

CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
AUGUST 28, 2025

Present

Frank Pierce
Mark Watts
Marilyn Paulo
Emma Miran
Michelle Podolec
Nick Vosburg
Elisabeth Corveleyn
Dave McCormick, Staff
Nanette Moss, Staff

Excused

Joseph Coletta, Chair
Henry Dalrymple

Visitors

1. Call to order at 3:00 p.m.
2. Approval of Meeting Notes - After discussion of the June 26, 2025 notes (July 24 meeting cancelled), there were no questions, comments or corrections from the Board and the minutes were approved as distributed on a motion made by Mark Watts, seconded by Frank Pierce. All in favor, aye; opposed, none. Motion carried.
3. Visitor Comments (accepted after each referral review).
4. Zoning Referrals
5. Staff Comments

A. TOWN OF HORSEHEADS – Planned Unit Development Amendment – Sustello/Gaffer City
Football Cub

Present: Chad Sustello, Petitioner, Attending via Webex

DISCUSSION: Request for review of proposed Planned Unit Development Amendment to establish and operate youth sports programming in an existing structure. Property is located at 116 Breesport Rd. within 500' of SR 223. D. McCormick inquired with petitioner Chad Sustello if there would be physical modification or any exterior issue and was advised it would be the use; all planned work is interior for this phase. D. McCormick asked if there was any indication of time of day, volume, traffic impact; the large parking lot seems to accommodate. Chad Sustello noted that Thursday evenings were targeted until 9:00 in the past; Friday would be the same when school is in session; Saturday's 10:00 a.m.-8:00 p.m.; Sunday's 12:00 Noon-8:00 p.m. When school is not in session or reduced interest shown for volleyball, we would compensate the hours which in the past has been 9:00 p.m. We would not start

before 10:00 a.m. Additional days would open up during the week, hours 11:00 a.m.-6:00 p.m. Holiday weeks would be open a little more with similar hours. Parking is ample. DOT has commented on the SEQR Form as follows: *Question #15* – This should be answered ‘Yes’. The project site is within the project review buffer of the Blacknose Shiner (State) and the Northern Long-eared Bat (Federal). *Question #16* - This should be answered ‘Yes’. D. McCormick noted that the Northern Long Eared Bat has been identified as a protected species and asked Chad Sustello if any of the proposed re-use would affect any wildlife or this protected species and was advised it would not. M. Podolec advised that the answer should be Yes but will not affect the project. D. McCormick advised that the answers need to be changed but no impact exists. D. McCormick recommended local determination along with DOT comments to address SEQR Questions. D. McCormick asked if there was any further discussion, questions or comments from the Board and there were none. D. McCormick called for a motion for local determination along with DOT comments to address SEQR Form questions.

MOTION: Made by Michelle Podolec, seconded by Mark Watts, recommending local determination stating no countywide impacts along with DOT’s comments on the SEQR Form as follows: *Question #15* – This should be answered ‘Yes’. The project site is within the project review buffer of the Blacknose Shiner (State) and the Northern Long-eared Bat (Federal). *Question #16* - This should be answered ‘Yes’. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF BIG FLATS – Site Plan Review – Goodwin and Webster

DISCUSSION: Request to review proposed site plan to establish and operate an auto car dealership in the Business Regional (BR) Zoning District. Property is located at 192 Colonial Drive within 500’ of CR 74. D. McCormick noted that Raymour Flanagan furniture store was to the east of the property that is proposed to be located in a building just before the Outback Steak House restaurant. The proposed car sales business would have limited operation. DOT has commented on the SEQR Form as follows: *Question #E.2.c* – This is unanswered. *Question #E.2.h* - Part 4 needs to be completed since they indicated that there are wetlands and waterbodies on the site. I didn’t see any in my review of the location so I’m not sure if it was a mistake that they marked Yes. *Question #E.2.m* – This is unanswered. *Question #E.2.o* – This should be answered ‘Yes’. This site is within the range of the Northern Long-eared Bat, the Green Floater, and the Monarch Butterfly which are all federally listed. The final Signature is missing in Part G. N. Vosburg advised that any signage proposed on Colonial Drive within the county right-of-way would require a highway use permit. If there are any access driveway changes, it would require a permit. Turnaround of vehicles must be within the site with no backing out onto Colonial Drive. I do not feel that was adequately presented in this site plan and looking at the layout, I am not sure it is possible. M. Podolec asked how many cars would be allowed on site if they need to shuffle and there is no room--how do you drop off safely when you cannot park them on the street. D. McCormick answered that it would be no more than six which could be a stretch. M. Podolec said it will eventually need more space. There is no place for trucks to pull off. It might be tricky managing cars; how do they do that with the intersection right there. They need more gravel pad at the minimum if it gets worse. N. Vosburg said that they may not get a lot of business. D. McCormick noted that they did not address the existing building use. There is an existing commercial building. M. Podolec asked if business hours were set, lighting. N. Vosburg noted that if the building is going to be used for the vehicle sales paperwork that it would have to be ADA compliant. If the building structure requires public use, there needs to be a bathroom. I would recommend they further investigate for public use. D. McCormick commented that they may already have answered SEQR Page one to which N. Vosburg added that it is worth verification. D. McCormick recommended local determination to address

