



Chemung County Planning Board

Chemung County Commerce Center
400 East Church Street
P.O. Box 588
Elmira, New York 14902-0588

(607) 737-5510

www.chemungcountyny.gov

planning@co.chemung.ny.us

Referral Number

For office use only

Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality: ☒ City ☐ Town ☐ Village of City of Elmira

Referring Official: Thomas Skebey _____ Title: Director of Code Enforcement _____

Address: 101 W. Second Street, Elmira, NY 14901 _____

Phone Number: X5694 _____ E-mail: tskebey@cityofelmira.net _____

Referring Board (check appropriate box): ☐ Legislative Board ☐ ZBA ☒ Planning Board

Petitioner(s): Kenworth Northeast Group, Inc. Phone: (607)737-4648 _____

Petitioner's Mailing Address: 43 Industrial Park Blvd. E-mail: Karl.
Schwesinger@FaganEngineers.com

Location of Property: 43 & 47 Industrial Park Blvd, Elmira, NY

Tax Map Parcel Number(s): 79.20-1-1.6 & 79.20-1-1.7

Current Zoning District: IB (General Industrial)

Proposed Action: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Area Variance | <input type="checkbox"/> Subdivision Review |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> X Site Plan Review | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input type="checkbox"/> Moratorium |
| <input type="checkbox"/> Other (please specify): _____ | |

Description of the proposed action (attach detailed narrative if available): Site Plan Review for Building Expansion.

Minutes & Resolution Attached

The proposed action applies to real property within five hundred feet (500') of the following

(Please identify each item by filling in the appropriate blank after each item)

- ☐ (a) Boundary of the (City), (Village) or (Town) of: _____
- ☐ (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): _____
- ☐ X(c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): State Route 86
- ☐ (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: _____
- ☐ (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: _____
- ☐ (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances: _____

Hearings/Meetings Schedule

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees		
Zoning Board of Appeals		
Planning Board/Planning Commission	October 3, 2019	September 5, 2019
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) Reviewed, discussed, Referred _____

"Full Statement" Checklist

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

For All Actions:

- _____ Chemung County Planning Board – Municipal Referral Form
- _____ All application materials required by local law/ordinance to be considered a "complete application" at the local level (PDF preferred).
- _____ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- _____ Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- _____ Municipal board meeting minutes on the proposed action (PDF preferred).

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

- _____ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- _____ Zoning Map
- _____ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.

RESOLUTION

NO. 19-09-02

Motion by Chairperson Mustico to refer the application for site plan approval for 43 & 47 Industrial Park Blvd. to the Chemung County Planning Board, pursuant to Section 1030 of the Zoning Ordinance of the City of Elmira and Sections 239(l)&(m) of the New York State General Municipal Law.

Seconded by Commissioner Knapp.

WHEREAS, this matter concerns an application, by Kenworth Northeast Group, Inc., requesting the approval of a site plan for 43 & 47 Industrial Park Blvd., Elmira, NY; and

WHEREAS, the site plan has been reviewed per the application; and

WHEREAS, this matter is a County Planning Board Referral;

NOW, THEREFORE, BE IT

RESOLVED, that the Elmira City Planning Commission hereby refers the application and request by Kenworth Northeast Group, Inc. for site plan approval for 43 & 47 Industrial Park Blvd., Elmira, NY to the Chemung County Planning Board, pursuant to Section 1030 of the Zoning Ordinance of the City of Elmira and Sections 239(l) & (m) of the New York State General Municipal Law.

VOTE

AYES

X	COMMISSIONER CERIO
X	COMMISSIONER KNAPP
X	COMMISSIONER HARKNESS
X	COMMISSIONER REID
X	COMMISSIONER MUSTICO

NAYS

9/5/19



City of Elmira
Code Enforcement Department
Phone: (607) 737-5653
<http://www.cityofelmira.net>

101 W. Second St.
Elmira, NY 14901
Fax: (607) 733-5235

City Planning Commission Application

To the Zoning Board of Appeals:

A. Statement of Ownership and Interest

I (We) Kenworth Northeast Group, Inc.
Name of Applicant
of 43 Industrial Park Blvd.
Street #
Elmira, NY, 14901
City, State, Zip

hereby makes application to the City Planning Commission for:

- ☒ 1. Site Plan Review – Section 1025.6(a) of the Zoning Ordinance
- ☐ 2. Review of Junkyards and Mobile/Manufactured Home Park
- ☐ 3. Review and Recommendation(s) of Planned Development District
- ☐ 4. Review and Recommendation(s) of Proposed Zoning Regulation Amendments or Changes of District Boundary Amendments
- ☒ 5. Review and Approval of Subdivision of Land
- ☐ 6. Other:

B. Location of Property

1. The property in question is situated at the following address:
#43 & #47 Industrial Park Blvd, Elmira, NY 14901
2. current zoning classification (IB) General Industry (Available from Code Enforcement)
3. tax map # 79.20-1-1.6 & 79.20-1-1.7 (Available from Assessor's Office: (607) 737-5670)
4. Is the property in question located within five hundred (500) feet from the boundary of any city, village, or town, or from any county or state parkway, expressway, throughway, or other limited access highway, or from the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or from any county or state lands on which a public building or institution is situated?
☒ Yes ☐ No

C. General Data

1. Current Use Truck Garage Proposed Use Truck Garage
2. Number of dwelling units proposed: 0
3. Number of employees proposed: Total 6-8
4. Parking spaces required: 4
- A. Proposed: 5 C. Loading Zone Required: ☒ Yes ☐ No
- B. Handicapped: 1 D. Curb Cut Permit Required: ☐ Yes ☒ No
5. Type of Non-Residential Use (if any)
Truck Maintenance Garage
6. Lot Size A. Length: 184 Ft.
B. Depth: 506 Ft.
C. Area: 2.068 Square Ft.
(A and B available from Assessor's Office)
(607) 737-5670
7. Building Information
A. Number of Stories: 1
- B. Floor area per story in square feet: (Available from the Assessor's Office)
(607) 737-5670
Basement: N/A First Floor: 8,150 Second Floor: N/A Third Floor: N/A
8. Applicant's relationship to the property:
- ☐ A. Owner
☐ B. Purchaser (must provide valid purchase offer)
☒ C. Tenant (present)
☐ D. Tenant (new) Lease Commitment: ☐ Yes ☐ No
☐ E. Attorney for: ☐ A ☐ B ☐ C ☐ D ☐ F
☐ F. Other (explain) _____
9. Name and Address of Record Owner:
Benjamin Street Properties, LLC

10. Name and Address of Attorney:
N/A

- D. If you would like to receive an electronic copy of the agenda and/or minutes that apply to your application, please provide your e-mail address, otherwise you may view and/or download this information at www.cityofelmira.net. If you do not provide an e-mail address, please refer to #1 of the Application Instruction for meeting dates and times.

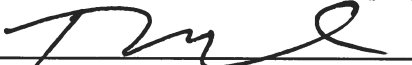
Applicant's e-mail address: Karl.Schwesinger@FaganEngineers.com

City Planning Commission approvals are on a provisional basis, subject to the applicant obtaining all required permits and meeting all New York State Fire Prevention and Building Codes.

STATE OF NEW YORK)
COUNTY OF CHEMUNG) ss:

Sworn to before me this

20 day of August, 2019
(month) (year)


(Notary Public)

TIFFANY A. MILLERD
Notary Public, State of New York
Chemung County No. 01M16378183
Commission Expires July 23, 2022


Applicant's Signature

113 E. Chemung Pl, Elmira, NY 14904
Applicant's Address

607-734-2165
Applicant's Phone Number

← **THIS FORM MUST BE NOTARIZED**

Short Environmental Assessment Form

Part 1 - Project Information

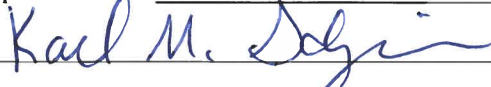
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Kenworth Northeast Trucking Building Expansion							
Project Location (describe, and attach a location map): 43 Industrial Park Blvd, Elmira, NY 14901							
Brief Description of Proposed Action: An 8,150 SF expansion of the existing building. The new building will contain a 50' x 160' metal building with a 10' x 15' compressor room attached. The new expansion will connect directly to the existing building. A fireproof wall will be constructed to keep the fire area under 12,000 SF. New pavement will be extended 35-feet from the building. The project will be partially constructed on existing impervious area.							
Name of Applicant or Sponsor: Kenworth Northeast Group, Inc		Telephone: 607-737-4648 E-Mail:					
Address: 43 Industrial Park Blvd							
City/PO: Elmira		State: NY	Zip Code: 14901				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Chemung County Stormwater Coalition			<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? 2.07 acres b. Total acreage to be physically disturbed? 0.40 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.07 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ The existing potable water service will be extended within the building. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ The existing wastewater piping will be extended within the building. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stormwater runoff will flow to existing on-site dry wells. Additional drywells may be added.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Karl M. Schwesinger, P.E.</u> Date: <u>8/19/2019</u> Signature: <u></u> Title: <u>Project Engineer</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

