

**CORTLANDVILLE TOWN BOARD
AGENDA
JUNE 5, 2019 - 5:00 P.M.**

Held in Blodgett Mills

Pledge Allegiance to the Flag

A. CALL THE MEETING TO ORDER

B. APPROVE MINUTES

B-1 Town Board Minutes of May 1, 2019

B-2 Town Board Minutes of May 15, 2019

B-3 Receive & file the Cortlandville Zoning Board of Appeals Minutes of April 30, 2019

B-4 Receive & file the Cortlandville Planning Board Minutes of April 23, 2019

C. PURCHASE ORDERS

C-1 P.O. # 1407, Cazenovia Equipment Co., Inc., for the Highway Superintendent to purchase a 2019 Frontier FM2012R Flex –Wing Grooming Mower with Pneumatic Tires, in the amount of \$14,275.00

D. AUTHORIZATION TO PAY THE BILLS

E. PRIVILEGE OF THE FLOOR

F. REPORTS

F-1 Receive & file the Monthly Report of the Code Enforcement Office for May 2019, submitted by Kevin McMahan

F-2 Receive & file the Monthly Report of the Supervisor for May 2019

F-3 Receive & file the Monthly Report of the Tax Collector for May 2019

F-4 Receive & file the Monthly Report of the Town Clerk for May 2019

F-5 Receive & file the Monthly Report of the Fire & Safety Inspection for May 2019, submitted by Desiree' Campbell

G. COMMUNICATIONS

- G-1 Receive & file the correspondence dated May 20, 2019 from Charter Communications regarding programming

H. OLD BUSINESS

I. NEW BUSINESS

- I-1 Town Clerk
- I-2 Town Attorney
- I-3 Receive & file the completed Grant application for the Town's 2019 CDBG Town-wide Housing Rehabilitation Grant, submitted by Thoma Development Consultants (1 original Booklet filed in the Town Clerk's Office)
- I-4 Authorize Supervisor to sign a one year Lease Agreement between the Town & John Diescher for a portion of property located on Route 13 (GLSC) subject to Permissive Referendum
- I-5 Authorization to reclassify Highway employee Damian Walker, Buildings & Grounds to Laborer for the Highway Department
- I-6 Receive & file the correspondence dated May 24, 2019 from NYS Agriculture & Markets, Commissioner Richard Bell regarding the Town's Agricultural & Farmland Protection Plan
- I-7 Forward the Zoning Amendment request from McLean Solar LLC to Establish Solar Overlay Districts in the Town of Cortlandville, to the Town & County Planning Boards for their review & recommendations
- I-8 Receive & file the Cortland County Planning Department review & recommendations & Cortland County Planning Board Resolution #19-11 regarding the Aquifer Protection Permit application of Jameson DeVecchio, for property located on NYS Route 13, Tax Map #77.17-01-08.200, and set a Public Hearing date for June 19, 2019 at 5:00 p.m.
- I-9 Schedule a Public Hearing date for June 19th at 5:00 p.m. regarding the 2018 CDBG Small Business Economic Development Program for Royal Nissan of Cortland, Inc. (CDBG #287SB902-18)

J. ADJOURN

G-1



May 20, 2019

Re: Charter Communications – Upcoming Change

Dear Municipal Official:

Charter Communications ("Charter"), locally known as Spectrum, is making its customers aware that on or around May 24, 2019, Olympusat will cease transmission of its Hillsong Channel located on Expanded Basic/Standard TV on the channel lineup serving your community.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions about this change, please feel free to contact me at 585-340-8188 or via email at lauren.kelly@charter.com.

Sincerely,

A handwritten signature in black ink that reads "Lauren E. Kelly". The signature is written in a cursive, flowing style.

