

Cattaraugus County Planning Board  
Cattaraugus County Center  
Little Valley, New York  
April 24, 2008  
7:00 pm

PLANNING BOARD MEMBERS PRESENT: William E. Sprague, Chairman  
Ann Padlo, Secretary  
Charles Couture, Assist. Sec.  
Kameron Brooks  
Florence Fuller  
Richard Fuller  
Robert Keis  
David Rivet  
Michael Zaprowski

PLANNING BOARD MEMBERS ABSENT: Paul Mager, Vice Chairman  
Tina Abrams  
Jack Berger  
David McCoy

PLANNING DIVISION STAFF: Thomas M. Livak, Director  
Chris Crawford, Senior Planner  
James H. Isaacson, Senior Planner  
Margaret E. Puszcz, Stenographic Secretary

GUESTS: Vincent Pietrzak, Appel Osborne  
Peter Tashner, Dresser Rand  
Ed Wilber, Dresser Rand  
Michael Johnson, Dresser Rand  
Charlie Osborne, Welliver McGuire  
Mary George, City of Olean

Chairman Sprague called the meeting to order at 7:02 p.m. and asked everyone to introduce themselves.

## **APPROVAL OF MINUTES**

*Michael Zaprowski moved with a second from Richard Fuller to approve the March 27, 2008 minutes as submitted. Carried.*

## **NEW BUSINESS**

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

**Town of Randolph Zoning Board of Appeals – Special Use Permit – 12471 W. Main Street**

Chris Crawford reported that the Town of Randolph Zoning Board of Appeals has referred a Special Use Permit request to place a wholesale used car lot (no more than two at any one time) at 12471 West Main Street (Tax Map No. 69.004-1-30). The request for review is due to its proximity to an agricultural district parcel.

Chris' review consisted of an examination of applicant submitted documents including Ag Data Statement, legal notice, Town of Randolph Zoning Ordinance, Town of Randolph ZBA meeting minutes and GIS data layers. His findings were: 1) Special Use Permit requested would be limited by the number of cars and limited signage. 2) No short SEQR EAF has been submitted, and 3) A Public Hearing was held on April 10, 2008. His determinations were: 1) Granting of the Special Use Permit has no intercommunity or countywide impacts. Staff recommendation is that 1) The proposed project has no intercommunity or countywide impact, and 2) That the Town of Randolph ZBA prepare a SEQR Short EAF and forward a copy to the County Planning Board.

*Upon discussion, Robert Keis moved with a second from Richard Fuller that the Town of Randolph Zoning Board of Appeals referred Special Use Permit request to place a wholesale used car lot at 12471 West Main Street has no intercommunity or countywide impact with an Advisory that the ZBA should prepare a SEQR Short EAF and forward a copy to the County Planning Board. Carried.*

**City of Olean Planning Board – Site Plan Review – Ron Seager Memorial Drive**

James Isaacson reported that the City of Olean Planning Board has referred a Site Plan Review for an 86,612 gross sq. ft. office building on the Dresser-Rand campus at Ron Seager Memorial Drive (Tax Map No. 94.048-1-2.1). It will be a two-story building with a 43,306 sq. ft. building footprint. There will be 617 parking spaces with landscaping improvements and lighting. There will be a drainage system with a detention pond and stormwater pollutant separators. It will be used for approximately 500 existing employees. This is an Unlisted Action under SEQR.

Vincent Pietrzak reviewed the Site Plan in detail for the Planning Board members, stating that they are following NYSDEC's stormwater retention regulations. They are also landscaping the site so that it will be a "green" campus. He also mentioned that they have requested a variance for the parking spaces from 20 feet to 18 feet.

Considerable discussion as to whether or not this variance would need to be referred to the County Planning Board. Mary George felt that it would not because the City of Olean Planning Board can make changes of this type to the Site Plan before approving it per Article 9 of the City's Ordinance.

Chairman Sprague complimented them for taking the stance that they need the stormwater retention pond.

James Isaacson stated that staff recommendation is local issue, no countywide or intercommunity impacts.

