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KAREN M. KNAUERHASE,
Legal Assistant
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Legal Assistant

September 12, 2019

via –hand delivery

Bruce Weber, Planning/Zoning Officer
Town of Cortlandville
3577 Terrace Road
Cortland, New York 13045

RE: Town of Cortlandville Conditional Permit by Leach Properties, LLC.
1834 State Route 13, Cortland New York 13045

Dear Bruce:

As previously discussed, this office represents Gregory Leach, who is the owner of Leach Properties, LLC. It is my understanding that the conditional permit application dated January 3, 2017, and filed with the Town of Cortlandville on or about January 3, 2017, which has been the subject of prior litigation technically remains pending before the Town Planning Board.

On behalf of Gregory Leach, please regard this letter as formal request to withdraw said application. Should you require anything further regarding this matter, please advise.

Very truly yours,

POMEROY, ARMSTRONG & CASULLO, LLP

By:


Donald C. Armstrong, Esq.

DCA/sv

cc: Gregory Leach – *via e-mail*

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Town of Cortlandville
3577 Terrace Road
Cortland, New York 13045

RE: Town of Cortlandville Conditional Permit by Leach Properties, LLC.
1834 State Route 13, Cortland New York 13045

Dear Bruce:

This office represents Gregory Leach owner of Leach Properties, LLC. Annexed hereto please find twelve (12) sets of Mr. Leach's application for a conditional permit for the above-referenced property. Each set of Mr. Leach's application includes the following:

1. Conditional Permit Application;
2. Draft GML referral form;
3. Construction plans from Complete Construction Concepts, LLC.;
4. Site Plan Drawing;
5. Narrative by Gregory Leach;
6. A proposed Short Form Environmental Assessment Form;
7. Five (5) pictures depicting the structure;

Also enclosed please find a check made payable to the Town of Cortlandville in the amount of \$250.00 representing the application fee for the same.

September 12, 2019

We would appreciate this matter being placed on the agenda for the September 2019 Planning Board meeting. Please confirm that this matter will be heard in September as requested, and, please do not hesitate to contact me should you require anything further with regard to this matter.

Very truly yours,

POMEROY, ARMSTRONG & CASULLO, LLP

By:

A handwritten signature in blue ink, appearing to read 'D. Armstrong', is written over a horizontal line.

Donald C. Armstrong, Esq.

DCA/sv

cc: Gregory Leach – *via e-mail*

TOWN OF CORTLANDVILLE
3577 TERRACE ROAD
CORTLAND, NEW YORK 13045-3552

APPLICATION FOR CONDITIONAL PERMIT

APPLICANT

Name GREGORY LEACH Fee Paid 250⁰⁰
Address 1834 RT 13 Phone 607-753-7412
CORTLAND NY 13045

PROPERTY OWNER

Name LEACH Properties LLC Phone 753-7412
Address 1834 RT 13 CORTLAND NY 13045

PROPERTY INFORMATION

Location of property 1834 RT 13 N CORTLAND NY 13045
Tax Map No. of Parcel 77.00-13-11.000

PROPERTY ACQUIRED ON, OR PENDING DATE OF ACQUISITION NO

IS PROPERTY IN FLOOD PLAIN? YES NO

ZONING DISTRICT B3

PROJECT DESCRIPTION ADDITION TO EXISTING Building for
Equipment Storage.

Information to be included will be drawn from a checklist in Article XIV of the Cortlandville Zoning Law.

