

Town of Allegany Planning Board Meeting Minutes

January 10, 2011 at 7:00PM Allegany Senior Center

Present:

Bob Phillips, Chairman
Peter Hellier
Frank DeFiore
Helen Larson
Rick Kavanagh

APPROVED

Also Present:

Carol Horowitz, Town Planner; Joyce Kibler, Secretary; Kevin Sheen, Everpower; Ben Brazell, EDR
Chris Nill, RCAP; Dick Burt, Community Bank; Doug Scott, Duggan and Duggan; Patrick Eaton,
Supervisor; Kate Sager, Times Herald; Camie McGraw, CRA, Sean Obergfell, Believer's Chapel;
Dan Carter and Townspeople.

Chairman Phillips opened the meeting with the Pledge to the Flag at 7:00PM.

A presentation was given by Chris Nill of RCAP Solutions, on the comprehensive plan process. Mr. Nill stated that the Town of Allegany had received a \$40,000 federal grant to develop a comprehensive plan for Allegany. The grant will be matched by local funds of \$20,000. The selection process to hire a consultant has already begun. The process will take twelve months to complete.

Supervisor Eaton stated that a citizen's advisory committee will be formed to work with the planning board. Mr. Eaton noted that interested citizens of Allegany may submit a letter of interest to the town. Mr. John Hare and Mr. Eaton will be the representatives from the Town Board. The Town Board will appoint a consultant.

A community needs survey will be developed to obtain input from the community. The first comprehensive plan meeting will be held at 7pm on January 19th at the Town Hall.

***Mr. Hellier made a motion to approve the December 13, 2010 minutes.
Second by Mr. DeFiore. Ms. Larson abstained. Ayes all. Carried.***

Old Business:

Allegany Wind LLC (EverPower) Review of the FEIS

Mr. Phillips noted that the items to be reviewed will only be what were received for tonight's meeting.

Items noted:

- a. Appendix E, missing attachments A and B (appendix E will be reviewed next month)
- b. Section 4:3 Water Resources: page 10 "Blasting". Reference was made to well water, but the potential impact on Spring Water was not identified. This section should clarify that the survey and mitigation, and this entire discussion applies to both well and spring water supplies. Mr. Kavanagh questioned comment 1J and the wetlands along the transmission line. Mr. Brazell stated the transmission line route has been walked and they determined that the current route will not interfere with any wetlands.

- c. Section 4.6 Visual and Aesthetic Resources, at the response to written comments 13L, 13M, 13N, and 13T, last sentence in the first paragraph stating that the turbines are not perceived as a distraction. Mr. Phillips felt that this is an assumption, and he did not agree with this. Mr. Spitzer suggested that it be changed to; they were not perceived by the rating panel to be a distraction. Mr. Spitzer stated that it needs to be absolutely clear whose opinion it is throughout this entire section. Mr. Kavanagh pointed out on the written comment 54BB, it says meteorological towers, should be “tower”.
- d. Section 4.7 Historic Resources. Ms. Horowitz explained that the potential mitigation projects listed in this section were developed during a meeting of Patrick Eaton, John Hare, Bob Phillips and her. Mr. Spitzer stated that the mitigations had to be reasonably related to mitigating effects on historic and cultural resources; until the Town issues permits, if any, the list is not final.
- e. Section 4.16 Alternatives. No comments made.
- f. Section 4.17 Cumulative Impacts. Written comment 4PP grammatical error “change to at”.
- g. Appendix D Cultural Resources. Technical Memorandum: no comments.

Next submissions will be due by January 31st for the February 14th meeting.

New Business:

Community Bank Site Plan (#140-10)

Ms. Horowitz stated that this application for site plan approval for several additions to the Community Bank building will be constructed in two phases. In Phase I a new entrance vestibule would be constructed on the east side of the building, replacing the entrance in the front. In Phase II the front of the building would be expanded for offices.

Mr. Scott of Duggan and Duggan gave a review of the plan Mr. Scott stated that they would not expand any farther than the current canopy is right now. The expansion will be extended to the end of the building. The entrance will be at the new vestibule on the parking lot side. The bank will remain open during construction. There will be no new drive entrance.

Mr. Kavanagh made a motion to waive a public hearing on the Community Bank Site Plan addition. 2nd by Mr. DeFiore. Ayes all. Carried.

The Planning Board did the SEQR Review for the Community Bank addition.

Mr. Hellier made a motion to make a Negative Declaration on the Community Bank addition. 2nd by Mr. DeFiore. Ayes all. Carried.

This decision is tabled until the February 14th meeting, because the Board needs to receive a response from the Town’s referral to the Cattaraugus for the County Planning Board.

Believer’s Chapel Site Plan Amendment (#134-10)

Mr. Phillips stated that the Planning Board is unable to act on this request because the Zoning Board has not made a determination.

Pastor Sean Obergfell explained that they are just looking to increase the parking lot to the church.

Pastor Obergfell stated that it is difficult to do exact parking because it is gravel and cannot be striped.

There was discussion over the placement of the septic system and parking over it. Bollards are not around the septic system, which was one of the conditions of the Notice of Decision on the original site plan review for the Believer's Chapel.

Mr. Hellier voiced some concern over the number in attendance at the church exceeding the capacity of the septic system.

Ms. Horowitz stated that parking could not be in the floodway, but they could park in the flood fringe, per Rebecca Anderson of the DEC. Nothing can be done in the floodway, but you can park in the fringe as long as there is no change in the elevation.

Ms. Horowitz will talk to the County about parking over the septic system

Mr. Phillips stated to Mr. Carter, that his property is out of compliance because he did not complete the conditions for approval in 2009. Mr. Phillips wants a written response from the County regarding driving over the septic system.

Mr. Phillips stated that the Planning Board Needs a site plan and EAF to consider the application complete. The site plan should include the leach field and the floodway. Written approval will be needed from the County and the DEC that they can do what is proposed.

Believer's Chapel Site Plan Review is tabled to the February 14th Planning Board meeting.

Other Business:

Wellhead Protection Ordinance:

Mr. Phillips noted that the Village postponed the joint meeting. It needs to be rescheduled. Mr. Phillips proposed to keep it on a Wednesday possibly in February or the first Wednesday in March. Ms. Horowitz will confirm a date with the village.

The Planning Board reviewed the proposed Wellhead Protection Ordinance, with comments for changes by Chris Crawford of Cattaraugus County Health Department. The Planning Board proposed some minor changes.

Correspondence: *Informational*

Letter from R. Phillips to P. Eaton December 21, 2010 regarding the environmental consultant for Bonaventure Square project.

Mr. Hellier made a motion to adjourn the meeting at 9:50 pm. Second by Mr. DeFiore. Ayes all. Carried.

Respectfully submitted,

Joyce Kibler