

CATTARAUGUS COUNTY PLANNING BOARD

303 Court Street, Little Valley, New York 14755

(716) 938-2312 Fax (716) 938-2779

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

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Charles W. Couture
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Paul D. Mager
Vice Chairman

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Michael Zaprowski
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Tina J. Abrams

Kameron Brooks

Florence J. Fuller

Richard P. Fuller

Robert C. Keis

David L. McCoy

Joseph T. Pillittere

Mark Smith

James Valent

Cattaraugus County Planning Board
Cattaraugus County Center, Little Valley, NY
February 28, 2013
7:00 pm

PLANNING BOARD MEMBERS PRESENT:

Charles Couture, Chairman
Michael Zaprowski, Assist. Sec
Tina Abrams
Florence Fuller
Robert Keis
David McCoy
Joseph Pillittere
Mark Smith
James Valent

PLANNING BOARD MEMBERS ABSENT:

Paul Mager, Vice Chairman
Ann Padlo, Secretary
Kameron Brooks
Richard Fuller

PLANNING DIVISION STAFF: Crystal Abers, Director
Paul Bishop, Senior Planner
James Isaacson, Senior Planner
Margaret Puszcz, Secretary

GUESTS: Chris Chapman, Buffalo News

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

APPROVAL OF MINUTES

Michael Zaprowski moved with a second from James Valent to approve the minutes of the December 13, 2012 meeting as submitted. Carried.

NEW BUSINESS

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

Town of Allegany – Site Plan Amendment – Bonaventure Square

Paul Bishop reported that the Town of Allegany has referred a Site Plan Amendment to an approved Site Plan for the Bonaventure Square Development, 3168 NYS Route 417 (Tax Map #'s: 94.061-1-31.3, 94.061-1-31.4, 94.061-1-40.2). He stated that the applicant wishes to construct the



"Bonaventure Square" development which will now consist of a 100-room hotel (62,500 square feet), a stand-alone retail building (12,000 square feet), and a four story multi-use building consisting of a bowling alley, restaurant, retail space and offices on the first and second floors (70,980 square feet), and a 165-bed apartment space on the third and fourth floors (74,560 square feet). The stand-alone apartment building from the previous version is eliminated and that space is now reserved for future development. The Town Planning Board determined that this proposed amendment did not require the re-opening of the SEQR review and determination and no public hearing. Staff recommendation is approval.

Joseph Pillittere moved with a second from Florence Fuller that the Town of Allegany Planning Board's referred Site Plan Review Amendment to an approved Site Plan for the Bonaventure Square Development at 3168 NYS Route 417 be approved. Carried.

Town of Allegany – Zoning Referral Exemption Agreement

James Isaacson reported that the Town of Allegany has referred a Zoning Referral Exemption Agreement. They have added some items to the Appendix, the same as the Town of Ellicottville, as recommended by town Planner Carol Horowitz. They are minor things that this Board would more than likely determine were a local issue. Staff recommendation is approval. The Town of Allegany will make the eighth municipality that has a Zoning referral Exemption Agreement with the County Planning Board.

Joseph Pillittere moved with a second from Robert Keis to enter into a Zoning Referral Exemption Agreement with the Town of Allegany and authorized the Chairman of the Planning Board to sign said agreement. Carried.

Town of East Otto – Special Use Permit – 8235 East Otto-Otto Rd

Paul Bishop reported that the Town of East Otto Planning Board has referred a Special Use Permit to remodel a portion of an existing building to sell firearms and sporting goods retail at 8235 East Otto-Otto Road (Tax Map No. 27.004-1-18). The father owns the land but he has given his son written permission to operate this business. There appears to be adequate space for parking. There is no mention of signage that might be erected along East Otto-Otto Road. A Short SEQR EAF has been submitted as well as an Ag Data Statement. A public hearing was held on February 7, 2013. Staff recommendation is that the proposed action has no significant county-wide or inter-municipal impact with an advisory that the Town advise the applicant that any signage that is needed at the entrance to the property should be reviewed by the Town so that it is in compliance with appropriate Town laws.

Robert Keis moved with a second from Tina Abrams that the Town of East Otto Planning Board's referred Special Use Permit to remodel a portion of an existing building to sell firearms and sporting goods retail at 8235 East Otto-Otto Road has no significant county-wide or inter-municipal impact with an advisory that the Town advise the applicant that any signage that is needed at the entrance to the property should be reviewed by the Town so that it is in compliance with appropriate Town laws. Carried.

Town of Franklinville – Special Use Permit – Bryant Hill & Fidale Roads

James Isaacson reported that the Town of Franklinville Zoning Board of Appeals has referred a Special Use Permit for Saia Communications, Inc. to replace a damaged cell tower on Fidale

Road, just off Bryant Hill Road (Tax Map No. 47.002-2-6.4). The tower was damaged when one of the guy wires was struck by a vehicle and bent the tower. The existing tower is 180 feet tall; the new tower will be 260 feet tall. The tower is located within $\frac{3}{4}$ miles of a private airstrip. Guy wires will also support this new structure. There are no county or state highways or any other triggers for a 239 referral. The Town's ordinance regarding telecommunications towers requires a county referral for every application. This is an unlisted action under SEQR with a Negative Declaration. A public hearing was held on February 4, 2013. Staff recommendation is that this is a local issue with no countywide or intercommunity impacts.

