



Monday, March 2, 2026

# Chemung County Planning Board

Chemung County Commerce Center  
400 East Church Street  
P.O. Box 588  
Elmira, NY 14902-0588  
607-737-5510

[www.chemungcountyny.gov/planning](http://www.chemungcountyny.gov/planning)

[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

## Chemung County Planning Board Municipal Referral Form

### Instructions For Filling Out This Form:

To begin, click on each of the tabs below (Referral Information, Petitioners, etc.) to enter your information. When done, click on the Preview Your Form button (in the "Full Statement" Checklist tab), and when satisfied, click the Submit Your Form button. You will receive a confirmation email of your Municipal Referral Form for your records.

**\* = Required Field**

**Referring Municipality:**

Town

**City/Village/Town:**

Town of Erin

**Referring Official:**

Deda Cedar

**Title:**

Chairperson, Town of Erin Planning Board

**Address:**

1138 Breesport Road  
Erin, NY, 14838

**Phone Number:**

(607) 739-8814

**Email Address:**

erinplanningboard@gmail.com

**Referring Board:**

Planning Board

**How Many Petitioners? (up to 4):** 2

**Petitioner 1 Name:** Howard Van Skiver

**Petitioner 1 Address:** 498 Thayer Road  
Erin, NY, 14838

**Petitioner 1 Phone Number:** (607) 425-1465

**Petitioner 1 Email Address:** howardvanskiver@aol.com

**Petitioner 2 Name:** Kimberly Van Skiver

**Petitioner 2 Address:** 498 Thayer Road  
Erin, NY, 14838

**Petitioner 2 Phone Number:** (607) 739-1211

**Location of Property:** Federal Road, Erin NY

**Tax Map Parcel Number(s):** 62.00-1-21.52

**Current Zoning District:** AR

**Please select the proposed action(s) from the drop-down menu below.**

**Proposed Action(s):** Subdivision Review

**Description of proposed action (attach detailed narrative if available):**

The Van Skivers are purchasing a 5.04 acre lot from Roger, Paul and Tim Matejka for the purpose of building a single family home on.

**Upload Detailed Narrative?** No

**The proposed action applies to real property within five hundred feet (500') of the following:**

(please identify by filling in the appropriate blank after each item)

**(a) Boundary of the (City), (Village), or (Town) of:**

no

**(b) Boundary of Any Existing or Proposed (County) or (State Park) or any (Other Recreation Area):**

no

**(c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include County) or (State Route) # and name of (Road):**

yes County RT 41

**(d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines:**

no

**(e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated:**

no

**(f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances):**

no

**Please Select Which Board(s):**

Town Board/Village Board of Trustees

Planning Board/Planning Commission

**Board:** Town Board/Village Board of Trustees

**Town Board/Village Board of Trustees** Wednesday, January 14, 2026  
**Public Hearing Date:**

**How many Prior and Future Meeting Dates?**

0

**Action Taken on This Application (reviewed, approved, discussed, etc.):**

Forwarded to the Town of Erin Planning Board.

**Board:** Zoning Board of Appeals

**How many Prior and Future Meeting Dates?**

0

**Board:** Planning Board/Planning Commission

**Planning Board/Planning Commission** Monday, February 2, 2026  
**Public Hearing Date:**

**How many Prior and Future Meeting Dates?**

1

**Prior/Future Meeting Date 1:** Monday, February 23, 2026

**Action Taken on This Application (reviewed, approved, discussed, etc.):**

Review permit for completeness, held a public hearing and a preliminary SEQR review,

**Board:** City Council

**How many Prior and Future Meeting Dates?**

0

**As defined in NYS General Municipal Law §239-m (1)(c), please make sure you have attached the following required information with your referral, as**

**appropriate.**

There is nothing to be filled out on this tab.

**For All Actions:**

Chemung County Planning Board – Municipal Referral Form

All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).

Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.

Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.

Municipal board meeting minutes on the proposed action (PDF preferred).

**For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND**

Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)

Zoning Map

Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

**Submit this form with supporting documentation in PDF format to the Chemung County Planning Department via email if from webpage: [planning@chemungcountyny.gov](mailto:planning@chemungcountyny.gov).**

**Please also e-mail to or notify [lhotaling@chemungcountyny.gov](mailto:lhotaling@chemungcountyny.gov) and [nmoss@chemungcountyny.gov](mailto:nmoss@chemungcountyny.gov).**

**Completed referrals must be submitted by close of business 12 calendar days prior to the Chemung County Planning Board meeting**

**Please Upload All of the Required Documents Here:**



Vanskiver Part 1 SEAF.pdf



Vanskiver Part 2 SEAF.pdf



Vanskiver permit.pdf

Town of Erin  
Application For A Special Permit  
Uses Requiring Special Permits In All Districts

Date January 14, 2025

Special Permit for New Home

Street Address Federal Road Tax Map # 62-00-1-21-152

Contact Person- CHOOSE ONE

Applicant  
 Engineer

Owner  
 Surveyor

Architect  
 Landscape Architect

Attorney  
 Other

Howard  
607-425-1465

Applicant

Name Howard & Kimberly Van Kine

Firm \_\_\_\_\_

Address 495 Moyer Road Erin, NY 14838

Phone Landline \_\_\_\_\_ Cell 607-425-1465

Fax \_\_\_\_\_

Email howard.vankine@erincn.com

Owner of Record (if different than Applicant)

Name Robert Paul, Timothy Matlock

Firm \_\_\_\_\_

Address Federal Rd Erin NY 14838

Phone Landline 607-739-1211 Cell \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

Attorney

Name Mark Wimmellee

Firm Cooper & Wimmellee

Address 2534 Westinghouse Rd Horseheads NY 14845

Phone 607-739-8768

Fax \_\_\_\_\_

Email \_\_\_\_\_

**Engineer**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

**Surveyor**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

**Architect**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

**Landscape Architect**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

**Other**

Relation to Project \_\_\_\_\_

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

### Land Use and Site Information

1. Location: (Section- Block- Lot No.) Federal Rd
2. Zone- Please circle correct zone    AR                    AR-I                    R-1                    R-2                    AR1-R
3. School District Spencer VnA ETJ
4. Existing Use of Property Field / Hay / etc
5. Type of Building Barn/Commercial
6. Proposed Use of Property/ Type of Service to be established  
Residence Living
7. Number of square feet to be used for Neighborhood and/or beyond Neighborhood Service \_\_\_\_\_
8. Size of Plot \*If less than one (1) acre give dimensions of feet 5.402 Acres
9. Number of People to be engaged in such service 2
10. Will Service Increase Traffic? (circle)            Yes  No
11. Number of Seats (if application is restaurant or other places of public assembly) \_\_\_\_\_
12. Number of Parking Spaces required \_\_\_\_\_
13. Will this service conform to the character of the neighborhood?(circle)    Yes  No
14. Project Narrative (brief description of proposed development):  
Residential Living (dividing 5.402 Acres from Barn into 2 parcels)
15. Is this project within 500 feet of the Town line?            Yes  No
16. Is this project within the designated boundaries of the Hamlet?            Yes  No
- Is this project within 500 feet of:
  17. The right-of-way of any existing or proposed state or county road?    Yes  No  Federal Rd
  18. The boundary of an existing or proposed state or county park or any state or county recreation area?            Yes  No
  19. The boundary of state or county-owned land on which a public building/ institution is located?            Yes  No
  20. The boundary of a farm located in an agricultural district?            Yes  No  something else
  21. Does the entire development plan for this project propose the disturbance of more than 5,000 SF of land?            Yes  NoNote: If project is phased, include all phases in determination.            Yes  No

\*\*\*\*\*

A Short or Full EAF with the original signature of the applicant or project sponsor must be attached to this application when submitted.

The applicant agrees to comply with the requirements of the Road Specifications, the Land Use Regulations, Special Permit Requirements, Zoning Ordinance, Lighting Ordinance, Tree Removal and Stormwater Ordinance, and any additions or amendments thereto.

The applicant agrees to execution and delivery of deeds and required documents for reserved open space, drainage control, roads and road widening strips and descriptions of easements at the time of the public hearing. Such execution and delivery shall not operate to vest title of said property in the Town of Erin until such dedication is accepted in the form of a resolution adopted by the Town Board at a regular meeting of said Board.

\*\*\*\*\*

**Applicant**

**Owner of Record**

\_\_\_\_\_  
NAME (PLEASE PRINT)

\_\_\_\_\_  
NAME (PLEASE PRINT)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

**VERIFICATION BY SUBSCRIPTION AND NOTICE - PENAL LAW SECTION 210.45**

It is a crime, punishable as A Misdemeanor under the laws of the State of New York, for a person, in and by written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.

**Note:** If the property owner is not the applicant for this application, in addition to the signature above, the owner of the property must also complete and have notarized one of the owner affidavits on the following page.

**Note:** By signing this document the owner of the subject property grants permission for Town Officials to enter the property for the purpose of reviewing this application

**REFER TO AFFIDAVITS ON THE FOLLOWING PAGE**

**ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED IF THE PROPERTY OWNER IS NOT THE APPLICANT ON THIS APPLICATION**

\*\*\*\*\*

**AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION**

STATE OF NEW YORK; COUNTY OF CHEMUNG:

Roger Matejka, being duly sworn, deposes and says that he is the owner in fee of the property described in the foregoing application for consideration of preliminary plat, and that the statements contained therein are true to the best of his knowledge and belief.

Roger Matejka

Sworn before me this 4th date of February, 2026

Diane Wise-Hollenbeck  
Notary Public

DIANE M WISE-HOLLENBECK  
NOTARY PUBLIC STATE OF NEW YORK  
LIC. #01WI6345595 exp 07/25/2028

\*\*\*\*\*

**AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER**

STATE OF NEW YORK; COUNTY OF CHEMUNG:

\_\_\_\_\_, being duly sworn, deposes and says that he resides at \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_. That he is the \_\_\_\_\_ of \_\_\_\_\_ the corporation which is owner in fee of the property described in the foregoing application for \_\_\_\_\_ and that the statements contained therein are true to the best of his knowledge and belief.

Sworn before me this \_\_\_\_\_ date of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

\*\*\*\*\*

**AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER**

STATE OF NEW YORK; COUNTY OF CHEMUNG:

I \_\_\_\_\_ (owner), give authorization to \_\_\_\_\_ to act on behalf of me as my agent.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_, being duly sworn, deposes and says that he is the agent named in the foregoing application for \_\_\_\_\_ and that he has been duly authorized by the owner in fee to make such application and that foregoing statements are true to the best of his knowledge and belief.

\_\_\_\_\_  
Agent of Owner Signature

Sworn before me this \_\_\_\_\_ date of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

\*\*\*\*\*

**Submission Requirements for Planning Board Special Permit**

1. Application Form- Completed, signed, and notarized if applicable
2. Fees as per the current schedule of fees.
3. Completed applicable Environmental Assessment Form. Available at <http://www.dec.ny.gov/permits/70293.html>
4. NOTICE TO PROPERTY OWNERS - Notice of intent to apply for this Special Permit was mailed to all property owners within two (2) hundred feet of property line by **Certified Mail**.
5. Disclosure Affidavit
6. Site plan, drawn to convenient scale showing the location of all buildings, parking areas, sign and any special features, traffic access and circulation, open spaces, the uses of land adjacent to and facing the proposed site, as well as any other pertinent information. More information may be required if needed. The uses of land adjacent to and facing the proposed site shall be indicated on site plan. Site plan must accompany application.
7. One (1) copy of lease, deed, or contract of sale
8. One (1) copy of floor plan, drawn to scale, for any portion of building intended for public use.

\*\*\*\*\*

**Notice of Intent to Neighbors**

Planning Board

Town of Erin  
1138 Breesport Rd.  
Erin, NY 14838

Pursuant to Article XI sect 101 (Notice to property owners) of local law 10, Comprehensive Zoning Plan of the Town of Erin;

All applications for a special permit, including an appeal to the Board of Appeals under this law, shall contain an affidavit to the applicant that notice of application has been sent by Mail to all property owners within two hundred (200) feet of the property lines of the property under consideration, and that such notice was mailed at least five (5) days prior to the making of the application and the location of the property.

The records of the Town Assessor shall be used for the purpose of identification of property owners. Please contact Erin Town Clerk regarding this information. See Also Section 1101 of Local Law 1992 to inquire about proper procedure for obtaining a special permit.

I (we) Rodger, Paul; Tina Matejka, regarding my/our property  
At the following address Federal Rd Tax map 62.00-1-21-152  
have notified by Certified Mail, all property owner(s) within 200 feet of the property for which I make application for, of my/our intent to;

Sub Divide property & sell VansKaser 5.4 Acres

Those property owners who have been notified of my intent to file application are as follows:

	<u>Name</u>	<u>Address</u>	<u>Date</u>
1.	<u>Wade Bards / Angelic Moyer</u>		
2.	<u>Mark and Barb Kurgan</u>		
3.			
4.			
5.			
6.			
7.			
8.			

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It is a crime, punishable as A Misdemeanor under the laws of the State of New York, for a person, in and by written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.

Rodger Matejka  
APPLICANT NAME (Please Print)

Tina Matejka  
APPLICANT SIGNATURE

Planning Board  
Town Hall- 1138 Breesport Road  
Erin, NY 14838  
607-739-8681  
[www.townoferin.org](http://www.townoferin.org)

**APPLICANT'S DISCLOSURE AFFIDAVIT**

PREMISES: \_\_\_\_\_

STATE OF NEW YORK )

ss.

