

Village of Penn Yan Planning Board Meeting Minutes

Village Hall, Room 202, 111 Elm Street, Penn Yan

Monday, October 7, 2024 at 7:00 p.m.

Present:

Mike Clancy, Chair
Sarah Purdy, Vice Chair

Denis Gilmartin
Larry Strickland

James Marshall, CEO
Dan Henries, Trustee

Public:

Carlie and Louie Seeley

Geisha Aman

Tony and Grace Iaquinto

The meeting was called to order at 7:00 p.m. by M. Clancy, beginning with the Pledge of Allegiance and introductions.

Motion by L. Strickland to approve the September 3, 2024 Planning Board meeting minutes as presented seconded by D. Gilmartin and carried all in favor.

210 Main Street – Site Plan review for a nail enhancements home occupation business proposed by Geisha Aman.

Motion by S. Purdy to open the public hearing for 210 Main Street, seconded by L. Strickland and carried all in favor.

G. Aman described herself as a nail-trainee specialist with a provisional license to do nail enhancements. Providing services out of her home until she is fully licensed in twelve months is a way to gain experience until she is able to rent a booth. Inside her home is a dedicated space with a nail station, separate from her living space. There will not be any signage, advertising will be via social media and word of mouth. Services will be provided by appointment only – there will be only one extra car at a time. It was confirmed that her driveway runs along the side of the library and that she owns four feet of it, the other part of it is considered a Village road. On street parking won't be needed. In response to C. Chilson's inquiry about ventilation, G. Aman noted that her station is near a window and that her table has an extractor in it that collects dust for disposal. S. Purdy noticed that numbers three and sixteen of the Short Environmental Assessment Form were left unanswered – the project site is less than an acre and is not located in the 100-year flood plain. A building permit has been issued for the construction of a deck and ramp at the rear of the house, but first the front steps need replacing.

Motion by S. Purdy to close the public hearing, seconded by D. Gilmartin and carried all in favor.

In response to the comments asked of the Design Review Committee, G. Aman states that no chemicals will go down the drain. A small amount of the liquid chemical used for nails is used each time, the excess fluid is collected with a paper towel and thrown away.

M. Clancy reviewed the materials supplied as part of the site plan application and found that there was no need to alter the plan from what was submitted.

Motion by L. Strickland to designate the Village of Penn Yan Planning Board as lead agency of the Environmental Assessment (SEQR) to find that the project is consistent with an unlisted action for 210 Main Street, seconded by D. Gilmartin and carried all in favor.

It was noted that question number sixteen will be answered no and question number three is under an acre, the structure is preexisting and won't be disturbed.

After review of Part 1 and completion of Parts 2 and 3 of the Short Environmental Assessment Form, the Planning Board's final determination was that the action will not result in any significant adverse environmental impacts.

Motion by S. Purdy to adopt the SEQR for 210 Main Street, seconded by L. Strickland and carried all in favor.

Motion by S. Purdy to approve the Site Plan Application for the proposed nail enhancements home occupation at 210 Main Street, seconded by D. Gilmartin and carried all in favor.

3 Wagener Court – Site Plan and Special Use Permit Application review for a short-term rental business proposed by Grace and Tony Iaquinto.

Motion by S. Purdy to open the public hearing for 3 Wagener Court, seconded by D. Gilmartin and carried all in favor.

G. Iaquinto stated that the house has been improved – it's charming now. There is one parking space available, this will be noted when the STR is advertised. They were excited to see that the road was freshly paved. G. Iaquinto shared that they have a home in Dundee and during the prime renting months, they will be available to help manage the STR business – in addition to their selected manager. Their neighbors have not shown concern.

Motion by L. Strickland to close the public hearing, seconded by S. Purdy and carried all in favor.

Comments from the Design Review Committee were reviewed.

M. Clancy reviewed the materials supplied as part of the Site Plan and Special Use Permit Application and found that there was no need to alter the plan from what was submitted.

Motion by S. Purdy to designate the Village of Penn Yan Planning Board as lead agency of the Environmental Assessment (SEQR) to find that the project is consistent with an unlisted action for 3 Wagener Court, seconded by L. Strickland and carried all in favor.