Lauren E. Kelly
Director, Government Affairs – Finger Lakes
Charter Communications



ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

May 24, 2019

Honorable Richard C. Tupper
Town of Cortlandville
3577 Terrace Rd.
Cortland, NY 13045

RE: Municipal Agricultural and Farmland Protection Plan

Dear Supervisor Tupper:

We have concluded our review of the Town of Cortlandville Agricultural and Farmland Protection Plan which was adopted by the Town Board on November 7, 2018 and approved by the Cortland County Agricultural and Farmland Protection Board on August 15, 2018. Pursuant to Section 324-a of the Agriculture and Markets Law, and consistent with the legislative intent of Article 25-AAA of the AML to promote local initiatives for agricultural and farmland protection, I approve the plan.

I commend the Town for its initiative and effort in developing the Cortlandville Agricultural and Farmland Protection Plan. The Plan contains many very good recommendations that can help strengthen the agricultural industry in your community. We encourage the Town to establish an Agricultural Advisory Committee after plan adoption, as members can play a vital role in advising the Town Board on agricultural issues, providing input to the Cortland County Agricultural and Farmland Protection Board and assisting in the implementation of Plan recommendations.

We look forward to working with you in furthering the protection and development of farm operations and agricultural resources in the Town of Cortlandville.

Thank you for your continued support of New York agriculture.

Sincerely,

Richard A. Ball
Commissioner

cc:

Mike McMahon, Chair, Cortland County Agricultural and Farmland Protection Board
David Rutherford, Executive Director, Cortland County Cooperative Extension
Dan Dineen, Director, Cortland County Planning Department
Amanda Barber, Manager, Cortland County Soil and Water Conservation District

Zoning Referral Form

1-7

New Ordinance and/or Amendments

Director
CORTLAND COUNTY PLANNING DEPARTMENT
County Office Building
P.O. Box 5590, 60 Central Avenue
Cortland, NY 13045
Telephone: (607) 753-5043
Fax: (607) 753-5063

GML No. 9 5.0 0-0 1-3 3.1
(Tax Map Number)

Date: 5/23/2019

Submitting Officer: BRUCE WEBER, CEO

Municipality: TOWN OF CORTLANDVILLE

Mailing Address: 3577 TERRACE ROAD
CORTLAND, NY 13045

Phone Number: 607 756-7490 Fax Number: 607 756-6753

=====
Name of Petitioner: Mclean Solar LLC, attn: Elie Schecter

Owner's Name (if different): Farm East LLC

Date of Acquisition: Portion of property is being leased

Address: 415 Mclean Road

City: Cortland State: New York Zip: 13045

Phone Number: (914) 420-5803 (Petitioner) Fax Number: _____

Type of Referral
New Zoning Ordinance & Map

The following information is required for:

1. New Zoning Ordinance & Map:
 - A. Zoning Ordinance Text
 - B. Zoning Map (1'=200') (see 1B'2' under Amendment of Zoning Ordinance Text and/or Map)

- C. Report of Zoning Commission
(If required by local ordinance)
- D. Report of Municipal Planning Board Statement of intent and purpose of proposed action.

2. The following information is required for New and Amended Zoning Ordinances and maps:

1. Availability of public utilities:

A. Water N/A District Number _____

B. Sewer N/A District Number _____

2. Impact on Historic Buildings and/or Areas:

None

3. Availability of public service:

A. Fire Protection Yes District Number 6 - Cortlandville Fire District

B. Police Protection Yes

C. Refuse Collection N/A

D. Special Services Required: N/A

4. Does the zoning conform to municipal master plan? Yes If not, why not? _____

5. Does the zoning conform to county land use plan? Yes

6. School District: Dryden

7. Attach a copy of any environmental assessment or environmental impact state required under the State Environmental Quality Review Act (SEQR).

Type of Referral
Amendment of Zoning Ordinance
Text and/or Map

The following information is required for:

1. Amendment to Existing Ordinance and/or Map:

A. If text change:

- 1. Amendment to text (certified by municipal clerk)
- 2. Report of the Planning Board
- 3. Report of the Zoning Board of Appeals (if required by local ordinance)

B. If map change:

1. Change from R-1 Zoning District to R-1 with Solar
Overlay District Zoning District
2. Survey Map (1"=200' or less)
3. Names & Address of N.Y.S. licensed engineer or land surveyor responsible for preparing map & seal
4. North Arrow
5. Topography, not greater than 10' contours
6. Drainage, streams, waterbodies
7. Current Zoning district lines
8. Location Map at 2000' scale
9. Location of any County or State facility
10. Any reports available from other public agencies, petitioners or other interested parties
11. Location of any existing structure
12. Existing land use of site & area within 200' of site.



