

**TOWN OF CORTLANDVILLE PLANNING BOARD**  
**Minutes of Regular Meeting - Tuesday, 3 March 2020 – 7:30 PM**  
**Town Hall Board Room – 3577 Terrace Road – Cortland, NY**

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

**Others Present**  
Bruce Weber, Town Planning/Zoning Officer  
Joan E. Fitch, Board Secretary

**Applicants & Public Present**

Tom Schumacher for Suit-Kote Corporation, Applicant; Andrew Porter for PROP, Inc., Applicant; Thomas Huttleston, Applicant; Janet Ward (did not sign Attendance Sheet) of DG New York CS, LLC, Applicant; Kate Halbig.

**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 FEBRUARY 2020**

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

<b>Ayes:</b>	<b>Chairman Newell</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Renzi</b>		
	<b>Member Parvizi</b>		
	<b>Member Updyke</b>		
	<b>Member Hotchkin</b>		

**Motion carried.**

**This becomes Action #14 of 2020.**

**NEW BUSINESS**

**Kate L. Halbig & Thomas R. Huttleston, Applicants/Reputed Owners – Stupke Road – TM #95.15-004-02.000 – Subdivision of Land**

Chairman Newell recognized the applicants who were seeking approval to subdivide their 19.52±-acre parcel into three lots containing 5.0 (Parcel 1), 9.04 (Parcel 2), and 5.48 acres, as shown on the map accompanying the application. Parcels 1 and 2 will remain vacant, with the remaining parcel containing their existing home, etc. Mr. Huttleston explained that they intend to combine Parcel 2 with their home parcel.

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

<b>Ayes:</b>	<b>Chairman Newell</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Renzi</b>		
	<b>Member Parvizi</b>		
	<b>Member Updyke</b>		
	<b>Member Hotchkin</b>		

**Motion carried.**

**This becomes Action #15 of 2020.**

**OLD BUSINESS****Suit-Kote Corporation, Applicant/Reputed Owner – 1911 Lorings Crossing – TM #77.00-11-02.000 – Conditional Permit – Proposed Pole Barn**

Chairman Newell recognized Tom Schumaker, representing the applicant who was seeking a Conditional Permit to construct a pole barn (with concrete floor) to be used for cold storage and aggregate shakers (aggregate in bags from completed projects) with one section designated for aggregate study, as shown on the drawings accompanying the application. This, he said, will clean up the area. Construction should take about a month.

The Board had reviewed the report received from Cortland County Planning. Member Hotchkin asked if the applicant would have any problem meeting the County's recommendations, and Mr. Schumacher responded that they would not. Item 3 of the County's recommendations contained in their Resolution No. 20-07 of 19 February 2020, regarding whether or not the subject building site is within the flood zone was discussed. Mr. Schumacher reported that this site has been built up "quite a few feet" over the years. PZO Weber stated that "when you look at the flood plain map it shows that around that area there's just a small part of the parking area that's in it." Mr. Schumacher advised that they will be moving the proposed building two feet to the south, which is out of the flood plain area.

Chairman Newell then read aloud Part II of the Full Environmental Assessment Form. Negative responses were obtained to all questions in Part II. Therefore, it was determined by the Planning Board, **on a motion made by Member Hotchkin, that the action, based on the information submitted, would not cause 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 #16 of 2020.**

**A motion was then made by Member Laird Updyke to approve the Conditional Permit for a proposed 3,000-foot pole barn, as requested, incorporating Items #1 thru #3 of the Cortland County Planning Board's Resolution No. 20-07 of 19 February 2020. 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 #17 of 2020.**

**PROP, Inc. (Bestway) Applicant/Reputed Owner – 3877 Luker Road – TM #86.17-01-01.000 – Conditional Permit – Proposed Renovation/Addition to Existing Warehouse**

Chair Newell recognized Andrew Porter, representing the applicant who was seeking a Conditional Permit to renovate parts of an existing warehouse by reconfiguring two locations and adding a 12 ft. by 24 ft. addition, all as described in the Narrative and shown on the drawings accompanying the application. This addition will house a truck wash system which will utilize non-hazardous, citrus-based detergents. In response to the Chairman's question, Mr. Porter stated he had read the recommendations contained in the County Planning Board's Resolution No. 20-06 of 19 February 2020.

With regard to Item #3, submittal of notification to the FAA, Mr. Porter advised this has already been done.

