

**Cattaraugus County Planning Board  
January 31, 2019**

**PLANNING BOARD MEMBERS PRESENT:** Charles Couture, Chairman  
Paul Mager, Vice Chairman  
Michael Zaprowski, Secretary  
Robert Keis  
Andrea Mellon  
Dan Newbury  
Al Ormond  
Tina Abrams  
James Valent

**PLANNING BOARD MEMBERS ABSENT:** David McCoy  
Mark Smith  
Kathy Ellis

**PLANNING DEPARTMENT STAFF:** Crystal Abers, Director  
Paul Bishop, Planner  
Kate O’Stricker, Development Specialist  
Pat McGlew, Development Specialist

**GUESTS:** Barry Miller, J. Halterman, Ed Giaodin Jr, Katy Bangeton, Valessa Souter-Kline, Eric Miller, RB McCubbin, Jeanie McCarthy, David Maxum, Marsha North, Denise Willard, Geoff Milks, Stephanie Milks, Ginger Schroeder, Daniel Mack, Mark Alianello

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

**1.0 APPROVAL OF MINUTES**

*Andrea Mellon moved with a second from Mike Zaprowski to accept the minutes from the December 27, 2018 meeting. Motion was carried.*

**2.0 NEW BUSINESS**

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

**2.1 a. Town of Farmersville- Local Law- Wind Energy Facilities**

The ambiguity in the Full EAF (SEQR) submitted last month has been cleared up by the Town of Farmersville.

- This proposed Local Law is titled "Wind Energy Facility Law of the Town of Farmersville, NY"

- It completely replaces Local Law No. 1 of 2007 and Local Law No. 1 of 2009.
- The 33% increase in the allowed height of the turbines (from 450 feet to 600 feet) would have a significant inter-community impact on neighboring municipalities and is inconsistent with the goals and objectives in the County's Comprehensive Plan - "*Vision 2025 Comprehensive Plan: Moving Cattaraugus County Forward*" that was adopted by the Cattaraugus County Legislature on March 23, 2016.

### **GOAL #1: Cattaraugus County will Retain its Vital, Rural Character**

After years of public meetings, this goal is the number one thing we hear from residents as being the most important.

#### **OBJECTIVES of Goal #1**

- Protect the natural beauty that makes Cattaraugus County the "Land of the Enchanted Mountains"
- Recognize the importance of communities, farmland, forested land, scenic vistas and other elements of "Country Life" that contribute to the County's rural character

We believe the proposed change in turbine height In Farmersville's Wind Energy Facilities Law will have an inter-community impact. We feel the 33% increase in the height is significant and will have an impact beyond Farmersville.

- TAX MAP NO'(S): N.A.
- SEQR: Type I Action - Full EAF submitted
- AG DATA STATEMENT: N.A.
- FLOODPLAIN: N.A.
- WETLANDS: N.A.
- ARCHAEOLOGICAL SENSITIVE AREA: No
- PUBLIC HEARING: Not Yet Scheduled

#### **STAFF RECOMMENDATION: Disapproval**

*Al Ormond moved with a second from Dan Newbury to accept the staff recommendation. Motion carried*

Note: The Town shall not act contrary to the County Planning Board's recommendation except by a vote of a majority plus one of all the Town Board members.

**2.1 b. Town of Ellicottville - Special Use Permit, Site Plan Review, Use Variance - 6081 Route 219 South and Utility Pole on ROW adjacent to 6505 Donlen Drive**

The applicant, Verizon, wishes to mount micro cells on the roof of the Inn at Holiday Valley and on a pole on Donlen Drive. These are micro cell installations that are directional.

Telecommunication facilities are considered a public utility therefore all the developer has to show is a need for the facility. They do not have to go through the four part test for a use variance.

Paul Bishop discussed that municipalities should prepare for more of these facilities by such as enacting zoning regulations to address important community issues such as intended design, location, spacing, additional poles and equipment, and aesthetic requirements.

- TAX MAP NO'(S): 550002-2-10 (Inn at Holiday Valley)
- SEQR: Unlisted Action - Full EAF submitted
- AG DATA STATEMENT: N.A.
- FLOODPLAIN: No
- WETLANDS: No
- ARCHAEOLOGICAL SENSITIVE AREA: No
- PUBLIC HEARING: Held Monday, January 28, 2019 at 6:00 PM in the Ellicottville Town Center

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

(1) That the Town consider revising their zoning regulations to address facilities such as these.

*Bob Keis moved with a second from Tina Abrams to accept the staff recommendation. Motion carried*

**2.1 c. Village of Ellicottville - Special Use Permit, Use Variance - Utility Poles on Mechanic St., Adams St., Monroe St., and Martha St.**

The applicant, Verizon, wishes to mount micro cells on utility poles on Mechanic St., Adams St., Monroe St., and Martha St.. These are micro cell installations that are directional.

Telecommunication facilities are considered a public utility therefore all the developer has to show is a need for the facility. They do not have to go through the four part test for a use variance.

