

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 23 May 2017 - 7:30 PM
Town Hall Board Room - 3577 Terrace Road - Cortland, NY

Board Members (*absent)

Katherine Wickwire, Chairperson
Christopher Newell
Nicholas Renzi
John A. DelVecchio
Nasrin Parvizi

Others Present

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

Applicants & Public Present

Dave Law for CNY Power Sports, Applicant; Steve Hartley, Applicant; Chuck Feiszli, PE & Jeff Arnold for Clifton Land Co., Applicant; Eric Barden for One or Two, LLC, Applicant; Alan Wilkinson, Applicant; David Yaman for Cortland Commerce Retail Center, LLC, Applicant; Chet Feldmann for Distributed Sun/SUN8, Applicant; Matt Young; Duane Andrus, Ch. 2 Volunteer.

REGULAR MEETING

The Regular Meeting of the Town of Cortlandville Planning Board was called to order at 7:30 p.m. by Chair Katherine Wickwire.

OLD BUSINESS

CNY Power Sports, Applicant/T and E Law Properties, Reputed Owner - 3871 US Route 11 - TM #87.00-04-04.000 - Conditional Permit

(Note: Reference is made to this Board's Minutes of 28 March 2017 for additional information on this application for a Conditional Permit to construct two 30 by 300 ft. self-storage units and one 42 by 198 ft. cold-storage warehouse. At that meeting, the Board requested additional information, and the matter was tabled.)

Chair Wickwire recognized Dave Law, representing the applicant, and his engineer, Charles Feiszli, PE, of Resource Associates. Mr. Law advised that he had a survey completed by Denkenberger & Green, and Engineer Feiszli explained the site runoff to the Board which has not yet been reviewed by Pat of County Soil & Water. A revised (5/22/17) Site Plan was given to the Board, and Mr. Law showed the Board where the runoff will go. Engineer Feiszli stated he has spoken with Pat Reidy and will be meeting with him in the near future.

At the conclusion of a brief discussion, Chair Wickwire read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II. Therefore, it was determined by the Planning Board, **on a motion made by Member Chris Newell, that the action, based on the information submitted, would not cause any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member John DelVecchio, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #35-1 of 2017.

With no further discussion, a motion was made by Member Newell to approve the Conditional Permit, as requested, conditioned upon receipt of approval from the Cortland County Soil & Water District. The motion was seconded by Member Nasrin Parvizi, with the vote recorded as follows:

Ayes: Chair Wickwire
Member Newell
Member Renzi
Member DelVecchio
Member Parvizi

Nays: None

Motion carried.

This becomes Action #35-2 of 2017.

Clifton Land Company, LLC, Applicant/Reputed Owner (aka Classy Chassy Carwash) – 876 NYS Route 13 – TM #95.16-02-78.100 – Conditional Permit & Aquifer Protection District Special Permit for Car Wash Addition

(Note: Reference is made to this Board's Minutes of 25 April 2017 where Jeff Arnold and Engineer Chuck Feiszli appeared and stated that they were seeking a Conditional Permit and an Aquifer Protection District Special Permit to construct a 2366± SF automatic wash bay at this existing car wash, as explained in the narrative accompanying the applications. The applications were forwarded to Cortland County Planning for their review.)

Chair Wickwire recognized Engineer Feiszli and Mr. Arnold, who distributed a revised Site Plan to the Board, who asked a few questions, one of which involved the infiltration basin. Town Attorney Folmer explained the Town Board's schedule.

With no further discussion, a motion was made by Member Newell to approve the Conditional Permit, as requested, with a recommendation made 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 John, with the vote recorded as follows:

Ayes: Chair Wickwire
Member Newell
Member Renzi
Member DelVecchio
Member Parvizi

Nays: None

Motion carried.

This becomes Action #36 of 2017.

Hartley's Auto Service, Inc., Applicant/James & Erica Beard, Reputed Owners – 3821 US Route 11 (Polkville) – TM #87.04-01-15.000 – Conditional Permit for Parking Lot Use

Chair Wickwire recognized Steve Hartley who explained that he was seeking a Conditional Permit to use an existing graveled parking lot (formerly used in conjunction with a now-vacant diner) across the street from his business for the purpose of parking up to 30 units of campers and U-Haul rentals.

With no further discussion, a motion was made by Member DelVecchio to approve a Conditional Permit to use the existing parking lot for a maximum of 30 units, as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:

Ayes: Chair Wickwire
Member Newell
Member Renzi
Member DelVecchio
Member Parvizi

Nays: None

Motion carried.

This becomes Action #37 of 2017.

Alan & Andrea Wilkinson, Applicants/Reputed Owners – 3187 Gracie Road – TM #105.00-01-33.000 – Lot Line Adjustment

Chair Wickwire recognized Alan Wilkinson and Matt Young who explained the request for a Lot Line Adjustment as shown on a May 2017 survey map prepared by Reagan Land Surveying.

With no further discussion, **a motion was made by Member DelVecchio to approve the Lot Line Adjustment as requested, with the subdivided parcel to be consolidated with the adjacent lands of Lime Hollow Nature Center, Inc. The motion was seconded by Member Parvizi, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #38 of 2017.

Cortland Commerce Retail Center, LLC, Applicant/Reputed Owner – 859 NYS Route 13 – TM #95.00-10-04.000-2 – Subdivision of Land

Chair Wickwire recognized David Yaman, representing the applicant, who explained that he was seeking approval to subdivide the McDonald's business from the balance of the property, as shown on the map accompanying the application. Right now, he said, it is "sub-texted." This would provide the option of selling the property if they wanted to.

