

Planning Board



2002



**Town of Urbana
Planning Board Minutes
December 19, 02**

Board Members	Robert Magee	Chairman
	Jim Duggan	Member
	Paul Martuscello	Member
	Betty Fitzpatrick	Member
	Randy Robinson	Member
	Dave Oliver	CEO
	Carly McConnell	Recording Secretary
Public Present	Bill Heuson	
	Janet Heuson	
	Lance Locey	
	Dave Pearce	

Public Hearing: Opened 7:13PM

1. Lance Locey Application #2002-020. Site Plan Review for a watercraft sales, service and watercraft storage. Business located at 8436 State Route 54, Hammondsport, NY. Applicant/owner is Lance Locey and present at meeting. Copy of notice of publication in Corning Leader placed in file. Copy of notice to adjoining property owners in the file. A copy of the file as been available to the public for a minimum of 10 days prior to Public Hearing.
 - a. Exhibits:
 - i. Application for Site Plan Review
 - ii. Names and address of adjoining property owners
 - iii. Tax map of immediate area
 - iv. Environmental assessment form Part I completed
 - v. Area Map
 - vi. Written description
 - vii. Proposed signage
 - viii. Sketch map (superimposed on actual field survey)
 - ix. Notice to applicant of Public Hearing
 - x. Copy of submission from Town Clerk to Steuben County Planning Department-M239 Referral form
 - xi. Notes-Report from CEO, Oliver (Supplemented w/a CD)

Board Questions/Concerns: (With Mr. Locey's responses)

1. Will the driveway be one way of 9' wide? That is what exists and is over grass with no pavement.
2. Is the distance to the side yard 11'? Yes
3. Do the triangles on the sketch map represent boats? Yes, boat with a trailer.
4. To get 3 rows of boats; would 60' be needed? Yes.
5. Will boats be up to property line? Up to 3".
6. Sketch map shows 2 parking spots and were would a 3rd vehicle park?
7. Leaving the block wall? Yes, for now.

8. Landscaping plan? Have made a plan since last meeting.
9. Average size and length of boats? 9 to 10' wide 20-22' length
10. Parking? CEO, Rethmel determined 1 space for 200' of retail space. That is the minimum requirement.
11. Is that for enclosed retail space only? CEO, Oliver said that is up to interpretation. Mr. Locey would eliminate boats for storage in back to more spaces.
12. The U shape drive? It is functional, but not payment.
13. People fish in all kinds of weather and could see the grass parking getting muddy in bad weather. Mr. Locey stated that in bad weather he would be the only one to get boats out of storage. Business would be closed in the winter.
14. Any plans to do a re-grade? No, there is an opportunity to make an opening off Back Valley Rd, and would make it accessible for emergency only.
15. Percent of slope of Back Valley Rd. to Route 54? Do not know.
16. Were you ever approached for parking for NYSEG truck? Never approached for that.
17. Any requirements from DEC or EPA for fluids, oil and gas removed before tune up or storage? I would never remove any gas. Service will not be that involved. Paul Lindenhouser DEC (Bath), you need to be registered with New York State for 1,000 gallons or more of storage. Permitted to put in drum and properly dispose of. EPA-not aware of any. To be registered as repair facility you need to meet a list of requirements and need same license to repair car as boats. Also, required to have a NYS, sales license.
18. Did you get a response from Town on use of public facility (dock and launch site) for private use? Have only talked to CEO, Rethmel.
19. What would happen if gas leaks out of tank while in storage or will the boats be stored empty? Fuel would remain in boat and can be stored with or without gas.
20. Any requirement on the amount of gas that can be stored on property? Did not know.
21. The garage is a block building and is there any requirements to bring it up to code with NYS for a service facility? Do not know.
22. Times of operation and can people go at anytime to get stored boat out? Can make set times and would park boats out front for customers who want to pick up before opening.
23. Restrooms available? Yes, but limited.
24. Will the property also be an active residence? Yes, I would live there.
25. Board asked CEO, Oliver if boats could be launched at anytime from the public boat launch? No.

Public Questions/Concerns:

1. Mr. Locey noted that there is 11.2' on the side of Clark's and has spoken to the Owner's about a getting a variance to drive up and around if need be.
2. Bill Heuson (adjacent to property from the Back Valley Rd.):
 - a. Concerned about appearance.
 - b. Would like to see a buffer between the residential area and commercial area.

- c. Concerned about the amount of use on grass area. Could be a potential mud area.
 - d. Contamination to wells. Dumping of oil in the area with this many boats being stored. Is 30" of protection a significant amount?
 - e. Would like to see all conditions on the property done before business is started.
 - f. Were will the boats be located that are up for sale.
 - g. Board asked Mr. Heusen: If plans would include a form of egress and ingress off Back Valley Rd.; how he would respond? No, do not want to see it. Mr. Locey also stated that he would not like to see it.
3. Mr. Lance Locey's Response:
- a. Up to the Back Valley Road a 20" buffer is existing between fencing and edge of road (State Right of Way).
 - b. Landscape plan includes vinyl fencing with trees.
 - c. Business plan has consignment and repairs as limited service.
 - d. Applicant would put a clause in that would require the boats to stay in the front yard.
 - e. Applicant also has a well and does not want to contaminate the wells in the area. Lance has also been in contact with a water specialist in Corning. Investigating a filtration system that would take gas and oil out of water. Applicant would pull the boat in front and take plug out to drain water and return plug for storage.
 - f. Monthly inspection of stored boats.
 - g. Dock and launch service would consist of pulling in/out a customers dock at residence. Dock would remain at residence.
 - h. Lifts would be on premises. Lifts would be for 200lb boats and personal watercrafts. Two to four would be available for sale at a time.

Site Plan Requirement Check List: Reviewed at December 2, 02 meeting. Chairman, Magee read list into minutes with the following additions.

- VII: Ingress & egress shown with 2 parking spots
- X: Indicated on map and plans to put in fencing
- XIII: 200' feet
- XV: Submitted, 21' from property line from Clark's and 1' from State property.
- XVI: 21' buffer on back with landscaping
- XIX: Has indicated to be submitting plans
- XXI: Other permits required. DMV (sales & repair), building and sign.
- XXII: Maybe subject to a later determination
- XXIII: non-applicable

Board Requirements:
application:

- 1. DMV Sales License – Does it apply to boats and personal watercraft? If so what are that requires specific to your operation. What is the status of any required application?

2. DMV Repair License – Does it apply to boats and personal watercraft? If so what are that requires specific to your operation. What is the status of any required application?
3. Documentation detailing the requirements regulating the storage of petroleum waste/hazardous waste products on premises. What quantities are you permitted to have on premises? Will petroleum contained within individual boats be required to be factored into the total? What are your specific plans of disposal? How will batteries be disposed of? What if any are the requirements of handling bilge water and what are your plans of dealing with it on site and of disposing of it off site?
4. A copy of your DOT Ingress/Egress Permit.
5. A copy of your landscaping plan.
6. A copy of your Town Septic/Sewerage Disposal Permit.
7. Documentation of any NYS Uniform Fire and Building Code requirements specific to your intended project. (ie. What, if any, alterations are required to your existing structures in order to operate a commercial repair shop in the garage?)
8. A substantial portion of your operation requires the use of the Public Boat Launch and/or docking facilities. Please submit documentation from the Town Board indicating their approval of such a commercial use of public property as well as any contracts, stipulations or requirements that the Town Board may require.
9. You indicated that your were obtaining an easement from Clark Specialty that will allow you to meet the minimum Code requirements for driveway widths. Please submit a copy of any such agreement.
10. Town Code Enforcement Officer David Oliver indicated at the Public Hearing that he was of the opinion that the intended usage of this parcel, as indicted by the application and the responses to questions raised at the Public Hearing, would require a Special Use Permit. The Planning Board requested that he investigate this further and respond in writing.

Presentation from CEO, Oliver: Regarding Zoning findings. Location is zoned highway business. Refer to attached sheet.

Paul made a motion to recess public hearing until applicant can provide Board with the requested information and reconvene at a later date. Seconded by Betty. Magee-aye, Duggan-aye, Fitzpatrick-aye, Robinson-aye, Martuscello-aye.

Board will notify Mr. Pearce and Mr. & Mr. Heuson in writing the date of public hearing when established.

Recessed: 9:05PM

Public Hearing: Opened 9:04PM

1. David Pearce Major Subdivision Application #2002-023. Applicant is David Pearce of 8631 Greyton H. Taylor Memorial Drive, Hammondsport, NY. The location of the property is the same address. Owner/Applicant was present at Public Hearing. The purpose is to divide the 55.731 acre parcel into 1.) 45.014-acre lot 2.) 10.717-acre lot. This subdivision is listed as a major subdivision; because it is an on going series of subdivisions.

File Contains:

- a. Notification of Public Hearing in Corning Leader.
- b. Sketch Map
- c. 7 Surveys
- d. List of adjoining property owners
- e. Copy of Deed
- f. Paid tax receipt
- g. SEQR Part 1 – completed
- h. Application Complete

Board Questions/Concerns:

None

Public Questions/Concerns:

None

Special Meeting: Opened 9:12PM

1. David Pearce Major Subdivision Application #2002-023.
 - a. Upon review of the information recorded on the EAF, (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. I Paul make a motion that a Negative Declaration be prepared.
 - b. Negative Declaration prepared.
 - c. Findings:
 - i. No negative impact found during SEQR
 - ii. No negative comments at Public Hearing
 - iii. Application complete
 - iv. Meets all Town and State requirements
 - d. Motion to accept findings by Betty. Seconded by Paul.
 - e. It is the determination of the Planning Board that the Major Subdivision application of David Pearce meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I Randy make a motion to approve the David Pearce Subdivision as submitted, and to instruct the Chairman to sign the survey. Seconded Betty. Magee-aye, Fitzpatrick-aye, Martuscello-aye, Robinson-aye, Duggan-aye.
2. Application Concept Review/Site Plan Review:
 - a. Curtis Museum Application 2002-023. The Museum would like to display an original Curtis 46 aircraft along Route 54. Board held discussion.

Board requested CEO, Oliver to make a determination of the definition of a sign.

Paul made a motion to adjourn meeting. Seconded by Betty. All were in favor.

Meeting Adjourned 9:50PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
December 2, 02**

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Dave Oliver	CEO
Public Present	Carly McConnell	Recording Secretary
	Lance Locey	
	Rex Simpson	
	Bill Heuson	

Regular Meeting: Called to order at 7PM

- A. Minutes were reviewed from November 12, 02. Bob made a motion to accept minutes as submitted. Seconded by Jim and minutes were approved.
- B. Site Plan:
 - a. Randolph Weaver - Application #2002-026. Board held discussion. Bob made a motion to respond to CEO, Marvin Rethmel and recommend that a variance be required. Seconded by Paul and all were in favor.
 - b. Kurt Schilling - Application #2002-021. Board held discussion. Jim made a motion to waive any further review, with a notation to CEO, Rethmel to check the set backs on the new porch. Seconded by Betty and all were in favor.
- C. Concept Review:
 - a. Lance Locey - Application #2002-020. Mr. Locey is proposing a watercraft storage, rental, sales & service project. The proposed location is 8436 Route 54, Hammondsport. The Applicant Mr. Locey is from 580 W. High St, Painted Post. Existing use is residential. The Board reviewed the Site Plan Requirement Check List.
 - i. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing. Yes
 - ii. North arrow, scale and date. Yes
 - iii. Boundaries of the property plotted to scale. Yes
 - iv. Existing Buildings. Yes
 - v. Grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics and watercourse. None Proposed
 - vi. Location, design, type of construction, proposed use and exterior dimensions of all buildings. None Proposed
 - vii. Location, design, type of construction of all parking and truck loading areas, showing access and egress. 2 spaces shown / only 1 required.
 - viii. Provision for pedestrian access. Non-applicable.

- ix. Location of outdoor storage, if any. Consist of watercraft -- indicated on survey map.
- x. Location, design, and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences. Stay current
- xi. Description of the method of sewage disposal and location, design and construction materials of such facilities. Sewage did not pass; so applicant installed a 1250 commercial tank and reinforced the drywell. Terry has passed the new system.
- xii. Description of the method of securing public water and location, design and construction of such facilities. Well
- xiii. Location of fire and other emergency zones, including the location of fire hydrants.
- xiv. Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy. Heating with Oil.
- xv. Location, design, and type of construction of all signs. 21" from property line.
- xvi. Location and proposed development of all buffer areas, including existing vegetative cover. Lawn that goes up to the Back Valley Rd.
- xvii. Location and design of all outdoor light. One current light from the garage to the house. Hours will most likely be from sunrise to sunset.
- xviii. Identification of all location and amount of building area proposed for retail sales or similar commercial activity. On sketch map.
- xix. General landscaping plan and planting schedule. No plans. In the future a fence will be added.
- xx. An estimated project construction schedule. Would like to open for business in February or March.
- xxi. Record of application for and status of all necessary permits or variances from other governmental bodies. Sign permit is required.
- xxii. Identification of any permits or variances from other governmental bodies required for the projects execution. None, Special Use Permit is not required.
- xxiii. Other elements integral to the proposed development as may be considered necessary, in the particular case, by the Planning Board. Non-Applicable.

Board Questions/Concerns (with Mr. Locey's response were applicable):

1. A detailed timetable for the project would be good idea.
2. How many boats are going to be stored? 50
3. Are there any requirements from the State to service boats? Do not know. Service at this time is going to be limited.
4. Ground surface for Boat storage? Grass
5. How much space is required to park a boat? 9' x 20' space.

6. Will rentals be displayed outside and for sale? Yes
7. Who launches the rental boats? The rental facility, no customers will launch the boats.
8. Launching at what location? Working on the getting use of the Town Boat Launch or with the Hammondsport Motel.
9. What else will be available for rent? Nothing
10. Shrink-wrap boats? Yes, in white
11. Can customer who store boats at location; pull in anytime to pick up boat? Yes, looking at starting a Boater's Club.
12. Where will the service of the boats take place? Existing garage and will be done by my self.
13. Lift systems? Lift systems will be on property for sale.
14. Consignment sales? Yes
15. Board members concern about application's access to the lake.
16. Any access from the Back Valley Rd? Yes at one point.

Board advised applicant to check with CEO, Rethmel about any additional requirements that maybe needed.

Paul made a motion to move from Concept review to Site Plan Review and for the Chairman to set a public hearing on December 19, 02 at 7pm. Seconded by Jim. Magee-aye, Martuscello, Duggan-aye, Fitzpatick-aye.

