

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 28 January 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. DeVecchio

Others Present

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

Applicants & Public Present

Kim Slater, Applicant; John Barden, Applicant; Gerald Bell, Applicant; Attorney Victoria Monty for Daniel McNeil, Applicant; Clifford Malzman for Cannon Pools, Applicant; Jeff Breed, John Conway & George Breuhaus for Gutches Lumber Co., Applicant; Matt Lester & Ray Trotta for Holland Trotta, Applicant; FayeAnne Bell, Eric Mulvihill.

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 – 17 DECEMBER 2013

A motion was made by Member Chris Newell to approve the Minutes of the 17 December 2013 meeting, as submitted. The motion was seconded by Member Nick Renzi, with the vote recorded as follows:

Ayes: Chair Wickwire Member Newell Member Renzi Member Finamore Member DeVecchio	Nays: None
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Motion carried.

This becomes Action #1 of 2014.

OLD BUSINESS

John Barden, Applicant/Reputed Owner, dba Fast Lane Auto – 1799 NYS Route 13 – TM #77.00-01-34.000 – Close October 2013 Public Hearing & Continued Review of Revised Site Plan

A motion was made by Member Newell to close the Public Hearing held 29 October 2013 regarding this matter. The motion was seconded by Member Renzi, with the vote recorded as follows:

Ayes: Chair Wickwire Member Newell Member Renzi Member Finamore Member DeVecchio	Nays: None
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Motion carried.

This becomes Action #2 of 2014.

(Note: At the 29 October 2013 meeting of this Board, a Public Hearing was held regarding the applicant's failure to comply with his original Conditional Permit. At that time, the Public Hearing was recessed pending receipt of a Revised Site Plan, along with a timetable for its implementation.)

Chair Wickwire recognized the applicant who had brought with him a hand sketch of a proposed site plan along with an aerial photo (taken in May 2013). The sketch, he stated, was similar to the one previously submitted, but he "just cleaned it up." PZO Weber, who had not seen the submittals before this meeting, made copies for the Board members. The Board discussed the placement of the vehicles.

Chair Wickwire, acknowledging that the Board had not received what was requested from the applicant at the December meeting, read aloud from those Minutes which stated:

"Member Renzi read aloud the "Comments" contained on pages 2 and 3 of the attachment. The dimensions shown on the plan need to be more accurate, and lot coverage needs to be specified. There should be a new drawing showing all dimensions. There was no timetable provided, as requested by the Board. Regarding the fence mentioned at previous meetings, Mr. Barden stated that the new owner of the former Samson property, Economy Paving, might change the grade of their property and so he did not want to construct a new fence.

"PZO Weber asked the applicant about placement of the vehicles shown in the photo he had supplied. Is this how they are proposed to be parked? Mr. Barden said, "That's correct." PZO Weber then added, when comparing the photo to the drawing, that on his drawing, the vehicles are parked behind the power line (which is the property line), but in the photo, the vehicles extend beyond that.

"Chair Wickwire thought that, since the new plan was so much different that the original, it should be forwarded to County Planning for their review. Member Renzi commented that if this was done, it should also include the timetable, a drawing that was "professionally done, and a formal Conditional Permit request. PZO Weber stated that a revision to the existing CP could be done, and suggested that at the next meeting the Board could review what's being submitted, to see if they feel that the application is complete."

Chair Wickwire then advised the Board that they should now decide if the application is complete and whether or not it should be sent to County Planning for their review. Member Renzi stated that the application was not complete and is not ready to go to the County. Member Newell agreed and commented that everything Mr. Barden needed to do was "spelled out" at the last meeting. There are no dimensions given for parking spaces, property lines, driveways, aisles, customer parking area, etc. Mr. Barden stated he did not understand what was so difficult for the Board to understand. Chair Wickwire stated that they needed the information they had requested in order to forward this revised Site Plan to the County for their review because it was so different from the original Conditional Permit. PZO Weber advised that Mr. Barden has not filled anything out: new application under criteria for revision to an existing approval is needed. The applicant has expanded some of the uses on the property and those uses should be looked at – outdoor storage, tire container, recycling materials onsite±, needs an Aquifer Permit. There's no information provided as to materials, quantities, etc. Member Renzi commented that it is a waste of time to send it the hand sketch to County Planning.

Chair Wickwire looked at the original Conditional Permit and sketch (2008); everything's expanded and the applicant is now taking up what was to be grassy areas, added storage, etc. She reviewed what has transpired since that time. Since March of 2013, the Board has attempted to get the applicant to conform to his original Conditional Permit or submit the required materials. This has not happened.

