

**CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
DECEMBER 18, 2025**

Present

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

Excused

Henry Dalrymple

Visitors

1. Call to order at 3:00 p.m.
2. Approval of Meeting Notes - After discussion of the November 20, 2025 notes there were no questions, comments or corrections from the Board and the minutes were approved as distributed on a motion made by Michelle Podolec, seconded by Emma Miran. All in favor, aye; opposed, none. Motion carried.
3. Visitor Comments (accepted after each referral review).
4. Zoning Referrals
5. Staff Comments

A. VILLAGE OF HORSEHEADS – Zoning Area Variance – Paradise Energy Solutions for First Presbyterian Church

Present: Matt Schwenk, Paradise Energy; Aaron Frank, Pastor, First Presbyterian Church; Jim McIntosh, First Presbyterian Church Member

DISCUSSION: Request to review proposed zoning area variance for front-yard setback to allow installation of solar panel array in front yard of First Presbyterian Church exceeding front-yard setback requirements in an R-1 (One-Family Residential) Zoning District. Property is located at 2943 Westinghouse Rd. within 500' of Westinghouse Rd. (SR 14) and the Town of Horseheads boundary line. D. McCormick asked L. Hotaling to display slides relating to the proposed layout of the solar panel array. Matt Schwenk submitted an update in the desired placement of the uppermost and lowermost panel in the array in order to meet the required setbacks to avoid shading issues with the building and addressing the ground mounted system with grade changes shortening and sliding back. D. McCormick asked if the Village had provided feedback regarding the need for the zoning area variances and was advised by Pastor Aaron Frank that in the meeting before Thanksgiving it was noted that if changes were

made that they were inclined to approve the variance. The Village's decision will be given next week. D. McCormick noted that DOT had submitted the following comments regarding SEQR: *Question 10* – The "If No" section needs to be filled out. *Question 11* – 'Yes' or 'no' needs to be checked. *Question 20* – The "If Yes" section needs to be filled out. F. Pierce asked if there was any discussion from the Board. M. Watts asked if the panels would serve the church or were they opening it up to others and was advised by Matt Schwenk that this small system, which is not a solar farm, was designed to help the church with their own consumption in order to save money on utilities to enable them to invest the money back into the community they serve. M. Watts asked if there was too much roof and was advised by Pastor Aaron Frank that the pitch on the main building is 40 degrees. He explained that the entire facility is electric--no battery, gas, geothermal—and that the panels will help meet the need to cover current usage. He added that in the last three years their consumption has gone down and the bills have doubled through NYSEG. He noted that there is an evening public hearing scheduled for Monday, December 22. D. McCormick recommended local determination along with the comments submitted by DOT to address the items noted regarding SEQR. F. Pierce asked if there were any other comments from the Board and there were none. F. Pierce called for a motion for local determination along with comments from DOT to address items they noted regarding SEQR.

MOTION: Made by Mark Watts, seconded by Michelle Podolec, recommending local determination stating no countywide impacts along with comments from DOT-6 to address SEQR as follows: *Question 10* – The "If No" section needs to be filled out. *Question 11* – 'Yes' or 'no' needs to be checked. *Question 20* – The "If Yes" section needs to be filled out. Members in favor, all; opposed, none. Motion carried.

B. VILLAGE OF HORSEHEADS – Zoning Area Variance – Erastus Hotel, LLC

DISCUSSION: Request to review proposed zoning area variance to allow display of a 10'x15' American flag on pre-existing pole to be more commensurate with the height and size of the flagpole, exceeding 24 square foot requirement in a C3 (Commercial) Zoning District. Property is located at 950 Chemung St. within 500' of SR #14. D. McCormick asked L. Hotaling to display slides and she presented a Google Earth slide of a view of the flagpole as seen from I-86. L. Hotaling advised that Village of Horseheads Code Section 204-10 (A) (12) states that flags, emblems or insignia are not to exceed 24 square feet, noting that the Village of Horseheads Planning Board recommended approval of the zoning area variance request to the Zoning Board of Appeals. D. McCormick informed that DOT had submitted comments that "None of the addresses are coming up with Erastus Hotel and it can't be found by searching for the address. It pulls up a Dennys at the address. On other mapping apps the address shows as a cannabis shop. Is this a new business?" F. Pierce advised that subsequently, DOT had spoken to the petitioner and was satisfied. L. Hotaling noted that the Village of Horseheads Zoning Board of Appeals has yet to review the zoning area variance request and that the Village Planning Board had reviewed and recommended the request. D. McCormick recommended local determination. F. Pierce 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.

