



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD Regular Meeting

**Monday, April 5, 2021  
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 5, 2021 at 7:00 p.m.

Board Members Present: Larry Berman  
Troy Dygert  
John Hastings  
Jennifer McGonigal, Vice Chairwoman  
Chris Parsons, Chairman  
Trish Peterson

Board Members Joined Remotely: Jacquelyn French

Board Member Absent: None

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

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 March 1, 2021 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

**Public Hearing -** Site Plan of Timothy Stevens to assemble pallets inside existing building located at 2142 S. Broadway, Pine City, New York  
Tax map #109.00-1-4  
Zoned Industrial

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 7:07 p.m. and was turned back over to the Planning Board.

Mr. Stevens gave a brief explanation of his project. He requested to install a steel shipping container on the site. Code Enforcement Officer Rocchi explained that shipping containers were not allowed in the Town because they

are part of a licensed vehicle. He explained to Mr. Stevens again that nothing was allowed in the floodplain and everything must be stored inside of the existing building. The 4x4 supports for the back roof would be acceptable to stabilize the roof. Mr. Rocchi explained that the Floodway is where the water flows and the Floodplain is designated by NYSDEC and is the mapped flood area.

The Board discussed the plastic and metal water tanks outside of the building and Mr. Stevens agreed to remove them from the property. Mr. Rocchi confirmed that Mr. Stevens could put a small amount of gravel down just enough to park on, but no other fill could be brought to the site.

Hearing no other 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. The SEQR was an Unlisted Action with a Negative Declaration. There was no discussion on the motion.

**Resolution No. 004-2021 PB**

**SITE PLAN APPROVAL GRANTED TO TIMOTHY STEVENS TO ASSEMBLE  
PALLETS INSIDE EXISTING BUILDING LOCATED AT 2142 SOUTH  
BROADWAY, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG,  
STATE OF NEW YORK, TAX MAP #109.00-1-4  
ZONED INDUSTRIAL**

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

**WHEREAS**, on or about February 8, 2021, Timothy Stevens submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan to assemble pallets in the existing building located at 2142 South Broadway, Town of Southport, tax map #109.00-1-4 zoned Industrial; and

**WHEREAS**, the application was submitted to the Town Planning Board and defined as §525-5 Manufacture, fabrication, assembly and other materials handling; and

**WHEREAS**, the Town Planning Board held a duly noticed meeting on March 1, 2021 at which the Applicant presented information about the project; and

**WHEREAS**, the Town Planning Board conducted a public hearing on April 5, 2021 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; 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 Timothy Stevens as presented 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. The property is located in the floodplain and partially in floodway (Ch 307-15); there shall be no outside storage of anything in the floodplain or floodway.
2. The existing water tanks must be removed from the property.
3. No modifications can be made to the property or building without a Floodplain Development Permit.
4. No fill shall be brought onto the property.
5. All assembly work shall be performed within the building.
6. All trash and debris must be removed from the property daily.
7. Hours of operation will be Monday through Sunday sunrise to sunset.

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

**ABSENT: None**

**NOES: None**

**MOTION CARRIED.**

**Public Hearing –** Site Plan Amendment of Christopher Pedrick to construct additions to existing deer processing building located at 167 Kinner Hill Road, Pine City, New York  
Tax map 127.00-1-6.4  
Zoned Agricultural Residential

Mr. Pedrick explained there would be four phases of construction. Phase one would be the 12-foot addition off the front of the building; Phase two would be a 20-foot by 40-foot addition off the back of the building; Phase three would be overhangs off the front and side of the building; Phase four would be to construct a 30-foot by 40-foot pole barn for equipment storage.

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

Gary Ham, 273 Kinner Hill Road, Pine City, explained that his property borders Pedrick's property and has no problem with the amendment to the site plan. He thought it was crazy that you had to come and get a permit for a pole barn in an agricultural area.

No one else wished to be heard, the public portion of the meeting was closed at 7:17 p.m. and was turned back over to the Planning Board.

The Board discussed the Planning Board's approval process which states that the project must be completed within a year. If Mr. Pedrick's proposed site plan was not completed in one year, he could ask for an extension from the Code Enforcement Officer and not have to appear before the Planning Board.

Hearing no other comments from the Board, Board Member French made a motion to accept the Site Plan as presented with conditions; Vice Chairwoman McGonigal seconded the motion. The SEQR was an Unlisted Action with a Negative Declaration. There was no discussion on the motion.

