

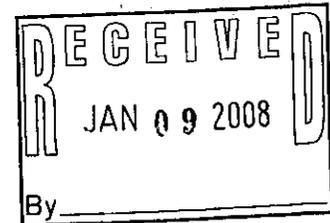
Planning Board



2007



**Town of Urbana
Planning Board Minutes
December 4, 2007**



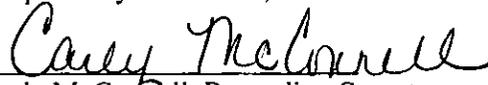
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|----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Norm Hann | Board Member |
| | Paul Martuscello | Board Member |
| | Gordon Lanphere | Board Member |
| | Carly McConnell | Recording Secretary |

Regular Meeting: Opened 7:04PM

Minutes:

- a. Minutes were reviewed from the regular meeting on November 7, 2007. Mrs. Fitzpatrick made a motion to approve the minutes of November 7, 2007 as submitted. Seconded by Mr. Robinson.
- A. Old Business:
 - a. Concept Review
 - i. Wayne Holly Application #2006-095. Board received a letter from CEO, Magee; stating the project is in compliance with the Board's conditions. Mr. Robinson made a motion based upon receipt of written determination of Site Plan compliance for application #2006-095; to grant final approval for the Site Plan Application. Seconded by Mr. Martuscello. Roll Call Vote: Lanphere-aye, Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye.
 - ii. Steve Campbell-No new submissions
 - b. Subdivision
 - i. Powell-No new submissions
 - ii. Rodkey-No new submissions
 - iii. Stratton-No new submissions
 - iv. Smith-No new submissions. Applicant unable to attend tonight's meeting and wants to be scheduled for January meeting.
 - v. Finger Lakes Resources-No new submission.
- B. ZBA:
 - a. Eldon Sincerbox-Board held discussion. The Board chooses not to enter any formal opinion in this matter. Due to not enough information being supplied to demonstrate a hardship.
- C. Planning Issues: Next regular meeting will be held on January 8, 2007
- D. Motion to Adjourn
 - a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Hann.
 - b. Meeting adjourned at 7:40PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

approved

**Town of Urbana
Planning Board Minutes
November 7, 2007**

| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Stephen Campbell | |
| | Cindy & Lin Hough | |
| | Matt Dann | |

Regular Meeting: Opened 7:04PM

Minutes:

- a. Minutes were reviewed from the regular meeting on October 2, 2007 & the special meeting on October 22, 2007. Mrs. Fitzpatrick made a motion to approve the minutes of October 2 & October 22 as submitted. Seconded by Mr. Hann.

A. Old Business:

a. Concept Review

- i. Wayne Holly Application #2006-095. The Board received a letter from the applicant requesting a modification on the site plan approval. Mr. Hough was present to represent the applicant in this matter. Mr. Hough discussed the modification with the Board. The applicant is requesting the addition of a walking path to be allowed to remain in the natural slope area that would not be more than 4' wide.

1. Findings:

- a. A written request by Mr. Hough was received by the Town's Planning Board on October 26, 2007 to modify a Site Plan Approval dated March 8, 2007 for Mr. Holly.
- b. Mr. Hough attended the meeting to discuss the proposed changes.
- c. The applicants as represented by Mr. Hough wish to retain a 4' wide pedestrian only walk path described as part of the existing temporary construction access cut on the North West portion of the property. The walk way is to be constructed of compacted gravel only

Mrs. Fitzpatrick made a motion to amend the original decision to accept the modification of site plan approval to retain a 4' wide pedestrian only walk path described as part of the existing temporary construction access cut on the North West portion of the

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

b. Subdivision

- i. Powell-No new submissions
- ii. Rodkey-No new submissions
- iii. Stratton-No new submissions
- iv. Smith-No new submissions. Applicant wants to be scheduled for December meeting.
- v. Barry-Applicant withdrew application
- vi. Finger Lakes Resources-No new submission.

B. New Business:

a. Concept Review:

- i. Steve Campbell Application #207-072. The proposed project is to add fill on the applicants property located at 7581 State Route 54. Board held discussion with applicant. The applicants plan's were insufficient for the scope and nature of the project. The Board could not proceed with the Concept Review process until the applicant had an engineered plat including dimensions, slope, total quantity of material to be added, composition of fill, stabilization methods for the fill, vegetation retained, an erosion control plan and a time line for the project. The applicant was advised when this information was obtained and presented to the Planning Board, the Concept Review process could continue.

b. Subdivision

- i. Matt Dann/Early Application #2007-093. Mr. Dann was present at the meeting and is representing the property owner; Ann Early. The proposed project is to subdivide the total .848 acre lot into 2 lots. Mr. Dann is purchasing the lots from Mrs. Early and will build a home on each newly created lot to resell. Both lots would meet the minimum subdivision requirements. Mrs. Fitzpatrick made a motion to declare application #2007-093 a minor subdivision. Seconded by Mr. Hann and all in favor.

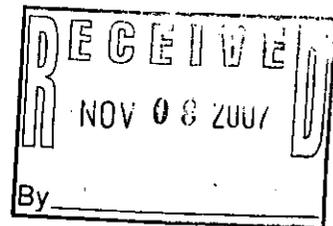
C. Motion to Adjourn

- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Hann.
- b. Meeting adjourned at 8:09PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
October 22, 2007**

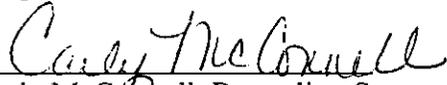


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|----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Gordon Lanphere | Board Member |
| | Carly McConnell | Recording Secretary |

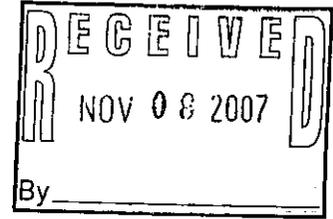
Special Meeting: Opened 7:10PM

- A. Ed & Nancy Wightman Application #2007-052
- a. Board held discussion & reviewed the application.
 - b. Findings
 - i. No negative impacts found-SEQR, unlisted classification.
 - ii. Application complete.
 - iii. No variances required.
 - iv. M239 referral received from the County Planner with no negative comments
 - v. Building is to be used for summer season gift and craft sales.
 - vi. Sign permit application on file.
 - vii. No public present at the Public Hearing.
 - viii. Site Plan review of the project was waived.
 - c. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Lanphere. Roll Call Vote: Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - d. Mr. Robinson made a motion to approve the Special Use Permit of Ed & Nancy Wightman; with the following condition: No expansion or intensification of retail operations without prior approval from the Town of Urbana Planning Board. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- B. Motion to Adjourn
- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Lanphere.
 - a. Meeting adjourned at 7:15PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
October 2, 2007**



| | | |
|-----------------------|---------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Edward Young | |
| | Ed & Nancy Wightman | |
| | Marcia Coon | |

Public Hearing: Opened 7:00PM

Ed & Nancy Wightman-Applicants have applied for Special Use Permit for a gift shop in an agricultural district located at 11250 Gold Seal Way in Hammondspport.

Public Questions/Concerns: No public present regarding this matter

Board Questions/Concerns: None

Public Hearing: Closed 7:03PM

Regular Meeting: Opened 7:04PM

A. Minutes:

- a. Minutes were reviewed from the regular meeting on August 4, 2007 & the re-opened special meeting on August 4, 2007. Mr. Martuscello made a motion to approve the August 4 regular & special meeting minutes as submitted. Seconded by Mrs. Fitzpatrick.

A. Old Business:

a. Concept Review

- i. Rahill (Marcia Coon): Board held discussion with Ms. Coon. Applicant modified the grade on the property; that will result in a two story structure that will not exceed 35' in height. Mrs. Fitzpatrick made a motion to waive the full site plan review; conditional upon CEO, Magee approving the grading on the site before a certificate of occupancy can be issued. CEO, Magee to give written approval to Planning Board & Mr. Debuck. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Fitzpatrick-aye, Robinson-aye.
- ii. Pleasant Valley Mennonite Church: Chairman signed & stamped the surveys; prior to meeting.

b. Subdivisions:

- i. Catherine Powell-No new submissions.
- ii. Marilyn Rodkey-No new submissions.
- iii. James Stratton-No new submissions.
- iv. Beatrice Smith-No new submissions.

v. Tom Barry-No new submissions.

B. New Business:

a. Subdivision:

- i. Finger Lakes Resources Application #2007-081. Applicant has applied for a subdivision of land located on County Route 76 in Hammondsport. Applicant is Finger Lakes Resources of Cobleskill, NY. Property owner is the Estate of Samuel H Presley Senior. File contains a letter from Finger Lakes Resources for Ed Young to act on their behalf in this matter. File contains a letter from the Estate's Attorney, Jeff Squires giving Attorney, Baker (Finger Lakes Resources Attorney) authority to apply for a subdivision. Finger Lakes Resources will be purchasing the land from the Estate and will sell the subdivided lots.

C. Old Business Cont.

a. Ed Wightman

i. The Board completed SEQR Part II – Short Form

1. Based upon 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, the reasons supporting this determination. I Mr. Martuscello make a motion that a Negative Declaration be prepared. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Fitzpatrick-aye, Robinson-aye.
2. Board can not move ahead with until the application is complete.