Member Parvizi asked Mr. Porter about Item #1 of the County Board's Resolution No. 20-06 pertaining to reducing the impervious surface on the lot by 5%. PZO Weber commented that when he looked at the aerial photos of the area there was a small part that was still green, but while the building area is increasing, it is not covering that much more green area; most of it is actually impervious right now. He said he would disagree with that comment, and that based on the aerial photos there is a small area between the buildings that is green space right now, but for the majority of this, it's already an area that they are driving trucks over and has been considered impervious to date. That's the way the site has been for a long time, he stated, prior to the adoption of the Stormwater Regulations and the Wellhead Protection Zones. It was PZO Weber's opinion that the existing impervious surface is "grandfathered" in and this does not meet the threshold of requiring them to now bring 5% of the total lot size into green space.

Member Renzi asked about monitoring wells, related to County recommendation #2. Mr. Porter responded that there may be five wells, but there is no requirement for testing; there are old testing reports that had been submitted by John Buck. Wells used back then are no longer used, and are not under any NYSDEC regulations now; it was stopped before 2007, he stated.

Chairman Newell then read aloud Part II of the Full Environmental Assessment Form. Negative responses were obtained to all questions in Part II. Therefore, it was determined by the Planning Board, **on a motion made by Member Hotchkin, that the action, based on the information submitted, would not cause 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 #18 of 2020.**

**A motion was then made by Member Renzi to approve the Conditional Permit for a proposed renovation/addition to existing warehouse, as requested, incorporating Item #3 of the Cortland County Planning Board's Resolution No. 20-06 of 19 February 2020. 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 #19 of 2020.**

**DG New York CS, LLC, Applicant/Joanne Condron, Reputed Owner - East River Road - TM #87.00-03-02.110 (Cortlandville 1) - Revised Site Plan**

Chair Newell recognized Janet Ward, representing the applicant who was seeking approval of a Revised Site Plan for the proposed Large-Scale Solar Energy System previously approved by this Board on 7 January 2020. The plan had been revised to relocate the access road as shown. There was no change in the panel footprint she stated; everything else stays the same. This revision was triggered because they had to move the poles out of the easement. Construction is planned to start in the spring.

With no further discussion, **a motion was made by Member Updyke to approve the Revised Site Plan, dated 2/26/20, for the proposed Large-Scale Solar Energy System, as requested. 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 #20 of 2020.**

## **OTHER DISCUSSION**

Chairman Newell commented about Conditional Permits and what it takes to keep track of what happens in the future—maybe setting up some kind of monitoring plan to do so. Permits are issued, and then there is no follow-up.

PZO Weber explained the process for follow-up. When Tom Williams was CEO, he monitored things and supplied a written report. CEO Kevin McMahon was supplying a similar report. Currently, there is nothing in place to do that. Member Renzi commented that not all of them have to be monitored.

Member Hotchkin asked about how Site Plans were handled, and PZO Weber responded that this was typically done when a Certificate of Occupancy is issued. He explained to her how that was handled. Member Renzi asked about the monitoring wells at Walmart; does Soil & Water get reports? Chairman Newell asked about the stormwater problems that occur periodically at the Groton Avenue Plaza; PZO Weber said that this was “grandfathered” in.

Member Renzi commented that he thought there should be a formal system, and when a Conditional Permit is issued it should be put on a list for follow-up; right now, checking is being done casually as time permits. Somebody should be assigned that job with a formal report submitted. The Planning Board should decide which projects follow the criteria established to be monitored. Chairman Newell questioned the need for additional manpower to do this. Member Updyke suggested making a recommendation to the Town regarding this to see if they would like to pursue this.

PZO Weber, in response to Member Renzi’s concern, affirmed that stormwater monitoring is still being done by County Soil & Water; they are in the process of doing reports on properties. Member Renzi asked PZO Weber to provide a copy of their report to him. Member Parvizi stated she agreed with Member Renzi in that they should make sure that what has been required has been done by doing a follow-up.

PZO Weber advised the Board that what Supervisor Williams wants is some type of resolution as to what it is that the Planning Board wants. Chairman Newell said the Board could make a resolution and review it with Supervisor Williams to see where they stand. Member Renzi then stated, “the Planning Board requests that the Town Board consider appointing someone to review conformance of Conditional Permits, as approved by the Planning Board, in the format established in 2013, and that the Planning Board will establish the criteria to be used for which applicant Conditional Permits are to be monitored.” PZO Weber then commented that he thought the resolution is ahead of where it needs to be, in that the criteria should be established first, and he gave examples.

The Planning Board then decided to come up with the criteria and return with the those items at the next meeting.

**ADJOURNMENT**

At 8:30 p.m., a motion to adjourn the meeting was made by Member Hotchkin, seconded by Member Parvizi, with all members present voting in the affirmative.



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Joan E. Fitch, Board Secretary

Draft e-mailed to Town Clerk, JBF, PB Members,  
DD, BW, KM & DC on 3/10/20. (R)  
Approved 6/2/20.