

CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
JULY 26, 2018

Present:

Ronald Panosian, Chair
Joseph Peters
Henry Dalrymple
Mary Jo Yunis
Robert Lewis
Nicolette Wagoner, Staff
Scott Shaw, Staff
Nanette Moss, Staff

Excused:

Andrew Avery
Bo Manuel
Anthony Pagano
Douglas Brackley

Guests:

Charles Story, Sr. Project Manager, McCarthy Tire
Jamie Gensel, Fagan Engineers
Matt Freeze, Morning Times
Tanya McGee, CCPD Summer Intern
Gail McGee, Interested Party

1. Call to order
2. Approval of Meeting Notes
Motion made by Mary Jo Yunis, seconded by Henry Dalrymple to approve the June 28, 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 SOUTHPORT – Approval of Site Plan Amendment – Curren RV Sales – Tabled from 6-28-2018 CCPB Meeting

DISCUSSION: R. Panosian advised that the Board tabled this request for expansion of storage and display of campers, recreation vehicles and utility trailers for retail operation at our June 28 CCPB meeting due to absence of a site plan amendment from the applicant. N. Wagoner reported that the Planning Department has not received any additional information for the proposed site plan amendment and added that the Town Planning Board had reviewed it and scheduled a public hearing

for August 6. A highway work permit is necessary for any driveway changes on Pennsylvania Avenue. The CCPB would like to receive additional information prior to work continuing due to its premature commencement and now near completion in this process. Jamie Gensel of Fagan Engineers noted that he is the Chairman of the Town of Southport ZBA and that this might go to the ZBA for review. N. Wagoner recommended local determination with comments. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for local determination with comments.

MOTION: Made by Mary Jo Yunis, seconded by Joseph Peters, recommending local determination as the proposed site plan would have no Countywide or inter-municipal impact since the 30-day response period had lapsed, along with comments that the Chemung County Planning Board desires more information prior to any work commencement and that they obtain a highway work permit. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF SOUTHPORT – Approval of Site Plan – Ameigh

DISCUSSION: R. Panosian advised that applicant is seeking site plan approval for operation of a new business. N. Wagoner reported that the applicant wishes to establish and operate an auto detailing business on S. Main St. and noted that the Town did not include a site plan with the referral. She advised that the Town should be following its site plan review process. Jamie Gensel informed that the building is located next to the Southern Tier Commerce Center and has a past use as a car garage. N. Wagoner noted that the Town's public hearing is August 6. The property is located in a Commercial Neighborhood zoning district which has form based code. She sees no issue regarding setbacks but advised that the applicant look at parking placement, which should be to the side or behind the building, unless they seek an area variance. The applicant would limit on-site customer cars to three at any given time. Scott Shaw said that if the business includes engine cleaning, detailing, use of a degreaser, etc. that NYS DEC would regulate those activities, so the applicant should coordinate with that agency. N. Wagoner recommended local determination with the comment that the applicant should submit a site plan and that the Town enforce its form based code. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for local determination with the comment that the applicant submit a site plan and that the Town enforce its form based code. N. Wagoner advised that if the form based code is not appropriate for all of the areas it covers, that the code is flexible and the town should revisit the district boundaries. Jamie Gensel suggested contacting the Town Planning Board Chair.

MOTION: Made by Mary Jo Yunis, seconded by Robert Lewis, recommending local determination as the proposed site plan would have no Countywide or inter-municipal impact with the comment that the applicant should provide a site plan and that the town should enforce its form based code. Members in favor, all; opposed, none. Motion carried.

C. CITY OF ELMIRA – Approval of Site Plan – Arbor Housing and Development/Gerard Block Apartments

DISCUSSION: R. Panosian advised that the applicant is seeking a site plan for the Gerard Block Apartments. Jamie Gensel of Fagan Engineers is present. N. Wagoner reported that Arbor Housing and

Development proposes to renovate two buildings on Lake Street and one on Carroll Street consisting of 10,000 total square feet of ground floor retail commercial space and approximately 28 low-moderate income upper-story residential units. The project will also include parking improvements behind the building and landscaping. Jamie Gensel noted that the applicant and Fagan Engineers are coordinating with the Department of Housing and Community Renewal (HCR). Sufficient parking is available via the parking garage or nearby surface parking lots. The project may include some studio space for artists in the Carroll Street building (kilns, studio art space, woodworking). Johnson-Schmidt and Associates is the project architect. R. Panosian noted that it was a great project and asked for recommendation. 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.

