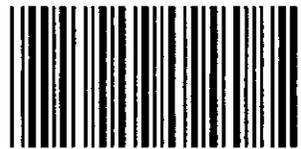


Planning Board



1995



TOWN OF URBANA PLANNING BOARD MEETING
December 6, 1995

PRESENT: Randy Robinson, Member
Paul Wood, Member
James Presley, Member
Marcia Coon, Member
Robert Magee, Chairman
Marsha Towner, Secretary

PUBLIC

PRESENT: Attorney Robert Plaskov
Mr. Gary Haff

Chairman Magee called the meeting to order at 7:10pm. The first item of business was the approval of minutes from previous meetings. Paul Wood motioned the approval of the minutes for August 2, 1995 as submitted. Jim Presley seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Paul Wood motioned the approval of the minutes of August 23, 1995 as submitted. Jim Presley seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Paul Wood motioned the approval of the minutes of November 1, 1995 as submitted. Randy Robinson seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Attorney Plaskov was present with Mr. Gary Haff to address the issue of the Haag Subdivision. Prior subdivisions which took place after 1985 were not legally subdivided in that the proper applications were never submitted for approval by the Planning Board. Mr. Haff has been trying to complete his purchase of a parcel from Mr. Haag since before December of 1994. After discussion and study of the tax maps, it appears that there are nine parcels (give or take a few) in the Haag subdivision. Mr. Haag's attorney, Joseph Latham, will need to verify the number of subdivisions. Chairman Magee will contact Latham to verify that number as well as inform him of the missing items that need to be

supplied in order to make all the applicable subdivisions legal. The missing items include, but are not limited to, an updated plat map, a survey of the entire original lot before it was subdivided, and tax receipts. To expedite Mr. Haff's purchase, the Board discussed approving the subdivision to Mr. Haff contingent upon the completion of the applications for the prior subdivisions by Mr. Haag. Marcia Coon motioned to accept the paid application of Mr. Haff as submitted contingent upon the submission of the missing items from the previous subdivisions. Paul Wood seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Chairman Magee stated that he would notify Mrs. Haag, as well as Attorney Latham, in regards to what transpired as a result of this meeting.

Marcia Coon also motioned that this subdivision to Haff be declared a Major Subdivision. Randy Robinson seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Chairman Magee explained to the Board that under Section 93-28 of the Town Code, they have the option to waive any provisions of the subdivision requirements deemed necessary as long as the public interest is secured. Marcia Coon motioned to waive sections 93-25 through section 93-27 because the lot size of this subdivision makes it a lower impact lot. Paul Wood seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

As soon as all the needed information is submitted from Mr. Haag/Attorney Latham, a public hearing will be scheduled on this matter.

Attorney Plaskov then addressed the Board regarding the Keuka Family Practice (KFP) subdivision. The lot in question is the corner piece that the water pipes from Keuka Professional Associates (KPA) pass through. KFP wants to give this lot to KPA. After discussing the location of the lot in reference to the hospital property that separates the buildings of KFP and KPA, it was determined that the easier way to settle this matter would be for KFP to give the lot to the hospital and then have the hospital grant an easement to KPA. This would be logical since the hospital has already granted KPA an easement for property that adjoins the lot in question. Attorney Plaskov stated that he would speak to

KFP and the hospital Board and ask if this would be an acceptable alternative. In the meantime, the application for the subdivision is complete with all the proper submissions. Paul Wood motioned to accept the application of KFP for subdivision as submitted, and declare the subdivision to be a minor subdivision. Jim Presley seconded the motion. Roll call vote was taken.

Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"

(Marcia Coon was exempt due to conflict of interest)

Mr. Magee informed Attorney Plaskov that a public hearing will be scheduled as soon as it is determined who KFP is going to give the lot in question to. (Either the hospital or KPA)

The third item of business was the matter of Michael Cook and Barley Hops & Vine. Attorney Plaskov represents Mr. Cook, and clarified for the Board the intentions of Mr. Cook. At present, Mr. Cook has plans to have a micro brewery in the upstairs of his building and leave the downstairs as it is. Chairman Magee explained to Attorney Plaskov that the Board's position is favorable toward Mr. Cook's business as it is and the possibility of expanding to a micro brewery. He also explained that in the past, Mr. Cook continued to expand his goals to include a deli, terrace parking, a bar and living quarters upstairs. This raised concerns on the part of the CEO. Discussion followed in regards to Mr. Cook's intentions as well as Mr. Brook's concerns. It was determined that Mr. Cook needs to draw up plans for exactly what he wants and present it to the Board for site plan and concept review. At that point, it could be determined if Mr. Cook will need a variance or a special use permit. Mr. Plaskov stated that he would speak with his client and inform him that the Board would welcome an application for his plans of a micro brewery, and that he needs to submit a detailed plan for the Board's review.

Chairman Magee then informed the Board of complaints that he has received from the State Police regarding the absence of a noise ordinance in conjunction with gun activity that has been taking place late at night. After discussion, the Board concurred that at this time, it is better to leave the matter as it is. No laws have been broken as of yet, and the Board feels it better to not have a noise ordinance. An ordinance would be difficult to enforce, and there is no standard to use as a gauge to determine when the noise is excessive.

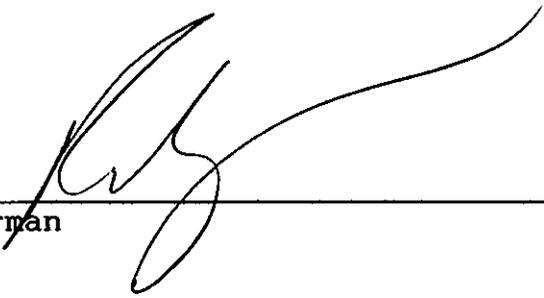
The final item of business was a Lakefront Committee update. Chairman Magee informed the Board of the next meeting and stated that the meetings are very good and informative. He explained the committee's agenda and that the committee favors public access to the lake as well as some sort of public activity being available for the winter season. At this time, ideas are being discussed. At a later date the ideas will be sifted through and it will be determined what can and will take place. The committee is supposed

to complete it's work in six months time.

As there was no further business for discussion, Jim Presley made the motion for adjournment. Bob Magee seconded the motion.

Roll call vote was taken. Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

Approved



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD MEETING
NOVEMBER 1, 1995

PRESENT: Randy Robinson, Member
Paul Wood, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary

The November 1, 1995 meeting of the Town of Urbana Planning Board was called to order at 7:03pm. With the absence of Mr. Chairman, the meeting was brief.

