

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING

Meeting Minutes

February, 29, 2024

Cattaraugus County Center
303 Court Street, Little Valley, NY

Board Officers

Charles W. Couture
Chairman

Andrea L. Mellon
Vice Chairman

Michael J. Zaprowski
Secretary

Paul D. Mager
Assistant Secretary

Board Members

Tina J. Abrams

Kathleen M. Ellis

Robert C. Keis

David L. McCoy

Danny C. Newbury

Allan J. Ormond

Mark A. Smith

James J. Valent

Vacant

Present Board Members:

Andrea L. Mellon
Michael J. Zaprowski (Mike)
Paul D. Mager
David L. McCoy (Dave)
Danny C. Newbury
Allan J. Ormand (AL)
James J. Valent (Jim)
Kathleen M. Ellis (Kathy)

Absent Board Members:

Charles W. Couture (Chuck)
Tina J. Abrams
Robert C. Keis (Bob)
Mark A. Smith

Present Planning Department Staff:

Crystal Abers | Director of EDPT
Kate O'Stricker | Senior Development Specialist
Dalton Fries | Planner
Connor Maxwell | Environmental Planner

Present Guests:

Dave Heckman | Public
Kelly Hedges | Public
Kim Hedges | Public
Brian Fitzgerald | Public
Peter Sorgi | Legal Rep
Mark Twitchell | Public
Michelle Twitchell | Public

1. CALL TO ORDER

Vice Chairman Andrea Mellon called the meeting to order at [6:30 p.m.](#)

2. WELCOME & OPENING REMARKS

3. APPROVAL OF MINUTES

3.1. December 28, 2023

Vice Chairman Andrea Mellon called for a motion to approve January minutes. AL Ormond noted a typo in the previous minutes. Motion called for approval of minutes with modification. Moved by Dave McCoy and seconded by Danny Newbury. Mike Zaprowski Abstained. [Motion Carried.](#)

4. NEW BUSINESS

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

4.1.1. Town of Ellicottville

- Horn Hill 7-lot subdivision

Referral was a subdivision review, along NYS route 242. Parcels within 500 feet of 15 agricultural district parcels. Type I action, full EAF provided. There was a public meeting held, with no public comments. Referral was complete with all required documents. All plot sizes meet minimum 2 acre requirements. Storm water pollution prevention plan provided as required by subdivision regulations. Slopes meet Town requirements for



Cattaraugus County Planning Board

development. Minimum setbacks meet requirements. Grading and site plans will be submitted prior to single-family homes being built. All site access roads off NYS Route 242.

The Referral is complete and there is some significant countywide or inter-community impact with the addition of 7 residential properties with access roads for each on Route 242. The Staff Recommendation is to Approve

Motion was made by Al Ormond to accept the staff recommendations to approve with a second from Mike Zaprowski. Motion Carried.

4.1.2. City of Olean

- DePaul Apartments

Referral was for five area variances across two multi-family structures. 300 feet from NYS Route 16. Unlisted action, Full EAF provided. Eleven structures are planned for demo, many of them being dilapidated structures.

Building A will be 3 stories, 21,000 sqft with 63 units. Variances are:

Parking Variance:

- 96 minimum parking, proposed 57.

Setback Variances:

- Front Setback Minimum Setback 30ft, proposed 2ft

Building B will be 2 stories, 1,800 with 4 units. Variances are:

Parking Variance:

- 6 Minimum, 3 proposed

Setback Variances:

- Front Setback minimum 25ft, proposed S Barry St 10ft
- Rear Setback minimum 30ft, proposed 19ft

DePaul and Labella had done a parking assessment which provides evidence of current affordable housing projects requiring less parking.

Provided was a hardship findings which defends the reason for project.

Olean has a Referral Exemption Agreement approved by planning board on February 28th 2019. Both area variances and parking variances are listed as local concern issues.

The Referral is complete and there is no significant countywide or inter-community impact. Significant local impacts such as neighborhood character change, community gains new affordable/senior housing and removes dilapidated houses, and 5 significant variances. The Staff Recommendation is to return to Olean for decision as the Matter is of Local Concern.

Question about how the parking would work. It was mentioned that many of the people who will be living in these buildings will rely on public transportation.

Motion was made by Mike Zaprowski to accept the staff recommendations to return to Olean for decision as the Matter is of Local Concern with a second from Jim Valent.

Motion Carried.



Cattaraugus County Planning Board

- 4.1.3 Town of Franklinville
- Heavy Equipment Storage and Service Facility

The referral was for special use permit and site plan review of a heavy equipment storage and service facility. The site is within 500 feet from NYS Route 16, Kingsbury Hill Road, the Town of Farmersville, and four Ag district parcels. It is a type I action with a full EAF provided.

52,000 sqft building w/ parking for 50 vehicles, the parcel consists of prime farmland. Roughly 11.5 of 41.75 acres will be disturbed for the project, and the remaining will be left for farming. Primary access will be off of Route 16 through Great Lakes Cheese. Secondary employee and visitor access off of Kingsbury Hill Road. Parcel is within Agriculture – Residential zone, and the use is permitted with a special use permit.

