

MINUTES
TOWN OF HORSEHEADS
PLANNING BOARD MEETING
April 6th, 2022

A regular meeting of the Planning Board of the Town of Horseheads, County of Chemung, and the State of New York was held on the 6th day of April, 6th 2022 @ 7:00PM.

MEMBERS PRESENT: Tom Skebey, Joe Atkinson, Roxanne Mark, Allan Curren, Amy Crandall

MEMBERS ABSENT: None

OTHERS PRESENT: Tina McGrane, Secretary, John Mustico, Town Attorney, Matt Cox, James Buckley, Angela Hawken, Deloris & Ray Cass, Ken Witter (via Zoom)

CALL TO ORDER: Chairman Tom Skebey called the meeting to order at 7:05pm.

MINUTES: A motion to postpone acceptance of the March 2nd, 2022 minutes, was made by Board Member Joe Atkinson and seconded by Board Member Allan Curren. All were in favor.

CORRESPONDENCE: NONE

NEW BUSINESS:

- A. **#897A** – Buckley Holding, 2058 Grand Central Avenue, Horseheads, NY – Site Plan Review

Mr. Buckley appeared before the Planning Board to discuss his plans for the property behind the commercial building at 2058 Grand Central Avenue.

He would like to use the property for his business' overflow parking and for additional parking for cars waiting to be repaired. This would alleviate congestion in the front of his auto repair business. There would also be a driveway on each side of the vacant commercial building, alleviating the congestion of traffic coming and going from Hale's Roofing, the business located at 2054 Grand Central Avenue. This will carry to the May meeting.

This request will be referred to the Chemung County Planning Board and the Village of Horseheads.

- B. **#899** – Proposed Zoning Changes Regarding Sale of Cannabis in Business Zones & Amending the Special Permits Section of the Ordinance

JP Mustico began the discussion and explained that the Town of Horseheads would wait for the NYS mandates in regard to Cannabis sales and any zoning changes to be made.

There was much discussion and questions in regard to Amending the Special Permits Section of the Ordinances. JP Mustico will re-write the verbiage for the Board Members to review.

These changes will eventually be referred to the Town Board, Village of Horseheads, Town of Big Flats and the Town of Elmira.

This item will carry until the May meeting.

OLD BUSINESS:

A. #808F - Ken Witter, 212 Vargo Road, Horseheads, NY – Final Plat Amendment - Call For Public Hearing

The Town's Attorney, John Mustico, read the Public Hearing Notice that was published in the Star Gazette Newspaper on March 28th, 2022 and then explained the rules of conduct for the Public Hearing. Persons wishing to comment will stand, state their name and address and upon being recognized make their statement. John also explained the Planning Board will not respond to questions presented during the Public Hearing. Questions will be addressed when the Public Hearing is closed. John opened the Public Hearing to any persons wishing to comment in regard to the request made by Ken Witter, for a subdivision, of 18+/- acres, for the property located at 212 Vargo Road, Horseheads, NY.

No one came forward to comment.

A motion to close the Public Hearing was made by: Board Member Allan Curren and
Seconded by Joe Atkinson

Chairman, Tom Skebey, read all eleven (11) questions of SEQR, PART 2 – Impact Assessment. The Board reviewed and discussed all eleven (11) questions. The response to each question is as follows:

1. No, material conflict with the adopted land use plan or zoning regulations.
The project site is zoned Residence A
2. No, the project is consistent with use. The project will have minimal/small impact upon the land use.
3. No, will action impair the character or quality of the existing community.
4. No, action will not have an impact on the environmental characteristics that caused the establishment of a Critical Environment Area (CEA). There are no CEAs located in Chemung County.
5. No, action will result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The level of service will have minimal/small impact upon the community.

6. No, action will cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities. New York State's energy code requirements must be followed.
7. No, action will impact existing public or private water supplies or public or private wastewater treatment utilities beyond the current ability of the suppliers to accommodate.
8. No, impact on the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. No, adverse impact upon natural resources.
10. No, increase in the potential for erosion, flooding or drainage problems. No physical impact on property.
11. No, action would create a hazard to environmental resources or human health.

Part 3 of the SEQR is the Lead Agency's determination of significance summary. As a result, of the discussion of Part 2 of the SEQR, the Planning Board determined, based on the information and analysis above the proposed action will not result in any significant adverse environmental impacts. Chairman, Tom Skebey, check marked the appropriate box, signed and dated the SEQR, April 6th, 2022. This project was classified as an unlisted action by the Planning Board in accordance with the State Environmental Review. It will not have any significant adverse environmental impacts.