The members held an informal discussion regarding the absence of a noise ordinance in conjunction with the reported incident of guns being shot in the middle of the night. Neighbors have complained because of the noise, and are concerned that there is nothing that can be done about it. Marcia Coon brought up the Snug Harbor matter as it relates to the noise complaints. Being that the lake season is over, and a noise ordinance is nearly impossible to enforce, it is the opinion of the Board, that the matter of implementing a noise ordinance not be pursued.

Marcia Coon next addressed the matter of Keuka Family Practice (KFP) selling a corner of their lot to Keuka Professional Associates (KPA). The water/septic lines of KPA run through the corner of KFP property. It is KFP's preference that KPA purchase the property instead of being granted an easement. KFP is being represented by Teresa Bauer and Ms. Bauer had a question about how to go about completing the subdivision. The property in question would not adjoin the property presently owned by KPA, but would be adjoined to the property owned by Ira Davenport Hospital. Therefore, the corner in question would be a substandard lot if purchased by KPA. It was stated that if the corner was sold to the hospital, the hospital could then grant an easement to KPA. This would relieve KFP of any responsibility attached to the use of the corner. The Board made the determination that Ms. Bauer needs to file the application for subdivision and the Board will then review and determine what the next step will be.

An informal discussion regarding Mercury Aircraft and it's purchase of Taylor Wine was next as Marcia Coon informed the Board of events leading up to the purchase by Mercury as well as general plans for operation of Mercury Aircraft at the new site.

The Board then turned to the approval of the minutes from the July 12, 1995 meeting. Marcia Coon motioned that the minutes be approved as submitted. Paul Wood seconded the motion. Roll call vote was taken. All members voted "Aye".

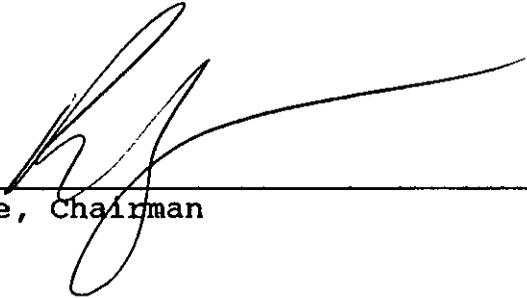
Marcia Coon made a motion to approve the minutes of the October 4, 1995 meeting as submitted. Paul Wood seconded the

motion. Roll call vote was taken. All members voted "Aye".

As there was no further business, Randy Robinson made the motion that the meeting be adjourned. Paul Wood seconded the motion. Roll call vote was taken. All members voted "Aye."

The next meeting of this Board will be December 6, 1995 at 7pm.

Approved,



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD MEETING
October 4, 1995

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary

PUBLIC
PRESENT: Don Green

The October 4, 1995 meeting of the Town of Urbana Planning Board was called to order at 7:00pm. All members of the board were present and the first item of business was the Public Hearing for the Green minor sub-division. Affidavit of publication is on file.

Mr. Magee went through Mr. Green's file and noted that the application is complete with the exception of a survey. Mr. Green brought his survey map to the meeting and presented it to the Board for submission. He explained that using the creek as a natural boundary line between the two lots he is creating, creates a sub-standard lot of 1.75 acres. Mr. Green stated that if need be, the boundary line could be changed to create a more standard lot. He was expecting that the two lots would be 19 acres with the house, and closer to 3 acres with the barn. Completing the survey revealed that the true size of the lot that Mr. Green plans to keep for himself is only 1.75 acres. The survey also shows that the road frontage is short approximately 35 feet of the 250 feet requirement. The Board discussed with Mr. Green some of the options that might be open to him, concluding that the easiest thing to do would be to have the survey modified to show a new boundary line that will create the required 2 acre lot.

In addressing the subject of the road frontage requirement, Mr. Magee stated that the Board could utilize section 93-28 of the code to waive the 250 feet frontage requirement (which was voted on and accepted at the June 7, 1995 meeting), but that the Board could not waive the 2 acre lot requirement in addition. Mr. Green expressed his concern over the time that it would take for the survey to be modified and the Board to schedule another meeting in order to vote on signing the survey. He stated that he has a buyer for the property and expects the closing to be as early as two weeks. The Board discussed Mr. Green's situation and agreed that they could presently vote on signing the modified surveys when submitted so as to alleviate the need to reconvene. As there were no further questions, the Public Hearing was closed at 7:38pm.

The Board went into the regular meeting and addressed the Green minor sub-division. After reviewing the file, Mr. Magee

stated again that the application was complete except for the survey showing a two acre lot with the barn. The SEQOR was completed, and upon review of the information recorded on the EAF, (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it was reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. Jim Presley made a motion that a Negative Declaration be prepared. Marcia Coon seconded the motion. Roll call vote was taken and all members voted,

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Mr. Magee stated the findings of the Public Hearing as follows:

1. The Board voted on June 7, 1995 to utilize section 93-28 of the code to waive the 250 feet road frontage requirement.
2. The Board refuses to waive the 2 acre lot requirement in an agricultural district.
3. This sub-division was declared a minor sub-division at the June 7, 1995 meeting.
4. Negative SEQOR.
5. Application is complete except for the modified survey.
6. Mr. Green will submit the modified surveys upon their completion. At that time, Mr. Chairman will sign them.

Paul Wood made the motion to accept the findings. Jim Presley seconded the motion. Roll call vote was taken and all members voted,

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

To expedite the closing transaction for the sale of Mr. Green's property, and so the Board would not have to reconvene in order for the Chairman to sign the surveys, the Board agreed to make a motion so that Mr. Chairman could sign the modified surveys when submitted. Being that the Minor Subdivision application of Donald Green meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval, Jim Presley made a motion to approve the minor subdivision as submitted, and to instruct the Chairman to sign to survey. Marcia Coon seconded the motion. Roll call vote

was taken and all members voted, Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

Mr. Magee then informed the Board about the 1995 Training Institute to be held in November. It appeared that none of the members were available to go.

As there was no further business, Jim Presley motioned for adjournment. Randy Robinson seconded the motion. Roll call vote was taken and all members voted, Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The meeting was adjourned at approximately 8:30pm. The next meeting of this Board is scheduled for November 1, 1995.

 CHAIRMAN 12/6/95

TOWN OF URBANA PLANNING BOARD MEETING
August 23, 1995

PRESENT: Robert Magee, Chairman
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary
Bill Brooks, CEO
Brian Flynn, Counsel

PUBLIC

PRESENT: Cynthia Harrison
Martha Scutt
William Joint, Esq.

The August 23, 1995 meeting of the Town of Urbana Planning Board was called to order at 7:11pm. The first item of business was the approval of the minutes from the meeting of June 7, 1995. Jim Presley made the motion to approve the minutes as submitted. Marcia Coon seconded the motion. Roll call vote was taken and all members voted, Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The next item of business was to declare the Scutt sub-division a minor sub-division. Paul Wood made the motion to do so. Jim Presley seconded the motion. Roll call vote was taken and all members voted, Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

In the matter of the Longwell sub-division, Brian Flynn submitted a letter to the Board explaining the past history and current proposed sale of the Longwell residence to Clyde and Denice Lewis. This said parcel was sold in 1989 without the proper subdivision proceeding taking place. Mr. Longwell has completed and executed the Preliminary Application for Subdivision Approval, and pages 1 through 5 of the long form EAF, in order to rectify the past error and to properly move forward with the current transfer to Mr. and Mrs. Lewis. (see letter dated July 19, 1995 from Brian Flynn filed with the minutes of this meeting.) For the matter of good record keeping, Mr. Magee requested that the Board move to declare the past transfer of the property in question a pre-existing, non-conforming, deeded parcel, and that the application is for a minor sub-division. Jim Presley made such a motion. Marcia Coon seconded the motion. Roll call vote was taken, and all members voted, Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"

Marcia Coon, "Aye"

The Board then moved into the Public Hearing for the Scutt subdivision. Attorney Joint addressed the Board on Mrs. Scutt's behalf, and stated that all required submissions have been made as requested. There was no one from the public present, and the Board had no questions. The public hearing for this subdivision was closed at 7:27pm.

Mr. Chairman went through the applicant's file and verified that there was a complete application with all the required submissions. It was stated by the Chairman that the conditions numbered 4 and 5 that were set down by the Planning Board's decision of December 15, 1989 are no longer existing for the new lot created by this current subdivision.

Mr. Magee went through the SEQOR short form with the Planning Board. Upon review of the information recorded on the EAF, (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. Jim Presley, made the motion that a Negative Declaration be prepared. Paul Wood seconded the motion. Roll call vote was taken and all members voted,

Robert Magee,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Mr. Chairman signed the SEQOR and the Board concluded their discussion of this subdivision application with the following findings:

1. The application is complete and in compliance
2. No significant environmental impact
3. Annexation of lot "C" to original property would negate all deed restrictions as required by Planning Board decision of 12/15/89 for original sub-division.
4. Conditions of the Decision made on 12/15/89 still apply to lots "A" and "B", but are not applicable to lot "C".

It is the determination of the Planning Board that the Minor Subdivision application of Martha Scutt meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. Jim Presley made the motion to accept the findings and approve the Scutt subdivision as submitted, and to instruct the Chairman to sign to survey. Paul Wood seconded the motion. Roll call vote was taken and all members voted,

Robert Magee,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"

Marcia Coon, "Aye"

The Public Hearing for the Longwell sub-division was opened at 8:00pm. Mr. Chairman stated that this is a pre-existing, non-conforming lot, and for the purpose of good record keeping he suggested that the Board grant a minor subdivision for all transactions from 1976 to the present date. Mr. Magee noted that the application for current subdivision is complete, and he proceeded to complete the SEQR. The Board concluded it's discussion with the following findings:

1. This is a pre-existing, non-forming lot
2. For purposes of good record keeping the Board should grant subdivision for previous transfers of this parcel
3. There is a complete application for the current transfer of this parcel.
4. There is no significant impact on the environment.

Upon review of the information recorded on the EAF, (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. Jim Presley made the motion that a Negative Declaration be prepared. Marcia Coon seconded the motion. Roll call vote was taken and all members voted,

Robert Magee,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

It is the determination of the Planning Board that the Minor Subdivision application of David Longwell meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. Jim Presley made a motion to approve the David Longwell subdivision as submitted, and to instruct the Chairman to sign to survey. The Public Hearing for the Longwell subdivision was closed at 8:07pm.

The Planning Board then moved into an informal work session to discuss an ongoing situation with Snug Harbor and the neighboring property owners who would like to seek the enactment of a noise ordinance as a result of an intensification of use by Snug Harbor. The following members of the public were present:

Ann and Ken Miller
Michael Regan
Philip and Frances Jones
Floyd and Ruth Stamilio
Paul Olynk

The aforementioned public desires the town to enact a noise ordinance, or offer relief, to protect the rights and privacy of the public neighboring Snug Harbor. Mr. Michael Regan submitted a letter addressed to the Chairman of the Planning Board explaining the situation of August 5, 1995 whereby Snug Harbor had a wedding party outside on the terrace. Said letter is filed with the minutes of this meeting.

Chairman Magee asked Bill Brooks, CEO, for his professional input in this matter. Mr. Brooks submitted a memo to the Planning Board dated August 23, 1995 which is filed with the minutes of this meeting. In summation, there is little supportive evidence that Snug Harbor has intensified or changed their use. The members of the public, as neighboring property owners of Snug Harbor, are desirous of protecting their rights of privacy, peace and tranquility. They are looking to the Board to offer some legal relief. In looking toward this end, Bill Brooks submitted a Draft Proposal for Special Events Legislation. This proposal is also filed with the minutes of this meeting. Mr. Chairman explained to the public that the board has no jurisdiction at this time to enforce any action upon Snug Harbor, but that the public was welcome to express it's concerns and that said concerns would be taken seriously and into consideration for future use.

Along with the public's concern of Snug Harbor's alleged excessive noise, Mr. Olynk also expressed concern about Snug Harbor's apparent inadequate sewer system. He presented the board with pictures that showed brown sludge seeping out of the top of the septic tanks and down into a diversion ditch which leads to Keuka Lake. Mr. Olynk stated that this was not the first time he had observed the overflow of sludge. The sludge makes it's way into the lake approximately ten feet from where Mr. Olynk's children would ordinarily swim. This is a major concern of the public as well. Discussion followed the presentation of the pictures. As there was no immediate action that the Board could take, Mr. Magee asked Counselor Flynn if he could look into the prospects of relief for the noise and congestion caused by the special events held at Snug Harbor. Mr. Magee thanked the Public for coming to the meeting and bringing their concerns to the Board. He assured them that their concerns were taken seriously, and that they had effectively made their concerns known. As there were no further questions or comments, the public dismissed and the Board moved on to new business.