Senior Designer

Signature and Title of Submitting Official

(REVISED 10/95)

Mark T. Sweeney
Phone: 518.461.6838
Mark@mtsweeneylaw.com

May 22, 2019

Via Email and Hand Delivery

Bruce Weber, Code Enforcement Officer
Town of Cortlandville
3577 Terrace Road
Cortland, New York 13045

Re: McLean Solar 1 LLC Petition for the Adoption of A local Law to Allow for the Creation of Solar Overlay Districts

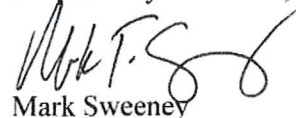
Mr. Weber:

We are pleased to submit this revised request, on behalf of McLean Solar 1, LLC, a wholly owned company of C2 Energy Capital, LLC, for the Town Board of the Town of Cortlandville to adopt a local law amending the Town of Cortlandville Zoning Code ("Code") to allow for the creation of Solar Overlay Zoning Districts within a Residential R-1 District on lots of ten (10) acres or more which are substantially adjacent to an Agricultural District. This request seeks to balance the expressed concerns regarding the non-solar energy uses that would be available to a landowner after the solar energy project were removed and limits the creation of case-specific Solar Overlay Districts to parcels suited for large scale solar energy systems as defined in Section 178.123.3(B) of the Code (e.g., are suitable to accommodate systems comprised of more than 3,000 panels).

We have set forth the proposed revisions to the Code on the attached Exhibit A to implement this request. Some notable aspects of the proposed revisions are (i) the Town Board would have the sole authority to determine whether any case-specific solar overlay district should be created and leave the Planning Board with jurisdiction to issue a conditional permit for any specific solar energy facility pursuant to the existing provisions of Section 178.123.3 of the Code; and (ii) the Solar Overlay District would automatically be void upon removal of the Project and the underlying zoning would then apply. As such, if granted, this amendment would enable the Town Board to create a Solar Overlay District which would allow for the development of a solar energy project(s) while precluding unwanted development of such lands after the solar energy system is removed.

Together with this request we are submitting a Full Environmental Assessment Form and Zoning Referral Form. We ask that you forward these materials to the Town Board for consideration at its June 5, 2019 meeting. If you have any questions or require anything further, please do not hesitate to contact me. Thank you.

Respectfully submitted,


Mark Sweeney

Enclosures

Cc: John Delvecchio, Town Attorney
Elie Schecter, C2 Energy
Paul Woodward, Keystone Associates

EXHIBIT A
PROPOSED ZONING AMENDMENTS
FOR THE
ESTABLISHMENT OF SOLAR OVERLAY DISTRICTS

The following provisions amending the Cortlandville Zoning Law will be required to enable the adoption of Solar Overlay Districts:

1. Amend Section 178-3 Establishment of Districts by adding a new Section 178-3(K) Solar Overlay Districts;
2. Amend the following sections of Section 178-123.3 Solar Energy Systems as follows:
 - a. 178-123.3 (B) Definitions by adding a definition for Solar Overlay District: A district which encompasses part or parts of one or more underlying districts and establishes requirements for solar energy systems for lots of ten (10) acres or more within an Residential R-1 district which are substantially adjacent to an Agricultural district.
3. Amend Section 178-123.3 (C) by adding subsection (6) to read as follows: No solar energy system including Large Solar Energy Systems shall be constructed, reconstructed, modified or operated outside an Agricultural or Industrial district except in a Solar Overlay District created pursuant to this Section 178-123.3.
4. Amend Section 178-123.3 (D)(3)(a) to read: Ground-mounted large-scale solar energy systems are permitted as principal and accessory uses through the issuance of a conditional permit within Agricultural and Industrial zoning districts and within a Solar Overlay District created pursuant to this Section 178-123.3 and the issuance of a conditional permit pursuant to this Section 178-123.3.
5. Add Section 178-123.3 (M) Solar Overlay District Rules to read:
 - a. Section 178-123.3 (M) (1) Solar Overlay Districts may only be created by the Town Board on lots of ten (10) acres or more within a Residential R-1 district which are substantially adjacent to Agricultural Districts.
 - b. Section 178-123.3 (M) (2) Initial requests for Solar Overlay Districts shall be submitted with applications for Conditional Permits for Solar Energy Systems.
 - c. Section 178-123.3 (M) (3) Once a Solar Overlay District is created, new Solar Energy Systems or appurtenant structures or facilities may be added only after grant of a Conditional Permit pursuant to this section 178-123.3.
 - d. Section 178-123.3 (M) (4) In the event a Solar Energy System located within a Solar Overlay District is decommissioned, such Solar Overlay District shall become null and void upon completion of decommissioning and the underlying district rules shall apply.

6. Add Section 178-23.3 (N) Solar Overlay District Procedures to read:
 - a. Section 178.23.3 (N)(1) All applications for the creation of a Solar Overlay District shall be submitted to the Code Enforcement Officer together with an environmental assessment form and a plan showing the proposed boundaries of the Solar Overlay District.
 - b. Section 178.23.3 (N)(2) The Code Enforcement Officer shall make a determination that an application is complete or advise the applicant of the deficiencies in the application within five (5) days of receipt and refer all complete applications to the Town Board for consideration.
 - c. Section 178.23.3 (N)(3) The Town Board shall refer all complete applications to the Planning Board for consideration and to the Cortland County Planning Board for comment as required by GML Section 239-m or l.
 - d. Section 178.23.3 (N)(4) The Town Board and Planning Board shall conduct a coordinated review and determine Lead Agency Status pursuant to the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, "SEQRA") as soon as possible.
 - e. Section 178.23.3 (N)(5) The Town Board shall hold a public hearing on the application for a Solar Overlay District within 45 days of the determination of completeness. Notice of said Public Hearing shall be published in a newspaper of general circulation in the Town at least five (5) days before the public hearing and mailed to all residents located within 200' of the boundary of the proposed Solar Overlay District no later than ten (10) days and no more than twenty (20) days before the Public Hearing.
 - f. Section 178.23.3 (N)(6) The Town Board shall take no final action until forty-five (45) days after referral to the Cortland County Planning Board, if such referral is required by GML Section 239, or if the Town Board has received a response from the Cortland County Planning Board, whichever is earlier.
 - g. Section 178.23.3 (N)(7) The Town Board, within thirty (30) days of the Public Hearing, shall approve, disapprove or approve with conditions the application for a Solar Overlay District having made a factual record of all proceedings and such record shall contain the reasons for the decision.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Local Law No. __ of 2019 amending the Zoning Law of the Town of Cortlandville to Allow for the Establishment of Solar Overlay Districts		
Project Location (describe, and attach a general location map): Town of Cortlandville		
Brief Description of Proposed Action (include purpose or need): This Local Law would enact regulations regarding the establishment of Solar Overlay District(s) on properties outside but substantially contiguous to existing agricultural and industrial zones on a case-specific basis to allow for the construction and operation of a Large Scale Solar Energy System. This Local Law does not authorize any large scale solar energy project to be constructed or operated and establishes standards and requirements specific projects must meet. All applications for a case-specific Solar Overlay District shall be made to the Town of Cortlandville Town Board together with an application for a conditional use permit for each individual project.		
Name of Applicant/Sponsor: McLean Solar 1, LLC	Telephone:	
	E-Mail:	
Address: 55 5th Avenue, Floor 13		
City/PO: New York	State: New York	Zip Code: 10003
Project Contact (if not same as sponsor; give name and title/role): Elle Schecter, Project Developer	Telephone: (914) 420-5803	
	E-Mail: eas@c2.energy	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption of Local Law	May 14, 2019
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Referral from Town Board	TBD
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	239 Review	TBD
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? This is for the adoption of the local law and does not permit changes to the land. <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): NYS Major Basins: Upper Susquehanna _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): The Town of Cortlandville Agriculture and Farmland protection plan _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential Zone