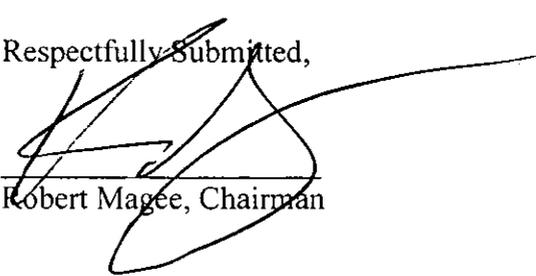
D. Subdivision:

- a. Dr. Al Hussanini – Application #2002-022. Applicant is David Shults, Agent, 9 Seneca St, Hornell. Owner is Muayad & Janet Al Hussaini as Co-Trustees, 1002 Evonshire Lane, Great Falls, Virginia. Location site is 290 West Lake Rd, Hammondsport. Purpose to divide total 7.317 acres into 1,) 1.618 2.) 5.699 acre lots. Lot 1 is to be annexed to adjoining property. Lot 2 is to be sold to Robert & Diane McNary. Jim made a motion to declare minor subdivision. Seconded by Bob. All in favor.

Betty made a motion to adjourn meeting. Seconded by Bob and all in favor.

Meeting Adjourned 855PM.

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
November 12, 02**

Board Present	Robert Magee	Chairman
	Randy Robinson	Board Member
	Jim Duggan	Board Member
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Dave Oliver	CEO
Pubic Present	Carly McConnell	Recording Secretary
	Daniel & Ruth King	David Pearce
	Bill Whitney	Rex Simpson
	Frank & Mary Navone	

Public Hearing: Called to order 7:01PM

Whitney Minor Subdivision Application #2002-009. Applicant is William & Melissa Whitney of 8023 County Route 113 (Mt. Washington Rd), Bath, New York. The property is located on Mt. Washington Rd. The owner of the property is Daniel & Ruth King of 7765 County Route 113, Bath, New York. The purpose of the project is to divide the total 129.529-acre lot into 1.) 126.186 2.) 3.343-acre lots. Owner will retain parcel 1 and transfer parcel 2 to Mr. & Mrs. Whitney. Application is complete and marked paid. File contains letter from Mr. & Mrs. King authorizing Mr. & Mrs. Whitney to proceed on their behalf in this matter and a copy of the deed. File contains notice of Public Hearing to the Corning Leader and copy of indication of publication. CEO, Oliver reports that the file is satisfactory.

Exhibits:

A-1	Application marked paid.	A-8	Adjoining property owners
A-2	Receipt of payment	A-9	Authorization letter from King's
A-5	SEQR Short form	A-9	Additional authorization from King's
A-7	Notice of paid property taxes	A-10	Sketch Map
A-8	Sketch Map	A-11	written narrative

Board Questions/Concerns: None

Public Questions/Concerns: None

Public Hearing Closed: 7:08PM

Regular Meeting: Opened 7:08PM

1. Old Business:

- a. Whitney Minor Subdivision Application #2002-009. The Board reviewed and completed the SEQR Short Form. Paul made a motion based on the information and analysis above and any supporting documentation, that

the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, reasons supporting this determination. Seconded by Jim. Magee-aye, Martuscello-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

- i. Findings:
 1. Application is complete
 2. Meets Town & State requirements
 3. Meets minimum bulk and density requirements
 4. No negative comment at Public Hearing
 5. No environmental concerns during SEQR
 - ii. Jim made a motion to accept the findings. Seconded by Paul. Magee-aye, Martuscello-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.
 - iii. It is the determination of the Planning Board that the Minor Subdivision application of William & Melissa Whitney meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. Randy make a motion to approve the William & Melissa Whitney subdivision as submitted and instruct the Chairman to sign and stamp the survey. Seconded by Betty. Magee-aye, Martuscello-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.
- b. Variance & Site Plan Review:
- i. Niles Concept Review Application #2002-024. Randy made a motion to waive any further review, based on zoning officer's recommendation. Seconded by Paul and all was in favor.
 - ii. Easy Plus-Board cannot act on, due to no applicatier.
 - iii. Thomas Havens Application #2002-018. Paul made a motion to waive any further review, based on zoning officer's recommendation. Seconded by Jim and all was in favor. ZBA Opinion from the Board is denial. Applicant cannot demonstrate, why he cannot move the encroachment to the back of building.
 - iv. Cameron Dunlap-No further submissions.
 - v. Stewart Wilson (Kwik Fill/Jonathon Wade)-Conditions have not been met. Bob will forward a letter to Mr. Wade.
 - vi. Lynn Hough-Conditions have not been met. Bob will forward a letter to Mr. Hough.
 - vii. Terry Hubbard-He will pick up his approval letter at the Town Office.
 - viii. Chateau Renaissance-Mr. Demay wanted to know the status of the proposed driveway. Bob informed him that since the partnership with Carisetta has dissolved; a new application would be required.

New Business:

1. Subdivision

- a. Bully Hill Properties Subdivision Application #2002-023. Applicant is David Pearce of 861 Bully Hill Rd, Hammonsport, New York. The owners of the property are David Pearce, Robert Pearce and William

Coppar of the same address. Purpose is to divide the total 55.731-acre lot to 1.) 10 (Lot #13) 2.) 45.731 (Lot #5). Current land use is unoccupied and zoned agricultural. Applicant is trying to provide himself a buffer for his own property and the other parcel for connivance. Bob made a motion to declare this a continuation of an on going major subdivision. Seconded by Jim and all was in favor.

2. Site Plan

- a. Rex Simpson-Architect on behalf of Randy Weaver. Board can not act due to no application.
- b. Frank & Mary Navone Application #2002-025. Jim made a motion to waive any further review; based on zoning officer's recommendation. Seconded by Randy and all was in favor.

3. Zoning Issues

- a. Timber Law-Board held discussion
- b. Forms-Bob will meet with Dick Gardiner, Town Supervisor; to arrange one set of forms and a process to be followed.

4. Other

- a. Dave Oliver-Provided the Board with a list of concerns on Route 54. Board held discussion.
- b. Karen & Tom Deegan-Board addressed letter and Bob will respond to them.

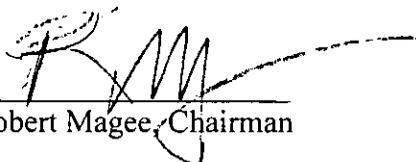
5. Minutes

- a. Minutes were reviewed from September 10, 02. Paul made a motion to accept minutes as submitted. Randy seconded and minutes were approved.
- b. Minutes were reviewed from September 17, 02. Jim made a motion to accept minutes as submitted. Bob seconded and minutes were approved.
- c. Minutes were reviewed from September 24, 02. Randy made a motion to accept minutes as submitted. Betty seconded and minutes were approved.
- d. Minutes were reviewed from October 1, 02. Bob made a motion to accept minutes as submitted. Betty seconded and minutes were approved.
- e. Minutes were reviewed from October 8, 02. Paul made a motion to accept minutes as submitted. Bob seconded and minutes were approved.

Betty made a motion to adjourn the meeting. Seconded by Paul and all were in favor.

Meeting Adjourned 8:56PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
October 8, 02**

Board Members	Robert Magee	Chairman
	Betty Fitzpatrick	Member
	Jim Duggan	Member
	Paul Martuscello	Member
	Carly McConnell	Recording Secretary
Public Present	Donald Patoine	
	Katrina Remaily	
	Michael Doyle	

Public Hearing: Opened 7:05PM

Michael Doyle Application #2002-017. Owner/Applicant is Michael Doyle of 54 Lake St, Hammondsport, NY. Location of property is County Route 76, in Hammondsport. Purpose of the project is to subdivide the total 282.4754-acre parcel into (1) 155.5954 acre parcel and (2) 126.880 acre parcel. Mr. Doyle will retain parcel 1 and sell parcel 2 (use after sale is probably agricultural). Mr. Doyle was present. Legal notice of Public Hearing was posted in the Corning Leader and copy placed in the file. Copy of notice to adjoining landowners in the file. Tax map #090.00-01-002.100. Current land use is agriculture. Application is complete and file contains: deed, paid tax receipt, receipt of application payment, sketch map and copy of survey maps.

Board Questions/Concerns:

None.

Public Questions/Concerns:

1. Katrina Remaily – Is a neighbor to the South and wanted to know if a variance were needed. Board responded by saying that in the future anything can be done with the property. The property is zoned agriculture and if an owner wanted to change the use of the property and variance would be required. Also, single-family residences can be built in an agriculture district with out a variance. How is a residence considered agriculture? Board responded by stating that most of the Town is zoned agriculture and with in that zone/district a the Town's code allow for a single-family residence. Two homes per acre or a mobile home. Is the property sold with restrictions? Mr. Doyle responded by saying that the property will most likely have restrictions, because that is typically what he does. For instance he in the deed he puts no mobile homes and 1 house per 5 acres. Bob also stated the Town requires the mobile homes to be HUD approved.

Public Hearing Closed 7:16PM

Special Meeting: Opened 7:17PM

1. Old Business:

- a. Michael Doyle Minor Subdivision Application #2002-017. The Board reviewed the completed SEQR Part 11 – Short Form. Project #2002-017. Jim made a motion based on the information and analysis above and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, reasons supporting this determination. Seconded by Betty. Magee-aye, Martuscello-aye, Duggan-aye, Fitzpatrick-aye.

i. Findings:

1. Application is complete
2. No negative comment a Public Hearing
3. Public Hearing advertised
4. Project meets local and bulk requirements
5. No environmental concerns during SEQR

Paul made a motion to accept findings. Seconded by Jim. Magee-aye, Martuscello-aye, Duggan-aye, Fitzpatrick-aye.

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

- b. Terry Hubbard Site Plan Review Application #2002-065.

i. Findings:

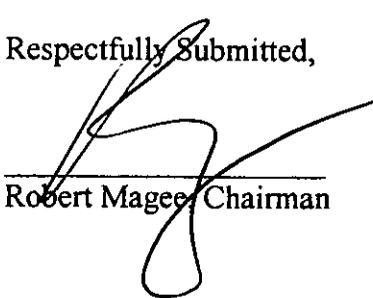
1. Application is complete
2. Public Hearing Advertised
3. No environmental concerns during SEQR

Bob made a motion to accept findings. Seconded by Paul. Magee-aye, Martuscello-aye, Duggan-aye, Fitzpatrick-aye. Betty made a motion to approve Site Plan Review based on the findings with the following contingencies.

Paul made a motion to adjourn the meeting. Seconded by Bob and all were in favor.

Meeting Adjourned 7:55PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
October 1, 02**

Board Members	Robert Magee	Chairman
	Jim Duggan	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Marcia Coon	

Regular Meeting: Opened 7:08PM

1. New Business:

a. Concept Review:

i. Henry & Wanda Cheli Application #2002-022. Applicant is Marcia Coon of PO Box 46 in Hammondsport. Property owner is Henry & Wanda Cheli of 644 W. Lake Rd, in Hammondsport. The proposed property location is 278 East Lake Rd, in Hammondsport. Property is zoned KLSL. Existing use is storage shed and boathouse with proposed use to be residential. Proposed project is to build a three-bedroom residence. The existing shed removed and boathouse will remain. The leach field will be located on the East side of Route 54. The placement of the leach field has been approved. Demolition permits have been issued and demolition has already occurred. Adequate setback on property line. Bob made a motion to waive any further review. Seconded by Paul. Magee-aye, Duggan-aye, Martuscello-aye.

b. Variance & Site Plan Review:

i. Mark Wright Variance & Site Plan Review Application #2002-020. Applicant is Mark Wright of 7523 County Route 77, Prattsburg, New York. Property Owner is Paul Olynk of PO Box 238, Greenvale, New York. Proposed property is located at 136 State Route 54 in Hammondsport. Proposed project is construct a shed 8' x 8' located 4 ½' from the property line.

1. Variance: Bob made a motion to respond with a negative response to the ZBA. Seconded by Paul. All in favor

2. Site Plan Review: Bob made a motion that the information provided in Concept Review application is incomplete and will notify CEO, Rethmel; that Board needs more information to make an adequate response. Seconded by Jim. All in favor.

ii. Ed & Delia Stull Application #2202-015. Application to Board was incomplete.

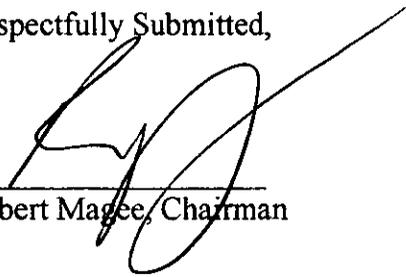
2. Old Business:

- a. Terry Hubbard: Board will review on October 8; to finalize Site Plan Review.
- b. Member, Robinson indicated that the Board should request a written response from CEO, Rethmel regarding ~~Degan's~~ ^{Degan's} letter.

Jim made a motion to adjourn the meeting. Seconded by Paul and all were in favor.

Meeting Adjourned 8PM

Respectfully Submitted,



Robert Magee, Chairman



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
107 BROADWAY
HORNELL, N.Y. 14843

PETER E. WHITE, P.E.
REGIONAL DIRECTOR

JOSEPH H. BOARDMAN
COMMISSIONER

TO: ALL HIGHWAY WORK PERMIT APPLICANTS:

Enclosed is your copy of the approved Highway Work Permit (PERM 421i), recently authorized by the New York State Department of Transportation. Please note that the bottom section of the permit must ***be signed*** by the permittee ***and returned*** to the Transportation Maintenance Engineer upon satisfactory completion of the work.

The Transportation Maintenance Engineer in charge of your particular work area is:

Allegheny County -
Residency 6-1

T. P. Timbrook, S. Branch Street, Friendship, NY 14737
Phone: (585) 973-2171

Western Steuben County -
Residency 6-4

J. T. Miletti, 7100 County Road 70A, Hornell, NY 14843
Phone: (607) 324-6010

Eastern Steuben County
and West Chemung County -
Residency 6-2

S. B. Moores, 3863 Meads Creek Road, Painted Post, NY 14870
Phone: (607) 962-4639

Yates and Schuylers Counties -
Residency 6-3

G. N. Kernahan, 3545 County Road 16, Watkins Glen, NY 14891
Phone: (607) 535-4992

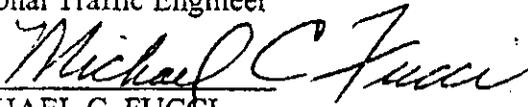
Tioga County and
East Chemung County -
Residency 6-5

C. J. Callahan, P. O. Box 358, Owego, NY 13827
Phone: (607) 687-3730

Your cooperation in this matter would be appreciated. Thank you.

Sincerely

GARY FUNK
Regional Traffic Engineer

By: 
MICHAEL C. FUCCI
Regional Permit Engineer
Traffic Engineering and Safety

GF:MCF:pr
Enclosures

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT

CTC 4888
464

Permit Fee: \$
Insurance Fee: \$ 56.00
Total Received: \$ 56.00
Check or M.O. No.: 2725

Permit No.: 06-01-0584
Project Identification No.: 6-01-0584
Expiration Date: 04/30/2002
SH No.:
Deposit Rec. for \$ 0.00
Check or M.O. No.:
Dated: / /

930492685-661 04/13/2002

Estimated Cost of Work Performed in the State Right-of-Way \$1,500.00
Chargeable to Bond No.:
or Undertaking on File: (\$ 0.00)

*Permittee:
HENRY A. CHELT
644 WEST LAKE ROAD
HAMMONDSPORT, NY 14840
att: SAME 607-868-7575

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

WORK UNDER STATE ROUTE 54 IN ORDER TO TRANSFER SEPTIC LIQUIDS TO LEACH FIELD.

NOTE: ALL MAINTENANCE AND PROTECTION OF TRAFFIC IS TO BE CONDUCTED IN ACCORDANCE WITH THE NYSOOT MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. ANYONE WORKING IN THE STATE HIGHWAY RIGHT-OF-WAY IS REQUIRED TO WEAR HIGH VISIBILITY APPAREL (ORANGE/YELLOW) AND HARD HAT.

County - STEUBEN Municipality - CANA Route # 54-A

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at: HORNELL, N.Y.
Date Signed: 03/04/2002

Commissioner of Transportation
By: *Timothy J. Colona*
FOR GARY FUNK

IMPORTANT

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION. BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY THE RESIDENT ENGINEER, STEVE MOORES, 3863 MEADS CREEK RD., PAINTED POST, NEW YORK 14870. UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED, SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

DATE PERMITTEE AUTHORIZED AGENT (If Any)

Work authorized by this permit has been satisfactorily completed and is accepted. Reverse side of this form must be completed.

- Refund of Deposit is authorized
- Return of Bond is authorized
- Amount charged against Bond may be released
- Retain Bond for future permits
- Other

DATE RESIDENT ENGINEER

- Permit closed
- Bond returned/released
- Refund of Guarantee Deposit on this permit is authorized
- Other

DATE

REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

• Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.

**Town of Urbana
Planning Board Minutes
September 24, 2002**

Board Present	Bob Magee	Chairman
	Jim Duggan	Member
	Betty Fitzpatrick	Member
	Paul Martuscello	Member
	Carly McConnell	Recording Secretary
Public Present	Cameron Dunlap	
	Michael Doyle	
	Terry Hubbard	

Public Hearing: Opened 7:03PM

Terry Hubbard Site Plan Review Application #2002-065. Applicant is Terry Hubbard of 9559 Grove Springs Road, Hammondsport, NY. The property owner is Richard Yartym of 51 West Lake Rd, Hammondsport, NY. The proposed property is 8448 Back Valley Rd, Hammondsport, NY. The proposed project is to open an auto repair business at existing building. File contains notice of Public Hearing to the Corning Leader and copy of indication of publication. CEO, Rethmel's worksheet indicates file complete and meets all town requirements for application. Worksheet also indicated Section 105-11, B-L permits this type of use in a Business District and this property is located in a Business District. Setbacks are preexisting. The lot size of 30,000 sq. feet exceeds the 10,000 sq. feet requirement. Road frontage of 114.82 feet exceeds the required 100 feet requirement.

Board Questions/Concerns:

1. Is the septic tank located on the property? *Yes*
2. Hours of Operation? *Monday to Friday 9am-8pm and Saturday 9am-5pm.*
3. How many employees? *2*
4. Any used auto sales? *Possible in the future or for a client who is looking to sell their auto and want to park it my business.*

Site Plan Checklist:

1. The title of the drawing, including the name and address of the applicant and the person responsible for the preparation of such drawing: *Shown on site map*
2. North arrow, scale and date: *Shown on site map*
3. The boundaries of the property plotted to scale: *Shown on site map*
4. Existing Buildings: *Shown on site map*
5. A grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics and watercourse: *NA*
6. The location, design and type of construction and the proposed use and exterior dimensions of all buildings. *Shown on site map*

7. The location, design and type of construction of all parking and truck loading areas, showing access and egress. *Shown on map – Proposed entrance off Route 54 & Back Valley Rd.*
8. Provision for pedestrian access. *NA*
9. Location of outdoor storage: *No outdoor storage. Repair waste will be stored inside; then removed from the property. A dumpster maybe added in the future.*
10. The location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences: *No new construction nor change in grade.*
11. A description of the method of sewage disposal and the location, design and construction materials of such facilities. *Existing approved septic system*
12. A description of the method of securing public water and the location, design and construction materials of such facilities. *A well on the property.*
13. The location of fire and other emergency zones, including the location of fire hydrants. *Directly across the street from a fire hydrant.*
14. The location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy: *Gas furnace.*
15. The location, design and type of construction of all signs: *Sign on roof with external lighting.*
16. The location and proposed development of all buffer areas, including existing vegetative cover. *Existing coverage and going to leave major trees along fence.*
17. The location and design of all outdoor lighting facilities. *Light on overhead door and will not be left on all night.*
18. Identification of the location and amount of building area proposed for retail sales or similar commercial activity. *100% of building will be used for business with an 8' x 24' section waiting area with bathroom.*
19. A general landscaping plan and planting schedule. *Not adding any. Only cleaning up what is already there.*
20. An estimated project construction schedule. *One month*
21. A record of the application for and status of all necessary permits or variances from other governmental bodies. *Retail Motor vehicle Repair Facility.*
22. Identification of any permits or variances from other governmental bodies required for the projects execution. *Retail Motor Vehicle Repair Facility.*
23. Other elements integral to the proposed development as may be considered necessary, in the particular case, by the Planning Board. *Batteries are recycled through a supplier; who supplies the repair shop with new batteries and takes the old. The applicant is still looking into the procedure for removing oil.*

Bob read into minutes a letter received from Jean Marcotte indicating a concern regarding potential noise. Applicant has been advised of the Town of Urbana noise ordinance.

Public Hearing Closed: 7:35pm

Special Meeting: Opened 7:38pm

1. New Business:

a. Minor Subdivision Preliminary Review:

- i. Michael Doyle Application #2002-017. Applicant / owner is Michael Doyle of 54 Lake St., Hammondsport, NY. The proposed Subdivision is located at Route 76 in Hammondsport. Tax map #090.00-01-002.100. Purpose of project is to divide the total 282.4754 acres into 1.) 126.880 acre lot and 2.) 155.5954 acre lot. Applicant will retain parcel 2 and sell parcel 1. Current land use and intended land use after sale is agriculture. Road frontage on Middle Road exceeds the requirement. Jim made a motion to declare this application a minor subdivision of a total 282.4754 acres into 126.880 acre lot and 155.5954 acre lot. Seconded by Paul and all was in favor. Bob made a motion to notify the Clerk to set a Public Hearing for October 8, 02. Seconded by Betty and all was in favor.

2. Old Business:

- a. Cameron Donlap: Mr. Dunlap advised the Board that until he could further review and research on the Comprehensive Plan and Dot information he would like the Board to put the application on hold.
- b. Terry Hubbard Site Plan Review Application #2002-065.
 - i. SEQR PART II-Completed for Terry Hubbard. 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 make a motion that a negative declaration be prepared. Seconded by Jim. Magee-aye, Duggan-aye, Martuscello-aye, Fitzpatrick-aye.
 - ii. Negative declaration was prepared.
 - iii. Board will review application at next regular meeting on October 1, 02.

3. New Business

a. Hubbard Site Plan Review:

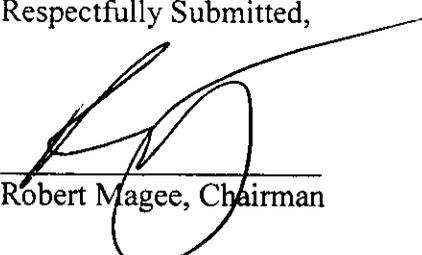
- i. The Board reviewed the Hubbard project and compiled the following findings:
 1. The applicant was complete and met the requirements or the Town of Urbana.
 2. The project is in a Business District and is a Permitted use.
 3. There will be no exterior modification of the structure.
 4. Primary entrance will be from Back Valley Road with secondary entrance from Route 54.
 5. Proposed hours of operation are M-F 9am-8pm, Sat. 9am-5pm.
 6. No major alteration to grade at site.
 7. No outdoor storage of parts or refuse is planned.

8. Existing septic system has been inspected and approved for this usage.
9. Applicant is leaving all major trees and shrub and will remove only brush from site.
10. Applicant indicates that all automotive parts and fluids will be removed or recycled through accepted methods.
11. A letter was received by the adjoining property owner expressing concern over potential noise levels.
12. Applicant was uncertain as to potential used car sales.

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

Meeting Adjourned 8:15pm

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
September 17, 2002**

Board Members	Robert Magee	Chairman
	Randy Robinson	Member
	Jim Duggan	Member
	Betty Fitzpatrick	Member

Special Meeting: Opened 8:00PM

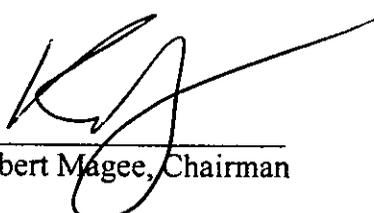
1. Old Business:

- a. Lauren Welch Application #2002-014. Applicant is Lauren Welch of Po Po_Box 14, Pultney NY. Purposed project is to put a new sign on the building at 8430 Route 54, Hammondsport. Bob made a motion to waive further review on this application based on the CEO, Marvin Rethmel's recommendation. Seconded by Betty. All was in favor.

Jim made a motion to adjourn the meeting. Seconded by Bob and all were in favor.

Meeting Adjourned 8:10PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
September 10, 02**

Board Members

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

Regular Meeting: Opened 7:05PM

1. Minutes:
 - a. Minutes were reviewed from August 6, 02. Bob made a motion to accept minutes as submitted. Jim seconded and minutes were approved.
 - b. Minutes were reviewed from August 27, 02. Jim made a motion to accept minutes as submitted. Betty seconded and minutes were approved.
2. Old Business:
 - a. Site Plan Review:
 - i. Cameron Dunlap Application #2002-013. Board identified and reviewed areas of concern to date.
 1. DEC-Town Clerk received a letter on September 10, 02 stating the DEC had looked at the project and a SPEEDYS Permit was not required.
 2. DOT & 239M Referral -Drawings from Mr. Dunlap's engineer will be forwarded upon receiving.
 3. Consultants-Bob meet with a contractor at the site; who provided insight to the project. Also, meet with a representative of a large area contractor firm; who further explained details of the drawings. David Buckley, Town of Urbana Highway Superintendent indicated he would review the site and plans and give his opinion. Bob conferred with Attorney Flynn. All of the above indicated that the Board might wish to have a consultant go over the plans with the Town of Urbana Board and The Planning Board.
 4. Bond - An area Contractor advised Board to require a bond with no less than \$100,000. The movement of this amount of dirt would general command \$2 to \$3 per cubic yard. By requiring such a bond the Town could see the site was adequately reclaimed in the event the applicant could not complete the project.
 5. SEQR-Attorney Flynn gave Bob a copy of the NY State SEQR Book. He advised the Board to check to see if a

Type 1 project; such as this can be dealt with in multiple phases.

6. Board held discussion regarding the Dunlap Site Plan. A profile map of the site may be required for the steep grade. This project is to be a 4 phase project. Phase one is the excavation phase and may need to be broken down into separate phases. Board will talk with Town Supervisor Dick Gardiner regarding the consultant issue. The Application is considered incomplete - All sections of the SEQR submitted by the Applicant were filled out, including the portion that is to be filled out by the Board. Names and address of neighbors are also required from the applicant and additional Site Drawings are required. Bob will notify the Applicant of the items needed to complete the Application.

3. New Business:

- a. Lauren Welch Site Plan Application #2002-004. Mr. Welch would like to put a new sign at his business. Board responded to CEO, Rethmel that the Board was unable to act; due to use of the Village Application.
- b. Hubbard-Board needs a letter from property owner Richard Yartym.

4. Zoning Issues:

- a. Board held discussion on various new constructions one the East and West side of the Lake and will contact zoning officers and the building inspector to remind them of requirements of the Town Site Plan Laws.

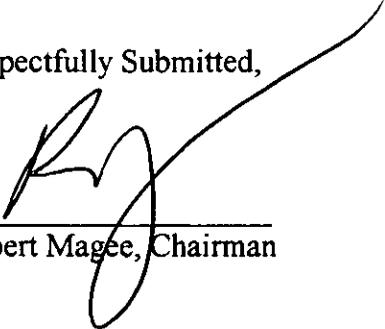
5. Form Managements:

- a. Carly, Recording Secretary will meet with Debbie to discuss making the application process more efficient. Also, to see what the Planning Board Secretary can do to eliminate the burden of Planning Board work from the Town Clerk.

Jim made a motion to adjourn the meeting. Seconded by Betty and all were in favor.

Meeting Adjourned 8:15PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
August 27, 02**

Board Present	Robert Magee	Chairman
	Jim Duggan	Member
	Randy Robinson	Member
	Betty Fitzpatrick	Member
	Paul Martuscello	Member
	Dave Oliver	CEO
Public Present	Carly McConnell	Recording Secretary
	Cameron Dunlap	Gary Jimerson
	Erwin Robinson	Frank Hartwick

Public Hearing: Opened 7:15PM

Frank Hartwick Minor Subdivision Application #2002-003. Applicant / Owner is Frank Hartwick of 7389 County Route 89, Bath, New York. The property location is the same address. Applicant / Owner was present. The purpose of the project is to divide the total 43 acres into 1.) 23 2.) 20 acre lots. Mr. Erwin Robinson the adjoining landowner will purchase the property and annex the subdivided parcel to his own land. Applicant will retain parcel with the structure. Board Member Randy Robinson recuses himself from the Public Hearing.

Public Questions/Concerns:

1. Mr. Jimerson asked in which direction was the division of property being done. Mr. Hartwick explained that it was running from County Route 89 up.

Board Questions/Concerns:

None

Public Hearing Closed 7:19PM

Special Meeting: Opened 7:20PM

1. Old Business: -
 - a. Frank Hartwick Minor Subdivision Application #2002-003
 - i. SEQR Part II – Completed for Frank Hartwick. Upon review of the information recorded on the EAF (Parts 1, 2 and 3 if appropriate), and other surrounding information and considering both the magnitude and importance of each impact, it is reasonably determined by the Planning Board that this subdivision of land will not result in any large and important impact on the environment. I, Jim Duggan make a motion that a negative declaration be prepared. Seconded by Paul. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

Findings:

1. Meets local & State Subdivision requirements
2. No negative impact found during SEQ
3. No negative concerns voiced during Public Hearing
4. This Subdivision will result in a landlocked parcel which will be attached by deed to Mr. Robinson's property thus mitigating the landlocked condition.

Jim Duggan made a motion that the Board accept the findings. Seconded by Paul. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

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

5. Site Plan Review and ZBA Opinion:

- a. Stuart Campbell Application #2002-012. Purpose is to cover the existing boat rail system. Project would come right to the water line. Existing structure is non-conforming and pre-existing. The Board will advise for the application to be denied for the following reasons:
 - i. Existing structure is non-conforming and by permitting the project this would reduce the existing 4' setback encroachment to 18" or less.
 - ii. Extending existing structure may infringe on neighbor Morrell's Riparian Rights as in forted to him by the State of New York.
 - iii. Applicant demonstrates no hardship and can not demonstrate an inability to enjoy his property.
 - iv. Due to the scope and nature of the project the Town of Urbana Planning will require further review of the project under Section 88 Site Plan Review, prior to commencement of the project.
- b. Richard Thompson Application #2002-011. Purpose is to demolish and replace existing shed. Existing shed is 8'x10' and new shed will be 9'x10'. The Board will advise for the application to be denied for the following reasons:
 - i. This project will continue the 1' encroachment.
 - ii. Applicant demonstrates no hardship and can not demonstrate an inability to enjoy his property.
 - iii. Proposed use of holding tank and pump may violate KWIC setback regulations.
 - iv. Due to the scope and nature of this project the Town of Urbana Planning Board will require further review of the project under

Section 88 Site Plan Review, prior to commencement of the project.

6. Concept Review:

- a. Cameron Dunlap -- Application #2002-013. Applicant/Owner is Cameron Dunlap of 417 West Lake Rd, Hammondsport, New York. The location of proposed project site is Route 54, Hammondsport, New York. Proposed project / land use is commercial. This is going to be a multi phase project. Phase one will be the excavation and preparation of the site. It is expected to take 120 days. Phase one may have to start in the fall and continue in the spring due to weather. Land will have to sit and compact for approximately 1 year between phase one and two. Excavation of 500 cubic yards or more requires the Town Board to become the issuing agent of the excavation permit. DEC will require a notice of commencement from the applicant. Any additional ingress or egress would require a permit from the DOT. Mr. Dunlap advised the Board that the stream would not be affected during the excavation phase. An erosion fence will be put up 50' back from the stream's edge. Each phase will have it's own erosion control methods. Mr. Dunlap stated a man made pond would be put in.

Board Questions/Concerns:

1. Has a core sample been taken? Mr. Dunlap explained that postholes were put in 4' down and found topsoil.
2. A Board Member suggested a performance bond should be required due to the capacity of the project.

The Board reviewed site requirements and read those into the minutes. Bob made a motion to accept Concept Review as submitted for a multiphase Project and begin Site Plan Review for phase one. Jim seconded. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

The Board will continue to review at next meeting (September 10th). Board hopes to have M239 back from the County. Will also, try to have performance bond information, SPDES information from the DEC. The Board will also notify the Town Board of the meeting and invite them to attend.

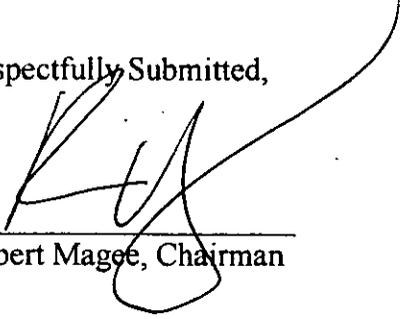
7. New Business:

- a. Board reviewed a letter received from Dick Gardiner regarding the Comprehensive Plan.
- b. Next meeting: September meeting will be the 10th. Due to the Labor Day Holiday.

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

Meeting Adjourned 9:25PM

Respectfully Submitted,



Robert Magee, Chairman

Monday, August 20, 2002

Dick Gardiner/Town Board Members

Re: Cameron Dunlap Excavation Permit.

As per our conversation this morning, the Planning Board members have been notified that your Board will be considering an Excavation Permit for Mr. Dunlap at his Route 54 location. The Planning Board, in an effort to avoid unnecessary repetitive presentations by the Applicant, would like to "piggyback" meetings involving this Permit with your Board. I had the opportunity to review the procedures outlined in the Town Code that pertain to this matter and discussed this with Attorney Flynn. In an excavation project of this size the Town Board becomes the Permitting Agency for the excavation, but the Planning Board remains the review agency for the Site Plan. The proper and most expedient procedure, at this point, is for the Applicant to submit a formal Concept Review Application to the Planning Board, identifying this as a multi-phase project, the first phase being site preparation. Upon completion of the review process the Planning Board would then direct the applicant to the Town Board to seek an Excavation Permit based upon his approved Site Plan. The Planning Board is not knowledgeable in the area of excavations of this size but in an effort to keep the process moving we would suggest that the Town Board inquire as to the need, if any, to involve the DEC, DOT and/or the Core of Engineers. If we can identify any interested agencies early in the process we can avoid unnecessary delays later on.

Respectfully,
Robert Magee, Town Planning Board Chairman

cc Town Board Members
Planning Board Members
Town Attorney Flynn
Zoning Enforcement Officer Rethmel
Zoning Enforcement Officer Oliver

file.

Proposal for Bourke Property

03-27-02

Submitted by:

Cameron Dunlap
417 West Lake Rd.
Hammondsport, NY 14840
Ph: 868-7005
Cell: 542-9005
Email: cam@gate.net

Resubmitted
8/16/02
Only changes are
that I now own the
property and it's
78 acres

I have the property under contract for purchase and the outcome of the following will be the determining factor on my decision to go through with the purchase or not to.

The ultimate eventual use for the area closest to the road will be for Retail, Office, Distribution and Light Industrial. The appearance will be similar Lin Hough's property close to town, but more modern and eventually, when complete, much larger. The parcel I have under contract is 75 acres. I can not say for sure how much of that will be used to create the area desired for development

I will need to first excavate the area closest to the road to create as much level usable land as possible for the eventual development described herein. How that development will be planned and constructed will depend largely on the total usable land I am able to create from the existing and quite challenging topography. Creek and Storm Water issues will need to be addressed with the excavation phase.

Some of the challenges I face are the fact that it makes no sense for me to apply for Special Use now, because I cannot say what the final plan is until the excavation is complete and I know what I am working with. Another is that my time frame greatly exceeds the 1-year limit on a typical Special Use Permit.

I see the project coming together in several phases over a number of years.

Phase 1 is excavation, storm water and creek. Create the largest area possible.

Phase 2 is obtaining the Special Use Permit. At which time I will be able to provide firm plans for multiple buildings, parking, landscaping, water and septic. Time frame for phases 1 and 2 is approximately 2 years

Phase 3 is construction of the first building. I will want to construct add'l buildings per the Special Use Permit as demand warrants. Time frame for construction of the 1st building is approximately 1 year. I intend to erect a steel building with an esthetically pleasing façade measuring approximately 60 x 200 ft. +/- 12,000 square ft.

Phase 4 and beyond. Construct add'l buildings per the plan in the existing Special Use Permit, depending on market conditions, growth along the Rt. 54 corridor, water along Rt. 54 and demand for space. Time frame is up to 5 years or more.

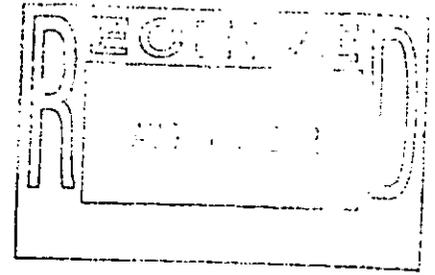
The plan for the property to the east of (behind) the road front area is to possibly, eventually do a housing development of some kind. This project is at least 5 years down the road. The scope and feasibility of this will be heavily dependent on the availability of water along Rt. 54, market and economic conditions and demand for housing. It is without question secondary to the project discussed here. Back burner at best. The only effect this possible project will have on the immediate project is the need for an acceptable roadway leading back to the property. This will be part of phase 1.

If there are any questions or issues please don't hesitate to contact me.

Sincerely,

Cameron Dunlap

TOWN OF URBANA
41 Lake Street, P.O. Box 186
Hammondsport, NY 14840
(607) 569-3743 TOWN CLERK
(607) 569-2412 fax



NOTICE OF SITE REQUIREMENTS

Date: 8/14/02
Applicant:
Name: Cameron Dunlap
Address: 417 West Lake Rd.
Hammondsport, NY 14840
Phone: 607-868-7005

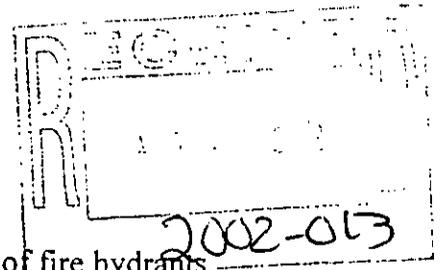
Application # 2002-013
Property Owner:
Name: same
Address: _____
Phone: _____

Proposed Project / Land Use Change: Commercial
~~Build Temporary shed To store for Equip Storage~~

The following is a list of required items to be submitted with a completed Site Plan Review Application. You are required to submit only the items that are checked, as well as any additional items listed under #23. Please submit these and a completed application simultaneously to the Code Enforcement Officer.

1. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing.
2. North arrow, scale and date.
3. Boundaries of the property plotted to scale.
- N/A 4. Existing Buildings.
5. Grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics, and watercourses.
- N/A 6. Location, design, type of construction, proposed use and exterior dimensions of all buildings.
- N/A 7. Location, design, type of construction of all parking and truck loading areas, showing access and egress.
- N/A 8. Provision for pedestrian access.
9. Location of outdoor storage, if any. UNDER CONSTRUCTION
10. Location, design, and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
- N/A 11. Description of the method of sewage disposal and location, design and construction materials of such facilities.
- N/A 12. Description of the method of securing public water and location, design and construction materials of such facilities.

TOWN OF URBANA
Notice of Site Requirements
Page 2



- ~~N/A~~ 13. Location of fire and other emergency zones, including the location of fire hydrants.
- ~~N/A~~ 14. Location, design and construction materials of all energy distribution facilities, including electrical, gas, and solar energy.
- ~~N/A~~ 15. Location, design, and type of construction of all signs.
- ~~N/A~~ 16. Location and proposed development of all buffer areas, including existing vegetative cover.
- ~~N/A~~ 17. Location and design of all outdoor lighting facilities.
- ~~N/A~~ 18. Identification of all location and amount of building area proposed for retail sales or similar commercial activity.
- ___ 19. General landscaping plan and planting schedule. ? During excavation
- ✓ 20. An estimated project construction schedule. ALTERNATIVE
- ___ 21. ? Record of application for and status of all necessary permits or variances from other governmental bodies. DEC Speedy's
- 22. Identification of any permits or variances from other governmental bodies required for the project's execution.
- ___ 23. Other elements integral to the proposed development as may be considered necessary, in the particular case, by the Planning Board:

NOTE: Everything on Appis for Excavation
Only at this time.

Walt Beebe
08/26/02

**Town of Urbana
Planning Board Minutes
August 6, 02**

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Randy Robinson	Board Member
	Betty Fitzpatrick	Board Member
	Carly McConnell	Recording Secretary
Public Present	Daniel King	Ruth King
	William Whitney	Patrice DeMay
	Terry Hubbard	

Regular Meeting: Called to order 7:04PM.

- A. Minutes were reviewed from July 9, 02. Bob made a motion to approve as amended. Seconded by Jim and minutes were approved.
 - B. Concept Review:
 1. Terry Hubbard Application #2002-007. The property is located at 8448 Back Valley Rd., Hammondsport, NY. Applicant is Terry Hubbard of 9559 Grove Springs Rd., Hammondsport, NY. Property is owned by Dick Yarytm of 45 West Lake Rd, Hammondsport, NY. Purpose is to open a auto repair facility in an existing garage/storage building. A letter from Mr. Yarytm is required; giving Mr. Hubbard permission to apply for site plan from the above property. The property is zoned Business and intended use is permitted in district.
- Board Questions:
1. Will any building be built? Mr. Hubbard no, will use existing building.
 2. The property currently has 2 drives, which one would be used? Mr. Hubbard, would prefer to use both Route 54 drive and Back Valley Road drive.
 3. How many autos will be on property at one time? Mr. Hubbard, 4 to 6 autos.
 4. How will parts be disposed of? Small parts go in a bin, large will be removed from property, tires will be stacked then removed from property.
 5. Will the whole building be used for repairs? No, a separate office will be put in.
 6. What type on screening will be used for tires and parts? None, do not plan on having any outside storage.
 7. Selling cars? In the future.
 8. Is a license required? Yes, a certificate

9. Does a well service the building? Mr. Hubbard can not answer. Bob made a motion to accept concept review application and move to full site plan review on project. Jim Duggan seconded. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye. Bob made a motion that upon hearing from the Clerk that the file is complete, a public hearing can be set. Seconded by Betty. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

2. Chateau Renaissance Application #2002-006. Applicants Dominic Carisetti & Patrice DeMay. Location of property is 7494 Hatchery Rd, Hammondsport, NY. A letter from Mr. Carisetti and Mr. DeMay is present in file for the original application on the winery, stating that the Route 54 driveway (the propose driveway on this application) would be treacherous. The Board has contacted their Attorney regarding this matter. Mr. DeMay states that they have contacted NY DOT regarding this proposed drive and they do not have a problem with it. Applicants are finding that their visitors are having a difficult finding the winery when coming from Bath done Route 54 towards Hammondsport. Applicants only want to put an entrance in at Route 54 and have the exit at Fish Hatchery Road.

Board Questions:

1. Would it be one entrance at Route 54; because the map shows 2? Mr. Demay, yes it would only be one the second is private for winery use only.
2. Driveway constructions? Will need to construct about 30 feet. The rest of the drive is existing and will put in gravel.

Bob made a motion to proceed with full site plan review. Betty seconded. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye. Bob made a motion to set a public hearing upon notice of completed application. Seconded by Jim. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.

C. Preliminary Subdivision:

1. Whitney Subdivision Application #2002-009. Applicant is William & Melissa Whitney of 8023 County Route 113 (Mt. Washington Rd), Bath, NY. The property is located on Mr. Washington Rd, Bath. The property owner is Daniel King of 7765 County Route 113, Bath, NY. The purpose is divided the total 129 acres into 1.) 125.5 2.) 3.5 acres. To establish a future building site. Mr. King will retain lot A and convey lot B to Mr. and Mrs. Whitney. Road frontage on lot B is over 250 feet. Randy made a motion to declare minor subdivision and seconded by Bob. Magee-aye, Duggan-aye, Robinson-aye, Fitzpatrick-aye.
2. Joseph Fissora: No, new information

D. Old Business:

1. Stewart P. Wilson Inc.: The Board received a letter from Mr. Wade requesting a 60 day extension on the landscaping schedule. There are

other unfulfilled filled conditions on site plan. Board will notify Mr. Wade of the unfulfilled conditions and will review progress at next regular meeting.

