

TOWN OF VIRGIL PLANNING BOARD
Minutes of Regular Meeting - Monday, 18 May 2015 – 7 PM
Town Hall – 1176 Church Street – Virgil, NY 13045

Board Members (*absent)

Jeffrey Breed, Chairman
*Gary Wood
Carole Lathrop
*Dawn Willis
Ann Howe
Mark Baranello, Alternate

Others Present

Patrick Snyder, Town Attorney
Craig Umbehauer, Town CEO
Joan Fitch, Board Secretary

Applicants & Public Present

Tom & Catherine Hischak, Applicants; Steve Terwilliger for Kajen, LLC, Applicant.

REGULAR MEETING

The Regular Meeting of the Town of Virgil Planning Board was called to order by Chairman Jeffrey Breed at 7 p.m.

OLD BUSINESS – NONE

NEW BUSINESS

Thomas & Catherine Hischak, Applicants/Reputed Owners – 2968 NYS Route 215 – TM #106.00-01-05.120 – Proposed Minor Subdivision

Chairman Breed recognized the applicants who were seeking approval to subdivide a 3±-acre lot from the subject parcel's 8.37± acres, as shown on a portion of a survey map accompanying the application. As proposed, the lot would only have 304 feet of road frontage, and 350 feet is required. Therefore, the Hishchaks obtained a variance from the Town ZBA which met immediately before this meeting. Chairman Breed acknowledged the narrative which the Hishchaks had prepared and was attached to the application.

At the conclusion of their discussion, the Board completed their portion of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part 2. Therefore, **a motion was made by Member Carole Lathrop that the action, based on the information submitted, will not cause any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Alternate Member Mark Baranello, with the vote recorded as follows:**

Ayes: Chair Breed	Nays: None
Member Lathrop	
Member Howe	Absent: Member Wood
Alternate Member Baranello	Member Willis

Motion carried.

This becomes Action #14 of 2015.

A motion was then made by Member Lathrop to approve the Minor Two-Lot Subdivision, as requested, conditioned upon the following: (1) a lot size minimum of 3 acres, (2) the Planning Board makes no representation regarding the suitability of the proposed lots for development, road or highway access, nor environmentally sensitive areas such as regulated wetlands, (3) all onsite sewage treatment systems must be approved by the Cortland County Health Department, including waivers where the minimum conditions are not met, (4) all private wells must be drilled and installed by a licensed well driller and meet the requirements of the Town of Virgil Aquifer Protection requirements, Local Law #3 of 2010 of the Town Zoning Law, (5) purchasers of lots may be required to have a Stormwater Management Plan as required by the NYSDEC's "General Permit for Construction," (6) all new

road access points must be approved by the appropriate Town, County, or NYS official, (7) applicant must submit a mylar drawing and eight paper copies of the boundary survey to the Town Clerk for signature by the Chairman of the Planning Board within six months of Board approval, and (8) the mylar drawing must be filed with the County Clerk within 62 days after being signed by the Chairman of the Town Planning Board. The motion was seconded by Alternate Member Baranello, with the vote recorded as follows:

Ayes:	Chair Breed	Nays:	None
	Member Lathrop		
	Member Howe	Absent:	Member Wood
	Alternate Member Baranello		Member Willis

Motion carried.

This becomes Action #15 of 2015.

Kajen, LLC, Applicant/John McGee, Reputed Owner – NYS Route 13 – TM #s 105.00-06-10.000 & 9.100 – Minor Subdivision of Land

Chairman Breed recognized Steve Terwilliger, representing the applicant who was seeking approval to subdivide a .52±-acre triangular piece of land from its main parcel which lies in the Town of Cortlandville, as shown on the map accompanying the application. Mr. Terwilliger explained that “in the future” there will be a service road constructed parallel to NYS Route 13, also as shown on the map. He has also submitted an application to subdivide that portion of the parcel that lies in the Town of Cortlandville, also as shown on the map.

CEO Umbehauer stated that because the Memorial Day observance will occur on this Board’s normal meeting date, the Town Planning Board is meeting this date, which is a week earlier than normal; therefore, the County Planning Board has not reviewed this application. Mr. Terwilliger asked if a Special Meeting could be held to facilitate the matter.

After a brief discussion, **a motion was made by Member Ann Howe to set a Special Meeting for 1 June 2015 at 7 p.m., Virgil Town Hall, to consider this application for a Minor Subdivision. The motion was seconded by Member Lathrop, with the vote recorded as follows:**

Ayes:	Chair Breed	Nays:	None
	Member Lathrop		
	Member Howe	Absent:	Member Wood
	Alternate Member Baranello		Member Willis

Motion carried.

This becomes Action #16 of 2015.

APPROVAL OF MINUTES – 27 APRIL 2015

A motion was made by Member Howe to approve the Minutes of the 27 April 2015 Planning Board meeting, as submitted. The motion was seconded by Alternate Member Baranello, with the vote recorded as follows:

Ayes:	Chair Breed	Nays:	None
	Member Lathrop		
	Member Howe	Absent:	Member Wood
	Alternate Member Baranello		Member Willis

Motion carried.

This becomes Action #17 of 2015.

OTHER MATTER

- Member Baranello commented on the Sunoco gas station and convenience store (Steve Terwilliger). He talked about the drive-thru striping which he stated was not correct, the signage was “tinfoil stock on a stick,” etc., all things that needed to adhere to what this Board approved. CO Umbehauer cautioned that some of these things may be weather-related and/or temporary until the weather improves. Member Baranello added that there was no manner of landscaping yet; Mr. Terwilliger had talked with CEO Umbehauer about planting of some evergreens. Member Baranello felt that this new business was not visually appealing.

ADJOURNMENT

At 7:50 p.m., a motion was made by Member Howe, seconded by Member Lathrop, to adjourn the meeting. All Board members present voted in the affirmative.



Joan E. Fitch
Planning Board Secretary

Emailed to Town Supv., Clerk, Atty., CEO, PB
Members & Co. Planning on 6/18/15.