

**TOWN OF BIG FLATS
PLANNING BOARD
MEETING MINUTES**

SEPTEMBER 6, 2016

Town Hall
Meeting Room
6:30pm

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

Members Absent: John Hunter

Staff: Brenda Belmonte, Gabriel Holbrow

Guests: Brian DeMark, Robert Petrie, Mike Smith, Sue Lamberson, Boyd Lamberson, Dan Murch, Michael Bolt

Minutes
August 2, 2016

Motion by Esty, seconded by Seely, to approve the minutes of August 2, 2016, Discussion; None, Motion Carries 7-0.

**LAMBERSON AREA VARIANCE
36 LEXINGTON RUN
TAX PARCELS #47.04-2-45 & 47.04-2-55.2**

The applicant has decided to alter the property boundary to include the new garage with the existing home and garage.

Motion by Esty, seconded by Ormiston, to forward favorable comments to the ZBA along with a recommendation to grant the requested variance; Discussion; None, Motion Carries 7-0.

**RESOLUTION P-2016-29
MURCH INSURANCE AGENCY PRELIMINARY SITE PLAN
77 CANAL STREET
TAX PARCEL #66.04-1-7**

Resolution by: Esty
Seconded by: Masler

WHEREAS, the Town of Big Flats Planning Board received an application for site plan approval on August 16, 2016, from Daniel Murch; 3025 Hickok Rd., Corning, NY 14830, and

WHEREAS, the Town of Big Flats Planning Board has reviewed the submitted materials in accordance with Chapter 17.32 of the Town of Big Flats Municipal Code; and

WHEREAS, 77 Canal Street is located within the *Town Center (TC) District*; and,

WHEREAS, *Insurance Agency* is an allowed use within said district; and,

WHEREAS the board declares itself lead agency and will forward this site plan application to the Chemung County Planning Board for their review and comment; and

WHEREAS, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617; and will not have a significant effect on the environment and preparation of an Environmental Impact Statement will not be required; and

NOW, THEREFORE IT BE RESOLVED the Town of Big Flats Planning Board accepts the Site Plan dated August 16, 2016 as a preliminary plan.

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

NAYS:

Dated: Tuesday, September 6, 2016
BIG FLATS, NEW YORK

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

Applicant Daniel Murch has purchased the building to house his insurance agency and to possibly provide a small business office rental in the future. Hours of operation will be Monday – Friday, 8:00am – 4:00pm.

SMITH AREA VARIANCE REFERRAL
2844 NYS ROUTE 352
TAX PARCEL #77.00-1-3

A variance is required due to code requirements that a subdivision must be contiguous; “*not divided by any watercourse, existing road or public right-of-way.*”

Applicant Mike Smith explained that the farmhouse is extremely close to his pumpkin patch and corn maze business. In order to maintain the business and subdivide to meet the minimum five (5) acre lot requirement, he is only able to take 1.1 acres from the area around the house, with the remaining 3.9 acres to be taken from the lot across NYS Route 352.

Motion by Esty, seconded by Seely, to forward favorable comments to the ZBA along with a recommendation to grant the requested variance; Discussion; None, Motion Carries 7-0.

**RESOLUTION P-2016-30
PREMIER LANDSCAPING PRELIMINARY SITE PLAN
2335 STATE ROUTE 352
TAX PARCEL # 87.04-1-14**

Resolution by: Esty
Seconded by: Masler

WHEREAS, the Town of Big Flats Planning Board received an application for site plan approval on August 17, 2016, from Brian DeMuth, 405 Arcadia Ave., Elmira, NY 14905, to allow Premier Landscaping to operate a landscaping and repair business with a secondary use of ice cream and coffee shop at 2335 NYS Route 352; and,

WHEREAS, the Town of Big Flats Planning Board has reviewed the submitted materials in accordance with Chapter 17.32 of the Town of Big Flats Municipal Code; and

WHEREAS, 2335 NYS Route 352 is located within the *Business Neighborhood (BN) District*; and,