After review of Part 1 and completion of Parts 2 and 3 of the Short Environmental Assessment Form, the Planning Board's final determination was that the action will not result in any significant adverse environmental impacts.

Motion by S. Purdy to adopt the SEQR for 3 Wagener Court, seconded by D. Gilmartin and carried all in favor.

Motion by L. Strickland to approve a Special Use Permit for the proposed short-term rental at 3 Wagener Court, seconded by D. Gilmartin and carried all in favor.

118 Henry Street – Site Plan and Special Use Permit for a short-term rental business proposed by Carlie Seeley.

Motion by S. Purdy to open the public hearing for 118 Henry Street, seconded by L. Strickland and carried all in favor.

C. Seeley decided to rent her house on a short-term basis because she perceives it as a way to protect the property from possible deterioration of a long-term rent situation. The house is currently being rented long-term and was not ready for an inspection. She will plan to complete the short-term rental process and inspection in the Spring after the tenant leaves – a permit will not be issued until then. It was confirmed that there will be a manager. There are two parking spaces, three bedrooms. Parking will be advertised for two spaces.

Motion by S. Purdy to close the public hearing, seconded by L. Strickland and carried all in favor.

Comments from the Design Review Committee were reviewed.

M. Clancy reviewed the materials supplied as part of the Site Plan and Special Use Permit Application and found that there was no need to alter the plan from what was submitted.

Motion by L. Strickland to designate the Village of Penn Yan Planning Board as lead agency of the Environmental Assessment (SEQR) to find that the project is consistent with an unlisted action for 118 Henry Street, seconded by D. Gilmartin and carried all in favor.

After review of Part 1 and completion of Parts 2 and 3 of the Short Environmental Assessment Form, the Planning Board's final determination was that the action will not result in any significant adverse environmental impacts.

Motion by S. Purdy to adopt the SEQR for 118 Henry Street, seconded by D. Gilmartin and carried all in favor.

Motion by S. Purdy to approve a Special Use Permit for the proposed short-term rental at 118 Henry Street under the condition that an inspection be completed and passed prior to the issuance of an STR permit, seconded by L. Strickland and carried all in favor.

150 Water Street – Site Plan review for the relocation of structures used for an established seasonal water craft and bicycle rental business from 111 Liberty Street as proposed by A. Zimmerman.

The applicant was not present.

Motion by S. Purdy to open the public hearing for 150 Water Street, seconded by D. Gilmartin and carried all in favor.

No public was present. J. Marshall noted that the containers have already been moved, they are too close to the existing structure per code and without a Certificate of Appropriateness from the Historic Preservation Commission. D. Gilmartin recalled that the original site plan for 111 Liberty Street was for one container to be removed within 180 days. However, two were used instead, combined they equal the same size as the approved large container at 40' x 8'.

M. Clancy pointed out that the entirety of the area is a fluid and complicated problem, because there is NYSEG and DEC testing to deal with, the property is not ready for sale, but permission to use it has been granted. The parking improvements were noted, as they were needed from when the restaurant opened. J. Marshall stated that the work that has been done may not be an issue, but it would have been nice if the appropriate steps were used to get there. Discussion ensued.

The Yates County Planning Board recommended that a timeline be set so that they aren't treated as a permanent solution. M. Clancy reminded that as a business person, the timeline for events with these properties has been difficult to predict. Adding that not having the containers down by the water might be considered a good thing, they aren't as visible. It was remembered that the reason for two containers instead of one was due to an availability issue. It was also noted that the shed is already on the 150 Water Street property, likely without a Certificate of Appropriateness – the Village is at fault for letting this go.

It was agreed that if the containers did need to be moved prior to receiving approval from the Planning Board, then a call to J. Marshall explaining the situation should have occurred. Additionally, the change in plan from one to two containers should have been communicated as well. By moving the containers, there is compliance with the original site plan requesting that they be removed within 180 days of the May 2024 approval.

Motion by S. Purdy to close the public hearing, seconded by D. Gilmartin and carried all in favor.

Motion by S. Purdy to table the Site Plan Review Application for 150 Water Street until the next meeting, seconded L. Strickland and carried all in favor.

Motion by L. Strickland to adjourn the meeting at 7:56 p.m., seconded by D. Gilmartin and carried all in favor.

Submitted by Katie Tomlinson