DATE OF APPLICATION 8/26/19 Gregory Leach
Signature of Applicant

Zoning Officer

Planning Board Chairperson

PERMIT GRANTED _____

PERMIT DENIED _____

GENERAL MUNICIPAL LAW

Zoning Referral Form

Conditional Permits, Special Permits, Site Plan Reviews & Variances

Director
CORTLAND COUNTY PLANNING DEPARTMENT
37 Church St.
Cortland, NY 13045-2838
Telephone: (607) 753-5043
Fax: (607) 753-5150

GML No. _____
(Tax Map Number)

Date: _____

Submitting Officer: Bruce Weber, Planning & Zoning Officer

Municipality: Town of Cortlandville

Mailing Address: 3577 Terrace Road, Cortland, NY 13045

Phone Number: (607) 756-7052

Fax Number: (607) 758-7922

Type of Referral

The applicant request the following:

Variance: _____ Bulk – Article _____ Section _____
 _____ Use – Article _____ Section _____

Special Permit: Article _____ Section _____

Conditional Permit: Article V III Section 178-36-2 F

Site Plan Review: Article _____ Section _____

Reason(s) for request: For the application of construction of
a ~~24~~ 48 x 27 truck bay.

Is the above action a Type 1 _____ ; Type 2 _____ , or unlisted action under the State Environmental Quality Review Act? Attach required environmental assessment forms for Type I and unlisted actions.

The following information is required for your application to be complete:

1. Name of petitioner: LEACH Properties LLC

Owners name (if different): Beaujeu Leach

Date of acquisition: _____

Address: _____

State: _____ Zip: _____

Phone Number: _____ Fax Number: _____

2. A Site Plan Map showing:

- a. Scale (1 inch equals 20 feet if site is less than 1 acre or an agreed upon scale for a site larger than 1 acre)
- b. North Arrow
- c. Physical Characteristics of Site, existing and proposed (Topography, Water and Vegetation)
- d. Layout Plan Showing buildings, parking and available utilities
- e. Surface and Subsurface Drainage Plan, incorporated with Layout Plan
- f. Location of County or State facility pursuant to Section 239 l, m and n of the General Municipal Law
- g. Location Map at 1":1000' scale
- h. Area Map at 1":200' or an agreed upon scale
 - (1) zoning classification of subject and adjoining properties
 - (2) surrounding land use within 500 feet of subject property
 - (3) surrounding zoning classifications

3. A certified Tax Map from the Cortland County Office of Real Property and Assessment showing the property lines of the applicant's property.

4. Availability of public utilities and services:

Water _____ District _____; Sewer _____ District _____; Fire Protection _____

District _____; Police Protection _____; Refuse Collection _____

Special services required: _____

5. Does Site Plan conform to municipal master plan: _____ If not Why? _____

6. Does Site Plan conform to county land use plan? _____ If not Why? _____

7. School District _____

8. Projected energy consumption _____ Type _____

9. Traffic generation (expected vehicle departures and arrivals per 24 hour period) _____

NOTE: All maps require the name and address of the N.Y.S. licensed engineer or land surveyor responsible for preparing the seal and map.

(Signature and Title of Submitting Official)

(Revised 10/95)

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
LEACH PROPERTIES LLC			
Name of Action or Project: STORAGE BUILDING ADDITION			
Project Location (describe, and attach a location map): 1834 RT 13, CORTLAND, NY 13045; SOUTHEAST CORNER PARCEL 77.00-13-11.000;			
Brief Description of Proposed Action: 48' X 27' ADDITION TO EXISTING 5000 SF EQUIPMENT STORAGE BUILDING OF LEACH'S CUSTOM TRASH			
Name of Applicant or Sponsor: GREGORY LEACH		Telephone: 607-753-7412	
		E-Mail: gleach56@yahoo.com	
Address: 1834 RT 13			
City/PO: CORTLAND		State: NY	Zip Code: 13045
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		3.11 acres	
b. Total acreage to be physically disturbed?		0.03 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		12.47 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO
		<input type="checkbox"/>	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. 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?		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from Responsible Officer)

This narrative is to be added to the description of my conditional permit request for the addition to our storage building.

In 2017 I asked and received a conditional permit to construct an addition to my existing truck equipment storage building at 1834 Route 13. I had the addition constructed and received a certificate of occupancy and began usage of the building, at such time legal action commenced. Originally I intended to have the building be drive through capable but after negative court decisions I have had to change my intended use. In 2017 flow control legislation was enacted locally which limits my over the road transportation operations. Therefore, no need for a drive through of the building and consequently I have sold my spare tractor trailer that was to be housed in the addition.