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

D. TOWN OF HORSEHEADS – *Approval of Subdivision Plat* –Witter

DISCUSSION: R. Panosian advised that the applicant is seeking approval of a subdivision plat. N. Wagoner reported that this is a re-subdivision located within 500’ of the Town of Veteran boundary line. The applicant wishes to merge two existing parcels into one 10-acre lot. N. Wagoner recommended local determination and commented that the SEQR form needs to be completed. A public hearing will occur next week. M. Yunis observed that it looked like the property was landlocked and asked if they were giving themselves more depth and was advised that it gives frontage to the rest of their land because it will now extend out to Vargo Rd. 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 Mary Jo Yunis, seconded by Henry Dalrymple, recommending local determination as the proposed subdivision plat would have no Countywide or inter-municipal impact. Members in favor, all; opposed, none. Motion carried.

E. TOWN OF HORSEHEADS – *Approval of Site Plan* – McCarthy Tire

DISCUSSION: R. Panosian advised that applicant is proposing approval of a site plan. Charles Story is here representing McCarthy Tire. N. Wagoner reported that the applicant proposes construction of a single storage building behind an existing building where the owner is storing various materials. The applicant will not pave the area under the building; it will remain grassy with gravel access. N. Wagoner noted that it fits in with surrounding use. Charles Story stated that the structure will be a wood frame steel sided pole barn style building used to safeguard product (tires) against the weather. 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.

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

F. TOWN OF BIG FLATS – Approval of Subdivision Plat – J. Clark Construction/Welliver

DISCUSSION: R. Panosian advised that applicant wishes to subdivide an existing lot. Property is located on Daniel Zenker Rd. and Hibbard Rd. Jamie Gensel of Fagan Engineers is present. N. Wagoner reported that applicant wishes to divide the existing parcel to create three parcels and asked if this was the only action requested. Jamie Gensel replied that the applicant wants to develop the entire parcel with a PUD and needs to subdivide the parcel in the interim. He anticipates returning with a site plan for the project in the next two months. He identified the desired parcels starting with Welliver Parcel “A” where applicant’s residence is located; Parcel “B” with an existing horse barn; and Parcel “C” being the remainder. The owner intends to develop Parcels “B” and “C”. R. Panosian asked if Parcel “C” extends to Daniel Zenker Rd.; it has a 30’ right-of-way onto Palmer Rd. and may become a public road again in the future. R. Panosian asked if N. Wagoner would recommend approval or local determination. 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 Mary Jo Yunis, seconded by Robert Lewis, recommending local determination as the proposed subdivision plat would have no Countywide or inter-municipal impact. Members in favor, all; opposed, none. Motion carried.

G. TOWN OF BIG FLATS – Approval of Site Plan – DLC Management Corp./G&I IX Empire Big Flats, LLC

DISCUSSION: R. Panosian advised that the developers of a Harbor Freight store are seeking site plan approval for a new site at Consumer Square Shopping Center. N. Wagoner reported that the site plan is for two new retail spaces next to Field and Stream, a Harbor Freight and another retail space. Jamie Gensel indicated that the store had preliminary approval for this location at the time of Field and Stream approval. N. Wagoner advised that the board could comment about the trees, which the applicant previously proposed to cut down along CR 64 in order to increase visibility to the new store. R. Panosian asked N. Wagoner if she would recommend local determination or approval. N. Wagoner recommended approval with the comment requesting preservation of the trees along CR 64 and in the parking. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval with comment requesting preservation of the trees.

MOTION: Made by Mary Jo Yunis, seconded by Robert Lewis, recommending approval along with comment requesting preservation of the trees. Members in favor, all; opposed, none. Motion carried.

Planning Commissioner’s Report:

N. Wagoner presented items at today’s meeting for discussion.

Inter-Municipal Agreement (IMA):

N. Wagoner circulated a Draft IMA to the Board for review. She referred to item #3, which proposes the elimination of certain actions from the Chemung County Planning Board referral and review process. She will discuss the proposed IMA with the legislature in August. The County would need to execute an agreement with each interested municipality (likely the Towns of Horseheads and Big Flats and possibly the City of Elmira, although the concept would be open to any municipality). The IMA could decrease

the review time for smaller projects. R. Panosian noted item 3(a), regarding activities that would be allowed to be permitted on parcels that do not front or adjoin a state or county highway that are within 500 feet of a state or county highway. He asked if our Board would not be so concerned with said proposal. S. Shaw noted that if a property is along a major corridor that it might be advantageous to send it to the CCPB. N. Wagoner asked if the Board thought this was suitable conceptually for her to present it to the County Legislature. M. Yunis asked if N. Wagoner had no issue with sub-item a. if it were a large project that the 500' criteria would not concern her if it were not referred to the CCPB. N. Wagoner will speak with A. Avery regarding this question as he may wish to modify this piece. M. Yunis noted that it was likely that any large project would want to be located on a county route anyway.

Next Meeting Date:

N. Wagoner noted that we are scheduling an alternate August meeting date, potentially August 15 or August 16 at 3:00 p.m. in the lower level conference room. Nan Moss will e-mail the board regarding the other alternate date of August 15 or the end of the month. We will keep members posted.

Meeting adjourned at 3:28 p.m.