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City of Cortland**

**Planning Commission**

**February**

**Regular Meeting of  
22, 2020**

A regular meeting of the City of Cortland Planning Commission was held on Monday, February 24, 2020 at 5:15 PM in the Mayor’s Conference Room at City Hall, 25 Court Street, Cortland, NY.

Present: Commissioners Jim Reeners, Jim Wavle, Joe McMahon, Christopher Peppel, Elliott Ayika, Chris Ryan

Absent: Commissioner Jeff Gebhardt

Staff: Devon Rainbow, Zoning Officer Bob Rhea

**Commissioner McMahon asked to move item #4 to top of the agenda.**

**Item #1 – 34 West Main St. (Guthrie Cortland) – Site Plan Review – (PO)**

- New Cancer Center

Bob Seagert was present. A letter was sent out on February 12, 2020 in response to all the items from the County Planning Board. They are only addressing the areas South of Alvena Avenue. Hours of operation are Monday – Friday from 8am – 5pm. The area variance is not required. Traffic flow arrows added to site plan with fire trucks. Landscaping meets new code requirements. There has been ongoing conversations with one house regarding the landscaping. The lighting has been updated and meets requirements. They have been working with DPW regarding storm water.

Motion to approve the site plan contingent upon Ken Teeter, the engineer, being satisfied with the Storm Water handling.

Motioned by: Comm. Reeners

Seconded by: Comm. Ayika

Approved: Ayes – 5  
Nays – 0

**Item #2 – 31 River St. (Bushmich) – Site Plan Review – (GI)**

- Motor Vehicle Service with Sales as accessory use

Bob Rhea stated that there has been nothing new submitted. Commissioner Reeners stated the current place was approved for 20 cars and has over 41 unregistered, partially dismantled cars/trucks as well as 4 trailers. There has been absolutely no effort made to maintain the property. Commissioner Reeners stated that he thinks this should be tabled.

Motion to table until next meeting.

Motioned by: Comm. Ayika  
Seconded by: Comm. Ryan

Approved: Ayes – 5  
Nays – 0

**Item #3 – 37-39 Port Watson St. (Gallow) – Site Plan Review – (CB)**

- Demolition of Garage & new construction

Mr. Gallow was present to speak. He stated there is an existing garage in the back of the property that they want remove and build a 4 unit apartment building. It is part of the DRI Project. Going to reface the front building where the Republican headquarters is right now. Commissioner Reeners stated they need more information regarding the building plan. They would need buffer between commercial property & residential. They would need variances.

The board reviewed SEQR questions and made corrections on number 8b from no to yes and 8c from no to yes.

Motion to declare negative SEQR.

Motioned by: Comm. Reeners  
Seconded by: Comm. Wavle

Approved: Ayes – 5  
Nays – 0

Motion to approve contingent on ZBA variance.

Motioned by: Comm. Ryan  
Seconded by: Comm. Ayika

Approved: Ayes – 5  
Nays – 0

There were concerns with parking (being diagonal back in) conformity.

Commissioner Ryan rescinded previous motion and Commissioner Ayika rescinded previous motion.

A 10 ft. buffer is required on either side of drive lane. He could possibly move the building.

Motion to approve contingent upon obtaining necessary variances from ZBA.

Motioned by: Comm. Reeners  
Seconded by: Comm. Ryan

Approved:           Ayes – 5  
                          Nays – 0

**Item #4 – 23 Tompkins St. (Armideo) – Site Plan Review – (R4)**

- Rooming House/Boarding House

James Barnello represents the applicant and Gene Hughes who is the Architect. Is looking to remove the garage. This has not gone to Historic Commission. It was stated that Linda Kline who is the Chair for the Historic Commission passed on the project. Rooming house is permitted for single unit per Code 300-23. They are asking for 10 spots. There was discussion of the handicap spot loading width of 4' versus 8'.

Motion to approve contingent upon Historic Commission approval of demolition of garage and ZBA approval for area variances.

Motioned by:       Comm. Peppel  
Seconded by:      Comm. Wavle

Approved:           Ayes – 5  
                          Nays – 0

**Item #5 – 16 Owego St. (Barden) – Site Plan Review – (R2)**

- New parking spaces

Mr. Barden & Scott Chatfield, a planning and zoning lawyer, were present. Gary Seals owns neighboring property with shared driveway. Mr. Chatfield stated there is room on the premises for a car to turn around. There were questions and concerns with the deed and easement as to how far up the driveway it goes. It has been vacant over 1 year. It was a pre-existing nonconforming lot of record and because of the R2 zone, 1 and 2 family uses are allowed by right. It is going from 1 family to a 2 family and in order to establish a 2 family the parking needs to go from 2 spots to 4 spots. A 4ft vegetative buffer is now required due to nonuse. Mr. Chatfield referenced code and zoning definitions.

Motion to table until they get Legal Counsel.

Motioned by:       Comm. Ryan  
Seconded by:      Comm. Reeners

Approved:           Ayes – 5  
                          Nays – 0

**Item #6 – 83-85 Groton Ave (Pothos) – (NB)**

- Site Plan Review
- Special Use Permit

Mr. Casullo, local attorney with Pomeroy, Armstrong and Casullo, LLP and Mr. Emmanuel Pothos were present. Mr. Casullo stated the son, Mr. Pothos, is buying the property from his mother. Mr. Pothos is looking to increase the units from 4 to 6 which is why they need the site plan review. Since there is not

enough parking on site, they are looking to do ancillary parking, which will require a Special Use Permit. This needs to go to County Planning. The 2 new units will have parking and the other 4 units will have no parking. They are required to have a 4ft vegetative buffer. They have tried every angle and this is the only option.

Motion to approve contingent on variance approvals from ZBA.

Motioned by: Comm. Wavle  
Seconded by: Comm. Ayika

Approved: Ayes – 4  
Nays – 0  
Abstention – 1 (Reeners)

Per Bob Rhea it was determined that the Special Use Permit was not necessary. Application was withdrawn by applicant.

**Item #7 – 22 Locust Ave (Source Renewables) – Site Plan Review – (R1)**

- Installation of a 6.0 MWAC ground mount solar array

Andrew Day with Source Renewables and Dan Walker with Bella Associates were present. Mr. Dan Walker stated this is not allowed use in a residential zone so are applying for a Use Variance. They have tried to keep the facilities in compliance with coverage and set back. This is a ground mount solar system. A larger portion is in the City and a smaller portion is in Cortlandville. The total capacity of the total facility is 5 MW AC on each side. It is a community solar project. Even if Cortlandville doesn't approve the project continues pending other access point. There are 15-20% slopes, the ground is shallow to bedrock, and is land locked. The wire is 13 2 kV to the utility poles. There is an agricultural fence all the way around the property. State regulated size and there is a 90 decibels law. There is a vegetative strip around the area. It faces south and there will be no glare.

Motion to table the review to next month.

Motioned by: Comm. Reeners  
Seconded by: Comm. Ayika

Approved: Ayes – 5  
Nays – 0

**Old/New Business**

**Minutes**

January minutes approved as amended.

Motioned by: Comm. Wavle  
Seconded by: Comm. Ryan

Ayes – 5

Nays – 0

**Adjourn**

Motioned by: Comm. Reeners

Seconded by: Comm. Ayika

Ayes – 5

Nays – 0

**I, JOE MCMAHON, CHAIRMAN OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, NY, DO HEREBY CERTIFY THAT SAID RESOLUTION(S) WERE ADOPTED AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, HELD ON FEBRUARY 24, 2020.**

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**JOE MCMAHON, CHAIRMAN**