

TOWN OF CORTLANDVILLE PLANNING BOARD

Minutes of Regular Meeting - Tuesday, 25 August 2020 - 7:30 PM
Water & Sewer Garage - Next to Town Hall at 3577 Terrace Road - Cortland, NY

Board Members (*absent)

Christopher Newell, Chairman
Nicholas Renzi
Laird Updyke
Nasrin Parvizi
Ann Hotchkin

Others Present

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

Applicants & Public Present

David Spotts for SSC Cortlandville II & III, Applicant; Caryn Mlodzianowski for Bohler Engineering MA, LLC, Applicant; Jim & Mike Reeners, Applicants; Herman Endress, Applicant; Brian Stoos & Chris Stroud, Applicant, for Cipriani Energy Group; Pam Jenkins, Tim Buhl, Michael Stokoe, William Nichols.

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.

APPROVAL OF MINUTES - 4 AUGUST 2020

A motion was made by Member Nick Renzi to approve the Town Planning Board Minutes of 4 August 2020, as submitted. The motion was seconded by Member Ann Hotchkin, with the vote recorded as follows:

Ayes:	Chairman Newell	Nays:	None
	Member Renzi		
	Member Parvizi		
	Member Updyke		
	Member Hotchkin		

Motion carried.

This becomes Action #43 of 2020.

NEW BUSINESS

Herman Endress & Joanne Prezioso, Applicants/Reputed Owners - 3455 NYS Route 215 - TM #96.00-14-13.000 - Subdivision of Land

Chairman Newell recognized Mr. Endress who explained that he owned this 6.2±-acre property that he wished to subdivide in half and construct a small residence on the vacant piece. He also would be purchasing a 40-foot strip from his neighbor (Sinetar - TM #96.00-14-14.000) to allow room for the new septic system, all as is shown on the annotated copy of a January 2020 survey map by R. James Stockwin, PLS, which accompanied the application.

After a very brief discussion, a motion was made by Member Renzi to approve the subdivision of land, as requested. The motion was seconded by Member Hotchkin, with the vote recorded as follows:

Ayes:	Chairman Newell	Nays:	None
	Member Renzi		
	Member Parvizi		
	Member Updyke		
	Member Hotchkin		

Motion carried.

This becomes Action #44 of 2020.

Steven & Toby Sinetar, Applicants/Reputed Owners – 3425 NYS Route 215 – TM #96.00-14-14.000 – Lot Line Adjustment

Chairman Newell recognized Herman Endress who explained that he would be purchasing a 40-foot strip from his neighbors, the Sinetar, (see Action #44 above) to allow room for his new septic system, all as is shown on the annotated copy of a January 2020 survey map by R. James Stockwin, PLS, which accompanied the application. Member Hotchkin asked if he had checked with the County Health Department, and Mr. Endress stated he had, and that was why the additional 40-foot strip was needed

With no further discussion, a **motion was made by Member Hotchkin to approve the lot line adjustment, as requested. The motion was seconded by Member Renzi, with the vote recorded as follows:**

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

Nays: None

Motion carried.

This becomes Action #45 of 2020.

OLD BUSINESS

Jim Reeners, Applicant/Church of the Redeemer, Reputed Owner – 229 & 1176 Tompkins Street – TM #s 96.06-01-15.210 & 96.31-01-11.000 – Site Plan Review for Proposed Residential Housing Development

(Reference is made to this Board's Minutes of 30 June 2020 for project details.)

Chairman Newell recognized the applicant and his son, Michael, who distributed a revised Site Plan indicating the addition of a 12 by 14 ft. patio and a privacy fence dividing off each unit. Jim also reported that a problem situation was encountered with a manhole at the right-hand corner of the property which was actually sold to the adjacent owner, probably mistakenly, making it unavailable for their use. After a thorough investigation for a solution, a meeting was held with the City, and they have agreed to allow the applicant to utilize one of their manholes.