The first item of new business involved the application for a special use permit of William and Tammy Fitzwater to operate a beauty salon in the basement of their home. Mrs. Fitzwater is a licensed beautician and desires to have a business in her home. The Board reviewed the Fitzwater application and agreed to issue a favorable opinion to the Zoning Board of Appeals in this matter whether it is a special use or a home occupation.

The last item of business was the Haag major subdivision. Jim Presley motioned to authorize Brian Flynn, Esq. to do what needs to be done in order to bring Mr. Haag into compliance with subdivision law. Marcia Coon seconded the motion. Mr. Flynn will keep the

Board informed as to the status of this matter.

As there was no further business, Jim Presley made the motion to adjourn the meeting. Marcia Coon seconded the motion. Roll call vote was taken and all members voted, Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The meeting was adjourned at approximately 9:45pm. The next meeting of this Board is scheduled for September 6, 1995.

Approved,

Robert Magee

A handwritten signature in black ink, appearing to be 'R. Magee', is written over a horizontal line. The signature is cursive and somewhat stylized.

TOWN OF URBANA PLANNING BOARD MEETING
AUGUST 2, 1995

PRESENT: Robert Magee, Chairman
Paul Wood, Member
Jim Presley, Member
Marsha Towner, Recording Secretary
Bill Brooks, CEO

PUBLIC William Joint, Esq.
PRESENT: Martha Scutt
Cynthia Harrison

The August 2, 1995 meeting of the Town of Urbana Planning Board was called to order at 7:00 p.m.

The first item of business was the preliminary review of the Scutt subdivision whereby Mrs. Scutt is proposing to annex a part of a neighboring 2.034 acre parcel (labeled "C" on the survey map) to a 1.002 acre parcel (labeled "A" on the survey map). The part to be annexed would be .232 acres, thus creating a new parcel "A" of 1.234 acres. Mrs. Scutt, attorney, William Joint was present and explained the plans for subdivision. Mr. Magee informed Mr. Joint of the documents needed for the Public Hearing and stated that a new survey map would need to be provided for the public hearing showing the new parcels created by the subdivision. New deeds for the newly formed parcels would also be needed.

Mr. Magee scheduled the Public Hearing for this subdivision for August 23, 1995. Jim Presley motioned to declare the Scutt subdivision a Minor Subdivision and accept Mrs. Scutt's preliminary application. Paul Wood seconded the motion. Roll call vote was taken Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"

The next item of business was the review of the Matthew Zyla application where he is seeking relief from setback requirements in order to construct a porch onto a mobile home that he is planning to use as rental property. After discussion regarding the size of the trailer and the fact that it is grandfathered, the Board determined to have a Public Hearing on August 23, 1995 to discuss in further detail, with the complete Board present, and then conclude with their opinion for the ZBA which reviews this application on August 24, 1995.

Chairman Magee then asked for a motion to approve the minutes from June 7, 1995. Jim Presley made the motion for approval. Paul Wood seconded the motion. Roll call vote was taken

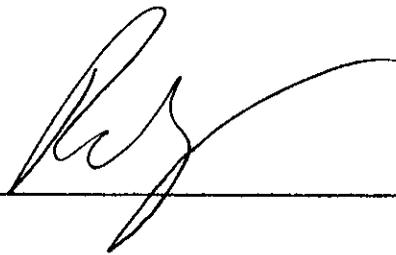
Robert Magee, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"

CEO Bill Brooks addressed the Board in regards to applications for setback requirements on the Lower East Lake Road. Doug Bailey has stated that the town has a 50 foot right of way to all the town roads in the town of Urbana. Therefore, if the property owners on the Lower East Lake Road want/need to make additions to their homes, there is no way to build without encroaching on the right of way. The ZBA cannot give permission to build in the right of way, but they can grant relief from the setback requirement. The final step of getting permission to build in the right of way would need to be sought. Doug Bailey has in the past given written approval to build in the right of way. The Board is of the opinion that each case needs to be handled separately and dealt with on an individual basis. Bill Brooks stated that he would try to come up with some written suggestions and present them to Brian Flynn for his review and counsel.

As this completed all business, Jim Presley made the motion to adjourn the meeting. Paul Wood seconded the motion. Roll call vote was taken and all members voted

Robert Magee,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"

Approved,



Robert Magee

TOWN OF URBANA PLANNING BOARD MEETING
July 12, 1995

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary
Bill Brooks, CEO

The meeting of July 12, 1995 of the Town of Urbana Planning Board was called to order at approximately 7:00pm.

Mr. Magee opened the meeting by reviewing the work session that took place on June 29, 1995 regarding the Joseph Charles variance notification. There is a land contract between Joseph Charles and Bob Pazurra on a lakeshore lot. It has previously been determined by the Planning Board that the transfer of property purchased with a land contract, takes place with the final payment. At the time of the transfer of property, the process of subdivision must take place. The minimum lot size for a lakeshore lot is 10,000 feet. One of the lots created by the above mentioned subdivision will be 9,034 feet. Therefore, Mr. Charles is applying for a variance to section 105-16. A.(1) which requires the lot size to be 10,000 feet. After discussing the application, and reviewing a letter submitted by Peter Baker in reference to the Pazurra/Charles transaction which is filed with the minutes of this meeting, the Board determined that the application is unclear and there is insufficient information to reach any conclusions. The Board did however, decide the following:

1. The transfer of property takes place with the final payment. That is when subdivision needs to be approved.
2. Regardless of any ZBA determination, subdivision is still required.
3. The ZBA cannot waive subdivision.

The second order of business was the matter of William Lane. Mr. Lane has received a variance to reconstruct his cottage. His variance was approved in March of 1994. Mr. Lane now wants to increase the second floor ceiling height and will follow the footprint of the previously approved variance. Because the variance approval is over a year old, and the applicant has not begun construction, it is necessary for him to reapply for setback and building height variances. Mr. Magee motioned that the Board exercise its right of concept review. Jim Presley seconded the motion. Roll call vote was taken. All members voted "Aye"

Robert Magee, "Aye"
Randy Robinson, "Aye"

Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The Board concluded their discussion of the Lane matter with the following findings:

1. There is insufficient information to make a determination of approval or denial.
2. The Board voted to exercise their right of concept review before any permits will be granted.

