

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING
MEETING MINUTES
July 28, 2022
Little Valley, NY

DRAFT

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Tina J. Abrams	Mark Smith
Danny Newbury	

PLANNING DEPARTMENT STAFF

Crystal J. Abers, Director
Racheal E. Draegert, Environmental Planner
Marie Myers Shearing, Planner
Kate O'Stricker, Development Specialist

GUESTS:

Dana Chase

1. Call to Order
Charles Couture, Chairman, called the meeting to order at 6:59 pm.
2. Welcome & Opening Remarks
None
3. APPROVAL OF MINUTES
 - 3.1. June 30, 2022
Charles Couture called for a motion to accept the minutes. Dan Brown 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 Great Valley, 5540 Humphrey Road
 - Site Plan Review, Special Use Permit & Area Variance
This is a potential Wedding Venue with Outdoor/Indoor Reception & Ceremony, that is proposing to add driveways and up to 143 parking spaces behind the venue.

The Northern 2/3 of the parcel is in the flood plain, there are no wetlands and it is in an archaeologically sensitive area.

The Staff findings include: Traffic on Humphrey Road will increase substantially for events, is there a backup plan for parking in case of flooding, where are the vendors going to park, and the site plans do not make note of any outdoor space for venue.

It is a matter of local concern and the staff recommends that the Town review the comments and advisories prior to making a local decision.

Al Ormond motioned to accept the staff recommendation. A second made by James Valent. Dan Brown abstained. Motion carried.

4.1.2. Town of East Otto

- Local Law 1-2022 Moratorium

To extend a temporary land use moratorium on Solar Energy, Wind Energy, and Battery Energy Storage Systems in the Town of East Otto.

The moratorium meets the five (5) basic requisites. The referral was complete and has significant countywide or inter-community impact.

The Staff recommends approval with modifications (change all references to “Local Law 4-2021” to “Local Law 3-2021”).

Andrea Mellon motioned to accept the staff recommendation of approval with modifications. A second made by Michael Zaprowski. Motion carried.

4.1.3. Town of Dayton

- Use Variance – Cell Tower

This is a re-referral from May that was returned as Incomplete due to missing SEQR and incomplete Ag Data Statement.

All required information and documentation has been submitted making the referral complete.

Michael Zaprowski motioned to accept the staff recommendation of Marie Myers Shearing. A second made by Paul Mager. Motion carried.

4.1.4. Town of Persia

- Zoning Amendments

They only submitted the Short EAF Part I and meeting minutes from July 18, 2022.

The staff findings are as follows:

- A Full EAF Part 1 is required
- Marie has requested documentation of proposed Zoning Ordinance in a stand-alone document so it can be sent to the Department of State for recording.
- Multiple attempts to contact Supervisor Walgus via email have been made with no response.
- Return as incomplete

Robert Keis motioned to accept the staff recommendation. A second made by Michael Zaprowski. Motion carried.

4.1.5. Town of Machias

- 9578 Felton Hill Road East Solar
- 9578 Felton Hill Road West Solar

This was returned as incomplete last month due to missing information.

Staff recommendation is to Return as Incomplete for the following reasons:

- Items of concern that have yet to be fully addressed or corrected (which are in conflict with the Town's solar law).
 - No updates to disconnect or emergency shut-off information
 - Decommissioning Fund
 - How will funds be kept?
 - Successor may be responsible for decommissioning (could be the land owner, or County).

Paul Mager motioned to accept the staff recommendation. A second made by Dan Brown. Motion carried.

4.1.6. Town of Machias

- 9475 Main Street Solar – Site Plan Review & Special Use Permit

Staff recommendation is to Return as Incomplete for the following reasons:

- Disconnect and emergency shutoff information not included in site plan.
- Site plans do not include adjacent property owner information.
- No financial security described.
- Method and schedule for updating the costs of decommissioning and restoration are not addressed.
- Method of ensuring that funds will be available for decommissioning and restoration are not addressed.

The Agricultural Data Statement is also incomplete.

- Missing the signature of applicant and the signature of owner.
- Missing two farm operations within 500 feet of subject parcel.

A public hearing is scheduled for August 15th.

Michael Zaprowski motioned to accept the staff recommendation. A second made by Al Ormond. Motion carried.

4.2. Environmental Review

4.2.1. Town of Machias

- Solicitation for Lead Agency Status
- 9475 Main Street Solar Project

The Department is in agreement with the Town Board of the Town of Machias as Lead Agency.

