

# Cattaraugus County Planning Board

**CATTARAUGUS COUNTY PLANNING BOARD MEETING**  
**MEETING MINUTES**  
**March 31, 2022**  
Via Zoom Virtual Meeting Platform

DRAFT

**PLANNING BOARD MEMBERS PRESENT:**

Charles W. Couture, Chairman	Kathleen M. Ellis
Paul D. Mager, Vice Chairman	Robert C. Keis
Michael J. Zaprowski, Secretary	David L. McCoy
Andrea L. Mellon, Assistant Secretary	Danny C. Newbury
Tina Abrams	Allan J. Ormond
Daniel J. Brown	James J. Valent

**PLANNING BOARD MEMBERS ABSENT:**

Mark A. Smith

**PLANNING DEPARTMENT STAFF**

Crystal J. Abers, Director	Marie Myers Shearing, Planner
Racheal E. Draeger, Environmental Planner	Kate O’Stricker, Development Specialist

**GUESTS:**

Peter Sorgi, Esq.	Don Olds
Anthony Paniccia	Brian Lamb
Doreen Simmons	

1. Call to Order  
Charles Couture, Chairman, called the meeting to order at 7:00 p.m.
2. Welcome & Opening Remarks  
None
3. APPROVAL OF MINUTES
  - 3.1. February 24, 2022  
Charles Couture called for motion to accept the minutes. Danny Newbury moved to approve with a second from Paul Mager. Motion carried.
4. NEW BUSINESS
  - 4.1. General Municipal Law Section 239 (l) & (m) Referrals
    - 4.1.1. Village of Allegany – Use Variance & Site Plan Review
      - 34-38 West Union Street  
The Ben Weitsman of Allegany, LLC scrap metal recycling facility applied for a use variance to continue operations and make significant site improvements involving the overall layout, privacy fencing, and stormwater control on the property. It is located within the floodplain, does not contain wetlands, and is an archaeologically sensitive area. Discussion involved the definitions of similar facilities and the use of surrounding properties. Planner Myers Shearing proposed to approve the use variance due to its current operations, anticipated improvements, and importance to the community.

(Property is a Recycling Center which is in the floodplain with no wetlands. It is an archaeologically sensitive area. It has a retention pond with a good filtration plan. Discussion revolved around the definitions of junk or salvage yard vs. recycling center.)

The referral is complete.

- Countywide or inter-community impact - Yes
- Approved

Robert Keis motioned to accept the staff recommendation of Marie Myers Shearing. A second made by Michael Zaprowski. Motion carried.

#### 4.1.2. Village of Franklinville – Zoning Ordinance Amendments

The amendments to the zoning ordinance are an important update to better reflect the wants and needs of development and process in the Village of Franklinville. No floodplains, wetlands or archaeologically sensitive area applicable.

- Countywide or inter-community impact - Yes
- Approved

Andrea Mellon motioned to accept the staff recommendation of Marie Myers Shearing. A second made by Paul Mager. Motion carried.

#### 4.2. Environmental Review

##### 4.2.1. Village of Franklinville

- Water & Wastewater Infrastructure Project

Cattaraugus County is an interested agency. Planner Myers Shearing shared that she didn't have any issues with the Lead Agency Designation.

Dan Brown motioned to approve Lead Agency Designation. A second made by Danny Newbury. Motion carried.

#### 5. CORRESPONDENCE

##### 5.1. Village of Franklinville

###### 5.1.1. Part 3 Municipal Report of Final Action

They sent back their Part 3, the Municipal Report of Final Action, for the adoption of the rezoning of 83 N. Main Street from R-2 to Commercial. It was approved. File is closed.

#### 6. OLD BUSINESS

##### 6.1. None

#### 7. REPORTS / OTHER BUSINESS

##### 7.1. Chairman's Report

Chairman Couture noted that the maple season is the poorest it has been in recent years with the sap running one week to ten days. There was some good syrup made, but there was a lot of dark syrup made also.

## 7.2. Department Reports

### 7.2.1. Director's Report

Crystal Abers reported that she attended the New York State Association of Counties (NYSAC) conference, there was a lot of information regarding solar and solar laws. She has given the information to Marie Myers Shearing about the various counties throughout NYS and changes they have made to solar laws so that she can come up with examples for municipalities to use or to come up with their own.

There is a lot of concern across the state about battery storage.

We were awarded a micro enterprise grant program for new start-up businesses. Fifty-one percent of the grant has to go to low to moderate income, new start-up businesses, with fewer than five employees. If the owner isn't low-mod income, then he must hire someone who is low-mod income. If you know of any new businesses looking for assistance, send them our way and maybe we can help them.