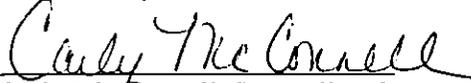
D. ZBA

- a. Dominic Romeo- Applicant has applied for a variance to construct a 6' high privacy fence along the boundary of his property located at 10533 East Lake Road. The Planning Board's opinion in this matter is that the application be denied for the following reasons
 - i. No hardship demonstrated
 - ii. History of unresolved property/zoning issues.

E. Motion to Adjourn

- a. Mr. Martuscello made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 8:10PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
September 4, 2007**

| | | |
|-----------------------|-------------------|---------------------|
| 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 | Stephen Campbell | Donna O'Connell |
| | Michael Mirto | John Weaver |
| | David Larrimore | Marylin Rodkey |
| | Jeff Winslow | Catherine Powell |
| | Robert Farmer | Bill Tobin |
| | Clark Wambold | Ed & Nancy Wightman |

Public Hearing: Opened 7:01PM

Pleasant Valley Mennonite Church #2007-051. Applicant has applied for a minor subdivision of 5.8 acres of land located at 8096 Pleasant Valley Road, Hammondspport. The subdivision will result in a parcel of 3.787 acres and 1.302 acres. The 1.302 parcel of land will be annexed to tax parcel 117.18-01-012.000.

Public Questions/Concerns: No public present regarding this matter

Board Questions/Concerns: None

Public Hearing: Closed: 7:04PM

Public Hearing: Opened 7:05PM

William Tobin #2007-038. Applicant has applied for a site plan review (phase II of his original application) to construct a 3 story residence on his property located at 8582 West Lake Road, Hammondspport.

Public Questions/Concerns: No public present regarding this matter

Board Questions/Concerns: None

Public Hearing: Closed 7:07PM

Public Hearing: Opened 7:08PM

Michael Mirto #2007-061. Mr. Mirto (Applicant) has applied for a subdivision of land of 14.813 acres located at 8684 County Route 87, Hammondspport. Property owner is New York Asset Corp of 56 Lafayette Ave, White Plains, New York. New York Asset Corp holds the mortgage on the property for Sonya & Vincent Prudent. File contains a letter from R&P Capital Resources; regarding the deed on the property. Mr. Mirto is purchasing the property from Sonya & Vincent Prudent.

Public Questions/Concerns: No public present regarding this matter.

Board Questions/Concerns:

1. Structures on the property? Mr. Mirto stated the 2 acre parcel contains a mobile home. The other parcel does not have any structures.
2. Road frontage? Mr. Mirto stated that parcel 1 has 250' and parcel 2 has 255'.

Public Hearing: Closed 7:21PM

Regular Meeting: Opened 7:24PM

A. Minutes:

- a. Minutes were reviewed from July 24, 2007 & August 7, 2007. Mrs. Fitzpatrick made a motion to approve the July 24 minutes as submitted and the August 7 as amended. Seconded by Mr. Martuscello.
- b. Minutes were reviewed from August 14, 2007. Mr. Martuscello made a motion to approve the August 14 minutes as amended. Seconded by Mrs. Fitzpatrick.

A. Old Business:

- a. Subdivision
 - i. James Stratton-No new information
 - ii. Beatrice Smith-No new information
 - iii. Tom Barry-No new information
 - iv. Rodkey-Applicant submitted new information. Chairman, Robinson requested CEO, Magee to define the minimum lot size requirements, per the Town code. CEO, Magee's written response is in the file. The applicants proposed new lots that would give the new lots the 250' road frontage; but the new parcel would not meet the minimum lot size requirements. Applicants have agreed to meet the 250' road frontage and 250' minimum width requirement.
- b. Site Plan Review
 - i. Rahill-No new information
 - ii. Wightman-Violations have been taken care of and application can move forward. The applicants would like to open a seasonal retail store specializing in locally made craft items. The proposed 12'x16 shed will not require any electric or utilities. The proposed shed would have a porch. The Board advised the applicant to apply for a sign permit. Mr. Martuscello made a motion to waive any further review for site plan review and to move ahead with the special use permit application. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye. The Board will advise the Town Clerk to set up a public hearing for the special use permit at the next regular meeting.

B. New Business:

- a. Subdivision:

- i. Catherine Powell: The Board held discussion with the applicant. The proposed lots do not meet the 250' minimum road front requirements. The property contains an existing 50' right away. The right away would have to be improved to Town standards, to meet the road front requirements. The applicant will do research and update the Board at the next meeting.

C. Old Business Continued:

a. Mirto:

- i. The Board completed SEQR Part II
 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, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

ii. Findings:

1. No negative impacts found-SEQR, unlisted classification.
2. Application complete.
3. Both parcels meet the spirit and intent of chapter 93-6, Subdivision of Land.
4. Action is declared to be a minor subdivision.
5. No negative comments at the Public Hearing.
6. Disclaimer: The Planning Board by granting approval does not express or imply the suitability of the newly created lot for any intended use or intensification of use.

- iii. Mrs. Fitzpatrick made a motion to accept the findings. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- iv. Mr. Martuscello made a motion based upon the findings to approve the Mirto application as submitted. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

b. Tobin

- i. The Board completed SEQR Part II
 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, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

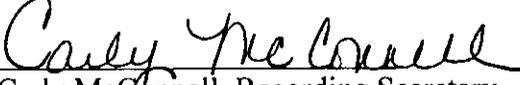
- ii. Findings:
 - 1. No negative impacts found-SEQR, unlisted classification.
 - 2. Application complete.
 - 3. DOH and KWIC approval of current wastewater disposal system.
 - 4. The structure is not to exceed a total of two (2) bedrooms.
 - 5. Variances required and granted by action of the ZBA.
 - 6. M239 referral received from the County Planner with no negative comments.
 - iii. Mrs. Fitzpatrick made a motion to accept the findings. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - iv. Mr. Martuscello made a motion based upon the findings to approve the Tobin application as submitted. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- c. Pleasant Valley Mennonite Church
- i. The Board completed SEQR Part II
 - 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, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - ii. Findings
 - 1. No negative impacts found-SEQR, unlisted classification.
 - 2. Application complete.
 - 3. The proposed subdivided lot is in an agricultural district.
 - 4. The proposed lot is less than the required minimum of 2 acres and 250' of road frontage.
 - 5. The applicants have expressed and agreed to annex the proposed lot with an adjacent lot of which they currently own and plan to sell. The result of this action would make the adjacent lot more conforming and in keeping with the comprehensive plan for agricultural districts while not creating any substandard lots.
 - 6. The applicants have agreed to submit a draft deed describing the proposed annexation as **one lot** per conditional approval before the final plat is to be signed.
 - 7. All parties to this action are aware that failure to complete this annexation is just cause for legal challenge and may be set aside by the courts.

8. Disclaimer: The Planning Board by granting a conditional approval does not express or imply the suitability of the newly created lot for any intended use or intensification of use.
- iii. Mrs. Fitzpatrick made a motion to accept the findings. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
- iv. Mrs. Fitzpatrick made a motion to grant approval for Sketch Plat # 2007-051 contingent upon the substandard lot being annexed to the adjacent lot and a draft deed reflecting **one** contiguous lot being submitted to the Planning Board. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

D. Motion to Adjourn

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

Respectfully Submitted,


Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
September 4, 2007**

| | | |
|----------------------|-------------------|---------------------|
| 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 |

August 14, 2007 Special Meeting: Re-Opened 9:16PM

- A. Michael Doyle Subdivision Application #2007-034
- a. Mr. Doyle has submitted the final plat with the changes reflected on the new map. Applicant updated the application to reflect the changes.
 - b. Findings
 - i. No negative impacts found-SEQR, Type II classification.
 - ii. Application complete.
 - iii. Application declared to be a minor subdivision with a total of four lots within the Town of Urbana.
 - iv. All four lots are entirely within a residential district as defined in Urbana Code 105-6 B 1.
 - v. Parcel 3 lot width is substandard with only 46.08' (minimum of 50' for shoreline lot required).
 - vi. Square footage for the Town portion of the four parcels has not been separately calculated per McConnell and Muller plat dated 5-11-07.
 - vii. At a joint Public Hearing between the Village of Hammondsport and the Town of Urbana on August 14, 2007 the final plat was not presented by the applicant. Changes to the plat were requested by the Village after the preliminary meeting with the applicant resulting in the elimination of one parcel and subsequent annexation to an adjacent parcel. This resulted in the plat going from 8 parcels to 7. Also the deeded right of way to provide access to the parcels was determined to be substandard in width (35') with Village code requiring a minimum of 50'. The proposed revision was not delineated on the plat.
 - viii. No direct access was provided for the parcels located within the Town of Urbana. The applicant wishes the portion within the Town to be annexed to the corresponding parcels located within the Village of Hammondsport.
 - ix. The August 14th recessed meeting was reconvened at 9:00 P.M. September 4, 2007. The applicant was present and the updated final plat and application reflected the aforementioned required changes.

- c. Mr. Lanphere made a motion to grant approval for Sketch Plat # 2007-034 upon mutual agreement between the Planning Board and the applicant. It is agreed the portion of the final plat that is within the Town of Urbana jurisdiction shall remain connected to the respective and corresponding lots within the Village of Hammondsport as per the revised final plat dated September 4, 2007.