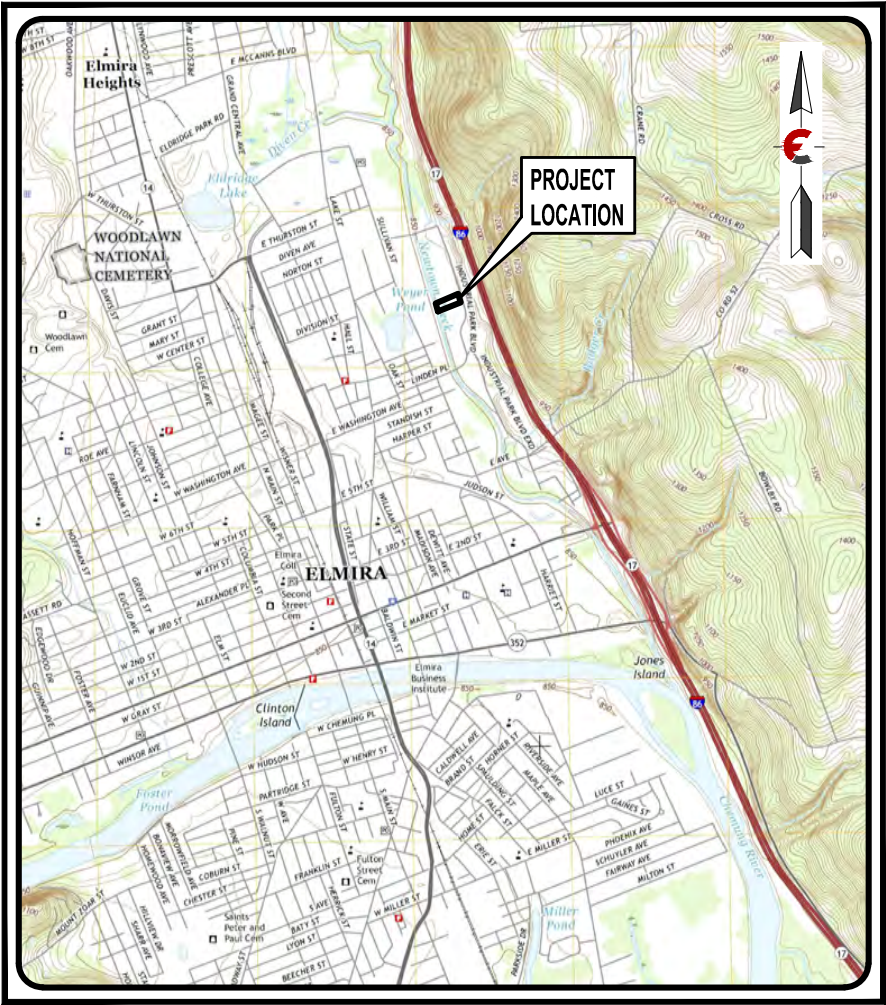
Site Plan Drawings For

PROPOSED ADDITION FOR KENWORTH NORTHEAST GROUP, INC.

43 INDUSTRIAL PARK BOULEVARD ELMIRA, NEW YORK

August, 2019

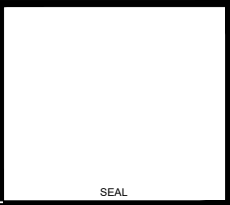
PREPARED FOR:
Kenworth Northeast Group, Inc.
43 Industrial Park Blvd. Elmira, New York
14901 (607) 737-4648



LOCATION MAP

INDEX OF DRAWINGS	
NO.	TITLE
C1	EXISTING CONDITIONS
C2	SITE PLAN
C3	GRADING PLAN
C4	UTILITY PLAN
C5	LANDSCAPING PLAN
C6	CIVIL DETAILS
C7	E & S PLAN
C8	E & S DETAILS

Revision Description	
Rev.	Date
1.	
It is a Violation Of The New York Education Law, Article 145 Section 7209, For Any Person, Unless He is Acting Under The Direction Of A Licensed Professional Engineer Or Land Surveyor To Alter An Item In Any Way, If An Item Bearing The Seal Of An Engineer Or Land Surveyor is Altered, The Altering Engineer Or Land Surveyor Shall Affix To The Item His Seal And The Notation "Altered By" Followed By His Signature And The Date Of Such Alteration, And A Specific Description Of The Alteration.	



PROPOSED ADDITION FOR
**KENWORTH NORTHEAST GROUP,
INCORPORATED**
43 INDUSTRIAL PARK BOULEVARD ELMIRA, NEW YORK



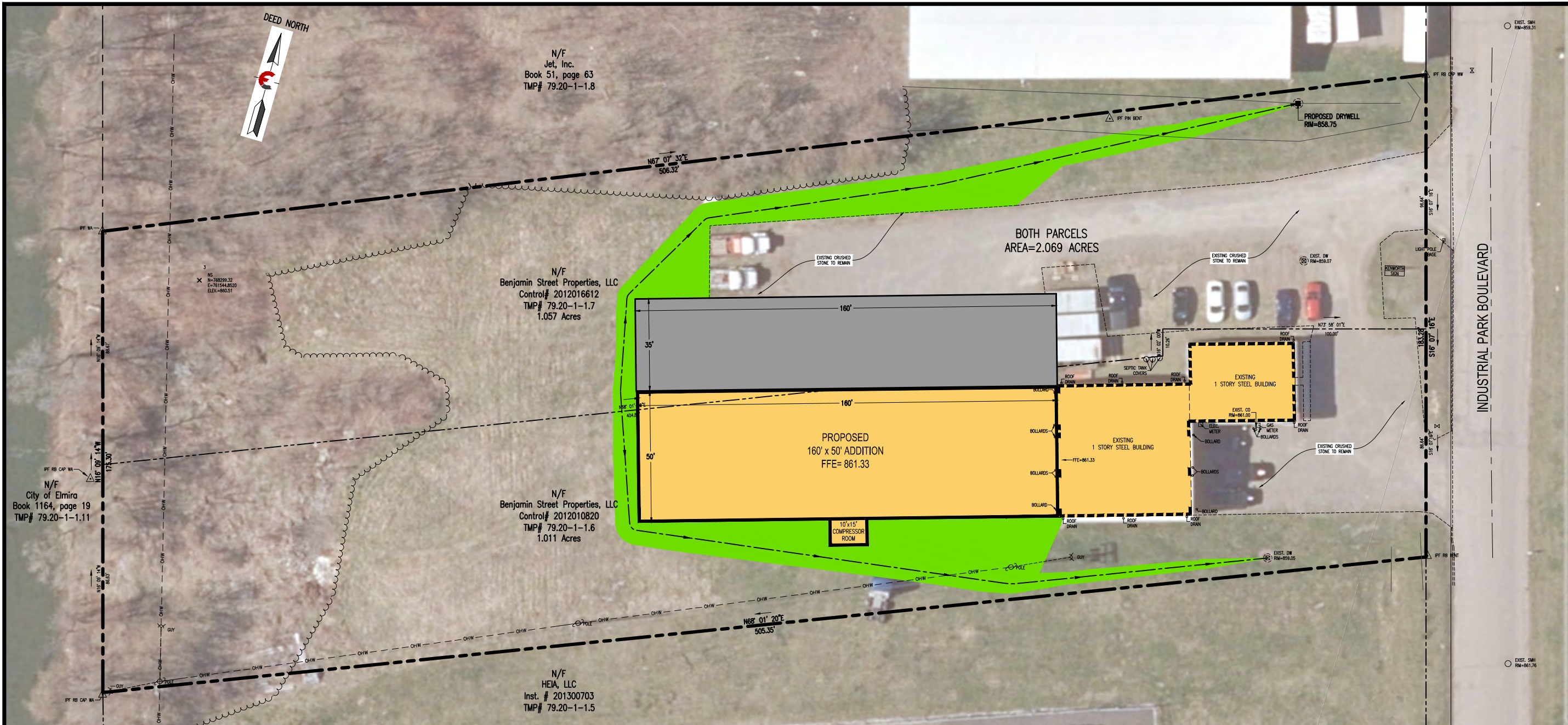
FAGAN
ENGINEERS
& LAND SURVEYORS PC

113 East Chemung Place
Elmira N.Y. 14904
Phone (607) 734-2165
Fax (607) 734-2169
www.FaganEngineers.com

Scale:	As Noted
Date:	11x17 Prints are 1/2 Size
Design By:	August, 2019
Drawn By:	-
Checked By:	CEL
Project No.:	KMS
Drawing Name:	2019.064
	19064-a.dwg