COUNTY OF )

\_\_\_\_\_, being duly sworn, deposes and says:

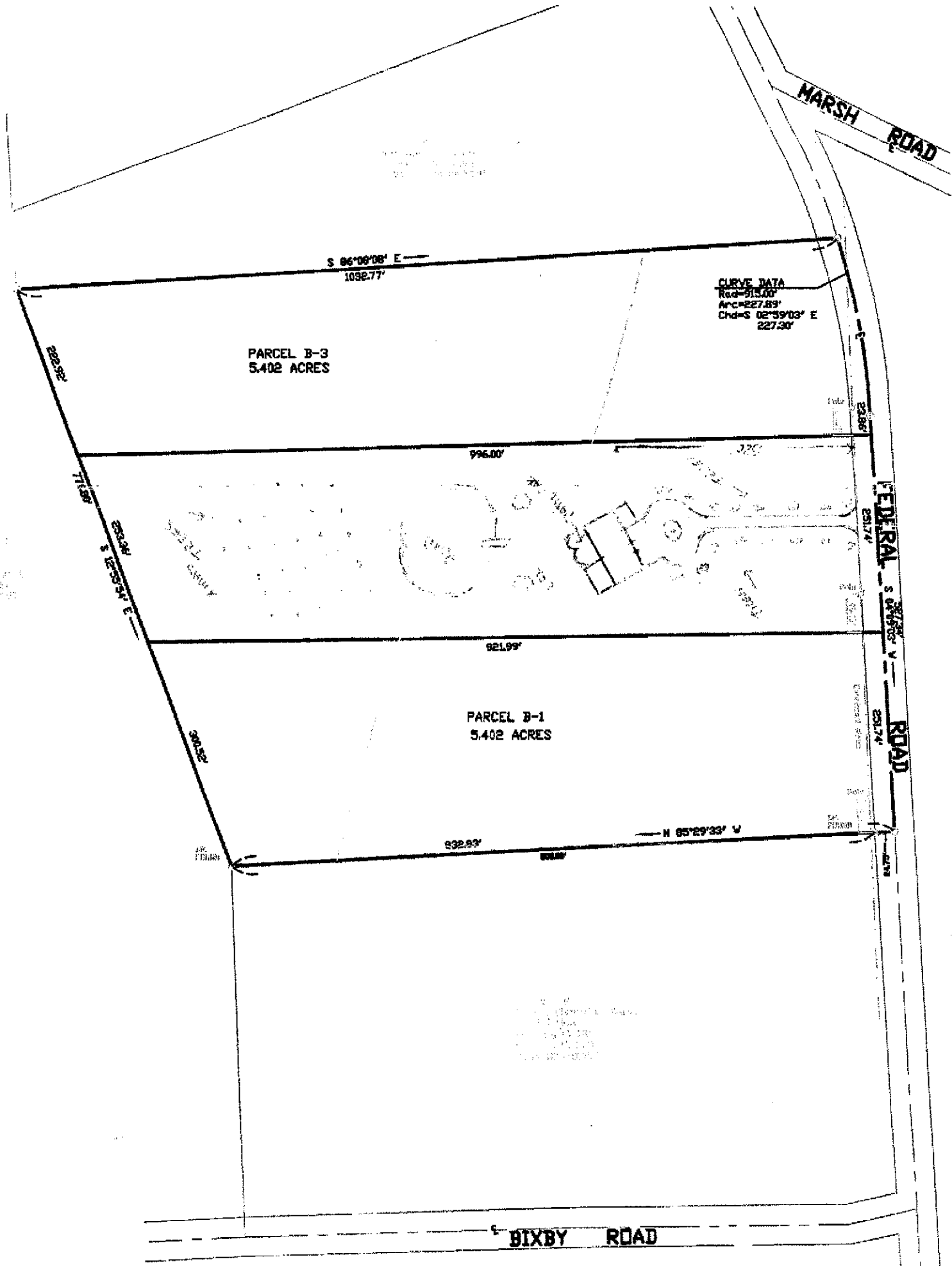
1. That I am \_\_\_\_\_ (age) and reside at (address) \_\_\_\_\_.
2. That I am the (owner, lessee, etc.) \_\_\_\_\_ of property which is the subject matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
3. That the following are the names, addresses and interests, respectively, of all partners (joint ventures, etc.)  
\_\_\_\_\_  
\_\_\_\_\_.
4. That neither deponent nor any other person mentioned in this affidavit is an officer or Employee or is related to an officer or employee of the Town of Erin - except: (if any, set forth details)  
\_\_\_\_\_  
\_\_\_\_\_.
5. That in the event there is any change in the matters set forth herein prior to the issuance of a building permit or certificate of occupancy for the property affected hereby, deponent (s) will file with the Town of Erin a supplemental affidavit indicating the details of such change within 48 hours of such change.

\_\_\_\_\_  
(signed)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>VAN SKIVER Home</i>			
Project Location (describe, and attach a location map): <i>New Home</i>			
Brief Description of Proposed Action: <i>#1 40x80 BARR/condominium Home 1400 sqft Living / 1 Bed / 1 BATH. REST Garage space</i> <i>#2 12x24 Guest House w/ covered Porch 1 Bed, 1 Bath. small sitting Area</i> <i>* NOTE (BATH will be tied to same septic system)</i>			
Name of Applicant or Sponsor: <i>Howard VAN SKIVER</i>		Telephone: <i>607-425-1465</i>	
		E-Mail: <i>howard.van.skiver@arc.com</i>	
Address: <i>498 Thayer Road</i>			
City/PO: <i>ERIN, N.Y. IA</i>		State: <i>N.Y.</i>	Zip Code: <i>14838</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>5.4</u> acres	
b. Total acreage to be physically disturbed?		<u>1/3<sup>RD</sup></u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>—</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Drilled well upon permit issued</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Chemung City Health Dept Approved septic system</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>Howard Vanni Skwer</u> Date: <u>Jan 5, 2025</u> Signature: <u>[Signature]</u> Title: <u>owner/Builder</u>		

Project: VANSKI VER  
 Date: 23 FEB 26

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# Chemung County Planning Board

Chemung County Commerce Center  
400 East Church Street  
P.O. Box 588  
Elmira, New York 14902-0588

(607) 737-5510

[www.chemungcountyny.gov](http://www.chemungcountyny.gov)  
[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

Referral Number

For office use only

## Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality:  City  Town  Village of Horseheads, NY

Referring Official: Tina McGrane

Title: Deputy Town Clerk

Address: 150 Wygant Road, Horseheads, NY 14845

Phone Number: 607-739-8783

E-mail: tmcgrane@townofhorseheads.org

Referring Board (check appropriate box):  Legislative Board  ZBA  Planning Board

Petitioner(s): Jody & Gary Wood Phone: (607) 259-9851

Petitioner's Mailing Address: 384 Jackson Creek Rd., Breesport, NY 14816 E-mail: \_\_\_\_\_

Property Address: 252 Jackson Creek Road, Breesport, NY 14816

Tax Map Parcel Number(s): 51.00-3-4.2

Current Zoning District: Residential 'A'

### Proposed Action: (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Area Variance                           | <input checked="" type="checkbox"/> Subdivision Review |
| <input type="checkbox"/> Use Variance                            | <input type="checkbox"/> Rezoning                      |
| <input type="checkbox"/> Site Plan Review                        | <input type="checkbox"/> Zoning Text Amendment         |
| <input type="checkbox"/> Special/Conditional Use Permit          | <input type="checkbox"/> Zoning Map Amendment          |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input type="checkbox"/> Moratorium                    |
| <input type="checkbox"/> Other (please specify): _____           |  |

Description of the proposed action (attach detailed narrative if available):

*minor subdivision - split two parcels into one*

**The proposed action applies to real property within five hundred feet (500') of the following**

(Please identify each item by filling in the appropriate blank after each item)

- (a) Boundary of the (City), (Village) or (Town) of: Erico, NY
- (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): CR #16
- (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): \_\_\_\_\_
- (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: \_\_\_\_\_
- (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: \_\_\_\_\_
- (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of areavariations: \_\_\_\_\_

**Hearings/Meetings Schedule**

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees		
Zoning Board of Appeals		
Planning Board/Planning Commission	04-01-2026	03-04-2026
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) Discussed, Reviewed, Referred

**“Full Statement” Checklist**

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

**For All Actions:**

- \_\_\_\_\_ Chemung County Planning Board – Municipal Referral Form
- \_\_\_\_\_ All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).
- \_\_\_\_\_ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- \_\_\_\_\_ Agricultural Data Statement, for site plan review, special/conditional use permit, usevariances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- \_\_\_\_\_ Municipal board meeting minutes on the proposed action (PDF preferred).

**For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND**

- \_\_\_\_\_ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- \_\_\_\_\_ Zoning Map
- \_\_\_\_\_ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

**Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.**

MINUTES  
TOWN OF HORSEHEADS  
PLANNING BOARDING  
March 4<sup>th</sup>, 2026

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 4<sup>th</sup> day of March, 2026 at 6:00PM.

**MEMBERS PRESENT:** Tom Skebey, Joe Atkinson, Amy Crandall, Angela Hawken, Matt Mustico, Ken Nicasro (via Zoom)

**MEMBERS ABSENT:** Allen Curren

**OTHERS PRESENT:** Tina McGrane, Secretary, John Mustico, Town Attorney, Amanda Hillman, Deputy Town Clerk, Greg Larnard, Code Director, Gary Wood

**CALL TO ORDER:** Co-Chairman, Joe Atkinson, called the meeting to order at 6:02pm.

**MINUTES:** A motion to accept the minutes of the February 4<sup>th</sup>, 2026, meeting, was made by Board Member Matt Mustico and seconded by Board Member Amy Crandall

**OLD BUSINESS:**

- A. #922A – Referral from Town Board – Discussion for Planning Board in regard to Solar Amendment ‘language’– ‘*Chapter 161 Solar Energy Systems & Equipment*’

There was no action by the Board. This item will carry until the April meeting.

**NEW BUSINESS:**

- B. #949 – 384 Jackson Creek Road, Breesport, NY – Jody & Gary Wood, for the property at 252 Jackson Creek Road, Breesport, NY – Minor Subdivision – Residential ‘A’ – Split existing lot into two lots – Tax Map #51.00-3-4.2

Mr. Wood attended the meeting and a discussion was held. Mr. Wood explained to the Board he wanted to make one parcel into two and sell it to his son.

This project will be referred to the Town of Erin and the Chemung County Planning Board.

A Public Hearing will be held for the minor subdivision on Wednesday, April 1<sup>st</sup>, 2026.

## **RESOLUTION #2 OF 2026**

**RESOLUTION TO CALL FOR A PUBLIC HEARING FOR MR. & MRS. GARY WOOD, FOR A MINOR SUBDIVISION, AT THE PROPERTY LOCATED AT 252 JACKSON CREEK ROAD, BRESPOST, NY – TAX MAP #51.00-3-4.2**

Motion by: Board Member Angela Hawken    Seconded by: Board Member Matt Mustico

**WHEREAS**, by way of a Subdivision Application, dated February 19<sup>th</sup>, 2026, along with a SEQR and survey maps, dated the same, marked and received as “A” and “B”, and

**WHEREAS**, the current zoning is Residence ‘A’ and

**WHEREAS**, a discussion was held and Mr. Mickle explained he wanted to take the current parcel and divide it into two parcels, and

**WHEREAS**, the Town Planning Board, having duly considered the same,

**NOW, THEREFORE, BE IT RESOLVED**, the Town Planning Board of the Town of Horseheads, makes a Positive Recommendation to call for a Public Hearing, for the request of Jody & Gary Wood, for a minor subdivision, at the property located at 252 Jackson Creek Road, Breesport, NY

**AYES: (5)** Atkinson, Crandall, Hawken, Mustico, Skebey

**NAYES (0)**

As there was no further business to come before the Board, a motion to adjourn was made by Board Member Angela Hawken and Seconded by Joe Atkinson, at 6:13PM. All were in favor.

Respectfully submitted,

Tina M. McGrane, Secretary – Town of Horseheads Planning Board

#949



Town of Horseheads Application for Planning Board Review

RECEIVED

FEB 19 2026

TOWN CLERK'S OFFICE

Project location: 252 Jackson Creek Road

Tax Map ID#: 073489 51.00-3-4.2

Application for:  Site Plan Review  Subdivision  Special Permit  Other

Applicant: Judy + Gary Wood

Address: 384 Jackson Creek Road

Breesport State: NY Zip: 14816

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: 607-259-9851

Email Address: \_\_\_\_\_ Send Agenda by Email:  yes

Owner: (if different) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Email Address: \_\_\_\_\_ Send Agenda by Email:  Yes

Plans Prepared by: Surveyor \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Email Address: \_\_\_\_\_ Send Agenda by Email:  yes

Project Description: Mipob  
Sub division

General Location: 252 Jackson creek road

Current Zoning: Residential A

Present Use of Property: single family home

Will Property disturb one acre or more?  Yes If so, How Much? NO

Description of Stormwater Management: NA

Water:  Public  Private Sewage:  Public  Private

Total site area: 7.8 acres

Anticipated construction time: \_\_\_\_\_ Staged:  Yes  No

Estimated Cost of Project: NA

*The information provided is true and correct to the best of my knowledge. I understand that the completion of this application neither implies nor guarantees approval of this project.*

Applicant Signature: [Signature] Date: 2-4-26

Owner Signature: [Signature] Date: 2-4-26

*All Applications for Planning Board must be received **10 days** before scheduled meeting.*

Address: 150 Wygant Rd. Horseheads, NY 14845 Phone: 607-739-7605 Fax: 607-739-0469

Office Use:

Date received: 2/19/21 By: GS

Plan File #: \_\_\_\_\_  Assign plan file #

Referrals to:  Chemung County

Village of \_\_\_\_\_

Town of Erin

Other \_\_\_\_\_

Fee: \$75.00 Paid:  Yes

#949

Short Environmental Assessment Form  
Part 1 - Project Information

RECEIVED

FEB 19 2026

TOWN CLERK'S OFFICE

Instructions for Completing

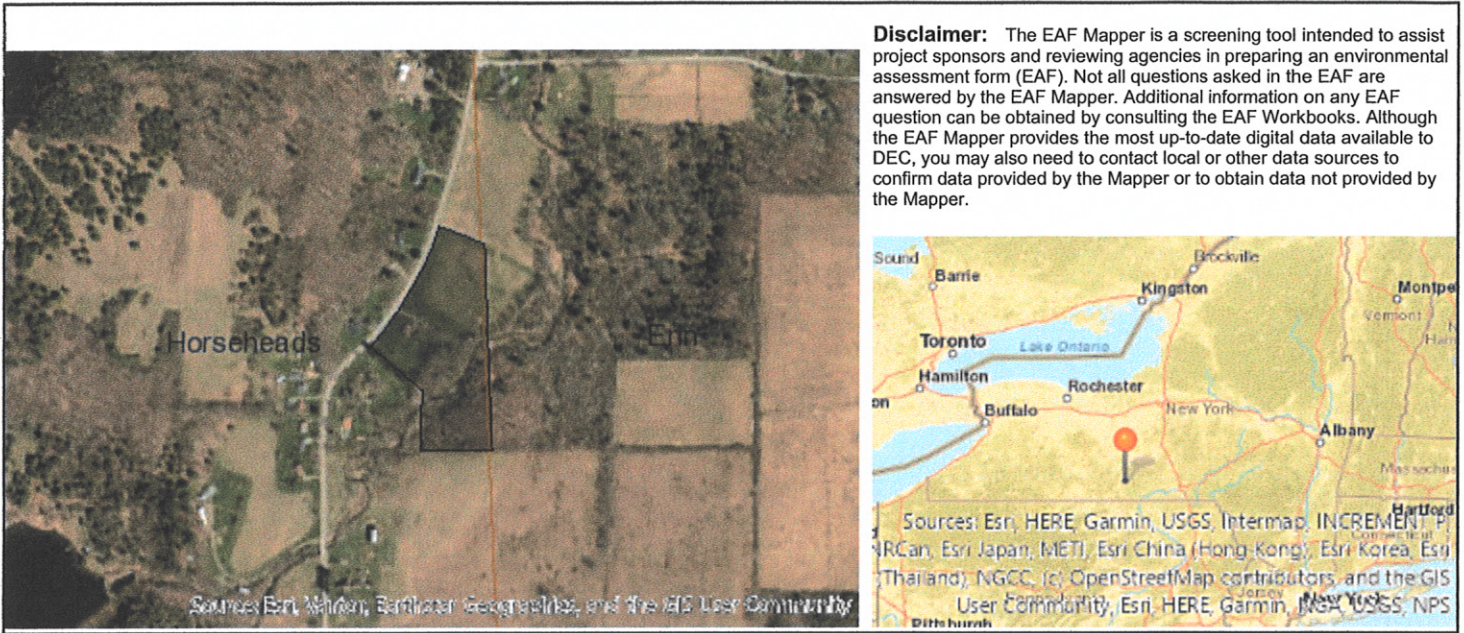
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <i>sub division - minor</i>			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: <i>Sub division - minor</i>			
Name of Applicant or Sponsor: <i>Gary + Jody Wood</i>		Telephone: <i>607 259-9851</i>	
		E-Mail:	
Address: <i>384 Jackson Creek Road</i>			
City/PO: <i>Breesport</i>		State: <i>NY</i>	Zip Code: <i>14816</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>5</i>	acres
b. Total acreage to be physically disturbed?		<i>0</i>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>7.8</i>	<del>30.521</del> acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Gary + Jody Wood</u>		Date: <u>2-4-26</u>
Signature: <u>Gary Wood</u>		Title: _____



