

## Agenda

Planning & Economic Development Committee

**December 9, 2020, 6:00 p.m.**

**Virtual Meeting via Zoom**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (11/10/20)
- C. Privilege of the Floor
- 1. Proposed Resolution – Approval of SEQRA Documentation for Dutch Hollow Phase II Streambank Stabilization Project
- 2. Proposed Resolution - Confirm Updated By-Laws for the Lake Erie Management Commission
- 3. Proposed Resolution – Authorize Agreement with the County of Chautauqua Industrial Development Agency for the Business Assistance Program
- 4. Proposed Resolution – Authorize Agreement with Small Business Development Center at Jamestown Community College
- 5. Proposed Resolution – Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center
- 6. Proposed Resolution – Authorize Agreement with the County of Chautauqua Industrial Development Agency for Industrial Development and Promotion
- 7. Proposed Resolution – Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses
- 8. Discussion – 2022 Occupancy Tax Programs – Dave McCoy & Mark Geise
- 9. Other

DLM 11/18/20
KMD 11/18/20
ABC 11/19/20
SMA 11/19/20
KLC 11/19/20
PMW 11/23/20

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Approval of SEQRA Determination for Dutch Hollow Phase II Streambank Stabilization Project

**BY:** Planning & Economic Development Committee:

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 146-15, the Chautauqua County Department of Planning and Development (CCDPD) submitted a grant application to the New York State Department of Environmental Conservation's (NYSDEC) Water Quality Improvement Program – Round 12 (WQIP) for an environmental restoration project intended to reduce the deposition of sediment and nutrients into Chautauqua Lake through the stabilization of six problematic tributary streams within the Chautauqua Lake watershed; and

WHEREAS, pursuant to Resolution 75-16, the Chautauqua County Legislature accepted \$1,073,170 in funding from the NYSDEC WQIP grant and pledged up to \$143,749 from the 2% Occupancy Tax Reserve and \$143,749 from reallocated Chautauqua Lake Management Commission capital program funds for the streambank stabilization projects; and

WHEREAS, pursuant to Resolution 75-16, the County determined that the streambank stabilization projects would not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, accordingly, issued negative declarations; and

WHEREAS, all of the NYSDEC WQIP streambank stabilization projects have been successfully implemented; however, the Dutch Hollow Mainstem and West Dutch Hollow Streambank Stabilization projects were completed under budget with \$246,663.83 remaining; and

WHEREAS, the NYSDEC has agreed to consolidate the remaining funding from the Dutch Hollow Mainstem and West Dutch Hollow Streambank Stabilization projects for the implementation of additional streambank stabilization measures on Dutch Hollow Creek (herein called "the Dutch Hollow Phase II Streambank Stabilization Project"); and

WHEREAS, CCDPD, after thorough consideration of the Dutch Hollow Phase II Streambank Stabilization Project and the desire to fully utilize the remaining NYSDEC WQIP grant funds in Chautauqua County, has hereby determined that additional streambank stabilization on Dutch Hollow Creek is desirable and is in the public interest; and

WHEREAS, CCDPD has prepared the Short Environmental Assessment Form (SEAF) for the Dutch Hollow Phase II Streambank Stabilization Project (the Action) and has analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects; and

WHEREAS, CCDPD recommends that the Action to be classified as an Unlisted Action under 6 N.Y.C.R.R. 617.2 of the Environmental Conservation Law and does not require additional environmental review; now therefore be it

RESOLVED, That the County hereby finds and determines that the Dutch Hollow Phase II Streambank Stabilization Project will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and pursuant to the implementing regulations found at 6 N.Y.C.R.R. Part 617 and, accordingly, does issue a negative declaration.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		

Project:

Date:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

### ***Short Environmental Assessment Form Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

KMD 11/17/20
DLM 11/17/20
ABC 11/20/20
SMA 11/24/20
KLC 11/30/20
PMW 11/30/20

**TITLE:** Confirm Updated By-Laws for the Lake Erie Management Commission

**BY:** Planning & Economic Development Committee:

**AT THE REQUEST OF:** Legislators Odell, Muldowney, Hemmer, Bankoski, Niebel, Harmon, Scudder, and County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 178-11, the County Legislature established the Lake Erie Management Commission (LEMC), and the LEMC's by-laws and membership were subsequently confirmed by the County Legislature in Resolution 38-12; and

WHEREAS, over the last eight years, the LEMC has effectively identified, prioritized, and recommended and delivered 2% Occupancy Tax Funding to stakeholders and municipalities in the Lake Erie Watershed; and

WHEREAS, the LEMC desires to amend its by-laws to increase its membership from 10 to 12 voting members, to decrease its meeting schedule from monthly to every other month, and to have the authority to appoint three (3) alternate representatives to the Lake Erie Watershed Protection Alliance (LEWPA); therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following by-laws of the Lake Erie Management Commission:

Sec. 1 Establishment and Purpose The Lake Erie Management Commission (Commission) was created August 24, 2011, by Resolution No.178-11 of the Legislature. The Commission is to: (1) Prioritize and select Lake Erie watershed projects for funding that conform to the recommendations outlined in the Lake Erie Management Plan (International Document); (2) seek additional funding for Lake Erie watershed projects; (3) undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed.