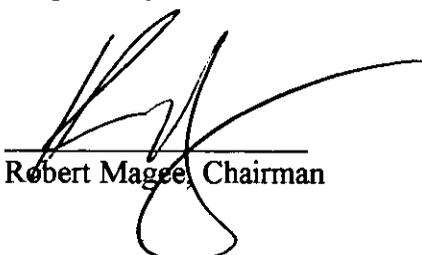
2. Lin Hough: A letter was received from Mr. Hough requesting a revision on the storage building egress and ingress. Because during construction access was from a pre-existing drive from Columbia Natural Gas and Swarthough Marine. Bob made a motion to amend Site Plan Review as per Mr. Hough's request; conditioned upon a physical barrier to prevent traffic from entering Kwik Fill from the storage lot.
3. Bob contacted NY DOT Traffic & Safety Department, requesting signs to be removed between Kwik Fill and the red light. Several complaints of the signs blocking the view of towards the traffic light have been made.
4. The Board acknowledged the letter received from John Jensen. The Board will prepare similar statements.
5. Bob made a motion to set up a Public Hearing for the Hartwick Subdivision on August 27, 02. Randy seconded. All in favor.

Betty made a motion to adjourn the meeting and seconded by Bob.

All were in favor.

Meeting Adjourned 8:15PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
July 9, 2002**

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Linda Baird	Jim Frey
	George Welch	Randy Brzesinski

Regular Meeting: Called to order 7:05PM

A. Minutes were reviewed from June 4, 2002. Betty Fitzpatrick made a motion to accept as submitted. Paul Martuscello seconded and minutes were approved.

B. New Business:

a. Site Plan Reviews:

1. Linda Baird-Cinto Lindo: Application #2002-067. Property located on Route 54. Purpose of application is to have a shed on the property. The shed will be 8x12" and is already on the property. Jim made a motion for the Board to waive any further review under Section 88. Seconded by Paul and all was in favor.
2. Herbert Buckley-American Legion: Application # 2002-058. Property is located on Route 54. Purpose of the application is to build a roof over the existing barbeque pit. Betty made a motion for the Board to waive any further review under Section 88. Seconded by Jim and all was in favor.
3. Linda Reilly: Application #2002-064. Property is located on Route 54. The purpose of the application is to put a lighted sign on the roof. Bob made a motion to waive any further review, as long as the applicant meets all applicable codes.
4. Randy Brzesinski: Application #2002-070. Property is located Route 54. The purpose of the application is put in an inground pool; surrounded by a fence. Bob made a motion to waive any further review under Section 88. Seconded by Paul and all was in favor.

C. Subdivision:

1. Joseph Frissora Jr. Subdivision Application #2002-008
The applicant is Mr. Frissora of 8951 Smith Road, Hammondsport. The property is at the same location. The purpose is to divide the total 26.889 acres into 1.) 22.883

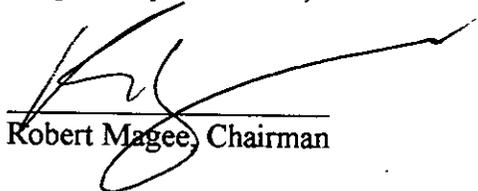
2.) 4.006 acre lots. The balance of the property is located in the Town of Wayne. Mr. Frissora will sell the lot with residence and retain the other lot. Attorney George Welch; Attorney of record was present to represent Mr. Frissora, who was not in attendance. Betty made a motion for the Chairman to set a Public Hearing upon word from CEO, Dave Oliver that the application is complete. Seconded by Paul and all was in favor.

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

All were in favor.

Meeting Adjourned 8:13PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
June 4, 2002**

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Domenic Carisetti	
	Patrice Demay	

Regular Meeting: Called to order 7:08PM

A. Review Minutes:

1. Paul made a motion to approve April 9, 02 minutes as amended. Seconded by Betty. Minutes amended.
2. Minutes were reviewed from May 7, 02. Betty made a motion to accept minutes as submitted. Seconded by Paul. Minutes amended.

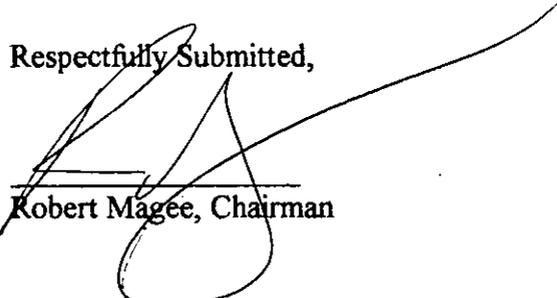
B. Concept Review:

1. Chateau Renaissance Application #2002-006. Applicants are Domenic Carisetti and Patrice Demay. Location of property is 7494 Hatchery Rd, Hammondsport. The purpose is to open the drive on Route 54 from the existing parking lot. Bob made a motion to schedule Site Plan Review and request the Board to allow the date to be set upon notification of completed applications. Seconded by Paul. All in favor

Paul made a motion to adjourn the meeting. Bob seconded and all were in favor.

Meeting Adjourned 7:55PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
May 7, 2002**

Board Present	Robert Magee	Chairman
	Randy Robinson	Board Member
	Jim Duggan	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Richard Yartym	
	Terry Hubbard	
	Frank Hartwick	

Public Hearings: Called to order 7:07 PM.

Richard Yartym- Application #2002-002. Applicant/owner is Richard Yartym of 45 West Lake Rd, Hammondsport, NY. The proposed property is Route 54, Hammondsport, NY. The purpose of the project is to divide the total 1.99 acres into 1.) .404 2.) .572 3.) .695 acre lots. The purpose of the project is for Mr. Yartym to reconfiguring the lot sizes and to put one lot up for sale. Legal notice of Public Hearing was posted in the Corning Leader and copy was placed in the file. Copy of the notice to adjoining landowners was placed in the file.

File Contents:

1. Survey
2. SEQR PART II - Completed
3. Sketch Map
4. Narrative
5. Copy of Deed
6. School tax - marked paid
7. Payment for Subdivision - paid \$75
8. Response from CEO, Dave Oliver-Indicates no areas of concerns.

Board Questions / Concerns:
None

Public Hearing : Closed 7:10PM

Regular Meeting Opened: 7:11PM

A. Old Business:

1. Richard Yartym Minor Subdivision Application #2002-002.
 - a. SEQR PART II-Completed for Richard Yartym.
Upon review of the information recorded on the EAF (Parts 1, 2, and 3 if appropriate), and other supporting

information 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, Paul make a motion that a negative declaration be prepared. Seconded by Jim. Magee-aye, Duggan-aye, Robinson-aye, Martuscello-aye.

A negative declaration was prepared.

Findings:

Application Complete

Meets all state and Local Laws

No negative comment at Public Hearing

No negative impact found during SEQR

Bob made a motion to accept findings. Seconded by Randy. Magee-aye, Duggan-aye, Robinson-aye, Martuscello.

It is the determination of the Planning Board that the Minor Subdivision Application of Richard Yartym meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Bob Magee make a motion to approve the Richard Yartym Subdivision as submitted, and to instruct the Chairman to sign survey. Seconded by Paul. Magee-aye, Duggan-aye, Robinson-aye, Martuscello-aye,

B. New Business:

1. Sketch Plat Review:

- a. Frank Hartwick Application #2002-003. Applicant/Owner is Frank Hartwick of 7389 County Route 89, Bath, New York. The location of the proposed property is 7389 County Route 89, Bath, New York. The Purpose is to divide the total 43 acres into 1.) 23.00 2.) 20.00 acre lot and to sell parcel 2 to neighbors. Adjoining landowners will purchase property and annex the subdivided parcel to their land. Applicant will retain parcel 1 with the structures. Jim made a motion to declare this a minor subdivision. Seconded by Paul and all was in favor.

C. ZBA Opinion:

1. Tom Tomsa Application #2002-005. The Board held discussion. Bob made a motion to deny the variance. Seconded by Randy. All in favor.

D. Old Business Continued:

1. Cold Brook Special Use Permit and Site Plan Review.

Bob has spoken to Attorney Flynn on several occasions. Attorney Flynn has consulted with legal experts in the Albany. Attorney Flynn recommends the Board to revisit the issue and if the Board finds the project does not meet conditions upon which the permits were granted;

the Board could vote to rescind the Special Use Permit and Site Plan Review Approval.

Bob made a motion based upon the recommendation from Attorney Flynn regarding the Special Use Permit and Site Plan Review Approval; it is the decision of this Board to revoke the Special Use Permit and rescind the Site Plan Review, due to none compliance with conditions and contingencies contained with in the respective permit and approval (as per attached documents). Seconded by Jim. Magee-aye, Robinson-aye, Duggan-aye, Martuscello-aye.

2. Cielito Lindo: Board held discussion. Bob will look in the file for contingencies that were placed on the Site Plan Review Approval and report back to the Board.

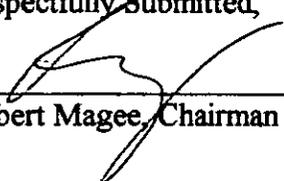
E. Review Minutes:

1. Minutes were reviewed from April 9, 02. Paul made a motion to accept minutes as submitted. Bob seconded. Minutes were approved.

Jim made a motion to adjourn the meeting. Seconded by Bob and all was in favor.

Meeting Adjourned 8:30PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
April 9, 2002**

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Randy Robinson	Board Member
	Jim Duggan	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Cameron Dunlap	Richard Yartym
	Barbara Littleton	Roger Cary
	Laurie Stoutz	Herman LaPierre
	Sue LaPierre	Terry Hubbard
	Brooke Baker	Fran Baisch
	Annie Baisch	Mark Morrell

Marcia Coon

Public Hearings: Called to order 7:10 PM.

Herman LaPierre Site Plan Review Application #2002-001 and to amend Special Use Permit #93-06. The original Special Use Permit was granted in 1993. Applicant/owner is Herman La Pierre of 10928 Mattoon Rd, Prattsburg, New York. The proposed property is located at 7995 Route 54, Hammondsport, NY. The purpose of the project is to construct a 500 -600 square foot addition on the existing Easy Plus Store. Legal notice of Public Hearing was posted in the Corning Leader and a copy was placed in the file.

Questions/Concerns from Public:

Public had no questions.

Board Questions/Concerns:

1. It is the Board's understanding the addition in the front of the building will extend to the right 4 feet and back 38 feet.
Mr. Lapierre-That is correct.
2. Will there be any new lights?
Mr. LaPierre-Yes, one in the parking lot and one is going to be added to an existing pole; near the entrance closest to Hammondsport.
3. Any new parking spots?
Mr. LaPierre- Yes, 5 on the lot towards Bath.
4. Has a sign variance been applied for?
Mr. LaPierre-Yes, and a Public Hearing has been set for April 25.
5. The original Special Use Permit had a requirement for screening for the residential area. The section towards Bath needs repaired. The neighbors along the back drive have requested through the Board for the fence to be extended by 3 panels, due to traffic.

6. The dumpster would require screening.

Public Hearing: Closed 7:21PM

Public Hearing Opened: 7:23PM

Mark Morrell Minor Subdivision Application #2000-005. Applicant/owner is Mark Morrell of 18 May St., Bath, NY. The proposed property is located at 182 East Lake Road, Hammondsport, NY. The purpose of the project is to divide the total 7.46 acres into 1.) 2.501 2.) 4.96 acres. Legal notice of Public Hearing was posted in the Corning Leader and copy placed in file.

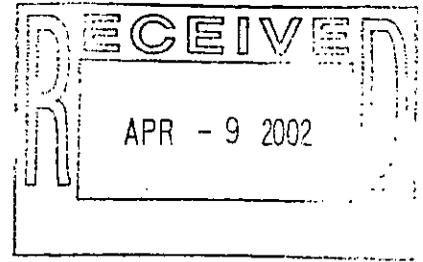
The Board received a letter by fax from Stuart Campbell dated and received April 9, 02. Mr. Magee read the letter into the minutes. The Board addressed Mr. Campbell's concerns in the letter.

1. Surprised at a Public Hearing being set and that it is being held while neighbors are out of town.
The Board can not wait to hold a public hearing until neighbors return. The notice of public hearing is mailed to neighbors and posted in the Corning Leader 10 days prior to the meeting.
2. Fire equipment ability to make it up the subdivide driveway.
This public hearing is for a subdivision of land. He is not building on the the property or selling it. It is not a concern at a subdivision.

Public Questions/Concerns:

1. Brooke Baker-Are all 3 parcels on one deed and can future subdivision be made?
Everything is on one deed. With existing code at this time the Board does not believe it can be.
2. Barbara Littleton-Is Mr. Morrell going to own both lots.
Mr. Morrell-Yes, and in the 2.5 acres will be deeded over to my parents. I have no plan on selling any parcels.
3. Brooke Baker-My main concern is a series of homes being built with one common lake frontage.
Mr. Magee-The Town has a law against "key Holing" that would prevent this from happening.
4. Mark Morrell-I bought this property for my own use and have no intention of selling. In the future if my parents need a deeded right away for water; I would allow this to happen.
5. Laurie Stoutz-Can it be stated in the deed that the subdivided lot could not have any access to the lake. We have no problem with them using the lake.
Mr. Magee-Mr. Morrell could not put in his deed that the property would have access. We can not put conditions or restrictions on subdivisions.
6. Brook Baker-Is the property zoned for single or multiple family units and if so can it be a condition.

DEBBIE PIERCE, TOWN CLERK
TOWN OF URBANA
HAMMONDSPORT, N. Y.



FROM: SPARKY CAMPBELL
FAX NO. 480 837 0211

DEB-WOULD YOU SEE THAT BOB MAGEE GETS THIS BEFORE THE PUBLIC HEARING.

THANKS A LOT

SPARKY

April 9, 2002

Robert Magee, Chairman
Town of Urbana Planning Board

RE: Morrell Subdivision

Bob,

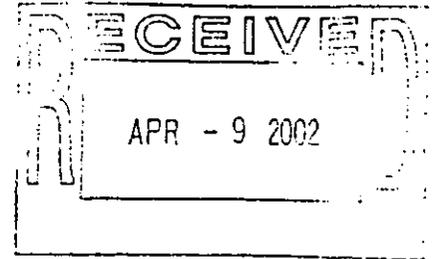
Aside from being real surprised that this public hearing was set for a time when a great number of affected property owners were out of the area for the winter, which I still question if it is right or not, we have two large concerns about your board granting this subdivision.

1—Isn't there a requirement that says if there is a building on this parcel to be subdivided, there has to be a roadway that makes the building accessible by fire protection equipment, ambulances, Etc.? The present so called driveway, which I understand is to be Right-Of-Wayed in this application for a access way to the parcel with the building on, does not, we believe fit this requirement. I do not think that any of the local fire dept. equipment used to fight a building fire, would have access to the present building located on the parcel by using the present access way. If you look back when you granted the present driveway construction, you will find that your inspector asked the owner for a engineers letter prior to issuing a permit. This came much later, and stated the proper way to construct the driveway so as to avoid any erosion, runoff on to rte. 54, etc.. This was never followed in the construction mode. I really think you should take a good look at this before any decision is made on the subdivision. I think there has been to much lax and errors with subdivision in the past as far as this particular property is concerned, and it is time for the owner to follow the rules like the rest of us are required to do.

