Planning Board

2001

Town of Urbana
Planning Board Minutes
December 4, 01

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Jim Presley	Board Member
	Carly McConnell	Recording Secretary

Regular Meeting: Called to order 7:05PM.

A. Review Minutes:

1. Minutes were reviewed from September 11, 01. Bob Magee made a motion to accept minutes as submitted. Betty Fitzpatrick seconded and minutes were approved.
2. Minutes were reviewed from October 16, 01. Bob Magee made a motion to accept minutes as submitted. Jim Presley seconded and minutes were approved.
3. Minutes were reviewed from November 6, 01. Bob Magee made a motion to accept minutes as submitted. Jim Presley seconded and minutes were approved.

B. The Board gave Jim Presley best wishes in his new Town Board position.

Jim Presley made a motion to adjourn meeting. Seconded by Bob Magee. All were in favor

Meeting Adjourned 7:30PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
November 6, 2001

Board Present	Robert Magee	Chairman
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Jim Duggan	Board Member
	Carly McConnell	Recording Secretary
Public Present	David Pierce	

Public Hearing: Called to order 7:03PM

David Pierce Major Subdivision Application #2001-018. Purpose of subdivision is to divide the total 118.223 acres into 1.) 47.66 2.) 6.00 3.) 10 4.) 54.563 acres. The subdivision was declared a major subdivision at a previous meeting. Copy of the notice of Public Hearing that was in the Corning Leader and notice to adjoining property owners is in the file.

Board Questions/Concerns:

Randy Robinson asked the purpose of the subdivision. Mr. Pierce replied that it was to convey.

Bob Magee inquired on deed restrictions. Mr. Pierce replied that the deed states no subdivision can be for less than 5 acres and no mobile homes.

Public Hearing Closed 7:09PM

Regular Meeting: Opened 7:10PM

A. Old Business:
   1. David Pierce Major Subdivision Application #2001-018.
      1. SEQR PART II-Completed for David Pierce. Upon Review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this major subdivision will not result in any large and important impact on the environment. I, Jim Duggan make a motion that a negative declaration be prepared. Seconded by Jim Presley. Magee-aye, Duggan-aye, Fitzpatrick-aye, Robinson-aye, Presley-aye.

A negative declaration was prepared.

Findings:
Application is complete
No negative environmental impact found during SEQR
No negative response at Public Hearing.
Deed restrictions-no subdivision can be made for less than 5 acres and no mobile homes.

Betty Fitzpatrick made a motion to accept finding and was seconded by Bob Magee. All were in favor.

2. It is the determination of the Planning Board that the Major Subdivision application of David Pierce meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Jim Presley make a motion to approve the Jim Presley subdivision as submitted and to instruct the Chairman to sign the survey. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Fitzpatrick-aye, Robinson-aye, Presley-aye.

Jim Duggan made a motion to adjourn meeting. Seconded by Betty Fitzpatrick. All were in favor.

Meeting Adjourned 7:30PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
October 16, 2001

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Carly McConnell	Recording Secretary
Public Present	Herman LaPierre	Gary Calafore
	Michael Cook	Bill Fitzwater
	Mike Shaurt	

Public Hearing: Called to order 7:14PM.

Carr Minor Subdivision Application #2001-021. Purpose of subdivision is to divided the total 2.131 acre parcel into 1.) 1.549 2.) .672 acre. Original subdivision was filed but the survey was never stamped by the 1987/1988 Chairman. The minutes from the original application show a public hearing was held. There is a gap in the original file up till the time of it being filled. The current file contains a letter from Mr. Carr giving Mr. LaPierre the authority to act on his behalf. On October 1993; Mr. LaPierre purchased the property from Lloyd Edsall.

Public Questions/Concerns:

Mr. Fitzwater asked that if the land is annexed will it make the parcel big enough to build on? Mr. Magee responded by saying it would have to abide by all current laws. Mr. LaPierre has no future plans to build on this parcel.

Board Questions/Concerns:

None.

Public Hearing closed at 7:23PM.

Public Hearing: Called to order 7:24PM.

Cornerstone Funding Minor Subdivision Application #2001-007. This is a minor subdivision-readjustment of previous subdivision. Due to the need of land for a septic. It would create lot B 26.021 acres and lot D 5.359 acres

Public Questions/Concerns:

Mr. Calafore was concerned with the address in his letter. He was not at the first hearing due to address error. He co-owns the property with his father in-law. Debbie Peirce says the property is listed in Urbana; it is how the County lists it in their tax roles. His mailing address is Bath.

Board Questions/Concerns:

None.

Public Hearing Closed at 7:33PM.

Regular Meeting: Opened 7:34PM

A. New Business:

A. Carr Minor Subdivision Application #2001-021

1. SEQR PART II-Completed for Carr. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this subdivision will not result in any large and important impact on the environment. I, Randy Robinson make a motion that a negative declaration be prepared. Seconded by Betty Fitzpatrick. Magee-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Records indicate that a previous subdivision was held in this matter
CEO found unstamped survey at county
Current property owner has a letter stating he can act on behalf of Mr. Carr
1993 purchase
Second access to a commercial property
Subdivision creates a non-conforming lot, density and road frontage
Application is complete
No negative environmental impacts found during SEQR

Randy Robinson made a motion to accept findings and was seconded by Bob Magee. All were in favor.

Discussion was held by Board. Motion was made by Bob Magee to adjust the findings to reflect; that this a pre-existing non-conforming lot. Seconded by Betty Fitzpatrick. Magee-aye, Robinson-aye, Fitzpatrick-aye.

It is the determination of the Planning Board that the Minor Subdivision application of Mr. Carr meets the requirements of the subdivision laws with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Betty Fitzpatrick make a motion to approve the Carr subdivision as submitted, and instruct the Chairman to sign and stamp the survey. Seconded by Bob Magee. Magee-aye, Robinson-aye, Fitzpatrick-aye.

B. Cornerstone Fund Minor Subdivision Application #2001-017.

1. SEQR PART II-Completed for Cornerstone Fund. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this subdivision review will not result in any large and important

impact on the environment. I, Betty Fitzpatrick make a motion that a negative declaration be prepared. Seconded by Bob Magee.
Magee-aye, Robinson-aye, Fitzpatick-aye.

A negative declaration was prepared.

Findings:
Application is complete
No negative impact found during SEQR process
Previous subdivision was granted
Application needed to adjust boundary line to meet Quick requirements
Lots continue to conform to bulk and dimension requirements

Bob Magee made a motion to accept findings and was seconded by Randy Robinson. All were in favor.

It is the determination of the Planning Board that the Minor Subdivision application of Cornerstone Fund meets the requirements of the subdivision laws with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Bob Magee make a motion to approve the Cornerstone Fund subdivision as submitted, and instruct the Chairman to sign and stamp the survey. Seconded by Betty Fitzpatrick.
Magee-aye, Robinson-aye, Fitzpatrick-aye.

Meeting Adjourned.

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
September 11, 01

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Jim Duggan	Board Member
	Carly McConnell	Recording Secretary
Public Present	Dick Falvey	Herman LaPierre
	Edward Bavis	David Pearce
	Kathie Smith	George Welch, Attorney
	Mike Cook	

Public Hearing: Called to order 7:05PM.

Edward Bavis Minor Subdivision Application #2001-007. Mr. Edward Bavis was not present for the Public Hearing.. The purpose of the project is to divide the total 100 acres into 1.) 50.000 2.) 50.000 acre lots. The location of the property is 9272 Glenbrook Rd., Hammondsport. The owner is Edward Bavis of the same address. The survey that was originally received from the applicant was not the same as presented by Mr. Falvey at the Public Hearing on August 7, 01. Mr. Falvey also presented the Board with a Boundary Line Agreement at the same Public Hearing. Mr. Magee spoke with Rod McConnell of McConnell & Muller regarding the Bavis survey. Mr. McConnell went to the county and found the Boundary Line Agreement recorded in Miscellaneous 93-19. Mr. McConnell drew the survey over with the Boundary Line Agreement notation on the survey. According to the County Clerk the Boundary Line Agreement would show in a title search.

Public Questions/Concerns:
Mr. Falvey questioned the Board; as to why McConnell & Muller did not set a pin at a a point that is relevant to the Boundary Line Agreement. Mr. Magee did speak to Rod McConnell regarding this and said that they did have explanation for that.
Board Questions/Concerns:
None.

Public Hearing closed at 7:10PM.

Regular Meeting: Called to order 7:11PM.

A. Review Minutes:
   1. Minutes were reviewed from July 3, 01. Bob Magee made a motion to accept minutes as submitted. Betty Fitzpatrick seconded and minutes were approved.

2. Minutes were reviewed from August 7, 01. Bob Magee made a motion to accept minutes as submitted. Betty Fitzpatrick seconded and minutes were approved.

B. Old Business:

1. Sharon Stevens: Waiting for Survey.
2. Robert Wheeler: No Survey on file.
4. Tony Smolas / Roy Rolland: Board received response from Attorney in writing. Attorney Flynn, responded by stating that some of these parcels are subject to Subdivision Laws and some are pre-existing. Mr. Magee will contact Attorney Flynn to arrange a meeting for more clarification.

C. New Business:

A. Preliminary Review-Subdivision

1. David Pearce Subdivision Application #2001-018: Property David & Bob Pierce and Bill Cop. Applicant/Owner address is 8631 Bully Hill Rd., Hammondsport. Location of proposed project is Bully Hill Rd., Hammondsport. The proposed project is to divide a total 118.17 acres into 1.) 54.56 2.) 6.00 3.) 10.00 4.) 47.66 acre lots. Deed restrictions present on the property consist of no mobile homes can be present on the property and no land can be divided into anything less than 5 acres. Jim Duggan made a motion to declare this a continuation of a previous major subdivision; which creates an additional four lots. Lot 5 (on sketch map) is a total of 118.17 acres and will be divided to Lot 5- 54.56 acres, Lot 10- 6 acres, Lot 11- 10 acres and Lot 12- 47.66 acres. Betty seconded and all was in favor. Mr. Magee made a motion, giving him the authority to set up a Public Hearing upon receipt of a completed application. Seconded by Betty and all was in favor.
2. Joe Frissora Subdivision Application 2001-019. Attorney, George Welch was present and representing Joe Frissora. Mr. Frissora was not present. Mr. Frissora has 2 lots prior to the subdivision. Referring to the application Lot 1 is listed as 27.345 acres located in the Town of Urbana. Lot 7 is listed as 25.225 acres located in the Town of Wayne. The subdivision will be from lot 1. Jim Duggan a motion to declare a minor subdivision, starting with 27.345 acres in the Town of Urbana creating 1.) 24 +/- acre lot 2.) 5 +/- acre lot. Betty Fitzpatrick seconded all was in favor. Mr. Magee made a motion, giving him the authority to set up a Public Hearing upon receipt of a completed application. Seconded by Betty and all was in favor.
3. Carr Subdivision Application #2001-021. Herman LaPierre will be representing Mr. Carr. A letter of authorization is the file for Mr. Carr, authorizing Mr. LaPierre to act on behalf of Mr. Carr in this matter. Bob Magee discussed this application with Attorney Flynn; prior to this

meeting. It is difficult to utilize the correct process and laws; applicable when the original subdivision was to have taken place. An original subdivision took place on the property, however it was improperly recorded. The survey was found in the county but it was not signed and dated. Board does not believe that they can get a full survey of the property before the original subdivision took place. Parcel does not have 250 feet of road frontage. A deed amendment will have to show the annexation of the 6.72 acre parcel to the parcel that holds the convient store. Bob Magee made a motion to declare a minor subdivision of creating 1.) .672 acre parcel 2.) 1.459 acre parcel from a total of 2.131 acres. Jim Duggan seconded. All was in favor. Mr. Magee made a motion, giving him the authority to set up a Public Hearing upon receipt of a completed application. Seconded by Betty and all was in favor.

4. Cornerstone Fund-Mike Cook Subdivision Application #2001-017. Board held discussion. Bob Magee made a motion to declare as a minor subdivision; starting with 26.38 acres and creating a lot of 5.35 acres to be annexed to adjoining property to provide space for watershed requirements. Jim Duggan seconded. All was in favor. Mr. Duggan made a motion, giving Mr. Magee the authority to set up a Public Hearing upon receipt of a completed application. Seconded by Betty and all was in favor.

D. OLD BUSINESS CONTINUED.

1. Edward Bavis Minor Subdivision Application #2001-007.
    1. SEQR PART II-Completed for Edward Bavis. Upon Review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this minor subdivision will not result in any large and important impact on the environment. I, Jim Duggan make a motion that a negative declaration be prepared. Seconded by Bob Magee. Magee-aye, Duggan-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
No negative environmental impact found during SEQR
Adjoining property owner presented at the previous Public Hearing an conflicting survey and Board Line Agreement between him and a previous property owner.
Applicants surveyor modified survey to reflect Board Line Agreement.
Applicants surveyor found the Board Line Agreement filed with the County in miscellaneous records 93-19.