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes, **The action does not change the zoning for any site. Case-specific large scale solar energy system applications must be made.**

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Dryden Central School Districts and Homer Central School Districts

b. What police or other public protection forces serve the project site?
Cortland County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Cortlandville and Homer Fire Districts

d. What parks serve the project site?
None

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? solar energy facility

b. a. Total acreage of the site of the proposed action? Town wide acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: N/A months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): _____

• Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply. **Not Applicable**

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

The Local Law will only apply to lands substantially adjacent to agricultural and industrial zoning districts within the Town.

b. Land uses and covertypes on the project site. **This local law does not permit physical change to lands.**

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			0
• Forested			0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			0
• Agricultural (includes active orchards, field, greenhouse etc.)			0
• Surface water features (lakes, ponds, streams, rivers, etc.)			0
• Wetlands (freshwater or tidal)			0
• Non-vegetated (bare rock, earth or fill)			0
• Other Describe: Misc _____			0

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes, **Not applicable, local law does not permit physical change to the lands.**
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes, **Not applicable, local law does not permit physical change to the lands.**
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes, **Not applicable, local law does not permit physical change to the lands.**
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ N/A feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ % **None observed via aerial map**

c. Predominant soil type(s) present on project site: N/A _____ N/A %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: TBD feet **Not applicable, local law does not permit physical change to the lands.**

e. Drainage status of project site soils: Well Drained: N/A % of site
 Moderately Well Drained: N/A % of site
 Poorly Drained: N/A % of site **Not applicable, local law does not permit physical change to the lands.**

f. Approximate proportion of proposed action site with slopes: 0-10%: N/A % of site
 10-15%: N/A % of site
 15% or greater: N/A % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Various Classification C
- Lakes or Ponds: Name Various Classification +
- Wetlands: Name NWI Wetlands Approximate Size Varies
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: Cortland-Homer Preble SSA

m. Identify the predominant wildlife species that occupy or use the project site:		
Birds _____	Deer _____	Rabbits _____
Frogs _____	Snakes _____	_____
n. Does the project site contain a designated significant natural community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____ Marl pond shore - Freshwater Nontidal Wetland		
ii. Source(s) of description or evaluation: <u>NYSDEC Environmental Resource Mapper</u>		
iii. Extent of community/habitat:		
• Currently:	_____	N/A acres
• Following completion of project as proposed:	_____	N/A acres
• Gain or loss (indicate + or -):	_____	N/a acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:		
i. Species and listing (endangered or threatened): _____ Rare freshwater mussels		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes:		
i. Species and listing: _____		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, give a brief description of how the proposed action may affect that use: _____ <u>The proposed local law will not restrict or change any current hunting, trapping, fishing or shell fishing</u>		
E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes, provide county plus district name/number: <u>Cortland - CORT001</u>		
b. Are agricultural lands consisting of highly productive soils present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
i. If Yes: acreage(s) on project site? <u>The proposed local law does not permit physical change to lands</u>		
ii. Source(s) of soil rating(s): <u>Cortland County GIS website</u>		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: The proposed local law does not permit physical change to lands

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Paul T. Woodward Date May 23, 2019

Signature  Title Senior Designer

ON THE MOTION OF Paul Slowey
Ann Swisher

RESOLUTION NO. 19-11

GML#77.17-01-08.200
Town of Cortlandville
Aquifer Protection District
Special Permit, Subdivision &
Site Plan Review
DeVecchio

WHEREAS, on April 24, 2019 the Zoning Officer, Town of Cortlandville, pursuant to General Municipal Law 239 M submitted an application for a Subdivision, Aquifer Protection District Special Permit and Site Plan Review because the property is located within 500 feet of NYS Route 13, Locust Ave. (County Road #113) and the City of Cortland Boundary, 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 May 10, 2019, which is on file, AND

