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lanning Commission
City of Cortland

Regular Meeting of April
7, 2020

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A regular meeting of the City of Cortland Planning Commission was held on Monday, April 27, 2020 at 5:15 PM via Zoom Video Conference. Meeting ID 8380-1064

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

Staff: Devon Rainbow, Mike Tenkate Interim Director of Code Enforcement, Ric VanDonsel Corporation Counsel

Item #1 – 23 Tompkins St. (Armideo) – Special Use Permit – (R4)

- Rooming House

Mr. Baranello was present for Armideo. Paul Armideo is Corporation Counsel’s nephew and therefore cannot provide any advice. At last meeting they had a vote on Site Plan. They went to ZBA and got variances. Now all they need is a Special Use for Rooming House for 10 people which is the max allowed. It is only permitted in R3 & R4 districts. If they were to make it a 4 unit, it would destroy the interior of the building and require less parking. Mr. Baranello stated that he looked at Tompkins Street as a whole and it is not suitable for a single family. Mr. Baranello stated that when they looked at Tompkins Street from Main Street there were less than five homes being used as a single family.

Motion to approve as presented.

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

Approved: Ayes – 6
Nays – 1 (Commissioner Reeners)

Item #2 – 203 Tompkins St. (Blood) – Site Plan Review – (R1)

- Repaving old and new parking area

No one present to speak on this. Appears to have a shared agreement on driveway with neighbor. Coverage is not an issue. It is just the parking lot at this point (only paving). He will come back to commission for Rental in the future. There were questions of fee of project. Just paving 203 and nothing for 205.

Motion to accept SEQR as presented.

Motioned by: Comm. Peppel

Seconded by: Comm. Ayika

Approved: Ayes – 7
Nays – 0

Motion to approve site plan as presented.

Motioned by: Comm. Gebhardt
Seconded by: Comm. Reeners

Approved: Ayes – 7
Nays – 0

Item #3 – 191 S. Main St. (Borra) – Site Plan Review – (GI)

- New Motor Vehicle Body Repair Shop

Mr. Borra has owned O’Shea Tire for 16+ years. Is wanting to include auto body repair so can be a complete automotive facility. This building is a great location. It is within the use zoned. This building is going to be used just for body shop/repair. Mechanical part will still be on Tompkins Street. Cars will be housed inside when able. Cars won’t be sitting around. May have a possible parking plan/expansion later if needed. Looking to have 2-3 employees to start and they will park out back.

Motion to approve the SEQR short form as presented.

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

Approved: Ayes – 7
Nays – 0

Motion to approve site plan as presented contingent up on getting operating permit from Code Department.

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

Approved: Ayes – 7
Nays – 0

Item #4 – 229 & 1166 Tompkins St. (Reeners) – Site Plan Review – (GB)

- Preliminary Review of housing project

Most of project is in Cortlandville. County reviewed and stated he needs 2 variances from the City. It’s a single lot but New Zoning has new requirements for front yard maximum of 40 ft. Commissioner Reeners will move the building to meet requirements so no variances will be needed.

Motion to accept Cortlandville as lead SEQR agency.

Motioned by: Comm. Ryan
Seconded by: Comm. Gebhardt

Approved: Ayes – 6
Nays – 0
Recuse – 1 (Comm. Reeners)

Motion to accept Site Plan as presented.

Motioned by: Comm. Gebhardt
Seconded by: Comm. Ayika

Approved: Ayes – 6
Nays – 0
Recuse – 1 (Reeners)

Old/New Business

Minutes

March minutes approved with changes.

Motioned by: Comm. Peppel
Seconded by: Comm. Ryan

Ayes – 7
Nays – 0

Adjourn

Motioned by: Comm. Gebhardt
Seconded by: Comm. Wavle

Ayes – 7
Nays – 0

1. There is no indication in the 30' x 30' area as to the location of the parking spaces and drive aisle. Since both have size requirements, they must be shown with dimensions.

2. According to the survey 203 Tompkins has no direct access to Tompkins St. The entire driveway is on 205 Tompkins St. Clearly the 203 owner wishes to enlarge and improve a parking area. Does 203 own a R.O.W., or is one deeded over 205? While the applicant has supplied a letter from the owner of 205, it is not a legal document and does not travel with the land. Consequently a future owner of 205 could force 203 to gain access to his property by other means. If either of the above documentation does not exist then what we are being asked to approve is ancillary parking for 205, and as such 205 would have to apply and demonstrate the need for ancillary parking, such as lack of adequate space, with the required bulk regulations, to provide its own parking.

3. Since the applicants address is elsewhere, I assume this is a rental property. Therefore a rental property in an R-1 District requires a Special Permit. Does one exist? None is mentioned. I seem to recall that this applicant has applied in the past stating

that the rental was for an elderly relative. At that time it was the ZBA's responsibility to grant Special Permits. If so he may have been given a pass on a Special Permit for an immediate relative's use. The enlarged parking area leads me to believe that this has become something else, and now requires a Special Permit if one does not currently exist.

4. Granting this applicant's request assumes that all of the aforementioned documentation exists. If the proper documentation is not in place, then the city could be in the middle of a land war at some future date. Such a battle has been going on at Ridgeview Ave. for years. Luckily the city never got in the middle of it.

I'm obviously no attorney nor the zoning officer, and I may be mistaken, but in Bob's absence I have to ask these questions.

Just my thoughts, Jim R.

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 APRIL 27, 2020.

JOE MCMAHON, CHAIRMAN