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



x



Legend

Parcels



Address Points



Address\_Mail

Flood Zones

- A 100 yr no elevations
- AE 100 yr with elevations
- AH 100 yr Shallow
- AO 100 yr shallow
- X500 yr not regulated

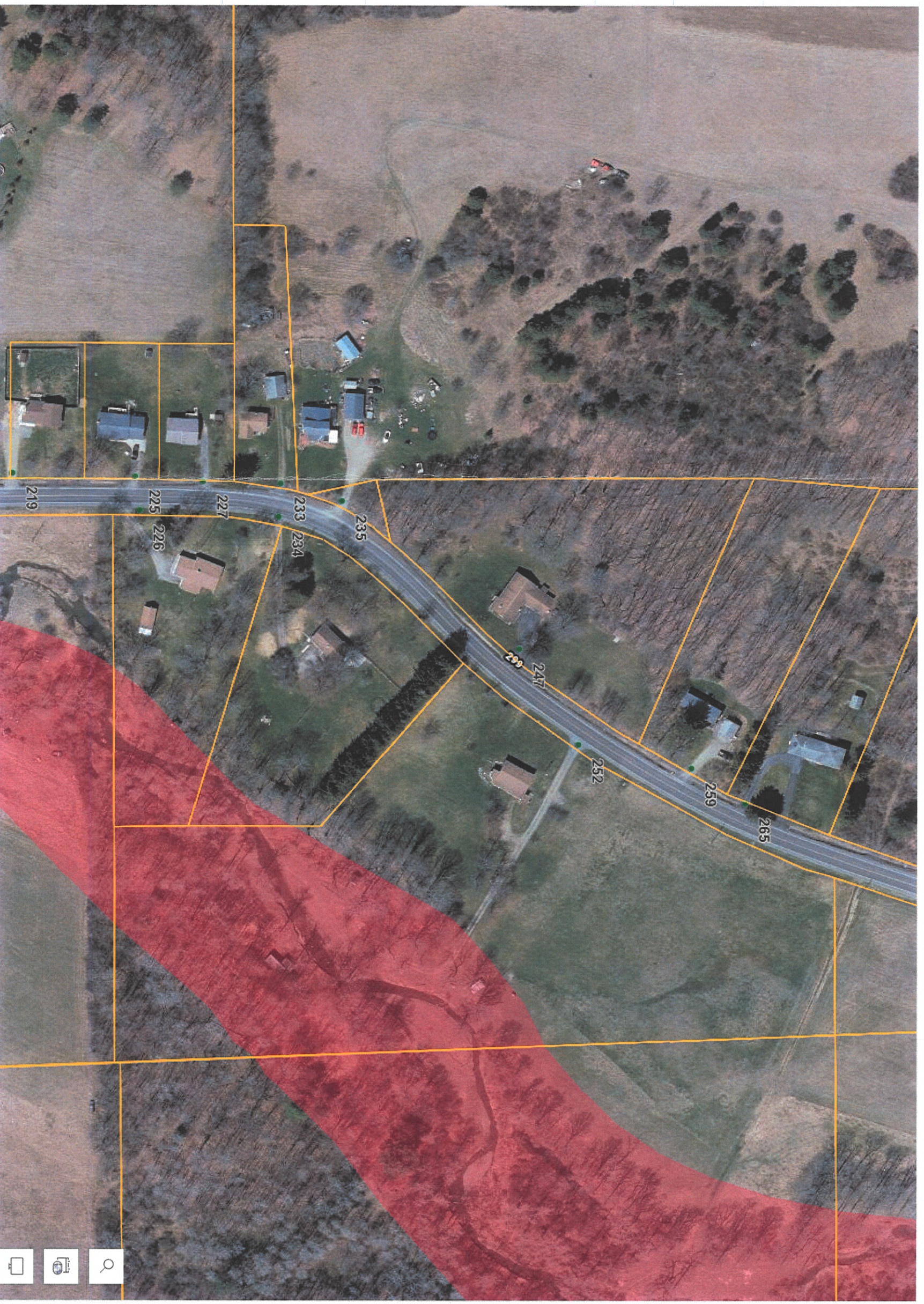
World Transportation

World\_Transportation

2018

2018

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



RECEIVED

FEB 19 2026

TOWN CLERK'S OFFICE

#949  
"B"



RECEIVED 5-6-2020

# Chemung County Planning Board

Chemung County Commerce Center  
400 East Church Street  
P.O. Box 588  
Elmira, New York 14902-0588

Referral Number  
\_\_\_\_\_  
For office use only



(607) 737-5510

[www.chemungcountyny.gov](http://www.chemungcountyny.gov)  
[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

## Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality:  City  Town  Village of Southport

Referring Official: Pete Rocchi Title: Code Enforcement Officer

Address: 1139 Pennsylvania Ave

Phone Number: 607-737-5268 E-mail: PRocchi@townofsouthport.com

Referring Board (check appropriate box):  Legislative Board  ZBA  Planning Board

Petitioner(s): PTV 1454 LLC Phone: 1-724-420-5367

Petitioner's Mailing Address: 400 Penn Center Blvd Building 4, Suite 1000 Pittsburgh, PA 15235 E-mail: ben.syput@penntrexventures.com

Location of Property: 1546 Cedar Street Elmira, NY 14904

Tax Map Parcel Number(s): 109.12-1-10

Current Zoning District: C-2 General Commercial

### Proposed Action: (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Area Variance                           | <input type="checkbox"/> Subdivision Review    |
| <input type="checkbox"/> Use Variance                            | <input type="checkbox"/> Rezoning              |
| <input checked="" type="checkbox"/> Site Plan Review             | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit          | <input type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input type="checkbox"/> Moratorium            |
| <input type="checkbox"/> Other (please specify): _____           |  |

Description of the proposed action (attach detailed narrative if available):

Construct a 9,100 sf commercial retail building with parking and stormwater facilities

**The proposed action applies to real property within five hundred feet (500') of the following**  
 (Please identify each item by filling in the appropriate blank after each item)

(a) Boundary of the (City), (Village) or (Town) of: \_\_\_\_\_

(b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): \_\_\_\_\_

(c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): Route 427, Cedar Street, ...

(d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: \_\_\_\_\_

(e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: \_\_\_\_\_

(f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances: \_\_\_\_\_)

**Hearings/Meetings Schedule**

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees		
Zoning Board of Appeals		
Planning Board/Planning Commission	<u>1/5/26, 2/2/26, 3/2/26</u>	<u>4/6/26</u>
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) reviewed, discussed, referred to county planning

**"Full Statement" Checklist**

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

**For All Actions:**

- Chemung County Planning Board – Municipal Referral Form
- All application materials required by local law/ordinance to be considered a "complete application" at the local level (PDF preferred).
- Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- Municipal board meeting minutes on the proposed action (PDF preferred).

**For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND**

- Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- Zoning Map
- Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

**Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.**



## TOWN OF SOUTHPORT

1139 Pennsylvania Avenue, Elmira, NY 14904

607.737.5268

[www.townofsouthport.com](http://www.townofsouthport.com)

### Site Plan Review Procedure

**Site Plan** procedure requires a Public Hearing to be held. Procedure on what you will need to do for the Public Hearing will be provided to you. The Town will also post a sign on the site plan property stating the date and time of the Public Hearing. It will take at least two meetings before you will have the Planning Boards decision on your application. Please follow the procedure listed below.

If the Site Plan application is approved, a Building Permit is required for any construction, renovations, or alterations. All commercial projects will require stamped architect prints. Discuss your project fully with the Code Enforcement Officer.

The Planning Board, subject to the approval of the Town Board, may require an applicant for site plan review to deposit in an escrow account a reasonable amount established by the Planning Board to pay the fees and/or costs of any consultant, engineer, or attorney designated by the Town Board to review the application. The fees and/or costs charged by such consultant, engineer, or attorney in connection with such review will be charged against the sum deposited in escrow. If specific circumstances warrant it, additional funds will be required to be deposited in order to cover reasonable expenses incurred beyond the original estimate. Any amount remaining shall be returned to the applicant within 45 days of final action on the application. Payment to the escrow account, if required, is a prerequisite to a complete application, and no review will be initiated until payment is received. The deposit specified above does not include all approvals or fees required from or by agencies other than the Town, costs associated with extensions to districts to provide necessary services to the proposal nor fees charged by Town departments or boards for permits, approvals, hearings, or other actions, except as noted above. (Town Code §525-65 Professional assistance)

1. Fill out attached Site Plan application.
2. Write a letter to the Planning Board explaining your site plan request.
3. Fill out attached State Environmental Assessment (SEQR) form.
4. Submit a property survey map depicting all Bulk & Density requirements and actual dimensions. Major projects will require full Site Plan drawings.
5. If you do not own the property, provide a letter from the Owner giving you permission for your project. If you are buying the property, provide copy of purchase offer agreement (cost may be redacted).
6. Application fee. Make check payable to "Town of Southport".  
\$150.00 Minor Site Plan Review      \$300.00 Major Site Plan Review

Submit all paperwork to our office by the 3<sup>rd</sup> Wednesday of the month. 11/19/2025  
**(Incomplete or late Applications will be put on the next agenda.)**

First meeting is at 7:00 p.m. at the Town Hall on 12/1/2025

**(You or your representative must attend all meetings.)**

Some applications may need to be referred to the Chemung County Planning Board.

**ACKNOWLEDGEMENT**

I/we hereby certify that I/we have read the instructions and received a copy. I/we understand that a provision of laws and ordinances covering this application will be complied with whether specified or not. Instructions specified here do not presume to give authority to violate or cancel provisions of any other law or local law regulating this application and/or construction or performance of construction relating to this application. I/we understand that this application may require additional fees and expenses, at my/our expense, for preparation of necessary environmental, engineering and planning studies. I/we understand that I/we cannot operate or start the project applied for herein until such time as the Town of Southport grants approval and all necessary permits are secured.

Applicant signature Ben Syput Date 10/8/2025

Address 400 Penn Center Blvd, Building 4, Suite 1000 Pittsburgh PA 15235

Phone 724-420-5367

Email ben.syput@penntexventures.com



# SITE PLAN APPLICATION

## PROJECT INFORMATION

Name of Proposed Development Site Plan for Dollar General		Date	10/15/2025
Address 1546 Cedar Street, Elmira, NY 14904			
Tax Map # 109.12-1-10		Zoning District C-2 General Commercial	
Setbacks	Front 15'	Side 5'	Rear 20'
Describe Project The purpose of the project consists demo of existing structure and construct a 9,100 sq.ft commercial retail store, along with parking, stormwater facilities, landscaping.			

## APPLICANT

Name PTV 1454, LLC			
Address 400 Penn Center Blvd. Building 4, Suite 1000			
City Pittsburgh	State PA	Zip 15235	
Phone 724-420-5367		Email ben.syput@penntexventures.com	

## OWNER (if different)

Name			
Address			
City	State	Zip	
Phone		Email	

## PROPOSAL DATA (must fill in all information)

Days and Hours of Operation	8am-10pm 7 days a week
# of Parking Spaces	30 spaces
# of Handicap Parking Spaces	2 spaces
# of Employees	3
# of Daily Customers (estimated)	200 Daily Customers
# of Vehicles on Lot (automotive business)	N/A

Handicap Access	Yes	
# of Signs submitted by another vendor	Size	Location
Type of Outside Lighting	Parking lot pole lights and building wall packs	
Type of Buffer (fence, bushes, etc.)	N/A	
Disposal of garbage and/or debris	Dumpster Enclosure	
Stormwater drainage	Yes	
Water/Sewer/Septic	Public Water/ Sewer	

**OTHER PERMITS NEEDED (CHECK ALL THAT APPLY)**

<input checked="" type="checkbox"/> Town of Southport Building Permit	<input checked="" type="checkbox"/> CC Sewer District
<input type="checkbox"/> Town of Southport Driveway Permit	<input type="checkbox"/> Dept. of Health Water/Septic
<input checked="" type="checkbox"/> NYSDOT	<input checked="" type="checkbox"/> SWPPP
<input type="checkbox"/> CC DPW-driveway permit	<input checked="" type="checkbox"/> NYSDEC-SPDES
<input checked="" type="checkbox"/> Elmira Water Board	<input type="checkbox"/> Other: _____

**CERTIFICATION**

I (We) hereby make application for a Site Plan Approval declaring that the information contained in this application is accurate and correct to the best of my (our) knowledge, and that property described above and indicated on a Concept/Preliminary/Final Plan is in my (our) legal, uncontested ownership, without any outstanding rights, reservations, or other encumbrances, which could nullify the intended use as shown. I (We) understand that a provision of laws and ordinances covering this application will be complied with whether specified or not. This application does not presume to give authority to violate or cancel provisions of any local law regarding this application, and/or construction regarding this application. I/we understand that this application may require additional fees and expenses, at my/our expense, for preparation of necessary environmental, engineering and planning studies. I (We) understand that I (We) can not operate or start the project applied for herein until such time as the Town of Southport grants approval and all necessary permits are secured.

