

**Cattaraugus County Planning Board  
303 Court Street, Little Valley, New York  
January 28, 2016 at 7:00 pm**

**PLANNING BOARD MEMBERS PRESENT:** Charles Couture, Chairman  
Paul Mager, Vice Chairman  
Michael Zaprowski, Secretary  
Florence Fuller, Assistant Secretary  
Tina Abrams  
Robert Keis  
David McCoy  
Andrea Mellon  
Al Ormond  
Joe Pillittere  
John Sayegh  
Mark Smith  
James Valent

**PLANNING BOARD MEMBERS ABSENT:** None

**PLANNING DIVISION STAFF:** Crystal Abers, Director  
Paul Bishop, Senior Planner  
Ginger Malak, Program Assistant  
Kate O'Stricker, Development Specialist

**GUESTS:** Rick Miller, Olean Times Herald

Chairman Charles Couture called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES**

Mark Smith stated that he had a correction to make on page 11 of the December minutes. Under the Members Forum, under Mark Smith, the second sentence should read "As Town Supervisor, he knows that a permit was not obtained."

*Mark Smith moved with a second from David McCoy to approve the minutes of the December 10, 2015 meeting, as corrected. Motion was carried.*

**NEW BUSINESS**

**General Municipal Law Section 239 (l) & (m) Referrals**

**City of Olean**

**Area Variance – 251 Homer Street**

Paul Bishop reported that the City of Olean is requesting an Area Variance for the front yard setback requirement in the Industrial District. The project will involve the installation and

operation of a photovoltaic solar energy production facility. The Planning Board reviewed a Special Use Permit and Site Plan Review for this project at the December meeting.

**Project Highlights:**

- Approximately 11,000 solar panels on 660 arrays installed on 16.68 acres on the site.
- Capable of generating 4 MW (DC) of electric power.
- Two Mile Creek is located between Homer Street and the property line.
- Required setback is 50 feet. The request is for 5 feet. The solar panels will need to be located to within 5 feet from the property line so that a sufficient number of them can be installed to make the project economically feasible.

**Additional Information:**

- Tax Map No' (s): 94.032-1-2.11
- SEQR: Unlisted Action - Full EAF Completed
- Ag Data Statement: NA
- Floodplain: Yes
- Wetlands: No
- Archaeological Sensitive Area: Yes
- Public Hearing: Held January 14, 2016 at 6:45 pm in the City of Olean Council Chambers

Mr. Bishop reported that the Department received the request on December 22. As the County's 30-day review period ran out, the City could have proceeded without the Planning Board's recommendations.

**STAFF RECOMMENDATION: The proposed action has no significant county-wide or inter-municipal impact.**

*David McCoy moved with a second from Joe Pillittere to accept the staff recommendation. Motion was carried.*

Mark Smith commented that if the panels were sloped the wrong way snow could run off onto neighbor's yard or road. That happened in the Town of Dayton. Mr. Bishop stated that the panels do not pose any problems of that nature.

**Village of Allegany**

**Site Plan Review, Special Use Permit and Area Variance – 70 S. 7<sup>th</sup> Street**

Paul Bishop reported that the Village of Allegany is requesting a Site Plan Review, Special Use Permit and Area Variance for an applicant that wishes to erect a 150 foot telecommunications tower in the I-1 Industrial District in the Village.

**Project Highlights:**

- Located in the 100-year floodplain. The equipment will be on a raised steel platform to prevent flood damage.
- 50 ft x 50 ft leased area that will be secured with a 6 ft chain link fence with barbed wire at the top.

- There is currently a chain link fence on the property line. That fence will be replaced. The fenced in area will house the pad, equipment and the tower.
- The tower is designed with a “break point” that is 25 feet from the top.
- A bond will be posted to ensure the structure is removed if it becomes obsolete or is no longer used for its intended purpose.
- The structure is capable of supporting four telecommunications providers.
- Requesting a 0 foot setback from the northeast property line where a 20 foot setback is required. The additional space will be needed in the future to site the equipment required by the three additional providers.

Additional Information:

- Tax Map No' (s): 93.059-1-12.6
- SEQR: Type 1 Action - Full EAF Completed
- Ag Data Statement: NA
- Floodplain: Yes
- Wetlands: No
- Archaeological Sensitive Area: No
- Public Hearing: Not yet scheduled

There was much discussion on the 0 foot setback.

