



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD

Meeting Minutes

Monday, October 2, 2023

7:00 pm

Board Members Present: Jackie French
John Hastings
Jennifer McGonigal (arrived at 7:22 p.m.)
Chris Parsons
Trish Peterson, Chairwoman
Tracy Warner

Board Member Absent: Larry Berman, Vice Chairman

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 September 5, 2023 meeting minutes. Chairwoman Peterson made a motion to correct the error in the Autumnview Way resolution; Board Member Warner seconded the motion. Hearing no other comments, the Board accepted the minutes of September 5, 2023 with changes. All were in favor.

Public Hearing - Site Plan of Charles Benjamin to operate a Contractor's Equipment Yard located at
1523 Cedar Street
Elmira, New York
Tax map # 109.08-1-34
Zoned Commercial Regional

Mr. Benjamin explained that he operates a roofing company and he will have his office and equipment storage at this location. His office hours of operation will be 7:00 a.m. to 4:30 p.m. There will be activity after 4:30 p.m. when loading or unloading equipment.

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 7:04 p.m. and was turned back over to the Planning Board.

Mr. Benjamin explained that he will add solar lighting on the building that will not shine onto neighboring properties. He will store partial waste bundles of roofing materials outside of the building in the back left corner of the property. There is an existing fence along the property line.

The Board discussed screening the materials from view. If the Town receives complaints, then a buffer would be required.

Hearing no other comments from the Board, Chairwoman Peterson made a motion to accept the Site Plan with conditions; Board Member French seconded the motion. Discussion on the motion was clarification of the buffer and if it should be required. It was determined that it must be screened from view. The project is classified as an Unlisted Action, with a negative declaration under the State Environmental Quality Review Act (SEQRA), thus no further action is required pursuant to SEQRA.

Resolution No. 011-2023 PB

**SITE PLAN GRANTED TO CHARLES BENJAMIN TO OPERATE A
CONTRACTOR’S EQUIPMENT YARD LOCATED AT 1523 CEDAR STREET,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #109.08-1-34 ZONED COMMERCIAL REGIONAL**

Resolution by: Peterson
Seconded by: French

WHEREAS, on or about August 7, 2023, Charles Benjamin submitted an application to the Code Enforcement Officer for Site Plan approval from the Town of Southport Planning Board for a Contractor’s Equipment Yard located at 1523 Cedar Street, Town of Southport, tax map #109.08-1-34 zoned Commercial Regional; and

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

WHEREAS, the Town Planning Board held a duly noticed meeting on September 5, 2023 at which the Applicant presented information about the project; and

WHEREAS, the Town Planning Board conducted a public hearing on October 2, 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 under SEQRA; and after due deliberation, investigation, and consideration it is

RESOLVED, that the Town Planning Board hereby grants approval to the Site Plan of Charles Benjamin with conditions to operate a Contractor's Equipment Yard located at 1523 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. All construction materials, including roofing shingles, must be stored out of sight, or must be screened from view.

AYES: French, Hastings, Parsons, Peterson, Warner

ABSENT: Berman, McGonigal

NOES: None

MOTION CARRIED.

Public Hearing - Site Plan of Brandy Peckham to operate a tattoo and piercing business located at
964 Pennsylvania Avenue
Elmira, New York
Tax map #109.06-3-19
Zoned Commercial Regional

Ms. Peckham explained that she plans to operate a tattoo parlor. The hours of operation will be as stated on the application.

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 7:12 p.m. and was turned back over to the Planning Board.

Ms. Peckham explained that she will have a table outside next to the entrance to display items for sale. The Board discussed that the table must only be on display during the hours of operation.

Hearing no other comments from the Board, Chairwoman Peterson made a motion to accept the Site Plan as presented; Board Member Parsons seconded the motion. There was no discussion on the motion. The project is classified as an Unlisted Action, with a negative declaration under the SEQRA, thus no further action is required pursuant to SEQRA.