Signature of Applicant Ben Spt Date 10/8/2025

Property Owner \_\_\_\_\_ Date \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Elmira Dollar General			
Project Location (describe, and attach a location map): 1550 Cedar Street, Elmira, NY 14904			
Brief Description of Proposed Action: Construct a 9,100sf commercial retail building with parking and stormwater facilities .			
Name of Applicant or Sponsor: PTV 1454, LLC		Telephone: 724-420-5367	
		E-Mail: ben.syput@penntextventures.com	
Address: 400 Penn Center Blvd, Building 4, Suite 1000			
City/PO: Pittsburgh		State: PA	Zip Code: 15235
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYDOT, NYSDEC, CC Sewer District and Elmira Water Board		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.80 acres	
b. Total acreage to be physically disturbed?		.76 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.80 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stormwater facility will be provide in the site which will retain the downspouts and runoff from parking areas.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
Infiltration Basin in the rear of the property	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Ben Syput</u>	Date: <u>10/8/2025</u>	
Signature: <u><i>Ben Syput</i></u>	Title: <u>AVP Permitting</u>	



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD

### Meeting Minutes

Monday, December 1, 2025  
7:00 pm

Board Members Present: Jackie French  
John Hastings  
Chris Parsons  
Trish Peterson, Chairperson  
Rick Petzke  
Penny Page  
Tracy Warner, Vice Chairperson

Board Members Absent: Liv Lovejoy, Alternate

Others Present: Peter Rocchi, Code Enforcement Officer  
Marianne Schrom, Deputy Town Clerk  
Megan Dorritie, Esq., Harter Secrest & Emery LLP,  
Attorney for the Planning Board

Chairperson Peterson called the meeting to order at or about 7:00 pm. She asked if the Board Members had any comments, questions, concerns, or corrections about the October 6, 2025 meeting minutes. Board Member French made a motion to change Board Member Page to excused from the November meeting instead of absent, as she was present but could not participate; Board Member Warner seconded the motion. Hearing no other comments, the Board accepted the minutes of November 3, 2025 as presented with changes. All were in favor.

**AYES: French, Hastings, Parsons, Peterson, Petzke, Warner**  
**NOES: None**  
**MOTION CARRIED.**

Next on the agenda was to set the Planning Board meeting schedule for the year 2026. All meetings will be held on the first Monday of each month except for the:

September 2026 meeting will be held on Tuesday, September 1, 2026.

The deadline for site plan and special use permit applications will continue to be the third Wednesday of each month.

**Public Hearing -** Site Plan of Steven Koen to construct a metal building at 1263 Charles Street, Elmira, New York, tax map #109.08-7-25, zoned Commercial Regional.

Chairperson Peterson opened the public hearing at or about 7:06 p.m.

It was noted that the publication was in order, then the public hearing was opened for comment.

Mr. Koen explained that the building will be used for personal storage.

No one else wished to be heard, the public portion of the meeting was closed at 7:07 p.m. and was turned back over to the Planning Board.

Hearing no comments from the Board, Board Member Petzke made the following motion to accept the Site Plan as presented; Board Member French seconded the motion.

**RESOLUTION NO. 009-2025 PB  
TOWN OF SOUTHPORT**

**SITE PLAN APPROVAL GRANTED TO STEVEN KOEN TO CONSTRUCT A METAL BUILDING AT 1263 CHARLES STREET, TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK, TAX MAP #109.08-7-25, ZONED COMMERCIAL REGIONAL**

WHEREAS, on or about October 15, 2025, Steven Koen submitted an application to the Code Enforcement Officer for Site Plan approval from the Town of Southport Planning Board to construct a metal building located at 1263 Charles Street, Town of Southport, tax map #109.08-7-25, zoned Commercial Regional (the "Project"); and

WHEREAS, the Town Planning Board held a duly noticed meeting on November 3, 2025, at which the Applicant presented information about the project; and

WHEREAS, at that meeting, the Planning Board: deemed the application complete; preliminarily classified the Project as Type II for SEQRA purposes under 6 NYCRR617.5(c)(9) for construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and confirmed that no referral to Chemung County Planning Board under GML 239-m is required per the Town's agreement with County Planning; and set a public hearing for the Project for December 1, 2025 at or about 7 p.m.; and

WHEREAS, the Town Planning Board conducted a public hearing on December 1, 2025, at 7:00 p.m., after all posting and publication were completed in accordance with all applicable laws; and

WHEREAS, at that public hearing, any and all individuals wishing to be heard were then and there given the opportunity to do so

NOW THEREFORE BE IT RESOLVED, that the Town Planning Board hereby: confirms that the Project is properly classified as Type II under SEQRA and thus no further environmental review is required; and grants approval for the Site Plan of Steven Koen to construct a metal building at 1263 Charles Street, with the sole condition being that failure to make significant progress on the project within one (1) year from granting approval of this site plan will render the site plan null and void. Conditions shall be completed within one year unless otherwise stated.

**AYES: French, Hastings, Page, Parsons, Peterson, Petzke, Warner**

**NOES: None**

**MOTION CARRIED.**

Next was review Site Plan of PTV 1454, LLC to construct a 9,100 sf commercial retail building located at 1550 Cedar Street, Elmira, New York, tax map 109.12-1-10, zoned Commercial Regional.

After discussion of the application, Board Member Petzke made the following motion which was seconded by Board Member French:

**RESOLUTION NO. 010-2025 PB  
TOWN OF SOUTHPORT**

WHEREAS, the Board received a site plan application from PTV 1454, LLC to construct a 9,100 sf commercial retail building located at 1550 Cedar Street, Elmira, New York, tax map 109.12-1-10, zoned Commercial Regional; and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE BE IT RESOLVED, that the Town Planning Board hereby: declares the Application complete for purposes of scheduling a public hearing, with additional comment expected from LaBella Associates, which has been hired to assist with the application review; (2) preliminarily classifies the application as Unlisted for SEQRA purposes; (3) declares the Planning Board's intent to be Lead Agency for a coordinated SEQRA review; (4) directs the Planning Board Clerk to prepare and transmit all necessary intent to be Lead Agency documents as required by law; (5) refers the Application to Chemung County Planning as required by GML 239-m; (6) schedules a public hearing on the Application for Monday, January 5, 2026 at 7:00 p.m. or as soon thereafter as it can be heard; and (7) makes a referral to the Town Board pursuant to Town Code 525-65 for the establishment of an escrow account in the amount of \$8,000. The motion was seconded by Member French and all Members voted in favor.

**AYES: French, Hastings, Page, Parsons, Peterson, Petzke, Warner**

**NOES: None**

**MOTION CARRIED.**

Other business to come before the Board was the resignation letter of Alternate Planning Board Member Liv Lovejoy.

**RESOLUTION NO. 011-2025 PB  
TOWN OF SOUTHPORT**

WHEREAS, the Planning Board received a resignation letter from Liv Lovejoy, Alternate Planning Board Member, effective November 13, 2025.

WHEREAS, the Planning Board is requesting that the Town Board actively start looking to fill this vacant position.

RESOLVED, that the Planning Board accepts the resignation letter of Liv Lovejoy, Alternate Planning Board Member.

**AYES: French, Hastings, Page, Parsons, Peterson, Petzke, Warner**

**NOES: None**

**MOTION CARRIED.**

No other business to come before the Board. Board Member Warner made a motion to adjourn the meeting; Board Member Peterson seconded the motion. All were in favor. The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Marianne Schrom  
Deputy Town Clerk

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney



**TOWN OF SOUTHPORT**  
1139 Pennsylvania Avenue • Elmira New York 14904

## **PLANNING BOARD**

### Meeting Minutes

Monday, January 5, 2025

7:00 pm

#### Board Members Present:

John Hastings  
Trish Peterson, Chairperson  
Rick Petzke  
Penny Page

#### Board Members Absent:

Jackie French  
Chris Parsons  
Tracy Warner, Vice Chairperson

#### Others Present:

Peter Rocchi, Code Enforcement Officer  
Marianne Schrom, Deputy Town Clerk, Samantha  
Born, Secretary

Chairperson Peterson called the meeting to order at or about 7:00 pm. She asked if the Board Members had any comments, questions, concerns, or corrections about the December 1, 2025, meeting minutes. Hearing no comments, Board Member Page made a motion to accept the minutes of December 1, 2025, as presented; Board Member Petzke seconded the motion. All were in favor. The Board accepted the minutes of December 1, 2025, as presented.

**AYES: Hastings, Peterson, Petzke, Page**

**NOES: None**

**ABSENT: French, Parsons, Warner**

**MOTION CARRIED.**

**Public Hearing** - Site Plan of PTV 1454, LLC to construct a 9,100-sf commercial retail building located at 1550 Cedar Street, Elmira, New York, tax map 109.12-1-10, zoned Commercial Regional.

Chairperson Peterson opened the public hearing at or about 7:03 p.m. It was noted that the publication was in order, then the public hearing was open for comment.

Jeremy Hummel from Larson Design group introduced the plan for the Dollar General. Mr. Hummel informed the Board that they would be demolishing two existing buildings and landscaping. Chairperson Paterson asked if anyone had any public comments. No public comments from the public. Mr. Hummel addressed the questions and concerns submitted by Labella. Discussion was had with the board members, Mr. Rocchi, and Jennifer Vaughn from Labella.

**RESOLUTION NO. 001-2026 PB  
TOWN OF SOUTHPORT**

WHEREAS, the Town Planning Board conducted a public hearing on January 5, 2026, at 7:00 p.m., after all postings and publications were completed in accordance with all applicable laws; and

WHEREAS, at that public hearing, all individuals wishing to be heard, were without delay, given the opportunity to do so. No comments or concerns were made by the public.

WHEREAS, Chairperson Peterson made a motion to keep the public hearing open; Board Member Page seconded the motion.

**AYES: Hastings, Page, Peterson, Petzke**

**NOES: None**

**ABSENT: French, Parsons, Warner**

**MOTION CARRIED.**

Preliminary Review of Site Plan Amendment and Special Use Permit Application  
– 1600 Cedar Street, Emira, NY

Arshad Mahmood, representative for the applicant, stated that they are seeking an adjustment to their site plan to allow for the preparation and sale of food out of the existing business at the location. Mr. Mahmood explained that he is planning to prepare and serve food out of the current business he owns. Mr. Mahmood explained that there is no other Asian food being sold in the area.

Discussion was had between Mr. Mahmood and the board members regarding the hours of operation, the fact that there will be no seating/dining as it will be pick up orders only. It was discussed that Mr. Mahmood could request the hours of operation to be twenty-four hours a day now, instead of returning later to change the hours of operation. Mr. Mahmood agreed and the hours of operation were changed to twenty-four hours for the site plan amendment.

**RESOLUTION NO. 002-2026 PB  
TOWN OF SOUTHPORT**

WHEREAS, the Board received a site plan and special use permit application from Arshad Mahmood to allow food preparation and sales at 1600 Cedar Street, Elmira, New York, zoned Commercial Regional (the "Application"); and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE IT BE RESOLVED, that the Town Planning Board hereby: declares the Application complete for purposes of scheduling a public hearing; (2) preliminary classifies the Application as a Type II action for SEQRA purposes; (3) schedules a public hearing on the Application for February 2, 2026, at 7:00 p.m.; (4) directs the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (5) states that no referral under GML 239-m is required per the contract between the Town and the County Planning Board.

**AYES: Hastings, Page, Peterson, Petzke**

**NOES: None**

**ABSENT: French, Parsons, Warner**

**MOTION CARRIED.**

**RESOLUTION NO. 003-2026 PB  
TOWN OF SOUTHPORT**

WHEREAS, the Board reviewed the letter of request from Kent Collier to be considered as an alternate Board Member. The request was discussed as well as need for Kent to resign from current position of alternate to the Zoning Board of Appeals to be an alternate Board Member for the Planning Board. Chairperson Peterson made a motion to refer to the Town Board for review. Board Member Page seconded the motion.

**AYES: Hastings, Page, Peterson, Petzke**

**NOES: None**

**ABSENT: French, Parsons, Warner**

**MOTION CARRIED.**

**Other business to come before the Board** was the re-election of the Planning Board Chairperson and Vice Chairperson.

The Board did not have enough Board members present to address the re-election due to attendance, as the required four voters needed protocol would not be met as the Chairperson has to abstain from the vote.

WHEREAS, this matter was tabled until the next Planning Board meeting, February 2, 2026 at 7:00 pm.

