

Minutes

Planning & Economic Development Committee

November 14, 6:00 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Odell, Chagnon, O'Connell, Starks

Members Absent: Himelein

Others: Tampio, Ames, Dennison, McCord, McCoy, Borrello, Hastings, Bentley

Chairman Odell called the meeting to order at 6:00 p.m.

Approval of Minutes (10/01/18 & 10/17/18)

MOVED by Legislator Starks, SECONDED by Legislator O'Connell

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Proposed Resolution- Confirm Appointment - Chautauqua County Land Bank Board of Directors

Chairman Odell: Is there anyone here to speak to this? I do see the name Louis Drago Jr. Is he replacing anybody?

County Executive Borrello: I know there were a couple open seats.

Chairman Odell: OK, so that's an open seat. So, Jim Caflisch is still the chair and our Legislative representation is still Mr. Whitford and Mr. Hemmer who aren't here.

County Executive Borrello: And I believe there is still one more open seat.

Chairman Odell: Ok.

Legislator Starks: May I make a notice? The "B" in Brook Street should be capitalized.

Chairman Odell: We will treat that as a typo. Any other questions? Thank you, Christine. All those in favor? Opposed?

Unanimously Carried

Proposed Resolution- Approving SEQRA Findings for the Dale Drive Shoulder Expansion Project

Chairman Odell: Is there anyone here to speak to this? I know we have questions.

Mr. McCord: I can try to relay some of the questions to Drew, but this was submitted by DPF.

Chairman Odell: Did this go before Public Facilities this week?

Ms. Ames: Yes it did, and it was approved.

Chairman Odell: OK.

Mr. McCord: If the committee has any questions I can certainly try to get answers.

Legislator Chagnon: I have a couple questions. I always pay attention when the resolution says that the Legislature has reviewed the SEQR document and agrees-

Chairman Odell: Mr. Bentley is just in time.

(Cross-talk)

Legislator Chagnon: As I was saying, Brad, the resolution says that the Legislature has reviewed the SEQR documents and is in agreement and accordance with the SEQR documents as prepared. I always take that very seriously. So, I reviewed the SEQR documents and I had a couple of questions.

Mr. Bentley: Hopefully I can answer those for you.

Legislator Chagnon: One of the questions is, does the site of the proposed action contain any species or associated habitats listed by the State or Federal government as threatened or endangered, and the answer to that question is yes. So, my question is what animals or habitat is it that is threatened or endangered?

Mr. Bentley: That's a good question. So, it's not a species. I believe it's the associated habitats because it's next to the wetlands. It's not necessarily a species. This is what triggered the review in the first place because we're trying to build up the shoulders along the wetlands. I don't think there is an endangered species, it's the habitat and that's why we had to put yes.

Legislator Chagnon: So, it does contain an associated habitat associated to an endangered species?

Mr. Bentley: I think the wetlands in general can contain a number of endangered species. I can ask my engineer what that was.

Legislator Chagnon: OK.

Mr. Bentley: I believe I asked him a very similar question about what we did and I believe it was the habitat and not the actual species.

Legislator Chagnon: OK, that makes some sense. The next question is number sixteen. Is the project site located in the 100 year flood plain and again, the answer is yes. My question is does this pose any potential risk to the project being in the 100 year flood plain?

Mr. Bentley: I think there's a lot of things in the 100 year flood plain. If it does flood- we're building up the shoulders to try and maintain that structure the best we can. When they're in the low-lying area, if it gets covered it gets covered. It's kind of like Jones and Gifford.

Legislator Chagnon: It's not something that would have caused you to reconsider whether this investment should have been made in this area?

Mr. Bentley: No, I think in general, the need of putting in the pedestrian path and the bike path outweigh the potential risk of a flood. I think the use of it will outweigh any potential damage going forward. Even if there is a flood, I don't know if it is going to erode. It's more of a swamp just like Jones and Gifford. It will cover, but it won't necessarily destroy it.

Legislator Chagnon: One last question- question number ten asks, will a proposed action result in an increase in the potential for erosion, flooding, or drainage problems, and the answer to that question was no. In reading the project description, I noted that what we're doing is replacing a permeable gravel shoulder with an impermeable paved shoulder, which will increase the potential for erosion, flooding or drainage problems. Was this considered to be a minor concern and that's why it was checked no?

Mr. Bentley: Yes. I think if there would have been a large impact- like you said, it obviously does have some impact when you change the permeability, but all things considered in that area, I don't think it's going to cause a river flow of water to a new area that hadn't seen it before. It's just going to run off.

Legislator Chagnon: OK, thank you. I just wanted to hear the thought process that goes into the review to make sure that the review was given the proper thought process.

Mr. Bentley: If you notice, my signature is on it and I take my signature very seriously.

Legislator Chagnon: Legally, we're accepting the findings for the resolution.

Mr. Bentley: Oh, I know. You're on the hook just as much as I am.

(Cross-talk)

Mr. Bentley: I do want you to have confidence that when I'm asked to sign something, I actually ask the questions.

Legislator Chagnon: I would expect no less.

Chairman Odell: Thank you, that's appreciated.

Legislator Starks: While we are on the questions of curiosity, 12B lists this as an archeological sensitive area. What's under there?

Mr. Bentley: That is a subject for me to check. That probably entails that it's listed in an area- it's like a designation of an area. So, it's not that they're saying that there is anything underneath there; it's just that there could be. I can check on that.

Legislator Starks: It's OK. It was just because it was not listed as being historic.

(Cross-talk)

County Executive Borrello: I can tell you from personal experience that our entire County- it has to do with being close to Native American lands. Pretty much any time you do a project-

Mr. McCord: And if there is a particular site within the County, they don't identify the specific site. What they do is they draw a circle around that and anything that falls in that circle automatically-

Legislator Starks: And depending on what they found probably determines the radius of the circle. OK.

Mr. Bentley: It's a loaded question.

Chairman Odell: Olivia, did Public Facilities have any questions or comments at their meeting?

Mr. Bentley: I was there, so I can answer that. I'll just add that the actual project itself was approved last year. It's a \$735,000 project. It's 20% local share I believe. That's all been preapproved, this is just the environmental review added on to it. We do expect to do the work next year.

Chairman Odell: This is my district, so I'm intimately involved. I found out about it at the last minute and go door to door and calm everybody down. It was a nice walk in April of last year.

(Cross-talk)

Chairman Odell: The community is looking very forward to it. Not just the local community, but it started with community action groups like Citizens for a Better Cassadaga and with support of the Village Board. Of course Pat Gooch at the time, ran it up the flag pole for this to be done in conjunction through planning and DPF for some great work that's going to bring more events like 5k's, walk/runs around the lake and the Lily Dale tours which I think hit record numbers this year. The challenge will be that we are going to narrow those lanes down to ten feet. So, we need to make sure that speeds are adhered to.

(Cross-talk)

Chairman Odell: Any other questions from the Committee? All in favor? Opposed?

Unanimously Carried

Discussion- Tri-County Arts Council- Tina Hastings

Discussion- Burtis Bay Weed & Fish Issue- Dave McCoy, Don McCord,
County Executive Borrello

MOVED by Legislator Starks, SECONDED by Legislator O'Connell to adjourn.

Unanimously Carried (6:43 p.m.)

Respectfully submitted and transcribed,
Olivia L. Ames, Committee Secretary