*Ann Padlo moved with a second from Kameron Brooks to approve the City of Olean Planning Board's referred Site Plan Review for a 2-story office building with 617 car parking facility and landscape improvements at Ron Seager Memorial Drive. Carried.*

### **City of Olean Planning Board – Site Plan Review – Paul Clark Drive**

James Isaacson reported that the City of Olean Planning Board has referred a Site Plan Review for construction of a 24,000 sq. ft. test stand facility on a slab and associated tanks, electrical building and cooling tower at Paul Clark Drive (Tax Map No. 94.048-1-2.1). It also includes a pipe bridge connecting it to the existing test stand facility. It will be used to test a new compression system that Dresser-Rand is developing. The building will be located about 500-600 feet from the nearest residence to the east and 2,000+ feet to the State Road. Potential concerns brought up by the Olean Planning Board are noise from the facility and any NYSDEC permits. A Public Hearing was held on April 14, 2008. This is an Unlisted Action under SEQR and the City has made a Negative Declaration.

Michael Johnson of Dresser Rand explained that the new compression system that they are developing will knock liquids out of gas and oil. They will test the equipment prior to it being shipped. There will be some noise from the piping, but it will be insulated as well as the valves.

*David Rivet moved with a second from Charles Couture to approve the City of Olean Planning Board's referred Site Plan Review for construction of test stand facility on slab and associated tanks, electrical building and cooling tower at Paul Clark Drive. Carried.*

### **City of Olean Planning Board – Site Plan Review – 625 N. Union Street Extension**

Chris Crawford reported that the City of Olean Planning Board has referred a Site Plan Review for construction of an additional building to serve as lumberyard showroom at 625 North Union Street Extension (Tax Map No. 94.041-5-482). The Site Plan Review is being referred due to its proximity to NYS Route 16. His review consisted of an examination of applicant submitted documents including Part 1 of SEQR Short EAF, site plan drawings, zoning permit application, application for site plan review as well as the City of Olean Zoning Ordinance, EPA guidance for silt fence construction, NYSEERDA guidance for New Construction Program Financial Incentives (PON 1155), and GIS data layers.

Chris' findings were:

- 1) City Zoning Ordinance (9.1.5 (2)(s)) requires that engineering computations for determining performance requirements of drainage facilities be submitted.
- 2) City Zoning Ordinance (9.1.5 (2)(p)) requires provisions for energy efficiency be submitted.
- 3) City Zoning Ordinance (9.1.5 (2)(l)) requires the location, design and size of all signs.... be submitted.
- 4) City Zoning Ordinance (9.1.5 (2)(o)) requires the location, design of all energy distribution facilities.... be submitted.
- 5) City Zoning Ordinance (9.1.5 (2)(q)) requires that information regarding grading & erosion control measures.... be submitted.

- 6) City Zoning Ordinance (9.1.5 (2)(r)) requires the location and design for stormwater management facilities.... be submitted.
- 7) No information was submitted stating the Olean Planning Board had waived the above preliminary application requirements.
- 8) There may be increased traffic to and from NYS Route 16 vis-à-vis access road.
- 9) A Public Hearing was held on April 14, 2008.

Chris' determinations were:

- 1) Given vehicular traffic will be entering and exiting via access road, staff has determined there is "no inter-community or countywide impact,"
- 2) Drawings and information regarding the first six findings were not submitted to the County Planning Board.
- 3) The potential for increased traffic at the intersection of NYS Route 16 and access drive may necessitate greater traffic control at that intersection.

Staff recommendation is that the proposed project has no intercommunity or countywide impact and the County Planning Board advises the City Planning Board:

- 1) Of the need for a "full statement" as defined under §239-m(c) or a statement indicating the application was deemed complete as submitted to the County Planning Board.
- 2) That, en lieu of submitted calculations, a review of the engineering calculations associated with design of the stormwater system may be warranted
- 3) That the NYSEDA has some financial incentives for designing, purchasing, implementing energy efficiency provisions (see <http://www.nyserda.org/incentives.asp#Commercial%20/%20Industrial> & <http://www.nyserda.org/Funding/1155pon.asp> )
- 4) That, en lieu of information provided on grading and erosion control, a review of best management practices with regard to erosion control measures may be warranted
- 5) That, en lieu of information provided on signage, a review of sign information be conducted in accordance with Article 11 of the City Zoning Law may be warranted
- 6) To work with NYSDOT, City Public Works and other interested parties to monitor the need for greater traffic control at the intersection of NYS Route 16 and the access drive.