No other business to come before the Board. Board Member Page made a motion to adjourn the meeting; Board Member Peterson seconded the motion. All were in favor. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Samantha Born  
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk Town Attorney

# Larson Design Group

## SITE PLAN

### DOLLAR GENERAL STORE

1550 Cedar Street, ELMIRA, NY 14904

11693-071

NOT FOR CONSTRUCTION

**PTV 1454, LLC**  
 400 PENN CENTER BLV. BUILDING 4 SUITE 1000  
 PITTSBURGH, PA

#### SHEET INDEX

C-000	COVER SHEET
C-001	GENERAL INFORMATION
C-002	GENERAL NOTES
C-100	LOT PLAN
C-101	DEMOLITION PLAN
C-200	SITE LAYOUT PLAN
C-201	GRADING PLAN
C-202	UTILITY PLAN
C-203	LANDSCAPING PLAN
C-204	PROFILES
C-205	PHOTOMETRIC PLAN
C-205.1	LIGHTING SPECIFICATIONS
C-206	TURNING MOVEMENTS
C-300	SITE DETAILS
C-301	SITE DETAILS
C-302	SITE DETAILS
C-303	SITE DETAILS
C-401	EROSION AND SEDIMENT CONTROL PLAN
C-402	EROSION AND SEDIMENT CONTROL DETAILS



Larson Design Group  
 1000 COMMERCE PARK DRIVE  
 SUITE 201  
 WILLIAMSPORT, PA 17701  
 (717) 323-8800

MARK	DATE	COMMENTS
1	02/08/2025	TOWN/COALITION RESUBMISSION
0	10/29/2025	PERMIT SUBMISSION

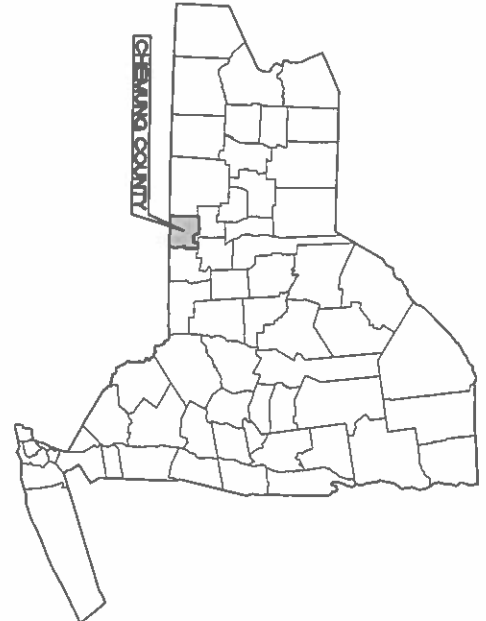
**PTV 1454, LLC**  
 400 PENN CENTER BLV. BUILDING 4 SUITE 1000  
 PITTSBURGH, PA

**DOLLAR GENERAL - ELMIRA, NY**  
 TOWN OF SOUTHPORT  
 CHEMUNG COUNTY

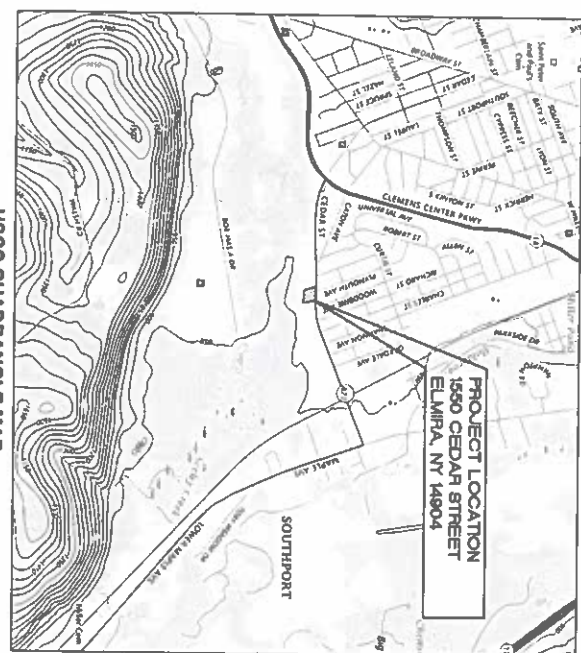
**COVER**

**SITE PLAN**

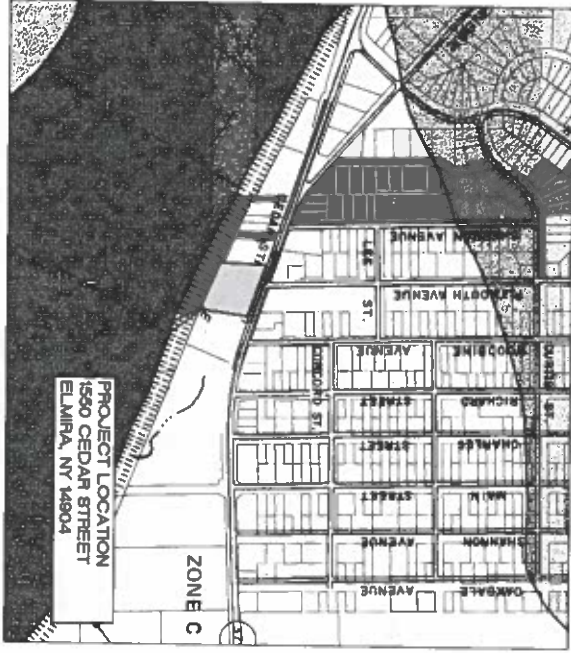
Date: 01/09/2025  
 Project No.: 11693-071  
 Sheet No.: **C000**



**NEW YORK STATE MAP**  
MAP SCALE: NOT TO SCALE



**USGS QUADRANGLE MAP**  
MAP NAME: ELMIRA (NY)  
MAP SCALE: 1"=2000'



**FEMA FIRM MAP**  
MAP NUMBER: 36015200018  
MAP SCALE: 1"=500'

PROJECT INFORMATION	
OWNER	PTV 1454, LLC 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA ATTN: BEN SPUI
DEVELOPER	PTV 1454, LLC 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA ATTN: BEN SPUI
ENGINEER	LARSON DESIGN GROUP 1000 PENN CENTER BLV. SUITE 201 WILLIAMSPORT, PA 17701 CONTACT: CHRISTOPHER SHEAFFER 570-600-5025 CSHEAFFER@LARSONDESIGNGROUP.COM
SURVEYOR	LARSON DESIGN GROUP 1000 PENN CENTER BLV. SUITE 201 WILLIAMSPORT, PA 17701 CONTACT: CHRIS IACHINI 570-337-3814 CIACHINI@LARSONDESIGNGROUP.COM
PARCEL IDENTIFICATION NO.	10912-1-10
COUNTY	CHEMUNG
MUNICIPALITY	TOWN OF SOUTHPORT
SITE ADDRESS	1550 CEDAR STREET, ELMIRA, NY 14904
EXISTING USE	AUTOMOTIVE REPAIR
ADJACENT USES	NORTH: RESIDENTIAL SOUTH: COMMERCIAL EAST: COMMERCIAL WEST: RESIDENTIAL
PROPERTY AREA (ACRES)	1.805
LOT PERCENTS	BUILDING: 12% PAVE/SIDEWALK: 26% GREEN SPACE: 62%
INTENDED USE	THE PURPOSE OF THIS PROJECT CONSISTS OF THE DEMOLITION ONE EXISTING SINGLE-STORY STRUCTURE AND CONSTRUCT A 9,100 SQUARE FOOT COMMERCIAL RETAIL STORE, ALONG WITH PARKING AND OTHER AMENITIES. THE CONSTRUCTION PROCESS TAKING PLACE WILL INCLUDE: GRADING, UTILITY INSTALLATIONS, LANDSCAPING, SIGNAGE INSTALLATION, AND MUNICIPAL CONSTRUCTION ACTIVITIES.
DISTRICTS	FIRE: SOUTHPORT FIRE DEPARTMENT SCHOOL: ELMIRA CITY SCHOOL DISTRICT SEWER: CHEMUNG COUNTY SEWER DIST 1 WATER: ELMIRA WATER BOARD
MAX. IMPERVIOUS AREA (SF)	N/A
<b>ZONING INFORMATION</b>	
EXISTING ZONING	(CR) COMMERCIAL REGIONAL
ADJACENT ZONING	NORTH: C-3 GENERAL COMMERCIAL SOUTH: C-3 GENERAL COMMERCIAL EAST: R-2 RESIDENTIAL WEST: R-2 RESIDENTIAL
PARKING PROVIDED	30 PROVIDED
ADA PARKING PROVIDED	2 RECD PER ADA CODE / 2 PROVIDED
BUILDING SETBACKS	FRONT: 15' REAR: 20' SIDES: 5'



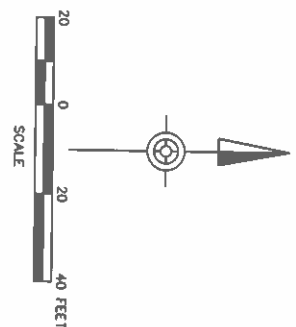
- UDIG ADDRESSES IT HAS REQUESTED LINE AND UTILITY INFORMATION FROM THE UDIGNY SYSTEM. UDIGNY SERIAL NUMBER: 022685-002-0110-00 DATE: 02/16/2025
- THE FACILITIES SHOWN ON THESE PLANS ARE SHOWN BASED ON INFORMATION GATHERED USING SUBSURFACE UTILITY ENGINEERING QUALITY LEVEL: C
- SUBSURFACE UTILITY ENGINEERING (SUE) QUALITY LEVELS INCLUDE:  
LEVEL 0 - UTILITY RECORDS RESEARCH AND INTERVIEWS WITH KNOWLEDGEABLE UTILITY PERSONNEL;  
LEVEL 1 - SURFACE SURVEYS TO IDENTIFY AND RECORD ABOVE GROUND FEATURES OF SUBSURFACE UTILITIES;  
LEVEL 2 - SURFACE SURVEYS TO IDENTIFY AND RECORD ABOVE GROUND FEATURES OF SUBSURFACE UTILITIES AND IDENTIFICATION OF GEOPHYSICAL METHODS TO GATHER AND RECORD APPROXIMATE HORIZONTAL AND VERTICAL POSITIONS, DATA, AND  
LEVEL 3 - EXPOSURE OF LINES VIA VAQUUM EXCAVATION TO PROVIDE PRECISE HORIZONTAL AND VERTICAL POSITIONAL DATA.
- THE FOLLOWING FACILITY OWNERS HAVE INDICATED THROUGH UDIGNY THAT THEY HAVE LINES IN THE PROJECT AREA:  
  - UTILITY: SANITARY SEWER COMPANY: CHEMUNG COUNTY SEWER DIST 1 CONTACT: MIKE EVANS PHONE: (607) 737-6223
  - UTILITY: GAS COMPANY: BIG ELIRA GAS CONTACT: USOC LOCATING PHONE: (800) 282-8600
  - UTILITY: WATER COMPANY: ELMIRA WATER BOARD CONTACT: KENNETH BARONE PHONE: (607) 425-2755
  - UTILITY: HIGHWAY/TRAFFIC SIGNALS COMPANY: NYS DOT HORNELL REGION 6 VOCC CALLS CONTACT: NYS DOT HORNELL REGION 6 VOCC PHONE: (607) 324-8490
  - UTILITY: FIBER/TELEPHONE COMPANY: VERIZON STRACUSE CONTACT: VERIZON NTLSS PHONE: (844) 661-0660

LEGEND	EXISTING	PROPOSED
FEATURES TEXT	Feature text	Feature text
PROPERTY LINE	---	---
RIGHT-OF-WAY LINE	---	---
EASEMENT LINE	---	---
CONTOUR LINE	100	100
CENTER LINE OF ROAD	---	---
BUILDING SETBACK	---	---
BUILDING LINE	---	---
FENCE LINE	---	---
EDGE OF PAVEMENT	---	---
GRAVEL	---	---
CONCRETE CURB	---	---
CONCRETE/SIDEWALK	---	---
SIGN	---	---
BENCHMARK	---	---
DITCH/SWALE	---	---
DRAINAGE LINE, MANHOLE & GR	---	---
SANITARY SEWER & MANHOLE	---	---
WATER MAIN & VALVE	---	---
SEWER FORCE MAIN	---	---
GAS MAIN & VALVE	---	---
UNDERGROUND ELECTRIC	---	---
UNDERGROUND CABLE TV	---	---
OVERHEAD UTILITIES & POLE	---	---
UNDERGROUND TELEPHONE	---	---
GUIDE RAIL	---	---
12" COMPOST FILTER SOIL	---	---
LIMIT OF DISTURBANCE	---	---
NPOES PERMIT BOUNDARY	---	---
SOIL BOUNDARY	---	---
SOIL TYPE	---	---
ROCK CONSTRUCTION ENTRANCE	---	---
WILET PROTECTION	---	---

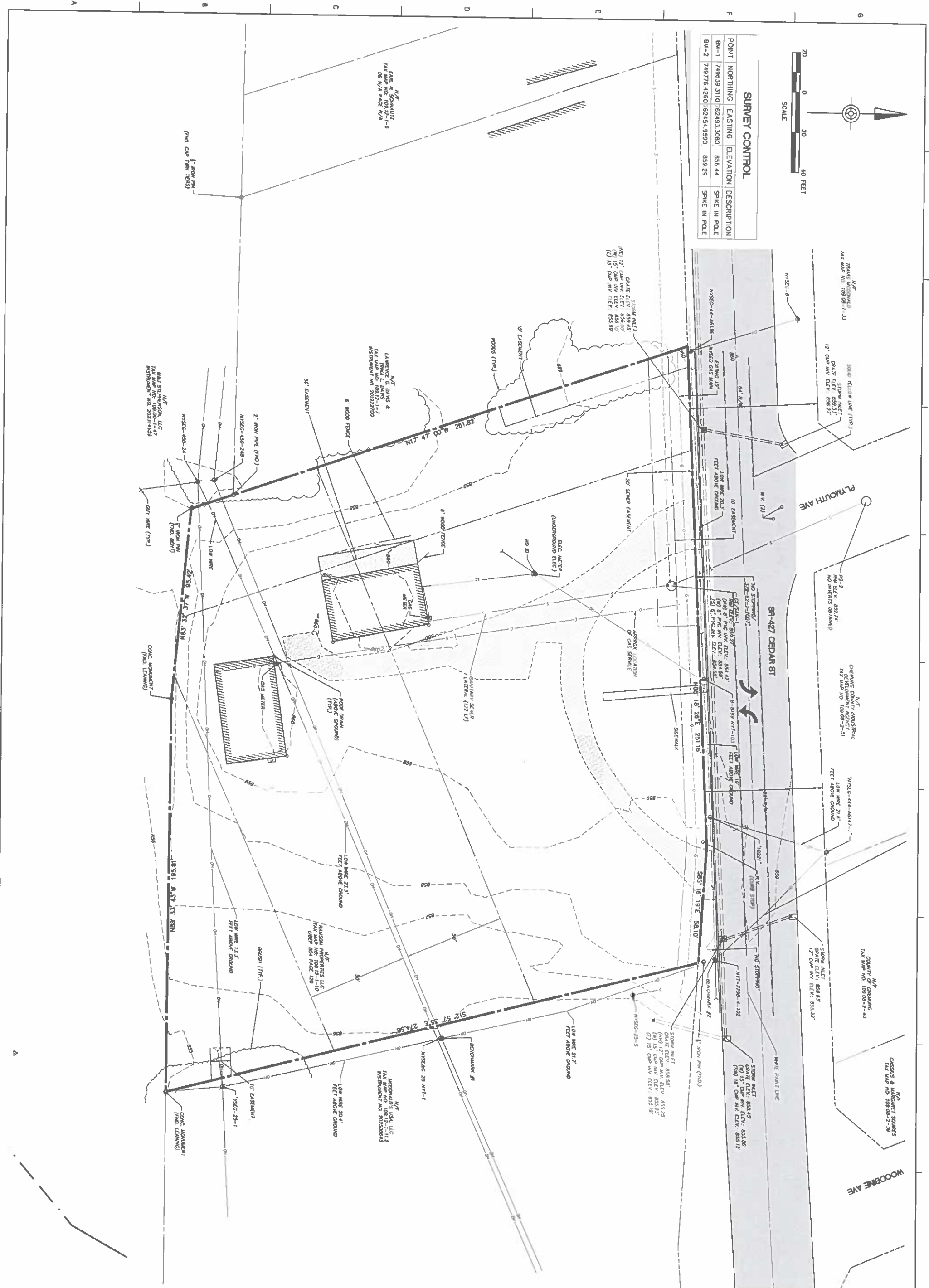
<b>DOLLAR GENERAL - ELMIRA, NY</b> TOWN OF SOUTHPORT CHEMUNG COUNTY		<b>PTV 1454, LLC</b> 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA	
<b>GENERAL INFORMATION</b>			
<b>SITE PLAN</b>			
Date:	01/06/2026	Project No.:	11693-071
Sheet No.:	C-001	Scale:	AS SHOWN

