

Cattaraugus County Planning Board
County Center, Little Valley, NY
June 24, 2010
7:00 pm

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Paul Mager, Vice Chairman
Ann Padlo, Secretary
Florence Fuller
Richard Fuller
Robert Keis
David McCoy
David Rivet
Mark Smith

PLANNING BOARD MEMBERS ABSENT: Michael Zaprowski, Assist. Sec.
Tina Abrams
Jack Berger
Kameron Brooks

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

GUESTS: Mary Louise Shenk
Luam F. Tudela
Beverly Burmester
Roy Spalti
Matthew Bull
Steve Bull
Bradley Parker
Holly Zendarski
April Zendarski
Lois Ann Zendarski
Patti Jankowski
Brian Rump
Susan Munson
Arthur L. Munson

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

APPROVAL OF MINUTES

Ann Padlo moved with a second from Florence Fuller to approve the May 27, 2010 minutes as submitted. Carried.

NEW BUSINESS**General Municipal Law Section 239 (l) & (m) Referrals****Town of Randolph – Special Use Permit – 127 Main Street**

James Isaacson reported that the Town of Randolph Zoning Board of Appeals has referred a Special Use Permit application to open a general merchandise store at 127 Main Street (Tax Map No. 70.072-2-16) in the heart of downtown Randolph. The storefront is vacant. A new sign will be put on the façade of the building. No other improvements are proposed. Parking will be provided on the street or behind the store. This is a Type 2 Action under SEQR. A public hearing was held on June 15, 2010. Staff recommendation is local issue, no countywide or intercommunity impacts.

David McCoy moved with a second from Paul Mager that the referred Town of Randolph Zoning Board of Appeals Special Use Permit application to open a general merchandise store at 127 Main Street is a local issue with no countywide or intercommunity impacts. Carried.

Town of Randolph – Special Use Permit – 133 Main Street

James Isaacson reported that the Town of Randolph Zoning Board of Appeals has referred a Special Use Permit application to open a general merchandise store with fabrics and antiques at 133 Main Street (Tax Map No. 70.072-2-14) in the heart of downtown Randolph. The storefront is vacant. A new sign will be installed on the façade of the building. No other improvements are proposed. Parking will be provided on the street or behind the store. This is a Type 2 Action under SEQR. A public hearing was held on June 15, 2010. Staff recommendation is local issue, no countywide or intercommunity impacts.

David McCoy moved with a second from Florence Fuller that the referred Town of Randolph Zoning Board of Appeals Special Use Permit application to open a general merchandise store at 133 Main Street is a local issue with no countywide or intercommunity impacts. Carried.

City of Olean – Special Use Permit/Site Plan Review – 2380 Constitution Avenue

James Isaacson reported that the City of Olean Planning Board has referred a Site Plan and Special Use Permit application for a 4,400 s.f. addition to the Blue Collar Workwear store at 2380 Constitution Avenue (Tax Map No. 94.055-1-37.7). The store is expanding and will have additional parking in the front of the store for customers and parking in the rear for employees. The eastern drive entrance will be moved closer to the property line to provide more room for parking and for truck access to the rear of the building. Site distance is adequate here. This was referred because it is within 500 feet of the municipal boundary with the Town of Olean. This is an unlisted action under SEQR. A public hearing has not been scheduled. Staff recommendation is local issue with no significant countywide or intercommunity impacts.

David McCoy moved with a second from Ann Padlo that the City of Olean Planning Board's referred Site Plan and Special Use Permit application for a 4,400 s.f. addition to the Blue Collar Workwear store at 2380 Constitution Avenue is a local issue with no significant countywide or intercommunity impacts. Carried.

Town of Machias – Local Law – Wind Energy Conversion Systems

Paul Bishop reported that the Town of Machias has referred a Local Law entitled “Wind Energy Conversion Systems (WECS)” which will cover both Small Scale and Utility Scale WECS. He stated that the purpose of the County Planning Board review is to determine whether or not there are any countywide or inter-municipal issues, concerns or impacts. Since the Town of Machias does not have any zoning or a comprehensive plan, this is a way to have some control over the siting of wind turbine facilities. Staff has identified several small wording or clarification changes that will be forwarded to the Town. One change is the noise analysis which, on page 10, reads 2000 feet while on page 14 it reads 1500 feet. A full SEQR EAF has been completed. A public hearing has not been scheduled. Staff recommendation is that the proposed action has no significant county-wide or inter-municipal impact with the advisory that the town review the wording and clarification changes identified by staff.

Richard Fuller moved with a second from Mark Smith that the referred Town of Machias Local Law entitled “Wind Energy Conversion Systems (WECS)” which will cover both Small Scale and Utility Scale WECS has no significant countywide or inter-municipal impact with the advisory that the town review the wording and clarification changes identified by staff. Carried.

Town of Dayton – Local Law – Wind Energy Conversion Systems

Paul Bishop reported that the Town of Dayton has referred a Local Law entitled “Wind Energy Conversion Systems (WECS)” which will cover both Small Scale and Utility Scale WECS. The Town of Dayton does have a Comprehensive Plan and Zoning. This local law will be adding another tool to their existing plan and ordinances. The purpose of the local law is to promote the effective and efficient use of the Town's wind energy resource and to regulate the placement of WECS so that the public health, safety and welfare will not be jeopardized. Staff has identified several small wording or clarification changes that will be forwarded to the Town. A full SEQR EAF has been completed. A public hearing has not been scheduled. Staff recommendation is that the proposed action has no significant county-wide or inter-municipal impact with the advisory that the town review the wording and clarification changes identified by staff.

