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cc: Planning Board Members
Town Board Members
All Town Departments

July 2, 2007

Minutes of the Regular Meeting of the Town of Southport Planning Board held at the Town of Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York, on July 2, 2007 at 7:00 pm.

MEMBERS PRESENT: Chairman John Scida, Frank May, Linda Olthof, Daniel Smith, Linda Taft, Vice Chairman Michael Stephens

MEMBERS ABSENT: Michael Manzari

OTHERS PRESENT: Code Enforcement Officer Peter Rocchi, Attorney Steven Barnstead, Town Consultant Ann Clarke, Town Supervisor David Sheen, Councilperson Etta Dewey, Councilperson Kathy Szerszen

Chairman Scida called the meeting to order at 7:00 pm.

The Regular Meeting Minutes of June 4, 2007 were accepted as presented.

Chairman Scida introduced and welcomed new Planning Board Member Linda Taft.

**SPECIAL PERMIT &
SITE PLAN REVIEW APPLICATION – RICHARD PHILIPS**

Special Permit & Site Plan Review application submitted by Richard Philips to relocate his small engine repair business from 1443 Pennsylvania Avenue to 960 Pennsylvania Avenue. Property is zoned Commercial 2.

DISCUSSION

Chairman Scida questioned the applicant as to when he intended to move and his plans for storage.

Ann Clarke also asked if all the equipment and repair would be done inside the store.

Mr. Philips responded by stating that he planned on moving as soon as he is approved.

He also stated that all repair would be done inside the store and all storage for new, used and customer's equipment would be inside and that the only thing outside periodically would be parts machines. He further stated that he would put the fence that is already there back up and assured the Board that there would be nothing seen from the road.

Linda Olthof inquired if he would have machines outside for sale and hours of operation.

Mr. Philips referred to his letter that noted the hours of operation and that during business hours only, would he place any units out in front for sale then at night all would be brought back into the building.

Mr. May suggested a time limit as to when the fence should be completely installed. A thirty (30) day stipulation, after approval of the Site Plan, was agreed to by all.

Lengthy discussion ensued as to the legality of parking an unlicensed 7 ½' truck behind the 6' fence (intended for additional storage).

Officer Rocchi stated that after review of the issue he found that the vehicle (unregistered with no roof covering) would not be allowed as intended.

Mike Stephens inquired whether the attached storage shed would be to his disposal.

Mr. Philips stated that the shed was not included in the lease agreement

Dan Smith questioned if the units being displayed outside would in the "right of way".

Ann Clark suggested that particular concern could certainly be made a stipulation.

The Board's biggest concern is the way the applicant maintained his previous property.

The applicant explained that he did not have adequate storage at the property located at 1443 Pennsylvania Avenue. He assured the Board that the new location would not be "a junkyard".

The Planning Board set a public hearing for August 6, 2007 at 7:15 pm.

SPECIAL PERMIT & SITE PLAN REVIEW APPLICATION – CHRISTIAN FAITH FELLOWSHIP CHURCH

Special Permit and Site Plan Review application from Christian Faith Fellowship Church for future location of their church on approximately 6 (six) acres of land to be split off from property located at 1337 Pennsylvania Avenue, Pine City, NY. The property is currently owned by Bernard and Alice Hartman. Property is zoned Residential 2.

DISCUSSION

Mr. Hartman informed the Board of the intention of his property which was basically to split off 6 acres for the Church, with the house and 2 acres remaining on the tax rolls to be used as high-income rental property. He explained that the barn would be removed and also the trees along the road.

Mike Stephens questioned how many stories will the church have and what type of building materials are to be used.

Mr. Hartman responded that the church was to be a single story with no basement and that only high quality building materials were going to be used, estimated to be about one million dollars.

Ann Clarke noted the biggest concern is that there is no indication on the drawing as to the dimensions of the parcel that is being dedicated to the church, the parcel that is being split off, so there is no way of knowing if both parcels will meet the zoning requirements.

Chairman Scida stated, for the Board's purposes, stamped engineers drawings are necessary due to the fact that the Site Plan and Special Permit approval are tied together.

Mr. Daniel Williams, engineer for the project, stated that he could only provide, at this time, just preliminary drawings with all the set backs and size of the property to meet the local zoning code.

Not having a complete set of drawings with all storm water calculations, an entire full blown design and site design, and unable to address technical issue questions from the Board involving scale, dimensions, division of parcels, storm water, etc., the Board agreed to waive the agenda schedule and set a Special Meeting to enable Mr. Williams to provide a complete set of preliminary drawings.

A Special Meeting is set for Tuesday, July 17, 2007 at 6:00 pm.

**REFERRAL FROM TOWN BOARD TO PLANNING BOARD
RECOMMENDING AMENDMENT OF LOCAL LAW MUNICIPAL CODE
CHAPTER 192 ANIMALS, ARTICLE III DOG LICENSE FEES.**

DISCUSSION

As an alternative to proposing a local law changing the fees back to the original fees, Attorney Barnstead suggested recommending a local law to amend the setting of the fees so that the Board can pass the fees by resolution (as opposed to having a hearing and a local law change every time a fee changes).

Ann Clarke agreed.

Motion made by Linda Olthof recommending the Town Board enact a local law to amend the setting of the fees allowing the Town Board to set fees by resolution.

RESOLUTION NO. 11-2007 PB

**RECOMMEND THE TOWN BOARD ENACT A LOCAL LAW TO AMEND THE
SETTING OF FEES, ENABLING THE TOWN BOARD TO SET FEES BY
RESOLUTION**

Resolution by: L. Olthof
Seconded by: F. May

WHEREAS, the Planning Board of the Town of Southport undertook review of referral from the Town Board of the Town of Southport to recommend amendment of Local Law Municipal Code Chapter 192 Animals, Article III Dog License Fees, and

WHEREAS, after due deliberation, it hereby

RESOLVED, that the Planning Board of the Town of Southport recommends the Town Board of the Town of Southport enact a local law to amend the setting of fees, enabling the Town Board to set fees by resolution.

AYES: F. May, L. Olthof, D. Smith, M. Stephens, L. Taft, J. Scida
NOES: None
ABSENT: M. Manzari
CARRIED.

Motion to Adjourn: M. Stephens
Seconded by: L. Olthof

Meeting was adjourned at 7:50 pm.

Respectfully submitted by

Jacquelyn L. French, secretary