Now my intentions are to put my garbage hauling trucks and equipment in the addition which will allow me to put under cover my recycle trailers used for household recycling, my sweeper and my snow removal equipment. This equipment is for the operation related to Leach's Trash Service, residential and commercial hauling, on this site since 1986.

Lastly, I cannot use the land behind the building, as it cannot be used in conjunction with the hauling business; therefore the construction included a wall, eliminating the drive through ability. Also, the addition is merely an extension of my already constructed building on the original property owned by me since 1986.

Sincerely,

A handwritten signature in cursive script that reads "Gregory K. Leach".

Gregory K. Leach

Complete Construction Concepts, LLC
137 South Main Street
Homer, NY 13077

Cell: (607) 749-7779
Office: (607) 749-7770
Fax: (607) 749-7239

Leach's Custom Trash Service
1834 NYS Route 13
Cortland, NY 13045
(607)-753-7412

12/14/16

Complete Construction Concepts, LLC has been serving the post frame building industry for over 30 years. Every building project comes with a complete set of drawings, stamped by a NYS licensed architect / engineer to ensure the integrity of your building. All of our buildings are designed to meet the wind and snow loads for the location where your building is being built. **Complete Construction Concepts, LLC**, crews are properly insured and have spent many hours of training to ensure the quality of workmanship that you and your building deserve and to meet the high standards of quality set by *Complete Construction Concepts, LLC*.

Complete Construction Concepts, LLC. Proposes to supply all necessary labor, material and equipment to complete the following:

Proposed EPS Pre-engineered Post Frame Building
48'W x 27'L x 18'H
Addition to Existing Building

Roof & Wall Panels

Weatherbest 29 gauge Structural Quality full-hard steel. Galvalume roofing and siding panels are a minimum grade "B", 80,000 psi tensile strength to resist dents. Anti-siphon side-lap design will provide unmatched weather tightness. Long length custom cut pieces mean fewer overlaps and joints. Siliconized polyester paint system is a premium defense against the elements and is attached with matching, pre-painted, non-corrosive screw fasteners. All paint systems come with a Paint Vendor 40 year warranty against chip, crack, check or peel and a 30 year warranty against chalk or fade.

Steel Wainscot

Weatherbest 29 gauge Structural Quality full-hard steel, paint system, with warranty for walls and roof, to include transition trim and attached with painted screw fasteners.

Trusses and Plate Connections

EPS manufactures their own roof trusses, along with engineered headers and other components. Every truss is custom engineered to meet the load designs for your area.

Columns

3-Ply laminated column with .60 PT 4' below grade. Columns are factory built on state of the art equipment. Machine planed after lamination ensures uniformity of size. Material is all #1 Southern Yellow Pine for strength. Foundation grade *pressure treated* lower column bases have a 50 yr. warranty on lumber and labor if columns fail due to decay or insect infestation.

Footers

Concrete footers at a minimum of 48" below grade.

Overhangs

24" vented overhangs on sides, complete with vented painted aluminum soffit panels and painted metal fascia.

Vented Ridge

Every Building we construct has a properly sized, continuous vented ridge cap which works in conjunction with the vented overhangs to ensure proper ventilation and to control condensation.

Snow Load per Code

4/12 Roof Pitch

Warranties

We supply the following warranties: 50 years on the posts/columns, 5 years for materials and workmanship CCC will repair or replace any building components that prove to be defective or through workmanship, and for 5 years, CCC will repair *free of charge* any roof leaks due to defects in materials and workmanship.

