

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 27 May 2014 - 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

Mike Major for Watson Engineering, Applicant; Rod Ives, PE, for DMK Development, Applicant; Erik Watson; Richard T. Wilk, Applicant; Charles Chappell for Rescue Mission, Applicant; Attorney Daniel Ellis for Cortland Bulk Milk, Applicant; Tyrone Heppard, Cortland Standard Reporter.

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

Rescue Mission, Applicant/Gator Investments, Reputed Owner - 3654 NYS Route 281 (Cortlandville Plaza) - Conditional Permit for Donations Center Trailer

(Reference is made to the 29 October, 17 December 2013, 25 February and 29 April 2014 Minutes of this Board when Charles Chappell, representing the applicant who was seeking a Conditional Permit to place a 12 ft. by 32 ft. storage trailer in the parking lot alongside McLean Road, appeared. At those meetings, Chair Wickwire and the Board suggested he explore alternatives and come back with a different plan; Mr. Chappell agreed to do so and, on 25 February 2014, a new location behind Doug's Fish Fry was approved. At the 29 April 2014 meeting, the Board discussed the applicant's failure to relocate the trailer to the approved location as requested. Member Renzi suggested inviting their representative to come back to this meeting to answer their questions).

Chair Wickwire recognized Mr. Chappell, the applicant's rep, who stated they had now submitted a revised drawing showing the third proposed location for the subject donations center trailer (after the snow left, it was discovered that the revised location was actually in a driving lane). However, he has now talked with the Manager of the Cortlandville Walmart about moving the donation center to their lot on NYS Route 13. There is a meeting scheduled with them on 30 May to continue this discussion. Mr. Chappell asked the Board if this was an avenue they would like him to pursue, he would. He also felt this would be a better location for them from a customer standpoint. The donation center would be placed as far away from the store as possible so as not to affect the flow of traffic. PZO Weber asked Mr. Chappell to call him after the meeting was held.

Member Renzi thought it advisable to put some sort of a timetable on the final dispensation of this matter. If some agreement is reached with Walmart, Mr. Chappell should, within 30 days, come back before this Board and let them know where and when the donations center will be placed at Walmart; if Walmart does not agree, Mr. Chappell, again within 30 days, would report when it would be relocated behind Doug's Fish Fry. Mr. Chappell agreed to do so.

No Action Required.

DMK Development-Cortland LLC, Applicant/Joann Clowser, Reputed Owner – 706 NYS Route 13 – TM #105.00-01-49.100 – Conditional Permit & Aquifer Protection District Special Permit for Proposed Tractor Supply Co., Inc.

(Reference is made to this Board's Minutes of 29 April 2014 regarding the Sketch Plan Conference for this project).

Chair Wickwire recognized Rodney Ives, Jr., PE, of Napierala Consulting, Manlius, NY, representing DMK Development, LLC, who had submitted plans to the Board for this project. Member Renzi had prepared the following list of questions/comments regarding the drawings which were answered by Engineer Ives:

1. *Reference sheet C-2 Project summary, "parking provided 77" is not consistent with sheet C-5 which shows total parking spaces = 72.*
2. *Reference sheet C-2 notes that the TSC lot is 4.6 acres; this is not consistent with sheet C-5 that calls out 4.124 acres.*
3. *Please submit calculations for provided green space of 37.8%.*
4. *Reference sheet C-5; if the three long spaces shown are intended for truck/trailer parking please show signage so designating.*
5. *Reference sheet C-5 for the four sidewalk display areas shown: please show appropriate stripe that would ensure walking space between display areas and concrete parking bumpers.*
6. *On sheet C-5 or other, show snow storage areas.*
7. *Reference sheet C-5, the free-standing sign shall conform to the code requirements and the sign shall be at the same basic elevation as the property; in other words, the sign is not to be placed on a mound.*
8. *Reference sheet C-10, the two pin oaks designated QP cannot be located. The applicant agreed to swap Norway spruce for the pin oaks.*
9. *Reference sheet C-10, the Phosphorus component may not be allowed without soil testing showing a Phosphorous deficiency.*
10. *Please provide an elevation drawing showing the architectural features of the building in terms of materials, colors etc.*
11. *The Planning Board developed a set of Design and Development Guidelines, which are contained in Article XXIII. It would be appreciated if the applicant would provide comments that connect the submitted design with the more important guidelines of the aforementioned article.*
12. *The stormwater management system design will be submitted to Cortland Soil and Water for review I assume. Please include all code requirements, especially long-term maintenance procedures.*