Chairman Newell asked if there were computer-generated photos of what the units would look like, or of any landscaping that was planned. Mr. Reeners stated that they did and his son showed them to the Board. Member Renzi added that what the Board was looking for are the typical drawings they normally see as Site Plans, lighting plans, details, landscaping plans, etc. Mr. Reeners stated that his engineer, Timothy C. Buhl, PE, would be providing this information. Tim addressed the Board and said that a lot more information will be provided to the Board as the project progresses. He did not have the final details on some of the items in order to complete the plans. Tonight's submittal is preliminary, and he would prefer for it to go to County Planning to receive their input before proceeding. They are currently working on the Stormwater Management Plan. Member Renzi commented that everything should be finalized for both the Board and the County.

Member Laird Updyke questioned whether or not County Planning would have enough information to conduct a review. PZO Bruce Weber responded that they would base their review on what information they receive. Mr. Reeners commented that the COVID situation has made completion of this project "a nightmare." They had hoped to construct the Maintenance Building this fall and get the foundation in the ground for the first building. They are now being pressured by Mother Nature.

Member Hotchkin asked about a sign, similar to The Park, and Mr. Reeners answered that it was on the Site Plan. Member Renzi commented to the Board that they submit what has been provided to the County with a note from the developer or the engineer explaining that “here’s our submittal at this point; we are in the process of doing X-Y-Z which will be forthcoming.”

With no further discussion, a **motion was made by Member Renzi to send this application to the Cortland County Planning Board for their review. The motion was seconded by Member 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 #46 of 2020.

SSC Cortlandville II LLC, Applicant/Reputed Owner – 4242 Bell Crest Drive AND SSC Cortlandville III LLC - 4240 Bell Crest Drive - TM #86.00-02-01.100 – Conditional Permits & Aquifer Protection District Special Permits – Proposed Solar Projects

(Reference is made to this Board’s Minutes of 4 August 2020 for additional details.)

Chairman Newell recognized David Spotts, representing the applicant who was seeking approval of these two 5 MW solar power facilities on the subject parcel of land, all as shown and described in the materials accompanying the applications which were presented at the 4 August 2020 meeting of this Board. Member Renzi provided the applicant with his comments, and Mr. Spotts stated they appreciated those comments and had made the appropriate corrections. He also commented that they were treating this project as a Type I Action under SEQRA and will be treating it as such and have submitted their LEAF.

Member Renzi stated he had reviewed the changes that were made and then proceeded with his own comments regarding this project, a copy of which has been placed on file for the record. A copy of Member Renzi’s comments was given to Mr. Spotts.

Member Renzi acknowledged receipt of two letters, one from Catholic Cemeteries which is an interested party in the SSC Cortlandville II facility, as explained in their letter of 13 August 2020, and a letter from Anne McLorn, a neighbor of the proposed farm, dated 20 August 2020, a copies of which have been placed on file for the record, and posted on the Town’s website.

Chairman Newell reviewed the next steps with Town Attorney John DelVecchio. He also strongly recommended that the Board receive outside professional assistance, and Attorney DelVecchio will contact Attorney Patrick Snyder, PE, for his assistance with the Long Environmental Assessment Form under SEQRA; he noted that Attorney Snyder had thirty years of SEQRA experience. There will also be a Public Hearing scheduled. Town Attorney DelVecchio stated that he understood that Attorney/Engineer Snyder was considered a “guru on SEQRA,” and that the Code allowed this. There is also a provision that what is being proposed is not allowed on prime farmland unless this Board feels it is appropriate.

Member Renzi commented that if Patrick Snyder is not available, another name that had come up was John Stidd, the attorney for the IDA. Attorney DelVecchio stated that payment of attorney’s fees will be by the applicant. Member Hotchkin said that Attorney Snyder would be a good choice.

Member Renzi reported that this Board had approved other solar projects on prime farmland, but what was being proposed was bigger, more complicated, and more impactful to the community; that’s one of the reasons we should obtain some outside help.

With no further discussion, **a motion was made by Member Renzi to forward this application to the Cortland County Planning Department for their review. The motion was seconded by Member Hotchkin, with the vote recorded as follows:**

Ayes:	Chairman Newell	Nays:	None
	Member Renzi		
	Member Parvizi		
	Member Updyke		
	Member Hotchkin		

Motion carried.

This becomes Action #47 of 2020.

