

MINUTES
TOWN OF HORSEHEADS
PLANNING BOARD MEETING
April 7th, 2021

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 7th day of April, 2021, at 7:00PM.

MEMBERS PRESENT: Tom Jansen, Joe Atkinson, Brenda Knoll, Tom Skebey, Roxanne Mark, Allan Curren

MEMBERS ABSENT: Amy Crandall

OTHERS PRESENT: John P. Mustico, Town's Attorney, Tina McGrane, Secretary, Marc Maser, representing Tina Lando, Don Zeigler, Steve Wilber, Douglas Holden, via Zoom- (purchasing property on Hickory Grove Road, from Tina Lando), Matt Cox, representing Rosalie Cox and resident, Ken Seymoor, 266 Vargo Road, Horseheads, NY.

CALL TO ORDER: Vice Chairman Joe Atkinson called the meeting to order at 7:0 pm.

MINUTES: A motion to accept the minutes of the March 3rd, 2021 meeting was made by Board Member Brenda Knoll and seconded by Board Member Allan Curren. All were in favor.

CORRESPONDENCE: None

OLD BUSINESS:

- A. #884 – Rick Curren, LLC dba Rick Curren Auto Sales – 1952 & 1956 Grand Central Avenue – Final Site Plan Review for construction of 40' x 80' Building

Mr. Curren has failed to provide the final site plan for this project, therefore, this item will be removed from the Planning Board's Agenda. The Town's Attorney, John Mustico, recommended the Code Department cite Mr. Curren in violation of the Special Use Permit.

- B. #797C – Rosalie M. Cox, 269 Vargo Road, Horseheads, requests a minor subdivision at the property located at 239 Vargo Road, Lots A, B & D, Horseheads, NY

The Town's Attorney, John Mustico, read the Public Hearing Notice that was published in the Star Gazette Newspaper on March 26th, 2021 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 Rosalie M. Cox, for a minor subdivision, for the properties located at 239 Vargo Road, for Lots A, B, D & an additional lot, Lot E, Horseheads, NY.

John Mustico recognized resident Ken Seymour, who stated that he is opposed to the minor subdivision, however, he did not state his reason for the opposition. No other person came forward to comment.

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

Vice Chairman, Joe Atkinson, 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. Vice Chairman, Joe Atkinson, check marked the appropriate box, signed and dated the SEQR, April 7th, 2021. 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 Brenda Knoll and Seconded by Board Member Allan Curren.

RESOLUTION #6 OF 2021

RESOLUTION TO APPROVE PRELIMINARY FINAL PLAT FOR #797C, ROSALIE M. COX, (REPRESENTED BY MATTHEW C. COX), 239 VARGO ROAD, LOTS A. B. D AND ADDITIONAL LOT, LOT E, HORSEHEADS, NY – MINOR SUBDIVISION

Motion by: Board Member Roxanne Mark Seconded by: Board Member Brenda Knoll

WHEREAS, Rosalie M. Cox made application for a Minor Subdivision, 239 Vargo Road, Lots A, B, D and additional lot, lot E, Horseheads, NY (Tax map #50.00-1-36), by way of application, dated February 22, 2021 and Survey Maps, dated the same, and

WHEREAS, by way of Resolution #5 of 2021, a Public Hearing was set for April 7th, 2021, and

WHEREAS, Matthew T. Cox, the representative for Rosalie M. Cox, did appear, and

WHEREAS, the Notarized Affidavit for the public hearing was received on March 25th, 2021 and placed on file, and

WHEREAS, resident Ken Seymoor, 266 Vargo Road, Horseheads, attended the Public Hearing, and was opposed to the minor subdivision, however, did not state his reason for the opposition, 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 preliminary final plat for the minor subdivision on Vargo Road, 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 7th, 2021, at 7PM, 150 Wygant Road, Horseheads, NY, for Project #797C, Rosalie M. Cox, 269 Vargo Road, Horseheads, for the property located at 239 Vargo Road, Lots A, B, D and additional lot E, Horseheads, NY – Minor Subdivision. Approved with amendment or modification except as authorized by the Board, subject to the following conditions:

1. Approval pending - Matt Cox needs to meet with Greg Larnard, to ensure the project meets the final plat standards, set by the Horseheads Code Department.

AYES: (6) Skebey, Atkinson, Knoll, Jansen, Curren, Mark

NAYES: (0)

NEW BUSINESS:

- A. #640B – Tina Lando, 315 Hickory Grove Road, Horseheads, NY – Pre Application Conference/Informal Consideration: Residential Development of 14.7 Acres

Marc Maser, of the firm Maser Architecture & Engineering, Horseheads, NY, represented Tina Lando and the applicant and developer, Douglas Holden.

The developer of the proposed project, Douglas Holden, has entered into an agreement to purchase the 14.7 acre parcel, located at 315 Hickory Grove Road, from Tina Lando, the Operating Manager. Mr. Holden seeks to sub-divide said parcel into multiple parcels for a mixed use residential community.

Mr. Maser submitted a five (5) page Sketch Plan Review Package, per Town Sub-Division law, dated March 25th, 2021, along with a Town of Horseheads Sketch Plan Checklist, dated the same. The project involves a proposed major subdivision of 14.7 acres of land, at 315 Hickory Grove Road, and land development of single-family homes, multi-family apartments, storage units, to support the apartments, a management office and a community center for the residents.

The eastern portion of the project parcel will be subdivided into nineteen (19) lots, of which sixteen (16) are proposed for single family homes and the last for storm water management. The proposed development on the western portion includes up to eleven (11) multi-family apartment buildings, storage units to support the apartments, a management office and community center for the residents.

There was a discussion about the proposed project being in a flood plain. Mr. Maser said these residences would be built on slabs, with no basements. The Board will need to know the elevations of the houses.

The current property is zoned as Residential A and Agriculture and John Mustico recommended they review the PUD requirements and apply for the proper paperwork through the Code Department and to come back before the Planning Board next month. As there was no further action at this time, this item will carry to the May meeting.

OTHER BUSINESS:

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

This item will carry to the May meeting.

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

There had been a previous discussion with the Town's Attorney, John P. Mustico, in regard to creating a brand 'new zone', rather than creating an overlay. John has finalized the descriptions for the Overlay Zones and the Board will need to discuss what they want in regard to the 'zoning'.

This item will carry to the May meeting.

C. Special Use Permits

The Town's Attorney, John P. Mustico, has been working to repeal 'Special Use Permits'. He would like them incorporated into the Site Plan Reviews. He has asked the Board Members to consider what they would like to have incorporated into the Site Plan Review application.

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 Tom Jansen at 8:00 pm, Seconded by Brenda Knoll. All were in favor.

Respectfully submitted,

Tina McGrane, Secretary
Town of Horseheads Planning Board