

TOWN OF BIG FLATS
PLANNING BOARD
MEETING MINUTES

*Filed with
Town Clerk
June 19, 2012*

JUNE 5, 2012

Town Hall
Meeting Room
6:30pm

Members Present: Lance Muir, Angela Piersimoni, Carl Masler, Jim Ormiston, Scott Esty, Bob Byland, Dave Seely

Members Absent: None

Staff Present: Tim Gilbert, Brenda Belmonte

Guests: Carolyn Welliver, Jerry Welliver, William R. Stewart, Larry R. Foor, Cathleen Deery, Karl Schwesinger, Judy Kadlec, Mike Smith, Jim Appier, Ron Panosian, George Buck

Minutes

May 1, 2012

Motion by Esty, seconded by Ormiston, to approve the minutes of May 1, 2012, Discussion, None, Motion Carries 5-0 with Seely and Byland abstaining.

RESOLUTION P-2012-15

Papa Dale-Smith/ Preliminary Site Plan

Tax Parcel #87.04-1-13

Resolution by: Esty

Seconded by: Piersimoni

WHEREAS, this Board has received an application dated May 10, 2012 for preliminary review on June 5, 2012; and

WHEREAS, this Board, as per Town of Big Flats Code 16.08.030(D), has determined the preliminary plat to be complete; and

WHEREAS, this Board hereby authorizes the Code and Planning to forward this application to the Chemung County planning board for comment; and

WHEREAS, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Big Flats Planning Board's uncoordinated review as lead agency; and have authorized the Code and Planning office to forward to the other involved agencies for comment; and

WHEREAS, the Town Board has authorized the Code and Planning office to forward to the Chemung County Planning Board for comments; then

NOW THEREFORE BE IT RESOLVED, the Town of Big Flats Planning Board accepts the June 5, 2012 Staff Comments as finding of fact and accepts the preliminary review as complete.

CARRIED: AYES: Muir, Masler, Piersimoni, Esty, Byland, Ormiston, Seely

NAYS: None

Dated: Tuesday, June 5, 2012
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats
Lance Muir
Chairman, Planning Board

**Unitarian Universalist Fellowship Church
Concept Site Plan
Tax Parcel 66.02-2-30**

Karl Schlesinger of Fagan Engineers is representing the applicant. The proposal includes constructing a sanctuary and enlarging the parking area.

Esty questioned who owned the access road land and was told it was a right-of-way.

A condition of approval will be to obtain written permission from the owner of the right-of-way documenting access in perpetuity.

Several issues to be addressed for the preliminary plan submittal, including septic approval from the health department and paving of the parking lot.

Zoning Amendment Proposal

This proposal is being presented to the planning board for comment, which will be forwarded to the Town Board for their meeting in July

Following is the review, and comment on each item as presented:

- **Chapter 17.16.080 Transition Yard Requirements** – Conflicting requirements in

17.16.080 and 17.36.200. Proposal is to amend Chapter 17.16.080 to reflect the more restrictive chart in chapter 17.36.200, Section C 1.

Planning Board is agreeable to this proposal.

- **Chapter 17.52.020 General requirements section 5** – Inconsistency in sign height requirements. Proposal is to amend to reflect the maximum allowable sign height according to Chapter 17.52.050.

Planning Board is agreeable to this proposal.

- **Chapter 17.08.040 Use Districts** – Use Chart in Chapter 17.12.010 allows *Vehicle Sales and/or Heavy Equipment* in the Conservation (C) Zone. This use is not consistent with the intent of that district. Proposal is to remove *Vehicle Sales and/or Heavy Equipment* as an allowed use in the Conservation (C) Zone.

Planning Board is agreeable to this proposal.

- **Chapter 17.08.040 Use Districts sect. H. Business Neighborhood 2 (BN2)** – As per the intent of this district, the proposal is to allow *Vehicle Sales and/or Heavy Equipment* within the Business Neighborhood 2 (BN2) district. Also, to be consistent with the intent of low volume traffic and hours of operation in the BN2 district, the proposal is to consider removing *Bakery, Convenience Mart, Commercial Parking lot, and Standard Restaurant* from the BN2 zone.
- **Chapter 17.08.040 Use Districts sect L. Commercial Light Industrial (CL)** - As per the intent of this district, the proposal is to allow *Vehicle Sales and/or Heavy Equipment* within the Commercial Light Industrial (CL) district.

Discussion:

Muir feels the *Vehicle Sales and/or Heavy Equipment* use would be a good fit for an area like Daniel Zenker Drive (BN2) because specifics such as buffers can be controlled through site plan review and special use permit requirement. Also noted: fleet storage is not an allowed use in the aquifer area.

Esty agrees – given site plan controls and the board’s oversight he feels it was the intent to include this use in the business district.

Piersimoni feels that the description infers to all heavy equipment and would open this district up to all vehicle sales and not just large equipment.

Gilbert explained that the use includes only large equipment; it does not allow cars.

Ormiston feels a standard restaurant (not fast-food) would not be a use that would be disruptive to the neighborhood. He also noted that there is currently a convenient mart in the residential area near the airport and he does not see anything truly detrimental there.

Muir referred to the intent of the comprehensive plan – to not have that activity close to residents in

close proximity to Daniel Zenker Drive. A mini-mart is 24hrs; a restaurant is not. Some things can be controlled with site plan and some cannot.

Esty stated that there is a market located very close to his home and he finds it very convenient and easy to get to. It serves the whole neighborhood and has never been interference. Perhaps we should allow a standard restaurant and a convenient mart (without fuel).

Gilbert explained that, in referring to the definition, a convenient mart includes gas. There would be no way to limit a proposal that complied with all requirements.

Esty asked for an explanation of commercial parking.

Tim gave examples of airport parking and fleet storage.

Piersimoni does not want anything there that would constitute a large traffic flow. That area gets very busy and is potentially dangerous as is.

Gilbert said a traffic study would be required for any further development.

As to commercial parking; Esty feels it is not much different than a storage unit. It would have to meet site plan criteria which would include a traffic study.

Gilbert stated that some of that property is in the 100yr floodplain and so would have to abide by those restrictions.

The planning board recommended approval with the exception of removing *Bakery, Convenience Mart,* and *Standard Restaurant* from the *Business Neighborhood 2 (BN2) Zone*. However, the Planning Board did recommend that *Commercial Parking lot* be removed from this zone.

Motion by Esty, seconded by Ormiston, to forward the above comments to the Town Board, Discussion, None, Motion Carries 7-0.

Members Comments

Ormiston mentioned the increase use of 'air' banners and the need to develop requirements specific to them.

Motion to adjourn at 7:30pm by Esty, seconded by Byland, Discussion, None, Motion Carries 7-0.

Meeting adjourned at 7:31pm