

Village of Penn Yan Planning Board
Meeting Minutes April 20, 2020
TRANSCRIBED via ZOOM Recording
7:00PM

Present: Stan Olevnik- Chairman, Jean D’Abbracci-Vice Chairman, Sarah Vestal, Austin Lapp, Michael Clancy-alt., Michael Willis-alt., Ray Spencer – VB Liaison.

ABSENT: Bruce Lyon, Lynn Duryea.

PUBLIC PRESENT: Joe Ardieta, Rich Stewart, Gary Meeks.

NEWS MEDIA PRESENT: None.

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Chairman Olevnik announced alternate member Mike Clancy would participate as a voting member for the session.
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Stan: Do I hear a motion on the minutes of February 3, 2020?

A MOTION by Jean D’Abbracci and a **SECOND** from Mike Clancy to approve the February 3, 2020 minutes. Jean D’Abbracci–aye Sarah Vestal–aye. Mike Clancy-aye. **Motion carried.**

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FIRST ITEM: Site plan application from REI REI LLC to revise previously approved patio plans and to install a retaining wall at 111 Liberty Street.

Joe Ardieta was present.

Joe: The project has approval from 2016. Then it was a full, large-scale patio at north end of building at Water/Liberty Street to retaining wall up against sidewalk. Now patio is smaller. What’s there will stay. The rest will be landscaped and sidewalk. Less impervious area now. Upgrading retaining wall along sidewalk. Structural engineer will re-engineer the existing retaining wall on east side currently. The other thing we’re proposing with this job is to place retaining wall from the southeast corner of building eastward parallel to southern property line. It’s in slight arc. The intent for that is that the owner is to get more space above for future parking and access to doorways at southern half of building on the east side. That’s all we’re proposing. Some things that coincide with that retaining wall in the rear is flood plain elevation since it’s right next to Keuka Lake Outlet. Published flood plain elevation is 720’ but that was old. Upgrading to current datum 719.4’ in elevation. Building is at 721.55’ at lowest and is higher than flood plain elevation. Good there. The retaining wall coincides with boundary of flood plain but top of wall will be above flood plain. Retaining wall will have structures on back side so it’s there even at a time where inundated. The water will balance on both sides of wall. Putting in drainage tile on backside of wall to stop water from stacking there. Will reconfigure existing catch basin for water flowing down driveway.

Stan: Before I open up for questions; patio is at or above flood line but wall associated with that is 2’ above confirming that the building sits higher than 100-year flood plain, right?

Joe: Patio space wall is above flood plain. Building is above. Only thing we’re changing is retaining wall in back. That wall will coincide with flood plain boundary.

Stan: Only 2 people from public are with us. Rich Stewart and Gary Meeks. Comments?

Gary: No.

Rich: No.

Stan: Will now review department heads. Tom Dunham, Police Department. No comments. Code, “Need info from FRMA” Can’t read his writing. May need to address. “DEC approval. DOT approval. Any other agency concerned with outlet.” Tim Marcellus, No comments. Ron Keech, “Nothing pertains to the water & sewer at

**Village of Penn Yan Planning Board
Meeting Minutes April 20, 2020**

this time.” Tom Schwartz, Electric/Water Departments. “Nothing needed for the electric or water departments for this proposed project.” Yvonne Tucker, “Reviewed. Not applicable.” Yates County Planning Board, “The county has noted that these revisions constitute a minor revision and that no further county action is required.”

Stan: Now proceed to application checklist.

Jean: Can we call Bruce? Give me the number and I’ll call him.

Stan: We need specific information on ‘FRMA/H’ regarding flood plain. Now to the checklist. If anyone sees anything please say so. (Stan read aloud each of the 39 application checklist items in their entirety. His comments to each are listed below.)

