

Cattaraugus County Planning Board

October 31, 2022

Hopkins, Sorgi & McCarthy, PLLC
Attn: Per J. Sorgi, Esq.
726 Main Street, Suite B
East Aurora, NY 14052

RE: Referral – Town of Great Valley – Local Law 1-2022 Short-Term Rental Ordinance

Dear Attorney Sorgi:

Attached you will find the Part 2-Action Taken summarizing the Cattaraugus County Planning Board determination of the above referenced referral. The board motioned and voted unanimously to support the staff recommendation of:

The proposed action has significant countywide or inter-community impacts.

Modification

Modification means the County Planning Board agrees that the law could proceed if the conditions outlined are met. These are binding recommendations for modification and would require a supermajority vote if the Town chooses to take contrary action. The attached Part 2 – Action Taken notes the Modification regarding the use of CEO.

Additionally you will find a blank Part 3-Local Notice of Final Action, which is to be submitted to Cattaraugus County Planning Department within 30 days of final action by the Town.

If you have any questions, need additional information, or further explanation, please contact me at (716) 938-2369 or MMyers@CattCo.org.

Sincerely,



Marie Myers Shearing
Planner
Cattaraugus County Department of Economic Development, Planning & Tourism

Enclosures

CC: Dan Brown, Town of Great Valley Supervisor

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**Cattaraugus County Planning Department
 Planning & Zoning Action Referral
 Part 2: Cattaraugus County Planning Board Reply to Municipality**

Municipality: Great Valley City Town Village
Referring Agency: Legislative/Town Board Planning Board Zoning Board of Appeals
Referral Date: 10/19/2022 **Referral Received:** 10/19/2022
Property Owner/Agent: _____ **Parcel Number:** _____
Property Location: _____ Entire Municipality
To: Hopkins, Sorgi & McCarthy, PLLC
Name: Peter J. Sorgi, Esq. **Title:** Town Attorney
Address: 726 Main Street, Suite B
City: East Aurora **State:** NY **Zip:** 14052
Phone: 716-908-3289 **Email:** psorgi@hsmlegal.com

Regarding proposed planning/zoning action identified as:

Creation of a Short-Term Rental Ordinance. Local Law 1 of 2022. Short-term rentals are currently prevalent and unregulated in the Town.

Please be advised that the Cattaraugus County Planning Board has reviewed the proposal noted above and makes the following recommendation.

- Finds the referred matter not subject to review under Sections 239-l and 239-m
- Incomplete Referral – Municipality must resubmit to County
- No significant countywide or inter-community impact. Matter is of local concern.
- Disapproval
- Approval
- Approval with Modifications

Modifications:

Page 2: First reference to CEO. Please spell out the title and then put the abbreviation in parenthesis.

Short-Term Rentals may not be established or occupied without first having obtained a License from the Code Enforcement Officer (CEO).

All subsequent references may be kept as CEO

Comments:

Section 239-m of the General Municipal Law requires that within thirty days after final action, the municipality shall file a report of the final action taken with the County Planning Board.

Marie Myers Shearing
 Signature of Planning Official or Director

October 31, 2022
 Date

Agenda Item No.: 4.1.1

Staff Referral Review

Applicant/Owner's Name: Town of Great Valley

Location of Property: _____ Total Acres: _____
 Entire Municipality

Current Zoning: _____ Current Use: _____ n/a

Parcel Number(s): _____ Entire Municipality

Description: Creation of a Short-Term Rental Ordinance. Local Law 1 of 2022. Short-term rentals are currently prevalent and unregulated in the Town.

Documents for Review: Exhibits

- Local Law No. 1-2022 Text •
- Public Hearing/Reg. Mtg Min 8/8/22
- Public Hearing/Reg. Mtg Min. 9/12/22
- Public Hearing/Reg. Mtg. Min 10/10/22

Parcels within 500 feet of:
(Check all that apply)

State Road _____

County Road _____

State / County Facility

State / County Park/Rec. Area

State / County Property

Municipal Boundary

County-owned Stream or Drainage Channel

An Agricultural District Parcel

Entire Municipality

Type of Action
(Check all that apply)

Comprehensive Plan

Local Law

Site Plan Review

Special Use Permit

Subdivision

Variance – Area

Variance – Use

Zoning Map

Zoning Text

Other: _____

State Environmental Quality Review
(SEQR) Status

Type I Action

Unlisted Action

Type II Action

SEQR Form Required

Short EAF

Part 1 Part 2 & 3

Full EAF

Part 1 Part 2 Part 3

Ag Data Statement: Required Submitted? Yes No N/A

Floodplain: Yes No N/A

Wetlands: Yes No N/A

Archaeological Sensitive Area CRIS: Yes No N/A

Status of Local

Approval: Preliminary Approval Issued?: Yes No **Public Hearing Scheduled:** Yes No

If yes: Date: 8/8, 9/12, 10/10 Time: 7 PM Location: Great Valley Town Hall

Staff Findings:

Is the Referral Complete? Yes No

Significant countywide or inter-community impact? Yes No

Staff Recommendation: Approved Modifications or Advisories: Disapproval

Notes / Advisories:

Multiple Public Meetings with input from stakeholders and review of similar laws in adjacent communities (Ellicottville) have created a well-defined and timely local law.

Modification: Page 2: First reference to CEO. Please spell out the title and then put the abbreviation in parenthesis.

Board Decision of Staff Recommendations: Accept Deny: Accept with Modifications: