

Cattaraugus County Planning Board
February 26, 2004
County Center
Little Valley, NY
7:00 p.m.

PLANNING BOARD MEMBERS PRESENT:

Paul Bishop, Chairman
William Sprague, Vice Chairman
Ann Padlo, Secretary
Paul Mager, Assistant Secretary
Tina Abrams
Jack Berger
Charles Couture
Florence Fuller
Robert Keis
David Rivet

PLANNING BOARD MEMBERS ABSENT:

Kameron Brooks
James Rich
Donald Patterson

PLANNING STAFF PRESENT:

Terry H. Martin, Chief Planner
David P. Paoletta, Planner
Margaret E. Puszcz, Stenographic Secretary

GUESTS:

Linda Witte, Development & Ag Committee of County Legislature
Carol Horowitz, Planner Town of Allegany
Kathy Kellogg, Buffalo News

Chairman Bishop called the meeting to order at 7:06 p.m.

APPROVAL OF MINUTES

Charles Couture moved with a second from Paul Mager to approve the January 29, 2004 meeting minutes as submitted. Carried.

NEW BUSINESS

ZONING REFERRALS

Town of Allegany – Zoning Text Amendment – Allow Churches in I-1 District

David Paoletta reported that the Town of Allegany has referred a Zoning Text Amendment to allow churches and religious institutions as a Conditional Use in the I-1 Light Industrial District. The proposed zoning text amendment was prompted by the request of the Rhema Christian Fellowship which is interested in using property on Route 417 (former Allegany Drive-In) for a new church since there is not sufficient area for building expansion and associated required parking at their current location. The current zoning at the

proposed new location would require a use variance for a church and the project does not meet the criteria for a use variance. A zoning change from I-1 to A-F (Agricultural Forestry Zoning District) was also suggested but rejected by the Town Planning Board to preserve future use in the area for light industrial development. The Town of Allegany Planning Board did, however, recommend the text amendment to accommodate the church as follows: Amend Article IV. District Regulations, Section 4.02 Permitted Uses – Schedule A to add “churches and religious uses” as a Conditional Use in the I-1 Light Industrial District, requiring a Special Use Permit. The actual development of the church (which is a separate issue) will require both a Special Use Permit and Site Plan review and will be reviewed by the County Planning Board in accordance with GML, Section 239-m at a future meeting.

The Town is adequately addressing SEQR. This is a local issue with no countywide or inter-municipal concerns and supported by the Town Planning Board. The proposed text amendment received no opposition at a public hearing held on February 12, 2004. Staff recommendation is approval.

David Rivet moved with a second from Paul Mager to approve the Town of Allegany Zoning Text Amendment to allow churches and religious institutions as a Conditional Use in the I-1 Light Industrial District. Carried.

Adoption of Guidebooks as a Portion of the County’s Comprehensive Plan

Terry Martin stated that in 1978 the Cattaraugus County Legislature adopted the County Planning Board’s Land Use Plan Year 2000 as an official policy guide for Cattaraugus County. This Plan was updated in 1983. In the 1990’s, we held meetings and forums in all sections of Cattaraugus County to set the framework for comprehensive planning in the 21st Century, which would promote growth and development without ruining the environment. Our guidebooks Volume 1 and 2 are the result of all that work for the past decade, which won the 2002 Governor’s Quality Communities Award for Excellence. We sent a letter to Harry Willis, Attorney at the NYS Department of State, inquiring as to whether these two guidebooks may legally be adopted by the Cattaraugus County Legislature as a basis and framework for the county’s new comprehensive plan, in advance of adoption of the comprehensive plan as a whole. Mr. Willis has replied “...the Cattaraugus County Legislature may adopt the referenced Guidebooks as a portion of the county comprehensive plan, while leaving adoption of other portions for later legislative action....”

Terry Martin requested that the Planning Board authorize Paul Bishop to work with him to draft a resolution for adoption by the County Planning Board at the March meeting requesting the County Legislature to adopt Volumes 1 and 2 of the guidebook series as the basis, vision and framework for the county’s new comprehensive plan. The old 1978 plan would not be superceded at this point and would remain in place, with guidebook content taking precedence.

Ann Padlo moved with a second from David Rivet to authorize Paul Bishop to work with Terry Martin to draft a resolution for adoption by the County Planning Board at the March meeting requesting the County Legislature to adopt Volumes 1 and 2 of the guidebook series as the basis, vision and framework for the county’s new comprehensive plan. Carried.

William Sprague requested that he be the prime sponsor of the Legislature’s resolution. Linda Witt also requested that her name be on the Legislature’s resolution.

Terry Martin stated that he would forward their names to the County Attorney when we make the pre-file for legislative action.

Terry Martin also reported that Charlie Murphy, Assistant Secretary of State had called stating that they had found money that could be used to print copies of Randall Arendt’s Design Guidebook (Volume 2), for

statewide distribution. Terry had requested this one year ago and, it has now been approved. This will be a great promotion for our county in the statewide field of Smart Growth and Quality Communities, and can be used in our economic development efforts. Staff will be working out the details with the State.

NYSDEC Public Hearings Scheduled for the Proposed Southern Tier Solid Waste Management Facility (Farmersville Landfill)

Terry Martin reported that NYSDEC has scheduled public hearings on the Proposed Southern Tier Solid Waste Management Facility Application at the following times and locations: Allegany Community Center, Allegany, NY on March 30, 2004 at 2:00 pm and 7:00 pm, and Franklinville Fire Hall, Franklinville, NY on March 31, 2004 at 2:00 pm and 7:00 pm.

