



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD Regular Meeting

**Monday, March 2, 2020  
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, March 2, 2020 at 7:00 p.m.

Board Members Present: Larry Berman  
Jacquelyn French  
John Hastings  
Jennifer McGonigal, Alternate  
Chris Parsons, Chairman  
Trish Peterson  
Chad West

Board Member Absent: Dan Collins, Vice Chairman

Others Present: Peter Rocchi, Code Enforcement Officer  
Michelle Murray, Secretary  
Joe Roman, Deputy Town Supervisor

Chairman Parsons called the meeting to order on or about 7:00 p.m. He asked if the Board Members had any comments, questions, concerns or corrections about the February 3, 2020 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

Next on the agenda was re-appointment of Board Member Chad West whose term expires April 1, 2020. Board Member French made a motion to recommend to the Town Board to re-appoint Chad West to the Planning Board for another term to expire April 1, 2027; Board Member Peterson seconded the motion. No discussion on the motion. All in favor.

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

**Public Hearing –** Dan Williams to operate Energy Savers NY LLC  
in the old church school located at  
809 Maple Avenue, Elmira, NY  
Tax map #100.09-1-1  
Zoned Residential 2

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

Charles Collins of 436 Kinner Hill Road, Pine City, NY talked about all of the Variances that are granted by the Board of Appeals and the overturning of town zoning. Variances effect property values and has negative impacts on neighborhoods. He was in favor of the new use of the old school.

No one else wished to be heard, the public portion of the meeting was closed at 7:14 p.m. and was turned back over to the Planning Board.

Mr. Williams explained his plan to operate the Energy Savers business in the old vacant school building. He discussed truck traffic, noise, signage, adding a 60 foot by 120 foot storage building, and lighting. He stated that the doors would be closed during fabrication of any product and that all of the product would be stored in enclosed utility trailers.

The Board discussed the Use Variance approval from the Board of Appeals to operate a business in the Residential 2 zone. The Board also discussed the hours of operation, the construction of the addition, and installation of any new lighting.

There were no further comments from the Board. Board Member Berman made a motion to accept the Site Plan as presented with conditions; Board Member Peterson seconded the motion. SEQR was declared an Unlisted Action, with a Negative Declaration.

**Resolution No. 002-2020 PB**

**SITE PLAN APPROVAL GRANTED TO DANIEL WILLIAMS TO OPERATE ENERGY SAVERS BUSINESS LOCATED AT 809 MAPLE AVENUE, ELMIRA, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #100.09-1-1 ZONED RESIDENTIAL 2**

**Resolution by: Berman**  
**Seconded by: Peterson**

**WHEREAS**, on or about December 5, 2019, Dan Williams submitted an application to the Code Enforcement Officer for approval from the Town of

Southport Planning Board for a Site Plan to operate Energy Savers business located at 809 Maple Avenue, Elmira, Town of Southport, tax map #100.09-1-1 zoned Residential 2 (R2); and

**WHEREAS**, the Town Board of Appeals granted the applicant a Use Variance to operate a Manufacture, Fabrication, Assembly and Other Materials Handling business in an R2 zone on January 15, 2020; and

**WHEREAS**, the application was submitted to the Town Planning Board and defined as Manufacture, Fabrication, Assembly and Other Materials Handling per the Town Code 525-5 Definitions; and

**WHEREAS**, the Town Planning Board held a duly noticed meeting on January 6, 2020 at which the Applicant presented information about the project; and

**WHEREAS**, the Town Planning Board conducted a public hearing on March 2, 2020 at 7:00 p.m., and after due posting and publication of the same was made, was in compliance with the Town of Southport Municipal Code after receiving a Use Variance; 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 Town Planning Board hereby grants approval for the Site Plan of Daniel Williams, as presented, to operate a business and build a 60 foot by 120 foot building located at 809 Maple Avenue, with conditions. Failure to make significant progress on the project within one (1) year from granting approval of this site plan will render the site plan null and void. Conditions shall be completed within one year unless otherwise stated.

1. Any new lighting installed shall be night-sky compliant and shine downward.
2. The construction of the 60 foot by 120 foot building must be constructed with clapboard siding material that complements the surrounding residential neighborhood.

**AYES: Berman, French, Hastings, McGonigal, Parsons, Peterson, West**

**NOES: None**

**ABSENT: Collins**

**MOTION CARRIED.**

**Public Hearing –** Michael Reese to operate a used automobile sales business,  
located at 1465 Cedar Street, Elmira, NY  
Tax map #109.11-2-13  
Zoned Commercial Regional

It was noted that the publication was not placed in the newspaper. The Applicant requested that the Board hold the public hearing in April. There were no further comments from the Board. Chairman Parsons set the public hearing for Monday, April 6, 2020 at 7:00 p.m. or as soon thereafter as it can be heard.

Conditions to be placed on the approval of the site plan:

1. Vehicles for sale cannot be parked within 25 feet of any road right-of-way. (Ch525-110 B3c5)
2. Repair work may be done to his vehicles only and must be done within a building per Town Code 525-110 B2.
3. There is to be no outside storage of automobile parts per Town Code 525-110 B1.
4. Lighting must shine down.
5. Hours of operation will be changed to include weekend hours by appointment only.
6. Any signage would be installed per code.
7. Must obtain the proper NYS Licensing before operating the used auto sales business.

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 7:29 p.m.

Respectfully submitted,

Michelle Murray, Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney