



Chairman: Lee Gridley * Vice-Chairman: Dale Foster * Secretary: James Ninos

Minutes: July 24, 2019

Present: J. Gorton, L. Gridley, J. Ninos, J. Roederer, P. VanDyke, B. Fanton, V. Perkins, D. Foster
Excused: J. Stolfus
Staff: Kier Dirlam – Director of Planning; Michelle Denhoff – P&D Specialist
Guests: Debbie Bigelow – Member, Concerned Citizens of Allegany County; Robert Thompson, County resident; Dave Pullen – Lawyer for Town of Angelica; Bob Jones – Supervisor for Town of Angelica.
Location: Crossroads Conference Center, Town of Angelica

I. CALL TO ORDER:

Chairman L. Gridley called the meeting to order at 7:00 PM. The Chairman welcomed guests at the meeting and asked for introductions around the room.

II. MINUTES:

A) Minutes from June 19, 2019 were reviewed: On a motion by P. VanDyke and 2nd by J. Ninos, minutes from June 2019 were approved with corrections.

III. NEW BUSINESS:

- A) Town of Angelica Law Referral – “A local law to opt-out of the real property tax exemptions provided for certain energy systems by Real Property Tax Law Section 487 in the Town of Angelica”.**
- a. Mr. Jones discussed the potential solar project that will be installed at the former Six S Golf Course. It is still unclear whether or not the project is actually coming and he wanted to make it clear that the Town of Angelica is not trying to discourage solar or wind; however they would like to “have a seat at the table” when the time comes and that is the reason they are proposing this law. Director Dirlam provided Mr. Jones with a 2 pg pdf titled “New York State’s Real Property Tax Law 487” from NYSEDA and highlighted some information in the guidance regarding the tax law and PILOT agreements. He also stated that regardless of the size of the project (rumored to be around 200 acres) whether it falls under SEQR or Article 10 procedure the Town will have a great deal of involvement.
 - b. Dr. Clark, Allegany County Economic Developer, forwarded some information that he recently gathered from developers of larger scale projects in the area, as well as from talking with other counties regarding opt-outs and how it affects the local communities. Director Dirlam recited the email for members and guests. B. Fanton asked if the Town of Angelica has a solar law in place currently. Mr. Jones responded no. He also stated that the developer has not officially presented anything to Angelica but they want to be prepared even though it seems reactive.
 - c. Mr. Pullen spoke that his law firm represents several Allegany County towns with varying opinions on green energy. He stated that being a good neighbor equals

good communication and that he did advise the Angelica town board at the meeting in July they may want to enact a solar law. They are not trying to ban or promote; however the town does face financial pressures and needs to establish better control when working with developers in this nature. The developer did present to Belfast earlier this year, and they have no protections in place regarding solar, by law or by zoning. He plans to go to their town board meeting soon.

- d. V. Perkins asked if the law had an effect on smaller projects too or if it was only larger ones. Mr. Pullen stated the impacts are unknown to personal projects but because the tax incentives are applied through NYSERDA it was his understanding that it would only impact commercial sites. He has been in contact with the assessor for Angelica and was told that there would be no assessment change to any houses based on the presence or absence of panels.
- e. J. Ninos asked if it was known who the developer is. Mr. Jones thought the name of the company was Connect-Gen but has had no direct contact from them yet.

On a motion by J. Ninos and 2nd by B. Fanton the Town of Angelica Law referral is approved. Motion was carried, none opposed.

IV. OLD BUSINESS:

- A) County Comprehensive Plan – A public hearing is scheduled for August 12th in the Legislative Chambers at 2 PM. There are new final copies available for review at the Clerk of the Board’s office, Planning office, the Almond 20th Century Club Library, David A. Howe Public Library in Wellsville, the Cuba Circulating Library, and the Wide Awake Club Library in Fillmore. Legislators were also provided copies for review. SEQR needs to be performed and adoption of the plan will follow shortly.

V. CORRESPONDENCE:

- A) Alle-Catt Wind Energy (Case 17-F-0282) – Public Statement Hearing Transcript from June 11th at 2 pm, and 7 pm. The transcripts were too large to print and distribute. If members are interested in reviewing them they can visit dps.ny.gov. No action is required by the planning board; however if individuals still wish to comment, comments are being accepted through August 30, 2019.
- B) Alle-Catt Wind Energy (Case 17-F-0282) – Ruling on Application Phase Intervenor Funding Requests. This is information regarding awarded funds during the application phase. Towns and other entities are listed with their award amounts. No action is required by the planning board.
- C) Alle-Catt Wind Energy (Case 17-F-0282) – Ruling Adopting Litigation Schedule. This displays the remaining for 2019 and includes the following dates: Final application amendment/project layout due July 31, 2019; Parties’ issues statements due August 28, 2019; Parties’ direct testimony due September 27, 2019; Rebuttal testimony due by October 25, 2019; and Evidentiary hearings are set to begin December 2, 2019. No action is required by the planning board.
- D) Alle-Catt Wind Energy (Case 17-F-0282) – Ruling Adopting a Protective Order. The document provides explanation of the protective order, which prohibits public dissemination of confidential information throughout the proceedings. No action is required by the planning board.