TITLE SHEET

CO



Rev.	Date	Revision Description
1		

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SEAL

**PROPOSED ADDITION FOR
KENWORTH NORTHEAST GROUP,
INCORPORATED**
43 INDUSTRIAL PARK BOULEVARD ELMIRA, NEW YORK

FAGAN
ENGINEERS
& LAND SURVEYORS PC
113 East Chemung Place
Elmira N.Y. 14904
Phone (607) 734-2165
Fax (607) 734-2169
www.FaganEngineers.com

Scale: 1" = 20'
11x17 Prints are 1/2 Size
Date: August, 2019
Design By: -
Drawn By: CEL
Checked By: KMS
Project No.: 2019.064
Drawing Name: 19064-a.dwg

SITE PLAN
C2

LEGEND	
	PROPERTY LINE
	EXISTING EASEMENT
	EXISTING EDGE OF ROADWAY
	EXISTING CURB LINE
	EXISTING SANITARY SEWER
	EXISTING GAS MAIN
	EXISTING UTILITY LINE
	EXISTING FENCE LINE
	EXISTING WATER LINE
	EXISTING CONTOUR LINE
	PROPOSED LIMIT OF DISTURBANCE
	PROPOSED CONTOUR LINE
	PROPOSED EASEMENT
	PROPOSED STORM SEWER
	PROPOSED EDGE OF ROADWAY
	PROPOSED CURB LINE
	PROPOSED SANITARY SEWER
	PROPOSED GAS LINE
	PROPOSED UTILITY LINE
	PROPOSED WATER LINE
	PROPOSED SILT FENCE
	PROPOSED COMPOST SOCK
	EXISTING SANITARY MANHOLE
	EXISTING FIRE HYDRANT ASSEMBLY
	EXISTING CLEANOUT
	EXISTING SPOT ELEVATION
	PROPOSED SANITARY MANHOLE
	PROPOSED WATER VALVE
	PROPOSED THRUST BLOCK
	PROPOSED FIRE HYDRANT ASSEMBLY
	PROPOSED CLEANOUT
	PROPOSED LIGHTING FIXTURE
	PROPOSED SPOT ELEVATION
	PROPOSED DRYWELL
	PROPOSED CATCH BASIN
	PROPOSED INLET PROTECTION
	PROPOSED TOP/BOTTOM CURB
	PROPOSED ASPHALT PAVING

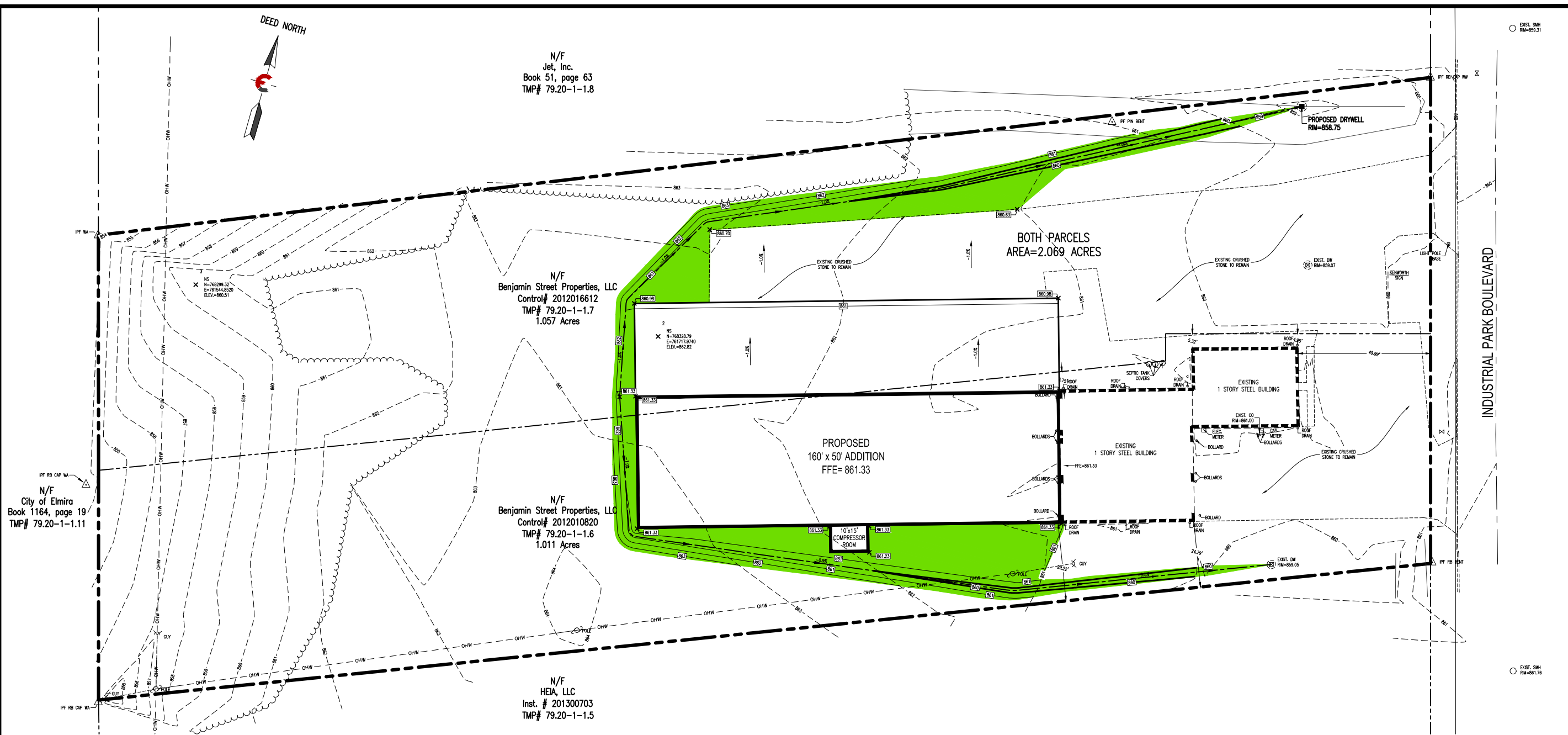
NOTE:
PROPOSED BUILDING ADDITION TO BE TIED
INTO THE EXISTING SEWER, GAS & WATER
IN THE EXISTING BUILDING

ZONING INFORMATION		
ZONING DISTRIC - IB: GENERAL INDUSTRIAL		
TAX MAP # 79.20-1-1.17 & 79.20-1-1.6		
	REQUIRED	PROPOSED
PARCEL SIZE	N/A	0 Acres
MIN. LOT WIDTH	N/A	0'
BUILDING SETBACK		
FRONT YARD	N/A	0'
REAR YARD	N/A	0'
SIDE YARD	N/A	0'
MAX. LOT COVERAGE	80%	0%
MAX. BUILDING HEIGHT	75'	24'
PARKING SPACES (1 SPACE PER 2 EMPLOYEES)	4 SPACES	6 SPACES

Note:
Utility information has been plotted from available sources and their locations and size should be considered approximate only. The contractor is responsible for determining exact utility locations, sizes, and elevations prior to commencing construction. If uncharted or misplotted utilities are encountered, the contractor is required to notify the owner immediately.

