

Cattaraugus County Planning Board
Ashford Office Complex
9030 Route 219, West Valley, NY
September 30, 2010
7:00 pm

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Paul Mager, Vice Chairman
Tina Abrams
Jack Berger
Kameron Brooks
Richard Fuller
David McCoy
David Rivet

PLANNING BOARD MEMBERS ABSENT: Ann Padlo, Secretary
Michael Zaprowski, Assist. Sec.
Florence Fuller
Robert Keis
Mark Smith

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

GUESTS: Bryan Bower, USDOE; WVDP
Paul Bembia, NYSERDA
Sonja Allen, WVES
Chris Gerwitz, Supervisor, Town of Ashford
Beverly Hess, Councilwoman, Town of Ashford
Eric Boberg, Town of Ashford Planning Board
Rick Miller, Olean Times Herald

Chairman Couture called the meeting to order at 7:08 p.m.

PRESENTATION

Status Update on the West Valley Demonstration Project

Bryan Bower, U.S. Department of Energy, West Valley Demonstration Project Director reviewed the history of the Project. In 1962 Nuclear Fuel Services reached an agreement with the Atomic Energy Commission and New York State to construct the first commercial nuclear fuel reprocessing plant in the United States at West Valley. From 1966 to 1972 spent nuclear fuel was reprocessed, resulting in 600,000 gallons of liquid high level waste. The reprocessing plant shut down for modifications in 1976 and operations never resumed. In 1980 the West Valley Demonstration Project Act was signed into law by President Jimmy Carter. The partners were NYSERDA, URS (Washington Division), Jacobs, ECC, and Parallax. The primary emphasis was to solidify high level radioactive waste at the center and to develop containers suitable for permanent disposal of the waste, which has been completed. 275 canisters were produced and are awaiting transport to a federal repository for permanent disposal. Yuca Mountain not

currently available as a Federal repository, therefore there is a need for a Federal Repository for permanent disposal. Currently in process is the disposal of low-level radioactive waste and transuranic waste and the decontamination and decommissioning of the underground high-level waste tanks, facilities and any material and hardware used in connection with the Project.

There are 3 areas that still need to be addressed: The underground tanks and 2 disposal areas. From 1982 to 1997 all waste was stored at location. In 1998 to 2007, 1 million cubic feet was shipped off site to the Nevada Test Site.

The canisters will stay at West Valley until a Federal repository becomes available. There are currently 350 employees. Future work is more capital intensive than labor intensive. By 2020 they hope to be ready for Phase II: close in place. Cost to close in place is approximately 1 billion versus dig up and ship off site, which is 8 billion.

There is 2 million cubic feet of construction ground to dispose of. Barrier for canisters will be designed for a 50 year life.

Record of Decision took 20 years to complete. The Consent Decree was signed this year. The Consent Decree doesn't determine what has to be done, but only who pays what.

Paul Bembia, NYSEDA, stated that NYSEDA owns the site. They currently have 10 employees on site. When the cleanup is complete the property turns back over to the State of New York. They currently are under a license with NRC with restrictions. They first need to get the property released from the license. The Citizen Task Force and the Town of Ashford are trying to get the State to release some property so that it can go back on the tax role. In 2005 they came up with a process to release some of the property. There are 3 possible sites: 1) 33 acres with the warehouse; 2) 134 acres of unimproved property and 3) 32 acres which the Town currently uses as a gravel pit.

Chairman Couture thanked Mr. Bower and Mr. Bembia for their informative presentations.

APPROVAL OF MINUTES

Paul Mager moved with a second from David Rivet to approve the August 26, 2010 minutes as submitted. Carried.

NEW BUSINESS

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

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

James Isaacson reported that the Town of East Otto has referred a Special Use Permit application for a family cemetery at 8248 Reed Hill Road – County Road 14 (Tax Map No. 37.001-1-1.1). The cemetery will occupy approximately 0.6 acres out of a parcel that is 242 acres in size. This parcel is also an Agricultural District parcel on soils of statewide significance for agriculture. Private or family cemeteries can be allowed under NYS's Not-For-Profit Corporation Law. Any abutting dwelling owners within 100 rods (1,650 feet) must give permission and the cemetery cannot exceed three acres. This is an Unlisted Action under

SEQR. The Ag Data Statement has been submitted. A public hearing was held on September 2, 2010. Staff recommendation is local issue, no countywide or intercommunity impacts.

Tina Abrams moved with a second from Richard Fuller that the referred Town of East Otto Special Use Permit application for a family cemetery at 8248 Reed Hill Road is a local issue, with no countywide or i intercommunity impacts. Carried.

