

**CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
OCTOBER 25, 2018**

Present:

Ronald Panosian, Chair
Andrew Avery
Douglas Brackley
Henry Dalrymple
Mary Jo Yunis
Robert Lewis
Nicolette Wagoner, Staff
Scott Shaw, Staff
Tanya McGee, Staff
Nanette Moss, Staff

Excused:

Joseph Peters
Bo Manuel
Anthony Pagano

Guests:

Kimberly Dailey, Keuka College class project
Jessica Jernberg, Keuka College class project

1. Call to order
2. Approval of Meeting Notes
Motion made by Andrew Avery, seconded by Robert Lewis to approve the September 27, 2018 Meeting Notes as drafted. All members in favor, none opposed, motion carried.
3. Visitor Comments (accepted after each referral review) – None
4. Zoning Referrals
 - A. VILLAGE OF HORSEHEADS – Approval of Site Plan – Davidson Architecture & Engineering/KFC

DISCUSSION: R. Panosian advised that petitioner has submitted a site plan for a fast food restaurant with drive-thru and associated parking. N. Wagoner reported that we reviewed the PUD last month and are now reviewing the site plan, which includes the SWPPP. The Village of Horseheads Planning Board will review the proposal tonight. We have no comments or concerns. R. Panosian asked if CCPB had expressed any comments at its September 27 meeting. The CCPB had recommended approval with comments regarding the site plan to return procedurally (with SWPPP). 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 with comment that storm water be retained on site.

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

B. TOWN OF CHEMUNG – Review of Proposed Comprehensive Plan – Town of Chemung

DISCUSSION: R. Panosian advised that the Town has submitted their proposed comprehensive plan for our review. N. Wagoner reported that this is a well-written overview of the Town’s existing conditions, planning process, visioning and goal setting. The plan concludes with a feasible set of recommendations. The Town may consider including any proposed trails on the future land use map, along with the Chemung River. In addition, they may wish to include a section regarding rural broadband to reference when pursuing grants. There is a section on solar, which we believe is beneficial. They may wish to include language on Ag and Farmland preservation for grant opportunities. M. Yunis asked what the Town was doing with solar—the plan states that a zoning update may address solar. A. Avery asked if ridgeline was included with regard to wind energy, which they may want to include along with solar. R. Panosian asked if we know which municipalities do not have a comprehensive plan, and who we should encourage to do so. N. Wagoner is working on a map of the county on the CCPD website to include comp plans and zoning ordinances for each municipality. R. Panosian asked if there was any further comment other than encouraging the Town to continue with this endeavor and there was not. He commented that we should continue to encourage others to consider this for themselves. 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 with comments.

MOTION: Made by Mary Jo Yunis, seconded by Douglas Brackley, recommending Town approval of the proposed comprehensive plan along with following comments: suggest including proposed trails (if any), along with Chemung River, on the future land use map; language about rural broadband and farmland preservation (for future grant applications); language about view shed/ridgeline preservation and wind regulations in the zoning section. CCPB appreciates the planning process and the Town’s efforts to create a vision and plan for its future. Members in favor, all; opposed, none. Motion carried.

C. TOWN OF HORSEHEADS – Zoning Area Variance – Jeremy Hogan Properties
Present: Jeremy Hogan; Tom Skebey, Code Enforcement Officer, Town of Horseheads

DISCUSSION: R. Panosian advised that petitioner has submitted a request for a zoning area variance. N. Wagoner reported that petitioner wishes to construct a covered front porch exceeding current front-yard setback distance requirements and pointed to aerial photos and plans distributed to the board for its reference. She noted that this property is grandfathered in and that the proposed addition fits with neighborhood characteristics. Tom Skebey advised that there is a 25’ setback distance requirement for that district and that the right-of-way is 60’ instead of 50’ there. Because of the extra 5’ on either side, many residents have sought variances. N. Wagoner said that the Town Planning Board gave a positive recommendation to the ZBA, which will discuss the proposal next week. 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 Douglas Brackley, recommending local determination as the proposed zoning area variance would have no Countywide or inter-municipal impact. Members in favor, all; opposed, none. Motion carried.

D. TOWN OF BIG FLATS – Approval of Site Plan – Benedict/Crow Calls

Present: Tom Dobrydney, Fagan Engineers, Tom Skebey, Code Enforcement Officer, Town of Horseheads

DISCUSSION: R. Panosian advised that petitioner has submitted site plan for another review. N. Wagoner reported this has come to us for a second review due to its revision. The plans now include improvements to the private road (Benedict Road) which stretches across the boundary of / the majority being in the Town of Horseheads. The project has exceeded one acre of disturbance, which obliges the SWPPP. Tom Dobrydney reviewed the changes with the board. First, the applicant is proposing an 18' wide private road rather than the existing 12' wide private road, which may not be wide enough to handle non-residential traffic. At the Town line, Benedict Road transitions from a private road into the project driveway. Due to space constraints, the end of the private road would be at the far end of the applicant's parking lot. The applicant is conversing with engineers and the fire departments about access, the road length and width. A. Avery asked Tom Dobrydney if Big Flats code enforcement was satisfied and was advised that he did not know because the private road is not in Big Flats. A. Avery asked which fire department would service the site—the applicant does not yet know if Elmira Heights or Big Flats Fire Department would provide service. Avery would like to see documentation of whichever fire department is serving being satisfied with the width for safety purposes. Tom will pursue both. He also stated that a new well had been drilled for a bathroom and small community kitchen. Tom Skebey advised they would need a permit from the Health Department. The building will be 2,000+ square feet. A. Avery asked if it would remain a private road in its entirety and was advised by Tom Skebey that the Town of Horseheads will not accept it as it won't be put into Town standard (50' right-of-way, 20' wide road carriage). Tom Dobrydney stated that 5-6 other property owners access their residences from this private road. The applicant is responsible for maintaining the private road now and in the future. R. Panosian asked if there were any questions. N. Wagoner noted that we recommended approval of the previous version of this plan, which the applicant has since improved. She recommended approval along with comments that they address comments regarding fire service, and Health Department with regard to water service, noted in Bergmann Associates September 24, 2018 letter. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval with comment that.

MOTION: Made by Mary Jo Yunis, seconded by Henry Dalrymple, recommending Town Planning Board approval along with comments that the applicant determine which fire department would serve the site, and that it finds the proposed road width satisfactory; coordinate with the Health Department for water service and address comments from Bergmann Associates' September 24 letter. Members in favor, all; opposed, none. Motion carried.

E. TOWN OF SOUTHPORT – Approval of Site Plan – Jones

Present: Tom Dobrydney, Fagan Engineers, Tom Skebey, Code Enforcement Officer, Town of Horseheads

DISCUSSION: R. Panosian advised that petitioner has submitted a site plan for a business. N. Wagoner reported that petitioner wishes to operate a tax preparation service at premises he owns. There is low traffic with two off-road parking spaces. The Town referred this to us because it is located within 500' of SR 328 and lies within the form-based district as a gateway into Southport. It will not have adverse impacts on the area. NYS DOT stated the need for a highway work permit. A. Avery said this is an opportunity for DOT to examine if there is a need for narrowing or widening of the driveway approaches because it is commercial now. R. Panosian said they are not doing anything physically but can request it and was advised they have the right to request it because it is their opportunity to review to see if they should require changes based on the new use. N. Wagoner asked if it were a large expense going through that process and was advised that it wasn't for DPW because they don't charge us but depending on what it is it could

be \$50 to \$100 plus insurance if they are going to do work. 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 with comment that a DOT highway work permit is needed.

MOTION: Made by Robert Lewis, seconded by Henry Dalrymple, recommending Town Planning Board approval of the proposed site plan along with the comment that DOT has advised that a highway permit is needed. Members in favor, all; opposed, none. Motion carried.

5. **Visitors Comments:** None.

Planning Commissioner's Report:

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

Board Training:

N. Wagoner thanked the board members who attended the Board Training on October 24, thanked staff for organizing and setting up for the training and commented that it went well. S. Shaw distributed materials from the planning board course. R. Panosian thought the materials were comprehensive and asked S. Shaw to e-mail them to all Board members. D. Brackley thought Board orientation would be beneficial for new members and help set a precedence for municipal boards. N. Wagoner proposed a training for early 2019. S. Shaw has provided training for municipal planning boards and ZBAs, which we could provide as a refresher every year for board members. R. Panosian thanked staff for their preparation efforts for hosting the training.

CCPB Board Members Terms Expiring:

R. Panosian noted that we have two board members who are not seeking reappointment due to schedule conflicts and changes. We will revisit this at our November meeting with suggestions for possible members.

IMA:

N. Wagoner advised that she emailed the Inter-Municipal Agreement (IMA) to local officials for their consideration, and several municipalities expressed an interest in entering into the agreement: Town of Elmira, Town of Catlin, and Town of Big Flats. The Town of Baldwin Planning Board will review it and respond with comments.

November and December 2018 CCPB Meeting Dates:

N. Wagoner reminded that due to the Thanksgiving holiday, our next meeting will be on the third Thursday/November 15, provided we have referrals. She also reminded the board that in December, the fourth Thursday falls on December 27, noting that it may be more conducive to move it up a week to Thursday, December 20. We will poll members.

Limebike:

The ridership data we have at this time reflects 350 rides taken from their launch on October 16 through October 22 using 110 bikes supplied consisting of e-bikes and pedal bikes. We encourage people to use them for transportation. They will assess their use and in winter will store them if they are not being used and leave them out if they are being used. A trial was discussed for people to try them at Community Arts Center parking lot within a contained area. Bike infrastructure is lacking here, however they can be ridden in other municipalities and can be left anywhere. They're collected if not ridden in a certain amount of time and moved to other locations. The bikes are all GPS-enabled.

Meeting adjourned at 3:26 p.m.