

Cattaraugus County Planning Board

CATTARAUGUS COUNTY PLANNING BOARD MEETING

DRAFT

MEETING MINUTES

November 19, 2020

Via Virtual Meeting Platform Zoom

PLANNING BOARD MEMBERS PRESENT:

Charles Couture, Chairman	Robert Keis
Paul Mager, Vice Chairman	David McCoy
Michael Zaprowski, Secretary	Dan Newbury
Andrea Mellon, Assistant Secretary	Al Ormond
Tina Abrams	James Valent
Kathy Ellis	

PLANNING BOARD MEMBERS ABSENT:

Daniel Brown
Mark Smith

PLANNING DEPARTMENT STAFF

Crystal Abers, Director	Kate O'Stricker, Development Specialist
Marie Myers Shearing, Planner	Patrick McGlew, Development Specialist

GUESTS:

None

1. Call to Order
Charles Couture, Chairman, called the meeting to order at 7:09 PM
2. Welcome & Opening Remarks
3. APPROVAL OF MINUTES
 - 3.1. October 29, 2020 meeting
Bob Keis approved with two changes made. Second made by Paul Mager. Approved.
4. NEW BUSINESS
 - 4.1. General Municipal Law Section 239 (l) & (m) Referrals
 - 4.1.1. Town of Freedom Area Variance
Marie sent out to board members so they could see what it looked like. Wants to put a large garage/pull barn up against his house. Within 4 feet of the lot line. No SEQR as it was a Type 2 action. Didn't need an Agricultural Data Statement. Not in a flood plain or wetland. Not an archeological sensitive area. Had public hearing. No significant or intercommunity impact. Marie did add advisories that it didn't have county wide or intercommunity impact and put what the 5 items are that they should test for the variance. They have a note from the adjacent landowner that she is ok with it. Marie will send a reply back to them with a note that they should submit a Part 3 once they take final action.

Mike Zaprowski motioned to accept with a second from Dan Newbury. Approved.

4.2. Environmental Review

4.2.1. Village of South Dayton – Sanitary Sewer

Planning board is an interested party, not involved.

4.2.2. Village of South Dayton

Marie stated she does not have a problem with South Dayton being the lead agency on this or on 4.2.1.

4.2.3. Village of Portville

Marie stated she does not have a problem with Portville being lead agency.

4.2.4. Town of Otto

Marie and Pat ran the soil survey. Very small amount of prime farmland, 3.9%. Farmland of Statewide importance is 78.1%. Marie will reply with Otto being the lead agent but note that its majority statewide importance to farmland. Pat got a notification from Ag & Markets on the same property and Ag & Farmland Protection Board has already responded with their cautions.

Chuck Couture talked to Megan Boberg and she stated that if the company walked away from this, without a provision for decommissioning or removal. Pat noted that the county could be faced with foreclosing or not foreclosing. History shows that some properties that have contamination and large cleanup costs that the county doesn't act on them because they don't want to pull in the citizens of the county. Concern of AFPB was to have the provisions be made where the companies involved will have resources that the property could be decommissioned or removed if the companies leave. Marie will add in a decommissioning plan as an advisory along with a bond.

Marie already drafted an advisory letter and Crystal will have the County Attorney look at it.

Had a public hearing. In SEQR it says Catt County Municipal 239 M Review. The project will come to the county, problem being local law they passed didn't come through the county.

Dave McCoy motioned with a suggestion to table this till the next meeting so there is time to review the local law that was passed. Paul Mager second. Approved.

It was later discussed that Marie would draft a letter to the Town of Otto, agreeing to The Town acting as Lead Agency, but also noting the concerns about Prime, Farmlands of Statewide Importance, and wetlands.

4.3. Intergovernmental Review

4.3.1. None

5. CORRESPONDENCE

5.1. DEC Invites Public Comment about Draft Plan

- 351 Franklin Street Site #C905047, Olean

Marie sent out the PDF fact sheet to board members.

6. OLD BUSINESS - None

7. REPORTS / OTHER BUSINESS

7.1. Chairman's Report

Charles Couture: Got a call that he did not have to appear for the deposition.

7.2. Department Reports

7.2.1. Director's Report

Crystal Abers: Busy month. Been in the middle of the budget. Covid is increasing. Busy with municipalities and working on different matching grants. Working with new businesses and have done a few loans the last quarter of the year. Lots of different projects and items going on. Had finance budget meeting with legislature tonight.

7.2.2. Staff Reports

7.2.2.1. Kate

ARC Grant with the trails for GIS and signage, got approval from legislature to hire Barton & Loguidice to be the company to come and do the plan. John, who works for Barton & Loguidice and has been on the trail committee, has been out on the trails already and doing some of the GIS work and has contacted all the trail operators.

Had steering committee meeting with GoBike Buffalo and ALTA, they sent the rough draft of the feasibility study. They want to take comments for the countywide trail feasibility study.

Land Bank- Completed two (2) demos: Portville, Olean

RFP is going out for seven (7) demos tomorrow and should be done by the end of December, if not, by the end of January. And four (4) rehabs are in process right now.

Completed and submitted Cares Act Grant for Broadband, \$9.6 million. It should reach 2,717 homes in Cattaraugus County. It would expand on the census blocks that they have already been funded through NYS.

7.2.2.2. Pat

Talked about Ag Plan for the last year. Yesterday, the AFPB made a decision to recommend to the Legislature to approve and forward the plan to Ag & Markets for their approval. Alerted to the board that there is an evening training on December 7th, Laying the Groundwork for Farmland Protection. Great opportunity for board members that still need training hours.

7.2.2.3. Marie

New referral forms were approved by Crystal and the County Attorney, which will be available in all formats. Marie will get them sent out. She has been doing research on bylaws. Been watching webinars. Going through a lot of boxes to see what can be organized or destroyed.

7.3. Administration

7.3.1. Environmental Reviews

7.3.1.1. Interested vs. Involved Party

Kathy Ellis received the two from South Dayton and sent them along to Marie. Planning Board did not receive them due to being an interested party. The more the board knows about projects going on the better. Forward any known projects to Marie.

7.3.2. Training

7.3.2.1. Last Chance

Some members still need four (4) full hours. Department of State has options along with Tug Hill Commission, on YouTube.

7.3.3. Bylaws

7.3.3.1. GMU Public Officers Law

- Open Meetings Law
- Videoconferencing

Marie stated she contacted Department of State. Discussed virtual meetings. Location has to be open to the public. Robert Keis made note that what is being done through virtual meetings has to be done due to not having more than ten (10) people in a gathering.

7.4. STW Report

STW Foundation- WNY Foundation was talking about giving a grant to do a nine (9) county plan to improve regional food system. Goal was to emerge from covid-19 with a regional food system that is more sufficient, effective and resilient. STW has been given a couple contracts to sign and originally talked about \$200,000 and at this point in time it appears there's been another \$450,000 offered up to the foundation to pursue this program.

7.5. Members Forum

None

8. UPCOMING MEETINGS & EVENTS

8.1. As noted in the Agenda

9. NEXT MEETING

9.1. December – To be determined

9.2. January 28, 2021 – Organization Meeting

10. ADJOURNMENT

Mike Zaprowski motioned for adjournment, Dan Newbury seconded motion. Motion passed. Meeting adjourned at 8:09 pm.