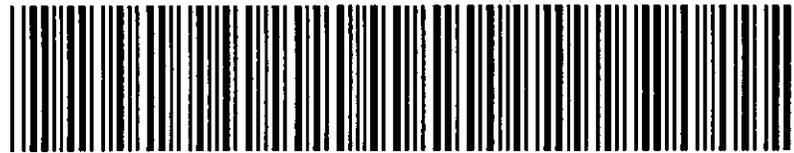


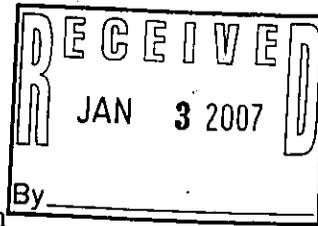
Planning Board



2006



**Town of Urbana
Planning Board Minutes
December 5, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Gordon Lanphere	Board Member
	Norm Hann	Board Member
	Carly McConnell	Recording Secretary
Public Present	David Larrimore	Philip Weaver
	Mr. & Mrs. Jack Shoemaker	Albert & Carol Davidson

Public Hearing: Opened 7:10PM

Philip Weaver Application #2006-019. Applicant has applied for minor subdivision at 7400 County Route 13, Bath. Owner/applicant is Philip Weaver of the same address. Mr. Weaver would like to subdivide his 53.92 acre lot into Parcel C of 52.023 acres and Parcel B of .900 acres. Parcel C will be retained by Mr. Weaver. Parcel B will be annexed to an existing, adjacent parcel on Cold Springs Road; owned by Mr. Shoemaker. Parcel B would be a non-conforming lot and would be required to be annexed to an existing parcel. Short Form SEQR was completed by applicant and faxed to the Town Clerk; page 2 was not received by the Clerk. Applicant completed a new SEQR Short Form at the public hearing.

Public Questions/Concerns: None

Board Questions/Concerns: None

Public Hearing Closed: 7:15PM

Regular Meeting: Opened 7:16PM

A. Minutes:

- a. Minutes were reviewed from November 6, 2006. Mr. Hann made a motion to approve as submitted. Seconded by Mr. Martuscello and minutes were approved.

B. Old Business:

- a. Concept/Site Plan Review
 - i. Dan Backer – Board received a letter from applicant, who indicated that he was still proceeding with his application
- b. Subdivision
 - i. Doyle – No new submissions. Town Supervisor, Mr. Gardner has contacted an attorney regarding the municipal agreement.

C. New Business:

a. Subdivision

- i. Albert & Carol Davidson Application #2006-093. Applicants have applied for a minor subdivision of 4.45 acres of land on Urbana Road, Hammondspport. The new lots would be 2.24 acres and 2.21 acres. Applicant purchased the property in 1991 from Joe & Lucille Farris; and believed he purchased the property as 2 lots. Board held discussion with applicant. The Board received the Davidson's application upon their arrival to the meeting. Board will review this application at the next meeting, to give the Board time to review the application. Board recessed the Davidson Application for Sketch Plat Review until the next regular meeting.

D. Old Business Continued:

a. Philip Weaver #2006-019

- i. The applicant completed a Short form SEQR. The Board completed SEQR Part II – Short Form.
 1. Based upon the information and analysis and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons supporting this determination; I, Mrs. Fitzpatrick make a motion that a Negative Declaration be prepared. Seconded by Mr. Lanphere. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 2. Findings:
 - a. SEQR Complete & Negative Declaration Declared
 - b. Notice of Public Hearing in the Corning Leader; in file
 - c. No negative comment at public hearing
 - d. Application complete
 - e. Parcel B (.900 acres), non-conforming & will be annexed to neighbors
 3. Mr. Lanphere made a motion to approve the findings. Seconded by Mr. Hann. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 4. It is the determination of the Planning Board that the minor subdivision application of Philip Weaver meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Mrs. Fitzpatrick make a motion to approve the Philip Weaver subdivision; conditioned upon a draft deed on behalf of Mr. Shoemaker shall be submitted to the Town Clerk verifying the annexation of the substandard 1 (one) acre lot to Mr. Shoemaker's current parcel. Mr. Shoemaker's new deed description shall read as one lot only. Seconded Mr. Lanphere. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

E. Planning Issues

- a. The Clerk's office was unable to register Board Members for a recent Wind Farm Class, due to misplacement of registration information.

F. Motion to Adjourn

- a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 8:47PM.

Respectfully Submitted,


Carly McConnell, Recording Secretary

Brian
faxed 1/3/07

*Town of Urbana Planning Board
41 Lake Street
Hammondsport, New York 14840*

Notice of Decision

January 02, 2007

Application for Sketch Plat Review #2006-93 Tax Map ID# 091.00-00-02-009.200

Findings:

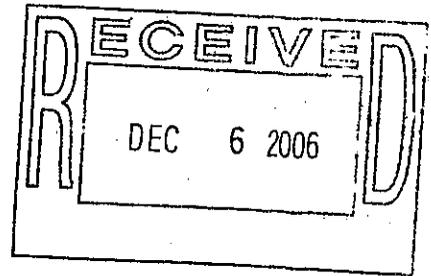
1. Current application by Mr. and Mrs. Davidson are for lands formerly known as and owned by Joseph and Lucille Farris.
2. Mr. and Mrs. Farris applied for and received approval for a minor subdivision of three parcels dated January 16, 1991, (Chairman William Venema).
3. The Farris subdivision was approved with less than 250' of lot width which in and by itself does not necessarily indicate the approval was in error. (see local Town Code section 93, 28, A and B)
4. On March the 20th 1991 an agreement was entered into between Mr. and Mrs. Farris and Mr. and Mrs. Davidson resulting in a Warranty Deed with Lien Covenant being recorded at the Steuben County Clerk's Office on April 9, 1991 Liber 1298 page 313.
5. The aforementioned Deed specifically referred to "All That Tract Or Parcel Of Land" and described the parcel as containing 4.45 acres of land as delineated by an instrument survey indicating that it was one parcel.
6. Article 111 Area and Bulk Regulations 105-15 A (2) Lot width shall be a minimum of two hundred fifty (250) feet.
7. Current sketch plat has proposed 208.33' of lot width.

Decision: Based upon the aforementioned Findings, Application #2006-093 received November 29, 2006 must be denied for the following reason:
The parcel lacks sufficient road frontage and no unique conditions exist to warrant a waiver of the frontage requirements.

Cc Albert and Carol Davidson
David Oliver-Assessor
Brian Flynn -Attorney
Judith M. Hunter-Steuben County Clerk

Approved

Town of Urbana
Planning Board Minutes
November 6, 2006



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Gordon Lanphere	Board Member
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Carly McConnell	Recording Secretary
Public Present	Lucy Farris	Joseph Doyen
	Darci Doyen	Mike Doyle
	Charlie Egresi	Melvin Goldman

Public Hearing: Opened 7:04PM

Melvin Goldman Application #2006-014. Applicant has applied for a Site Plan Review & Special Use Permit to operate a farm winery with future retail & tasting located on his property at 8882 County Route 76, Hammondspport. Owner/Applicant is Melvin Goldman of the same address. Applicant present at public hearing. Applicant indicated the winery would produce a maximum of 5000 gallons. Applicant also stated that 2007 will be the first year in production and will open to public in the summer with 1st year production being around 1000 gallons. Applicant spoke with DEC, who stated that applicant can have a 1500 holding tank and have the waste removed once a year.

Public Questions/Concerns: No public present for the Goldman application
Board Questions/Concerns: None

Public Hearing Closed: 7:09PM

Public Hearing: Opened 7:10PM

Joseph Doyen #2006-072. Applicant has applied for a Site Plan Review to open a restaurant with an arcade located at 8462 State Route 54, Hammondspport. Property owner is Richard Yartym of Hammondspport. Applicant is Joseph Doyen of 10494 County Route 76, Hammondspport. Property owner not present. Applicant present for public hearing. Board held discussion. Applicant indicated that the outside sign will be a neon sign.

Public Questions/Concerns:
A .Charlie Egresi – Concerned that the information he received for the Clerk’s office had the address of the project at Back Valley Road and not State Route 54.

Board Questions/Concerns: None

Public Hearing Closed: 7:20PM

Public Hearing: Opened 7:21PM

Joseph & Lucille Farris Application #2006-073. Applicant has applied for a minor subdivision of 8.180 acre lot into (1) 4.180 acre parcel and (2) 4.00 acre lot. Property located at 8716 Urbana Road, Hammondspport. Applicant/Owner Joseph & Lucille Farris of same address. Mr. Farris was unable to attend. Mrs. Farris was present for the public hearing. Board held discussion.

Public Questions/Concerns: No public present for Farris application

Board Questions/Concerns: None

Public Hearing Closed: 7:25PM

Regular Meeting: Opened 7:26PM

A. Minutes:

- a. Minutes were reviewed from October 3, 2006. Mrs. Fitzpatrick made a motion to approve as amended. Seconded by Mr. Martuscello and minutes were approved.

B. Old Business:

- a. Concept/Site Plan Review
 - i. Dan Backer – Chairman requested the Clerk to send out a letter to the applicant. No new submissions.

C. New Business:

- a. Subdivision
 - i. Mike Doyle – Mr. Doyle has applied for a major subdivision. Mr. Doyle has applied for a major subdivision of land of 11.704 acres; into 7 lots. The property is located within the Town of Urbana & Village of Hammondspport. Applicant has also applied for subdivision with the Village of Hammondspport. Chairman, Robinson spoke with Harry Willis from the Department of State. Mr. Willis indicated that the Board can only address the property with in Town limits. He also indicated that the Board had 2 options to handle the subdivision. (1) Inter municipal agreement and (2) only deal with Town of Urbana property. Board held discussion with applicant. Chairman will contact Town Supervisor, Dick Gardner; to move ahead inter municipal agreement.

D. Old Business:

- a. Melvin Goldman #2006-014
 - i. The applicant completed a long form SEQR. The Board completed SEQR Part II – Long Form.
 1. 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 impact on the environment. I

Mrs. Fitzpatrick make a motion that a Negative Declaration be prepared. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

2. Findings:

- a. SEQR Complete & Negative Declaration Declared
- b. Notice of Public Hearing in the Corning Leader; in file
- c. M239 Referral from County – refers to local judgment
- d. Application complete
- e. No public present at public hearing

3. Mr. Lanphere made a motion to approve the findings.

Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

4. Mrs. Fitzpatrick made a motion to approve the Special Use Permit & Site Plan Review Application of Melvin Goldman as submitted. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye

b. Joseph Doyen #2006-072.

i. The applicants completed a long form SEQR. The Board completed SEQR Part II – Long Form.

1. 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 impact on the environment. I Mr. Lanphere make a motion that a Negative Declaration be prepared. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

2. Findings:

- a. File contained a letter from Mr. Yartym; giving Mr. Doyen permission to act on his behalf.
- b. Notice of Public Hearing in the Corning Leader & notice to property owners; in file
- c. SEQR completed & Negative Declaration Declared
- d. M239 Referral from County – refers to local judgment
- e. Application complete
- f. No public present at public hearing

3. Mr. Lanphere made a motion to approve the findings.

Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

4. Mr. Lanphere made a motion to approve the Site Plan Application. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

c. Farris Application #2006-007

i. The applicants completed a long form SEQR. The Board completed SEQR Part II – Long Form.

1. 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 impact on the environment. I Mrs. Fitzpatrick make a motion that a Negative Declaration be prepared. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

2. Findings:

- a. Notice of Public Hearing in the Corning Leader & notice to property owners; in file
- b. SEQR completed & Negative Declaration Declared
- c. File contains 6 surveys
- d. No public present at public hearing
- e. Meets all local subdivision laws

3. Mrs. Fitzpatrick made a motion to approve findings. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

4. It is the determination of the Planning Board that the minor subdivision application of Joe Farris meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Mrs. Fitzpatrick make a motion to approve the Joe Farris subdivision as submitted. Seconded Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

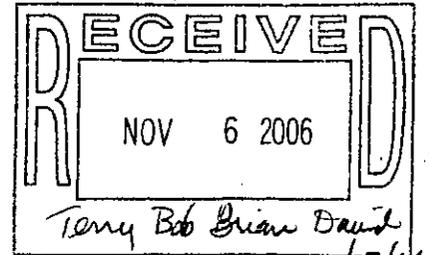
E. Motion to Adjourn

- a. Mr. Robinson made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 8:50PM.

Respectfully Submitted,

Carly McConnell
Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
October 3, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Gordon Lanphere	Board Member
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Carly McConnell	Recording Secretary
Public Present	Lucy Farris	Joe Farris
	Joseph Doyen	Darci Doyen
	Phil Davis	Bill Hewson
	Edward Wightman	Nick Vertts

Regular Meeting: Opened 7:04PM

A. Minutes:

- a. Minutes were reviewed from Aug 6, 2006. Mr. Martuscello made a motion to approve as submitted. Seconded by Mr. Lanphere and minutes were approved.

B. Old Business:

a. Concept/Site Plan Review

- i. Dan Backer – No new submissions. Chairman will ask the Clerk to contact applicant for status of application.
- ii. Mel Goldman- Board held discussion with applicant. Applicant is in the process of completing his Federal application for a winery license. Applicant has been in contact with the DEC regarding waste water. DEC has advised him to have a holding tank for the waste water. Applicant has built a 32'x24' metal building for storage of grapes on the property. The applicant will take grapes from his property to a local press and a mobile bottling line will bottle the wine at the winery. The applicant is estimating that he will produce 5000 gallons (2000 cases). Most will be sold on site with a few sold to local restaurants. A farm winery is permitted in an agriculture district but a special use permit would be required for retail sales. The applicant has filled out a special use permit application. The Board is concerned with the waste water plan. The Board will request the Clerk to set up a public hearing for the next meeting; provided that the applicant turns in the needed information.

C. New Business:

a. Concept Review

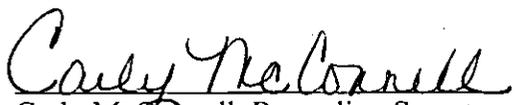
- i. Ed Wightman #2006-059. Applicant is Ed Wightman of 11250 Gold Seal Way Hammondsport NY. The proposed project is to construct a 50' x 80' pole barn to store approximately 18 boats. The proposed project will be located at the residence. Applicant said the location site would not be visible from the road. Applicant will not be servicing or winterizing any boats. A door will be at both ends of the building. CEO, Magee recommended to the Chairman; to waive any further review on this project. Mr. Lanphere made a motion to waive any further review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye
 - ii. Joseph Doyen #2006-072. Applicant Joseph Doyen 10494 County Rt 76, Hammondsport, NY. Owner is Richard Yartym Po Box 231, Hammondsport, NY. The file contains a letter from Mr. Yartym for the applicant to act on his behalf regarding this property. The property is located at State Route 54, Hammondsport. Applicant is leasing the building with an option to buy. The proposed project is a small diner for breakfast and lunch with an arcade. The applicant indicated that the septic has been inspected and approved. The applicant submitted to the Board a revised drawing of the parking. The applicant said that the arcade will have adult supervision when it is open. The applicant has proposed 2 signs for the 2 businesses Darci's Breakfast & Lunch and Phatz Arcade. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- b. Subdivision
- i. Joe Farris #2006-073. Applicant/Owner is Joe Farris, 8716 Urbana Road, Hammondsport. The proposed project is to subdivide the total 8 acres into 2 lots of 4 acres each. The property is located behind Gold Seal. A barn is located 24' from the proposed property line. Lot 1 with the house has been sold. Lot 2 with the barn will be retained by the property owner. Board will request the Clerk to set up a public hearing when the application is complete.
 - ii. Philip Davis #2006-074. Applicant/Owner is Philip Davis, 4090 Shorewood Drive, Hammondsport. The property is located on County Route 113 in Hammondsport. The proposed project is to subdivide the total 31.53 acres to 1) 21.78 acres 2) 5 acres 3) 4.75 acre lots. Existing school house on Lot 2. The applicant plans to sell Lot 2 & 3 and retain lot 1. The Board will request the Clerk to set up a public hearing when the application is complete.

D. Planning Issues:

- a. The next regular meeting for the Planning Board will be held on Nov 6. Due to Election Day being on Nov 7.

- b. Mr. Fitzpatrick attended a Planning Conference on September 19 in Penn Yan. The conference was titled Yates & Schuyler County Land Use Training.
- E. Motion to Adjourn
 - a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
 - b. Meeting adjourned at 8:45PM.

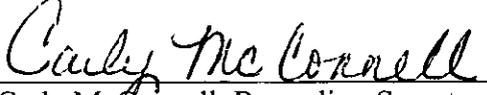
Respectfully Submitted.


Carly McConnell, Recording Secretary

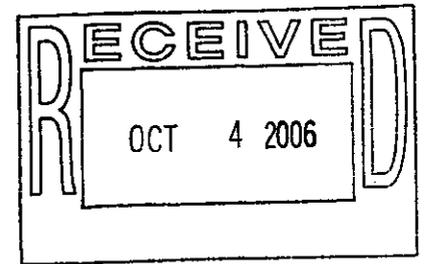
**Town of Urbana
Planning Board Minutes
September 5, 2006**

The Town of Urbana Planning Board did not hold a regular meeting on September 5, 2006; due to not having any business to conduct.

Respectfully Submitted.


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
August 1, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Gordon Lanphere	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Joy Goodsell	

Regular Meeting: Opened 7:04PM

A. Minutes:

- a. Minutes were reviewed from July 11, 2006. Mrs. Fitzpatrick made a motion to approve as submitted. Seconded by Mr. Martuscello and minutes were approved.

B. Old Business:

a. Subdivision

- i. Weaver-No new submissions
- ii. Noteware-Chairman signed & stamped surveys. Chairman requested Attorney Flynn to review the deeds; to confirm that the newly drafted deeds reflected the conditions placed on the subdivision from the Planning Board. To date the Planning Board has not received any correspondence from Attorney Flynn regarding this matter.
- iii. Radke- The applicants completed a long form SEQR. The Board completed SEQR Part II – Long Form.
 1. 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 impact on the environment. I Mr. Martuscello make a motion that a Negative Declaration be prepared. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

The Chairman signed and stamped the surveys.

b. Concept/Site Plan Review & Special Use Permit

- i. Mel Goldman – No new submissions & applicant has picked up a new application from the clerk.
- ii. Dan Backer – No new submissions
- iii. Cobe Gohari – Applicant sent a letter requesting an extension.

- iv. Tim Tompkins – No response from the Clerk’s letter to the applicant. Mr. Tompkins had until July 31, 2006 to respond.

C. New Business:

a. Subdivision

- i. Joy Goodsell #2006-054. Applicant is Joy Goodsell of 74 West Lamoka Ave, Savona, NY. The property location is Vanamburg Road & Longwell Road in Hammondsport. The owners of the property are Olin Anderson & Richard & Louise Hubiak. The applicant previously purchased the property with a total of 18.93 acres. The applicant believes that she purchased the property as 2 deeded lots (11.7 acre lot & 7.23 acre lot). The applicant sold the property to Olin Anderson (7.23 acre lot) & Mr. & Mrs. Hubiak (11.7 acre lot; as described in the deeds). CEO Oliver has indicated to the Board that the property has not been subdivided and needs to be done. The Board advised the applicant that a survey would be required. The applicant has been advised of her options.

D. CEO:

- a. Rotman- Chairman spoke with CEO Magee. Mr. Magee indicated that he thought the Board waived any further review at the March 2006 meeting; so he issued a permit.
- b. Morrison & Locey – CEO Magee will follow up on

E. Motion to Adjourn

- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Robinson.
- b. Meeting adjourned at 8:24PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

Town of Urbana
Planning Board Minutes
July 11, 2006

Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Norm Hann	Board Member
	Gordon Lanphere	Board Member
	Carly McConnell	Recording Secretary
Public Present	Frank & Barb Zimmara	Tom Noteware

Public Hearing: Opened 7:01PM

Tom Noteware Application #2006-030. Proposed project is a minor subdivision of 11.787 acre lot into 1) 9.559 acre lot 2) 2.228 acre lot. The property is located at 10250 West Lake Road in Hammondspport. Applicant/owner is Tom Noteware of 10259 Glengrove Point in Hammondspport. The property is co-owned by Frank Zimmara. Mr. Noteware & Mr. Zimmara were present for the public hearing. The file contains:

1. Completed Short Form SEQR Part 1
2. 5 copies of the survey
3. Notice of Public Hearing from the Corning Leader
4. Paid receipt
5. CEO Report indicating that the file is complete
6. Completed application
7. Paid tax receipts
8. Sketch plat
9. Copy of deed
10. Letters to neighbors

Public Questions/Concerns: None

Board Questions/Concerns: None

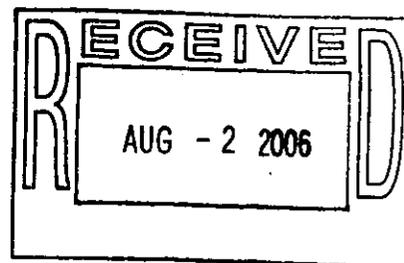
SEQR:

1. Applicants filled out the project name at the public hearing
2. SEQR Short Form Part II – completed
3. Mrs. Fitzpatrick made a motion based on the information and analysis and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons for supporting this determination. Seconded by Mr. Lanphere. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

Public hearing closed: 7:13PM.

Regular Meeting: Opened 7:14PM

- A. :Old Business:
- a. Subdivision



i. Noteware:

1. Findings

- a. No negative impact found during SEQR
 - b. Completed application
 - c. No negative comment or public present at public hearing
 - d. Does not meet bulk requirements
 - e. Parcel 1B needs to be annexed to Parcel 2 (Mr. Zimmara)
 - f. Parcel 1A to be retained by Mr. Noteware.
2. Mr. Hann made a motion to approve findings. Seconded by Mr. Lanphere. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
3. It is the determination of the Planning Board that the minor subdivision application of Tom Noteware meets the requirements of the subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I Mrs. Fitzpatrick make a motion to approve the Tom Noteware subdivision conditional upon Parcel 1B being annexed to Parcel 2 (Mr. Zimmara's property) and Parcel 1A being retained by Mr. Noteware, and instruct the chairman to sign the survey. Seconded Mr. Hann. Roll Call Vote: Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

ii. Radke

1. Mr. Hann made a motion to annul the SEQR based upon errors & omissions in the SEQR. Seconded by Mrs. Fitzpatrick and all were in favor. The Board will request the Town Clerk to forward a new SEQR to the applicant.

b. Concept/Site Plan Review:

- i. Mel Goldman – Applicant is working on new plans
- ii. Dan Baker – No new information
- iii. Tompkins & Gohari – The Clerk with send out a request for information on the project status from the applicants

B. Minutes

- a. Minutes were reviewed from June 6, 2006. Mrs. Fitzpatrick made a motion to approve as submitted. Seconded by Mr. Robinson and minutes were approved.

C. CEO:

- a. The Board reviewed the activities report from CEO Magee. The Chairman will contact CEO, Magee regarding Rotman#2006-027
- b. Locey – Chairman talked with CEO Magee, who indicated that he spoke with the applicant.
- c. Morrison – CEO talked to him and he will fill out an application for his business on Route 54.

D. Other

a. The Board will request that the Clerk give out the Short Form SEQR to all applicants

E. New Business: None

F. Motion to Adjourn

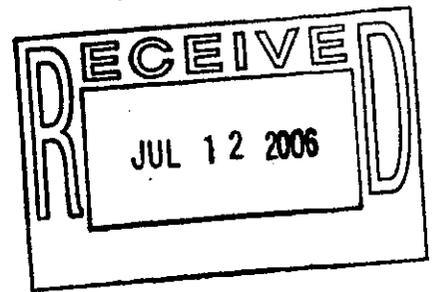
a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Robinson

b. Meeting adjourned at 8:04PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
June 6, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Norm Hann	Board Member
	Paul Martuscello	Board Member
	Carly McConnell	Recording Secretary
Public Present	Tom Noteware	
	Doug Paddock	
	Frank & Barbara Zamiara	

Public Hearing: Opened 7:01PM

Warren Radke Application #2005-119 –Proposed project is to subdivide a .12 acre parcel to 1) .054 parcel & 2) .067 parcel lots. The newly created lots will be annexed to the neighbors Mike Argentieri & Doug Paddock. Current use of the parcel is vacant land. Applicant is Mike Argentieri of 411 Haverling St., Bath, NY. Property owner is Warren Radke of 24 Orchard St., in Corning NY. The file contains a letter from the property owner giving Mr. Argentieri & Mr. Paddock permission to act on his behalf in this matter. Mr. Paddock present at public hearing.

Public Questions/Concerns: None

Board Questions/Concerns: None

Public Hearing Closed: 7:03PM.

Regular Meeting: Opened 7:04PM

A. Old Business:

- a. Concept/Site Plan Review & Special Use Permit
 - i. Mel Goldman – No new submissions
 - ii. Dan Backer – No new submissions

B. New Business:

- a. Subdivision
 - i. Tom Noteware #2006-030. Applicant/property owner is Tom Noteware & Frank Zamiara. The proposed subdivision will be to subdivide the total 11.787 acre lots to 9.559 acre lot & 2.228 acre lot. Mr. Noteware will retain lot 1A & Mr. Zamiara will retain lot 1B. Board held discussion with applicants. The Board will request the Town Clerk to set up a public hearing once the application is complete. Mr. Martuscello made a motion to declared Noteware subdivision a minor subdivision & unlisted action for short form SEQR. Mrs. Fitzpatrick seconded. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

C. Old Business Continued:

a. Subdivision

i. Radke Subdivision #2005-119

1. SEQR Long Form – Completed.
2. Mrs. Fitzpatrick made a motion based on the information and analysis and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons supporting this determination. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

3. Findings

- a. Negative declaration during SEQR
- b. No public present at public hearing
- c. Lots do not meet the bulk density requirements
- d. The two newly created lots will be annexed to neighbors; Paddock & Argentieri
- e. Application completed

Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Hann and all in favor.

4. It is the determination of the Planning Board that the Minor Subdivision application of Radke meets the requirements of subdivision law with sufficient compliance as to be granted status for consideration of approval or disapproval. I, Randy Robinson make a motion to approve the Radke subdivision as submitted with the condition that the 2 newly created parcels be annexed to the neighbors Paddock & Argentieri. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robison-aye.

D. Minutes:

- a. Minutes were reviewed from May 2, 2006. Mr. Martuscello made a motion to approve as submitted. Seconded by Mrs. Fitzpatrick and minutes were approved.

E. Planning Issues:

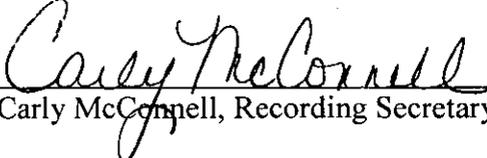
- a. The Planning Board will request that the Town Board order "The Short Course" training information for them.
- b. The Planning Board received a letter from John Jensen.
- c. Mr. Martuscello attended a training class on zoning issues. Mr. Martuscello discussed with the Board what he had learned regarding use permits (handled by ZBA) & special use permits.

F. CEO Issues (Chairman will review the follow information with the CEO):

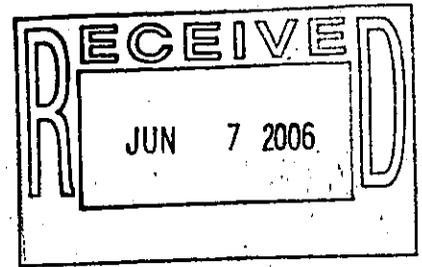
- a. Locey – The Board discussed Mr. Locey's location & issues concerning his property.

- b. Paint Ball Store – The Board received no information regarding this project prior to store opening. The Board is to review all projects on Route 54.
- G. ZBA:
 - a. Gustin- The ZBA ruled that it was 4 lots
- H. Other
 - a. The next regular meeting of the Planning Board will be held on July 11, 06; Due to the July 4th Holiday being the 1st Tuesday of the month.
- I. Motion to Adjourn
 - a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
 - b. Meeting adjourned at 8:06PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
May 2, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Gordon Lanphere	Board Member
	Carly McConnell	Recording Secretary
Public Present	Doug Paddock	
	Tim Parmalee	
	Bonnie Gustin	

Regular Meeting: Opened 7:04PM

A. Minutes:

- a. Minutes were reviewed from April 4, 2006. Mrs. Fitzpatrick made a motion to approve as amended. Seconded by Mr. Lanphere and minutes were approved.

B. Old Business:

a. Subdivision

- i. Mike Argentieri – The Board will set up a Public Hearing for the next regular meeting.

b. Concept/Site Plan Review & Special Use Permit

- i. Mel Goldman – No new submissions
- ii. Ralph Brewer – No new submissions
- iii. Dan Backer – No new submissions
- iv. Tim Parmalee – The Board received a letter from CEO, Magee indicating the code violations have been taken care (see attached). The Board held a discussion with the applicant regarding parking of cars on the lot (maximum amount allowed and in designated areas, no flags & banners & the sign.

v. Findings:

1. Application complete
2. Code violation remediate
3. No negative input at Public Hearing
4. Received positive comment at Public Hearing
5. M239 returned – deferring judgment to Planning Board
6. SEQR completed
7. Allowable use in district
- vi. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Lanphere. All in favor
- vii. Mr. Lanphere made a motion to approve the Parmalee Site Plan Application with the following conditions.
 1. Installation of a professionally prepared sign constructed of weatherproof materials and containing graphic lettering,

which meets or exceeds currently accepted public commercial sign standards. Aforementioned sign shall include the business name and telephone number and shall be installed within 60 days of this date with the removal of the currently existing sign.

2. A maximum of six (6) vehicles parked perpendicular to state route 54 in delineated spots to include concrete bumpers with an additional six vehicles permitted behind the fence in designated parking spots.
3. Ingress and regress to remain the same on the entire property.
4. No onsite repairs or work to be preformed on any vehicle.
5. No onsite vehicle parts to be stored at the business location or on property parcel which the business is located. This includes but is not limited to tires, batteries sheet metal etc.
6. No banners, ribbons, flags, lights or other attraction devices are permitted.
7. Sales limited to vehicles only. No accessories, parts or other items shall be offered.

Seconded by Mrs. Fitzpatrick. Roll Call Vote: Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

- viii. The Board informed the applicant that they reserve the right to suspend or revoke the site plan in the event that the Planning Board is informed of any code violations on the property.

C. New Business:

a. Subdivision

- i. Keith & Bonnie Gustin #2006-026. Applicant/property owner is Keith & Bonnie Gustin of 8976 Trio Drive, Hammondsport. The property is of the same address. Pre 911 address; 132-134 West Lake Road. The Board is unclear if the property is currently 4 surveyed lots or 1 lot. Town Supervisor, Dick Gardner indicated to Chairman Robinson; pre a conversation with Town Attorney Brian Flynn that the property is 1 lot. The Board advised the applicant that if the lot is surveyed as 1 lot; then the property would not meet the bulk the density requirements for subdivision. The Board also advised the applicant that they would be unable to move forward with this application until the number of surveyed lots is determined.

D. Old Business Continued:

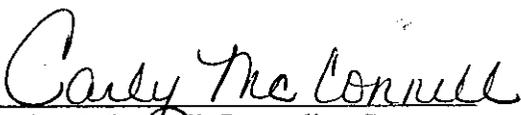
a. Site Plan Review

- i. Lawrence White Application #2006-015 - Chairman Robinson received written notification from the ZBA, indicating that Mr. White's variances were approved. The Board held a discussion. Mrs. Fitzpatrick made a motion to waive any further review. Seconded by Mr. Lanphere. Roll Call Vote: Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

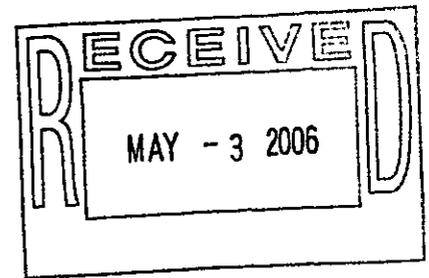
E. Motion to Adjourn

- a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 8:30PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
April 4, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Gordon Lanphere	Board Member
	Carly McConnell	Recording Secretary
Public Present	Sally Madigan	Kathy Warren
	Jeff Eaton	Laura Opelt
	Dan Backer	Tim Parmalee
	Phil Weaver	Stanley Yartym
	Don & Hattie Benham	

Public Hearing: Opened 7:01PM

Tim Parmalee Application #2005-117. Proposed project is a used car lot located at 8422 Route 54, Hammondspont. The property is owned by Donald Benham and Mr. Parmalee would lease the south end of the property. The applicant stated that he felt he has met all the requirements from CEO, Magee.

Public Questions/Concerns:

1. Stanley Yartym – Present to support the project and indicated that he would be working with applicant.

Board Questions/Concerns: None

Chairman, Robinson read a letter into the minutes (see attached) & provided a copy to the applicant from CEO, Magee regarding outstanding violations. Chairman Robinson indicated that the Board can not move ahead with the project until all violations have been cleared up. The Board has 60 days to make a decision. M239 has been returned from the County; deferring judgment to the Planning Board

Public hearing closed: 7:04PM.

Regular Meeting: Opened 7:08PM

A. Minutes:

- a. Minutes were reviewed from March 7 & 14, 2006. Mr. Hann made a motion to approve as submitted. Seconded by Mr. Lanphere and minutes were approved.
- b. Minutes were reviewed from March 22, 2006. Mr. Hann made a motion to approve as amended. Seconded by Mr. Lanphere and minutes were approved.

B. Old Business:

- a. Subdivision

- i. Mike Argentieri – No new information
 - b. Concept/Site Plan Review
 - i. Mel Goldman – No new submissions
 - c. Special Use Permit
 - i. Ralph Brewer – No new information
- C. New Business:
 - a. Subdivision
 - i. Philip Weaver Application #2006-019. Applicant/property owner is Philip Weaver, 7400 County Rte. 13, Bath, NY. Proposed project is to subdivide .90 of an acre from the total 52.92 acre lot; an annex the .90 of acre to the Jack Shoemaker (neighbor).
 - b. Concept Review/Site Plan
 - i. John Doan Application #2006-020. The proposed project is to install a 35' retaining wall with a 16' deck over the top. There is no residence on property. The proposed project would allow the property owner to have more beach front and the deck is already on site. Approximately 60 ton of dirt would have to be removed. Applicant would be doing all of the construction. Chairman Robinson spoke with CEO Magee, who indicated that he did not see any issues with the project and did not feel that a full site plan review would be needed. Mr. Martuscello made a motion to waive any further review. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - ii. Lawrence White Application #2006-015. Proposed project is to remove the existing cottage and replace with a 3 story single family residence at 10090 West Lake Road. Kwic has approved the septic system. Height, side & front variances would be required for this project. The Board can not waive any further review until the ZBA has made a decision on the variances. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - iii. Dan Backer - Market Place Realty Application #2006-017. Proposed project is the construction of a 2 story home on a full concrete poured foundation at 8671 South Lake Road. The lot currently is vacant. The Board discussed a road collapse issue regarding a previous owner at this property location, that needed to be fixed by the Town with Town funds. The applicant indicated that he was aware of this issue and has reviewed the file regarding this issue with an engineer. The applicant's plans include shoring up the road way. The applicant indicated that the septic system plans are currently being worked on. The Board advised the applicant to contact Town Highway Superintendent Dave Buckley, before building structures in the Town right of away. Chairman, Robinson stated that under Town Code 88-13; the Planning Board

reserves the right to have the engineered plans reviewed by an independent engineer at the applicant's expense. Chairman also indicated that this would be a standard procedure for this project due to the history of the property. The applicant indicated that he was not opposed to this, but was concerned of the length of time this process would take. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

D. Planning Issues

a. Steuben Church People Against Poverty (SCAP) – Urban Renewal Plan (URP) Summary Opinion to the Town Board.

- i. Board held a discussion regarding this issue and public concerns. The Board also discussed a letter that the Town Board received from the NYS Housing Trust Fund, that stated that they disagreed with the Town of Urbana being the lead agency for SEQR process and indicated that the SEQR should be a Type 1 action. SCAP representative Jeff Eaton indicated that the NYS Housing Trust Fund received information regarding this project from SCAP, because the NYS Housing Trust Fund reviews the process. Mr. Eaton also indicated that it is not unusual for NYS Housing Trust Fund to be the lead agency on this type of project. Chairman Robinson spoke with an attorney from Association of Towns, who indicated that the Town has asked for an opinion only and advised the Planning Board to make an opinion with the information provided.

1. Findings

- a. Controversial opinions regarding lead agency status and proper "Governing Body" actions & whether the Planning Board can make a qualified opinion in this matter
- b. Public controversy & support for the project
- c. The building at 41 Main Street Hammondsport does not meet the strict definition of "substantial and insanitary area" as defined by General Municipal Law Article 15 502 4.
- d. The proposed URP will have an impact on transportation- alteration of present patterns of movement of people.
- e. The proposed URP will conflict with officially adopted plans or goals.
- f. The proposed URP will create a demand for additional community services.
- g. The proposed URP will potentially set an important precedent for future projects.

- ii. Mr. Martuscello made a motion to approve the findings. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye. A motion was made by Mr. Lanphere to provide the Town Board with the opinion that the project does comply with the Urban Renewal Plan. Seconded by Mr. Hann. Roll Call Vote: Martuscello-nay, Hann-aye, Lanphere-nay, Fitzpatrick-nay, Robinson-nay. The motion was not carried.

E. Motion to Adjourn

- b. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
- c. Meeting adjourned at 8:45PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

Town of Urbana

Municipal Codes Enforcement Department
41 Lake Street ~ PO Box 186 ~ Hammondsport NY 14840

Randy,

As per your request I visited the Benham site this weekend. The attached photos were taken at that time. Mr. Parmalee has done a remarkable job, to date, and should be commended. To answer your question as to whether or not there are still violations – I would have to say that there are still a few issues to attend to:

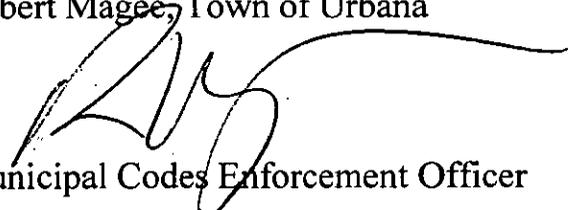
1. Junk truck
2. Large pump by road
3. Old bulldozer
4. Remove signs or place behind building
5. Small pile of scrap metal behind fence.

W. TIRES

Upon completion of the aforementioned I will be able to sign off on this project.

If you have any questions I can be reached through the Town Clerk at 569-3743 or at 769-6964.

Respectfully,
Robert Magee, Town of Urbana



Municipal Codes Enforcement Officer

**Town of Urbana
Planning Board Minutes
March 22, 2006**

Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Gordon Lanphere	Board Member
	Carly McConnell	Recording Secretary
Public Present	Brian & Nancy Snyder	Dick Gardner – Town Supervisor
	Charlie Egressi	Stella Pulver
	Anne Green	Nichole Dresser
	John & Bev Webster	Paul Clark
	John French	Fran Pierce
	Ralph Brown	Emery & Jackson Cummings
	Jeff James	Lynn & Bob Domras
	Judy Gardner	Starr Perry
	Jim & Mary Duggan	Scott Sprague
	Ed Voght	Rick Drain
	John Jensen	Jim Presley
	Anne Marie Newfang	Jim Mitchell
	Jim & Diane Walling	Mr. & Mrs. Doug Malone
	Dick Hamilton	Marlyn Eckle
	Jeff Eaton	Mr. Foster
	Debbie Pierce	Sam Pennise

Public Hearing: Opened 7:05PM

Brian & Nancy Snyder Application #2006-007 – The proposed project is an indoor boat storage facility located on County Route 87 in Hammondsport. Applicants are Brian & Nancy Snyder. Property owner is Grace McNamara; applicants are purchasing the property from Ms. McNamara. Applicants were present & no public was present for this public hearing.

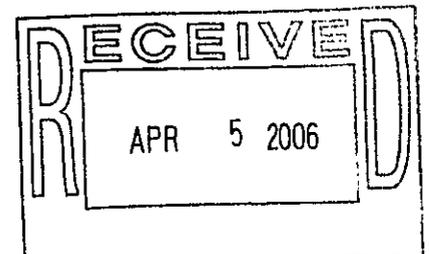
Public Questions/Concerns: None

Board Questions/Concerns: None

Public Hearing Closed: 7:08PM.

Public Hearing: Opened 7:08PM

Proposed Urban Renewal Plan (URP) for the property located at 41 Lake Street in Hammondsport (Municipal Hall). The objective of the Board is to provide the Town



Board with an opinion on SCAP's proposed renovations of the Municipal Hall into a 21 unit low income senior housing unit and the URP compliance with the provisions of Section 502 (7) and Section 504 of General Municipal Law Article 15. Chairman Robinson indicated that the plans for the project are available for public review at the Town Clerks Office. The ownership of the building will remain with the Town of Urbana. Steuben Church People Against Poverty (SCAP) will lease the building from the Town. Mr. Jeff Eaton (SCAP Representative) provided the Board & public with overview of the project.

Public Questions, Concerns & Comments:

1. Funding (for the renovations of building & for maintaining the building)
2. Site Plan Review
 - a. Public would like to see a Site Plan Review.
 - b. Concerned that a Site Plan Review will not happen
3. Rezoning – The public does not understand why this project does not require rezoning.
4. Residents of the building
 - a. The public is concerned that in the future the criteria for who may rent the units may change.
 - b. How the rent will be established
 - c. Village/Town residents would not have precedence over other applicants for renting the apartments
5. Ambulance Service – Local volunteer ambulance members are concerned that this project will cause an increase of calls for the local ambulance service, which is already limited on volunteers.
6. Lease – Would like to know if the lease is going to be made public and if the building reverts back to the Town at the expiration of the lease.
7. Maintained – Who will maintain the building?
8. Lead Agency
 - a. Who is the Lead Agency; the Town or Village?
 - b. How do you determine the Lead Agency?
 - c. The legality of the Town being the lead agency over the Village.
9. URP
 - a. Understanding the URP
 - b. URP plan being for an area and not just for a building
 - c. Why are we using the URP
10. Public Approval of Project
 - a. Positive effect on the community
 - b. Good use & idea for the building
 - c. A member of the public has visited several of SCAP properties and stated that all the properties are well maintained.
11. Historic – Concern that the building is listed under the National Historic Registry
12. Market Study – Concerned that the area of the market study was not just the Town & Village and was a large area.
13. Codes
 - a. Who is going to enforce the codes

- b. How could the Town CEO enforce codes in the Village
14. Planning Board
- a. The Planning Board did not have enough information of the project to provide an informative meeting for the public
 - b. Does the Planning Board's opinion matter to the Town Board?
 - c. The Board had more expectations for the meeting.
 - d. Could the Town Board vote at their meeting this week and the project could go ahead without the public's questioned answered and without a Site Plan Review?