MARK	DATE	COMMENTS
0	02/06/2026	TOWN/COALITION RESUBMISSION
1	10/29/2025	PERMIT SUBMISSION

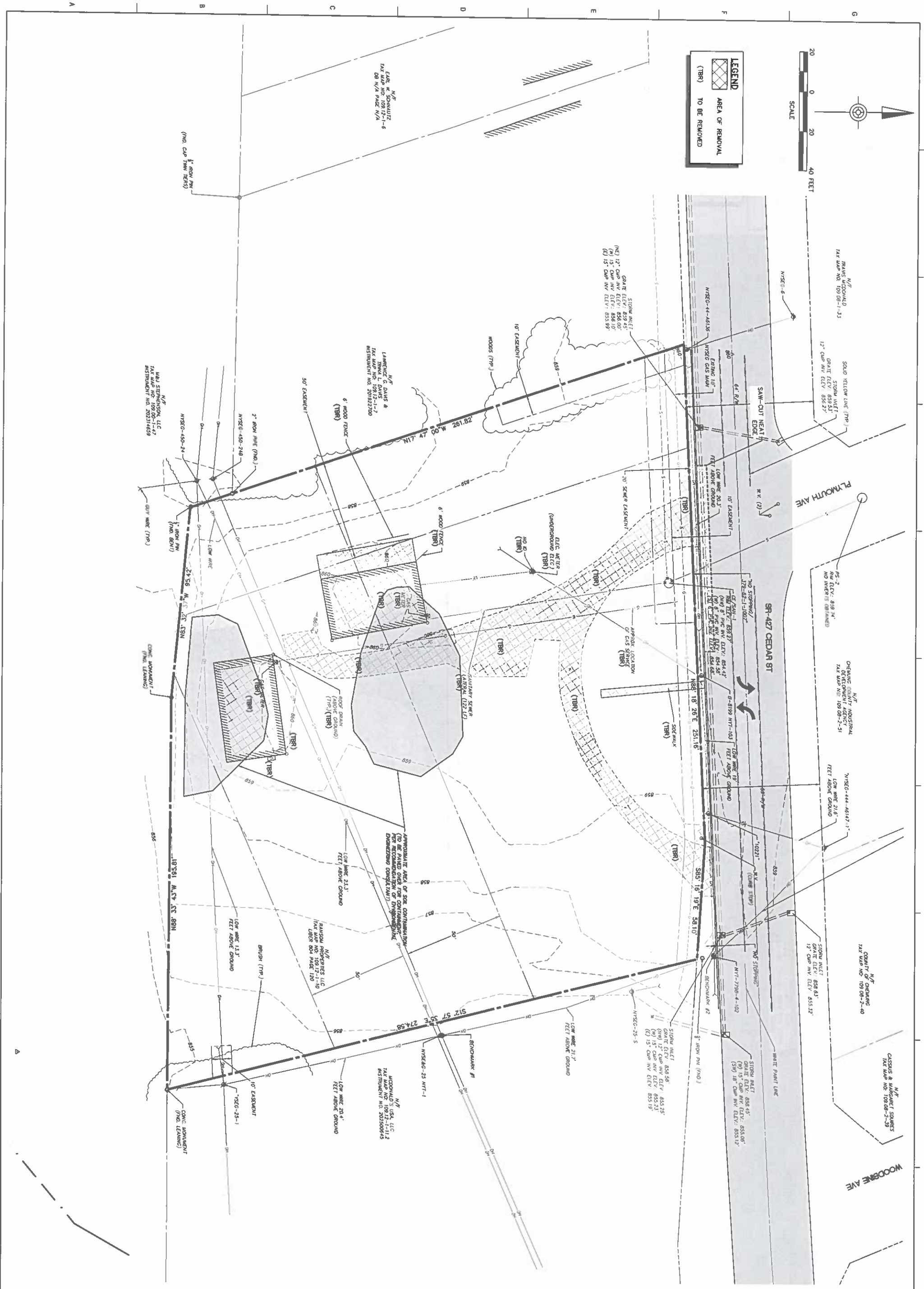
Larson Design Group  
1000 COMMERCIAL PARK DRIVE  
SUITE 201  
WILLIAMSPORT, PA 17701  
(717) 321-8800



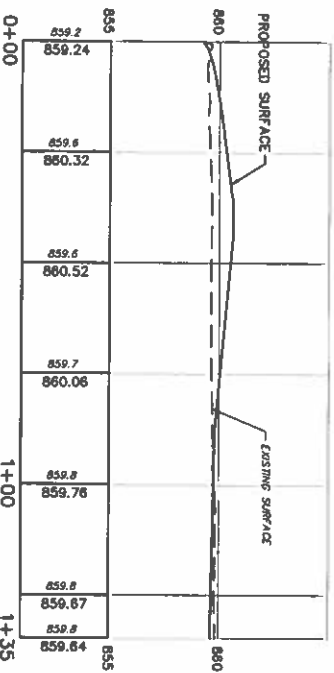
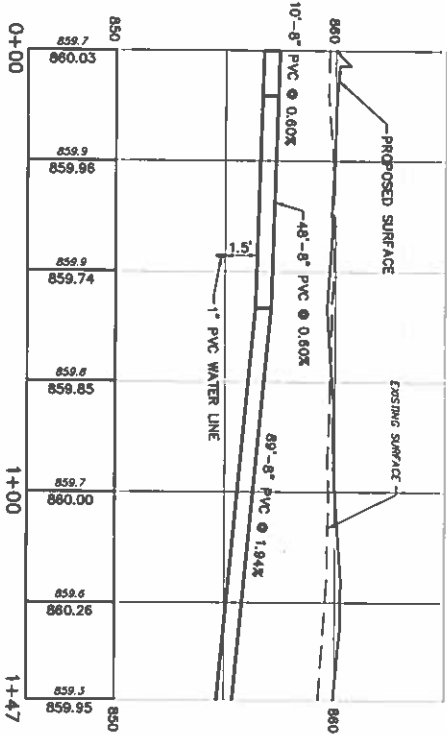
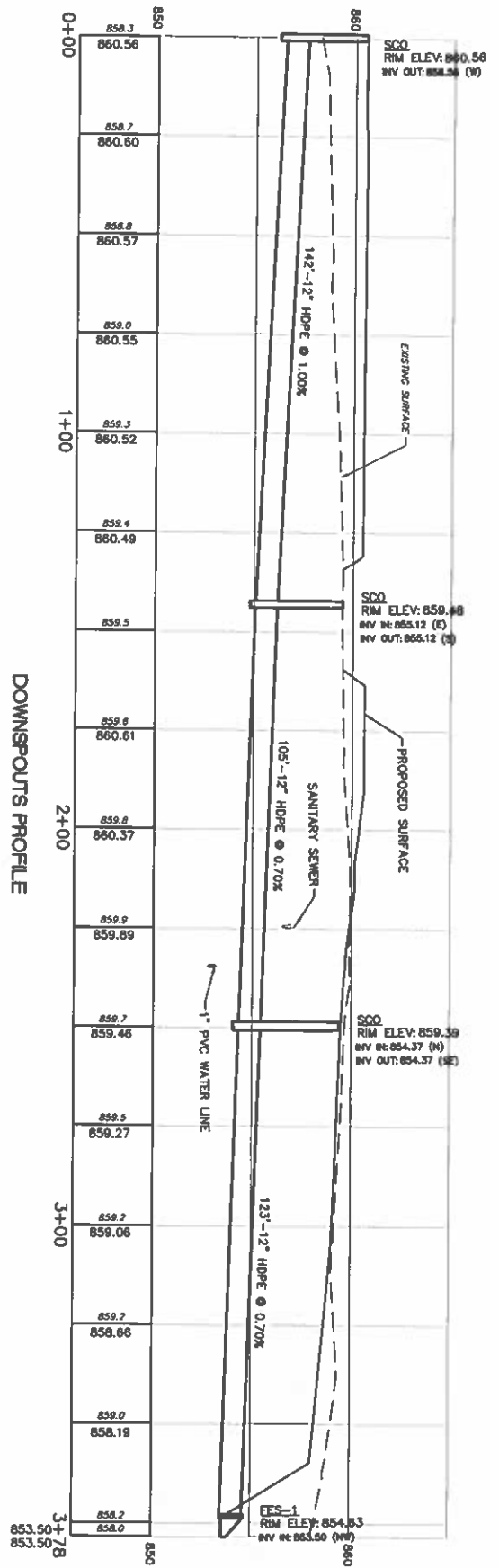
POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
BM-1	749639.3110	762493.3080	856.44	SPIKE IN POLE
BM-2	749776.4260	62454.9390	859.29	SPIKE IN POLE



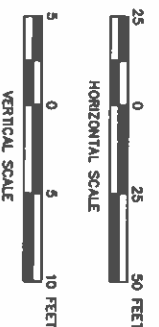
<p><b>DOLLAR GENERAL - ELMIRA, NY</b> TOWN OF SOUTHPORT CHEMUNG COUNTY</p> <p><b>LOT PLAN</b> <b>SITE PLAN</b></p>	<p><b>PTV 1454, LLC</b> 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA</p>	<p>1000 COMMERCIAL PARK DRIVE SUITE 201 WILLIAMSPORT, PA 17701 (817) 327-6603</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>MARK</th> <th>DATE</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>02/06/2026</td> <td>TOWN COALITION RESUBMISSION</td> </tr> <tr> <td>0</td> <td>10/29/2025</td> <td>PERMIT SUBMISSION</td> </tr> </tbody> </table>	MARK	DATE	COMMENTS	1	02/06/2026	TOWN COALITION RESUBMISSION	0	10/29/2025	PERMIT SUBMISSION
MARK	DATE	COMMENTS										
1	02/06/2026	TOWN COALITION RESUBMISSION										
0	10/29/2025	PERMIT SUBMISSION										
<p>Date: 01/09/2026</p> <p>Project No: 11653-071</p> <p>Sheet No: C-100</p>												



<p><b>C-101</b></p>	<p>Date: 01/06/2026</p> <p>Project No.: 11693-071</p> <p>Sheet No.:</p>	<p><b>DOLLAR GENERAL - ELMIRA, NY</b></p> <p>TOWN OF SOUTHPORT CHEMUNG COUNTY</p> <p><b>DEMOLITION PLAN</b></p> <p><b>SITE PLAN</b></p>	<p><b>PTV 1454, LLC</b></p> <p>400 PENN CENTER BLV, BUILDING 4 SUITE 1000 PITTSBURGH, PA</p>	<p>SEAL</p> <table border="1"> <tr> <th>MARK</th> <th>DATE</th> <th>COMMENTS</th> </tr> <tr> <td>1</td> <td>02/06/2025</td> <td>TOWN/COUNTY RESUBMISSION</td> </tr> <tr> <td>2</td> <td>10/29/2025</td> <td>PERMIT SUBMISSION</td> </tr> </table>	MARK	DATE	COMMENTS	1	02/06/2025	TOWN/COUNTY RESUBMISSION	2	10/29/2025	PERMIT SUBMISSION	<p><b>LDG</b></p> <p>Lansco Design Group 1000 COMMERCE PARK DRIVE WILLIAMSBURG, VA 23187 (877) 323-6800</p>
	MARK	DATE	COMMENTS											
1	02/06/2025	TOWN/COUNTY RESUBMISSION												
2	10/29/2025	PERMIT SUBMISSION												