WHEREAS, the Cortland County Planning Board on May 15, 2019 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 subdivision, aquifer protection district special permit, and site plan review contingent upon the following:

1. the applicant applying for and obtaining approval of a septic system permit from the County Health Department which would require separate septic systems for the two proposed dwelling units.
2. the applicant applying for and receiving approval of the Town for the connection to the public water system including the possible requirement of the installation of a back flow prevention device for the proposed two family dwelling.
3. that the proposed easement providing road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels be written into the deeds of all three properties to insure continued road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels.

4. 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

May 15, 2019

Ayes: 7

Nays: 0

May 10, 2019

GML# 77.17-01-08.200
Town of Cortlandville
Subdivision, Aquifer Protection District
Special Permit & Site Plan Review
DeVecchio

TO: Cortland County Planning Board

FROM: Cortland County Planning Department

This application for a subdivision, aquifer protection district special permit and site plan review 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 NYS Route 13, Locust Ave. (County Road # 113) and the City of Cortland boundary.

GENERAL INFORMATION

Date Received: April 24, 2019

Applicant: Jameson DeVecchio
DeVecchio Family, LLC
4360 Meadow Lane
Cortland, NY 13045

Status of Applicant: owner

Requested Action: subdivision, aquifer protection district special permit and site plan review

Purpose: to subdivide a 3.31± acre parcel into three parcels; one with an existing duplex unit and to construct a duplex unit on one of the other parcels.

Location: west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary

Size: 3.31± acres

Existing Zoning: R-1 (Residential)

Existing Land Use: two family residential (duplex unit)
Surrounding Zoning: R-1 (Residential)

Surrounding Land Uses: N – single family residential

- S – single family residential
- E – single family residential
- W – single family residential

Existing Regulations: Code of the Town of Cortlandville

Chapter 140 Subdivision of Land

Chapter 178 Zoning

Article IV – Residential R-1 District

Section 178-18. Permitted uses subject to site plan approval

A. Residential

(1) Two-family dwellings

Article X - Aquifer Protection District

Section 178-45. Restrictions and requirements

A. Prohibited uses and activities

(9) Two-family houses using septic tanks

(a) Two-family houses using septic tanks on lots less than 45,000 square feet are prohibited.

(b) All plans for two-family houses using septic tanks require the approval of the Cortland County Health Department.

Section 178-46. Special permits

A. Violates or does not meet any of the provisions of Section 178-45 herein

Article XIII Site Plan Approval

Section 178-72. Planning Board review of site plan

A. General considerations

ANALYSIS -

The applicant is requesting a subdivision, aquifer protection district special permit, and site plan review to subdivide a 3.31± acre parcel with an existing duplex unit into three parcels of 37,150± sq. ft. (this parcel would retain the duplex), 48,125± sq. ft. and 55,275± sq. ft. and to construct a duplex on the 48,125± sq. ft. parcel. The property is located on the west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary, and is zoned R-1 (Residential).

The Coordinated Review Committee (CRC) reviewed this proposal and addressed the following issues. The applicant is proposing to subdivide the 3.31± acre parcel into three parcels of 37,150± sq. ft., 48,125± sq. ft. and 55,275± sq. ft. The existing duplex on site would be located on the 37,150± sq. ft. parcel and the applicant is proposing to construct another duplex on the 48,125± sq. ft. parcel while the 55,275± sq. ft. parcel would be the site of a possible future duplex. Two family dwellings are permitted in the R-1 District subject to site plan review. The existing and proposed duplex would be serviced by public water but would have a private septic system. Two family houses using septic tanks on lots less than 45,000 sq. ft. are prohibited in the aquifer protection district regulations. The parcel with the existing duplex would not meet this minimum lot size requirement. The aquifer protection district regulations however also allow a special permit to be obtained for any use prohibited in the

