

# CORTLAND COUNTY PLANNING BOARD MEETING MINUTES

**January 19, 2022**

The regular monthly meeting of the Cortland County Planning Board was **called to order** at 6:31 p.m. by Chair Ann Swisher. Members present included Amy Bertini, Wendy Miller, Laurie Comfort, Chuck Feizli, Beau Harbin, Paul Slowey, Emma Hans, and Daniel Haynes. Emily Discenza and Paul Dries were absent. Also present were Director of Planning Trisha Jesset P.E., Planner Alex Schultz, and Guests David Yaman, Jamie Yaman, Edward Keplinger, Joseph Perrone, and Eddie Velazquez.

Vice-Chair Bertini moved to approve the December 15, 2021 regular meeting minutes as submitted. Seconded by Member Hans. There were no objections.

Chair Swisher began the **Chair's Remarks** by reminding everyone that the **nominating committee** (consisting of Members Feiszli, Bertini, and Comfort) will present a slate of officers for the 2022 year. Chair Swisher then gave the floor to the committee.

Nominating Committee Member Feiszli presented the following slate of officers: Chair Ann Swisher, Vice-Chair Amy Bertini, Secretary Wendy Miller, and Executive Committee At-Large Members Laurie Comfort and Chuck Feiszli.

Member Slowey made a motion to accept the nominating committee's slate of officers and elect them as presented. Seconded by Member Haynes. All members were in favor.

Chair Swisher then mentioned that it may be pertinent for every member to have a copy of the Cortland County Planning Board by-laws. The staff will send all members a copy of the by-laws.

Chair Swisher then turned it over to Director Jesset for the **Director's Remarks**. Director Jesset mentioned that we have the GML Referral Policies to reevaluate; however, if no one is opposed we can go over the GML Reviews and Returns first so the meeting's guests are not kept waiting.

The following **General Municipal Law Reviews** were on the agenda:

**GML#95.00-10-01.1&95.00-10-11.2 Subdivision, Conditional Permit, & Aquifer Protection Special Permit** review for the purpose of **constructing a multi-phased warehouse/manufacturing facility**; one 38,000 square foot building, four 30,000 square foot buildings and one 20,000 square foot building, with associated driveways, parking areas, loading docks, utility services, stormwater management facilities and landscaping. The property is described as **839 NYS Route 13** within the Town of **Cortlandville**. It is zoned **I-2** (General Industrial), is within the **Aquifer Protection District** (Area 1: Primary Aquifer Area), and is within the **Wellhead Protection Zone** (Zones 1a & 1b). Planner Schultz gave a summary of the staff report including staff recommendations for conditions.

Vice-Chair Bertini made a motion to accept GML#95.00-10-01.1 & 95.00-10-11.2 with staff recommendations. Seconded by Member Hans.

A discussion ensued over the applicant's acceptance of the eleven (11) proposed conditions. Guests Yaman (Applicant) and Keplinger (Site Planner/Engineer) responded that the conditions were anticipated and that they had no issues with the conditions. A traffic report will be prepared by GTS Consulting, a SWPPP should be completed in a week or two, and a lighting plan is being prepared. Discussion continued over details that will be included in future site plans.

Further discussion ensued over future uses on the site, whether there would be checks and balances regarding the allowed uses in the wellhead protection district, and the importance of shovel-ready sites.

Discussion then turned to ingress/egress on the site.

Chair Swisher then called for those in favor of accepting GML#95.00-10-01.1 & 95.00-10-11.2 with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes, 0 nays. This becomes resolution 22-01.

**GML#77.00-01-22.000 Conditional Permit & Aquifer Protection Special Permit** review for the purpose of **replacing two (2) 29,600 gallon tanks with two (2) 40,000 gallon tanks and adding two (2) 80,000 gallon tanks which will replace two (2) 63,000 gallon tanks.** The property is described as **1902 Lorings Crossing** within the Town of **Cortlandville**. It is zoned **B-2** (Highway Commercial Business) and is within the **Aquifer Protection District** (Area 1: Primary Aquifer Area). Planner Schultz gave a summary of the staff report including staff recommendations for conditions.

Member Slowey made a motion to accept GML#77.00-01-22.000 with staff recommendations. Seconded by Member Comfort.