A letter will be sent to them with all the Department's EAF notes for their information.

5. CORRESPONDENCE

5.1. Town Persia Zoning Amendment (incoming)

- Part 3 Local Notice of Final Action Agreement with the County Planning Board.

File is closed.

5.2. Town Machias (outgoing)

- Lead Agency Approval – Town of Machias
The letter has been sent approving the Town of Machias as Lead Agency

6. OLD BUSINESS

6.1. 6881 Rt. 242 W, Ellicottville

Marie included a picture of the property as it is now. This property now has a fence and construction materials & equipment there so progress is being made.

7. REPORTS / OTHER BUSINESS

7.1. Chairman's Report

We've had rain in some spots in the county but Southern Cattaraugus and Chautauqua Counties are still very dry.

7.2. Department Reports

7.2.1. Director's Report

Crystal reported that OnoFest was held last week and it was very well attended. There is concern with the water level at Onoville Marina. Economic Development has their loan program and micro grant program that is available to new businesses. We are looking at holding the local seminars for the Minority and Women owned businesses. The websites are being reviewed and updated. We are contemplating our Ag Tour in September, thinking of Steelbound, Ellicottville Winery and end up at EBC. We are also contemplating doing the Ag Tour the same day as the Planning Board Dinner.

7.2.2. Staff Reports

7.2.2.1. Kate

Kate reported that we don't have any Community Revitalization grants. The ARC Trails grant, we finally have all the orders from all the trails so we will be sending those in to get the signs done and will hopefully have them up by the end of September.

Land Bank is working on 5 demos for this year and we are still in the process of finishing up our last two rehabs. One is for sale in Franklinville and we are hoping to be finished with that soon.

A Green Innovation Grant that has just been finished is asking for 3 million dollars to reconstruct 3 parking lots in Onoville using permeable pavement, bio retention facilities, which will improve the water quality from the run off in the current parking lots.

We are applying for \$50,000 to complete a comprehensive housing study because housing is seen as one of the biggest barriers to growth and development in our county. We will look at our current and future housing needs, including access to quality affordable housing, worker housing and senior housing. According to the Land Bank, 34% of our housing in the county was built before 1940. There are lead issues and we are finding that rehabs cost 3 times more expensive than just a demo and rebuild.

The feasibility study for Onoville is complete and we are working on our next steps for the campground reconstruction. We also have a signed contract with Edgewater and they are working on the dock and marina study to come up with some ideas on how we can work with our water table and keep as many docks and slips in working condition throughout the summer.

There are two municipal grants out there right now. The first is DRI (Downtown Revitalization Initiative) and NY Forward for up to \$4.5 million. NY Forward is for smaller rural municipalities to apply for assistance. Letter of intent is due August 10th. The letter of intent for Restore NY is due August 11th. That one is for demo, deconstruction, rehab and/or reconstruction of vacant, abandoned, condemned and surplus properties.

7.2.2.2. Racheal

Racheal reported that she has been working with four individuals for several months to figure out what signs they want and where for the Trail Grant.

Rachael is now the new certifying officer for CDBG for the Environmental Reviews so she is working on those. She will also be working on the Snowmobile State Grant, the Phase II is coming up on September 1st.

7.2.2.3.

Marie reported that she and Rachael are looking for an Archive Grant to sort through their paperwork to see what they need to keep and what they can dispose.

7.3. Administration

7.3.1. Training

Five months left to complete.

7.4. STW Report

Robert Keis reported that this month's meeting was primarily for the ARC Applicants to make presentations to the Board. They had 10 applicants that attended. It appears that the majority of the projects will get the funding. There is no limit this year on the amounts, so a lot of them are asking for \$240,000-\$250,000. The Board decided that \$200,000 should be sufficient. They also had a quick meeting to discuss the budget.

7.5. Members Forum

Dan Brown of Great Valley reported that Travis Baugh has donated the land and has cleaned up the site for the former Great Valley Youth Camp, including upgrades and demolitions. Great Valley plans to turn it into a recreational area.

8. UPCOMING MEETINGS & EVENTS

8.1. As noted in the Agenda

9. NEXT MEETING

9.1. August 25, 2022

10. ADJOURNMENT

Paul Mager motioned for adjournment, Michael Zaprowski seconded motion. Motion passed. Meeting adjourned at 8:25 PM.