aquifer protection district. The applicant has therefore applied for an aquifer protection district special permit. The proposed subdivided lots appear to meet the County Health Department's minimum lot size requirement of 200 ft. by 150 ft. (with a 10% allowance) for lots with public water and requiring a septic system. The applicant would be required to apply for and obtain a septic system permit from the County Health Department for the proposed new two family dwelling unit. Separate septic systems are required for each two bedroom unit. Due to the fast percolation rates in the area, leach fields typically are cut and fill type in this area of the County, thus it is expected that fill material would need to be brought into the site. Application to/approval of the Town would also be needed for the water service connection to the Cortlandville public supply including the possible requirement of the installation of a back flow prevention device for the proposed new two family dwelling.

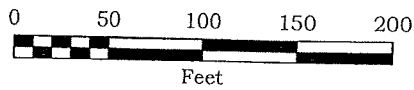
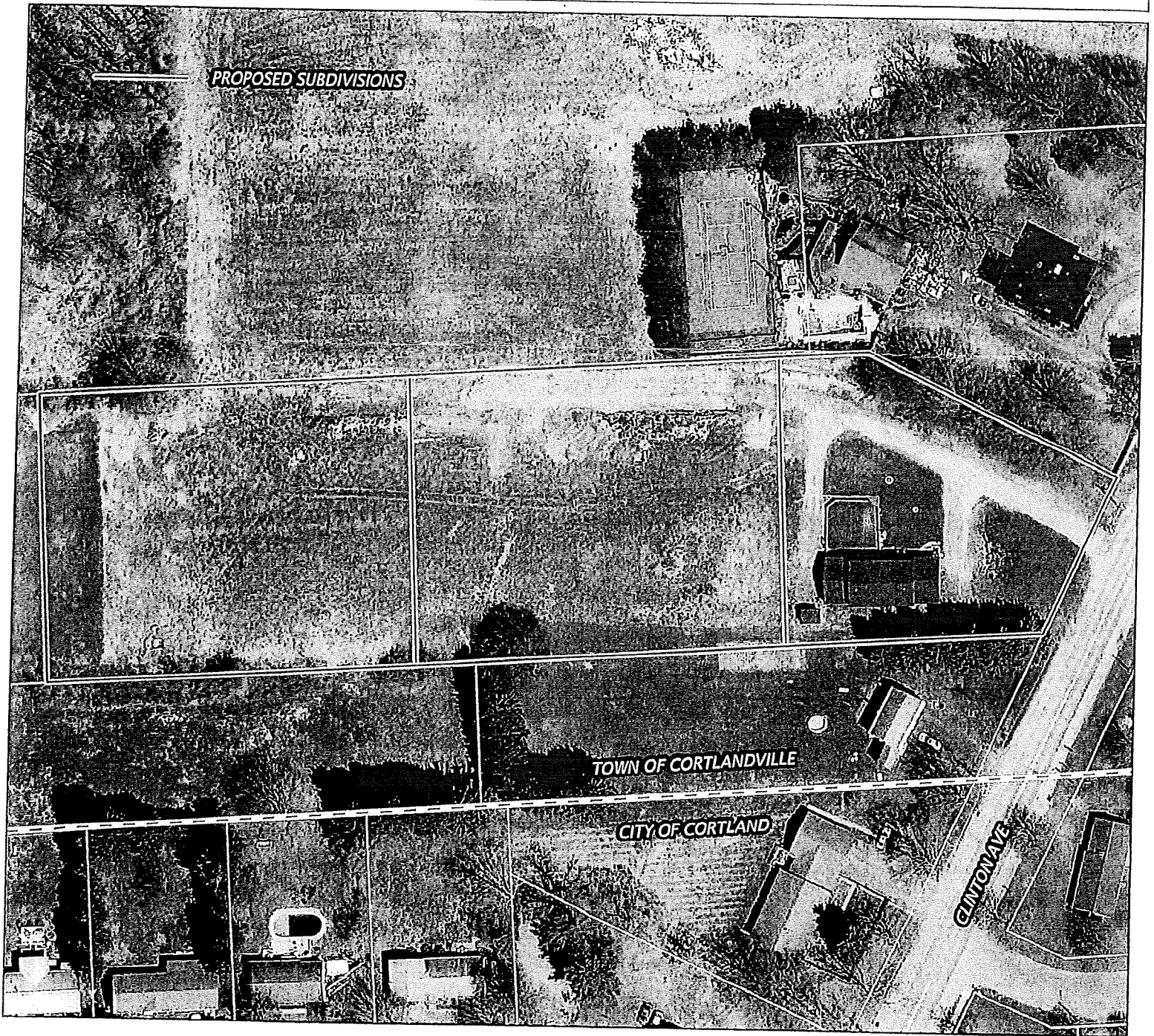
It should be noted that only the parcel with the existing duplex would have direct road frontage on NYS Route 13. The applicant is proposing a 25 ft. wide easement over this property to provide road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels and a 25 ft. wide easement over the 48,125± sq. ft. parcel to provide road access to the 55,275± sq. ft. parcel. It is recommended that the proposed easement be written into the deeds of all three properties to insure continued road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels.

