

**Cattaraugus County Planning Board
The Woods at Bear Creek, Franklinville, New York
July 22, 2015 at 4:00 pm**

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Michael Zaprowski, Assistant Secretary
Florence Fuller
Robert Keis
David McCoy
Andrea Mellon
Al Ormond
Joe Pillittere
Mark Smith

PLANNING BOARD MEMBERS ABSENT: Paul Mager, Vice Chairman
Tina Abrams
James Valent

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

Chairman Charles Couture called the meeting to order at 4:00 pm.

APPROVAL OF MINUTES

Florence Fuller moved with a second from Mark Smith to approve the minutes of the June 25, 2015 meeting. Motion was carried.

NEW BUSINESS

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

**Town of Yorkshire
Special Use Permit – 12178 Route 16**

Paul Bishop reported that the Town of Yorkshire is requesting a special use permit for an applicant who wishes to construct a used car sales lot for display of up to 50 cars. Additional information includes:

- Lot and buildings to remain unchanged
- Existing well and septic on site
- Parcel appears to be in the 100' wetland check zone for NYSDEC Wetland AR-5. It is suggested that the applicant check with the DEC Regional Office to verify where the actual wetland boundary is located
- For SEQR purposes, it is considered an Unlisted Action. Short EAF submitted
- It is in an archaeological sensitive area
- Public hearing is scheduled for July 28 at 7:00 pm

STAFF RECOMMENDATION: The proposed action has no significant countywide or inter-community impact, with the following advisory:

- 1) The applicant check with the DEC regional office to verify where the actual wetland boundary is located.

Joe Pillittere moved with a second from Al Ormond to accept the staff recommendation with advisory. Motion was carried.

**City of Olean
Site Plan Review – 146 North Union Street
Beef ‘n’ Barrel Restaurant**

Paul Bishop reported that the City of Olean is requesting a site plan review for a parking lot addition to the Beef ‘n’ Barrel Restaurant property at 146 North Union Street. Additional information includes:

- Parking capacity will be increased from the current 44 to 100.
- This increase in parking capacity will help to alleviate parking concerns for this popular restaurant during the reconstruction of their portion of North Union Street during the summer of 2016.
- For SEQR purposes, it is considered an Unlisted Action. A Short EAF submitted
- It is in an archaeological sensitive area. Actually, the whole City of Olean lies within an archaeological sensitive area.
- Public hearing is scheduled for July 27 at 7:00 pm

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

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

**Town of East Otto
Special Use Permit – 7817 Sky Ranch Road**

Paul Bishop reported that the Town of East Otto is requesting a special use permit for an applicant who wishes to convert part of an existing pole barn into a seasonal cabin. The currently existing 48’ x 28’ pole barn will be converted into a 28’ x 22’ recreational cabin including one bedroom and one bathroom. The remaining portion will be used as a garage.

Additional information includes:

- Existing well and septic on site
- For SEQR purposes, it is considered a Type II Action – Not subject to Further Review.
- Ag data statement was submitted
- A public hearing was held on June 5, 2015.

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

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

**City of Olean
Use Variance
Crosstown Alliance Church**

Paul Bishop reported that the City of Olean is requesting a Use Variance for an applicant who wishes to use their adjacent vacant lot for additional parking for their church. Additional information includes:

- There is an existing fence that the City owns and the applicant will be adding a privacy fence. Entrance and exit would be on Main St. Drainage issues would be addressed. They will be keeping the existing trees and the lot itself would be crushed limestone and grass. Concerns expressed about churchgoers having to cross E. Delevan Ave.
- 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.
- For SEQR purposes, it is considered as an Unlisted Action. A Short EAF submitted
- It is in an archaeological sensitive area.
- Public hearing was held on May 28, 2015.

There was much discussion on this project and the use variance. Planning Board members agreed that they do not need a use variance.

Robert Keis moved with a second from Al Ormond to recommend to the City of Olean that a use variance is not required, however, approval of a special use permit is required. Motion was carried.

Environmental Reviews - None

Intergovernmental Reviews – None

OLD BUSINESS – None

REPORTS / OTHER BUSINESS

Chairman's Report

On a personal note, Charles Couture reported that he and his wife recently celebrated 50 years of marriage. His mother-in-law, who is 100 years old, thanked him for taking care of her daughter.

Department Reports

Director's Report

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

- Working on several CFA applications.
- Onofest is this weekend. This year Onoville will be celebrating their 50th anniversary. The Department will have a special presentation in their honor.
- Cattaraugus County is in the process of establishing a one county Cooperative Extension with a new Board.
- Conservation Stamp. The unveiling of the 2015-16 Federal Duck Stamp, created by Cattaraugus County's own Jennifer Miller from Feather Dust, was held last weekend.

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 is working with the Town and Village of Portville, Town of Carrolton, and Village of Allegany. The City of Salamanca; and the Town of Ashford are also interested.

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 another draft due in August, with the final application due on September 15.

Other - None

STW Report

Robert Keis reported that the Southern Tier West Board met this morning. He reported on the following:

- Allegany County is in the process of creating a new Planning Department.
- Heard reports on small business loans from STEDO
- The Kitchen Table Consultants provided an interim report to staff
- Heard report on the Patient Centered Medical Home program
- Staff is planning a railroad tour for the September meeting

Members Forum

Michael Zaprowski reported on the upcoming Salamanca's Rib Fest.

Mileage Vouchers

Paul Bishop distributed mileage vouchers for members to sign.

Board Officers

Paul Bishop reported that the position of Secretary is open. He recommended that Michael Zaprowski assume the position of Secretary and Florence Fuller take the position of Assistant Secretary.

Joe Pillittere moved with a second from Bob Keis to approve staff recommendation. Motion was carried.

Mr. Bishop stated that the Board should start looking for a member representing the Olean/Allegany area.

CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS

Charles Couture reported that these are attached to the agenda. Mr. Bishop pointed out that the zoning referral application for St. Mary of the Angels Parking Lot Expansion was withdrawn by the applicant.

NEXT MEETING

The next meeting of the Planning Board is scheduled for August 27, 2015 at 7:00 pm at the County Center in Little Valley.

ADJOURNMENT

Michael Zaprowski moved with a second from Joe Pillittere to adjourn the meeting at 5:00 pm. Motion was carried.