

MINUTES  
TOWN OF HORSEHEADS  
PLANNING BOARD MEETING  
**June 2<sup>nd</sup>, 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 2nd day of June, 2021, at 7:00PM.

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Tina McGrane, Secretary, John & Robin Makinster (Bomak Contractors), Ed Knoll, Mike Barbieri, Jacqueline Morley, Ray & Lori Cass, Dr. David Dozak, And Vicki Kartychek, via Zoom.

**CALL TO ORDER:** Chairman Tom Skebey called the meeting to order at 7:00 pm.

**MINUTES:** A motion to accept the minutes of the May 5<sup>th</sup>, 2021, meeting was made by Board Member Tom Jansen and seconded by Board Member Allan Curren. All were in favor.

**CORRESPONDENCE:** None

**OLD BUSINESS:**

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

Marc Maser, the Engineer, for this project, did not turn in the flood plain maps, as requested by Chairman, Tom Skebey and no one attended tonight's meeting, to represent this project. The flood plain maps must be received before a decision can be made for this project.

The Town of Horseheads Planning Board, after review of the preliminary proposal of the applicant, and it appears from that preliminary proposal, that an approval seems warranted, Town Attorney, John Mustico, prepared a 'Statement of Intent' that has established thirteen (13) conditions under which the applicant/developer may proceed.

The representative of the applicant/developer must agree to comply with all the required conditions of the 'Statement of Intent', and understands that the list of conditions may be amended. These conditions must be met before the Horseheads Town Board can vote on it. A copy of the 'Statement of Intent' was given to each Board Member and put on file.

This project was referred to the Horseheads Town Board and by Resolution #79, the PUD request was referred to the Town and County Planning Boards. The Chemung County Planning Board held a meeting on May 27<sup>th</sup> and an 'unofficial' motion was made, recommending the Town Planning Board approve the proposed subdivision, along with comments that a traffic analysis is required, landscaping be addressed, and storm water review be conducted.

A copy of the email from Nan Moss, at Chemung County, was given to each Board Member and put on file.

As there was no further action at this time, this item will carry to the July meeting.

**NEW BUSINESS:**

- A. #538C – Bomak Contractors, LLC, Hickory Grove & Sing Sing Road – Hunters Run – Update and Approval for Phase 2 A&B

Bomak Contractors is in the process of continuing the Hunter Run Development, Phase 2 A&B. John and Robin Makinster, owners of Bomak Contractors, LLC, appeared to discuss the project. Bomak Contractors, LLC, purchased nine (9) lots from Spotts Builders, LLC, in October, 2018. Copies of the Purchase & Sale Contract, Settlement Statement and Tax Bills were provided. The properties are a portion of Tax Map #48.03-1-2.62, consisting of Lots # 31, 32, 33, 34, 36, 37, 38 and 39, excluding Lot #58, of the Hunters Run Subdivision.

**RESOLUTION #7 OF 2021**

**RESOLUTION TO APPROVE PROJECT #538C, BOMAK CONTRACTORS, LLC, HICKORY GROVE & SING SING ROAD – HUNTERS RUN - PHASE 2B - TAX MAP #48.03-1-2.62, CONSISTING OF LOTS 31, 32, 33, 34, 36, 37, 38 AND 39, EXCLUDING LOT #58, OF THE HUNTERS RUN SUBDIVISION**

Motion by: Board Member Roxanne Mark

Seconded by: Board Member Tom Jansen

**WHEREAS**, by way of Site Plan Review Application, dated May 16<sup>th</sup>, 2021 and the SEQR, dated May 16<sup>th</sup>, 2021, with maps marked received May 21<sup>st</sup>, 2021, marked as ‘A’, and

**WHEREAS**, requested copies of the Purchase & Sale Contract, Settlement Statement and Tax Bills, were received on June 2, 2021, and

**WHEREAS**, current zoning is Residential, and

**WHEREAS**, Bomak Contractors, LLC, would construct roadways and develop building lots, 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, made a motion to approve Hunters Run, Phase 2B. The required paperwork will need to be in place before the certificate of occupancy can be approved. Approved with amendment or modification except as authorized by the Board, subject to the following conditions:

1. Provide the Town of Horseheads with the cost of roadway improvements, including sewer and water
2. Provide the Town of Horseheads with a letter of credit for 10% of roadway costs for three years
3. If the applicant wants building permits on the lots being developed, he will provide the Town of Horseheads with a letter of credit for improvements, prior to roadway completion
4. Provide the Highway Superintendent with a letter of credit for the top coat of blacktop, to be completed the following year

**AYES:** (7) Atkinson, Curren, Jansen, Knoll, Mark, Skebey, Crandall

**NAYES** (0)

- B. #890 – Michael J. Barbieri, 551 Crane Road, Horseheads, NY – Detached Garage – Area Variance for Front Yard Location

Mr. Barbieri attended the meeting and is requesting an Area Variance in order to build a detached garage that will be a 40’ setback from the road.

**RESOLUTION #8 OF 2021**

**RESOLUTION TO MAKE A POSITIVE RECOMMENDATION TO THE ZONING BOARD OF APPEALS, TO APPROVE THE AREA VARIANCE FOR PROJECT #890 - MICHAEL J. BARBIERI, 551 CRANE ROAD, HORSEHEADS, NY 14845 – TO BUILD A DETACHED GARAGE – AREA VARIANCE FOR FRONT YARD LOCATION, TAX MAP #70.00-1-28**

Motion by: Board Member Joe Atkinson      Seconded by: Board Member Tom Jansen

**WHEREAS**, by way of Area Variance Application, dated May 17<sup>th</sup>, 2021 and the SEQR, dated May 17<sup>th</sup>, 2021, with maps marked received as ‘A’ and ‘A-1’, and

**WHEREAS**, current zoning is Residential A, and

**WHEREAS**, applicant would like to build a detached garage that is 40’ from the road, and

**WHEREAS**, 40’ from the road is closer than where the house sits from the road, and

**WHEREAS**, the applicant’s septic drain field prevents him from going 75’ from the road, to match the house setback, and

**WHEREAS**, the setback would be equal to or greater than the neighboring house, 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, makes a positive recommendation to the Zoning Board of Appeals, for Project #890, to grant Michael Barbieri, an Area Variance for Front Yard Location – Detached Garage - at 551 Crane Road, Horseheads, NY 14845.

**AYES:** (7) Atkinson, Curren, Jansen, Knoll, Mark, Skebey, Crandall  
**NAYES** (0)

- C. #891 – Jacqueline Morley dba WCM Painting, 53 Colonial Drive, Horseheads, NY – Construct 20’ x 50’ Pole Barn – Site Plan Review

WCM Painting applied for a Site Plan Review in order to construct a ‘cold storage’ pole barn, south of existing carport to accommodate ladders, scaffolding, etc. The pole barn would be easily accessible for their trucks to load and unload.

This project will be to be referred to the Chemung County Planning Board, for their approval.

As there was no further discussion, this project will carry to the July meeting.

**OTHER BUSINESS:**

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

This item will carry to the July meeting.

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

This item will carry to the July meeting.

- C. Special Use Permits

This item will carry to the July meeting.

As there was no further business to come before the Board, motion to adjourn was made by Tom Jansen at 7:30 pm and Seconded by Joe Atkinson. All were in favor.

Respectfully submitted,

Tina McGrane, Secretary  
Town of Horseheads Planning Board