

Agenda

Planning & Economic Development Committee

March 19, 2025, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (2/19/25)
- C. Privilege of the Floor
 1. Proposed Resolution - Confirm Reappointment - Chautauqua County Industrial Development Agency
 2. Proposed Resolution – Authorizing Public Hearing Regarding a Potential Application for 2025 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding
 3. Proposed Resolution – Authorizing Public Hearing Regarding 2025 Agricultural District Inclusions
 4. Proposed Resolution – Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2025
 5. Proposed Resolution – Urging the New York State Department of Environmental Conservation to Pause Implementation and Reverse the Freshwater Wetlands Regulations
 6. Proposed Resolution – Accept New York State Environmental Quality Review Act (SEQRA) Findings for the Center Chautauqua Lake Sewer District Extension Phase 3 Project
 7. Proposed Resolution – Establish Chautauqua County as Lead Agency for North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project
 8. Discussion – 2024 in Review – CCIDA & CCPEG presented by Mark Geise, Deputy County Executive for Economic Development and Economic Develop Team
 9. Other –

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Re-Appointment - Chautauqua County Industrial Development Agency

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: Chairman Pierre E. Chagnon:

WHEREAS, General Municipal Law § 895-h(1) provides that the Chairman of the County Legislature's Planning and Economic Development Committee serves on the Board of Directors of the Chautauqua County Industrial Development Agency (CCIDA), and the County Legislature has the authority to appoint another individual to serve on the CCIDA Board; therefore be it

RESOLVED, That the County Legislature hereby reappoints the following individual as a member of the Chautauqua County Industrial Development Agency (CCIDA) for a term to expire 12/31/2028.

Sagan Sheffield-Smith
3774 Bellview Road
Bemus Point, New York, 14712
Term Expires: 12/31/28

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorizing Public Hearing Regarding a Potential Application for 2025 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding

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

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

WHEREAS, the County desires to submit a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for an Economic Development Grant to fund the purchase of furnishings, fixtures, equipment and working capital expenses in connection with the re-opening of a restaurant at the location formerly known as House on the Hill, located at 186 S Erie St, Mayville, NY (the “Project”); and

WHEREAS, the County’s application for an OCR Economic Development Grant shall include entering into an agreement with the Chautauqua Region Economic Development Corporation (CREDC) for the implementation of the Project and administration of the OCR Economic Development Grant; and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the project proposal prior to submitting an application for CDBG funding; now therefore be it

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 23, 2025, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least eight (8) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorizing Public Hearing Regarding 2025 Agricultural District Inclusions

BY: Planning & Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts No. 1, 7, 8, and 10; and

WHEREAS, Article 25AA section 303-b of the New York State Agriculture and Markets Law authorizes the inclusion of viable agricultural lands into an existing agricultural district within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03 the Chautauqua County Legislature designated January 2nd through January 31st as Chautauqua County’s annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, an inclusion of viable agricultural land in Chautauqua County’s agricultural districts is being conducted in 2025, and a Public Notice to accept proposals for inclusions to the districts was posted and distributed in accordance with the procedures set forth therein; and

WHEREAS, the Chautauqua County Agricultural and Farmland Protection Board reviewed the submitted proposals on February 19, 2025, found that the below parcels of land proposed to be included in the Agricultural Districts consist predominantly of “viable agricultural land” as defined in Article 25AA section 301(7) and that inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and voted to recommend that the Legislature accept the proposed inclusion parcels listed below into an existing agricultural district; and

Ag. District	Parcel #	Landowner	Acres
7	330.00-2-12.1	Gleason, M. & T	34.7
1	113.09-2-5.1	Maggitti, A. (MWP Enterprises, LLC)	11.5
1	113.09-2-3.1	Maggitti, A. (MWP Enterprises, LLC)	0.4
1	113.09-2-1	Maggitti, A. (MWP Enterprises, LLC)	3.6
1	113.05-1-47	Maggitti, A.	0.5
1	95.02-1-2	Urbanik, R. & B.	61.8

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, the County must hold a Public Hearing prior to accepting proposed inclusion requests to an existing agricultural district; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby sets a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 23, 2025 at 6:35p.m., in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed inclusion requests for modifications to Chautauqua County’s Agricultural Districts; and it be further

RESOLVED, That at least eight (8) days’ notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County’s website, and by publishing such notices in the official newspaper of the County.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2025

BY: Planning & Economic Development Committee:

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

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservations (NYS OPRHP) New York State Snowmobile Trails Grant-in-Aid Program (Program); and

WHEREAS, the Program requires individual participating snowmobile clubs to collect global positioning system (GPS) data of their trails at a minimum of every three years; and

WHEREAS, the Program recommends that snowmobile clubs stagger their GPS data collection efforts, resulting in reroutes/changes every year to be processed by the Department of Planning and Development; and

