



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD MEETING MINUTES

Monday, June 6, 2016
Regular Meeting

Minutes of a regular meeting of the Town of Southport Planning Board held at the Town Hall, 1139 Pennsylvania Avenue, Elmira, New York on Monday, June 6, 2016 at 7:00 p.m.

Board Members Present: Larry Berman
Jacquelyn French
John Hastings, Alternate Board Member
Linda Olthof
Chris Parsons
Michael Stephens, Chairman
Stephens
Tim Steed, Vice Chairman

Board Members Absent: Linda Taft

Others Present: Steven Barnstead, Town Attorney
Peter Rocchi, Code Enforcement Officer
Michelle Murray, Secretary

Chairman Stephens called the meeting to order at 7:00 p.m. He asked if the Board Members had any comments, questions, concerns or corrections about the May 2, 2016 minutes. Hearing no comments, the Board accepted the minutes as presented.

Public Hearing – Site plan of Leon Tuttle to construct an addition on existing building located at 2147 South Broadway, Pine City, NY
Tax map #109.00-1-11
Zoned Industrial (I)

Attorney Barnstead noted that the publication was in order. He read the legal notice of public hearing that appeared in the Star-Gazette. He then opened the public hearing for comment.

No one wished to be heard. The Attorney then closed the public portion of the meeting at 7:04 p.m. and turned it over to the Planning Board.

Leon Tuttle explained to the Board that the U-Haul trailers would be placed 50 feet or more out of the right-of-way and signage would be to code. Vice Chairman Steed talked about the storm water review which is required if more than an acre of land is disturbed over a three year period. The Board would like a summary of the construction for the past three years from Code Enforcement.

After no further discussion, Board Member French made a motion to approve the site plan as presented. The SEQR application was declared an unlisted action with negative declaration. Board Member Berman seconded the motion. Discussion on the motion was that a storm water review would be done if more than an acre of land was disturbed in the past three years.

Resolution No. 001-2016 PB

**SITE PLAN GRANTED TO LEON TUTTLE TO CONSTRUCT AN ADDITION ON EXISTING BUILDING LOCATED AT 2147 SOUTH BROADWAY, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK
TAX MAP #109.00-1-11 ZONED INDUSTRIAL (I)**

Resolution by: French
Seconded by: Berman

WHEREAS, the Code Enforcement Officer of the Town of Southport received a Site Plan from Leon Tuttle to construct an addition on existing building located at 2147 South Broadway, Town of Southport, County of Chemung, State of New York, tax map #109.00-1-11 zoned Industrial (I); and

WHEREAS, the applicant was referred to the Town of Southport Planning Board pursuant to the Town of Southport Municipal Code; and

WHEREAS, it was determined that this was an Unlisted Action and will not have a potentially significant effect on the environment; and

WHEREAS, the Town of Southport Planning Board conducted a public hearing on June 6, 2016 at 7:00 p.m., or as soon thereafter, and after due posting and publication of the same was made, was in compliance with the Town of Southport Municipal Code; and

WHEREAS, at that public hearing, any and all individuals wishing to be heard were then and there given the opportunity to do so, and after due deliberation, investigation and consideration it is

RESOLVED, that the Town of Southport Planning Board hereby grants approval to the site plan presented by Leon Tuttle to construct a 16 foot by 24 foot addition on existing building located at 2147 South Broadway, Town of Southport, County of Chemung, State of New York, tax map #109.00-1-11 zoned Industrial (I) with the following condition:

1. If more than one acre of land is disturbed over a three year period then a storm water review shall be conducted.

AYES: Berman, French, Hastings, Olthof, Parsons, Steed, Stephens
ABSENT: Taft
NOES: None
MOTION CARRIED.