Betty Fitzpatrick made a motion to accept finding and was seconded by Jim Duggan. All were in favor.

2. It is the determination of the Planning Board that the Minor Subdivision application of Edward Bavis meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Jim Duggan make a motion to approve the Edward Bavis subdivision as submitted and to instruct the Chairman to sign the survey. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Fitzpatrick-aye.

E. ZBA Opinion:

1. Claire Robbins: The Town wrote a law specifically to address the control and placement of campers in the Town. The law as written provides a process by which people can use their lands to locate camping trailers or RV's. Applicant does not indicate any reason or unusual circumstance that would prohibit him from meeting the law as written. If ZBA feels our law is to restrictive; we would prefer a recommendation to rewrite the law; as opposed to granting this or other variances.

Jim Duggan made a motion to adjourn meeting. Seconded by Betty Fitzparick. All were in favor.

Meeting Adjourned 8:45PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
August 7, 01

Board Present	Robert Magee	Chairman
	Randy Robinson	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary
Public Present	Dick Falvey	
	Edward Bavis	
	Kathie Smith	
	Tammy Havens	

Public Hearing: Called to order 7:06M.

Edward Bavis Minor Subdivision Application #2001-007. Legal notice of Public Hearing was posted in the Corning Leader and copy is in file. Adjoining property owners have been notified. Mr. Edward Bavis was present. The purpose of the project is to divide the total 100 acres into 1.) 50.000 2.) 50.000 acre lots. The location of the property is 9272 Glenbrook Rd., Hammondsport. The owner is Edward Bavis of the same address. Elmo Smith holds the mortgage for the land and it is not a land contract. Mr. Magee read into the minutes a letter received by Attorney Flynn regarding the application. Surveys that were received from Mr. Bavis that were invalid have been marked and placed in file. The survey dated June 28, 2001 indicated an instrument survey with deed restrictions. This survey was done by McConnell and Muller.

Public Questions/Concerns:
Mr. Falvey presented the Board with a Border Line Agreement with that land. Mr. Falvey enter into this agreement with the previous owners Mr. and Mrs. Trimble. There was a deviation in survey that Mr. Falvey had done and the one the Tremble's had done. The Board Line Agreement has been recorded with the county; on May 11, 1993.
Board Questions/Concerns:
None.

Public Hearing closed at 7:30M.

Regular Meeting: Called to order 7:31PM.

A. Old Business:
   1. Edward Bavis Minor Subdivision Application #2001-007. Board held discussion. Board will postpone discussion until clarification regarding survey and board line agreement has been received.
   2. Sharon Stevens: Waiting for survey.

3. Robert Wheeler: No Survey on file.
4. Tony Smolas: Attorney is handling this file.

B. New Business:

A. Site Plan Review

1. Mark Morrell Site Plan Review Application #2001-015: Jim Presley made a motion based upon CEO, Rethmel's recommendation fromm July 10, 01 for further review of site plan to be waived. Seconded by Randy Robinson. All in favor.
2. Curtiss Museum Site Plan Review Application #2001-076: Jim Presley made a motion based upon CEO, Rethmel's recommendation from July 23, 01 for further review of site plan to be waived. Seconded by Bob Magee. All in favor.

B. Preliminary Review - Subdivision

1. Cornerstone Fund - Mike Cook: Applicant not present. Rescheduled.

C. Additional Old Business:

A. Cold Brook Inn - Tammy Havens: Tammy Havens is in the process of purchasing the Cold Brook Inn. The Board held discussion. Jim Presley made a motion to give an extension on conditions for Cold Brook Inn until October meeting and review again at that time. Randy Robinson seconded and all was in favor.

Bob Magee made a motion to adjourn meeting. Seconded by Jim Presley. All were in favor.

Meeting Adjourned 8:40PM

Respectfully Submitted,

Robert Magee, Chairman

BRIAN C. BLOOM
ATTORNEY AND COUNSELOR AT LAW
16 SHETHAR STREET
P.O. BOX 276
HAMMONDSPORT, NEW YORK 14840-0276

Phone 607-569-2686
Fax 607-569-2633

TELECOPY TRANSMITTAL INFORMATION

DATE: June 27, 2001

TO: Robert Magee, Chairman Town of Urbana Planning Board

FAX NO.: _____ Tel. NO.: _____

FROM: Brian

TOTAL PAGES (including this cover sheet) 3 (3)
(If pages are illegible, or if not all pages are received, please call us at 607-569-2686 for retransmittal of same)

ORIGINAL: Mailed / Overnight Express / Retransmittal of same

However, I do, should anything arise, I should all parties of Bob's intention to file a P.S. The survey

MESSAGE: Bob - Subsequent to our recent discussion I have reviewed, with the capable assistance of Attorney Pierce, Town Clerk, all prior transfers referenced in your 6/18/01 memo. The "Bottom Line" is that each prior transfer embraced the entire tract of land.

On May 28, 1957 a Warranty Deed of the entire tract was recorded in Liber 1529 of Deeds at Page 10. Then Smith conveyed these premises to BAHS and, therefore, BAHS can apply in its own right to subdivide.

COLDBROOK INN

8096 Pleasant Valley Road
Hammondsport, NY 14840
August 6, 2001

Dear Town of Urbana Planning Board:

As the manager and eventual owner of the Coldbrook Inn of Hammondsport, I respectfully request your approval for a six-week extension on the special notice permit granted to Ron Smith. It was my understanding that the former owner, Ron Smith, was to have fulfilled this obligation before transferring ownership to Fred Buckley. Currently, I am in the process of obtaining funding to purchase this same property from its new owner. I apologize for Ron's neglect in this matter, and I sincerely ask for your patience and indulgence during this period of transition.

I want very much to be a co-operative business owner in compliance with the rules and regulations of the Planning Board. The success of my restaurant will greatly depend on the support of our local population. Currently, as manager, I am operating the business based on its daily receipts until such time as my business loan is completed. Included in my financial proposal was the expense involved with meeting the contingencies of the restaurant's Special Use Permit and Site Plan as well as other improvements for the development of the property. You have my word, that once my funding is secured, the parking lot improvements with demarcations and suitable screening will be one of my top priorities regardless of the responsibilities and agreements not complied with by previous owners.

I appreciate your understanding in this matter, and sincerely hope that you will grant me the extention I have requested. Thank you for your consideration and support.

Respectfully yours,

Ms. Tammy Havens, Manager

Town of Urbana
Planning Board Minutes
July 3, 2001

Board Present	Robert Magee	Chairman
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary

Regular Meeting: Called to order 7:10PM

A. Minutes were reviewed from June 5, 2001. Bob Magee made a motion to accept as submitted. Jim Presley seconded and minutes were approved.
B. Old Business:
   a. Subdivisions:
      1. Robert Wheeler- Still waiting for survey.
      2. Roland (Smolas)- Attorney Flynn has made progress in defining and identifying the parcels in the subdivision.
      3. Edward Bavis- Jim Presley made a motion that, if the CEO finds the application to be complete a public hearing can be set. Seconded by Betty Fitzpatrick and all was in favor.
   b. Cold Brook: Board will put concerns into written and forward to CEO Rethmel.
   c. Concept/Site Plan Review:
      1. a. Richard Jacquier Special Use Permit and Site Plan Review. Board received letter of complaint June 5; from Ed and Kelly Fitzpatrick (adjoining property owners). In response Board sent a letter to CEO Rethmel. Board received a letter on June 13; from Mr. Jacquier requesting an extension on the conditions placed on the Special Use Permit and Site Plan. CEO Rethmel responded in writing to the Board on June 18 and to Mr. Jacquier on June 19. Adjoining property owners Ed and Kelly Fitzpatrick sent another complaint letter and was received by the Board on June 29.
         b. Board held discussion regarding the complaints. Mr. Magee will address the complaints to the Fitzpatrick's and carbon copy to Mr. Jacquier, CEO Rethmel, and Attorney Flynn.
         c. Special Use Permit is effective when all conditions are met. Mr. Jacquier has moved the vehicles for sale off his location to a location on Route 54.
         d. Mr. Jacquier is requesting an extension to met various conditions. Board held discussion. Mr. Magee will write an extension agreement and forward to Attorney Flynn for approval. Board will meet again on July 10 and will vote

an extension at that time.

d. Board member Betty Fitzpatrick has requested she be recused from this matter

D. New Business:

a. Subdivision-Preliminary Reviews:

1. Sharon Stevens Subdivision Application #2001-016. Location of proposed property is between Route 54 and Fish Hatchery Road, in Hammondsport. Owner of the property is Suzanne States of 7359 N. Slocum Rd, Ontario, New York. Applicant is Sharon Stevens of 57 Sheather St., Hammondsport. A letter in file received from Suzanne States given Sharon Stevens the authority to represent this subdivision. The purpose is to divide the total 12.13 acres into 1.) 6.065 2.) 6.065 acres. Jim Presley made a motion to declare a minor subdivision. Seconded by Betty Fitzpatrick and all in favor. Jim Presley made a motion that when the CEO finds the application to be complete and the final survey received; Chariman Magee may set a public hearing. seconded by Betty Fitzpatrick and all was in favor.

b. Morell: Board revived a letter from Mr. Morrell. Board is waiting to hear for Harry Willis and will respond to Mr. Morrell at that time.

Jim Presley made a motion to adjourn the meeting and seconded by Betty Fitzpatrick.

All were in favor.

Meeting Adjourned 8:15PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

Office of Code Enforcement

06-19-011

Dear Mr. Jacquier.

Re: Special Use Permit, Site Plan Review.

After reviewing the conditions of the Special Use Pemit and the Site Plan Review, and seeking advice from counsil. The course you must take immediately is to remove all vehicles for sale on your premises at this time until all the conditions are ment.
The permits mentioned above state as follows. Business shall not cmmence until all conditions are ment.This only means the sale of used vehicles.You are here by ordered to remove those vehicles forsale immediately.
If you do not comply your request for an exstention may not be granted.

Cc:
Brian Flynn Attny.
Town Board
Planning Board

Sincerely,

Marvin Rethmel, Zoning Officer
Office of Code Enforcement

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

Office of Code Enforcement

06-18-01

To: The Town of Urbana Planning Board.

From: Marvin Rethmel CEO

Re: Response to Your Letter Received 06-13-01

Planning Board- after reading the letter you received from Mr. Fitzpatrick., I will address each complaint in his letter. I will then address the letter I received from the Planning Board,each condition on the Special use permit and on the Site Plan Review.
The statement that several complaints have been made to me with no response are not true.I have only received complaints on the neighbours dogs running at large .
There is not a dumpster at this time at the location,but the tires are out of site and in side a stockade fence
There are no parking spaces marked st this time ,there is a retaining wall that needs built in order to complete the parking area. After that is completed the parking spaces will be marked.
The privacy fence is completed and stained and that condition is ment in my opinion.
Note: If there is a problem with the fence being on the property line this is permited by theTown of Urbana code. If it is acrose the property line this is a civil matter between the property owners, this is not a zoning issue.
Yes there is more than three cars on the premises three are for sale and the rest are sold awaiting pickup.
The excavation on the north side of the property is completed, and was seeded this will be done again late summer or in the spring .It is inmy opinion that this condition has been ment .
Note: The four wheelers being driven on the property of Fitzpatrick is a civil matter between the two property owners
On 7-17-00 a Special Use Permit was issued to Mr. Jacquier. And on 7-20-00 a building permit was issued. They are both stapled to the out side of the building, as visually seen by me on 7-13-00

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

Office of Code Enforcement

Re: In response to the letter received from the Planning Board

First the conditions of the Special Use Permit
1. The privacy fence is erected and stained Condition 1 ment.
2. Sales and Display limited to three vehicles, Condition 2 not ment, 06-13-01 there were 6 vehicles on premises 3 where for sale and three where for customers that were sold.
3. The green space between the roadway and the display area is completed Condition 3 ment.
4. Excavation on north boundary has been seeded once . Condition 4 ment.
5. Exspantion of business not permited. Condition #5 ment maximum lot coverage ment.
6. 3 cars for sale on premises 06-13-00 condition 6 not ment.

This is the conditions that in my opinion are or arenot ment.on the Special Use Permit 2000-010

Re: Conditions of the Site Plan Review.
1. Tires are inside a stockade fence no dumpster is available at this time.Condition #1 not ment.
2. No visible storageof auto parts, junk vehicles,scrap,or similar materials. Condition #2 ment.
3. Condition ment.
4. No vehicles awaiting repair. Condition #4 ment.
5. Parking spaces cannot be marked at this time until parking area is completed. Condition #5 not ment
6. This is in the process of being completed a retaining wall has to be placed before this condition can be ment.
7. Condition ment.
8. Three vehicles for sale on 06-13-01 Condition not ment.
9. Condition Ment.
10. Condition ment.
11. Condition ment.