DOT comments regarding SEQR. He asked if the Board had any further discussion, questions or comments and there were none. He called for a motion for local determination along with DOT SEQR Form comments and Board comments.

Motion: Made by Marilyn Paulo, seconded by Mark Watts, recommending local determination stating no countywide impacts along with comments from DOT on the SEQR Form as follows: *Question #E.2.c* – This is unanswered. *Question #E.2.h* - Part 4 needs to be filled out since they indicated that there are wetlands and waterbodies on the site. I didn't see any in my review of the location so I'm not sure if it was a mistake that they marked Yes. *Question #E.2.m* – This is unanswered. *Question #E.2.o* – This should be answered 'Yes'. This site is within the range of the Northern Long-eared Bat, the Green Floater, and the Monarch Butterfly which are all federally listed. The final signature is missing in Part G. Comments from N. Vosburg advising that any signage proposed on Colonial Drive within the county right-of-way would require a highway use permit. If there are any access driveway changes, it would require a permit. Adequate turnaround of vehicles should be within the site with no backing out onto Colonial Drive. If the building is going to be used for the vehicle sales paperwork/public use, it would have to be ADA compliant and would need a bathroom, so the question of public use of the building needs to be further investigated. Verify if SEQR Page one has been verified. Members in favor, all; opposed, none. Motion carried.

C. CITY OF ELMIRA – Zoning Use Variance – Moss

DISCUSSION: Request to review proposed use variance to establish and operate a farm stand to sell vegetables and baked goods in front yard of their residence in the Residence A (RA) Zoning District. Property is located at 1255 College Ave. within 500' of Clemens Center Parkway. D. McCormick advised that the home is located next to Overhead Door and that there is street parking along College Ave. N. Vosburg agreed saying he had no issues with the proposed on-street parking. DOT has commented on the SEQR Form as follows: Parts of the SEQR are missing and what's there isn't filled out entirely. Michelle Podolec commented that if this is a seasonal structure that they indicate when it goes up and when it comes down or is it static. D. McCormick recommended local determination. D. McCormick asked if there were any further discussion, questions or comments from the Board and there were none. D. McCormick called for a motion for local determination along with DOT comments on the SEQR Form, Board comment.

Motion: Made by Frank Pierce, seconded by Michelle Podolec, recommending local determination stating no countywide impacts along with comments from DOT as follows: Parts of the SEQR are missing and what's there isn't filled out entirely. Indicate that if it is a seasonal structure to define when it goes up, when it comes down; or if it is static. Members in favor, all; opposed, none. Motion carried.

D. CITY OF ELMIRA– Zoning Use Variance – Dowd and Zaimont
Present: Lauren Dowd and Michael Zaimont

DISCUSSION: Request to review proposed use variance to establish and operate a quilting shop and occasional bed-and-breakfast in a Residence A (RA) Zoning District. Property is located at 742 W. First St. within 500' of W. Church St. (SR 352). D. McCormick advised that four parking spaces are required. M. Watts asked how many parking spaces were planned and was advised by Lauren Dowd that it is one