Robert Keis moved with a second from Mark Smith that the Town of Franklinville Zoning Board of Appeals' referred Special Use Permit for Saia Communications, Inc. to replace a damaged cell tower on Fidale Road, just off Bryant Hill Road, is a local issue with no countywide or intercommunity impacts. Carried.

Environmental Reviews – none

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Reviews numbered STW #13.01 through STW#13.09 have been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

OLD BUSINESS

Zoning Referrals – 30 days lapsed

Paul Bishop reported that because the January 31st, 2013 meeting of the County Planning Board was cancelled, 30 days have lapsed and the municipalities who had referred the following referrals may take final action on these referrals without waiting any further for County Planning Board action. The statutory basis for this is General Municipal Law Section 239-m. 4. (b).

Town of Ellicottville – Amendment to Approved Master Planned Development – 6430 & 6422 NYS Rt. 242 East – Glen Burn Trail

The Town of Ellicottville Planning Board had referred an amendment to the approved Master Planned Development and Final Plat for Phases 1 and 2 of the Starlite Village subdivision and for Final Plat approval for the remaining phases of the site that had been approved in 2009. The project, now known as Glen Burn Trail, is a proposed 38-unit townhouse development, reduced from the previously approved 43-unit development.

Town of East Otto – Special Use Permit – 7272A Mill Valley Road – Residence/Workshop Town of East Otto – Special Use Permit - 7272 Mill Valley Road – Sawmill

Paul Bishop reported that the Town of East Otto Planning Board had referred these two Special Use Permits for a diesel powered sawmill in an existing building and the construction of a building to be used temporarily as a residence and then convert it to a workshop at 7272 and 7272A Mill Valley Road.

REPORTS / OTHER BUSINESS

Chairman's Report – none

Report of Nomination Committee/Election of Officers

Florence Fuller, Chairwoman of the Nomination Committee reported that all current officers had been contacted as to whether or not they wished to be reelected. All would like to continue in their respective offices: Chairman – Charles Couture; Vice Chairman – Paul Mager; Secretary – Ann Padlo; and Assistant Secretary – Michael Zaprowski.

Florence Fuller moved with a second from Joseph Pillittere that the Secretary cast one ballot for the election of officers as follows: Chairman – Charles Couture; Vice Chairman – Paul Mager; Secretary – Ann Padlo; and Assistant Secretary – Michael Zaprowski. Carried.

Department Reports

Agriculture and Farmland Protection Board

Paul Bishop reported that the Agriculture and Farmland Protection Board will host an open discussion on “What Does the Future Hold for Agriculture in Cattaraugus County?” on March 19th at 7:00 pm at the Great Valley Town Hall. There will be three panelists who will get the discussion started.

The Board is also working on an agricultural website that will be released at the Farmer Neighbor dinner on April 10th.

Crystal Abers reported that the 2nd Annual Farmer Neighbor Dinner will be held on April 10th at the West Valley Fireman's Hall on Route 240, West Valley. The fire hall has twice the capacity as last year's location. We are getting many exhibitors and donations for the dinner. The speaker will be Elizabeth Wolanyk. She is a former NY Ag teacher, worked for NY Ag in Classroom at Cornell, worked for American Farm Bureau in Washington, DC in Promotion and Education of Agriculture and developed a program on Misconceptions in Agriculture.

Olean Area Transportation System (OATS)

Paul Bishop reported that he is doing a map for the OATS because 2 new routes have been created: one from Cuba to Olean to Salamanca and back again in the morning and afternoon, in cooperation with Allegany County. There is also a night route between Olean and Salamanca and a shuttle route between Olean and Allegany. The Seneca Nation is also working on a route between their two territories.

North Union Streetscape Project

James Isaacson reported that the City of Olean is working on a Streetscape Plan for North Union Street from Main Street to State Street. There are 4 options presented: Reduce 4 lanes to 2 lanes with 2 bike lanes with a median and parallel parking; back in parking with a bike lane and a median; buffered cycle track with diagonal parking and no median; and bike lane with back-in diagonal parking and no median.

David McCoy stated that this is excellent timing to do this as the City will be replacing lighting poles and water and sewer lines.

James reported that another design consideration is for 3 roundabouts: 1 at State and Union; 1 at Main and Union and 1 at JCC entrance. There cannot be one at Buffalo and Union because of Dresser-Rand's big trucks.

Discussion concerning the roundabouts in other communities.

Tina Abrams reported that a roundabout has been approved by the Seneca Nation at Routes 438 and 5.

Crystal Abers stated that at the last County Planning Board meeting, the Board had formed a Task Force on Land Banking. The County Attorney has approved this discussion on land banks. The County maybe applying for a grant for a countywide BOA on blighted buildings.

Paul Bishop reported that the Route 219 Corridor Development Committee met on February 13th. There were excellent presentations from various individuals and organizations. NYSDOT chose not to attend. Paul will be meeting with Chris Gerwitz, Chairman of the Route 219 Committee and Supervisor of the Town of Ashford to do a letter encouraging the funding of the SEIS. Another meeting is scheduled for October.

