

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 29 October 2019 – 7:30 PM
Town Hall Board Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)
Christopher Newell, Chairman
Nicholas Renzi
Nasrin Parvizi
Laird Updyke
Ann Hotchkin

Others Present
Bruce Weber, Town Planning/Zoning Officer
John A. DelVecchio, Town Attorney
Joan E. Fitch, Board Secretary

Applicants & Public Present

Daniel King & Brian Bouchard, PE, for UKC Three, LLC, Applicant; Janet Ward for DG New York CS, LLC, Applicant; Town Councilman Doug Withey, Pam Jenkins, Bob Martin.

REGULAR MEETING

The Regular Meeting of the Town of Cortlandville Planning Board was called to order at 7:30 p.m. by Chairman Chris Newell.

OLD BUSINESS – NONE

NEW BUSINESS

Evangelos Souzas, Applicant/Reputed Owner – 3625 Pendleton Street Ext. – TM #96.00-05-02.000 – Subdivision of Land

Chairman Newell noted that there was no one present to represent the applicant. PZO Bruce Weber stated there were no problems with what was presented and everything was conforming to the regulations.

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

Ayes: Chairman Newell
Member Renzi
Member Parvizi
Member Updyke
Member Hotchkin

Nays: None

Motion carried.

This becomes Action #63 of 2019.

UCK Three, LLC, Applicant/Reputed Owner – 3845 NYS Route 281 – TM #86.17-02-03.000 – Bulk Variance & Conditional Permit – Proposed Site Modifications

Chairman Newell recognized Dan King, Chief Operating Officer of Used Car King, and Brian Bouchard, PE, of CHA, the applicant's engineer, who explained about the project as a whole, which involved two different tax map parcels. This parcel involves the removal of a 4,160± SF building and expand an existing parking area into the area occupied by this building, and to provide a driveway interior

connection between two properties under the same ownership ((other parcel is TM #86.17-01-11.100). The applicant is also proposing to install a new freestanding sign and place a banner sign on four out of ten new light poles proposed for the parking area. The building that is up front (former Nissan/Subaru dealership) will be removed, but the back building will remain. Green space will be added to

compensate for the loss of green space on the adjacent property, as shown on the drawings displayed for the Board. NYSDOT approval will be required, also.

With regard to the adjacent parcel, TM #86.17-01-11.100, the applicant would like to expand an existing parking area and driveway by 5,830± SF into an area which is currently green space, to provide an interior connection between the two properties. Additional signage is also proposed.

Member Hotchkin asked about traffic patterns on the site. Engineer Bouchard demonstrated traffic flow on the drawing. The entrance to be closed is near Used Car King, and the one that will stay open is closer to Auto Zone. Member Nasrin Parvizi commented that she would like to see additional landscaping to enhance the look of the site. Member Hotchkin asked if trees were being considered.

The proposed signage was discussed; this will be handled by the Zoning Board of Appeals.

Engineer Bouchard explained the runoff on the new parking lot will still travel to the existing drainage system and will not spill off into the green space. The 1% increase overall for the entire facility is enough to ask for a waiver. Member Renzi then asked the engineer if he could do a simple calculation that shows the minimal increase is compatible with the existing Stormwater Management Plan; he said he could. Chairman Newell asked the representatives if they had seen the report/resolution from the Cortland County Planning Department/Board; they have.

Chair Newell then read aloud the questions contained in the Short Form Environmental Impact Statement; all responses were recorded by PZO Weber.

At the conclusion of completing the SEAF, **a motion was made by Member Hotchkin that, based on the information and analysis of the SEQR concerning this application for a Conditional Permit for proposed exterior modifications, the Town of Cortlandville Planning Board has determined that the proposed action will not produce any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Parvizi, with the vote recorded as follows:**

**Ayes: Chairman Newell
Member Renzi
Member Parvizi
Member Updyke
Member Hotchkin**

Nays: None

Motion carried.

This becomes Action #64 of 2019.

UCK Three, LLC, Applicant/Reputed Owner – 3861 NYS Route 281 – TM #86.17-01-11.100 – Conditional Permit – Proposed Site Modifications

Chair Newell and the Board members agreed that the answers they gave on the SEAF were identical to those for this adjacent tax map parcel.

Therefore, **a motion was made by Member Hotchkin that, based on the information and analysis of the SEQR concerning this application for a Conditional Permit for proposed exterior modifications, the Town of Cortlandville Planning Board has determined that the proposed action will not produce any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Laird Updyke, with the vote recorded as follows:**

**Ayes: Chairman Newell
Member Renzi
Member Parvizi
Member Updyke
Member Hotchkin**

Nays: None

Motion carried.

This becomes Action #65 of 2019.

McLean Solar 1 LLC, Applicant/Form East LLC, Reputed Owner – 415 McLean Road – TM #86.17-01-11.100 – Aquifer & Conditional Permits – Proposed Solar Array

Chair Newell asked why this application was back before the Board after it had been declined previously? Town Attorney John DelVecchio explained the Town Board requesting a Zone Change, which changed to asking for an overlay district. The Planning Board was asked by the Town Board to provide their recommendation to the Town Board, and this Board made a negative recommendation to the Town Board. The Town Board, ultimately, decided to deny that application. Attorney DelVecchio continued his explanation by adding that the applicant has now applied for a Use Variance before the ZBA, with that application pending before the ZBA, but has postponed action on the request until such time as this Board has conducted the SEQRA review. He also explained that this Board may wish to (although not required) hold a Public Hearing for this matter, **but only with respect to the issue of SEQRA**. Public comments should be made in writing and, again, limited to the SEQRA issue. PZO Weber thought the Public Hearing was the best way to go, and the process needed to be followed.

