

**TOWN OF CORTLANDVILLE PLANNING BOARD**  
**Minutes of Regular Meeting - Tuesday, 27 October 2015 - 7:30 PM**  
**Town Hall Board Room - 3577 Terrace Road - Cortland, NY**

**Board Members** (\*absent)

Katherine Wickwire, Chairperson  
Christopher Newell  
Nicholas Renzi  
John M. Finamore  
John A. DelVecchio

**Others Present**

Bruce Weber, Town Planning/Zoning Officer  
Joan E. Fitch, Board Secretary  
John B. Folmer, Town Attorney

**Applicants & Public Present**

Scott Ochs, Applicant; Joe Maynard, Applicant; Al Kryger and Attorney Mike Shafer for Leonidas Group of Virgil, LLC, Applicant; Andrew Porter for Bestway Enterprises, Applicant; Greg & Barb Leach of Leach Properties, LLC, Applicant; Kevin Pristash, Raymond Franco, Pam Jenkins, Paul Alteri, Gene Waldbauer, Greg Costa.

<b>REGULAR MEETING</b>
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**The Regular Meeting of the Town of Cortlandville Planning Board was called to order at 7:51 p.m. by Chair Katherine Wickwire.**

**NEW BUSINESS**

**Scott A. Ochs, Applicant/David Camp, Reputed Owner - 4487 Cosmos Hill Road - TM #76.00-01-03.100 - Lot Line Adjustment**

Chair Wickwire recognized the applicant who was purchasing a 0.159±-acre, 12-ft. wide strip from the adjacent property owner (Camp) to be added to his property, as shown on the survey map accompanying the application.

With no further discussion, **a motion was made by Member Chris Newell to approve the Lot Line Adjustment, as requested. The motion was seconded by Member John Finamore, with the vote recorded as follows:**

**Ayes: Chair Wickwire  
Member Newell  
Member Renzi  
Member Finamore  
Member DelVecchio**

**Nays: None**

**Motion carried.**

**This becomes Action #69 of 2015.**

**OLD BUSINESS**

**Donald Maynard dba Pig Vicious, Applicant/Concetta Triscari, Reputed Owner - 985 NYS Route 13 - TM #95.16-01-12.000 - Revised Site Plan/Conditional Permit for BBQ**

Chair Wickwire recognized the applicant who stated that he was now going to lease the entire property to utilize for his barbecue business, instead of just a portion of the parcel. The tenant on the other portion of the parcel, Chain Saw Carvings, is moving from that site. A revised site plan and colored photo accompanied the application. Mr. Maynard stated he will use the existing building on the site for his office, install a new kitchen, and perhaps use any remaining space for indoor seating for the barbecue; he still plans to use the kitchen in his existing mobile food truck. Hours of operation are

Monday, 11 a.m. to 3 p.m., Tuesday thru Saturday, 11 a.m. to 8 p.m. PZO Weber reminded him of the required permitting.

With no further discussion, **a motion was made by Member Newell to approve Revised Site Plan/Conditional Permit, as requested. The motion was seconded by Member John Finamore, with the vote recorded as follows:**

**Ayes: Chair Wickwire  
Member Newell  
Member Renzi  
Member Finamore  
Member DelVecchio**

**Nays: None**

**Motion carried.**

**This becomes Action #70 of 2015.**

**John Barden, Applicant/Reputed Owner, dba Fastlane Auto - 1799 Nys Route 13 - Tm #77.00-01-34.000 - Conditional Permit**

(Note: This item was not on the Agenda for this meeting. At the Board's meeting on 29 September 2015, they approved the applicant's Revised Site Plan and gave him until 1 December 2015 to bring his property into compliance.)

Town Attorney John Folmer reported to the Board that CEO Tom Williams, on 19 October 2015, had inspected the subject property and found it to be in compliance. Attorney Folmer advised that he had submitted the paperwork indicating that Mr. Barden was in compliance.

**No Action Required.**

**Leonidas Group of Virgil, LLC, Applicant/Robert Ferris, Reputed Owner – Starr Road – TM #96.10-01-19.100 – Proposed PUD**

(Reference is made to this Board's Minutes of July, August, and September 2015 for additional details regarding this project.)

Chair Wickwire recognized Al Kryger and Attorney Mike Shafer, representing the applicant. Mr. Kryger distributed a revised drawing that shows plantings (trees). PZO Weber reported that no comments have been received from Pat Reidy of County Soil and Water at this time; these should come later. Member Renzi asked to have the narratives emailed to him.

