

**Cattaraugus County Planning Board
303 Court Street, Little Valley, New York
August 28, 2014 at 7:00 pm**

PLANNING BOARD MEMBERS PRESENT: Charles Couture, Chairman
Paul Mager, Vice Chairman
Ann Padlo, Secretary
Michael Zaprowski, Assistant Secretary
Florence Fuller
Robert Keis
David McCoy
Mark Smith
James Valent

PLANNING BOARD MEMBERS ABSENT: Tina Abrams
Mark Hopkins
Joseph Pillittere

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

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

APPROVAL OF MINUTES

Michael Zaprowski *moved with a second from Florence Fuller to approve the minutes of the July 23rd, 2014 meeting as submitted. Motion was carried.*

NEW BUSINESS

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

City of Salamanca-Site Plan Review-RC Hoag Drive

Paul Bishop reported that the applicant wishes to construct a 120' x 40' (4,800 sq. ft.) single story (18' high) building for multi-use by tenants of any general commercial use group, including retail and general business office uses. The project will also include associated parking and accessory facilities to support the building.

There is an existing Salamanca DPW drainage system on the site that will be used to control stormwater. The applicant has obtained a sublease from the property owner adjacent to the west to grant a right of way for a force main sanitary sewer service lateral. This lateral would then connect with the Salamanca system at the northwest corner of the adjacent property owner's lot.

There is a 40' Permanent NYSDOT Storm Drain Easement on the property on which no building is allowed. This easement is just to the west of the building footprint. If NYSDOT needed to

make pipe repairs underneath the pavement, then the applicants would be required to pay any fees incurred.

The site plan meets or exceeds all City of Salamanca Zoning Law requirements for required off-street parking spaces, outdoor lighting requirements to reduce glare, landscaping, fencing and signage.

Mr. Bishop asked Michael Zaprowski if the eastern entrance of this new development creates issues for the western entrance to the Hampshire Mills property. Mr. Zaprowski replied that he had suggested sharing his driveway to the owners. Although a shared driveway makes sense he thinks that this will not be an issue. James Valent commented that perhaps this Board could make that recommendation for the shared driveway. Further discussion included sidewalks, which pose another reason to have a shared driveway.

David McCoy asked if the City of Salamanca had developed a plan for the corridor. Mr. Zaprowski replied that the City developed the West End Overlay District, but there is little enforcement of the overlay zoning. Mr. McCoy stated that the Board should include a comment regarding the local zoning. Mr. Keis agreed that the Board should make that comment. Mr. Bishop reported that the proposed development is similar to that of Westgate. Mr. Couture added that the Board's comments are valid.

STAFF RECOMMENDATION: approval, with the following advisories:

- (1) Applicant should consider cooperating with the property owner adjacent to the east to create an agreement for a shared driveway - rather than two separate ones.**
- (2) City confirms that the project adheres to the City's West End Overlay District.**

Florence Fuller moved with a second from Paul Mager to accept the staff recommendation with the two advisories. Motion was carried.

James Valent stated that he has no problem with this action, as long as there is no problem with the NYS right of way.

Town of Ellicottville - Zoning Map Amendment

James Isaacson reported that the Town of Ellicottville is proposing to amend their zoning map in the area of U.S. Route 219 just north of the intersection with State Route 242. The current zoning is a small strip of C – Conservation District along the west side of Route 219. The Town proposes to rezone this strip to the same zoning as the rear portions of the lots along the frontage of Route 219. Portions of two parcels will be rezoned to MD – Medium Density Residential, and a portion of one parcel will be rezoned to GC – General Commercial.

STAFF RECOMMENDATION: Local Issue, no countywide or intercommunity impacts

Bob Keis moved with a second from James Valent to accept the staff recommendation. Motion was carried.

Town of Yorkshire - Use Variance - K Street

James Isaacson reported that the Town of Yorkshire Zoning Board of Appeals is reviewing a request for a use variance for storage units in the Hamlet Commercial District on K Street. This is just off State Route 16. This use is not permitted in the Hamlet Commercial District. The site

is one acre in size. There are existing storage units on property directly across the street from this site, also owned by the applicant. Other commercial uses are nearby. There are also a few residences nearby.

STAFF RECOMMENDATION: Local Issue, no countywide or intercommunity impacts

Florence Fuller asked what the building is adjacent to the proposed site with the four cars. Mr. Isaacson replied that is a residential group home for the disabled owned by SASi (Suburban Adult Services Inc.).

Michael Zaprowski asked if the project would pass the test (4 criteria) for a use variance. Mr. Isaacson replied that it probably would not pass all four. Mr. Zaprowski asked if the Town is aware of the four criteria. Mr. Isaacson stated that the municipality is aware of the criteria.

Mr. Zaprowski commented that he is not too concerned about the residential home because there are storage units directly across the street. James Valent thought perhaps it might be a concern.

David McCoy asked if there are any stormwater issues. With so much area being paved, it would appear that there will be stormwater issues. Paul Bishop asked if the applicant has to submit a site plan, as any stormwater issues would be included in that. Mr. Isaacson stated that if they do require a site plan, it will be submitted to this Board. Mr. Bishop stated that the question should be asked regarding a site plan.

Dave McCoy moved with a second from Paul Mager to accept the staff recommendation. Motion was carried with James Valent voting no.