Director Jesset made a note that it is not clear where the tanks being replaced by the two (2) 80,000 gallon tanks are on the site plan, then explained that the two (2) 63,000 gallon tanks were previously located in the hashed area noted as Phase III.. She also explained that the applicant had previous approval for this work in 2007, however it has been a number of years since that approval and regulations have changed since.

Guest Perrone, Environmental, Health, and Safety Director at Suit-Kote, agreed then explained that only one tank has been installed since that approval. They are updating and upgrading the previous plan taking into account current regulations and technologies.

Chair Swisher then asked if there were any containment provisions with the tanks. A discussion ensued on the site's containment facilities, how those facilities operate, and their ability to handle the extra tank capacity created by this project.

The discussion continued over the recommendation that the applicant provide the Town with provisions for removal of the tanks once they are no longer in use.

Chair Swisher then called for those in favor of accepting GML#77.00-01-22.000 with staff recommendations. Members Swisher, Bertini, Miller, Comfort, Feiszli, Slowey, Hans, and Haynes were in favor. Member Harbin opposed. The resolution passed by a vote of 8 ayes, 1 nay. This becomes resolution 22-02.

**GML#125.00-03-04.000 Subdivision & Area Variance** review for the purpose of **subdividing a 1± acre parcel with an existing single family home from a 291.1± acre parcel with a second existing single family dwelling**. The property is described as **2219 Gee Hill Road & 276 Simms Hill Road** within the Town of **Virgil** and is zoned **ARC** (Agricultural Residential Conservation). Planner Schultz gave a summary of the staff report including staff recommendations for conditions.

Vice-Chair Bertini made a motion to accept GML#125.00-03-04.000 with staff recommendations. Seconded by Member Haynes.

A discussion ensued over whether there was enough room on the 1± acre lot for the well and septic systems.

Chair Swisher then called for those in favor of accepting GML#125.00-03-04.000 with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes, 0 nays. This becomes resolution 22-03.

Planner Schultz mentioned there were three **Return for Local Determination** letters sent this month, provided a short explanation, and invited questions. Planner Schultz noted that more detail was added to the analysis portion of the returns so that both the board and towns have more information on these returns. Member Bertini asked if there were any parking requirements for home occupations in Virgil. Planner Schultz believed the business was not allowed more than two vehicles on the site relating to the business; however, there was no minimum required parking spaces. Director Jesset noted that the staff is likely to include the more detailed analysis in our return letters to the towns.

Director Jesset then turned the discussion towards the **GML Referral Policies Reevaluation** and presented GML Referral Policy #1. Member Harbin asked if the presented policies had changed since the previous version. They had not. Member Feiszli noted that one of the returns is a conditional permit, while GML Referral Policy #1 does not reference conditional permits as returnable. Planner Schultz responded that the staff treats conditional permits as site plan reviews for the purpose of determining if a referral is a return. Director Jesset then presented GML Referral Policy #2. Member Slowey made a motion to accept GML Referral Policies #1 and #2 as they stand. Seconded by Member Haynes. Chair Swisher then called for all those in favor of accepting

GML Referral Policies #1 and #2 as they stand. All members were in favor. The motion passed by a vote of 9 ayes, 0 nays.

Chair Swisher then asked if there were any **Announcements**.

Director Jesset announced that the open meetings law modification allowing the Board to meet virtually was set to expire on January 15 before this meeting, but it was extended by executive order until February 15, 2022. As our next meeting is scheduled for February 16, we need to be cognizant of these executive orders. The modification is being tied to the state of emergency, so we will continue to schedule our meetings virtually while trying to stay flexible should we need to meet in-person.

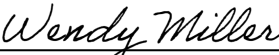
Director Jesset then briefly discussed the 2021 planning board member attendance. A discussion ensued over the board's by-laws in regards to attendance.

Discussion continued on a variety of topics including member terms and WebEx.

Chair Swisher announced that rezoning was approved for the Byrne Dairy site then asked if there was any news of other projects moving forward. Director Jesset responded that Regan Development is in conversation with Cortlandville over their apartment project. Discussion ensued over projects that have gone through the county planning board.

Chair Swisher announced that the next meeting will be on February 16, 2022.

With no further business, Member Slowey motioned to **Adjourn** at 7:57 p.m.

  
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**Wendy Miller, Secretary**  
**January 19, 2022**