Chair Wickwire stated that if everything is complete, then it needs to be forwarded to the Cortland County Planning Department for their review. After their review is complete is the time to plan for a Public Hearing. She stated that the only reason it went to the County previously was because Mr. Kryger had wanted feedback from them, even though still in the preliminary stage. PZO Weber advised the Board has 45 days to hold a Public Hearing which could be held at next month's meeting, or a special meeting could be scheduled. He stated that if the Board would like to send the additional information back to the County, there is time to do that. PZO Weber read aloud from the County Planning Board's comments: "Within five days of completion of application..." If the Board determines that, at this meeting, this is a complete application, then technically the time would start now for a public hearing.

Member Renzi asked PZO Weber if he had reviewed the density coverage calculations; PZO Weber stated that he had, and they looked reasonable.

After a brief discussion, a motion was made by Member Renzi that the Town of Cortlandville Planning Board considers the application complete at this time and is forwarding it to the Cortland County Planning Department for their review, with a Public Hearing set for 1 December 2015 at 7:30 p.m. The motion was seconded by Member John DelVecchio, with the vote recorded as follows:

<b>Ayes:</b>	<b>Chair Wickwire</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Newell</b>		
	<b>Member Renzi</b>		
	<b>Member Finamore</b>		
	<b>Member DelVecchio</b>		

Motion carried.

**This becomes Action #71 of 2015.**

### **DECEMBER MEETING DATE SET**

With no discussion, a motion was made by Member Renzi to set 1 December 2015, 7:30 p.m. as the Board's next meeting date/time. The motion was seconded by Member Newell, with the vote recorded as follows:

<b>Ayes:</b>	<b>Chair Wickwire</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Newell</b>		
	<b>Member Renzi</b>		
	<b>Member Finamore</b>		
	<b>Member DelVecchio</b>		

Motion carried.

**This becomes Action #72 of 2015.**

### **OLD BUSINESS (RE-VISITED)**

#### **Bestway Enterprises, Inc., Applicant/Reputed Owner - 3832 Luker Road - TM #86.17-02-01.100 - Extension of Conditional Permit**

(Reference is made to the 29 September 2015 Minutes of this Board for additional information.)

Chair Wickwire recognized Andrew Porter, representing the applicant, who at the September meeting had been requested to provide details/timeline to the Board setting forth when the work will be done on this parcel. Mr. Porter distributed the requested timeline to the Board (and Matt Petrella) and reported that the parcel had been cleaned up, and the adjacent neighbor, Matt Petrella, reported that the "pile of doom is gone." Mr. Porter reported that the requested trees are being ordered from Valley View this week, and they will be planted as soon as possible. Mr. Petrella stated that he agrees with what is being done, and is okay with the plan.

With no further discussion, a motion was made by Member Newell to approve the extension of time for the Conditional Permit, based on the timeline submitted. The motion was seconded by Member Finamore with the vote recorded as follows:

<b>Ayes:</b>	<b>Chair Wickwire</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Newell</b>		
	<b>Member Renzi</b>		
	<b>Member Finamore</b>		
	<b>Member DelVecchio</b>		

Motion carried.

**This becomes Action #73 of 2015.**

**NEW BUSINESS (RE-VISITED)****Leach Properties, LLC, Applicant/Suit-Kote Corp., Reputed Owner – Lorings Crossing Road – TM #s 77.00-04-11.111 & 112 – Conditional Permit Aquifer Protection District Special Permit, Development Permit for Flood Hazard Areas, Subdivision (Lot Line Adjustment)**

PZO Weber advised the Board that the Town ZBA, at their meeting immediately preceding this meeting, granted a Use Variance which was required as the addition of an access road, parking area, and equipment storage for this business is considered an expansion of the present use of the existing property (trash transfer station).

Chair Wickwire recognized the applicant who explained that they wanted to use the subject parcels they plan to purchase from Suit-Kote for another access to their property, additional parking area and equipment storage for an existing adjacent transfer station which he owns. Chair Wickwire noted that County Resolution recommended approval of these applications, contingent upon eight items. One of the items was that the applicant submit a detailed description as to the number and type of equipment to be stored in the proposed parking area. Mr. Leach then displayed a framed aerial photo of his business site which was taken in September of 2014. He said they currently have three tractor trailers, roll-offs, dumpsters, etc., that they would like to place on these two additional parcels; they would not all be there at the same time as they have seasonal-type use.

The Board reviewed the maps accompanying the application. PZO Weber stated there had been a slight change in the acreage so that it meets the minimum 25% green space requirement.