Jeff Eaton Comments:

- 1. Funding
 - a. A brief explanation of the funding available for this project
 - b. Access to funding available because of the nature of the project. Federal & State laws allow the low income senior housing.
- 2. Selection Process
 - a. Brief explanation of qualifications for potential renters.
 - i. Minimum of 62 years old
 - ii. Maximum income is 50% of the area medium.
 - iii. Rent based on income of renters and a sliding scale
 - b. Every 6 months the apartments are inspected
- 3. Marketing
 - a. Would start 4 to 5 months prior to building completion
 - b. Explanation of the selection process
- 4. Plans – The plans have changed to accommodate an area for the Village office's
- 5. Lease Information
 - a. A 99 year lease
 - b. SCAP maintains the building
 - c. The building will revert back to the town upon expiration of the lease
 - d. After 15 years (after tax credits have expired) the property can be transferred to SCAP
 - e. Funding with DHR governs the minimum age requirement for 50 years.
- 6. SCAP – Non Profit
- 7. Site Plan Review – Under the URP the project would not be required to have a full site Plan Review
- 8. Village Comprehensive Plan is from 1967.

Board Questions/Comments:

- 1. Plan – Indicated the plan is available for public review and encouraged the public to review the plans
- 2. Boards Opinion
 - a. Hope that the Planning Board's opinion does matter to the Town Board
 - b. Opinion Approval – The Town Board would be required to pass the project by a majority vote.
 - c. Opinion Disapproval or nonqualified – The Town Board would be required to pass the project by a 3/4 majority vote.
 - d. Definition of URP – Provided a brief explanation of URP
- 3. The Town Board will hold a public hearing

4. The building is not on the national historic registry
The Board received a letter from Mr. & Mrs. Fred Demara (see attachment)

Public Hearing Closed 8:50PM

Special Meeting: Opened 9:00PM

A. Old Business:

a. Concept Review / Special Use Permit

i. Parmalee — SEQR Form Part II — Completed.

1. Mrs. Fitzpatrick made a motion based on the information and analysis and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons supporting this determination. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
2. The Board will schedule a public hearing for the next regular meeting.

ii. Snyder —

1. File Contains:

- a. Notice for Public Hearing from the Leader
- b. M239 Referral — deferring judgment to Planning Board
- c. Letter to applicant advising of public hearing
- d. Letters to adjacent property owners
- e. Plat Map
- f. Completed SEQR
- g. Survey
- h. Paid application for Site Plan Review & Special Use Permit

2. Findings — Site Plan Review & Special Use Permit

- a. Meets all Local & State Laws
- b. No public comment at Public Hearing
- c. No public present for this Public Hearing
- d. Completed SEQR
- e. Negative Declaration during the SEQR process

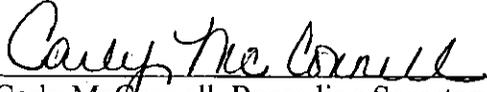
3. Mr. Lanphere made a motion to approve the findings. Mr. Martuscello seconded and all in favor.

4. Mrs. Fitzpatrick made a motion to approve the Site Plan Review & Special Use Permit based upon the findings as submitted. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Han-aye, Fitzpatrick-aye, Lanpher-aye, Robinson-aye.

B. Motion to Adjourn

- a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 9:40PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

Mr. Randy J. Robinson
7513 County Route 89
Bath, New York
14810

Mr. Robinson,

My wife and I will be unable to attend your Hearing on the proposed village housing project. We hope that you would read our comments and thoughts at the appropriate time during this meeting.

If what we read in the newspapers is correct, Steuben Church People Against Poverty wishes to convert the Municipal building into a low cost senior citizen apartment complex. Being seniors of limited means we see that as an honorable goal. However, we do not see any honor in the methodology being pursued.

There is a process in place to properly deal with such a request. One would make their request to the duly elected Village government. The Village government would then review the matter and reach a decision, utilizing established procedures and ordinances. Their decision would hopefully reflect the needs and desires of the local residents that elected them to office. As part of this process there also exists an opportunity for the Village residents to have a direct vote on this issue, granting them the right to have a say in the future and direction of their hometown. The approach that Steuben Church People Against Poverty is attempting to utilize is to purposefully remove the rights of the Village government and thereby remove the rights of the Village residents. An organization from another community has decided to come to our village and dictate our future. For some reason the Town government finds it necessary to assist this movement, whether "we, the people" want it or not.

This issue gives rise to the question of which "Church" is referenced in the title "Steuben Church People Against Poverty". Certainly not a Christian one. There is nothing Christian in their methods. What became of "render unto Caesar that which is Caesar's"? What church needs to trample the rights of the people, using lawyers, deception, and thinly veiled loopholes.

We have a young nephew currently serving in Iraq, where he and his fellow soldiers are fighting to give the people the basic right to vote. It is ironic and quite upsetting that Steuben Church People Against Property and the Town Fathers are about to take this fundamental right away from the people of Hammondsport. We should all be sure to remind those officials who have participated in this sham of the power of the vote and remove them from office at the next election.

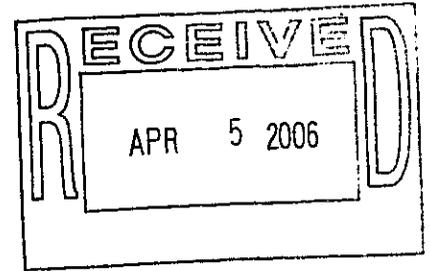
If it is within the power of your board to put this matter back into the hands of the people of this village, then it is your duty to do so.

Sincerely,

Mr. Fred Demara

Mr. and Mrs. Fred Demara
Hammondsport, New York

**Town of Urbana
Planning Board Minutes
March 14, 2006**



Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Gordon Lanphere	Board Member
	Brian Flynn	Attorney
	Carly McConnell	Recording Secretary
	Public Present	Kathy Warren
John Webster		Nichole Dresser
Jeff James		Ralph Brown
Bill Reed		Tim Favaro
Steven Weiss		John Oster
Stephanie Benson		Gwen Chamberlain
Sam Pennise		Charlie Egresi
Stella Pulver		Rachael Brown
Jack Merriam		John Jensen
Emery Cummings		Jeff Eaton
Dan Gallaher		

Special Meeting: Opened 7:05PM

The Planning Board held a special Meeting with representatives from Steuben Church People Against Poverty (SCAP). SCAP provided a power point presentation for the Board. The highlights of the presentation include the following:

1. History of SCAP
2. Current SCAP housing properties
3. Information regarding this project
 - a. 21 unit housing complex with new heating & air conditioning
 - b. Housing for low income seniors (minimum 62 years old)
 - c. Retaining exterior features of the building
4. Discussed the market area
 - a. Hammondsport/Urbana area
 - b. Prattsburgh
 - c. Wheeler
 - d. Avoca
 - e. Bath
 - f. Savona
 - g. Pultney
5. Reviewed the funding available to SCAP for this project
6. Provided a time of line of events that SCAP has undergone so far in this project with the Village & Town.

- a. September 2002- Site suggested by former Village Mayor DeSeyn
- b. October 2002- Met with Town Board
- c. December 2003- Met with Town Board
- d. January 2004- Met with Village Board
- e. February 2004- Completed Market Study
- f. March 2004- Met with TRUTH Committee
- g. June 2004- Met with Village Board
- h. January 2005- Met with Village Board & tour of SCAP properties with Town Board
- i. February 2005- Town/Village Informational Meeting at high school
- j. March 2005- Tour of SCAP properties with Village Board
- k. August 2005 – Met with Village Board, ZBA & Planning Board
- l. October 2005- Submitted master application to Village Board
- m. November 2005- Village CEO deems application complete
- n. February 9, 2006- Withdrew application from Village due to no response
- o. February 14, 2006- Submitted master application to Town
- p. February 27, 2006- Town approved Urban Renewal Plan (URP) resolution
- q. March 2006- Town Planning Board Meeting

The Board held a discussion with the SCAP representatives regarding this project and the URP process. The Board's objective is to review the URP (sections 502 & 504 – section 502 was not provided to the Board) and to form an opinion on whether this project fits the URP definition.

Board Questions/Concerns:

1. Unclear of how the Town can take over legal authority from the Village on a project located in the Village.
2. Unclear of the Planning Board's role in this project & if this project will come back to the Planning Board for Site Plan Review
3. Concerned about the Village's opinion of this project
4. Concerned that the Village will litigate this project.
5. How one determines that this project fits under the URP

SCAP Comments:

1. Indicated that any municipality can adopt a URP
2. If the Town implements a URP, then they become the governing body.
3. The URP is a legal alternative for the Town to proceed with project without having to go to the State Legislation.

Attorney Flynn Comments:

1. Town Board has accepted the opinion of the SCAP representatives regarding the URP and has determined that they have the authority.
2. Village does disagree with the Town the Board on this project.

Chairman Robinson read into minutes a letter from him to the Planning Board regarding this opinion on this project (see attachment).

A. Old Business:

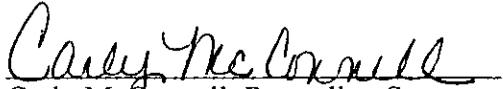
- a. Concept Review/Special Use Permit:

- i. Tim Parmalee -- The SEQR was filled out incorrectly by the applicant and the applicant will need to fill out a new one.
- ii. Brian Snyder -- SEQR Form Part II -- Completed.
 1. Mrs. Fitzpatrick made a motion based on the information and analysis and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons supporting this determination. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

B. Motion to Adjourn

- a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 9:20PM.

Respectfully Submitted.


Carly McGonnell, Recording Secretary

To: Town of Urbana Planning Board

From: Randy Robinson

Date: March 2, 2006

Subject: Opinion on SCAP Proposal

Dear Fellow Board Members,

On March 1, 2006 we as Board members first received a Memorandum from the Town of Urbana Board. This Memorandum assigned the Planning Board with the task of reviewing attached portions of General Municipal Law article 15, section 502 and section 504. We were then to submit an opinion regarding SCAP compliance with the aforementioned GML as it relates to their proposed renovation and subsequent housing of "low income senior citizens" at the location of 41 Lake Street, located in the Village of Hammondspport.

While I cannot specifically comment on 502(7) because it was not provided I did review article 15 504 and 502 3. and 4. It is my opinion a successful argument could be made that the Legislative intent of article 15 *does not* apply to the property located at 41 Main Street. Definitions of Urban renewal in 502 3. refer to substandard and unsanitary areas of municipalities. "The term "substandard or unsanitary area" shall mean and be interchangeable with slum, blighted, deteriorated or deteriorating area, or an area which has a blighting influence on the surrounding area".

After a complete review of exhibit A, the proposed URP March 2006 several key areas of concern come to mind.

1. Non-defined and often interchanged terms "affordable" and "low-income".
These terms do not necessarily have the same meaning.
2. Source data that supports a "substantial market demand"
3. Absent, a definition for "Area" as it relates to calculating the Area Median Income in determining qualification for occupants.
4. Parking for only 28 vehicles at a 21 unit complex.

5. Proposed Code Enforcement coming from the Town, would this not be the jurisdiction of the Village Code Enforcement Officer? Is there a cross municipal agreement concerning Code Enforcement?
6. On February 27, 2006 SEQR Review was determined to be an unlisted action. If there has ever been a project that required a type 1 SEQR determination in the area this is it.

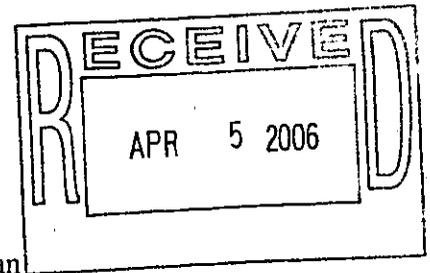
As we go forward as a Board let us not loose sight that we are Planners and are responsible for the structured growth of our community as it relates to the current Comprehensive Plan. We are charged with protecting the health, safety and well being of the area residents. We are often reminded to be diligent in our efforts to perform our responsibilities and that poor planning on the part of an applicant does not constitute an emergency on our part. Certainly a project of this magnitude in a small village has the potential to affect many people. I would suggest to the Board, we seize this opportunity to work collectively with our counterparts in the Village to examine this issue and work towards common goals. I encourage you to set a special meeting with Village officials so together we can do a risk analysis and be assured the risks are commensurate with rewards.

In closing it is irresponsible and unlikely that the Planning Board can make a reasonably prudent decision regarding the Town Boards request without the benefit of further examination and consultation. Traffic patterns and social/economic impact studies are just to name a few.

Respectfully Submitted

Randy Robinson- Planning Board Chairman

**Town of Urbana
Planning Board Minutes
March 7, 2006**



Board Present	Betty Fitzpatrick	Acting Chairman
	Paul Martuscello	Board Member
	Norm Hann	Board Member
	Gordon Lanphere	Board Member
	Robert Magee	CEO
	Carly McConnell	Recording Secretary
Public Present	Brian & Nancy Snyder	Sam Pennise
	Ralph Brown	Tim Akers
	Marc Rottman	Dan Gallagher
	Sara Linda Hooker	Scott Sprague
	Stella Pulver	Paul Clark
	Herman Heytmeijer	John French
	John Jensen	Tim Parmalee
	Dick Gardner -- Town Supervisor	

Public Hearing: Opened 7:02PM

Octagon House Application #2000-030 – Marc Rottman was present. The applicant has applied for a modification to an existing Site Plan & Concept application. No public was present for this public hearing.

Public Questions/Concerns:

1. Stella Pulver (Village Trustee) commended the applicant for all the work that is being done at the location

Board Questions/Concerns (with response):

1. Will there be any catering? No, this was withdrawn on June 2, 05.
2. Opening Date? Fall 06
3. Will there be a living area above the garage; it was the Board understanding that it had been withdrawn? Yes, there will be living space above the garage for a mother n law apartment and it was not taken off the request. This space will not be rented out.
4. 5th bedroom added? Yes, just by changing the use of a space and not by changing any floor plans.

Public hearing recessed at 7:10PM.

Regular Meeting: Opened 7:11PM

A. Old Business:

- a. Concept/Site Plan Review:

- i. Tim Parmalee – CEO, Magee indicated that he has met with the applicant and has visited the site. CEO, Magee indicated that more work still needs to be done. Mr. Parmalee stated the sign is completed. CEO, Magee will visit the location and take a picture of the sign to submit to the Board. Mr. Martuscello made a motion to request a public hearing for the next regular meeting. Seconded by Mr. Lanphere and all in favor.
- ii. Kolo – Application has been withdrawn.
- iii. McDaniels – Applicant indicated to CEO, Magee that he was going to withdraw his application. CEO, Magee request that he to put his withdraw in writing.
- iv. Ralph Brewer – No new information
- v. Brian Snyder – The Board held a discussion with the applicant. The applicant indicated that he would be putting up 1 building at this time. The applicant also indicated that outside storage may be possible for trailer storage, but not addressing this issue at this time.

b. Subdivision:

- i. Dan Bacher – Application has been withdrawn.

B. New Business:

a. Special Use Permit & Concept/Site Plan Review:

- i. Mel Goldman – Proposed project is a small farm winery with tastings and a small retail area at 8882 County Route 76 in Hammondsport. Pressing will be done off site. Fermentation will be done in tanks and barrels in the barn with the bottling being done by a mobil bottling line that is brought to the location. The applicant indicated that he still needs to apply with State & Federal departments for a farm winery and has already applied for a sales tax license. The applicant plans to process up to 2,000 cases (approximately 5,000 gallons) of wine. CEO, Magee state that a Special Use Permit will not be required. Mr. Lanphere made a motion to move to full sit plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye. Fitzpatrick-aye.

C. Planning Issues:

- i. SCAP Urban Renewal - Mr. Gardner, Mr. Galligher & Ms. Hooker was present to represent the project and provide information to the Board. The proposed project is to convert the existing Town Building into a 21 unit low income senior housing. The Town will remain the owners of the building with SCAP leasing the building. Mr. Gardner requested the Board to hold a Public Hearing and indicated that the public hearing was to review the clauses of municipal law and the plan would be brought to the Board at a later date for Site Plan Review and Concept Review. The Board held a discussion with Mr. Gardner, Mr. Gallagher & Ms. Hooker regarding this project. The Board members have concerns

regarding the who the lead agency is and should be on this project, zoning issues & the ability to take over the Village's domain on this project. The Board is also concerned over the Village's opinion of this project and concerned that the Village may take the Town to court over this issue. The Board will hold a work session on March 14 at 7pm to discuss this project. Mr. Martuscello made a motion to hold a Public Hearing on March 22. Seconded by Mr. Hann. Roll Call Vote: Marutuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye.

D. Minutes:

- a. Minutes were reviewed from February 7, 2006. Mr. Lanphere made a motion to approve as submitted. Seconded by Mr. Martuscello and minutes were approved

E. Old Business Continued:

- a. Octagon House – The Board Held a discussion

- i. Special Use Permit

1. Findings:

- a. No negative comments at Public Hearing, only a positive one
 - b. No Catering at location
 - c. 5th Bedroom added
 - d. Meet all State & Local requirements
 2. Mr. Martuscello made a motion to approve the findings. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye.
 3. Mr. Lanphere made a motion to extend the Special Use Permit until March 7, 07; the facility must be in operation by that time. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye.

- ii. Site Plan

1. Findings:

- a. No negative comments at Public Hearing, only a positive one
 - b. No Catering at location
 - c. 5th Bedroom added
 - d. Meets all State & Local requirements
 2. Mr. Hann made a motion to approve the findings. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye.
 3. Mr. Lanphere made a motion to approve the amendment of a 5th bedroom. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye.

