



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD Regular Meeting

Monday, May 3, 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, May 3, 2021 at 7:00 p.m.

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

Board Member Absent: None

Others Present: Peter Rocchi, Code Enforcement Officer
Michelle Murray, Secretary
Leslie Connolly, Town Attorney (remote)
Kathleen Szerszen, Town Supervisor (remote)

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 April 5, 2021 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

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 has not had any response from the Applicant for the stamped drawings or the revised SEQ. The public hearing would remain open until the June 7, 2021 Planning Board meeting.

Next on the agenda was review of Site Plan of Maple Avenue Baptist Church for a resubdivision of land located at 1548 Maple Avenue, Elmira, New York tax map #110.09-1-31.1 zoned Residential 1.

John Fitch with Maple Avenue Baptist Church explained that the Church will subdivide the Parsonage from the Church property. The driveway to the Church is part of the back property. The Parsonage has a separate driveway.

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, Board Member French 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. 007-2021 PB

**SITE PLAN APPROVAL GRANTED TO MAPLE AVENUE BAPTIST CHURCH
FOR A RESUBDIVISION OF LAND LOCATED AT 1548 MAPLE AVENUE,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #110.09-1-31.1 ZONED RESIDENTIAL 1**

Resolution by: French
Seconded by: Dygert

WHEREAS, on or about April 9, 2021, John Fitch with Maple Avenue Baptist Church 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 1548 Maple Avenue, Town of Southport, tax map #110.09-1-31.1 zoned Residential 1; 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 May 3, 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 Maple Avenue Baptist Church as presented, for a resubdivision of land located at 1548 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. 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.

Next on the agenda was review of Site Plan of Leon Tuttle for a resubdivision of land located at 173 Bob Masia Drive, Pine City, New York tax map #109.00-1-37.2 zoned Industrial.

Mr. Tuttle explained that he was subdividing the property and selling the front part of the storage facility. The back parcel has an easement but does not have actual road frontage. The property is located in the flood zone.

Attorney Connolly explained that creating a landlocked parcel was illegal. Mr. Tuttle agreed to sell the back parcel to the adjoining property owner of 123 Bob Masia Drive. The property owner would have to combine the back parcel with his existing parcel.

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, 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.

Resolution No. 008-2021 PB

SITE PLAN APPROVAL GRANTED TO LEON TUTTLE FOR A RESUBDIVISION OF LAND LOCATED AT 173 BOB MASIA DRIVE, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #109.00-1-37.2 ZONED INDUSTRIAL

Resolution by: French
Seconded by: McGonigal

WHEREAS, on or about April 16, 2021, Leon Tuttle 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 173 Bob Masia Drive, Town of Southport, tax map #109.00-1-37.2 zoned Industrial; 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 May 3, 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 Leon Tuttle as presented, for a resubdivision of land located at 173 Bob Masia Drive 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 subdivided back parcel must be combined with 123 Bob Masia Drive, tax map #109.00-1-37.22.
2. There must be a new deed created for the property.
3. 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.

Next was review of the Site Plan of Floyd Coaxum to operate an automotive washing and detailing business located at 1720 and 1774 Cedar Street, Elmira, New York tax map #110.05-3-2 and #110.05-3-3 zoned Commercial Regional.

Nicholas Mastronardi, the property owner, spoke on behalf of Mr. Coaxum and explained that it would be a hand wash process and car detailing by appointment only. He will lease the building. The property has a well and public water. He will use the existing lighting that is on the building.

The Board asked about water usage, drainage on the lot, engine degreasing, chemicals, and hours of operation. The Board asked Peter Rocchi to contact the Stormwater Engineer for his recommendation on the drainage and report the findings.

There were no further comments from the Board. Chairman Parsons set a public hearing for Monday, June 7, 2021 at 7:00 p.m. or as soon thereafter as it can be heard.

Next was review of the Special Use Permit of Liza Hable to operate a restaurant located at 805 Pennsylvania Avenue, Elmira, New York tax map #99.19-2-76 zoned Commercial Regional.

Ms. Hable explained she was opening the former Classic Café. It would be a different type of restaurant. She is leasing the property from the McClelland's. She will install new signs. She will have seasonal outside events.

The Board discussed the parking, signage, outdoor events, and hours of operation.

There were no further comments from the Board. Chairman Parsons set a public hearing for Monday, June 7, 2021 at 7:00 p.m. or as soon thereafter as it can be heard.

Next on the agenda was review of the Site Plan of Erica Kelsey and Christopher DeCaires to operate a restaurant and used automobile sales business located at 1150, 1152, 1154 S. Main Street and 1151 Charles Street, Elmira, New York tax map #109.08-4-15, #109.08-4-16, #109.08-4-17, and #109.08-4-36 zoned Commercial Neighborhood.

Ms. Kelsey explained that their area variance was approved for the undersized lot for car sales. The lots will be combined once the sale of the property goes through. The vacant lots on South Main Street would be used for the car sales and the parking lot behind the building would be used for the restaurant customers. They would have outdoor seating in front of the building and have a pick-up window for takeout orders. They would add gravel to the sales lot where they would have up to 30 cars for sale. There will be pole lights installed in the sales lot and be turned on from dusk to dawn. They will only sell vehicles, there will be no vehicle repairs. A lighted sign would be installed in front of the car sales.

The Board talked about the following conditions:

1. Approval from Chemung County Department of Public Works for new curb cuts
2. Approvals from Board of Health
3. Obtaining property New York State dealership licenses
4. Consult with a contractor for the proper drainage from gravel
5. Verify with the Sewer District that the restaurant is connected to the sewer
6. Install a barrier around outdoor dining area
7. There will be no outside vehicle repairs allowed
8. Vehicles for sale must be parked 25 feet from road right-of-way

Attorney Connolly advised the Planning Board to review the SEQR form to make sure there are no potential environmental impacts. The property is less than one acre and would not require permits from NYSDEC. The Planning Board could require a plan for addressing the stormwater and runoff or require them to install silt fencing or berms so that there would not be any discharge of stormwater onto roadways or neighboring properties.

There were no further comments from the Board. Chairman Parsons set a public hearing for Monday, June 7, 2021 at 7:00 p.m. or as soon thereafter as it can be heard.

Other business to come before the Board was discussion that a few Board Members meet with Tracy Warner to discuss the Alternate Planning Board Member vacancy. Chairman Parsons made a recommendation that the Town Board appoint Tracy Warner as an Alternate Planning Board Member whose term would expire May 2024; Board Member Peterson seconded the motion. All were in favor.

AYES: Berman, Dygert, French, Hastings, McGonigal, Parsons, Peterson
ABSENT: None
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 7:55 p.m.

Respectfully submitted,

Michelle Murray
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk
Town Attorney