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GML# 97.00--01-31.000
Town of Cortlandville
Conditional Permit & Aquifer Protection
District Special Permit
Suit Kote Corporation

TO: Cortland County Planning Board

FROM: Cortland County Planning Department

This application for a conditional permit & aquifer protection district special permit is being referred to the Cortland County Planning Board pursuant to General Municipal Law 239 M because the property is located within 500 ft. of US Route 11.

GENERAL INFORMATION

Date Received: October 26, 2020

Applicant: Suit Kote Corporation
3779 U.S. Route 11
Cortland, NY 13045

Status of Applicant: owner

Requested Action: conditional permit & aquifer protection district special permit

Purpose: to construct two 200 ton asphalt storage tanks, a new service gas building and a new scale platform to weigh trucks at an existing batch mix blacktop plant

Location: south side of US Route 11 approximately 750 ft. east of the NYS Route 41/US Route 11 intersection

Size: 79.7± acres

Existing Zoning: I-2 (General Industrial)

Existing Land Use: Suit Kote

Surrounding Zoning: I-2 (General Industrial)

Surrounding Land Uses: N – Suit Kote
S – Tioughnioga River
E – Suit Kote

W – Suit Kote

Existing Regulations: Code of the Town of Cortlandville

Chapter 178 Zoning

Article IXA – General Industrial I-2 District

Section 178-40.4 Uses Subject to conditional permit

A.

(2)

Article X - Aquifer Protection District

Section 178-46. Special permits

B. Is a development other than residential of real property exceeding \$150,000 in development cost

Article XIV Conditional Permit

Section 178-75. Structure/Use requirements for permit approval

Article XVI - Stormwater Management and Erosion and Sediment Control

Section 178-90. Jurisdiction and applicability

C. Exemptions

(1)

ANALYSIS -

The applicant is requesting a conditional permit and aquifer protection district special permit to construct two 200 ton asphalt storage tanks, a new service gas building and a new scale platform to weigh trucks at an existing batch mix blacktop plant. The property is located on the south side of US Route 11 approximately 750 ft. east of the NYS Route 41/US Route 11 intersection and is zoned I-2 (General Industrial).

This is the fourth time an application for this property has come before the Board for review. In September of 2001 the Board recommended approval of an aquifer protection district special permit and site plan approval to construct and operate a batch mix blacktop plant at this location contingent upon the following:

1. A stormwater pollution prevention plan being prepared for the site if it is determined that the proposed facility would exceed 10,000 square feet of impervious surface.
2. Amendment of the site's existing petroleum bulk storage permit with the County Health Department for the inclusion of the 14,000 gallon fuel oil tank and the secondary containment area.
3. Submittal of the project description to the NYS DEC to determine what components of the projects fall under their jurisdiction.
4. DEC approval for modification to the existing facilities air permit.

5. **Secondary containment being provided for the asphalt storage tanks. The town requires secondary containment in the amount of 150% of the total storage volume. However, the Town may wish to consider reducing this requirement to 100% of the largest tank with 15 to 20% freeboard as this reduced size would be more than adequate to accommodate the asphalt in the event of a tank failure.**
6. **A negative declaration of environmental impact under SEQR.**

In June 2003, the Board recommended approval of an aquifer protection district special permit and site plan review application to install a 14,000 gallon storage tank for diesel fuel contingent upon the following:

1. **The appropriate permits being obtained from the Cortland County Health Department and compliance with standards set forth in articles XX, XXI and XXII of the Sanitary Code of the Cortland County Health Department.**
2. **A negative declaration of environmental impact under SEQR.**

In August 2003, the Board recommended approval of an aquifer protection district special permit and conditional permit application to install an 18,000 gallon storage tank for #2 fuel oil contingent upon the following:

1. **The appropriate permits being obtained from the Cortland County Health Department and compliance with the standards set forth in Articles XX, XXI, and XXII of the Sanitary Code of the Cortland County Health Department.**
2. **The Town consider requesting that the applicant install one or more groundwater monitoring wells, consistent with provisions set forth in 178-45B (3) of the Town's Code.**
3. **A negative declaration of environmental impact under SEQR.**

The Town subsequently approved the application. The applicant is now requesting to construct two 200 ton asphalt storage silos, a new 16' x 16' ft. gas service building and a new scale platform to weigh trucks at an existing batch mix blacktop plant.

Manufacture, processing or assembly of a type not permitted in the I-1 District is permitted in the I-2 District subject to a conditional permit. An aquifer protection district special permit is also required as the development cost of the project would exceed \$150,000. The applicant is proposing to construct two 200 ton asphalt storage tanks, a new 16' x 16' ft. gas service building and a new 10' x 137' scale platform to weigh trucks at an existing batch mix blacktop plant.

The two 200 ton storage tanks will be used for the temporary holding of asphalt. The asphalt storage tanks would not require secondary containment. The storage tanks will be located above the new 10' x 137' scale platform. The storage tanks will be used for temporary

storage of asphalt and will be used for the trucks to load out material on a daily basis. There is an existing gas service building on site that will be demolished and replaced by a new gas service building 16' x 16' ft. in size and will be relocated to the east of the proposed new scale platform. The proposal is an expansion of the existing operation on site and would not require any further permits for the storage tanks.

Finally, the proposed use is considered an Unlisted Action under SEQR. The applicant has completed Part I of the Short Environmental Assessment Form. Parts II and III should be completed by the Town to determine if there may be any significant adverse environmental impacts as result of the proposed development.

RECOMMENDATION -

The staff recommends approval of this application for a conditional permit and aquifer protection district special permit contingent upon the following:

1. **Compliance with SEQR requirements.**

Prepared by:

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Reviewed/revised by:

Daniel S. Dineen
Director of Planning