Based on this I have writen to Mr Jacquier and ordered him to remove all the vehicles for sale from the premises immediately .Letter sent 06-19-01.
If you have any further questions feel free to contact me at 569-3707

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

Office of Code Enforcement

Sincerely

Marv Rethmel CEO

Cc: Brian Flynn Attny.
Planning Board.
Town Board
Richard Jacquier

Sincerely,

Marvin Rethmel CEO

Marvin Rethmel, Zoning Officer
Office of Code Enforcement

June 5, 2001

Town of Urbana
Planning Board
Hammondsport, New York 14840

To the members of the Board:

The purpose of this letter is to document violations of the conditions set for the site plan approval given to Richard Jacquier. This letter is being submitted by Edmund and Kelly Fitzpatrick, 7300 County Rte 89, Bath, NY. We are the property to the north of Mr. Jacquier.

We requested a copy of the letter which outlined the conditions for the site plan approval and we received it by fax on July, 2000. We have complained verbally to the code enforcement officer many times and have not gotten a satisfactory response to our complaints. Therefore, you are receiving this letter.

There is not a dumpster for used tires on his property. They have still been stacked next to his small garage.

No parking spaces have been marked and we have had many "near misses" with vehicles either parked on the side of the road or backing out in front of our visitors and us. There is a major accident just waiting to happen on that corner.

The privacy fence was put up in such a manner that several of the panels are broken and falling down. It has been nailed and tied to the trees on our property and we expect that to be fixed.

There are more than three vehicles available for sale on his property and listed in his advertisements in the Shopper. That is a clear violation of the terms of his approval.

No excavation has been done on the bank and he allows his children and their friends to ride their four-wheelers on the bank and trespassing on our property.

According to your approval, all of the listed conditions were to be met before the new business could commence and before a building permit would be issued. Mr. Jacquier has started to put up his new building with no visible building permit and since he has not abided by any other conditions, we can only assume it is due to the fact that no permit has been issued.

We simply ask for you to enforce the conditions that you set forth in your approval letter. We participated in both public hearings related to this issue so that there would be a clear understanding of acceptable business practices for this residential area. If you do not want to help us resolve these problems, we will continue to a county or state level to get the conditions enforced.

Very truly yours,

Edmund G. and Kelly S. Fitzpatrick

Wheels- N- Wood

7320 Cnty. Rte. 89
Bath, NY 14810

Phone (607)569-2011
Fax (607)569-2011

RECEIVED
JUN 13 2001

June 13, 2001

TOWN OF URBANA PLANNING BOARD
41 LAKE STREET
HAMMONDSPORT,NY. 14810

SIRS:,

IN RESPONSE TO THE CODE ENFORCEMENT OFFICER'S CONCERN AS TO MEETING ALL CONDITIONS ON THE SPECIAL USE PERMIT ISSUED 7/17/00, CONTITION 1,3,4,5 HAVE BEEN COMPLETED ACCORDING TO CODE ENFORCEMENT OFFICER.

ON THE ISSUES PERTAINING TO THE SITE PLAN REVIEW, CONDITIONS 2,3,4,7,9,10,11 HAVE BEEN MET ACCORDING TO THE CODE ENFORCEMENT OFFICER.

AT THIS TIME I AM REQUESTING AN EXTENTION TO CONDITIONS 1,5,6,8 OF SITE PLAN REVIEW AS WORK TO THE PARKING LOT IS STILL UNDERWAY AND PROGRESS IS UNDERWAY.

AS SOON AS THE GRADE IS AT THE PROPER LEVEL ALL PARKING SPACES WILL BE MARKED AS REQUIRED . EXPECTED DATE OF COMPLETION IS NOVEMBER 30,2001

THIS EXTENSION IS REQUIRED AS I CURRENTLY HAVE A FULL TIME JOB FOR N.Y.S THAT REQUIRES ME TO WORK 40 HRS A WEEK AND AT VARIOUS SHIFTS.

YOUR CONSIDERATION IN THIS MATTER IS GREATLY APPRECIATED.

SINCERELY,

RICH JACQUIER
OWNER-WHEELS-N-WOOD

June 29, 2001

To the members of the Planning Board of the Town of Urbana:

This letter is a follow-up to our two written complaints about the business expansion at the property of Richard Jacquier.

It has been our understanding from the start that Mr. Jacquier must meet the conditions set forth in both the special use permit and the site plan review before commencing his new business or building his new shop. However, this is still not the case in this situation.

Even though he has not fulfilled the conditions for the special use permit, there has been a continuous supply of vehicles for sale. He also has exceeded the limitation three vehicles for sale allowed for in the list of conditions for the permit. We see that since our last complaint, he has moved them in front of the old Steuben County Highway shop. So, instead of complying with your request, he simply moved the vehicles off his property. In fact, there has been four vehicles for sale there for at least the last week.

A condition for both permits was to plant and landscape the cut on the northern property. There have been no attempts to plant or do any landscaping and now the weeds have taken over. This will have a serious long term effect on our property as the lower piece of our parcel washes away.

There is no dumpster on the property for the storage of tires. There is the start of a fenced-in area next to one of the walls on his old shop out front.

As far as the visible storage of junk, used parts or similar materials, it is clear that by putting those things behind his house and behind the shop that he defines this as not visible. It is visible to us even with the fence.

There have been no attempts to mark parking places. If this condition (which is supposed to be met before the new business or construction begins) is a problem, he should have discussed it with you during the permit application process. It is absolutely necessary because we have already had many near collisions around that corner because of customers, etc. backing out onto the street.

There is now a concern for health issues due to the fact that excavation and construction were started prior to the permit application. There is a ditch along the side of the new construction that is accumulating standing water. This ditch and the used tires are perfect breeding grounds for mosquitos. With the discovery of the West Nile Virus in Steuben County, this becomes a major concern for our entire neighborhood.

We are not trying to be difficult. You all know that we attended both public hearings that addressed this issue and we felt that the conditions set were reasonable. We are not against free commerce and we are not trying to stop Mr. Jacquier from making a living. But, we have every right to protect our property and its value.

We expect our planning board to follow through on its ruling. We request that each board member take a drive to this property so that our complaints can be fully understood.

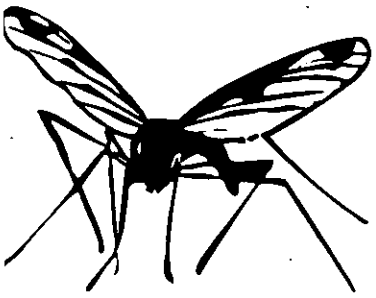
Thank you for your assistance and consideration of this matter.

Very truly yours,

Edmund G. and Kelly S. Fitzpatrick

Mosquitoes and West Nile Virus

Protecting Yourself



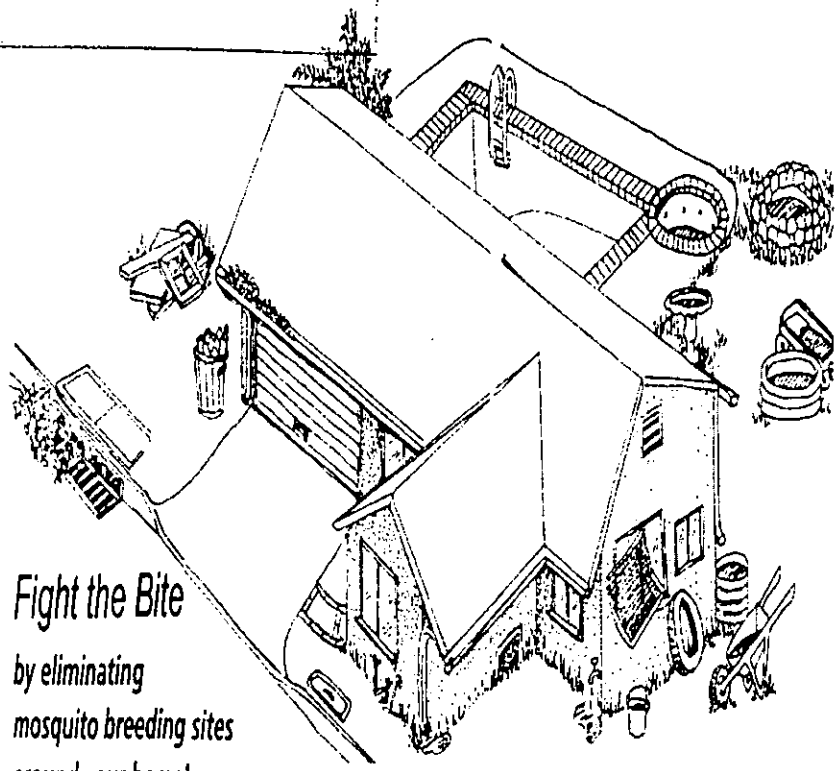
Reduce your risk of being bitten by doing the following:

- Minimize outdoor activities between dusk and dawn.
- Wear shoes and socks, long pants and a long-sleeved shirt when outdoors for long periods of time, or when mosquitoes are most active.
- Use insect repellent with DEET (the chemical N,N-diethyl-m-toluamide) to reduce the risk of mosquito bites.
- Do NOT apply DEET directly to children. Apply to your own hands and then put it on a child. Avoid the child's face and hands.
- For children, use insect repellents containing no more than 10% DEET.
- For adults, use insect repellents containing no more than 30% DEET.
- Wash all treated skin and clothing after returning indoors.
- Read all instructions on the label before applying insect repellent.

Protecting Your Home

Mosquitoes can develop in any stagnant water that lasts more than 4 days. To reduce the mosquito population around your home and property, reduce or eliminate all stagnant water:

- Dispose of tin cans, plastic containers, ceramic pots or similar water-holding containers.
- Remove all discarded tires on your property. Used tires have become the most common mosquito breeding site in the country.
- Drill holes in the bottoms of recycling containers that are kept outdoors.
- Make sure roof gutters drain properly, and clean clogged gutters in the spring and fall.
- Turn over plastic wading pools and wheelbarrows when not in use.
- Change the water in bird baths.
- Clean vegetation and debris from the edges of ponds.
- Clean and chlorinate swimming pools, outdoor saunas and hot tubs.
- Drain water from pool covers.
- Use landscaping to eliminate stagnant water that collects on your property.



Fight the Bite

by eliminating mosquito breeding sites around your home!

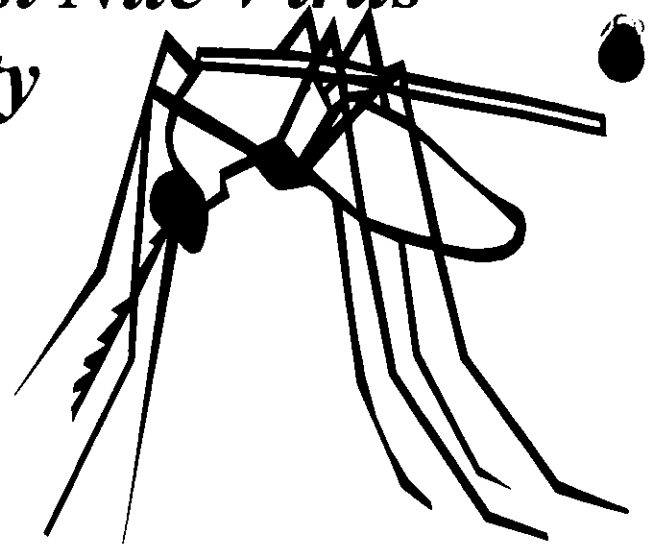
Steuben County Action Plan

Steuben County officials have been studying the spread of WNV and the various methods found to be effective in controlling the mosquitoes that spread the illness. Actions are required by both individuals and government officials. Health officials are conducting on-going bird surveillance and submitting birds to test for WNV. Steuben County will work with various municipalities to identify areas of standing water that can be easily drained. Draining areas of standing water is an important action homeowners can take. Insecticides by themselves will not contain this epidemic. Larvicides may be used in bodies of water that are not easily drained to reduce mosquito larvae. Larvicides contain a naturally occurring bacteria that consumes larvae before they hatch into adult mosquitoes. Larvicide is both safe and effective. The public will be notified if larvicides will be used. Spraying of insecticides to kill adult mosquitoes will be considered only as a last resort if other efforts fail in reducing risk to human health from WNV.

For More Information

Call the Steuben County Public Health & Nursing Services at 607-776-9631 extension 2438

Mosquitoes and West Nile Virus In Steuben County



In the fall of 1999, West Nile Virus (WNV), a mosquito-borne infection that can cause encephalitis, was found in New York State. Although the chances of a person getting encephalitis are small, there are some simple steps you can take to reduce them even further.

Mosquito Facts

- Mosquitoes are small flying insects that feed on human and animal blood or plant juices.
- Only female mosquitoes bite to get a meal for their growing eggs.
- Mosquitoes are generally considered a nuisance pest, but occasionally can transmit disease.
- While there are about 70 different species of mosquitoes in Western New York State, most mosquitoes do not transmit West Nile Virus.
- The *Culex pipiens* mosquito (the common house mosquito) is one species associated with West Nile Virus.

Where they Live and Breed

Mosquitoes lay their eggs in stagnant water around the home. Weeds, tall grass and shrubbery provide an outdoor home for adult mosquitoes, which also may enter houses through unscreened windows or doors, or broken screens.