At the completion of an extensive discussion, **a motion was made by Member Renzi that the Town of Cortlandville Planning Board declares itself as Lead Agency under SEQRA, and shall hold a Public Hearing with comments pertaining to SEQRA to be verbal and/or in writing, with property owners within 300 feet of the project to be notified. The motion was seconded by Member Hotchkin, with the vote recorded as follows:**

**Ayes: Chairman Newell
Member Renzi
Member Parvizi
Member Updyke
Member Hotchkin**

Nays: None

Motion carried.

This becomes Action #66 of 2019.

DG New York CS, LLC, Applicant/Joanne Condron, Reputed Owner – East River Road – TM #87.00-03-02.110 (Cortlandville 1) – AND - DG New York CS, LLC, Applicant/Douglas Christofferson, Reputed Owner – Riley Road – TM #87.00-01-08.100 (Cortlandville 3) – Aquifer & Conditional Permits – Proposed Large-Scale Solar Energy Systems

Chairman Newell recognized Janet Ward of Next Era Energy Resources, LLC, who presented the Board with an overview of these two large-scale solar energy systems, as contained in the materials presented to the Board. (It is noted for the record that Member Renzi is a stockholder of Next Era Energy.) Each system would facilitate up to 5 megawatts alternating current of solar power, and are named Cortlandville 1 (Riley Road) and Cortlandville 3 (East River Road) by the applicant.

Cortlandville 1 - The panels, she stated, would be from four to five feet in height, rotating to track the sun, and will be enclosed by a fence. The closest residence is within 100 feet; panels will be located 50 feet from the property line. Current use is agriculture. Interconnection will be with National Grid. Property will be leased for a period of 25 years, with two five-year extensions possible. A stormwater plan will be drafted to comply with NYSDEC regulations, she added.

Cortlandville 3 - Access road would be off Carr Hill Road through other property owned by Christofferson. Construction time would be four to five months. Traffic after construction would be from one to two times per year via pickup truck. Installation was described. Current use is for hay. Closest residence is 1000 feet, on Carr Hill.

Ms. Ward stated that this was a community solar program and allows any National Grid customer to sign up as a subscriber, giving them a 10% reduction on their utility bill.

Member Renzi had prepared some questions/comments for Ms. Ward, as follows:

1. Is the property under consideration or portions of the property classified as Prime Farmland according to the United States Department of Agriculture?
2. Reference should be made to section 178-123.3 Solar Energy systems in the Cortlandville Town Code with comments relative to the conformance to the requirements contained therein.
3. Site Plan shown in sheet C-201 (-02.110) is difficult to understand all of the details of the solar array site. Please provide a site plan for the proposed array including the location and identification of the inverter(s), battery storage equipment, transformer and a detail of the mounting and support structure of the panel system.
4. For the Cortlandville 3 project why is access via Carr Road?
5. Please consider one simplified site plan that shows the Cortlandville 1 and 3 projects, East River Road, Riley and Carr Roads, equipment pads, tie in routs to the 34.5KV line, access roads, fences and gates, prime farmlands and wet lands. Relevant dimensions should be shown. Also show the two property lines.
6. Provide details for any lighting and landscaping if considered.
7. Under existing conditions (page numbers not shown) the term “undeveloped agricultural land” is used, why is the word undeveloped used? The land is agricultural; it is developed to the extent necessary for farming.
8. If and when battery storage equipment is decided upon a detailed plan for the safety and environmental protection equipment must be submitted to the Planning Board.
9. The details of the connection to the 34.5kV line should be shown.
10. Who is the manufacturer of the solar panels and where are they manufactured?
11. What is the timetable for construction and commissioning?
12. Are other sites being considered in Cortland County?
13. Are there other sites under consideration in New York State?

(These comments are those of Nick Renzi Planning Board member and in no way do they represent the entire Planning Board.)

These questions/comments were reviewed with Ms. Ward by Member Renzi. She provided her answers/responses. Town Attorney DelVecchio commented that the Town does not have any battery storage regulations, especially with regard to those planned for use at these two sites. Ms. Ward responded that they will comply with all NYSEDA regulations.

Town Councilman Doug Withey asked a question about a PILOT program, and Attorney DelVecchio responded that they are tax exempt.

At the completion of this lengthy discussion, a motion was made by Member Renzi to send the Conditional Permit applications and Aquifer Protection Permit applications for the Large-Scale Solar Energy Systems to the Cortland County Planning Department for their review. The motion was seconded by Member Parvizi, with the vote recorded as follows:

Ayes: Chairman Newell
Member Renzi
Member Parvizi
Member Updyke
Member Hotchkin

Nays: None

Motion carried.

This becomes Action #67 of 2019.

OTHER DISCUSSION

Meeting Dates: Chairman Newell and the Board members discussed upcoming meeting dates due to the Thanksgiving, Christmas, and New Year's holidays. After a brief discussion, it was decided to hold the November meeting on December 3rd at 7:30 p.m., and move the December meeting to 7 January 2020, same time.

ADJOURNMENT

At 9:25 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

Draft e-mailed to Town Clerk, JBF, PB Members,
DD, BW, KM & DC on 11/30/19.
Approved 12/3/19.