New York State law requires excavators to contact the one-call notification system prior to digging to prevent damage to buried facilities.
IT'S THE LAW!
Call three days before you dig!
1-800-962-7962
Dig Safely New York
(non-members must be contacted separately)

PRELIMINARY PRINT
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LEGEND

— — — — —	PROPERTY LINE	— — — — —	PROPOSED WATER LINE
— — — — —	EXISTING EASEMENT	— — — — —	PROPOSED SILT FENCE
— — — — —	EXISTING EDGE OF ROADWAY	— — — — —	PROPOSED COMPOST SOCK
— — — — —	EXISTING CURB LINE	— — — — —	EXISTING SANITARY MANHOLE
— — — — —	EXISTING SANITARY SEWER	— — — — —	EXISTING FIRE HYDRANT ASSEMBLY
— — — — —	EXISTING GAS MAIN	— — — — —	EXISTING CLEANOUT
— — — — —	EXISTING UTILITY LINE	— — — — —	EXISTING SPOT ELEVATION
— — — — —	EXISTING FENCE LINE	— — — — —	PROPOSED SANITARY MANHOLE
— — — — —	EXISTING WATER LINE	— — — — —	PROPOSED WATER VALVE
— — — — —	EXISTING CONTOUR LINE	— — — — —	PROPOSED THRUST BLOCK
— — — — —	PROPOSED LIMIT OF DISTURBANCE	— — — — —	PROPOSED FIRE HYDRANT ASSEMBLY
— — — — —	PROPOSED CONTOUR LINE	— — — — —	PROPOSED CLEANOUT
— — — — —	PROPOSED EASEMENT	— — — — —	PROPOSED LIGHTING FIXTURE
— — — — —	PROPOSED STORM SEWER	— — — — —	PROPOSED SPOT ELEVATION
— — — — —	PROPOSED EDGE OF ROADWAY	— — — — —	PROPOSED DRYWELL
— — — — —	PROPOSED CURB LINE	— — — — —	PROPOSED CATCH BASIN
— — — — —	PROPOSED SANITARY SEWER	— — — — —	PROPOSED INLET PROTECTION
— — — — —	PROPOSED GAS LINE	— — — — —	PROPOSED TOP/BOTTOM CURB
— — — — —	PROPOSED UTILITY LINE	— — — — —	PROPOSED ASPHALT PAVING

Note:
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IT'S THE LAW!
Call three days before you dig!
1-800-962-7962
Dig Safely New York
(non-members must be contacted separately)

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Rev.	Date	Revision Description
1		

It is a Violation of The New York Education Law, Article 145 Section 7209, For Any Person, Unless He is Acting Under The Direction Of A Licensed Professional Engineer Or Land Surveyor To Alter An Item In Any Way, If An Item Bearing The Seal Of An Engineer Or Land Surveyor is Altered, The Altering Engineer Or Land Surveyor Shall Affix To The Item His Seal And The Notation "Altered By" Followed By His Signature And The Date. Of Such Alteration, And A Specific Description Of The Alteration.

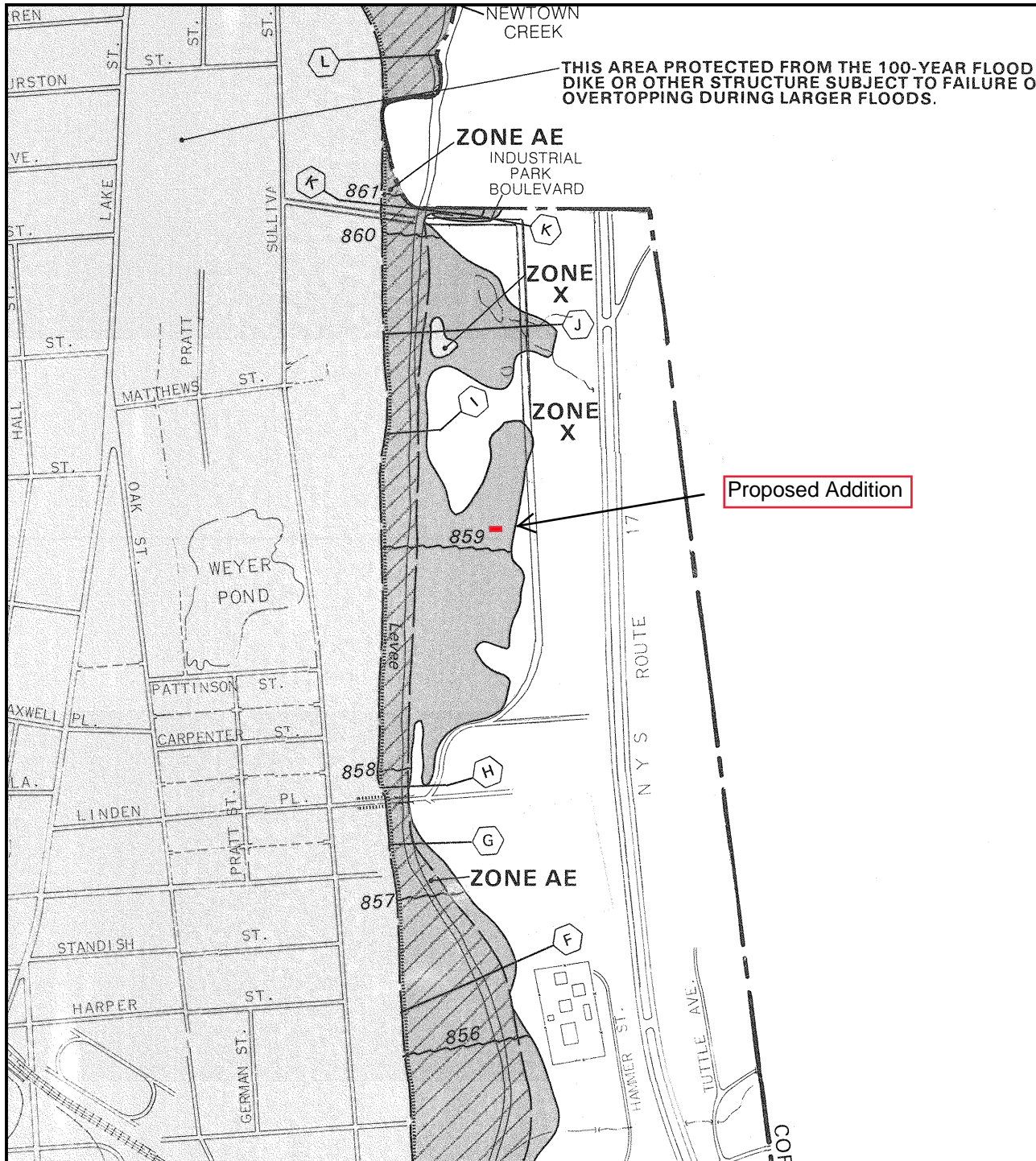
SEAL

**PROPOSED ADDITION FOR
KENWORTH NORTHEAST GROUP,
INCORPORATED**
43 INDUSTRIAL PARK BOULEVARD ELMIRA, NEW YORK

**FAGAN
ENGINEERS
& LAND SURVEYORS PC**
113 East Chemung Place
Elmira N.Y. 14904
Phone (607) 734-2165
Fax (607) 734-2169
www.FaganEngineers.com

Scale: 1" = 20'
11x17 Prints are 1/2 Size
Date: August, 2019
Design By: -
Drawn By: CEL
Checked By: KMS
Project No.: 2019.064
Drawing Name: 19064-a.dwg

GRADING PLAN
C3



APPROXIMATE SCALE

800 0 800 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM **FLOOD INSURANCE RATE MAP**

CITY OF
ELMIRA, NEW YORK
CHEMUNG COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER

360150 0005 C

MAP REVISED:

APRIL 2, 1997



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Chemung County Planning Board

Chemung County Commerce Center
400 East Church Street
P.O. Box 588
Elmira, New York 14902-0588

(607) 737-5510

www.chemungcountyny.gov
planning@co.chemung.ny.us

Referral Number

For office use only

Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality: ☐ City ☒ Town ☐ Village of ELMIRA

Referring Official: ERIC CRANDALL Title: CODE ENFORCEMENT OFFICER

Address: 1255 W. WATER ST ELMIRA, NY 14905

Phone Number: (607) 734-3608 E-mail: CODEOFFICER@TOWNOFELMIRA.COM

Referring Board (check appropriate box): ☐ Legislative Board ☐ ZBA ☒ Planning Board

Petitioner(s): Barbara Hartman Phone: (607) 731-4049

Petitioner's Mailing Address: 81 ROLLING ACRES RD PINE CITY, NY 14871 E-mail: _____

Location of Property: VACANT LAND BETWEEN BOWLBY AND JERUSALEM HILL RD

Tax Map Parcel Number(s): 90.00-1-47

Current Zoning District: AGRICULTURAL/RESIDENTIAL

Proposed Action: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Area Variance | <input checked="" type="checkbox"/> Subdivision Review |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input type="checkbox"/> Moratorium |
| <input type="checkbox"/> Other (please specify): _____ | |

Description of the proposed action (attach detailed narrative if available):

SUBDIVIDE THE LAND INTO SEVEN (7) SEPARATE PARCELS LETTERED A-G WITH A 50 FOOT WIDE RIGHT-OF-WAY OVER THE WESTERLY FIFTY FEET OF THE PARCEL FOR ACCESS TO PARCEL G FROM JERUSALEM HILL RD OVER PARCELS E AND F.