WHEREAS, the State Environmental Quality Review Act (SEQR) requires reroutes or expansions of the existing trail system to have an environmental assessment; and

WHEREAS, the following trails are being updated, with anticipated SEQR completion if modifications are being made to the existing trails or clubs are applying for new trail funding;

Trail	Snowmobile Club	Municipality
C1	Cherry Creek Sno-Goers, Inc.	Arkwright, Charlotte, Cherry Creek, Hanover, Sheridan, Villenova
C1A	Cherry Creek Sno-Goers, Inc.	Cherry Creek, Ellington, Hanover, Villenova
C4	Cherry Creek Sno-Goers, Inc.	Arkwright
S11	Cherry Creek Sno-Goers, Inc.	Hanover, Sheridan
S11A	Cherry Creek Sno-Goers, Inc.	Hanover
S12	Cherry Creek Sno-Goers, Inc.	Cherry Creek
S14	Cherry Creek Sno-Goers, Inc.	Hanover
C1D	Lake Effect Trail Breakers, Inc.	Ellicott, Ellington, Gerry
S13* addition	Lake Effect Trail Breakers, Inc.	Poland
S17	Lake Effect Trail Breakers, Inc.	Ellington
S18A*	Lake Effect Trail Breakers, Inc.	Ellington, Gerry
S18B*	Lake Effect Trail Breakers, Inc.	Charlotte
TBA – Conti*	Lake Effect Trail Breakers, Inc.	Poland
TBA – Country Fair*	Lake Effect Trail Breakers, Inc.	Gerry
TBA – Ellington Rod & Gun*	Lake Effect Trail Breakers, Inc.	Ellington
TBA – Grandview*	Lake Effect Trail Breakers, Inc.	Ellington
C1B	Southern Tier Snowdrifters, Inc.	Hanover
S11B	Southern Tier Snowdrifters, Inc.	Villenova

* new trails - applying for funding

; and

WHEREAS, NYS OPRHP recommends obtaining a SEQR determination prior to receiving approval for trails submitted as part of Phase I of the Program, to avoid delays or rejection; and

WHEREAS, the environmental assessment is the responsibility of the agency which undertakes to be the lead agency in the SEQR process; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, final SEQR determination(s) are required to be reviewed by the Chautauqua County Legislature prior to authorization by the County Executive for specific proposed action; therefore be it

RESOLVED, That Chautauqua County hereby agrees to act as the SEQR Lead Agency for the 2025-2026 program year and as such is authorized to comply with all SEQR requirements for all snowmobile trails within Chautauqua County applying for State funding, including any reroutes or changes to existing trails receiving State funding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Urging the New York State Department of Environmental Conservation to Pause Implementation and Reverse the Freshwater Wetlands Regulations

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, the New York State Department of Environmental Conservation (DEC) has adopted significant amendments to the Freshwater Wetlands Regulations under 6 NYCRR Part 664, which expands state jurisdiction over wetlands, reduces the acreage threshold for regulation, and creates new classifications such as “Wetlands of Unusual Importance;” and

WHEREAS, these regulations were developed without a thorough analysis of their economic and operational impacts on counties, rural communities, and local governments, including their potential to delay or prevent essential public works projects, housing development, agricultural best-management practices, and other infrastructure improvements; and

WHEREAS, the New York State Association of Counties (NYSAC) submitted a letter to the DEC highlighting objections to the proposed regulations, including concerns over increased permitting delays, additional financial burdens on homeowners and municipalities, and the undermining of recent state investments in economic development, such as the \$500 million allocated for shovel-ready sites through FAST NY and Restore New York; and

WHEREAS, NYSAC further recommended pausing the implementation of these regulations for 12 months to allow for comprehensive analysis of their impacts and the formation of a working group with representatives from local governments to develop balanced and practical solutions; and

WHEREAS, NYSAC adopted a resolution at their 2025 legislative conference in February urging the New York State Department of Environmental Conservation to Pause Implementation and Reverse the Freshwater Wetlands Regulations; and

WHEREAS, other stakeholders, including the New York State Economic Development Council and The Business Council of New York State raised similar concerns, emphasizing the adverse effects of these regulations on economic development, rural property values, and the timely completion of affordable housing and renewable energy projects; and

WHEREAS, these changes could impose significant permitting challenges for municipalities managing critical infrastructure projects, such as water and sewer systems, and exacerbate already strained municipal budgets due to increased compliance costs and project delays; and

WHEREAS, while the protection of New York’s freshwater wetlands is an essential goal, it must be balanced with the need to support local governments, economic development, and affordable housing in a manner that does not disproportionately burden communities and taxpayers; now therefore be it

RESOLVED, we call on the DEC to immediately reverse the proposed regulations under 6 NYCRR Part 664 and allow for a more thorough and thoughtful analysis of their potential impacts on counties, that does not usurp local land control or home rule, local governments, and economic development; and be it further

