

MINUTES  
TOWN OF HORSEHEADS  
PLANNING BOARD MEETING  
**July 3, 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 3rd day of July, 2019 at 7:00PM.

**MEMBERS PRESENT:** Heather Hawkes, Joe Atkinson, Brenda Knoll, Roxanne Mark, Tom Jansen, Tom Skebey

**MEMBERS ABSENT:** William Dominikoski

**OTHERS PRESENT:** Cathy Wood, Secretary; John P. Mustico, Town Attorney; Paul Simonet, Park Outdoor Advertising; Angela Mosher & Trevor Davis, Lilly Brothers Brewing LLC, DBA Horseheads Brewing; Kim Carlin, Zoning

**CALL TO ORDER:** Vice Chairman Heather Hawkes called the meeting to order at 7:00pm.

**MINUTES:** A motion to accept the minutes, of the June 5, 2019 meeting, was made by Board Member Tom Jansen and seconded by Board Member Roxanne Mark. All were in favor.

**CORRESPONDENCE:** None

**OLD BUSINESS:**

- A. #867, Park Outdoor Advertising – 2516 Corning Rd – Site Plan Review – Electronic Sign/Billboard

Paul Simonet of Park Outdoor Advertising appeared to discuss the project. Paul S. began the discussion with a brief history and referred to the sample code he previously submitted. At this time, the Town does not have language with regards to digital signs. Much discussion transpired. The sample code is too specific to Park Outdoor Advertising. In creating code for digital signs, this Board will need to create code for any company wanting to come before the Board. Another concern with the sample code is Item E which implies changing the border of the Miracle Mile Overlay District. The location of the sign, sign characteristics and safety concerns were also part of the discussion. This item will carry to the August 2019 meeting.

- B. #705C, Lilly Brothers Brewing LLC, DBA Horseheads Brewing – 250 Old Ithaca Rd – Site Plan Review – Addition of a Gated Outdoor Beer Garden & Cooler to Existing Building

Angela Mosher, representing Lilly Brothers, and Trevor Davis, general manager of the brewery, appeared to discuss the project. The size of the beer garden changed. The new size is 22' x 35'. The cooler fits and parking is sufficient. The applicant is trying to create a traffic flow, one way in and out. They are also trying to keep parking away from the building for safety reasons. The box truck will be kept in the small spot in the front of the building so no one will park there. This location is where a food truck could go as well. This was referred to the County. The

Board reviewed and discussed all eleven (11) questions of Part 2 of the SEQR for item #705C. The response to each question is as follows:

1. No, material conflict with the adopted land use plan or zoning regulations. The project is zoned Commercial 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. Vice Chairman Heather Hawkes check marked the appropriate box, signed and dated the SEQR, July 3, 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.

**A motion to Accept SEQR was made by:** Board Member Tom Jansen and Seconded by Board Member Brenda Knoll.

**RESOLUTION #9 OF 2019**

**RESOLUTION TO APPROVE #705C, LILLY BROTHERS BREWING LLC, DBA HORSEHEADS BREWING – 250 OLD ITHACA ROAD – FINAL SITE PLAN REVIEW – ADDITION OF A GATED OUTDOOR BEER GARDEN & POLE BARN/ WALK-IN COOLER TO EXISTING BUILDING**

Motion by: Board Member Tom Jansen

Seconded by: Board Member Brenda Knoll

**WHEREAS**, Lilly Brothers Brewing LLC, DBA Horseheads Brewing, made application for Site Plan Review for the addition of a gated outdoor beer garden & pole barn/walk-in cooler to the existing building, 250 Old Ithaca Rd, by way of application, dated, May 16, 2019, SEQR, dated May 16, 2019, diagram received May 20, 2019, marked received as “A” and Tax Map, received May 20, 2019, dated November 29, 2018, Job #13712.06, marked received as “A”, and

**WHEREAS**, the location is zoned Commercial, and

**WHEREAS**, on June 5, 2019, Angela Mosher, representing Lilly Brothers, and Trevor Davis, general manager of the brewery, appeared before the Planning Board and a discussion was held, and

**WHEREAS**, the 22’ x 35’ beer garden will be located on the east side of the existing building next to the tasting room, and

**WHEREAS**, the 20’ x 30’ pole barn/walk-in cooler will be located on the west side of the existing building

**WHEREAS**, fencing would be approximately chest height, there will be one outdoor speaker and parking is sufficient, and

