

**CHEMUNG COUNTY PLANNING BOARD MEETING
DISCUSSION/MOTIONS
APRIL 27, 2017**

**A. TOWN OF SOUTHPORT – Approval of Site Plan Amendment –
Wheeler/Wheeler’s Catering**

DISCUSSION: Olthof reported this may have been slightly miscategorized in our meeting notice. It is not specifically the addition of an outdoor BBQ pit or shed. They are both pre-existing uses on the site. Under their current approved site plan apparently they secured approval from the Town Planning Board to operate basically on a seasonal basis. This would normally be the type of thing that we would consider sort of a seasonal use permit request rather than a site plan approval request or amendment because there is really no change in the site layout that they are talking about. They are seeking approval from the Town to amend the existing site plan that would allow them to operate this year for eight months either on Saturday or Sunday a BBQ pit for take-out service only. Also, to use a small shed on the property to store dry goods and catering supplies. We checked on this with NYSDOT with respect to SR 328 for this location. They have no issues related to the traffic that would be associated with what they are proposing for this year. We really see no significant changes. I think it’s basically a continuation of what they’ve been doing. R. Panosian asked what triggered it if they’ve been doing it for 28 years to which R. Olthof advised that there is a limit in the site plan. The Town Planning Board had placed a limit for each year, so they have an annual review. That’s why I say it is really more in the nature of being a seasonal use permit. A. Avery did not remember it coming to us before. R. Panosian thought it was for music that may have come in the last six months. A. Avery said it surprised him when he was looking at it because there are no changes. R. Olthof said there are no changes on the site. That is the confusion under their ordinance. M. Yunis said it is near where 328 cuts off from 549. R. Olthof said that the Town of Southport does not operate with a special use permit, and so it’s treating this as a site plan, which is technically a different animal, but because there is no change in the site plan. R. Panosian said there are no changes. There’s no resistance. R. Olthof concurred and said we would be

inclined to recommend local determination. There are no off-site impacts we can see.

MOTION: Made by Mary Jo Yunis, seconded by Andrew Avery, recommending local determination stating there were no off-site impacts regarding the site plan amendment sought. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF SOUTHPORT – Zoning Area Variance and Site Plan – Curren/Curren RV Sales, Inc.

DISCUSSION: Olthof reported that this is an RV sales operation that exists on the property. Property is located in an Agricultural Residential zoning district. It is in sort of a little neck of land that is between Pennsylvania Avenue and the State Route 328. They are talking about adding a new building measuring about 7,000 square feet that would enable them do all their servicing work inside that building. Currently a lot of the service work they end up spilling out, parking cars outside the property. By doing this this would allow them to free up some of the space in their existing building to provide more office space for possible future growth of their staff there. Basically it is designed to make a more efficient operation on the property. Where they have a problem however is in their setback. Where they are located in the proposed edge of the new building on the south side comes about 15' from the property boundary. I believe it is a NYSDOT right-of-way. There is a minimum 40 foot rear yard setback requirement under Town law. They are seeking approval of an area variance that would allow them to place that. They have consulted directly with NYSDOT on this. NYSDOT has indicated that they don't see any specific problem. If there's an off-set that would be needed, they are going to negotiate that directly with NYSDOT. Apart from that, we don't really see any issue related to it in terms of impacts on traffic on Pennsylvania Avenue or any of that. R. Olthof asked A. Avery if he thought it was basically not a bad use of the property, to which A. Avery said it seems to be. R. Panosian said it is still a long way from the right-of-way or from the edge of the road to which A. Avery concurred that it was a long way. R. Olthof said that the current status indicates there will be a scheduled public hearing on June 21 to take this up. R. Panosian asked if NYSDOT expressed nothing but had not formally to which R. Olthof said they indicated that there is no problem as proposed. They had just sort of

anecdotally suggested that it would be good for them to get an updated property survey. A. Avery said that the only thing that concerned him was when they said that they would negotiate directly with the state. A. Avery said he just wants to make sure the state has put it in writing.

MOTION: Made by Andrew Avery, seconded by Mary Jo Yunis, recommending local determination stating there were no intercommunity or adverse impacts regarding the zoning variance sought with state concurrence. Members in favor, all; opposed, none. Motion carried.

