

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 26 May 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

Steve Terwilliger for Kajen LLC, Applicant; Gary Lyon, Applicant; Glenn Anderson, Applicant; Lorna Wall, Applicant; Fred Greenfield & Attorney Patrick Snyder for Alnye, LLC, Applicant; Kathryn Lyon, Tyronne Heppard.

REGULAR MEETING

The regular meeting of the Town of Cortlandville Planning Board was called to order at 7:35 p.m. by Chair Katherine Wickwire.

APPROVAL OF MINUTES – 28 APRIL 2015

A motion was made by Member Nick Renzi to approve the Town of Cortlandville Planning Board's Minutes of 28 April 2015, as submitted. 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
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Motion carried.

This becomes Action #26 of 2015.

OLD BUSINESS

Kajen, LLC, Applicant/John McGee, Reputed Owner – NYS Route 13 - TM #105.00-01-44.000 – Subdivision of Land

Chair Wickwire recognized the applicant, Steve Terwilliger, who was seeking approval to subdivide 3.85± acres of land from an 18.3±-acre parcel, as shown on the map accompanying the application. At last month's Planning Board meeting, this application was forwarded to County Planning for their review; however, the County Planning Board was unable to officially act on the referral due to "Unforeseen circumstances related to Board member attendance and time constraints..." as stated in a letter to PZO Weber from Dan Dineen, dated 5/22/15. This Board did receive the Cortland County Planning Department's review.

Chair Wickwire then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

A motion was then made by Member Chris Newell that, based on the information and analysis of the SEQR concerning this application, the Town of Cortlandville Planning Board has determined that the proposed action will not result in any significant adverse environmental impact,

resulting in a Negative Declaration. The motion was seconded by Member Renzi, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #27 of 2015.

With no further discussion, a motion was made by Member Newell to approve the proposed Subdivision of land, as requested. The motion was seconded by Member DelVecchio, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #28 of 2015.

NEW BUSINESS

Gary Lyon, Applicant/Reputed Owner – Starr Road – TM #96.11-01-01.112 – Conditional Permit for Proposed Storage Barn

Chair Wickwire recognized the applicant who was seeking a Conditional Permit for a proposed storage barn, as shown on the items accompanying the application. PZO Weber advised Chair Wickwire that at the ZBA meeting immediately preceding this meeting, a use variance had been granted for this storage barn to be allowed as a principal use in this R-2 District.

Chair Wickwire acknowledged receipt of the report from County Planning. PZO Weber advised that the proposed storage barn meets all setback requirements.

At the conclusion of a brief review, a motion was made by Member DelVecchio to approve the Conditional Permit for the proposed storage building, incorporating Items 1 thru 5 of the Cortland County Planning Board's Resolution No. 15-9 of 20 May 2015. The motion was seconded by Member John Finamore, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #29 of 2015.

Glenn Anderson, Applicant/Reputed Owner – 4444 Locust Avenue – TM #77.00-02-04.100 – Conditional Permit – Proposed Storage Building

Chair Wickwire recognized the applicant who was requesting a Conditional Permit for a proposed storage building. PZO Weber advised that the applicant, at the preceding Zoning Board of Appeals meeting, had been granted a bulk variance to allow for an accessory structure over 200 SF to be used as part of a home occupation, and for said structure to have a maximum height of 26 feet with a setback a distance of 100 feet, if feasible, from the northern property line.

Chair Wickwire then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

A motion was then made by Member Newell that, based on the information and analysis of the SEQR concerning this application, the Town of Cortlandville Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Renzi, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #30 of 2015.

With no further discussion, a motion was made by Member Newell to approve the Conditional Permit for the proposed storage building with a maximum of 26 feet in height, and incorporating Items 1 thru 9 of the Cortland County Planning Board's Resolution No. 15-10 of 20 May 2015. The motion was seconded by Member DelVecchio, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #31 of 2015.

Lorna M. Wall, Applicant/Reputed Owner - 263 McLean Road - TM #105.00-01-03.000 - Subdivision of Land

Chair Wickwire recognized the applicant who was seeking approval to subdivide her 10.3±-acre parcel, which lies on both sides of McLean Road, into two parcels as separated by the road (Parcel #1 on north side of road = 2.876± acres; Parcel #2 on south side of road = 7.424± acres).

With no further discussion, a motion was made by Member Newell to approve the Subdivision of Land as requested. The motion was seconded by Member Finamore, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #32 of 2015.

Alnye, LLC, Applicant/Cortland Bulk Milk Co-Op, Reputed Owner – 3819 US Route 11 (Polkville) – TM #97.00-01-07.110 – Conditional Permit for Fueling Station

Chair Wickwire recognized the Attorney Patrick Snyder and Fred Greenfield, representing the applicant who was seeking a Conditional Permit to install a 10,000-gallon fuel tank at their truck maintenance facility in Polkville.