**WHEREAS**, Lilly Brothers liquor license, for this change, is pending, and

**WHEREAS**, this project was referred to the Chemung County Planning Board, and

**WHEREAS**, on July 3, 2019, Angela Mosher, representing Lilly Brothers, and Trevor Davis, general manager of the brewery, appeared before the Planning Board and a discussion was held, and

**WHEREAS**, Angela Mosher presented to Board Members an updated site plan, revised date June 11, 2019, titled Lilly Property Holdings, LLC, marked received as “B”, Job #13712.07, and

**WHEREAS**, on July 3, 2019, after review of the SEQR, the Planning Board, as lead agency, has determined the project is an unlisted action 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 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 Lilly Brothers Brewing LLC, DBA Horseheads Brewing, application for Site Plan Review for the addition of a gated outdoor beer garden & pole barn/walk-in cooler to the existing building, 250 Old Ithaca Rd, Tax Map, revised date June 11, 2019, Job #13712.07, marked received as “B”, diagram received July 8, 2019, marked received as “B” and approved without modification except authorized by this Board contingent upon the following conditions:

1. All drainage to remain on site.

**AYES:** (6) Hawkes, Atkinson, Knoll, Mark, Jansen, Skebey

**NAYES:** (0)

- C. #870, Referral from Town Board – Old Ithaca Rd, Level Acres – Business Zoned – Possible PUD

The Board discussed what areas to review for PUD development. The Board also discussed difficulties some properties are trying to address. For example, the mobile home park is having septic troubles. The size of replacement mobile homes in proportion to the lot size is also a very big concern. This item will be discussed at the Town Board Level. This item will carry to the August 2019 meeting.

**NEW BUSINESS:**

- A. #871, Referral from Town Board – 625 Breesport Rd & 81 Jackson Creek Rd – TH02 Residence A Zoned – Possible PUD

By way of letter, dated June 3, 2019, addressed to the Horseheads Town Board, applicants Kim Carlin and Gayle Parsons, submitted a re-zoning request for 625 Breesport Road and 81 Jackson Creek Road. The Town Board held a meeting June 12, 2019 and by way of Resolution #90 of 2019, referred this request to the Planning Board for review. Zoning is currently TH02 Residence A. Kim Carlin appeared to discuss the project. These properties adjoin each other and total approximately 50.4 acres. Kim Carlin and Gayle Parsons are interested in purchasing these properties to build businesses which would require the zoning to be changed. Brenda Knoll handed to Board Members an aerial view of the properties.

A Farmer’s Market/Crafter’s Market is intended for 625 Breesport Road. The Farmer’s Market will house a minimum of 100 vendors. Many of whom would be local farmers and crafters. There will be food vendors, picnic tables and local talent in an “open mic” type atmosphere. Family oriented. The Farmer’s Market will be seasonal. It would be open approximately 3 days a week to include weekends.

The Event Center is intended for 81 Jackson Creek Road. It will be a barn type building, maybe 2 stories, which will cater to weddings, corporate events and other special occasions. Hours of operation would probably be semi seasonal and mostly weekends. Landscaping around the building will be done to encourage photo opportunities and walking trails. The Event Center would hold approximately 300 people.

Tom Skebey explained NYS will require a special sprinkler system for over 300 people. John P. Mustico explained, this meeting is basically a pre-application conference. There are several

preliminary steps before the Letter of Intent. In order to move forward, a preliminary proposal will need to be submitted. John P. Mustico explained how to go about the next step, the future steps and referenced the PUD section of code for review. Hours of operation will also need to be discussed as well as drive ways and flow of traffic. Kim stated she would like each facility to have its own driveway. Tom S. also referred to the section of code that is on-line. He also suggested Kim touch base with the Health Department with regards to potable water and septic. This item will carry to the August 2019 meeting.

**OTHER BUSINESS:**

A. Cell Tower Code Review

The discussion began with review of the example of cell tower code provided by Joe Atkinson. Several of the items, along with possible redundancy, were discussed and changes in the language will be made to conform to the best interest of the Town of Horseheads and its residents. This item will carry to the August 2019 meeting.

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

This item will carry to the August 2019 meeting.

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

This item will carry to the August 2019 meeting.

As there was no further business to come before the Board, motion to adjourn was made by Tom Jansen at 8:31 pm. All were in favor.

Respectfully submitted,

Cathy Wood, Secretary  
Town of Horseheads Planning Board