**STAFF RECOMMENDATION: The proposed action has no significant countywide or inter-municipal impact.**

*Michael Zaprowski moved with a second from Joe Pillittere to accept the staff recommendation. Motion was carried.*

**Town of Little Valley**

**Special Use Permit & Area Variance – 5444 Rock City Street (Route 353)**

Paul Bishop reported that the Town is requesting a Special Use Permit and Area Variance for an applicant that is proposing the construction of a 9,100 SF retail building for a Dollar General store.

Project Highlights:

- The size of the parcel is 220 feet frontage x 275 feet deep.
- Site amenities include parking for 33 vehicles, a dumpster enclosure, a septic system, and bio-retention for stormwater treatment.
- The area variance request is for a decrease in the number of required parking spaces from 91 to 33.
- New public utility services include water, electric and natural gas.
- Site development will include roughly 5 feet of fill in order for the site runoff to properly drain.
- There is a swale running through the site now that collects water during a heavy rain. That swale will be relocated off the site to the side and rear.

- The County's Smart Growth Guidebooks call for locating buildings closer to the street and provide parking at the side and to the rear.

Additional Information:

- Tax Map No'(s): Not Yet Determined
- SEQRA: Unlisted Action - Short EAF Submitted
- Ag Data Statement: Not Required
- Floodplain: Yes
- Wetlands: None
- Archaeological Sensitive Area: Yes
- Public Hearing: February 15, 2016 at 6:00 pm

Discussion included the following comments:

- Mr. McCoy commented that the project is inconsistent with Smart Growth policies. This project would make more sense downtown.
- Question as to where the entrance off of Route 353 would be located? It will not be located opposite any other entrance.
- Mr. Miller questioned policies regarding Smart Growth and Randall Arendt recommendations. Mr. Bishop answered that an advisory could be made regarding parking in the back and side of building rather than the front.
- Mr. Ormond explained that all Dollar Generals have an established footprint for building and parking. They are all constructed the same.
- Mr. Miller asked if there was a Town Code that requires specific materials.
- Mr. McCoy stated that there is a Dollar General in the Town of Portville. Changes were made to address concerns of the town, such as the color of the building and that the building was too close to the road.

**STAFF RECOMMENDATION: The proposed action has no significant countywide or inter-community impact, with the following advisory:**

- (1) **The applicant consider moving the front of the store closer to Rock City Street (Route 353) and move parking spaces to the side and the rear.**

*Paul Mager moved with a second from Andrea Mellon to accept the staff recommendation. Al Ormond abstained. Motion was carried.*

**Environmental Reviews**

**Gowanda Central School District  
SEQRA Lead Agency Status – 2016 Capital Project**

Paul Bishop reported that the Gowanda Central School District and its Board of Education are requesting to serve as Lead Agency for their 2016 Capital Project. The Cattaraugus County Department of Economic Development, Planning and Tourism is considered an "interested agency" for SEQRA review.

The Gowanda Central School District proposes to undertake a capital project which includes various renovation, upgrade, and site work improvements at the District's sites and facilities. Most of the

proposed improvements will be undertaken at the main campus comprised of the High School, Middle School, athletic facilities, bus garage, paved areas, and the bridge over Thatcher Brook. Building improvements are also proposed for the Elementary School.

Additional Information:

- Tax Map No'(s): NA
- SEQR: Type 1 Action - Full EAF – Part 1 Submitted
- Floodplain: NA
- Wetlands: NA
- Archaeological Sensitive Area: NA
- Public Hearing: NA

Mr. Bishop reported that the Department received the request on December 17 and the County's 30-day review period has run out.

**STAFF RECOMMENDATION: The Cattaraugus County Planning Board concurs with the Gowanda Central School District and its Board of Education's request to serve as lead agency for the project known as 2016 Capital Project.**

*Joe Pillittere moved with a second from Al Ormond to accept the staff recommendation. Motion was carried.*

**Intergovernmental Reviews**

**STW #15-22 through STW #15-23**

**STAFF RECOMMENDATION: Received, Reviewed, No Comment.**  
The Board concurred.

**OLD BUSINESS – None**

**REPORTS / OTHER BUSINESS**

**Chairman's Report**

Charles Couture referred to an article on **beehives** in the Buffalo News. The article explained that at Gibbs Apiaries in Gowanda, hives of honeybees are getting ready for the cross-country trek to California's almond orchards where they will spend six weeks pollinating the world's biggest almond crop. Mr. Couture state that bees are in the pollination business rather than honey production.