Resolution No. 012-2023 PB

**SITE PLAN GRANTED TO BRANDY PECKHAM TO OPERATE A TATTOO AND
PIERCING BUSINESS LOCATED AT 964 PENNSYLVANIA AVENUE,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #109.06-3-19 ZONED COMMERCIAL REGIONAL**

Resolution by: Peterson
Seconded by: Parsons

WHEREAS, on or about August 21, 2023, Brandy Peckham submitted an application to the Code Enforcement Officer for Site Plan approval from the Town of Southport Planning Board to operate a tattoo and piercing business located at 964 Pennsylvania Avenue, Town of Southport, tax map #109.06-3-19 zoned Commercial Regional; and

WHEREAS, the application was submitted to the Town Planning Board and defined as a Personal Service Establishment per the Town Code Chapter 525-5 Definitions; and

WHEREAS, the Town Planning Board held a duly noticed meeting on September 5, 2023 at which the Applicant presented information about the project; and

WHEREAS, the Town Planning Board conducted a public hearing on October 2, 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 under SEQRA; and after due deliberation, investigation, and consideration it is

RESOLVED, that the Town Planning Board hereby grants approval to the Site Plan of Brandy Peckham as presented to operate a Personal Service Establishment located at 964 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.

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

Next was review of the Minor Subdivision of Land of Sol Meisels located at 1600 Cedar Street, Elmira, New York, tax map #109.12-1-11, zoned Commercial Regional.

Mr. Meisels explained that he was dividing the parcel and the McDonald's restaurant would be on a separate parcel.

The Board discussed the lot lines that were proposed on the survey. Each parcel will have setbacks that are set per Site Plan Review per §525-24 Bulk and Density Control Schedule. The subdivision must be filed with the County.

Board Member McGonigal arrived at the meeting at 7:22 p.m.

Hearing no other comments from the Board, Board Member French made a motion to accept the Site Plan with conditions; Board Member Parsons seconded the motion. There was no discussion on the motion. The project is classified as an Unlisted Action, with a negative declaration under the State Environmental Quality Review Act (SEQRA), thus no further action is required pursuant to SEQRA.

Resolution No. 013-2023 PB

**SITE PLAN APPROVAL GRANTED TO SOL MEISELS FOR A
RESUBDIVISION OF LAND LOCATED AT 1600 CEDAR STREET,
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK,
TAX MAP #109.12-1-11 ZONED COMMERCIAL REGIONAL**

Resolution by: French
Seconded by: Parsons

WHEREAS, on or about July 24, 2023, Sol Meisels submitted an application to the Code Enforcement Officer for approval from the Town of Southport Planning Board for a Site Plan for a Minor Subdivision of land located at 1600 Cedar Street, Town of Southport, tax map #109.12-1-11 zoned Commercial Regional; 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 October 2, 2023 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 with conditions to Sol Meisels for a resubdivision of land located at 1600 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. There is a new deed created for these 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: French, Hastings, Parsons, Peterson, Warner

ABSTAIN: McGonigal

NOES: None

ABSENT: Berman

MOTION CARRIED.

Next was review of the Site Plan Amendment of Kyle Youngs to construct a 50-foot by 100-foot pole building located at 111 S. Kinyon Street, Elmira, New York, Tax map #99.19-2-32, zoned Industrial.

Mr. Youngs explained that this building would be like their existing pole buildings. The doors will be 14 feet. LED motion lighting will be added to the parking area.

There were no further comments from the Board. Chairwoman Peterson set a public hearing for Monday, November 6, 2023 at 7:00 p.m. or as soon thereafter as it can be heard.

Next was review of the Site Plan of Jenna Ciriaco to operate a barbershop located at 964 Pennsylvania Avenue, Elmira, New York, tax map #109.06-3-19, zoned Commercial Regional.

Ms. Ciriaco explained that the mailing address is 968 Pennsylvania Avenue. She will install a sign per Town Code.

The Board discussed that this application is a change in tenant in an existing plaza.

There were no further comments from the Board. Chairwoman Peterson set a public hearing for Monday, November 6, 2023 at 7:00 p.m. or as soon thereafter as it can be heard.

The Board discussed a letter of interest from Richard Petzke. The Board talked about the requirements of a Planning Board Member.

Ryan Andrews also expressed interest in serving on the Planning Board. The Board advised him to submit a letter of interest by October 18, 2023.

The Planning Board interview committee, Board Members French, Hastings, and Peterson, will meet the applicants on Monday, November 6, 2023 at 6:15 p.m.

No other business to come before the Board. Chairwoman Peterson made a motion to adjourn the meeting; Board Member Warner seconded the motion. All were in favor. The meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Michelle Murray
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk
Town Attorney