When Mosquitoes are Most Active

Mosquitoes are most active between dusk and dawn when the air is calm, and that is when the females are most likely to bite. However, they may be present at any time of the day.

West Nile Virus and Encephalitis

Viral encephalitis may not have any symptoms at all; mild cases may include a slight fever and/or headache. Severe infections are marked by a rapid onset of high fever, head and-body aches, and usually occur 5-15 days after exposure. There is no specific treatment for viral infections other than to treat the symptoms and provide supportive care. Those who are at highest risk to become seriously ill from West Nile Virus are the elderly and persons with damaged immune systems.

Bird Testing

Dead Birds serve as an early sign that the virus may be present in our county. Dead birds of all types should be reported to the **Steuben County Public Health & Nursing Services**. The information will be recorded to track the number of birds dying in a particular geographic area. Birds meeting specific criteria will be tested for WNV. To be tested, birds must have died within the past 24 hours. For example a dead bird found on a property today, that was not there yesterday, may be tested. **PLEASE HELP! Your assistance in locating dead birds is critical. Call Steuben County Public Health & Nursing Services to report any dead bird sightings.**

For More Information

Call the **Steuben County Public Health & Nursing Services** at 607- 776-9631 extension 2438

Turn this page over to see how you can protect yourself

June 13, 2001

To: Marvin Rethmel, CEO

From: Town Planning Board

Re: Wheels and Wood Special Use/Site Plan

Marvin - The Planning Board has received a written complaint (attached) regarding the progress at Wheels and Wood. In response to this complaint the Board reviewed the original applications and decisions in this matter at our June 5th meeting.

On June 6, 2000 a Public Hearing was held to consider Mr. Jacquier's applications for a Special Use Permit and Site Plan Review. On June 19, 2000, the Board granted Mr. Jacquier's Special Use Permit to sell used automobiles. The Special Use Permit was approved with a series of conditions; one of which that indicated that business was not to commence until all conditions were meet. In addition, the Board indicated that they may seek to rescind the special use permit upon notification of any violation of these conditions. The Town has received previous complaints regarding Mr. Jacquier's failure to comply with the conditions. On August 15, 2000 CEO Rethmel addressed these violations in a written letter to Mr. Jacquier. In general few, if any, of the conditions have been met to the satisfaction of this Board. Mr. Jacquier has continued to offer automobiles for sale at this site and advertise accordingly. The intent, both implied and written, was that Mr. Jacquier complete ALL phases of his Site Plan and ALL conditions of his Special Use Permit prior to commencing his auto sales business. This Board is of the opinion that Mr. Jacquier's actions indicate that he is not in compliance with the provisions of his Special Use Permit, nor the conditions specified in his approved Site Plan and must cease the sale of vehicles until such time as he comes into compliance. The Board is prepared to take necessary steps to revoke his Special Use Permit and rescind approval of his Site Plan and notify the Department of Motor Vehicles that he is not in compliance with Local regulations and recommend that his Dealer License be suspended until he is in compliance.

We would appreciate your feedback on this matter, as well as any advise that you might have to bring this matter to a timely resolve.

cc/ Brian Flynn, Esg
Mr. and Mrs. Edward Fitzpatrick

Town of Urbana

41 Lake Street
Hammondsport, NY 14840
Town Clerk (607) 569-3743 Code Enforcement Officer(607) 569-3707

Notice of Decision - Special Use Permit

Date:_____ Application#_____

To:_____ Telephone_____

_____

_____

Following the Public Hearing held on _____ the Planning Board reviewed your application for a Special Use Permit for the property located at:

_____

Tax Parcel #_____

The application requested that the above parcel be used for the following purpose(s):
Sell Used Automobiles

By majority vote, it is the Decision of the Planning Board that your application is

❑ **Approved with the following conditions:**

1. **A six foot high privacy fence shall be placed on the northern property line to provide screening from adjoining property.**

2. **Sales and display limited to three vehicles at any given time. Vehicles must be roadworthy and operable at all times.**

3. **A 25 foot wide greenspace shall be maintained between the roadway and display area. This provision is intended to minimize disruptions to the flow of traffic along the public roadway.**

4. **Excavated cut on northern boundary must be planted and landscaped in order to prevent erosion.**

5. **There will be no further business expansion permitted on the parcel.**

6. **Business shall not commence until all conditions are met.**

7. **Upon notification of any violation of these conditions or other applicable Codes the Planning Board may seek to rescind this Special Use Permit**

The Planning Board would like to thank you for your submissions and consideration. If you have any questions please contact the Town Clerk at (607) 569-3743

Town of Urbana

41 Lake Street
Hammondsport, NY 14840
Town Clerk (607) 569-3743 Code Enforcement Officer(607) 569-3707

Notice of Decision - Site Plan Review

Date:_____ Application#_____

To:_____ Telephone_____
_____
_____

Following the Public Hearing held on _____ the Planning Board reviewed your application for a Site Plan Review for the property located at:
_____
Tax Parcel
#_____
The application requested that the above parcel be used for the following purpose(s):
_____
_____

By majority vote, it is the Decision of the Planning Board that your application is

❑ **Approved with the following conditions:**

No tires shall be visibly stored outside of the buildings. Used or worthless tire shall be placed in a covered dumpster, which is to be emptied when full. Dumpster shall be screened from all off premise view by six foot high stockade fencing or similar material.

No visible storage of used auto parts, junk vehicles, scrap, or similar materials.

Hazardous waste materials must be stored and disposed of in a manner as dictated by applicable laws.

No more than four vehicles awaiting repair be on the premises at any given time and said vehicles must be of current license and registration and on the premises solely for immediate repair.

12 parking spaces shall be provided for customer parking, vehicles awaiting repair, and vehicles offered for sale. Each spot shall be of 9

feet in width by 19 feet in length and must be delineated by concrete curbers or similar method.

Parking lot shall be large enough to permit vehicles to turn around to eliminate customers from backing onto the highway.

A six foot high privacy fence shall be placed on the northern property line to provide screening from adjoining property.

Sales and display limited to three vehicles at any given time. Vehicles must be roadworthy and operable at all times.

A 25 foot wide greenspace shall be maintained between the roadway and display area. This provision is intended to minimize disruptions to the flow of traffic along the public roadway.

Excavated cut on northern boundary must be planted and landscaped in order to prevent erosion.

There will be no further business expansion permitted on the parcel.

Business shall not commence until all conditions are met. Zoning Permit shall not be issued until all conditions are met. Certificate of Occupancy shall not be issued until all conditions are met.

Upon notification of any violation of these conditions or other applicable Codes the Planning Board may seek to rescind this Site Plan Approval

The Planning Board would like to thank you for your submissions and consideration. If you have any questions please contact the Town Clerk at (607) 569-3743

Town of Urbana
Planning Board Minutes
June 5, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary

Regular Meeting: Called to order 7:05PM

A. Minutes were reviewed from June 5, 2001. Bob Magee made a motion to accept as submitted.. Jim Duggan seconded and minutes were approved.
B. Old Business:
   a. Subdivisions:
      1. Robert Wheeler- Still waiting for survey.
      2. Roland (Smolas)- Land contracts recorded prior to Subdivision Laws are not subject to the Subdivision Laws. Attorney Flynn is waiting for written documentation from Roland's Attorney.
      3. Edward Bavis- Jim Presley made a motion that, if the CEO finds the application to be complete a public hearing can be set. Seconded by Betty Fitzpatrick and all was in favor.
C. ZBA Opinion: Setback Variance Request
   a. Peter Krog Application #2001-012: Board held discussion. Board will respond; recommending denial.
   b. Peter Krog Application #2001-013: Board held discussion. Board will respond; recommending approval.
   c. Tom Berry Application #2001-011: Board held discussion.. Board will respond; recommending denial.
   d. Kevin Bennett Application #2001-010: Board held discussion. Board will respond; recommending approval.
   e. Richard Rahill Application #2001-014: Board held discussion. Board will respond; recommending approval.
D. New Business:
   a. Mr. Magee read into minutes a letter received by Edmund and Kelly Fitzpatrick. Mr. Magee will respond to the Fitzpatrick's in writing and will forward a carbon copy of his response to CEO Rethmel and to Attorney Flynn.
      1. On June 6, 2000 a Public Hearing was held to consider Mr. Jacquier's application for a special use permit. On June 19, 2000, the Board granted Mr. Jacquier's special use permit to sell used automobiles. The special use permit was approved

with a series of conditions; one of which that indicated that business was not to commence until all conditions were ~~meet~~ met. In addition, the Board indicated that they may seek to rescind the special use permit upon notification of any violation of these conditions. The Town has received previous complaints regarding Mr. Jacquier failure to comply with the conditions. On August 15, 2000 CEO Rethmell addressed these violations in a written letter to Mr. Jacquier.

2. Chairman Magee will forward the complaint along to CEO Rethmel; along with a copy of the notice of conditions (that outlines conditions upon which the special use permit was granted). Chairman Magee will request CEO Rethmel to respond to the Board in writing. CEO Rethmel will also be requested to visit and assess the current situation and respond to the board in writing with any recommendations.

Jim Duggan made a motion to adjourn the meeting and seconded by Betty Fitzpatrick.

All were in favor.

Meeting Adjourned 8:25PM

Respectfully Submitted,

Robert Magee, Chairman

June 5, 2001

Town of Urbana
Planning Board
Hammondsport, New York 14840

To the members of the Board:

The purpose of this letter is to document violations of the conditions set for the site plan approval given to Richard Jacquier. This letter is being submitted by Edmund and Kelly Fitzpatrick, 7300 County Rte 89, Bath, NY. We are the property to the north of Mr. Jacquier.

We requested a copy of the letter which outlined the conditions for the site plan approval and we received it by fax on July, 2000. We have complained verbally to the code enforcement officer many times and have not gotten a satisfactory response to our complaints. Therefore, you are receiving this letter.

There is not a dumpster for used tires on his property. They have still been stacked next to his small garage.

No parking spaces have been marked and we have had many "near misses" with vehicles either parked on the side of the road or backing out in front of our visitors and us. There is a major accident just waiting to happen on that corner.

The privacy fence was put up in such a manner that several of the panels are broken and falling down. It has been nailed and tied to the trees on our property and we expect that to be fixed.

There are more than three vehicles available for sale on his property and listed in his advertisements in the Shopper. That is a clear violation of the terms of his approval.

No excavation has been done on the bank and he allows his children and their friends to ride their four-wheelers on the bank and trespassing on our property.

According to your approval, all of the listed conditions were to be met before the new business could commence and before a building permit would be issued. Mr. Jacquier has started to put up his new building with no visible building permit and since he has not abided by any other conditions, we can only assume it is due to the fact that no permit has been issued.

We simply ask for you to enforce the conditions that you set forth in your approval letter. We participated in both public hearings related to this issue so that there would be a clear understanding of acceptable business practices for this residential area. If you do not want to help us resolve these problems, we will continue to a county or state level to get the conditions enforced.

Very truly yours,

Edmund G. and Kelly S. Fitzpatrick

Town of Urbana
Planning Board Minutes
May 22, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Betty Fitzpatrick	Board Member
	Jim Presley	Board Member
	Carly McConnell	Recording Secretary
Public Present	Durinda Hughes	Walter Baroody
	Randy Weaver	Charles Ward
	Claude Hughes	Edward Bavis
	Sandy Lembke	

Public Hearing: Called to order 7:03PM

Charles Ward Minor Subdivision Application #2001-008. Location of property is 439 East Lake Rd., Hammondsport. The owner of the property is Mr. Charles Ward, 575 Freeman St., Corning, New York. The purpose of the project is to divide the .647 acre parcel into 1.) .623 parcel 2.) .024 acre. Parcel 1 is to be retained by Mr. Ward and parcel 2 is to be annexed to Randy Weaver. Purpose of annexation is for Mr. Weaver to construct a septic system on property located at 441 East Lake Rd., Hammondsport. Legal notice of Public Hearing was posted in the Corning Leader and copy in file.

Public Questions/Concerns:
None
Board Questions/Concerns:
None

Public Hearing Closed 7:08 PM

Public Hearing: Opened 7:10 PM

Claude Hughes Minor Subdivision Application #2000-022. Location of property is 8651 Reservoir Hill Rd, Hammondsport. The owner of the property is Mr. Claude Hughes of the same address. Purpose of project is to divide the 120.58 acre parcel into 1.) 100.00 2.) 20.58. Legal notice of Public Hearing was posted in the Corning Leader and copy in file.

Public Questions/Concerns:
None
Board Questions/Concerns:
None

Public Hearing Closed 7:17 PM.

Special Meeting: Opened 7:18 PM

A. Old Business:
   a. Subdivisions:
      1. Robert Wheeler- Still waiting for Survey.
      2. Roland (Smolas)- No new submissions. Attorneys looking into all land contract questions.
   b. Charlie Eckel- Ceo Marvin Rethmel recommend to waive further review. Jim Presley made a motion to waive any further review on site plan review. Seconded by Betty Fitzpatrick. All were in favor.