F. Motion to Adjourn

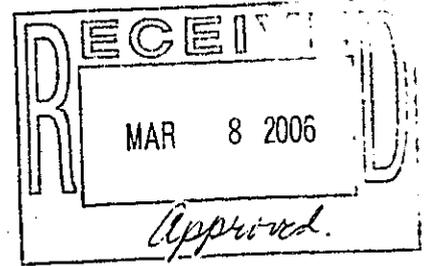
- b. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mr. Martuscello.

c. Meeting adjourned at 9:11PM.

Respectfully Submitted.

Carly McConnell
Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
February 7, 2006**



Board Present	Randy Robinson Betty Fitzpatrick Paul Martuscello Norm Hann Gordon Lanphere Carly McConnell	Chairman Board Member Board Member Board Member Board Member Recording Secretary
Public Present	Brian & Nancy Snyder Christine Kolo	

Public Hearing: Opened 7:05PM

Octagon House Application #2000-030 – Tim Akers (contractor representing the applicants) was unable to attend. No public was present for the public hearing. Mrs. Fitzpatrick made a motion to recess the public hearing until 7pm, March 7, 2006. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

Public hearing recessed at 7:08PM.

Regular Meeting: Opened 7:09PM

A. Minutes:

- a. Minutes were reviewed from January 3, 2006. Mr. Robinson made a motion to approve as amended. Seconded by Mr. Lanphere and minutes were approved.

B. Old Business:

a. Concept/Site Plan Review:

- i. Tim Parmalee - The Board received a letter from CEO, Magee regarding current violations at this property. CEO, Magee indicated that, per his conversation from Attorney Flynn the Board could not approve any applications on this property until violations are taken care of. CEO, Magee also indicated to the Chairman that the property is in violation of Section 78-3; which prohibits the accumulation of "junk" (as defined in 78-2; as auto, auto parts, machinery, metal or personal property). Mrs. Fitzpatrick made a motion not to act on the application, upon advisement from CEO, Magee; until the violations are taken care of. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- ii. McDaniels – No new information

C. ZBA:

- a. Ralph Habib Application #2006-010. Mr. Martuscello made a motion stating that the Board chooses not to enter any formal opinion in this matter. Seconded by Mr. Lanphere and all in favor.

D. New Business:

a. Subdivision

- i. Dan Bacher (Market Place Realty Group LLC) – Mr. Bacher was unable to be at this meeting. The file contains a letter from Mr. Bacher giving Brian Snyder the authority to act on his behalf in this matter. Proposed project is to subdivide the property located on East Lake Road into 2 lots (lot 1 – 81'x132' & lot 2 – 85'x132'). These lots are up for sale and there is a plan to build on one of those sites. CEO, Magee indicated to the Chairman that this lot had some erosion a few years back that required shoring up. CEO, Magee wants to be sure that the applicant understands that building on this site may not be permitted. The Board indicated to Mr. Snyder that after the subdivision is complete each lot would have to be a minimum of 10,000 square feet under subdivision law.

b. Concept/Site Plan Review

- i. Christine Kolodziejczak Application #2006-005. Proposed project is an ice cream stand located on her property at 8051 County Route 88. Applicant indicated that the current use of the location is a horse pasture and would like to keep the stand on skids. Applicant plans on the shop being open 7 days a week (until approx. 9pm each night) and open May to Columbus Day. The sign would be similar to the horse sign currently on the property. The applicant has spoken with the Department of Health, but has not applied for any permits at this time. Applicant indicated that the shop would run off the well and electricity from her residence on the property. The Board noted that a special use permit would be required. Mrs. Fitzpatrick made a motion to move to full site plan review and special use permit. Seconded by Mr. Matuscello and all in favor. Mr. Robinson made a motion to declare this project unlisted for SEQR Action. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- ii. Brian & Nancy Snyder Application #2006-007. Proposed project is an enclosed boat storage in a pole barn type building. The location would be on County Route 87. Applicants are in the process of purchasing the property from Grace McNamara. The building would be purchased in a kit and the applicants would then build it. The boats would be stored on trailers on the ground only. A special use permit would be required, because this property is located in an agriculture district. Mrs. Fitzpatrick made a motion to move to full site plan review and special use permit. Seconded

by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

E. Planning Issues:

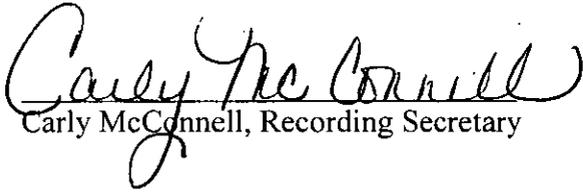
a. Training

- i. The Board held a discussion regarding the training requirement of the Board Members. Mr. Robinson & Mrs. Fitzpatrick attending a training course at the Steuben County Building on June 21, 2005 regarding open space & incentive zoning. Mr. Martuscello agreed to take training. Mr. Hann & Mr. Lanphere are new on the Board and will attend training.

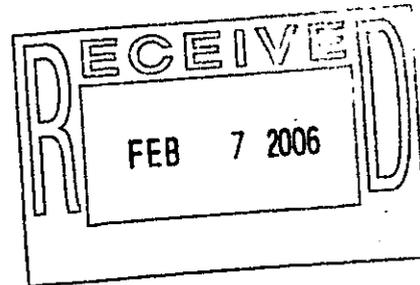
F. Motion to Adjourn

- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
- b. Meeting adjourned at 8:44PM.

Respectfully Submitted.


Carly McConnell, Recording Secretary

Town of Urbana
Planning Board Minutes
January 3, 2006



Board Present

Randy Robinson
Betty Fitzpatrick
Norm Hann
Paul Martuscello
Gordon Lanphere
Carly McConnell

Chairman
Board Member
Board Member
Board Member
Alternate Board Member
Recording Secretary

Public Present

Tim Akers
Ralph Brewer
Tim Parmelee
Daniel McDaniels
Mike Argentieri

Regular Meeting: Opened 7:03PM

1. Minutes:

- a. Minutes were reviewed from December 6, 2005. Mrs. Fitzpatrick made a motion to approve as submitted. Seconded by Mr. Hann and minutes were approved.

2. Old Business:

a. Special Use Permit & Concept/Site Plan Review:

- i. Octagon House - Tim Akers (contractor) provided the Board with an update on the project. Mr. Akers indicated that the project is approximately 50% done on the inside and the outside is done. Mr. Akers also indicated that the structure of the barn has been done to make it safe, but nothing else will be done to it at this time. Mr. Akers is not the contractor for the septic system, but informed the Board that the septic system has not been completed due to the weather and that the tank has been inspected. Catering will not be done at this time and the applicants will have a residence in the apartment located in the back of the building. The applicants plan to open spring/summer 2006. Chairman, Robinson will contact Mr. Debusk regarding the septic. Mr. Martuscello made a motion not to move to full site plan review and proceed with special use permit. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-nay, Robinson-nay.

3. New Business:

a. Subdivision

- i. Argentieri Application #2005-119. Proposed project is the sale of land that does not include any lake frontage by Mr. Radke to the neighbors Mr. Paddock and Mr. Argentieri. The Board held discussion with the applicant. Applicant will need to fill out a new application.

b. Concept/Site Plan Review:

- i. Tim Parmelee Application #2005-117. Proposed project is a used car lot located at 8422 Route 54, Hammondspoint. The property is owned by Donald Benham. Mr. Parmelee would lease the south end of the property with a two year lease. The office would be located in the former golf club shed. The applicant indicated that 6 to 12 cars would be for sale on the lot with no service work. Applicant is working on a State Permit. The applicant indicated that he was not going to set any hours at this point and would be meet with prospective buyers on an as need basis. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

ii. Daniel McDaniels Application #2005-118. Proposed project is a mobile auto repair business with a home office. Applicant will travel to customer's residence to repair their vehicles. Applicant will need to carry his own insurance and is required by the state to have a home office. Mr. Robinson made a motion to move to full site plan review. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

iii. Ralph Brewer Application #2005-115. Proposed project is to restore jeeps and sell to public located at 7209 Mitchellsville Road, Bath. The property owner is Ross Brewer. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

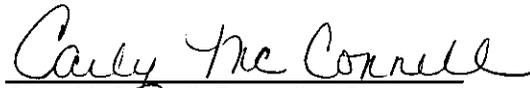
4. Planning Issues:

- a. Adult Entertainment Law - Board held discussion and will forward a letter to the Town Board; deferring to their judgment.
- b. SEQR Policy & Hoyt Application - Board has received no information from Attorney regarding these issues
- c. Enforcement Issues:
 1. Locey & Celebration Hall - Chairman Robinson spoke with the CEO regarding these issues.

5. Motion for adjournment:

- a. Mr. Hann made a motion to adjourn the meeting. Seconded by Mr. Lanphere.
- b. Meeting adjourned at 9:16PM

Respectfully Submitted


Carly McConnell, Recording Secretary