After a brief discussion, **a motion was made by Member Newell to approve the subdivision, 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 DelVecchio		
	Member Parvizi		

Motion carried.

This becomes Action #39 of 2017.

Distributed Sun (dba SUN8 PDC LLC), Applicant/David C. Alexander, Reputed Owner – 1745, 1755 & 1765 Ahrens Road – TM #97.00-01-38.100 – Sketch Plan Conference – Proposed Solar PV Arrays

Chair Wickwire recognized Chet Feldmann, PE, of Distributed Sun, who explained that they were asking this Board to act as Lead Agency to perform the SEQRA review when the project was further along. He then gave a brief presentation of what is being proposed for this property, i.e., installation of three solar arrays, 2 megawatts each, on the subject 40±-acre property which would be fenced in. The Board members had received a narrative of what was being proposed, along with a portion of a topographic map indicating the project location, and a Site Plan dated 5/15/17, entitled "Alexander Property PV Project."

PZO Weber advised that an Aquifer Protection District Special Permit would also be required. Regarding Lead Agency status, PZO Weber commented that this Board could act as such, or the Town Board could. Town Attorney Folmer suggested the applicant make application to this Board who will then make their recommendation to the Town Board regarding Lead Agency and the Aquifer Protection District Special Permit. Historically, he said, it's the Town Board that acts as Lead Agency. Attorney Folmer then advised of the applications that needed to be completed and provided a timeline; no actions can be taken without the applications.

No Action Taken.

Hartley's Auto Service, Inc., Applicant/Route 13 Partners, Reputed Owner (per Assessor's Office) – 840 NYS Route 13 (former Golden Skillet location) – TM #95.20-03-07.000 – Conditional Permit for Camper/RV Display

Chair Wickwire recognized Steve Hartley, owner of Hartley's Auto Service, who was seeking a Conditional Permit to display up to 20 camper/RV units on this vacant property in connection with his business. He stated that he would be "cleaning up" the property and maintain it for the summer. Actual sales will take place at his business on Route 11 in Polkville. He would like to display the units from April thru October, and plans to utilize a small sign that has his contact information on it.

With no further discussion, **a motion was made by Member Newell to approve the Conditional Permit, 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 DelVecchio		
	Member Parvizi		

Motion carried.

This becomes Action #40 of 2017.

One or Two, LLC, Applicant/Sirgany Eyecare, Reputed Owner – 992 Tompkins Street (NYS Route 13) – TM #96.13-01-02.100 – Revised Site Plan

Chair Wickwire recognized Eric Barden, representing the applicant/reputed owner. PZO Bruce Weber explained that the original Site Plan for this new facility did not have any exterior lighting called out on it. When a Sign Permit was requested, that application indicated that floodlights would be used to illuminate the building and signage. The applicant's application was accompanied by data sheets of the proposed lighting, along with mounting choices and fixture light distribution charts.

At the close of the discussion, **a motion was made by Member DelVecchio to approve the Revised Site Plan modifying lighting which is to be on during business hours only. The motion was seconded by Member Newell, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #41 of 2017.

OTHER MATTERS

- **Route 13 Rocks, LLC, Applicant/Christopher Henry Holdings, LLC, Reputed Owner (dba Cortlandville Sand & Gravel)** – PZO Weber commented that everyone had a copy of the NYSDEC's Region 7 Office dated 5/17/17 to Commissioner Seggos in Albany regarding Lead Agency status for the proposed mining expansion. The decision would be between the Town Planning Board and the Region 7 Office. PZO Weber and Town Attorney Folmer had conferred and thought that this Board should have an opportunity to expand the four potential impacts of the proposed mine expansion listed by the DEC. If the Board feels there are other impacts, this information needs to be supplied to the Commissioner. Town Attorney Folmer further explained the process; he advised the Board he will draft an appropriate response to the letter, and the Commissioner will then, within 20 days after receipt, make his determination as to who will be the Lead Agency under SEQRA.

- Chair Wickwire commented that there was a Letter to the Editor in tonight's *Cortland Standard* regarding the proposed gas station law which this Board is against. Chair Wickwire stated that "it was a very good letter." Town Attorney Folmer said that there were only 13 people against the proposed law who appeared at the Town Board's Public Hearing, and one person in favor. Chair Wickwire added that, in addition to this Board, the Cortland County Planning Department was against it.
- Member Renzi commented that Walmart has seasonal outdoor storage in their parking lot; when will the Town be more firm regarding this? PZO Weber will take a look.
- Member Renzi stated that the work on the Board's Conditional Permit Log, started by him and is now being kept by the Board Secretary, has not been updated by the Code Office, as requested. Who do we talk to about getting this done? PZO Weber answered: Supervisor Tupper.
- Chair Wickwire stated she had received an inquiry about lawns that were not mowed. Town Attorney Folmer responded that the Town can take care of this within certain districts. Chair Wickwire was advised to call the Code Office regarding the complaint.

ADJOURNMENT

At 8:58 p.m., a motion to adjourn the meeting was made by Member Newell, seconded by Member Parvizi, with all members present voting in the affirmative.


Joan E. Fitch, Board Secretary

E-mailed to Town Clerk, JBF, PB Members,
DD, BW, KM & DC on 6/30/17.