



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD Regular Meeting

**Monday, April 2, 2018  
Meeting Minutes**

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, April 2, 2018 at 7:00 p.m.

Board Members Present: Dan Collins  
Jacquelyn French  
John Hastings  
Chris Parsons, Vice Chairman  
Trish Peterson, Alternate  
Tim Steed, Chairman

Board Member Absent: Larry Berman

Others Present: Peter Rocchi, Code Enforcement Officer  
Michelle Murray, Secretary

Chairman Steed 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 March 5, 2018 minutes. The Board discussed the condition that was placed on the Elmira Little Theatre site plan. The condition should read:

*The landscaping on the end of the building facing Pennsylvania Avenue would consist of taller evergreen shrubbery on each end of the building with Hosta type plantings to be planted between the taller evergreen shrubs.*

The Board accepted the minutes as presented with the amendment to the Elmira Little Theatre condition.

**AYES: Collins, French, Hastings, Parsons, Peterson, Steed**  
**NOES: None**  
**ABSENT: Berman**  
**MOTION CARRIED.**

**Public Hearing -** Site plan application of Maggie Makowiec to operate a hair salon in her home located at 160 Walsh Road, Wellsburg, NY  
Tax map #119.00-1-13.1  
Zoned Agricultural Residential (AR)

It was noted that the publication was in order then the public hearing was opened for comment. No one wished to be heard. The public portion of the meeting was closed at 7:04 p.m.

The Board discussed the letter received from the Chemung County Health Department approving the use of the existing septic system with recommendations to help extend the life of the septic system:

1. Conserve water by minimizing water usage, including repair of leaking fixtures.
2. Install an effluent filter in the existing septic tank.
3. Frequently pump the septic tank and have it checked for defective baffles.

Board Member French made a motion to accept the site plan as presented with a condition; Board Member Peterson seconded the motion. SEQR was declared an Unlisted Action negative declaration. There was no discussion on the motion.

**Resolution No. 005-2018 PB**

**SITE PLAN GRANTED TO MAGGIE MAKOWIEC TO OPERATE A HAIR SALON IN HER HOME LOCATED AT 160 WALSH ROAD, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #119.00-1-13.1 ZONED AGRICULTURAL RESIDENTIAL (AR)**

**Resolution by:** French  
**Seconded by:** Peterson

**WHEREAS**, on or about January 29, 2018, Maggie Makowiec submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan to operate a hair salon in her home located at 160 Walsh Road, Wellsburg, (Town of Southport), tax map #119.00-1-13.1 zoned Agricultural Residential (AR); and

**WHEREAS**, the application was interpreted as a home occupation according to the Town's Use Regulation Table Chapter 525 which requires a Site Plan; and

**WHEREAS**, the Planning Board held a duly noticed meeting on March 5, 2018, at which the Applicant presented information about the project; and

**WHEREAS**, the Planning Board conducted a public hearing on Monday, April 2, 2018 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 of Maggie Makowiec to operate a hair salon with the following condition:

1. Install an effluent filter in the existing septic tank.

**AYES:** Collins, French, Hastings, Parsons, Peterson, Steed

**NOES:** None

**ABSENT:** Berman

**MOTION CARRIED.**

**Public Hearing -** Special Use Permit application of Chad West to convert the building into a multi-unit dwelling located at  
1529 Pennsylvania Avenue, Pine City, NY  
Tax Map #118.01-2-11  
Zoned Commercial Neighborhood (CN)

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

Bob Ripley of 1531 Pennsylvania Avenue, Pine City wanted to know what Mr. West planned on doing with the building and the three bay garage. The building was previously used for storage and they would load or unload a truck at all hours which created a lot of noise. The buildings are close together.

No one else wished to be heard. The public portion of the meeting was closed at 7:12 p.m.

Mr. West explained he was converting the lower commercial unit into a one bedroom apartment. The building would become a three unit dwelling. He plans to install garage doors on the three bay garage. Large timbers have been placed near the seepage pit to block anyone from parking on the pit.

The application was submitted to Chemung County Planning Department for their review. They stated that there should be no parking in front of the building.

Chairman Steed made a motion to accept the Special Use Permit as presented; Board Member Peterson seconded the motion. SEQR was declared an Unlisted Action negative declaration. There was no discussion on the motion.