B. Motion to Adjourn

- a. Mr. Martuscello made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 9:41PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

***Town of Urbana
41 Lake Street
P.O. Box 186
Hammondsport, NY 14840***

To: Mr. William Tobin
From: The Town of Urbana Planning Board
Date: September 4, 2007
Subject: Site Plan Review Findings of Fact and Decision Phase Two #2007-038

To: Mr. Tobin

Findings:

1. No negative impacts found-SEQR, unlisted classification.
2. Application complete.
3. DOH and KWIC approval of current wastewater disposal system.
The structure is not to exceed a total of two (2) bedrooms.
4. Variances required and granted by action of the ZBA.
5. M239 referral received from the County Planner with no negative comments.

Decision:

1. The Planning Board, by motion and unanimous vote has granted approval for Site Plan # 2007-038 as submitted.

Respectfully Submitted,

The Town of Urbana Planning Board
Cc CEO Bob Magee; David Oliver; Watershed Inspector, Terry DeBuck

***Town of Urbana
41 Lake Street
P.O. Box 186
Hammondsport, NY 14840***

To: Pleasant Valley Mennonite Church
From: The Town of Urbana Planning Board
Date: September 4, 2007
Subject: Findings and Decision for Sketch Plat Review #2007-051 #117.018-0001-012.000

Findings:

1. No negative impacts found-SEQR, unlisted classification.
2. Application complete.
3. The proposed subdivided lot is in an agricultural district.
4. The proposed lot is less than the required minimum of 2 acres and 250' of road frontage.
5. The applicants have expressed and agreed to annex the proposed lot with an adjacent lot of which they currently own and plan to sell. The result of this action would make the adjacent lot more conforming and in keeping with the comprehensive plan for agricultural districts while not creating any substandard lots.
6. The applicants have agreed to submit a draft deed describing the proposed annexation as **one lot** per conditional approval before the final plat is to be signed.
7. All parties to this action are aware that failure to complete this annexation is just cause for legal challenge and may be set aside by the courts.
8. Disclaimer: The Planning Board by granting a conditional approval does not express or imply the suitability of the newly created lot for any intended use or intensification of use.

Decision:

1. The Planning Board by motion and unanimous vote has granted approval for Sketch Plat # 2007-051 contingent upon the substandard lot being annexed to the adjacent lot and a draft deed reflecting **one** contiguous lot being submitted to the Planning Board.

Respectfully Submitted,

The Town of Urbana Planning Board
Cc CEO Bob Magee; David Oliver;

***Town of Urbana
41 Lake Street
P.O. Box 186
Hammondsport, NY 14840***

To: Michael J. Doyle
From: The Town of Urbana Planning Board
Date: September 4, 2007
Subject: Findings and Decision for Sketch Plat Review #2007-034 Tax Map# 118-00-01-089.000

Findings:

1. No negative impacts found-SEQR, Type II classification.
2. Application complete.
3. Application declared to be a minor subdivision with a total of four lots within the Town of Urbana.
4. All four lots are entirely within a residential district as defined in Urbana Code 105-6 B 1.
5. Parcel 3 lot width is substandard with only 46.08' (minimum of 50' for shoreline lot required).
6. Square footage for the Town portion of the four parcels has not been separately calculated per McConnell and Muller plat dated 5-11-07.
7. At a joint Public Hearing between the Village of Hammondsport and the Town of Urbana on August 14, 2007 the final plat was not presented by the applicant. Changes to the plat were requested by the Village after the preliminary meeting with the applicant resulting in the elimination of one parcel and subsequent annexation to an adjacent parcel. This resulted in the plat going from 8 parcels to 7. Also the deeded right of way to provide access to the parcels was determined to be substandard in width (35') with Village code requiring a minimum of 50'. The proposed revision was not delineated on the plat.
8. No direct access was provided for the parcels located within the Town of Urbana. The applicant wishes the portion within the Town to be annexed to the corresponding parcels located within the Village of Hammondsport.
9. The August 14th recessed meeting was reconvened at 9:00 P.M. September 4, 2007. The applicant was present and the updated final plat and application reflected the aforementioned required changes.

.Decision:

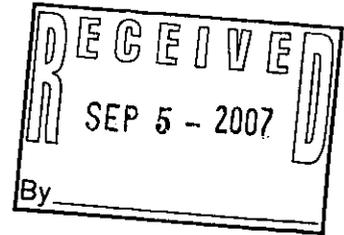
1. The Town of Urbana Planning Board by motion and unanimous vote has granted approval for Sketch Plat # 2007-034 upon mutual agreement between the Planning Board and the applicant.

It is agreed the portion of the final plat that is within the Town of Urbana jurisdiction shall remain connected to the respective and corresponding lots within the Village of Hammondsport as per the revised final plat dated September 4, 2007.

Respectfully Submitted,

The Town of Urbana Planning Board
Cc CEO Bob Magee; David Oliver;

**Town of Urbana
Village of Hammondsport
Joint Planning Board Meeting
Minutes
August 14, 2007**



Town of Urbana 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 |
| Dave Oliver | CEO |

Village of Hammondsport Board Present

| | |
|----------------|---------------------|
| Ralph Brown | Chairman |
| Sam Pennise | Board Member |
| Corina Martin | Board Member |
| David Peterson | Board Member |
| Julie Amsden | Board Member |
| Carla Ridge | Recording Secretary |

Public Present

| | |
|-----------------|--------------------------|
| Mike Doyle | Jennifer Schwacaeh |
| Rob Price | Leslie Bowman |
| Helen Monroy | Clark Wambold |
| Colleen M. | Anne Green |
| Lawrence Foster | Dr. & Mrs. Richard Orman |

Public Hearing: Opened 7:04PM

The Planning Board's of the Town of Urbana & Village of Hammondsport held a joint public hearing on the Michael Doyle Subdivision Application #2007-034. The proposed subdivision of land is located in the Village of Hammondsport and Town of Urbana. A majority of the land is located within the Village limits and the remainder is located in the Town. The Village of Hammondsport Planning Board Chairman, Ralph Brown mediated the meeting. Chairman Brown; reminded the public that the public hearing was being held for an application of subdivision of land and there is no application for development on any of the lots at this time. The applicant has received a variance from the Village of Hammondsport for the lot size frontage of 150'. The purpose of the application is for the applicant sell some parcels and retain some. The applicant made the following modifications to the existing application:

1. Roadway on site plan map is shown as 35' and to meet Village code the applicant needs to make a 50' roadway.
2. On the site plan map; parcel 7 is currently a non conforming lot and will become part of parcel 1 and parcel 8 will now become parcel 7.

Town of Urbana CEO, Dave Oliver indicated that Town Code requires a turn around area for emergency vehicles. Mr. Doyle indicated that he would consult with Hammondsport Fire Department and make necessary changes.

Public Questions/Concerns:

1. Ms. Green wanted to know if there was going to be any access roads, sidewalks and lighting. She also wanted to know who would own the road, who would maintain the road and if the Village was adding another road. The Boards indicated that at this time there is not an application for development and those issues will come before the Planning Boards with any development application. At this time the applicant is taking a large parcel of land and is subdividing it into smaller lots.
2. Mr. Orman wanted to know if the lots can be sold after the plat is filed. Mr. Orman also indicated that it is common practice in subdivision to know what is going to be done with lots and does not find it logical to have 7 or 8 applicants apply to get things done at these lots. Mr. Orman voiced his concerns regarding the former dump that was located on this parcel of land and indicated that public officials should let the future owners know that information and have to obligation to protect the public. Mr. Orman asked if any environmental test have been done at the site. The Board indicated that the lots can be sold after the plat is filed and that was the intention of the applicant. Mr. Doyle stated that 3 test have been done on the site. Two of the test were done by the Town and the reports are on file with the Town.
3. Mr. Wambold had several questions regarding the subdivision process. The Boards explained the process and the agreement with the Town & Village for Mr. Doyle's application. Mr. Clark also questioned the railway property. Mr. Doyle indicated that the B&H Railroad Company still exists and has a 50' right of way. Mr. Doyle also indicated that some Deeds state that if the railroad is no longer used for railroad purposes the land reverts to the owners. Mr. Doyle has proposed a quick claim deed to the owners.

Board Questions/Concerns:

1. The Board's asked the applicant why the pin was not set on the corners of the property. Mr. Doyle stated it was due to changes to the map.

The Board's indicated that the lakefront properties will not be able to further subdivide; due to the minimum lot requirements of the Town & Village. The Boards also indicated that the agreement between the Planning Boards will continue if development includes lands located in both the Town of Urbana and Village of Hammondsport.

Mr. Pennise made a motion to close the public hearing. Seconded by Mr. Martuscello and the meeting was closed at 7:52PM

Special Meeting: 7:53PM

The Boards held a discussion regarding the application, public hearing, and the changes made to the application and the Board's process with the application. The Town Planning Board does not want to make a decision on until they have time to consult with their

attorney regarding the recent changes. The Village indicated that they would consider the application for decision and make their decision conditional upon receiving the completed survey and updated application.

A. The Boards reviewed and completed SEQR Part II

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. Robinson make a motion that a Negative Declaration be prepared. Seconded by Mr. Brown. Roll Call Vote: Martuscello-aye, Pennise-aye, Pederson-aye, Martin-aye, Lanphere-aye, Brown-aye, Amsden-aye, Fitzpatrick-aye, Robinson-aye.