Member Newell advised the applicant that the Site Plan should be resubmitted with accurate, readable dimensions showing all. Member John DeVecchio suggested a location survey to identify all the items on the property, including dimensions. Chair Wickwire again read from the December 2013 Minutes which clearly set forth what the Board was requesting. PZO Weber then made a copy of those Minutes for Mr. Barden, which contained "everything that you need to know," according to Chair Wickwire. Chair Wickwire then showed the applicant a sample of an appropriate Site Plan. She stated he was told

in June of 2013 what was needed, and he still has not provided what was requested: a detailed Site Plan (could be hand drawn), including all measurements to scale, and a timetable for its implementation. PZO Weber advised that these should be submitted to him at least one week before this Board meets.

Again, Mr. Barden was told by Chair Wickwire, "All we're trying to do is get a plan with dimensions on it that we can look at four years from now and say 'yes you are following the plan.'" Mr. Barden then asked, "Dimensions of what?" Member Renzi stated he should show exactly what he's going to have and where he's going to have it, with all dimensions shown. PZO Weber stated that in order to compute the amount of lot coverage, the applicant has to provide the dimensions of everything he's planning on placing on the lot. PZO Weber advised, "as soon as you can get a working drawing together addressing all of the items that are indicated in the Minutes, then bring it in and I will compare that drawing to the Minutes and the information they've requested. We can then discuss that and see if it's ready to go to the Board based on what they have asked for."

Town Attorney John Folmer advised the applicant to deal with what's in the Minutes. He stated, "I think Mr. Barden knows now that he needs to fill out an application, he needs to provide a drawing that details those things set forth in the Minutes, he needs to deal with Bruce to make sure he's accomplished the things that you've asked, and he needs to do it in a timely fashion so that it doesn't come in the day before your meeting."

At the conclusion of this lengthy discussion, **a motion was made by Member Renzi to postpone the review of the Revised Site Plan until the 25 February 2014 meeting. The motion was seconded by Member John 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 #3 of 2014.

Gerald R. & Fyanne L. Bell, Applicants/Reputed Owners – 1136 Blue Creek Road – TM #76.00-04-12.110 & 76.00-07-06.000 – Subdivision of Land

(Reference is made to this Board's Minutes of 17 December 2013, Action #58 of 2013, wherein the proposed subdivision was postponed until this meeting to give the applicant time to submit the requested paperwork to straighten out the discovery that someone had previously subdivided a couple of parcels out of this property without Town Planning Board approval, so until such time as they get approval for that subdivision, no action should be taken on this application.)

PZO Weber explained the new map that had been submitted. Lot S4 which is 3.576 A. is the new lot being created. Also shown is the 60-foot wide parcel, which connects to the Stevens' property, indicated as "Proposed Conveyance for Future Roadway", containing 1.082± A., which is to be combined with Stevens' TM Parcel #86.00-02-01.100, and there is also a proposed 300 ft. wide by 260 ft. deep± house lot to be created on the north side of Blue Creek Road (not shown on the survey map just submitted). PZO Weber also advised Mr. Bell that any further subdivision of the property will require with the Stormwater Regulations.

Mr. Bell had difficulty understanding what the Board was trying to do to correct previous errors, as stated above. After thoroughly explaining everything to him, he was asked by PZO Weber if he wanted to "submit this subdivision for review by the Board?" After consulting with Mrs. Bell, Mr. Bell agreed to do so.

At the conclusion of a lengthy discussion, a motion was made by Member Newell that, referencing a Preliminary Subdivision map dated 9 February 2010 by R. James Stockwin, PLS, Lot S4 is approved, as is the 60±-foot wide parcel to be conveyed to Mr. Stevens and combined with his TM Parcel #86.00-02-01.100; also approved is a proposed 300± ft. wide by 260± ft. deep house lot on the north side of Blue Creek Road (TM #76.00-07-06.000) that is not shown on said Stockwin map. 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 #4 of 2014.

NEW BUSINESS

Daniel F. McNeil, III, Applicant/Reputed Owner – 4433 Cosmos Hill Road – TM #s 76.13-01-02.000 & 76.00-04-02.000 – Subdivision of Land/Lot Line Adjustment

Chair Wickwire recognized Attorney Victoria Monty, representing the applicant who was seeking approval to combine the two subject parcels that he owns, as shown on the copy of a survey map accompanying the application.

With no further discussion, a motion was made by Member Newell to approve the Subdivision/Lot Line Adjustment, 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 #5 of 2014.

Kim Slater, Executor, Applicant/Estate of Abraham McCloy, Reputed Owner – 215 Sears Road – TM #84.00-02-01.000 – Subdivision of Land/Lot Line Adjustment

Chair Wickwire recognized Kim Slater, representing the Estate of Abraham McCloy, who was seeking approval of a subdivision and a lot line adjustment, as shown on the attachments accompanying the application.

With no further discussion, a motion was made by Member Newell to approve the Subdivision and Lot Line Adjustment, as requested. 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 #6 of 2014.

