



PLANNING COMMISSION

MINUTES

April 25, 2011

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

PRESENT: Chair Felix, Comm. Beckwith, Couch, Gebhardt, McMahon, Schaffer and Spitzer

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

Item No. 1 – Site Plan Review – 111-113 Pendleton St. – (Truman)(G1) – Parking – Receive and File Applicant Representative’s Correspondence

On the motion of Comm. Spitzer, seconded by Comm. Schaffer, voted and approved to table this until the next meeting.

Items No. 3 and 4 – Site Plan Reviews and Area Variances - 10 Monroe Heights and 12 Monroe Heights – (Calabro)(R4) - Parking

Mark Weiss, Engineer and Chris Calabro was present to represent Calabro Properties. Mr. Weiss requested that they review the site plan applications for 10 and 12 Monroe Heights so that Engineer/Advisor Ken Teter could comment and then be excused.

Mr. Weiss noted that this site has two (2) parcels, the top one is #10 and the bottom is #12. They have two (2) separate driveways with a retaining wall toward the back of the properties. He explained that there is one (1) driveway opening in the front. He noted that there was quite a grade difference between the two (2) parking areas. He explained that they are proposing to demolish the garage in the rear of #12 to make way for more parking.

Mr. Weiss explained the grading and drainage plan for the two (2) parking areas. He noted that the plan was for a twenty-four (24) foot wide driveway which bi-sects the two (2) properties and a cross easement agreement will be drawn up, which would give access to and from the #10 and #12 in the event the properties were sold to different owners in the future.

Mr. Weiss stated that the plan was to lower the driveway to access both lots.

Comm. Schaffer asked what the existing grading was.

Mr. Weiss noted that it was at about 106 and that was where the driveway would start. He noted that they planned to remove all asphalt, all gravel and all concrete on both lots. He

noted that in doing that, they would be decreasing the amount of impervious area significantly resulting in more greenspace with the proposed plan than what exists now.

Chair Felix asked how much greenspace was there now. Mr. Weiss noted that there was not much.

There was discussion regarding grade. Mr. Weiss noted that they were proposing a retaining wall made up of boulders and to keep any cars from going off, they were going to install a wooden guide rail. He noted that there would be two (2) different parking areas with a three (3) to four (4) foot grade change.

Comm. Gebhardt noted that currently there was a significant difference in grade and was the plan to dig down and make it lower. Mr. Weiss noted that the grade that exists in the driveway at #10 Monroe Heights will now be the same grade as on #12 Monroe Heights.

Comm. Gebhardt asked if a retaining wall would be necessary. Mr. Weiss stated that it was needed to maintain a safer, mowable slope as far as maintenance.

Comm. Spitzer asked about the plan to widen the driveway between the two (2) houses to a width of twenty-four (24) feet. Mr. Weiss noted that the width of a typical in/out driveway was twenty-four (24) feet for the two way traffic. There was discussion regarding the planned width and if it was required to be a certain width by the Code. Mr. Weiss noted that the narrowest he would go was twenty (20) feet, but that would allow more greenspace.

Engineer/Advisor Teter noted that he wouldn't want to see it go much less than twenty-four (24) feet as they would be dealing with the grade in winter, but he thought that twenty (20) feet was a good compromise.

Comm. Schaffer asked where they were going to put the snow from the driveway. Mr. Weiss noted that the snow currently gets pushed to the back and they would continue doing that. Comm. Spitzer asked if the planned new grade would be advantageous for plowing. Mr. Weiss felt that it would now be at the same grade as #10 Monroe Heights.

Comm. Schaffer asked if the properties would continue to be two (2) separate lots. Chris Calabro stated that he would maintain the two (2) separate lots and draw up an easement agreement. Comm. Schaffer expressed concerns about access and the guardrail fencing. Comm. Beckwith noted that there would be a loss of parking spaces if the lots were combined.

Comm. Spitzer noted that they were requesting a variance from the Zoning Board of Appeals because they could not meet the buffer requirements.

Mr. Weiss explained that they were requesting a variance because they were requesting a reduction of the four (4) foot buffer between the lots because of the driveway, which goes right over the property line. He explained that the other variance was because of the hammerhead turnaround area on #12 which was less than three and a half (3 ½) feet. The variance was just for that hammerhead. He noted that was the only perimeter variance.

Mr. Weiss explained that there was one (1) more variance request to meet tenant requirements. He noted that they needed twenty-eight (28) parking spots for the tenants and they had thirty (30). Mr. Calabro explained that there were fifteen (15) parking spots for #10 Monroe Heights, which has six (6) units and there were thirteen (13) spots for #12 Monroe Heights which has two (2) units. He noted that the houses were legal, but he was trying to provide parking for each tenant.

Mr. Weiss noted that they are requesting a variance to reduce the parking spots to eight and a half (8 ½) feet wide to provide the thirty (30) spots they would like to have.

Comm. Spitzer could see why the garage has to come down, but noted that it was good for storage. He also noted that the rear area of #10 Monroe was cluttered and he asked for a description of their plans for that area.

Mr. Weiss stated that the plan was to regrade and to sod in the area. Mr. Calabro noted that they would be planting shrubbery there as well.

Comm. Schaffer asked them to outline their plans for water flow from the sites as well as retention or drywells, which she thought were not allowed in the City.

Engineer/Advisor Teter noted that it was not currently required under DEC regulations based on the size of the impact. He noted that the issue was the difficulty with the site and the space they were working with and attempting to try to control and mitigate the run-off. He had been working with them to try and make some attempt to do this, but he was uncertain as to the bedrock depths and adequacy of the soil. Mr. Weiss noted that they proposed to give it their best shot, but it was not a complete answer because there were not a lot of choices available to them. He noted that heavy rain will cause problems. Mr. Teter noted that they had been trying to brainstorm on this, but there were not a lot of choices available to them, but this is better than what exists now. He noted that the modification of the site would be an improvement in general.

Chair Felix asked what the capacity of the drywells was. Mr. Weiss stated that they had a small capacity as they were shallow wells, but noted that they were reducing impervious area.

Comm. Schaffer asked if #14 Monroe drained onto #12 Monroe. Mr. Calabro stated that the run off drained down the street. Comm. Schaffer discussed drainage issues in the area and possible causes.

Engineer/Advisor Teter noted that they should look at the photometrics. Mr. Weiss stated that they were proposing two (2) pole lights with a total height of nineteen (19) feet including the base and they would be LED lights.

Comm. Schaffer asked if they were motion lights on the buildings in the back. Mr. Calabro stated that there were wall packs in the back.

Comm. Schaffer stated that she would like to see adequate signage regarding exiting onto Monroe warning about pedestrian traffic and speed safety. Mr. Calabro had not

considered this, but he will, noting that it has to be realistic. He stated that it was not an issue currently; they just clip the corner of the house because they pull in too tight.

Comm. Gebhardt asked him to install reflectors on the planned guide rail.

A SEQR review was done jointly on the two (2) properties, # 10 Monroe Heights and #12 Monroe Heights.

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

On the motion of Comm. Schaffer, seconded by Comm. McMahon, voted and approved site plan application pending the approved variances from the Zoning Board of Appeals, pending landscaping and buffering of the back of the property and the south end of the property where the turnaround is located, placing reflector lights on the guard rails and recommending to the Zoning Board of Appeals the approval for the reduction of parking spot widths to eight and a half (8 ½) feet from the required ten (10) feet, and recommending that the width of the joint driveway be reduced to twenty (20) feet and that an exit sign be installed at the end of that driveway and that the required DPW permits for expansion of driveway widths are received.

Item No. 2 – Site Plan Review – 101 Clinton Ave. – (Calabro)(R3) - Parking

Comm. Couch asked to recuse himself from this review because he owns a neighboring property.

Comm. Schaffer asked Mr. Calabro to take pictures of the building on 3 Pendleton Street that he is going to be taking down and to give those pictures to City Historian Mary Ann Kane for a historical record.

Mr. Weiss explained that Mr. Calabro owns 101 Clinton Avenue and 3 Pendleton Street. He explained that on 3 Pendleton Street there is a vacant house. The plan is to combine the two (2) properties, to demolish the vacant house and to create a new parking area there. The plan is to shift the curb cut and provide a new parking area for eight (8) cars. The parking area will drain to the south and if that doesn't work a storm management area with a depression and a catch basin going into a shallow drywell will be put in.

Comm. Schaffer asked if Mr. Calabro needed a handicapped parking spot. Zoning Officer Weber stated that Mr. Calabro was grandfathered in since he doesn't have one right now. Mr. Calabro stated that he thought it was a good idea and that he would make one designated handicapped. There was pro and con discussion regarding the handicapped parking spot.

