

Minutes

Village Board of Trustees

January 12, 2006

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were: Mayor Patricia Gross, Trustees Earle Catlin, Ronald Swartz, Howard Miller and Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Police Chief Dave Kole, DPW Chris Lawrick, Planning Board Member Mike Stenpeck, Code Enf. Officer Tom Skebey, Zoning Board of Appeals Chairman Archer Martin, ZBA Board Members Hank Corp, Larry Clark, and Lew VanDuzer; and Manager's Assistant Rachel Baer. Also present were: Hila Corp, 206 William Lane; Karl Schwesinger, Fagan Engineers; Diane and Paul Beach, 218 Bowers Dr.; Andy Smith, 304 W. Mill St.; Don Zeigler, 535 Watkins Rd.; Andy Bodewes, Conifer Realty; Ellen Martin, and Archer Martin, Jr.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of December 8, 2005 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Sullivan, seconded by Trustee Swartz

BE IT RESOLVED, that the audit of bills as listed below be received and approved for payment when in funds:

General -	\$108,349.54
Water -	\$ 29,256.98
Trust and Agency -	\$ 2,389.32

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Sullivan

BE IT RESOLVED, that the Justice Reports for December 2005 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Sullivan

BE IT RESOLVED, that the minutes of the Planning Board Meeting of December 20, 2005 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

At this time, Atty. Groff declared open a Public Hearing on Application by Conifer Realty for Rezoning of 5.4 Acres on Grand Central Ave. from R-3 to P.U.D. He noted that the plan for the P.U.D. is not defined at this time, but the category of land uses requested is defined in C-1 and C-3 zoning classifications.

As nobody came forward, Atty. Groff declared the public hearing closed.

At this time Mayor Groff made a presentation to Archer Martin, who is retiring after 43 years on the Zoning Board of Appeals.

Mayor Gross left the meeting at 7:23 p.m.

Full SEQR Review - Conifer Realty Rezoning Application - BOT to Complete Part 2

Atty. Groff read each of the numbered questions on Part 2 of the Full SEQR form. Discussion ensued regarding whether demolition of buildings would effect character of the area, Question 19. The Board then answered the sub-questions for #19.

Atty. Groff stated that on the basis of responses, it would be appropriate as Lead Agency to enter a Negative Declaration for this application, finding there to be no significant negative environmental impact.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, Conifer Realty is the owner of a 2.9 acre parcel of vacant real property located on Roosevelt Avenue, in the Village of Horseheads, NY, identified as Tax Map Parcel #59.18-1-4.2, (formerly owned by MWF Corporation), and

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WHEREAS, Conifer Realty, LLC is also the owner of real property located at Roosevelt and Grand Central Avenues, in the Village of Horseheads, NY, identified as Tax Map Parcel #59.18-1-4.1, commonly known as Conifer Village Apartments, and

WHEREAS, the above-noted contiguous properties are both located in an R-3 Multi-Family Residential District in the Village of Horseheads, and

WHEREAS, Conifer Realty has applied for Rezoning from R-3 Residential to C-3 Highway Commercial and later amended such application to rezone to Planned Unit Development of the 2.9 acre parcel, and 2.5 acres of lands of the Conifer Village Apartments, for a total of 5.4 contiguous acres on Grand Central Avenue, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action, pursuant to SEQR regulations, and the applicant has submitted a Full Environmental Assessment Form, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that the Village is the only involved agency with respect to the SEQR review of this action, and

WHEREAS, this Board of Trustees has conducted a thorough review of the application, the Full Environmental Assessment Form and all of the environmental consequences of same as more specifically delineated on that portion of the form to be completed by the Board as Lead Agency, and finds that the Action will not have a significant environmental impact, and

WHEREAS, a public hearing was held on this date regarding the application for Rezoning at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, this application has been reviewed by the Village of Horseheads Planning Board, the Town of Horseheads Planning Board and the County of Chemung Planning Board, all recommended approval or defer to local determination, and

WHEREAS, said amended zoning application requested that the approved uses for the site, should it be rezoned to P.U.D., would be for all such uses as are allowed as a matter of right, or by application, in C-1 and C-3 zones, and

