

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 30 July 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

Rick Smith, Applicant; Attorney Mike Shafer for Used Car King, Applicant.

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 #35 of 2013.

OLD BUSINESS

John Barden, Applicant/Reputed Owner (dba Fastlane Auto) – 1799 NYS Route 13 – TM #77.00-01-34.000 – Non-Compliance w/Original Conditional Permit

CEO Weber advised Chair Wickwire that a letter from Mr. Barden's attorney, Larry Knickerbocker, had been received (dated 30 July 2013) informing the Planning Board that Mr. Barden and the adjacent property owners, the Samsons, were in the process of negotiating the sale of the Samson's home on NYS Route 13 to Mr. Barden. Therefore, Mr. Knickerbocker requested that this Board withhold any further action at this time.

A motion was then made by Member Chris Newell to postpone the review of the Conditional Permit until the 27 August 2013 meeting of the Town of Cortlandville Planning Board, as requested by the applicant's attorney. The motion was seconded by Member Elizabeth 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 #36 of 2013.

Used Car King, LLC, Applicant/Reputed Owner – 3861 NYS Route 281 – TM #86.17-01-11.100 – ZBA Request for Planning Board to Act as Lead Agency for SEQRA Review

Chair Wickwire recognized CEO Bruce Weber who advised the Board that, at its previous meeting, the Cortlandville Zoning Board of Appeals adopted a Resolution requesting that this Board act as Lead Agency with regard to Used Car King's application for a variance to allow more lot coverage than permitted. There will be at least three involved agencies: Town ZBA, Town Planning Board, and the DEC because, in all likelihood, a SPDES Permit will be required. The Town Board and City Water Board are also potential interested agencies. Once this Board has conducted the review, it is to communicate its decision to the Town ZBA who retains jurisdiction and will make its decision regarding the requested variance.

A motion was then made by Member Chris Newell that the Town of Cortlandville Planning Board agrees to act as Lead Agency for the SEQRA review of Used Car King's application for a variance to allow for greater lot coverage than allowed, as requested by the Town Zoning Board of Appeals. 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 #37 of 2013.

CEO Weber reminded the Board that there were some provisions within the Zoning Ordinance that deals with the ability of the Town to hire a consultant at a cost "associated with the applicant" which may or may not occur. This will be discussed further between Attorneys Folmer and Shafer, and CEO Weber.

CEO Weber also advised those present of required documents for distribution to all involved/interested agencies and what happens thereafter. Attorney Shafer brought Board members up to date on what has happened with his client's appeal for a variance; he noted that his client had completed a SEAF which accompanied the application for a variance.

NEW BUSINESS**Rick Smith, Applicant (dba Happy Auto Detailing)/PROP, Inc., Reputed Owner – 3901 NYS Route 281 (West Road) - TM #86.17-01-02.111 – Conditional Permit for Food Sales**

Chair Wickwire acknowledged the applicant who was requesting a Conditional Permit to do food sales in his parking lot as a fundraiser for various not-for-profit agencies until 17 August 2013, the last day the NY Jets will be in Cortland for their training camp. The food sales area (selling mostly BBQ sandwiches) would be right in front of his business, in the parking area that is perpendicular to the road. Photos were shown. When asked by Chair Wickwire who would be doing the cooking, Mr. Smith stated that he would, and he has the required Health Department permit.

With very little discussion, **a motion was made by Member Ambrose to approve the Conditional Permit for food sales (BBQ) from 31 July 2013 thru 17 August 2013, as requested. The motion was seconded by Member Newell, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #38 of 2013.

OTHER MATTERS

- ✓ **Elizabeth Ambrose** – Board Member Ambrose advised those present that she will be resigning her position on the Planning Board in the near future. Family and business obligations, plus an expected move from the Town, have all contributed to her decision. She stated that she has appreciated the opportunity to serve on this Board.

ADJOURNMENT

At 8 p.m., a motion to adjourn the meeting was made by Member Newell, seconded by Member Ambrose, 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 8/15/13.