The next item on the agenda was the Weaver ZBA application whereby Mr. Weaver is seeking relief of setback requirements for the building of a deck. Mr. Magee will call Bill Brooks and ask when the application will be coming before the ZBA.

Mr. Magee then informed the Board that there has been complaints made by the neighbors of Snug Harbor because of excessive noise and congestion during special events. The neighbors asked Bill Brooks and Mr. Magee to go to Snug Harbor and observe the activity. Mr. Magee stated that he did go to observe and did not see any congestion or hear excessive noise at that time. Bill Brooks suggested that a permit be required for special events in order to protect the neighbors. Chairman Magee stated that the Planning Board does not have jurisdiction on these matters, and at the present time will leave it to the neighbors to work out their problems with Snug Harbor.

The final order of business was in regards to the Byron to Wale subdivision. Mr. Flynn received a letter from Attorney Atkinson in which Mr. Atkinson requests to be advised as to the next step in the subdivision process. Mr. Magee will instruct Mr. Flynn to send an application for subdivision to Attorney Atkinson.

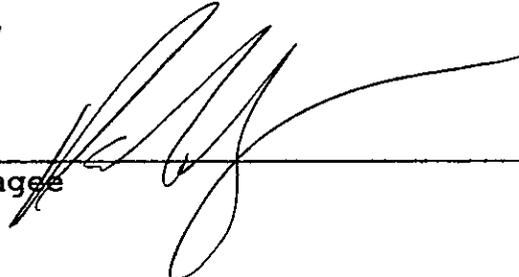
As there was no further business, Chairman Magee motioned for adjournment. Jim Presley seconded the motion. Roll call vote was taken, and all members voted "Aye."

Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
(Marcia Coon was not present for this vote)

The meeting was adjourned at 8:30 p.m.

Approved,

Robert Magee



TOWN OF URBANA PLANNING BOARD MEETING
JUNE 7, 1995

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary

PUBLIC

PRESENT: Don Green

The June 7, 1995 meeting of the Town of Urbana Planning Board was called to order at 7:13pm. The first item of business was for the board to approve the minutes of the May 3, 1995 meeting. Bob Magee made the motion to approve the minutes as amended. Jim Presley seconded the motion. Roll call vote was taken. All members voted, Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Marcia Coon, "Aye"

The meeting continued with the preliminary hearing of the Green Sub-division. Don Green was present to answer questions. Mr. Magee began the hearing by asking Mr. Green to explain what his plans were for the sub-division. Mr. Green explained that he wanted to sub-divide his residential property and use a stream that runs through the property as a natural boundary line even though it would create a sub-standard frontage requirement. He asked the Board to consider utilizing section 93-28 of the subdivision law whereby the Board may vary the regulations due to the unnecessary hardship that may result from strict compliance with the frontage requirements. After discussing the alternatives, Jim Presley motioned to consider the utilization of section 93-28 and allow the creek to be the natural boundary line for the subdivision. Marcia Coon seconded the motion. Roll call vote was taken,

Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
~~Paul Weed,~~ "Aye" ^{MT}
Marcia Coon, "Aye"

Mr. Magee explained that Mr. Green would need to obtain 5 copies of the survey, and a copy of the rights-of-way, as well as the names and addresses of neighboring land owners so that they could be notified of an upcoming public hearing. Mr. Green stated that he would supply all of the above.

The next item of business was the review of the Thibodeau Variance application. Mr. Magee explained the history surrounding the Thibodeau property and the situation that now exists in which

Mr. Thibodeau wants to sub-divide the property and give a portion to Mr. Lawrence Martin. After discussion, the Board concluded with the opinion attached hereto and submitted to the Zoning Board of Appeals for their consideration.

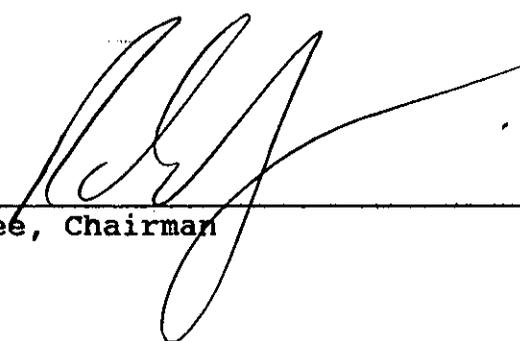
Mr. Magee then informed the Board of the Variance application of Jacqueline Holcombe in which she is seeking relief from section 105-15 C(1)(a) for setback requirements for the construction of an addition onto her property on Crows Nest Road. The Board reviewed the application, did not have a formal opinion, and decided to defer it to the expertise of the CEO and Building Code Inspector.

The final item of business was the review of a letter submitted by Peter Baker, Esq., dated April 28, 1995, whereby Attorney Baker asks the Board for an advisory opinion in regards to the Tom Smith subdivision. It is noted that Mr. Jim Presley is an independent contractor for Lucy Knapp and has prior knowledge of this subdivision, but is not involved in the transaction. Attorney Baker was not present to explain the plans for the subdivision or to answer questions, therefore, the Board did not have enough information to form an opinion. Mr. Magee will notify Attorney Baker and let him know that more information is needed.

As there was no further business to discuss, Marcia Coon made the motion for adjournment. Robert Magee seconded the motion. Roll call vote was taken, Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Marcia Coon, "Aye"

The next meeting of this Planning Board will be July 12, 1995 at 7pm.

Approved,



Robert Magee, Chairman

Date: 6/14/95

To: The Town of Urbana Zoning Board of Appeals

From: The Town of Urbana Planning Board

Re: The application for a Variance/Special Use Permit:
File No. _____

Applicants Name LAWRENCE A. THIBBODEAU
Public Hearing Date 6/29/95

The Town of Urbana Planning Board wishes to submit, for your records, the following opinion in this matter:

1. A review of the Town Code indicates that this parcel may be located in the Flood Plain District. If so a variance may not be required. The minimum lot size in this district is One (1) acre, with a 150 foot frontage. After subdivision, Thibodeau would retain a lot in excess of one (1) acre with a 150 foot frontage and therefore remain in compliance. After annexing the 100 feet to his lot. Martin would have 200 feet of frontage, as well as a lot in excess of one (10) acre, which also would be in compliance.

