

Cattaraugus County Planning Board
County Center, Little Valley, NY
February 26, 2009
7:00 pm

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

PLANNING BOARD MEMBERS ABSENT: Kameron Brooks
David McCoy
Michael Zaprowski, Assist. Sec.

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

GUESTS: Meg Lauerman, Continental 1
John A. & Linda M. Crisafulli, Town of Allegany, Church Recreation Center
William Buckner, Town of Franklinville Illuminated Sign

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

PRESENTATION

Meg Lauerman, Project Manager, Continental 1, presented that Continental 1 is a bi-national alliance of business, community and government leaders dedicated to developing an economic transportation system between Toronto, Canada and Miami, Florida. They are a non-for-profit organization with a long-term goal of creating a 1,500 mile four lane highway that will help communities along the route capitalize on economic development and growth. They have received a \$1.5 million federal DOT grant, which is being administered by the New York Department of Transportation and is directed to increase public awareness of Continental 1. They are currently working on the first year's \$500,000. Their main goal at this time is to get Route 219 completed through New York to the Pennsylvania line. They have been working with the Route 219 Association and meeting with many other groups to gain their support.

Considerable discussion.

APPROVAL OF MINUTES

Paul Mager moved with a second from Florence Fuller to approve the January 22, 2009 meeting minutes as submitted. Carried.

NEW BUSINESS**General Municipal Law Section 239 (l) & (m) Referrals****Village of Allegany – Proposed Moratorium on Outdoor Furnaces**

Paul Bishop reported that the Village of Allegany is proposing to impose a temporary moratorium on the use of outdoor wood heaters and outdoor wood boilers. The term of the moratorium is proposed to be nine months, with an additional nine-month extension, if necessary. A Public Hearing is scheduled for March 2, 2009. Staff recommendation is approval.

Richard Fuller moved with a second from David Rivet to approve the Village of Allegany's referred proposed moratorium on the use of outdoor wood heaters and outdoor wood boilers for a term of nine months with an additional nine-month extension, if necessary. Carried.

Chairman Couture reported that NYSDEC has put a moratorium and/or a complete ban on the transportation of firewood into the state because of a beetle that attacks maple trees in Massachusetts and eastern New York.

Discussion.

Town of Allegany – Site Plan Review – West Five Mile Road – Auction House

James Isaacson reported that the Town of Allegany Planning Board has referred a Site Plan Review for an Auction House on West Five Mile Road (Tax Map No. 93.002-2-1). It is an existing business in the Town of Allegany moving to a new location. The lot is 2.78 acres adjacent to I-86 and is located in a C-1 Commercial and CO-2 Route 417 West Corridor Overlay District. The building will be 8600 sq ft. with 107 parking spaces. The parking layout needs to be redesigned as some parking encroaches on setback. Overflow parking is available on land across a cul-de-sac which is in a Flood Plain, however it is just parking and will be graveled, therefore is not an issue. This is an Unlisted Action under SEQR with no determination made to date. A public hearing has not been set. Staff recommendation is local issue, no countywide or intercommunity concerns.

Paul Mager moved with a second from Robert Keis that that referred Town of Allegany Planning Board's Site Plan Review for an Auction House on West Five Mile Road is a local issue with no countywide or intercommunity concerns. Carried.

Town of Allegany – Site Plan Review – 2325 Five Mile Road – Recreation Center

James Isaacson reported that the Town of Allegany Planning Board has referred a Site Plan Review for construction of a Recreation Center for the Creekside Church at 2325 Five Mile Road (Tax Map No. 93.002-2-7.3). The building will be 50' x 80' with no new parking – it will be shared with current building – hours of use will not be at the same time as church activities. The property is in the floodplain, therefore the floor elevation must be 1' above the base flood elevation. There are no anticipated traffic impacts on the County Road. This is an unlisted action under SEQR with no determination issued to date. No public hearing has been set. Staff recommendation is local issue, no countywide or intercommunity impacts.

Tina Abrams moved with a second from Ann Padlo that the Town of Allegany Planning Board's referred Site Plan Review for construction of a Recreation Center for the Creekside Church at 2325 Five Mile Road is a local issue, with no countywide or intercommunity impacts. Carried.

Town of Franklinville – Special Use Permit – 6160 Pierce Rd – Gun Sales & Service

James Isaacson reported that the Town of Franklinville Zoning Board of Appeals has referred a Special Use Permit request to open a private gun sales and service business in a barn at 6160 Pierce Road (Tax Map No. 58.001-2-18). A Special Use Permit is required for a home retail and service trade operation. The property is on the town line with Ischua and is in an Agricultural District. The owner is not currently farming the land, though he rents portions of the land on the other side of the street for hay. An Ag Data Statement was submitted. The owner does not intend to discharge or test-fire any weapons on the site as that is not a part of his operation. Parking is on the side of the barn. This is an Unlisted Action under SEQR with no determination made to date. A public hearing was held on February 3, 2009. Staff recommendation is local issue, no countywide or intercommunity impacts.

Richard Fuller moved with a second from Robert Keis that the Town of Franklinville Zoning Board of Appeals referred Special Use Permit request to open a private gun sales and service business at 6160 Pierce Road is a local issue with no countywide or intercommunity impacts. Carried.

