



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD Regular Meeting

**Monday, July 3, 2017  
Meeting Minutes**

Minutes of a regular meeting of the Town of Southport Planning Board that was held at the Town Hall, 1139 Pennsylvania Avenue, Elmira, New York on Monday, July 3, 2017 at 7:00 p.m.

Board Members Present: Jacquelyn French  
John Hastings  
Chris Parsons  
Michael Stephens, Chairman

Board Members Absent: Larry Berman  
Tim Steed, Vice Chairman

Others Present: Peter Rocchi, Code Enforcement Officer  
Michelle Murray, Secretary  
Leslie Mauro, Town Attorney

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 June 5, 2017 minutes. Hearing no comments, the Board accepted the minutes as presented.

**Public Hearing –** Site Plan of FarrBrown LLC to expand the kitchen to 14x16, to convert the game room into a dining area, add a covered patio 10x35 on north side of building and to install a solid fence in back yard located at Mac's Tavern 1066 S. Main Street, Elmira, New York. Tax map #99.20-2-28  
Zoned Commercial Neighborhood (CN)

Attorney Mauro noted that the publication was in order then opened the public hearing for comment.

No one wished to be heard. Attorney Mauro closed the public portion of the meeting at 7:02 p.m. and turned it over to the Planning Board.

Mr. Brown explained that the plan was to operate Mac's Tavern as it has always been run and that they will serve food.

The hours of operation would be Monday through Sunday 8:00 a.m. to 1:00 a.m. Two handicap parking spaces would be required. Inspections by the Health Department would be required.

There were no further comments from the Board. Board Member Parsons made a motion to approve the site plan amendment with conditions; Board Member Hastings seconded the motion. SEQR was declared an Unlisted Action negative declaration.

**Resolution No. 009-2017 PB**

**SITE PLAN AMENDMENT GRANTED TO FARR-BROWN LLC TO EXPAND THE KITCHEN TO 14 FOOT BY 16 FOOT, TO CONVERT THE GAME ROOM INTO A DINING AREA, ADD A 10 FOOT BY 35 FOOT COVERED PATIO ON THE NORTH SIDE OF THE BUILDING AND TO INSTALL A SOLID FENCE IN THE BACK YARD LOCATED AT 1066 SOUTH MAIN STREET, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #99.20-2-28 ZONED COMMERCIAL NEIGHBORHOOD (CN)**

**Resolution by: Parsons**  
**Seconded by: Hastings**

**WHEREAS**, on or about May 17, 2017, Mr. Farr submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan Amendment to expand the kitchen to 14 foot by 16 foot, to convert the game room into a dining area, add a 10 foot by 35 foot covered patio on the north side of the building and to install a solid fence in the back yard at Mac's Tavern located at 1066 South Main Street, (Town of Southport), tax map #99.20-2-28 zoned Commercial Neighborhood (CN); and

**WHEREAS**, the Planning Board held a duly noticed meeting on June 5, 2017, at which the Applicant presented information about the project; and

**WHEREAS**, the application was determined to be of local, rather than inter-community concern where the modifications to the existing building footprint would be less than 10 percent of the total building area; and

**WHEREAS**, the Planning Board conducted a public hearing on July 3, 2017 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

**WHEREAS**, it was determined that this was an Unlisted Action and will not have a potentially significant effect on the environment; and after due deliberation, investigation and consideration it is

**RESOLVED**, that the Planning Board hereby grants approval for the Site Plan Amendment of FarrBrown LLC to expand the kitchen to 14 foot by 16 foot, to convert the game room into a dining area, add a 10 foot by 35 foot covered patio on the north side of the building and to install a solid fence in the back yard at Mac’s Tavern located at 1066 South Main Street with the following conditions:

1. They would provide two handicap parking spaces
2. Hours of operation would be Monday through Sunday from 8:00 a.m. to 1:00 a.m.

**AYES: French, Hastings, Parsons, Stephens**

**NOES: None**

**ABSENT: Berman, Steed**

**MOTION CARRIED.**

Next was discussion regarding the appointment of Dan Collins as Planning Board member and Trish Peterson as an Alternate member. Both will attend the next Planning Board meeting.

Chairman Stephens tabled the review of the Town Municipal Codes and permit fees. He explained that it was a citizen’s request that the Board review the building permit fees. Attorney Mauro explained that the Town just adopted the new Town Code in 2016 and it’s in the Town Boards jurisdiction to change it. She asked if there were specific provisions that were identified as troublesome. Board Member French explained that other municipalities charge fees as well. Attorney Mauro suggested that they identify specific areas they have received complaints about and determine what the proposed revisions would be and make sure that it is something that will benefit every resident in the town and there are not ancillary legal reasons why permit fees are set at a certain level or is it set by some other law.

The Planning Board then discussed the accident that occurred just before the meeting at the intersection of State Route 14 and State Route 328. Board Member French made a recommendation to the Town Board that they request data and ITE traffic standards from NYS DOT regarding the accidents occurring at the intersection of Rt 14 and Rt 328 and Rt 14 and Cedar Street. Request that they revisit the accident rate at the intersections and provide the town with justifications that are based on ITE standards and other data they have suggesting why mitigation is not necessary. Request that they eliminate right on

red, reduce the speed limit and add signage. Chairman Stephens seconded the recommendation.

**AYES: French, Hastings, Parsons, Stephens**

**NOES: None**

**ABSENT: Berman, Steed**

**MOTION CARRIED.**

Chairman Stephens asked the members of the community that were in attendance if they had any comments. Charles Collins of Kinner Hill Road, Pine City talked about the accidents at the intersection.

No other business to come before the Board. Board Member French made a motion to adjourn the meeting; Board Member Hastings seconded the motion. All were in favor. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Michelle Murray  
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney