

**BOARD OF APPEALS  
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, ELMIRA, NEW YORK**

**MEETING MINUTES  
INFORMATIONAL HEARING**

WEDNESDAY  
JULY 18, 2007  
7:00 P.M.

TOWN HALL  
1139 PENNSYLVANIA AVENUE  
ELMIRA, NEW YORK, 14904

Board Members Present: Clairmont Ham, Chairman  
Deborah Eames  
Mark Makowiec  
Patricia Opper  
Sidney Shepherd

Town Officials Present: Steven W. Barnstead, Town Attorney  
Peter Rocchi, Town Zoning Officer & Building Inspector  
Ann Clarke, Town Consultant

Property Owners Absent: Jason and Elizabeth Husted  
1560 Maple Avenue  
Elmira, NY 14901

Property Owner's  
Representative Present: Donald Husted  
Father of Jason Husted

Concerning Property: Tax Map No. 110.09-1-55                      Zoned: Residential Two (R-2)  
Commonly Known As  
1560 Maple Avenue  
Elmira, NY 14901

Chairman Ham called the meeting to order and asked if everyone had received the minutes of May 16, 2007, which was the last time the Board met, and further if there were any corrections or additions. Mr. Makowiec made a motion to accept minutes; seconded by Ms. Opper. Minutes unanimously approved.

Chairman Ham advised there are three (3) informational hearings tonight; the first is for the Husted.

Chairman Ham: For the record, tell us what you want to do.

Mr. Donald Husted: Don Husted, I am Jason's Dad, and I will be representing Jason, in his absence, tonight.

Chairman Ham: Pete, what is the situation on this?

Mr. Rocchi: Let me check this.

Ms. Clarke: It wasn't an actual measurement. It was from the pavement not the right-of-way.

Chairman Ham: You are authorized to act on behalf of Jason and Elizabeth?

Mr. Husted: Yes.

- Chairman Ham: It looks like they already tore the old porch off.
- Mr. Makowiec: House is on the corner lot?
- Mr. Husted: Yes, it is.
- Chairman Ham: Tell us what they want to do.
- Mr. Husted: They want to add a porch on to the front; ten (10) by twenty two (22). It will extend to get past the window and will have an A-frame roof over it.
- Chairman Ham: Will there be eaves on the east and west?
- Mr. Husted: Yes.
- Chairman Ham: Will it be an opened porch?
- Mr. Husted: Yes.
- Chairman Ham: No plans to make it living quarters?
- Mr. Husted: It will just be an opened porch.
- Mr. Makowiec: The steps, will they be on the Maple Avenue or Palomino side?
- Mr. Husted: Palomino.
- Mr. Rocchi: This is forty four (44') feet off the front of the property line. It is further, but doesn't meet the average.
- Attorney Barnstead: In this situation, sixty two feet (62) is actually fifty four feet (54') and the porch makes it forty four feet (44').
- Chairman Ham: Is ten feet (10') by twenty two feet (22') correct?
- Mr. Husted: Yes.
- Chairman Ham: This is off set not distance from the road. Any other questions?
- Mr. Makowiec: We will be by to look.
- Chairman Ham: The board members will be down to look at it. The next step is a public hearing. Do you want to go on with a public hearing?
- Mr. Husted: When is the public hearing; can Jason attend that?

Chairman Ham: The public hearing would be August 15<sup>th</sup>, and your son can attend. Do you want to go on with the public hearing?

Mr. Husted: Yes

Chairman Ham: The public hearing will Wednesday, August 15 at 7:00 p.m. Pete will give you the names and addresses you need to send notices out. Also, there are four (4) factors that have to be considered.

Mr. Makowiec: At the next meeting you will have to answer the four (4) questions.

Chairman Ham: Bonnie will explain what you need to do.

Secretary Balok: I will mail the public hearing notice to the "Star-Gazette". At the same time, I will forward a copy of the notice, an affidavit and detailed instructions to you and/or your son. You must pay for the notice to be printed in the newspaper. If the ad is not paid, the "Star-Gazette" will not publish the notice; if the notice is not printed in the newspaper, we cannot go forward with the hearing. The notice you receive must be photocopied and sent to all residents within two hundred feet (200') of the property in question. The list of residents will be provided to you by the Zoning Department (Pat Miniotti or Peter Rocchi). At the time of the hearing, bring in the affidavit, verifying the notices have been sent, along with the paid receipt from the newspaper. This information will be detailed in the mailing that I forward to you.

Adjourned: 7:09 p.m.

Original on File

C: All Board Members  
All Town Council Members  
Town Supervisor  
Town Clerk  
Town Assessor  
Town Building Inspector & Zoning Officer  
Town Attorney  
Planning Board Chairman  
Town Consultant  
Jason and Elizabeth Husted  
1560 Maple Avenue, Elmira, NY 14901

Board of Appeals  
Town Council  
Mr. David Sheen  
Ms. Carolyn Renko  
Ms. Catherine Broschart  
Mr. Peter Rocchi  
Steven W. Barnstead, Esquire  
Mr. John Scida  
Ms. Ann Clarke

Transcribed: July 19, 2007  
Bonnie J. Balok  
Secretary-Board of Appeals  
Town of Southport

**BOARD OF APPEALS  
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, ELMIRA, NEW YORK**

**MEETING MINUTES  
INFORMATIONAL HEARING**

WEDNESDAY  
JULY 18, 2007  
7:10 P.M.

TOWN HALL  
1139 PENNSYLVANIA AVENUE  
ELMIRA, NEW YORK, 14904

Board Members Present: Clairmont Ham, Chairman  
Deborah Eames  
Mark Makowiec  
Patricia Opper  
Sidney Shepherd

Town Officials Present: Steven W. Barnstead, Town Attorney  
Peter Rocchi, Town Zoning Officer & Building Inspector  
Ann Clarke, Town Consultant

Property Owners Present: Billy and Kit Gooshaw  
25 Woodland Park  
Pine City, NY 14871

Concerning Property: Tax Map No. 118.03-2-4                      Zoned: Residential One (R-1)  
Commonly Known As  
25 Woodland Park  
Pine City, NY 14871

Chairman Ham called the meeting to order and advised the next informational hearing is for the Gooshaws. This concerns a situation that is five feet (5') from the line. Where will the fence be on this?

Mr. Gooshaw: I brought a survey map that will provide detail. The fence should be just inside the line on my side.

Chairman Ham: Five feet (5') from the line, is that correct?

Mr. Gooshaw: Yes; the lower section is the garage and the upper half will be living quarters. This will actually encroach on the present living quarters.

Chairman Ham: It will be bigger in many ways.

Mr. Gooshaw: Yes.

Ms. Clarke: It is larger than now?

Mr. Gooshaw: Yes.

Chairman Ham: It is close?

Ms. Eames: How far is the house from the other house?

Mr. Gooshaw: The neighbor's property is fifteen feet (15'); it tapers away as it goes back to the side of the house. My property tapers closer to the front.

Ms. Gooshaw: The five feet (5') is in the very back not at the front.

Ms. Eames: Are you going to increase the drive?

Mr. Gooshaw: No, it is wide at the end, but we probably will redo it.

Chairman Ham: Any other questions?

Ms. Clarke: Can you tell us about the design; is there something in the interior as to why you have the design this way?

Ms. Gooshaw: The kitchen and the plumbing there.

Ms. Clarke: That is important for the Board to know this. The cost to the applicant is more economical because of the interior design of the house. It is going to have a significant impact on the economics for them.

Mr. Makowiec: That is part of the four (4) questions you need to answer.

Chairman Ham: Anyone else have any questions? If not, would you like to go on with the public hearing?

Mr. Gooshaw: Yes.

Chairman Ham: The public hearing will be scheduled for August 15 at 7:15 p.m. You probably heard the procedures from the first informational hearing, but Bonnie will explain.

Secretary Balok: I will mail the public hearing notice to the "Star-Gazette". At the same time, I will forward a copy of the notice, an affidavit and detailed instructions to you. You must pay for the notice to be printed in the newspaper. If the ad is not paid, the "Star-Gazette" will not publish the notice; if the notice is not printed in the newspaper, we cannot go forward with the hearing. The notice you receive must be photocopied and sent to all residents within two hundred feet (200') of the property in question. The list of residents will be provided to you by the Zoning Department (Pat Miniotti or Peter Rocchi). At the time of the hearing, bring in the affidavit, verifying the notices have been sent, along with the paid receipt from the newspaper. This information will be detailed in the mailing that I forward to you.

Ms. Clarke: It maybe helpful to look at existing conditions.

Mr. Makowiec: Both sides of the property are fenced in.

Mr. Gooshaw: Ten foot (10') gate on opposite side and the fence is all around the property.

Adjourned: 7:15 p.m.

Original on File

C:	All Board Members	Board of Appeals
	All Town Council Members	Town Council
	Town Supervisor	Mr. David Sheen
	Town Clerk	Ms. Carolyn Renko
	Town Assessor	Ms. Catherine Broschart
	Town Building Inspector & Zoning Officer	Mr. Peter Rocchi
	Town Attorney	Steven W. Barnstead, Esquire
	Planning Board Chairman	Mr. John Scida
	Town Consultant	Ms. Ann Clarke
	Billy and Kit Gooshaw	
	25 Woodland Park, Pine City, NY 14871	

Transcribed: July 19, 2007

Bonnie J. Balok

Secretary-Board of Appeals

Town of Southport

**BOARD OF APPEALS  
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, ELMIRA, NEW YORK**

**MEETING MINUTES  
INFORMATIONAL HEARING**

WEDNESDAY  
JULY 18, 2007  
7:16 P.M.

TOWN HALL  
1139 PENNSYLVANIA AVENUE  
ELMIRA, NEW YORK, 14904

Board Members Present: Clairmont Ham, Chairman  
Deborah Eames  
Mark Makowiec  
Patricia Opper  
Sidney Shepherd

Town Officials Present: Steven W. Barnstead, Town Attorney  
Peter Rocchi, Town Zoning Officer & Building Inspector  
Ann Clarke, Town Consultant

Property Owners Present: Stephen and Sue Mower  
1521 Maple Avenue  
Elmira, NY 14904

Concerning Property: Tax Map No. 10.05-2-29                      Zoned: Residential Two (R-2)  
Commonly Known As  
1521 Maple Avenue  
Elmira, NY 14904

Chairman Ham called the meeting to order and advised this is an informational hearing for the Mowers concerning replacement of a front porch.

Discussion took place concerning the property and proposed replacement of the front porch on this site. The existing front porch is four feet (4') by eleven feet (11') and the proposal includes replacement of that structure with a new porch measuring ten feet (10') by twenty eight feet (28').

Chairman Ham:            Do you want to go on with a public hearing?

Mr. Mower:                Yes.

Chairman Ham:            The public hearing will be held on Wednesday, August 15 at 7:30 pm. You probably heard the information about the procedures from the two (2) previous hearings, but Bonnie will explain the process.

Secretary Balok:        I will mail the public hearing notice to the "Star-Gazette". At the same time, I will forward a copy of the notice, an affidavit and detailed instructions to you. You must pay for the notice to be printed in the newspaper. If the ad is not paid, the "Star-Gazette" will not publish the notice; if the notice is not printed in the newspaper, we cannot go forward with the hearing. The notice you receive must be photocopied and sent to all residents within two hundred feet (200') of the property in question. The list of residents will be provided to you by the Zoning Department (Pat Miniotti or Peter Rocchi). At the time of the hearing, bring in the affidavit, verifying the notices have been sent, along with the paid receipt from the newspaper. This information will be detailed in the mailing that I forward to you.

Chairman Ham: Are there any questions?

Mr. Makowiec: There are four (4) questions you will have to answer at the next meeting. The questions concern the area variance.

Adjourned: 7:19 pm

Original on File

C:	All Board Members	Board of Appeals
	All Town Council Members	Town Council
	Town Supervisor	Mr. David Sheen
	Town Clerk	Ms. Carolyn Renko
	Town Assessor	Ms. Catherine Broschart
	Town Building Inspector & Zoning Officer	Mr. Peter Rocchi
	Town Attorney	Steven W. Barnstead, Esquire
	Planning Board Chairman	Mr. John Scida
	Town Consultant	Ms. Ann Clarke
	Stephen Mower	
	1521 Maple Avenue, Elmira, NY 14904	

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