

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 25 July 2017 – 7:30 PM
Town Hall Board Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)

Katherine Wickwire, Chairperson
Christopher Newell
Nicholas Renzi
John A. DelVecchio
Nasrin Parvizi

Others Present

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

Applicants & Public Present

Dan Hagberg, Nicholas & Jim Huber for Storage Squad, LLC, Applicant; John Congdon for Valley Rental, Applicant; Sandra Tuthill, Applicant; Dan Quinlan for Suit-Kote Corp., Applicant; Elie Schecter for Gutchess Lumber Co.; Andrew Porter for PROP, Inc., Applicant; Kieran Sied, Rob Hitchcock, Jared Pantella & Melissa Clark for Abundant Solar Power, Applicant; Jeffrey Breed, Carl & Olga Savino, Irena Vincent, Lynne Lash, Jim Mulherin (?), Jackie DiLucci, Carl Pearce, Roxanne Wehnke, Danny Richards, Tricia Woodward, Bud Hart, Robert Beard, Catherine Bernardo, Dennis DeRado.

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 – 23 MAY 2017

A motion was made by Member Nick Renzi to approve the Minutes of the 23 May 2017 Planning Board meeting, as submitted. The motion was seconded by Member Chris Newell, with the vote recorded as follows:

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

Nays: None

Motion carried.

This becomes Action #50 of 2017.

OLD BUSINESS

Storage Squad, LLC, Applicant/Church of the Redeemer, Reputed Owner – Starr Road – TM #96.06-01-15.210 – Conditional & Aquifer Protection District Permits – Proposed Self-Storage Facility

(Reference is made to this Board's Minutes of 21 February 2017 when a Sketch Plan Conference was held regarding this proposed project. At that time, the address and tax map parcel number reflected City of Cortland information, as the parcel fronts on NYS Route 13 in the City, with the rear portion bounded by Starr Road in the Town of Cortlandville. The above information was provided to the writer by the Town of Cortlandville Assessor's Office.)

Chair Wickwire recognized Nicholas Huber who stated that an application for Conditional and Aquifer Protection District Special Permits had been submitted, partly as a result of their receiving a copy of the Clough Harbour Associates Engineering Report. He then explained the applicant's responses to the hardships encountered regarding sale of property, etc., all as required to obtain a Use Variance from the Town's Zoning Board of Appeals (ZBA). Member Renzi complimented Mr. Huber on the work that went into compiling the data. PZO Bruce Weber advised that the Town's ZBA had asked the Town Board to act as Lead Agency under SEQRA, and that the SEQRA needed to be completed before the project would go to the ZBA and, then, to the Planning Board. Town Attorney John Folmer commented that before this Board makes any determination, they may consider having a Public Hearing; the Board agreed. Chair Wickwire stated that she would like to have a public hearing at the next Planning Board meeting so that everything could be done in a timely manner.

At the close of the brief discussion, **a motion was made by Member Newell to schedule a Public Hearing for 7:30 p.m. on 29 August 2017 for the proposed Self-Storage Facility. The motion was seconded by Member John DelVecchio, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #51 of 2017.

PROP, Inc. (Bestway), Applicant/Reputed Owner – 3877 Luker Road – TM #86.17-01-01.000 – Conditional Permit & Aquifer Protection District Special Permit – Proposed Warehouse

(Reference is made to this Board's Minutes of 27 June 2017 regarding this project; applications were forwarded to Cortland County Planning at that time.)

Chair Wickwire recognized Andrew Porter, representing the applicant who was seeking a Conditional Permit and an Aquifer Protection District Special Permit to construct a 60 ft. by 200 ft. cold storage warehouse for lumber, at the location shown on the aerial maps accompanying the application. Also submitted was an Engineer's Report, dated 6/20/17, prepared by Brent A. Cross, PE, which detailed what was being proposed.

Chair Wickwire asked Mr. Porter if he had contacted the airport/FAA regarding the project. Mr. Porter stated he had and, in talking with Director of County Planning Dan Dineen, when "it's a known non-obstruction, you can advise; you don't necessarily need to seek permission . . . it's 50 feet below their height restrictions." They have not heard anything from the FAA as of this date.

