

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 28 May 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 (dba Happy Auto Detailing); Glenn Reisweber for Lime Hollow Nature Center, Inc., Applicant; Dave Law for CNY Power Sports, Applicant; James & Michael Reeners, Applicants; Kevin Marlatt, Applicant; John Barden, Jim & Donna Conaron, Amy Bauer, David & Cindy Leis, Kathy & David Jacobsen, Mary Lee Martens, Sandra Ripic, Julie & Karen Hempson, Blake Allen, Paul Allen, Nancy & Scott Cavellier.

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.

OLD BUSINESS

Lime Hollow Nature Center, Inc., Applicant/Reputed Owner - 3277 Gracie Road - TM #s 105.05-01-13.110 & 12.110 - Conditional Permit & Aquifer Protection District Special Permit for Proposed Environmental Education Center

Chair Wickwire recognized Glenn Reisweber, representing the applicant who was seeking the above permits to construct a 2800± ft. Environmental Education Center and refurbish existing onsite structures for use as a summer camp program, all as described in the attachments accompanying the application. PZO Bruce Weber advised Mr. Reisweber that a variance will be required and nothing can be done until that is obtained. Regarding the 24-foot wide access road and access for fire apparatus, Mr. Reisweber stated they will obtain approval from the Fire Department; County Planning, he said, also raised this issue. They have negotiated an additional 20 feet from the neighbor's (Webster) property, and the parking has been addressed; spaces will be 10 ft. by 20 ft. Final plans will be brought in to PZO Weber.

No Action Taken.

CNY Power Sports, Applicant/Dave Law, Reputed Owner - 3871 US Route 11 - TM #87.00-04-04.000 - Conditional Permit for Storage Units

Chair Wickwire recognized Dave Law, who explained that he was seeking a Conditional Permit to construct two (2) 30 ft. by 300 ft. self-storage unit buildings at the location shown on the sketch accompanying this application. The Board reviewed the Cortland County Planning Board's recommendations contained in their Resolution No. 13-19 of May 15, 2013. Mr. Law stated he will provide a sample lease to PZO Weber and comply with all recommendations contained in the County's report. He will also update his proposed "Jiffy Lube" SWPPP to accommodate this project; the oil-change business never was constructed.

At the conclusion of a very brief discussion, a motion was made by Member Chris Newell to approve the Conditional Permit for two 30 ft. by 300 ft. self-storage units, as requested, conditioned upon receipt of a sample lease agreement and revised Stormwater Pollution Prevention Plan as recommended by the Cortland County Planning Board in their Resolution No 13-19 of 15 May 2013. 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 #24 of 2013.

James & Michael Reeners, Applicants/Lee Ambrose, Reputed Owner – 20.88± A. @ Top of Commons Avenue – TM #s 86.09-01-07.000, 17.000, 21.000 & 22.200 – Zoning Text/Map Amendment, Subdivision & Site Plan Review – Proposed Westmoreland Hgts.

Chair Wickwire recognized Jim Reeners, who was requesting a zoning change from R-1 to R-3 for two of the parcels, as outlined in a previously distributed information packet, plus a one-page undated narrative received by this Board at this meeting. He added that there was an error in the Bulk Regulations, of which PZO Weber is also aware.

PZO Weber stated that the zoning change was before the Board for their recommendation, and explained the process this request has undergone, adding that it was now the Board's job to make a recommendation to the Town Board. Everything else, he stated, remains the same, but the zoning change needed to be acted upon first. Town Attorney Folmer cautioned that the Town Board is not going to make any changes until the study of the Route 281 corridor has been completed. He then suggested that the Board could consider the comments and recommendations contained in the County Planning Board's recommendations contained in their Resolution No. 13-15 of May 15, 2013. Other alternatives were provided to the Town Planning Board by Attorney Folmer.

At the conclusion of their discussion, a motion was made by Member Newell that the requested zoning change to develop this site as an independent senior living community be forwarded to the Town Board and Land Use Committee with no recommendation made at this time. The motion was seconded by Member Renzi, with the vote recorded as follows:

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

Motion carried.

This becomes Action #25 of 2013.