City of Salamanca – Zoning Text Amendment – 664 Broad Street

Paul Bishop reported that the City of Salamanca has referred a Zoning Text Amendment which was recommended by the City of Salamanca Planning Commission and is a Local Law to amend the Zoning Law of the City of Salamanca to change the use district classification of 664 Broad St.(Tax Map No. 73.069-2-39) from R1 Single Family Residential to B2 General Commercial. A previous request to the City for this change was tabled due to the presence of two semi-trailers parked at the premise for an extended period of time. The semi-trailers have now been removed and a condition for the adoption of this Local Law is that no extended parking or storage of semi-trailers shall be allowed on the premises. The reason for the change is to allow professional offices to be located at 664 Broad St., a use which is consistent with the adjoining parcel to the west. This is an Unlisted Action under SEQR and a Short EAF is required, which was not submitted. A public hearing was held on September 22, 2010. Staff recommendation is that the proposed action has no significant countywide or inter-municipal impact with an advisory that the City should complete a SEQR review and submit a copy of the appropriate documentation to the County.

Kameron Brooks moved with a second from Tina Abrams that the City of Salamanca's referred Zoning Text Amendment to change the use district classification of 664 Broad Street from R1 Single Family Residential to B2 General Commercial has no significant countywide or inter-municipal impacts with an advisory that the City should complete a SEQR review and submit a copy of the appropriate documentation to the County. Carried.

Environmental Reviews – None to date

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Reviews numbered STW #10.043 and .044 have been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

OLD BUSINESS

Town of Randolph Zoning Referral Exemption Agreement

Chairman Couture reported that he had signed, before a notary, the Town of Randolph Zoning Referral Exemption Agreement on September 3, 2010. The agreement became effective as of that date. Randolph is the 6th community to implement an Exemption Agreement.

REPORTS

Chairman's Report

Chairman Couture reported that a letter of support was sent to Ruth Noemí Colón, Secretary

Department of State, Albany, for the Franklinville Brownfield Opportunity Area.

Chairman Couture also reported that in the Town of Ashford there are 3 roads that are still limited access: Thornwood Drive, Fox Valley and Dutch Hill.

Department Reports

Route 219 Corridor Development Committee – Paul Bishop reported that the Route 219 Corridor Development Committee, of which Chris Gerwitz is Chairman, met on September 22nd. Steve Forrestel, Cold Spring Construction Co., updated the Committee on the status of Section 5 and indicated that it will be opening November 15th. A letter was also submitted to Senators Kirsten E. Gillibrand and Charles Schumer requesting their aggressive support in urging the New York State Department of Transportation to immediately restore the funding for the Route 219 Supplemental Environmental Impact Statement. Frank Billittier, NYSDOT Region 5, gave an update. He stated that there will not be a traffic light at Peters Road and old Route 219. He also advised that the old Route 219 bridge over Cattaraugus Creek will be narrowed in width during the reconstitution of the current structure, which will extend its life for approximately 40 years. The load limit will also be reduced. After the reconstitution, it will be turned over to Erie and Cattaraugus Counties. It will be inspected annually by NYSDOT.

NYSDEC's Strategic Plan for State Forest Management – Paul Bishop reported that NYSDEC has released its Strategic Plan for State Forest Management. Cattaraugus County has 35,500 acres of State Forest Land in addition to Allegany State Park's 64,000 acres. In total, that is 12% of the County's land. Comments on the Plan are due in late October. James and Paul will be reviewing the document for possible comments.

STW Report

Chairman Couture reported that STW's last meeting was at Wellsville (Alfred) Campus. Many various technology studies are available: CAD; Auto Mechanics; Heavy Equipment; Green Tech; Solar; Wind; Electrical. ARC grants were used to make all this happen.

Members Forum

Tina Abrams asked if the Board could do a letter to the State regarding the terrible condition of 186. This section is scheduled for repairs in 2012.

Next month will have report on County Tourism.

Chris Gerwitz, Supervisor Town of Ashford, reported that 85 million (11 million was taken away from project). Most of 11 million went to Brookhaven. 2012 Federal Budget must include 85 million a year, not the limited 60 million a year. He requested that letters be sent to the Department of Energy requesting that the funding be raised from 60 million to 85 million in the 2012 Federal Budget.

Richard Fuller moved with a second from Kameron Brooks to write a letter to the Department of Energy requesting that the funding be raised from 60 million to 85 million in the 2012 Federal Budget. Carried.

CORRESPONDENCE

The following correspondence was received and reviewed:

Town of Carrollton – Comprehensive 2010 Master Plan – adopted August 11, 2010.

Town of Carrollton – letter of appreciation to County Planning staff – for the valuable, technical assistance, consultation and access to GIS Maps and comprehensive planning assistance for our Town.

Town of Dayton – Local Law regarding placement of Wind Energy Conversion Systems – adopted on August 10, 2010 with changes suggested by the Cattaraugus County Planning Board.

City of Olean – Site Plan Review – Close's Lumber Company – 625 North Union Street Ext. – approved on August 30, 2010.

Town of Allegany – Zoning Amendment to establish Bonaventure Square Planned Development (PD) zoning district (former Castle property) – adopted on August 26, 2010.

NEXT MEETING – October 28, 2010 in Little Valley.

ADJOURNMENT

David Rivet moved with a second from Paul Mager to adjourn the meeting. Carried.

APPROVED AS SUBMITTED OCTOBER 28, 2010.