B. Motion to Adjourn

- a. Mr. Robinson made a motion to recess the Town of Urbana Planning Board from the Joint Special Meeting with the Village of Hammondspport. Seconded Mr. Pennise.
- b. Town of Urbana Planning Board Meeting Recessed at 8:52PM

Respectfully Submitted,

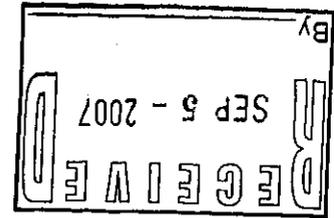


Carly McConnell

Town of Urbana Planning Board

Recording Secretary

**Town of Urbana
Planning Board Minutes
August 07, 2007**



| | | |
|-----------------------|--------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Thomas Barry | Donna O'Connell |
| | Michael Mirto | Jeff Winslow |
| | Marylyn Rodkey | John Weaver |
| | David Larimore | Marcia Coon |
| | Bill & Karen Tobin | |

Regular Meeting: Opened 7:00PM

A. Minutes:

- a. Minutes were reviewed from July 11, 2007. Mr. Martuscello made a motion to approve the minutes as amended. Seconded by Mr. Hann

B. Old Business:

- a. Lisa Bennett-Board held discussion regarding the application. Chairman, Robinson will check with Attorney John Ryan to see if the Board's discussion from the July 11, 2007 meeting should be turned into a motion.
- b. Pleasant Valley Mennonite Church- The Board reviewed the new submissions. The Board will request the Clerk to set a public hearing for our next regular meeting.
- c. Mike Doyle Subdivision- Public hearing for the Planning Board's of the Village of Hammondsport & Town of Urbana will be held on August 14 at 7PM at the Town Office.
- d. Stratton & Smith-No new submissions

C. New Business:

- a. Subdivision
 - i. Michael Mitro- Applicant has proposed a subdivision of a 14.813 acre lot into lot 1 of 2 acres and lot 2 of 12.813 acres. The proposed subdivision of land is located at 8684 County Route 87, Hammondsport. Applicant is purchasing the total 14.813 acres from Vincent & Sonya Pruden. Mr. Mitro will retain the property. File contains a letter from the Pruden's giving Mr. Mitro authorization to act on their behalf in this matter. CEO, Oliver has indicated the property owner of record is NY Asset Corporation. Chairman, Robinson will contact CEO, Oliver regarding this application.
 - ii. Thomas Barry-Applicant has proposed a subdivision of a .491 acre lot into lot 1 of .261 acres and lot 2 of .230 acres. The proposed

subdivision of land is located at 10958 East Lake Road in Hammondsport. Chairman, Robinson received a letter from CEO, Magee indicated that Mr. Barry has outstanding violations that need to be resolved before the Board can move forward with this application. Mr. Barry indicated that the violation that CEO, Magee is referring to is on an other parcel. The Board held discussion with the applicant and advised the applicant to contact CEO, Magee. After being informed of the Planning Board's position, Mr. Barry threatened litigation, pounded his fists on the table and slammed the door as he stormed out of the room.

iii. Jeffrey Winslow-Applicant has proposed a subdivision of 95 acres into lot 1 of 60 acres and lot 2 of 35 acres. The proposed subdivision of land is located on Longwell Road in Hammondsport. Marylyn Rodkey is the property owner. Mr. Winslow and Ms. Rodkey were both present. Board advised Ms. Rodkey to complete the application as the property owner. Ms. Rodkey plans to sell lot 2 to Mr. Winslow and retain lot 1. Lot 2 would not meet the minimum road frontage requirements of 250'. Ms. Rodkey indicated lot 2 would have a 50' right of way. Applicant indicated that CEO, Oliver stated that she could do the subdivision as proposed as long as she put in a 50' right of way to lot 2. Board advised Mr. Winslow & Ms. Rodkey that the Board can not move forward with the subdivision of land, because proposed lot 2 does not meet the minimum road frontage requirement of 250' and a 50' right of way does not replace that requirement.

b. Concept/Site Plan Review & Special Use Permit

i. Nancy & Ed Wightman-Applicants have applied for a Site Plan Review & Special Use Permit; to open a small seasonal store specializing in locally made craft items. The retail store will be located at 11250 Gold Seal Way in Hammondsport. CEO, Magee advised Chairman, Robinson that he has issued a stop work order to the applicants. The applicants built a shed without a permit. The Board held a discussion with the applicant and advised them to contact Mr. Magee to resolve the issues. The Board can not move forward with the application until all outstanding violations are taken care of. Mr. Wightman admitted that he was wrong for starting the shed with out a permit. The Wightman's missed the previous meeting and failed to address the issue due to their travels out of town.

D. Old Business Continued:

- a. Tobin- Board reviews new submission and held discussion with applicant. Board will request the Clerk to set a public hearing for the next regular meeting.
- b. David Rahill-Board held discussion with Ms. Coon. CEO, Magee indicated to Chairman, Robinson that he believes the proposed structure is

a 3 story structure and would require a variance. Ms. Coon stated the structure has a foundation, level 1 and level 2 and that would be considered a 2 story structure. Board advised Ms. Coon to contact CEO, Magee. Ms. Coon is scheduled to meet with the ZBA on August 8 for a variance regarding the 3 story structure.

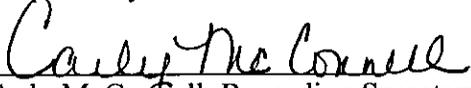
E. Planning Issues:

- a. The Board recommends the Chairman to consult with Town Supervisor Dick Gardiner; regarding tonight's meeting and the application process.

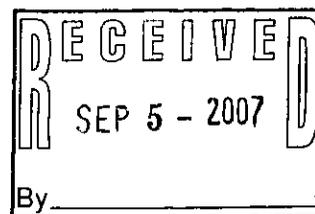
F. Motion to Adjourn

- a. Mr. Hann made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
- b. Meeting adjourned at 9:00PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

**Town of Urbana
Village of Hammondsport
Joint Planning Board Meeting
Minutes
July 24, 2007**



Town of Urbana Board Present

| | |
|-------------------|---------------------|
| Randy Robinson | Chairman |
| Betty Fitzpatrick | Board Member |
| Paul Martuscello | Board Member |
| Norm Hann | Board Member |
| Carly McConnell | Recording Secretary |

Village of Hammondsport Board Present

| | |
|----------------|---------------------|
| Ralph Brown | Chairman |
| Sam Pennise | Board Member |
| Corina Martin | Board Member |
| David Peterson | Board Member |
| Julie Amsden | Board Member |
| Carla Ridge | Recording Secretary |

Public Present Mike Doyle

Special Meeting: Opened 7:00PM

A. Mike Doyle Subdivision

- a. The Village of Hammondsport Planning Board passed a resolution to act as co-lead agency. Motion by Mr. Pennise and seconded by Mrs. Amsden.
- b. The Planning Boards held a joint discussion regarding Mr. Doyle's proposed subdivision application.
- c. The Boards reviewed letters received by:
 - i. Keuka Watershed – They had no objections
 - ii. NYS Department of Transportation – They had no objections
- d. The Town Planning Board discussed their Attorney, John Ryan's concern regarding the portion of land with the in Town. Mr. Ryan has indicated to Mr. Robinson that the portion of town land would have to be annexed to the Village lot and could not remain as a stand alone lot.
- e. The Village & Town Planning Board Chairman's have not signed the municipal agreements at this time. Mr. Brown will forward a copy of the agreement to all Board Members.
- f. Mr. Doyle has received a lot width variance from the Village ZBA. Mr. Brown will forward a copy of the findings and decision to the Town Planning Board.
- g. The Boards discussed the SEQR process.
 - i. Both Boards will be required to complete a SEQR.
 - ii. The Village passed a resolution to declare the Mike Doyle subdivision a major subdivision as described in Section 104-5 of

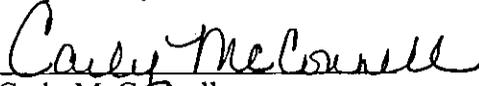
the Village Code and to declare the project a Type 2 Action of SEQR. Motion made by Mr. Brown & seconded by Mr. Peterson.

- h. Planning Board's from the Town of Urbana and Village of Hammondspport will hold a joint Public Hearing regarding the Mike Doyle Subdivision on Tuesday, August 14 at 7PM at the Town Office. Both Boards will post the Public Hearing Notice. The Village Planning Board will mediate the meeting.