Robert Keis moved with a second from Ann Padlo that the referred Town of Dayton Local Law entitled “Wind Energy Conversion Systems (WECS)” which will cover both Small Scale and Utility Scale WECS has no significant countywide or inter-municipal impact with the advisory that the town review the wording and clarification changes identified by staff. Carried. Mark Smith Abstained.

Town of Mansfield – Zoning Map Amendment – Preliminary PUD Plan

Paul Bishop reported that the Town of Mansfield has referred a Zoning Map Amendment that would establish a Planned Unit Development (PUD) Zoning District and a request for approval of a Preliminary PUD Plan for the mixed use WestMont development at NYS Route 242 at Canfield Hill Road (Tax Map Nos. 55.001-2-27, 55.001-2-32, 55.001-2-33.2). The development consists of 93 single family homes, 72 townhouses, new day lodge, relocated ski slope, new skate pond, 400 vehicle parking lot and associated infrastructure. The Project will be completed in two phases. The extension of sewer and water services from the Town of Ellicottville necessitated the formation of sewer and water districts in the Town of Mansfield. They have now been formed and agreements formalized. A Supplemental Traffic Report has allowed

NYSDOT to concur that a left turn lane from NYS Route 242 onto Canfield Hill Road is not warranted. The County's GIS 100-year floodplain layer shows that the area where the day lodge is proposed may be on or very near the floodplain. Federal wetlands have been identified. A SEQRA Full EAF was completed and a Negative Declaration issued. A public hearing has not been scheduled. Staff recommendation is approval, with the advisory that the town verifies the 100-year floodplain boundary in the area proposed for the day lodge.

David McCoy moved with seconds from Paul Mager and Richard Fuller that the Town of Mansfield referred Zoning Map Amendment to establish a Planned Unit Development (PUD) Zoning District and request for approval of a Preliminary PUD Plan for the mixed use WestMont development at NYS Route 242 at Canfield Hill Road be approved with the advisory that the town verifies the 100-year floodplain boundary in the area proposed for the day lodge. Carried. Robert Keis abstained.

Environmental Reviews – None

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Reviews numbered STW#10.024 through STW#10.029 have been received and reviewed with no comment. He did bring to the Board's attention #028 by the Village of Delevan on behalf of Schwab Dairy Farm who is proposing to install a bedding sand recovery and recycling system that will dramatically reduce the amount of sand used to give 700 cows soft and sanitary bedding in their stalls in the amount of \$84,743.45. The Board concurred with the received, reviewed, no comment.

OLD BUSINESS – None

REPORTS

Chairman's Report

Route 219 – Chairman Couture stated that the word is that funding for Route 219 has been suspended.

Paul Bishop reported that the Route 219 Association met last Friday and learned that funding for the supplemental environmental impact statement for Sections 6-12 has been suspended. The Route 219 Association is going to do everything they can to get that funding re-instated so that the project doesn't get delayed further.

Annual Meeting and Regular July Meeting – It was noted that the next regular meeting of the Board would be July 29th, one day after the Annual Meeting on July 28th. It was the consensus of the Board that the regular meeting be held prior to the Annual Meeting at 4:30 pm.

Planning Board Reappointments – Chairman Couture reported that four member's terms, Florence Fuller, Richard Fuller, Robert Keis and Michael Zaprowski, will be expiring at the end of July. All four members have agreed to accept appointment to another three-year term. A Memo will be sent to the County Legislature Chairman indicating such.

Department Reports

Bicentennial Memory Book – Margaret Puszczyk reported that copies of the Bicentennial Memory Book are now available for \$15 each from the County Administrator's offices and the County Museum. She had one copy for viewing.

Emerald Ash Borer Workshop – Paul Bishop reported that the Cattaraugus County Agricultural Farmland Protection Board is co-sponsoring, with the Cornell Cooperative Extension, a meeting on the Emerald Ash Borer on June 30, 2010 at the Randolph Fire Hall at 7 pm. Any county and municipal planning board and zoning board member can receive 2 hrs of training for attendance at this meeting.

Olean Redevelopment Brownfield – Paul Bishop reported that NYSDEC has announced that demolition activities by ExxonMobil Corporation are scheduled to begin at the Olean Redevelopment Parcels on Buffalo Street (old Agway site). Copies of the announcement were distributed.

Marcellus Shale – Chairman Couture reported that Lindsey Wickman made a presentation to the STW Board on Marcellus Shale. He will have copies of his presentation sent to the Board.

STW Report

Robert Keis reported that STW will be meeting in all three counties on the revision of their five year CEDS plan. It is important to get as many projects listed at every level as possible. The STW Board met earlier in the day for presentations on ARC projects for 2011-12. There were ten projects presented.

Members Forum

Ann Padlo announced that she is currently working on raising \$30,000 to install a statue next to the Veteran's Wall that will salute wounded soldiers, dogs and nurses.

Chairman Couture announced that Paul Bishop has been promoted to Senior Planner. Board members expressed their congratulations.

CORRESPONDENCE

The following correspondence was received and reviewed:

Town of Allegany – Site Plan Review for St Bonaventure University Public Safety Building – approved on April 12, 2010.

Town of Franklinville – Area Variance – 7930 Rt. 16 – Free Standing Sign – granted April 10, 2010.

NYSDEC – Demolition Activities to Begin at Olean Redevelopment Parcels 1, 2 and 3 (old Agway site) – Buffalo Street.

NEXT MEETING

The July regular meeting will be July 28th at 4:30 pm at the Seneca Allegany Casino, Salamanca, NY prior to the Annual Dinner Meeting.

ADJOURNMENT

Paul Mager moved with a second from Mark Smith to adjourn the meeting at 7:55 pm. Carried.

APPROVED AS SUBMITTED JULY 28, 2010.