*Upon discussion, Charles Couture moved with a second from Kameron Brooks that the City of Olean's referred Site Plan Review for construction of a new 60' x 120' lumber-yard showroom at 625 North Union Street Extension has no intercommunity or countywide impact and the County Planning Board advises the City Planning Board of the above six items listed in the staff recommendation. Carried.*

#### **City of Olean Zoning Board of Appeals – Area Variance – 625 N. Union St. Ext.**

Chris Crawford reported that the City of Olean Zoning Board of Appeals has referred an Area Variance request for 625 North Union Street Extension (Tax Map No. 94.041-5-482), which is being proposed for development of an additional building to serve as a lumberyard showroom. The Area Variance is to allow for a current building on the site to be reclassified as an accessory use with a floor area in excess of that allowed under Article 6 of the City Zoning Law. The request for review is being referred

due to its proximity to NYS Route 16. His review consisted of an examination of applicant submitted documents including Area Variance application, zoning permit application, City of Olean Zoning Ordinance, and GIS data layers.

Chris' findings were: 1) that an Area Variance is required because the former retail building is being converted to an accessory use, 2) that no Short SEQR EAF has been submitted and 3) a Public Hearing was held on April 10, 2008. His determinations were that the granting of an Area Variance has no intercommunity or countywide impacts and that the Site Plan Review by the City Planning Board will consider many potential impacts.

Staff recommendation is that the proposed project has no intercommunity or countywide impact and to advise the ZBA to prepare a Short SEQR EAF similar to the one submitted by the City Planning Board and forward a copy to the County Planning Board.

*Ann Padlo moved with a second from Michael Zaprowski that the City of Olean Zoning Board of Appeals referred Area Variance to use an old principal building for an accessory building at 625 North Union Street Extension has no intercommunity or countywide impact and to advise the ZBA to prepare a Short SEQR EAF similar to the one submitted by the City Planning Board and forward a copy to the County Planning Board. Carried.*

#### **Village of Little Valley Zoning Board of Appeals – Area Variance – 110 Rock City Street**

James Isaacson reported that the Village of Little Valley Zoning Board of Appeals has referred an Area Variance for set back requirements for an addition to the Library at 110 Rock City Street (Tax Map No. 54.072-2-22). The Little Valley Library is proposing to expand by building a 36' x 52' addition adjacent to the existing building. The new addition will be 3 feet from the side property line. Required for non-residential is 20 feet. Under SEQR this is a Type 2 Action. Staff recommendation is local issue, no countywide or intercommunity impacts. James noted that if the Village of Little Valley had a zoning referral exemptions agreement with the County Planning Board, this would not have been referred. He will send them a copy of the Zoning Referral Exemptions Agreement along with an explanation on how it would work.

*David Rivet moved with a second from Florence Fuller that the Village of Little Valley Zoning Board of Appeals referred Area Variance for set back requirements for an addition to the Library at 110 Rock City Street is a local issue with no countywide or intercommunity impacts. Carried.*

#### **Environmental Reviews – None**

#### **Intergovernmental Reviews**

Chris Crawford reported that Intergovernmental Reviews numbered STW#08.013 through STW#08.015 have been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

**OLD BUSINESS – None****REPORTS/OTHER BUSINESS****Chairman's Report****Annual Meeting**

**Topic/Speaker** – Chris Crawford reported that Roger Brooks of Destination Development, Inc. has agreed to be our speaker.

**Date and Location** – Chris reported that the best date for Mr. Brooks is Monday, July 28<sup>th</sup> and that staff is recommending the St. Bonaventure Clubhouse. The Board concurred.

**Brooks Patterson Community Leadership Award** – Staff presented three names for the Board's consideration for the Brooks Patterson Community Leadership Award.

*Upon discussion, David Rivet moved with a second from Charles Couture that Leah Leising of the Equestrian Community should receive the 2008 Brooks Patterson Community Leadership Award. Carried.*

Chairman Sprague reported that the Town of Carrollton and the Village of Limestone have produced a Quarterly Newsletter for their residents.

