

**VILLAGE OF HOMER PLANNING BOARD**  
**Minutes of Regular Meeting – Tuesday, 12 November 2019 – 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**

John Barden, Applicant; Vincent Patriarco for Arbor Brook Flats, LLC, Applicant; Amber Oursler, Applicant; Jerry Contento, Deb Sanford, F?? Barden.

**REGULAR MEETING**

**The Regular Meeting of the Village of Homer Planning Board was called to order at 6:30 p.m. by Acting Chairman Don Ferris.**

**OLD BUSINESS** - None

**NEW BUSINESS**

**John Barden, Applicant/Reputed Owner – 50-52 Cortland Street – TM #76.24-01-09.000 – Site Plan Review – Proposed Minor Subdivision**

Chairman Irish recognized the applicant who was seeking approval to divide this parcel of land in two, as shown on the annotated maps. He stated that he wished to sell one of the two homes that occupy this one lot, so would like to separate them as shown. The ZBA had previously granted an area variance to allow smaller lots than allowed.

Member Don Ferris asked about the road frontage, with #52 having 28 feet, and #50 having 53 feet. However, it was noted that the ZBA had granted a variance for this. Mr. Barden commented that the rear lot had adequate square feet, and that there was no way to divide the parcel and have two conforming lots. Chairman Irish noted that the front building was originally a garage. Member Ferris added that this was before there were zoning regulations. He felt this was not a good precedent to set.

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

**A motion was then made by Member Mike Pollak that, based on the information provided and analysis of the SEQR concerning this application for a Minor Subdivision, 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 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 #13 of 2019.**

Chairman Irish acknowledged receipt of the 24 July 2019 report from Cortland County Plan, and it was reviewed by the Board. The applicant was advised that he needed to submit the required maps.

At the conclusion of the discussion, a motion was made by Member Neiderman to approve the Minor Subdivision as requested, with the required maps to be submitted within 62 days. The motion was seconded by Member Pollak, 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 #14 of 2019.**

**Amber Oursler, Applicant/Debra Sanford, Reputed Owner – 10 Franklin Street – TM #66.65-01-25.000 – Home Occupation (Essential Oils)**

Chairman Irish recognized the applicant who stated that she was currently renting the subject property, but was hoping to purchase it and move her essential oil business to this home. She reported that there were separate doors, so access to the “store” portion could be separate through a front door. In response to the Board’s questions, Ms. Oursler advised that she sells from 15-20 items per week (most of which are shipped) and has approximately ten customers per week. Parking was discussed, which was adequate.

Member Pollak asked if there were any hazardous materials/chemicals involved in blending of the oils, and Ms. Oursler said no, they were all natural oils. Debra Sanford, the property owner, commented that there was a business at this location for many years. Ms. Oursler reviewed the floor plan with the Board. The entire living area (1477 SF), she said, occupies both floors; the business would occupy one room on the first floor. Hours of operation would be two afternoons per week plus Saturday and Sunday. No hours would ever be later than 8 p.m. There was enough parking for six vehicles, plus parking was allowed on the street. There would be no commercial deliveries.

At the close of the discussion, a motion was made by Member Don Ferris to approve the site plan for the home occupation (essential oils), as submitted, with operating hours to be from 8 a.m. to 8 p.m., seven (7) days per week. The motion was seconded by Member Pollak, 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 #15 of 2019.**



A motion was then made by Member Ferris to approve the Preliminary Modified Site Plan, as submitted, with a recommendation made to the Village of Homer Board of Trustees that they take further action. The motion was seconded by Member Neiderman, with the vote recorded as follows:

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

**This becomes Action #18 of 2019.**

**APPROVAL OF MINUTES – 9 SEPTEMBER 2019**

A motion was made by Member Pollak to approve the Minutes of the 9 September 2019 Village Planning Board meeting, as submitted. The motion was seconded by Member Ferris, with the vote recorded as follows:

Upon completion of the discussion, a motion was made by Member Pollak that the Village of Homer Planning Board agrees to act as Lead Agency under SEQRA for the proposed development. The motion was seconded by Member Hemmings, with the vote recorded as follows:

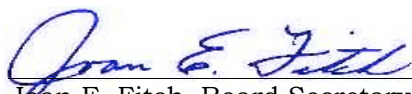
<b>Ayes:</b> Chairman Irish Member Pollak Member Ferris Member Neiderman Member Hemmings	<b>Nays:</b> None
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Motion carried.

**This becomes Action #19 of 2019.**

**ADJOURNMENT**

At 8:05 p.m., on a motion by Member Hemmings, seconded by Member Ferris, and with all members present voting in favor, the meeting was adjourned.

  
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 Joan E. Fitch, Board Secretary

E-mailed 12/4/19 to Mayor, DE, KC, Vill. Atty., Co. Planning, CEO & PB Members.