

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING
MEETING MINUTES
September 29, 2022
Little Valley, NY

DRAFT
September

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Tina J. Abrams
Daniel J. Brown

PLANNING DEPARTMENT STAFF

Crystal J. Abers, Director
Racheal E. Draegert, Environmental Planner
Marie Myers Shearing, Planner

GUESTS:

Steve Carlson, Arby's
Andrew Kosa, Community Bank

1. Call to Order
Charles Couture, Chairman, called the meeting to order at 5:09 pm.
2. Welcome & Opening Remarks
None
3. APPROVAL OF MINUTES
 - 3.1. July 28, 2022
Charles Couture called for a motion to accept the minutes. Michael Zaprowski moved to approve with a second from Robert Keis. Motion carried.
4. NEW BUSINESS
 - 4.1. General Municipal Law Section 239 (l) & (m) Referrals
 - Town of Allegany – Site Plan Review & Special Use Permit
 - 1779 Gargoyle Road
The applicant is building an Arby's in the Town of Allegany close to Route 417. It is not in a floodplain and it's not in wetlands. They had a public hearing on September 12th. Marie encouraged the Town of Allegany to extend the sidewalk from nearby Route 417 to the site to make it more accessible.

The SEQR was not signed and it needs to be signed before proceeding. The parcel is located over the principal and primary aquifers.

Regarding the landscape plan, there are some inconsistencies regarding the schedule vs. the plan. Some of the plantings are not as sustainable as shown. Some of them are too close and some have incompatible growing conditions, and the hostas that they are planning to use should probably be switched out as the deer will eat them. Also, they are planning to use 6 inches of mulch around the trees and Marie and Rachael determined that it is too high and will kill the trees.

There is no significant inter-community or countywide impact. It is matter of local concern. We have given the advisories and modifications to the Town to make a determination.

Paul Mager motioned to accept the staff recommendation. A second made by Andrea Mellon. Motion carried.

- Town of Allegany, Site Plan Review
 - 3152 NYS Route 417

Community Bank. They are planning on construction of a 10,800 square foot expansion on the existing Community Bank Loan Operation Center with approximately 100 new parking spots, with grading and storm water management areas and a sanitary storm sewer infrastructure.

There is a public hearing coming up on October 3rd at 6:00 pm.

There is no floodplain or wetlands. It is in an archeologically sensitive area.

Environmental Assessment Form indicates that it is located over the primary/principal aquafer. The modifications and advisories we are putting on are a landscaping plan and a lighting plan. The referral was complete and there is no significant inter-community or countywide impact.

Al Ormond motioned to accept the staff recommendation. A second made by Jim Valent. Motion carried.

- Town of Freedom – Area Variance
 - 10923 Maple Grove Road

The applicant is building an attached garage 32x40 for residential use. He has applied for a use variance because when the garage is finished, it will be 10 inches from the property line. He offered to buy the property next door with no luck.

There is no significant inter-community or countywide impact. He was advised to get a statement from the land owner next door so that there won't be an issue later after the garage is constructed. The Planning Department approved the variance.

The Planning Board wants an advisory put in that with the roof sloping to the side all the snow is going to slide off into the neighbor's field.

Danny Newbury motioned to accept the staff recommendation with the advisory. A second made by Mark Smith. Motion carried.

- Town of Olean – Local Law
 - Local Law 2 2022 Solar Energy Facilities

This is an amendment of the 2022 Solar Energy Facilities Law. This one was received in 2021, we sent them back a red-lined copy of the document. A lot of the information was incorrect on the original document. They tried to fix it, but somehow the document got messed up. It needs to go back to the Town to be cleaned up and make sure that it is right.

The Referral is being returned as incomplete.

Michael Zaprowski motioned to accept the staff recommendation to send it back as incomplete. A second made by Andrea Mellon. Motion carried.

- Town of Franklinville - Area Variance
 - 7296 Route 16

The applicant wants to construct a building 65-70 feet from the center line of Route 16 in line with an existing house. The reason why they are asking for the area variance is that it will allow them to excavate less of a hill and allow greater maneuverability.

The Ag Data statement has been submitted. It is unclear what type of building they are planning on putting on the property.

The Planning Department recommends that it be returned as incomplete since there are so many things that we don't know about the project.

Andrea Mellon motioned to accept the staff recommendation to send it back as incomplete. A second made by Danny Newbury. Motion carried.

4.2. Environmental Review

- Town of Allegany
 - Allegany Crossings Sewer Line Extension Project

The Planning Department has issued a letter stating that the Town of Allegany may act as lead agency. Rachael had a conversation with the town Supervisor about checking with DEC Permits to make sure they are doing everything by the book. They have either done it already or are going to before they continue with the project.
 - Randolph Central School District
 - Capital Improvements Project, 2022

The Planning Department has issued a letter stating that Randolph Central School District may act as lead agency.

5. CORRESPONDENCE

5.1. Town of East Allegany (Outgoing)

- Reply to Notice of Intent to Establish Lead Agency – RED

5.2. Randolph Central School District (Outgoing)

- Reply to Notice of Intent to Establish Lead Agency – RED

5.3. Part 3 Town of East Otto

- Local Law extending Moratorium on Solar Energy, Wind Energy, and Battery Energy Storage.
- Agreed with CCPB / Approved / File Closed

5.4. Part 3 Village of Franklinville

- 83-87 North Main Street – Redevelopment of gas station
- Agreed with CCPB / Approved / File Closed

6. OLD BUSINESS - None

7. REPORTS / OTHER BUSINESS

7.1. Chairman's Report

[See member's forum](#)

7.2. Department Reports

- Director's Report
[See member's forum](#)

- Staff Reports
[See member's forum](#)

7.3. Members Forum

A discussion was held on how nice the Little Valley Ellicottville Brewing Company was and all the work it took to make it like that. They also talked about the housing shortage and the fact that young people are not staying in this area after college. Marie indicated that Christine Urf has been setting up a program to get kids interested in the Trades earlier in high school to help alleviate that problem. Crystal and Racheal invited everyone to the Solar Informational Seminar on October 6th. Racheal informed everyone that this was her last Planning Board meeting and she had accepted a new position, but she has enjoyed the work she had done here and her time getting to know all of them.

Chuck Couture read an article about a CO2 shortage, aluminum and delivery driver shortage. There could possibly be a beer shortage or the price may rise because of these shortages.

8. UPCOMING MEETINGS & EVENTS

8.1. [As noted in the Agenda](#)

9. NEXT MEETING

9.1. [October 27, 2022 at 7 pm](#)

10. ADJOURNMENT

[Mike Zaprowski motioned for adjournment, Al Ormond seconded motion. Motion passed. Meeting adjourned at 6:00 PM.](#)