

April 24, 2019
Village of Hammondsport's Planning Board
Meeting Minutes

The Village of Hammondsport Planning Board held a meeting on Wednesday, April 24, 2019 at 7:00 p.m., 18 Water Street, Hammondsport.

PRESENT: Chairman: David Oliver, Members: Lew Hall, Lorraine Manelis, Bob Kleckner and David Kosan

OTHERS PRESENT: Deborah Lynch, Nicholas Hojuoski, Eric Fleishman, Pam Knapp, Dan Mooney, Beth King, Randy King, Tammy Slayton, Tim Carey, Jeff Yaniak, Karen Thompson, Jim Thompson, Steven Barnstead, Christine Shaw, Deby Malony, Christopher Ryan, Hans Peter Weis, Cathy Kleckner, Peter Baker, Bob DeSeyn, Carole Foster, Linda Carl and Bee Keck

Chairman David Oliver called the meeting to order with the Pledge of Allegiance at 7:00 p.m.

Minutes: On motion of Lew Hall, seconded by David Kosan and carried, to approve the March 27, 2019 meeting minutes, noting the changes on applications 2019-08 and 2019-09, under the advice of the Village Attorney the Planning Board cannot require anything from an applicant that would impose an undue hardship. The wording was changed in the conditions section of the approvals from "The Village receives proof of a valid property maintenance agreement that the applicant has in place with a person/business to maintain snow and lawn care" to "Property Maintenance guidelines must be followed as per the Village Code."

ROLL CALL VOTE:	Chairman, David Oliver	AYE	
	Lew Hall	AYE	
	Lorraine Manelis		NAY
	Bob Kleckner	AYE	
	David Kosan	AYE	

Motion Carried

PUBLIC HEARING:

Proof of Notice having been furnished, the Public Hearing on Application 2019-11, was called to order by David Oliver.

Application 2019-11 submitted by Hans Peter Weis, property owner, for a Special Use Permit to operate a Boardinghouse at 2 Wheeler Avenue, Hammondsport. Current use of the property is a residential long term rental.

The following persons brought up concerns about the application:

Christine Shaw, 47 Davis Avenue

Tim Carey, 13 Myrtle Avenue

Tammy Slayton, 7 Curtiss Avenue

The following comments, questions and concerns were brought up during the public hearing:

Will Property Maintenance be enforced?

Who will care for the properties?

If the property becomes a Boardinghouse, will it change back to a long term rental in the winter?

If the property is not used as a Boardinghouse, does the Special Use Permit get revoked?

Is it possible to put a cap on how many Boardinghouses are in the Village?

All persons desiring to be heard, having been heard, the Public Hearing was terminated at 7:20 p.m.

PUBLIC HEARING:

Proof of Notice having been furnished, the Public Hearing on Application 2019-10, was called to order by David Oliver.

Application 2019-10 submitted by Hans Peter Weis, property owner, for a Special Use Permit to operate a Boardinghouse at 6 Curtiss Avenue, Hammondspport. Current use of the property is a residential long term rental.

With no comments from the public, all persons desiring to be heard, having been heard, the Public Hearing was terminated at 7:22 p.m.

PUBLIC HEARING:

Proof of Notice having been furnished, the Public Hearing on Application 2019-12, was called to order by David Oliver.

Application 2019-12 submitted by Hans Peter Weis, property owner, for a Special Use Permit to operate a Boardinghouse at 7 Myrtle Avenue, Hammondspport. Current use of the property is a residential long term rental.

The following persons brought up concerns about the applications:

Beth King, 8 Myrtle Avenue

The following comments, questions and concerns were brought up during the public hearing:

Will Property Maintenance be enforced?

Who will care for the properties?

Hans Peter Weis withdrew this application.

All persons desiring to be heard, having been heard, the Public Hearing was terminated at 7:26 p.m.

PUBLIC HEARING:

Proof of Notice having been furnished, the Public Hearing on Application 2019-14, was called to order by David Oliver.

Application 2019-14 submitted by Deborah Lynch, property owner of 113-115 Pulteney Street, Hammondsport, NY, for approval to operate a Boarding House. Current use of the property is a two (2) family home, each unit is separate and contains two (2) bedrooms. She resides on one side and uses the other side as a rental.

With no comments from the public, all persons desiring to be heard, having been heard, the Public Hearing was terminated at 7:27 p.m.

OLD BUSINESS

Application 2018-52, submitted by Jeff Yaniak, property owner Joanne Thomas, to build an enclosure around the walk-in cooler on the rear side of the Timber Stone Restaurant located at 70 Shethar Street, Hammondsport, NY. Application 2018-52 was seen by the Village of Hammondsport's Zoning Board of Appeals for an Area Variance on April 11, 2019.

