

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 27 March 2018 – 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
John B. Folmer, Town Attorney
Joan E. Fitch, Board Secretary
Doug Withey, Town Board Member

Applicants & Public Present

Gregory Leach, Applicant; Al Kryger & Tim Buhl, PE, for Leonidas Group of Virgil, LLC, Applicant; Kevin Whitney for Cortlandville Fire District, Applicant; Jared Gebbsa (??), Courtney Metcalf, Paul Alteri, Tony Cincotta, Larry Biviano, Andrea Niggli, Kevin Pristash, Pamela Jenkins; Sharon Stevans w/Community Access TV.

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 – 6 MARCH 2018

A motion was made by Member Chris Newell to approve the Minutes of the 6 March 2018 Planning Board meeting, as submitted. The motion was seconded by Member Nasrin 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 #15 of 2018.

OLD BUSINESS

Gregory Leach, Applicant/Leach Properties, LLC, Reputed Owner – 1834 NYS Route 13 – TM #77.00-13-11.000 – Continued Review of Negative Declaration (SEQR) & Conditional Permit

Approval

(Reference is made to the 26 December 2017, 30 January 2018, and 6 March 2018 Minutes of this Board for additional information.)

Chair Wickwire recognized Town Attorney John Folmer who had prepared and submitted a written Memo, dated 21 March 2018, to the Board members for their review and approval pertaining to their decision to issue a Negative Declaration regarding this matter, as follows:

The Planning Board considered the fact that this application involves a parcel consisting of 3± acres and does not include the larger parcel situated directly to the south. This is confirmed and is consistent with the comments made by the Cortland County Planning Board. Upon recognition of this fact, to speculate as to the future use of the southerly parcel in the absence of an application is inconsistent with the SEQR requirements. As such, this is not considered a segmented review.

With regard to the recommendations made by the County Planning Board, this Board adopts all of them with the exception of numbers 2, 3, and 4.

With regard to condition numbers 2 and 3, no Stormwater Management Plan is required as there has been insufficient disturbance of the subject parcel as included in this request for permission to construct a lean-to.

With regard to condition number 4, based upon the advice of Counsel and the Zoning Officer, no new use variance was required in connection with this application.

The Board has personal knowledge of the surrounding area having dealt with many projects within that region and, based upon that knowledge, the Board concludes that this proposal is not incompatible with the general nature of the surrounding area.

Traffic concerns were considered, but were alleviated by the restriction that does not allow entrance to the subject parcel from the larger parcel to the south.

As the Minutes of our meeting of February 21, 2017 indicate, each of the inquiries contained in Part 2 of the Short Form EAF were read and discussed, with negative responses being received from the Board unanimously.

Upon review of all aspects of the application, the personal knowledge of the Board members, including familiarity with the area in question, a review of the report and recommendation of the County Planning Board, together with the information provided by the Zoning Officer and Counsel, the Board approved, unanimously, a Negative Declaration with regard to this matter.

Chair Wickwire asked the Board members if there were any additions or corrections they would like made to Town Attorney Folmer's statement; there were none.

A motion was made by Member Chris Newell that the Town of Cortlandville Planning Board approves the 21 March 2018 Memo prepared by Town Attorney John Folmer, as above, regarding the SEQR Review of the Conditional Permit Approval for a proposed addition to an existing building. The motion was seconded by Member Parvizi, with the vote recorded as follows:

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

Nays: None

Motion carried.

This becomes Action #16 of 2018.

Town Attorney Folmer then explained to those present that he will now put together a document to submit to the Court to demonstrate what has been done in response to the Judge's Request for Remand; whatever action would occur next "is not up to us."

NEW BUSINESS

Leonidas Group of Virgil, LLC, Applicant/Reputed Owner – Starr Road – TM #96.10-01-19.100 – Conditional Permit – Site Plan Review – Multi-Family Residential PUD

Chair Wickwire recognized the applicant's engineer, Tim Buhl, who explained to the Board that had met with the Coordinated Review Committee and had gone over the plan, including the stormwater which had been submitted to the NYSDEC; the applicant has responded to their comments with an updated set of plans. The concept is the same as this Board had seen before in the PUD application.

Chair Wickwire asked Mr. Buhl if he had seen the County Planning report, and he responded he did. Chair Wickwire stated there were a lot of items in the County Report that needed a response; the engineer explained that some had been completed and some are yet to be done.

