

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 4 June 2019 – 7:30 PM
Town Hall Board Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)

Katherine Wickwire, Chairperson
Christopher Newell
Nicholas Renzi
Nasrin Parvizi
Laird Updyke

Others Present

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

Applicants & Public Present

Jameson DelVecchio, Applicant; Attorney William Pomeroy for F.I.R.M, Inc., Applicant; John Congdon, Applicant; Fred Forbes, Applicant; Elie Schecter & Paul Woodward for McLean Solar 2, LLC, Applicant; John DelVecchio; David Park, Pam Jenkins, Bud Harter, Allen Olmstead.

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 APRIL 2019

It was noted that under Other Matters on page 3, Comprehensive Plan, it should read Member Parvizi, not Member Renzi. A **motion was made by Member Nick Renzi to approve the Minutes of the 23 April 2019 Planning Board meeting, as corrected. The motion was seconded by Member Chris Newell, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #35 of 2019.

OLD BUSINESS

Jameson DelVecchio, Applicant/DelVecchio Family, LLC, Reputed Owner – 1703 NYS Route 13 – TM #77.17-01-08.200 – Subdivision, Site Plan Approval, Aquifer Protection District Special Permit

(Reference is made to this Board's Minutes of 23 April 2019 for additional information; at that meeting the applications were sent to Cortland County Planning for their review.)

Chair Wickwire recognized the applicant and noted that the Board had received the comments from the Cortland County Planning Department and Board. In addition, Mr. DelVecchio provided the Board with a copy of a permanent easement and right-of-way that will be written into the deeds. Mr. DelVecchio had seen the County's report and had no problems with their recommendations. PZO Bruce Weber noted that the Town Attorney should review the easement/ROW agreement.

At the conclusion of a brief discussion, and review of the County's recommendations, **a motion was made by Member Newell to approve the subdivision of land as requested, incorporating Items 1, 3 and 4 of the Cortland County Planning Board's Resolution No. 19-11 of 15 May 2019, with the Town Attorney reviewing the permanent easement and right-of-way submitted. The motion was**

seconded by Member Laird Updyke, with the vote recorded as follows:

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

Motion carried.

This becomes Action #36 of 2019.

A motion was then made by Member Newell to recommend to the Town Board that they issue an Aquifer Protection District Special Permit and act as Lead Agency under SEQRA. The motion was seconded by Member Nasrin Parvizi, with the vote recorded as follows:

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

Motion carried.

This becomes Action #37 of 2019.

A motion was then made by Member Newell to approve the Site Plan, as requested, for the proposed two-family residence on Lot 2. The motion was seconded by Member Nick Renzi, with the vote recorded as follows:

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

Motion carried.

This becomes Action #38 of 2019.

McLean Solar 1 LLX, Applicant/Farm East, LLC, Reputed Owner – 415 McLean Road – TM #95.00-01-33.100 – Conditional Permit, Aquifer Protection District Special Permit, Zoning Map Amendment

Town Attorney DelVecchio explained to the Board that the Town Board had jurisdiction regarding zoning map amendments, and he reported what transpired at the last Town Board meeting. At that time, he stated, the application was not totally complete. The Comprehensive Plan Committee might have input on this before any decision is made. Chair Wickwire agreed with Attorney DelVecchio.

Regarding the suggested “overlay zoning,” Member Renzi read aloud Town Board Resolution #131. He, too, thinks the place for this is the Comprehensive Plan Committee. Member Parvizi, a member of that Committee stated they were actually meeting June 5th, and they will be discussing this overlay zoning. She said it would probably take at least until October to complete it. Chair Wickwire advised the Board of a website, www.dos.ny.com, as having a lot of information on overlay zoning. Attorney DelVecchio said he would report the Board’s comments to the Town Board.

A motion was then made by Member Renzi to postpone any action on these applications until such time as it comes back on the Agenda. The motion was seconded by Member Newell, with the vote recorded as follows:

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

Motion carried.

This becomes Action #39 of 2019.

McLean Solar 2 LLC, Applicant/Gutchess Lumber Company, LLC, Reputed Owner – 684 McLean Road – TM #95.15-01-12.000 AND Cortland-Virgil Road Solar, LLC, Applicant/Farm East, LLC, Reputed Owner – 301 South Cortland-Virgil Road – TM #105.00-04-18.000 – Revised Drawings

Chair Wickwire recognized Elie Schechter, representing the applicants, who had provided the Board with revised drawings. The revisions were as explained in Keystone Associates' memo to PZO Weber of 15 April 19, from Paul Woodward, a copy of which has been placed on file for the record.

At the conclusion of their review/discussion, **a motion was made by Member Newell to approve the drawing revisions as submitted. The motion was seconded by Member Renzi, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #40 of 2019.