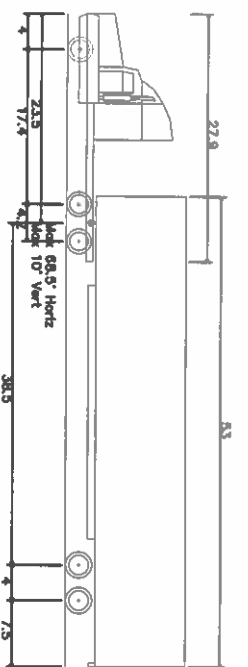
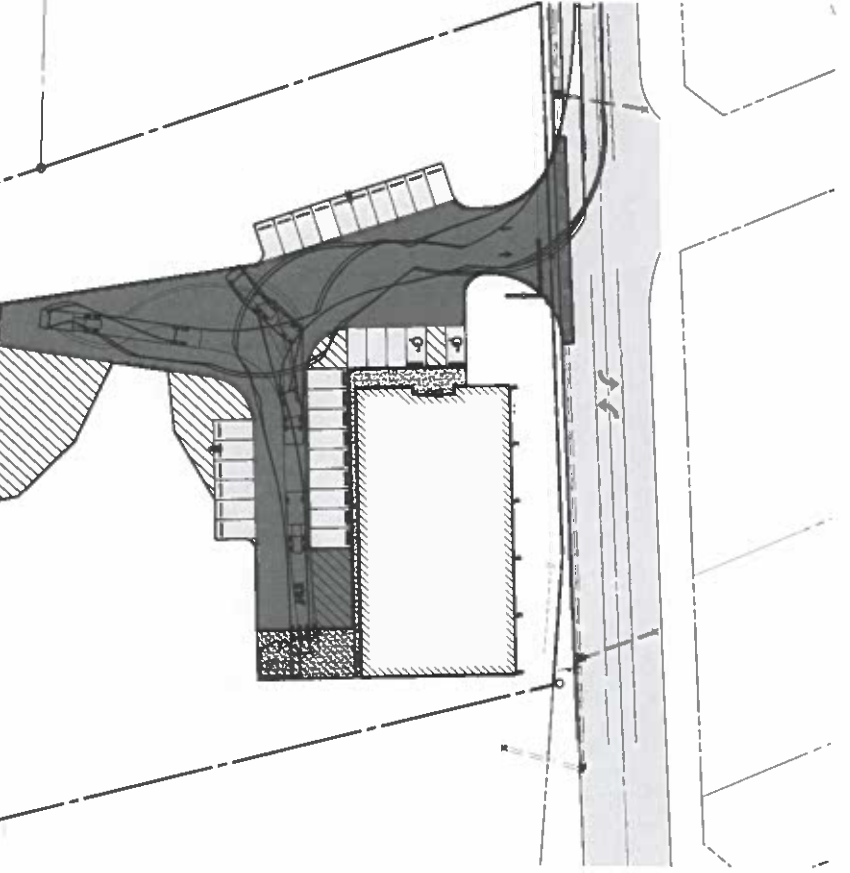
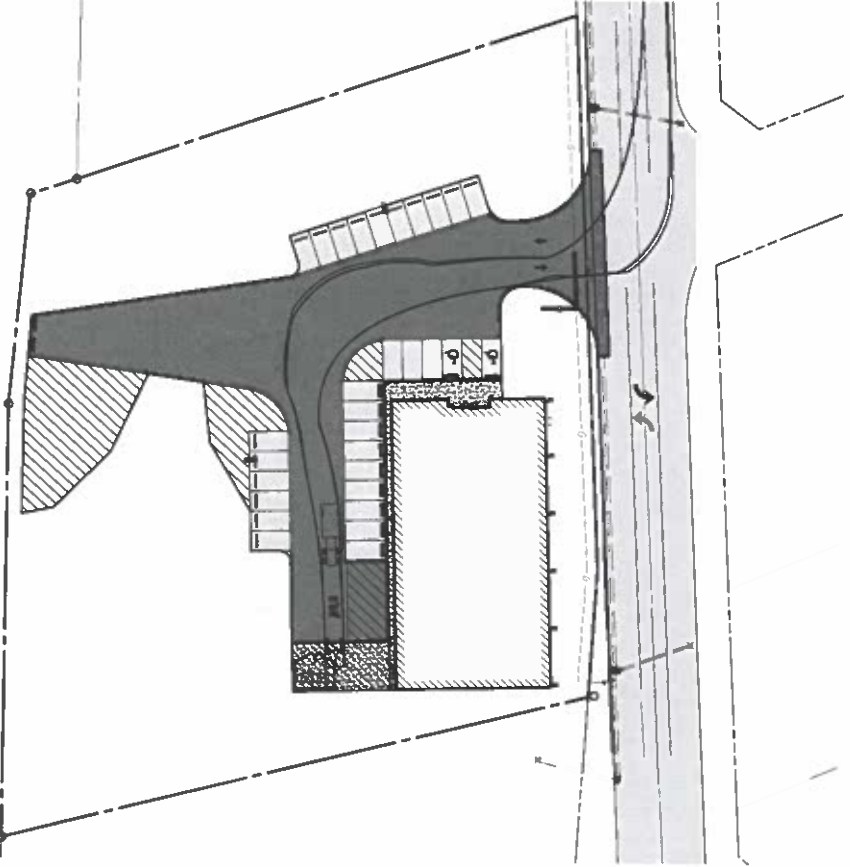
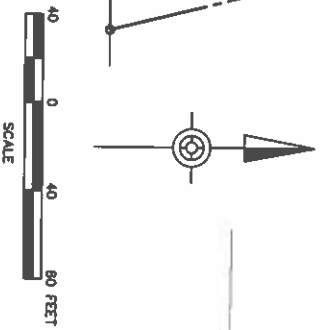
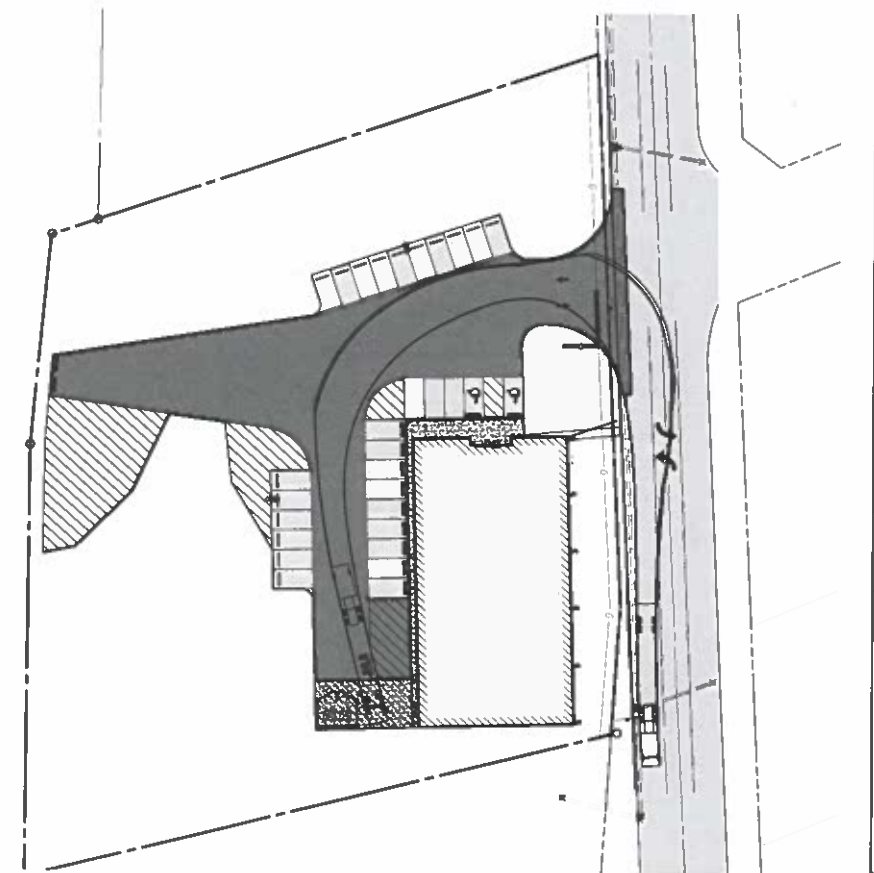
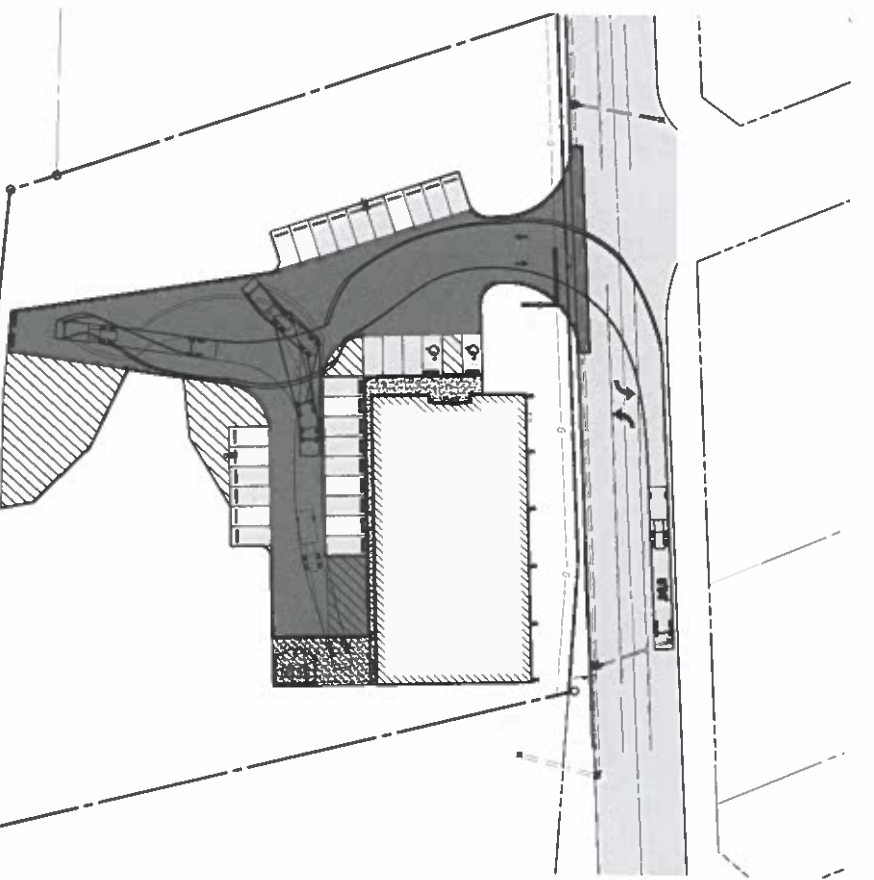


LEGEND	
---	EXISTING GRADE
---	PROPOSED GRADE
---	HDPPE
---	HIGH DENSITY POLYETHYLENE PIPE
---	OS
---	OUTLET STRUCTURE
---	FES
---	FLARED END SECTION



<b>DOLLAR GENERAL - ELMIRA, NY</b> TOWN OF SOUTHPORT CHEMUNG COUNTY	<b>PTV 1454, LLC</b> 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA	1 02/06/2025 TOWN/COLLECTION RESUBMISSION 0 10/29/2025 PERMIT SUBMISSION	1000 COMMERCE PARK DRIVE SUITE 301 WILLIAMSPORT, PA 17701 (817) 323-8800	
DATE: 01/09/2025 Project No.: 11683-071 Sheet No.:	<b>PROFILES</b>  <b>SITE PLAN</b>	<b>C-204</b>		





DG-WB-02 - INTERSTATE SEMI-TRAILER  
OVERALL LENGTH  
OVERALL WIDTH  
OVERALL BODY HEIGHT  
MIN BODY GROUND CLEARANCE  
LOCK TRUCK WHEEL  
MAX STEERING ANGLE (VIRTUAL)

73.50 FT  
8.50 FT  
13.50 FT  
1.354 FT  
8.50 FT  
5.00 SEC  
28.40 DEG



Lyon Design Group  
1000 COMMERCE PARK DRIVE  
SUITE 201  
WALLINGPORT, PA 17171  
(717) 262-6800

MARK	DATE	COMMENTS
1	02/08/2026	TOWN/CODALATION RESUBMISSION
0	10/29/2025	PERMIT SUBMISSION

PTV 1454, LLC  
400 PENN CENTER BLV. BUILDING 4 SUITE 1000  
PITTSBURGH, PA

DOLLAR GENERAL - ELMIRA, NY  
TOWN OF SOUTHPORT  
CHEMUNG COUNTY

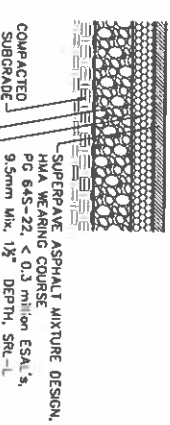
TURNING MOVEMENTS  
SITE PLAN

Date: 01/06/2026  
Project No.: 11683-071  
Sheet No.:

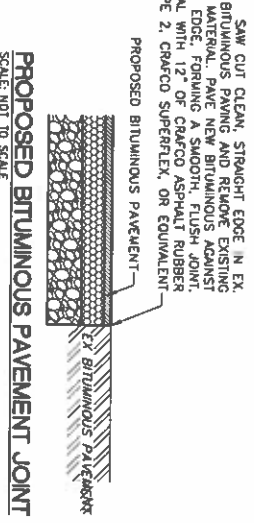
C-206



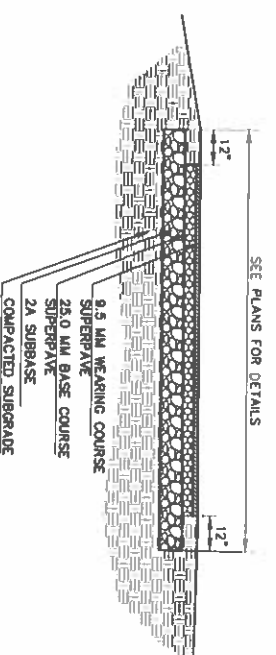
**STANDARD BITUMINOUS PAVEMENT**  
SCALE: NOT TO SCALE



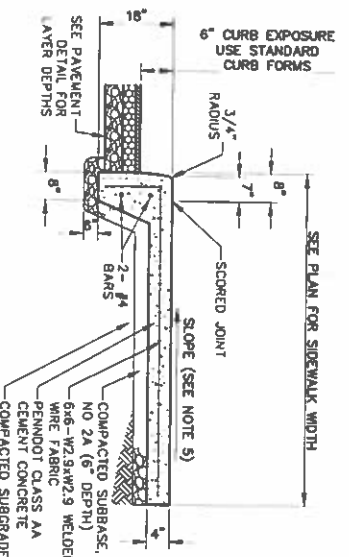
**HEAVY DUTY BITUMINOUS PAVEMENT**  
SCALE: NOT TO SCALE



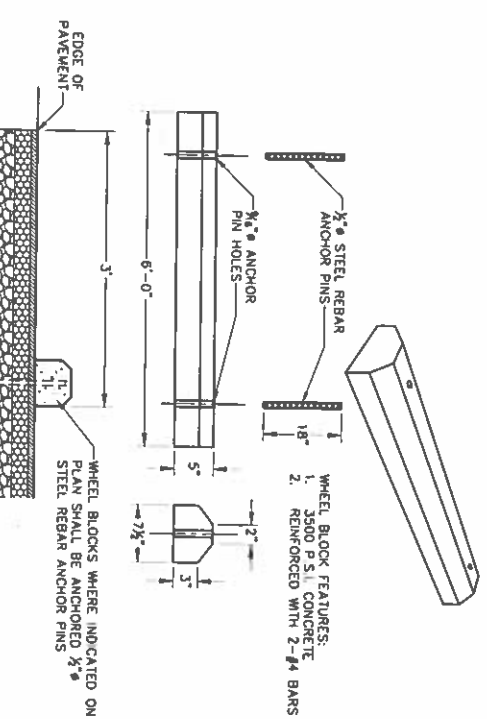
**PROPOSED BITUMINOUS PAVEMENT JOINT**  
SCALE: NOT TO SCALE



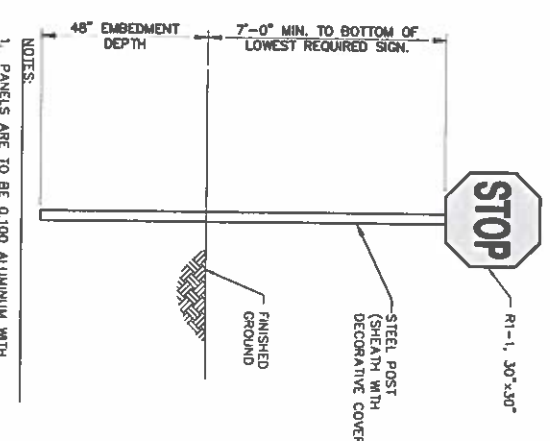
**BITUMINOUS PAVEMENT SIDEWALK**  
SCALE: NOT TO SCALE