B. New Subdivisions:
   a. Charles Ward Minor Subdivision Application # 2001-008.
      1. SEQR PART II-Completed for Charles Ward. Upon Review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this minor subdivision will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
No negative comments at Public Hearing
No negative environmental impact found during SEQR
Subdivision creates a nonconforming lot; however can be annexed to Weaver property to create a more conforming parcel.
Purpose of Subdivision is to better meet quick Watershed requirements.

Betty Fitzpatrick made a motion to accept finding and was seconded by Jim Presley. All were in favor.

      2. It is the determination of the Planning Board that the Minor Subdivision application of Charles Ward meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Jim Presley make a motion to approve the Charles Ward subdivision as submitted and to instruct the Chairman to sign the survey. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

   B. Claude Hughes Minor Subdivision Application # 2000-022.

1. SEQR PART II-Completed for Claude Hughes. Upon Review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this minor subdivision will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
No negative comments at Public Hearing
No negative environmental impact found during SEQR
Meets Local and State subdivision requirements

Jim Presley made a motion to accept finding and was seconded by Jim Duggan. All were in favor.

2. It is the determination of the Planning Board that the Minor Subdivision application of Charles Ward meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Jim Presley make a motion to approve the Claude Hughes subdivision as submitted and to instruct the Chairman to sign the survey. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

C. Edward Bavis Application #2001-007. Location of proposed subdivision is 9272 Glenbrook Rd., Hammondsport. Owner of the property is Edward Bavis of the same address. Purpose is to divide the 100 acres into 1.) 50 acre parcel 2.) 50 acre parcel. Jim Duggan made a motion to declare minor subdivision seconded by Betty Fizpatrick. All were in favor.

D. Minutes:
a. Minutes were reviewed from March 21, 2001. Bob Magee made a motion to accept as submitted. Mrs. Fitzpatrick seconded and minutes were approved.
c. Minutes were reviewed from April 3, 2001. Jim Presley made a motion to accept as submitted. Mr. Duggan seconded and minutes were approved.
d. Minutes were reviewed from May 1, 2001. Jim Presley made a motion to accept as amended. Jim Duggan seconded and minutes were approved.

Jim Presley made a motion to adjourn the meeting. Betty Fitzpatrick seconded and all were in favor.

Meeting Adjourned 8:40PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
May 1, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary
Public Present	Lori Karelus	Leonard P. Wood
	Marcia Coon	Michael Doyle
	Robert H. Cole	Charles Wood
	Randy Weaver	Joe Magliocca

Public Hearing: Called to order 7:02PM.

Crown Atlantic Special Use Permit and Site Plan Review Application #2000-025. Legal notice of Public Hearing was posted in the Corning Leader and copy is in file. Adjoining property owners have been notified. Lori Karelus representing Nixon and Peabody was present. The public hearing was reopened with the revised plan. The revised plan is to place the tower 500 feet to the west of the original proposed site.
Public Questions/Concerns:
None.
Board Questions/Concerns:
When the tower is abandoned for a period of time, can a restriction be made for the tower to be removed. Lori Karelus said that would be possible.

Public Hearing closed at 7:12PM.

Public Hearing: Called to order 7:13PM.

Mercury Aircraft Inc. Minor Subdivision Application #2001-004. Legal notice of Public Hearing was posted in the Corning Leader and copy is in file. Adjoining property owners have been notified. The proposed property is located on Pleasant Valley Road in Hammondsport, New York. The owner of the property is Mercury Aircraft Inc. of 17 Wheeler Ave, Hammondsport, New York. The purpose of the project is to divide the total 295.763 acres into 1.) 186.859 2.) 108.904. It is currently zoned industrial and use is manufacturing and winery. Final Survey listed sub parcels with deed references.
Public Questions/Concerns:
None.
Board Questions/Concerns:
None.
Public Hearing Closed at 7:19PM.

Regular Meeting: Opened 7:20PM

A. Old Business:

A. Subdivisions:

1. Robert Wheeler-no new survey
2. Hughes-survey in and is waiting for approval by CEO, Dave Oliver
3. Scutt-Flynn would like to request a special meeting with the Board
4. Roland-waiting for response for Flynn

B. New Business:

A. Crown Atlantic Special Use Application #2000-025.

1. SEQR PART II-Completed for Crown Atlantic. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this site plan review will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
Meet requirements of Town
Location moved due to negative response at previous public hearing
No negative comments at Public Hearing for the revised location
Applicant will issue a removal of obsolete facility letter
No negative impact found during SEQR process

Bob Magee made a motion to accept findings and was seconded by Betty Fitzpatrick. All were in favor.

Jim Duggan made a motion to approve Special Use Permit as submitted; to include a condition that document indicating the structure must be removed if not utilized for a period of one year. Seconded by Jim Presley. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

B. Crown Atlantic Site Plan Review Application #2000-025.

1. SEQR PART II-Completed for Crown Atlantic. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this site plan review will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
Meet requirements of Town
Location moved due to negative response at previous public hearing
No negative comments at Public Hearing for the revised location
Applicant will issue a removal of obsolete facility letter
No negative impact found during SEQR process

Bob Magee made a motion to accept findings and was seconded by Betty Fitzpatrick. All were in favor.

Jim Duggan made a motion to approve Site Plan Review as submitted; to include a condition that document indicating the structure must be removed if not utilized for a peroid of one year. Seconded by Jim Presley. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

C. Mercury Aircraft Inc. Minor Subdivision Application #2001-004

1. SEQR PART II-Completed for Mercury. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this site plan review will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application is complete
Meets all state and local requirements
No negative impact found during SEQR process
Restored to preexisting status

Jim Presley made a motion to accept findings and was seconded by Jim Duggan. All were in favor.

2. It is the determination of the Planning Board that the Minor Subdivision application of Mercury Aircraft meets the requirements of the subdivision law with sufficient compliance as to be granted status for approval or disapproval. I Jim Duggan make a motion to approve the Mercury Aircraft subdivision as submitted, and to instruct

the Chairman to sign the survey. Seconded by Jim Presley. Magee-aye, Duggan-aye, Presley-aye, Fitzpatrick-aye.

D. Ward Subdivision Application #2001-008. Purpose is to take the total .647 acres and create 2 lots. 1.) .623 2.) .024. Lot 2 is to be annexed to Mr. Weaver. Board held discussion. Jim Presley made a motion to accept application as a minor subdivision. Seconded by Jim Duggan. All were in favor. Bob Magee made a motion that upon completion of the application a Public Hearing can be set. Jim Duggan seconded and all were in favor.

E. Sign Law-Submitted March 31, 01: Have not heard back

Jim Presley made a motion to adjourn the meeting and seconded by Jim Duggan.

All were in favor.

Meeting Adjourned 8:35PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
April 3, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary
	Dave Oliver	CEO
Public Present	Marcia Coon	
	Mike Doyle	

Regular Meeting: Called to order 7:04pm

A. Old Business:
   a. Subdivision:
   1. Robert Wheeler-no survey
   2. Hughes-no new information
   3. Scutt-Letter was received from Mark Morrell. Attorney Flynn has requested a meeting with Board to discus this case.
   4. Roland-Attorney Flynn has meet with Attorney John McCarthy who is representing Mr. Roland. They have resolved the issue of the owner transfer dates of the land contracts. Attorney Flynn is waiting for documentation and will notify the Board when received.
   b. Concept/Site Plan Review:
   1. Ronald Smith- Mr. Smith has requested an extension in which to complete the contingencies on the site plan; for the code requirement for screening the driveway with plants, parking spots and delineation of the those spots. Jim Presley made a motion to grant an extension until May 31, 2001. Seconded by Jim Duggan. All were in favor.

B. New Business:
   a. Subdivisions:
   1. Mercury Aircraft, Inc. Application #2001-004. The proposed property is Pleasant Valley Rd, in Hammondsport. The owner of the property is Mercury Aircraft Inc. of 17 Wheeler Ave, Hammondsport. The purpose is to divide the total 295.763 acres into 1.) 186.859 2.) 108.904. The Board requested an additional survey that increased the size of the survey near the areas that contained the buildings and to show the set backs. Jim Presley made a motion to have Bob Magee set a Public Hearing upon the completion of the application. Seconded by Jim Duggan and all were in favor.
   b. Planning Issues:

1. Rezone-Mr. Magee will supply the Board with a zoned map of town and has asked the Board to bring any ideas they have regarding zoning to the next meeting.
2. Sign Law- Submitted March 31, 01. Mr. Magee asked Dick Gardner to review what was submitted and to submit back any suggestions.

Minutes were reviewed from March 6, 2001. Bob made a motion to accept as submitted. Jim Duggan seconded and minutes were approved.

Bob Magee made a motion to adjourn the meeting. Seconded by Betty Fitzpatrick. All were in favor.

Meeting Adjourned 9:10PM

Respectfully Submitted,

Robert Magee, Chairman

March 26, 2001

Town of Urbana Planning Board
41 Lake Street
Hammondsport, NY 14840

Dear Board Members:

On January 24, 2000 I submitted an application for subdivision of my property at 182 East Lake Road to the CEO, MR. Oliver, and the only response I have received to date is a letter asking me to explain why I have no deed restrictions on my deed and why my survey map is all in one parcel. On November 2, 2000 I requested the Planning Board to resolve these issues and still as of today have not received any information from you on this issue.

As you know, I purchased this property from Ms. Scutt with no deed restrictions and only one deed.

This letter is to ask you again, as the Town Planning Board, to resolve the issue of deed restrictions on my property for Mr. Oliver so I can move forward with my subdivision.

I would appreciate your review of this matter as soon as possible.

Sincerely

Mark Morrell
358 May street
Bath, New York 14810

RECEIVED
MAR 28 2001

Town of Urbana
Planning Board Minutes
March 21, 2001

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Carly McConnell	Recording Secretary
Public Present	Wilbur Earley	
	Marcia Coon	

Public Hearings: Called to order 7:07 PM.

Wilbur Earley Minor Subdivision Application #2000-028. Location of proposed property is 377 East Lake Rd, Hammondsport, New York. Owner of the property is Wilbur and Ann Earley of the same address. The propose of is the divide the total 1.42 acres into 1.) 0.954 2.) 0.462 acre lots. Lot Copy of the legal notice of the public hearing that was placed in the Corning Leader. Adjoining property owners received notice of public hearing.

Mr. Wilbur Early gave his oral narrative; indicating the lot 2 is to be sold.

Exhibits present in file:

A5 SEQR Part I-Completed
A8 Sketch Maps
A6 Deed
A10 Sketch Maps in form of reduced survey map completed in 1993
B9 Dimension of House
C Town and County Tax receipts marked paid.
D School Tax marked paid.

Questions/Concerns from Public:
Public had no questions.
Board Questions/Concerns:
Board had no questions.

Public Hearing: Closed 7:19PM

Keuka Medical Commons Application #2000-034. Copy of the notice of Public Hearing, that was placed in the Corning Leader for Public Hearing on February 22, 01 and Public Hearing on March 21, 01 are present in the file.

Randy Robinson made to annul the decision on Keuka Medical Commons Special Use Permit Application #2000-034; to annul the findings on the Special Use Permit; to annul Part 2 of the SEQR for the Special Use Permit and the annual the Negative Declaration on the Special Use Permit. Seconded by Betty Fitzpatrick. Magee-aye, Robinson-aye, Fitzpatrick-aye.

Betty Fitzpatrick made a motion to annul the decision on Keuka Medical Commons Site Plan Review Application #2000-023; to annul the findings on Site Plan Review; to annual Part 2 of the SEQR on the Site Plan Review and to annul the Negative Declaration on the Site Plan Review. Randy Robinson seconded. Magee-aye, Robinson-aye, Fitzpatrick-aye

Randy Robinson made a motion to approve the draft minutes from the February 22, 2001 meeting. Seconded by Betty Fitzpatrick. Magee-aye, Robinson-aye, Fitzpatrick-aye.

Public Hearing (rehearing): Opened 7:37PM.

Keuka Medical Commons Special Use Permit and Site Plane Review Application #2000-034. 239M Referral from the County was received March 20, 2001 and was signed by Greg Heffnor, ALCP Planning Director. Decision from the County was for the Board to make their own decision based on the facts in the case.

Marcia Coon submitted a written notification of present traffic flow; on March 21, 01.

Public Question/Concerns:

Marcia Coon stated that the existing driveway used by the Keuka Medical Commons is going to be used for the property that is to be annexed. The drive currently meets all DOT requirements. It is Marcia's understanding that the DOT will not put in writing any requirements until an application is received.

Board Questions/Concerns:

Would it be possible to put emergency only markings on drive 2?

Public Hearing: Closed 7:56 PM

Regular Meeting: Opened 8:10 PM

A. Keuka Medical Commons Special Use Permit #2000-034

a. Section 105-60 / Section B

The Planning Board shall review the application for compliance with all provisions of these regulations and, more specifically, it shall ascertain whether satisfactory provision has been made, where applicable, with respect to each of the following criteria:

1. Proper ingress and egress to the proposed use and structures for automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.
   Ingress and egress will be required to be the existing ingress and egress of the Keuka Medical Commons. Secondary signage to detour public from using the drive 2.
2. Adequacy of off-street parking and loading, where required, considering the effects on the adjoining properties and property generally in the neighborhood.
   Parking plan meets zoning requirements and will be screened by existing buffer. Any additional screening as per CEO.
3. Location and adequacy of refuse handling and service areas and driveway areas.

