

April 26, 2023
Village of Hammondsport
Planning Board
Regular Meeting & Public Hearing Minutes

The Village of Hammondsport Planning Board held a Public Hearing & Regular Board Meeting on Wednesday, April 26, 2023, at 7:00 p.m. in the Village Office, 18 Water Street, Hammondsport and via ZOOM teleconference.

PRESENT: Chairman David Oliver
Member David Kosan
Member David Durepo
Member Mike Hicks
Member MaryJane Bray
Clerk-Treasurer Christina Watson

ABSENT: Code Officer Chuck Cagle

OTHERS PRESENT: LHepburn, KPara, JJensen, RTompkins, ETompkins, ACarpenter, LeNichiporuk, JaNichiporuk, LiNichiporuk, PWatson(z), LBurgess(z), CSambogna(z), RoLocey, DWalling, RLeonard, CMcHale, SBrundage(z), BBishop, SDeSanto, JTaylor, HScorsone(z), JiNichiporuk(z&inpersn) & Other

Chairman David Oliver called the public hearing to order with the Pledge of Allegiance at 7:02p.m.

PUBLIC HEARING: Application #2023-003 (33 Main Street) DO asked for any questions, RT asked what is it all about, BB explained it will be used in conjunction with funeral home, DO stated hand in hand with business. DO-any questions from the board? ET-concerned, JT-how are you ensuring the dates. BB/SD-funeral home families first. RT-renovations? SD-no, just updated septic. JJ-what about the 6-month operation rule, use for str? JJ-falls under str requirements DO-yes. BB-more convenience. Chairman Oliver closed the public hearing at 7:08pm.

Application #2023-007 (12 Orchard Street) DO opened the public hearing for application 2023-007 at 7:09pm. DO discussed, LH explained application, DO-no rental/personal use only? LH-correct. DO-any questions from the public? Chairman Oliver closed the public hearing at 7:10pm.

BUSINESS MEETING: On motion of Dave Durepo, seconded by Mike Hicks and carried, all voting Aye to accept the Planning Board Meeting minutes from March 22, 2023.

NEW BUSINESS: Application #2023-015 (76 Shethar Street) DO stated and asked if any people here, DW-explained concept for driveway, DO discussed problem with lot coverage. Percentage of lot coverage, are driveways covered. Any board members-none. It is current house and garage, not to exceed coverage. Pre-existing, nonconforming, 30%. DK-paved, tree? DW-yes and that tree is being removed by village. RoL-asked about impervious surface, listed definition of impervious surface. DO-not in code. JJ-place impervious services on codes. Will be reviewed by Code Officer and Trustees. RoL wants answers who is going to oversee this? DW-just want a driveway. DO-any more questions? On motion of Dave Durepo, seconded by David Kosan and carried, all voting Aye to approve application 2023-015 and waive any further review.

Application #2023-017 (75 Shethar Street) DO discussed, JJ gave an explanation on size and have it measured, wider and paved. Do asked about property line. JJ-far from it. On motion of Dave Durepo, seconded by MaryJane Bray and carried, all voting Aye to approve application 2023-017 and waive any further review.

Application #2023-018 (10 Thorpe Avenue) DO discussed, CS stated name, DK-how many bedrooms, CS-3, MH-1000 gallon, good, when change in use it needs to be pumped and inspected. DK-parking? DO-site plan? On motion of Dave Durepo, seconded by MaryJane Bray and carried, all voting Aye to send Application #2023-018 site plan review. Information needed by 05/22/23. TW-will schedule p. hearing.

OLD BUSINESS: Application 2022-029 (74 Lake Street) DO-did code give any paperwork on stop working? LiN-no, explained why present, trying to follow rules. DO-original house and garage now got bigger. MJB-why build retaining wall last LiN-weather. MJB-will you have to disturb neighbors land when put in retaining wall? LiN-on our property. DO-heated? LiN-no, DO-covered slab, going back to original concept review, MJB-setting a precedent to build then ask permission. MH-foundation or slab? LiN-couldn't remember when poured. JiN-yes for frost and hooked to house, JiN-talked about green space, DD/DK-all good, DO-we will need engineered stamped papers, DK-no code on retaining wall. JiN-stamped drawings coming, LiN-nothing was told to us about the retaining wall and stamped drawings. JiN-doing it correctly to protect home and neighbors. RoL-asked about retaining wall in earlier meeting and why wasn't it looked at then? RoL-showed pictures of timeline, footer/drainage, her engineer wants to review stamped drawings and she discussed all other aspects of erosion. DO-make sure you show drainage on stamped drawings. MH-what happen to stone wall? MJB-taken away? RoL-yes, during excavation, access point may cause more damage. MH-you can work together and have 74 build wall and then put stones back. RoL-privacy has gone away. LeN-what is privacy, you buy the property and that can happen. RoL-thought the retaining wall was discussed earlier. DD-have a code enforcement officer to oversee, how quickly to get stamped drawings? JiN-in motion, just want to get back to finish the bonus room. Talked to RoL to do right and want to do what is cost effective. DO-bonus room is bigger, understand to protect was is already up, enclosed porch, w/in original plan but bigger, 2 issues-partial room is complete and retaining wall, suggestion to close in the bonus room. On motion of Dave Durepo, seconded by David Kosan and carried, all voting Aye to have 74 Lake Street move forward to close in bonus room with additional square footage and wait on retaining wall. LiN-want to be prepared for next meeting, can engineer zoom in? RoL-has put in many hours and money and still has more questions. DO-ask more questions during public comment.

