

CATTARAUGUS COUNTY PLANNING BOARD

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Web Page: <http://www.cattco.org>

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Charles W. Couture
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Joseph T. Pillittere

Mark Smith

James Valent

Cattaraugus County Planning Board
Cattaraugus County Center, Little Valley, NY
February 23, 2012
7:00 pm

PLANNING BOARD MEMBERS PRESENT:

Charles Couture, Chairman
Paul Mager, Vice Chairman
Ann Padlo, Secretary
Michael Zaprowski, Assist. Sec
Florence Fuller
Richard Fuller
Robert Keis
Joseph Pillittere
Mark Smith
James Valent

PLANNING BOARD MEMBERS ABSENT:

Tina Abrams
Kameron Brooks
David McCoy

PLANNING DIVISION STAFF:

Crystal Abers, Director
Paul Bishop, Senior Planner
James Isaacson, Senior Planner
Margaret Puszcz, Keyboard Specialist

GUESTS: Laura Ryan, Facilitator
Nick Pircio, The Villager

Chairman Couture called the meeting to order at 7:02 pm.

APPROVAL OF MINUTES

Corrections to the January 26, 2012 meeting minutes: Page 1 – Move Mark Smith from the Members Present list to the Members Absent list; Page 4 – 1st paragraph, second line delete the words “with an advisory” and in the 3rd line delete the “period” after the word Ordinance and the words “The advisory is” and insert the words “with an advisory”.

Michael Zaprowski moved with a second from Joseph Pillittere to approve the minutes of the January 26, 2012 meeting as corrected above. Carried.

NEW BUSINESS

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



Town of Allegany – Moratorium – Wind Energy Conversion Systems

Paul Bishop reported that The Town of Allegany is proposing a local law to create a moratorium on the issuance of any building permits or planning and zoning approvals for wind energy conversion systems. The time period is 180 days. The operative date is the date the local law is introduced (February 14, 2012). The Town Board has determined that an "emergency exists" that requires the status quo be preserved while they examine the regulating provisions of the Wind Energy Conversion Systems. A public hearing is scheduled for Tuesday, February 28, 2012.

Staff recommendation is that the proposed action has no significant county-wide or inter-municipal impact.

Discussion.

Paul Mager moved with a second from Richard Fuller that the Town of Allegany's proposed local law to create a Moratorium on the issuance of any building permits or planning and zoning approval for Wind Energy Conversion Systems has no significant countywide or inter-municipal impact. Carried.

Village of Ellicottville – Site Plan Review and Special Use Permit – 1, 3, 5 & 9 E. Washington Street

James Isaacson reported that the Village of Ellicottville is reviewing a site plan and special use permit application to construct a new gas station and convenience store at 1-3 E. Washington Street and to redevelop an existing building into retail and commercial space at 5 E. Washington Street. The rear portion of 9 E. Washington Street (the part that was rezoned last month) is being developed into employee parking behind the commercial building. The station will have more pumps than the current station across Mill Street. The convenience store will be a new 4,000 sq ft. addition to an existing 4,568 sq. ft. building on Mill Street. Outdoor seating will also be provided here. The existing 15,000 sq. ft. brick building will be partially demolished and redeveloped into an 11,555 sq. ft. commercial building. Parking in the rear of the building will use an existing shared driveway off Washington Street. There will be 65 parking spaces total. The entire proposal is located entirely within a special flood hazard area (100 year flood zone) and requires a flood development permit from the Village. The Great Valley Creek runs behind the property. A SPDES permit from the NYS DEC is also required for this development. Staff recommendation is approval.

Discussion concerning the project being entirely in a flood zone and the possibility of the gas tanks becoming buoyant during a flooding situation.

Ann Padlo moved with a second from Mark Smith that the Village of Ellicottville's Site Plan and Special Use Permit application to construct a new gas station and convenience store at 1-3 E. Washington Street and to redevelop an existing building into retail and commercial space at 5 E. Washington Street and development of employee parking behind the commercial building at 9 E. Washington Street be approved with an advisory that the applicant should take measures to ensure that underground storage tanks do not become buoyant during a flooding situation. Carried.

