

Draft

YATES COUNTY PLANNING BOARD MEETING July 27, 2023

PRESENT: Danielson, Moberg, Sutterby, Sisson, Degner, Gilman, Landcastle, Dowse, and Fulkerson

EXCUSED: Strickland, Hullings, and Miller

ABSENT: Davis and Ferry

Also Present: Michael Clancy (Applicant), Jeffrey Ayers (Yates County Planner), and Brenda Lloyd (Recording Secretary)

CALL TO ORDER: Sutterby called the meeting at 7:00 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES:

A motion was made to approve the minutes from the May 25th meeting by Danielson, seconded by Gilman. All in favor. Motion approved.

CONSIDERATION OF GML 239 REFERRALS

2023-42 Village of Penn Yan. Applicant, Michael Clancy, 118 Clinton Street, Penn Yan, NY 14527. Site address: 182 South Avenue, Penn Yan, NY 14527. *Use Variance.* Applicant proposes the subdivision of a lot where a barn will become the primary structure for the use of commercial storage.

Michael Clancy explained that the property currently has a house and 3 outbuildings on it. The property owners originally bought the residential unit as a short term rental and were using the outbuildings for a place to store items for his business. He does not desire to own or manage the 6,000 square foot barn that is on the parcel. They would like to split it into a separate parcel, the problem is that it is a non-conforming building since it's not residential. The use of it would not necessarily change, he stores some vehicles and boats in there for people. Clancy would own the building and lease it to Pinckney Hardware. He currently owns a property on Elm Street and uses it for storage. He would like to move the storage out of there and either lease the space or sell the building so that it can be redeveloped into something that is more beneficial to downtown. He would prefer to build a conforming location but there aren't any. Ongoing problem that there is a significant lack of flex warehousing space for our downtown business community. This solves his problem and may help solve the problem for other businesses since he doesn't need all the square footage all the time. Fulkerson asked if the new lot would be conforming otherwise. Clancy responded that as far as lot lines and setbacks are concerned it would be a conforming lot just not conforming use. Fulkerson stated that it wouldn't meet the criteria for the variance. His recommendation would be to rezone this parcel to be included in the Commercial zone and/or a few parcels around it even, rather than a use variance. Clancy stated that the odd part is that the use isn't going to change, the current owner could lease that space now and use it for storage as it sits. There would be no signage or business activity other than his staff dropping stuff off or picking stuff up.

Fulkerson made a motion to the Board: That under GML 239 the application as presented has a negative countywide impact due to the potential precedence it could set which could reverberate countywide with use variances being accepted with a self-created hardship. Danielson seconded. 8 in favor. 1 not in favor. Motion approved.

COMMUNICATIONS: Rushville Bicentennial Parade on August 26th at Noon with a party in the park at 5:00 p.m. which will include music, food, bounce house and dunk tank.

Dundee is re-examining some of their zoning.

Yates County Agricultural District is in their 8 year renewal.

Household Hazardous Waste Day is September 23rd at the County Fairgrounds. Registration begins August 1st.

Barrington Comprehensive Plan is still being worked on and they are mulling over what the path forward is.

Town of Starkey has a cluster subdivision on their radar.

Greenidge is planning on doing sound testing on their bitcoin mining operation.
Town of Torrey is working on a short term rental law and also a cannabis law.

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: None

ADJOURNMENT: Sutterby made the motion to adjourn the meeting at 7:21 p.m. All in favor.