

**Village of Penn Yan Planning Board
Meeting Minutes December 2, 2019
111 Elm Street ROOM 202
7:00PM**

Present: Stan Olevnik- Chairman, Jean D’Abbracci-Vice Chairman, Austin Lapp, Mike Willis-alt., Michael Clancy-alt., Ray Spencer – VB Liaison, Bruce Lyon - Code Officer, Ed Brockman-Attorney, Lynn Duryea- Secy.

ABSENT: Sarah Vestal, Brent Bodine.

PUBLIC PRESENT: Bob Cirencione, John & Teresa Vivier.

NEWS MEDIA PRESENT: None.

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Chairman Olevnik announced alternate member(s) Willis and Clancy would participate as voting members for Bodine and Vestal who were absent.
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A MOTION by Austin Lapp and a **SECOND** from Mike Willis to approve the 11-4-19 minutes.
Jean D’Abbracci - aye. Mike Willis - aye. Mike Clancy - aye. **Motion carried.**

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FIRST ITEM:

Site Plan application from Teresa Vivier for change of use for new parking and gas tank at 8 Bush Park. Prior property owner Bob Cirencione, and new owners, John & Teresa Vivier were present. Mr. Vivier pointed out the location on the plan where he intended to put a portable 500 gallon, double-walled gasoline tank. He said it would go on a pad and have fencing for a visual buffer. The board questioned the Viviers at length about available parking and sufficient space for the larger vehicles to turn around. Mr. Vivier said the large taxi vehicles to be parked were 2 buses and 1 van which had 26’-30’ of turn-around space. The board asked about parking for used cars, vehicles undergoing service, employee cars, U-Haul trucks as well as retail customers’ cars. Chairman Olevnik said he counted 11 spaces in total which he thought seemed inadequate. Mr. Vivier maintained the lot was large enough to accommodate all parking needs adding he only had a maximum of 3 used cars on the lot at one time. Mr. Cirencione explained larger vehicles were doubled-up in a parking space when necessary and U-Haul was summoned to retrieve trucks if they had too many. Chairman Olevnik pointed out the plan showed details on the neighboring property. Mr. Vivier said he was pursuing a lot-line adjustment for that. The chairman deferred to Attorney Brockman. Attorney Brockman explained the planning board could not complete the site plan review if the plan showed use of neighboring property before it was a part of the 8 Bush Park lot. The board suggested the Viviers either remove the proposed use of the neighboring property from the plan and submit a revised plan for site plan review, or complete the transfer of land, change the plan accordingly and return for site plan review. Chairman Olevnik asked Code Officer, Bruce Lyon, if there were any parking violation and if they had satisfied the parking regulations. Mr. Lyon indicated there were no specific parking requirements in the code for a U-Haul business other than the standard 1 space per employee and one for every 1,000ft² which seemed to have been met. He said it was difficult to be sure since there was an unknown number and size of vehicles to be parked and the spaces for them were not marked. He said parking spaces of a required size did need to be marked and have proper setbacks. There were questions for the Viviers about the gasoline tank currently at the East Elm Street taxi property. Mr. and Mrs. Vivier both confirmed the gasoline tank would be removed from that property. Mr. Vivier asked if they could place the new tank at the 8 Bush Park site before site plan approval. The planning

