

**Village of Penn Yan Planning Board
Meeting Minutes February 3, 2020
111 Elm Street ROOM 202
7:00PM**

Present: Stan Olevnik- Chairman, Jean D’Abbracci-Vice Chairman, Sarah Vestal, Brent Bodine, Mike Willis-alt., Michael Clancy-alt., Ray Spencer – VB Liaison, Ed Brockman-Attorney, Lynn Duryea- Secy.

ABSENT: Austin Lapp

PUBLIC PRESENT: William (Todd) Hatch

NEWS MEDIA PRESENT: None.

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Chairman Olevnik announced alternate member Mike Clancy would participate as a voting member to substitute for Austin Lapp who was absent.
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A MOTION by Jean D’Abbracci and a **SECOND** from Mike Clancy to approve the 12-2-19 minutes.
Jean D’Abbracci – aye. Mike Willis - aye. Mike Clancy - aye. **Motion carried.**

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FIRST ITEM:

Special Use Permit application from Ray Spencer for new bakery at 132-138 Water Street.

Ray Spencer and future tenant Todd Hatch were present. Ray explained this project was one awarded DRI grant money. He said Mr. Hatch is ready to move forward and would be the first DRI project to be completed. Mr. Hatch said he had family ties to Penn Yan and had recently moved to the area from Oregon. He said the business would principally be making artisan breads and very little else. Ray said the bakery would be built in the space that used to be occupied by a kayak rental business next to the Union Block Restaurant. He said there would be no indoor seating and would be mostly retail with some wholesale sales to local restaurants. Mr. Hatch said his hours would be 7:00am-2:00pm Monday through Saturday. Ray referred the board to the plan showing the design of the bakery. He questioned the fact that this type of business was considered a special use in the Waterfront Development & Conservation District (WDC). He suggested the code be changed to allow businesses like these. Brent explained the village purposely classified them as special uses so the planning board had to do a review and then determine whether or not they were appropriate for a WDC location. The board confirmed there was adequate parking, and discussed an easement notation found on the plan. Ray said the property owner next door had an easement through the parking lot. Attorney Brockman said Village Law (7-725B) required a 10-day notice to the applicant and asked Ray if he was willing to waive the requirement. Ray agreed to waive the requirement.

The Board then compared the plans to the checklist of requirements with the following results;

Any signs proposed in the future would need to go through the proper code permitting process.
Notation to get the applicable building permits.

The application was submitted a few weeks late so municipal departments were not consulted for comment prior to the meeting. Brent, addressing the board as Director of Public Works who was overseer of most of the municipal departments, stated he saw no issues that would affect water, sewer or electrical departments. The secretary indicated she had asked the Streets Superintendent, Tim Marcellus, if he wanted to comment and he had said the area being the building would not concern his department. Mike Clancy mentioned, on behalf of his Fire Department experience, that they should be sure to install a Knox box. After discussion the board decided

**Village of Penn Yan Planning Board
Meeting Minutes February 3, 2020**

there would be no further need to consult the department heads, therefore, final approval would be not be postponed for their comments.

This project was exempt from Yates County Planning Board referral.

“Special Use Permit applications with no changes in building footprint, and no changes to vehicular access onto a state or county roadway, are exempt from county referral.”

The Board then proceeded to the Environmental Assessment Form for an evaluation of impacts.

The Chairman asked if the board had any comments or questions regarding Part 1 SEQR. There were none.

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

The following were listed as potential impacts; None

The Planning Board’s final determination was that the action would not have a significant negative impact therefore a negative declaration statement would be prepared.

A MOTION by Jean D’Abracci and a **SECOND** from Sarah Vestal to adopt the SEQR. Brent Bodine–aye. Sarah Vestal–aye. Jean D’Abracci–aye. Mike Clancy-aye. **Motion carried.**

MOTION Sarah Vestal and a **SECOND** from Brent Bodine to OPEN the public hearing. Brent Bodine–aye. Sarah Vestal–aye. Jean D’Abracci–aye. Mike Clancy-aye. **Motion carried.**

Comments from the public: None.

Comments from the Board: None.

MOTION from Sarah Vestal and a **SECOND** from Jean D’Abracci to CLOSE the public hearing. Brent Bodine–aye. Sarah Vestal–aye. Jean D’Abracci–aye. Mike Clancy-aye. **Motion carried.**

A MOTION by Sarah Vestal and a **SECOND** from Jean D’Abracci to grant approval of the Special Use Permit application with the notation to get any necessary building permits and to get the code office approvals/permits for any signs proposed in the future.

Brent Bodine–aye. Sarah Vestal–aye. Jean D’Abracci–aye. Mike Clancy-aye. **Motion carried.**

APPLICATION APPROVED.



OTHER BUSINESS:

- **Budget review; look at last year’s numbers to see if any changes will be necessary.**

The board went over the previous fiscal budget numbers and agreed to keep the numbers the same for Professional & Training, Supplies & Materials and Engineering Fees. Brent explained the Contractual Services budget was a bit complicated and warranted more exploration. Chairman Olevnik offered to have a meeting

**Village of Penn Yan Planning Board
Meeting Minutes February 3, 2020**

with Clerk/Treasurer, Gary Meeks, to determine that budget figure. The board acknowledged that as an acceptable decision for that portion of the budget.

➤ **Board member, Brent Bodine, to resign from both the Village and the Planning Board.**

Brent said he had accepted a new job and Friday was his last day with the village. The board thanked him for his outstanding contributions and wished him well in future endeavors. Chairman Olevnik said he would discuss with Mayor MacKerchar, and any board members, possible changes from alternate status to full member.

➤ **111 Liberty Street progress/status of approved project.**

Chairman Olevnik said NYSEG had wrapped up their clean-up project which had been preventing 111 Liberty Street owner from completing work on a parking area. The board discussed the notion of sending a letter to the owner requesting he move forward with the work. Brent explained NYSEG was not entirely finished and would still be returning for more site cleanup. He suggested waiting before sending a letter. The board decided to send a first letter. Attorney Brockman said he would draft the letter if the board would like him to and they agreed. He said he would forward it to the secretary. Jean recommended it ask for a definitive time-line showing a projected completion date.

➤ **Potential Iversen Water Street project.**

Chairman Olevnik informed the board he, Chris Iversen and Bruce were meeting on Thursday, February 13th at 9:00 in the Executive Session Room. He said Mr. Iversen wanted to talk about building townhomes on property there. He extended an invitation to anyone who wanted to come.

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A MOTION by Brent Bodine and a **SECOND** from Jean D’Abbracci to adjourn the meeting at 8:00PM.
Brent Bodine–aye. Sarah Vestal–aye. Jean D’Abbracci–aye. Mike Clancy-aye. **Motion carried.**

Submitted by Secretary:

Lynn Duryea