Town of Allegany - Zoning Text Amendment

James Isaacson reported that the Town Board for the Town of Allegany is proposing to amend their zoning text to allow “**commercial recreational facility**” as a Conditional Use requiring a special use permit in the I-1 Light Industrial Zoning District. This is being requested by an individual who wants to open a Go-Cart facility in the Town. The proposed location for the go-cart facility is the old Allegany Drive-in on State Route 417.

Upon reviewing the Town's 2011 Comprehensive Plan, there is nothing that would really prohibit this zoning change. Under the goal to “Promote the economic prosperity of the Town ... through a diversified economic base”, the Plan calls for the Town to “work with Cattaraugus County ... to promote Allegany as a destination for tourism, [and] recreation”. The comprehensive plan does not direct recreation to any specific areas of town. The town should assess the appropriateness of the use with the existing character of the districts. The requirement of a conditional use will also allow the town to assess the impacts of a specific application on the surrounding uses.

STAFF RECOMMENDATION: Approval

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

Environmental Reviews – None

Intergovernmental Reviews

Paul Bishop reported that Intergovernmental Reviews numbered STW #14.27 through STW #14.28 have been received. Staff recommendation: received, reviewed, no comments. The Board concurred.

OLD BUSINESS – None

REPORTS / OTHER BUSNIESS

Chairman’s Report

Charles Couture commented that it appears that people have lost their safety consciousness. Since this is Labor Day weekend, safety should be on the minds of everyone. Mr. Couture provided an example of a serious safety concern. He stated that all of us have to be more safety conscious.

Dave McCoy stated that this is even more important as school begins.

Department Reports

Comprehensive Plan

James Isaacson gave an update on the Comprehensive Plan. The next round of public meetings has been scheduled: September 29 at JCC in the Cutco Theater; October 2 in Randolph at the Town Hall; and one other to be scheduled in the Machias area the following week.

Mr. Isaacson distributed a draft of the Goals and Vision, which includes Bob Keis’ comments. He also distributed a draft outline or Table of Contents of the Comprehensive Plan. The public meetings will provide for breakout sessions of smaller groups to discuss the goals and identification of growth areas.

Dave McCoy commented that the process seemed to be progressing slowly. Mr. Isaacson stated that the final draft is expected in December. The process is only about one month behind schedule.

Al Ormond stated that it is important to note that people have shown an interest in the process. Mr. Isaacson reported that all public comments will be shared with the Board next month.

Director

Paul Bishop reported that Crystal Abers sends her apology for not attending. She has been on vacation and returned early this morning. Mrs. Abers did have several items to report, which could be sent to the Board via email. Mr. Couture agreed to have her report emailed to the Board.

Mileage Vouchers

Paul Bishop reported that the vouchers need to be signed.

Other

Paul Bishop reported on the following items:

- City of Olean Brownfield clean-up of Homer Street parcel

- Farm Tour Pamphlet was prepared for the 2014 tour of four farms – Great Valley Berry Patch, Snow Brook Organic Farm, Maple Ridge Bison Ranch, and Pumpkinville. The farm tour schedule was handed out. Although the Farm Tour is targeted to the Legislature, Planning Board members are invited to participate. The group will be car pooling leaving from the County Center.
- National Fuel Gas to build pipe line along existing right of ways from McKean County, PA through Cattaraugus County to Erie County distributing gas from the Marcellus Shale.
- New Planning Services brochure distributed

STW Report

Robert Keis reported that the Southern Tier West Board met on August 21. Several items pertinent to planning were highlighted as follows:

- A State Archive and Records Administration grant will assist six municipalities including the Town of East Otto in Cattaraugus County.
- Community GIS update included collecting GIS data for several municipalities on culverts. In Cattaraugus County, this included Towns of East Otto, Mansfield and Dayton.
- Training update included a list of eleven trainings in August through November. Mr. Keis mentioned that the Planning and Zoning Conference in November provides planning credits. Mr. Bishop stated that the Stormwater Conference does also. Florence Fuller reported that she had attended the SEQRA training. It was very long but informative.
- Southern Tier West has received inquiries as to whether they could assist in some capacity with Town consolidation discussions. STW is discussing this internally as to what they might be able to offer. Mr. Couture added that this might also include school consolidations.

Members Forum

Ann Padlo passed around the program from the Louis Zamperini Monument dedication held in Olean. She included an article from the Olean Times Herald. Zamperini was a world class Olympic distance runner and a World War II hero. He was born in Olean in 1917.

David McCoy provided two stories for the Board. Portville proposed developing a trail along the Allegheny River Dike, only to find out that the dike is on private properties. This turned out to be quite an issue with the land owners. The Town held a public meeting last week on the Trails Plan and it was a very positive meeting.

Robert Keis reported on the Holimont development on Route 242. If the Board members have an opportunity to take a drive on Ridgway, he commented that the view is spectacular. This is a substantial tax base coming into the County. The design on town houses and condominiums are being completed. Mr. Zaprowski commented that the realtors are telling him that properties are not selling. All agreed the location is key to selling properties in Ellicottville and Holimont has the location.

Michael Zaprowski reported that Salamanca recently held their RibFest, which was well attended. Very pleased with the turn out, good weather, food and bands.

CORRESPONDENCE AND UPCOMING MEETINGS / EVENTS

Paul Bishop reported that these are attached to the agenda.

NEXT MEETING

The next meeting of the Planning Board is scheduled for September 25, 2014 at 7:00 pm in Little Valley, New York.

ADJOURNMENT

Ann Padlo moved with a second from David McCoy to adjourn the meeting at 8:15 pm. Motion was carried.