

**Cattaraugus County Planning Board  
303 Court Street, Little Valley, New York  
October 30, 2014 at 7:00 pm**

**PLANNING BOARD MEMBERS PRESENT:** Charles Couture, Chairman  
Paul Mager, Vice Chairman  
Michael Zaprowski, Assistant Secretary  
Florence Fuller  
Robert Keis  
David McCoy  
Al Ormond  
Joseph Pillittere  
James Valent

**PLANNING BOARD MEMBERS ABSENT:** Ann Padlo, Secretary  
Tina Abrams  
Mark Hopkins  
Mark Smith

**PLANNING DIVISION STAFF:** Paul Bishop, Senior Planner  
Ginger Malak, Typist

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

**APPROVAL OF MINUTES**

Joseph Pillittere *moved with a second from Michael Zaprowski to approve the minutes of the September 25<sup>th</sup>, 2014 meeting. Motion was carried.*

**NEW BUSINESS**

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

**Town of Otto – Zoning Text Amendment**

Paul Bishop reported that the Town of Otto is updating its existing zoning ordinance to include:

- *An update of the Table of Permitted Uses.*
- *New sections: Adult Uses, Controlling Junk, Electric Vehicle Supply Equipment, Solar Energy and High Volume Hydraulic Fracturing.*
- *Amendments to several sections after input from the Public Hearing.*

**STAFF RECOMMENDATION: Approval**

Joseph Pillittere *moved with a second from Bob Keis to accept the staff recommendation. Motion was carried.*

**Town of Ellicottville – Master Planned Development – 6179 US Route 219 South**

Paul Bishop reported that this referral is due to the fact that the action being taken is within 500' of US Route 219. The specifics of the request include:

- *The site currently has a 3-unit apartment building.*
- *Applicant currently has a building permit to build a 40' x 24' 2-story garage with the second story to be used for storage.*
- *Applicant now wants to convert the second story into a 960 sq. ft. 2 bedroom apartment.*
- *The current application is for final Master Planned Development (MPD) approval to allow the second story of the garage to be converted into an apartment. Note that the application is essentially one for an accessory apartment. However, the Town's zoning law only allows accessory apartments on parcels that have a single family home; therefore this application is being considered as a residential Master Planned Development, which is a special permitted use in the HD-R Zoning District.*
- *The applicant's site plan shows room for 8 parking spaces for the apartment building.*
- *This property is located on a very straight portion of Route 219, so ingress and egress should not be a problem.*

**STAFF RECOMMENDATION:** The proposed action has no significant county-wide or inter-community impact with the following advisory:

- (1) The municipality completes and submits parts 2 and 3 of the short EAF**

*Mike Zaprowski moved with a second from Al Ormond to accept the staff recommendation. Motion was carried.*

**Environmental Reviews - None**

**Intergovernmental Reviews - None**

**OLD BUSINESS – None**

**REPORTS / OTHER BUSINESS****Chairman's Report**

Mr. Couture commented on the Environmental Protection Agency's wetlands proposal. According to the proposal any standing water is a wetland. Mr. Couture gave an example. A farmer cleared land to plant corn, which was once used for an orchard. The cleared land resulted in water standing in a small area. NYS Department of Environmental Conservation would say that now that area is a wetland, and thus cannot ever plant an orchard again. The EPA proposal is still in discussion, but would have a huge effect on farming.

Al Ormond added that Pennsylvania Department of Environmental Protection has already made a ruling on this and does not have such an effect. He commented that we should be aware of what the effect might be before it occurs.

## Department Reports

### Comprehensive Plan

Paul Bishop gave an update on the Comprehensive Plan. He briefly discussed the forums that were held in the County. Paul and James Isaacson met with Wendel to review the comments that were made at the forums. The Department will receive an updated version of the Plan contents by the end of this week. Mr. Bishop stated that he would like to send each section of the Plan to the Board for their review. A draft of the Plan should be completed by Wendel by the end of December or early January.

Jim Valent and Mike Zaprowski commented on a few of the comments made on the survey. There was further discussion regarding comments on downtowns, such as need for more businesses, attractions, etc. Mr. Zaprowski stated that even if our downtowns had more to offer, the people would not support them. There was much discussion about how to improve the County.

### Director's Report

Ginger Malak reported that Crystal Abers was attending a meeting in Buffalo and could not attend this meeting. She did, however, want to report on two items: a new Community Revitalization Fund (CRF) for municipalities and the development of a County-wide Trails System.

Mrs. Malak gave an overview of the CRF, providing information on the purpose, policies, and priorities. A brochure for the CRF has been developed but is still in draft form. She will email that to Board members when finalized. A complete set of guidelines have been prepared, but also in draft form. It is expected that the guidelines will be on the County's website for easy access. The three areas that would be available for funding are curb appeal, signage, and showcase for public art. The main theme for all of this is beautification. Mrs. Malak stated that she will be the contact for the CRF. Mrs. Abers will be presenting the program to the Legislative Committee on November 5. The Department expects to roll out the program in December.