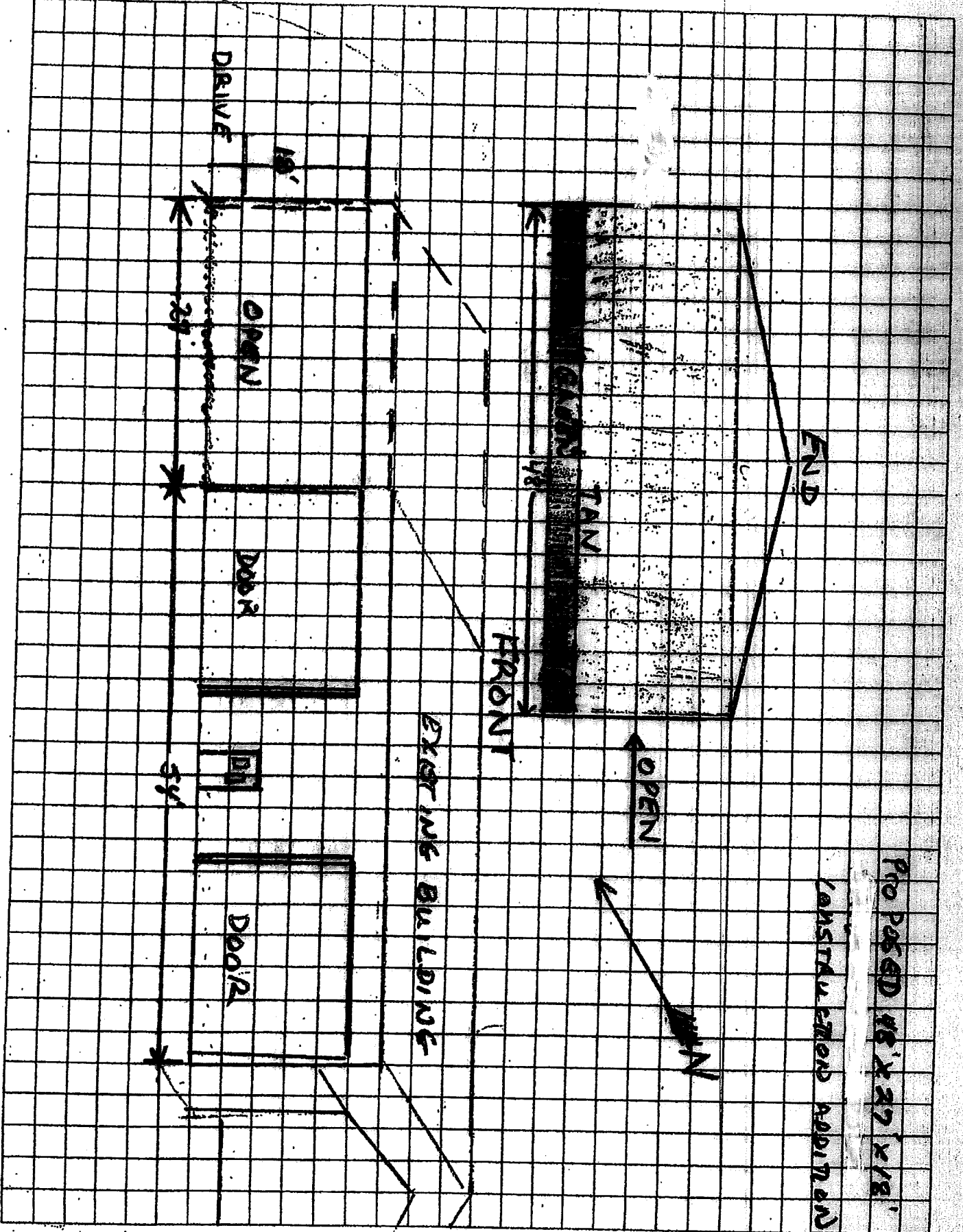
Insurance

Complete Construction Concepts, LLC is properly insured for construction operations.

Items Not Included

Building permits, Site work, HVAC, Plumbing, Electrical and anything else not listed above.