Finally, this proposal 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 use.

RECOMMENDATION -

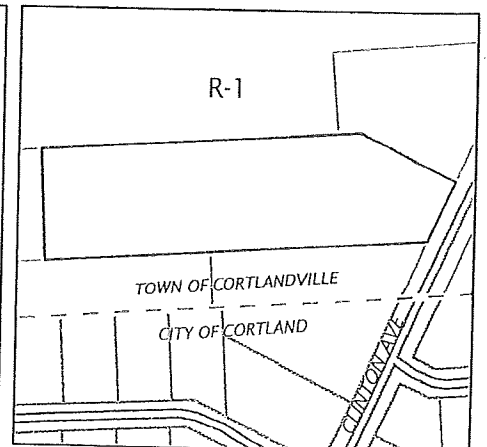
The staff recommends approval of this application for subdivision, aquifer protection district special permit, and site plan review contingent upon the following:

1. the applicant applying for and obtaining approval of a septic system permit from the County Health Department which would require separate septic systems for the two proposed dwelling units.
2. the applicant applying for and receiving approval of the Town for the connection to the public water system including the possible requirement of the installation of a back flow prevention device for the proposed two family dwelling.
3. that the proposed easement providing road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels be written into the deeds of all three properties to insure continued road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels.
4. compliance with SEQR requirements.



ZONING DISTRICTS

- AG
- R-1
- R-2
- R-3
- B-1
- B-2
- B-3
- I-1
- I-2
- PUD



Cortland County
 Planning Department
 37 Church Street
 Cortland, NY 13045

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

The Town of Cortlandville was awarded fiscal year 2018 funds under the Small Cities Community Development Block Grant (CDBG) Program for small businesses under the economic development program. Funds in the amount of \$100,000 were awarded to purchase furniture, fixtures, and equipment to assist in the expansion of Royal Nissan of Cortland, Inc.

Pursuant to 24 CFR 570.486, the Town of Cortlandville is required to hold a public hearing during the grant implementation period to provide details with respect to the program and program progress, solicit comments with respect to funded activities and program administration, and answer questions with respect to the CDBG Program or grant activities. Comments may also be submitted in writing to the Town of Cortlandville, c/o Richard C. Tupper, Supervisor, 3577 Terrace Road, Cortland, NY 13045.

This hearing, scheduled for Wednesday, June 19, 2019 at 5:00 pm, will be held at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, NY. The venue is handicapped accessible for those needing such assistance. Any other persons or groups needing special accommodations should contact the Town at least one week prior to the meeting at 607-756-5725. Thoma Development Consultants was retained by the Town to administer the grant pursuant to a request for proposal (RFP) process. They can be reached at 607-753-1433.

The CDBG program is funded under Title I of the Housing and Community Act of 1974, as amended. The federal government, pursuant to Title I, provided fiscal year 2018 funds to New York State for award and administration.

Signed: Richard C. Tupper, Supervisor