

Cattaraugus County Planning Board
Cattaraugus County Center, Little Valley, NY
June 27, 2013
7:00 pm

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Paul Mager, Vice Chairman
Ann Padlo, Secretary
Tina Abrams
Kameron Brooks
Florence Fuller
Richard Fuller
Robert Keis
David McCoy
Joseph Pillittere
James Valent

PLANNING BOARD MEMBERS ABSENT: Michael Zaprowski, Assist. Sec.
Mark Smith

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

GUESTS: none

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

APPROVAL OF MINUTES

Florence Fuller moved with a second from James Valent to approve the minutes of the May 30, 2013 meeting as submitted. Carried.

NEW BUSINESS

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

Town of Portville – Comprehensive Plan

Paul Bishop reported that the Town of Portville has done a complete update of their comprehensive plan. In reviewing the plan, it was noted that there was no mention of agriculture or farming. Also, there was no mention of complete streets principles in the document. Staff suggests language be added to the plan addressing these two key issues. Paul Bishop would provide the Town Planning Board with sample language that could be used for the Town's plan.

Joseph Pillittere moved with a second from Paul Mager that the Town of Portville's Comprehensive Plan be approved, with the suggestion that language be added to the plan addressing agriculture and Complete Streets principles. David McCoy abstained. Carried.

Town of Randolph – Zoning Text Amendment

James Isaacson reported that the Town of Randolph is proposing to amend the text of their zoning ordinance. They propose to amend Schedule A – District Use Regulations to require that all current allowable uses in the commercial district need a special use permit, with the exception of Home occupation, minor. Also, the following listed uses are to be added to the allowable list and require a special use permit: Bed and breakfast, Farm stand (seasonal), Food processing establishment, Plant nurseries, Rest home, Semi-public use, Tourist home, and Child care center.

Some of the reasons for the changes is to determine: the effects the business would have on utilities, including electricity, water and sewage; the effects on traffic flow and parking; if all regulations are known and followed; that the code enforcement officer/building inspector is involved; and the required hearing also gives an opportunity for input from affected parties and opportunity to give helpful advice to the business.

Members of the Board raised concerns of requiring all permitted uses to get special permission. They were concerned that the additional steps for approval may discourage businesses from locating in the commercial district, and that additional burdens may be placed on municipal staff due to an increase in applications.

Richard Fuller moved with a second from Paul Mager that the Town of Randolph's proposed zoning text amendments be approved, with the suggestion that the Town consider the ramifications of this proposal, with its potential impact on development opportunities and municipal resources. 8-Aye, 3-Nay (J. Valent, D. McCoy, T. Abrams). Carried.

Village of Gowanda – Special Use Permit and Variance – 42 Jamestown Street

James Isaacson reported that the Village of Gowanda is reviewing a request for a special use permit and a variance for 42 Jamestown Street. This is in the B-1 District and is the former Burger King restaurant. The applicant proposes to demolish the existing building and construct a 9,000 s.f. office building to house a medical office facility. The special use permit is for an anticipated increase in traffic, and the variance is for a reduction in the number of required parking spaces. James noted that the special use permit appears to be for an impact (anticipated increase in traffic) and not a use. The use variance did not specify what the parking standard was that was being varied, and this request came from the Planning Board, not the Zoning Board of Appeals. Staff recommends tabling this referral to get clarification on the special use permit request and variance request.

Joseph Pillittere moved with a second from Bob Keis that the Village of Gowanda's referral for a special use permit and variance at 42 Jamestown Street be tabled, pending clarification on the special use permit request and the variance for number of parking spaces. Carried.

ENVIRONMENTAL REVIEWS**Village of Gowanda – 42 Jamestown Street**

James Isaacson reported that the Village of Gowanda Planning Board is requesting SEQR lead agency status for the construction of a 9,000 s.f. medical office building at 42 Jamestown Street.

Staff recommends concurrence with the Village of Gowanda Planning Board being Lead Agent for the SEQR process for this project.

Joseph Pillittere moved with a second from Bob Keis that the County Planning Board concurs with the Village of Gowanda Planning Board being the SEQR Lead Agent for the project at 42 Jamestown Street. Carried.

INTERGOVERNMENTAL REVIEWS

Paul Bishop reported that Intergovernmental Reviews numbered STW#13.13 through STW#13.15 and STW#13.17 through STW#13.21 have been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

OLD BUSINESS

Right-To-Farm Law

Paul reported that the Town of Persia is looking at a local Right-to-Farm Law for their town.

REPORTS

Chairman's Report

Chuck Couture did not have anything to report on.

Annual Dinner Meeting

Date for the meeting is July 24th. The location is the Good Times of Olean. Invitations have been sent out.

Department Reports

Training Hours

Paul Bishop sent around a flyer for a potential training opportunity at the New Albion town hall on hydraulic fracturing on July 17th at 6:30 pm. A handful of Planning Board members expressed interest in attending.

Board Reappointments

The following members were reappointed for an additional term: Michael Zaprowski, Richard Fuller, Bob Keis, and Florence Fuller.

Other

Paul Bishop reported that the Town of Carrollton has agreed with the County Planning Board's recommendations for their newly adopted zoning ordinance. They will be creating a zoning board of appeals.

Paul Bishop reported that the New York Upstate Chapter of the American Planning Association has awarded the 2013 Planning Excellence Award for Innovation for Sustaining Places to the WNY Region's 2012 Sustainability Plan. Cattaraugus County was an active participant in the preparation of this Plan.

James Isaacson reported that the County has updated the Multi-Jurisdictional Hazard Mitigation Plan and has received some recommended changes from FEMA for the Plan. The County Department of Public Works, Emergency Management, and Planning will make changes and resubmit to FEMA for their approval.

STW Report

Bob Keis reported on a recent tour at JCC for a science and nursing lab which was funded with ARC funding.

There will be presentations for ARC funding and they will be voted on at the next STW meeting.

STW had a meeting at Holiday Valley and had a meeting on STAMI.

Senator Kirsten Gillibrand will be in Jamestown at the Farmer's Market on Friday June 28th.

Members Forum

Ann Padlo spoke about a guest on her talk show from the Airport who gave a presentation on planes.

Dave McCoy asked for a status report on the County Comprehensive Plan. James Isaacson feels we need a consultant to move forward. We may be able to use casino funds to jumpstart the process.

Kameron Brooks mentioned that, as an inducement for the Governor to make a decision on hydraulic fracturing, the CLDC has offered the Zaepfel Preserve as a test site for wells. They received a very generic response.

Bob Keis mentioned that the Town of Mansfield's new highway barn is under construction and hopes to have an open house on October 6th.

CORRESPONDENCE – NONE

NEXT MEETING – July 24, 2013 – Annual Dinner Meeting, 5:00 pm at Good Times of Olean

ADJOURNMENT

David McCoy moved with a second from Florence Fuller to adjourn the meeting at 8:01 pm. Carried.