- 1.) 1” = 20’ (or 40’). OK.
- 2.) North arrow. OK.
- 3.) Property boundaries. OK.
- 4.) Site dimensions & setbacks. OK.
- 5.) Building w/elevations noted. OK.
- 6.) Construction materials. OK. Only related to patio and wall.
- 7.) Parking lot details N/A.
- 8.) 10% landscaping buffer OK.
- 9.) Adjacent roads. OK.
- 10.) Vehicular access/sight distances. No vehicular access noted but not necessary for just a patio change.
- 11.) Existing buildings. N/A.
- 12.) Fire hydrant details. N/A.
- 13.) Electrical. N/A. No change.
- 14.) Electric, gas, solar. Natural gas lines? Where confirmed?
Joe: Survey didn’t pick them up. Unless lines are by retaining wall, not affected. Wall by sidewalk needs checking. Will check on it.
- 15.) Water/sewer mains. N/A.
- 16.) Water service location & size. N/A.
- 17.) Natural gas location. (see #14)
- 18.) Existing/proposed easements. N/A.
- 19.) Grading plan. N/A. Just changing patio.
- 20.) Existing land features. OK.
- 21.) Pedestrian access. N/A.
- 22.) Buffer locations. N/A.
- 23.) Landscaping species. OK.
- 24.) Lighting/luminary details. No new lighting?
Joe: None proposed.
- 25.) Signs: location, size, design. N/A.
- 26.) 3”X3” inset. OK.
- 27.) 3”X5” block. OK.
- 28.) PART I EAF. OK.
- 29.) Engineer’s seal. OK.
- 30.) Color rendering. N/A, just patio changes.
- 31.) Other items-sketch plan mtg. N/A.
- 32.) Employees? N/A.
- 33.) Project phases? Timeline?
Joe: Don’t know. Berk’s & Security loan decision.
Stan: Target date still in 2020?
Joe: Yes.
- 34.) Status of other req. permits. Not aware of any, other than building permit.

**Village of Penn Yan Planning Board
Meeting Minutes April 20, 2020**

- 35.) 9 copies. OK.
- 36.) SWPPP N/A, falls under original site plan parameters.
Joe: Project site is less than 1 acre. No SWPPP required.
- 37.) Erosion/sediment control plan. No plan?
Joe: Yes, it's on grading plan.
- 38.) Pollution control devices. N/A.

Stan: Does the board have any comments or questions regarding Part 1 SEQR. (No one spoke up) I assume that means no one does. Do I have a motion for lead agency?

A MOTION by Sarah Davis and a **SECOND** from Austin Lapp to designate the Village of Penn Yan Planning Board as Lead Agency and to find that the project was consistent with an UNLISTED action.
Jean D'Abbracci-aye Sarah Vestal-aye.. Austin Lapp-aye. Mike Clancy-aye. **Motion carried.**

(Stan read aloud each of the 11 questions in Part 2. The board assessed all as: *no, or small impact may occur.*)
Stan: The Planning Board has determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant environmental impacts. Do I hear a motion to adopt the SEQR?

A MOTION by Sarah Davis and a **SECOND** from Austin Lapp to adopt the SEQR.
Jean D'Abbracci-aye Sarah Vestal-aye. Austin Lapp-aye. Mike Clancy-aye. **Motion carried.**

Stan: Do I hear a motion to approve the site plan changes for the patio and retaining wall?
Jean: I have a question about #34. Updating permit. Should that be a condition of approval?
Stan: Planning Board just makes note to applicant of that requirement.
Jean: So, that will be put in the minutes by Lynn?
Stan: Yes. Motion to approve?

A MOTION by Sarah Davis and a **SECOND** from Jean D'Abbracci to grant approval of the site plan subject to clarification of Bruce's comments.
Jean D'Abbracci-aye Sarah Vestal-aye. Austin Lapp-aye. Mike Clancy-aye. **Motion carried.**

SITE PLAN APPROVED.



OTHER BUSINESS:

- Stan: In light of the pandemic we'll skip May 4th and this will conclude this meeting.



A MOTION by Jean D'Abbracci and a **SECOND** from Austin Lapp to adjourn the meeting at 7:40 PM.
Jean D'Abbracci-aye Sarah Vestal-aye. Austin Lapp-aye. Mike Clancy-aye. **Motion carried.**

Submitted by Secretary:

Lynn Duryea