ENVIRONMENTAL REVIEWS – None

INTERGOVERNMENTAL REVIEWS

Paul Bishop reported that Intergovernmental Reviews numbered STW#12.004 through STW#12.010 have been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

OLD BUSINESS

County Comprehensive Plan

James Isaacson introduced Laura Ryan, Facilitator from the International Center for Studies in Creativity at Buffalo State College. He explained that she will be assisting with the focus groups for the updating of the County's Comprehensive Plan. He explained that the Plan will have six main topics: Agriculture; Economic Development, Natural Resources, Land Uses, Infrastructure, and Arts, Culture and Tourism. The time frame for completing the Plan is 1 to 2 years.

Laura Ryan explained her background to the Board and said that she will be utilizing tools for consensus building and problem solving in general. The four steps are: 1) clarify; 2) ideas; 3) development and 4) implementation. We will take your initial thoughts and ideas and work them into the six categories, then engage the public in meetings through the summer.

Ms. Ryan then spent approximately 1 hour receiving the Board's thoughts and ideas and writing them on the flip chart.

REPORTS / OTHER BUSINESS

Chairman's Report

Chairman Couture reported that the Hamlet of West Valley is currently working on their water system, which had been sold to an individual and is now causing a lot of issues with cost of the water to the residents.

Department Reports

Crystal Abers reported that she has been very busy during the past month with lots of activity on many topics.

Agricultural and Farmland Protection Board

Annual 30-day Request for Inclusion into an Agricultural District – Paul Bishop reported that the County's Annual 30-day request for inclusions into an Agricultural District ended on January 31st with three requests, totaling 122.5 acres, being requested for inclusion. The Ag Board recommended these parcels to the County Legislature for inclusion. He also noted that, excluding Allegany State Park, 30% or 236,000 acres of the County is in Agricultural Districts.

NYS Ag & Markets Ruling – Paul Bishop reported that an alpaca farmer in the Town of Allegany has a guard dog for their alpacas. The neighbors complained to the Town about the “barking dog”. The Town issued a citation to the alpaca farmer, who in turn took the issue to NYS Ag & Markets. Ag and Markets has ruled that the guard dog is part of the operation of the farm and therefore instructed the Town to retract its citation.

Farmer Neighbor Dinner – Invitations to the Farmer Neighbor Dinner, to be held on April 25th at the St. Paul’s Lutheran Church in Ellicottville, were distributed to the Board members. It was reported that Philip Gottwals of Agricultural & Community Development Services, LLC. will be guest speaker. Mr. Gottwals was the consultant for the County’s Agricultural and Farmland Protection Plan.

STW Report – None

Crystal Abers noted that STW is currently working on its Local Foods project which is encouraging people to buy local.

She also noted that Cattaraugus County is working on a “Made In Cattaraugus County” promotion which will educate people on what is produced here in Cattaraugus County and encourage them to buy local.

Members Forum

Joseph Pillittere reported that, for one of the few times this year, the trucks were out this morning at salting and sanding. The four trucks that were down are now repaired and back on the road. They are lining up their summer projects.

Paul Mager stated that he had read that the Pat McGee Trail had been offered to the County. He stated that the trail runs through his property and it is used a lot by people, but that he has had no problems with the trail or the people.

Florence Fuller stated that there is about 1,000 acres that are being clear cut up the road from her home. She has had many log trucks going by her home for many days now.

Ann Padlo stated that she is working on recognition for the Gold Star mothers. She also stated that she had a conversation with Bill O’Connell from the Olean Airport about us having a meeting there.

Mark Smith reported that he had recently attended a seminar on a new alternative to diesel and gasoline, which is compressed natural gas. The cost today is \$1.00 per gallon.

CORRESPONDENCE

The following correspondences were received and reviewed:

Town of Persia – Adoption of Local Law 2012-1 Wind Energy Facilities – Section XX
Town of Persia Zoning Law.

NYSDEC – Negative Declaration and Approval of Permit Modification for Giardini Brothers Gravel Pit – Change of hours of operation – Town of Allegany – letter dated 2/10/12.

NEXT MEETING – March 29, 2012

ADJOURNMENT

Joseph Pillittere moved with a second from Paul Mager to adjourn the meeting at 9:20 pm. Carried.