

ON THE MOTION OF Paul Slowey
Emily Discenza

RESOLUTION NO. 20-12

GML# 95.20-02-07.000
Town of Cortlandville
Aquifer Protection District
Special Permit & Conditional
Permit
Guggenheim Development
Services LLC

WHEREAS, on June 26, 2020 the Zoning Officer, Town of Cortlandville, pursuant to General Municipal Law 239 M submitted an application for a Conditional Permit and Aquifer Protection District Special Permit because the property is located within 500 feet of NYS Route 13 which has been received by the Cortland County Planning Department, AND

WHEREAS, the Cortland County Planning Department has reviewed this request and submitted a written report dated August 14, 2020, which is on file, AND

WHEREAS, the Cortland County Planning Board on August 19, 2020 held a regular meeting with a quorum and did consider this request, AND

WHEREAS, the Cortland County Planning Board did thoroughly consider the material submitted by the petitioner, Department comments and all other relevant reports on file, NOW THEREFORE BE IT

RESOLVED, that the Board recommends approval of this application for a conditional permit and aquifer protection district special permit contingent upon the following:

1. That an easement be written into the deeds of this property and the Cortlandville Crossing property to insure that continued access to this site is provided from the Cortlandville Crossing property in the future.
2. The applicant either reducing the number and square footage of building mounted signage on site to conform to the "Zoning Local Law of the Town of Cortlandville" or the applicant applying for and receiving a bulk variance for the increased number and square footage of signage.
3. The Town weighing the benefit of the increase number and square footage of signs to the applicant vs. the health, safety and welfare of the community/neighborhood as is required before any bulk variance may be granted.
4. Any floor drains in the facility being connected to a holding tank or sanitary sewer

equipped with an oil and grit separating tank.

5. Wastes collected in a holding tank must be disposed of through a licensed waste hauler.
6. Waste degreasing solvents must be stored in drums or a holding tank and disposed of through a licensed waste hauler.
7. Waste oil must be stored in tanks or drums for disposal by a licensed waste hauler.
8. Storage facilities for tanks and/or drums require coated concrete floors and dikes to retain accidental spills or leaks; a permanent roof to protect tanks or drums and to prevent precipitation from entering dikes. Drums should be sealed, and tanks and drums must be located away from floor drains.
9. Large drip pans should be kept beneath drums which have spigots and are stored in horizontal position on racks.
10. Potentially contaminated scrap, including but not limited to scrap parts, batteries and used filters shall be stored in proper containers to prevent environmental release of contaminants.
11. The applicant's submittal of a list and quantity of proposed chemicals to be stored on site to the Town, and a plan of primary and secondary storage facilities for these chemicals.
12. The applicant's submittal and the Town's acceptance of the Spill Response Plan and Spill Prevention, Control & Countermeasures Plan for the site.
13. The applicant obtaining approval of the public water and sewer connection, including the installation of a backflow prevention device for the public water connection, from the County Health Department and Town.
14. That no net loss of pervious surface be permitted to protect and preferably improve infiltration capacity of the site and reduce effects of stormwater on adjacent properties during low-frequency high rainfall storm events, and that standard erosion and sediment control best management practices such as silt fencing, stable construction entrance, and revegetation are employed during construction.
15. That visual screening is erected around the dumpster area.
16. The applicant providing to and obtaining approval from the Town of a more

detailed landscaping plan for the site to include additional landscaping other than just lawn areas.

- 17. The applicant's submittal of a revised site plan indicating locations of snow storage on site.**
- 18. The applicant's submittal of a lighting plan for the site to the Town which indicates that there would be no lighting from this property in excess of 1.0 footcandle outside of the property boundaries.**
- 19. The Town reviewing the proposed building design for conformance with the Town's Design and Development Guidelines.**
- 20. Compliance with SEQR requirements, AND**

BE IT FURTHER RESOLVED, that the Board reminds the Town of the requirements of General Municipal Law Section 239 M that a supermajority vote is to be attained by the Town in order to approve this application unless every contingency documented in this resolution is followed, AND

BE IT FURTHER RESOLVED, that the Planning Department is hereby authorized to convey this action to the Zoning Officer, Town of Cortlandville.

**Wendy Miller, Secretary
Cortland County Planning Board
August 19, 2020**

**Ayes: 7
Nays: 1 (Emily Discenza)**