



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD

### Meeting Minutes

Monday, March 6, 2023

7:00 pm

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

Board Member Absent: None

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

Chairwoman Peterson called the meeting to order on or about 7:00 p.m. She asked if the Board Members had any comments, questions, concerns, or corrections about the February 6, 2023 meeting minutes. Hearing no comments, Board Member French made a motion to accept the minutes of February 6, 2023 as presented; Board Member McGonigal seconded the motion. All were in favor. The Board accepted the minutes as presented.

**Public Hearing** - Site Plan of Anna Brown to operate a gift shop located at 1445 Pennsylvania Avenue, Pine City, New York, tax map #118.01-3-25 and 118.01-3-26.1 zoned Commercial Neighborhood.

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 7:02 p.m. and was turned back over to the Planning Board.

Ms. Brown explained that she would operate a gift shop that would sell home décor and local goods from local vendors. She will use existing parking for customers and employees. Food trucks would park in the rear parking lot and customers would park in existing parking spots. Portable restroom would be provided for an event. There will not be any outside storage of goods or a

storage shed. Hours of operation will be Monday through Friday 9:00 a.m. to 7:00 p.m., Saturday and Sunday 9:00 a.m. to 2:00 p.m.

The Board discussed that food trucks could not be left or stored on the property after an event and must be registered with the Town. The two parcels must be combined into one.

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

**Resolution No. 002-2023 PB**

**SITE PLAN GRANTED TO ANNA BROWN TO OPERATE A GIFT SHOP  
LOCATED AT 1445 PENNSYLVANIA AVENUE, TOWN OF SOUTHPORT,  
COUNTY OF CHEMUNG, STATE OF NEW YORK,  
TAX MAP #118.01-3-25 and #118.01-3-26.1  
ZONED COMMERCIAL NEIGHBORHOOD**

**Resolution by: French**  
**Seconded by: Dygert**

**WHEREAS**, on or about January 17, 2023, Anna Brown submitted an application to the Code Enforcement Officer for Site Plan approval from the Town of Southport Planning Board to operate a gift shop located at 1445 Pennsylvania Avenue, Town of Southport, tax map #118.01-3-25 and 118.01-3-26.1 zoned Commercial Neighborhood; and

**WHEREAS**, the application was submitted to the Town Planning Board and defined as a Retail Use per the Town Code Chapter 525-5 Definitions; and

**WHEREAS**, the Town Planning Board held a duly noticed meeting on February 6, 2023 at which the Applicant presented information about the project; and

**WHEREAS**, the Town Planning Board conducted a public hearing on March 6, 2023 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 to the Site Plan of Anna Brown with conditions to operate a gift shop located at 1445 Pennsylvania Avenue. 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. Parcel 118.01-3-25 and parcel 118.01-3-26.1 must be combined.
2. Hours of operation will be Monday through Friday 9:00 a.m. to 7:00 p.m., Saturday and Sunday 9:00 a.m. to 2:00 p.m.
3. Food trucks cannot be left or stored on site after an event.
4. Portable restroom would be provided for an event.
5. No outside storage of products or goods on display or otherwise.
6. All customer, employee, vendor, and food truck parking will be on site.

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

**ABSENT: None**

**NOES: None**

**MOTION CARRIED.**

Next on the agenda was Site Plan review of Thomas Byrnes to operate an automobile repair service located in Building 8 of the Southern Tier Commerce Center located at 1051 South Main Street, Elmira, New York, tax map #99.20-1-74.1, zoned Industrial.

Mr. Byrnes explained that he will do general automotive repairs. The oil and anti-freeze will be removed from the site as needed. He will not store any chemicals on site. There will be no body work performed. Only customer vehicles would be stored outside. A sign would be on the front of the building only. He will use the existing outside lighting.

The Board discussed the SEQR question #20 "Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?" The applicant replied Yes, Brownfield clean-up. Code Officer Rocchi explained that the parcel is next to the ongoing soil clean-up from Elmira High School and instructed Mr. Byrnes to note that on the Short Environmental Assessment Form Part 1.

There were no further comments from the Board. Chairwoman Peterson set a public hearing for Monday, April 3, 2023 at 7:00 p.m. or as soon thereafter as it can be heard.

No other business to come before the Board. Vice Chairman Berman made a motion to adjourn the meeting; Board Member French seconded the motion. All were in favor. The meeting was adjourned at 7:21 p.m.

Respectfully submitted,

Michelle Murray  
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney