



PLANNING COMMISSION

MINUTES

Nov. 28, 2011

A regular meeting of the City of Cortland Planning Commission was held on Monday, November 28, 2011 at 5:15 PM in the Council Chambers at City Hall, 25 Court Street, Cortland, NY.

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

Staff Present: Mayor Feiszli, Capt. William Knickerbocker, Zoning Officer Bruce Weber, and Deputy City Clerk Cheryl A. Massmann

5:15 PM Public Hearing – 12 Hickory La. – (Yaman)(R1) – Sub-division

Atty. Bill Pomeroy was present to represent Mr. Yaman. He spoke in support of his client's application for this sub-division. He explained that Mr. Yaman would like to divide Lot 80 and add half to Lot 81 and half to Lot 79.

There was not one further to speak, therefore the public hearing was closed.

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

Comm. McMahon arrived.

AGENDA

5:20 PM

Item No. 1 – Sub-division – 12 Hickory La. – (Yaman)(R1)

Comm. Schaffer asked what the plans were for this property. Atty. Pomeroy stated that Mr. Yaman planned to make two (2) lots out of three (3), splitting the middle lot. He noted that one (1) lot had been sold and the plan was to build on that lot.

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

Item No. 2 – Site Plan Review – 35 E. Court St. – (Bevins)(R4) – Storage Shed

Mr. Bevins was present to answer questions. Comm. Schaffer asked if he had better plans for the storage shed noting that they were not very detailed. Mr. Bevins stated that he was told that the plans submitted would suffice, but he would be happy to do up some more detailed plans, if need be. Comm. Beckwith noted that they looked like building plans for a shed. Chair Felix noted that doors and windows should be indicated on the drawing and he also would like to see a materials list. Mr. Bevins stated that the shed would be strictly for storage.

Comm. Schaffer noted that it was to be a ten (10) foot by fourteen (14) foot storage shed on eight (8) inch cement blocks. She asked what he planned to use to prevent animals from living under the shed. Mr. Bevins stated that he would like to put some stone underneath it and then some lattice or chicken wire.

Chair Felix asked what the floor would be made out of. Mr. Bevins noted that he planned to use two (2) inch by six (6) inch pressure treated wood. Chair Felix agreed with Comm. Schaffer that a more detailed plan and materials list should be provided.

Zoning Officer Weber noted that the Planning Commission's charge was to review this plan not from a building code standpoint, but simply as a storage shed on a building and when the applicant gets a building permit, that will detail all of the items of construction. He noted that there were no height or lot coverage or setback issues with this site plan.

Comm. Schaffer asked if Mr. Bevins needed to take down his other shed. Mr. Bevins noted that he could take it down as it is quite small, if need be. Comm. Schaffer noted that she would like to see a doorway indicated on the plans.

Zoning Officer Weber noted that Mr. Bevins needed to obtain a building permit from the Code Office.

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

Item No. 3 – December Meeting – Discussion of Meeting Date Change to December 27, 2011

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

Item No. 4 – Minutes – October 24, 2011

Comm. Schaffer noted that these were very complicated minutes and she appreciated the attention to detail.

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

New Business

Comm. Spitzer submitted a written request with regards to the matter of DeVecchio vs. City of Cortland, Planning Commission, which was filed in Chenango County on October 27, 2011 and is currently set for hearing on December 6, 2011 in Chenango County Supreme Court.

Comm. Spitzer requested that the hearing be delayed until next year and he provided in writing the reasons for that request. He noted that the City of Cortland would have a new administration as of January 1, 2012, that the current City Corporation Counsel has not consulted, informed or responded to City Planning Commission requests and that the Planning Commission opposes the plaintiff's effort to change of venue to Chenango County. It was noted that this memo should be sent to Mayor Feiszli, Mayor-elect Tobin, current Corporation Counsel, City Common Council and to the Hon. Kevin M. Dowd, Chenango County.

Comm. Schaffer noted that this document should be from the City Planning Commission and it should be done by vote so that it is clear that this is the Commission's request.

On the motion of Comm. Schaffer, seconded by Comm. Spitzer, voted and approved to accept the written request to the City Law Department.

Mayor Feiszli stated that she would take the document and try to make this happen.

Comm. Schaffer noted that she had requested that the City Planning Commission be involved in the proposed siting of the SUNY Cortland new Student Life Center and it is her understanding that the City Common Council did send a request to be the lead agency to the DEC. She noted that the Planning Commission has not heard anything further and she asked for an update and requested that the Planning Commission be copied on all correspondence.

Mayor Feiszli noted that she has spoken with DEC and she will contact them tomorrow. Comm. Schaffer asked Mayor Feiszli, on behalf of the City Planning Commission, call SUNY Cortland and ask them to present to the City any drawings they already have created for this project. She noted that the Commission has seen nothing and the project has increased to one hundred forty-eight thousand square feet (148,000) with plans to break ground on this project in the spring. She expressed major concerns. She is concerned about the well heads, drainage, pollution and flooding.

Comm. Schaffer asked that more information be obtained regarding the use of the house on Broadway being used by the College. She asked if anything is being done by the City Zoning Officer regarding the use of this house as an office in an R1 district. Mayor Feiszli noted that the Zoning Officer had turned the matter over to Corporation Counsel. Comm. Schaffer noted that she had received information indicating that the College Public Relations Office would be handling information on College projects and she expressed her concerns with that decision.

Chair Felix noted that the College was also planning to build a new dormitory across from the Water Works. Comm. Schaffer noted that would place additional pressure on that area and increase flooding in that area. She felt that the City Planning Commission needed to be involved in the further development in that area. Comm. Beckwith speculated as to what the Planning Commission's powers actually were.

Adjournment

On a motion of Comm. Schaffer, seconded by Comm. Spitzer, 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 28TH OF NOVEMBER 2011.

RAFAEL FELIX, CHAIRPERSON