

CATTARAUGUS COUNTY PLANNING BOARD

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David L. McCoy

Joseph T. Pillittere

Mark Smith

James Valent

Cattaraugus County Planning Board
County Center, Little Valley, NY
March 31, 2011
7:00 pm

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Kameron Brooks
Robert Keis

PLANNING DIVISION STAFF:

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

GUESTS: Robert Neal, Legislator
Nick Pircio, The Villager

Chairman Couture called the meeting to order at 7:00 pm and welcomed James Valent, new Board member.

APPROVAL OF MINUTES

Ann Padlo moved with a second from Joseph Pillittere to approve the minutes of the February 24, 2011 meeting as submitted. Carried.

NEW BUSINESS

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

City of Salamanca – Zoning Map and Text Amendment

James Isaacson reported that the City of Salamanca has referred an amendment to rezone a stretch on the South side of Broad Street from Messenger Street to Broad Street Plaza, which is along NYS Rte 417 and is also in the West End Overlay District and is 8.6 acres of land with over 900 feet of frontage. This section is currently zoned R-1 and B-3. The R-1 district



allows residential uses almost exclusively. B-2 General Commercial District allows commercial uses. This district will go from residential to commercial, and the existing residential uses will be treated as non-conforming uses (e.g. abandoned after one year, limits on expansion). The City's Comprehensive Plan calls for the preservation of residential character along this stretch of Broad St, while still allowing for commercial development. This rezoning is not consistent with the Comprehensive Plan's goal of preserving residential character, as it would change the area to a commercial use only district. Residential area on north side of Broad Street would remain R-1. This is an Unlisted Action under SEQR with a Negative Declaration made. A public hearing was held on March 9, 2011. Staff recommendation is approval with modification to add Residential Uses to the B-2 Zoning District, to allow a more mixed use development pattern consistent with the goals of the Comprehensive Plan.

Upon discussion, Richard Fuller moved with seconds from Paul Mager and David McCoy to approve with modification the City of Salamanca's referred Local Law amending the zoning Law of the City of Salamanca to change use district classification for R1 to B2 and B3 to B2 for various Broad Street, Messenger Street and Melinda Drive properties. The modification is to add Residential Uses to the B-2 Zoning District, to allow a more mixed use development pattern consistent with the goals of the Comprehensive Plan. Carried. Michael Zaprowski and James Valent abstained.

City of Olean Site Plan Review – 2610 West State Street

James Isaacson reported that the City of Olean had referred a Site Plan Review to convert existing retail-restaurant commercial facility to a new restaurant at 2610 West State Street. The City has requested that this item be tabled because they have not received the requested additional information from the applicant. Staff recommendation is to table.

Joseph Pillittere moved with a second from Florence Fuller to table the City of Olean's referral per their request. Carried.

Town of Ellicottville – Zoning Text Amendment

James Isaacson reported that the Town of Ellicottville has referred a proposed amendment to their zoning ordinance to allow residential uses (single family and two family residences) in the Industrial Zoning District. There are currently two Industrial zones in the town. Their Comprehensive Plan states that the districts should be reevaluated at some time in the future to determine if industrial is still feasible in these areas, and to consider alternative uses for the zones. This proposal adds residential uses into the permitted uses for this zone, thus allowing for a more diverse development pattern in these zones. As industry has continued to decline in the town, it has become less likely these areas will be developed industrially, and providing for alternate types of development allows landowners to develop their land accordingly. This is a Type 1 Action under SEQR. Portions of the Industrial zones are in flood zones. A public hearing is scheduled for April 6, 2011. Staff recommendation is approval.

Ann Padlo moved with a second from Michael Zaprowski to approve the Town of Ellicottville's referred proposed amendment to their zoning ordinance to allow residential uses in the Industrial Zoning District. Carried.

Intergovernmental Reviews

Intergovernmental Reviews numbered STW#11.006 through STW#11-010 have been received. STW#11.010 is of particular interest – Mercy flight is proposing to acquire a used BK-117 Medical transport Helicopter to be located at 625 Main Street, in Olean at total cost of \$1,650,000. The Board acknowledges receipt and review of Intergovernmental reviews and had no comments.

OLD BUSINESS

Annual Meeting – 50th Anniversary

Mark Smith reported that Countryside Sand and Gravel would be willing to host the County Planning Board's Annual Meeting at their pavilion in South Dayton on Wednesday, July 27, 2011. Discussion on who could cater the event and at what cost. Also discussed was the possibility of a plant tour prior to the meeting. Mr. Smith suggested a speaker and topic for the evening, which the Board concurred with. Mr. Smith stated that he will try to have everything confirmed for our next meeting.

REPORTS / OTHER BUSINESS

Chairman's Report – None

Department Reports

Census 2010 – James Isaacson distributed a map and table which Paul Bishop had prepared that compares the County's Census population from 2000 to 2010. The County's total population has decreased by 3,638 people to 80,317 versus 2000's population of 83,955. Mr. Isaacson also reported that Paul Bishop and Joseph Williams are working on redistricting plans for the Legislative Districts.

Agricultural District Inclusions for 2011 – James Isaacson reported that every year the County must hold an open period for anyone to request that their agricultural property be included in an Agricultural District. This year there are requests for 3 parcels to be included in their respective Ag Districts: one in each town of Allegany, Randolph and Franklinville. The Agricultural and Farmland Protection Board has approved and recommended them to the County Legislature to be included.

STW Report

Charles Couture reported that STW Board continued its discussions on the Broadband Initiative. He also distributed copies of the invitation to the 18th Annual STW Local Government Conference at Houghton College on May 11, 2011 and encouraged everyone to attend some of the sessions if at all possible.

Members Forum

Joseph Pillittere, Deputy Commissioner of the County DPW, reported that salt and sand usage was way up this year because of the winter that we had. They are currently doing some ditching, shoulder work and cold patching. As soon as the asphalt plants open, they will be

repairing the roads, which have suffered this year because of the long winter. In the meantime, trucks and equipment are being readied for the warmer season.

CORRESPONDENCE

The following correspondence was received and reviewed:

Carol Berger Wellman – Letter thanking the Planning Board for honoring her late father, Jack Berger, with the Planning Board's meeting adjournment in Jack's memory.

Town of Allegany – Site Plan Review for addition to Community Bank at 3140 NYS Rt. 417 – approved on February 14, 2011 with conditions.

Village of Ellicottville – Update and Amendment to the Zoning Local Law of the Village of Ellicottville – adopted on March 14, 2011.

Village of Ellicottville – Update and Amendment to the Subdivision Regulations Local Law of the Village of Ellicottville – adopted on March 14, 2011.

NEXT MEETING – April 28, 2011.

ADJOURNMENT

Chairman Couture declared the meeting adjourned at 7:58 pm.

APPROVED AS SUBMITTED APRIL 28, 2011.