

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING
MEETING MINUTES
May 25, 2023
Little Valley, NY

DRAFT

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Tina J. Abrams
Mark Smith
Dan Brown

PLANNING DEPARTMENT STAFF

Emma Carrasco, Planner
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. April 27, 2023
Charles Couture called for a motion to accept the minutes. Danny Newbury moved to approve with a second from Al Ormond. Motion carried.

4. NEW BUSINESS

4.1. General Municipal Law Section 239 (l) & (m) Referrals

- Village of Ellicottville
 - Amendment to Zoning Text (Short-Term Rentals)

This was regarded as an unlisted action. A short EAF was completed. The proposed amendments include adding a Purpose and Intent section, and some definitions. They also modified language for consistency, and established more stringent parameters around the enforcement and penalties section including removing warnings and increasing fines to start at \$1,000. The Public Hearing was held on May 16th. The referral is complete. There is significant countywide or inter-community impact. The Staff Recommendation is to approve with modifications/minor changes. This would include reorganization and formatting changes for consistency, add VC-3 District to Land Use Table and Parking Requirement Table. We believe they should also consider requiring proof/certification of insurance as a short term/vacation rental to the Application Process.

Motion was made by Michael Zaprowski to accept the recommendation with a second by Andrea Mellon. Motion carried.

- Town of Machias
 - Local Law (Special Use Permits)

They want to adopt a Local Law establishing procedures surrounding Special Use Permits. A Short EAF Part 1 was completed. This includes specifications on application requirements surrounding special use permits and outlines the SUP application procedure and timeline. We would like to note that the application procedure starts with the public hearing and ends with findings. The Public Hearing was held on May 15th.

The referral is complete and there is significant countywide or inter-community impact. The Staff Recommendation is to approve with minor modifications regarding the application procedure. We are recommending that they remove Findings as the last step and make it a subcategory under Decision. (Ex. A. Public Hearing, B. Decision (B.(1) Findings), C. Filing of Decision). This would give it more chronological sense.

Motion was made by Al Ormond to accept the recommendation to approve with a second by Danny Newbury. Motion carried.

4.2. Environmental Review

- Town of Allegany
 - Blue Buffalo Car Wash – Notice of Intent to Establish Lead Agency
The Town of Allegany Planning Board intends establish itself as the Lead Agency. We have no issues with that. No Motion needed.

4.3 Intergovernmental Review

4.3.1 Southern Tier West Regional Planning & Development Board

- NYSDEC Performance Partnership Grant

- Implement a statewide water pollution control program as mandated by federal and state laws – Funding \$13,962,200
- NYSDEC Water Quality Management Planning Program
 - Continue work to restore and protect NY’s watersheds. - Funding \$3,397,000

We have reviewed them both and have no comments.

5. CORRESPONDENCE

5.1. Town of Machias – Solar Moratorium Amendment (Entire Town)

We received their Part 3 regarding the amendment to the Solar Moratorium. They disagreed with our recommendation of disapproval, and they did achieve a super majority vote to adopt the revised Local Law. The file is now closed.

5.2. Village of Delevan – Site Plan Review and Parking Waiver (Dollar General)

We received their Part 3 for the Site Plan Review and Parking Waiver for the construction of Dollar General. They agreed with the Planning Board and the file is now closed.

6. OLD BUSINESS - None

7. REPORTS/OTHER BUSINESS

7.1. Chairman’s Report – Charles Couture

Back on Wednesday, May 17th there was article on “The Inconvenient Truth of Going Green”. It is basically a different perspective on the mining of the special metals, the concrete, and the gravel that goes into the concrete and so on. Some of the things that are mentioned are right on target. The solar and wind farms haven’t really studied a lot of the impact that goes along with these things.

7.2. Department Reports

- Director’s Report
Crystal was not present.