B. Motion to Adjourn

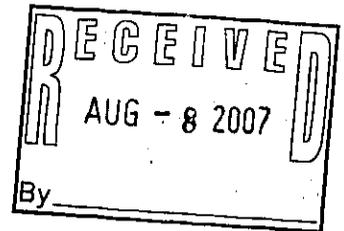
- a. The Mr. Peterson from the Village Planning Board made a motion to adjourn the joint meeting of the Planning Board's of the Village of Hammondspport and Town of Urbana.
- b. Meeting Adjourned at 7:39PM

Respectfully Submitted,



Carly McConnell
Town of Urbana Planning Board
Recording Secretary

**Town of Urbana
Planning Board Minutes
July 11, 2007**



| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | John Weaver | Mike Doyle |
| | David Larrimore | Lisa Bennett |
| | Bill Tobin | |

Regular Meeting: Opened 7:01PM

A. Old Business:

- a. Mike Doyle Subdivision- Board held discussion with applicant. Chairman, Robinson has received the municipal agreement from Attorney John Ryan. Mr. Robinson will sign the agreement as advised by Attorney Ryan. The Town Planning Board will meet with the Village of Hammondspport Planning Board regarding the Doyle Subdivision. Mr. Robinson will make the arrangements and notify the Planning Board.
- b. Lisa Bennett- The Board received a letter from Ms. Bennett (letter in applicant's file); regarding consideration of variance on her property from the minimum road frontage requirements. Board held considerable discussion with applicant. The Board does not feel that Ms. Bennett has demonstrated a hardship and can not move forward with the application. Mr. Hann does not agree with the other Board Members.
- c. Stratton & Smith -- No new submissions

B. New Business:

- a. Subdivision
 - i. Pleasant Valley Mennonite Church: The Church has proposed a subdivision of a 5.1 acre lot into lot 1 of 4.60 acres and lot 2 into .5 acres. Lot 1 will be retained by the Church. Lot 2 will be annexed to the adjoining property. Applicants need to complete a new application to accurately reflect the proposed action.
- b. Concept/Site Plan Review
 - i. Ed Wightman -- Applicant unable to attend the meeting.
 - ii. David Rahill -- Marcia Coon; authorized representative for Mr. Rahill was present. Proposed project is to demolish an existing cottage on 9197 South Lake Road and construct a new 4 bedroom structure. Ms. Coon has indicated that the septic was approved approximately a year ago. Ms. Coon stated the existing cottage is uninhabitable and demolished materials will be taken to the County landfill. Mr. Rahill had originally got this project approved

approximately 2 years ago; but was unable to complete the project due to septic requirements. The Board indicated that the project may require a set back variance. Board advised Ms. Coon that a current septic approval would be required. Mrs. Fitzpatrick made a motion to move to full site plan review; due to questions concerning variance requirements. Seconded by Mr. Martuscello. Roll Call Vote: Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye.

- iii. William Tobin-Applicant has applied for Phase II of the replacement of seasonal cottage to a year round residence. Phase II is the replacement of the front portion of the structure. Phase I (the back portion of the structure), is currently in the process of demolition and construction. Phase II will remain within the existing foot prints of the existing cottage. Mr. Tobin will add a deck off the front of the cottage, located 15' from the sea wall. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye.

C. Minutes:

- a. Minutes were reviewed from June 5, 2007. Mr. Hann made a motion to approve the minutes as amended. Seconded by Mr. Martuscello.

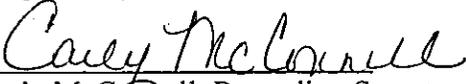
D. Planning Issues:

- a. Board received a letter from Mr. Cavallaro. The Board held a discussion. The Board will forward the letter to the Code Enforcement Officer; regarding the mobile home & septic system. The Board will respond to Mr. Cavallaro. Copy of letter attached.

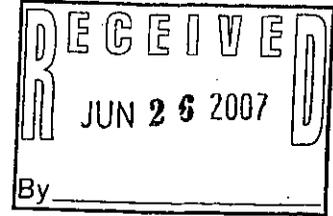
E. Motion to Adjourn

- a. Mr. Hann made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick
- b. Meeting adjourned at 9:35PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

JYI



June 18, 2007

Town of Urbana
Attn: Star Perry, Deputy Town Clerk
41 Lake Street
Hammondsport, NY 14840

REFERENCE: Public Hearing June 5, 2007 – Subdivision Application #2007-015
Tax Parcels (Novone) 10509 East Lake Road

The original town letter was different than explained at the meeting of adjoining parcels and I'm not sure which is correct. Also, I stated my name and concerns. I addressed the Board with concerns and requested notations to that effect regarding parking, right of way and purpose and copy of meeting.

Therefore, I am again requesting a copy of the meeting and all persons present and any discussions.

There are several concerns that need to be addressed: off-road parking, right of way, purpose of adjoining property. The old abandoned mobile home of 12 years or longer and no NYS Health-approved septic systems and maintaining any new setbacks.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Cavallaro".

Anthony Cavallaro
21 Houghton Circle
Coming, NY 14830

**Town of Urbana
Planning Board Minutes
June 5, 2007**

| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Beatrice Smith | Michael Cavallaro |
| | Anthony Cavallaro | Maram Cavallaro |
| | Frank Navone | Bill Reed |
| | Mike Doyle | Mary Navone |

Public Hearing: Opened 7:04PM

Francis & Mary Navone Application #2007-015; have applied for a minor subdivision of 7.079 acres located at 10509 East Lake Road, Hammondsport. The subdivision will result in a parcel of 6.096 acres, .662 acres and .321 acres. Applicants and their attorney Mr. Reed were present.

Public Questions/Concerns:

1. Anthony & Michael Cavallaro were concerned about the effect a subdivision might have on their court ruling regarding parking. The Board advised them that they can not make any changes to court rulings.

Board Questions/Concerns: None

Public Hearing Closed: 7:16PM

Regular Meeting: Opened 7:17PM

A. Minutes:

- a. Minutes were reviewed from May 1 & May 14, 2007. Mrs. Fitzpatrick made a motion to approve the May 1 minutes as submitted and the May 14 as amended. Seconded by Mr. Martuscello.

B. Old Business:

- a. Subdivision
 - i. James Stratton-No new information
 - ii. Doyle-Mr. Doyle has submitted a revised application. Chairman, Robinson has spoken with Attorney John Ryan. Mr. Ryan has responded to the Board via fax (see attached). The original application indicated 7 lots and the revised is for 8 lots. The file contains EAF Part 1 (completed & signed by applicant). Mrs. Fitzpatrick made a resolution designating the Urbana Planning Board; lead agency/co lead agency with the Village of Hammondsport Planning Board regarding this project. Seconded

by Mr. Martuscello. Roll Call Vote: Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye. The Village ZBA has granted Mr. Doyle a variance for width. The Board advised the applicant to contact Mr. Oliver regarding Part II of the application.

C. New Business:

a. Subdivision

- i. Beatrice Smith Application #2007-030. Applicant Beatrice Smith 302 Windham Ave in Syracuse NY. Ms. Smith is co-owner of the property owned by Hotel Sierra Properties LLC. The property is located on BullyHill Road in Hammondsport. The property is located in an agricultural district that requires a minimum of 2 acres per lot and 250' of road frontage. The current total lot has 250' of road frontage, but the proposed lots would not meet the requirement. The Board advised the applicant that building a road would be possible; but it would require an engineered study and need to be built to Town and NYS DOT requirements. The Board would be unable to consider a subdivision until the road was complete.

D. ZBA

- a. Lonnie Knowles/Todd & Maram Cavallaro-The original application got turned down and the applicant revised the application. The Board chooses not to enter any formal opinion in this matter.

E. Old Business Continued:

a. Francis & Mary Navone.

i. The Board completed SEQR Part II

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, Hann-aye, Fitzpatrick-aye, Robinson-aye.
2. Findings:
 - a. No negative impacts found-SEQR, unlisted classification.
 - b. Application complete.
 - c. Parcel A and B both meet density and road frontage requirements for lakefront and residential lots.
 - d. The Planning Board determines a unique situation exist for proposed parcel C. Parcel C is currently 19.79 feet short of the required minimum 250' road frontage requirement. Parcel C is located in an agricultural district, is pre-existing, is not part or parcel of a larger lot in the Agricultural district and

has boundaries which have been determined by unique geographical and topographical features as well as State route 54. The Planning Board also finds for this application that strict compliance with the requirements of 105-15 A (2). may result in unnecessary hardships and serve to defeat both the spirit and intent of Chapter 93 (subdivision of land). The Planning Board also determines that the aforementioned variation will not have the effect of nullifying the intent or purpose of the official map, is not requisite in the interest of public health and results in substantial justice for both the Town of Urbana and the applicants.

- e. Street parking issues may exist as referenced by neighbors at the public hearing.
 - 3. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Hann. Roll Call Vote: Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye.
 - 4. It is the determination of the Planning Board that the minor subdivision application of Francis & Mary Navone 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 Francis & Mary Navone subdivision as submitted. Seconded by Mr. Martuscello. Roll Call Vote: Hann-aye, Martuscello-aye, Fitzpatrick-aye, Robinson-aye.
- F. Planning Board Information:
- a. The next regular meeting will be held on July 11, 07; due to the 4th of July Holiday
- G. Motion to Adjourn
- a. Mr. Hann made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick
 - b. Meeting adjourned at 9:00PM

Respectfully Submitted,



Carly McConnell, Recording Secretary

BUCK, DANAHER, RYAN AND MCGLENN
 COUNSELORS AT LAW
 SUITE 305-311
 100 BALDWIN STREET
 ELMIRA, NEW YORK 14901-3013

JOSEPH C. BUCK
 JOHN J. RYAN, JR.
 JOHN R. MCGLENN

M. JOSEPH DANAHER
 CHARLES B. SWARTWOOD
 COUNSEL

DANIEL J. CAIN

607-734-8161
 607-734-4209 FAX

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FAX TRANSMITTAL FORM

No. of Pages (Including this Page) 1

Date: 6/5/07

To: RANDY ROBINSON

From: John Ryan

Attn: _____

Fax # 569-2412

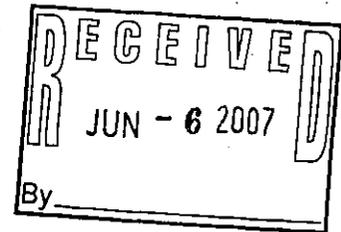
Phone: _____

Re: TOWN & VILLAGE "Co LEAD AGENCY" - RATH HAMMOND POETEE subdivision

Message: Randy: After talking with you this afternoon I called Bill Reed's office and was informed he was out of his office the rest of the day. Transmitted is the proposed "Notice" which City Reed previously sent to me. The "Notice" refers to an attached EAF, Part I which I have not seen. I recommend that the Planning Board take no action until I obtain a copy of the EAF, Part I. If the Part I form has been submitted to your Board, then the Board can pass a resolution designating the Planning Board as Lead Agency / Co Lead Agency with the Village Planning Board regarding this project. I will call City Reed tomorrow to follow up as to what action, if any, the Village Planning Board has taken.

