

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 24 September 2013 - 7:30 PM
Town Hall Board Room - 3577 Terrace Road - Cortland, NY

Board Members (*absent)

Katherine Wickwire, Chairperson
Christopher Newell
Nicholas Renzi
Elizabeth Ambrose
John M. Finamore

Others Present

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

Applicants & Public Present

John Partigianoni, Applicant; Stacy Crandall-Jones, Applicant; Glenn Reisweber of Lime Hollow Nature Center; Chris Emery, Pam Jenkins.

REGULAR MEETING

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

APPROVAL OF MINUTES – 25 JUNE 2013

A motion was made by Member Chris Newell to approve the Minutes of the 25 June 2013 Planning Board 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 Ambrose Member Finamore	Nays: None
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Motion carried.

This becomes Action #39 of 2013.

NEW BUSINESS

Jane Compagni Trust, Applicant/Reputed Owner – 1646 Lighthouse Hill Road - TM #77.09-01-01.000 – Subdivision of Land

PZO Weber advised Chair Wickwire that this application was for a simple Lot Line Adjustment as shown on the sketch map accompanying the application, and he saw no problems with it.

A motion was then made by Member Newell to approve the Lot Line Adjustment/Subdivision, as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:

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

This becomes Action #40 of 2013.

John Partigianoni, Applicant/Reputed Owner – 928 NYS Route 13 (Cort-Lanes) – TM #95.16-02-46.000 – Site Plan Approval – Proposed Building Expansion

Chair Wickwire recognized PZO Bruce Weber who advised the Board that, at its previous meeting, the Cortlandville Zoning Board of Appeals granted a variance for greater lot coverage than allowed for this proposed 40 ft. by 40 ft. building expansion.

Chair Wickwire then recognized the applicant and his contractor, Chris Emery. Mr. Partigianoni explained that he was seeking approval to construct this addition, as shown on the sketch accompanying the application, to be used for added storage and also for handicapped bathrooms. There was a 12 ft. by 16 ft. shed on the property which will be removed.

Chair Wickwire acknowledged receipt of the Cortland County Planning Department's report, along with the County Planning Board's resolution recommending approval of the application with three contingencies.

With no further discussion, a motion was then made by Member Renzi to approve the Site Plan for the 40 ft. by 40 ft. expansion of Cort-Lanes, 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 Ambrose		
	Member Finamore		

Motion carried.

This becomes Action #41 of 2013.

Stacy Crandall-Jones, Applicant/Reputed Owner – 1280 Fisher Avenue - TM #86.17-01-02.111 – Subdivision of Land

Chair Wickwire recognized the applicant who explained she was seeking approval to subdivide a 300 ft. by 100 ft. lot from her 2.66±-acre parcel as shown on the map accompanying her application.

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

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

Motion carried.

This becomes Action #42 of 2013.

Mark & Denise Mital, Applicants (via 8/29/13 letter to PZO Weber)/Reputed Owners – Walden Oaks Subdivision (PUD) “Church Parcel” – TM #105.08-02-45.000 – Zoning Change from Public Use to Residential

PZO Weber explained to the Board that he had received a letter from the applicants requesting a change to its designation from public use to residential use. The applicants stated that at the time of their purchase they were unaware of any restrictions regarding the designation/use of the property, and none were brought forth during the sales transaction. They now want to sell it as a “residential lot.” Therefore, the Planning Board needs to review the request and make a recommendation to the Town Board.

After a brief discussion, a motion was made by Member Newell to recommend to the Cortlandville Town Board that they change the parcel from Public Use to Residential. The motion was seconded by Member Ambrose, with the vote recorded as follows:

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

This becomes Action #43 of 2013.

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

Chair Wickwire asked if there was a representative of the applicant present; there was no one. An application had been received for a Conditional Permit to place a storage trailer in the parking lot alongside McLean Road. The trailer, which is already there, is being used as a drop-off place for Rescue Mission Donations. Member Finamore stated he was concerned that people would be dumping “stuff” there at all hours, not just when the donation trailer was staffed. Chair Wickwire stated that the Planning Board needed to talk with a representative before any action is taken.

A motion was then made by Member Renzi to postpone any action on this application for a Conditional Permit until the 29 October 2013 meeting of this Board in order to allow a representative to be present. The motion was seconded by Member Finamore, with the vote recorded as follows:

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

This becomes Action #44 of 2013.

