

Village of Hammondspport
Planning Board
Meeting Minutes
April 6, 2015

Board Present: David Oliver, Paul Albee, Paul Martuscello, Vince Domeraski, Lew Hall

Others Present: Jim Keena, Cindy Tallo, Jack Merriam, Gail Merriam, Rodney Enoch, Suzanne Geisz, Bee Keck, Kristin Maloney, Bonnie Albee, Edward Stull, Pam Knapp, David Fice, Paul Geisz, Carol Jenkins, Fred Tanneberger, John Jensen, Debra Robbins, Ken Berard, Lance Locey, David Luppino, James Burns and Kathryn Powell

Chairman David Oliver called meeting to order at 7:10 P.M.

Application 2015-03 James Keena-Curtiss Development, LLC
Subdivision for 18 Bauder, Curtiss School site to make lot into 4 parcels making 3 into residential housing and remaining parcel to retain existing school building.

Atty. Bill Reed explained the Board's legal rights regarding the Segmentation Review. The Board has the option to approve the subdivision separate or to approve the project as a whole. (They need an Environmental Review for the subdivision and one for the hotel.) The Board needs to attain a resolution to overturn the decision made at the March 25 meeting. Atty. Reed advised the Board as well as advised the applicant. Atty. Reed said the applicant can say he doesn't know what he will do with the remainder of the subdivision, which would be the Curtiss School building and remaining parcel.

The Board then asked Mr. Keena what his plans were for the Curtiss School building and remaining parcel and Mr. Keena replied "He doesn't know what his plans are at this time."

Motion made by Paul Martuscello to rescind the last resolution that denied subdivision for Application 2015-03 at 18 Bauder St. for reasons against segmenting Environmental Review and seconded by Vince Domeraski.

David Oliver: All in favor-Aye, motion carried.

Key points the Board discussed:

1. The Board has agreed from the beginning to look at the project as a complete plan only.
2. If granted subdivision, there would need a new zoning approved for a hotel in a residential area which applicant would need to go in front of the Village Board and part of the property is in the Town of Urbana.
3. Past history of applicant with projects unfinished
4. At public hearing there were members of public that wanted to review the project as a whole.
5. Concern of what the developmental plan is for the Curtiss School, will it be a hotel and bar and event center or possibly demolished and area made into all residential development.
6. If lots in front are subdivided into residential, what will the effects be behind them if Curtiss School is made into a hotel?

Public comments:

David Luppino: Are there guidelines and is the board following the guidelines?

Atty. Reed said the Board does follow the Village Code guidelines.

Carol Malone: If Keena has withdrawn the hotel, can the subdivision be accepted tomorrow or is there a time line?

Atty. Reed replied, if the applicant has withdrawn the plan, you have to look at the application in front of you.

Carol Malone: It is not just a hotel, its 30 rooms, an apartment, restaurant, bar and an event center with 30 to 200 cars, where are they going to park them? The project needs to be looked at as a whole.

James Burns: The roof on the Curtiss School needs repaired and if Mr. Keena isn't allowed to recoup some of his money from the subdivisions, the money has to come from somewhere. As far as Mr. Lack, he could not get the financing so it doesn't matter what he wanted to do.

Motion made by Vince Domeraski not to approve the subdivision based on segmentation of the subdivision and seconded by Paul Martuscello.

Roll Call : David Oliver -Yes
Lew Hall - Yes
Paul Martuscello- Yes
Vince Domeraski - Yes
Paul Albee - No

Motion carried

Findings of Fact and decision

Findings:

1. Action is declared to be a minor subdivision
2. Each of the four parcels meet minimum Village zoning requirements in respect to size.
3. Village Code 104-19. Lots. A.A preliminary plat shall identify the proposed means for sewage disposal and document its feasibility (such as by result of percolation tests) on each lot by a certified sanitarian approved for this purpose by the Village Board.
4. Village Code 104-23. Minor Subdivision plat. (4) All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the State Department of Health, and a certificate to this effect shall be stated on the plat and signed by a licensed engineer.
5. Environmental review of this action would require that all parcels to be created would need to meet current Village Code.
6. Environmental review Part 617.2, the "whole action" would be considered since the Board had become aware that there are other parts of development planned for this parcel. Overlooking the "whole action" would be considered segmentation by SEQR review.
7. Basic test for segmentation in this application meet the test of common ownership share common impact, common geographic location and may affect a common plan.

8. The application contained three phases. Phase I, the subdivision, Phase II, the hotel and Phase II, development of a business district septic system. The phase II was withdrawn by letter from the applicant.
9. The general public was in favor of the subdivision.
10. There was a letter submitted from a neighbor that specifically wanted a review of the whole project.

Decision:

The Planning Board, by motion and a vote of four to one does not grant approval to subdivide for application 2015-03. The Board decided to review this as a whole action.

Motion to adjourn meeting by Paul Martuscello and seconded by Lew Hall

Meeting adjourned at 6:00

Respectfully submitted, Kelly Harris