

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING
MEETING MINUTES
June 29, 2023
Little Valley, NY

Approved
July 27, 2023

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Mark Smith
Dan Brown
James Valent

PLANNING DEPARTMENT STAFF

Crystal Abers, Director
Emma Carrasco, Planner
Kate O'Stricker

GUESTS

David Strong, Senior Project Developer, New Leaf Energy – spoke at the beginning of the meeting about wind energy and showed the Board a slideshow. Dave answered many questions regarding wind energy.

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. May 25, 2023

Charles Couture called for a motion to accept the minutes. Michael Zaprowski moved to approve with a second from Danny Newbury. Motion carried.

4. NEW BUSINESS

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

- Village of Franklinville
 - Zoning Text Amendments + Local Law

A Full EAF was completed. Proposed Local Law and amendments to the Village of Franklinville Zoning Code: Defining – Retail Business: Establishment where foods or services are sold or leased to consumers or businesses, **excluding** adult bookstores, adult entertainment establishments, licensed adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption sites.

Dictates which zoning classification adult-use cannabis retail dispensaries and adult-use on-site consumption businesses may be located:

- Add licensed adult-use cannabis retail dispensaries as a Use Allowed by Special Use Permit (I-1 Industrial District only)
- Add adult-use cannabis on-site consumption sites as a Use Allowed by Special Use Permit (I-1 Industrial District only)

Public Hearing was held on June 12th at 6:05 pm. They were able to provide meeting minutes. The referral is complete. There is no countywide or inter-community impact. The staff recommendation is to Approve.

Motion was made by Andrea Mellon to accept the recommendation with a second by Robert Keis. Motion carried.

- Town of East Otto
 - Local Law (Moratorium on Solar, Wind and Battery Storage)

This is a Type 2 action so an EAF is not required. They are proposing a time frame of six months and during this time the Town Board will consider how best to permit such installations to harmoniously integrate them with the existing agricultural community and landscape.

This will allow additional time to:

- Further study the impacts, effects, and proper regulations of such activities
- Consider amendments to the Town's Zoning Ordinance to appropriately regulate these activities within the confines of NY State Law
- Complete the comprehensive planning process

The Public Hearing has not yet been scheduled.

The referral is complete. There is no significant countywide or inter-community impact. The staff recommendation is to Approve.

Motion was made by Paul Mager to accept the recommendation to approve with a second by David McCoy. Motion carried.

- Town of Olean
 - Local Law (Solar Moratorium)

The Town of Olean would like to issue a Moratorium on Commercial Solar Energy Facilities. This would be for 6 months to reconsider substantive provisions of its 2022 local law governing solar energy facilities. This would allow time for Town officials to review, clarify, amend, and update the Town's 2022 Solar Law for commercial solar development, including researching the impact of recent changes to state law affecting the appraisal value of solar energy facilities, and investigating what options are available to the Town to enhance its revenues from such developments through the use of tax levies, payment-in-lieu-of-taxes (PILOT) agreements, host community agreements or any other means available by law.

The Public Hearing was held on June 20th at 6:30pm.

The referral is complete. There is no significant countywide or inter-community impact. The staff recommendation is to Approve.

Motion was made by Al Ormond to accept the recommendation to approve with a second by Danny Newbury. Motion carried.

5. CORRESPONDENCE

5.1. Village of Ellicottville – Municipal Report of Final Action

We received their Part 3 regarding the Approval of Site Plan and Issuance of Special Use Permit (Public Parking Lot). They agreed with the Cattaraugus County Planning Board. The file is now closed.

5.2. Town of East Otto – Municipal Report of Final Action

We received their Part 3 for the Granting of Area Variance. They agreed with the Cattaraugus County Planning Board and the file is now closed.

6. OLD BUSINESS – Emma tried to get more information regarding Solar Projects and the connectivity status to the grid, but she has not heard anything back yet. She will forward Kate the contact information so that she may follow up after Emma's departure.

7. REPORTS/OTHER BUSINESS

7.1. Chairman's Report – Charles Couture

The Chairman was shocked this week by the email that Emma is leaving us and they all disapproved! They all told her that they will miss her and that she has done well in the short time that she was here. They congratulated her and she told them that she will miss them as well. She thanked them all and assured them that she would be seeing them around since she is still part of the community.

7.2. Department Reports

- **Director's Report**

Crystal noted that the department has been busy. They are working on the Planning Board Annual Meeting. She would like to have it in September again. She will have a couple of proposals at the next meeting. Snowmobile Phase I has been completed. Crystal, Kate and Emma all went to Houghton and sat in on some of the planning classes. The Economic Development Team was included in a small business workshop. They are hoping to have them around the county. The CFAs (Consolidated Funding Applications) are out and open. There was a zoom meeting today for information. July 10th they are going to have an in-person at Allegany IDA in Belmont. July 11th at the Buffalo History Museum and they are due on July 28th. Diego Sirianni, our Empire State Development person is retiring, his last day is tomorrow.