Next on the agenda was review of the site plan application of City Loft Corporation to develop the property located at 550 Spruce Street. Anwar Sharhan, representative of Hathshire and Deutsche and City Loft Corporation, and Oleg Gavrillov, representative of ACV Architecture, presented the site plan as a mixed-use facility with residential and retail space. The fun factory hut would have entrepreneur and technology incubators that house entrepreneurs and have office space. The building would have a roof-top gymnasium and retail supermarket. It would have solar and wind generated energy components. The preliminary plan shows there would be 16 dormitories to house 196 entrepreneurs and 40 staff. The basement would have a lap pool. The main floor would have a theatre for media laboratory, offices and a barbering school. The second floor would be the living pods. The roof would be used for the gymnasium.

Peter Rocchi, Code Enforcement Officer, explained that the property was zoned Residential 2 (R2) and would require a use variance to operate as the proposed use. Vice Chairman Steed discussed the option of the applicant requesting a zoning change verses a use variance. He also discussed City Loft providing a traffic pattern study on the final site plans and that the building height would also require an area variance.

Mr. Sharhan asked if an apartment building with 50 apartments instead of the mixed-use development would be a better fit. The Board asked the applicant to firm-up the information and tabled the discussion on the site plan. Mr. Gavrillov would like the project approved this year.

Chairman Stephens asked the members of the community that were in attendance if they had any comments. Charles Collins of Kinner Hill, Pine City commented on the asbestos in the building and its removal and rezoning the area. Hearing no other comments Chairman Stephens tabled the discussion for further information and variance approvals.

Next on the agenda was review of site plan application of Mary Pedano to operate an antique, craft and collectible shop located at 1019 Pennsylvania Avenue, Elmira, New York. Ms. Pedano explained her plan was to be open Tuesday through Sunday with outside rummage sales on weekends. There are 11 parking spaces. Vendors would rent space in the building. Code Enforcement was concerned with the parking and outside sales. Town Code requires five acres of land to operate a flea market on. The Board explained that the use of other lots for parking could not be part of the allowed parking calculation. Ms. Pedano decided not to proceed with the outside vending sales at this time.

There were no other comments from the Board. Chairman Stephens set a public hearing for Tuesday, July 5, 2016 at 7:00 p.m. or as soon thereafter as it can be heard.

Next on the agenda was the tabled referral from the Town Board to review the rental housing registration, bond and properties in foreclosure ordinance adopted by Town of Elmira. The Board discussed that a local person responsible should have to sign the registration. Code Officer did not think that the ordinance would solve the problem of abandoned properties. Attorney Barnstead explained that the City of Elmira has an ordinance that does not have any impact on the situation.

Chairman Stephens made a recommendation that the Town Board does not implement such ordinance; Board Member Olthof seconded the recommendation. No further discussion on the motion.

AYES: Berman, French, Hastings, Olthof, Parsons, Steed, Stephens
ABSENT: Taft
NOES: None
MOTION CARRIED.

Next the Board discussed putting a timeline on site plan approvals. Other permits required for business operation is already on the site plan application. Proper business license from the State is not the Planning Board's responsibility the applicant is responsible to obtain all necessary operating licenses.

The Board talked about placing a one year substantial completion date on site plan applications. Applicant should pursue project in a timely manner. If not completed in a year, applicant could re-apply. Attorney Barnstead explained the wording on large projects could include an extension of the time built into the approval. Initiate the project within one year from site plan approval or waive it with justification with a reason why timeframe could be extended. The Board will look at it on an individual basis based on the scope of the project.

No other business to come before the Board. Board Member Olthof made a motion to adjourn the meeting; Board Member Berman seconded the motion. All in favor. The meeting was adjourned at 8:37 p.m.

AYES: Berman, French, Hastings, Olthof, Parsons, Steed, Stephens
ABSENT: Taft
NOES: None
MOTION CARRIED.

Respectfully submitted,

Michelle Murray
Planning Board Secretary

Original on file with Town Clerk
cc: Planning Board
Town Board
Town Clerk
Town Attorney