A dumpster will be used. Placement of any new refuse receptacle must be screened from view.

4. Location and compatibility of utility structures.
   None Applicable
5. Adequacy of plans for screening and buffers, where needed.
   Addressed in number 2.
6. Signs, including size, location, lighting, glare, traffic safety, compatibility and harmony with nearby properties.
   Proposed signage with in Town Code and per CEO,
7. Adequacy of yards and open space.
   Proposed lot coverage less than 5%.
8. General compatibility with adjacent property in accordance with general or specific objectives of the Municipal Comprehensive Plan and these regulations.
   Medical facility adjacent to existing medical facility.
9. Harmony of proposed structures, activities and uses with the intended character of the area, having due regard for potential problems of noise, vibration, odor, traffic congestion, air pollution, drainage, aesthetics and Other environmental effects
   Same as above.
10. Potential damage or loss of natural, scenic or historic features of importance.
    None
11. Traffic-generating characteristics of the proposed use in relation to the design and capacity of roads or streets serving the area.
    No significant increase over existing hospital traffic.

a. SEQR PART II-Completed for Keuka Medical Commons. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this special use permit of land will not result in any large and important impact on the environment. I, Betty Fitzpatrick make a motion that a negative declaration be prepared. Seconded by Bob Magee.
   Magee-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Meet applicable Town zoning requirements
No negative comments at Public Hearing
Project is compatible with surrounding area
No negative impact found during SEQR
Parcel to be annexed to adjoining parcel; which contains an existing medical facility
239M Referral from County, deferred judgement.

Betty Fitzpatrick made a motion to accept findings. Seconded by Bob Magee. Magee-aye, Robinson-aye, Fitzpatrick-aye.

Randy made a motion to grant the Special Use Permit Application #2000-034 contingent upon signage to prohibit public use of drive 2, any new receptacles placed on property will have to be screen and upon annexation a new survey map showing the annexation and an amended deed will need to be supplied to the Board. Seconded by Betty Fitzpatrick. Magee-aye, Robinson-aye, Fitzpatrick-aye.

B. Keuka Medical Commons Site Plan Review Application #2000-034.

a. Section 88-14: General Standards and considerations for site plan review shall be as follows:

1. The location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
   No, continuation of medical facility
2. The adequacy and arrangement of vehicular traffic access and circulation, including street width, intersections, traffic problems on adjoining streets, pavement surfaces, dividers and traffic controls as well as the proximity to places of public assembly.
   Ingress and egress are to be as DOT requirements. Street width are to Town Code. The driveway surface is to be gravel followed by pavement at a later date.
3. The location, arrangement, appearance and sufficiency of off-street parking and loading.
   Plans indicate off-street parking meets Town Code and individual spots will be delineated with curbers.
4. The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
   Pedestrian access is not applicable.
5. The adequacy of storm water and drainage facilities.
   Storm water directed to NYS M46P56 drainage.
6. The adequacy of water supply and sewage disposal facilities.
   Water supply is the Bath Sewage Plant by way of the hospital.
7. The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of Landscape plan on file and final plan is subject is CEO approval. Parking lot will be visually obscured by existing buffer.
8. The adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.
   Closest excisable hydrant at Keuka Family Practice.
9. Special attention to the adequacy and impact of structures, roadways and landscaping in areas susceptible to ponding, flooding and/or erosion.
   Not applicable

10. The Overall impact on the neighborhood, including the compatibility of design considerations and/or any actual or potential adverse aesthetic environmental impacts.
Proposed structure compliments existing surrounding structures.

11. Documentation that the proposal is compatible with the objectives of the town's land use regulation plan.
Project will be required to meet all land use regulations with in Town Code.

12. Any other factor found to be detrimental to public health, safely or general welfare of the community as it relates to one of the specifically enumerated elements which the Planning Board is authorized, pursuant to Town Law 274-a to consider in reviewing a site plan.
None found.

13. Appropriate review as may be required by the need to satisfactorily comply with the provisions and requirements of the New York State Environmental Quality Review Act (SEQRA). Until final SEQRA determinations have been made, no final site plan approval shall be granted.
No negative impact found in SEQR
b. Section 88-15: Specific standards and considerations
None Applicable
c. SEQR PART II-Completed for Keuka Medical Commons. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this site plan review will not result in any large and important impact on the environment. I, Betty Fitzpatrick make a motion that a negative declaration be prepared. Seconded by Randy Robinson.
Magee-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Meets requirements of Town
No negative comments at Public Hearing
Use is compatible with surrounding area
Meets or exceeds town site plan review standards
Ingress and egress be restricted to existing driveway
Property to be annexed to existing property; to be one taxed parcel
239M Referral from the County, deferred judgement
Written notification from applicant, if drive 2 is to be used it will meet all DOT requirements

Randy Robinson made a motion to accept findings. Seconded by Betty Fitzpatrick.
Magee-aye, Robinson-aye, Fitzpatrick-aye.

Betty Fitzpatrick made a motion to approve Site Plan Review Application #2000-034 contingent upon signage to prohibit public use of drive 2, any new receptacles placed on property will have to be screen, upon annexation a new survey map showing the annexation and an amended deed will need to be supplied to the Board and all copies of correspondence with the DOT be filed with the Town; when developing drive 2. Seconded by Bob Magee. Magee-aye, Robinson-aye, Fitzpatrick-aye.

C. Wilbur and Ann Earley Minor Subdivision Application # 2000-028.

a. SEQR PART II-Completed for Wilbur and Ann Earley. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this Minor Subdivision will not result in any large and important impact on the environment. I, Betty Fitzpatrick make a motion that a negative declaration be prepared. Seconded by Bob Magee. Magee-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Meet requirements of Town and State.
No negative comments at Public Hearing
Application is Complete, except for written narrative. Gave oral narrative at Public Hearing
No negative effects found in SEQR.

Betty Fitzpatrick made a motion to accept findings. Seconded by Bob Magee. Magee-aye, Robinson-aye, Fitzpatrick-aye.

It is the determination of the Planning Board that the minor subdivision application of Wilbur and Ann Earley meets the requirements of the subdivision law with sufficient compliance as to be granted status for approval or disapproval. I Betty Fitzpatrick make a motion to approve the Wilbur and Ann Earley Subdivision as submitted and instruct the chairman to sign and stamp the survey. Seconded by Randy Robinson. Magee-aye, Robinson-aye, Fitzpatrick-aye.

Betty Fitzpatrick made a motion to adjourn the meeting. Seconded by Randy Robinson and all was in favor.

Meeting Adjourned 9:55 PM

Respectfully Submitted,

Robert Magee, Chairman

Andersen

ADAM WHOLESALERS

PO BOX 300 970 N.Y. ROUTE 11
KIRKWOOD, NY 13795
PHONE: (800) 735-4441
FAX: (800) 328-2326

DATE: 3/21/2001 JOB: Keuka Medical Commons
Annexation of Adjacent Property.

To Whom It May Concern:

In the event that the existing driveway access, on the property to be acquired, is to be used as a public thoroughfare entrance and/or exit, we will comply with all NYS-DOT requirements of construction per their instruction.

Maria M. Com
for
Keuka Medical Commons.

Town of Urbana
Planning Board Minutes
March 6, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Brian Flynn	Attorney
	Carly McConnell	Recording Secretary
Public Present	Robert Wheeler	
	Mike Cook	

Regular Meeting: Called to order 7:12PM

A. Old Business:

a. Cornerstone Fund Subdivision Application #2000-035 and 2000-027. Mr. Mike Cook provided the Board with a new survey. The Board requested Mr. Cook to provide the Board with 2 time stamped deeds. Betty Fitzpatrick made a motion; that upon the receipt of the 2 time stamped deeds; Chairman Magee can sign and stamp the survey. Mr. Duggan seconded and all was in favor.

b. Claude Hughes Subdivision: No new survey.

c. Martha Scutt Subdivision: No new information.

Attorney Flynn made a motion for the Board to enter into executive session. Seconded by Bob Magee. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye. Mr. Magee made a motion to adjourn executive session. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye. Jim Duggan made a motion to request the Town Clerk to schedule a rehearing for Site Plan Review and Special Use Permit Application #2000-034; for March 21, 2001. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

A. Old Business Continued:

d. Roy Rolland Subdivision: Board requested Attorney Flynn to contact Attorney McCarthy, who is representing Mr. Rolland.

e. Wilbur Early Subdivision: A survey has been submitted. Betty Fitzpatrick made a motion to set a public hearing for March 21, 2001. Seconded by Jim Duggan.

f. Ron Smith Concept/Site Plan Review: Mr. Smith has made a verbal request to Marvin Rethmel, CEO to extend the period of time in which to improve the parking lot and landscaping. Board will have Mr. Rethmel request a written request from Mr. Smith.

B. New Business:

a. Robert Wheeler Subdivision Application #2001-003. Location of proposed project is North Urbana Road in Hammondsport, New York. The owner of the

property is Robert Wheeler of 3180 Vandermark Rd., Scio, New York 14880. The purpose of the project is divide the total 100.5 acres into 1) 6.384 2) 94.12. The property crosses two townships. In the town of Urbana the owner has 7.5 acres and 93 acres are in the town of Bradford. The Board will review this application with Attorney Flynn. The applicant was refereed to Dave Oliver, CEO and was notified in writing of the requirements need for the final application. Mr. Duggan made a motion to declare this a minor subdivision. Seconded by Betty Fitzpatrick. All in was in favor.

b. Planning Specialist: Meeting will be rescheduled due to weather.

c. Sign Law: Discussion was held. Betty made a motion to accept the sign law as amended by Board and to forward it onto the Town Board. Jim Duggan seconded and all in favor.

C. Minutes:

a. Minutes were reviewed from December 5, 2000. Bob Magee made a motion to accept as submitted. Mr. Duggan seconded and minutes were approved.

c. Minutes were reviewed from January 9, 2001. Bob Magee made a motion to accept as amended. Mr. Duggan seconded and minutes were approved.

d. Minutes were reviewed from February 6, 2001. Mr. Duggan made a motion to accept as submitted. Mr. Magee seconded and minutes were approved.

e. Minutes were reviewed from February 22, 2001. Mr. Duggan made a motion to accept as submitted. Mr. Magee seconded and minutes were approved.

Jim Duggan made a motion to adjourn the meeting. Betty Fitzpatrick seconded and all were in favor.

Meeting Adjourned 9:15PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
February 22, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Carly McConnell	Recording Secretary
Public Present	Trina Dalba (Tobias)	Matt Tobias
	Nellie Tobias	Jered Fletcher
	Mike Doyle	Marcia Coon
	Dr. Holobinko	

Public Hearing: Called to order 7:04PM.

Crown Atlantic Special Use Permit and Site Plan Review Application #2000-025. Legal notice of Public Hearing was posted in the Corning Leader and copy is in file. Property owners have been notified. Attorney Bugdorf was unable to attend.
Public Questions/Concerns:
Matt Tobias asked if security cameras would be present at the tower. Trina Dalba (Tobias) asked if the tower would be torn down if it became unusable.
Board Questions/Concerns:
None.
Board recessed the Public Hearing until March 6, 2001.

Public Hearing: Called to order 7:19PM.

Keuka Medical Commons Special Use Permit and Site Plan Review Application #2000-034. Legal notice of Public Hearing was posted in the Corning Leader and copy is in file. Property owners have been notified. Board discussed the dimensions of the proposed structure and the parking lot. Ingress and egrees were also discussed. Any requirements regarding ingress and egrees will come from the DOT.
Public Questions/Concerns:
None.
Board Questions/Concerns:
None.
Public Hearing Closed at 7:38PM.

Special Meeting: Opened 7:40PM

A. Keuka Medical Commons Site Plan Review Application #2000-034.
   a. Section 88-14: General Standards and considerations for site plan review shall be as follows:

1. The location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
   No, continuation of medica facility
2. The adequacy and arrangement of vehicular traffic access and circulation, including street width, intersections, traffic problems on adjoining streets, pavement surfaces, dividers and traffic controls as well as the proximity to places of public assembly.
   Ingress and egrees are to be as DOT requirements. Street width are to Town Code. The driveway surface is to be gravel followed by pavement at a later date.
3. The location, arrangement, appearance and sufficiency of off-street parking and loading.
   Plans indicate off-street parking meets Town Code and individual spots will be delineated with curbers.
4. The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
   Pedestrian access is not applicable.
5. The adequacy of storm water and drainage facilities.
   Storm water directed to NYS M46P56 drainage.
6. The adequacy of water supply and sewage disposal facilities.
   Water supply is the Bath Sewage Plant by way of the hospital.
7. The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of Landscape plan on file and final plan is subject is CEO approval. Parking lot will be visually obscured by existing buffer.
8. The adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.
   Closest excisable hydrant at Keuka Family Practice.
9. Special attention to the adequacy and impact of structures, roadways and landscaping in areas susceptible to ponding, flooding and/or erosion.
   Not applicable
10. The Overall impact on the neighborhood, including the compatibility of design considerations and/or any actual or potential adverse aesthetic environmental impacts.
    Proposed structure compliments existing surrounding structures.
11. Documentation that the proposal is compatible with the objectives of the town's land use regulation plan.
    Project will be required to meet all land use regulations with in Town Code.
12. Any other factor found to be detrimental to public health, safely or general welfare of the community as it relates to one of the specifically enumerated elements whitch the Planning Board is authorized, pursuant to Town Law 274-a to consider in reviewing a site plan.