Site was chosen to provide buffers to the surrounding residential properties and to additionally provide trucking services to Great Lakes Cheese.

The Referral is complete and there is no significant countywide or inter-community impact. The Staff Recommendation is to Approve

Mr. Sorgi provided some additional information on the project. Access through Great Lakes Cheese is a reciprocal easement, Great Lakes Cheese can use the employee access road if necessary.

Motion was made by Danny Newbury to accept the staff recommendations to approve with a second from Jim Valent. Motion Carried.

- 4.1.4 Town of Ellicottville
- Cannabis Moratorium

Type II Action

Suspends all acceptance of permit applications, processing of permit applications, variances, special use permits, etc. for a twelve-month period for Town of Ellicottville to complete the adoption of zoning and land use regulations pertaining to siting of cannabis and sales facilities.

The Referral is complete and there is no significant countywide or inter-community impact. The Staff Recommendation is to Approve

Motion was made by Paul Mager to accept the staff recommendations to approve with a second from Danny Newbury. Motion Carried.

4.2. Environmental Review

4.2.1. Town of Farmersville

Harwood Lake Dam reclassified from a class B (intermediate hazard dam) to Class C (high hazard dam). Dam deficiencies were identified by an engineering assessment. Dec approved application to modify, increasing height by 3.6' as well as moving the toe of



Cattaraugus County Planning Board

the dam 25' downstream. (Where the outflow creek is). Rock riprap installations are proposed to protect embankment facing Harwood Lake against erosion.

Conversation about why the dam was reclassified as more dangerous.

4.3. Intergovernmental Review

4.3.1.

5. CORRESPONDENCE

5.1. Village of Allegany SEQR Lead Agency (Field of Dreams)

The County signed the form stating we have no issue with Allegany assuming lead agency.

5.2. City of Olean SEQR Lead Agency (DePaul Properties)

The County signed the form stating we have no issue with Olean assuming lead agency.

5.3. Part 3: Town of Ashford Solar Law

The County received the Town of Ashford Solar Law part 3 and will file accordingly.

5.4. Part 3: Town of Olean Solar Law

The County received the Town of Olean Solar Law part 3 and will file accordingly.

5.5. City of Salamanca School District SEQR Lead Agency (Capital Improvements Project)

The County signed the form stating we have no issue with Salamanca school district assuming lead agency.

6. OLD BUSINESS

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

6.1.1. Town of Perrysburg

- MET Tower

Ag and markets law referenced requiring agricultural district parcels within 500 feet from property to be listed. Additionally, there was State of New York land within 500 feet as well.

The Referral is complete and there is no significant countywide or inter-community impact. The Staff Recommendation is to **Return as Incomplete**

Motion was made by Al Ormond to accept the staff recommendations to approve with a second from Danny Newbury. **Motion Carried.**

7. REPORTS / OTHER BUSINESS

7.1. Chairman's Report

7.2. Department Reports

7.2.1. Director's Report

Following state grants, Restore NY is available. Agricultural land and renewable energy conversations being had and working with state for other options for renewables. HCR presented for sustainable communities and housing needs. Annual report to legislature for the department. Businesses looking for funding and grant opportunities.

7.2.2. Staff Reports

7.2.2.1. Kate O'Stricker



Cattaraugus County Planning Board

Otto row building on Otto East Otto road has been demolished. Cistern in the back. Land bank 2023 demolitions now complete. Raise grant in contract development stage. In 4-6 weeks RFP's will go out to get engineers all set. Workshops to be done in the 11 communities the trail goes through.

Onoville rehab, the contact station and two bathrooms are in with one more bathroom being delivered soon. Once store is complete, the docks are next priority.

7.2.2.2. Dalton Fries

Connor and I continue work on 2024 transportation plan, with the first meeting coming up on March 19th. Looking for information from transit operators to assist with the updates.

7.2.2.3. Connor Maxwell

Waiting on word from legislators on the approval of the Agricultural District parcels. Reviewing documents for the administration of the snowmobile grant.

7.3. Administration

7.4. STW Report

7.5. Members Forum

7.6. Recommendations for Planning Board Vacancy

Map showing where the members are currently from and hoping board members can think of any suggestions for a new Planning Board member.

7.7. Planning board Holiday Conflicts

Moving planning board to a week earlier for the last three months of the year to avoid holiday conflicts.

8. UPCOMING MEETINGS & EVENTS

April 8th – Eclipse

County has run out of eclipse glasses.

April 10th – Farmer Neighbor Dinner.

9. NEXT MEETING ANNOUNCEMENT

9.1. March 28th, 2024 @ 6:30 p.m.

10. ADJOURNMENT

Motion was made by Paul Mager to adjourn with a second from Mike Zaprowski.

Meeting Adjourned at 7:09 pm.