WHEREAS, *Landscaping and Repair Shop and Ice cream / Coffee Shop* are allowed uses within said district; and

WHEREAS, *Repair Shop* includes only the *repair* of lawnmowers and off-road equipment, and does NOT include repair of any vehicle licensed for over the road travel; and

WHEREAS, the applicant has agreed to remove the request for review of a proposed *drive-through window* from the submittal at this time; and,

WHEREAS, the board declared itself lead agency, and will forward to the Chemung County Planning Board for their review; the proposed action is an Unlisted action

pursuant to SEQR 6 NYCRR Part 617, and will not have a significant effect on the environment and preparation of an Environmental Impact Statement will not be required; and

WHEREAS, the Town of Big Flats planning board requires the applicant to meet all permitting/requirements from the Town of Big Flats Code Office, Chemung County DPW, Town of Big Flats DPW, NYS DOT, Chemung County Health Department, Town of Big Flats Fire Department; and

FURTHER RESOLVED, the Town of Big Flats Planning Board accepts the Site Plan dated August 17, 2016 as a preliminary plan.

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

NAYS:

Dated: Tuesday, September 6, 2016

BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats

Lance Muir

Chairman, Planning Board

Applicant Brian DeMark explained that he plans to move his landscaping business with an added ice cream shop into this location.

Muir stated that vehicle repair for over the road vehicles is not allowed in that zone. However, the repair of lawnmowers and off-road equipment would be allowed.

DeMark said he would like to be able to repair his own business vehicles and equipment.

Regarding the proposed drive-through window, Esty stated several concerns, including sufficient space for a waiting lane, stacking of vehicles, etc. A drive through window would need an engineered review.

DeMark said perhaps he would revisit that in the future. For this submittal, he will remove it from the proposal.

Esty asked if the intent was to have tables inside the building for ice cream customers.

DeMark replied no; he would like something similar to the ice cream window at Davis Landscaping on Main St.

Seely asked if there would be storage and selling of mulch and was told yes, out behind the building.

**RESOLUTION P-2016-31
DEPUY SYNTHES CHEMICAL STORAGE BUILDING
PRELIMINARY SITE PLAN AMENDMENT
TAX PARCEL # 57.02-1-69**

Resolution by: Esty
Seconded by: Piersimoni

WHEREAS, the Town of Big Flats Planning Board received an application for site plan approval from DePuy Synthes, 35 Airport Road, Horseheads, NY 14845, on August 22, 2016; and,

WHEREAS, the applicants proposal is to utilize a pre-constructed *accessory structure* for chemical storage; and,

WHEREAS, the Town of Big Flats Planning Board has reviewed the submitted materials in accordance with Chapter 17.32 of the Town of Big Flats Municipal Code; and

WHEREAS, 35 Airport Road is located within the *Airport Business Development (ABD) District*; and

WHEREAS, the board has declared itself lead agency, and will forward this site plan application to the Chemung County Planning Board for their review and comment

WHEREAS, the proposed action is a Type II action pursuant to SEQR 6 NYCRR Part 617; and will not have a significant effect on the environment and preparation of an Environmental Impact Statement will not be required; and

THEREFORE IT BE RESOLVED, the Town of Big Flats Planning Board accepts the Site Plan dated August 16, 2016 as a preliminary plan.

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

NAYS:

Dated: Tuesday, September 6, 2016
BIG FLATS, NEW YORK

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

**EMHART GLASS AREA VARIANCE REFERRAL (SIGN)
74 KAHLER ROAD**

TAX PARCEL #57.03-2-12.2

The applicant is requesting a second company sign to assist in directing visitors to the proper entrance.

The board would like to recommend a future code review of regulations pertaining to signs allowed in this district.

Motion by Esty, seconded by Lovell, to forward favorable comments to the ZBA along with a recommendation to grant the requested variance; Discussion; None, Motion Carries 7-0.

Motion by Seely, seconded by Muir, to adjourn at 7:29pm, Discussion; None, Motion Carries 7-0.

Adjourned at 7:30pm