

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 27 January 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. DeVecchio

Others Present

Bruce Weber, Town Planning/Zoning Officer
Joan E. Fitch, Board Secretary
John B. Folmer, Town Attorney
Laura Cassalia, PE, CHA Rep.

Applicants & Public Present

Eric Barden, Gino Puzo & Engineer Tim Buhl for Hamilton Building Services, Inc., Applicant; Ben Essig, Jim Stephenson & Reed Fuller for HBDR, LLC, Applicant; Attorney Mike Shafer & Engineer Chuck Feiszli for Used Car King, Applicant.

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.

APPROVAL OF MINUTES – 30 DECEMBER 2014

A motion was made by Member Chris Newell to approve the Minutes of the 30 December 2014 Town of Cortlandville Planning Board, as submitted. The motion was seconded by Member Nick Renzi, with the vote recorded as follows:

Ayes: Chair Wickwire

Nays: None

Member Newell

Member Renzi

Member Finamore

Member DeVecchio

Motion carried.

This becomes Action #1 of 2015.

OLD BUSINESS

Hamilton Building Services, Inc., Applicant/Bestway Enterprises, Inc., Reputed Owner – West Side of Luker Road – TM #95.08-01-17.000 – Conditional & Aquifer Protection District Permits – Proposed Construction of Two Buildings

Chair Wickwire recognized Eric Barden and Engineer Tim Buhl, representing the applicant who was seeking approval to construct a 3600 SF office building and a 3120 SF storage building on 2.57± acres on the west side of Luker Road. A complete set of plans was submitted.

This project had been reviewed by the Cortland County Planning Department/Board and their reports submitted to this Board for review. Chair Wickwire reviewed those comments item by item; Engineer Buhl affirmed that each item has either been taken care of or will be completed. Items 4 thru 7, and 11 will be done, and Item 10 (regarding submittal of SWPPP) has been submitted to Pat Reidy. PZO Weber advised the engineer of the sign requirements.

At the conclusion of the discussion, a motion was made by Member Newell to approve the Conditional Permit for the proposed construction of a 3600 SF building and a 3120 SF building, as requested, incorporating Items 1 through 12 of the Cortland County Planning Board's Resolution No. 15-1 of 21 January 2015. The motion was seconded by Member John DeVecchio, with the vote recorded as follows:

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

Motion carried.

This becomes Action #2 of 2015.

A motion was then made by Member Newell to recommend to the Town Board that they issue an Aquifer Protection District Special Permit for the proposed construction of a 3600 SF building and a 3120 SF building, and act as Lead Agency under SEQRA. 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 DeVecchio		

Motion carried.

This becomes Action #3 of 2015.

NYSEG, Applicant/Cortland Industrial Center LLC, Reputed Owner – 3727 Kellogg Road – TM #97.00-01-02.000 – Proposed Gas Regulator Station

Chair Wickwire asked if there was anyone present to represent the applicant; there was no one. However, the Board decided they had enough information to proceed with the matter.

With no further discussion, a motion was made by Member Renzi to approve the Conditional Permit for a proposed Gas Regulator Station as requested. 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 DeVecchio		

Motion carried.

This becomes Action #4 of 2015.

Used Car King, LLC, Applicant/Reputed Owner – 3861 NYS Route 281 – TM #86.17-01-11.100 – Lead Agency Determination for Proposed Parking Lot Expansion – SEQRA REVIEW

(Reference is made to Minutes of 30 July, 29 October 2013, and 28 October, 25 November & 30 December 2014).

Chair Wickwire acknowledged receipt of CHA's letter dated January 21, 2015, from Laura C. Cassalia,

PE, Project Engineer, containing the results of her review of the documents and information submitted to this Board by the applicant. The information was provided to the Board for their consideration as it relates to the completion of Parts 2 and 3 of the FEAF. Attorney Shafer commented that he had just received a copy of this letter today; he further stated that after the length of time (over two months) that he has appeared before the Board for this project, "I wait two months and I don't get the courtesy of Clough Harbour including me on the circulation."

Chair Wickwire proceeded with Part II of the Full Environmental Assessment Form (FEAF) using the engineer's comments which had been requested. The Board completed their responses to each question which were recorded, in writing, by PZO Weber. A copy of this form has been placed on file for the record.

It is noted that Attorney Shafer did not agree with the Board's answer to Item 12 regarding "Impact on Critical Environmental Area." The Water Works, as stated by PZO Weber, is considered a Critical Environmental Area and the project is considered to be within or adjacent to this area.

Upon completion of Part II, the Board discussed Part 3 of the FEAF and how to proceed.

Attorney Shafer stated that in his first letter to CHA he had asked them "What's the cost?" He said he received "no response on that." Chair Wickwire reported that James Trasher, of CHA, had told her that it would depend on how much work was involved. Member Renzi thought that CHA should be asked to submit a "cost-to-date" and then provide a proposal for assisting in completion of Part 3.

The Board then discussed the proposed "property exchange" regarding this project, and Attorney Shafer advised that he had sent this information to Engineer Cassalia at CHA.

Town Attorney John Folmer commented that the Planning Board needs to make its findings using the report from CHA, get a cost-to-date from them, and also a proposal for assisting in the completion of Part 3. Chair Wickwire stated that Part 3 needs to be completed and a decision made for either a Positive or a Negative Declaration. Then the applicant can make the decision whether or not to proceed.

PZO Weber stated that the Planning Board would not go ahead "with Part 3 until conformation from Mr. Shafer...If Mr. Shafer is not willing to pay for the analysis for Part 3, then that may be the end of it."

No Action Taken.

HBDR, LLC, Applicant/David Law, Reputed Owner – 3893 US Route 11 – TM #87.00-04-10.000 – Conditional Permit & Aquifer Protection District Special Permit for Proposed Propane Storage Facility – SEQRA REVIEW

(Reference is made to the September, October, November and December 2014 Minutes for additional information.)

Chair Wickwire recognized Jim Stephenson, representing the applicant who was proposing to construct a propane storage terminal and rail siding at this location. CHA (Clough Harbour Associates of Syracuse, NY) on behalf of the Town, provided information to be considered in completing Part 2 of the FEAF; a copy of that letter dated February 20, 2015, addressed to Chair Wickwire, has been placed on file for the record.

Chair Wickwire went through Part 2 of the FEAF, item by item, and the Board's responses were recorded, in writing, by PZO Bruce Weber; a copy of this has also been placed on file for the record.

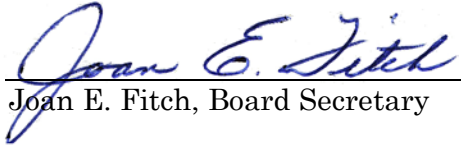
Once Part 2 was completed, Member Renzi suggested that the Board should do the same as they did for

Sun Auto, and ask CHA to provide a summary of their costs-to-date for this project, along with a proposal to complete Part 3 of the FEAF. This was agreeable to Mr. Stephenson. The Board will await the applicant's decision as to whether or not to proceed.

No Action Taken.

ADJOURNMENT

At 9:05 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 3/11/15.