RESOLVED That Chautauqua County urges the DEC to establish a collaborative working group with representatives from counties, local governments, and other key stakeholders to address concerns and identify practical solutions that protect wetlands without imposing undue burdens on communities; and

BE IT FURTHER RESOLVED a copy of this resolution be sent to the Governor of the State of New York, the Commissioner of the New York State Department of Environmental Conservation, New York State Senator Borrello, New York State Assemblyman Molitor, and all others deemed necessary and proper.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept New York State Environmental Quality Review Act (SEQRA) Findings for the Center Chautauqua Lake Sewer District Extension Phase 3 Project

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Legislator Chairman Pierre E. Chagnon:

WHEREAS, in 2004, the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) completed a Total Maximum Daily Load (TMDL) for phosphorous in Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, including the upgrade, extension, and development of sewer infrastructure around the Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS, pursuant to Resolution 318-24 the Chautauqua County Sewer Agency was formed in accordance with Article 5-A of the County Law; and

WHEREAS, a Preliminary Engineering Report (PER) was prepared to determine the feasibility of sewer collection and treatment for the east side of Chautauqua Lake between the North Chautauqua Lake Sewer District service at Galloway Road and the Center Chautauqua Lake Sewer District service at Midway State Park; and

WHEREAS, on December 4, 2024 the Sewer Agency met and unanimously approved a motion to accept the PER and to recommend that the PER be advanced to a District Extension Map, Plan and Report with funding from the SCCLSD; and

WHEREAS, pursuant to Resolution 341-24, the Chautauqua County Legislature approved the use of SCCLSD funds for the completion of the District Extension Map, Plan and Report; and

WHEREAS, on January 6, 2025 the Sewer Agency met and accepted the District Extension Map, Plan and Report and made its recommendation that it be found to be in the public interest to begin the District Extension process, to prepare Part 1 of the Long Environmental Assessment Form (LEAF), and to establish Chautauqua County as the Lead Agency for the State Environmental Quality Review Act (SEQR) proceedings; and

WHEREAS, pursuant to Resolution 88-25 the Chautauqua County Legislature accepted the Sewer Agency’s recommendations that the District Extension Project be deemed to be in the public interest, reviewed Part 1 of the LEAF, and in doing so, determined that the District Extension Project is a “Type I Action” as defined by SEQR in 6 NYCRR Part 617.4, and established itself as Lead Agency to advance the SEQR process; and

WHEREAS, as, Lead Agency, the Chautauqua County Legislature caused Part 2 of the Full Environmental Assessment Form (FEAF) – Identification of Potential Project Impacts to be completed, and upon due consideration of Part 2 of the FEAF, caused Part 3 of the FEAF – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance to be completed; therefore, be it

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, upon review of Parts 2 and 3 of the FEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 2) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized on behalf of the County to execute a “Negative Declaration” for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. ____**

TITLE: Establish Chautauqua County as Lead Agency for North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Legislative Chairman Pierre E. Chagnon:

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, including upgrades to Waste Water Treatment Plants (WWTPs) and development of sewer collection infrastructure around the Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts, and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS the CLISMP recommended WWTP upgrades and development of sewer infrastructure around the Lake, including infrastructure improvements to the North Chautauqua Lake Sewer District; and

WHEREAS, pursuant to Resolution 129-24, the Chautauqua County Legislature accepted grant funds from the New York State Environmental Facilities Corporation “Engineering Planning Grant” Program and appropriated NCLSD funds for the preparation of a Preliminary Engineering Report (PER) to evaluate the existing treatment capacity and future treatment needs for the WWTP; and

WHEREAS, the PER determined that portions of the WWTP’s physical infrastructure had exceeded their useful life and the treatment processes were insufficient to consistently achieve regulatory compliance at current or potentially increased flows; and

WHEREAS, the NCLSD Board approved the PER and caused the preparation of a *Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project* Report, in accordance with New York State County Law 5-A, Section 268 Increase and Improvement of Facilities; and

WHEREAS, on February 28, 2025 the NCLSD Board met and approved the *Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project* Report and made a decision to recommend to the Chautauqua County Legislature that it be found to be in the public interest to advance the North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project, to cause Part 1 of the Long Environmental Assessment Form to be prepared, and to establish Chautauqua County as Lead Agency for the New York State Environmental Quality Review (SEQR) proceedings; therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the recommendation of the NCLSD Board that it be found to be in the public interest to advance North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That the Chautauqua County Legislature has caused the Part 1 of the Long Environmental Assessment Form to be completed and that the Project is designated a “Type I Action” as defined in 6 NYCRR Part 617.4; and be it further

RESOLVED, That the Chautauqua County Legislature hereby establishes itself as Lead Agency for the Project to further the required environmental review process.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date