Mr. Couture reported that the remaining casks at **West Valley** will be shipped to Texas. Andrea Mellon explained the process. The casks are shipped by truck to Blasdell and then by train.

Mr. Couture also mentioned that this is the anniversary of the **Space Shuttle Challenger disaster** and should be remembered.

**Appoint Nominating Committee**

Mr. Couture reported that he needed to appoint a nominating committee for Board officers. He appointed Florence Fuller and Michael Zaprowski.

**Department Reports****Director's Report**

Crystal Abers reported that the Department will be holding several **seminars** in the next few months.

On March 10 at 6:30 pm, the Department will present a seminar on "Grants.gov". This training will walk participants through the Organization Registration processes, and provide the checklist of information needed for the registration process.

In April, Empire State Development will be invited to talk about the Consolidated Funding Application Process.

She will be meeting with the **Town Supervisors** on February 4.

The **5th Annual Farmer-Neighbor Dinner** will be held on April 13, 2016. The guest speaker will be Richard Ball, Commissioner of Ag and Markets. Mrs. Abers emphasized that everyone must make reservations as there is a strict cutoff of 300.

**Comprehensive Plan**

Paul Bishop reported that a few late comments have been received. The Department is shooting for a mid-February adoption.

**Community Revitalization Fund**

Ginger Malak reported that she continues to work with several communities that are very close to submitting an application.

The **Village of Allegany** Board has approved applying for a CRF grant and an application is expected very soon.

Two people from the **Town of Ashford** met with staff to discuss their ideas for an application. They also viewed a Roger Brooks Video.

The **Town of Ellicottville** is looking at signage for the Arboretum and the entrance to the proposed walking trail.

**Trails Initiative**

Ginger Malak reported that the **Trails System Advisory Committee** is scheduled to meet on February 18. The Department anticipates having a presentation from Chautauqua County on their trail efforts. The agenda for the April meeting will include reports from groups who have been successful in securing State/Federal grants and/or, while maybe not successful, have had experience in applying for grants. In May or June, the Department expects to invite

representatives from Empire State Development and NYS Office of Parks & Recreation to talk about funding that is available for trails and the CFA process.

### **Other - None**

### **STW Report**

Robert Keis reported that the Southern Tier West Board had not met. He did mention that a Powers and Duty training will be held in February.

### **Members Forum**

**Paul Mager.** It was brought up to the Amish Trail Committee as to how they could have gift cards for those businesses on the Amish Trail.

Mr. Zaprowski explained how gift cards work. Mr. Sayegh explained gift cards through his experience at the Olean Chamber. Everyone would have to be on the same electronic system

Mrs. Abers explained the Amish Trail includes Amish businesses as well as English establishments.

There was much discussion as to what could be used on the Amish Trail in terms of gift cards.

**Robert Keis.** He participated in a tour of the 72 condos being constructed at Holli Mont.

**John Sayegh.** The Technology Institute at Jamestown Community College will go online in May of this year. Manufacturers in the JCC service area are offering scholarships to students. He also reported that art is a one year program and there is a design career pathways to art.

Mrs. Abers reported that she attended a meeting yesterday with the Regional Economic Development Council and Cattaraugus-Allegany BOCES. The REDC asked as to how they could help BOCES and mentioned what JCC has done with the Technology Institute.

**Tina Abrams and Michael Zaprowski.** They reported that the AMSOIL / ISOC US Air Force National Championship will be held on February 5-6 at the Seneca Allegany Resort & Casino.

### **CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS**

Charles Couture reported that these are attached to the agenda. He pointed out that the Legislature meeting starts at 4:00, not 3:00 pm.

### **NEXT MEETING**

The next meeting of the Planning Board will be held on February 25, 2016 at 7:00 pm at the County Center in Little Valley.

### **ADJOURNMENT**

*Joe Pillittere moved with a second from James Valent to adjourn the meeting at 8:35 pm. Motion was carried.*