2. With or without a requirement for a variance, Thibodeau must apply for, and receive Subdivision approval from the Planning Board.

3. Upon receiving Subdivision approval, Thibodeau can transfer ownership to Martin. Martin should be made aware that:

A. In order to comply with the Town Code, he must combine both the newly created lot with his existing lot to create one deeded parcel.

B. Any future sale of this newly created lot, if intended to be sold separately from his existing lot, will require a Variance and Subdivision approval.

C. If a determination is made that these lots are, in fact, located in the floodplain, the Town Code may prohibit any new construction.

Respectfully Submitted,

Robert Magee, Chairman, Town of Urbana Planning Board
Marsha Coon, Member
Jim Presley, Member
Randy Robinson, Member
Paul Wood, Member

TOWN OF URBANA PLANNING BOARD MEETING
May 17, 1995

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary

The meeting of the Town of Urbana Planning Board was called to order at 7:10pm. The minutes from the previous meeting of May 3, 1995 were unanimously approved as amended. Bob Magee made the motion to approve and Jim Presley seconded the motion. Roll call vote was taken and all members voted "Aye".

The first item on the agenda for discussion was the Barley Hops & Vine project. Mr. Magee brought to the attention of the Board a letter submitted to the Board from CEO William Brooks, dated May 17, 1995. The Board discussed the contents of Mr. Brooks' letter. Mr. Magee proceeded to read section 88-6 A. & B. of the code to the Board and explained it's meaning to the Board. Discussion followed regarding non-conforming uses and the section of law 105-44. They also discussed the section of law dealing with site plan review. After the discussion, it was determined that Mr. Cook should come before the Board for Site Plan Review. Paul Wood made the motion that the Board utilize its right to Site Plan Review. Marcia Coon seconded the motion. Roll call vote was taken, Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

Mr. Magee stated that the Board needed to find that Mr. Cook's project was a continuance of use and not an increase of use, or find that under section 105-44 Mr. Cook needs a use variance. The Board then discussed Mr. Cook's use of the old winery building and determined that they were in agreement with CEO Bill Brooks in that Mr. Cook needs to apply for a use variance. The Board will support the granting of a variance to Mr. Cook.

The Board then discussed the concerns that will be addressed at the Site Plan Review, they being: 1) lighting--it cannot impact the neighbors 2) signage--must be in compliance 3) movement of traffic--all land as it becomes available be utilized for parking and that no parking signs be erected on Route 88 4) pedestrian walkways and stairs--must be in compliance with state code 5) storm water and drainage facilities--should be black top, adequate drainage must be provided 6) sewage disposal--be approved by Terry DeBuck and all required permits be obtained 7) visual landscaping

8) maximum visual screen from the neighbors 9) adequacy of fire lanes and hydrants--be in compliance with all codes and 10) overall impact on the neighborhood--SEQR be completed.

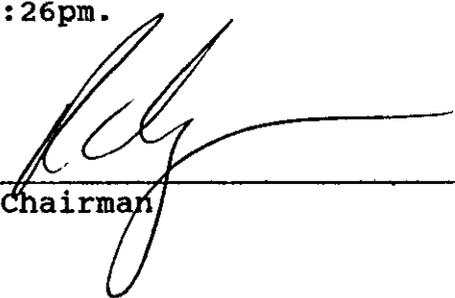
The board stated that in the future if Mr. Cook wants a Beer Garden and a Deli, he will need to apply for a Special Use Permit for each of these endeavors.

Mr. Magee then addressed the Board with his concern about unresolved violations. He stated that he would put the unresolved violations on the agenda for each Board meeting. As each violation comes up on the agenda, he will advise Mr. Brooks and Mr. Oliver and try to get it resolved in a timely matter.

Mr. Wood then brought up the subject of Woof's Den Kennels. Mr. Wood questioned whether or not there was a permit for all of the signs and for living quarters on the premises. There are numerous applications on file concerning this property and permits have been granted for some of the activity taking place. Mr. Wood is concerned about the appearance of the property as well as the way Mr. Strezpek is alleged to dispose of garbage and animal waste. Mr. Magee stated that he would inform Mr. Brooks of the situation and ask him to look into it.

As there was no further business to discuss, Mr. Robinson motioned to adjourn. Marcia Coon seconded the motion. Meeting adjourned at 9:26pm.

Approved,



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD MEETING
MAY 3, 1995 (amended)

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary
Bill Brooks, CEO
Brian Flynn, Counsel
Terry DeBuck, Watershed Inspector

PUBLIC

PRESENT: None

Mr. Magee called the May 3, 1995 meeting of the Town of Urbana Planning Board to order at 7:20pm. The first item on the agenda under Old Business was the Off Premise Sign Law. Mr. Magee stated that he would have Brian Flynn proof the final draft then bring it before the Board for a formal adoption after which it will be submitted to the Town for their approval.

In regards to the LaPierre-Carr subdivision, Mr. Magee stated that he would have Brian Flynn go through the file and list the missing documents needed to complete the application. A letter will then be sent to Mr. Carr and Mr. LaPierre requesting the needed information. After the file is complete, a Public Hearing can be held.

Mr. Magee informed the Board that a letter had been received from Attorney Stephen Atkinson in regards to the Jerry M. Bryan subdivision in which Mr. Atkinson stated that the Board could go through the subdivision application or supply a restrictive covenant to be recorded indicating that the two parcels could only be sold as one. Mr. Magee suggested that Mr. Atkinson be sent a new set of forms to fill out for the subdivision application along with a letter requesting that the completed application be submitted to the Board within "x" amount of days. The Board determined that this should be the avenue pursued, and that Mr. Bryan should comply with the code requirements by submitting the proper application.

In the subdivision matter of Mr. Warren Haag, Mr. Flynn informed the Board that Mr. Haag was, at one time, a real estate broker and that he knows the law but has filed no subdivision applications for a number of subdivisions that have taken place. He has more recently applied for a minor subdivision which actually would be a major subdivision. Mr. Haag began illegally subdividing in 1987, and a total of nine subdivisions have taken place to date. Mr. Magee suggested Brian Flynn send a letter to Mr. Haag, along

with an application for a major subdivision, requesting the information needed on the prior subdivisions. It is hopeful that Mr. Haag will honor the request to obtain legal subdivisions and will be willing to complete the application process in an amicable matter.