John Ryan

**Town of Urbana
Planning Board Minutes
May 14, 2007**



| | | |
|-----------------------|-----------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Gordon Lanphere | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | William & Carin Tobin | |

Special Meeting: Opened 7:00PM

A. Old Business:

a. Ira Davenport Hospital

i. The Board reviewed the building dimension plans submitted by the applicant. The new building size is 104'x45'. Applicant had indicated in their new submissions that they will not be working in the State right away.

ii. Findings

1. No negative impacts found during SEQR, unlisted classification.
2. Completed application
3. One concern from the Public regarding surface water runoff, noted by the Applicant's representative.
4. No variances or special permits required.
5. M239 referral received from the County with no negative comments
6. The proposed outpatient rehabilitation center is consistent with the current activities at the site and results in little or no net increase in vehicle or patient traffic.

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

iv. Mrs. Fitzpatrick made a motion to approve the site plan review application from Michael Hunt-Ira Davenport Hospital as submitted. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye

b. William Tobin

i. The Board received the approval from the 3 story variance from the ZBA.

ii. Findings:

1. No negative impact found during SEQR, unlisted classification

2. Completed application
 3. Variances required and granted by the ZBA
 4. M239 Referral received from the County with no negative comments
 5. DOH approval of waste water
 6. No negative comments at the public hearing
- iii. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson
 - iv. Mrs. Fitzpatrick made a motion to approve the site plan review application of William Tobin Application #2006-099 as submitted. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
 - v. Board advised applicant at the meeting that any changes to the approved application would require the applicant to re-apply.
- c. Habbeck
- i. Board reviewed the M239 Referral from the County.
 - ii. Special Use Permit
 1. Findings:
 - a. No negative impacts found-SEQR, unlisted classification.
 - b. Application complete.
 - c. Multiple concerns at the Public Hearing regarding the general poor appearance of Mr. Habeck's property.
 - d. No Variances required
 - e. M239 referral received from the County Planner with no negative comments.
 - f. Building is to be used for excess pool/spa equipment, materials, supplies (no chemicals) and some personal property.
 - g. Watershed Inspector reports current wastewater system is adequate for intended intensification of use.
 2. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye
 3. Mr. Martuscello made a motion to approve with conditions the Special Use Permit # 2007-002; with the following condition: No on-site retail sales of pool and or spa supplies, equipment or related products. Any violations in the terms or conditions of the Site Plan Approval may be grounds for revocation of this special use permit. Seconded by Mr. Lanphere. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

iii. Site Plan Review

1. Findings

- a. No negative impacts found-SEQR, unlisted classification.
 - b. Application complete.
 - c. Multiple concerns at the Public Hearing regarding the general poor appearance of Mr. Habeck's property.
 - d. No Variances required
 - e. M239 Referral received from the County Planner with no negative comments
 - f. Building is to be used for excess pool/spa equipment, materials, supplies (no chemicals) and some personal property
 - g. Local watershed inspector reports current wastewater system is adequate for intended intensification of use.
2. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye
3. Mr. Martuscello made a motion to approve with conditions the Site Plan Application # 2007-002 with the following condition: The applicant shall be responsible for bringing the entire parcel into compliance with, and maintained in accordance with the provisions of, and described in chapter 78 (Property Maintenance)-Code of the Town of Urbana to the satisfaction of the Code Enforcement Officer. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

B. Motion to Adjourn

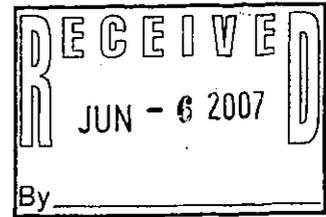
- a. Mr. Martuscello made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick
- b. Meeting adjourned at 8:15PM

Respectfully Submitted,



Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
May 1, 2007**



| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Rich Falvey Jr | Rich Falvey |
| | James Stratton | Mary & Frank Navone |
| | Steven Habbeck | Dona Doruard |
| | Bill Reed | Daryl Marshall |
| | Leonard French | William Tobin |
| | Jody Allen | |

Public Hearing: Opened 7:01PM

William Tobin #2006-099. Applicant has applied for a Site Plan Review to construct a 3 story residence on his property located at 8582 W. Lake Road, Hammondspport. Applicant indicated the ZBA approved the 3 storey variance. The file does not contain notice of approval from the ZBA. Chairman, Robinson spoke with the Department of Health and the Board received written approval of waste water system from the Department of Health and Kwic.

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

Public Hearing Closed: 7:07PM

Public Hearing: Opened 7:07PM

Michael Hunt-Ira Davenport Memorial Hospital Application #2007-009. Applicant has applied for a Site Plan Review to construct a 5000 to 6000 square foot facility on the hospital property at 7571 State Route 54, Hammondspport for outpatient rehabilitation services.

Public Questions/Concerns:

1. Mr. Stratton (neighbor behind existing hospital structure)- In favor of project but concerned with storm water run off. Hospital representative, Jody Allen addressed the concerns of the Mr. Stratton. Ms. Allen indicated that the storm drain will go across the parking lot and discharge between the hospital & the Dr. Office in the lawn.

Board Questions/Concerns:

1. Final building size – Hospital representative, Jody Allen indicated that the building would be 46'x102.

Public Hearing Closed 7:14PM

Public Hearing: Opened 7:15PM

Steve Habbeck Application #2007-002. Applicant has applied for a Site Plan review and Special Use Permit to construct at 30'x60' building to use as a storage facility for a swimming pool/spa business. Project located on his property at 7790 VanNess Rd, Hammondspport. Mr. Habbeck indicated at the building would be used for his pool/spa business equipment & supplies; along with the storage of personal property. Mr. Debuck submitted in writing an approval of the septic system. Board is aware of the property maintenance issues on the property. The Chairman reviewed the Town of Urbana property maintenance code with the public. The Board received a letter from Kevin & Joy O'Brien; regarding their concerns for the current & future property maintenance at this location. Chairman, Robinson read the letter into the minutes (see attachment).

Public Questions/Concerns:

1. Neighbors of the applicant are concerned with the current and future maintenance of property. The neighbors feel the property currently is an eye sore to the neighborhood and that the equipment currently on the property will not fit in the new building.

Board Questions/Concerns:

1. Fence part of the original plan - The applicant indicated that it was.

Public Hearing Closed: 7:36PM

Regular Meeting: Opened 7:42PM

A. Minutes:

- a. Minutes were reviewed from April 3, 2007. Mr. Martuscello made a motion to approve as submitted. Seconded by Mrs. Fitzpatrick.

B. Old Business:

a. Subdivision

- i. Mike Doyle-No new submissions.
- ii. Francis & Mary Navone-Applicants and their attorney, Mr. Reed was present at the meeting. Board held discussion with applicants & Mr. Reed; regarding the natural boundaries for parcel 3. The Board will request the Clerk to set up a public hearing upon completion of the application.

C. New Business:

a. Subdivision

- i. James Stratton & Linda Vickery Application #2007-020. Applicants/Owners proposed project is located on Fish Hatchery Road, Hammondspport. The proposed project is to subdivide the total 14.30 acre lot into 1) 2.066 acre lot 2) 12.234 acre lot. Lot 1 will be retained by Linda Vickery and lot 2 will be retained by Mr. Stratton. Lot 2 would become land locked; due to the steepness of the road frontage off Route 54. The property meets the road

frontage requirement, but is unusable for access. This new lot would have to be annexed to Mr. Stratton's adjacent property. Mr. Stratton has agreed to annex the 12.234 acres to his existing property.

D. Old Business Continued:

- a. William Tobin- The Board was unable to move forward until the ZBA approval is received.
 - i. The Board completed SEQR Part II
 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, Hann-aye, Fitzpatrick-aye, Robinson-aye.
- b. Ira Davenport Hospital – The Board was unable to move forward until the Board receives the new building dimension plans in writing. The Chairman will contact the applicant to request the information.
 - i. The Board completed SEQR Part II
 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, Hann-aye, Fitzpatrick-aye, Robinson-aye.
- c. Habbeck- The Board tabled the decision until the next meeting.
 - i. The Board completed SEQR Part II
 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, Hann-aye, Fitzpatrick-aye, Robinson-aye.

E. Motion to Adjourn

- a. Mr. Martuscello made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick
- b. Meeting adjourned at 9:06PM

Respectfully Submitted,

Carly McConnell
Carly McConnell, Recording Secretary

April 30, 2007

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

Kevin and Joy O'Brien
7720 Van Ness Road
Hammondsport, New York 14980

Re: Steve Habeck 7790 Van Ness Road, Hammondsport, N.Y.

To Whom it May Concern:

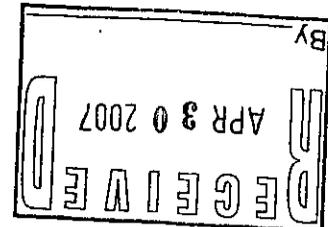
Please be advised that Mr. Habeck is already operating his pool and spa business from this property. I was at my home from April 17th to the 27th and during this time period I heard him at least three (3) times mobilizing for his day's work. His current disregard for Town of Urbana's zoning laws are just an introduction to what his neighbors will have to endure in the future.