Application #2022-005 (53 W. Lake Road) DO discussed concerns, house rules, unloading aspect with no shoulder, permission from DOT to unload on Ste. Rte. 54A? HS-we can change the rules to state to go somewhere else to unload. DO-item #7-10 days written notice to cancel-should be length of permit. HS-how long, did not know there was a length needed? MH-asked about parking. LB-submitted drawing, MH-no signs yet, signed contract. MJB-can give approval when we physically see the actual parking spots. LB-asked earlier for what was needed for this meeting. Can provide. MH-I will take back my vote of "yes" and vote "no" now because there is no parking on site. HS-asked many times for what was needed. MH-does not meet use requirements. JJ-is there a variance they can get for off premise parking? DO-no. LB-talked about lease termination. HS-conditions changed and we have been providing everything that has been asked of us. MJB-conditions did not change and not sure they have been met. HS-have had no replies from board on many emails. JT-asked why there was no communication. DD said we are trying to figure this out, we have an easement with Maloney's and construction group, we need to do our research. JJ-talked about placement and timing. LB-easement and parking are on opposite sides. DK stated the property owners met the condition. DO-change lease, make it life of permit, HS-we do have someone else that offered parking. DO-is there a motion to put up signs and lease is modified? DK- motions to approve the parking condition if there are no problems otherwise canceled, put up signs, lease is modified and not approving loading/unloading on 564A. AC-setting a precedent for others. RL-if you approve could be liable for any accidents because no sidewalks. LB/HS-we were already approved with conditions. MJB-no, setting another precedent. MH-rescind "no" vote. DO-sit with the attorney due to new information. DD-how to get from parking to property. HS-what about us (owners) can we walk? DD-can send information, we meet once a month. On motion of MaryJane Bray, seconded by Mike Hicks and carried, all voting Aye to table application 2022-005 in order to speak with the Village Attorney on safety issues.

Application #2023-003 (33 Main Street) DO completed Part II & III of the SEQR. On motion of Dave Kosan, seconded by Mike Hicks and carried, all voting Aye to approve the SEQR. On motion of Dave Durepo, seconded by Mike Hicks and carried, all voting Aye to approve application 2023-003.

Application #2023-007 (12 Orchard Street) DO completed Part II & III of the SEQR. On motion of Dave Durepo, seconded by David Kosan and carried, all voting Aye to approve the SEQR. On motion of Dave Durepo, seconded by MaryJane Bray and carried, all voting Aye to approve application 2023-007 for personal/family use only, not for the intent of a str.

CORRESPONDENCE: None

PUBLIC COMMENTS: RoL assumed you know about fence and I am good with that. TW stated that application only goes to the Code Officer. Discussed density schedule and impervious surface. Walk me through the process of ZBA/Planning. Demo, plans (density), concept review, master appl., same things, no further, site plan, waiting for info., site plan review (ex. new house), public hearing. MJB-read some chapters. RoL-submitted more information and asked about why the following for 74 Lake St. didn't follow the correct procedure? DO-didn't necessarily need to go forward, we didn't think necessary. DO-it was not a change in use and there was a house there. What we saw was OK to agree on waiving further review, in book and we don't necessarily have to go further. RoL-my point, as a neighbor was never notified, I relied on board to do their duties, referenced Chapter 42-3, who enforces this, reached out to office 3 times and nothing given, code officer never given anything. DD-we rely on code officer. DW-asked what she will get since there was a decision. TW-will send a decision letter. JT-is the issue on Chuck, process going forward, all members commented. MH-asked if he could rescind his vote. DO-will check with Lawyer. DO-who wants to go to the Lawyers with him? MJB, MH & DK.

With no further business before the Board, Mike Hicks made a motion, seconded by Dave Kosan and carried, all voting Aye to adjourn the Planning Board Meeting at 9:26p.m. Next Meeting is May 31, 2023, changed from the 24th.

Respectfully Submitted,

Christina Watson
Village of Hammondsport Clerk-Treasurer