Our Onoville project is moving forward. Internet is currently being installed down there. Within the next two weeks that will be operational. New York Connect All, Crystal and Kate were on a zoom meeting a while ago regarding the next steps that NYS is looking at for Broadband and they asked for their opinion. They are calling every county individually because they are all doing things differently. It is the busy season for tourism.

- **Staff Reports**

- 7.2..1. Kate O'Stricker

The big news today is that last Thursday we got word that we received the USDOT RAISE Grant for over 7 million dollars. It is for the planning, design, alignment, survey and environmental permitting for 52 miles of trail through Cattaraugus County. They are looking to start in Ashford, then Ellicottville, Great Valley, Carrollton, Allegany, Olean, and Hinsdale to meet up with the Genesee Valley Greenway. Our concept for this is at the end of the next 4 years have the exact alignment and design materials to have a shovel-ready project to go out for bid. Our next step is to meet with municipalities and introduce the project. We have to do a Request for Proposal for the trails design and engineering firm. We are also going to contract with Go Bike for public participation and input to go into municipalities to help us do informational meetings working with landowners and the railroad State DOT, whoever we need to work with to figure out the alignment. Our first step is to get the exact alignment. We kind of got an idea of where it would go through the feasibility study, but now we will be going parcel to parcel to get the exact alignment for 52 miles.

The ARC Trails Grant, the signs are now done and we have a date for the kiosks. In 3 or 4 weeks, we will have 8 kiosks completed and will be installed soon.

MHRI (Mobile Home Replacement Initiative), we have \$600k that we will use to replace 3-4 mobile homes. We got word today that one family has been approved and three are very close. The bids are going out on the homes themselves, so depending on the cost of the homes and the work that needs to be done on site, we may be able to do all four of those approved.

Land Bank – all of our rehabs are sold. We have one side lot for sale in Olean. This year we have seven properties to demo, including the row building in East Otto. We did get an OCR (Office of Community Renewal) grant for \$90K.

The sewer system at Onoville is close to having everything installed. We have upgraded the electrical system, the footers are all dug and they are trying to pour cement but the rain has interfered with that this week. We will have 3 comfort stations, a camp store and a ticket booth coming along in the next 6-8 months. Crystal noted that Monday was the 51st anniversary of the flood of '72 at Onoville. Right now we only have one CFA going and that's for the Green Infrastructure Grant, \$3 million to overhaul the eastside parking lot and boat launch down at Onoville. Edgewater, which we've been working with on the dock redevelopment plan, will hopefully give us the numbers on how much it is going to cost and if we are able to move the gas dock, moving the pump out dock, upgrading some of the slips and electric on our dock.

7.2.2.1. Emma Carrasco

Emma noted that it was nice to see some of them at Houghton. Her favorite part was the solar battery storage that was given by Wendell Companies, Drew Reilly presented and she found it to be very engaging. She saved some screenshots and the presentation will be available by a link on our website. They emphasized the importance of the SEQR, review process and how Part 2 is a great checklist. Emma also got Andrea's certificate of attendance for training at Houghton and she reminded anyone else who was there to provide their certificate to her. The guide to municipal referrals is wrapped up and the attorney needs to review it and then it will be available for the Municipalities to review. Emma thanked them again and told them that she's sad to depart so soon.

7.3. Administration – 2023 Directory of Federal/State/City/Town & Village Officials handed out.

7.4. STW Report

Robert Keis

The training conference at Houghton was held on June 8th. There were about 250 local government officials that attended with 29 exhibitors and 40 classes were held. The exhibitors indicated that they were impressed with the amount of exposure they got to the municipalities. The IIJA (Infrastructure Investment & Jobs Act) funding – STW has been allotted 1.185 million dollars for 2022 and again for 2023. Over a five year period that adds up to over \$5.925 million for designated projects through 2026. They have been talking about what they will do with the money. Chautauqua and Allegany Counties already have a couple proposals. Cattaraugus County may not see the money until 2026. Crystal stated that her department would not be applying before October, because the Federal Government has changed the County's status to designated distressed area, so our match changes from 50/50 to 25/75 on October 1st. The ARC personal presentations will be on Tuesday, July 18th. The meeting will start at 9:00 am and they will have a regular STW abbreviated Board Meeting. They have about 1.6 million dollars of potential projects. STEDO (Southern Tier Economic Development Organization) did not have any new inquiries in May. Just over \$700k is currently available for lending. STEDO is currently working with 2 applications in the amount of

\$260K. STERA (Southern Tier Extension Rail Authority) the June meeting was cancelled due to lack of quorum. The next meeting is scheduled for October 16th.

7.5. Members Forum

All

It was noted that Town Boards are calling and asking why the Planning Board is against any Solar Installations in their town. They were told that the Board is not against them, they were sent back as incomplete for legitimate reasons. The reasons that they were sent back as incomplete are all written on the response that the Planning Department sends back to them. The responses are sent to the person who submitted them in the first place.

8. UPCOMING MEETINGS & EVENTS

9. NEXT MEETING ANNOUNCEMENT

Chairman

9.1. July 27, 2023

10. ADJOURNMENT

Chairman

Motion to adjourn was made by Michael Zaprowski, with a second by Paul Mager. Motion carried. Meeting was adjourned at 8:06 pm.