Intergovernmental Reviews – none

REPORTS

Chairman's Report

Chairman Bishop appointed Tina Abrams to the Three Year Plan and Budget Committee.

Florence Fuller requested that she be removed from the Agriculture Committee. This will leave Charles Couture, Robert Keis and Donald Patterson.

Annual Dinner Meeting – Chairman Bishop presented three possible dates for the annual dinner meeting. Upon discussion, the Planning Board selected June 9th as the preferred date for the dinner meeting. The Premier Banquet Center on Constitution Avenue in Olean was suggested as the location for the dinner meeting. Terry Martin will see if we can get an interactive video link up with Albany as part of the program.

Members Forum

Seneca Allegany Casino - Tina Abrams updated the Planning Board on the progress of the Casino. She described the features of the temporary building and stated that the opening of the temporary Casino has been delayed to the first of May due to the winter weather.

Farm Bureau Posters – Charles Couture distributed two different posters that the Farm Bureau has produced to encourage people to buy from local producers.

9th Annual Maple Weekend – Charles Couture also distributed brochures highlighting the upcoming Maple Weekend (March 20 and 21st). There are 38 Local Maple Producers in Western New York that will be in operation boiling Maple Syrup and opening their Sugar Houses to the public this year.

Agricultural and Farmland Protection Board Meeting – Charles Couture asked if there was a report on the last Agricultural and Farmland Protection Board meeting that was held on February 9, 2004? Terry Martin stated that he is recommending that the Agricultural and Farmland Protection Plan focus on economic development separate from the Cattaraugus Creek Watershed proposal, as was requested by the farmers on the Agricultural and Farmland Protection Board (see attached notes on that meeting). We will proceed on a smaller scale with the Cattaraugus Creek Watershed plan, working with the Nature Conservancy and county leadership.

Permanent Memorial for Past, Present and Future Planning Board Members

Ann Padlo suggested that a permanent memorial be considered to recognize past, present and future Planning Board members that would preserve our history.

A plaque similar to the one in the Planning Office for the Community Leadership Awards was suggested. Also something on the web site was suggested. No conclusion was reached.

Director's Report

Snowmobile Trails - Terry Martin reported on behalf of Thomas Livak, Director, the Snowmobile Clubs' Trails have been very successful this year.

Countywide Equestrian Market Study – Terry Martin reported that we have received tentative approval to conduct a reconnaissance level market study during 2004 with a focus on creating new economic development, multiplier effects, and jobs related to the equestrian community that is slowly growing and expanding around Allegany State park and throughout Cattaraugus County. He distributed a draft scope of services that is being considered at this time and requested comments from the Planning Board members.
STW Report

Robert Keis reported that STW has contracted with Swist Government consulting Services to develop economic development strategies for the Town of Concord and the Town of Ashford, in conjunction with the Erie and Cattaraugus County Planning Departments. These communities will use their strategic plans to respond to the economic dislocation resulting from the decommissioning of the West Valley Demonstration Project.

Robert Keis reported that STW is submitting an application to the Economic Development Administration for funds to study the feasibility of developing an inland port in the three-county area to improve the region's competitive transportation and economic position. Inland ports are facilities that are used for commodity import, export, and distribution. Their importance is increasing due to ongoing changes in the flow of commodities worldwide. STW believes that this region has the necessary transportation infrastructure elements (Great Valley Railyard, Routes I-86, 219, 62, 16 and I-90) to develop a successful inland port. A regional inland port could include a multi-modal facility, free trade zone, warehousing facilities, transportation businesses, service businesses, and possibility production facilities.

Robert Keis reported STW is submitting an application to the Appalachian Regional Commission to study the impact of the development of the Seneca Allegany Casino on the economy of the region; and how the region can avoid the potential negative impact and maximize potential opportunities of casino development.

Robert Keis reported that STW hosted a reception on February 26, 2004 to publicize the official launch of the agency's new web site – www.DiscoverSouthwestNY.com. The event was held at the Center for Regional Excellence, BOCES Center.

Robert Keis reported that the Annual Local Government Conference at Houghton will be held on May 13th this year.

Charles Couture stated that he had attended a meeting of West Valley school officials where discussion was held on the impact on the school and school taxes from the closing of the Ashford Office Center. It is anticipated that school taxes will increase 30-40%.

OTHER REPORTS

Cattaraugus Chautauqua Chapter of NYS Horse Council

Terry Martin reported that local equestrians are forming a new chapter to promote awareness of the horse industry, encourage land and trail use, aid in the protection and care of horses, stimulate interest in equine sports and recreation, and pursue other issues of interest to members. This chapter specifically targets Cattaraugus and Chautauqua counties. Once formed, members of this new Chapter will be eligible for \$1,000,000 in liability insurance for instances involving individual members horses.

CORRESPONDENCE

The following correspondence as received:

Gwen Bobseine Colton – Thank you for expression of sympathy on the loss of her mother, Lois Bobseine Eaton and appreciation for adjournment of County Legislature and Planning Board meetings in her memory.

City of Olean – Notice of Finding of No Significant Impact on the Environment and Intent To Request Release of Funds for the Downtown Revitalization Program under the Governor’s Office for Small Cities Project for N. Union Street Commercial Target Area.

Town of Portville – Site Plan Review for a Dollar General Store on Route 417 next to the old Spring Hill Dairy – approved.

ADJOURNMENT

David Rivet moved with a second from Florence Fuller to adjourn the meeting at 8:17 p.m. Carried.

ADOPTED AS AMENDED 3/25/04. Amendment: Page 3, under Chairman’s Report, second paragraph, first sentence change “me” to “be”.