Lot coverage was discussed. PZO Weber stated that the subject area was previously used for storage so, when constructing a building on it, it would not change lot coverage. The applicant, however, will need to address the stormwater runoff in the Stormwater Plan for the property. Mr. Porter responded that the Stormwater Plan will be submitted; he has been in touch with Pat Reidy of County Soil & Water regarding a SWPPP. Member Parvizi commented on County Planning's recommendation. PZO Weber responded that he disagreed with the County's interpretation regarding lot coverage. It is his opinion that lot coverage is "grandfathered in." Member DelVecchio agreed, so then #1 of the County's recommendations would not apply.

Chair Wickwire stated that, in addition to the Stormwater Plan, she would like a letter from the FAA.

At the close of this discussion, a motion was made by Member Newell to postpone action on these applications until the 29 August 2017 meeting of this Board to allow for submittal of the requested information. The motion was seconded by Member DelVecchio, with the vote recorded as follows:

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

Motion carried.

This becomes Action #52 of 2017.

Abundant Solar Power, Inc., Applicant/Barden & Robeson Corp., Reputed Owner – Wellington Drive – TM #95.20-03-01.000 – Change of Zone, Conditional Permit & Aquifer Protection District Special Permit - Proposed Community Solar Grid

(Reference is made to this Board's Minutes of 27 June 2017 for previous information provided regarding this project. At that meeting, the applications were forwarded to Cortland County Planning for their review.)

Chair Wickwire recognized Jared Pantella of Abundant Solar Power, who stated that he had met with Cortland County Planning "last Wednesday." Comments were received from that Board and they were currently working on what was requested. He also reported he had contacted the seller's real estate agency and was informed that the subject parcel is not within the original "declaration for the Homeowner's Association." Change of Zone was discussed. PZO Weber advised of the process that would occur. Town Attorney John Folmer advised Mr. Pantella that if the applicant wants to follow a request in Change of Zone, that application would need to be made to the Town Board who will then decide where it would go.

Chair Wickwire commented that there were possible recommendations for a moratorium on solar farms that the Town Board is considering. Attorney Folmer said that the Town Board has had preliminary discussion regarding enactment of a moratorium, but have not fixed the length of time that one would exist, which is one of the requirements. This would be considered at their meeting on the first Wednesday in August (August 2nd). The Planning Board, he advised, is being asked to make a recommendation to the Town Board regarding a Change of Zone (PUD to Agriculture is requested). Mr. Pantella commented that he did not know about a proposed moratorium and asked what he should do. Member Renzi responded that it was his opinion that the zoning issue needs to be decided first, whether or not there's a moratorium.

With no further discussion, a motion was made by Member Renzi that the Town of Cortlandville Planning Board recommends to the Town Board that the requested Zoning Change not be granted. The motion was seconded by Member Newell, with the vote recorded as follows:

Ayes:	Chair Wickwire	Nays:	Member Parvizi
	Member Newell		
	Member Renzi		
	Member DelVecchio		

Motion carried.

This becomes Action #53 of 2017.

NEW BUSINESS

Sandra Tuthill & Charles Buck, Applicants/Reputed Owners – 1377 Starr Road Extension – TM #96.00-03-10.120 – Subdivision of Land

Chair Wickwire recognized Ms. Tuthill who explained that she was seeking approval to take a .6±-acre parcel (130 ft. RF by 215 ft. deep) out of her 9±-acre parcel, as shown on the annotated tax map accompanying the application.

With no further discussion, **a motion was made by Member Newell to approve the Subdivision of Land, as requested. The motion was seconded by Member DelVecchio, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #54 of 2017.

Suit-Kote Corp., Applicant/Reputed Owner – 1948 Loring Crossing Road – TM #77.00-01-53.100 – Subdivision of Land

Chair Wickwire recognized Dan Quinlan, representing the owner who was seeking approval to take a 1.98±-acre parcel out of this 20.9±-acre parcel, as shown on the annotated map accompanying the application.

With no further discussion, **a motion was made by Member DelVecchio to approve the Subdivision of Land, 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 DelVecchio		
	Member Parvizi		

Motion carried.

This becomes Action #55 of 2017.

Valley Rental, Applicant/Barden Management Services, Reputed Owner – Luker Road – TM #95.08-01-53.100 – Conditional & Aquifer Protection District Special Permits – Proposed Mini Storage Facility

Chair Wickwire recognized John Congdon, representing the owner who was seeking approval to construct a new mini storage facility on the subject parcel. The applications/narrative were contained in a submittal prepared by Resource Associates on 17 July 2017, a copy of which has been placed on file for the record. Three buildings are being proposed for use as rental storage units. The Project Narrative explains everything in detail.

Chair Wickwire asked about fencing, and Mr. Congdon stated that these climate-controlled units were not considered for fencing, but could be. Member Renzi asked about lighting and landscaping, and Mr. Congdon responded that the building-mounted lighting would be low intensity. With regard to landscaping and signage, “we’re very big on both.” The facility would be “professionally built and professionally run” he said.

In response to Member Newell's question, Mr. Congdon said he did not plan to add any more units on this parcel. Chair Wickwire advised that the Board would like to see a landscaping plan and a rendering of what the units will look like.

With no further discussion, **a motion was made by Member Renzi to send the applications for the proposed Mini Storage Facility to the Cortland County Planning Department for their review.. The motion was seconded by Member Parvizi, with the vote recorded as follows:**

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

Motion carried.

This becomes Action #56 of 2017.

Gutchess Lumber Co./Farm East LLC, Applicants/Reputed Owners – 487 NYS Route 13 – TM #105.00-01-43.111; 415 McLean Road – TM #95.00-01-33.000; Lime Hollow Road – TM #95.00-06-04.100; 3245 So. Cortland-Virgil Road – TM #105.00-01-50.000; 684 McLean Road – TM #95.15-01-13.000 – Sketch Plan Conference for Proposed Community Solar Projects

Chair Wickwire recognized Elie Schecter of SolarCity (dba Tesla Energy). SolarCity has partnered with the applicants to develop community solar projects on the above-stated properties. An undated Sketch Plan Review Narrative was provided to Board members and has been placed on file for the record.

Mr. Schecter stated that he did not know that a moratorium on solar projects in the Town was being considered. He went on to explain what was being planned. Only the properties that are used would be leased. Mr. Schecter said he was Project Manager on the Walmart rooftop on Bennie Road; also completed is the SUNY Cortland project. SolarCity operates and maintains their facilities.

Member Renzi asked if a PILOT program was available, and Mr. Schecter responded that it was still too early to know this.

Each project would produce two megawatts, all in National Grid territory, and would all connect to the Starr Road Substation.

Chair Wickwire added that it's the landscaping and other things that go along with projects of this type that the Board is concerned with—especially decommissioning. Regulations are needed, she stated. No further discussion was held.

No Action Taken.

Moratorium on Solar Farms

A motion was made by Member Renzi that the Town of Cortlandville Planning Board recommends to the Town Board that they consider a Moratorium on Solar Farms until adequate regulations have been adopted. The motion was seconded by Member Newell, with the vote recorded as follows:

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

Motion carried.

This becomes Action #57 of 2017.

EXECUTIVE SESSION

At the request of Town Attorney Folmer, at 8:47 p.m., **a motion was made by Member Newell to go into Executive Session to discuss pending litigation. The motion was seconded by Member Renzi, with all Board members present voting in favor.**

At 8:54 p.m., **a motion was made by Member Newell to come out of Executive Session. The motion was seconded by Member Parvizi, with all Board members present voting in favor.**

No Actions Taken.

ADJOURNMENT

At 8:55 p.m., a motion to adjourn the meeting was made by Member Renzi, seconded by Member Parvizi, with all members present voting in the affirmative.


Joan E. Fitch, Board Secretary

E-mailed to Town Clerk, JBF, PB Members,
DD, BW, KM & DC on 8/29/17.