Sec. 2 Members The Lake Erie Management Commission shall be composed of twelve (12) members who reside in the Lake Erie watershed, or those with local government or agency positions that involve the Lake Erie watershed, which number may be changed by the Legislature from time to time. The Lake Erie Management Commission shall include five (5) at-large members and seven (7) other members appointed from and by the following organizations:

1. Water Quality Task Force
2. Chautauqua County Soil & Water Conservation District
3. Chautauqua County Health Department
4. Chautauqua County Farm Bureau
5. Mayor and Supervisors
6. Sportsman Federation
7. Chautauqua County Fish Advisory Board

The Chairman and each member shall be confirmed by the Legislature and serve at the pleasure of the Legislature. Members shall not receive any compensation from the Lake Erie Management Commission for their services. The Chautauqua County Watershed Coordinator shall serve as an ex-officio member of the Commission without voting powers.

A member may resign at any time by giving his or her resignation to the Chairman. Vacancies shall be filled as soon as possible by the appointing organization and/or Legislature, and

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**





**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

MRG 11-16-20
KMD 11/18/20
ABC 11/18/20
SMA 11/19/20
KLC 11/19/20
PMW 11/23/20

**TITLE:** Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center

**BY:** Planning & Economic Development and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Department of Planning & Development (“CCDPD”) and the Chautauqua County Industrial Development Agency (“CCIDA”) have shared office space for many years; and

WHEREAS, the County entered into a lease agreement with CCIDA for such office space at the BWB Center; and

WHEREAS, CCDPD seeks to consolidate its office space and eliminate its Westfield office to facilitate enhanced collaboration and efficiency among CCDPD and CCIDA staff; and

WHEREAS, County is desirous of extending the lease agreement for an additional year upon the following terms and conditions; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for this lease in its 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an extension of a lease agreement with the Chautauqua County Industrial Development Agency for office space in the BWB Center on substantially the following terms and conditions:

1. Premises: 1,900 square feet on the first floor of the BWB Center, 201 West Third Street, Jamestown, New York.
2. Rent: At \$6.58 a square foot, an annual sum not to exceed \$12,500.00 to be paid monthly at a rate of \$1,041.66 per month beginning in January 2021.
3. Utilities: Landlord to pay utilities.
4. Term: Twelve (12) months commencing on January 1, 2021 and terminating on December 31, 2021, subject to termination by prior notice.
5. Other: As negotiated by County Executive.

\_\_\_\_\_  
**APPROVED**  
\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

MRG 11-16-20
KMD 11/18/20
ABC 11/19/20
SMA 11/19/20
KLC 11/19/20
PMW 11/23/20

**TITLE:** Authorize Agreement with the County of Chautauqua Industrial Development Agency for Industrial Development and Promotion

**BY:** Planning & Economic Development and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr.:

WHEREAS, the County of Chautauqua Industrial Development Agency was formed pursuant to Section 895-h of the New York State General Municipal Law to promote, develop, encourage, and assist in economic development throughout Chautauqua County; and

WHEREAS, pursuant to Article 6 and Section 6.00 of the Chautauqua County Administrative Code, the County of Chautauqua Department of Planning & Development is responsible for originating programs and activities to improve the economy of Chautauqua County by stimulating job retention, job creation and growth, and capital improvements, as well as seeking funds to be used for development and working with private interests and public agencies of all types; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for such purpose in its 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an agreement with the County of Chautauqua Industrial Development Agency for industrial development and promotion in the amount of \$84,110.00 for the period from January 1, 2021 through December 31, 2021.

**APPROVED**

**\_\_\_\_\_ VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

MRG 11-16-20
KMD 11/18/20
SMA 11/19/20
KLC 11/19/20
PMW 11/23/20

**TITLE:** Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses

**BY:** Planning & Economic Development and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County is known for its rural charm, agriculture, and natural amenities, and has a vibrant tourism economy; and

WHEREAS, the County unanimously adopted its County Comprehensive Plan (*Chautauqua 20/20*) in 2011 that advocates for the preservation and promotion of its natural resources; and

WHEREAS, the County has formed the Partnership for Economic Growth, that has a strong tourism-development component; and

WHEREAS, the County of Chautauqua Industrial Development Agency (“CCIDA”) and the Chautauqua County Department of Planning & Development (“CCDPD”) are working to create secondary tourism attractions and attract tourism-related businesses to take advantage of the County’s wealth of natural assets; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for such services in its 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute an agreement with the County of Chautauqua Industrial Development Agency to provide services which will help grow existing tourism-related businesses and attract new tourism-related businesses to the County, in the amount of \$56,000.00, for the period from January 1, 2021 through December 31, 2021.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date