Sketch Plan Conference – Proposed Cannon Pools – NYS Route 13

Chair Wickwire recognized Peter Crissey, Architect, and Clifford Malzman, representing Cannon Pools who is planning to relocate their NYS Route 281 business facility to this location, the former Grange Hall site. A set of drawings had been previously provided to the Board members for their review; the actual application will be forthcoming after they receive feedback. Mr. Malzman explained that it is his understanding that the widening of NYS Route 281 will “take” the majority of their present business site, so they need to relocate. They have purchased the Route 13 parcel from David Yaman, he stated.

Member Renzi asked about the aesthetics of the building, and the architect commented that he is in contact with Mr. Yaman and understands the Town’s concerns with building attractive structures. They plan to install an in-ground pool in the front of the building and have extensive landscaping so that “it looks like the yard of a home.” Mr. Malzman described his store in Auburn. The architect, Mr. Crissey, advised he will be submitting a rendering of the proposed exterior of the new Cannon Pools facility.

The location of the above-ground pool display area was shown. Two or three employees will work in the store. There are eleven parking spaces. They plan to connect to the public sewer. Member Renzi asked about stormwater computations, and Mr. Crissey stated that is being taken care of by their engineer. They have not, as yet, talked with the NYSDOT. Member Renzi advised that they should also talk with Pat Reidy of County Soil & Water for his input. PZO Weber stated that they should provide a complete list of chemicals and quantities to be stored at this new facility.

Chair Wickwire also advised that an Aquifer Protection District Special Permit will be required, and she further explained the application process.

No Action Required.

Sketch Plan Conference – The Holland Trotta Project/Morgan Management – 840 NYS Route 13 – Former “Golden Skillet” Site – Proposed Commercial Building

Chair Wickwire recognized Ray Trotta who appeared before the Board for a preliminary review and comments with regard to a proposed new 5600± SF, three-tenant, single-story commercial building, as shown on the Concept Design attached to their narrative dated 1/20/14. The concept indicated two retail tenants and a proposed restaurant tenant with a drive-thru aisle. They were not exactly sure what the final makeup would be. The site is .788± A. with .09 A of proposed green space. Mr. Trotta was seeking the Board’s input as to the viability of the project, and the approval process.

The Board was concerned about parking and possibilities were discussed. The exterior of the building would be similar to David Yaman’s Aspen Dental Building. PZO Weber stated other concerns would also be lot coverage (a variance may be required), parking spaces (10’ by 20’), how drive-thru would work. Traffic patterns were discussed, including a tie-in to the adjoining Walmart property. Member Renzi commented that they should receive a copy of the Town’s Design Guidelines.

No Action Required.

Gutchess Lumber Co., Applicant/Reputed Owner – 3599 NYS Route 281 (former Friendly’s) – TM #95.12-01-13.000 – Proposed Building Renovation/Addition

Chair Wickwire recognized George Breuhaus, Architect, and John Conway (contractor). Mr. Breuhaus explained that the applicant had purchased the former Friendly’s site and would like to renovate it into a sales office. He explained the layout of the building, etc., all as contained in a 22 January 2014 narrative accompanying the application. There will be from 12 to 15 people in the building, and there are 39 parking spaces. Estimated cost of construction is from \$500,000 to \$600,000.

PZO Weber advised that an Aquifer Protection District Permit will be required. If there is no increase in impervious surface, a SWPPP will not be required. The Board discussed the aesthetics of the building; the Board would prefer a brick exterior.

At the conclusion of the discussion, a motion was made by Member Renzi to send the application to the Cortland County Planning Department for their review. 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 #7 of 2014.

Charles & Gloria Dellow, Applicants/Reputed Owners – 1781 NYS Route 13 – TM #77.00-01-36.111 – Lot Line Adjustment

Chair Wickwire recognized PZO Weber who explained that the triangle piece of property shown on the sketches accompanying the application is to be taken off of TM #77.00-01-36.111 and combined with adjacent TM #77.00-01-36.112.

With no further discussion, a motion was made by Member Newell to approve the Lot Line Adjustment, as requested. 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 #8 of 2014.

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

(Reference is made to the 29 October and 17 December Minutes of this Board when Charles Chappell appeared, 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. At the December meeting, this application was postponed until this meeting of the Board to allow the applicant's rep time to explore an alternate location for the trailer.)

Chair Wickwire acknowledged that there was no one here to represent the applicant.

A motion was then made by Member Newell to postpone the matter until the 25 February 2014 meeting of this Board to allow the applicant's rep time to report on an alternate location, as requested. The motion was seconded by Member DelVecchio, with the vote taken as follows:

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

Motion carried.

This becomes Action #9 of 2014.

ADJOURNMENT

At 9:25 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.

A handwritten signature in blue ink, reading "Joan E. Fitch", is written over a horizontal line.

Joan E. Fitch, Board Secretary

E-mailed to Town, KW, JMF,
CN,
EA, NR, JF, TW, DC & BW on 2/16/14.
Rev. 2/26/14 (Action #3, seconded by JD)