

**VILLAGE OF HOMER PLANNING BOARD**  
**Minutes of Regular Meeting – Tuesday, 13 January 2020 – 6:30 PM**  
**Town Hall – North Main Street – Homer, NY**

**Board Members** (\*absent)

Mahlon Irish, Jr., Chairman  
Michael Pollak  
Donald Ferris  
Ashley Neiderman  
Richard Hemmings

**Others Present**

Dante Armideo, Village Attorney  
Joan E. Fitch, Board Secretary  
Kevin McMahon, CEO  
Kristen Case, Village Deputy Clerk  
Patrick Clune, Village Trustee

**Applicants & Public Present**

Clinton Brooks, Applicant; Kevin Clark for Bennett Baritell, Applicant; David Yaman, Applicant; Jamie Yaman.

**REGULAR MEETING**

**The Regular Meeting of the Village of Homer Planning Board was called to order at 6:30 p.m. by Chairman Mahlon Irish, Jr.**

**ORGANIZATIONAL MATTER – 2020 MEETING DAY/TIME**

After a brief discussion, a motion was made by Member Richard Hemmings to select the second Monday of each month at 6:30 p.m. as its 2020 meeting day/time, as needed. The motion was seconded by Member Don Ferris, with the vote recorded as follows:

**Ayes: Chairman Irish  
Member Pollak  
Member Ferris  
Member Neiderman  
Member Hemmings**

**Nays: None**

**Motion carried.**

**This becomes Action #1 of 2020.**

**OLD BUSINESS** - None

**NEW BUSINESS**

**Bennett Baritell, Applicant/Kevin Clark, Reputed Owner – 70 South West Street – TM #76.24-01-03.000 – Removal/Relocation of Sign**

Chairman Irish recognized the applicant who was seeking approval to remove the existing business sign and then relocate the sign about three feet north of its original location, a photo of which he showed to the Board. Mr. Clark's present accounting office will be occupying two more businesses which will necessitate adding to the sign. The existing sign is non-conforming, but is grandfathered in. CEO Kevin McMahon stated he wanted this application to come before the Board because "any sort of business sign is probably not allowed in an R-2 District, besides a home occupation sign, and he wanted affirmation that it was okay.

At the close of the discussion, a motion was made by Member Mike Pollak to approve the removal and replacement of the business sign, as requested. The motion was seconded by Member Ashley Neiderman, with the vote recorded as follows:

<b>Ayes:</b>	<b>Chairman Irish</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Pollak</b>		
	<b>Member Ferris</b>		
	<b>Member Neiderman</b>		
	<b>Member Hemmings</b>		

**Motion carried.**

**This becomes Action #2 of 2020.**

**Clinton Brooks, Applicant/First National Bank of Dryden, Reputed Owner – 12 South Main Street – TM #66.82-01-14.000 – Site Plan Review – Additional Parking**

Chairman Irish recognized Mr. Brooks, representing the applicant who was seeking to improve parking in the area surrounding the bank by reconstructing a small area, contiguous to the bank, which will require the removal of a light pole and a tree, resulting in the addition of six parking spaces. Drainage will be directed into the existing drywell. Mr. Brooks described the present parking on the bank property and the adjacent Yaman property; they just would like additional spots.

As requested by Chairman Irish, the Board Secretary read aloud those questions contained in Part II of the Short Environmental Assessment Form. Negative/small impact responses were obtained to all questions.

**A motion was then made by Member Ferris that, based on the information provided and analysis of the SEQR concerning this application for additional parking, the Village of Homer Planning Board has determined that the proposed action will not produce any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Hemmings, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Irish</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Pollak</b>		
	<b>Member Ferris</b>		
	<b>Member Neiderman</b>		
	<b>Member Hemmings</b>		

**Motion carried.**

**This becomes Action #3 of 2020.**

With no further discussion, a motion was made by Member Ferris to approve the site plan for additional parking, as requested. The motion was seconded by Member Neiderman, with the vote recorded as follows:

<b>Ayes:</b>	<b>Chairman Irish</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Pollak</b>		
	<b>Member Ferris</b>		
	<b>Member Neiderman</b>		
	<b>Member Hemmings</b>		

**Motion carried.**

**This becomes Action #4 of 2020.**

**David Yaman, Applicant/Dwayne Block Building, LLC, Reputed Owner – 23 South Main Street – TM #66.83-01-39.000 – Site Plan Review – Change of First Floor Business Use from Retail to Restaurant**

Chairman Irish recognized the applicant who was seeking approval to change a planned retail business use to a restaurant, as described in his narrative dated 10 January 2020 and as shown on the drawings submitted. He said the restaurant would require an additional fourteen spaces; however, there was additional parking available in his other property across the street (rheumatology lot). Village Attorney Dante Armideo explains what is in the Code.

Chairman Irish noted that the restaurant would be open for lunch when most of the parking spaces were occupied. Member Ferris asked about employee parking. Mr. Yaman thought that he could demonstrate that he could provide the parking spaces needed; he would keep an eye on this. There are no parking restrictions in the Village at this time. Parking in front of the green was discussed. CEO McMahon asked who regulates parking, owner or tenant?

As requested by Chairman Irish, the Board Secretary read aloud those questions contained in Part II of the Short Environmental Assessment Form. Negative/small impact responses were obtained to all questions.

**A motion was then made by Member Ferris, based on the information provided and analysis of the SEQR concerning this application for a Site Plan Review for a proposed change in use from a retail business to a restaurant, the Village of Homer Planning Board has determined that the proposed action will not produce any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Pollak, with the vote recorded as follows:**

**Ayes: Chairman Irish  
Member Pollak  
Member Ferris  
Member Neiderman  
Member Hemmings**

**Nays: None**

**Motion carried.**

**This becomes Action #5 of 2020.**

After a brief discussion, a motion was made by Member Pollak to approve the Site Plan for changing the first floor business from retail to restaurant, as requested, waiving the parking space requirements of Section 228-15(5) of the Village Code, and with the provision that the employee parking be on the west side area of the parking lot at 10 James Street. The motion was seconded by Member Hemmings, with the vote recorded as follows:

**Ayes: Chairman Irish  
Member Pollak  
Member Ferris  
Member Neiderman  
Member Hemmings**

**Nays: None**

**Motion carried.**

**This becomes Action #6 of 2020.**

**APPROVAL OF MINUTES – 12 NOVEMBER 2019**

A motion was made by Member Ferris to approve the Minutes of the 12 November 2019 Village Planning Board meeting, as submitted. The motion was seconded by Member Hemmings, with the vote recorded as follows:

**Ayes: Chairman Irish  
Member Pollak  
Member Ferris  
Member Neiderman  
Member Hemmings**

**Nays: None**

**Motion carried.**


**This becomes Action #7 of 2020.**

**OTHER MATTERS**

- Deputy Mayor Patrick Clune reported that there will be a Public Hearing held by the Village Board on 21 January 2020 regarding the Dee Street project. After that, the project will come back before this Board.
- Chairman Irish noted that he will not be here for the February meeting of this Board.

**ADJOURNMENT**

At 7:20 p.m., on a motion by Member Ferris, seconded by Member Pollak, and with all members present voting in favor, the meeting was adjourned.

  
Joan E. Fitch, Board Secretary

E-mailed 1/19/20 to Mayor, DE, KC,  
Vill. Atty., Co. Planning, CEO & PB Members.