WHEREAS, Conifer Realty, through its representative Andy Bodewes, amended its application at the Village of Horseheads Planning Board meeting on December 20, 2005 to eliminate certain uses which are currently allowed in C-1 and C-3 zones, from the list of approved uses for the requested P.U.D.; such eliminated uses are:

1. Laundries
2. Dry cleaners

3. Bed and Breakfasts
4. Day care centers
5. Funeral homes
6. Car washes
7. Churches
8. Libraries
9. Museums

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10. Public and private schools
11. Auto, boat or mobile home sales
12. Auto repair shops
13. Commercial amusements, such as drive-in theaters, amusement centers, golf driving ranges and miniature golf
14. Greenhouses and plant nurseries
and,

WHEREAS, this application has been thoroughly reviewed and given thoughtful consideration by this Board.

NOW THEREFORE BE IT RESOLVED, that 1) a public hearing on the environmental aspects of this action is waived; 2) Mayor Gross is authorized and directed to sign the Full Environmental Assessment Form finding there to be no significant environmental impact; and 3) the application of Conifer Realty LLC for a Rezoning of 5.4 acres on Grand Central Avenue from R-3 Multi-Family Residential to Planned Unit Development be and the same hereby is approved. The following uses or any combination thereof are hereby approved for the said P.U.D.:

1. Banks
2. Food stores
3. Drug stores
4. Essential services
5. Barbershop/beauty shop
6. Retail sales
7. Business/professional offices
8. Residential: single-family, two-family, and multi-family dwellings
9. Convenience stores, with or w/o gasoline
10. Restaurants
11. Motels/hotels
12. Gasoline stations
13. Eating and drinking establishments
14. Banks and financial institutions
15. Personal services
16. Fast food establishments with drive-up window service

Roll Call Vote:

Trustee Catlin:

Aye

Trustee Swartz: Aye
Trustee Miller: Aye
Deputy Mayor Sullivan: Aye

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that Zoning Board of Appeals Member David Radin is hereby designated as Chairman of the Zoning Board of Appeals.

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Roll Call Vote:

Trustee Catlin: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Deputy Mayor Sullivan: Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, in October 2005 this Board established a special board entitled the Comprehensive Plan Committee charged with the duty and responsibility of preparing a Proposed Village Comprehensive Plan or amendments to the existing Comprehensive Plan, and

WHEREAS, the Chairperson of said Committee is to be appointed by the Mayor.

NOW THEREFORE BE IT RESOLVED, that David Radin and Michael Stenpeck are hereby appointed Co-Chairpersons of the Comprehensive Planning Committee.

Roll Call Vote:

Trustee Catlin: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Deputy Mayor Sullivan: Aye

At this time, Tom Skebey made a presentation to the Board on the Chemung County GIS Orthoimagery Program.

Resolution by Trustee Catlin, seconded by Trustee Miller

WHEREAS, the GIS Cooperative has been working to improve Chemung County's internet mapping system, and

WHEREAS, the cooperative is desirous of enhancing the system's resolution capabilities, and

WHEREAS, it is recognized that these system upgrades will be of great benefit to our area governmental agencies, including planning, economic development, public works, code enforcement, law enforcement, emergency/disaster coordination, assessing, soil and water, agricultural management, transportation and others, and

WHEREAS, it has been determined that the total cost of such system improvements is to be \$131,000.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads hereby commits to an amount to be determined by this board at a future time based upon additional information to be provided to it and not to exceed a total of \$5,000.00 to be paid in the 2006-2007 budget year toward the furtherance of this effort.

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Roll Call Vote:

Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Deputy Mayor Sullivan:	Aye

Motion by Trustee Miller seconded by Trustee Swartz that an item regarding Designate time and place for Village Election be added to the agenda.

Roll Call Vote:

Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Deputy Mayor Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that the Village of Horseheads shall constitute a single election district for the upcoming Village election to be held on March 21, 2006. The polling location for said district shall be at Village Hall, 202 S. Main Street, Horseheads, and be it further

RESOLVED, that the polls will be open between the hours of 12:00 Noon and 9:00 p.m. on said date.

Roll Call Vote:

Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye

Deputy Mayor Sullivan: Aye

Village Manager Azzarelli thanked the Police and Fire Departments for their team work at the Fox Street site.

Primary/General Election - next general election in November, moving forward with this.

As there was nothing further to bring before the Board, the meeting was adjourned.

/rmb