A motion to Accept SEQR was made by: Board Member Joe Atkinson and Seconded by Board Member Allan Curren.

RESOLUTION #5 OF 2022

RESOLUTION TO APPROVE FINAL PLAT FOR #808F, KEN WITTER, FOR THE PROPERTY LOCATED AT 212 VARGO ROAD, HORSEHEADS, NY, FOR A SUBDIVISION OF 18+/- ACRES

Motion by: Board Member Roxanne Mark Seconded by: Board Member Amy Crandall

WHEREAS, Mr. Witter made application for a Subdivision of 18+/- acres at 212 Vargo Road, Horseheads, NY (Tax map #50.00-3-8.1), by way of application, dated February 23rd, 2022, and SEQR dated February 23rd, 2022, and Survey Maps, received as 'A', dated the same, and

WHEREAS, by way of Resolution #3 of 2022, a Public Hearing was set for April 6th, 2022, and

WHEREAS, Mr. Witter attended the Public Hearing, via Zoom, and

WHEREAS, the Notarized Affidavit for the public hearing was received on April 6th, 2022, and placed on file, and

WHEREAS, as no other person came forward, the Public Hearing was closed, and

WHEREAS, the Planning Board held a discussion and made a motion to approve the Final Plat for the Subdivision of 18+/- acres at 212 Vargo Road, Horseheads, NY and

WHEREAS, the Town Planning Board, having duly considered the same,

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board, of the Town of Horseheads, held a Public Hearing, April 6th, 2022, at 7PM, 150 Wygant Road, Horseheads, NY, for Project #808F, Ken Witter, for the property located at 212 Vargo Road, Horseheads, NY – Subdivision of 18+/- acres.

AYES: (5) Skebey, Atkinson, Curren, Crandall & Mark

NAYES: (0)

B. **#54C** – Matthew Cox, Valley Lane, Valley Acres Subdivision, Horseheads, NY – Final Plat Amendment

Mr. Cox attended the meeting and discussed his plans to combine (3) three building lots - #39, 40 & 41, and sell as one parcel.

RESOLUTION #6 OF 2022

RESOLUTION TO CALL FOR A PUBLIC HEARING - PROJECT #54C, MATT COX, VALLEY ACRES SUBDIVISION –TO COMBINE PROPERTIES LOCATED AT 149 VALLEY LANE, 156 VALLEY LANE & 152 VALLEY LANE, HORSEHEADS, NY - FINAL PLAT AMENDMENT

Motion by: Board Member Roxanne Mark Seconded by: Board Member Joe Atkinson

WHEREAS, Mr. Cox submitted a letter to the Horseheads Planning Board, dated February 22, 2022, requesting a review of his site design of (3) three building lots, #39, #40 & #41, in Valley Lane, along with general property descriptions of each and a Survey Map, dated the same, and

WHEREAS, current zoning is Residential, and

WHEREAS, Mr. Cox attended the Planning Board meeting, and a discussion was held, and

WHEREAS, Chairman Tom Skebey advised Mr. Cox to submit a revised map to the Code Department, to show the new lot frontage, and

WHEREAS, for Mr. Cox to file the map as an amendment, and

WHEREAS, the Town Planning Board, having duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board of the Town of Horseheads, will hold a Public Hearing, May 4th, 2022, at 7PM, 150 Wygant Road, Horseheads, NY, for Project #54C Matt Cox, Valley Lane, Valley Acres Subdivision, Horseheads, NY

AYES: (5) Atkinson, Curren, Mark, Skebey, Crandall

NAYES (0)

C. **#544A** - John Furstoss, Veteran Hill, Horseheads, NY – Review Subdivision, Phase II

Mr. Furstoss has not been in contact with the Code Department and has not attended the March or April Planning Board meetings, therefore, a motion was made to remove Mr. Furstoss from the Agenda. The motion was made by Board Member Joe Atkinson and Seconded by Board Member, Roxanne Mark. All were in favor.

OTHER BUSINESS:

A. Overlay Zones for Lake Rd. & Grand Central Avenue

This item will carry to the May meeting.

B. Special Use Permits

This item will carry to the May meeting.

As there was no further business to come before the Board, motion to adjourn was made by Allan Curren at 8:25pm and Seconded by Joe Atkinson. All were in favor.

Respectfully submitted,

Tina McGrane, Secretary
Town of Horseheads Planning Board