VI. REPORTS:

- A)** DEC Report – Report for the week of June 26, 2019 is an application from the Portville-Obi Stone Gravel Mine for two permits from the DEC. Report for the week of July 3, 2019 is the DEC’s negative declaration on the Portville-Obi Stone Gravel Mine project. DEC contact information was provided if anyone wishes to make comments.
- B)** Intergovernmental Review Projects [IRP’s] – 19.16 relates to the Chesapeake Bay Implementation Grant. Allegany County, among several other Counties are impacted. The grant intends to provide money for reduction of nutrients and sediment in the Susquehanna and Chemung watersheds.
- C)** Southern Tier West Report – Director Dirlam reported that the STW Board reviewed ARC applications at their last meeting. There were 7 applications to review and rank, four of them from Allegany County. Money requests were not high reaching, so it is a possibility that most or all of the projects could be funded. Quite often if another regional board doesn’t spend all their money it is offered to STW to spend. STW staff applied for a Works Grant through ARC that will allow them to create a program with JCC to help improve skills and training efforts in the area. They’ve also received another broadband grant, expecting the money this fall. It will be spent towards a tower/receiver in the Angelica area. The drone, funded last year, will be receiving new software that allows for better grid imaging and use of interactive data. There was also discussion of the drone’s use along the Genesee River.
- D)** Community Planning –
1. J. Ninos presented an **Alfred** housing study that was compiled by the Allegany County Planning Board in 1972. He said that much of it is still relevant today and it was interesting to read. They have also been working on a plan to move and expand the Waste Water Treatment Plant allowing them to possibly provide services to the Alfred Almond Central School. The Village and Town of Alfred Comprehensive Plan is in final draft mode and will be presented for comments soon. Approval and adoption should be expected by December 2019.
 2. The **Town and Village of Bolivar** strategic plan is almost complete. ASC students will be using it during their project this fall and are set to begin working on that by the end of August. Once that is complete the strategic plan group will reconvene and begin working on the Comprehensive Plan.
- E)** Training 2019 – Director Dirlam participated in a conference call with STW staff, DOS staff, and Planners from Cattaraugus and Chautauqua Counties regarding the training schedule this fall. There are three classes in the works but none have been finalized yet.
1. M. Denhoff contacted Southern Tier Central and is on their contact list for any upcoming training they might have. The list provided in the last meeting is still the same. There is training tonight on Telecommunications in Corning as well. She will provide updates and information when trainings get closer.
 - i. 9/10 – SEQR
 - ii. 10/8 – Planning in Water’s Way
 - iii. 11/12 – Legal Updates for Planning and Zoning
 - iv. 12/10 – FOIL & the Open Meetings Law

F) Planning & Economic Development Office Report/Updates – Report provided.

1. There is a plan in the works to begin updating the Farmland Protection Plan with Soil and Water Conservation. It hasn't been updated since 2005.
2. The Letchworth Gateway Villages Grant application was awarded and will provide monies for technical assistance. A kickoff meeting will be held later this year.
3. CFA Grant applications are due on Friday, July 26.
4. The waterline preconstruction meeting was held last week. Work is expected to start as soon as the ordered materials are delivered with an anticipated end date in mid-December
5. A meeting was held regarding the levee systems in Bolivar and Wellsville with several representatives from FEMA, DEC, US Army Corps, etc. They are planning to analyze and map the system to evaluate the effectiveness since it has never been done before.
6. The Census is coming up in April. Staff has had several discussions about forming a Complete Count Committee to help disseminate information on why it's so important to respond and how it effects communities.

VII. GOOD OF THE ORDER:

Mr. Thompson is expected to be appointed to the Allegany County Planning Board at the August 12, 2019 meeting in the Legislative Chambers. He will be representing District II, replacing Mr. Emrick who resigned earlier this year.

VIII. ADJOURNMENT:

The next meeting is scheduled for September 18, 2019 at 7 PM at the Crossroads building.

On a motion by D. Foster and 2nd by J. Roederer, the meeting was adjourned at 8:02 PM.

Minutes respectfully submitted by Michelle Denhoff