2—If this were to pass and you approve the subdivision, it should be noted in the subdivision approval that the property at the lake front is not part of this. If the subdivision is sold, the buyer has no use of the lake front property. This is a major concern which really needs to be addressed and solved prior to any approval of this subdivision. I believe that one of your basic requirements for any subdivision approval is that the subdivided property has to fit in with and enhance the surrounding properties. This sure does not meet this requirement.

Thanks,

Stuart Campbell



193 East Lake Road
Hammondsport, New York
April 4, 2002

To whom it may concern

David and I have examined Mr. Morrell's proposed subdivision of his acreage on State Route 54.

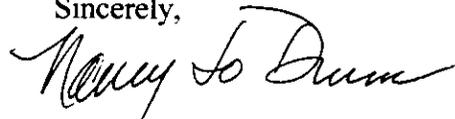
We interpret his blueprint to indicate that the 2.5 acres is entirely on the uphill side of 54 and that no land on the lake is to be transferred with this property. We further understand that Parcel 2 will contain the entire frontage on Lake Keuka as well as the land between East Lake Road and State Route 54.

We have no objection to this subdivision if our interpretation is correct.

Our only objection would be if Mr. Morrell intended to subdivide the lake frontage or the land between the East Lake Road and State Route 54. We would have a strong objection to any proposal involving this.

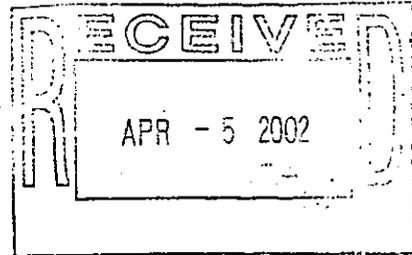
We cannot be at the hearing as David and I will be out of town on that date.

Sincerely,



David and Nancy Drum

P.S. We have assumed that there will be no right of access conveyed with Parcel 1. If ~~this is the case~~ right of access is to be conveyed then we would be opposed to the subdivision.



Dave Oliver-I believe multiple units would be ok in this district. Multiple units would require a Special Use Permit.

Mr. Magee-No, conditions can not be made.

Board Questions/Concerns:

1. Randy Robinson-In response to Mr. Campbell's letter. The lake front property is part of this subdivision.

Mr. Magee read into minutes a letter received by Nancy & David Drum dated April 4 and received April 5.

Public Hearing Closed: 7:57PM

Regular Meeting Opened: 7:58PM

A. Review Minutes:

1. Minutes were reviewed from February 26, 02. Jim Duggan made a motion to accept minutes as submitted. Bob seconded and minutes were approved.
2. Minutes were reviewed from March 5, 02. Randy made a motion to accept minutes as submitted. Jim seconded and minutes were approved.
3. Minutes were reviewed from March 20, 02. Jim made a motion to accepted minutes as submitted. Bob seconded and minutes were approved.

B. Subdivision - Concept Review:

1. Richard Yartym- Application #2002-002. Applicant/owner is Richard Yartym of 45 West Lake Rd, Hammondsport, NY. The proposed property is Route 54, Hammondsport, NY. The purpose of the project is to divide the total 1.99 acres into 1.) .404 2.) .572 3.) .695 acre lots. Mr. Yartym is reconfiguring the lot sizes. Lot 2 has a deeded right away of 20.48 feet from Lot 1. The Board would like a written response from CEO, Oliver. Intended use of Lot 3 is to be sold and the new owners intend to put in an auto repair business. Jim made a motion that upon completion of the application the Board Chairman can set a public hearing. Seconded by Betty and all in favor.

C. Site Plan Review - Concept Review:

1. Cameron Dunlap Concept Review Application #2002-004. Applicant is owner is Cameron Dunlap at 417 West Lake Rd, Hammondsport, NY. The owner of the property is Dr. Bourke. The intended project is to construct commercial buildings for light industrial, manufacturing and retail. The existing use is none and it is zoned agricultural. Board held discussion. Upon request of the applicant the Board will consult the Attorney to summarize the Board's views in this matter and document it.
2. Ryan Sincerbox Concept Review Application #2002-025. Residential addition at applicants home at 7856 Route 54, Hammondsport, NY.

CEO, Rethmel requested Board to waive Site Plan Review. Randy Randy made a motion to waive the Site Plan Review and seconded by Jim Duggan. All in favor.

D. ZBA Opinion:

1. Herman LaPierre-Randy Robinson made a motion to make a positive recommendation. Seconded by Bob and all was in favor.

E. Old Business:

1. Mark Morrell Subdivision Application #2000-005.

- a. SEQR PART II-Completed for Mark Morrell

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 of land 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 Paul. Magee-aye, Robinson-aye, Fitzpatrick-aye, Duggan-aye, Martuscello-aye.

A negative declaration was prepared.

Findings:

Previous subdivision was improperly filed and nullified. As well as all conditions that were contained there in.

Mr. Morrell's current deed revised to reflect nullified subdivision and deed is one parcel.

Application is complete.

No negative impact found during SEQR

Public concerns addressed at Public Hearing.

Meets local and state Subdivision requirements.

Local bulk & density requirements meet.

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

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

2. Herman LaPierre Site Plan Review: Application #2002-001.

- a. SEQR PART II-Completed for Herman LaPierre.

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 will not result in any large and important impact on the environment. I, Randy make a motion that a negative declaration be prepared. Seconded by Paul. Magee-aye, Robinson-aye, Fitzpatrick-aye, Duggan-aye, Martuscello-aye.

A negative declaration was prepared.

Findings:

Application is complete

No negative impact found during SEQR

No negative response at Public Hearing

239M Referral from County received.

Public concerns addressed at Public Hearing

Meets local and state subdivision requirements

Local bulk & density requirements meet

Project is a small addition on previously granted Special Use Permit

Proposed addition meets local and bulk set back requirements

Will not increase the flow of the traffic

Jim made a motion to accept the findings. Seconded by Paul. Magee-aye, Fitzpatrick-aye, Duggan-aye, Robinson-aye, Martuscello-aye.

Betty made a motion to approve the Site Plan Review and amend the Special Use Permit, Site Plan Approval subject to the following conditions.

1. Addition of new light in expanded parking areas as per plan, Lights are to be placed in such manner as to minimize impact on residential neighbors.
2. Delineate ingress / egress on Route 54 by marking the edge of the aprons on Route 54 entrances with reflective marking applied to the blacktop and add reflectors mounted on vertical poles that indicate both edges of all entrances. This system must be regularly maintained.
3. Screen dumpster from all sides.
4. Extend the length of the existing fence along the boundary of the rear driveway and Fitzwater property. Fence is to be extended by addition of three full sections.
5. Repair and continually maintain new and existing fence.
6. Apply for and receive a height variance for existing sign.
7. Extend the parking lot to add 5 additional spaces as shown on plan.
8. The new addition will encroach upon the existing driveway from County Route 88. Customers entering from that direction do not have a clear line of sight to the parking spaces in front of the liquor store. A line indicating the inside edge of the drive, along the side of the building, continuing as a radius around the corner is to be painted on the blacktop in such a manner as to direct traffic

away from the parking area that is on the front left of the building.

Jim made a motion to adjourn the meeting. Seconded by Bob and all was in favor.

Meeting Adjourned 10:08PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
March 5, 2002**

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Randy Robinson	Board Member
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
	Dave Oliver	CEO
Public Present	Herman Lapierre	
	Mark Morrell	

Regular Meeting: Called to order 7:04PM

A. Review Minutes:

1. Minutes were reviewed from February 5, 02. Jim made a motion to accept minutes as amended. Randy seconded and minutes were approved.

B. Old Business:

1. Sharon Stevens Application #2001-016. Board will set a Public Hearing for March 19 at 7PM.
2. Wheels N Wood Special Use Permit: Board held discussion. Bob made a motion for the Board to move to rescind the Special Use Permit; that had previously been granted to Wheels N Wood. Due to the applicants reluctance to comply with conditions with in. Board will request Attorney Flynn to draft the notice.
3. Cold Brook Special Use Permit: Board held discussion. Bob made a motion to notify the owner of record Fred Buckley to advise him that the property is not in compliance with the Special Use Permit that was previously granted; despite numerous promises to comply and will request compliance in 30 days or to supply the Town of Urbana with a performance bond or similar instrument assuring compliance. Board will request Attorney Flynn to draft the notice.
4. Mark Morrell Subdivision Application #2000-005. Owner of the property is Mark Morrell of 358 May St., Bath, NY. The proposed location is 182 East Lake Road in Hammondsport. The purpose of the project is to divide the 6.46 acres into 1.) 2.3 2.) 4.16 acre lots. This area is zoned Agricultural and Residential (Keuka Lake Shoreline Subclassification. The lot to be divided is located on the upper side of West Lake Road. The lot currently is on both sides of West Lake Road and is deed as one lot. Application has been delayed by no fault of the

applicant. Bob made a motion to accept this application in ~~the~~ as a continuation of application #2000-005. Randy seconded and all was in favor. Betty made a motion to declare this a minor subdivision. Seconded by Jim and all was in favor.

B. Concept Review:

1. Herman Lapierre Application #2002-024. The owner and applicant of the property is Herman Lapierre of 10928 Matton Rd., Prattsburg NY. The location of the project is Route 54 in Hammondsport. Mr. Lapierre is proposing a 520 sq. ft. addition to the existing store, by adding the depth to the rear of the existing building. Other additions will be a new office, 5 more parking spaces, a new light in the parking lot, a new light on the building, and public restrooms. A new electrical service will be added and Mr. Lapierre has already been in contact with NYSEG. The liquor authority has also been notified of the proposed changes. The dumpster will remain in the rear of the store.
 - a. Board Questions/Concerns:
 - Jim: Would it be possible to screen the dumpster? Mr. Lapierre said he would put some fencing up around it.
 - Randy: The entrances are not lit up very well at night. The fence is in a state of disrepair, is this something the neighbors are doing? Lapierre said the new lights should help. Mr. Lapierre also stated the damage to fence has been done by the neighbors and has been increasing.
 - Dave: What is the width of the entrance of Route 54 and will there be an effect on the current septic system. Mr. Lapierr sated the drive is standard DOT requirements of 24'. Also, the septic is 1000 gal tank and pumped once a year.
 - Betty: The light on the corner of the building is a good idea to light the driveway up.
 - Bob: A request has been made by Bill Fitzwater (adjoining property owner), for Mr. Lapierre to consider adding a couple more panels of fencing on the drive from Cty. Route 88 to further shelter his residence.
 - b. Board Advised Mr. Lapierre of the following:
 1. The closest distance from the corner of the building to the east property line needs to be noted.
 2. Address the lighting in the narrative.
 3. Applicant will need Sewage Disposal Permit and a Building Permit from Terry Debuck.
 4. Existing sign is out of compliance: Apply for a sign variance. The Board will ask Joe Littleton to hold the Public Hearing on the same night as the Public Hearing for the Planning Board.
2. Motion was made by Jim to accept the Concept Review as submitted and discussed and to move to Site Plan Review. Seconded by Betty and all was in favor.

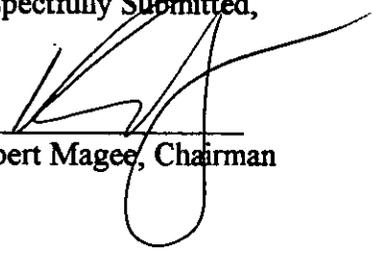
C. New Business:

1. Richard Yartym Subdivision: Board held discussion.

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

Meeting Adjourned 8:50PM

Respectfully Submitted,



Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
March 20, 02**

Board Present	Robert Magee	Chairman
	Jim Duggan	Board Member
	Carly McConnell	Recording Secretary
Public Present	Herman LaPierre	Sue LaPierre
	Sharon Stevens	

Special Meeting: Called to order 7:07PM.

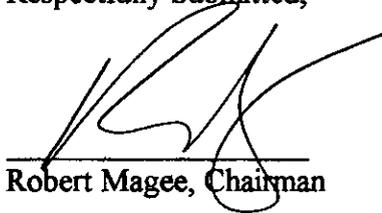
1. Site Plan Review;

- A. Herman LaPierre Site Plan Review Application #2002-024. Chairman Magee declared no quorum present; therefor no issues will be decided. Board held discussion. Chairman Magee will notify the Town Clerk as previously decided by this Board to a Public Hearing for Site Plan Review at the earliest possible date.
- B. Closed at 7:18PM

Public Hearing: Called to order 7:19PM

Sharon Stevens Minor Subdivision Application #2001-016. Chairman Magee declared no quorum present and declared recess until 4:30PM Thursday, March 21, 02. Applicant was present and notified.

Respectfully Submitted,



Robert Magee, Chairman

Get min
from SB
3/21/02
4:02

**Town of Urbana
Planning Board Minutes
February 26, 2002**

Board Present	Robert Magee	Chairman	
	Jim Duggan	Board Member	
	Betty Fitzpatrick	Board Member	
	Paul Martuscello	Board Member	
	Randy Robinson	Board Member	
	Brian Flynn	Attorney	
	Dave Oliver	CEO	
	Carly McConnell	Recording Secretary	
	Public Present	Michael VanGelder	Jim Presley
		Luther Perkins	Lin Hough
Leslie Bowman		Jonathan Wade	
Jamie Wade		John Bowman	
Steven Bently		Richard Gardiner	

Public Hearing: Called to order 7:07PM

Stewart P. Wilson Site Plan Review Application 2001-022. Applicant is Jonathan Wade with Stewart P. Wilson Inc., of Po Box 49 in Watkins Glen, NY. Mr. Wade was present. The owner of the property is Lin Hough of 6499 Burton St., Bath, NY. The land will be leased. The proposed property is located on Route 54 in Hammondsport. The purpose of the project is construct a gas station/convenience store. The proposed building will be 2400 sq. feet with a 24'x 102' canopy. Legal notice of Public Hearing was posted in the Corning Leader and copy place in the file. Mr. Magee read the publication into the minutes. Legal Notice was entered as Exhibit A. Pictures from the Watkins Glen store that is currently owned and operated by Stewart P. Wilson Inc., were entered as Exhibit B, and present as a sample of what the store will be in Hammondsport. Mr. Magee read into the minutes the narrative supplied by Mr. Wade with the application and it was entered as Exhibit C. Mr. Wade had nothing to expand on from the narrative.

Public Questions/Concerns:

1. Leslie Bowen-Has the Board concerned with the increase in traffic in the area? Concerned to the location being close to the school and will increase pedestrian traffic. Does the Board have any plans to make corrections to the public's concerns? Concern regarding the speed problem already at that intersection. Several gas stations already in the area and has the Board considered how it will effect the other gas and food business in the area? Will there be a Back Valley Road entrance. Mr. Wade, yes and it will be defined area.
2. Jim Presley-States it will be a find conclusion to that area. The information rack is a good idea and it will help bring people into the village.
3. Mike VanGelder-Concern also regarding the traffic. Would like to know if a contingency plan has been set up incase of a oil spill?

