

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING

MEETING MINUTES

July 27, 2023

Little Valley, NY

Approved
August 31, 2023

PLANNING BOARD MEMBERS PRESENT:

Charles W. Couture, Chairman
Andrea L. Mellon, Vice Chairman
Michael J. Zaprowski, Secretary
Mark Smith
David L. McCoy
Danny Newbury
Robert C. Keis
Kathleen M. Ellis

PLANNING BOARD MEMBERS ABSENT:

Tina J. Abrams
James Valent
Dan Brown
Allan J. Ormond
Paul D. Mager, Assistant Secretary

PLANNING DEPARTMENT STAFF

Crystal 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. June 29, 2023
Charles Couture called for a motion to accept the minutes. David McCoy moved to approve with a second from Danny Newbury. Motion carried.
4. NEW BUSINESS
 - 4.1. General Municipal Law Section 239 (l) & (m) Referrals
 - 4.1.1 Town of Allegany – 3288 Buffalo Road
 - Special Use Permit
This is a special use permit for the construction of a two story, single family residential home and a two story barndominium (detached structure on the same parcel). It's

current use is vacant, residential land. A public hearing was scheduled for July 11th at 7:00 pm – it is not posted.

The parcel is not in a floodplain or an archaeologically sensitive area. It is in wetlands (freshwater pond). A short Environmental Assessment Form was provided, as well as an Ag Data Statement. The referral is complete. There is no countywide or inter-community impact. The Staff Recommendation is to approve.

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

4.1.2. Town of Ellicottville – 6902 Simmons Road

- Site Plan Review
- Special Use Permit – Advisory – wetland joint app permit

This is a Type 1 action so a full EAF was submitted. This parcel is not in a floodplain or an archaeologically sensitive area, however it is in wetlands.

This is a Solar Photovoltaic (PV) project that would be located on undeveloped farmland east of Simmons Road in Ellicottville. The project is comprised of a ground-mounted facility with a fixed tilt racking system.

- Per Barton & Loguidice October 20, 2022 Review Document
 - Part 1 EAF Concerns about Question D.1.b, and Question E.1.b.
 - Resubmission for Review on 4/27: addressed
 - The Stormwater Pollution Prevention Plan (SWPPP) is not complete.
 - Resubmission for Review on 4/27: not fully addressed
 - NYSDEC Has not approved the SWPPP
 - B & L (Planning agency for Town) suggested that prior to the Final Site Plan Review that the Applicant receives approval from NYDEC.
 - Visual Impact Assessment has not been provided
 - Resubmission for Review on 4/27: provided
 - A Site Specific Noise Analysis is requested
 - Resubmission for Review on 4/27: provided
 - Multiple items have not been addressed satisfactorily on the Site Plan Drawings
 - Resubmission for Review on 4/27: addressed
 - Decommissioning Plan is insufficient
 - Address

The Public Hearing has yet to be rescheduled.

The referral is complete. There is no significant countywide or inter-community impact. The staff recommendation is to Approve – Contingent on the approval from the NYS DEC.

Motion was made by Robert Keis to accept the recommendation to approve (with contingency) with a second by Al Ormond. Motion carried.

4.1.3. Town of Allegany – Blue Buffalo Car Wash

- Site Plan Review
- Special Use Permit

This is a special use permit for the construction of a 3000 sq. ft., two-story car wash on four parcels. The current use is commercial.

The Public Hearing scheduled - was not specified.

Standards of Special Use Permit:

- Consistent with the intent of the Town of Allegany
- Complies with all applicable regulations
- Will not alter the character of the neighborhood
- Will not hinder the normal development of area
- Will not create a hazard to public health, safety or general welfare
(Generate vehicular traffic that would be hazardous to pedestrians or unduly impact roadway)

The referral is complete. There is no significant countywide or inter-community impact. The staff recommendation is to Approve.

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

5. CORRESPONDENCE

5.1. Town of Machias – Part 3 – Amend Local Solar Law

We received their Part 3 regarding the Amendment of their Local Solar Law. They agreed with the Cattaraugus County Planning Board. The file is now closed.

6. OLD BUSINESS

7. REPORTS/OTHER BUSINESS

7.1. Chairman's Report – Charles Couture

The Chairman had a visit from a woman who stayed with them 30 years ago as an Exchange Student. When she arrived, the first thing she wanted to do was see her bedroom. She took her 13 year old twins up to see the room. Before she left, 30 years ago, she told Chuck that they had to come visit her country of Sri Lanka. Three years later, they went there to see her get married to a man who owned a match factory that made wax matches. It was a country in strife at that time and there were checkpoints everywhere they went. It was a very different, yet wonderful experience to visit her in her home country.