The Zoning Board of Appeals did hereby approve the Area Variance Application 2018-52 submitted by Jeff Yanick, property owner Joanne Thomas, for the Timber Stone Grill, 70 Shethar Street, Hammondsport. Granting relief from the Village Maximum Lot Coverage Including all Accessory Buildings in a B-2 Core District of 60% and giving an Area Variance to include the additional 144 sf for a total of 800.6 sf over the maximum allowed lot coverage. With the following conditions:

1. The placement of the concrete pad be inspected with relationship to the septic system and verify that it does not hinder any of the components.
2. That the current structure be inspected for code compliance and safety, any corrections made and moving forward it meets all Code Requirements.

Jeff Yaniak submitted engineering plans for the enclosure around the walk-in cooler. Original drawings were submitted by Fagen Engineers, for when the Grease Trap was installed.

After Board discussion, Lew Hall made a motion, seconded by Bob Kleckner, and carried, all voting AYE, to waive further site plan review on application 2018-52 submitted by , submitted by

Jeff Yaniak, property owner Joanne Thomas, to build an enclosure around the walk-in cooler on the rear side of the Timber Stone Restaurant located at 70 Shethar Street, Hammondsport, NY.

ROLL CALL VOTE:	Chairman, David Oliver	AYE
	Lew Hall	AYE
	Lorraine Manelis	AYE
	Bob Kleckner	AYE
	David Kosan	AYE

Motion Carried

Application 2019-07 submitted by Melanie Collins, property owner Jim Keena, for the Cider Creek Hard Cider at 49 Shethar Street, Hammondsport, NY.

No action, keep on the agenda.

Application 2019-15 submitted by Carla Perri, represented tonight by Pam Knapp, 64 Shether LLC, 64 Shethar Street, Hammondsport, represented tonight by Pam Knapp. Concept Review Application for a Change of Use was discussed by the Board.

This space has been used for retail and the current owner would like to keep it that way.

Applicant does not currently know what type of retail is going into the space.

The Board has agreed to table this application until such time as the applicant knows what business is going to occupy the space.

Tabled.

NEW BUSINESS

Concept Review Application 2019-17, submitted by Eric Fleishman, property owner Deby Maloney for Maloney's Pub, 57 Pulteney Street, Hammondsport, to place and operate an outdoor grill area/brick oven pizza on the side of the building.

Eric Fleishman gave a narrative of the project. It will be a seasonal structure. It will be completely removable. No money or food will be exchanged from the oven area, that will go through Maloney's Pub. The DOT visited the site and discussed the placement of the oven to the highway setback requirements. The approximate times and days would be Thursday/Friday, 5 p.m. to midnight and Saturday/Sunday all day.

David Oliver expressed his concern with the safety of the oven being outside and accessible to the public and feels the need for more information.

On motion of Lorraine Manelis, seconded by Bob Kleckner, and carried to wave further Site Plan Review on Application 2019-17, submitted by Eric Fleishman, property owner Deby Maloney for

Maloney's Pub, 57 Pulteney Street, Hammondsport, to place and operate an outdoor grill area/brick oven pizza on the side of the building with the following conditions;

1. The pizza oven will be segregated away from the general public and supervised at all times.
2. A letter be received by The Village of Hammondsport, from the Department of Health, approving the use of an outdoor oven to cook for Maloney's Pub.

ROLL CALL VOTE:	Chairman, David Oliver	NAY
	Lew Hall	AYE
	Lorraine Manelis	AYE
	Bob Kleckner	AYE
	David Kosan	AYE

Motion Carried

Concept Review: Application 2019-20 submitted by Peter Baker, 51 Main Street, Hammondsport, NY, for approval to operate a one (1) bedroom Boardinghouse. Mr. Baker explained that he would like to operate a Boardinghouse in the room above the garage of his current Law Office. He explained that there are two (2) emergency egresses in that section of the house. There is ample parking.

On motion of Bob Kleckner, with a seconded by Lorraine Manelis, and carried, all voting Aye to go to public hearing on May 22, 2019 at 7:00 p.m. for Application 2019-20 submitted by Peter Baker, 51 Main Street, Hammondsport, NY, to operate a one (1) bedroom Boardinghouse.

ROLL CALL VOTE:	Chairman, David Oliver	AYE
	Lew Hall	AYE
	Lorraine Manelis	AYE
	Bob Kleckner	AYE
	David Kosan	AYE

Motion Carried

Concept Review: Application 2019-24, submitted by Karen Thompson, property owner Jim Keena, 51 Shethar Street, Hammondsport to operate a flower cart/open air market. Karen explained in her narrative that she would like to have a cart approximately 3' x 5' in that location selling cut flowers, arrangements and seasonal items. The cart would remain there but all products would be removed/stored when she was not open. It would be operated seasonally, approximately Thursday/Friday/Saturday until 6/7 p.m.