Town of Franklinville – Special Use Permit – 3054 Rt. 98 – Illuminated Sign

James Isaacson reported that the Town of Franklinville Zoning Board of Appeals has referred a Special Use Permit request for the placement and illumination of a free standing sign for a commercial property zoned in the Hamlet Residential Area at 3054 Route 98. The owner of the commercial property on the corner of County Road 69 and State Route 98 (the Hamlet of Cadiz) has erected a free standing sign and is proposing it to be illuminated. The sign stands taller than 4' which is not allowed by ordinance. Visibility has been stated as a concern by the Town. The sign is not in NYSDOT's sight clearance standards. The Town has more restrictive sight clearance standards. Visibility is not really a concern from the County's point of view, but Town's standards should be addressed by the Town. This is an unlisted action under SEQR with no determination issued and no public hearing has been set. Staff recommendation is that it is a local issue with two advisories: 1) the Town should address visibility pursuant to Franklinville zoning code

section 7.13 and 2) illumination and height would require variances from the ordinance standards prior to issuance of a Special Use Permit.

William Buckner, the person requesting the Special Use Permit, presented several photographs for the Board's review.

David Rivet moved with a second from Paul Mager that the Town of Franklinville Zoning Board of Appeals referred Special Use Permit for the placement and illumination of a free standing sign for a commercial property zoned in the Hamlet Residential Area at 3054 Route 98 is a local issue, with no significant countywide or intercommunity impact with two advisories: 1) address visibility pursuant to Franklinville Zoning Code Section 7.13 and 2) illumination and height would require variances from ordinance standards prior to issuance of Special Use Permit. Carried.

Environmental Reviews – None

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Review STW#09-004 has been received. Staff recommendation is received, reviewed, no comment. The Board concurred.

OLD BUSINESS – None

REPORTS

Chairman's Report

Next Meeting Date – Chairman Couture stated that there is a meeting conflict for the March 26th date. There is a workshop called Boomtown, USA by Jack Schultz, a national expert in Economic Development being held on the Pitt-Bradford Campus in Bradford the same night. Joe, James, Paul and Crystal Abers have all signed up to attend. The workshop is open to any Planning Board members who would also like to attend.

Upon discussion, Richard Fuller moved with a second from Florence Fuller to move the March 26 meeting to April 2nd. Carried.

Topic for Annual Meeting – Paul Bishop asked the Board members to let the staff know of any ideas they might have for the topic of the annual meeting. Two ideas were suggested: windmills and broadband.

Department Reports

Community Transportation Coalition Update – Paul Bishop distributed a listing of organizations that are involved in the Coalition as well as a map depicting the current public bus routes through Cattaraugus County along with their schedules.

Purchase of Development Rights (PDR) Workshop – Paul Bishop reported that the Agricultural and Farmland Protection Board, along with our Department, the American Farmland Trust and the Western New York Land Conservancy are sponsoring a workshop

on farmland protection through Purchase of Development Rights on March 25, 2009 at the Town of Great Valley Municipal Building from 7 to 9 pm. It will be similar to the one held last year in Ellicottville at the Library. Also Diane Held of the American Farmland Trust will give a brief presentation on PDR's to the Town Supervisor's Association meeting on March 5th at the County Center.

GPS Brochure – Paul Bishop distributed copies of the GPS brochure and reported for Interim Director Joseph Williams that the Tourism section of the Department of Economic Development, Planning and Tourism has compiled 29 Points of Interest categories on “Hidden Treasures in Cattaraugus County” and have made them downloadable files to individual GPS devices through the County's website (www.EnchantedMountains.com).

14th Annual New York Maple Weekend – Chairman Couture distributed copies of the 14th Annual New York Maple Weekend brochure and noted that it will be held two weekends in March this year: March 21-22 and March 28-29, 2009 from 10:00 am to 4:00 pm. He indicated that it is a great educational weekend and encourage everyone to participate.

STW Report

Robert Keis reported that STW is continuing to work with the Route 219 Association for the completion of **U. S. Route 219** to the Pennsylvania line emphasizing the safety and economic benefits. STW is initiating a process to develop a **Regional Comprehensive Plan** and is working with economic development agencies, counties and local governments, workforce agencies, local, state, and federal representatives with a target finish date of September 2009. STW is continuing to work on **Broadband** for the rural areas of Chautauqua, Cattaraugus and Allegany counties. STW has received **EDA Project Priorities** which includes the Salamanca Water System and Olean Airport. The **STW Local Government Conference** is scheduled for Wednesday, May 6, 2009 at Houghton College, Houghton, NY. Mr. Keis encouraged everyone to attend at least one session.

Members Forum

County's Bicentennial Celebration – Ann Padlo stated that she wanted to commend Crystal Abers, Chairman of the Legislature, and Mr. Edmonds, Chairman of the Bicentennial Committee for a great job.

David Rivet reported that the Time Capsule will be buried in front of the County Center in Little Valley on March 11th and the Bicentennial Bell will be rung to conclude the one-year celebration of the Bicentennial.

Rock City TV Ad – Richard Fuller reported that he has seen the Rock City TV ad several times now and feels that it is very well done.

ADJOURNMENT

Jack Berger moved with a second from Ann Padlo to adjourn the meeting at 8:25 pm. Carried.

APPROVED AS SUBMITTED APRIL 30, 2009.