Paul Bishop discussed that municipalities should prepare for more of these facilities by such as enacting zoning regulations to address important community issues such as intended design, location, spacing, additional poles and equipment, and aesthetic requirements.

- TAX MAP NO'(S): N.A.
- SEQR: Unlisted Action - Short EAF Submitted
- AG DATA STATEMENT: N.A.
- FLOODPLAIN: Yes
- WETLANDS: No
- ARCHAEOLOGICAL SENSITIVE AREA: Yes
- PUBLIC HEARING: To be held Tuesday, February 5 at 5:00 PM at the Ellicottville Town Hall

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

(1) That the Village consider revising their zoning regulations to address facilities such as these.

*Paul Mager moved with a second from Dan Newbury to accept the staff recommendation. Motion carried*

#### **2.1.d. City of Olean - Site Plan Review - 1404 Buffalo St.**

- The applicant wishes to construct 90 room 4-story hotel on this previous industrial site (Hampton Inn & Suites).
- The building will have a total of 58,447 square feet.
- Water, sewer and an access road to the site off Buffalo St. have all been provided.
- Erosion Control Plan, Grading Plan, Storm Drainage Plan, Utility Plan and Lighting Plan were all prepared.
- This is the first project on this brownfield site with other development planned in the future.

- TAX MAP NO'(S): 94.047-2-29.2
- SEQR: Unlisted Action - Short EAF Submitted
- AG DATA STATEMENT: N.A.
- FLOODPLAIN: No
- WETLANDS: No
- ARCHAEOLOGICAL SENSITIVE AREA: Yes
- PUBLIC HEARING: Not Yet Scheduled

**STAFF RECOMMENDATION:** The proposed action has no significant county-wide or inter-municipal impact.

*Mike Zaprowski moved with a second from Jim Valent to accept the staff recommendation. Motion carried*

**2.2 Environmental Reviews:** None

**2.3 Intergovernmental Reviews:** STW #18.18, STW #18.19

**3.0 OLD BUSINESS**

None

**4.0 REPORTS / OTHER BUSINESS**

**4.1 Chairman's Report:** Brutal cold week, but be thankful we missed the brunt of the storm.

**4.1. a. Election of Officers: Nominations as follows:**

Chairman:	Charles Couture
Vice Chairman:	Paul Mager
Secretary:	Mike Zaprowski
Assistant Secretary :	Andrea Mellon

*Mike Zaprowski made a motion with a second from Dan Newbury to accept the nominations. Motion Carried*

**4.2 Department Reports:**

**4.2 a. Director's Report**

The Farmer Neighbor Dinner will be held on Wednesday, April 10<sup>th</sup> in Ashford.

**4.2 b. Comprehensive Plan Implementation (Goals Referenced)**

**Community Revitalization** (Goal #6)

- The Village of South Dayton: Is applying for a matching grant (\$569.30 County, \$569.30 Village match. "Blazin Barrel Project": purchase 20 flower barrels to be located along Pine Street and Park Street.

*Paul Mager moved with a second from Jim Valent to fund the Village of South Dayton Community Revitalization Grant. Motion Carried*

- Portville has not completed their application as of yet, but they have submitted a draft with the kiosk they plan to install. They will be asking for around \$800 to purchase and install 2 kiosks in the village

**County Trails** (Goal #8)

- Next County Wide Trail Meeting will be February 21<sup>th</sup> at 7:00 pm. On the agenda will be the prioritizing of the current list of trails to GIS for the ARC project. We will begin the discussion of a signage system for County trails.

- Thoughts on hosting a WNY/NWPA Regional Trail Summit themed “Connectivity”. We have been in contact with Allen Kerkeslager whose idea it was to think about a conference

Land Bank (Goal #6)

Proposed Parcels	Acquired	Completed disposition to date	Left
Total	19	29	12
Rehab	3	7	4
Demo	9	20	9
Side Lots	4	0	8

Round 2 Demos Left: 3

Round 3 Demos: 7 by April 30, 2019

ARC Community Development (Goal #4)

Final report went in today. We will still be working with the municipalities on their community vision if they would like and holding quarterly trainings for such things as the Community Revitalization Grant, Consolidated Funding, Grants Gateway, etc.

ARC Cultural Development Grant (Goal #4): None at this time

**4.3 Training**

Paul Bishop updated the training hours of Board members for 2019.

**4.4 STW Report**

- Local Government Conference will be May 9<sup>th</sup> at Houghton (Thursday)
- February 19<sup>th</sup>, 6:00 - 8:00 pm “Powers & Duties for Newly Elected and Incumbent Local Officials” Training at Southern Tier West Office in Salamanca

**4.5 Members Forum**

Pat McGlew discussed the request for proposal for Ag and Farmland Protection Plan has been opened. We have a date of February 7<sup>th</sup> as the late date for submissions.

**5.0 CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS**

(attached to the back of the agenda)

**6.0 NEXT MEETING**

The next meeting of the Planning Board will be held on February 28th, 2019 at 7:00 pm at the County Center in Little Valley.

**7.0 ADJOURNMENT**

*Paul Mager moved to adjourn with a second from Mike Zaprowski at 7:37 pm.*