1 Block = 1/4"



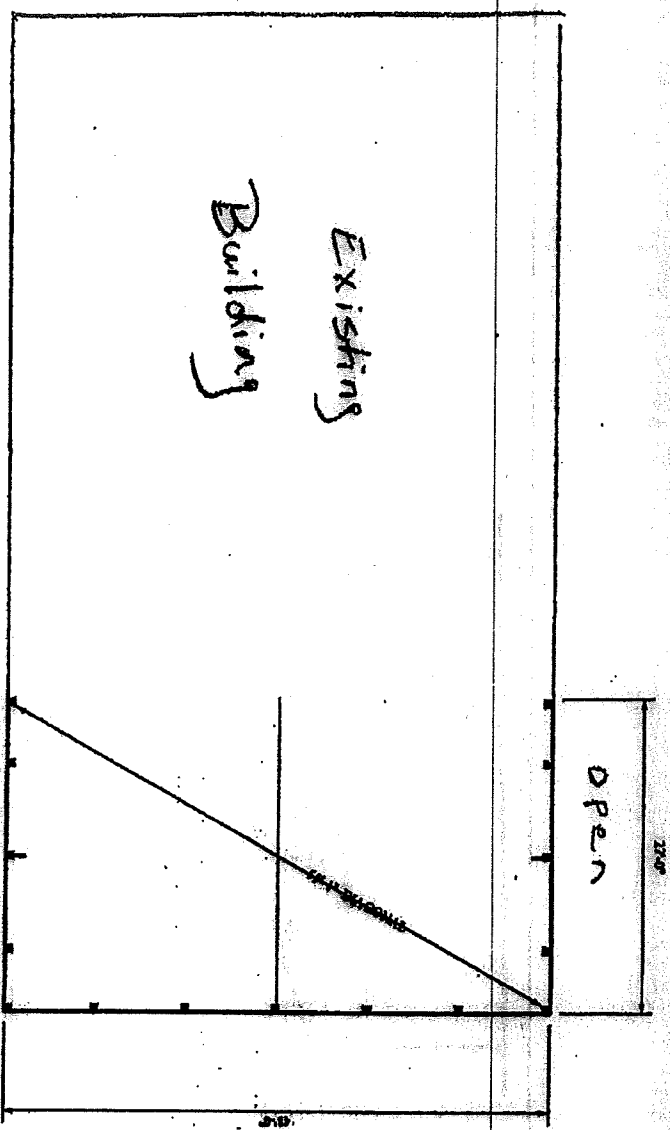
PROPOSED 48' X 27' X 18'

CONSTRUCTION ADDITIONS

N

W

E




FLOOR PLAN
 NOT TO SCALE

ALL ROOM DIMENSIONS ARE TO OUTSIDE OF CURS
 THESE ROOM DIMENSIONS TO BE USED BY
 CONTRACTOR FOR CONSTRUCTION

S

ANNEAULTIER CONSULTING COMPANY



1011 PINEWOOD DRIVE
 GREENBRIER, LA 71362
 PHONE: 984-974-130
 FAX: 713-694-323
 WWW.ANEAULTIER.COM

Complete Construction Concepts, LLC
 Greg Leach
 48 x 27 x 18
 CONTAINER BUILDING PACKAGE