Member Renzi asked about the hardship with McLean Solar 1, and Mr. Schechter responded that it was "financial."

Lime Hollow Solar LLC, Applicant/Farm East, LLC, Reputed Owner – Lime Hollow Road – TM #95.00-06-04.100 – Revised Plans

Mr. Schechter stated this matter came up with National Grid "yesterday," and he wanted to know if they moved the access road east by one pole (about 50 feet), do revised plans need to be submitted for this?

A motion was made by Member Newell that revised plans are not needed for this solar site, as described. The motion was seconded by Member Parvizi, with the vote recorded as follows:

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

Nays: None

Motion carried.

This becomes Action #41 of 2019.

NEW BUSINESS

Forbes Realty LLC, Applicant/Reputed Owner – 4246 Ames Road – TM #78.00-01-19.110 – Subdivision of Land

Chair Wickwire recognized Fred Forbes who was seeking approval to subdivide this 28±-acre parcel into two lots, one of 19± acres and one of 9.8± acres.

After the Board's review of what was being proposed, **a motion was made by Member Newell to approve the Subdivision as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #42 of 2019.

John R. Congdon, Applicant/John R. & Cheri L. Congdon, Reputed Owners – 3709 Luker Road – TM #95.08-01-14.000 – Conditional Permit for Addition

Chair Wickwire recognized the applicant who explain that he was seeking approval to construct a 24 ft. by 48 ft. addition onto his existing building; the addition was proposed to be used for storage of his Class A motor home.

With very little discussion, **a motion was made by Member Renzi to approve the Conditional Permit for the 24 ft. by 48 ft. addition, as requested. The motion was seconded by Member Newell, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #43 of 2019.

Yvonne Ligoci, Applicant/McKeown Group, LLC, Reputed Owner – Sweeney Road – TM #85.00-08-17.100 – Subdivision of Land

Chair Wickwire recognized Allen Olmstead of McKeown Group, LLC, who was seeking approval to subdivide the subject parcel into three lots, as shown on the map accompanying the application. Chair Wickwire commented that this application needed to go to County Planning as it's on a State Road. PZO Weber added that there needs to be a SWPPP also as these lots will actually be the fourth, fifth, and sixth from the original main parcel. Also, County Soil and Water should be involved in the review.

With no further discussion, **a motion was made by Member Newell to send the application for a subdivision of Land 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
Member Updyke**

Nays: None

Motion carried.

This becomes Action #44 of 2019.

F.I.R.M. Inc., Applicant/204 Tompkins St., LLC, Reputed Owner – 1071 Tompkins Street Ext. (NYS Route 13) – TM #96.09-01-28.000 – Site Plan for Parking

Chair Wickwire recognized Attorney William Pomeroy, representing the applicant who was seeking approval to expand the existing parking lot at the location of the former Uncle Louie's restaurant, resulting in an additional sixty spaces, as shown on the materials accompanying the application. The new restaurant planned for this location will be called *Mangia*, operated by Fabio Santalucia.

PZO Weber asked if approval for a new curb cut had been received from the NYSDOT. Attorney Pomeroy was not sure and could not answer, but said he would look into it. It was noted that this area was previously used for parking, but it was not paved. PZO Weber commented that the requested expansion was still within the required "green space." Member Renzi recommended that the applicant take into consideration the Town's Design Guidelines. Landscaping was briefly discussed, and it was mentioned that any landscaping would be an improvement to what was there previously. It was suggested that there be landscaping adjacent to the parking, the entire length of it, and in the front of the building.

At the conclusion of the Board's discussion, **a motion was made by Member Parvizi to approve the Site Plan for the parking expansion, as submitted, with an additional Landscaping Plan to be provided and submitted to the Planning Board for their approval. The motion was seconded by Member Newell, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #45 of 2019.

PZO Weber noted that if there is a new curb cut, this will have to be approved by the NYSDOT.

OTHER MATTERS

- Gravel Mine: Chair Wickwire asked Town Attorney DelVecchio to ascertain from the Town Board if there has been any progress on this.
- Hartley's RV Display on Route 13: Display previously approved, but for how many units? Seems to be quite a few there.
- McLean Road at Fairview Property: More stuff there. Board asked Attorney DelVecchio to write a letter to the responsible party.
- Big Lots!: Lighting in their parking lot does not appear to be in compliance with Town requirements. Lighting not directed downward like it should. Lighting plan needs to come before this Board for approval.

EXECUTIVE SESSION

At 8:34 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 voting in the affirmative.**

At 8:39 p.m., a **motion was made by Member Newell to come out of Executive Session. The motion was seconded by Member Renzi, with all Board members voting in the affirmative.**

ADJOURNMENT

At 8:40 p.m., a motion to adjourn the meeting was made by Member Updyke, 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 6/30/19.
Approved on 7/9/19.