Board refereed this question to Mr. Wade. Mr. Wade provide picture examples of tanks and a display model of the product line and presented it to the public. These were entered as Exhibit D (GeoFlex System Brochure). All tanks have a double wall with a 24 hour monitoring system. All equipment has a 10 year guarantee. Mr. VanGelder-How will it be lit up? Mr. Wade explained it will have one lighted ID sign and the lights under the canopy will be directed down. Mr. VanGelder-What kind of landscaping will run on the along Back Valley Road? Mr. Wade, we will not be changing the existing contour of the land and evergreen shrubs will be planted. Has the property been SEQR checked? Mr. Magee explained, at a previous Public Hearing on a previous application on the same property a document was given to the Board on salt contamination on this site. The Town, State and mostly the County were identified as those who put the contamination there. Board requested a test to see the contamination levels and a rectification of the effected water supply. Those individuals effected have supplied with the municipal water supply lines run to their property. Test were preformed and the Board received the results by letter. The result were read and copies of the letters were placed in the file. The letter received from the DEC was entered as Exhibit E and the letter received from Steuben County Department of Public Works was entered as Exhibit F. Photos are on file with the County.

Mr. Vangelder-Anything up to 2 feet in the ground was tested. Are you looking at the clay and shale being dumped in that area and did you know it was a land fill at one time. Mr. Magee-No, I did not know that and I would assume that the clay and shale is present from just digging down to. The Board has an Engineer along with a laboratory to attest to this area being suitable.

4. Jack Bowen-If the business fails, who becomes responsible the land owner or Stewart P. Wilson Inc.? Mr. Wade explained that according to the lease it would revert back to Lin Hough. They have a 30 year lease.

Board Questions/Concerns:

1. Jim-High school students should be able to watch the traffic and it is a wide enough shoulder. He does not see that many walking in that area.
2. Paul-In the narrative an average of 25 visits an hour was given. What would be the average purchase? Do you think this is financially violable?
Mr. Wade-The average was an average for a year based on the Watkin Glen store. Most purchases are between \$10 and \$20. Yes, I think it is financially viable and know there will be seasonally low and high times.
3. Bob-What is the distance from the intersection to the drive? Mr. Wade 210' from the centerline on Back Valley Road to center of driveway. From directly under the intersection to the drive is 425'. Bob-What is the line of site from the light to the drive. Mr. Wade-It is a complete line of site and from the Back Valley drive a good line of sight down the road. Bob-How tall are the shrubs at planting and will it provide visual and sound barriers. Mr. Wade-The shrubs are 6' tall at planting and hold their shape. They will provide a sound and visual barrier. Bob-An extensive report was done by John Hall, PE from Odessa, NY regarding the storm water management. The report was entered

as Exhibit G. Bob-Have traffic studies been done on the effects of visitors to your facility. Wade-No; we have based all of our information on the Watkins store. Bob-Therefor, you did not think a study was necessary and do you think you will have less visitors here? Wade-Yes and we expect fewer visitors. Bob-A concern was raised from the County Planner and Attorney Flynn; regarding a method to prevent people from entering your facility to get to Mr. Hough's. Mr. Wade's project and Mr. Hough's new storage building share a common drive. They other storage projects can not be reached via the proposed gas station drive, due to a 4 foot drop off beyond the proposed storage building.

4. Dave-None, except the information received today regarding the drive? Mr. Magee, explained the 239M Referral from the county was received. The County Planner was concerned with adequate room for ingress and egress at the Route 54 drive; for vehicles with Boats. 239M Referral was entered as Exhibit H. Board has previously discussed this issue with Mr. Wade. Mr. Wade had designed the pumps elevate this situation. Mr. Hough explained that the DOT in Hornell designed and engineered the drive. It was also, inspected by them after construct was completed. Mr. Hough explained that you do not have a lot to say when it comes to drive size with the DOT. The width is 24 feet as required like the other drives on Route 54. Flynn-Who built that drive and do you have a copy of the plans from the DOT? Also, what type of business in that to service? Hough-It is a regulated commercial drive and Kolo put it in. Flynn-Would a 30' drive be more adequate. Hough-yes. Magee-Does a 30' drive fall into any DOT Regulations? Hough-No, 24' is DOT regulation. Magee-Would the State allow you make it wider. Wade-No. Magee-If DOT would allow a 30' drive; would you put it in. Wade-Yes, however the current intersection of Route 54 is 24' wide. The drive is 24' wide with a 6' sweep on each side. The State also has a 100' right away at entrance. Flynn-The State is very cooperative and accommodating with traffic studies. Magee-Where the entrance meets Route 54, is there going to be any declinations? Mr. Wade-It will be marked with yellow markings, a stop line and and small entrance signs. Magee-The lot will be paved and you will exceed the minimum number of parking spots; but how will they be marked. Wade-They will be marked with yellow markings.

Insurance and Liability: The leased was entered in as Exhibit I (Mr. Wade and Mr. Hough gave the Board the authority to enter in). Mr. Wade has coverage of over \$2 million with an umbrella coverage. It covers all spills and has no pollution exclusions. Mr. Flynn suggest Mr. Hough contact his own insurance carrier; to see if he needs any further coverage.

Jim Duggan made a motion to close the public hearing. It was seconded by Betty Fitzpatrick. All in favor.

Public Hearing Closed 8:32 PM

Public Hearing: Opened 8:33PM

Lin Hough Site Plan Review Application #2001-114. Location of property is Route 54, Hammondsport. The owner of the property is Mr. Lin Hough from 6499 Burton St., Bath, NY. Purpose of project is to construct a 40' x 150' concrete and steel storage building. The new building will match the existing buildings. Mr. Hough was present. Legal notice of Public Hearing was posted in the Corning Leader and copy placed in the file. Mr. Magee read the publication into the minutes. Legal Notice was entered as Exhibit A. Mr. Magee read into the minutes the narrative supplied by Mr. Hough with the application and it was entered as Exhibit B. Mr. Hough had nothing to expand on from the narrative. The Stewart P. Wilson project and this project is on the same lot.

Public Questions/Concerns:

1. Mike Vangelder-Does the burm continue to the new storage building?
Hough-No, it will end at the lease property and not continue.
Originally, Mr. Hough was going to plant trees and do landscaping; when he put the first storage building up? What can be done to satisfy everyone one on that? Magee-The Board can not answer that questions, but your concern has been registered. Vangelder-This is a residential area and would like it to look more like one.
2. Jim Presley-The same support as with the Stewart P. Wilson project. This property is located in a highway business zone and meets the codes in that zone. Normally, site plans do not have to go to Public Hearing; except for project located on Route 54.

Board Questions/Concerns:

1. Dave Oliver, CEO-Advised Mr. Hough he may want be required to get a SPDES General Permit for Erosion and Settlement Control. Any project over 5 acres are required to have a permit filed with the DEC. The Town Code Section 88-11, requires the Town be advised of any permits required.
Hough-The permit pertains to disturbing 5 acres and this property is under 5 acres.
2. Bob Magee-Will Lin Hough be the contractor on the Wilson building and when would you like to get started.? During construction do you have any kind of erosion plan? Hough-Yes, I will be the contractor and would like to get started right away. The project should take 3 months and the Wilson project is the main concern. We will attend to erosion control with bails of hay were applicable. Construction schedule entered as Exhibit AF

Randy made a motion to close the public hearing. It was seconded by Paul and all was in favor.

Public Hearing Closed 8:54PM.

Special Meeting: Opened 8:55PM

Site Plan Review Application #2001-002 and 2001-114

A. SEQR PART II

- a. Stewart P. Wilson Inc. Site Plan Review Application #2001-022
 1. SEQR PART II-Completed for Stewart P. Wilson Inc. 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, Randy Robinson make a motion that a negative declaration be prepared. Seconded by Paul Martuscello. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Exhibit O SEQR

Findings:

No adverse impact found during SEQR
Project meets current Compressive Plan
Site zoned highway business
Project meets all criteria specified in the Town Code (Section 105-33 A, C, D)
Filling station specifically permitted in the district (Town Code Section 105-11 B, K)
Meets and exceeds all bulk requirements in this district
During concept review all required Reviews Standards were addressed
No repair or sale of autos at site
Concerns raised at public hearing were verbally addressed by applicant
No objection to the project at the public hearing
Applicant indicated he would widen Route 54 drive to 30'; if permitted by DOT
Applicant indicated ingress and egress would be delineated, as well as on site parking
Applicant indicated Route 54 would be a common drive with Application #2001-114
Seconded ingress and egress off Back Valley Road
Applicant indicated physical barriers present to delineated Back Valley Road drive
Applicant indicated there would be visual and sound barriers provided by shrubs
Application is complete and meets all local requirements
Traffic projects were based upon existing operation in Watkins Glen
Contractor stated the standard erosion control would be used during construction
Project completion date within 3 months
File contains written permission from property owner to submit application
239M referral from County Planner, defaulted to Planning Board with scrutiny of the Route 54 drive as well as on site parking for boats.

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

- (3)
2. Section 88-11 addressed during Concept Review (January 22, 02). Jim Duggan made a motion that Concept Review was found to be satisfactory with no changes this evening and to adopt as part of tonight's formal findings. Seconded by Bob Magee. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.
 3. Board held discussion on concerns raised by public, attorney and County Planner.
 4. Based upon the findings Jim Duggan made a motion to accept the Site Plan Review and is here by approved conditioned upon the increase of the Route 54 drive from 24' to 30' with DOT approval. Seconded by Bob Magee. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

b. Lin Hough Application #2001-114

1. SEQR PART II-Completed for Lin Hough. 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 Duggan make a motion that a negative declaration be prepared. Seconded by Randy Robinson Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

A negative declaration was prepared.

Exhibit D SEQR

Findings:

Application is complete

No adverse impact on environment found during SEQR

Meets bulk requirements

Zoned Highway Business

Business permitted in this district

No negative comment at Public Hearing

239M Referral from County, defaulted to Town Planning Board

Concerns raised at the Public Hearing regarding visual screening

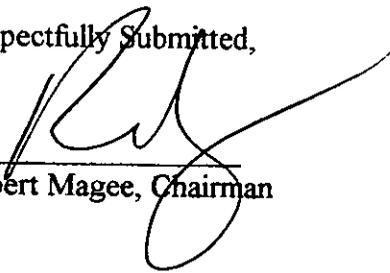
Jim Duggan made a motion to accept finding and was seconded by Randy Robinson. All were in favor. Magee-aye, Duggan-aye, Martuscello-aye, Robinson-aye, Fitzpatrick-aye.

2. Town Code Section 88-11: Addressed by Board during concept review on January 22, 2002.
3. Board held discussion on concerns raised at the public hearing
4. Based upon the findings, Jim Duggan made a motion to accept the Site Plan Review and is here by approved with the restriction

Randy Robinson made a motion to adjourn the meeting. Bob Magee seconded and all were in favor.

Meeting Adjourned 10:40PM

Respectfully Submitted,



Robert Magee, Chairman

attachment: List of Exhibits

2-26-02

Public Hearing

LIST OF EXHIBITS

Application 2001-023 [Ward / Red Apple]

Exhibit	Description
A	Notice of Public Hearing
B	2 photographs of Watkins Glen Red Apple store
C	Narrative & Application
D	GeoFlex System brochure
E	DEC letter, 10-31-2000
F	Dept. of Public Works letter, 12-20-2001
G	Drainage Capacity, John R. Hall P.E., 1-21-02
H	Steuben County Planning Dept.
I	Copy of Lease, [need description of real estate referenced as Exhibit A]
J	Construction Schedule
K	Map, 2-20-2001
L	Map, Drainage Plan, 1-17-02
M	Map, Site Plan, 1-17-02
N	Construction Drawings, 8 pages
O	SEQR
P	SPEDES memo from Dave Oliver
Q	Berm description
R	Floor Plan
S	Elevation
T	Landscape Plan
U	Exterior Lighting Plan
V	Permit – Wastewater Treatment
W	Tax map reference
X	Tax map
Y	Letter to neighbors, public hearing
Z	List of neighbors
AA	Letter of permission
AB	Elevations
AC	Tank Design
AD	Tank Standard Evaluations
AE	Monitoring System
AF	Construction Details
AG	Water Permit – Hammondsport Water

Application 2001-022, Hough

A	Notice of Public Hearing
B	Narrative
C	Map, 2-12-02
D	SEQR
E	List of Neighbors
G	Letter to Neighbors
H	County Review
I	Application – Concept Review

**Town of Urbana
Planning Board Minutes
February 5, 02**

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Jim Duggan	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
	Dave Oliver	CEO
Public Present	Sharon Stevens	Tammy Havens

Regular Meeting: Called to order 7:05PM.

A. Review Minutes:

1. Minutes were reviewed from January 8, 02. Jim Duggan made a motion to accept minutes as submitted. Bob Magee seconded and minutes were approved.
2. Minutes were reviewed from January 22, 02. Jim Duggan made a motion to accept minutes as submitted. Bob Magee seconded and minutes were approved.

B. Old Business:

1. Cold Brook Special Use Permit: Fred Buckley is the owner of record. Tammy Havens will become the owner of record on March 1, 02. To become compliant the stipulations in the Special Use Permit need to be completed. Tammy will need to meet with CEO, Marvin Rethmel. The septic system plan was done by Ron Smith (previous owner and Special Use Permit applicant) and given to Terry DeBuck; prior to Mr. Smith's opening
2. Wheels N Wood: Applicant has constantly violated contingencies on the Special Use Permit. The Board will be in contact with Attorney Flynn for a response to: if the applicant does not meet contingencies at what point can the Board deem it ^{not} ~~not~~ and void and is a Public Hearing required to do that?
3. Sharon Stevens Subdivision Application #2001-0016. Preliminary hearing to review additional submissions. The subdivision meets the minimum requirements of lot size and road frontage. Betty made a motion to declare this a minor subdivision and seconded by Jim Duggan. All in favor. The Board will set the Public Hearing for March 5, 02.
4. Lin Hough / Stewart P. Wilson: The Board has not gotten a response from the County Planner Greg Heffner.

C. New Business:

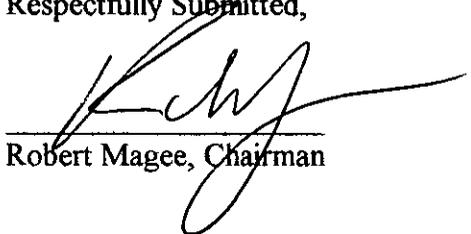
1. Concept Review: Herman Lapierre Application #2002-024. The Board discussed the application and raised the following concerns.
 - a. What is the set back from the corner of the Liquor Store to the corner lot?
 2. Width of the secondary drive?
 3. Dumpster area?
 4. The fence between the residential area and the commercial area has holes in it.
 5. The sign went in to tall. Applicant can come into compliance by applying for a variance.