On motion of Bob Kleckner, seconded by Lew Hall, and carried, all voting Aye to wave further Site Plan Review and approve Application 2019-24, submitted by Karen Thompson, property owner Jim Keena, 51 Shethar Street, Hammondsport to operate a flower cart/open air market.

ROLL CALL VOTE: Chairman, David Oliver AYE
Lew Hall AYE
Lorraine Manelis AYE
Bob Kleckner AYE
David Kosan AYE

Motion Carried

Board discussion on Application 2019-10 submitted by Hans Peter Weis, property owner, for a Special Use Permit to operate a Boardinghouse at 6 Curtiss Avenue, Hammondsport. Current use of the property is a residential long term rental.

Chairman David Oliver made note that the 239M Referral from the Steuben County Planning Department has not yet been received back.

The Board completed Part Two (2) of the Short Environmental Assessment Form.

David Kosan made a motion, seconded by Bob Kleckner to accept the Short Environmental Assessment Form and that the Planning Board has determined, based on the information and analysis contained in Part 1 and 2 of the form, that proposed Special Use Permit 2019-10 will not result in any significant adverse environmental impacts. To approve Special Use Permit 2019-10 submitted by Hans Peter Weis, property owner, to operate a three (3) bedroom Boardinghouse at 6 Curtiss Avenue, Hammondsport, with the following conditions:

1. The Referral Recommendation (form 239-m) from the Steuben County Planning Department having been received by the Village of Hammondsport and it revealing no significant inter-community or county-wide impacts.

ROLL CALL VOTE: Chairman, David Oliver AYE
Lew Hall AYE
Lorraine Manelis AYE
Bob Kleckner AYE
David Kosan AYE

Motion Carried

Board discussion on Application 2019-11 submitted by Hans Peter Weis, property owner, for a Special Use Permit to operate a Boardinghouse at 2 Wheeler Avenue, Hammondsport. Current use of the property is a residential long term rental.

Chairman David Oliver made note that the 239M Referral from the Steuben County Planning Department has not yet been received back.

The Board completed Part Two (2) of the Short Environmental Assessment Form.

Lew Hall made a motion, seconded by Bob Kleckner to accept the Short Environmental Assessment Form and that the Planning Board has determined, based on the information and analysis contained in Part 1 and 2 of the form, that proposed Special Use Permit 2019-11 will not result in any significant adverse environmental impacts. To approve Special Use Permit 2019-11 submitted by Hans Peter Weis, property owner, to operate a three (3) bedroom Boardinghouse at 2 Wheeler Avenue, Hammondsport, with the following conditions:

1. The Referral Recommendation (form 239-m) from the Steuben County Planning Department having been received by the Village of Hammondsport and it revealing no significant inter-community or county-wide impacts.

ROLL CALL VOTE:	Chairman, David Oliver	AYE
	Lew Hall	AYE
	Lorraine Manelis	AYE
	Bob Kleckner	AYE
	David Kosan	AYE

Motion Carried

Board discussion on Application 2019-14 submitted by Deborah Lynch, property owner, for a Special Use Permit to operate a Boardinghouse at 113-115 Pulteney Street, Hammondsport. Current use of the property is a two (2) family home, each unit is separate and contains two (2) bedrooms. She resides on one side and uses the other side as a rental.

Chairman David Oliver made note that the 239M Referral from the Steuben County Planning Department has not yet been received back.

The Board completed Part Two (2) of the Short Environmental Assessment Form.

Lew Hall made a motion, seconded by Bob Kleckner to accept the Short Environmental Assessment Form and that the Planning Board has determined, based on the information and analysis contained in Part 1 and 2 of the form, that proposed Special Use Permit 2019-14 will not result in any significant adverse environmental impacts. To approve Special Use Permit 2019-14 submitted by Deborah Lynch, property owner, for a Special Use Permit to operate a Boardinghouse at 113-115 Pulteney Street, Hammondsport, with the following conditions:

1. The Referral Recommendation (form 239-m) from the Steuben County Planning Department having been received by the Village of Hammondsport and it revealing no significant inter-community or county-wide impacts.

ROLL CALL VOTE:	Chairman, David Oliver	AYE	
	Lew Hall	AYE	
	Lorraine Manelis		ABSTAIN
	Bob Kleckner	AYE	
	David Kosan	AYE	

Motion Carried

David Oliver presented the Board with a Quote from former Village Attorney, Bryan Flynn.

With no further business before the Board, David Kosan made a motion, seconded by Lorraine Manelis to adjourn the meeting at 8:46 p.m.

Respectfully submitted,

Tammie L. Nelson
Village Clerk