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

C. CITY OF ELMIRA – Review of Proposed Site Plan – Friends of the Civil War Camp, Inc.

DISCUSSION: Request to review proposed site plan to construct addition of a 5,400 square foot institutional building to house exhibit pieces, hold re-enactments, and teach within a classroom setting about the Civil War period in the local community, to be located at the existing Elmira Civil War Prison Camp site in an RB (Residence B One-Two Family) Zoning District. Property is located at 627-637 Winsor Ave. within 500' of W. Water St. (SR 352). D. McCormick asked L. Hotaling to display slides. L. Hotaling noted that in an image of the site plan had been supplied, informing that they were granted zoning area variances in April 2023 to reduce the required setback from 25' to 12.5'. They will be connecting to water and sewer services. Layout includes the building, adjacent parking lot. F. Pierce asked if there were any questions or comments from the Board. M. Watts advised that a stormwater plan was needed as it is over 3,000 square feet and that Brian Grose from Fagan Engineers had spoken about it. Parking is shown in gray on the proposed site plan appearing to be up to 8 parking spaces. M. Watts noted that two parcels previously had houses which lots have since been filled in, two house lots, proposed for the construction. D. McCormick recommended local determination of the proposed site plan. F. Pierce asked if there were any questions or comments from the Board. N. Vosburg suggested that the recommendation for local determination include pending stormwater approval. F. Pierce asked if there was any further discussion, comments or questions and there were none. He called for a motion for local determination along with pending stormwater approval.

MOTION: Made by Mark Watts, seconded by Emma Miran, recommending local determination stating no countywide impacts along with the comment stormwater approval was needed prior to the project proceeding. Members in favor, all; opposed, none. Motion carried.

D. TOWN OF BIG FLATS – Proposed Subdivision – Montante Group/Chemung County IDA

DISCUSSION: Request to review proposed subdivision to divide approximately 22 acres of an existing parcel for merging into another parcel totaling a project area of approximately 30 acres, and site plan for construction of a 149,644 square foot warehouse and distribution facility for short-term or temporary storage of goods, wares, and/or merchandise prior to shipment to local homeowners and/or businesses, with associated parking, loading docks, utilities and stormwater management features, in the Airport Business Development (ABD) Zoning District. Property is located on Lowe Rd. within 500' of Kahler Rd. (CR 63) and I-86. N. Vosburg advised that he had spoken to developer's traffic engineer and they are aware of what is needed to perform a traffic impact study. L. Hotaling presented slides showing parking for the proposed warehouse comprised of approximately 1,150 parking spaces, anticipated 100+ daily warehouse employees on site, and hundreds of vehicle delivery drivers each day. Construction would commence in the second quarter of 2026 with completion by the third quarter of 2027. The project will cost \$40 million. Due to concerns about potential impacts on nearby state facilities, NYSDOT is interested in reviewing the traffic impact study once it becomes available. F. Pierce asked if there were any questions from the Board. M. Podolec inquired about the top parcels being closest to the highway and was advised by L. Hotaling that they wish to subdivide the top portion and merge it with the parcel adjacent to it which the site plan reflects. D. McCormick recommended approval of the proposed project along with the comment they provide the Traffic Impact Study desired for review by DOT upon its availability. F. Pierce asked if there was any further discussion, questions or comments from the Board and there were none. He called for a motion to recommend approval of the proposed project along with the comment that DOT has requested to be provided with a copy of the Traffic Impact Study once available.

MOTION: Made by Mark Watts, seconded by Michelle Podolec, recommending approval of the proposed project stating no countywide impacts along with comment from DOT regarding their concerns about potential impacts on nearby state facilities that they are interested in reviewing the Traffic Impact Study once it becomes available. F. Pierce asked if there were any questions from the Board. Members in favor, all; opposed, none. Motion carried.

E. TOWN OF ELMIRA – Proposed Subdivision – CP Elmira Solar LLC/Bush
Present: Eric Crandall, Code Enforcement Officer, Town of Elmira