The Board will notify the CEO, Marvin Rethmel and will have him advise the applicant to be present at the next meeting.

Paul Martuscillon made a motion to adjourn meeting. Seconded by Jim Duggan. All were in favor.

Meeting Adjourned 8:00PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
January 22, 02**

Board Present	Robert Magee	Chairman
	James Duggan	Board Member
	Randy Robinson	Board Member
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member

Special Meeting: Called to order 7:06PM

A. Site Plan Review:

1. Board held a discussion on Stewart P. Wilson Inc. Application #2001-022 and Lin Hough Application #2001-114. CEO, Dave Oliver stated the application meets the intent of the project. CEO, Dave Oliver suggested the applicant show the access to the new storage building on the drawing. The applicants have provided a drawing that indicates both project on the same drawing. Mr. Hough added that the new storage building will use the existing drives on the property and that any drive off Route 54 will have access to the entire property.

B. Stewart P. Wilson Inc. Application #2001-022

- a. Section 88-11 C / Site Plan Check List: Any or all of the following may be required if determined necessary:
 1. The title of the drawing, including the name and address of the applicant and the person responsible for the preparation of such drawing.
Yes
 2. North Arrow, scale and date.
Yes
 3. The Boundaries of the property plotted to scale.
To the Board's satisfaction
 4. Existing buildings.
Shown
 5. A grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics and watercourse.
Submissions meet Board's requirements for project.
 6. The location, design and type of construction and the proposed use and exterior dimensions of all buildings.
Submitted
 7. The location, design and type of construction of all parking and truck loading areas, showing access and egress.
Supplied
 8. Provision for pedestrians access.
Supplied

9. The location of outdoor storage, if any.
Supplied
 10. The location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
Supplied
 11. A description of the method of sewage disposal and the location, design and construction materials of such facilities.
Supplied
 12. A description of the method of securing public water and the location, design and construction materials for such facilities.
Water supplied by municipally
 13. The location of the fire and other emergency zones, including the location of fire hydrants.
Shown on maps.
 14. The location, design and construction of all energy distribution facilities, including electrical, gas and solar energy.
Supplied were applicable
 15. The location, design and type of construction of all signs.
Sign permit application
 16. The location and proposed development of all buffer areas, including existing vegetative cover.
Landscape plan included
 17. The location and design of all outdoor lighting facilities.
Present
 18. Identification of the location and amount of building area proposed for retail sales or similar commercial activity.
Supplied with building plans
 19. A general landscaping plan and planting schedule.
Supplied
 20. An estimated project construction schedule.
Provided
 21. A record of the applicant for and status of all necessary permits or variances from other governmental bodies.
Locally: Building, Sign, KWIC, and Demolition Permits
 22. Identification of any permits or variances from other governmental bodies required for the projects execution.
NYS Cigarette License, Weight and Measures, Agriculture Permit, Sales Tax, Beer Permit and Tank Registration with DEC.
 23. Other elements integral to the proposed development as may be considered necessary, in the particular case, by the Planning Board.
Nothing
- b. 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.

- Submissions sufficient to meet the intend of this chapter
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.
Submissions sufficient to meet the intend of this chapter
 3. The location, arrangement, appearance and sufficiency of off-street parking and loading.
Submissions sufficient to meet the intend of this chapter
 4. The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
Submissions sufficient to meet the intend of this chapter
 5. The adequacy of storm water and drainage facilities.
Submissions sufficient to meet the intend of this chapter
 6. The adequacy of water supply and sewage disposal facilities.
Water supply is municipal; sewage application has been applied for
 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 .
Submissions sufficient to meet the intend of this chapter
 8. The adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.
Submissions sufficient to meet the intend of this chapter
 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.
Project located in district zoned business and meets or exceeds the standards in that district and adequately screens the other districts.
 11. Documentation that the proposal is compatible with the objectives of the town's land use regulation plan.
Meets requirements for respective zoning classifications.
 12. Any other factor found to be detrimental to public health, safety 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.
Board will function as lead agency for SEQR

C. Lin Hough Application #2001-114

- a. Section 88-11 C / Site Plan Check List: Any or all of the following may be required if determined necessary:
1. The title of the drawing, including the name and address of the applicant and the person responsible for the preparation of such drawing.
Yes
 2. North Arrow, scale and date.
Yes
 3. The Boundaries of the property plotted to scale.
To the Board's satisfaction
 4. Existing buildings.
Shown
 5. A grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics and watercourse.
Submissions meet Board's requirements for project.
 6. The location, design and type of construction and the proposed use and exterior dimensions of all buildings.
Submitted
 7. The location, design and type of construction of all parking and truck loading areas, showing access and egress.
Supplied
 8. Provision for pedestrians access.
Non Applicable
 9. The location of outdoor storage, if any.
Non Applicable
 10. The location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
Supplied
 11. A description of the method of sewage disposal and the location, design and construction materials of such facilities.
Non Applicable
 12. A description of the method of securing public water and the location, design and construction materials for such facilities.
Non Applicable
 13. The location of the fire and other emergency zones, including the location of fire hydrants.
Shown on maps.
 14. The location, design and construction of all energy distribution facilities, including electrical, gas and solar energy.
Supplied were applicable
 15. The location, design and type of construction of all signs.
Non Applicable
 16. The location and proposed development of all buffer areas, including existing vegetative cover.
Landscape plan included

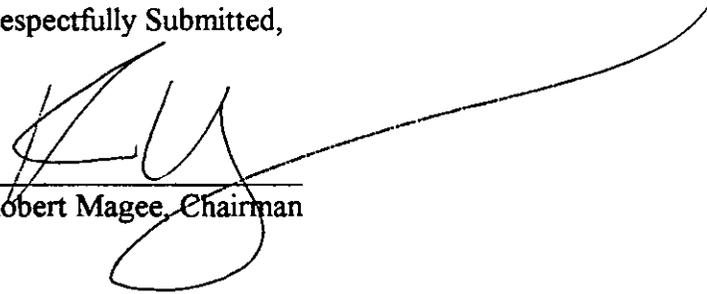
17. The location and design of all outdoor lighting facilities.
Present
 18. Identification of the location and amount of building area proposed for retail sales or similar commercial activity.
Supplied with building plans
 19. A general landscaping plan and planting schedule.
Supplied / go to try to follow same schedule as Application #2001-022
 20. An estimated project construction schedule.
Provided
 21. A record of the applicant for and status of all necessary permits or variances from other governmental bodies.
Locally: Building Permit
 22. Identification of any permits or variances from other governmental bodies required for the projects execution.
None
 23. Other elements integral to the proposed development as may be considered necessary, in the particular case, by the Planning Board.
Nothing
- b. 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.
Submissions sufficient to meet the intend of this chapter
 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.
Submissions sufficient to meet the intend of this chapter
 3. The location, arrangement, appearance and sufficiency of off-street parking and loading.
Submissions sufficient to meet the intend of this chapter
 4. The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
Submissions sufficient to meet the intend of this chapter
 5. The adequacy of storm water and drainage facilities.
Submissions sufficient to meet the intend of this chapter
 6. The adequacy of water supply and sewage disposal facilities.
Non Applicable
 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 .
Submissions sufficient to meet the intend of this chapter
 8. The adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

- Submissions sufficient to meet the intend of this chapter
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.
Project located in district zoned business and meets or exceeds the standards in that district and adequately screens the other districts.
 11. Documentation that the proposal is compatible with the objectives of the town's land use regulation plan.
Meets requirements for respective zoning classifications.
 12. Any other factor found to be detrimental to public health, safety 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. Board will function as lead agency for SEQR
- C. Board held discussed the fact that the projects had to be presented to the County Planning Board, Greg Heffner for approval. Mr. Heffner has 10 days respond back to the Planning Board. Randy made a motion; if the Board receives a positive response from the Mr. Heffner by the next meeting (February 5, 2002) the Chairman can set up a Public Hearing. Seconded by Betty Fitzpatrick and all were in favor.

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

Meeting Adjourned 8:30PM

Respectfully Submitted,


Robert Magee, Chairman

**Town of Urbana
Planning Board Minutes
January 8, 02**

Board Present	Robert Magee	Chairman
	Betty Fitzpatrick	Board Member
	Jim Duggan	Board Member
	Randy Robinson	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
	Dave Oliver	CEO
Public Present	Lin Hough	Jonathon Wade

Regular Meeting: Called to order 7:10PM.

A. Review Minutes:

1. Minutes were reviewed from December 4, 01. Jim Duggan made a motion to accept minutes as submitted. Bob Magee seconded and minutes were approved.

B. Old Business:

1. Bourke Subdivision: The Board had required that a private road, built to specifications outlined by Highway Superintendent Dave Buckley, was required as a condition for subdivision approval. The Board had further required that the applicant provide a bond, assuring said road conditions. Board received a letter from Highway Superintendent Dave Buckley. The letter stated construction meets and exceeds requirements for a road. Copy of the letter is in the file. Jim Duggan made a motion to notify applicant and the applicants attorney, regarding the road construction meeting and exceeding the requirements. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Martiscello-aye, Robinson-aye, Fitzpatrick-aye. The Board will also notify the Town Board and the Town's Attorney for the release of the bond requirements.
2. Site Plan Concept Review for Stewart P. Wilson Inc. Application #2001-022 and Lin Hough Application #2001-114 discussion was held simulainously. Construction on Wilson Application 2001-022 would like to begin construction the middle of March. Hough Application #2001-114 would begin at the same time. Wilson project would be completed first. Lin Hough was present for the Hough project and Jonathon Wade was present for the Wilson project.
3. Stewart P. Wilson Inc., Application #2001-022. Applicant is Jonathon Wade with Stewart P. Wilson Inc. of Po Box 49, Watkins Glen, NY. Owner of the property is Lin Hough of 6499 Burton St., Bath, NY. The proposed project address is Route 54, Hammondsport, NY. The land will be leased. The purpose of the project is to construct a gas

station/convenience store. The proposed building will be 2400 sq. ft. with a 24'x 102' canopy. The deeded lot size of the project location is 4.98 acres. The parcel is located in the business district. CEO, Dave Oliver advised the Board that a Special Use Permit is not required in that district. The business would be permitted by the Town Code section 105-11 B1, K and O on page 10525.

A. The Board Advised Mr. Wade of the following information that will be required.

1. Distance of the drive to the center line of Winding Stairs Road.
2. Distance of the drive to the intersection of Route 54 & 54A.
3. Distance from the East side of the property line to the closest distance to Damouth Creek.
4. Define ingress and egress and provide deminsions.

B. The Board asked the following questions and Mr. Wade responded with the following responses.

1. How many parking spaces? 19 (minimum required is 9)
2. Were the project fronts/meets Route 54 and Back Valley Road; how will it be defined? It will go from black top to grass. The Back Valley Road side will have a ditch. Route 54 side will have visual markings that will need to be approved by the State.
3. How will the gas be stored? It will be underground with 24 hour electronic monitoring.
4. What does the DEC require for the building of the gas storage and do they require any permits? DEC requires it to be built to underground requirements and to register the equipment. They require a fee to register and then do periodical inspections.
5. What kind of signage will be needed? Only a lighted gas sign to display prices and sign on the building.
6. Where will the septic system be located? It will be in the back towards the Back Valley Road. Applicant has applied to the Keuka Watershed and based the information on the Watkin's store. Board advised Mr. Wade to get the closest distance from the septic system to Damouth Creek.
7. Where will you be getting water from? Water supply will be municipal; via the Hammondsport Village water system.
8. Lighting plan for the building? String of fluorescent lights around the building and the canopy will be lit.
9. How far will the building be from the new storage building? Approximately 103'.
10. Will there be any dinnig facilities and chairs? None; only a small podium inside.

11. Will it be easy access for trucks hauling boats? Yes, I have tried to direct the traffic to pull through.
 12. Will it be a truck stop? No.
 - C. Dave Oliver noted that this project conforms to all three sections on gas filling stations in the Zone Section 105-33 of the Town Code.
 - D. Landscaping has specific requirements and Board will refer to CEO, Dave Oliver on of those issues.
 - E. Attorney Flynn would like information on specific lease terms and conditions. The Board advised Mr. Wade to contact him directly.
 - F. Permits needed: Sign, Watershed and Building Permit.
 - G. Lin Hough donated the existing building on the site to the Town of Urbana. They are going to remove it from the site.
 - H. Bob Magee made a motion to move to Site Plan Review on Stewart P. Wilson Inc. Application #2001-022. Seconded by Betty Fitzpatrick. Magee-aye, Duggan-aye, Martiscello-aye, Robinson-aye, Fitzpatrick-aye.
 - I. Board scheduled the Site Plan Review meeting for January 22, 02 at 7PM.
4. Lin Hough Application #2001-114. Applicant/owner is Lin Hough from 6499 Burton Street, Bath, NY. Project address is Route 54, Hammondsport, NY. The purpose of the project is to construct a 40'x 150' concrete and steel storage building. The new building will match the existing buildings. CEO, Dave Oliver advised the Board that a Special Use Permit is not required in that district. The business would be permitted by the Town Code section 105-11 B1, and O on page 10525. A was concern raised at the previous Public Hearing regarding the salt contamination on the site. The problem has been remedied and the Board has received a letter pertaining the remedy from Vincent Spagnolrtti.
- A. The Board advised Mr. Hough of the following information that will be needed. Also, advised to be in contact with CEO, Oliver on any information that is still required.
 1. Definition of boundary lines.
 2. Existing building dimensions on the map.
 3. Map should have accurate picture of what is already there.
 4. Proposed ingress and egress.
 5. File needs to have a narrative.
 - B. The Board asked Mr. Hough the following questions and Mr. Hough responded with the following responses.
 1. Will the building be all storage or include any office space? All storage with no electric or water.
 2. Any plan to sell any boats that are not claimed? No, Peter Swartout has a lease with Mr. Hough that states he can up to 5 boats neatly displayed.
 3. Any used auto sales? No.
 4. Will the new building be one storage unit or individual units?

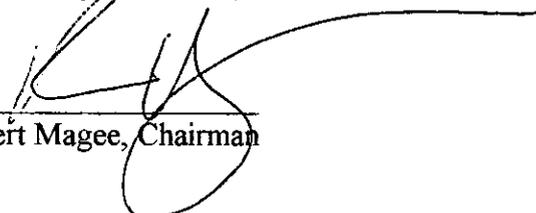
Individual units.

- C. Jim Duggan made a motion to move to Site Plan Review. Seconded by Paul. Magee-aye, Duggan-aye, Montiscello-aye, Robinson-aye, Fitzpatrick-aye.
- D. Permits Needed: Building Permit
- E. Site Plan Review meeting will be held January 22, 02 at 7PM.

Jim Duggan made a motion to adjourn meeting. Seconded by Paul Martiscello. All were in favor.

Meeting Adjourned 8:50PM

Respectfully Submitted,


Robert Magee, Chairman