

**Cattaraugus County Planning Board
303 Court Street, Little Valley, New York
August 27, 2015 at 7:30 pm**

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Paul Mager, Vice Chairman
Michael Zaprowski, Assistant Secretary
Robert Keis
Andrea Mellon
Al Ormond
Mark Smith
James Valent

PLANNING BOARD MEMBERS ABSENT: Tina Abrams
Florence Fuller
David McCoy
Joe Pillittere

PLANNING DIVISION STAFF: Crystal Abers, Director
Paul Bishop, Senior Planner
Ginger Malak, Program Assistant

Guest: Howard Van Rensselaer, County Legislator

Vice Chairman Paul Mager called the meeting to order at 7:31 pm.

APPROVAL OF MINUTES

Michael Zaprowski moved with a second from Al Ormond to approve the minutes of the July 22, 2015 meeting. Motion was carried.

NEW BUSINESS

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

City of Olean

Special Use Permit – 1603 Main St - Rescinded

Paul Bishop reported that the City Attorney disagreed with the County Planning Board's decision (previous month) that a use variance is not required but approval of a special use permit is required. He reiterated the reasons for the County's decision as follows:

- First, there is no justification given (the four part test for each and every permitted use in the R-2 District) as to why a use variance should be granted. Remember, when granting a use variance you are actually CHANGING the zoning law.

- Zoning Law of the City of Olean:
Section 4.1.2.c Special permitted uses. The following uses may be permitted in the R-2 Residential Use District consistent with the provisions of this law and provided that a special use permit is approved by the planning board:
 1. Adult care facilities.
 2. Churches or places of worship.
 3. Libraries.
 4. Museums.
 5. Private golf courses.
 - 6. Private parking lots.**
- **Parking lot, private** means any tract of privately-owned land which is used for storage of motor vehicles and is accessory to a use on the same parcel or lot or **on another parcel or lot**, and contains parking spaces reserved or leased in some manner for that principal use and not available to the general public.

The City is going by the Use Regulation Table that states that an accessory use not on the same lot (in this case the accessory use not on the same lot is a private parking lot) is not allowed in the R2 District and would require a use variance.

Mr. Bishop stated that the church could challenge the City's decision. As the City has rescinded the referral, no action is needed on the part of the Planning Board.

Village of Ellicottville Comprehensive Plan Update

Paul Bishop reported that the Village of Ellicottville has recognized that, since the adoption of their Comprehensive Plan in 2004, additional minor changes and updates are required in order to reflect certain changes in the community as well as to guide overall future growth and development while adhering to the community vision for the Village.

Changes addressed in this update include updated census data (per the 2010 census), the decline in manufacturing in the Village and the subsequent changes in land use associated with this decline, and the new library. An Objective supporting the concept of Complete Streets was added under the Transportation section.

A "Four Corners Zone" was added to the Comprehensive Plan Map in the core of the Village at the intersection of Washington and Jefferson Streets. This was a public square laid out by Joseph Ellicott, with each quadrant originally designated for public use. Buildings that now occupy the square include the Town Hall, the Town Museum, the School House (1887 Building), and St. John's Episcopal Church.

- For SEQR purposes, it is considered a Type 1 Action. A Full EAF submitted
- It is in an archaeological sensitive area. Several archaeology surveys have been completed for various projects in the Village.
- Public hearing is scheduled for September 14, 2015 at 6:00 pm in the Village Hall

STAFF RECOMMENDATION: The proposed action has no significant countywide or inter-community impact.

Robert Keis moved with a second from Michael Zaprowski to accept the staff recommendation. Motion was carried.

At this juncture of the meeting Chairman Charles Couture began running the meeting.

City of Olean

Site Plan Review – 301 North Union Street

Paul Bishop reported that the City of Olean is requesting a site plan review for a vacant building (formerly Olean Business Institute). Additional information includes:

- The applicant wishes to renovate an existing building (the former Olean Business Institute) to create a business incubator and commercial offices, and training and conference rooms. There will also be a coffee shop on the first floor.
- They also intend to restore the exterior to resemble how it looked in the early 1900's.
- The business incubator will provide space for entrepreneurs to develop and grow new businesses. The incubator will also have several anchor tenants to provide support and guidance for the entrepreneurs.
- The Greater Olean Area Chamber of Commerce and the Cattaraugus Region Community Foundation also plan to relocate to the incubator.
- Only the first three floors will be developed at this time. The fourth floor hasn't been used since the 1940's, but they have ideas for developing it in the future.
- For SEQR purposes, it is considered an Unlisted Action. A Short EAF submitted
- It is in an archaeological sensitive area. FYI - the whole City of Olean lies within an archaeological sensitive area.
- Public hearing is scheduled for September 14 at 7:00 pm in the Olean Common Council Chambers

STAFF RECOMMENDATION: The proposed action has no significant countywide or inter-community impact.

Paul Mager moved with a second from Andrea Mellon to accept the staff recommendation. Motion was carried.

Environmental Reviews

Village of Ellicottville

Lead Agency Status – Comprehensive Plan Update

Paul Bishop reported that the Village of Ellicottville Board of Trustees' is requesting to serve as Lead Agency for the update to the Village Comprehensive Plan. The Cattaraugus County Department of Economic Development, Planning & Tourism is considered an involved or interested agency for the SEQR review.

- For SEQR purposes, it is considered a Type 1 Action. A Full EAF was completed.