- Staff Reports

7.2..1. Kate O’Stricker

The Land Bank met today and we will be looking at a minimum of five demos, if not six or seven. We are hoping to have those down by the end of December if everything goes right. MHRI (Mobile Home Replacement Initiative), we have \$600k that we will use to replace 3-4 mobile homes. We received 12 applications and out of those, five were approved to continue with the screening process.

Construction has started at Onoville Marina. We’ve had some issues, but it is still moving forward on schedule. We hope to have all of the site work done by the end of July. We have two concrete buildings being built in Ohio. They are concrete due to the flood plain. Those two will be delivered this summer and the other three will be delivered next year. We have three bathrooms, a camp store and the ticket booth. One bathroom and the ticket booth will be

delivered this year and the rest next year. Edgewater completed our dock redevelopment plan, so we are looking to see what we can do with our small amount of money. We are probably going to be able to update the electric this year and maybe be able to move the gas tank which runs down the hill to the pump out dock and is at the end of its useful life.

The CFAs (Consolidated Funding Application) are out, so everyone should let their municipalities know that they are open so the municipalities should get in there fast and get moving on the applications as they are due July 28th. If they need any help, they can contact us and we will help them.

7.2.2.1. Emma Carrasco

On Tuesday, Emma attended a virtual conference on Rural Placemaking. It stressed the importance of placemaking and how rural communities can build upon existing assets and create places that promote creativity, entrepreneurship, and social connections. A lot of it included engaging with communities directly and creating authentic experiences. It was interesting and the last panel was a panel of restaurant owners who really helped the uptick of their downtown and helped with the revitalization of their small communities. She is hoping to post some of the takeaways on our website for the municipalities to see. Emma is also tuning in to some Webinars regarding grant applications that would benefit municipalities with mainly updating their comprehensive plans or adopting a comprehensive plan. The Town of East Otto is interested in doing that so we're hoping they will collaborate and get that going. She is still working on getting status updates on solar farms throughout the county as to where they are at regarding connectivity and if they are online. She will be reporting her findings once she has all of that information.

7.3. Administration - None

7.4. STW Report

Robert Keis

The training at Houghton that we do every year is coming up on June 8th. They are accepting registrations now, so be sure to register to get the training time that we need for the Planning Board. They would like you to indicate which programs/courses you are going to take so that they are prepared with handouts and so that they have the proper rooms for the number of people attending. STEDO (Southern Tier Economic Development Organization) has had inquiries from a couple of new borrowers. One of them is a Winery that would like to borrow more money, we had a relationship with them for several years and they will be meeting with them tomorrow morning. The two applicants are looking for \$210k and we currently have \$700k available for lending. STERA (Southern Tier Extension Rail Authority) the next meeting is June 12th. There is a local government efficiency grant program which Bob has asked for more information about. It is intended to incentivize new actions between local governments that will reduce the cost of municipal operations and modernize the delivery of local services. Bob thinks it sounds very much like the program they had a few years ago for shared services. Their July meeting will be at 9:00am and that will be the day the Appalachian Regional Commission presenters come in with their presentations requesting money from the ARC.

7.5. Members Forum

All

It was noted that the Supreme Court ruled on jurisdiction for Federal Wetlands. It has always been a mess as to what qualifies for federal protected wetlands so they've narrowed the scope to direct connectivity so if you have wetlands feeding a stream regularly every day, that would qualify. If you have a wetland in the middle of nowhere that doesn't connect to a stream, that probably doesn't qualify.

The City of Salamanca has run out of industrial space to rent. There are two people wanting space. The property the IDA was looking at to build on, the school wants it to build a bus garage. The Salamanca Central School will get to keep their name and logo for the sports teams.

There are now 47 dispensaries in the City of Salamanca.

8. UPCOMING MEETINGS & EVENTS

9. NEXT MEETING ANNOUNCEMENT

Chairman

9.1. June 29, 2023

10. ADJOURNMENT

Chairman

Motion to adjourn was made by Paul Mager, with a second by Danny Newbury. Motion carried. Meeting was adjourned at 7:35 pm.