

**CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
JUNE 28, 2018**

Present:

Ronald Panosian, Chair
Andrew Avery
Joseph Peters
Douglas Brackley
Anthony Pagano
Henry Dalrymple
Mary Jo Yunis
Robert Lewis
Nicolette Wagoner, Staff
Scott Shaw, Staff
Nanette Moss, Staff

Excused:

Bo Manuel

Guests:

Tom Skebey, Code Enforcement, City of Elmira
Chip LeValley, Code Enforcement, Town of Elmira
Bob Gage, GBT Realty Corporation
Dan Williams, Williams Construction
Marc Maser, Maser Engineering
Randy Williams, Williams Toyota
Dalton Williams, Williams Toyota
George Winner, Esq.
Donna Ayers, Sandlot Sports Academy
Bill Hopper, Director of Aviation, Elmira-Corning Regional Airport

1. Call to order
2. Approval of Meeting Notes
 - Motion made by Andrew Avery, seconded by Douglas Brackley to approve the May 24, 2018 Meeting Notes as drafted. Members in favor, all; opposed, none. Motion carried.
3. Visitor Comments – There were no visitor comments. Visitors can comment as we review each referral.
4. Zoning Referrals
 - A. TOWN OF SOUTHORT – *Approval of Site Plan* – Bohler Engineering o/b/o Franklin Land Associates, LLC Dollar General – Tabled from May 24, 2018 CCPB Meeting

DISCUSSION: R. Panosian advised that this item was tabled from our May 24, 2018 CCPB meeting for zoning non-conformance. Bob Gage of GBT Realty Corporation is present. Bob Gage advised that at its June 4 meeting the Town Planning Board reviewed the County Planning Board's suggestion as to possible need for area variances regarding parking lot landscaping, parking lot spaces and the building setback. The Town stated that the applicant does not need area variances as the proposed landscaped islands are sufficient and the building setback is not problematic. N. Wagoner inquired as to any issues with traffic, septic or drainage; Mr. Gage advised that the Town is satisfied with the application. N. Wagoner recommended local determination. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for local determination.

MOTION: Made by Douglas Brackley, seconded by Mary Jo Yunis, recommending local determination as the proposed site plan would have no Countywide or inter-municipal impact. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF BIG FLATS – Approval of Zoning Area Variances and Site Plan – Williams Toyota
Tabled from May 24, 2018 CCPB Meeting

DISCUSSION: R. Panosian advised that this item was tabled from the May 24, 2018 CCPB meeting, when the Board requested an updated SEQR, peak hour trip generation, status of Sears Road discussion with the County, consideration of a crosswalk at the intersection, addition of a fence and removal of parking spaces from the north side of CR 64, and a complete site plan. Randy Williams, Dalton Williams, Marc Maser of Maser Engineering and Attorney George Winner are present. N. Wagoner reported that Marc Maser provided the trip generation, which indicates no adverse impact. The extension of development to Fisherville Road and a separate parcel of land west of the Kaman industrial facility would provide additional parking to accommodate need for 400 spaces. Per local and county request, the applicant reworked the proposed display area on the north side of CR 64, adding a black aluminum fence and making it inaccessible to pedestrians. In addition, the slope of the ditch between CR 64 and the main building will be steeper than originally proposed and filled with rock to discourage pedestrian crossings. Dalton Williams advised that if customers request a specific car, the dealer would drive to the main property from the display area. A. Avery noted his concern that CR 64 is a well-travelled four-lane highway with 45 mph speed limit, turning lanes and no crosswalk. N. Wagoner recommended local determination for the requested zoning area variances and approval of the site plan. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for local determination for the proposed zoning use variances and approval of site plan.

MOTION: Made by Mary Jo Yunis, seconded by Robert Lewis, recommending local determination of the proposed zoning area variances as they would have no Countywide or inter-municipal impact. Members in favor, all; opposed, none. Motion carried.

MOTION: Made by Douglas Brackley, seconded by Mary Jo Yunis, recommending approval of the proposed site plan. Members in favor, all; opposed, none. Motion carried.

C. TOWN OF BIG FLATS – Approval of Subdivision Plat –Fedoriw

DISCUSSION: R. Panosian advised that the applicant is proposing a subdivision plat. N. Wagoner reported that applicant wishes to create two parcels from an existing parcel, which is an allowable action in the rural zoning district if the new parcel is for the residence of a family member. The parcel is larger than the required residential minimum lot size of five acres. N. Wagoner recommended local determination. A. Avery requested a comment; specifically, whether the Town has stipulations on the sale of the subdivided parcel to an unrelated party after approval of the subdivision. R. Panosian called for a motion for local determination of the proposed subdivision plat with one comment.

MOTION: Made by Andrew Pagano, seconded by Robert Lewis, recommending local determination as the proposed subdivision plat would have no Countywide or inter-municipal impact along with comment to the Town regarding stipulations on sale of the subdivided property to an unrelated party. Members in favor, all; opposed, none. Motion carried.

D. TOWN OF BIG FLATS – Approval of Site Plan –Sandlot Sports Academy

DISCUSSION: R. Panosian advised that the applicant is seeking approval of a site plan to develop baseball and softball fields with associated parking and amenities. Donna Ayers, representing Sandlot Sports Academy, gave an overview of the proposed site plan and noted that the Town held a public hearing on June 27. N. Wagoner noted that the SEQR indicates six sports fields with site plan showing four. Donna Ayers explained that the site plan could not technically show six fields until the Town Board approved the rezoning, which it did on June 27. Sandlot now aspires to build the six fields this summer, which upon opening would operate daily from 8:00 a.m. to dark (with no lighting planned due to the site's proximity to Elmira-Corning Regional Airport). Bill Hopper advised that the applicant has done its due diligence, and recommended that they not erect light poles in the future due to the airport. Ms. Ayers remarked that a local college and various organizations have expressed interest in the project, which she hopes will generate activity and commerce. N. Wagoner recommended approval. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval of the proposed site plan.

MOTION: Made by Robert Lewis, seconded by Douglas Brackley, recommending approval of the proposed site plan. Members in favor, all; opposed, none. Motion carried.

E. TOWN OF BIG FLATS – Approval of Site Plan – Chemung County SPCA

DISCUSSION: R. Panosian advised that the Chemung County SPCA is seeking approval of a site plan for an addition and expansion of their facilities. N. Wagoner reported that applicant wishes to construct a spay and neuter clinic next to its existing building and modify the curb cut on SR 352. The project will require a Highway Work Permit, and coordination with the Health Department for a connection to on-site septic. Other than that, she had no comments as the project would be an improvement to the site and is in conformance with zoning. CCPB requests compliance with the Town Engineer's (Bergmann) recommendations to provide shade trees, snow storage and additional lighting specs. Board members discussed the island located near the curb cut, suggesting landscaping rather than stone adjacent to SR

352. Scott Shaw cautioned that any landscaping near the highway should not affect visibility to and from the road. Dan Williams said that he would work with the applicant to plant appropriate landscaping. N. Wagoner recommended approval with comments. R. Panosian asked if the Board had any questions or any additional comments; there being none, he called for a motion for approval of the proposed site plan.

MOTION: Made by Mary Jo Yunis, seconded by Andrew Avery, Anthony Pagano abstaining, recommending approval of the proposed site plan with comments to consider landscaping area between ingress and egress points off SR 352. Members in favor, all; opposed, none. Motion carried.

F. TOWN OF BIG FLATS – Zoning Map Amendment – Town of Big Flats

DISCUSSION: R. Panosian advised that the Town of Big Flats wishes to amend its zoning map. N. Wagoner reported that the Town Board had approved the proposed amendment on June 27. She recommended local determination. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for local determination. A. Avery requested a comment stating that CCPB should review such requests prior to municipal approval.

MOTION: Made by Douglas Brackley, seconded by Mary Jo Yunis, recommending local determination as the proposed zoning map amendment would have no Countywide or inter-municipal impact along with comments that the Chemung County Planning Board should review such requests prior to municipal approval. Members in favor, all; opposed, none. Motion carried.

G. TOWN OF HORSEHEADS – Approval of Planned Unit Development (PUD) – Sonbyrne Sales Inc.

DISCUSSION: R. Panosian advised that the applicant is proposing a Planned Unit Development including construction of a Byrne Dairy; however, due to a conflict of interest, he asked Robert Lewis to chair the referral. R. Lewis noted that the applicant wishes to construct a retail store and fueling facility in a PUD and asked N. Wagoner for background information. She reported that the applicant proposes to develop an approximately 4,200 square foot retail store and fueling facility with on-site public water and sewer, compliance with DEC storm water regulations, and need for two curb cuts. The project will eventually hire up to 16 full-time equivalent employees. The referral did not contain an SEQR Environmental Assessment Form (EAF). Town of Horseheads Code Enforcement Officer Tom Skebey explained that it was an unlisted action. The applicant will return to CCPB for site plan review and include an EAF at that point (possibly in July). T. Skebey explained that the proposal varies from what the Town considered 10 years ago because a new traffic light at Philo Road West has slowed traffic, turning lanes have changed and are now two-way. Byrne Dairy has been in contact with DOT. N. Wagoner recommended approval of the PUD with comments that the EAF accompany the site plan that will come back to the CCPB and that the applicant obtain a highway work permit. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval of the proposed Planned Unit Development with comments.