Guggenheim Development Services, LLC, c/o Bohler Engineering MA, LLC, Applicant/Route 13 Partners, LLC, Reputed Owner – 840 NYS Route 13 - Conditional Permit & Aquifer Protection District Special Permit – Proposed Jiffy Lube Facility

(Reference is made to this Board's meeting Minutes of 4 August 2020 for additional details.)

Chairman Newell recognized Caryn Mlodzianowski of Bohler Engineering (Albany, NY), representing the applicant who was seeking approval to construct a new 300 SF Jiffy Lube facility at this location, as shown on the plans, etc., accompanying the application. Ms. Mlodzianowski provided additional information to the Board; Member Renzi complimented her on the submittals. Landscaping had been addressed, including trees and bushes. Also, a monument sign was being proposed instead of a pylon sign. More green space was added, and architectural plans were submitted which enhanced the look of the building.

Ms. Mlodzianowski acknowledged receipt of the County Planning Board's comments with regard to this project, and they agree with all of them in their report.

Member Renzi thanked her for addressing the Town's Design and Development Guidelines, and reviewed with her his comments, a copy of which she received and has also been placed on file.

At the conclusion of the discussion, **a motion was made by Member Renzi to approve the Conditional Permit, as requested, with a recommendation made to the Town Board that they issue an Aquifer Protection District Permit, and act as Lead Agency under SEQRA. The motion was seconded by Member Hotchkin, with the vote recorded as follows:**

Ayes:	Chairman Newell	Nays:	None
	Member Renzi		
	Member Parvizi		
	Member Updyke		
	Member Hotchkin		

Motion carried.

This becomes Action #48 of 2020.

Christopher H. Stroud, for Cipriani Energy Group Corp., Applicant/Thomas M. Dehaven, Reputed Owner Cipriani Energy Group Corp. – 1585 Tower Road – Conditional Permit & Aquifer Protection District Special Permit - Proposed 3.0 MW Solar Power Facility

(Reference is made to this Board's meeting Minutes of 4 August 2020 for additional details.)

Chairman Chris Newell recognized Chris Stroud, representing Cipriani Energy Group who is proposing to construct a 3.0 MW solar project facility at the Tower Road location, Brian Stoos, Environmental Planning Manager of TRC Companies in West Seneca, NY, Cipriani's engineering firm, and Catherine McDermott, part of the NYSEDA Internship Program.

Mr. Stroud advised that he has provided the LEAF under SEQRA, and the layout of the access road which should prohibit visibility of the project. Member Renzi read aloud his own comments regarding the submittal, a copy of which was provided to Mr. Stroud and placed on file for the record. The project site does not contain prime farmland soil classifications.

When asked about the project's timetable, Mr. Stroud stated they hoped to get through the permitting phase before snow flies so they can construct as soon the weather permits—perhaps late February or early March—and generate electricity in the summer of 2021.

Member Hotchkin asked about a decommissioning plan, and Attorney DelVecchio responded that that should be part of the application before a Building Permit is issued. Mr. Stroud explained the types of panels that were used and, when asked by Member Parvizi, advised they were made in the East—Cambodia, Viet Nam, etc.

At the conclusion of their discussion, **a motion was made by Member Renzi to send the applications to the Cortland County Planning Department for their review. 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 #49 of 2020.

Mr. Stroud asked if the Lead Agency had been identified for this project, and Town Attorney DelVecchio responded that the Town Board will act as such under SEQRA.

OTHER MATTERS

- Member Renzi stated that he had, with the assistance of County Planning, prepared a summary of all the solar farm projects and would be providing a copy to Board members.
- Chairman Newell thanked Member Parvizi for submitting her comments on density of solar farms. Comments were discussed with the Board, as was the workshop already held. Member Renzi added there was room for improvement in the solar farm law, but time was needed to get it in place; perhaps a moratorium. Attorney DelVecchio will be discussing solar farms with the Town Board and also taxing possibilities; taxing is a complicated issue.

ADJOURNMENT

At 9:10 p.m., a motion to adjourn the meeting was made by Member Renzi, seconded by Member Hotchkin, with all members present voting in the affirmative.


Joan E. Fitch, Board Secretary

Draft e-mailed to Town Clerk & AR,
JD, PB Members, DD, BW, KM & DC on 9/9/20.
Approved 9/23/20.