Mr. Leach stated that the driveway proposed to enter off Lorings Crossing is approximately 67 feet in length and, with the owner's permission, he has cleared some of this in order to assist in determining the cost of the driveway installation. They will comply with what the County wants. The parcels are bordered by National Grid (east), Country Music Park to Route 13, and Lorings Crossing.

PZO Weber commented that the County indicated there was more than 10,000 SF of impervious surface, so a Stormwater Management Plan will be required. Member Renzi asked the applicant if he had seen the County report; he replied that he had. Regarding outdoor storage, it will be the equipment already on his property as shown in the aerial photo. He wants to consolidate it to make more room for snow removal, etc.

Chair Wickwire asked about the Flood Development Permit and PZO Weber explained that the Permit will be handled through his office and the items the applicant will be required to submit.

Member Renzi asked if the applicant would maintain the driveway, and he responded "yes." Mr. Leach stated that the driveway will be constructed to Town Specifications. He has an application pending with the County to put an entrance on Lorings Crossing. Mr. Leach affirmed that he had read all of the County's recommendations.

At the conclusion of the discussion, **a motion was made by Member DelVecchio to approve the Lot Line Adjustment, as requested. The motion was seconded by Member Finamore, with the vote recorded as follows:**

**Ayes: Chair Wickwire  
Member Newell  
Member Renzi  
Member Finamore  
Member DelVecchio**

**Nays: None**

**Motion carried.**

**This becomes Action #74 of 2015.**

A motion was then made by Member DelVecchio to approve the Conditional Permit, as requested, incorporating Items 1 thru 8 of the Cortland County Planning Board's Resolution No. 15-30 of 21 October 2015. The motion was seconded by Member Finamore, with the vote recorded as follows:

**Ayes:** Chair Wickwire  
Member Newell  
Member Renzi  
Member Finamore  
Member DelVecchio

**Nays:** None

Motion carried.

**This becomes Action #75 of 2015.**

A motion was then made by Member DelVecchio that the Town of Cortlandville Planning Board recommends to the Town Board that they issue an Aquifer Protection District Special Permit and act as Lead Agency under SEQRA. The motion was seconded by Member Finamore, with the vote recorded as follows:

**Ayes:** Chair Wickwire  
Member Newell  
Member Renzi  
Member Finamore  
Member DelVecchio

**Nays:** None

Motion carried.

**This becomes Action #76 of 2015.**

## **OTHER MATTERS**

- Clough-Harbor/Leonidas – Chair Wickwire asked Town Attorney Folmer about retaining CH to assist in reviewing this large PUD project. He reviewed what could be done. No need to review those items the Board can handle or resolve. Chair Wickwire suggested the Board would need the assistance of CH when it comes to density/calculations; too big a project for the Board to do. Attorney Folmer suggested determining those items that are of significant concern, needing assistance, it would cut down time to do the work and expense for the developer. Timing was discussed. PZO Weber thought it would be better to wait until after the final plans are drawn up. Conceptually, this Board will give a report to the Town Board on what their feelings are regarding the proposed PUD. Member Renzi thought that Code, Development Plan, Town Design Guidelines, etc., should be compared to what's been presented; stormwater may not be manageable; would like to see CH take a look at the project later on, after public hearing and after it goes to the Town. Attorney Folmer suggested maybe doing this before it goes to the Town. PZO Weber read from the Code, giving the process (four options).
- Outside Storage: Tractor Supply – NYS Route 13 – PZO Weber visited them and property not in compliance. CEO Williams is following up.
- Outside Storage: Doug's PowerSports – lots of snowmobiles, etc.
- Outside Storage: HEP – NYS Route 13 – PZO Weber visited site; front storage is as approved.
- Outside Storage: Walmart – NYS Route 13/Bennie Road – Storage trailers there. Christmas layaway storage? It's an annual violation. Can't they put them more out of sight? Not supposed to have them at all. PZO Weber was asked to take a look at this. Chair Wickwire says they should ask for approval to do this.
- Byrne Dairy Windmills – Illumination concern has been resolved.
- Walgreen's – Being purchased by Rite-Aid.

- Retail Gas Station Regulations – being revised to allow them in B-2 thru maybe the Industrial District, removing prohibition in some areas of the aquifer, and prohibiting them in others. Work in progress; not complete.

**ADJOURNMENT**

At 8:50 p.m., a motion to adjourn the meeting was made by Member Newell, seconded by Member Finamore, with all members present voting in the affirmative.

  
Joan E. Fitch, Board Secretary

E-mailed to Town Clerks, JBF, PB Members,  
DD, BW, TW & DC on 11/11/15.  
Rev. 11/12/15 to eliminate duplication.