The property went from a residential home and pristine field to the eyesore it is now. He has junk stored on the front deck and all around the house. He has numerous construction vehicles, cars, trucks, boat, snowmobiles, trailers, cement mixers and other assorted junk strewn all over the property. No one lives in the house so he doesn't have to put up with his own mess. This shows total disregard for his neighbors and their property values and I strongly object to having to put up with this eyesore.

Another concern I have are the chemicals involved in operating and maintaining a pool and spa business. If his haphazard way of how he keeps his property is any indication of how he stores and handles these chemicals, the groundwater in this area is going to be in serious trouble.

What I would like to see happen is that his application for a special use permit be denied for the above reasons. If he is granted this permit, it should have the following stipulations before he is allowed to operate from this property, which means his ongoing operation of a pool and spa business from this property should cease and desist immediately until these stipulations are met to wit:

- (a) a 30'x60' foot building will never contain what he has stored on his property so a privacy fence of at least six feet (6') in height should be built around the whole property line so his neighbors will not have to look at this eyesore.
- (b) his building should have a concrete floor with a proper containment area constructed inside the building where he would have to store all his chemicals.

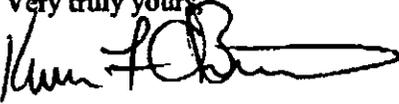


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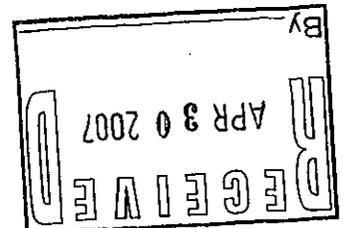
- (c) periodic inspection of this facility by an official from Town of Urbana to ensure Mr. Habek conforms to stipulations included on the permit, especially storage of his chemicals.
- (d) I would not be comfortable with this business operating where it is now unless periodic inspection was provided by the Town of Urbana to ensure he complies with all stipulations listed on the permit.
- (e) furthermore, an appropriate fee should be assessed to process and enforce this permit to mitigate the cost to the taxpayers of Urbana Town.
- (f) any future complaints from the neighbors concerning this site should be dealt with by the Town of Urbana immediately; and furthermore, penalties should be considered including monetary and ultimately loss of permit.

In conclusion, I appreciate your time, effort and understanding regarding the above matter, and I remain

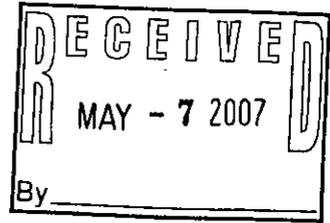
Very truly yours,



Kevin F. O'Brien



**Town of Urbana
Planning Board Minutes
April 3, 2007**



| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Paul Martuscello | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Philip Davis | Jody Allen |
| | Robert Canfield | Dona Richard |
| | Teresa Scofield | Tim Richard |
| | Steve Habeck | Frank Navone |

Public Hearing: Opened 7:03PM

Harvest Baptist Church #2006-009. Applicant has applied for a Site Plan Review for additional facilities and expansion of the church. Owner/Applicant Harvest Baptist Church, 7568 State Route 54, Bath NY.

Public Questions/Concerns: No public present

Board Questions/Concerns: None

Public Hearing Closed: 7:05PM

Public Hearing: Opened 7:06PM

Philip & Sheila Davis #2006-074. Applicant has applied for a minor subdivision application of a 34.515 parcel of land into (1) 24.759 acre parcel (2) 4.759 acre parcel & (3) 4.997 acre parcel. Located at 8510 County Route 113, Hammondsport.

Public Questions/Concerns: None

Board Questions/Concerns: None

Public Hearing Closed: 7:07PM

Regular Meeting: Opened 7:26PM

A. Minutes:

- a. Minutes were reviewed from March 6, 2007 & March 8, 2007. Mrs. Fitzpatrick made a motion to approve as submitted. Seconded by Mr. Hann and minutes were approved.

B. Old Business:

- a. Subdivision

- i. Mike Doyle-No new submissions. Chairman spoke with the Village of Hammondsport Planning Board Chairman.
- b. Site Plan Review
 - i. Ira Davenport Hospital-Donna Rickard & Jody Allen was present at the meeting to represent the Hospital. Ms. Allen spoke with New York State DOT regarding the NYS Right away. The building will be located 4 ½ to 6" from the right away and 66" from the edge of the payment. Board reviewed new submissions and held discussion with applicant. The building size may change, but the applicant stated that they would have the final size before the public hearing. The Board will request the Clerk to set up a public hearing at the next meeting provided that the application is complete.
 - ii. Steve Habeck-The Board reviewed new submission from the applicant. Board advised the applicant to get approval in writing of the current waste water system from Terry Debuck, Water Shed Inspector. The applicant advised the Board that he will put in a privacy fence. The Board will request the Clerk to set up a public hearing at the next meeting provided that the application is complete. Currently the application is incomplete.
 - iii. William Tobin- Board reviewed new submissions and held discussion with applicant. Chairman will contact Mr. Kozk from the NYS Department of Health regarding the specific waiver application for the waste water system and request in writing certification that terms and conditions have been met. Board will request the clerk to set a public hearing at the next meeting; upon approval from the ZBA. Currently the application is incomplete.

C. New Business:

- a. Subdivision
 - i. Francis & Mary Navone #2007-015. Board held discussion with applicant and his son, Josh Navone. The purpose of the project is to retain lot C, sell lot A & annex Lot B to the neighbor's lot. Currently lot C would not meet the road frontage requirements.

D. ZBA

- a. Tony & Merlyn Cavalaro- Property owners are Tony & Merlyn Cavalaro. Applicant is Lonnie Knowles. Applicant is requesting an 8.5" side yard set back to build an addition. The Board chooses not to enter any formal opinion in is matter; due to not having enough information on the application to make a decision and unsure of applicants relationship to project.

E. Old Business Continued

- a. Harvest Baptist Church
 - i. Findings
 - 1. Application is complete
 - 2. No negative comment or public present a public hearing
 - 3. M239 from the County

4. Letter from CEO, Mr. Watson at Ira Davenport Hospital with positive response to project
5. Completed SEQR
6. Application complete
7. Excavation permit required from the Town of Urbana

Mr. Martuscello made a motion to approve the finding. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

Mr. Martuscello made a motion to approve the site plan review application conditional upon the approval of the excavation permit from the Town of Urbana Board. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

b. Davis Subdivision:

i. The Board completed SEQR Part II

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. Hann make a motion that a Negative Declaration be prepared. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.
2. Findings:
 - a. Application complete
 - b. Meets 93-6 Requirements of Town of Urbana
 - c. No negative impact found during SEQR
 - d. No negative comment at the Public Hearing

Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Hann. Martuscello-aye, Hann-aye, Fitzpatrick-aye, Robinson-aye.

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

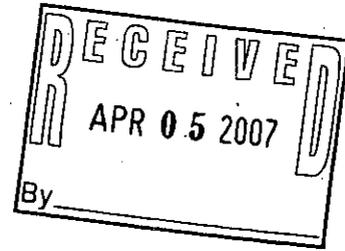
F. Motion to Adjourn

- a. Mr. Martuscello made a motion to adjourn the meeting. Seconded by Mr. Robinson
- b. Meeting adjourned at 9:27PM

Respectfully Submitted,

Carly McConnell
Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
March 8, 2007**



Board Present

| | |
|-------------------|---------------------|
| Randy Robinson | Chairman |
| Betty Fitzpatrick | Board Member |
| Gordon Lanphere | Board Member |
| Norm Hann | Board Member |
| Carly McConnell | Recording Secretary |

Reopened: 6:01PM

1. Old Business:

a. Site Plan Review

i. Holly/Pierce Application #2006-095

1. SEQR Part II Completed
2. 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 reason supporting this determination; I Mrs. Fitzpatrick make a motion that a Negative Declaration be prepared. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
3. Findings
 - a. No negative impact found –SEQR, unlisted classification
 - b. Application complete
 - c. One written concern from the public regarding water run-off, noted by the applicant's representative
 - d. No public present at public hearing
 - e. No variances or special permits required
 - f. M239 referral received from the County Planner with no negative comments
 - g. The project consistent with existing Keuka shoreline property uses
 - h. The applicant has recognized the value of existing vegetative growth and has agreed to retain as much as possible to prevent excessive water run-off

4. Mrs. Fitzpatrick made a motion to approve the findings. Seconded by Mr. Hann. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.
5. Mrs. Fitzpatrick made a motion to grant conditional approval of the site plan application of Wayne & Judy Holly. The following conditions shall be completed before final approval is granted.
 - a. Any temporary access roads for construction must be removed following the completion of construction and the slope returned to pre-approval status. The slope must be reseeded and stabilization maintained consistent with current environmentally accepted practices as prescribed by the US Soil & Water Conservation Department.
 - b. No Certificate of Occupancy shall be issued by the Town of Urbana Building Inspector until the aforementioned condition has been satisfied and proof submitted to the Planning Board. At that time the Planning Board shall grant final approval and submit its decision to the Town Clerk for filing.