The proposed action applies to real property within five hundred feet (500') of the following

(Please identify each item by filling in the appropriate blank after each item)

☐ (a) Boundary of the (City), (Village) or (Town) of: _____

☐ (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): _____

☒ (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): COUNTY ROUTE 1 (JERUSALEM HILL RD)

☐ (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: _____

☐ (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: _____

☐ (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances: _____)

Hearings/Meetings Schedule

Board	Public Hearing Date	Meeting Dates (prior and future)		
Town Board/Village Board of Trustees				
Zoning Board of Appeals				
Planning Board/Planning Commission	09/09/2019	8/5/19	9/9/19	10/7/19
City Council				

Action taken on this application (reviewed, approved, discussed, etc.) APPROVED PRELIMINARY PLAT

"Full Statement" Checklist

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

For All Actions:

- _____ Chemung County Planning Board – Municipal Referral Form
- _____ All application materials required by local law/ordinance to be considered a "complete application" at the local level (PDF preferred).
- _____ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- _____ Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- _____ Municipal board meeting minutes on the proposed action (PDF preferred).

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

- _____ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- _____ Zoning Map
- _____ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.

Town of Elmira

1255 W. Water Street

Elmira, New York 14905

Office of Code Enforcement: (607) 734-3608, Fax: (607) 734-4089, e-mail: codeofficer@townofelmira.com

RECEIVED

JUL 19 2019

Town of Elmira
Code Enforcement

SUBDIVISION APPLICATION

Date 07/19/2019

Property Zone: ARA

Tax Map number 90.00-1-47

Property Owner Name BARBARA J. HARTMAN

Address 81 ROLLING ACRES RD PINE CITY, NY 14871

Contact Numbers: phone 732-6268 cell 731-4049 fax _____
e-mail _____

Applicant's Name BARBARA J. HARTMAN

Address BOWLBY RD

General location of property 163.70 ACRES WEST OF BOWLBY RD

Subdivision Name: HARTMAN MAJOR SUBDIVISION

Existing Number of Parcels: 1 Proposed Number of Parcels: 7 For Residential Use? Y

Fee paid by BARB HARTMAN Amount \$75.00 Received by ERIC

Survey Date: _____ Job No.: _____

Project Narrative: See attached

All applications shall be completely filled out and be submitted to this office ten (10) working days before the first Monday of the month to be on the following Months Agenda.

NO EXCEPTIONS

Planning Board meeting date: AUGUST 5 2019 7:00 P.M.

Zoning Board meeting date: _____ 2019 7:00 P.M.

Applicant Signature Barbara J. Hartman Date 7/19/19

RECEIVED

JUL 19 2019

Town of Elmira
Code Enforcement

AGREEMENT

This Agreement made the 12th day of July, 2019, by and between Ronald G. Hartman, residing at 408 Demarest Parkway, Elmira, NY 14905 and Barbara Jean Hartman, residing at 81 Rolling Acres Road, Pine City, NY 14871,

WHEREAS, Ronald G. Hartman and Barbara Jean Hartman retained Weiler Associates to survey a 162.626 acre parcel of land, west of Bowlby Road, into seven (7) separate parcels of land; and

WHEREAS, Weiler Associates produced a revised map dated May 2, 2019 dividing said parcel of land, west of Bowlby Road, into seven (7) parcels lettered A-G; and

WHEREAS, Weiler Associates produced a revised map dated May 2, 2019 dividing a 16.433 acre parcel of land, east of Bowlby Road, into three (3) parcels of land lettered A-C; and

WHEREAS, the parties hereto have agreed to a division of the seven (7) parcels, west of Bowlby Road, between them as follows:

Parcel A will be divided to the parties hereto as tenants in common each to own an undivided one-half (1/2) interest in the parcel; and

Parcel B will be deeded to Ronald G. Hartman; and

Parcel C will be deeded to Barbara Jean Hartman; and

Parcel D will be deeded to Barbara Jean Hartman; and

Parcel E will be deeded to the parties hereto as tenants in common subject to a fifty (50) foot wide right-of-way over the westerly fifty (50) feet of the parcel for access from Jerusalem Hill Road to Parcels F and G with the understanding that the parcel will be offered for sale for not less than Fifty Thousand Dollars (\$50,000.00) with a portion of the proceeds of the sale to be paid to First Citizens Bank to satisfy an indebtedness of Ronald G. Hartman to said bank with the balance of the net proceeds to be paid to Weiler Associates to apply to the invoice for the aforementioned survey; and

Parcel F will be deeded to the parties hereto as tenants in common subject to a fifty (50) foot right-of-way over the westerly fifty (50) feet of the parcel for access to parcel G from Jerusalem Hill Road over parcels E and F, with each party to own an undivided one-half (1/2) interest in the parcel; and

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JUL 19 2019

Town of Elmira
Code Enforcement

Parcel G will be decded to the parties hereto as tenants in common each to own an undivided one-half (1/2) interest in the parcel.

WHEREAS, the parties hereto have agreed to a division of the three (3) parcels of land, east of Bowlby Road, Parcel A being a five (5) acre parcel, as shown on a survey of the lands east of Bowlby Road between them as follows:

Parcel A, the sole remaining parcel, will be decded to Barbara Jean Hartman.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 15th day of July, 2019.


RONALD G. HARTMAN


BARBARA JEAN HARTMAN

STATE OF NEW YORK)

: ss.

COUNTY OF CHEMUNG)

On the 15th day of July in the year 2019, before me, the undersigned, a notary public in and for said state, personally came **RONALD G. HARTMAN** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.


Notary Public

Tammy L Stein
Notary Public, State of New York
NO: 01576315975
Qualified in Chemung County
Commission Expires December 08, 2023





Short Environmental Assessment Form
Part 1 - Project Information

RECEIVED

AUG 14 2019

Town of Elmira
Code Enforcement

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I – Project and Sponsor Information

Name of Action or Project:

Hartman Subdivision

Project Location (describe, and attach a location map):

162.626 acres west of Bowby Rd and along Jerusalem Hill Rd

Brief Description of Proposed Action:

Subdivide the land into 7 separate parcels lettered A-G with a 50 foot wide right-of-way over the westerly fifty feet of the parcel for access to parcel G from Jerusalem Hill Rd over parcels E and F.

Name of Applicant or Sponsor:

Barbara J. Hartman

Telephone: 607-732-6268

E-Mail:

Address:

81 Rolling Acres Rd

City/PO:

Pine City

State:

NY

Zip Code:

14871

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?

NO

YES

If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

☒

☐

2. Does the proposed action require a permit, approval or funding from any other government Agency?

NO

YES

If Yes, list agency(s) name and permit or approval: Town of Elmira Planning Board

☐

☒

3. a. Total acreage of the site of the proposed action?

162.626 acres

b. Total acreage to be physically disturbed?

0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

162.626 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)

☐ Forest ☒ Agriculture

☐ Aquatic ☐ Other(Specify):

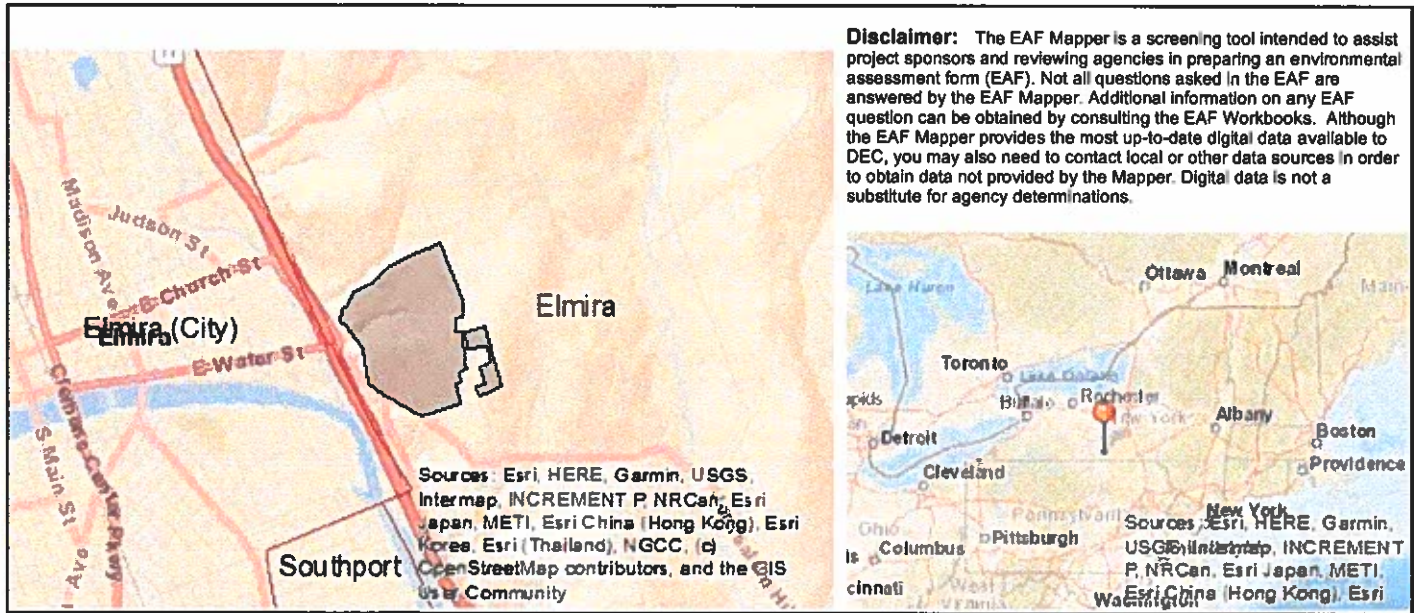
☐ Parkland

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

PRINT FORM

EAF Mapper Summary Report

Wednesday, September 11, 2019 1:55 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Green Floater
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

