos are down. We have sold almost all of our properties. We are closing on our last house in the next week or so. Now we only have three vacant lots that are for sale. We won't have anything else until the County auction comes up. If any of the Board members can remind their municipalities that if they have any problem or zombie properties to let us know and we can see if they are on the auction list.

7.3 Administration

- Election of Officers

Dan Brown Nominated Chuck Couture with a second by Mike Zaprowski for Chairman. Motion carried.

Paul Mager nominated Andrea Mellon for Vice Chairman with a second from Al Ormond. Motion carried.

Paul Mager nominated Mike Zaprowski for Secretary with a second from Dan Brown. Motion carried.

Kathy Ellis Nominated Paul Mager for Assistant Secretary with a second from Dan Brown. Motion carried.

7.4 STW Report

Crystal Abers

Southern Tier West is working on the CEDS (comprehensive economic development study) for the three counties. They are breaking it up into groups this year. Stephanie Benning is working on it and she is new to STW. They have funding that they are getting from the feds that is higher than it has been in the past. They've allocated 1.85 million over a five year period.

7.5 Members Forum

All

Kathy wanted to make sure everyone to know that Stan Bishop had passed away last week. She also said they are doing grant applications to try and get some of the available money.

Crystal noted that the Farmer/Neighbor Dinner is coming up in April. She also asked the Board if it would be good to move the Planning Board Dinner from July to September. They were in agreement. She asked for suggestions on the venue. The Allegany Fire Hall and the new Wedding Barn Venue were suggested.

8 UPCOMING MEETINGS & EVENTS

9 NEXT MEETING ANNOUNCEMENT

Chairman

9.1 February 23, 2023

10 ADJOURNMENT

Chairman

Motion to adjourn was made by Paul Mager, with a second by Mike Zaprowski. Motion carried. Meeting was adjourned at 7:45 pm.