Further discussion included:

- Question as to how much money is available for the Fund. Mrs. Malak stated that there is only \$150,000 at this time; a one shot deal. The source of the funds is Casino money.
- Question as to the source of matching funds. Mrs. Malak replied that the matching funds can come from any source that the municipality chooses to access.
- Question as to how many times a municipality can apply. Mrs. Malak stated that since there are limited funds, the Department was thinking that they could only apply once, but if the monies are not being used then that could change.
- Mr. Zaprowski asked if non-profits could apply for the funds. Mrs. Malak replied that at this point the Fund is only accepting applications from incorporated municipalities in Cattaraugus County. The reasoning is to have the municipality serve as the lead on any proposal, but community participation is required which would include non-profit community groups.
- Mr. Couture asked if veterans' signs would be eligible. Mrs. Malak stated that any type of signage would be considered.

- Mr. Pillittere asked if a press release would be forthcoming to launch the Fund. Mrs. Malak stated that the Department expected to do that in December.

Mrs. Malak reported on the County-wide Trails System Initiative. The County held its first meeting on October 22 with about 30 people in attendance. Various trails associations were represented – equestrian, snowmobile, footpaths, etc. The purpose of this meeting was to:

- 1) Obtain information on existing trails
- 2) Identify the various trail associations
- 3) Identify the needs of those associations
- 4) Ascertain what the County can do

The Department intends to apply for grant funds to prepare a Master Plan or Feasibility Study. The first task is to prepare a map of all the existing trails, what trails are being developed or proposed, and identify trails that need to be extended. The Department will also be building out the trails section on its website to include the information obtained through meetings, surveys, and other comments.

Mrs. Malak stated that as a follow-up to the meeting, the Department has sent a survey to those who have shown interest in the initiative to:

- Obtain further information regarding the different trail associations
- What trail projects are being worked on
- Obtain further comments regarding a trail system

The next meeting on trails is scheduled for January 14, 2015. If any of the Board members wish to be included on the email list for this initiative, please let her know. David McCoy expressed an interest to be included.

Mr. Couture asked if there would be any thoughts given to connecting trails with our neighboring Counties. Mrs. Malak said that definitely that would be addressed. In fact, there were representatives from Chautauqua County at this meeting.

Mrs. Malak also stated that the trails are not constructed or maintained at the same standards. A trail might work for one group of users, but would have to be upgraded for another group. The trails need to be constructed to the standards of the group or groups that will be using the trail.

### **Other**

Paul Bishop reported on the Transportation Alternatives Program (TAP) project approvals. Paul and Don McCord, a Senior Planner from Chautauqua County, were asked by the NYS Department of Transportation (NYSDOT) to review the Chautauqua and Cattaraugus County applications this year. Of the six proposals from the two Counties, the only one funded was the Jamestown Intermodal Transportation Connector project which would construct two pedestrian bridges across the Chadakoin River to connect the south shore of the Chadakoin River to the downtown business district. Mr. Bishop stated that NYS DOT is willing to discuss with applicants their current application to look at ways that they can improve their chances for next year.

Paul Mager expressed his disappointment that the Ellicottville-Great Valley Trail Project did not get funded as there are many bikes on roads in Ellicottville. Route 242 does not have adequate shoulders compared to other roads in the County to accommodate bikes.

Mr. Bishop commented that Route 417, with its wide shoulders, was a "complete street" long before the concept of "complete streets" due to its designation as "New York State Bike Route 17".

Mr. Bishop reported that there were a couple of questions last month about the distillery process proposed in Ellicottville. One was on the water and wastewater. There will be two tanks on the site - one will be used for the water needed for the process and the other will collect the wastewater. The wastewater will be shipped to a farm in Allegany County for reuse. The other question was whether the process could be explosive. The Town asked the applicants this question and the answer was yes, it could be. The Town is now addressing that issue with the applicants to ensure the safety of the residents in that area.

Mr. Bishop reported that he has been asked by the Town of Ashford to meet with them on November 5 to discuss the comprehensive planning process. They are also interested in learning more about zoning.

Paul also reported on the Introduction to Solar Policy Workshop to be hosted by NYSERDA NY-Sun PV Trainers Network to be held on November 19 in Buffalo at Empire State Development from 9:00 am to 1:00 pm and on November 20 in Dunkirk at the SUNY Fredonia Technology Incubator from 9:00 am to 1:00 pm.

Robert Keis asked if someone who is attending the workshop would ask a question for him. The question has to do with the solar panel's "end of life". They typically have a lifespan of about 20 years. He explained that the materials used to coat the solar panels contain some rare earth metals and silver that should not be disposed of in a land fill. Whose responsibility will it be to properly dispose of these panels at the end of their useful life?

