

Draft

YATES COUNTY PLANNING BOARD MEETING September 22, 2022

PRESENT: Moberg, Sutterby, Davis, Strickland, Hullings, Gilman, Landcastle, Dowse, Miller and Fulkerson

EXCUSED: Danielson, Degner and Hall

ABSENT: Sisson and Ferry

Also Present: Sam Nagi (Applicant), Teresa and John Vivier (Applicants), Clinton and Galen Zimmerman (Applicants), 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 August 25th meeting by Strickland, seconded by Gilman. All in favor. Motion approved.

CONSIDERATION OF GML 239 REFERRALS

2022-32 Village of Penn Yan. Applicant, Oscar Aguirre/104 Liberty Street LLC, 7500 NY-54, Bath, NY 14810. Site Address: 104 Liberty Street, Penn Yan, NY 14527. *Area Variance.* Applicant proposes installing 8.5' x 7' sign panels in existing freestanding pole sign frame, lit internally.

There was discussion regarding the fact that there was a sign in the current location that had been used before with the previous business. A sign describing the business would not only look better than leaving it empty but would also enhance the business.

Davis made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Fulkerson seconded. All in favor. Motion approved.

2022-33 Village of Penn Yan. Applicant, Kurt and Kiley Brockman, 201 Brown Street Ext., Penn Yan, NY 14527. *Site Plan.* Applicant proposes a 43' x 27' addition to existing structure.

There were no concerns or questions regarding this referral.

Gilman made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Davis seconded. All in favor. Motion approved.

2022-34 Village of Penn Yan. Applicant, Mohamed Ahmed Nagi c/o Yazan Services, 136 Lyell Avenue, Rochester, NY 14608. Site Address: 220 Lake Street Plaza, Suite 9, Penn Yan, NY 14527. *Special Use Permit and Site Plan.* Applicant proposes opening a smoke and tobacco shop.

The applicant mentioned that he was looking around the Village and was considering what the community did not offer. He decided that it has everything, except a smoke shop. He wants to bring something new to town. The store will be more like a convenient mart, a little bit of everything. They are planning on selling cigarettes, tobacco and vapes. Hours of operation are expected to be Sunday through Saturday, 10 am to 10 pm.

Strickland made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Landcastle seconded. All in favor. Motion approved.

2022-35 Village of Penn Yan. Applicant, Steve and Tammy Hullings, 2384 Stape Road, Penn Yan, NY 14527. Site address: 324 Liberty Street, Penn Yan, NY 14527. *Site Plan.* Applicant proposes putting an office space in an existing 3-unit rental unit.

Applicant's main Real Estate office is in Rushville, they would like to have an office that is closer to home and for clients that live near her as well. There is currently six parking spots in the rear and a few in the front of the building. There was a discussion regarding the parking in the front and the concern that the Village does not allow parking in the front yard of RT zoned properties. Unsure if the front parking spots have been approved prior or if they had just been being used unaware of the required approval. There is no back entrance to the office. Applicant feels that having a space in the front would be better for handicap access. The entrance to the building is not currently handicap accessible.

Fulkerson made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact with the comments that the front parking not be expanded and the current parking in front be looked at further locally. Davis seconded. 9 in favor, 1 abstained. Motion approved.

2022-36 Village of Penn Yan. Applicant, John and Teresa Vivier, 108 Kimball Avenue, Penn Yan, NY 14527. Site address: 116 Seneca Street, Penn Yan, NY 14527. *Site Plan.* Applicant proposes an amusement gaming center for a new business and change of use.

This property is in a different building than Bk&d & Loaded, they are right next door to each other. The applicant believes the two businesses will go hand in hand and compliment each other while giving people more things to do in the Village. There are a lot of regulations for each axe throwing lane/cage. There will be axe throwing for now, possibly darts and ping pong. It is a very big building with potential for growth. Must be 16 or older and sign a waiver in order to participate in axe throwing. There is currently a temporary liquor license for Bk&d & Loaded, applicant has no intention to get one for this location. Patrons are able to purchase a beverage at Bk&d & Loaded and bring it to the axe throwing building as long as the drink is not opened.

Davis made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Gilman seconded. All in favor. Motion approved.

2022-37 Town of Torrey. Applicant, Clinton Zimmerman, 1654 State Route 14 Spur Road, Penn Yan, NY 14527. Site address: 1540 State Route 14, Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes constructing a 140' x 300' sales lot for Penn Haven Equipment. For the sale of farm equipment.

Applicant lives on the adjacent farm, his son recently bought the property to the North and they wanted to do something useful with the property. The house currently on the property is run down and is going to be demolished, currently has a permit, and the gravel lot will be used to sell used agricultural equipment. There will not be any building on the property. They will use the current driveway which has a good line of sight in both directions.

Moberg made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Gilman seconded. All in favor. Motion approved.

COMMUNICATIONS: The Town of Milo is extending their East Lake Road Water and Sewer Districts. Water is extending 4600 ft and Sewer is going 7200 ft farther to the South. They are currently under NEPA review.

There are going to be some upcoming virtual trainings, the dates are:

11/2/2022 at 3:00 p.m. - Understanding PV Permitting and Inspecting in NYS – Chris Doty with Frontier Energy to present

11/2/2022 at 5:30 p.m. - Overview of the Model Solar Energy Law - Jennifer Manierre to present

11/14/2022 at 5:00 p.m. - Clean Energy and Your Comprehensive Plan – Jennifer Manierre to present

11/30/2022 at 3:00 p.m. - Overview of the Model Battery Energy Storage Law – Bill Oberkehr to present

11/30/2022 at 5:30 p.m. - Battery Energy Storage for First Responders - Bill Oberkehr to present

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: Resolution 382-22 passed appointing Steven Fulkerson as a member of the board, representing the Town of Starkey.

ADJOURNMENT: Davis made the motion to adjourn the meeting at 7:38 p.m. Sutterby seconded. All in favor. Meeting was adjourned.