Engineer Ives stated that the NYSDOT wants only one driveway for this site, so they had to redesign the layout.

The Board felt that they had sufficient information, and the applications were ready to forward to the Cortland County Planning Department for their review (the SWPPP is a different issue). Chair Wickwire asked Engineer Ives to provide Member Renzi with a full-size set of the final drawings.

At the conclusion of this extensive review, **a motion was made by Member Renzi to send the applications/drawings to the Cortland County Planning Department for their review. The motion was seconded by Member John DelVecchio, with the vote recorded as follows:**

Ayes: Chair Wickwire

Nays: None

Member Renzi

Member DelVecchio

Absent: Member Newell

Member Finamore

Motion carried.

This becomes Action #36 of 2014.

Watson Engineering, Applicant/Pyrotek Inc., Reputed Owner – 641 NYS Route 13 – TM #105.00-03-12.000 – Conditional & Aquifer Protection District Special Permit – Proposed Warehouse

(Reference is made to the 29 April 2014 Minutes of this Board when the applicant initially appeared.)

Chair Wickwire recognized Mike Major of Watson Engineering, representing the owner, who was seeking a Conditional Permit to construct a new 39,000 SF warehouse alongside the former Monarch building to house non-combustible materials.

At the April meeting, Mr. Major reported that the proposed building will look similar to what Essex Steel building is now (beige). At that time, Chair Wickwire advised that the Board would like the new building to be pleasing aesthetically. Mr. Major stated at this meeting that they plan to place 15 ft. high Norway spruce alongside the building, about 30 feet apart, as shown on the colored renderings displayed for the Board. The exterior of the building was selected to match the existing building's color, he said. The Board discussed the proposed beige color and Chair Wickwire stated that the color indicated on the drawing displayed was not going to make the building "disappear"; she suggested dark green. However, the steel, it was reported, was already ordered. She chastised Mr. Major for their color selection without the Board's review. Mr. Major stated they would bring in a sample of the siding.

The siding color issue was discussed extensively. Town Attorney Folmer suggested that the Board could go ahead with their recommendation to the Town Board regarding the Aquifer Protection District Special Permit so as to get this on the Town Board's schedule, and reserve final approval until the June meeting once the color issue has been decided. The SWPPP has been completed and submitted to County Soil & Water.

At the conclusion of the discussion, **a motion was made by Member DelVecchio to recommend 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 Renzi, with the vote recorded as follows:**

Ayes: Chair Wickwire

Nays: None

Member Renzi

Member DelVecchio

Absent: Member Newell

Member Finamore

Motion carried.

This becomes Action #37 of 2014.

Member Renzi asked about "shell casings" mentioned in the applicant's submittal. It was explained to the Board and had nothing to do with ammunition.

The Board reviewed the recommendations received from the Cortland County Planning Board, a copy of which Mr. Major acknowledged they had received.

NEW BUSINESS**Richard T. Wilk, Applicant/Reputed Owner – 3116 Pendleton Street Extension – TM #107.00-01-17.200 – Conditional Permit for Vehicle Repair & Car Sales**

Chair Wickwire recognized the applicant who had previously been granted a variance to conduct this business out of his garage at his home location. The ZBA also stipulated that there be a maximum of ten cars onsite for repair/sale at any one time, and that the subject business be kept in a neat and orderly manner. The proposed business would be situated on his 350± acres of farmland which is located almost to the Town of Virgil line.