NEW BUSINESS

Rick Smith (dba Happy Auto Detailing), Applicant/PROP, Inc., Reputed Owner – 3901 West Road (NYS Route 281) – TM #86.17-01-02.111 – Conditional Permit – Proposed Tent

Chair Wickwire recognized the applicant who explained that he wanted to use a 20 ft. by 30 ft. tent canopy, as shown in the photo accompanying the application, for his detailing business. The tent would be a distance of 180 feet from Route 281, behind a seven-foot fence, on pavement, he said. There would be no electricity used. Mr. Smith stated he had cleaned out the area and it now looks neat. The tent would be used for "checking out" (final detailing) the detailing job completed on vehicles while inside the building. He would like to use the tent canopy, which he owns, until November± when it would be taken

down for the winter months. No spray cans would be used, just maybe glass cleaner. Three cars would be worked on at one time, five days per week, and he called it a "3-bay tent." There would be nothing under the canopy when the business is closed.

At the conclusion of their discussion, **a motion was made by Member Newell to approve a Conditional Permit for the proposed 20 ft. by 30 ft. tent/canopy, as requested, from April 1st thru October 31st. 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 #26 of 2013.

Kevin Marlatt, Applicant/Robert Sweeney, Reputed Owner – 4354 Sweeney Road – TM #75.00-03-04.000 – Lot Line Adjustment

Chair Wickwire recognized the applicant who stated that he was seeking approval for a lot line adjustment as shown, which would add .84± A. to his land.

After a very brief discussion, **a motion was made by Member Finamore to approve the Lot Line Adjustment, 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 #27 of 2013.

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

Chair Wickwire recognized the applicant and his attorney, Larry Knickerbocker, who stated that his client had received the PZO's letter and had complied with it. He went on to explain that Mr. Barden's business is expanding and he will look into having more vehicles in front of his existing building as he needs to display them. Attorney Knickerbocker explained to the Board how his client moves around the vehicles on the property. All vehicles are "roadworthy" he said, and there are no junk vehicles. He added that his client intends to come back to the Board's next meeting to request an amended Conditional Permit.

Chair Wickwire read from previous Minutes regarding CEO Tom Williams' complaint to PZO Weber. PZO Weber stated that he had observed the subject property this past week and vehicles are still being parked on the grassy area, and there are two pieces of auto bodies there. At that time he talked with Mr. Barden about compliance with his Permit, and also with Attorney Knickerbocker, indicating that the matter was on the Agenda for this meeting for non-compliance. PZO Weber stated there had been a complaint received from a neighbor. Two vehicles, last week, were parked on the south side of the building; there is to be no parking on the grassy areas.

Mr. Barden displayed an aerial photo of the subject property and explained the locations he uses. PZO Weber stated he was allowed ten vehicles in front and he has twenty there now. He advised Mr. Barden that if he was expanding, the Board needed to know the details. Member Ambrose commented that he

should come back before the Board with a plan to bring the property into compliance. Chair Wickwire advised him to bring in a plan showing what he wanted to do. PZO Weber said to make a new application and then follow what he wants to do and how much green space there is. Mr. Barden stated he would like to use the green space in front for parking.

Attorney Knickerbocker stated they would like to come back next month. Mr. Barden asked if the original Site Plan could be modified, and PZO Weber asked him to come up with a detailed plan "so we know exactly what you are asking for," including dimensions of the area(s) where the vehicles will be parked.

No Action Taken.

Patrick Kozar, Applicant/Gilbert Kozar, Reputed Owner – 4245 Kinney Gulf Road – TM #85.00-01-22.110 – Subdivision

Chair Wickwire acknowledged that neither the applicant nor the owner was present, so PZO Weber explained that this was a simple subdivision of land, taking a 5-acre lot out of the main parcel, as shown on the drawings accompanying the application. To further explain, PZO Weber retrieved the tax maps for the Board's review.

With very little discussion, **a motion was made by Member Finamore to approve the Subdivision, 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 #28 of 2013.

OTHER MATTERS

- ✓ **Dr. Hawkins' Parking Lot** – Member Renzi said the property is still in violation. PZO Weber stated that the Planning Board has the power to revoke their permit, and that he has done everything he can do to get the owner to bring the subject into compliance. He advised that if the Board wants to revoke the Conditional Permit, there are provisions for doing so; the property should conform to what was agreed to in the beginning. Town Attorney Folmer stated there were two ways to go: they can do nothing, or the Board has the right to entertain an application to revoke the permit. It is "up to you."

ADJOURNMENT

At 8:50 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 6/20/13.