DATE: 12/30/2016
 QUOTE BY: gml
 FILE: Leach, Greg.dwg

FLOOR PLAN VIEW

Existing Building		ADDITION	

REAR

SOUTH ELEVATION

ADDITION			
(open)			
		Existing Building	

FRONT

NORTH ELEVATION

ANTHONY'S COMPANY

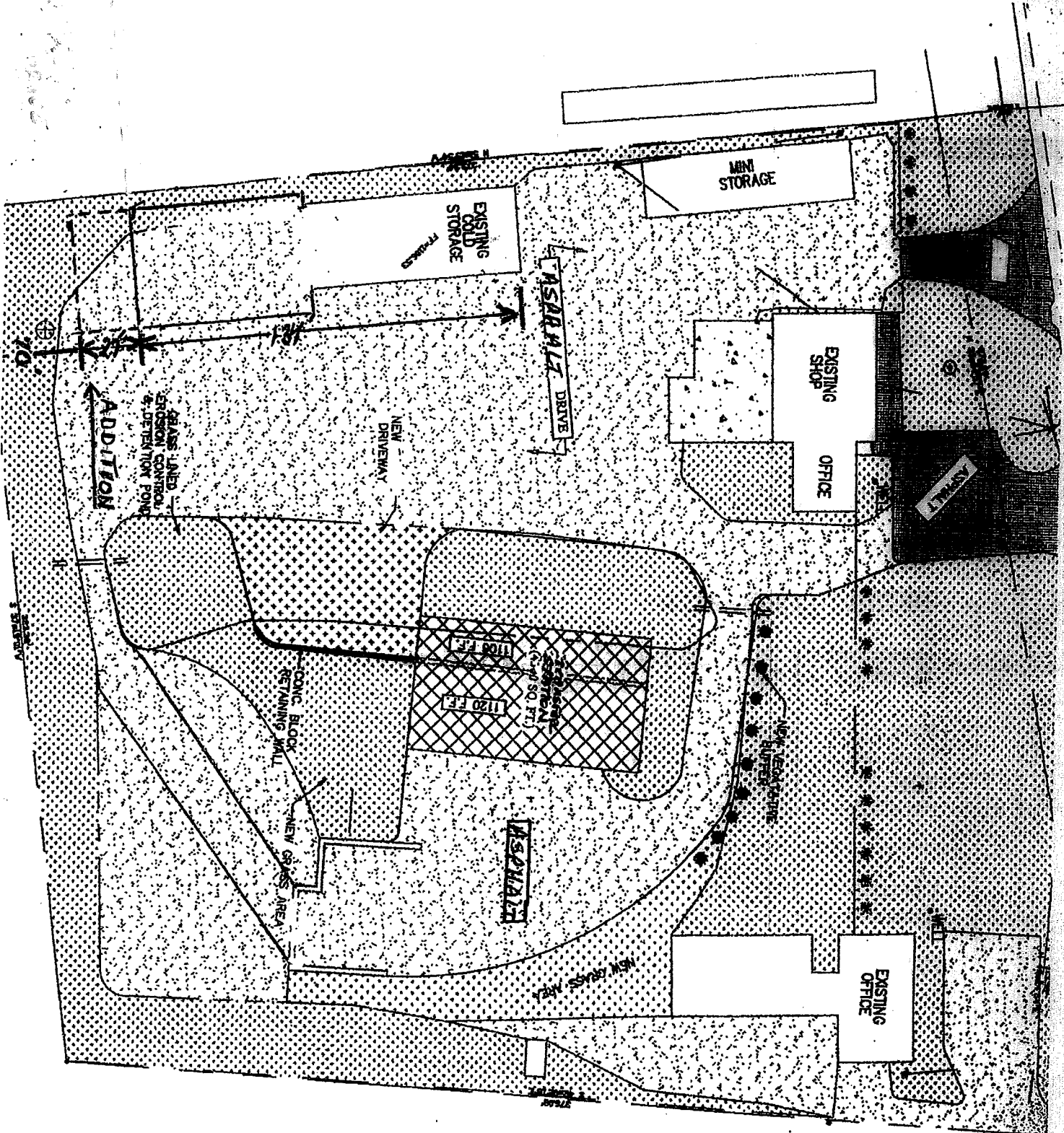
3000 W. 10th St. Suite 100
 Oklahoma City, OK 73106
 Phone: (405) 763-1100
 Fax: (405) 763-1100
 www.anthonys.com

Complete Construction Concepts, LLC

Greg Laack
 405-277-1118
 POST FRAME BUILDING PACKAGE

DATE: 12/09/2016
 QUOTE BY: wjm
 FILE: Laack Greg.dwg

ELEVATION VIEW



LOC