**Resolution No. 006-2018 PB**

**SPECIAL USE PERMIT GRANTED TO CHAD WEST TO CONVERT THE BUILDING INTO A MULTI-UNIT DWELLING LOCATED AT 1529 PENNSYLVANIA AVENUE, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #118.01-2-11 ZONED COMMERCIAL NEIGHBORHOOD (CN)**

**Resolution by: Steed**  
**Seconded by: Peterson**

**WHEREAS**, on or about February 20, 2018, Chad West submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Special Use Permit to convert the building into a multi-unit dwelling located at 1529 Pennsylvania Avenue, Pine City, (Town of Southport), tax map #118.01-2-11 zoned Commercial Neighborhood (CN); and

**WHEREAS**, the application was interpreted as a multiunit dwelling according to the Town's Use Regulation Table Chapter 525 which requires a Special Use Permit; and

**WHEREAS**, the Planning Board held a duly noticed meeting on March 5, 2018, at which the Applicant presented information about the project; and

**WHEREAS**, the application was referred to the Chemung County Planning Board on February 26, 2018 pursuant to New York State General Municipal Law §239-m, and the County would not allow parking in the County right-of-way; and

**WHEREAS**, the Planning Board conducted a public hearing on Monday, April 2, 2018 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 Special Use Permit of Chad West to convert the building into a multi-unit dwelling with the following conditions:

1. No parking in front of the facility
2. Barrier erected to prevent parking on the seepage pit

**AYES: Collins, French, Hastings, Parsons, Peterson, Steed**

**NOES: None**

**ABSENT: Berman**

**MOTION CARRIED.**

Next was review of the site plan application of Lewis Jenkins to construct a 30 foot by 40 foot addition to his existing pole barn located at 1699 Pennsylvania Avenue, Pine City tax map 117.04-3-72 that is currently zoned Agricultural Residential.

Mr. Jenkins explained his plan was to store his antique automobiles in the building. There would be no new lighting. Mechanical work would not be done at this location.

Mr. Rocchi explained that the structure exceeds the allowed 1500 square feet of gross floor area allowed for an accessory structure and that is why it has to go before the planning board for approval. The parcel is large and there are no issues with setbacks.

There were no further comments from the Board. Chairman Steed set a public hearing for Monday, May 7, 2018 at 7:00 p.m. or as soon thereafter as it can be heard.

Next was the referral from the Town Board to review an amendment to §525-107 Home Occupations. The reference in the code needs to be corrected to show §525-90 instead of §525-70.

Current code reads:

**§ 525-107 Home occupations.**

B. General requirements. All home occupation uses shall comply with the following minimum requirements:

(4) There shall be no external evidence of such use except for a sign installed in accordance with § 525-77. No stock, merchandise, packaging, equipment or displays related to the use shall be visible from outside the dwelling unit or accessory structure.

Should read:

**§ 525-107 Home occupations.**

B. General requirements. All home occupation uses shall comply with the following minimum requirements:

(4) There shall be no external evidence of such use except for a sign installed in accordance with § 525-90. No stock, merchandise, packaging, equipment or displays related to the use shall be visible from outside the dwelling unit or accessory structure.

Board Member Collins made a recommendation that the Town Board accept the amendment to the code; Board Member Peterson seconded the motion.

**AYES: Collins, French, Hastings, Parsons, Peterson, Steed**  
**NOES: None**  
**ABSENT: Berman**  
**MOTION CARRIED.**

Next was discussion about the vacant Planning Board Member position of Mike Stephens. Chairman Steed made a recommendation that the Town Board appoint Trish Peterson as a full time member to the Planning Board and recommends the Town Board take steps to solicit for an Alternate Planning Board Member. Board Member French seconded the recommendation.

**AYES: Collins, French, Hastings, Parsons, Peterson, Steed**  
**NOES: None**  
**ABSENT: Berman**  
**MOTION CARRIED.**

Other business to come before the Board was discussion regarding the upcoming training at Corning Community College. Trish Peterson and Dan Collins will be attending the training.

There has been no status update regarding the Blue Wireless/Up State Tower application therefore the application is on hold.

Chairman Steed asked the members of the community that were in attendance if they had any comments. There were no comments.

No other business to come before the Board. Chairman Steed 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