Empire State Development held a seminar session. Crystal Abers and Kate O'Stricker attended regarding the upcoming Consolidated Funding Application (CFA). New to the program this year, they want a letter of interest so the state can start working with the municipalities sooner to help them through the grant process. If you know of any municipalities who are looking for funding and need assistance, let us know and we will put them in contact with people from the state that can help them.

We had a Tourism Train Ride from Gowanda to South Dayton. We heard about all the tourism activities in both places. Over 30 people attended and it was well received. We are trying to uncover all the hidden gems in the Enchanted Mountains. We had a viewing of the South Dayton Depot. We enjoyed all the memorabilia from The Natural, and Planes, Trains, and Automobiles and the Mayor was there to meet everybody.

The Farmer Neighbor Dinner is in two weeks. All of our tickets are sold out.

Crystal Abers needs some ideas regarding where would you like to see the annual planning board. Is there a municipality that we should focus on and identify some things that have happened there? Are there certain areas of the county we should look at and highlight for the planning board? Franklinville was suggested and Crystal Abers will research that area of the county.

### 7.2.2. Staff Reports

#### 7.2.2.1. Kate

Kate O'Stricker provided an update on the ARC Grant – the app for the trails is up and running. The trail brochure is in and starting to hit all the trade shows and tourism shows.

Another trail initiative we are working on is an application for seven million dollars to complete the design and alignment of the Southern Tier Trail, which follows the feasibility study by Alta and Go Bike Buffalo with funds from the Ralph Wilson Foundation. If we get the federal funds for this, it will actually do all of the design from Ashford, Ellicottville and Great Valley to Salamanca across

Carlton to Allegany, Olean and Hinsdale. We would be making a loop that will hook to the New York State trail.

Land Bank – We have sent out the municipal problem property surveys so that the municipalities may let us know about any problem properties they may want the Land Bank to look into. We are working on the auction list as the auction will be in May. As of now, all of our properties have been demolished and the side lots have been sold. We have two rehabs that we are just finishing up and will be put up for sale very soon.

Onoville – We are receiving proposals from our RFP for the dock rehab and reconstruction. Hopefully we will be able to procure a company or architect engineering firm that will be able to come in and look at the dock systems. We received a \$520,000 grant through the CFA process for that project.

The Onoville feasibility study we are working on for the water and sewer upgrades is almost done. We should have the final feasibility study in the next couple of weeks so that we can move forward on doing the upgrades.

\*Crystal Abers added that the marina opens in 4 weeks, so we are hoping to get started on the upgrades at the end of the season.

#### 7.2.2.2. Racheal

Racheal Draegert is working with all the trail organizations to use our grant money to buy signage for the trails. A lot of orders have come in and she's confirming with the organizations to make sure we are following state guide lines. We are getting out the Catt County trails underbrands, we hope to put them up everywhere we can to market the recreational use in the county. She is hoping to get them ordered soon so everything can be confirmed and installed by summer.

#### 7.2.2.3. Marie

Marie Myers Shearing and Racheal Draegert are working on solar research and watching online webinars that are helpful. They have a skeletal outline of items they want to put on a fact sheet. They have also been discussing how to modify the NYSERDA model law to put points that the county feels are important to have on the local laws.

### 7.3. Administration

#### 7.3.1. Ethics Disclosure Forms

Marie Myers Shearing said that everyone should have received an ethics disclosure form. Please return the form to Ann Giglio as soon as possible.

#### 7.3.2. Mileage

Marie Myers Shearing also noted that no mileage forms were due since all first quarter meetings were virtual.

### 7.3.3. Training

Marie Myers Shearing reminded everyone that they only have nine months left to complete the required four hours of training.

### 7.4. STW Report

Robert Keis reported on Southern Tier West. They will have substantially more money for the Appalachian Regional Commission for applications, programs and infrastructure since the budget proposal was approved.

In reference to the training, June 9<sup>th</sup> has been determined to be the date of the Houghton annual training that Southern Tier West does. It is a great way to get your four hours of training.

### 7.5. Members Forum

None

## 8. UPCOMING MEETINGS & EVENTS

8.1. As noted in the Agenda

## 9. NEXT MEETING

9.1. April 28, 2022

## 10. ADJOURNMENT

Paul Mager motioned for adjournment, Dan Brown seconded motion. Motion passed. Meeting adjourned at 7:30 p.m.