In the area of New Business, Mr. Magee addressed the questions raised by John Sincerbox to Bill Brooks regarding a sign for Pro Auto. It is unclear as to what sign Mr. Sincerbox is referring to. Mr. Brooks asked the Board what the avenue of relief was for a person asking about signage. Mr. Flynn asked if the Planning Board would like to be the authority on sign permits. Mr. Flynn would like to study the possibility of revising the code to implement the passage of sign applications to the Planning Board. This would shorten the turn around time for the applicant. The general opinion of the Board was to not take on the responsibility, but that it might be easier to have the authority since they review and make a decision during the site plan review. Mr. Flynn explained that he would like to delete the old sign law and include a resolution which would give the Planning Board the authority to act, along with a new law that would transfer the Special Use Permit functions to the Planning Board from the Zoning Board of Appeals.

The Code Enforcement Officers would like to get an accounting of all the signs that now exist in the town. Mr. Magee requested that the Board members be willing to take a two or three mile radius and locate the signs. They would then try to find the owners of the signs and try to determine that the signs are in compliance with the sign law.

The Board then turned to the application of Michael Cook for Barley Hops and Vine. Mr. Magee outlined to the Board what Mr. Cook's plans for the business are. The Board discussed the past uses of the building, and the laws that pertain to non-conforming uses. There is a question as to whether his other ventures would be allowed. (i.e. deli, beer garden, and residence on the upper floor of the building.) Mr. Flynn stated a use variance is not available because Mr. Cook has created a self-induced hardship. The only avenue of relief Mr. Cook has is to apply for a Special Use Permit in order to alter his non-conforming use. The wineries in the past were allowed under the grandfather clause as a pre-existing non-conforming use.

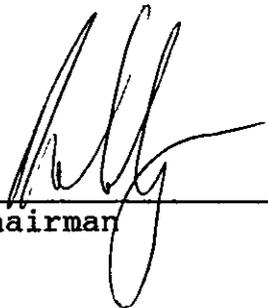
The Board continued to discuss Mr. Cook's home and its construction as well as his plans for Barley Hops and Vine. It was determined that Mr. Brooks and Mr. Flynn will get together and discuss Mr. Cook's application and the avenue of relief that he would need to take in order to make his business allowable.

As there was no further business, Jim Presley motioned for adjournment. Marcia Coon seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

The next meeting of the Planning Board will be May 17, 1995 at 7:00pm.

Approved,



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD
APRIL 12, 1995

PRESENT: Paul Wood, Member
Randy Robinson, Member
Robert Magee, Chairman
Marsha Towner, Recording Secretary

PUBLIC

PRESENT: Terry Peacock
James Gifford
Don Jacquier
Willie Frank

Chairman Magee called the meeting of the Planning Board of the Town of Urbana to order at 7:08pm. He stated that the proposed changes in the sign law would no longer be referred to as "law", but rather guidelines for a new sign program. These guidelines would be an optional, supportive program of the current sign law and would be in addition to the sign law.

The public present stated that their purpose was to help define the guidelines and assist the Planning Board in achieving a sign program that would be workable and desirable. They offered their opinions and helped to define some of the guidelines. (i.e. color, fee, and permit term). Mr. Magee stated that there could no longer be signs added to Route 54 because of State opposition. The Board decided that the new signs would not exceed 5 miles distance from the business that they advertise, and there would need to be application made to the Highway Superintendent for all signs that would be located on a Town road.

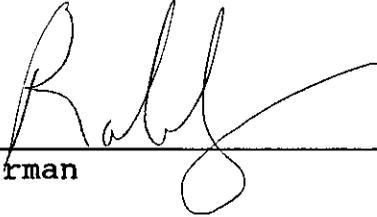
Mr. Jacquier and Mr. Frank voiced their concern should they be asked to replace the signs that they have been using in the past with new signs that would meet the guidelines of the new sign program. Mr. Magee stated that they would not have to change their signs to fit the guidelines of the new program, and reiterated the fact that the new program is optional. However, Mr. Magee did state that they would need to be in compliance with the current sign law or obtain a variance from the Zoning Board of Appeals.

The Board continued to narrow down the new sign program guidelines and Mr. Magee stated that there would be one more meeting where they would finalize the guidelines. At this final meeting, the Board will address the subject of pre-existing signs in more detail.

The Board then turned to the subject of the Concept Review for Barley, Hops & Vine. The Concept Review will be held on April 25, 1995, and will deal with questions regarding waste and the future goals of the owners, as well as any other concerns that the Board may have at that time.

As there was no further business, Paul Wood made the motion to adjourn the meeting. Randy Robinson seconded the motion. Roll call vote was taken. Robert Magee, "Aye"
Randy Robinson, "Aye"
Paul Wood, "Aye"

Approved,



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD MEETING
MARCH 1, 1995

PRESENT: Robert Magee, Chairman
Randy Robinson, Member
Paul Wood, Member
Jim Presley, Member
Marcia Coon, Member
Marsha Towner, Recording Secretary

PUBLIC

PRESENT: Eldred Stopka

The Public Hearing for the Yawger Subdivision was called to order at 7:05 pm. Mr. Magee explained that Kevin Yawger purchased the property in question in 1985 and is planning to subdivide the parcel and sell a portion of it to his brother. All of the required paperwork has been submitted and is in the file. On February 8, 1995, the Planning Board met with Yawger's attorney, John Bloise. The subdivision was conceptually approved and Mr. Magee informed Mr. Bloise at that time that the signed and stamped surveys would be sent to him after the formal Public Hearing was held. This is said formal Public Hearing.

Mr. Eldred Stopka, a neighbor to Mr. Yawger was present at this meeting to state that he had no objections and asked if there was anything he could do to help expedite the subdivision. Mr. Magee stated the purpose of the meeting and thanked Mr. Stopka for coming and showing his support in favor of the subdivision.

Mr. Magee asked the Board if there were any questions regarding the Yawger subdivision. As there were none, the Board completed SEQOR part II. Upon review of the information recorded on the EAF, (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. James Presley made a motion that a Negative Declaration be prepared. Marcia Coon seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Jim Presley,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

It is the determination of the Planning Board that the Minor Subdivision application of Kevin Yawger meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. James Presley, made a motion to approve the Yawger subdivision as submitted, and to instruct the Chairman to sign to survey. Paul Wood seconded the motion. Roll call vote was taken.

Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

Mr. Magee then stated that the Zoning Board of Appeals wanted the Planning Board to submit a formal opinion, in regards to Reverend Peter Jenks' application for a Special Use Permit, to them before the ZBA meeting scheduled for Reverend Jenks on March 6, 1995. Mr. Magee presented the Board with a draft of a letter that if approved, he would forward to the ZBA. Said letter is filed with the minutes of this meeting. Discussion followed and the main concern of the Board is the placement of cars on Route 54. This concern, along with others, are stated in the letter. Jim Presley made the motion to send the letter to the ZBA. Marcia Coon seconded the motion. Roll call vote was taken.

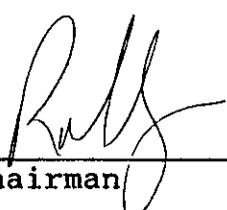
Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The Board then began addressing the Off Premise Sign Law. Discussion followed concerning the number of signs allowed and the locations that they would be permitted. Questions concerning fees and renewals were addressed. The Board continues to narrow down the requirements that they are in favor of adopting into law. This matter will be addressed again on March 29, 1995.

As there was no further business, James Presley made the motion to adjourn the meeting at 9:00pm. Marcia Coon seconded the motion. Roll call vote was taken.

Robert Magee, "Aye"
Randy Robinson, "Aye"
Jim Presley, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

Approved,



Robert Magee, Chairman

TOWN OF URBANA PLANNING BOARD
FEBRUARY 8, 1995

PRESENT: Paul Wood, Member
Randy Robinson, Member
Marcia Coon, Member
Robert Magee, Chairman
Bill Brooks, CEO
Marsha Towner, Recording Secretary

PUBLIC

PRESENT: John R. Bloise, Esq.

The Public Hearing for the Yawger Subdivision was called to order at 7:00pm. Attorney John Bloise was present to represent Kevin and Thomas Yawger. Mr. Magee began the meeting by explaining that due to an error, the publication of the public hearing was not posted in the paper the required five days in advance of the meeting. The notice of the meeting also stated the incorrect address of the property to be subdivided. Because of these two issues, the Public Hearing is not classified as a "legal meeting". However, so as not to inconvenience Mr. Bloise and his clients, the Chairman stated that the Board would proceed with the Public Hearing as if it had been posted properly. All the steps would be taken to complete the Public Hearing. The notice for the legal Public Hearing would be posted again for a later date and held at that date to give the public opportunity to ask questions and enter objections. Mr. Magee will not be able to provide Mr. Bloise with the stamped and signed surveys until after the legal Public Hearing takes place. Mr. Magee stated that the neighbors were notified and he did not expect any of them to raise any objections.

Mr. Magee stated that the Venango deed indicated that 56 acres were transferred to Mr. Yawger. It was transferred in Steuben County on June 28, 1985 which was before subdivision law was adopted.

The file contains a plat map in the form of a tax map, four copies of the survey, a warranty deed dated November 19, 1984 between Kevin Yawger and Thomas and Barbara Yawger, and a copy of the original application filled out in its entirety. Mr. Magee wrote in the name of the subdivision as the "Yawger Subdivision", and also wrote in the correct address of the property being subdivided as at the corners of County Route 16 and Lockwood Road. The SEQOR needs to be done at the legal public hearing, however, Mr. Magee indicated that he had reviewed it and expected the board to determine a negative declaration. Also in the file are copies of tax receipts and a deeded right-of-way as evidenced on the survey.

Mr. Magee asked if the Board had any questions regarding the subdivision. Mr. Robinson questioned why there was a delay in Mr. Yawger recording the deed to the property which he purchased back in 1985. Mr. Bloise was not involved at that time and could not answer as to why Mr. Yawger failed to file the deed. Mr. Robinson also asked about the taxes being paid out of the proceeds of the sale of the property to Kevin Yawger. Mr. Bloise noted that the

survey had been completed and the taxes were paid as evidenced by the tax receipts in the file.

Chairman Magee asked if there were any members of the Board who would object to approving the subdivision. There were none. Mr. Magee stated that he would post the date of the legal public hearing himself, and would be forwarding the stamped surveys to Mr. Bloise after the date of said public hearing.

David Wheeler was then introduced to the Planning Board, and Mr. Magee stated that he was present to take notes and report on the discussion concerning the Off Premise Sign Law. An outline of all topics discussed at the workshop on January 24, 1995, was given to each Board member and comprehensive discussion took place regarding all topics. The Board reviewed the outline and eliminated ideas that they felt were not appropriate. They also made more complete definitions of some of the suggestions that were on the outline. This process will go on until the Board is able to determine the final requirements of the law.

Mr. Magee stated that Mr. LaPierre had called and was wondering what happened with the illegal subdivision between Haag and Carr. Everything is in tact to proceed with a legal subdivision except for a survey. The Chairman stated that he would contact Mr. Flynn and have him draft a letter to Mr. LaPierre requesting a survey so that the legal subdivision could be recorded.

The Board was then informed by the Chairman that Stanley Clark is interested in developing a public attraction that would involve his train. Mr. Clark wants to run a train to the lake and possibly have a "nature walk" that the patrons would be able to enjoy. The board discussed the feasibility of the plan and some of the probable ways it could be accomplished. The basic opinion of the Board was that it is a plan worthy of looking into. It was also mentioned that the conditions under which it could be accomplished would need to be written out very clearly so that there was no question as to what Mr. Clark's requirements would be.

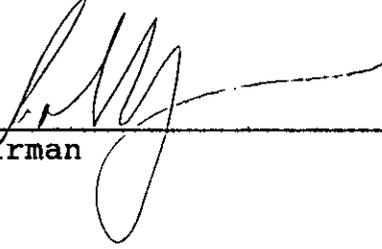
The final order of business was the approval of the minutes from the December 7, 1994 meeting. Randy Robinson made the motion to approve the minutes as submitted. Paul Wood seconded the motion. Roll call vote was taken.

Robert Magee,	"Aye"
Randy Robinson,	"Aye"
Paul Wood,	"Aye"
Marcia Coon,	"Aye"

Because there was no further business, Marcia Coon made the motion to adjourn the meeting. Robert Magee seconded the motion. Roll call vote was taken. Robert Magee, "Aye"
Randy Robinson, "Aye"
Paul Wood, "Aye"
Marcia Coon, "Aye"

The meeting was adjourned at approximately 9:45 pm.

Approved,



Robert Magee, Chairman