



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD

Meeting Minutes

Tuesday, July 5, 2022

7:00 pm

Board Members Present: Troy Dygert
Jackie French
Chris Parsons, Chairman
Trish Peterson
Tracy Warner, Alternate
Larry Berman

Board Member Absent: John Hastings
Jennifer McGonigal, Vice Chairwoman

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 June 6, 2022 meeting minutes. Hearing no comments, the Board accepted the minutes as presented.

Public Hearing - Site Plan of Todd Curren to operate an ATV/UTV Sales and Parts store located at 1489 Cedar Street, Elmira, New York, tax map 109.11-2-10 zoned Commercial Regional.

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 7:03 p.m. and was turned back over to the Planning Board.

Mr. Curren explained that the hours of operation would be Monday through Sunday from 7:00 am to 8:00 pm. The display areas on the property will be for ATVs, UTVs, golf carts, lawn mowers, and utility trailers. He will not display recreational vehicles. A new sign would be installed in the same location as the current Tom Holleran sign. The signs on the building would be lit by the wall lights only.

The Board discussed that the lighting must be night sky compliant and must shine down. The proposed addition to the existing building was a concept plan,

Mr. Curren would have to appear before the Planning Board when he plans to build. The security fencing was discussed for a chain link fence, up to eight (8) feet high.

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. Discussion on the motion was hours of operation.

Resolution No. 006-2022 PB

**SITE PLAN APPROVAL GRANTED TO TODD CURREN TO OPERATE AN
ATV/UTV SALES AND PARTS STORE LCOATED AT 1489 CEDAR STREET,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #109.11-2-10 ZONED COMMERCIAL REGIONAL**

Resolution by: French
Seconded by: Dygert

WHEREAS, on or about May 17, 2022, Todd Curren submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan for a sales and parts store located at 1489 Cedar Street, Town of Southport, tax map #109.11-2-10 zoned Commercial Regional; and

WHEREAS, the application was submitted to the Town Planning Board and defined as Vehicle Sales per the Town Code Chapter 525-110 Vehicle filling stations, vehicle repair, vehicle sales and heavy equipment vehicle sales and/or repair, an/or contractor's equipment yard; and

WHEREAS, the Town Planning Board held a duly noticed meeting on June 6, 2022 at which the Applicant presented information about the project; and

WHEREAS, the Town Planning Board conducted a public hearing on July 5, 2022 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 as presented with conditions to Todd Curren to operate an ATV/UTV Sales and Parts Store located at 1489 Cedar Street. 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. A chain link security fence, up to eight (8) feet high, may be installed along the property lines.
2. Hours of operation are Monday through Sunday 7:00 a.m. to 8:00 p.m.

AYES: Berman, Dygert, French, Parsons, Peterson, Warner

NOES: None

ABSENT: Hastings, McGonigal

MOTION CARRIED.

Next on the agenda was review of site plan of Adam and Brenda Stewart for a resubdivision of land located at 14 Kinner Hill Road, Pine City, New York tax map 127.00-1-2 zoned Agricultural Residential.

Mr. Stewart explained that they would subdivide the house and 7.9 acres of land from the original 101 acres. Each parcel will have setbacks that are in compliance with §525-24 Bulk and Density Control Schedule. The Board explained that the approval is based on the survey map that is presented with the application.

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

Resolution No. 007-2022 PB

SITE PLAN APPROVAL GRANTED TO ADAM AND BRENDA STEWART FOR A RESUBDIVISION OF LAND LOCATED AT 14 KINNER HILL ROAD, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #127.00-1-2 ZONED AGRICULTURAL RESIDENTIAL

Resolution by: Peterson

Seconded by: Dygert

WHEREAS, on or about June 15, 2022, Brenda Stewart 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 14 Kinner Hill Road, Town of Southport, tax map # 127.00-1-2 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 July 5, 2022 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 as presented with conditions to Adam and Brenda Stewart for a resubdivision of land located at 14 Kinner Hill Road. 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, Dygert, French, Parsons, Peterson, Warner

NOES: None

ABSENT: Hastings, McGonigal

MOTION CARRIED.

Next on the agenda was site plan of Jacob Brown for a resubdivision of land located at 327 Dry Run Road, Pine City, New York tax map 107.00-2-21 zoned Agricultural Residential.

Mr. Brown explained that they would subdivide five (5) acres of land from the original 100 acres. He plans to build a home on the five (5) acres which has 300 feet of road frontage. No parcels will be land locked. Each parcel will have setbacks that are in compliance with §525-24 Bulk and Density Control Schedule. The Board explained that the approval is based on the survey map that is presented with the application.

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

Resolution No. 008-2022 PB

**SITE PLAN APPROVAL GRANTED TO JACOB BROWN FOR A
RESUBDIVISION OF LAND LOCATED AT 327 DRY RUN ROAD,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #107.00-2-21 ZONED AGRICULTURAL RESIDENTIAL**

Resolution by: Peterson
Seconded by: Dygert

WHEREAS, on or about June 13, 2022, Jacob Brown 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 327 Dry Run Road, Town of Southport, tax map #107.00-2-21 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 July 5, 2022 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 as presented with conditions to Jacob Brown for a resubdivision of land located at 327 Dry Run Road. 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, Dygert, French, Parsons, Peterson, Warner

NOES: None

ABSENT: Hastings, McGonigal

MOTION CARRIED.

Code Officer Peter Rocchi talked about the major subdivision coming to the Planning Board in August. The Board was given the application and subdivision code to review before the August meeting. The Board discussed being Lead Agency, Stormwater practices, and having the Town Attorney present.

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 7:36 p.m.

Respectfully submitted,

Michelle Murray
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk
Town Attorney