C. TOWN OF BIG FLATS – Zoning Area Variance – Corning Incorporated

DISCUSSION: Olthof reported that this comes to us this month is what he believes will be a couple of stages of approval by the Big Flats Planning Board and actually in this case it will also involve action by the Town of Big Flats Zoning Board of Appeals. To better serve their hangar facilities adjacent to the regional airport Corning Inc. is proposing to relocate and upgrade their existing fuel farm facility that would include the installation of two 20,000 gallon fuel storage tanks and associated piping and dispensers in a concrete apron. Under the Town's zoning law it comes here needing approval of an area variance because under their current zoning area and bulk requirements, fuel farms have to be located at least 200' from an adjoining property boundary. In the case of this project, it would be located approximately 25' from the adjacent lot line. Applicant is seeking relief from that setback requirement. And at that point, if that is granted, it would basically proceed to point of a site plan approval review by the Town. So, we've got a fairly detailed set of information about the project here in your packages. R. Panosian asked if they were the adjoining property owner. He asked if the applicant owned the piece that was 25' away to which Gerald Yost of Pro Unlimited for Corning, Inc. answered no and noted that they do own some that is 25' away, but we have the airport on one side and we have Souful Cup on the other. He also advised that there are other property owners. He also advised that the Zoning Board of Appeals held their meeting on Tuesday and it was approved at the Zoning Board of Appeals. R. Olthof noted that it was also recommended for approval by the Town Planning Board who had also reviewed it, and they will

be the next body to be taking up the site plan approval process. So that would follow this action. He noted that as he understands it, he thinks that the status of approval basically is that the Zoning Board of Appeals is favorable conditioned only upon a favorable recommendation from our Board, compliance with necessary permits and Storm Water Pollution Prevention Plan approval. So, those are the only conditions that they have appended to that area variance approval. The site itself I think you can see is so constrained. There's virtually no other way. I don't think that they could get the necessary tanks into the site with the available property that they own. So I think that as far as practical difficulties, they basically meet the state standard on that for relief. R. Panosian asked if R. Olthof saw any reason to not recommend approval of the zoning area variance to which R. Olthof answered no. M. Yunis asked if it would be approval or local determination to which R. Olthof advised that in this case what we would recommend is concurrence with the Town Planning Board's favorable recommendation. A. Avery said he had some comments regarding how the variance ties in with the driveway location. As shown this would be a temporary access onto Sing Sing Road because the airport is reconfiguring. A. Avery said they would then work with Corning to make sure they have proper access out onto the airport road, so if you only had one drive onto Sing Sing Road instead of two. But, that could be two years temporary, who knows. He thinks that the airport is talking 2019 before they reconfigure that area. R. Olthof asked if it would be part of a driveway or highway permit comparable to which A. Avery answered not so much because this is actually existing right now. They are just kind of reconfiguring how it is going to be used. It would just go away once the airport reconfigured and they add a new entrance onto the airport road. R. Panosian noted that we talked about concurrence with Planning Board approval or local determination and asked if R. Olthof were advocating for approval or local determination to which R. Olthof answered he would recommend concurrence with a favorable action by the Town Planning Board. He also noted that the actual site plan he thinks will probably be re-referred to our Board for review at that point when the Town Planning Board is conducting the SEQR Review and so forth.

MOTION: Made by Mary Jo Yunis, seconded by Joseph Peters, Douglas Brackley abstaining, recommending concurrence with a favorable action by the Town Planning Board of the zoning area

variance sought. Members in favor, all; opposed, none. Motion carried.