7.2. Department Reports

7.2.2. Director's Report

Crystal Abers

Tourism is in full swing with the different fairs going on. They have a travel writer coming next Tuesday from Canada. Onofest was last weekend; it went well even though the fireworks had to be cancelled due to the construction. The water/sewer line at Onoville is installed and they are waiting for the electric to be finished. Two of the buildings, one bathroom and the ticket booth, will be coming this fall. In the spring, the other two bathrooms and the camp store will be installed. She is working on the Planning Board Annual Meeting. She would like to have it in September again. She is looking for ideas/suggestions for the dinner. She is still continuing to monitor Broadband. For STW, there are some IJJA funds available. Cattaraugus County asked EDPT to wait until October, because their match will go from 50% down to 25%. They're trying to come up with some projects and have put it out to municipalities and they've had three municipalities submit applications for that funding. They did have micro-grants that they were giving out to businesses and have about \$100K left for new start-up businesses or expansions. They have to be low/mod income or employ someone in that category and they have to have five or fewer employees. They have been doing a lot of business outreach; the South Dayton Library held an event there and the EDPT team was there. Olean is working on an Economic Development Strategic Plan so the Economic Development Team has been working with their consultant on that project. The CFAs (Consolidated Funding Applications) are due tomorrow at 4:00 p.m. Kate and Crystal went to a couple of municipalities to explain how the RAISE grant is going to be used. They will continue meet with other municipalities as well.

7.2.3. Staff Reports

7.2.3.1. Kate O'Stricker

Land Bank – They are in the process of doing RFPs for the demos. This year they have seven properties to demo. They did change course with one of the demos. They found a developer that wants to rehab a four-apartment building in the North Union area of Olean. He plans on renting two of the apartments to traveling nurses since it is near the hospital and the other two apartments to full time residents. There is a time limit of two years to complete the project.

Crystal and Kate have already been meeting with municipalities to introduce the RAISE grant project. They have met with Ashford, the Seneca Nation, and the DOT. Kate has met with the Town and Village of Ellicottville, and the Genesee Valley Greenway. The Genesee Valley Greenway has already begun a feasibility study on hooking the Village of Cuba up to the Town of Olean. They were really excited about the RAISE grant; they will be meeting again with them soon. Next, they will probably continue with the Allegany area.

CFAs went out a couple of hours ago. Another CFA, the deadline was moved to August. That's the Green Infrastructure Grant for \$3 million to redo the parking lots in a more economical and sustainable way with less pavement and more rain gardens and water retention.

7.3. Administration

7.4. STW Report

Robert Keis

The last meeting was the one where the applicants for the ARC (Appalachian Regional Commission) funding gave their presentations. They have prioritized them and are waiting to see how much funding they are going to get. There is an expectation that they may be getting \$800-900K this year. The CEDS top development projects for Cattaraugus County are Great Lakes Cheese Infrastructure project and the Allegany I-86 Interchange Wastewater project. NYS DEC Climate Smart Communities – The staff is positioned to start working with the Village of Portville on a climate action plan. This will build on the work the staff has completed on the DWSP2 Plan and other projects that Portville is working on independently of STW. This completes the task that Southern Tier West was assigned as part of the DEC CSC (Climate Smart Community) contract. Staff is still looking for a community to hold a Transportation Listening Session, so if anyone is from a community that would like to do that, please contact STW. Crystal noted that there are already a couple transportation committees in the County and so maybe they would like to meet with those groups rather than try to fragment it to a third. She also stated that in the Economic Strategic Plan, one of the issues is transportation and if we have to start using electric buses we will have no transportation. It is a fragile topic. STEDO (Southern Tier Economic Development Organization) had another new inquiry. Just over \$700k is currently available for lending. They are very close to doing a \$250K project with Ellicottville Greens. The next meeting for STERA (Southern Tier Extension Rail Authority) is scheduled for October 16th.

7.5. Members Forum

All

Jen Dusterhus from Machias asked about the Solar Law Amendment for Machias. Kate informed her that we had a special meeting on April 18th and the Part 3 Final Action was received on June 20th and the matter is now closed.

Mark Smith stated that there is a field of beans behind his property and he noticed something strange there and went to investigate. There was a tractor with booms on the front of it and a box on the back that was using 15,000 volts of electricity to kill the weeds. Someone else noted that they have seen technology that uses lasers to kill weeds also.

Bob asked Crystal if anyone attended the Great Lakes Watershed meeting. He is concerned because his property is part of the watershed. Andrea indicated that she attended the meeting after work. She said that she thinks they are working on their authority and jurisdiction. The DEC has amended their regulations to include over 7.4 acres and they will be dependent on delineations – not maps. They revised the permit process in 2008 and again in 2022. The new permits have a lot more inter-agency working with the Army Corp. or Engineers, the Office of General Services and the Department of State. They are looking at it from a multi-jurisdictional perspective.

Mike asked Crystal how many people would be attending the Planning Board Dinner. She told him that it is usually around 100-125 people. She also told them to be thinking about the Brooks recipient.

Crystal also noted that she got an email from Dan Brown that he has resigned from the Planning Board effective July 18th. She told him that she needed a letter, which she has not received yet.

8. UPCOMING MEETINGS & EVENTS

9. NEXT MEETING ANNOUNCEMENT

Chairman

9.1. August 31, 2023

10. ADJOURNMENT

Chairman

Motion to adjourn was made by Al Ormond, with a second by Michael Zaprowski. Motion carried. Meeting was adjourned at 8:00 pm.