Project: Hartman Subdiv
 Date: 9/9/2019

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Town of Elmira, New York
Planning Board**

Meeting – August 5, 2019 7:00 pm EDT

D R A F T M I N U T E S

PRESENT: Chairman Mark Miles

Members: Paul DiPietro
Nick Kapnolas
Ron McConnell

ABSENT: J. Walter Booth
James Carozza
Joe Janeski

ALSO PRESENT: Scott Moore, Town Attorney
Eric Crandall, Code Enforcement Officer
Chip LeValley, Recording Secretary

Chairman Miles opens the meeting at 7:00 pm and asks members if there are any additions or corrections to the minutes of the July 1, 2019 meeting. Hearing none he asks for a motion to approve the minutes.

MOTION by Ron McConnell to approve the minutes of the July 1, 2019 Planning Board meeting.

Second by Paul DiPietro

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

AGENDA ITEM: SCHENONE Sub Division

Chairman Miles introduces Roger Schenone, owner of property at 334 Crane Road which is being subdivided and asks him to explain his application for subdivision.

Mr. Schenone explains that he and his wife desire to separate the boarding kennel business portion of his lot for liability purposes and that the new parcel would be owned by a limited liability corporation in the future. He notes that his property is functionally contiguous however the while the boarding kennels are in the Town of Elmira his residence is in the Town of Horseheads. The town line runs east-west across his property approximately 140 feet north of the kennel building and approximately 50 feet south of his residence.

T O W N O F E L M I R A • P L A N N I N G B O A R D

Nick Kapnolas asks how long the kennel has been in operation and if there have been any problems. Mr. Schenone replies twenty years and no problems; the separation of the kennel business is simply to facilitate the formation of a LLC.

Scott Moore asks Mr. Schenone to clarify the location of the buildings and fences as depicted on the survey and then asks the Code Officer what the building setback requirements are in this case. Mr. Crandall replies that the setbacks for front, side and rear are 80 feet.

Chairman Miles remarks that the way the lot lines are drawn on the survey provided with the subdivision application would be non-conforming to the Density and Bulk Control Schedule of the Town of Elmira. Chairman Miles asks Mr. Schenone if he would like to redraw the survey or ask for an Area Variance from the Zoning Board of Appeals. Mr. Schenone agrees with Chairman Miles and the Code Officer that an application should be made to the ZBA for the variances necessary and then the subdivision may be considered.

MOTION by Nick Kapnolas to refer the Schenone application to the Zoning Board of Appeals for Area Variances on the proposed five acre lot to be subdivided.

Second by Ron McConnell

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

AGENDA ITEM: HARTMAN Sub Division

Chairman Miles introduces Barbara Hartman who is appearing before the board requesting a major Subdivision of a 162 acre lot, bordered by Bowlby Road and Jerusalem Hill Road, into seven lots of various size, all five acres or greater. Chairman Miles asks Mrs. Hartman to explain the subdivision and she refers the board members to the Agreement between Ronald G. Hartman and herself that is attached to the subdivision application which provides details of ownership of each lot. Additionally the agreement provides for a fifty foot wide right-of-way from Jerusalem Hill Road to allow access to parcels identified as "F" and "G."

Nick Kapnolas asks Mrs. Hartman to confirm that on page two of the agreement, the reference to "a division of three (3) parcels of land, east of Bowlby Road" is the subdivision that was before the board on July 1, 2019. Mrs. Hartman confirms that is correct.

Chairman Miles expresses concern about the location of the fifty foot right-of-way access from Jerusalem Hill Road due to the topography of the land at that point. He feels that the land is too steep to allow for serviceable entrance and exit especially for emergency vehicles that may need to traverse the right-of-way to parcels "F" and "G." Mrs. Hartman explains that the lay of the land at that point is quite level and the transition from Jerusalem Hill Road is well within normal limits.

Discussion follows concerning the right-of-way access to parcels, should they become developed, because of the steepness of the land. There is general agreement that the right-of-way, as depicted on the survey, crosses parcel "E" and "F" in a perpendicular to slope, north-south

T O W N O F E L M I R A • P L A N N I N G B O A R D

direction and although it is not depicted on the separate topographic plat provided, is nearly level along its approximate 800 foot length.

Chairman Miles wonders if the stream depicted is active and subject to State Environmental Quality Review consideration. Mrs. Hartman and Ron McConnell both state that it is dry and inactive except for occasional snow melt runoff some years.

Chairman Miles asks if there are any other questions of the applicant and if not he would entertain a motion to consider the application as the Final Plat and schedule a public hearing.

MOTION by Ron McConnell to approve the Hartman Major Subdivision application as the Final Plat and set a public hearing on September 9, 2019.

Second by Nick Kapnolas

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

AGENDA ITEM: SCHOOL OF GOOD WORKS (SoGW) Site Plan Application

Chairman Miles reviews the application process up to this point and indicates that in response to some Planning Board questions Mr. Works is presenting an addendum to the Site Plan this evening. Mr. Works explains that the additional material before the board members contains a parking plan including night illumination.

Ron McConnell asks about the construction material of the parking lot and Mr. Works says that it will be compacted gravel. Paul DiPietro asks about the lighting for the parking lot and if there will be fencing to block light from the neighbor on Hendy Avenue. Mr. Works replies that the neighbor has already erected a privacy fence because of his swimming pool. Scott Moore asks the Code Officer if there is a height requirement for parking lot lights and Code Officer Eric Crandall replies that there is not. Paul DiPietro asks if the lights will be activated by timers and Mr. Works says that they are planned to be activated by motion detectors but that he is willing to have activation be anything the board would like.

Chairman Miles asks how far the parking lot is from the building and Mr. Works believes it is about 150 feet. The West Elmira Fire Department Chief, John von Hagn is present and says that he has measured the distance as 110 feet. Chairman Miles asks Chief von Hagn if the gravel parking lot construction will be adequate to support a fire truck. Chief von Hagn replies that he believes that as planned, it would not support a heavy truck when the gravel is wet or snow covered. Mr. Works said that he is willing to construct the lot, including illumination, to any specification that the board requires.

Chairman Miles, Mr. Works and the Code Enforcement Officer discuss the anticipated occupancy during the different instructional sessions as well as occupancy of the chapel area. In conclusion, it is understood by all that prior to the issuance of a Certificate of Occupancy the

T O W N O F E L M I R A • P L A N N I N G B O A R D

Code Enforcement Officer will determine the specific number of occupants based on the final orientation and usage of the floor space within the walls of the complex as a whole.

Chairman Miles asks the members if they have any other questions for the applicant before considering the site plan as a complete Preliminary Site Plan. There were no further questions.

Chairman Miles remarks that the Site Plan must be referred to the Chemung County Planning Board for review and asks for a motion to that effect.

MOTION by Paul DiPietro to refer the Site Plan Application by the School of Good Works to the county Planning Board for review.

Second by Ron McConnell

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

Chairman Miles then asks for a motion to set a public hearing for the Preliminary Site Plan.

MOTION by Ron McConnell to set September 9, 2019 at 7:00 pm for the public hearing for the School of Good Works Site Plan application.

Second by Paul DiPietro

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

Chairman Miles asks the persons in attendance if there are any comments they may wish to make to the board. No comments were made.

Paul DiPietro asks the board and in particular the Code Enforcement Officer if the town has ordinances regulating the erection and operation of electronic signs/billboards. He cites the billboard in the city of Elmira that is being erected at the corner of East Water Street and Madison Avenue which he feels may be electronic in nature. Attorney Moore remarks that section 217.65 of the Code of the Town of Elmira governs signage in the town and does prohibit such billboards.

Chairman Miles asks for a motion to adjourn.

MOTION by Ron McConnell to adjourn.

Second by Nick Kapnolas

Ayes: DiPietro, Kapnolas, McConnell and Miles.