Chair Wickwire stated that this application needed to be forwarded to the Cortland County Planning Department/Board for their review. Therefore, with no further discussion, **a motion was made by Member Newell to forward the application to the Cortland County Planning Department for their review. The motion was seconded by Member Finamore, with the vote recorded as follows:**

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #33 of 2015.

OLD BUSINESS (RE-VISITED)**Cazenovia Equipment Co., Inc., Applicant/Reputed Owner – 3892 US Route 11 - TM #87.00-04-03.000 – Conditional Permit for New Site Entrance & Parking Lot Improvements**

Chair Wickwire advised there was no representative present, and Part 2 of the Short Environmental Assessment Form had previously been completed on this property by the Board, resulting in a Negative Declaration.

With no further discussion, **a motion was made by Member Renzi to approve the Conditional Permit for a new site entrance and parking lot improvements, as requested, incorporating Items 1 thru 5 of the Cortland County Planning Board's Resolution No. 15-11 of 20 May 2015. The motion was seconded by Member DelVecchio, with the vote recorded as follows:**

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #34 of 2015.

OTHER BUSINESS**John Barden, Applicant/Reputed Owner dba Fastlane Auto – 1799 NYS Route 13 – TM #77.00-01-34.000 – Conditional Permit – Motor Vehicle Sales & Repairs**

(Note: At the Planning Board meeting held on 25 November 2014, Chair Wickwire recognized the applicant who had submitted an application with Site Plan (Rev. 8/5/14), and requested approval of a Conditional Permit to operate his business as explained in his narrative attached to that application. At that meeting, Mr. Barden stated that his compliance with the Site Plan presented was “close to being complete.” Chair Wickwire emphatically stated that the applicant has to follow this plan. Member Renzi agreed, but thought that the items indicated on the Site Plan should be completed by a certain date. Chair Wickwire suggested April 1st of 2014 to have “it all in compliance.” The Board then made and passed the following motion: **to approve the Conditional Permit as requested, with the subject property to be brought into conformance with the Site Plan (dated 8/5/14 R) by 1 April 2015. Action #83 of 2014.)**

At this meeting, Board members received a copy of a message received by PZO Weber, dated 5/20/15, from J. Barden, which read as follows:

"To the Cortlandville Planning Board:

Due to the winter weather we received during 2014-2015, there has been a delay in getting my site plan intact. The snow just melted a few weeks ago, and the rain, and dampness has caused us delays. We ask for more time to get the property into the condition you ask it to be in.

Thanks

*J. Barden
5-20-15"*

PZO Weber responded via email to Mr. Barden on 5/21/15, *"Tried calling but your mailbox is full, do you plan on attending the Planning Board meeting on 5-26 at 7:30 PM? Please respond to this email or call me at 607-423-7490. Bruce"* No response has been received. PZO Weber advised the Board that he will do whatever they ask him to do.

Member Finamore commented that the subject property is listed for sale.

After a brief discussion, **a motion was made by Member Renzi that the Conditional Permit approved on 11/25/14 shall be brought into conformance with the Site Plan by 30 June 2015. The motion was seconded by Member Newell, with the vote recorded as follows:**

Ayes:	Chair Wickwire	Nays:	None
	Member Newell		
	Member Renzi		
	Member Finamore		
	Member DelVecchio		

Motion carried.

This becomes Action #35 of 2014.

OTHER MATTERS

- Chair Wickwire & Member Newell reminded everyone of the Lime Hollow Nature Center Educational Center's grand opening on Friday, June 5th at 3 p.m. Board members are invited to attend.
- Chair Wickwire asked if anyone had heard anything regarding Sun Auto. No one had. They appear to be doing maintenance on the property which PZO Weber advised was okay to do as long as it remains "green space."
- Member Renzi asked if there was anything new regarding alleged spray painting going on behind Sun Auto and also Royal Motors. PZO Weber stated he had advised them this was not allowed without a permit.
- Member Newell asked how a "land swap" would work (re Sun Auto); Town Attorney Folmer answered him.
- Board Secretary Fitch reported that a property containing a single-family dwelling, located at 3876 US Route 11 in Polkville, was becoming a real eyesore, including outside storage of small sheds on trailers, numerous riding lawn mowers, miscellaneous trailers (including horse trailers), a storage trailer (the rear half of a tractor-trailer) and just plain junk. Attorney Folmer stated he would report this to CEO Williams.

ADJOURNMENT

At 8:10 p.m., a motion to adjourn the meeting was made by Member Newell, seconded by Member Renzi, with all members present voting in the affirmative.


Joan E. Fitch, Board Secretary

E-mailed to Town, PB Members,
DD, BW, TW, & DC on 6/14/15.