Following further discussion, Mr. Bishop mentioned that Matt Bull may be attending a session and he will give him the question.

### **STW Report**

Robert Keis reported that the Southern Tier West Board met on October 16 and held elections: Mr. Keis remains as Chairman, Kier Dirlam from Allegany County was elected Vice Chairman, and Jay Gould from Chautauqua County will serve as Secretary.

He gave an overview of the new Manufacturers Productivity Improvement Program. The program proposes to improve the economic viability, productivity, and competitiveness of small and medium-sized manufacturers (less than 250 employees) by providing matching funding for companies desiring to undertake workforce training, productivity enhancement, ISO (International Organization for Standardization) certification initiatives, or other consulting services that would enhance administrative or operational capacity of their company.

This Program is in partnership with each of the three County's IDA's. The Board is in the process of approving eligible consultants for the program.

The Annual STW Fall Planning and Zoning Conference will be held on November 5 in the evening in Salamanca and a day-long session on November 6 at the Chautauqua Suites in Mayville. Mr. Keis stated that this conference is a great opportunity to earn planning/zoning credits.

### **STW Stormwater Conference**

Joseph Pillittere and Paul Bishop reported on the Second Annual Stormwater Conference hosted by Southern Tier West that was held on Thursday, October 23<sup>rd</sup>. Doug Conroe from Chautauqua Institution gave an excellent overview of the green stormwater practices that they have installed on the grounds of the Institution. Other sessions included DEC Permitting, Highway Drainage, and Funding Options.

Al Ormond added that Brian Davis provided a session for Code Enforcement Officers.

### **Members Forum**

Joseph Pillittere mentioned that NYS provided \$300,000 to the Regional Economic Development Council for a rebranding of the eight counties in Western New York. He reported that County DPW is finishing up road repairs and gearing up for the winter season. There was discussion on salt.

Florence Fuller reported that Limestone and Carrollton have been discussing trail development and connecting to Bradford.

Al Ormond reported on Seneca Trail RC&D. The organization is working with a five-county region, the Seneca Nation of Indians, and the SUNY College of Environmental Science and Forestry (ESF) in Syracuse on a proposed biorefinery. It is a process that extracts certain industrial chemicals from wood fiber using only steam and hot water...no chemicals. ESF is currently working with Alfred State College to scale up a facility to be built at Alfred. This facility will then become an International Research Facility. A commercial scale site is expected in Cattaraugus County, one in Allegany County, one in Long Island, and one in Northern New York.

It is being referred to as New Forest Economy. Mr. Ormond stated that Crystal Abers has been an asset to this initiative. The Cattaraugus County Legislature supported the initiative with \$75,000 to Seneca Trail RC&D to help facilitate the process and look for a location in Cattaraugus County.

This is a great economic development boost as it will need welders, fabricators, marketing, etc., which is the attraction to Cattaraugus County because it has this skilled labor. This initiative has the potential to really take off. The process has also caught attention outside of the region. They have had inquiries from the UK and the Pacific Rim about using the research facility. Furfural is one of the products produced and right now China is the #1 producer of furfural in the world.

David McCoy spoke on the topic of invasive species such as the Water Chestnut. Chautauqua County is having a problem addressing invasive species and has developed some resources through collaboration of various agencies. Mr. Couture said that, on the other hand, an invasive species like Purple Loosestrife has become an important honey producer to beekeepers.

On another topic, Mr. McCoy reported that the Portville Trails and Park Plan was presented recently at a public meeting. The main purpose of the meeting was the possibility of the closing of the Weston Mills Post Office. 65 people attended to provide comments on the possible closure, but very little comment was provided on the trails or park plan. Mr. McCoy stressed that residents need to look at the big picture.

Paul Mager reported that he had participated in WILMA this past weekend and the Department of EDP&T did a great job and should be commended for their effort. Paul Bishop stated that Deb Miller is responsible for the coordination of the event. There were 30 vendors in attendance. He added that this two-day event encourages local Cattaraugus County businesses to show their wares in one location (Fairgrounds). Mr. Mager commented that the use of radio stations is very powerful in getting people to attend. Maybe next year try to get WGWE to be there one day and WPIG there the second day. Mrs. Malak reported that the attendance for one day doubled that of the two days of last year.

### **CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS**

Paul Bishop reported that these are attached to the agenda.

### **NEXT MEETING**

Paul Bishop reported that due to the holiday at the end of November, the next meeting would be postponed to December 4 or 11. After further discussion, the next meeting of the Planning Board was scheduled for December 4, 2014 at 7:00 pm in Little Valley, New York.

### **ADJOURNMENT**

*Paul Mager moved with a second from Florence Fuller to adjourn the meeting at 8:30 pm. Motion was carried.*