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

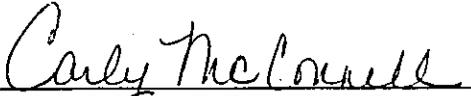
ii. Harvest Baptist Church

1. SEQR Part II Completed
2. 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 reason supporting this determination; I Mrs. Fitzpatrick make a motion that a Negative Declaration be prepared. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

2. Motion to Adjourn

- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Hann
- b. Meeting adjourned at 6:42PM

Respectfully Submitted,


Carly McConnell, Recording Secretary

Town of Urbana Planning Board
41 Lake St
Hammondsport, NY 14840
Attn: Starr Perry

To Whom It May Concern:

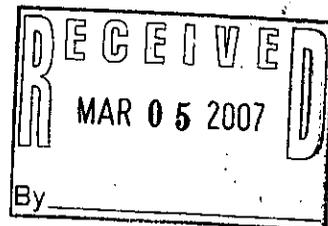
I am writing this letter in response to your notice of the Public Hearing on Tuesday, March 6, 2007 regarding the proposed Holly construction at 11096 W. Lake Rd, Hammondsport, NY. I own the property at 11082 W. Lake Rd which is the adjacent property to the south. Since I will be unable to attend the meeting, I am writing this letter instead. I have one concern regarding the proposed construction, and that is the matter of water runoff. Our properties are separated by a small stream that for the most part is dry. When it runs, the flow is usually no more than a trickle. However, on at least four occasions since 1990, it has overflowed. Each time this has happened, the stream has overflowed at a level below a triple-trunk oak tree that stands on the edge of my property. By overflowing in this manner, the water has just gone onto my front yard and caused no problems. However, I believe that it would not take too much extra water runoff to cause the stream to overflow above the level of the triple-trunk oak. If that happens, I am sure that I will end up with water in my house. Therefore, I would appreciate it if you would address the matter of how the construction will impact the runoff from the Holly property to the aforementioned stream. Thank you very much for your consideration.

Sincerely,

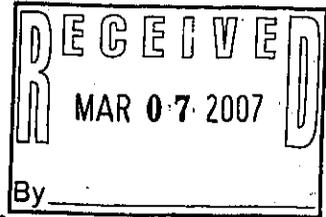
William D. Olmsted

William D. Olmsted
11082 W. Lake Rd
Hammondsport, NY 14840
3/5/07

please attach to
mar 6, 07
approved minutes.
Thanks



Town of Urbana
Planning Board Minutes
February 6, 2007



| | | |
|-----------------------|---|--|
| Board Present | <i>Paul martuscello</i> Randy Robinson Betty Fitzpatrick Norm Hann Gordon Lanphere Carly McConnell | <i>Board member</i> Chairman Board Member Board Member Board Member Recording Secretary |
| Public Present | Dave Pearce William Tobin | Lawrence Foster Brad Veter |

Regular Meeting: Opened 7:03PM

A. Minutes:

- a. Minutes were reviewed from January 2, 2006. Mrs. Fitzpatrick 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 – No new information. Board will require the applicant to complete a new application; if he chooses to proceed with project.
- b. Subdivision
 - i. Doyle – No new submissions. The lawyers are working on the municipal agreement.
 - ii. Wayne Holly/David Pearce-Mr. Holly was not present at the meeting. Board held discussion with Mr. Pearce and reviewed the new submissions. Applicant stated that the contractor Mr. Hough would bring equipment and materials down the hill on an angle with out removing any trees. After construction is complete the temporary road will be removed. The current steps will be removed & replaced. Board will request the Town Clerk to set up a public hearing for the next regular meeting.

C. New Business:

- a. Concept/Site Plan Review
 1. Bill & Carin Tobin #2006-099. Property located at 8582 West Lake Road, Hammondsport. Applicant/owner is Bill & Carin Tobin, 105 Park Place, Bath. Proposed project is to turn the existing seasonal cottage into a year round cottage in stages. This application is for the 1st stage of the project. The 1st stage is to leave the front half the existing cottage and replace the back part of the cottage with new construction. The file contains a notice of decision from

CEO, Magee. Board held discussion with applicant. Applicant stated the waste water system was designed 5 years ago and has been completed, inspected & approved. Board advised applicant of the sprinkler system requirements for 3 story buildings. The applicant has applied for a variance for an elevator & 3 story building. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Robinson. Roll Call Vote: Martuscello-aye, Hann-aye, Lanphere-aye, Fitzpatrick-aye, Robinson-aye.

D. ZBA:

- a. Bill & Carin Tobin Application #2006-099. Applicants are requesting a side yard set back for an elevator & a 3 story building. Board held discussion and chooses not to enter any formal opinion in this matter.

E. Other:

- a. Mr. Veter: Present at meeting to inquire about the Town's Subdivision Laws. Board held discussion with him.

F. Motion to Adjourn

- a. Mr. Lanphere made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
- b. Meeting adjourned at 8:55PM.

Respectfully Submitted,



Carly McConnell, Recording Secretary

**Town of Urbana
Planning Board Minutes
January 2, 2007**

| | | |
|-----------------------|-------------------|---------------------|
| Board Present | Randy Robinson | Chairman |
| | Betty Fitzpatrick | Board Member |
| | Norm Hann | Board Member |
| | Carly McConnell | Recording Secretary |
| Public Present | Dave Pearce | Joe Hamilton |
| | Alan Lindmark | Robert Canfield |

Regular Meeting: Opened 7:16PM

A. Minutes:

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

B. Old Business:

- a. Concept/Site Plan Review
 - i. Dan Backer – No new information
- b. Subdivision
 - i. Doyle – Applicant submitted 2 new survey maps. Board can not move forward with out the municipal agreement.
 - ii. Davidson – Applicant was not present at the meeting. Board held discussion. Chairman, Robinson reviewed the Deed before the meeting and believes the deed indicates 1 parcel of land. The other Board Members reviewed the deed at the meeting and agree with Chairman Robinson.

1. Findings

- a. Current application by Mr. & Mrs. Davidson are for lands formerly known as and owned by Joseph & Lucille Farris.
- b. Mr. & Mrs. Farris applied for and received approval for a minor subdivision of three parcels dated January 16, 1991, (Chairman William Venema).
- c. 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)
- d. On March the 20th 1991 and 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.

- e. The aforementioned Deed specifically referred to "All That Tract or Parcel of Land" and described the parcel containing 4.45 acres of land as delineated by an instrument survey indicating that it was one parcel.
 - f. Article 111 Area and Bulk Regulations 105-15 A (2) Lot width shall be a minimum of two hundred fifty (250) feet.
 - g. Current sketch plat has proposed 208.33' of lot width.
2. Mrs. Fitzpatrick made a motion to approve findings. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann- aye, Fitzpatrick-aye, Robinson-aye
 3. Chairman Robinson made a motion based upon the aforementioned Findings, Application #2006-093 received November 29, 2006 must be denied for the following reasons: The Parcel lacks sufficient road frontage and no unique conditions exist to warrant a waiver of the frontage requirements. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Martuscello-aye, Hann- aye, Fitzpatrick-aye, Robinson-aye.
 4. Board will forward a copy of their decision to the applicants Albert and Carol Davidson, David Oliver-Assessor, Brian Flynn-Attorney & Judith Hunter-Steuben County Clerk.

C. New Business:

a. Concept/Site Plan Review

1. Wayne Holly & David Pierce Application #2006-095. Property owner is Wayne Holly of 431 West Lake Road, Hammondsport. Applicant is David Pierce of 8631 G.H. Taylor Mem Drive, Hammondsport. Proposed project is to remove the existing cottage located at 431 West Lake Road and replace with a new year round cottage. The Board held discussion with applicant. The new cottage would be built on the lower part of the property. The area of the existing cottage would become the septic area and there will be no changes to the driveway. The applicant indicated that the project would not require any variances. The applicant also indicated that any soil removal would be relocated to another location on the property. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann- aye, Fitzpatrick-aye, Robinson-aye.

2. Harvest Baptist Church- Applicant/Property is owner is the Harvest Baptist Church located on State Route 54, Bath. Pastor Alan Landmark, Robert Canfield and Joe Hamilton were present to represent the Church. Proposed project is to construct an auditorium to hold 230 people that will include full a basement, additional restrooms, lift elevator & class rooms. The existing auditorium will be renovated into office space & class rooms. The parking lot and septic will also be expanded. The Church would like to start construction in June and to be completed with in one year. The Church currently gets their water from the Village of Bath. Mrs. Fitzpatrick made a motion to move to full site plan review. Seconded by Mr. Martuscello. Roll Call Vote: Martuscello-aye, Hann- aye, Fitzpatrick-aye, Robinson-aye.

D. ZBA:

- a. Karen Brandt Application #2006-094. Property owner is Karen Brandt of 10564 West Lake Road, Hammondspport. Applicant is Tim Akers, contractor. Owner is requesting a front yard set back to build a balcony on the second story. The Board held a discussion. It is of the Board's opinion that the application should be denied; due to no hardship demonstrated to the Planning Board.

E. CEO Report:

- a. CEO, Magee wrote a letter to Steve Campbell regarding issues on the property site.

F. Planning Issues:

- a. Mrs. Fitzpatrick resigned from Co-Chairman, but will remain on the Board.
- b. Chairman Robinson appointed Mr. Martuscello as Co-Chairman.

G. Motion to Adjourn

- a. Mrs. Fitzpatrick made a motion to adjourn the meeting. Seconded by Mr. Martuscello.
- b. Meeting adjourned at 8:55PM.

Respectfully Submitted,


Carly McConnell, Recording Secretary