

Minutes

Village Board of Trustees

September 22, 2011

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were:

Village Board and Staff.

Mayor Donald Zeigler
Deputy Mayor Ronald Swartz
Trustee George Koliwasky
Trustee Suzanne Peters
Trustee Larry Clark

Village Manager Walt Herbst
Village Attorney John Groff
Deputy Clerk Donna Hartsock
Parks Dir. Nate Nagle

Others Present

Dave Padgett, W. Franklin St.
Wayne Brubaker, Gardner Rd.
Elton Shaw, Liberty St.
Maureen Crawford, Elmira
Phyllis French, Beaver Dams
Erdina Chamberlain, Wygant Rd.
Tess Banfield, Catalpa Dr.
Jesse Crawford, Elmira Heights
Ed Stone, Pine Valley
Mike Dieffenbach, Moose Club
Derek Wilson, Pine Valley
Robert Nash, Jr., Westlake St.
Barb Skorzewskiy, W. Franklin St.
Pam Diebble, Erin
Sue Radford, Valley Dr.

Rick Kuehrer, Hemlock St.
Tom Radford, Valley Dr.
Mindy Hungerford, Owens St.
Jack Brooks, Third St.
Christine Brooks, Third St.
Mary Mower, Kinley Pl.
Karen Keenan, Erin
David Davie, Erin
Mike Swasta, Watkins Rd.
Jean Quinn, Gardner Rd.
John Dunlap, Matthew Cir.
Barbara Clark, Sayre St.
Howard Miller, Sunset Dr.

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of September 8, 2011 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Swartz, seconded by Trustee Clark

BE IT RESOLVED, that Festival Permits are hereby issued to the organizations listed below, and the Public Works Dept. is hereby authorized to close the following streets for said events:

Town & Country Fire Dept. - Open House

October 13, 2011 - 4pm-9pm:

W. Franklin St. between
Boorum Pl. and Gardner Rd.

Chemung Sunrise Rotary - Holly Days Festival

November 26, 2011, 10:30am - 7:30pm:

- S. Main St. at Franklin St. south to Broad St.
- Franklin St. from Grand Central Ave. to Eleanor St.-John St. from Grand Central to S. Main St.
- the Main Street parking lot - Eleanor St. entrances
- the John Street parking lot

STREETS TO REMAIN OPEN TO TRAFFIC:

- N. Main, southbound, turning east on Ithaca Road
- Ithaca Road, westbound, turning north on N. Main St.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

At this time the Board asked the representatives of the Moose Club to make a short presentation regarding their relocation project to W. Franklin St. Afterwards, they agreed to a question and answer session from the public regarding this project.

Questions from the audience and the discussions centered on the following issues:

- Onsite parking vs. on street parking
- Offensive odors from refuse
- Hours of operation

At this time, Atty. Groff declared open a Public Hearing regarding the Special Use Permit Application of the Horseheads Moose Club, 416 W. Franklin St.

Representatives from the Moose Club noted the distinction between what they are - a private members-only club - versus a public restaurant. They also noted the following:

- Fish fries are mostly take out, and people don't all come at the same time.
- Special events, like weddings, onsite parking will be adequate, but might result in some on-street parking.

Village Manager Herbst stated that the Village will monitor the parking around this area. Discussion ensued regarding a buffer area between the project and the residences to the east. Representatives from the Moose Club agreed to install a privacy fence on that side.

Atty. Groff declared the public hearing closed.

At this time the Board read and completed Part 2 of SEQR Form regarding the Moose Club application, making the following notations on the form:

- C1: Traffic, solid waste disposal, noise. Not significantly upon further discussion.
- C2: Neighborhood character.
- C3: No.
- C4: No.
- C5: No.
- C6: No.
- C7: No.
- E. Yes, neighbor opposition to project.

The Board agreed that the proposed action will not result in any significant adverse environmental impacts.

Resolution by Trustee Koliwasky, seconded by Trustee Peters

WHEREAS, Horseheads Moose Club #1476 is the owner of lands at 416 W. Franklin Street in the Village of Horseheads, commonly known as Tax Map Parcel Number 59.09-1-25, and located in an R2 Residential Zone

WHEREAS, the Moose Club has applied to the Village of Horseheads for a proposed establishment of a fraternal organization at said location, requiring the need to apply for a Special Use Permit, and

WHEREAS, said application is subject to SEQR and has been classified as an Unlisted Action pursuant to SEQR regulations, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that it is the only involved agency relative to SEQR, and

WHEREAS, the Moose Club has submitted a Short Environmental Assessment Form, and

WHEREAS, public hearings were held on the application before the Village Board of Trustees on September 8, 2011 and September 22, 2011 at which time all involved or interested parties were afforded an opportunity to comment, and

WHEREAS, the project has been reviewed by the Village Traffic Commission for traffic impact assessment, such review resulting in no safety concerns relative to traffic, and also by the Village of Horseheads Planning Board who recommend approval of the application, and

WHEREAS, this Board has reviewed said Short Environmental Assessment Form and has engaged in deliberations and review concerning Part II thereof, and

WHEREAS, such review has not identified any matters of concern.

NOW THEREFORE BE IT RESOLVED, that Mayor Donald Zeigler is hereby authorized and directed to execute the SEQR form for this project determining that the action will not have any significant adverse environmental impacts, and be it further

RESOLVED, that this Board does hereby approve the application of the Horseheads Moose Club #1476 for a Special Use Permit for the establishment of a fraternal organization at 416 W. Franklin Street, as designed and presented per Preliminary Site Plan of JHL Tecture AE, PC, on Drawing SP1.01 dated 6/15/2011, updated 8/13/2011, subject to the condition that a fence 6' in height or lesser if dictated by Village Code with privacy screening strips shall be constructed and maintained in a good state of repair by the applicant along the easterly boundary line of the site for the entire length of same to the applicant's southerly property line.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

Resolution by Trustee Swartz, seconded by Trustee Clark

BE IT RESOLVED, that a public hearing is hereby scheduled for Thursday, October 13, 2011 at 7:05 p.m. regarding Proposed Local Law #1 of 2011, Amending the Professional Office Overlay Zone.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

Audience Participation:

Members of the audience made comments regarding the following matters:

- Impact of train traffic and its effect on public safety.
- Mayor Zeigler stated that the Village is aware of this concern and that we are working with the railroad company to develop an effective solution.

As there was nothing further to come before the Board, the meeting was closed at approximately 8:10 p.m.

/rmb