DISCUSSION: Request to review proposed subdivision to divide land consisting of approximately two 40-acre parcels and site plan for construction of two individual 5 MW solar energy systems on the subdivided parcels in the AR (Agricultural/Residential) Zoning District. Property is located at 386 Water Cure Hill Rd. within 500' of Water Cure Hill Rd. (CR 52). D. McCormick asked L. Hotaling to display slides. L. Hotaling presented slides of the proposed solar farm location with tie-in with substation located a mile away. Two parcels were shown consisting of approximately 40 acres each. The highlighted yellow area indicates access road to the site, fence highlighted in green. That is a current view of the location of the proposed project along with the proposed view after construction included in the proposed plan. There is no battery storage proposed. N. Vosburg noted it is a two driveway location with one existing driveway highlighted in yellow, another proposed driveway to the north. Both require driveway permits which are obtained by contacting county DPW. There is concern regarding site distance and recommend applicant review the site distance to make sure they meet standards. He raised a question as to why two separate parcels were proposed for the solar farms as opposed to one larger farm. Eric Crandall explained that unlike most of the projects where the operator leases the property, they are purchasing the property. They are subdividing and the owner is selling the lots to the company. N. Vosburg wondered if they were attempting to bypass any regulations by having two smaller solar farms as opposed to one larger to which Eric Crandall noted that it is common to see five small 5mw solar farms. He had inquired with the company if this size was a larger project and was advised that there are 1,000-acre solar farms. F. Pierce asked if there were any questions or comments from the Board. M. Watts noted that they should go through the Stormwater Coalition and was advised by Eric Crandall that Jimmie Joe Carl has the SWPPP for review. He thinks that the SWPPP will be relatively simple, considering that there is no change in the existing topography which is meadow and will stay meadow. We will walk the site to confirm. D. McCormick asked if there would be a separate project for the connection to the substation and was advised by Eric Crandall that it is considered utility grade which is not in its purview of the town. Once they get to the R-O-W, that is the utility. They must apply to NYSEG to make sure there's enough room on the grid before this project process begins. We will confirm if temporary or not regarding utility poles. F. Pierce asked if it were the east or west side of the existing house due to the close proximity of the two driveways. The access road goes in between where the Bush house is located and the barns. They requested a waiver from the town due to minimum distance from the road which is 20' in between the ag building and the house and are maintaining that. DOT submitted comments regarding SEQR as follows: *Question E.2.o* – This should be answered "yes". The site is within the range of the Northern Long-eared Bat (*Endangered*), Green Floater (*threatened*), and the Monarch Butterfly (*threatened*) which are all federally listed. He did not think that complete access was available to the north. The plan shows a drive for the utility poles. A county driveway permit is needed. F. Pierce asked which side of the house goes down the east or west side of that where driveways are located. Where is the other parcel for the driveway and was answered by Mark Watts that they would use existing. F. Pierce said it was between two properties. Eric Crandall said the access

road goes in between the Bush house and barn. M. Podolec noted that these are all lands that are included in the Ag and Farmland Protection District and that that board was notified but has not yet commented upon it. As a member of that board, she is concerned that with this substation going in that it will change the character of that neighborhood for agriculture. Is there anything there with this solar array that would make that land suitable for farming underneath it. M. Watts noted that haying underneath was discussed but not sure whether there's specialized equipment needed. They've tried sheep with limited success. She noted the company would need to work with the local farmer being that they were purchasing the land. Eric Crandall advised that it was discussed with the operators about having the owner still maintain underneath the panels by having the panels at a distance so equipment could reach underneath. M. Podolec said there is interest from agriculturists in this county to participate in that type of farming. Being that it is a part of the farmland district, it would be a good idea to give it some thought. How it might proceed and why that might make the plan is a little bit different. It will still be farmland. There might be more pieces that go into this over time with regard to the substation upgrade. It is not currently battery. Is there anything preventing battery storage in the future and was advised by Eric Crandall that until the Town fully adopts the battery storage law, then no. No decision has been made. F. Pierce asked if there were any other questions or comments. M. Podolec said they did not ask for landscaping around the property. Eric Crandall said that they have not done that yet. The public hearing is scheduled for January 5, and at that time will take public comment into account. There's a very good chance there will be additional screening. D. McCormick asked how quickly do those get built, would they be up and operational before the end of the year? Eric Crandall advised that the SWPPP hadn't been approved yet noting that things cannot proceed until the SWPPP is approved. D. McCormick recommended local determination. F. Pierce asked if there were any other questions or comments and there were none. He called for motion for local determination along with DOT comments regarding SEQR relating to federally listed protected species and required county DPW driveway permits obtained.

MOTION: Made by Emma Miran, seconded by Michelle Podolec, Mark Watts abstaining, recommending local determination stating no countywide impacts along with comments submitted by DOT regarding SEQR as follows: *Question E.2.o* – This should be answered "yes". The site is within the range of the Northern Long-eared Bat (*Endangered*), Green Floater (*threatened*), and the Monarch Butterfly (*threatened*) which are all federally listed and obtaining required county DPW driveway permits. Members in favor, all; abstaining Mark Watts; opposed, none. Motion carried.

5. Visitors Comments: None

Planning Commissioner's Report –Planning Commissioner Dave McCormick:

The Planning Department hosted the annual board training on Tuesday/December 2 at the Horseheads American Legion that was presented by New York State Department of State Office of General Services staff. Attendance at this training provided the required yearly four hours that Board members need to attain. There were approximately 60 who attended, including staff. Certificates of attendance were e-mailed to attendees. Mark your calendars for the STCRPDB 2026 Annual Leadership Conference to be held at Corning Community College on Thursday/June 11, 2026. We will forward the invite when it becomes available.

Planning Board Chairman:

Each member has received a copy of the 2026 CCPB Meeting Schedule.

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 on **Thursday, January 22, 2025**.

A motion to adjourn was made by Mark Watts seconded by Marilyn Paulo. All in favor, aye; opposed, none. Motion carried. Full Meeting adjourned at 3:47 p.m.