MOTION: Made by Henry Dalrymple, seconded by Anthony Pagano, Ronald Panosian abstaining, recommending approval of the proposed PUD along with comments that the EAF accompany the site

plan that will come back to the CCPB and that the applicant obtain a highway work permit. Members in favor, all; opposed, none. Motion carried.

H. TOWN OF ELMIRA – Approval of Zoning Use Variance – Next Level Sports & Training LLC

DISCUSSION: R. Panosian advised that the applicant is seeking a zoning area variance to allow a day care use. Town of Elmira Code Enforcement Officer Chip LeValley and Dan Williams from Williams Construction are present. Property is the former Lourdes School gymnasium building. N. Wagoner reported that the proposed day care wishes to use 5,700 square feet with eight staff supervising 35 children during normal work hours. This is an appropriate use for the building and the neighborhood. R. Panosian asked for an overview of the parking for the building. Dan Williams advised that the owners are considering two options for parking in two areas, and they are exploring additional options if needed. He also noted that the owners believe that the building will accommodate three businesses—along with a gym and fitness center and day care, it has potential for office use. The owners are utilizing the existing parking lot and on-street parking. The church has full access to the parking now. N. Wagoner recommended approval. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval of the proposed zoning use variance.

MOTION: Made by Andrew Avery, seconded by Henry Dalrymple, recommending approval of the zoning use variance. Members in favor, all; opposed, none. Motion carried.

I. TOWN OF SOUTHPORT – Approval of Site Plan Amendment – Curren RV Sales

DISCUSSION: R. Panosian advised that the applicant is seeking a site plan amendment. N. Wagoner reported that the Board reviewed a site plan for this property last year and applicant now wishes to expand the display area. Scott Shaw conducted a field visit and reported that the applicant had already begun some of the proposed expansion. Dan Williams advised that he was familiar with this property and noted that the applicant has expanded in an area that is one of their properties thought to be contiguous. The applicant applied for a fence permit, after which the Town Planning Board advised that they needed a site plan. N. Wagoner mentioned that referral materials received did not represent a site plan amendment. S. Shaw noted that a curb cut that gives access to the property. Dan Williams continued that it was previously zoned Commercial but had reverted to Agriculture Residential. N. Wagoner recommended tabling for additional information and completed SEQR. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion tabling the proposed site plan amendment for receipt of the amended site plan and complete SEQR, including water supply and utilities.

MOTION: Made by Mary Jo Yunis, seconded by Andrew Avery, recommending tabling of proposed site plan amendment for receipt of amended site plan and complete SEQR. Members in favor, all; opposed, none. Motion carried.

J. TOWN OF VETERAN – Conditional Use Permit – Cutlip

DISCUSSION: R. Panosian advised that the applicant is seeking a conditional use permit. N. Wagoner reported that the CCPB previously reviewed a site plan for the building at the front of this property. The applicant wishes to convert an existing pole barn at the rear of the property into 16 mini-storage units. A. Avery advised that he did not perceive any traffic issues, but the project would require a highway use permit from DOT. N. Wagoner noted no proposed changes to the driveways and suggested that the board could recommend approval of the conditional use permit or local determination. R. Panosian asked if the Board had any questions or comments; the board asked the applicant to address traffic impacts and obtain a highway use permit. He called for a motion for local determination along with comments that the applicant address traffic impacts and obtain a highway use permit from DOT.

MOTION: Made by Andrew Avery, seconded by Mary Jo Yunis, recommending local determination as the proposed conditional use permit would have no Countywide or inter-municipal impact along with comments that the applicant address traffic impacts and obtain a highway use permit from DOT. Members in favor, all; opposed, none. Motion carried.

Visitors Comments: None.

Planning Commissioner's Report: N. Wagoner presented items at today's meeting for discussion.

Inter-Municipal Agreement:

N. Wagoner advised she is working with County Attorney Bryan Maggs on a standard inter-municipal agreement between the CCPB and municipalities, waiving the need for them to refer certain items such as special user permits, site plans and area variances. We will forward a draft to Board members to review in advance of our July meeting and discuss any desired changes then.

Chemung County Agricultural District:

N. Wagoner advised that staff is working on the Agricultural District Plan.

Complete Streets Policy Adopted by City of Elmira:

N. Wagoner reported that the City of Elmira had adopted a Complete Streets policy, which will be helpful when applying for grants for bicycle and pedestrian facilities.

Board Training:

Scott Shaw will be scheduling the Department of State fall training in October or November. In addition, STC is offering a free training school that qualifies as continuing education for CCPB members.

Introduction of Summer Intern:

N. Wagoner introduced and welcomed summer intern Tanya McGee who is in graduate school for planning at UAlbany. The Board welcomed her to the meeting.

Meeting adjourned at 3:52 p.m.