Florence Fuller reported that the Planning Boards for the two municipalities, Town of Carrollton and the Village of Limestone, have decided to form a Joint Comprehensive Plan Committee in order to write a Comprehensive Plan.

Discussion on Shared Municipal Services.

**Department Reports**

**Agri-Tourism Grant Award** – James Isaacson reported that a \$20,000 grant was awarded from the State for the Wagon Train and Stagecoach Run which will be held August 9 – 22, 2008 as part of the County's Bicentennial celebration.

**30 Day Ag District Inclusions** – James Isaacson reported that the County Legislature approved five parcels, totaling 210.1 acres to be included in four Agricultural Districts.

**Regional Open Space Conservation Plan Meeting** – The NYS Department of Environmental Conservation has scheduled a series of meetings to gather input for updating New York's Open Space Conservation Plan. The meeting in Cattaraugus County will be Thursday, May 1, 2008 in the County Office Building.

**NYS Snowmobile Trail Fund** – Thomas Livak updated the Planning Board on recent partial funding loss for this program. The County Legislature passed a resolution asking Senator Young and Assemblyman Giglio to seek restoration of these funds to the Snowmobile Trails Fund.

## **STW Report**

Robert Keis reported the following:

**ARC Grant Process** – The STW Board received an overview of the Appalachian Regional Commission application process for FY2009 on April 17<sup>th</sup>. The deadline for pre-applications, which should consist of only a 4-8 page project profile, is June 6<sup>th</sup>.

**Highway Safety Program** – STW hosted a program on April 8-10, which included sessions on work zone safety; chain saw safety, and basic first-aid with 450 participants.

**38<sup>th</sup> Annual STW Meeting** – NYS Assemblyman William Parment will present the keynote address at the Annual meeting to be held on May 16, 2008 at the Falcon's Nest in Falconer, NY.

**15<sup>th</sup> Annual Local Government Conference** - This Conference is scheduled for May 7, 2008 at Houghton College from 9:00 a.m. to 4:00 p.m.

## **Members Forum**

Robert Keis reported that the Town of Mansfield Planning Board will be the SEQR Lead Agency for the HoliMont Canfield Expansion and The Lodges at Plum Creek projects on Route 242.

Charles Couture reported that the construction of the Route 219 Freeway and Twin Bridges is ongoing. He also reported that Farm Bureau will be meeting with the Board of Directors of the Cornell Cooperative Extension to discuss the abolishment of the agriculture business position and the devastating effects it is and will have on the agricultural community.

David Rivet reported that the Village of Cattaraugus has a potential buyer for the Bush Lot, which is zoned Industrial and has a railroad siding.

Michael Zaprowski reported that the City of Salamanca has three buildings with bricks that are falling down. Discussions are ongoing as to what course of action needs to be taken concerning these buildings. He also stated that the Center Street Bridge Project is moving forward. However it will be 2-3 years with no bridge when the replacement takes place, but the detour will not be as long since the West State Street bridge will be repaired.

William Sprague stated that there has been another landslide this Spring – hopefully it won't be too big of a snag for the Route 219 project. As far as the situation with the Agriculture Business position at the Cooperative Extension, he and Crystal Abers were not informed of the situation nor were they present when the vote was taken by the Board of Directors. He also stated that it is his understanding that the proposed Water Park in Great Valley is off or at least on hold.

## **CORRESPONDENCE**

The following correspondence was received and reviewed:

**City of Olean** – Sign and Area Variances for Walgreen’s project to be located at 2230, 2236, 2238 W. State Street and 110 N. 24<sup>th</sup> Street – granted.

**City of Olean** – Site Plan and Special Use Permit Review for Walgreen’s Project to be located at 2230, 2236, 2238 W. State Street and 110 N. 24<sup>th</sup> Street – approved with conditions.

## **ADJOURNMENT**

*David Rivet moved with a second from Charles Couture to adjourn the meeting at 8:30 pm. Carried.*

**APPROVED AS SUBMITTED ON MAY 29, 2008.**