



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD Regular Meeting

Monday, May 4, 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, May 4, 2020 at 7:00 p.m.

Board Members Present: Chad West

Board Members Present Remotely: Larry Berman
Dan Collins, Vice Chairman
Jacquelyn French
John Hastings
Jennifer McGonigal, Alternate
Chris Parsons, Chairman
Trish Peterson

Board Member Absent: None

Others Present: Peter Rocchi, Code Enforcement Officer
Michelle Murray, Secretary
Kathy Szerszen, 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 2, 2020 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

Next was review of the site plan of Matt Stuart to construct a 40-foot by 40-foot pole style building to operate Loveless Blacktopping located at 123 Bob Masia Drive, Pine City, NY.

Mr. Stuart explained that the double-wide trailer was removed and the new building would be constructed in that location. The new building would be used to work on his equipment and be a similar construct as his existing building. The hours of operation would include Saturdays from 8:00 a.m. to 4:00 p.m. The lights on the side of the building would be night sky compliant.

There were no further comments from the Board. Chairman Parsons set a public hearing for Monday, June 1, 2020 at 7:00 p.m. or as soon thereafter as it can be heard.

Public Hearing – Michael Reese to operate a used automobile sales business located at 1495 Cedar Street, Elmira, NY
Tax map #109.11-2-13
Zoned Commercial Regional

It was noted that the publication was in order. Chairman Parsons explained that due to the Coronavirus outbreak, the Board accepted written comments up to 12:00 a.m. May 3, 2020. No comments were received, the public portion of the meeting was closed at 7:19 p.m. and was turned back over to the Planning Board.

Mr. Reese explained that he would not be able to open until New York State re-opened from the Coronavirus outbreak.

The Board discussed conditions to be placed on the site plan:

1. No engine degreasing is to be allowed.
2. All cleaning agents used are environmentally friendly.
3. Vehicles for sale cannot be parked within 15 feet of any roadway per the Area Variance approval dated January 15, 2020.
4. Repair work may be done to his vehicles only and must be done within a building per Town Code 525-110 B2.
5. There is to be no outside storage of automobile parts per Town Code 525-110 B1.
6. Lighting must be night sky compliant.
7. Hours of operation as stated on the application and to include weekend hours by appointment only.
8. Any signage would be installed per code.
9. Must obtain the proper NYS Licensing before operating the used auto sales business.

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

Resolution No. 003-2020 PB

SITE PLAN APPROVAL GRANTED TO MICHAEL REESE TO OPERATE A USED AUTOMOBILE SALES BUSINESS LOCATED AT 1495 CEDAR STREET, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #109.11-2-13 ZONED COMMERCIAL REGIONAL

Resolution by: French
Seconded by: Collins

WHEREAS, on or about January 16, 2020, Michael Reese submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan to operate a used automobile sales business located at 1495 Cedar Street, Elmira, Town of Southport, tax map #109.11-2-13 zoned Commercial Regional; and

WHEREAS, the application was submitted to the Town Planning Board and defined as Vehicle Sales per the Town Code 525-5 Definitions; and

WHEREAS, on January 15, 2020 the Town Board of Appeals granted the applicant an Area Variance to operate a used car lot on a sub-standard size lot allowed by Town Ordinance Section:

- a. 525-110--Vehicle filing stations, vehicle repair, vehicle sales, etc.
- b. 525-110—A (1)(a)-Lot size shall be greater than one (1) acre; lot size is less than the required one (1) acre.
- c. 525-110—A (1)(e)-Minimum lot width shall be the greater of two hundred feet (200'); lot has three (3) front yards none of which meet the required minimum lot width.
- d. 525-110—B(3)(a)-No vehicle shall be parked, stored or left standing within fifteen feet (15') of a road ROW

WHEREAS, the Town Planning Board held a duly noticed meeting on February 3, 2020 at which the Applicant presented information about the project; and

WHEREAS, the Town Planning Board conducted a public hearing on May 4, 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 an Area 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 Michael Reese, as presented, to operate a used automobile sales business located at 1495 Cedar Street, 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. No engine degreasing is to be allowed.
2. All cleaning agents used are environmentally friendly.
3. Vehicles for sale cannot be parked within 15 feet of any roadway per the Area Variance approval dated January 15, 2020.
4. Repair work may be done to his vehicles only and must be done within a building per Town Code 525-110 B2.
5. There is to be no outside storage of automobile parts per Town Code 525-110 B1.
6. Lighting must be night sky compliant.
7. Hours of operation as stated on the application and to include weekend hours by appointment only.
8. Any signage would be installed per code.
9. Must obtain the proper NYS Licensing before operating the used auto sales business.

AYES: Berman, Collins, French, Hastings, Parsons, Peterson, West

NOES: None

MOTION CARRIED.

No other business to come before the Board. Board Member French made a motion to adjourn the meeting; Chairman Parsons 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