

# CORTLAND COUNTY PLANNING BOARD MEETING MINUTES

**June 15, 2022**

The regular monthly meeting of the Cortland County Planning Board was **called to order** at 6:30 p.m. by Chair Ann Swisher. Members present included Amy Bertini, Wendy Miller, Laurie Comfort, Chuck Feiszli, Paul Slowey, Paul Dries, Daniel Haynes, and Beau Harbin. Emma Hans and Kevin Whitney were absent. Also present was Director of Planning Trisha Jesset P.E., Planner Alex Schultz, and Cortland Voice Reporter Eddie Velazquez.

Member Comfort moved to approve the May 18, 2022 regular meeting minutes as submitted. Seconded by Vice-Chair Bertini. There were no objections.

Chair Swisher began the **Chair's Remarks** by asking about the status of the county comprehensive plan and how the planning board would be involved.

Director Jesset responded that the staff is in the preliminary phases of preparing the grant applications. The staff will be discussing more about the planning board's involvement closer to the end of the year once we get solid awards for the grants. The staff is hoping to have a lot of community involvement, especially from younger generations.

Chair Swisher then turned it over to Director Jesset for the **Director's Remarks**. Director Jesset remarked that a lot of municipalities are currently looking to revise their land use regulations to bring them up to date. We will likely be reviewing multiple revisions in the coming months.

Director Jesset then discussed the virtual meeting law. The staff always welcomes comments, but for now we plan on hold virtual meetings for light agendas and in-person meetings for larger agendas.

The following **General Municipal Law 239 Reviews** were on the agenda:

**City of Cortland Code Changes**      Zoning Text Amendment review for the purpose of clarifying several items and amending a variety of minor zoning regulations. Planner Schultz gave a summary of the staff report including recommendations for conditions.

Member Harbin asked if the amendment to Chapter 74 "Animals" of the Code would prevent him from owning three dogs *and* four cats. The amendment seems like it would not allow dogs and cats to live together. A discussion ensued over the intent of this law.

Member Comfort then asked what the cost of the animal permit referenced in the amendment to Chapter 74 would be. After discussion and research, the cost was determined to be five dollars. Discussion then turned to public awareness of this law and how to let people know of the law's existence.

Member Haynes made a motion to accept the zoning text amendment with staff recommendations. Seconded by Secretary Miller.

Discussion then continued on the amendment to Chapter 74.

Vice-Chair Bertini asked if the removal §300-121 (C) would disallow legal nonconforming uses for all uses or just for parking. The staff explained that the removal of §300-121 (C) would get rid of the expiration of parking's legal nonconforming after two years. It will not affect legal nonconforming uses other than for parking.

Member Harbin then asked if the amendment of §300-84 (A)(2) would allow parking up to the street. After discussion, the staff explained that parking would be allowed up to, but still behind, the front façade of a building. Previously it had to be at least ten feet behind the front façade of the building.

Member Feiszli then mentioned he had an issue with the removal of §300-83 (F). A discussion then ensued over the issue of student housing parking lots in the neighborhoods near SUNY Cortland and their potential detriment to said neighborhoods.

Member Feiszli moved to amend the previous motion to add two additional conditions: that §300-83 (F) of the *Code of the City of Cortland* be modified to increase the allowed maximum parking without the subsection being eliminated as shown the Parking amendment and that the City consider reevaluating the *Code of the City of Cortland* to prevent any potential negative stormwater runoff impacts from increased maximum parking regulations. Seconded by Member Harbin. All members were in favor. The amendment passed by a vote of 9 ayes, 0 nays.

Member Harbin then mentioned that there should not be a discrepancy between §300-113 (9) and §300-114 (B) because the Code should have been amended on May 18, 2021 to remove §300-113 (9).

Member Harbin moved to amend the previous motions to add an additional condition: that the City review resolution #136 of 2021 passed by the Common Council of the City of Cortland on May 18, 2021 that amends the *City of Cortland Zoning Code* to remove §300-113 (9). Seconded by Member Feiszli. All members were in favor. The amendment passed by a vote of 9 ayes, 0 nays.

Member Comfort then asked if the table in §300-83 meant that single-family dwellings are currently only allowed two parking spaces. The City has determined that the current Code only allows two parking spaces per single-family dwelling based on §300-83 (F). The discussion about parking maximums and student housing parking then continued.

Member Comfort then asked if the proposed amendments to §74-1 & §74-2 would require permits for common household pets such as birds or

hamsters. It is already required for owners of domestic animals other than dogs and cats to get permits. A discussion ensued over the requirements of §74-1 & §74-2.

A discussion then ensued over the “Build-To Zone” that is proposed to be eliminated.

Chair Swisher called for those in favor of accepting the zoning text amendment with staff recommendations and the recommendations that §300-83 (F) of the *Code of the City of Cortland* be modified to increase the allowed maximum parking in lieu of eliminating said subsection as shown, that the City consider reevaluating the *Code of the City of Cortland* to prevent any potential negative stormwater runoff impacts from increased maximum parking regulations, and that the City review resolution #136 of 2021 passed by the Common Council of the City of Cortland on May 18, 2021 that amends the *City of Cortland Zoning Code* to remove §300-113 (9). All members were in favor. The resolution passed by a vote of 9 ayes, 0 nays. This becomes resolution 22-17.

**GML#127.00-04-02.000** Use Variance review for the purpose of installing a manufactured home.

Planner Schultz gave a summary of the staff report including recommendations for conditions.

Secretary Miller made a motion to accept the amendment with staff recommendations. Seconded by Member Comfort.

Chair Swisher then pointed out that the parcels to the south and west are residential uses. She also pointed out that, while all the parcels along Route 392 are zoned Commercial, the only commercial use abutting the property is the proposed ice cream shop to the north.

Vice-Chair Bertini mentioned adding a recommendation to incorporate this parcel into the Residential District instead of granting a use variance since it abuts the residential district and the area has a residential character.

Member Feiszli surmised that the Route 392 corridor here was probably zoned commercial to promote business near Geek Peak.

A discussion ensued over the possibility of adding a recommendation to incorporate this parcel into the Residential district.

Chair Swisher then called for those in favor of accepting GML#127.00-04-02.000 with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes, 0 nays. This becomes resolution 22-18.

Planner Schultz mentioned there were three **Return for Local Determination** letters sent this month, provided a short explanation, and invited questions.

Chair Swished asked if the shed proposed in the area variance requested by Dunkin' Donuts would be enclosed by fencing and/or landscaping. Planner Schultz believed it would not be enclosed.

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

Director Jesset noted that the planning staff has been in contact with the Town of Solon on the proposed updates to their Zoning Law. The proposals were originally on the agenda for this meeting, however it was postponed due to multiple comments from the planning staff and the Department of State.

Chair Swisher then announced that the next meeting will be on July 20, 2022.

With no further business, the board **Adjourned** at 7:37 p.m.

*Wendy Miller*  
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**Wendy Miller, Secretary**  
**June 15, 2022**