



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD

Regular Meeting

Monday, April 4, 2022

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 4, 2022 at 7:00 p.m.

Board Members Present: Larry Berman
Jackie French
John Hastings
Jennifer McGonigal, Vice Chairwoman
Chris Parsons, Chairman
Trish Peterson
Tracy Warner, Alternate

Board Member Absent: Troy Dygert

Others Present: Peter Rocchi, Code Enforcement Officer
Michelle Murray, Secretary
Joe Roman, 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 March 7, 2022 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

Next was review of Site Plan of Mark and Diane Frampton for a resubdivision of land located at 623 Sagetown Road, Pine City, New York, tax map 126.00-1-5 zoned Agricultural Residential.

Mr. Frampton joined the meeting remotely and explained that they would subdivide 3 acres with the house, garage and out-buildings from the original 71 acres. Each parcel will have setbacks that are in compliance with §525-24 Bulk and Density Control Schedule. It may take a year to subdivide the parcels. The Board discussed the approval that is based on the survey map that is presented with the application.

Hearing no other comments from the Board, Board Member Berman made a motion to accept the Site Plan as presented; Board Member French

seconded the motion. The SEQR was an Unlisted Action with a Negative Declaration. Chairman Parsons added the conditions:

1. There is a new deed created for both properties.
2. The deeds are filed with the County Real Property Tax Services and the Town's Assessor receives all copies of the paperwork.

Resolution No. 004-2022 PB

SITE PLAN APPROVAL GRANTED TO MARK AND DIANE FRAMPTON FOR A RESUBDIVISION OF LAND LOCATED AT 623 SAGETOWN ROAD, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #126.00-1-5 ZONED AGRICULTURAL RESIDENTIAL

Resolution by: Berman
Seconded by: French

WHEREAS, on or about March 17, 2022, Mark Curren, on behalf of the Frampton's, 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 623 Sagetown Road, Town of Southport, tax map #126.00-1-5 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 4, 2022 at which the Applicant presented information remotely 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 as presented with conditions to Diane and Mark Frampton for a resubdivision of land located at 623 Sagetown 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 new deed created for both properties.
2. The deeds are filed with the County Real Property Tax Services and the Town's Assessor receives all copies of the paperwork.

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

Next on the agenda was referral from the Town Board to review the amendments to Chapter 525-16 Commercial Neighborhood intent, Chapter 525-17 Commercial Regional intent, and the Bulk Density Control Schedule that were proposed by the Form-Base Code Review Committee.

The Board discussed the amendment and agreed with the changes proposed by the Form-Base Code Review Committee.

§ 525-16 **Commercial Neighborhood (CN) intent.**

This district delineates areas with a mixture of residential and commercial urban fabric, with a range of building types that accommodate a variety of uses, including retail, offices, some single-family and multiunit dwellings, including apartments above shops. Commercial buildings complement the character of residential buildings, and existing houses may accommodate commercial uses. Buildings are placed consistent with the existing established setbacks.

§ 525-17 **Commercial Regional (CN) intent.**

This district delineates areas that consists of moderate-density buildings that accommodate the greatest variety of uses of regional importance. Buildings accommodate primarily commercial uses, including retail, offices, and semi-industrial uses in designated areas. Mixed-use buildings may include dwellings. Buildings are placed consistent with the existing established setbacks.

Board Member French made a motion to recommend that the Town Board accept the amendments to Chapter 525-16 Commercial Neighborhood intent, Chapter 525-17 Commercial Regional intent, and to the Bulk and Density Control Schedule; Board Member Warner seconded the motion. All were in favor.

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

Next on the agenda was referral from the Town Board to review the amendment to Chapter 525-120(N)(4)(e) Alternative dwelling parks that was proposed by the Form-Base Code Review Committee.

The Board discussed the amendment and agreed to regulate the age of a trailer going into a trailer park.

[4] In any instance shall the dwelling unit not be older than 10 years from the manufacturer's date.

Board Member Warner made a motion to recommend that the Town Board accept the proposed amendment to Chapter 525-120(N)(4)(e) Alternative dwelling parks; Board Member French seconded the motion. All were in favor.

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

Next on the agenda was referral from the Town Board to review the proposed re-zoning of a parcel on Laurentian Place that was proposed by the Form-Base Code Review Committee.

The Board discussed the amendment and agreed to the re-zoning of the parcel.

Board Member Hastings made a motion to recommend that the Town Board accept the request to re-zone the parcel at 431 Laurentian Place #100.17-3-18.1 from Agricultural Residential (AR) to Residential 1 (R1); Board Member French seconded the motion. All were in favor.

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

Next on the agenda was referral from the Town Board to review the amendment to Chapter 464-8 Resubdivision that was proposed by the Form-Base Code Review Committee.

The Board discussed the amendment and agreed with the changes to allow the Code Officer to make the approval if it only consists of a simple alteration of lot lines.

Chapter 464. Subdivision of Land
Article I. General Provisions
§ 464-8. Resubdivision.

If the proposed subdivision consists solely of the simple alterations of lot lines, **and it meets the current §525-24 Bulk and Density Control Schedule**, then normal subdivision procedures may be waived at the discretion of the ~~Planning Board~~ **Code Enforcement Officer**. Such

subdivision shall be deemed a resubdivision. If normal subdivision procedures are not waived, then such resubdivision shall be deemed to be a major or minor subdivision at the discretion of the Planning Board, of a duly authorized representative, in which case the appropriate procedure set forth in this chapter shall apply.

Board Member French made a motion to recommend that the Town Board accept the proposed amendment to Chapter 464-8 Resubdivision; Board Member Berman seconded the motion. All were in favor.

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

Next on the agenda was referral from the Town Board to review the amendment to Chapter 525-94(B) Sign requirements by use and zoning district that was proposed by the Form-Base Code Review Committee.

The Board discussed the amendment to Chapter 525-94(B) and that it would allow for an existing business to install a sign.

Chapter 525. Zoning

Article IX. Development Requirements

§ 525-94. Sign requirements by use and zoning district.

B. Sign requirements for general use, **business use**, and an accessory use associated with the general use, listed in § **525-20** and located in any zoning district, are as follows, except that in no instance shall the maximum aggregate sign area for any use, excluding the sign area of any monument sign, be greater than 60 square feet in the R1, R2, and R3 Zoning Districts and 160 square feet in the AR, CN and CR Zoning Districts.

Board Member Peterson made a motion to recommend that the Town Board accept the proposed amendment to Chapter 525-94(B) Sign requirements by use and zoning district; Board Member French seconded the motion. All were in favor.

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

No other business to come before the Board. Chairman Parsons made a motion to adjourn the meeting; Board Member Peterson seconded the motion. All were in favor. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Michelle Murray
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk
Town Attorney