

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING

MEETING MINUTES

August 27, 2020

Cattaraugus County Center

PLANNING BOARD MEMBERS PRESENT:

Charles Couture, Chairman

Michael Zaprowski, Secretary

Andrea Mellon, Assistant Secretary

Tina Abrams

Kathy Ellis

Robert Keis

David McCoy

Dan Newbury

Al Ormond

Mark Smith

PLANNING BOARD MEMBERS ABSENT:

Paul Mager

Daniel Brown

James Valent

PLANNING DEPARTMENT STAFF

Crystal Abers, Director

Marie Myers Shearing, Planner

Kate O'Stricker, Development Specialist

Patrick McGlew, Development Specialist

GUESTS:

None

1. Call to Order

Charles Couture, Chairman, called the meeting to order at 7:00 PM

2. Welcome & Opening Remarks

3. APPROVAL OF MINUTES

3.1. July 30, 2020 meeting

Al Ormond stated that it should reference that the meeting was via zoom and not in person. Charles Couture called for a motion to accept the minutes. Dan 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

4.1.1. Village of Allegany – Use Variance & Site Plan Approval

Marie stated they had another microcell towers and it within 500 feet of the municipal boundary. It is in the flood plain but no wetlands. Address that is used is the house that's next to it: 210 E. Union. It is in an architectural sensitive area. When it's done it'll be about 45 feet tall. There was a discrepancy whether it was zoned R3 residential or Industrial 1 with flood plain overlay. The 210 E. Union Street, where the house is, was zoned industrial with a flood plain over lay. Marie talked to the ZBA chairman, they had similar discussion in their meeting on how it's zoned. If its determined to be industrial there won't be a use variance, they would just need a special use permit. If it's determined to be an R3 it's a use variance they need to consider. It has no significant

county wide or inter community impact and it's a matter of local concern and the advisories Marie is going to send along is to have them choose whether it is a R3 or I1 and to make the appropriate approvals for the special use permit or the use variance. If they have documentation in their zoning ordinance about these telecommunications, they have to make sure they look at it and it has everything they want into it. Then they can complete and submit the Part 3 report once they have taken final action.

Al Ormond motioned to accept with a second from Andrea Mellon. Approved.

4.1.2. Town of Ellicottville – Minor Subdivision

Not in any wetlands. Submitted due to being within 500 feet from county road 13. Zoned low density residential. It is not in an architectural sensitive area. They are splitting it into 4 additional parcels. Low density vacation type rentals in a variety of sizes, smallest is 6 acres and largest is 14 acres. No significant county wide or inter community impact or local concern. Marie is going to have them let the board now what they're going to do within 30 days of their final action.

 motioned to accept with a second made by Dan Newberry. Approved.

4.2. Environmental Review – None

4.3. Intergovernmental Review

4.3.1. STW #20.24

Received, reviewed and no comment. Per Bob Keis, they are mainly for informational use. In a rare occasion, it could be challenged.

5. CORRESPONDENCE - None

6. OLD BUSINESS - None

7. REPORTS / OTHER BUSINESS

7.1. Chairman's Report

Charles Couture gave an agricultural report. We have had very little. Hay production is down. More stress is added on to farmers.

7.2. Department Reports

7.2.1. Director's Report

Crystal Abers- Last month EDPT has been extremely busy. Got a census grant that has to be spent by September 30th. Been working with Chautauqua Cattaraugus Library System, we had to partner with a non-profit and the grant had to be approved by the state and had a list of 2-3 in Cattaraugus County. EOC has been open since March. 10 additional COVID cases today. Still working closely with businesses and handling all complaints. State has formed a state task force, which is NYS Health Department and NYS Police, which are looking into the places that have 3 or more complaints and will shut them down if they're not following the guidelines. Working with businesses more on how they can stay open with the restrictions/guidelines rather than having to shut down. With fall coming the outdoor seating will go away and most restaurants won't be able to stay open at 50%.

Working on Broadband. With the issue with the schools, working with them, outreaching to DFT, working with Armstrong, which is the main provider through the census auction that the State had for rounds 3 and 4. August 26th the Vice President of Armstrong came and did a presentation for the Legislature about where they are in the project and that they are up and working, which is a positive thing. Another thing, is that we have had a lot of new business activity in the County. Construction is up due to many businesses taking the down time to renovate and remodel. Now the problem is lack of materials and construction is being halted due to lack of materials. Crystal also clarified the occupancy rules for churches and mass gatherings.

7.2.2. Staff Reports

7.2.2.1. Kate

Kate – 2 RFP's for demos have been awarded. Hopefully another 9 more will be awarded by December. The Franklinville rehab is very large at 3500 sf with 5 bedrooms. And hopefully another 4 will be done by next spring. Southern Tier Trail will have another public meeting on October 2nd at 6pm to talk about the alignment of feasibility study. ARC Grant RFP for signage will be going out next week with applications due by end of September. Mobil Home Replacement program received 13 application, we have enough money for 5. So far, 11 applications have been reviewed and are qualified.

7.2.2.2. Pat

Pat reported we received the draft copy of the final Ag Plan. Last week we had focus groups to discuss the plan. We also interacted with the Ag & Farmland Protection Board and NY Ag & Markets regarding solar installations. The response to projects by the AFPB is the loss of productive soils in the county and would be useful for the state to put policies forward that would protect ag lands.

7.2.2.3. Marie

Marie reported that Persia may be installing a Zoning Board of Appeals, so information on the set-up and training materials from the NY DOS were forwarded along with mentioning the current STW training. Solar discussions with Pat. Reviewing the Olean Times Herald for projects that are of interest to Planning.

7.3. Administration

7.3.1. 2019 Ethics Forms

Marie noted she received almost all of the ethics forms. She is still waiting for Dan Brown's.

7.3.2. Mileage

Marie – tonight's meeting is the first time mileage has been applicable for the quarter. Marie will follow-up with emails with more information.

7.3.3. Training

7.3.3.1. STW Webinars

Marie stated the trainings start in two weeks

7.3.3.2. NYPF Solar Webinar

Marie shared there is a webinar and that anyone interested in watching it should contact her to receive the information.

Crystal added that the department is fielding calls regarding solar and some of the challenges area municipalities are facing.

7.4. STW Report

Bob Keis reported there was no meeting and mentioned upcoming fall training webinars. And said what a great opportunity it is to get your 4 hours of required training.

7.5. Members Forum

Charles Couture asked for comment from the members.

Kathy Ellis – mentioned paving and culvert work being done. Much of the culvert repairs are due to a large storm in July. Some construction was delayed 10 days due to the storm. Onoville will be closing September 13th due to low water levels.

Mark Smith – Regarding solar. He cautioned that the people signing the contracts are not the ones that will be building the projects. Someone else will buy the contract. The projects are also over the 40-acre threshold, leaving them to the state siting to make determinations, without needing input from the Towns. The leases start at 25 years with two 10-year extensions, so you are looking at 45 years of a project. It is a tough decision and is supportive of the need to preserve farmland. Also, Amazon backed out of Niagara Falls. Crystal reported that the County did submit a potential site and that they have had communications back and discussed the criteria. Mark discussed potential advantages of sites in the Machias area. Along with potential disadvantages.

Dan Newberry mentioned the poor state of 219 in Limestone. The state will be starting work on it next year, but in the meantime, numerous patches make it very rough.

Tina Abrams-SNI has been focusing on sustainability starting in March with farming. COVID has also led to focusing on families. Crop picking and food storage/canning is being taught. They have 25 red angus cattle in case there is a beef shortage in addition to the bison they have. Next year there will be a place to share crops and that they will continue this focus on sustainability, preparation, and how to survive on your own. They are trying to expand broadband, particularly in the Steamburg area. They are looking for help on the Prospect Road area. It has had multiple washouts and SNI is working with the Town of Perrysburg and Senator Ted Kennedy for funding as it will be a very expensive project.

Andrea Mellon – All the paperwork for the solar project has been submitted. There were delays in construction due to COVID-19 and wetlands. Groundbreaking may even be pushed to spring. The area is 50.4 acres. The governor is pushing for the project. The SEQR and archeological papers have been completed.

8. UPCOMING MEETINGS & EVENTS

8.1. As noted in the Agenda

9. NEXT MEETING

9.1. September 24, 2020

10. ADJOURNMENT

Mike Zaprowski motioned for adjournment, Al Ormond seconded motion. Motion passed. Meeting adjourned at 7:41 PM