STAFF RECOMMENDATION: The Cattaraugus County Planning Board concurs with the Village of Ellicottville Board of Trustees' request to serve as lead agency for the update to the Village Comprehensive Plan.

Al Ormond moved with a second from Robert Keis to accept the staff recommendation. Motion was carried.

Intergovernmental Reviews

STW #15.01 – STW #15.13

Paul Bishop reported that the Board had not received any Intergovernmental Reviews for quite some time and this month those numbered STW#15.01 through STW #15.13 have been received. Charles Couture commented that there several from NYS DEC.

STAFF RECOMMENDATION: Received, Reviewed, and No Comment. The Board concurred.

OLD BUSINESS – None

REPORTS / OTHER BUSINESS

Chairman's Report

Charles Couture reported that the Cooperative Extension meeting to vote on members to form the new Cattaraugus County Cooperative Extension was held at 6:00 pm this evening. He said that there was tremendous support demonstrated..

Howard VanRensselaer stated that it was an excellent meeting with close to 150 people in attendance. There were 12 nominations for the Board, with 3 nominated from the floor, for 9 seats on the Board. Mr. Couture then read off the names of those chosen. Mr. VanRensselaer reported that 12 Legislators were also in attendance.

Mr. Mager asked about the process. Mr. VanRensselaer replied that the Board will officially be established on October 1, following which they will have a meeting, hire a Director, and set-up some programs, initially for the first 3 months (October-December). The first 15 months, Cattaraugus County will provide \$175,000 with Cornell matching that. It is anticipated that grant funding will be the primary source to keep it in operation.

Mr. Couture reported that the meeting was run very well. Jack Searles started the meeting off, with Diane Clayson and Peter Landre from Cornell also speaking.

Mr. VanRensselaer stated that he received many calls from parents whose children are showing their animals at the State Fair and they could not be present for the vote. It was a matter of timing as to how the date for the meeting was selected. He explained that the meeting could not occur before the Cattaraugus County Fair and needed to be completed before October 1.

Mr. Couture agreed that this had to be fast tracked.

At this point, Crystal Abers joined the meeting and reported that there were 130 people in attendance. She had additional comments and agreed with Mr. Couture and Mr. VanRensselaer that the meeting went very well.

Department Reports

Director's Report

Crystal Abers reported that the Department has been extremely busy. She reported on the following:

- Annual Meeting
- Submitted two CFA applications – one for a County-wide Arts, Heritage and Cultural Plan and another for a strategic plan for four vacant manufacturing properties. Expect to know by December.
- OnoFest was once again a very successful and enjoyable event. Over 300 cars paid the entrance fee - a new high total.
- The NYS Broadband Initiative has been postponed to 2016. What was pulled together with partners last year was on hold after the partners (for profit) decided to compete with each other, and now we are all back on board and ready to go.

Comprehensive Plan

Paul Bishop reported that the Department continues to review and make changes to the Comprehensive Plan. It is a work in progress.

Community Revitalization Fund

Ginger Malak reported that she contacted the seven municipalities that have been working on projects to keep in touch with them. Five are very interested and are proceeding slowly. Four have viewed the Roger Brooks videos, so all they have to do is submit an application.

Trails Initiative

Ginger Malak reported that the Department is seeking funding from the Appalachian Regional Commission for the development of a County-wide Trails System Plan. She is working on the final application due on September 18.

Mrs. Abers stated that the next meeting of the Trails Advisory Committee is scheduled for September 9 and it is anticipated that a representative from NYS DEC will give a presentation on trails related information. At one of the previous meetings, this individual gave a brief overview of the trail volunteer agreements and stated that he could provide more for a whole meeting. So that is what the Department is counting on.

Other

Paul Bishop reported that **Farm Tour 2015** is scheduled for September 15 starting at 1:30 pm. The tour will begin at the Eco Valley Farm located at 3944 Wing Hollow Road in Allegany. The tour will continue on to Canticle Farm, Pleasant Valley Greenhouse and Nursery, and then finish up with Sprague's Maple Farms. Those in attendance may choose to have dinner at Sprague's. Further information will be forthcoming.

Ginger Malak distributed the **2015 Cattaraugus County Directory** to all.

STW Report

Robert Keis reported that the Southern Tier West Board did not meet, therefore, he has no report. He did mention that the September meeting will include a train ride.

Members Forum – No Report**CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS**

Charles Couture reported that these are attached to the agenda.

Mr. Bishop pointed out that the Town of Yorkshire agreed with the County Planning Board's recommendation on the zoning referral application for the used car lot.

Mrs. Abers pointed out that the Department will once again be hosting the WILMA (We Invite Local Manufacturing & Artisans) event on October 24 and 25 at the Fair Grounds. WILMA features items locally made or manufactured in Cattaraugus County by local artisans and manufacturers. Special activities are planned for the whole family to enjoy, such as a "kid's corner" for the children and a winter weather prediction by the Woolly Bear. There is plenty of food, including cider and donuts.

Mr. VanRensselaer asked how the vendors know about the event. Mrs. Abers replied that letters are sent out to vendors, press releases are sent to media, and it is advertised online.

NEXT MEETING

The next meeting of the Planning Board is scheduled for September 24, 2015 at 7:00 pm at the County Center in Little Valley. Mr. Keis suggested cider and donuts for the next meeting.

ADJOURNMENT

Michael Zaprowski moved with a second from James Valent to adjourn the meeting at 8:15 pm. Motion was carried.