



PLANNING COMMISSION

MINUTES

JANUARY 24, 2011

A regular meeting of the City of Cortland Planning Commission was held on Monday, January 24, 2011 at 5:15 PM in the Council Chambers at City Hall, 25 Court Street, Cortland, New York.

PRESENT: Vice Chair Hansen, Comm. Felix, Gebhardt, McMahon and Spitzer

Staff Present: Capt. William Knickerbocker, Zoning Officer Bruce Weber, Engineer/Advisor Ken Teter, City Clerk Shawn Smith and Deputy City Clerk Cheryl Massmann

Item No. 1 – 17-19 Argyle Pl. – (Rogers)(R2) – Parking

Mr. & Mrs. Rogers were present. Vice Chair Hansen explained that the Rogers had been before the Zoning Board of Appeals and had been approved for eight (8) families. Mr. Rogers explained that he had presented them with the proposal of sixteen (16) parking spots and the ZBA didn't like that. The ZBA wanted him to maintain ten (10) foot wide parking spots and also to maintain a total of eleven (11) parking spots. The Zoning Board of Appeals approved the eleven (11) parking spots pending the Planning Commission's approval of that plan. He noted that the ZBA also did not want parking spots doubled.

Vice Chair Hansen asked Mr. Rogers if eleven (11) parking spots was a workable plan for them. Mr. Rogers stated that was how it currently was laid out and it works very well for that property.

On the motion of Comm. Felix, seconded by Comm. McMahon, voted and approved as presented.

City Clerk Shawn Smith addressed the Planning Commission

City Clerk Smith has resigned from the Planning Commission due to her recent appointment as City Clerk. She noted that she has been serving on the Water Committee as a representative from the Planning Commission. She would be happy to meet with a Planning Commission member who would be willing to sit on the Water Committee and to provide them with information.

Comm. Rafael Felix volunteered to contact her regarding that position.

Comm. Gebhardt arrived.

Item No. 2 - Preliminary Site Plan Review – 162 Tompkins St. – (Express Mart)(SD) – New Construction

Matt Neuman, Esq. was present, along with Mr. Mayer, Mr. Sweeney and Mr. Moore.

Mr. Neuman noted that the revised plans for this project have been submitted and that they focus on parking, stacking, landscaping and also included a traffic study. He asked if the information was sufficient and in order, could they get a recommendation to go to County Planning.

Engineer/Advisor Ken Teter noted that in reviewing the plans he needed some clarification on some items. He noted that a DEC permit was mentioned and he asked what it was for and if it was actually needed or required.

Matt Neuman noted that it might be needed for SPEDS for acreage and possible certification for tank removal.

Ken Teter noted that tank removal was under local jurisdiction of the County Health Department and he would like further clarification. He noted that it was clear that they would need a Dept. of Transportation permit for this project and it was not noted on the SEQR form and he wanted to be sure that their forms were correct.

Matt Neuman stated that he would verify all of those things.

Ken Teter noted that relative to traffic that there was some confusion with regards to the traffic pattern on site as indicated on the plans. He noted that the drive aisle was a single width and didn't appear to be two (2) way in the northwest corner and the southeast corner of the canopy. He stated that the width shown was less than the required two (2) way. He noted that there was a problem with the traffic pattern of cars trying to exit onto Broadway.

There was some group discussion regarding the traffic pattern indicated on the site. Comm. Felix was concerned about the traffic pattern. Ken Teter indicated that he would work with Mr. Neuman with regards to the traffic pattern. He continued on with his comments.

Ken Teter noted that there were six (6) pumps not eight (8). Comm. Felix asked how many pumps there were.

Mr. Mayer stated that there were three (3) pumps with six (6) pumping stations under the canopy and one (1) kerosene pump on site for a total of seven (7).

Ken Teter continued with the review and noted that he was concerned with pedestrian safety re: foot traffic from Broadway. He noted that there was no sidewalk indicated on the site plan into the store. He suggested that in that ten (10) foot buffer on the north side, there might be enough room for a four (4) foot wide walkway. He noted that the vacuum station and the air pump were in that same space, but there still might be room for a sidewalk. He made that suggestion for their consideration.

Ken Teter then spoke about delivery trucks. He would like more information. He noted that with the relocation of the tanks to the exit area from the site, that the trucks would be blocking the drive-thru. He would like to see the delivery schedule and delivery duration noted so that there are no problems.

Comm. Felix asked for the location of the fill ports for the tanks. He noted that there appeared to be a problem with the on site traffic with a delivery gas truck blocking parking

and cars exiting from the pumps. Mr. Mayer noted that had also been a concern of theirs and they would be scheduling deliveries for low peak periods of the day and trucks would only be delivering every two (2) or three (3) days.

Comm. Felix asked if there was a better spot to put the fill ports. Mr. Mayer noted that they picked the best location on the site. He explained that their hauler is very cooperative and is contacted electronically to make a delivery. There has never been an emergency delivery needed.

Comm. Felix noted that he would like to see a better flow for fill ups. Mr. Mayer noted that it takes about twenty (20) minutes, maximum, for a truck to drop a load. He explained that they had looked at this plan many times and there was no other way to configure the fill up area on this site. Comm. Felix looked at the drive-thru by-pass lane as a possible option, but it was noted by others that the trucks couldn't make the turning radius to get to that area.

Ken Teter suggested that they might look at temporarily putting the delivery truck under the canopy to fill. He also went on to ask about snow storage and management. Mr. Mayer stated that they plan to take it off site.

Ken Teter asked if there was any DOT input or preliminary conceptual approval from them regarding the conceptual approval regarding the proposed driveways and the direct discharge into the DOT storm water drainage system. He noted that from his experience that this could be a sensitive and difficult issue.

Matt Neuman stated that Stan Burkenall was working on that. He has had their plans for awhile. He had wanted something for tonight, but he was not finished. He noted that they would have formal permit applications going in for a formal review. He will be inviting Mr. Burkenall to the Coordinated Review meeting with the County.

Ken Teter noted that storm water and catch basins will need to be reviewed by them. He also noted that this project was over a sole source aquifer and he would like to see further detail on these plans.

Matt Neuman noted that they would be talking with their engineer after receiving assurances of this going to County Planning.

Ken Teter also noted that he did not see connections for public water and sewer were not indicated on these plans and asked if they had touched base with the City DPW.

Matt Neuman indicated that this had not been done yet.

Ken Teter that going along with the Comprehensive Plan, that going along Water Street they had a buffer up to a certain point and then there was a large tree which he assumed was going to remain. He noted that there were no overhead wires in that area and he would like to recommend that they consider more high trees from there to the corner. He noted that this was an opportunity for more trees and their canopy would be above their signage.

Comms. Felix and Spitzer agree that more greenspace was desirable.

Mr. Mayer agreed, but noted that big trees are expensive and that they can be a problem. He would like to do more shrubbery. He will have their landscape architects come up with a plan for lower level shrubbery.

Comm. Gebhardt asked if they planned to close the current store and rebuild or do the project in phases.

Mr. Mayer stated that they would close the site.

Mr. Neuman noted that he had filed Zoning Board of Appeals variance and he was asking for a referral to County Planning from City Planning. He did not have a lighting plan yet.

Comm. Gebhardt noted that this plan actually had less enter/exit options than what was being done on the site now.

Mr. Neuman noted that the DOT should like that.

On the motion by Comm. Felix, seconded by Comm. Spitzer, voted and approved to send this application to County Planning.

Item No. 3 – Review of Draft Comprehensive Plan – (Thoma Development)

Richard Cunningham of Thoma Development was present. He asked if everyone had a received their CD copy of the draft Comprehensive Plan. Comm. Felix asked if he could receive a hard copy of the narrative. Mr. Cunningham gave the background of the development of this new Comprehensive Plan and noted that this was being paid for by a Dept. of State grant. He noted that Thoma Development had been hired prepare the plan and the Mayor had appointed a Steering Committee to guide the process.

Mr. Cunningham outlined the development process of the Comprehensive Plan noting that the City Planning Commission will do the work and the City Common Council will finally adopt it. He noted that because of the way the City Charter is written, the City Planning Commission will review this draft from the Steering Committee and make any changes. City Planning will then review it with County Planning, manage the SEQR process, hold a second public hearing and when all of that is done, it will be shifted back to the Common Council for adoption. The Common Council may or may not have to hold their own public hearing and that is being looked into.

Item No. 4 – SEQRA Lead Agency Declaration for Comprehensive Plan – (Thoma Development)

Mr. Cunningham began the review process. He started with the SEQR process first. He noted that the adoption of the Comprehensive Plan is a Type 1 action under SEQR. He asked the City Planning Commission to declare themselves to have lead agency status. He noted that the only other two (2) agencies involved would be the County Planning Office and the City Common Council. He noted that it is important to get this adoption process done correctly so that there are no problems with future zoning decisions based on this process. He noted that there was a thirty (30) days waiting period to receive replies

from County Planning and the Common Council regarding lead agency status. He stated that Thoma will do most of the work on this.

On a motion by Comm. Gebhardt, seconded by Comm. Spitzer, voted and approved to declare the City of Cortland Planning Commission as lead agency and that they will provide notification of this declaration to all other involved agencies, as defined herein, in order that it may undertake a coordinated review of the Comprehensive Plan.

Vice Chair Hansen asked Mr. Cunningham to continue with the review process and that the City Planning Commission would schedule a work session for any unfinished items in this review process.

Mr. Cunningham began the review of items that had been discussed in prior sessions with the Steering Committee and changes that had or had not been made as a result of these discussions. Mr. Cunningham was unable to finish the review and the Planning Commission decided to schedule a work session for Thursday, January 27, 2011 at 5:00 PM in the Mayor's Conference Room. Notice will be given regarding this work session.

Item No. 5 – Minutes – December 27, 2010

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

New Business

Vice Chair Hansen noted that they needed a representative from the City Planning Commission to sit on the Water Commission to replace Shawn Smith who had to resign after taking the appointment of City Clerk. Comm. Felix stated that he would contact her.

Adjournment

On the motion by Comm. Spitzer, seconded by Comm. McMahon, 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 24TH DAY OF JANUARY 2011.

NANCY HANSEN, VICE CHAIRPERSON