Mr. Weiss noted that Mr. Calabro will need a variance for that and that the building is currently not handicapped accessible. Comm. Gebhardt noted that one could be put in, but not have it designated unless it's needed. There was discussion regarding the front yard setback. Mr. Calabro liked that idea.

There was discussion regarding front yard setback. Zoning Officer Weber noted that he could put in the handicapped spot and change the front yard setback for parking which was indicated on the plan and park closer to the street. Mr. Weiss noted that they would be planting arborvitae in the buffer strip. Not the tall kind, but the lower growing kind.

Comm. Spitzer asked how long the house on 3 Pendleton Street had been vacant. Mr. Calabro noted that to his knowledge, it has been vacant since 1999.

Zoning Officer Weber noted that there was a limitation in the Code to no more than thirty-five (35%) percent depending upon how far up they planned to come. He noted that the driveway and parking area may not cover more than thirty-five (35%) percent of that required front yard, that's why Mr. Weiss was keeping the parking area in the plan back farther.

Comm. Beckwith noted that Mr. Calabro was not required to put in a handicapped parking spot. Zoning Officer Weber noted that the applicant needs to stay within thirty-five (35 %) percent.

Chair Felix and Comm. Schaffer both inquired about snow removal. Mr. Weiss explained that it would be pushed off to the edges of the lot.

A SEQR review was done.

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

On the motion of Comm. Gebhardt, seconded by Comm. Beckwith, voted and approved the site plan application with the stipulation that the driveway be reduced to a width of twenty (20) feet from the required twenty-four (24) feet.

Item No. 5 – Minutes – March 28, 2011

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

New Business

Comm. Schaffer asked Zoning Officer Weber where the 19 W. Court Street (DelVecchio) punch list stood.

Zoning Officer Weber noted that he was aware of the punch list and that the situation sits with the City Legal Department with regards to bringing about compliance. Comm. Spitzer asked him to check with the Legal Department with regards to the status of that request.

On the motion of Comm. Schaffer, seconded by Comm. Spitzer, voted and approved that Corporation Counsel Perfetti be ordered to reopen the file on Mr. DelVecchio bring him into compliance with regards to 19 W. Court Street which dates back to 2008. (Comm. Beckwith excused himself from this vote)

Comm. Schaffer asked that Mayor Feiszli contact the Planning Commission with regards to the date for the SUNY SEQR review for the proposed Student Life Building on Chugger Davis Field which is adjacent to the City Water Works. She asked that Mayor Feiszli be in correspondence with the College regarding the date for the SEQR. Comm. Schaffer wants the City of Cortland Planning Commission to be involved in this process.

Comm. Schaffer noted that the hospital recently took down a building for additional parking. She noted that the City Planning Commission told the hospital two and a half (2 ½) years ago) that they were asked not to do anything on their campus until they presented the City with a long range plan. She asked that Zoning Officer Weber follow up on that.

Capt. William Knickerbocker reported that Wayne Medakine, engineer for the Hospital, had communicated with him from time to time. He noted that Wayne had told him that the Hospital needs to move their boiler to their compactor area. Capt. Knickerbocker stated that he told Mr. Medakine that the Hospital would have to come before the Planning Commission before they did that. He also explained that the Hospital plans to cover and seed their parking lot at 30 W. Main Street with grass. He noted that they are also attempting to find funds to surface the parking lot that is off of Alvena and he told the Hospital to come to the Planning Commission before that was done.

Chair Felix asked Capt. Knickerbocker if the Hospital had received permits before demolishing the houses. Capt. Knickerbocker stated that they had done that.

Comm. Schaffer then welcomed the new Commissioners.

Chair Felix asked if new zoning maps could be obtained for the Planning Commissioners. Capt. Knickerbocker stated that he would obtain them from County Planning. Comm. Schaffer stated that she would also like to see copies of Chapter 300 of the City Code distributed to the new Commissioners. Capt. Knickerbocker stated that it was on line at the City website.

Comm. Schaffer noted that Commissioners were obligated to receive four (4) hours of training per year.

Adjournment

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

I, RAFAEL FELIX, 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 25TH DAY OF APRIL 2011.

RAFAEL FELIX, CHAIRPERSON