None found.

13. Appropriate review as may be required by the need to satisfactorily comply with the provisions and requirements of the New York State Environmental Quality Review Act (SEQRA). Until final SEQRA determinations have been made, no final site plan approval shall be granted.
No negative impact found in SEQR
b. Section 88-15: Specific standards and considerations
None Applicable
c. SEQR PART II-Completed for Keuka Medical Commons. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this site plan review will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Meet requirements of Town
No negative comments at Public Hearing
Use is compatible with surrounding area
Meets or exceeds town site plan review standards
Ingress and egrees will meet any DOT requirements
Property to be annexed to existing property; to be one taxed parcel

Betty made a motion to accept findings and was seconded by Jim Presley. All were in favor.

Jim Duggan made a motion to approve Site Plan as submitted and was seconded by Jim Presley. Magee-aye, Duggan-aye, Presley-aye, Robinson-aye, Fitzpatrick-aye.

B. Keuka Medical Commons Special Use Permit #2000-034
a. Section 105-60 / Section B

The Planning Board shall review the application for compliance with all provisions of these regulations and, more specifically, it shall ascertain whether satisfactory provision has been made, where applicable, with respect to each of the following criteria:

1. Proper ingress and egress to the proposed use and structures for automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.
As per DOT requirements.
2. Adequacy of off-street parking and loading, where required, considering the effects on the adjoining properties and property generally in the neighborhood.

Parking plan meets zoning requirements and will be screened by existing buffer. Any additional screening as per CEO.

3. Location and adequacy of refuse handling and service areas and driveway areas.
   A dumpster will be used. Placement of any new refuse receptacle must be screened from view.
4. Location and compatibility of utility structures.
   None Applicable
5. Adequacy of plans for screening and buffers, where needed.
   Addressed in number 2.
6. Signs, including size, location, lighting, glare, traffic safety, compatibility and harmony with nearby properties.
   Proposed sinage with in Town Code and per CEO,
7. Adequacy of yards and open space.
   Proposed lot coverage less than 5%.
8. General compatibility with adjacent property in accordance with general or specific objectives of the Municipal Comprehensive Plan and these regulations.
   Medical facility adjacent to existing medical facility.
9. Harmony of proposed structures, activities and uses with the intended character of the area, having due regard for potential problems of noise, vibration, odor, traffic congestion, air pollution, drainage, aesthetics and Other enviromental effects
   Same as above.
10. Potential damage or loss of natural, scenic or historic features of importance.
    None
11. Traffic-generating characteristics of the proposed use in relation to the design and capacity of roads or streets serving the area.
    No significant increase over existing hospital traffic.

a. SEQR PART II-Completed for Keuka Medical Commons. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude and importance of each impact, it is reasonably determined by Planning Board that this special use permit of land will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative declaration be prepared. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Meet applicable Town zoning requirements
No negative comments at Public Hearing
Project is compatible w/surrounding area

No negative impact found during SEQR
Parcel to be annexed to adjoining parcel; which contains an existing medical facility

Betty Fitzpatrick made a motion to accept findings. Seconded by Jim Presley. Magee-aye, Duggan-aye, Presley-aye, Robinson-aye, Fitzpatrick-aye.

Jim Presley made a motion to grant the Special Use Permit Application #2000-034. Seconded by Jim Duggan. Magee-aye, Duggan-aye, Presley-aye, Robinson-aye, Fitzpatrick-aye.

Jim Presley made a motion to adjourn the meeting and it was seconded by Jim Duggan. All were in favor.

Meeting Adjourned 8:40PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana
Planning Board Minutes
February 6, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary
Others Present	Marvin Rethmel	CEO
Public Present	Leonard Wood	Marcia Coon
	Lindsey Coon	Kelly Carol

Regular Meeting: Called to order 7:14PM

A. Old Business:

a. Crown Atlantic Special User Permit Application #2000-025. Attorney Robert Burgdorf supplied the Board with a new set of plans regarding the an alternative site. The Board discussed this new option and will instruct the Town Clerk to set a public hearing.

b. Cornerstone Fund Subdivision Application #2000-035 and 2000-027. Attorney Flynn responded to the board in writing; regarding the need for a survey of the new parcel to be filed with the deed. Mr. Magee made a motion to require a survey of new parcels; when lots are annexed. Jim seconded the motion and all were in favor.

c. Roy Rolland: The Board will request Attorney Flynn to contact Attorney McCarthy, who is representing Mr. Rolland.

d. Claude Hughes Subdivision: No new information.

e. Wilbur Early Subdivision: No new information.

f. Clinto Lindo: Board discussed and will have CEO, Marvin Rethmel review and responded to the board.

B. New Business:

a. Keuka Medical Commons Special Use Permit Application #2000-034. Location of proposed project is 7577 Route 54 in Bath, New York. The owner/seller of project Richard Benicaso Jr.. The applicant/buyer is Keuka Medical Commons at 7603 Route 54, Bath, New York. The proposed project is to construct a wellness clinic. A discussion was held.

b. Minutes were reviewed from October 3, 2000. Bob made a motion to accept as amended. Betty seconded and minutes were approved.

c. Minutes were reviewed from October 31, 2000. Jim Presley made a motion to accept as amended. Betty seconded and minutes were approved.

d. Minutes were reviewed from November 14, 2000. Jim Presley made a motion to accept as amended. Betty seconded and minutes were approved.

Jim Presley made a motion to adjourn the meeting. Jim Duggan seconded and all were in favor.
Meeting Adjourned 9:15PM

Respectfully Submitted,

Robert Magee, Chairman

Brian C. Flynn
Attorney and Counselor at Law
16 Shethar Street
P. O. Box 276
Hammondsport, New York 14840-0276

Phone 607-569-2686
Fax 607-569-2633

February 1, 2001

Deborah Pierce, Town Clerk
Town of Urbana
41 Lake Street
Hammondsport, New York 14840

RE: Cornerstone Subdivision

Dear Debbie:

You have furnished me with copies of two (2) deeds, one for 76.509 acres (Liber 1673 of Deeds at Page 86) and one for 3.718 Acres (Liber 1678 of Deeds at page 251). The grantee in each deed is Cornerstone Fund, Inc.

Further review indicates that the initially referenced deed was submitted in connection with Application 2000-27 and the other was filed in connection with Application 2000-35.

In your January 17, 2001 correspondence you stated that at the Public Hearing held on January 9, 2001, the Town Planning Board advised the applicants' representatives that they required a single deed reflecting annexation of these above referenced parcels into one deed.

Accordingly, at this writing, it would appear that you have received a proposed deed reflecting a total land area of 80.227 acres, more or less.

If such is the case, then you also should be provided with "an actual field survey of the newly created parcel" which reflects thereon the entirety of the subdivision land area and the particular metes and bounds of each subdivided lot. Therefore it's my present opinion that Cornerstone's two separate maps should be replaced by one map, as well as a certified copy or a time stamped copy of the deed for the combined land area and thereafter submitted to the Town Planning Board herein.

Debbie, if you have any further questions herein please direct them to me.

Sincerely yours,

Brian

BRIAN C. FLYNN

BCF/rs

John Jensen

75 Shethar Street
Hammondsport, NY 14840

Dec. 22, 2000

Urbana Planning Board
Hammondsport, NY 14840

Last night, a Planning Board Member accused me of having displayed bias in two subdivision cases. Specifically, I was accused of "Holding up" the Borke Subdivision while ignoring material facts in the Robinson subdivision. This Board member said he made these allegations to the Planning Board Chair and to the Town Supervisor. Since neither has told me of the accusations, I have no idea whether they accepted these allegations as fact or whether they may have repeated them to others!

As I recall, here are the facts of the 2 subdivisions:

In the Borke Subdivision, I admit that I was probably the one who first brought up the fact that the Code required that a private road be built (not juist a line on the map) or else an acceptable performance bond must be filed. But, I also remember suggesting we check this interpretation with the Town attorney. The Attorney did concur that the road must be built or performance bond filed. And I also remember a majority vote of this Planning Board decided that the road must be built or bonded for the Subdivision to be approved. The "hold up" in this case as in virtually every case, was the applicant's reluctance to comply with the Code. I certainly held up nothing and resent this false allegation.

In the Robinson Subdivision, I was accused of having first hand knowledge that the entrance road was not up to acceptable standards. The fact is the only information that I had is the application and the statements of the applicant during the preliminary hearing. At this meeting, my recollection is that Mrs. Robinson stated the roadway used to be a Town road, that she could make the R.O.W. fifty feet, and that we were leaving the road specs up to Highway Supervisor Buckly , just as we had done in the Borke case. I have never been to Mrs Robinson's property and my vote was based on the applicant's file. If my accuser or the C.E.O. had other first hand information, I sure would like to know why they didn't bring it up or submit it for the file! In any case my recollection is that the final vote in the case was unanimous. If this, or any board member had information which (he says) should have changed my vote, then why didn't it change theirs?

When Bob asked me to serve on this Board, I gave 2 conditions. First, that the Board would become a positive force in the planned development of the Township. Second, that we would treat every application the same regardless of who applied or whether we personally liked the proposed project or not. I have made a conscious effort to continually act accordingly.

First, as the Board is aware, I spent hundreds of hours doing the research and first draft of our Comprehensive Plan update. The update was submitted for Town Board action over one year ago with no action to date. Our inability to get approval regarding this update has convinced me that the Planning Board can never meet my first condition, so I decided not to accept another term. As to my second condition, in my capacity as Board Member, I have treated each and every case the same. I have let the Code and the facts of the case determine my vote. I have never let my feelings for or against any project or applicant have any bearing on my decision. I have, instead, relied on the Code. I have continually held that the requirements of the code must be met, even when this position was "politically incorrect", and even if I felt the code was too restrictive. Now, after taking this (often unpopular) "by the book" position, it angers me to be accused of favoritism!

I don't know any way that wrongful accusations and the damage they cause can possibly be undone. But perhaps. by reflecting on what has happened and discussing this matter, future situations like this might be avoided and at least the remaining Board Members might be spared the damage I have received.

Please discuss this matter and consider the following:

1. There should be respect for all opinions at the table.
2. Any decision by the majority is the Board's decision and should be referred to as such.
3. Members should never "blame" another member by name for a Board decision.
4. If any member feels another member is in error, this should be dealt with at the time (at the Table, during the meeting), and not be the subject of public gossip.
5. Individual members should not take it upon themselves to make such accusations to other Town officials because this deprives the accused any chance to defend himself. (Remember one day that accused member could be you!)

Respectfully,

John

John Jensen

Town of Urbana
Planning Board Minutes
January 9, 2001

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Jim Presley	Board Member
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Carly McConnell	Recording Secretary
Public Present	Leonard Wood	Kent Collins
	Bob Burgdorf	Albert Clark
	John Kemp	Michael Cook

Public Hearings: Called to order 7:06PM.

Wilbur Wheeler Minor Subdivision Application #2000-029. Location of proposed project is 8085 Winding Stairs Road. The owner of the property is Wilbur Wheeler of PO Box 461 in Hammondsport, New York. The purpose of the project is to divide the 345.468 acre parcel into 1) 153.224 acre parcel 2) 149.463 acre parcel 3) 42.781 acre parcel. Mr. Wilbur is to distribute the land to his daughters. Mr. Leonard "Paul" Wood has the authority to represent Mr. Wilbur Wood; who is not present. A letter of authorization is the file. Yolanda Wheeler may also be contacted with any questions. Legal notice of the public hearing was placed in the Corning Leader. Adjoining property owners also received legal notice of public hearing.

Parcel 1 contains a legally abounded road; that was abounded in 1982. The Finger Lakes Trail follows this road. Parcel 3 has a right away for the Town to access the Town parcel behind this property.

Questions/Concerns from Public:

Mr. John Kemp was present to represent his wife Robin Damoth who received a parcel of land by inheritance. This parcel became landlocked when the Town abounded the roadway. He is in the process of trying to get a right away to access his land and has contacted an attorney. Mr. Kemp stated he will try to hold this process up; until he is given a right away. He just wants the ability to use his land and currently is unable to do so with out a right away.

Board Questions/Concerns:

Board had no questions.

Public Hearing: Closed 7:29pm

Public Hearing: Opened 7:33PM.

