Cattaraugus County Planning Board

Meeting Minutes

February 26, 2026
6:30 PM
Cattaraugus County Center
Large Committee Room, Third Floor
303 Court St., Little Valley, NY

Present Board Members:
Andrea Mellon
Paul Mager
David McCoy (Dave)
Terry Hahn
James Valent (Jim)
Allan Ormond (Al)
Tyler Paar
Loni Nagle

Present Planning Department Staff:
Dalton Fries | Planner
Connor Maxwell | Environmental Planner

Absent Board Members
Michael Zaprowski (Mike Z)
Tina Abrams
Mark Smith
Michael Higgins (Mike H.)

I. **CALL TO ORDER** – Andrea Mellon, Chairman, called the meeting to order at 6:30pm.

II. **WELCOME & OPENING REMARKS**
   a. All welcomed Loni Nagel to the Planning Board.

III. **APPROVAL OF MINUTES**
   a. *January 29, 2026 Minutes* – Motioned by Al, seconded by Jim. **Motion Carried.**

IV. **NEW BUSINESS**
   a. General Municipal Law Section 239 (l) & (m) Referrals
      i. *Town of Randolph*
         1. Local Law 226 – Solar Law
         2. Entire Town
            a. SEQR – was not provided
            b. Floodplain and Wetland – entire town
         3. Report
            a. Used NYSERDA model solar law
            b. Limits solar facilities to one district, which is Ag/Forestry/Residential District.
            c. Four (4) tiers of energy systems
               i. Tier 1: Roof-mounted and ground-mounted residential no greater than 25 kw AC
               ii. Tier 2: Ground-mounted no greater than 1 MW AC and producing no more than 110% of onsite power facility size up to 8 acres
               iii. Tier 3: Ground-mounted up to 5 MW AC or up to 40 acres in size
               iv. Tier 4: Any system not included in Tier 1, 2, or 3.
            d. Addresses anti-glare, screening, decommissioning, valuable soils, etc. Decommissioning was questioned by

Board Officers

Andrea L. Mellon
Chairman

Paul D. Mager
Vice Chairman

Michael J. Zaprowski
Secretary

Vacant
Assistant Secretary

Board Members

Tina J. Abrams

Michael P. Higgins

Terry R. Hahn

David L. McCoy

Loni J. Nagle

Allan J. Ormond

Tyler M. Paar

Mark A. Smith

James J. Valent

Paul as to what happens, many of these solar fields are being built but are not being used.

e. Addresses decommissioning the project if it is ceased electrical operation for a period of 12 months (would need to decommission withing 12 months of notification).

4. Referral complete, official municipal policy. Staff recommendation to approve with the modification that municipality complete SEQR review, prepare a full EAF and issuance of a determination of significance prior to final adoption of the proposed law "617.4(b)(2) the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district". Moved by Dave, seconded by Terry, Loni abstained. **Motion Carried.**

ii. Town of Randolph

1. Local Law – Battery Energy Storage Systems Moratorium
2. Entire Town
   a. SEQR – Type II Action
   b. Floodplain and Wetland – entire town
3. Report
   a. Suspending acceptance, review, and approval of applications for BESS and Data Centers.
   b. Provide the time for studying BESS and Data Center Systems as well as best practices and state/federal guidance.
   c. Develop appropriate zoning. Exemptions include:
      i. Repair or maintenance that does not expand capacity
      ii. Emergency repairs to protect public safety
      iii. Residential or accessory systems serving single-family or farm use
4. Referral complete, official municipal policy. Staff recommendation to approve. Moved by Tyler., seconded by Paul, Loni abstained. **Motion Carried.**

iii. Town of Randolph Sarver Solar

1. Site Plan Review and Special Use Permit
2. Sarver Rd. Randolph, NY
   a. SEQR – Type I Action, short EAF, Agriculture forestry residential District.
   b. No floodplain but near a wetland, USFWS R5UBH Riverine
3. Contracted with Wendell and an attorney that has dealt with other solar projects and plan to move forward on a part B project at a later time.
4. Report

a. 3 MW facility win a total acreage to be physically disturbed, 15.7 Acres.
b. Impervious surfaces added 0.05 acres.
c. About 400' from the fence line to nearest property line and ag district parcel.
d. Working out a host community agreement and PILOT.