Crystal Abers reported that she had submitted the completion of Route 219 to the Economic Development Summit projects listing.

STW Report

Robert Keis reported that STW has been awarded the contract with Cattaraugus County to provide services related to their Community Transformation Grant, which focuses partly on preparing a regional food procurement initiative within three schools in Cattaraugus County: Olean, Salamanca and Gowanda. The initiative will establish a system that consolidates food procurement and standardizes menu planning for participating school districts to leverage buying power, secure more competitive pricing, and improve the nutritional quality of the school lunch program.

Mr. Keis reported on the following:

The RFP for the feasibility study and business plan was released in mid-January for the USDA – BROG. It has been awarded to SCALE from Abingdon, VA. Mr. Anthony Flaccavento is well respected in the field of local food systems and has 25 years of hands-on experience in sustainable community development.

STW has entered into a contract with the Appalachian Sustainable Agriculture Project to help assist our local producers in their pursuit of sustainability and expansion.

STW would like to build off the success of the Allegany County Town Highway Association's program that placed new laptops with training in the hands of their members. STW has been surveying the town highway superintendents and has data that shows an interest in not only participating but also participating financially to receive a laptop and training.

Agricultural and Water Improvement Studies Mini-Grant – “Feasibility Study for Best Management Practices (BMP) Demonstration” – STW has applied for funding from the Appalachian Regional Commission to initiate the installation of some BMP, but there is the potential at the site to install many more BMP’s suggested by the Regional Watershed Task Force.

Asset Management Inventory Mini-Grant – “Culvert Pipe Inventory” – STW proposes to conduct a culvert pipe inventory for five communities in the STW region. The STW GIS Department will work with the individual municipalities, specifically the highway superintendents, to implement the project with assistance from the County Highway Superintendent Associations.

STW’s Local Government Conference at Houghton will be May 8th. It is the 20th year for this conference.

Members Forum

Robert Keis reported that the Town of Mansfield has put out to bid for the new Highway Barn that was destroyed last October by fire. The Town purchased a used truck and a new truck. They still need to purchase a new grader.

Mr. Keis also reported that HoliMont held an auction of lots for their subdivision last Saturday. The lots are ski in and ski out. The first ¼ acre lot went for \$200,000.

CORRESPONDENCE

The following correspondence was reviewed:

Ruth L. Pierpont, Deputy Commissioner for Historic Preservation – John J. Aiken House, Ellicottville – listed on NYS Register of Historic Places and nominated to the National Register of Historic Places.

City of Olean – Site Plan Review – Olean Area Federal Credit Union – 1201 Wayne Street – construction of a 7,023 sq. ft. addition to the existing 14,372 sq. ft. building – approved December 17, 2012.

Village of Franklinville ZBA – Area variance for Franklinville Volunteer Fire Department to place storage shed on the north end of building close to the sidewalk – granted Feb. 5, 2013.

NEXT MEETING – March 28, 2013

ADJOURNMENT – Memory of James M. Rich

County Planning Board Chairman Charles Couture requested a moment of silence and adjournment in memory of James M. Rich. Michael Zaprowski motioned with second from Florence Fuller and David McCoy that



- (1) The Cattaraugus County Planning Board adjourn its February 28, 2013 meeting in **memory of James M. Rich** who passed away on February 2, 2013 at the age of 70 at St. Lucie Hospice House in Fort Pierce, Florida;
- (2) The Cattaraugus County Planning Board requested that a letter of condolence be sent to Mr. Rich's family from the Board members and staff;
- (3) The Cattaraugus County Planning Board expressed its sorrow on Mr. Rich's passing, and gave tribute to his legacy, as follows:
 - a) Mr. Rich served as a member of the Cattaraugus County Planning Board for 12 years (August 18, 1993 to October 6, 2005) representing the residents of Salamanca as well as the entire County.
 - b) He served as a member of the Cattaraugus County Route 219 Corridor Development Committee from April 1990 to November 1998.
 - c) Mr. Rich received, along with the other members of the County Planning Board, the Cattaraugus County Legislature's Total Quality Management Award in 1994.
 - d) He was employed by the NYS Office of Parks, Recreation & Historic Preservation, Allegany Region for 37 years, culminating his career as the Regional Director from May 1993 to November 1998.
 - e) Mr. Rich was active in his community as a member of the Seascapes II Board, serving as president for 8 years; the Ocean Village Architectural Board of Review, the Selective Service Board, the American Legion, Elks and Elkdale Country Club.
 - f) Jim loved to golf and fish.
 - g) Mr. Rich was a veteran of the Vietnam War and served in Thailand.
 - h) He graduated from the New York State Ranger School and Syracuse University.
 - i) Jim is survived by his wife, Mary, of 48 years; one niece, four nephews; and several cousins.

The loss of James M. Rich's presence will be sadly felt by his family, many friends, neighbors and colleagues in Cattaraugus County and Hutchinson Island, Florida. *Motion Carried.*

APPROVED MARCH 28, 2013 AS SUBMITTED.