

PUBLIC HEARING NO. 1

LOCAL LAW #1 OF 2017
ADDING CHAPTER 75 TO THE TOWN OF CORTLANDVILLE CODE
REGULATING THE LOCATION OF GAS STATIONS WITHIN THE TOWN

A Public Hearing was held by the Town Board of the Town of Cortlandville at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, concerning Local Law #1 of 2017 – adding Chapter 75 to the Town of Cortlandville Code regulating the location of Gas Stations within the Town.

Members present:

Supervisor, Richard C. Tupper
Councilman, Theodore V. Testa
Councilman, John C. Proud
Councilman, Gregory K. Leach
Councilman, Walter J. Kasperek
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John Folmer; Highway Sup't. Carl Bush; News Reporters: Todd McAdam from the *Cortland Standard* and Peter Blanchard of the *Cortland Voice*, Brad Smith of WXHC, Sharon Stevans from Channel 2, Access TV; Cortlandville Legislator, Joseph Steinhoff; Cortland County Planning Board Chairperson, Ann Hotchkin; Cortland County IDA Executive Director, Garry VanGorder; Cortlandville Planning Board Members, Nick Renzi, Nasrin Parvisi, Chris Newell; Virgil Town residents, Steve Terwilliger and John Carroll; Town residents, Anne McLorn and James McLorn, Barb, Sarah, Pat and Josh Leach, Mike Whitmarsh, Pam Jenkins, Bob Martin, Patricia Roiger, Douglas and Marian Withey, Andrea and Chad Niggli, Marilyn DeLorenzo, Cindy and David Lewis, (sp) Laurie Ciforenta, Randy and JoAnne Ross, Al and Kirsten Pagan, Cheri Sheridan and Forrest Earl.

Supervisor Tupper called the Public Hearing to order.

Town Clerk, Karen Q. Snyder, read aloud the published, posted and filed legal notice.

Supervisor Tupper offered privilege of the floor to those in attendance by calling in order those individuals who signed in to speak.

Thirteen of the above mentioned individuals spoke in regards to Local Law #1 of 2017, adding Chapter 75 to the Town of Cortlandville Code regulating the location of gas stations within the Town. Twelve of the thirteen residents adamantly expressed their opposition to the proposed law, with references made to the TCE spill, spot zoning and the Cortland County Planning Board recommendations. The general consensus was that Cortlandville's Aquifer is pristine and has been well protected thus far and the meeting's attendees implored the Town Board not to approve Local Law #1 of 2017.

Garry VanGorder, Cortland County IDA Executive Director stated he shares concern for protecting the ground water, but feels the concerns for the environment must be reasonably balanced with opportunities for growth in the community. He urged the Town Board to move forward and commended the Town of Cortlandville for its maintenance of the Aquifer.

Town resident Marilyn DeLorenzo did not submit written comments, but spoke in reference to the language in the proposed Local Law. She did not agree that there has been a diminution of retail gasoline and related sales locations available to Town residents.

Ann Hotchkin, Cortland County Planning Board Chairperson, also a town resident, did not submit written comments but spoke in order to clarify previous comments from the Town Board that were not factually correct and to explain the charge of the Cortland County Planning Board. Ms. Hotchkin explained when an application is brought before the County Planning Board; the Review Committee staff makes recommendations, forwards those recommendations to the Cortland County Planning Board for their recommendations and a vote.

She continued by stating at the end of 2015, the gas station law was brought before the Cortland County Planning Board to primarily clean up the language as to definition of what a gas station is and areas where gas stations were to be prohibited. The Cortland County Planning Board agreed it was a good start, but felt the law needed more consideration and was then sent back to the Town. When the law was again presented, after lengthy deliberation, the Cortland County Planning Board voted against the Review Committee staff recommendations. Ms. Hotchkin reminded the Board that due to the Cortland County Planning Board voting against the recommendations of the Review Committee staff, the Town Board would be required to vote; majority plus one in order for this Local Law to pass.

Supervisor Tupper thanked the presenters for their comments.

No further comments or discussions were heard.

The Public Hearing was closed at 5:50 p.m.

Noted:

Victor Siegle, Village of Homer resident, was not present for the Public Hearing but submitted written comments to be included with the Public Hearing minutes. All written comments are attached to the Public Hearing minutes.