Nays: none

The meeting ended at 8:00 pm EDT

#

**Town of Elmira, New York
Planning Board**

Meeting – September 9, 2019 7:00 pm EDT

DRAFT MINUTES

PRESENT: Chairman Mark Miles

Members: Paul DiPietro
Nick Kapnolas
Ron McConnell
J. Walter Booth
Joe Janeski

ABSENT: James Carozza

ALSO PRESENT: Scott Moore, Town Attorney
Eric Crandall, Code Enforcement Officer
Chip LeValley, Recording Secretary

PUBLIC HEARING – Hartman Subdivision Application

Chairman Miles opens the public hearing for the Hartman Subdivision at 7:00 pm and asks Mrs. Hartman to briefly explain the details of the proposed subdivision.

Mrs. Hartman explains that she desires to subdivide a 162 acre lot she owns situated between Bowlby road and Jerusalem Hill Road into seven parcels. Chairman Miles confirms that the Code Officer received the Affidavit of Mailing of the Public Notice from Mrs. Hartman and that there was Notice published in the local newspaper.

Chairman Miles asks persons present if there are any comments in favor of the proposed subdivision. There are none.

Chairman Miles asks persons present if there are any comments against the proposed subdivision. There are none. Chairman Miles then asks for a motion to close the public hearing.

MOTION by Ron McConnell to close the Hartman Subdivision public hearing at 7:04 pm.

Second by Nick Kapnolas

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

PUBLIC HEARING – School of Good Works

Chairman Miles then opens the public hearing for the School of Good Works at 7:05 pm and explains the steps in the approval process that this Site Plan has gone through and that this public hearing is the final step before debate on the Site Plan. Chairman Miles confirms with the Code Officer that there is an Affidavit of Mailing from Mr. Works and that there has been notice published in the local newspaper. Chairman Miles asks Joe Works to comment and Mr. Works remarks that he desires to use the facilities at 1310 W. Church Street to conduct religious church services, a place for youth activities twice per year, and five weekend bible study retreats per year.

Chairman Miles asks the persons present if there are any comments in favor of the proposed Site Plan. There are none.

Chairman Miles asks if there are any persons wishing to speak in opposition to the proposed Site Plan.

Mr. Joe Coletta of 408 Hendy Avenue states that he has a concern about the impervious parking lot that is to be built at the rear of the building Mr. Works plans to use. Mr. Coletta remarks that everybody along Henday Avenue has water issues and that the parking lot will “exacerbate” the situation by causing more water to roll down the hill and into front yards. Additionally the presence of a parking lot, and the entrance to it off Hendy Avenue, will increase the auto traffic beyond what it is now.

Mimi Petrillose of 1499 W. Church Street comments that she lives across the street from the property in question and that it is not uncommon to have flooding along Church Street and her concern is that any additional water from Hendy Avenue will make the roadway flooding that much worse, so she too is concerned with the water treatment on the new parking lot.

Cathy Wilber of 359 Arcadia Avenue remarks that her property suffers from ground water issues and that she is concerned that any addition to the stormwater in the neighborhood will only make the ground water issues worse, so she urges caution when addressing the parking lot stormwater runoff.

Chairman Miles asks if there are any other persons wishing to comment and hearing none asks for a motion to close the public hearing.

MOTION by Walter Booth to close the School of Good Works public hearing at 7:10 pm.

Second by Ron McConnell

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

TOWN OF ELMIRA • PLANNING BOARD

Chairman Miles opens the regular Planning Board meeting and asks members if they have any changes or comments to the minutes of the August 5, 2019 meeting, and if none a motion to approve.

MOTION by Ron McConnell to approve the minutes of the August 5, 2019 Planning Board meeting.

Second by Nick Kapnolas

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

AGENDA ITEM – SCHENONE Sub Division Zoning Board of Appeals Referral

Chairman Miles remarks that in the packet for this month's meeting are the minutes of the August 27, 2019 ZBA meeting where the board members accepted the configuration plat of the parcel to be subdivided and have set a public hearing for the area variance. The ZBA is required to refer the variance to the Planning Board for recommendation. Chairman Miles asks the members for such a recommendation.

MOTION by Ron McConnell to return the referral with a recommendation to approval the Schenone Subdivision area variance.

Second by Paul DiPietro

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

AGENDA ITEM – HARTMAN Sub Division Application

Chairman Miles reminds members that prior to debate the State Environmental Quality Review (SEQR) Part Two must be conducted and that he will read aloud the questions found in that section. Chairman Miles then reads all eleven questions and the members responded to each with a "No" and there was no discussion on any question.

MOTION by Joe Janeski to make a Negative Declaration to the Hartman Subdivision State Environmental Quality Review.

Second by Walter Booth

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

MOTION by Ron McConnell to accept the Hartman Subdivision State Environmental Quality Review.

Second by Nick Kapnolas

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

MOTION by Paul DiPietro to refer the Hartman subdivision application to the Chemung County Planning board per provisions of General Municipal Law section 239-m 3(b)(iii) because it is within 500 feet of County Route #1.

Second by Ron McConnell

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

AGENDA ITEM – School of Good Works Site Plan Application

Ron McConnell asks Code Officer Eric Crandall if the road into the parking lot will meet the code requirements to carry the weight of a fire truck and Mr. Crandall replies that to get a Certificate of Occupancy to road must be constructed to code.

Paul DiPietro asks Eric Crandall about question number seventeen of Part One of the SEQR regarding water runoff. Mr. Crandall says that the “Yes” response is due to the creation of impervious surface stormwater runoff however the footnote for question seventeen says that the runoff will be directed to existing drainage along Henday Avenue.

Chairman Miles reminds members that prior to debate the State Environmental Quality Review (SEQR) Part Two must be conducted and that he will read aloud the questions found in that section. Chairman Miles then reads all eleven questions and the members responded to each with a “No.” Members agreed that question ten would be addressed by the footnote of question seventeen of Part One of the SEQR.

MOTION by Ron McConnell to make a Negative Declaration to Part Two of the School of Good Works State Environmental Quality Review.

Second by Walter Booth

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

MOTION by Walter Booth to accept the School of Good Works State Environmental Quality Review.

Second by Paul DiPietro

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

Code Officer Eric Crandall mentions to Chairman Miles that the Chemung County Planning Board, at its August 22, 2019 meeting, returned the Site Plan referral with the recommendation to approve the Site Plan Application of the School of Good Works.

Chairman Miles asks the members for a motion on the Site Plan for the School of Good Works.

MOTION by Ron McConnell to approve the Site Plan Application to the School of Good Works at 1310 W. Church Street, conditioned by the Code Officer ensuring that the additional parking and the stormwater drainage therefrom is constructed as directed by the town Highway Superintendent, and that the pavement therein is structurally able to support firefighting apparatus.

Second by Paul DiPietro

Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

Chairman Miles asks the persons in attendance if there are any comments they may wish to make to the board on non-agenda items.

Cathy Wilber of 359 Arcadia Avenue remarks that her family has lived at that property since 1936 and that it has always suffered from ground water and she hopes that any additional construction nearby will not make the condition worse

Mimi Petrillose, owner of 915 Bowman Road, mentions that the stormwater condition at the southeast corner of Cornell and Bowman Roads is getting worse and is draining poorly and she would appreciate having the town Highway Department review the problem. Chairman Miles replies that he will contact Matt Mustico however Mrs. Petrillose thanks Mr. Miles and says that she will make the contact.

Chairman Miles hearing no other comments then asks for a motion to adjourn.

MOTION by Walter Booth to adjourn the meeting.