per rented room; there are five parking spaces but they were only going to be renting out four rooms, adding that city parking is open in that area. D. McCormick noted that it is currently Zonta House but not in use and asked if the amount of traffic would be similar and was advised by Lauren Dowd that days will switch somewhat. The quilt retreat guests arrive on a Thursday afternoon and depart that Sunday afternoon staying the whole weekend. The shop would be open on Saturday like the previous shop, open Noon-4:00 p.m. by appointment. The building has also been used for luncheons and community events and people would still be able to rent space for luncheons. It would not change traffic patterns. DOT commented on the SEQR Form as follows: *Question #15* - This should be answered 'Yes'. This site is within the range of the Northern Long-eared Bat, the Green Floater and the Monarch Butterfly which are all federally listed. The Green Floater is also state listed, and this site is within a project review buffer for the species. D. McCormick recommended local determination and to address SEQR Form questions. He asked if there was any further discussion, questions or comments from the Board and there were none. He called for a motion for local determination and to address SEQR Form.

Motion: Made by Frank Pierce, seconded by Marilyn Paulo, recommending local determination stating no countywide impacts along with DOT comments to address SEQR Form as follows: *Question #15* – This should be answered 'Yes'. This site is within the range of the Northern Long-eared Bat, the Green Floater and the Monarch Butterfly which are all federally listed. The Green Floater is also state listed, and this site is within a project review buffer for the species. . Members in favor, all; opposed, none. Motion carried.

E. VILLAGE OF HORSEHEADS – Subdivision Plan – Horseheads Real Property LLC/Hawken
Present: Jennifer Vaughan, LaBella Associates

DISCUSSION: Request to review proposed subdivision plan to create a 12.584-acre parcel from existing 188.721-acre parcel at Southern Tier Logistics Business Park. Property is located at the Southern Tier Logistics Park at 120 Wygant Rd. within 500' of the Town of Horseheads boundary line. D. McCormick asked Jennifer Vaughan if there were any plans to change anything like utilities and was advised that the proposed subdivision is a lease agreement paper process. Horseheads Real Property will maintain and continue to own but are subdividing for this project. There are corresponding projects occurring at the site that have been approved by the Village of Horseheads to construct a new building on that subdivided parcel to be separate from this subdivision. D. McCormick asked Jennifer Vaughan if it was being used in that section and was advised that there are two former building uses. The new building would straddle and be constructed on that site. D. McCormick asked Jennifer Vaughan if it were Siemens who answered yes. D. McCormick noted that DOT had advised that it did not have any comments regarding this referral. D. McCormick recommended local determination. He asked if the Board had any further discussion, questions or comments and there was none. He called for a motion for local determination.

Motion: Made by Frank Pierce, seconded by Marilyn Paulo, recommending local determination stating no countywide impacts. Members in favor, all; opposed, none. Motion carried.

F. VILLAGE OF HORSEHEADS – Subdivision Plan – GCP Boom LLC
Present: Brian Grose, Fagan Engineers

DISCUSSION: Request to review proposed subdivision to separate existing Dunkin Donuts from existing Grand Central Plaza parcel in the Highway Commercial Zoning District. Property is located at 1020

Center St. within 500' of I-86. D. McCormick asked Brian Grose if there were any traffic issues with ingress and egress and was advised there is an existing access easement which access is off Center St. There is access to enter and leave the site. Dunkin Donuts is separating from Grand Central Plaza as it wishes to be a single parcel, measuring .45-acre, separate from being in the existing Grand Central Plaza parcel and Grand Central Plaza will remain the owners of the remainder of the parcel. DOT has commented on the SEQR Form as follows: *Question #15* - This should be answered 'Yes'. The site is within the range of the Northern Long-eared Bat, the Green floater and the Monarch Butterfly which are all federally listed. N. Vosburg echoed this comment to which Brian Grose answered that Question 15 of the SEQR Form is automated that New York State checks and not mandatory for us to answer but said he can change it. D. McCormick recommended local determination along with addressing DOT comments regarding the SEQR Form. D. McCormick asked the Board if there was any further discussion, questions or comments and there were none. He called for a motion for local determination along with DOT comments to address the SEQR Form.

Motion: Made by Mark Watts, seconded by Frank Pierce, recommending local determination stating no countywide impacts along with DOT comments on the SEQR Form as follows: *Question #15* - This should be answered 'Yes'. The site is within the range of the Northern Long-eared Bat, the Green floater and the Monarch Butterfly which are all federally listed. . Members in favor, all; opposed, none. Motion carried.

