

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 26 June 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

Applicants & Public Present

Scott Smith for J. B. Smith, Applicant; Dennis Rew, Applicant; John Reynolds.

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 – 24 APRIL 2018

A motion was made by Member Chris Newell to approve the Minutes of the 24 April 2018 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 Parvizi

Nays: None

Absent: Member DelVecchio

Motion carried.

This becomes Action #27 of 2018.

OLD BUSINESS - NONE

NEW BUSINESS

Anthony J. & Patricia J. DiGiovanna, Applicants/Reputed Owners - Northway Drive - Tm #85.16-03-06.000 – Subdivision of Land

Planning & Zoning Officer Bruce Weber informed the Board that the applicants have asked that their application be removed from the Agenda.

No Action Taken.

JB Smith Heating & Air Conditioning, Applicant/Scott Smith, Reputed Owner - 730 NYS Route 13 - TM #105.00-03-09.000 – Conditional Permit – Additional 30,000-Gal. Propane Tank

Chair Wickwire recognized the Scott Smith who was seeking a Conditional Permit to add a 30,000-gallon propane tank to his facility at this location, as shown on the drawing accompanying the application. Member Renzi asked him some technical questions which were satisfactorily answered. The Board discussed a leak detection system with Mr. Smith, shutoff valves, alarms, etc. There is no automatic shutoff and there is usually no alarm system on propane. Employees receive formal safety training

which is documented. This facility has had no safety issues since its inception. Tanks are only filled to 80% capacity. All tanks are certified by the National Board.

At the end of the discussion, **a motion was made by Member Renzi to approve the Conditional Permit for a new 30,000-gallon LPG tank, as requested. The motion was seconded by Member Newell, with the vote recorded as follows:**

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

Nays: None

Absent: Member DelVecchio

Motion carried.

This becomes Action #28 of 2018.

Dennis Rew, Applicant/Dennis W. & Patricia D. Rew, Reputed Owners - 1065 Gallagher Road - TM #106.00-09-19.000 – Lot Line Adjustment

Chair Wickwire recognized the applicant who explained that he was seeking approval for a Lot Line Adjustment as shown on the aerial photo accompanying the application.

Board members felt the request was “straight forward,” and saw no problem with it.

With no further discussion, **a motion was made by Member Newell to approve the Lot Line Adjustment, as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:**

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

Nays: None

Absent: Member DelVecchio

Motion carried.

This becomes Action #29 of 2017.

Emmanuel Pothos, Applicant/Douglas & Deborah Staley, Reputed Owners - Weaver Road - TM #87.00-05-11.000 – Request for Change of Zone

PZO Weber explained that this property in Polkville is landlocked, and the applicant would like the zoning district changed from Agricultural to B-3 which is what the surrounding properties are designated. The applicant, he explained, plans to request variances from the ZBA to erect a billboard here. PZO Weber stated that the applicant indicated he had been to the DOT and has received approval for the billboard(s) as long as the Town has approved same. The application should be forwarded to County Planning for their review.

With no further discussion, **a motion was made by Member Newell to send the application 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
Member Newell
Member Renzi
Member Parvizi**

Nays: None

Absent: Member DelVecchio

Motion carried.

This becomes Action #30 of 2017.

OTHER MATTERS

- John Barden – Chair Wickwire stated that Mr. Barden has an engineered drawing he wanted to submit for the record. No one was aware of this.
- Solar Law – Attorney Folmer stated that today he received a copy of the County Planning Board's recommendation regarding this law and they recommended that it be approved, as drafted, but they not approve the supplemental language proposed. Member Parvizi commented about the waiver provision which was not recommended to be included because the ZBA could grant a variance. Attorney Folmer commented that the Town Board has not yet seen this recommendation from the County. A small discussion followed.
- Economy Paving – Attorney Folmer stated he finally, today, reviewed what has transpired regarding "the interplay of who's to do what to whom with regard to information. He's had a conference with Kevin McMahon. Economy's attorney, Matt Neuman, plans to file a new application, but this has not occurred. Matter will be presented to Judge Casullo.
- Gravel Mine - Attorney Folmer reported that he has not heard anything more from the DEC. He will write a letter to the DEC, etc., indicating that the Town is not in favor of this proposal and will take all steps against it.
- Economy Paving – Chair Wickwire asked the status of the Barden/Economy Paving problem, and Attorney Folmer advised Economy was still being investigated by Amanda Barber and himself.
- Property On the Corner (Fairview) – Attorney Folmer stated that a daily calendar is being kept regarding this property which "has the equipment for sale which quite often gets moved to the front yard . . ." This will determine how many days it will be in the front yard.
- Property Across from Airport (Darling?) - the subject property is less disgraceful than it has been, although still disgraceful. Sale has been advertised in paper. Tent there, some items covered with tarp. As long as this is being worked at, CEO Campbell is willing to give them some leeway.
- Code Enforcement – Attorney Folmer advised there were now two full-time CEOs which should expedite matters and their jobs have been defined as to who's to do what. Member Renzi brought up the Conditional Permit Log. No one seems to care about this. With nothing being done to keep the log up to date, the Board Secretary asked if the Board still wanted this log completed periodically. They do. Chair Wickwire commented that "we can give all the Conditional Permits they want, with all the recommendations on it, but if they're not going to do it (update it), there's no point in giving a Conditional Permit if we don't know whether they're doing it or not unless somebody looks into making sure . . ." Attorney Folmer confirmed that "no one is doing it right now."

ADJOURNMENT

At 8 p.m., a motion to adjourn the meeting was made by Member Newell, 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 7/11/18.