

Cattaraugus County Planning Board
County Center, Little Valley, NY
October 29, 2009
7:00 pm

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Michael Zaprowski, Assist. Sec.
Jack Berger
Kameron Brooks
Florence Fuller
Richard Fuller
David Rivet

PLANNING BOARD MEMBERS ABSENT: Paul Mager, Vice Chairman
Ann Padlo, Secretary
Tina Abrams
Robert Keis
Mark Smith
David McCoy

PLANNING DIVISION STAFF: James H. Isaacson, Senior Planner
Paul R. Bishop, Planner
Margaret E. Puszcz, Stenographic Secretary

GUESTS: None

Chairman Couture called the meeting to order at 7:14 p.m.

APPROVAL OF MINUTES

David Rivet moved with a second from Kameron Brooks to approve the September 24, 2009 minutes as submitted. Carried.

NEW BUSINESS

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

Town of East Otto – Special Use Permit – 8151 East Otto/Otto Road

Paul Bishop reported that the Town of East Otto Planning Board has referred a Special Use Permit request to construct a 24' x 32' seasonal use cabin in the Agricultural Forestry District at 8151 East Otto/Otto Road (Tax Map No. 27.004-1-19.4). Currently there is a camper and a more permanent building on this 53-acre site and three or four ponds, which have recently been constructed on this property. This is an Unlisted Action under SEQR and a Short EAF has been completed. An Ag Data Statement has been completed. A public hearing was held on September 17, 2009. Staff recommendation is that the proposed action has no significant countywide or inter-municipal impact.

Kameron Brooks moved with a second from Florence Fuller that the Town of East Otto Planning Board's referred Special Use Permit request to construct a 24' x 32' seasonal use cabin in the Agricultural Forestry District at 8151 East Otto/Otto Road has no significant countywide or inter-municipal impact. Carried.

Town of East Otto – Special Use Permit – 8248 Reed Hill Road

Paul Bishop reported that the Town of East Otto Planning Board has referred a Special Use Permit request to park two camper RV's on a 242-acre parcel to be used as a family camp at 8248 Reed Hill Road (Tax Map No. 37.001-1-1.1). The Town did a site inspection and found campsite dry and stable and they were able to drive to the site. This is an Unlisted Action under SEQR with a Short EAF completed. An Ag Data Statement has been completed. A public hearing was held October 15, 2009. Staff recommendation is that the proposed action has no significant countywide or inter-municipal impact.

David Rivet moved with a second from Richard Fuller that the Town of East Otto Planning Board's referred Special Use Permit request to park two camper RV's on a 242-acre parcel to be used as a family camp at 8248 Reed Hill Road has no significant countywide or inter-municipal impact. Carried.

Village of Allegany – Use Variance – 61 East Main Street

James Isaacson reported that the Village of Allegany Zoning Board of Appeals has referred a Use Variance request to establish a "high energy children's fun house" in an R-2 zone at 61 East Main Street (Tax Map No. 93.051-2-26). This was recently approved for a use variance to reopen the former Zeno's Pizzeria (April 30th agenda) that was never opened. This new business will be called Jump n' Fun for children ages 10 and under. There will be no outdoor activities. Bounce houses on the inside, with other activities for the kids. Only minor interior renovations are needed to start up this business. The applicant has addressed the four-part test for a variance, and the Village Board of Appeals has accepted their reasoning. This is an Unlisted Action under SEQR. A public hearing was held on September 9, 2009. Staff recommendation is that this is a local issue with no countywide or inter-community impacts.

Michael Zaprowski moved with a second from Kameron Brooks that the Village of Allegany Zoning Board of Appeals referred Use Variance request to establish a "high energy children's fun house" in an R-2 zone at 61 East Main Street is a local issue with no countywide or inter-community impacts. Carried.

Environmental Reviews – None

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Reviews numbered STW#09-046 and 09-047 have been received. Staff recommendation is received, reviewed, no comment. *The Board concurred.*

OLD BUSINESS – None

REPORTS

Chairman's Report

Chairman Couture reported that the situation in the Town of Ashford concerning the Mobile Home Ordinance and the requirement that a mobile home be at least 2008 or newer has been resolved. The Town Board amended its ordinance so that the 2005 mobile home could be installed for the 80-year-old August Flood Victim. However, two days after the mobile home was set, he had a stroke and it is not known if he will ever be able to return to his home.

November/December Meeting – Chairman Couture stated that due to the holidays, the November and December meetings should be consolidated into one meeting. He proposed December 3rd as the date for the combined meeting. *Board members concurred.*

Training – Paul Bishop stated that Cornell Cooperative Extension is promoting a program called “Complete Streets”. They had chosen the Village of Gowanda for a “Walkability Assessment” which Paul had participated in. Kate O’Stricker of Cornell Cooperative Extension would be willing to present the program to the Planning Board. She could do it two ways: a 10-15 minute presentation or a longer version that would qualify for training.

