

TOWN OF CORTLANDVILLE PLANNING BOARD
Minutes of Regular Meeting - Tuesday, 24 September 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. DeVecchio, Town Attorney
Joan E. Fitch, Board Secretary

Applicants & Public Present

Stephen Compagni, Attorney Rome Canzano, and Jesse Ryder for Economy Paving, Applicant; Taylor Dezotell, Applicant; Pam Jenkins, Bob Martin, Kevin Pristach, Chet & Karen Seibert; Town Councilman John Proud.

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 – 27 AUGUST 2019

A motion was made by Member Chris Newell to approve the Minutes of the 27 August 2019 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
Member Updyke**

Nays: None

Motion carried.

This becomes Action #55 of 2019.

OLD BUSINESS

Economy Paving/Compagni, Applicant - NYS Route 13 - TM #77.00-01-33.200 - Request for Reissuance of Conditional Use Permit

Chair Wickwire announced that the Board, within the last 24 hours, had received pertinent information regarding this request, and it would take them some time to review all of the materials submitted.

Town Attorney John DeVecchio asked to speak regarding this request and stated that the matter was not a new application. He suggested that if the Board decides to reinstate the permit, the appropriate motion would be to “not reinstate the Conditional Permit, but to rescind your previous revocation of the Conditional Permit. It should be made clear that that is the motion in the event the Board decides to go in that direction.” He then advised the Board that they should acknowledge receipt of the documents received within the last 24 hours from the applicant, which are: (1) a 24-page report, dated 4/12/18, from RZ Engineering, given to the Board by John Barden, and (2) several letters from Cortland County Soil & Water District that Mr. Barden had FOILED. Member Renzi then commented that these documents have been around for over a year, and he felt the Board had really had them for “quite awhile.” Chair Wickwire countered that she had never read the Soil & Water documents previously. She added that she also thought the NYSDOT should be involved in this matter.

At the conclusion of the discussion, a motion was made by Member Newell to postpone the re-issuance of the Conditional Use Permit until 29 October 2019. 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 #56 of 2019.

Member Renzi asked if it could be assumed that all documentation has now been received regarding this matter. Chair Wickwire responded she believed so, but would like the NYSDOT to be involved. PZO Weber then asked the Board if they were asking him to contact the DOT to see if they were interested in the report, or just asking them to comment. Member Renzi suggested giving them the report and asking them for comment. PZO Weber acknowledged he understood what he was supposed to do.

NEW BUSINESS

Gregory Leach, Applicant/Leach Properties LLC, Reputed Owner – 1834 NYS Route 13 – TM #77.00-13-11.000 – Conditional Permit for Addition to Existing Building

Town Attorney DelVecchio advised those present that this is a new Conditional Permit application filed by the applicant. Subsequent to the filing of this application, there was a two-fold administrative appeal filed with the Zoning Board of Appeals by Pam Jenkins who was asking the ZBA to overturn PZO Weber's determination that an additional use variance should have been required and, also, Ms. Jenkins was asking the ZBA to overturn PZO Weber's interpretation that the structure in question constitutes commercial garage.

Attorney DelVecchio continued by explaining the legal process that now unfolds. He advised that this application should be postponed until such time as Ms. Jenkins' appeal is heard by the Town's ZBA on 29 October 2019.

With no further discussion, a motion was made by Member Nasrin Parvizi to postpone the Conditional Permit request until the 29 October 2019 meeting of this Board. 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 #57 of 2019.

Farm East, LLC, Applicant/Reputed Owner – 890 McLean Road – TM #95.00-06-04.100 – Subdivision of Land

Attorney John DelVecchio explained that the Town had entered into a Purchase Agreement with Farm East with the intention to protect the aquifer, thus requiring a subdivision as shown on the documents accompanying the application.

At the conclusion of a brief discussion, **a motion was made by Member Newell to approve the Subdivision of Land, 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 #58 of 2019.

Farm East, LLC, Applicant/Reputed Owner – 890 McLean Road – TM #95.00-06-02.000 – Lot Line Adjustment

PZO Weber explained to the Board that this application was associated with Action #58 above, in that since the proposed 13±-acre parcel created by the subdivision of 04.100 would be landlocked, this parcel shall be consolidated with it, if possible, per Cortland County Planning Department's memo of 19 September 2019 from Dan Dineen, Director of Planning.

At the conclusion of a brief discussion, **a motion was made by Member Newell to approve the Subdivision of Land, as requested. 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 #59 of 2019.

Taylor Dezotell, Applicant/Taylor Dezotell & Donnalyn Moran, Reputed Owners – 4294 US Route 11 – TM #76.19-01-47.100 – Site Plan Review – Proposed Dog Daycare & Boarding

Chair Wickwire recognized the owners who explained to everyone present that they would like to open a dog daycare and boarding facility at this location (former Tarson Pools). Member Parvizi had some concerns about the existing trees onsite, but was assured by the applicant that they will keep the trees. Also, the existing parking area will remain as is. There are no residences within a mile, and curb cuts will be kept as they exist.

At the conclusion of a brief discussion, **a motion was made by Member Newell to approve the Site Plan for the proposed dog daycare and boarding facility, as requested. 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 #60 of 2019.

CHAIRMAN'S REMARKS

Chair Wickwire, who was retiring from the Board as of this date, expressed her gratitude to the Board members, Town Attorney, Town Planning & Zoning Officer, and Board Secretary for their assistance over the past years.

ADJOURNMENT

At 7:52 p.m., a motion to adjourn the meeting was made by Member Renzi, seconded by Member Newell, 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 11/18/19.