5. Tyler brought up the process of the board if its within the federal wetlands and if so, is the EAF technically incomplete? The board could put in a modification or advisory for them to correct the EAF since seqr is a parallel process. Dalton reviewed, their SEQR mentioned they did or are in the process of going through DEC processes.
6. Referral complete, no county-wide/ inter-community impacts. Staff recommendation to local issue with the advisory to make sure they have all correct documentation for the environmental assessment. Motioned by Al, seconded by Paul, Loni abstained. **Motion carried.**

iv. Town of Franklinville

1. Local Law – Solar Moratorium
2. Entire Town
   a. SEQR – Type II Action
   b. Wetland and floodplain – entire town
3. Report
   a. Lasting 6 moths (with the possibility of extension)
   b. Suspending acceptance of applications and issuance of building permits and other actions related to the construction, siting or approval of a Solar Panel System that meets the definition of a Commercial System or an Industrial Solar System, or any Solar Energy Equipment associated with such construction which is located in the Town of Franklinville (including pending approvals).
4. Referral complete, official municipal policy. Staff recommendation to approve. Moved by Tyler, seconded by Jim, Terry abstained. **Motion Carried.**

V. Environmental Review

a. Town of Randolph SEQR Lead Agency for Sarver Road Solar Project

VI. Intergovernmental Review

VII. Correspondence

a. Town of Ellicottville – Part 3: Convert commercial building into multi-family dwellings
b. Village of Ellicottville – Part 3: Convert rear portion of building for residential use
c. Village of Ellicottville – Part 3: Construction of single-family detached dwelling
d. Village of Ellicottville – Part 3: Exterior renovation and addition to fire house

e. The above were all in accordance to planning board recommendation, now closed.

VIII. REPORTS / OTHER BUSINESS

a. Chairman's Report – Andrea shared that within the NYS 2027 Budget, Governor Hochul has earmarked $100 million in addition for temporary municipal assistance for municipalities *outside* of NYC, their website is www.budget.ny.gov/fy27tma-ex.30 which will show you by municipality/county what is being budgeted per county and we should help get the word out to see what is available to help our municipalities.

b. Department Reports

1. Kate shared that Land Banks were taken out of the NYS budget this year. There is about 19 million to share between 37 Land Banks for funding. Current demos are finished and side lots have been sold. Looking ahead to the foreclosure lists and problem properties: 2 in South Dayton, 3 in Olean, 2 in Hinsdale (Optional). The big property is always from South Dayton – the Old Nestle Plant which may qualify withing the Brownfield Grant. Reminded that the Land Bank gets properties after two auctions are held. The RAISE grant (52 Mile, Alignment and Design) for the trails is so close to getting finished, has to go through 2 sections (Ashford – Ellicottville, along 417 with Seneca Nation). Onoville updates getting down to the wire and are having weekly meetings to get things finished. Camp Store and Ticket booth to be open by opening day. Working on grant through the ARC (Appalachian Regional Commission) for 3-phase electric from High Banks Campground to Onoville which is a $1.5 Million grant and another for $500,000 to update electric wires, pedestals to RV sites and if there is some leftover, hoping to use on new electric to the docks. Opening day set to be May 1st. Land Bank Housing Study is on its way and doing okay although public meetings did not have a great output. On the other hand, the housing survey had a great turnout and are now doing targeted interviews from our contractors. Results should be gathered and dispersed around December 2026.

ii. Planning –

1. Connor stated that the Annual Ag Inclusion closed on 1/31. Ag and Farmland Board reviewed 58 parcels on February 12th and have recommended to approve 24 of those parcels with a total of 1,398 acres. Currently getting that ready for review by the Legislature. Drafts for the Educational Panels for Onoville were passed out for all to review. He shared he has also been reviewing the Snowmobile monthly reports, it has been a great season for them and working on the Ag Newsletter.

2. Dalton shared that the BOA preplanning has finally set a date for the BOA preplanning committee first meeting for March 12th. Working on inventory phase right now. With all the

correspondence with DOS and such, Dalton would like to get some trainings come this way to help Municipalities with certain processes that may need some clarification, currently getting some dates set.

3. Dalton brought up that we need to have an *official vote of officers.*
    a. Andrea Mellon as Chairman
    b. Paul Mager as Vice Chairman
    c. Mike Zaprowski as Secretary
    d. Al Ormond as Assistant Secretary
    e. Motioned by Paul, Seconded by Tyler. **Motion Carried.**

4. Paul Mager asked if the Chairman, Andrea, could write a letter to State Representatives in support of the Land Bank including photos to let them know of all the good they do for the County. Kate will get information to Andrea to get that going.

IX. Administration

X. STW Report

XI. Members Forum

a. *Loni:* Randolph area playground – needs updates. Members shared to try the Wilson Foundation and they may have something open right now for funding.
b. *Tyler:* Soil & Water applies for grants and stated that they would partner with Onoville with any water related projects, if they should come up. They also are able to help municipalities get funds for such issues as well.

XII. UPCOMING MEETINGS & EVENTS

a. March 26, 2026

XIII. MEETING ANNOUNCEMENTS

a. *2026 Meeting Schedule,* ***meetings start at 6:30pm unless noted otherwise***

April 30, 2026
May 28, 2026
June 25, 2026
July 30, 2026
August 27, 2026
September 24, 2026
October 29, 2026
November 19, 2026
December 3, 2026 (TBD)

XIV. ADJOURNMENT

a. Time: 7:09pm – Motioned by Paul, seconded by Terry.