

MINUTES
TOWN OF HORSEHEADS
PLANNING BOARD MEETING
May 1, 2019

A regular meeting of the Planning Board of the Town of Horseheads, County of Chemung, and the State of New York was held at the Town Hall, 150 Wygant Road, Horseheads, NY on the 1st day of May, 2019 at 7:00PM.

MEMBERS PRESENT: Joe Atkinson, Roxanne Mark, Tom Skebey, William Dominikoski

MEMBERS ABSENT: Heather Hawkes, Tom Jansen

OTHERS PRESENT: Cathy Wood, Secretary; John P. Mustico, Town Attorney; Ken Witter, Witter Major Subdivision; Brenda L. Knoll, Susan & Joseph LaFergola, Emma Mosch, Michelle & Sal Princiotto, John & Kathy Coval, Lisa Stow, residents

CALL TO ORDER: Chairman Bill Dominikoski called the meeting to order at 7:00pm.

MINUTES: A motion to accept the minutes, of the April 3, 2019 meeting, was made by Board Member Roxanne Mark and seconded by Board Member Joe Atkinson. All were in favor.

CORRESPONDENCE: None

OLD BUSINESS:

- A. #808D & #808E, Ken Witter – Vargo Rd – Major Subdivisions – Public Hearing

Chairman Bill Dominikoski read the Public Hearing Notice that was published in the Star Gazette Newspaper on April 22, 2019 and then turned the meeting over to Town Attorney, John P. Mustico to conduct the Public Hearing. John P. Mustico asked Tom Skebey to explain and show the subdivision maps to the residents in attendance.

John P. Mustico 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 P. Mustico opened the Public Hearing to any persons wishing to comment with regards to the Ken Witter major subdivisions.

After two requests, no person came forward to comment.

A motion to close the Public Hearing was made by: Board Member Joe Atkinson and Seconded by Board Member Roxanne Mark.

The Board reviewed and discussed all eleven (11) questions of Part 2 of the SEQR for items #808D and #808E. The response to each question is as follows:

1. No, material conflict with the adopted land use plan or zoning regulations. The projects are zoned Residence & Agriculture and is a permitted use under the existing zoning ordinance.
2. No, the projects are consistent with use. The projects will have minimal/small impact upon the land use.
3. No, will action impair the character or quality of the existing community. The projects may improve the existing community.
4. No, action will 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 resource. No wetlands in the area.
10. No, increase in the potential for erosion, flooding or drainage problems. All drainage must be kept on property during and after construction.
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 actions will not result in any significant adverse environmental impacts. Chairman Bill Dominikoski check marked the appropriate box, signed and dated the SEQRS, May 1, 2019. 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.

**RESOLUTION #6 OF 2019
RESOLUTION TO APPROVE #808D & #808E, KEN WITTER – VARGO ROAD
MAJOR SUBDIVISION**

Motion by: Board Member Roxanne Mark

Seconded by: Board Member Joe Atkinson

WHEREAS, Kenneth L. Witter, c/o John W. Maloney, Attorney, 150 Lake Street, Elmira, NY 14901 made application for Subdivision Review, Vargo Road, by way of Application, dated, March 22, 2019, SEQR, dated March 25, 2019, and Tax Map (50.00-3-8), titled Kenneth L. Witter to be Conveyed to Glenn & Christy Parsons, dated March 24, 2019, Job #12197.09, marked received as “A”, and

WHEREAS, the location is zoned Residential/Agricultural, and

WHEREAS, on April 3, 2019, at the Planning Board meeting, a discussion was held, and

WHEREAS, the applicant did not appear, and

WHEREAS, the Parsons own Parcel C-1 and Parcel C-2 and would like to purchase an additional 52.199, and

WHEREAS, Ken Witter would like to split 52.199 acres and sell it to the Parsons, and

WHEREAS, by motion, item #808E, Ken Witter, Vargo Rd (50.00-3-46.1), was added to the agenda, and a discussion was held, and

WHEREAS, Kenneth L. Witter, c/o John W. Maloney, Attorney, 150 Lake Street, Elmira, NY 14901 made application for Subdivision Review, Vargo Road, by way of Application, dated, April 2, 2019, SEQR, dated April 2, 2019, and Tax Map (50.00-3-46.1), titled Kenneth L. Witter revised date April 2, 2019, Job #12197.09, marked received as “A”, and

WHEREAS, the location is zoned Residential/Agricultural, and

WHEREAS, the purchasers of the Bahantka residence would like to purchase Parcel A-5, 3.581 acres, from Ken Witter, and

WHEREAS, by way of Resolution #5 of 2019, a Public Hearing was set for May 1, 2019, for both items #808D and #808E, and

WHEREAS, the Notarized Affidavits for the public hearing were April 12, 2019 and April 17, 2019, respectively, and placed on file, and

WHEREAS, a Public Hearing was held May 1, 2019, no one came forward to comment, and

WHEREAS, the Planning Board held a discussion on May 1, 2019, and

WHEREAS, on May 1, 2019, after review of the SEQR, the Planning Board, as lead agency, has determined the projects to be unlisted actions and will not have a coordinated review pursuant to

Part 617, Article 8 (SEQRA) of Environmental Conservation Law and project will not have a significant adverse environmental impact. A negative declaration is issued for each project, and **WHEREAS**, the Planning Board has duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board of the Town of Horseheads, approves the major subdivisions, Vargo Road, Horseheads, NY 14845, #808D, Application, dated, March 22, 2019, SEQR, dated March 25, 2019, and Tax Map (50.00-3-8), titled Kenneth L. Witter to be Conveyed to Glenn & Christy Parsons, dated March 24, 2019, Job #12197.09, marked received as “A” and #808E, Application, dated, April 2, 2019, SEQR, dated April 2, 2019, and Tax Map (50.00-3-46.1), titled Kenneth L. Witter revised date April 2, 2019, Job #12197.09, marked received as “A”, and approved without modification except authorized by this Board.

AYES: (4) Atkinson, Mark, Skebey, Dominikoski

NAYES: (0)

NEW BUSINESS: NONE

OTHER BUSINESS:

A. Referral from Town Board – Review Existing Ordinance with regards to Signs

John P. Mustico began the discussion stating this item will be moved to the active portion of our agenda. Board Members received handouts from John M. and Tom S. Park Outdoor Advertising first contacted the Town Board by letter dated October 2, 2018. They are requesting the Town amend its sign ordinance to include digital technology/billboards. An example of Off Premise Sign Code, was received from Park Outdoor, and was built in to the Town’s Overlay Zone section for review. Park Outdoor owns the brick building next to Banfield & Bakers that is located on the Miracle Mile. Two possible locations for Park Outdoor off premise signs are Benedict’s parking lot and the Mark Twain Golf Course. Mark Twain Golf Course is zoned Agriculture & Hill. Bendix parking lot is zoned Manufacturing. Referrals will need to be sent to the State and County as this item progresses. This item will carry to the June 2019 meeting under New Business.

B. Cell Tower Code Review

Joe Atkinson handed to Board Members a prepared example of code he wrote pertaining to this topic for all to review. This item will carry to the June 2019 meeting.

C. Referral from Town Board – Review Existing Ordinance with regards to Road Setbacks

This item will carry to the June 2019 meeting.

D. Overlay Zones for Lake Rd. & Grand Central Ave.

Board Members discussed the needs of this area and what types of business would be the most beneficial to the residents. This item will carry to the June 2019 meeting.

As there was no further business to come before the Board, motion to adjourn was made by Joe Atkinson at 7:45 pm. All were in favor.

Respectfully submitted,

Cathy Wood, Secretary
Town of Horseheads Planning Board