

**TOWN OF BIG FLATS  
PLANNING BOARD  
MEETING MINUTES**

**February 3, 2015**

Town Hall  
Meeting Room  
6:30pm

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Members Present: Lance Muir, Scott Esty, Carl Masler, Angela Piersimoni, John Hunter, Bob Byland, Dave Seely

Members Absent: Jim Ormiston

Staff Present: Brenda Belmonte

Guests: Brian Faulkner, Karl Schwesinger, Abdul Waheed, Najeeb Rehman, Sted K Ahmed, Derrick Ek, Kathleen Watts

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Minutes

January 6, 2015

**Motion by Esty, seconded by Seely, to approve the minutes of January 6, 2015, Discussion, None, Motion Carries 7-0.**

**RESOLUTION P-2015-4  
Islamic Association Site Plan, FINAL  
Tax Parcel 58.01-1-61.11**

Resolution by: Robbins  
Seconded by: Seely

**WHEREAS**, the Town of Big Flats Planning Board received an application on September 19, 2014, for site plan approval to construct a single story 18,750 sq. ft. building; and

**WHEREAS**, the Town of Big Flats Planning Board has reviewed the submitted materials in accordance with Chapter 17.32 of the Town of Big Flats Municipal Code; and

**WHEREAS**, the Town of Big Flats Department of Planning has provided an engineering report dated May 29, 2014 to be forwarded to the applicant as the finding of fact through the preliminary review; and

**WHEREAS**, the applicant was granted an area variance by the Town of Big Flats Zoning Board of Appeals; and,

**WHEREAS**, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Big Flats Planning Board declared themselves as lead agency and forwarded to all involved agencies;

**NOW THEREFORE BE IT RESOLVED**, the Big Flats Planning Board pursuant to SEQR 6 NYCRR Part 617 to SEQR makes a negative declaration:

**FURTHER RESOLVED**, the Town of Big Flats Planning Board accepts the Site Plan submission received May 16, 2014 and grants FINAL site plan approval with the following conditions:

- A digital copy of the final record drawing of the site plan including utilities shall be submitted to the Town of Big Flats Planning Board
- Address DPW review letter dated January 23, 2015
- Obtain all required Town of Big Flats and Chemung County Permits

**CARRIED: AYES:** Esty, Byland, Masler, Muir, Piersimoni, Seely, Hunter  
**NAYS:**

Dated: Tuesday, February 3, 2015  
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats  
Lance Muir  
Chairman, Planning Board

**RESOLUTION P-2015-5**  
**Chemung County IDA (Emhart) FINAL SITE PLAN AMMENDMENT**  
**Tax Parcel 57.02-2-60**

Resolution by: Esty  
Seconded by: Seely

**WHEREAS**, the Town of Big Flats Planning Board received an application for site plan approval on November 14, 2014; and,

**WHEREAS**, the Town of Big Flats Zoning Law permits manufacturing with site plan approval; and,

**WHEREAS**, the Town of Big Flats Planning Board required the applicant to meet all permitting/requirements from the Chemung County DPW and Chemung County Airport/ FAA; and,

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Big Flats hereby determines, pursuant to the provisions of SEQR 6 NYCRR Part 617, that the proposed Unlisted action will not have a significant effect on the environment and that preparation of an Environmental Impact Statement will not be required, thereby issuing a Negative Declaration; and

**FURTHER RESOLVED**, the Town of Big Flats Grants Final approval with the following conditions:

- Additional ingress/egress shall not be installed until all Chemung County DPW concerns have been addressed and permits obtained regarding traffic signal and curb-cut.

- Meet all FAA and Chemung County Airport requirements.

**CARRIED: AYES:** Esty, Piersimoni, Muir, Byland, Masler, Seely, Hunter  
**NAYS:**

Dated: Tuesday, February 3, 2015  
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats  
Lance Muir  
Chairman, Planning Board

**Resolution P-2015-6  
Simmons Rockwell Colonial Drive  
Preliminary Site Plan Amendment  
Tax Parcel 58.01-2-35.11**

Resolution by: Esty  
Seconded by: Byland

**WHEREAS**, the applicant proposes an 8000sf. Building in the (rear Northeast parking area) to the existing dealership at 224 Colonial Drive. The building is to be used for record storage and dealership car re-conditioning, and

**WHEREAS**, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Big Flats Planning Board's review as lead agency; and

**WHEREAS**, the Planning Board has considered the Full Environmental Assessment Form and other materials submitted by the applicant in support of the proposed action, and verbal commentary during the Planning Board's meetings pertaining to the review and evaluation of the proposed action;

**WHEREAS**, the Planning Board considered the structure to be part of the principal use due to the nature of a vehicle sales lot, and

**WHEREAS**, the Planning Board considered the professional opinion of the third party review by Southern Tier Central Regional Planning which agreed that such decision should be considered thru site plan approval only, and

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Big Flats hereby determines, pursuant to the provisions of **SEQR 6 NYCRR Part 617**, that the proposed Unlisted action will not have a significant effect on the environment and that preparation of an Environmental Impact Statement will not be required, thereby issuing a Negative Declaration; and

**BE IT FURTHER RESOLVED**, that upon full consideration of the above, the Planning Board of the Town of Big Flats hereby grants Preliminary Approval of the Site Plan Amendment which includes the following conditions:

**PRIOR TO ISSUANCE OF A BUILDING PERMIT**

*The following conditions shall be completed by the applicant prior to the authorized issuance by the Building Inspector of a Building Permit:*

1. Authorized issuance of a Building Permit by the Building Inspector shall be fully based on, and in accordance with this Resolution of Approval and the *final Plans signed* by the Planning Board Chair or Planning Director. Any alteration or deviation from the *signed final Plans* shall require the prior review and approval by the Planning Board of the Town of Big Flats. The Building Inspector shall include reference to the *final Plans* and this Resolution of Approval on any issued Building Permit.
2. Prior to any Building Permit being issued by the Building Inspector a complete utility plan shall be submitted to the and approved by the Town of Big Flats Department of Public Works and Chemung County Sewer District.
3. No activity within regulated wetlands, watercourses and associated 100-foot buffer areas is permitted or authorized by this Resolution; no wetland activity permit has been granted in conjunction with this Site Plan Approval and no structures shall be placed upon and no use of the areas designated as wetlands, watercourses or associated regulated 100-foot buffer areas, as may be amended from time to time, shall be permitted.

**CARRIED: AYES:** Esty, Piersimoni, Muir, Byland, Masler ,Seely, Hunter  
**NAYS:**

Dated: Tuesday, February 3, 2015  
BIG FLATS, NEW YORK

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Lance Muir  
Chairman, Planning Board

Muir stated that this is not being proposed as an *accessory building* as currently defined by town code. Given its stated purpose, Muir does not believe a variance would be required.

Piersimoni feels an approval without a variance may lead to additional accessory buildings elsewhere.

Esty agreed, saying a decision of this nature should happen only with this board's approval.

Muir feels the approval could be granted specifically on its stated purpose as of this date.

Faulkner said the intention is to divide the building into two areas; one for record storage, one for detailing.

**ELMIRA FITNESS CENTER**