



## PLANNING COMMISSION City of Cortland

### MINUTES

**April 26, 2010**

A regular meeting of the City of Cortland Planning Commission was held on Monday, April 26, 2010 at 5:15 PM in the Council Chambers at City Hall, 25 Court Street, Cortland, New York.

**PRESENT:** Vice Chair Hansen, Comm. McMahon, Ryan, Schaffer, Smith and Spitzer

**Staff Present:** Zoning Officer Bruce Weber, Consulting Engineer Ken Teter and Cheryl Massmann, Deputy City Clerk

#### Item No. 1 – Site Plan Review – 161 Homer Ave. – (Hilker)(GB) – Fencing

Mr. Rose was present. He is the contractor who has replaced Mr. Hilker. Mr. Rose indicated that there is no fencing there now. He did note that his neighbor has an older fence and that the proposed fencing will butt to the older fence. The fencing will start at the front of the house and end at the back property line. The proposed fencing is pressure treated wood, six (6) feet in height and will run on the property line with driveways on both sides. He noted that the fencing will look the same on both sides. There will be no fencing on the southeast.

On a motion by Comm. McMahon, seconded by Comm. Schaffer, voted and approved the project as presented.

#### Item No. 2 – Site Plan Review – 89 Madison St. – (Parker/CCSD)(SD) – Street & On Site Parking & Sidewalk Improvements

Jason Bellis of Tetra Tech Architects and Engineers was present to describe the project. He noted that there is a continuous curb there now and they propose to indent the curbing and have six (6) marked parking spaces for student drop off. Comm. Schaffer noted that there was no crosswalk there now. Mr. Bellis stated that City Public Safety has asked for signage to indicate no long term parking, with perhaps a limit of ten (10) minutes. He went on to explain that Chris Bistocchi of the DPW had no concerns except about placing bollards around the existing fire hydrant. He noted that a tree will have to be removed and that the school district would handle the snow removal. He noted that they would be removing the fence and moving it back into the playground. They are planning to replace the fencing with the same style fencing. Mr. Bellis assured the Planning Commission that the DPW wanted the school to remove the snow and the school has no problem with that. Vice Chair Hansen wanted a ten (10) minute limit to parking during school hours. Comm. Smith agreed. Comm. Schaffer asked if there was a curb cut problem with this project. Zoning Officer Bruce Weber noted that it was an issue for the DPW and Public Safety to

handle. Comm. Schaffer asked if the school district would be replacing the tree they planned to remove. Mr. Bellis indicated that they did not plan to replace the tree. Mr. Bellis noted that they would be installing regular surface sidewalks. He also noted that the planned parking spaces would be ten (10) feet by twenty-two (22) feet and striped with white paint. Comm. Ryan asked if there were any problems with the utility pole. Mr. Bellis indicated there would not be. He went on to state that the work would be done when school was out this summer and they planned to be finished before the fall. Comm. Spitzer asked why the State Education Department had to review this. Mr. Bellis noted that the State Ed reviewed all school projects.

A SEQR review was done.

On the motion by Comm. Ryan, seconded by Comm. McMahon, voted and approved to issue a negative declaration.

On a motion by Comm. Ryan, seconded by Comm. Spitzer, voted and approved the project as presented contingent upon placement of signage indicating no more than ten (10) minute parking during the school hours of 7:00 AM to 6:00 PM and that snow removal has to be coordinated with the City Department of Public Works and City Public Safety.

Item No. 3 – Site Plan Review & Special Use - 45 Tompkins St. – (Armideo)(R4) – Commercial Lodging or Sorority

Joe Armideo and Atty. James Baranello were present. Comm. Schaffer noted that the recommendation from the Historic and/or Architectural Advisory Board was that there would be no objection to this application. Atty. Baranello noted that the house next door at 41 Tompkins Street was also being purchased by Mr. Armideo and that building is already approved for indoor lodging. Atty. Baranello noted that if a property like this is managed properly, these old houses which are too large for a modern day single family home, can be maintained well. Comm. Schaffer noted that the definition of commercial indoor lodging read as short term or overnight accommodations. Atty. Baranello disagreed noting that Mr. Armideo planned to provide single rooms with a common kitchen area. Vice Chair Hansen asked that the Planning Commission make a recommendation to the City Zoning Board of Appeals and if approved for the Special Use, the official Site Plan Review will come back to the Planning Commission later for a full review. Comm. Schaffer noted that the Historic and/or Architectural Advisory Board felt that Mr. Armideo had a good track record with this type of project.

On a motion by Comm. McMahon, seconded by Comm. Spitzer, voted and approved to refer this application to the City Zoning Board of Appeals for an Area Variance and Special Use Permit.

Item No. 4 – Site Plan Review – 215 South Main St. – (Cortland Plastics)(GI) – Manufacturing Plant Addition

David Elwyn, Engineer and David Kievit, Plant Manager were present to answer questions. Vice Chair Hansen asked if the building in the rear of the property would stay. Mr. Elwyn indicated that it would. He also noted that the planned addition would also be in the rear.

He explained that Cortland Plastics had been in business for three and a half (3 ½) years and they needed to grow their business, double the machines and that they planned to add more employees. He explained that they run three (3) eight (8) hour shifts. Comm. Schaffer asked to see an elevation drawing of the metal building and inquired about the planned color of it. Mr. Elwyn stated that it would be the same color as the current manufacturing building and that it would be twenty-one feet four inches (21' 4") at the height of the eave. Mr. Kievit noted that it would be a manufactured steel building being done by Essex Steel. Vice Chair Hansen would like to see the rear wooded area cleaned up. Mr. Kievit noted that they planned to keep as many trees as they could. Comm. Schaffer asked if the parking entrance was off of Noss. Mr. Kievit noted that it was.

Ken Teter, Consulting Engineer, went through a bullet list of items he prepared. He mentioned sub-division. Mr. Kievit and the Planning Commission indicated that a sub-division had already been approved for this project. Ken Teter had a question regarding the monitoring wells and the County Health Department. He noted that there were several of these wells in the area because of a long history of environmental concerns. He noted that when Dowzer Electric came to town, Jim Fuess, of the County Health Department, had requested that a couple of monitoring wells. Mr. Teter wanted to be sure before they lost a monitoring well or before there was an issue with a monitoring well, that Cortland Plastics get that square. He met with John Helmgren of Cortland County Environmental Health and one concern was that one of these wells was within the footprint of the building. It's in the north central portion of the proposed building. Mr. Teter noted that it was not part of the Rosen site issue with the EPA. Comm. Spitzer wanted to know who was responsible for monitoring the wells. Ken Teter noted that another question was who owned those monitoring wells. He did note that only one (1) well was on site, the other two (2) are off site. John Helmgren told Mr. Teter that as long as the well was abandoned properly, he wouldn't have a problem with that. Mr. Teter suggested that Cortland Plastics contact the EPA with regards to what is happening around this site. Mr. Elwyn had spoken with John Helmgren and he thought that the current property owner owned the well and the Health Department had no record on its use since the mid-90's. They had no problem with the owner capping the well. He noted that there were two (2) others in the area. Ken Teter thought that it might not be a likely major issue. Mr. Elwyn indicated that there was no record of the well when the property was purchased. He noted that the title and purchase agreement did not make reference to this well.

Comm. Spitzer asked who was usually responsible for these using these types of monitoring wells. Ken Teter noted that the USGS put some in as well as the Health Department. He noted that the company should play it safe since there is a sole source aquifer, that they should use a proper process to seal it and cap it. He suggested that Cortland Plastics contact the EPA with a letter stating that they planned to seal and cap the well and see what they said. Comm. Smith wondered if they could locate the addition back farther and avoid capping the well. Mr. Kievit noted that they could not do that due to the air handling unit and machinery locations as well as the location of the property line. Comm. Schaffer noted that this had to be resolved. Ken Teter noted that County Health had no record that the well existed, who owned it or who has rights to it. There was some further discussion regarding the well. Ken Teter noted that the well was not likely to be a major issue. Comm. Schaffer felt that a reply letter from the EPA with regard to this well should be put in the file.

Ken Teter noted that there was also a fifty (50) foot easement across the eastern end of the property was not shown on the current survey. It was noted that it was access to Perplexity Creek which has now moved. The easement was once for maintenance by the City. He noted that, in theory, the City couldn't get to the creek now, but that the City should have an easement and Cortland Plastics should consider giving the City another easement. Comm. Schaffer noted that this should be referred to Corporation Counsel Walsh and the DPW regarding an easement to Perplexity Creek. Ken Teter noted that Perplexity Creek was a pivotal drainage way. Mr. Teter noted that he was concerned regarding grading and that a lot of trees would be cleared. He would like to see as many trees as possible are maintained or replacing any that are removed. Mr. Kievit indicated that they wanted to save the trees, especially the pines. Ken Teter noted that the curbing stopped thirty (30) to forty (40) feet in on Noss Park Drive and for looks it should be perhaps extended, but this was not their responsibility.

Ken Teter noted that he had not had time to review the storm water plan, but he believed it should be okay. Mr. Kievit stated that they would like to get started on this project within the next two (2) weeks and they planned to be done by August 1, 2010. Mr. Elwyn noted that they needed to get their building permit and that Essex Steel will build the building addition.

A SEQR review was done.

On a motion by Comm. McMahon, seconded by Comm. Spitzer, voted and approved to issue a negative declaration.

On a motion by Comm. Schaffer, seconded by Comm. Smith, voted and approved the project as presented contingent upon referral to Corporation Counsel Walsh and Chris Bistocchi, City DPW with regards to the potential east boundary easement for access to Perplexity Creek by the City; upon protection of the existing trees and replacement of any trees removed; upon that the storm water management plan passes our City Consulting Engineer's scrutiny and upon the resolution of the proper disposition of the monitoring well within the building footprint by both the County Health Department and Soil and Water Conservation District.

Item No. 5 – Site Plan Review – 42 Groton Ave. – (Jackson)(GB) – Rebuild of Two Story Addition

No one was present to present the project or answer questions.

On a motion by Comm. Schaffer, seconded by Comm. Smith, voted and approved to postpone the application until the next meeting.

Item No. 6 – Site Plan Review – 47-49 Pomeroy St. – (CHAC)(SD) – Renovations

Gary Thomas and Engineer Tim Buhl were present to describe the project and to answer questions. Mr. Thomas stated that they now had the grant funding for this project. Most of the plan is only to remove and replace except for the addition of the ten (10) foot by one

hundred (100) foot storage facility. Mr. Buhl noted that there would be ten (10) bays. They also plan to replace a wooden yard maintenance storage building with a steel framed one which will be moved a bit closer to the property line. The other exterior changes will be to replace the sidewalk, have the curbing realigned, replacement of the front pavement and to put an awning or cover over the exposed handicapped ramp and front steps. Mr. Buhl noted that some of the trees will stay and others will be replaced with new plantings. Mr. Thomas noted that there were concerns regarding the covering for the handicapped ramp. He noted that it would be top shelf, but they hadn't decided exactly what to do and would be returning to this board when they determined what they would like. Mr. Buhl noted that they had received State funding and that there was no hold on the grant. Mr. Buhl noted that it had been moved and they were going to have a locked enclosure to be sure that it would be used only by tenants. Comm. Schaffer noted that there was no elevation drawing. Mr. Buhl stated that the storage units would be individual ten (10) foot by ten (10) foot units with locking doors. Comm. Schaffer asked that the color of the storage units match as closely as possible the color of the existing school building.

A SEQR review was done.

On a motion by Comm. Ryan, seconded by Comm. Schaffer, voted and approved to issue a negative declaration.

On the motion by Comm. Spitzer, seconded by Comm. Smith, voted and approved the project as presented contingent upon tree replacements and that the applicant return before this Commission with their plans for the awning or cover for the handicapped ramp and drawings of the storage units and that the color of those storage units be as close as possible to the existing school building.

#### Item No. 7 – 51 – 53 Greenbush St. – (Edwards)(R4) – Rebuild of Storage/Garage

Mr. Edwards and Mr. Buhl were present to answer questions. Mr. Edwards stated that he was going to combine the property by deed. He stated that he has already removed the old storage buildings. He stated that the rebuilding of the storage/garage buildings will be changing the footprint of what he has removed, but the total square footage would be less. He stated that the replacements would be metal buildings. He stated that he will put up signage for the driveways to control both entry and exit to the properties.

Mr. Edwards stated that there were five (5) units in one building and four (4) units in the other. Comm. Schaffer noted that per City Code, he would need to provide eighteen (18) parking spaces and she didn't see that on the plans. Mr. Edwards noted that one of the proposed buildings would be a parking garage with some storage of maintenance equipment and the other one was for tenant storage. Mr. Edwards noted that he could convert part of the proposed storage building into two (2) additional parking spots.

Ken Teter noted that the grading was not labeled on the plans and there was no proposed grading indicated. He also noted that there was no storm water management game plan shown on the plans. He also stated that the site might be partially filled, but he was unsure from the plans. He also noted that the drawings of the storage buildings and the sizes and number of units proposed did not match the narrative provided with the application. Mr.

Edwards noted that both buildings had changed and that the maps and drawings provided were correct, but the narrative now was no longer correct. Mr. Edwards noted that the building locations had been changed somewhat so that he could allow enough greenspace as well as to provide access. Mr. Teter noted a dimensional discrepancy on both buildings and there now was about twenty-eight hundred (2,800) square feet. Ken Teter noted that the SEQR form had not been completed. He also noted that the lot coverage appeared to be close, but he's not sure it's there. He noted it should be no more than seventy-five (75) percent. He was also concerned regarding the proposed three (3) foot greenspace. He would like to know if there's a plan for the trees and the replacement of old chain link fencing. Mr. Edwards noted that the fencing was owned by Natrium and they weren't doing anything about it. Mr. Teter was concerned about the buffering. Mr. Edwards noted that he had added trees out front and that he had cleaned up the property. Mr. Teter noted that the twenty-one (21) foot two-way drive aisle should be twenty-four (24) feet wide to meet City Code. Comms. Ryan and Schaffer expressed concerns regarding the plans and wanted to see a more finished plan presented. Mr. Edwards noted that he did not plan to run power to either of the two proposed buildings. Comms. Ryan and Schaffer indicated that they would like to see lighting indicated, such as motion lights. Comm. Schaffer felt it would be better to have a complete set of updated plans to look at. The Planning Commission asked Mr. Edwards to come back with the following:

1. Indication of lighting to the rear of the residential buildings
2. All parking spaces indicated on drawing for a total of eighteen (18)
3. The correct number of storage units indicated on the drawing
4. A complete storm water management plan
5. An indication of the color of the garage
6. The percentage of greenspace documented
7. All trees indicated on the drawing
8. A complete set of plans with accurate drawings
9. Completion of the SEQR form

#### Minutes – March 22, 2010

Comm. Schaffer abstained from the vote as she was not present at this meeting.

On the motion by Comm. Ryan, seconded by Comm. Spitzer, voted and approved.

#### New Business

Comm. Schaffer stated that SUNY Cortland is planning to build a large structure which has the potential to impact the City Water Works. The plan is for a building and parking area that would cover most of Davis Field. She would like to ask the Common Council to send a letter to the College asking them to protect the Water Works. She's also concerned about potential flooding in the Ward 2 area.

Vice Chair Hansen asked Zoning Officer Bruce Weber regarding the four (4) hours of training required for Planning Commissioners each year. Mr. Weber suggested that they go to the New York Planning Federation website. He believes that the City is a member and they had training opportunities on line.

Adjournment

On the motion by Comm. Schaffer, seconded by Comm. Ryan, voted and approved.

**I, NANCY HANSEN, VICE CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTION(S) WERE ADOPTED AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, NEW YORK, HELD ON THE 26th DAY OF APRIL 2010.**

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**NANCY HANSEN, VICE CHAIRPERSON**