Paul Bishop also noted that Ms. O’Stricker is looking for a resolution of support from the County Planning Board. He stated that this Complete Streets program fits in with our Guidebooks – getting people out and about within their community.

It was the consensus of the Board to have the longer version for training purposes and also to educate them so that they could pass a resolution of support.

Department Reports

Best of America By Horseback – James Isaacson reported that at the end of September, Thomas Seay, host of the RFDTV show, Best of America By Horseback, was here in Cattaraugus County for two days and shot all kinds of footage on Cattaraugus County and its equine community. He then went to Chautauqua County for two days. The resulting TV show for RFDTV could be aired as soon as December. James talked with Mr. Seay and he was thrilled with our area and says that he will be coming back. Mr. Seay stated that he will definitely be promoting our County.

Jack Berger stated that Mr. Seay was very impressed with the trails at Pineapple Junction. The Equine community is working on getting that trail system extended to Onoville.

Dissolution of the Village of Limestone – James Isaacson reported that earlier this month, 70% of the Village of Limestone residents voted to dissolve the Village, which would take effect on December 31, 2010. The next step will be for the Village to enact a dissolution plan outlining what will happen to the village assets and how the Town will deal with the water, sewer and roads. From the Planning Board side, the Town and Village have been working on a Comprehensive Plan. One of the issues that need to be addressed is the fact that the Village has zoning and the Town doesn’t. The County Planning staff will be assisting the Town with the Comprehensive Plan and Zoning issues.

Agricultural District #4 – South Branch – Eight-Year Review – Paul Bishop reported that he has received notification from NYS Department of Ag & Markets to start the Eight Year Review of Agricultural District #4 – South Branch.

James Isaacson reported that Ron Mead from NYS Ag & Markets in Albany would be here next week for a visual review of the Ashford Meadows Agricultural District prior to certifying it for another eight years.

The Southwest Agricultural District is nearly ready to be sent to the State.

Paul Bishop stated that the Agricultural and Farmland Protection Board has discussed combining South Branch with Ashford Meadows. They will be discussing that with Ron Mead next week.

Other Reports

Paul Bishop stated that John Sayegh was not able to attend this evening. However, he did want the Planning Board members to know that the Legislature voted to assist Napoleon Services with a loan from the Casino Funds of \$175,000. If the company adds 8-10 more employees, then the loan will become a grant. This is an overall project of 1.2 million dollars.

Allegany State Park Funding Cuts – Paul also reported that John would like the Planning Board to consider sending a letter to Governor Paterson, Senator Young and Assemblyman Giglio concerning stopping the budget cuts to the New York State Park System and especially Allegany State Park. Paul distributed a draft of the letter for the Board's review.

Upon review, Kameron Brooks moved with a second from David Rivet to send a letter to Governor Paterson, Senator Young and Assemblyman Giglio urging them to stop the budget cuts to the New York State Park System. Carried.

Transportation Plan – Paul Bishop reported that he had attended a meeting of the Steering Committee, which is charged with implementing the Plan. Four Sub Committees were formed: 1) Organizations; 2) Gaps in the Plan; 3) Vehicles and 4) Customer Access and Training.

STW Report

Charles Couture reported that the STW meeting last week was an organizational and a getting to know the staff meeting.

Members Forum

Kameron Brooks discussed a situation with the Pat McGee Trail and the Town of New Albion concerning a building that was built almost entirely on the Pat McGee Trail property and the fact that the Town is not willing to enforce its own zoning ordinance.

CORRESPONDENCE

The following correspondence was received and reviewed:

Town of Ellicottville Zoning Board of Appeals – Area Variance – 5344 Beaver Meadows Road – to allow a replacement mobile home to be located with a front yard setback of 60 feet and a rear yard setback of 50 feet, where a minimum 100 foot setback from all property lines is required – approval granted October 1, 2009.

Town of Ellicottville – Amendments to text and map of Town's 2006 Comprehensive Plan – adopted on September 22, 2009.

City of Salamanca Planning Commission – Site Plan Review – 38-40 Broad Street – to construct a warehouse/garage – approved October 1, 2009.

Town of Allegany – Area Variance – 3374 Maple Avenue – construction of an 18' x 24' shed with a 20-foot back yard set back and a 5-foot side yard setback – approved with no conditions on October 6, 2009.

City of Olean – Site Plan Review – 1601 Johnson Street – construction of a 20,000 sq. ft. building for engineering, testing, and manufacturing facilities – approved September 14, 2009.

Town of Dayton – Clarifying Code of Town of Dayton Schedule A-Requiring Special Use Permit for Seasonal Farm Produce and Roadside Stands – passed with Negative Declaration October 13, 2009.

NEXT MEETING

December 3, 2009 with training starting at 6:00 pm and regular meeting at 7:00 pm. Large Committee Room, Third Floor, County Center, Little Valley, NY

ADJOURNMENT

David Rivet moved with a second from Michael Zaprowski to adjourn the meeting at 8:15 pm. Carried.

APPROVED AS SUBMITTED DECEMBER 3, 2009.