

CORTLAND COUNTY PLANNING BOARD MEETING MINUTES

July 19, 2023

- Members Present:** Amy Bertini, Kim Cameron, Laurie Comfort, Paul Dries, Chuck Feiszli, Dan Haynes, Qwynne Lackey, Paul Slowey, and Ann Swisher.
- Members Absent:** Donnell Boyden and Donna Johnson
- Ex Officio Members:** Trisha R. Hiemstra, Director of Planning
Melanie Vilardi, Deputy County Administrator
Mary Ellen Roodenburg, Planning Department Fiscal Officer
Gina Cassidy, Planning Department Land Use Planner
- Guests:** Tim Buhl – Engineer representing 6 Locust Ave, LLC
Michael TenKate – Owner, 392 West River Road
Julie TenKate – Owner, 392 West River Road
Roy Everett – Zoning Code Enforcement Officer

CALL TO ORDER

Chairperson Chuck Feiszli called the meeting to order at 5:30 p.m.

APPROVAL OF MINUTES

The minutes of the May 17, 2023 meeting were approved unanimously. No meeting was held in June, 2023.

CHAIRMAN'S REMARKS

DIRECTOR'S REMARKS.

- ◆ Introduction of new County Land Use Planner, Gina Cassidy.
- ◆ New County Planning Department GIS Specialist hired & will begin soon.
- ◆ Reminder of upcoming Planning Board member Term Expirations
 - Paul Slowey, Ann Swisher, and Donnell Boyden's terms are expiring. Paul Slowey and Ann Swisher are interested in serving another term. Donnell Boyden was not present to answer.
- ◆ Thanks to Planning Board members, who are all volunteers. Their time and efforts are appreciated.
- ◆ Many municipalities (such as City of Cortland and Town of Marathon) are updating their zoning regulations and comprehensive plans. Trisha Hiemstra and Chris Eastman of the Department of State will be meeting virtually with the Village of Homer tomorrow, July 21,

about the process of updating their zoning and comprehensive plan.

- ◆ There have been two bids received for the Request for Proposals for the County's Strategic Development Plan. The bids are being analyzed and scored. Additionally, a steering committee for this project is being formed. The Planning Board can expect future involvement.

General Municipal Law Reviews

- ◆ There were thirteen (13) General Municipal Law referrals returned for local determination without Board review for the months of June and July.

General Municipal Law Reviews

- ◆ General Municipal Law (GML) applications were reviewed. Resolutions regarding GML applications acted on at this meeting are available upon request from the Planning Department.

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

GML# 86.28-01-02.110

Application for site plan review and area variances from 6 Locust Avenue, LLC in the City of Cortland for construction of a 4,000 square foot, two-story building containing 5 dwelling units and a separate 972 square foot carport for 5 vehicles behind existing 3-unit multifamily dwelling. Motion was made to accept GML# 86.28-01-02.110 with staff recommendations. A discussion ensued between planning board members in regards siting of the new building. Tim Buhl has indicated that he plans to move the building to conform with Code parking requirements. It was noted that a buffer strip is not required between this GB-1 zoned property and the next door residentially-zoned property. It was questioned why there was the drive-thru area (a leftover feature of a previous use and not currently permitted), and it was suggested that it be removed. Chair Feiszli called for those in favor of accepting GML# 86.28-01-02.110 with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes and 2 nays (absent).

GML# 139.00-01-03.200

Application for site plan review and area variances from Michael TenKate in the Town of Virgil for the construction of 4 campsites with electrical hook-ups and associated signage. Motion was made to accept GML# 139.00-01-03.200. Upon board questioning, Michael TenKate clarified that tent camping would be permitted only if camper provided own toilet and were completely self-contained; Mr. TenKate also said that he or his representative would check for garbage and recyclables on the parcel every day. Upon board questioning, Michael TenKate indicated that he did not intend to bulldoze any part of the property or block off through-access to kayakers. Campers would have room to back into spots from access road. The meaning of "year-round" camping was discussed, as was the danger of proximity to the railroad tracks, in which it was pointed out that there is a deep drainage ditch between the property and the tracks. Michael TenKate also said that there's a significant vegetative barrier between the parcel in question and the residential property to the south. Chair Feiszli called for those in favor of accepting GML# 139.00-01-03.200 with staff recommendations and upon approval of 3 area variances listed in the

Planning Department report. All members were in favor. The resolution passed by a vote of 9 ayes and 2 nays (absent).

Town of Harford Wind Energy Moratorium

The Town of Harford applied for a law enacting a new 6-month wind energy moratorium that would be largely the same as a previous wind energy moratorium that expired in May, 2023. Motion was made to accept the new law with staff recommendations. A discussion among the board ensued about the appropriate length of time for such a moratorium, how previous solar projects have severely damaged local roads and the need to create new roads to accommodate turbine equipment. It was clarified that this law would be for both home and commercial systems, small and large. It was also discussed that Harford found it more useful to create a stand-alone local law for wind energy systems than to institute a zoning change. The reason for including “meteorological towers” in the law was discussed. Chair Feiszli called for those in favor of accepting this moratorium law with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes and 2 nays (absent).

Town of Cuyler Solar Law

The Town of Harford applied for a law to facilitate the development and operation of renewable energy systems based on sunlight. Motion was made to accept the new law with staff recommendations. Discussion ensued about allowing solar development in floodplains and the burden of requiring an escrow account for the full amount of decommissioning rather than a bond. Chair Feiszli called for those in favor of accepting GML# 86.28-01-02.110 with staff recommendations. All members were in favor. The resolution passed by a vote of 9 ayes and 2 nays (absent).

NEXT MEETING DATE August 8, 2023 at 5:30pm

– The meeting was adjourned on the motion of Chuck Feiszli at 6:45 pm,

Laurie Comfort, Secretary
August 8, 2023