**Resolution No. 005-2021 PB**

**SITE PLAN AMENDMENT APPROVAL GRANTED TO CHRISTOPHER PEDRICK TO CONSTRUCT ADDITIONS TO THE EXISTING DEER PORCESSING BUILDING, LOCATED AT 167 KINNER HILL ROAD, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #127.00-1-6.4 ZONED AGRICULTURAL RESIDENTIAL**

**Resolution by: French**  
**Seconded by: McGonigal**

**WHEREAS**, on or about February 16, 2021, Christopher Pedrick submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan Amendment to build a 12-foot by 40-foot addition to the front of the existing building located at 167 Kinner Hill Road, Town of Southport, tax map #127.00-1-6.4 zoned Agricultural Residential; and

**WHEREAS**, the application was submitted to the Town Planning Board for a Site Plan Amendment; and

**WHEREAS**, the Town Planning Board held a duly noticed meeting on March 1, 2021 at which the Applicant presented additional information about the project; and

**WHEREAS**, the Town Planning Board conducted a public hearing on April 5, 2021 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; 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 Christopher Pedrick to build a 12-foot by 40-foot addition to the front of the existing building, build a 20-foot by 40-foot addition on the back of the existing building, build an eight foot by 60-foot overhang off the front of the building and a 12-foot by 70-foot overhand off the side of the building, and build a 30-foot by 40-foot pole barn for storage. 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. If the project is not completed within one year, seek an extension approval from the Code Enforcement Officer.

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

**ABSENT: None**

**NOES: None**

**MOTION CARRIED.**

**Public Hearing – Continued** Site Plan Amendment of Charlie Todd to construct a 60-foot by 80-foot greenhouse to be used for growing space and to operate a farmers' market at Chamberlain Acres located at 824 Broadway, Elmira, New York  
Tax map 99.18-5-18  
Zoned Commercial Neighborhood

The Applicant was not present. The Board had not received the stamped drawings or the revised SEQR. The public hearing would remain open until the May 3, 2021 Planning Board meeting.

Next on the agenda was review of Site Plan of Jason and Colleen Diehr for a resubdivision of land located at 247 Christian Hollow Road, Pine City, NY tax map #118.00-1-24 zoned Agricultural Residential.

Rob Diehr, owner of the land being subdivided, explained that he will subdivide 3.144 acres from his land. It will have 252 feet of road frontage. A house will be built on it in the future. It meets all of the Bulk Density requirements.

The Board discussed that this was a minor subdivision of land where the proposed subdivision consists solely of the simple alternation of lot lines therefore a public hearing would not be required.

Hearing no other comments from the Board, Chairman Parsons made a motion to accept the Site Plan as presented with conditions; Board Member Dygert seconded the motion. The SEQR was an Unlisted Action with a Negative Declaration.

**Resolution No. 006-2021 PB**

**SITE PLAN APPROVAL GRANTED TO JASON AND COLLEEN DIEHR FOR A  
RESUBDIVISION OF LAND LOCATED AT  
247 CHRISTIAN HOLLOW ROAD, TOWN OF SOUTHPORT,  
COUNTY OF CHEMUNG, STATE OF NEW YORK,  
TAX MAP #118.00-1-24 ZONED AGRICULTURAL RESIDENTIAL**

**Resolution by: Parsons**  
**Seconded by: Dygert**

**WHEREAS**, on or about March 15, 2021, Jason and Colleen Diehr submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan for a resubdivision of land located at 247 Christian Hollow Road, Town of Southport, tax map #118.00-1-24 zoned Agricultural Residential; and

**WHEREAS**, the application was submitted to the Town Planning Board and defined as a Resubdivision of land per the Town Code Chapter 464-8 Resubdivision; and

**WHEREAS**, the Town Planning Board held a duly noticed meeting on April 5, 2021 at which the Applicant presented information about the project; and

**WHEREAS**, at that meeting the Town Planning Board determined the subdivision consisted solely of the simple alterations of lot lines and the normal subdivision procedures were waived and would not require a public hearing; 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 Jason and Colleen Diehr as presented, for a resubdivision of land located at 247 Christian Hollow Road 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. There is a separate deed created for this property.
2. The Town's Assessor is aware and receives all copies of the paperwork.

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

Other business to come before the Board was a letter of interest from Tracy Warner to serve as a member of the Planning Board. They asked to invite her to the next Planning Board meeting in May. Board Members Dygert, Parsons and McGonigal will meet with her before the meeting.

No other business to come before the Board. Board Member French made a motion to adjourn the meeting; Board Member Peterson seconded the motion. All were in favor. The meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Michelle Murray  
Planning Board Secretary

Original on file with Town Clerk

cc:   Planning Board  
      Town Board  
      Town Clerk  
      Town Attorney