Chair Wickwire advised that the Board “needs to know what it will look like.” She mentioned no buffer zone was indicated, and a better landscaping was needed. She reviewed the County’s comments with Engineer Buhl, one of them being #11 on page 11 pertaining to a landlocked property.

Engineer Buhl stated they would be making a response to County Planning’s recommendations, and the Stormwater Pollution Prevention Plan had been submitted to Pat Reidy at County Soil & Water. PZO Weber commented that he had not as yet received Mr. Reidy’s comments.

Chair Wickwire asked about access to the project by emergency services; the Board would like to know more about this. She then persistently requested to know who Leonidas was; Mr. Kryger responded there were three individuals—himself, Tom Hatfield, and his brother.

Member Renzi stated that this application/whole project should be reviewed by the Town’s engineering firm, Clough Harbour & Associates. Responses to the County’s recommendations should be made by the applicant/engineer, in writing. Member Renzi asked who will be responsible for maintenance of the stormwater management system? What about ten years from now? Assurance is needed that everything will be well maintained and not a problem in the future. Provide us with the actual Homeowner’s Agreement for this project, not a sample, he stated. Also, the number of parking spaces seems insufficient.

At the conclusion of this lengthy discussion, **a motion was made by Member Renzi that regarding this application for a multi-family residential PUD, (1) all materials shall be submitted to Clough Harbour Associates for their review, similar to what was done on 15 March 2016 for a previous application, (2) formal responses, in writing, shall be submitted to the Town Planning Board by the applicant relative to the fifteen recommendations of the Cortland County Planning Department report, and (3) the Homeowner’s Association Contract, specific to this project, shall be submitted to the Town Planning Board. The motion was seconded by Member 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 #17 of 2018.

PZO Weber advised the applicant’s representatives regarding any charges that may come from Clough Harbour Associates, that they should contact them.

John DelVecchio, Applicant/DelVecchio Family, LLC, Reputed Owner - 1703 NYS Route 13 - TM #77.17-01-08.200 – Request for Subdivision & Site Plan Approval

Chair Wickwire and PZO Weber advised that this application had been withdrawn by the applicant.

No Action Required.

Cortlandville Fire District, Applicant/Reputed Owner - 999 NYS Route 13 – TM #96.09-02-05.000 – Lot Line Adjustment, Conditional Permit & Aquifer Protection District Special Permit – Proposed Live Fire Training Tower & Educational Facility

Chair Wickwire recognized Kevin Whitney, Chairman of the Board of Fire Commissioners who explained to the Board what was being proposed for this location, all as set forth in a very detailed, concise

application contained in a three-ring binder entitled "Live Fire Training Facility, Cortlandville Fire District, March 2018. A copy of this has been placed on file for the record.

Member Renzi asked if this facility used other liquids other than water; Mr. Whitney advised they did not, and he also explained what happens to the water runoff and what's been burned. He also stated that the application is being submitted to Pat Reidy of County Soil & Water.

In response to Member Renzi's question, Mr. Whitney said that other counties will be using this facility.

A video of the proposed training facility was shown to everyone, with the narrative by Mr. Whitney.

At the conclusion of this discussion/presentation, **a motion was made by Member John DelVecchio to forward the applications for the Subdivision, Conditional Permit, and Aquifer Protection District Special Permit for the proposed Live Fire Training Facility 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
Member Newell
Member Renzi
Member DelVecchio
Member Parvizi**

Nays: None

Motion carried.

This becomes Action #18 of 2018.

OTHER MATTERS

- PZO Bruce Weber asked Board members if they had the latest copy of "The Short Course," as published by the NY Planning Federation. He recorded the names of those who did not.
- Chair Wickwire stated the final draft of the Agricultural Farmland Protection Plan was being provided to all Board Members and that Chapter 3 was to be reviewed for any changes, comments, etc., to be provided by the April 24th meeting. Copy also available online. Town Attorney Folmer commented that the first two chapters are historical information; chapters 3 and 4 contain the important part to be reviewed with all comments to be submitted by the Town to the Department of Ag & Markets by their deadline.

ADJOURNMENT

At 8:05 p.m., a motion to adjourn the meeting was made by Member Newell, seconded by Member DelVecchio, 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 4/5/18.