Cornerstone Fund-Baily Minor Subdivision Application # 2000-027. The location of the proposed property is 8676 Lockwood Road in Savona. The owner of the property is Cornerstone Fund of PO Box 822 in Bath, New York. Mr. David Fleet, Present of Cornerstone has given Mr. Michael Cook the authority to represent Cornerstone. A letter of authorization is in the file. The purpose of the project is to divide the total parcel of 76.509 acres into 1) 26.381 acre parcel 2) 24.642 acre parcel 3) 5.00 acre parcel. The land will then be up for sale. Legal notice of public hearing was placed in the Corning Leader. Adjoining property owners received notice of public hearing.

The Board received notice that on December 5, 2000 the property was in violation the Watershed Code 103-9 (refer to notice in file). On December 18, 2000 a notice was received from Terry Debuck, Watershed Inspector that an application to correct was made and he had no further objections to the Subdivision (refer to notice in file). Mr. Cook explained that they were 180 days to fix problem. The affected parcel is the 5 acre parcel with the house.

Public Questions/Concerns:
Public had no questions.

Board Questions/Concerns:
Board had no questions.

Public Hearing: Closed 7:41PM

Public Hearing: Opened 7:42PM

Cornerstone Fund-Hunenman Minor Subdivision Application # 2000-035. The location of the proposed property is 8676 Lockwood Road in Savona. The owner of the property is Cornerstone Fund of PO Box 822 in Bath, New York. Mr. David Fleet, Present of Cornerstone has given Mr. Michael Cook the authority to represent Cornerstone. A letter of authorization is in the file. The purpose of the project is to divide the total parcel of 3.718 acres into 1) 1.510 acre parcel (to be annexed to Lot A in Cornerstone Fund-Baily Minor Subdivision Application #2000-027 2) 2.208 acre parcel. Legal notice of public hearing was placed in the Corning Leader. Adjoining property owners received notice of public hearing.

Parcel 2 will be sold as building lots with deed restrictions. No house will be allowed to be built with out a foundation and no single wide mobile home placed on it.

Public Questions/Concerns:
Public had no questions

Board Questions/Concerns
Bob Magee reminded Mr. Cook that Parcel 1 is to be annexed to Application # 2000-027 to form a conforming lot.

Public Hearing closed 7:45PM.

REGULAR MEETING: Opened 7:48PM

A. Crown Atlantic Special Use Permit Application #2000-025.

a. The original public hearing was held on October 3, 2000. Strong public concerns were raised by adjoining land owners Max & Matt Tobias. The Board suggest to Crown Atlantic to consider a new location for the tower and suggested the old radio station. The public hearing was recessed until October 31, 2000. The Board received notification that Crown Atlantic was unable to attend the October 31 meeting. No new information was received, so the Board closed the public hearing.

b. Mr. Burgdorf was present at for this meeting January 9, 2000. He stated that the alternative site was tested. Mr. Burgdorf states that Lillian still wants the original site and the alternative site is not an option.

c. Mr. Magee explained that the Board could accept the application as submitted; due to Mr. Burgdorf having the authority to represent this project and has given the Board Lillian Taylor's wishes. Randy Robinson requested a statement from Lillian; regarding the placement of the proposed tower.

B. Cornerstone Fund-Hunenman Minor Subdivision Application #2000-035.

a. SEQR PART II-Completed for Cornerstone Fund and Mike Cook. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude an importance of each impact, it is reasonably determined by Planning Board that this subdivision of land will not result in any large and important impact on the environment. I, Jim Presely make a motion that a negative Declaration be prepared. Seconded by Jim Duggan. Magee-aye, Presley-aye, Robinson-aye, Duggan-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Findings:
Application Complete
Lot creates substandard lot of 1.51 acres that represenative indicated lot to be annexed to adjoining lot (from Application #2000-027) to make legal lot.
No negative comments at Public Hearing
No negative environmental impact on SEQR

Mr. Presley made a motion to approve findings and was seconded by Mr. Magee.

It is the determination of the planning Board that the Minor Subdivision application of Cornerstone Fund meets the requirements of the subdivision law with compliance as to be granted status for approval or disapproval. I, Jim Presley make a motion to approve the Cornerstone Fund Subdivision with the contingency that the non conforming parcel (lot A) be annexed to adjoining parcel formed by the Cornerstone Fund-Baily (Application #2000-027) subdivision and the survey will not be released until applicant supplies the deed that indicates the annexation has been complete. I, Jim Presley instruct the chairman to sign the survey. Seconded by Mr. Robinson. Magee-aye, Presley-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

D. Cornerstone Fund-Baily Minor Subdivision Application #200-027.

a. SEQR PART II-Completed for Cornerstone Fund & Mike Cook.

Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude an importance of each impact, it is reasonably determined by Planning Board that this subdivision of land will not result in any large and important impact on the environment. I, Jim Presely make a motion that a negative Declaration be prepared. Seconded by Betty Fitzpatrick.. Magee-aye, Presley-aye, Robinson-aye, Duggan-aye, Fitzpatrick-aye.

A negative declaration was prepared

Findings:
Application Complete
Creates landlocked parcel; made compliant by 1.51 lot from Application #2000-035 subdivision.
No negative comments at Public Hearing
No negative environmental impact on SEQR
Application to rectify septic is on file.

Mr. Presley made a motion to approve findings and was seconded by Betty Fitzpatrick.

It is the determination of the planning Board that the Minor Subdivision application of Paula Robinson meets the requirements of the subdivision law with compliance as to be granted status for approval or disapproval. I, Jim Presley make a motion to approve the Cornerstone Fund Subdivision with the contingency upon annexation of lot A from Application #2000-035 (Cornerstone Fund-Hunemman Subdivision) to lot A of Application #2000-027 (Cornerstone Fund-Baily Subdivision) and the survey will not be released until applicant supplies the deed that indicates the annexation has been complete. I, Jim Presley instruct the chairman to sign the survey. Randy Robinson seconded. Magee-aye, Presley-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

E. Wilbur Wheeler Subdivision Application #2000-029

a. SEQR PART II-Completed for Wilbur Wheeler

Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other supporting information and considering both the magnitude an importance of each impact, it is reasonably determined by Planning Board that this subdivision of land will not result in any large and important impact on the environment. I, Jim Presley make a motion that a negative Declaration be prepared. Seconded by Bob Magee. Magee-aye, Presley-aye, Robinson-aye, Duggan-aye, Fitzpatrick-aye.

A negative Declaration was prepared

Findings:
Application Complete
Meet bulk requirements of Town and State
No negative comments at Public Hearing
No negative impact on SEQR

Mr. Presley made a motion to approve findings and was seconded by Mr. Magee.

It is the determination of the planning Board that the Minor Subdivision application of Wilbur Wheeler meets the requirements of the subdivision law with compliance as to be granted status for approval or disapproval. I, Jim Presley make a motion to approve the Wilbur Wheeler subdivision and instruct the chairman to sign the survey. Randy Robinson seconded. Magee-aye, Presley-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

F. The Board introduced new member Jim Duggan, who replaced John Jensen, who's term expired.

Mrs. Fitzpatrick made a motion to adjourn the meeting. Mr. Preseley seconded and all were in favor.

Meeting Adjourned 9:10PM

Respectfully Submitted,

Robert Magee, Chairman

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

RECEIVED
DEC 18 2000

Watershed Office

12/18/00

To: Town of Urbana Planning Board

Subject: Sub-Division of property 8676 Lockwood Rd (map# 132.00-01-016.111)

The violation of Wastewater Code 103-9 was corrected on 12/18/00.

The required Property Transfer Inspection was done and the system was found to be non compliant (failed) and an application to correct was made.

At this time the Watershed Office has no further objections to the sub-division continuing.

Sincerely,

Terry DeBuck

TERRY DEBUCK
WATERSHED INSPECTOR

(607) 569-3707 Office of Code Enforcement Fax (607) 569-2412

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, New York 14840

Watershed Office

RECEIVED
DEC - 5 2000

12/5/00

To: Town of Urbana Planning Board

Subject: Sub-Division of property 8676 Lockwood Rd (map# 132.00-01-016.111)

BE IT KNOWN THAT A VIOLATION OF THE TOWN OF URBANA WASTEWATER CODE 103-9 EXISTS AT THE ABOVE PROPERTY.

THE PROPERTY TRANSFERRED WITHOUT THE REQUIRED SEPTIC INSPECTION.

Until this violation is corrected it is the position of this office that the requested sub-division should not be granted.

Sincerely,

Terry DeBuck

TERRY DEBUCK
WATERSHED INSPECTOR

Copy to Planning Brd

Town of Urbana
41 Lake St. P.O. Box 186
Hammondsport, N.Y. 14840
(607) 569-3707

Keuka Watershed Improvement Cooperative
1 Keuka Business Park
Penn Yan, N.Y. 14527
(315) 536-0917

RECEIVED DEC 18 2000

INSPECTION OF INDIVIDUAL WASTEWATER TREATMENT SYSTEM

Owner Carol Bailey

Mailing Address 6771 Butts Rd Prattsburgh, N.Y. 14873

Location 8676 Lockwood Rd Tax Map Number 132.00-01-016.111

Former Owner _____ Requested By _____ Buyer, If Any _____

Purpose of Inspection: Circle One
Aerobic System Complaint Construction Holding Tank (Real Property Transfer) Request Tank Replacement Zone One Other

Property Use:
Residential (Year Round) Seasonal Rental) Restaurant Retail Store Commercial Industrial Other

Septic Tank: Material_____ Size_____ Install Date_____ Date Last Pumped_____

Holding Tank Material_____ Size_____ Install Date_____ Date Last Pumped_____

Pump Tank Material_____ Size_____ Install Date_____ Type Pump _____

UK = UNKNOWN
RBO = REPORTED BY OTHERS

Aerobic System Brand_____ Capacity_____ Install Date_____ Service Contractor_____ Contract Expires_____

Leach System: Absorp. Bed Leach Field Raised Fill Shallow Trench Leach Field Sand Filter/Leach Field Mound Drywell

Size_____

Alternative Device Composting Toilet_____ Incinerating Toilet_____ Chemical Toilet_____ Privy_____ Other_____

Zone One?..... Y (N) Multiple System?..... Y / N ? Number of Bedrooms 3

RESULTS OF INSPECTION; **PASSED** _____ **FAILED** X

____ The system appeared to be adequately constructed in conformance with the permit issued. The system, at this time, is found to be in compliance with the wastewater law of the Town of Urbana.

____ The system appeared to be adequately constructed, however, the items noted below may cause problems in the future. The system, at this time, is found to be in compliance with the wastewater law of the Town of Urbana.

____ The system was not installed in conformance with the permit issued. Corrective action is required as noted below.

____ The system appeared, based on visual examination, to be operating satisfactorily at the time of inspection. The system, at this time, is found to be in compliance with the wastewater law of the Town of Urbana.

X The system was not functioning satisfactorily at the time of inspection. This is a violation of the wastewater treatment law of the Town of Urbana. The owner is directed to take corrective action as described below. Completion of this work is required within 180 days of this notice.

____ Insufficient evidence was available to make any kind of determination. Re-inspection at a later date may be required as noted below.

Remarks: This property Transfer Inspection failed based on information supplied by Mike Cook of Corner Stone Funding. system is a 55 gal. Steel Drum.

Inspected by: Terry DeBeck Date: 12-18-00 Next required Holding Tank or Zone One Inspection _____

No guarantee is made or implied by this certificate as to the future operation or condition of the wastewater treatment system. Inspection reports that indicate compliance with Town Of Urbana wastewater law shall constitute a permit to operate as defined in the wastewater law. This permit to operate may be revoked if at some future time a public health hazard is identified at this site, if system components have deteriorated beyond their ability to function properly, or if the wastewater treatment needs of the site or dwelling have been found to have changed since this date.

December 11, 2000

Town of Urbana
Planning Board
Hammondsport, NY 14840

To the members of the Board:

We are writing this letter as a follow-up for the proposed permit to construct a new building for our neighbor, Richard Jacquier.

On our way home from work on Thursday, December 7, 2000, we noticed that Mr. Jacquier was working to complete the fence on our property line. However, he is putting the panels on the framework in the wrong direction. We called on Friday, December 8, 2000, to report this to the code enforcement officer. He was unavailable and no one in the office knew how to reach him.

We have also noticed that the framework for the building has been started and a large delivery of stones has been put inside that framework. It was our understanding, based upon a copy of the letter sent to Mr. Jacquier, that all conditions listed in that letter must be met before a permit would be issued to construct the new building.

This process has been very upsetting. We have attended both public meetings about this issue and have voiced many concerns. We felt that the Board set forth reasonable terms in the letter, yet our neighbor continues to do as he pleases without regard to the conditions that were set forth. If he refuses to follow the conditions in order to get a building permit, how can we be sure that he will properly dispose of automotive chemicals?

The zoning laws are meant for the protection of people living in a community. Please protect our property and the property of our neighbors.

Very truly yours,

Edmund & Kelly Fitzpatrick

Edmund and Kelly Fitzpatrick