PRIVILEGE OF THE FLOOR

- ✓ **Pam Jenkins re Proposed “Ash to Trash”** – Ms. Jenkins stated she lived in Cortlandville and has done her homework regarding Cortland County’s interest in an “ash for trash” exchange with neighboring Onondaga County. She handed out information to the Board members, stating that this was an important issue. According to Ms. Jenkins, the County Legislature wants to turn “our landfill into an ash dump for over 90,000 tons of ash a year.” She reviewed the materials she had included in her handout and asked Board members to please take a look at them. The County Legislature is “rushing” into this when, in fact, the Onondaga County Legislature will not address this for at least another three or four months. Cortlandville needs to be concerned with its sole source aquifer.
- ✓ **Glen Reisweber re Surplus County Property Adjacent Lime Hollow Nature Center -** Spoke to Board regarding a 16±-acre parcel of land, adjacent to the Nature Center (LHNC), which the owner, Cortland County, is contemplating declaring surplus acreage so it can be sold, as requested in a letter to the County Highway Committee from Cortland Sand & Gravel. According to Mr. Reisweber, the Legislature was to have voted on this on September 26th, but it was “pulled” before this could occur. He then displayed some documents pertaining to this parcel. The first, dated August 1978 from Environmental Management Council, in conjunction with County Planning, classified the area as anything

but surplus. So the subject parcel was not considered “surplus” in 1978. This area has flooded in the past and is so documented; it’s actually nature’s retention pond, he stated. Next, in a letter to Benny Gunzenhauser in 1995, the Environmental Management Council thanked him for donating the land to Cortland County, and recognized the importance of the land “donated to the citizens of Cortland County.” The letter also acknowledged its “unique environmental qualities.” He also read from a 2009 document, authored by County Legislator Danny Ross to the Open Space Plan, which demonstrated the subject land was not considered surplus at all. The last document he displayed was a map from the NYSDEC showing “two pink gumballs.” One of them was over the subject property, and the legend read “Significant Natural Communities.” Chair Wickwire then explained the underlying reasons for why this property might be classified as surplus. She felt the area should be protected. Would like to make a recommendation to the Town Board to that effect. Pam Jenkins commented that the County has been allowed to mine gravel on that land. Town Attorney Folmer added that there is a rumor that the County has mined the property for gravel purposes for the Highway Department by using the permit issued to Cortland Sand & Gravel. PZO Weber added that if one looks at the permit issued to Cortland Sand & Gravel, it does not include County-owned lands, and unless the County has received a NYSDEC permit to mine, then they are in violation. Therefore, if the property is declared “surplus,” it could be sold (by bid) to Cortland Sand & Gravel to avoid the DEC’s assessing them. Chair Wickwire asked if the property could be donated to Lime Hollow? Mr. Reisweber stated that this was not his concern; he wanted it to remain a protected area, and the Town should be apprehensive about what’s going on. PZO Weber suggested the possibility of Chair Wickwire writing a letter to the County Legislature setting forth their position regarding this proposed classification. At the conclusion of this extensive discussion, **a motion was made by Member Newell to authorize Chairperson Kathy Wickwire to draft a letter to the County Legislature and the Town Board, indicating the taking of the position of what the 16-acre parcel of land discussed tonight should be used for. The motion was seconded by Member Finamore, with the vote recorded as follows:**

**Ayes: Chair Wickwire
Member Newell
Member Renzi
Member Finamore**

Nays: None

Absent: Member Ambrose (left at 8 PM)

Motion carried.

This becomes Action #45 of 2013.

OTHER MATTERS

- ✓ John Barden – dba Fast Lane Auto – PZO Weber indicated to the Board that Mr. Barden would be back. Member Renzi commented that Attorney Mike Shafer had informed them that Mr. Barden was in negotiations with his clients, the Samsons, to purchase his adjoining property. PZO Weber stated that to date nothing has occurred, and that the Board needed to hold a Public Hearing for the purpose of reviewing his Conditional Permit. **A motion was then made by Member Renzi to set a Public Hearing for Mr. Barden on 29 October 2013, 7:30 PM, for the purpose of considering the revocation of this Conditional Permit. The motion was seconded by Member Newell, with the vote recorded as follows:**

**Ayes: Chair Wickwire
Member Newell
Member Renzi
Member Finamore**

Nays: None

Absent: Member Ambrose


Motion carried.

This becomes Action #46 of 2013.

- ✓ **Walmart Storage Trailers** – Member Renzi asked about the storage trailers located along NYS Route 13 in the Walmart parking lot. PZO Weber will check them out.
- ✓ **Flooding in St. Mary's Cemetery** – Member Finamore asked if anyone knew about any retention ponds that had been constructed on adjoining property “at the top?” PZO Weber advised that this might be a civil matter.

ADJOURNMENT

At 8:38 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, KW, JMF,
CN,
EA, NR, JF, TW & BW on 11/03/13.