G. TOWN OF SOUTHPORT – Site Plan Amendment – Arbor Housing and Development/Southport Corners

Present: Brian Grose, Fagan Engineers

DISCUSSION: Request to review proposed site plan amendment for the proposed Southport Corners multi-family housing project in the Commercial Residential (CR) Zoning District. Property is located at 1205 Plymouth Ave. within 500' of Cedar St. (SR 427). D. McCormick advised there was a change in the site plan to remove the town homes and expand the number of multi-family dwelling units. Brian Grose noted that there had been a large multi-family building proposed initially. Four town homes proposed for northern and western portions of the parcel which did not receive funding. We are trying to go this route with an overhaul of Homes and Community Renewal regulations; this was the best route in moving forward. It is still two-stories, all six-units. It gives more green space. We are asking the board for senior living rates, parking requirements. A study was done on other senior living facilities, almost one to one: 60 parking stalls, 60 units; 12 ADA spaces; providing EV stalls accessible; accessible space in between. New design has helped stormwater, it is localized. The buildings will be on interconnected drywells. Parking lot and sidewalk. It has been submitted to Jimmy Joe Carl at Stormwater Management Coalition. DPW has approved the driveway locations. We are working with the fire department. M. Watts asked Brian Grose about infiltration and was advised it is gravel. We dug and found a crater; they were never connected to sewer. Septic systems on-site. Old drywell systems dug into. It is on an existing conditions plan and we marked it out. The Northern Long-eared Bat revision that was submitted after is still checked No. The description of the Northern Long-eared Bat is still there. We have tree clearing on this site. We must submit a tree trimming plan or how we take down trees. As long as we stay out of any clearing or trimming November through April, we are allowed to clear trees. D. McCormick noted that the parking ratio is one parking spot per resident apartment, if you have no trouble. There are 15 total. M. Paulo asked Brian Grose if the apartments were income based, if there were laundry facilities and a community room was advised that it is not income based and wasn't sure if it would be market rate; laundry facilities were included; there is a permit as where

the sidewalk goes to the building porch inside the doors; adding that there are two different elevator locations. M. Podolec asked Brian Grose if trees would be replaced and was advised that the site plan proposes culling out 15 trees and shrubbery and will replace all 15 indicated with a red triangle on the site plan. N. Vosburg noted that parking spaces are away from buildings, quite a walk and suggested the site plan be reconfigured to allow spaces close to the south side of the building, as there is not much parking along that area. He asked Brian Grose if there would be additional sidewalks near Cedar St. and was advised that DOT would be doing that with a permit for 32 sidewalks, utility connections, etc. D. McCormick asked Brian Grose about the green squares indicated and was advised that it is part of the parcel, green space, potentially and if necessary, would be for parking. The thought is to use for recreation. D. McCormick asked Brian Grose if snow removal would pose any issues and was advised that they will have a contract, pushing toward the green space. D. McCormick recommended local determination. B. Grose noted that the construction schedule for project completion is 2027. Once we gain approvals and funding approvals, the closing would occur after January 1, 2026 and it would start in the Spring. We would apply for permits ahead of time. DOT has commented on the SEQR Form as follows: *Question #15* - This should be answered 'Yes'. The site is within the range of the Northern Long-eared Bat, the Green floater and the Monarch Butterfly which are all federally listed. D. McCormick asked if the Board had any further discussion, questions or comments and there were none. He called for a motion for local determination and SEQR form Question 15 be answered.

Motion: Made by Emma Miran, seconded by M. Paulo, recommending local determination stating no countywide impacts along with comments from DOT to address the SEQR Form as follows: *Question #15* – This should be answered 'Yes'. The site is within the range of the Northern Long-eared Bat, the Green floater and the Monarch Butterfly which are all federally listed. N. Vosburg suggested consideration be given to reconfigured the site plan to allow spaces close to the south side of the building, as there is not much parking along that area. Members in favor, all; opposed, none. Motion carried.