D. TOWN OF BIG FLATS – Approval of Site Plan – Harris Hill Soaring Corporation

DISCUSSION: R. Panosian advised that Edwin Funk is here today for this referral. Olthof reported to the Board that this is the Harris Hill Soaring Corporation that most of them have probably seen or actually visited their facility on Harris Hill, the County Park area. Property is located in a Rural zoning district in the Town of Big Flats. The applicants are seeking Town Planning Board approval of an expansion and a remodeling of their existing building at this site. There are a number of changes internal to the building he believes that are contemplated. The only real change in the building footprint is a 10' extension proposed to the south end of the building. It would create sufficient space for them to add two handi-capped accessible restrooms. Edwin Funk noted that there are two restrooms, but they are not handicapped accessible at this point. The expansion would allow us to expand the size of the existing restrooms to become handicapped accessible. R. Olthof said as far as the status of this, the Town of Big Flats Planning Board is scheduled to meet on May 2 to take up action on this. We have consulted with the Chemung County Environmental Health Office regarding septic. There are no changes needed. Everything is basically sufficient for their plans. There are no off-site impacts of this that we can see. It sounds like it would be a favorable improvement of the building on the property. We would recommend approval subject to any additional conditions that the Town Planning Board considers warranted. R. Panosian asked A. Avery if he had any concerns, to which A. Avery replied that he did not.

MOTION: Made by Andrew Avery, seconded by Douglas Brackley, recommending Town approval subject to any other additional conditions that the Town Planning Board considers warranted. Members in favor, all; opposed, none. Motion carried.

E. CITY OF ELMIRA – Approval of Site Plan – Friends of Elmira Civil War Prison Camp

DISCUSSION: R. Panosian advised that we have some representation here today from Friends of Elmira Civil War Prison Camp. Olthof reported that property is located in a Residence B zoning district. We saw this about two or three years ago originally when the applicant was seeking a variance to be able to use the property for this type of use. And that was approved by the City. Applicant is now seeking approval by the City Planning Commission of a plan to reconstruct the original building of the Elmira Civil War Prison Camp and also a construction of a replica of the barracks building on site. You've all got a sketch in your package of the layout of the proposed new structures on the property. The barracks itself I think is about 1,584 square feet to which Friends of Elmira Civil War Prison Camp President Marty Chalk noted that it is 18'x88'. R. Olthof advised that he didn't have the exact dimensions of the smaller structure to which Marty Chalk advised that that measurement is 18'x24'. R. Olthof said as far as the status of this, the City Planning Commission is meeting next week on Thursday to take this up. We see no adverse impacts off-site. It is kind of a low traffic generation type of a use. He asked if the new structures would have some security fencing around them on the site as well to which Marty Chalk responded that there would be security fencing all around. R. Olthof said from our vantage point we think it is a favorable use of the property. We would recommend City Planning Commission approval subject to any additional conditions that they consider warranted. R. Panosian asked if this referral came before our Board because it is in proximity to Water Street to which R. Olthof answered yes and noted that it is part of a New York State touring route, State Route 352, and A. Avery confirmed it was State Route 352. R. Panosian advised that we have a suggestion for favorable determination and called for a motion. A. Avery noted that he thought this was a great project. He is looking forward to seeing it happen.

MOTION: Made by Joseph Peters, seconded by Douglas Brackley, recommending City Planning Commission approval subject to any conditions that they consider warranted. Members in favor, all; opposed, none. Motion carried.

**CHEMUNG COUNTY PLANNING BOARD MEETING
ATTENDANCE
APRIL 27, 2017**

ATTENDANCE:

Members:

**Ronald Panosian
Douglas Brackley
Mary Jo Yunis
Joseph Peters
Andrew Avery**

Others:

**Randy Olthof, Pl. Commis.,
Jerre Cress, Assistant Plnr.
Scott Shaw Associate Pl. I
Nanette Moss, Secretary
Gerald Yost, Pro Unlimited
rep. Corning, Inc., Pet., T. of
Big Flats
Dave Manchester, Corning, Inc.,
rep. Corning, Inc., Pet., T. of
Big Flats
Mark Chambers, C&S Engineers,
rep. Corning, Inc., Pet., T. of
Big Flats
Edwin Funk, rep. Harris Hill
Soaring Corporation, Pet.,
T. of Big Flats
Marty Chalk, President, Friends
of Elmira Civil War Prison Camp,
Pet., C. of Elmira
Terri Olszowy and Douglas Oakes,
Members, Friends of Elmira Civil
War Prison Camp, C. of Elmira
Samantha Potter, Chemung County
Public Information and Records
Officer**

Absent:

**Bo Manuel
Henry Dalrymple
Anthony Pagano
Robert Lewis**