With no further discussion, **a motion was made by Member DelVecchio to approve the Conditional Permit for vehicle repair and sales, as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:**

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

**Nays: None

Absent: Member Newell
Member Finamore**

Motion carried.

This becomes Action #38 of 2014.

Suit-Kote Corporation, Applicant/Cortland Bulk Milk Producers Co-Operative, Inc., Reputed Owner – 3819 US Route 11 – TM #97.00-01-07.100 – Lot Line Adjustment

Chair Wickwire recognized Attorney Dan Ellis, representing the owner who was selling a 70-foot strip of land to adjacent landowner, Suit-Kote Corporation, as shown on the map accompanying the application. They are no plans for this strip addition to the Suit-Kote property.

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

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

**Nays: None

Absent: Member Newell
Member Finamore**

Motion carried.

This becomes Action #39 of 2014.

Gutchess Lumber Co., Inc., Applicant/Reputed Owner – NYS Route 281, McLean & Stupke Roads – TM #s 95.12-0-19, 95.11-3-18, 95.15-1-12, 13, 14.11, 14.12 & 14.2 AND DeMarchi, Reputed Owner – NYS Route 281 – TM #95.12-1-13 AND NYS, Reputed Owner – NYS Route 281 – TM #95.12-1-12 AND (T) Cortlandville, Reputed Owner – NYS Route 281 – TM #s 95.16-1-5 & 7 – Proposed Rezoning

(Reference is made to this Board's Minutes of 25 February 2014 wherein there is an explanation of the applicant's request to rezone these properties to Industrial.)

The Board reviewed colored aerial photos of the subject properties which indicated where buffers would occur. Member Renzi commented that the designated vegetation should be put in within a short period of time so it starts growing. Town Attorney Folmer reported that the Town Board will hold a public hearing on the proposed zoning map amendment on the 4th of June 2014. He then advised everyone present of the timeline/decision-making process. The Cortland County Planning Board unanimously recommended approval of the application for a zoning map amendment, with contingencies. The Board discussed safeguards.

At the conclusion of their discussion, a motion was made by Member Renzi that the Town of Cortlandville Planning Board recommends to the Town Board that they approve the applicant's request to rezone twelve (12) parcels requested to Industrial (Zoning Map Amendment), incorporating the Cortland County Planning Board's contingencies contained in their Resolution No. 14-19, dated 21 May 2014, and that vertical vegetation be defined and planted within six months of the approval. The motion was seconded by Member DelVecchio, with the vote recorded as follows:

Ayes: Chair Wickwire

Member Renzi

Member DelVecchio

Nays: None

Absent: Member Newell

Member Finamore

Motion carried.

This becomes Action #40 of 2014.

OTHER BUSINESS

John Barden, Applicant/Reputed Owner, dba Fast Lane Auto – 1799 NYS Route 13 – TM #77.00-01-34.000

Chair Wickwire reported that she had received a phone call from Mr. Barden stating that his planned move to Syracuse by July 1, 2014, was not going to happen. He also voiced objections to the conditions of the adjacent property and had a discussion with Steve Compagni regarding storage trailers plus some pieces of equipment stored on the former Sampson property. PZO Weber clarified that the complaints were being looked into and that Mr. Barden's permit to operate his business at this location would not exist after the first of July.

Sun Auto – NYS Route 281

Member Renzi reported that this business still wants to increase its parking lot and exceed the green space requirements. Read the report.

Clearmideo

Member Renzi stated there was a 104-page report that the Board members should read.

Town Attorney Folmer

Attorney Folmer reported that he will not be available on the date of the Board's next meeting, 24 June 2014.

ADJOURNMENT

At 8:45 p.m., a motion to adjourn the meeting was made by Member Renzi, seconded by Member DelVecchio, with all members present voting in the affirmative.



Joan E. Fitch, Board Secretary

E-mailed to Town, KW, JMF, CN,
EA, NR, JF, BW, TW, & DC on 6/1/14.