H. TOWN OF SOUTHPORT– *Six-Month Extension Commercial Solar Energy Systems and Commercial Energy Storage systems Moratorium* – Town of Southport

DISCUSSION: Request to review proposed six-month extension on Commercial Solar Energy Systems and Commercial Energy Storage Systems moratorium within the Town of Southport. D. McCormick noted that this is the third Moratorium seeking a six-month extension. The town had indicated it is working on its comprehensive plan and wish to wait until that was finished before they make a determination on the Moratorium. There is no deadline for completion. They cannot just say continue, they have to have good faith efforts to make a determination. He commented that six-month Moratorium would run into next year. *Question #10* - The 'if No' section needs to be filled out. *Question #11* - The 'if No' section needs to be filled out. *Question #15* - This should be answered 'Yes'. The site is within the range of the Northern Long-eared Bat, the Green floater and the Monarch Butterfly which are all federally listed. N. Vosburg noted that in past meetings regarding Moratoriums the Board has in some instances recommended denial and suggested the Board be sure to be consistent in its recommendations to municipalities. Being that the town is working on its comprehensive plan, it could be worthwhile for our Board to recommend approval. E. Corveleyn suggested staff prepare a retrospective analysis. M. Podolec asked if there was something the town could provide, an update indicating they are making progress with their comprehensive plan to which D. McCormick informed that he had contacted the town supervisor on this question but had received no definitive answer. He advised the Board that staff will prepare an analysis compiling this information covering the time period

January 1, 2024 to the present regarding how many solar projects with BESS have been reviewed along with the Board's recommendations. After discussion, the Board decided it would table the referral. D. McCormick noted that the Board wishes to table this referral for proposed Moratorium to allow staff to research how many times Moratoriums have been done to be consistent. He asked if the Board had any further discussion, questions or comments and there were none.

Motion: Made by Mark Watts, seconded by Marilyn Paulo, tabling for the Chemung County Planning Board to develop a policy to be consistent regarding Moratoriums. Members in favor, all; opposed, none. Motion carried.

I. TOWN OF ASHLAND– Special Use Permit - Town of Renovus Solar

DISCUSSION: Request for review of special use permit to establish and operate a two-acre AC community solar farm for location adjacent to existing two-acre solar farm in a Residential Transition Zoning District. Property is located at 3374 Lower Maple Ave. within 500' of SR 427. D. McCormick advised that there is a local law regarding solar, consistent with the town's plan. M. Podolec advised that Solar Tier I is small business and homes. The question, if you keep adding in two-acre increments, it will not be a two-acre solar array. There is more land there. Is there an Ag and Farmland Preservation District? It is a change from Agriculture. M. Watts said work is being done to deter solar farms going on farmland, not giving incentive. F. Pierce asked if the towns furnish the fire departments with equipment to fight a solar battery fire to which D. McCormick advised that language is being worked on in the proposed county comprehensive plan which requires engineering and consulting expertise if there is a fire; what is the remediation for soil, other, decommissioning plan, bond remediation. F. Pierce commented that 30 years down the road even with a bond, what would the cost be at that time. The towns should consider increasing the bond. DOT commented on the SEQR Form as follows: The Item I document is the same as the Item H document that contained the SEQR form. A commercial driveway Highway Work Permit will be required for access to the Renovus Solar project. N. Vosburg suggested the board consider tabling this referral to stay consistent with previously tabled requests for solar farms. M. Podolec added the comment that in lieu of someone here representing the petitioner or the town to give a presentation, she believed the referral should be tabled.

Motion: Made by Frank Pierce, seconded by Michelle Podolec, tabling for the Chemung County Planning Board to develop a policy to be consistent regarding solar farms. Members in favor, all; opposed, none. Motion carried.

5. **Visitors Comments:** None

Planning Commissioner's Report – Acting Planning Commissioner Dave McCormick:

It was announced to the Board that the annual Planning Board Training is scheduled Tuesday/December 2 at the Horseheads American Legion to be given by New York State Department of State staff who will

present courses on timely topics. Our staff will be there at 3:00 p.m. to set up registration/check-in, courses starting, refreshment break, conclusion of courses and questions as time allows, exit by 8:30 p.m.

Planning Board Chairman:

Chairman Joseph Coletta has resigned, and we are endeavoring to find a new member to fill out his and Henry Dalrymple's unexpired terms.

Next CCPB Meeting:

Our next meeting will be in person unless there is no quorum. As a reminder, we will be meeting at the Human Resources Center building, first floor, Room #110. Please note that we plan to meet next on **Thursday, September 25, 2025.**

A motion to adjourn was made by Frank Pierce, seconded by Mark Watts. All in favor, aye; opposed, none. Motion carried. Full Meeting adjourned at 4:35 p.m.