Second by Ron McConnell

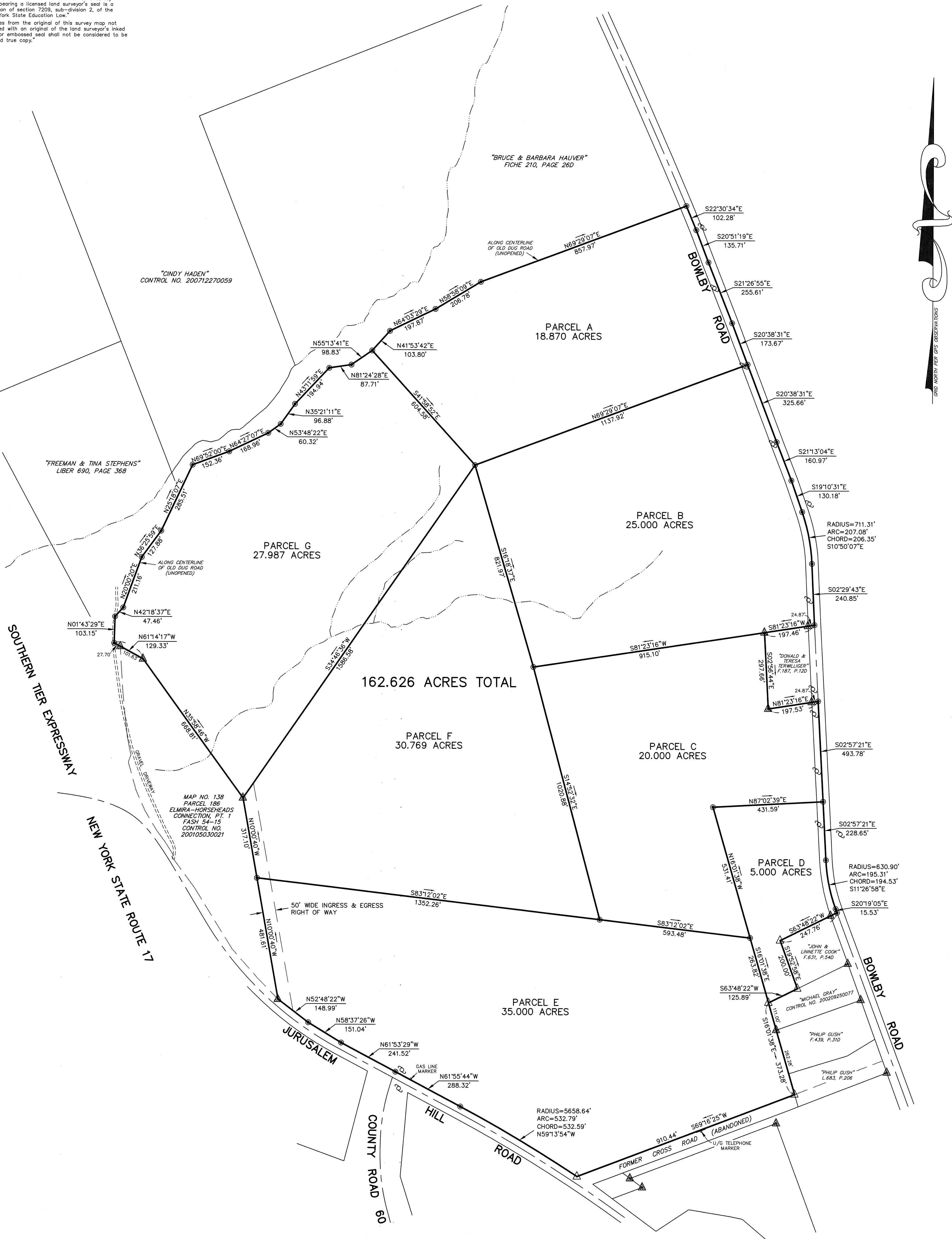
Ayes: Booth, DiPietro, Kapnolas, Janeski, McConnell, Miles.

Nays: none

The meeting ended at 7:36 pm EDT.







#

"Copies from the original of this survey map not marked with an original of the land surveyor's inked seal or embossed seal shall not be considered to be a valid true copy."

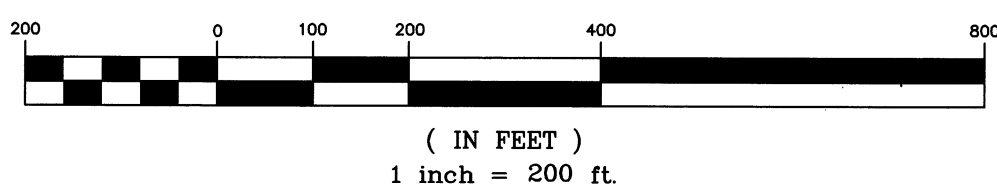


DRAIN NORTH PER CPS OBSERVATIONS

LEGEND

-  IRON PIN SET
 IRON PIN FOUND
 COMPUTED POINT
 POLE
 CENTERLINE
 APPROXIMATE STREAM LOCATION

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

REFERENCE DEEDS: CONTROL NO. 200806190103 - "RONALD G. HARTMAN &
RICHARD L. HARTMAN (DECEASED)
INSTRUMENT NO. 201704538 - "BARBARA JEAN HARTMAN"

SUBDIVISION PLANNING	WEILER ASSOCIATES LICENSED LAND SURVEYORS 206 GARDNER ROAD HORSEHEAD, N.Y. 14845 607-739-4476	SURVEYING & MAPPING
DIVISION OF PART OF LANDS OF RONALD G. HARTMAN & BARBARA JEAN HARTMAN		
TOWN OF ELMIRA		CHEMUNG COUNTY
NEW YORK		
DRAWN BY A.J.G.	SCALE: 1" = 100'	REVISED:
CHECKED BY W.E.B.	DATE: JUNE 15, 2019	REVISED:
		JOB NO. 16245

I hereby certify that this is a true and accurate survey, prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors.



Chemung County Planning Board

Chemung County Commerce Center
400 East Church Street
P.O. Box 588
Elmira, New York 14902-0588

(607) 737-5510

www.chemungcountyny.gov

planning@co.chemung.ny.us

Referral Number

For office use only

Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality: ☐ City ☒ Town ☐ Village of Chemung

Referring Official: Latasha Conklin Title: Town Clerk

Address: 48 Rotary Rd + Chemung, NY 14825

Phone Number: 607 529 3532 x2 E-mail: TownClerk@townofchemung.com

Referring Board (check appropriate box): ☒ Legislative Board ☐ ZBA ☐ Planning Board

Petitioner(s): Town of Chemung Phone: 607 529 3532

Petitioner's Mailing Address: same E-mail: same

Location of Property: _____

Tax Map Parcel Number(s): _____

Current Zoning District: _____

Proposed Action: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Area Variance | <input checked="" type="checkbox"/> Subdivision Review |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input type="checkbox"/> Moratorium |
| <input type="checkbox"/> Other (please specify): _____ | |

Description of the proposed action (attach detailed narrative if available):

See attached

The proposed action applies to real property within five hundred feet (500') of the following

(Please identify each item by filling in the appropriate blank after each item)

- ☐ (a) Boundary of the (City), (Village) or (Town) of: _____
- ☐ (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): _____
- ☐ (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): _____
- ☐ (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: _____
- ☐ (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: _____
- ☐ (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances: _____

Hearings/Meetings Schedule

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees	10-9-19	9-11-19
Zoning Board of Appeals		
Planning Board/Planning Commission		TBD before 10-9
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) _____

"Full Statement" Checklist

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

For All Actions:

- _____ Chemung County Planning Board – Municipal Referral Form
- _____ All application materials required by local law/ordinance to be considered a "complete application" at the local level (PDF preferred).
- _____ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- _____ Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- _____ Municipal board meeting minutes on the proposed action (PDF preferred).

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

- _____ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- _____ Zoning Map
- _____ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.

ARTICLE VI: SUPPLEMENTARY DISTRICT REGULATIONS

Section 17. Subdivision of Land.

1. This section shall apply to all districts within the Town.
2. Any alterations to existing lot boundaries or any division of lands that result in the creation of a new lot must conform to all regulations of the district in which the land/parcel is located as set forth in the Town zoning ordinance. The development of any such land must comply with all sewer, septic, and SEQRA (State Environmental Quality Review Act) requirements.
3. Failure to comply with this section will be considered a lack of due diligence on the part of any property owner that may create or cause to create an improper division of lands resulting in the creation of a new lot. Additionally, it will be considered a lack of due diligence on the part of any individual acquiring such non-conforming parcel. Any such lack of due diligence may be deemed a self-created hardship that may disqualify the nonconforming parcel for any building permits and use and/or area variances.

ARTICLE XII: ZONING BOARD OF APPEALS

Section 2. Variances.

The zoning board of appeals, on an appeal from a decision or determination of the code enforcement officer shall have the power to grant area and use variances as defined herein.

- a. Use Variance – No use variance shall be granted by the Board of Appeals without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such a necessary hardship, the applicant must demonstrate to the Board of Appeals that the current permitted use under the zoning regulations for the particular district where the property is located:
 - (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
 - (2) the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;
 - (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
 - (4) the alleged hardship has not been self-created.

The Board of Appeals, in granting use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

- b. Area Variance – In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted as weighted against the detriment to the health, safety, and welfare of the neighborhood and community. In making such determination, the Board shall consider:
 - (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (2) whether the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 - (3) whether the requested area variance is substantial;
 - (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 - (5) whether the alleged difficulty was self-created. (Such consideration shall be relevant to the decision but shall not necessarily preclude the granting of the area variance.)

The Board of Appeals, in granting the area variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

- c. Conditions – The Board of Appeals shall, in granting both use and area variances, have the authority to impose reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.