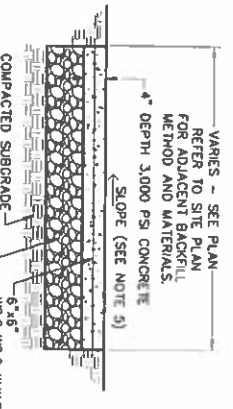
**CONCRETE SLAB/WALK ADJACENT TO BUILDING**  
SCALE: NOT TO SCALE



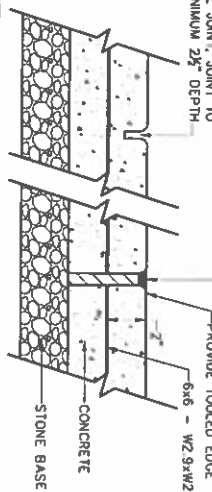
**WHEEL BLOCK**  
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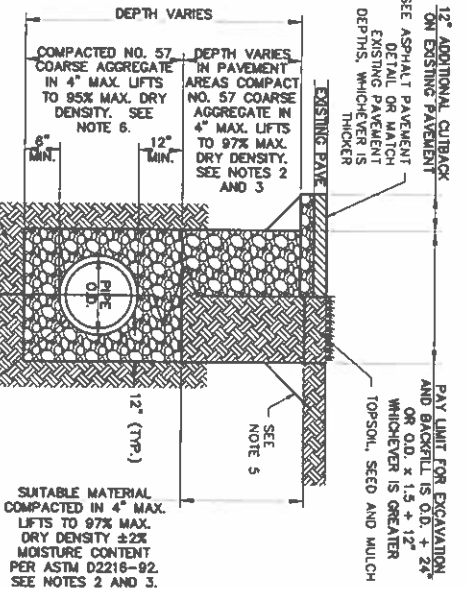
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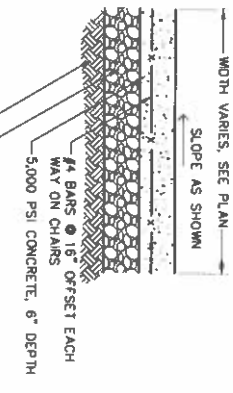
**CONCRETE WALK JOINT**  
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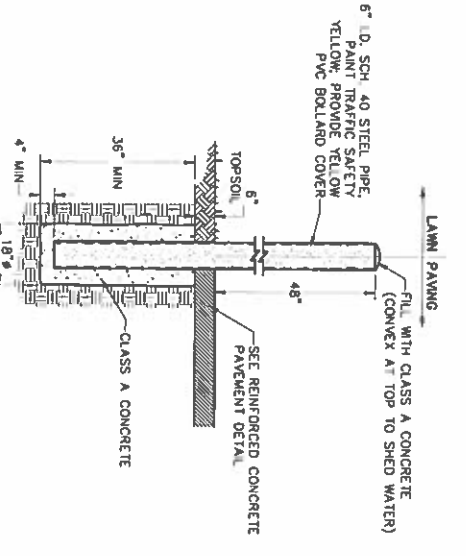
**EXPANSION AND CONTROL JOINTS**  
SCALE: NOT TO SCALE



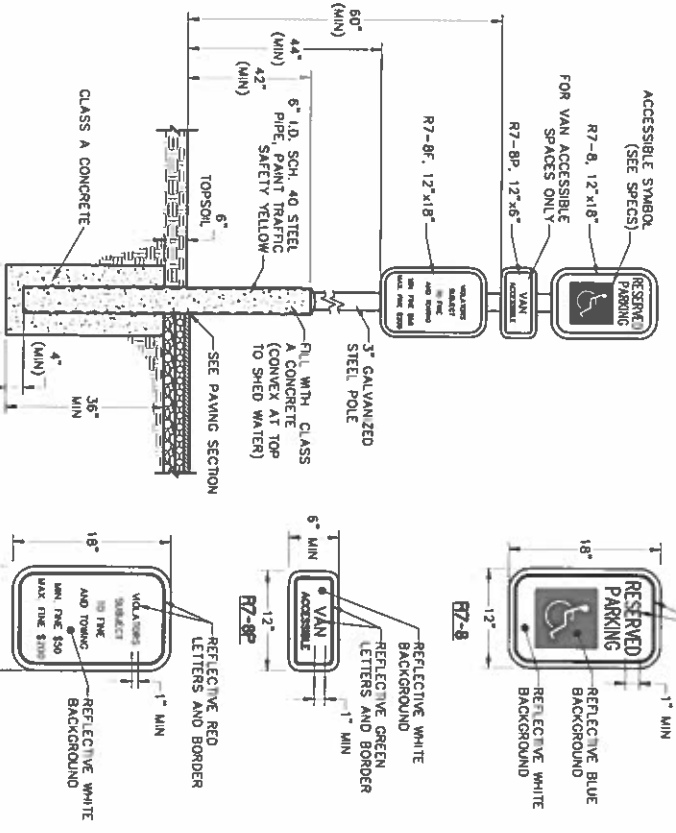
**UTILITY TRENCH RESTORATION**  
SCALE: NOT TO SCALE



**REINFORCED CONCRETE PAVEMENT**  
SCALE: NOT TO SCALE



**BOLLARD**  
SCALE: NOT TO SCALE



**ACCESSIBLE SIGN ON BOLLARD**  
SCALE: NOT TO SCALE

**LD**  
Landon Design Group  
100 CONFERENCE PARK DRIVE  
SUITE 201  
WILMINGTON, PA 17311  
(717) 252-8800

MARK	DATE	COMMENTS
1	02/08/2025	TOWN/COALITION RESUBMISSION
2	10/29/2025	PERMIT SUBMISSION

**PTV 1454, LLC**  
400 PENN CENTER BLV. BUILDING 4 SUITE 1000  
PITTSBURGH, PA

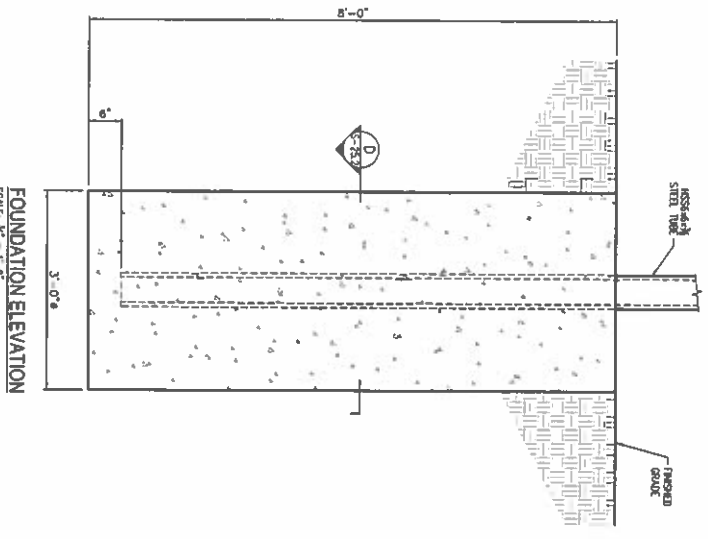
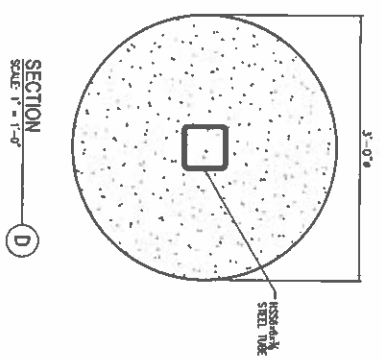
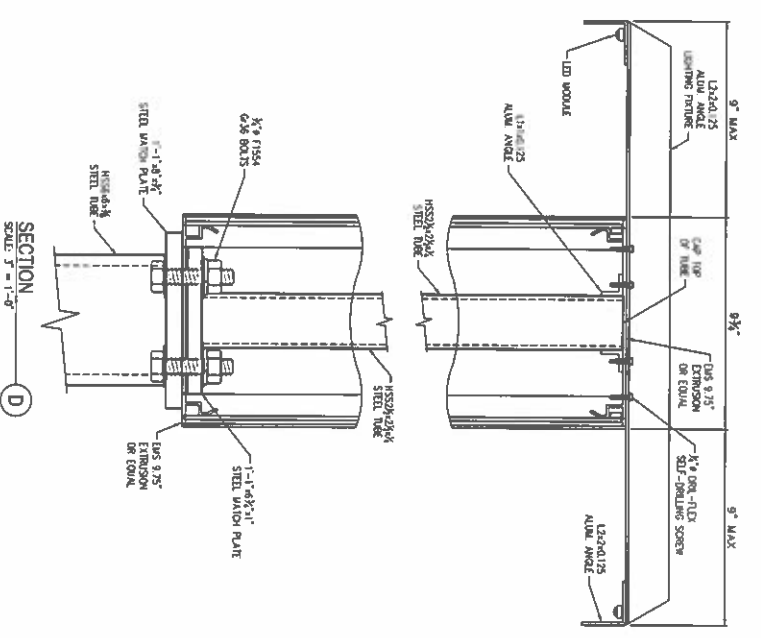
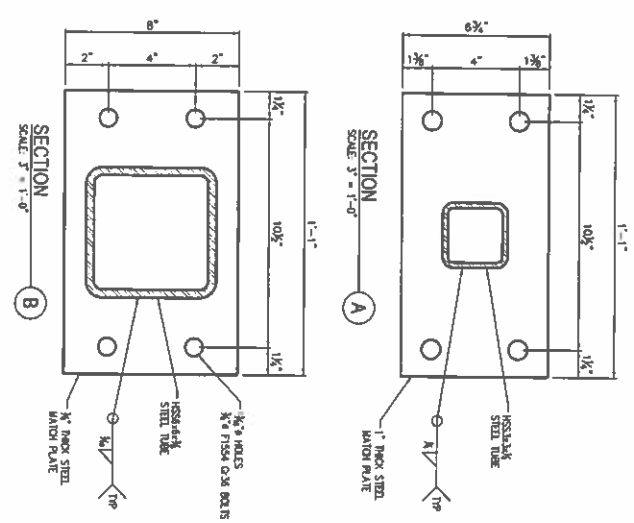
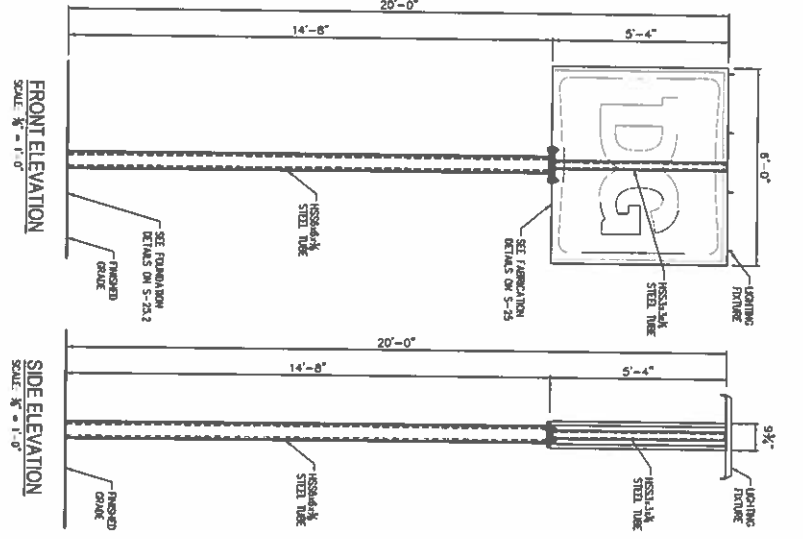
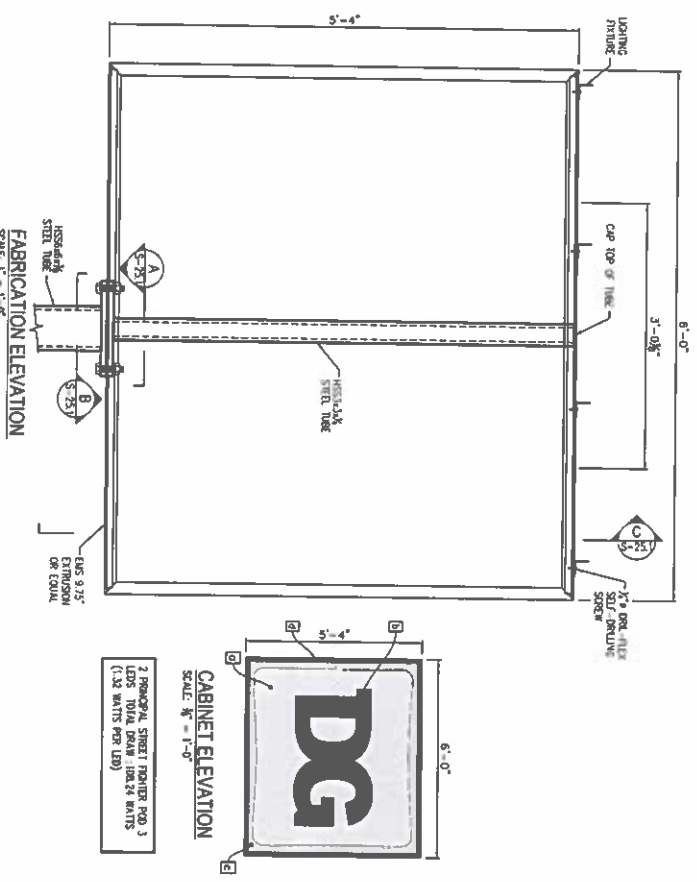
**DOLLAR GENERAL - ELMIRA, NY**  
TOWN OF SOUTHPORT  
CHEMUNG COUNTY

**SITE DETAILS**  
**SITE PLAN**  
Date: 01/16/2025  
Project No.: 11683-071  
Sheet No.: **C-300**



**DESIGN CRITERIA**  
 DESIGN: SEE SPEC/ASCE 7-22  
 ANALYSIS: SEE SPEC/ASCE 7-22  
 MATERIALS: SEE SPEC/ASCE 7-22  
 CONCRETE: SEE SECTION 0505.11  
 REINFORCEMENT: SEE SECTION 0505.11  
 ALUMINUM: SEE SECTION 0505.11  
 STEEL: SEE SECTION 0505.11  
 ROOF: SEE SECTION 0505.11  
 ROOF CATEGORY: II  
 WIND: 140 MPH

**FACE COLORS**  
 1. ALUMINUM FACE PANEL - YELLOW - PAINTING PMS 109 C  
 2. ALUMINUM FACE PANEL - BLACK - PAINTING PMS 2725-12  
 3. ALUMINUM FACE PANEL - GRAY - PMS COOL GRAY 5 C  
 4. ALUMINUM FACE PANEL - BLACK - PMS COOL



**FOUNDATION DESIGN CRITERIA**  
 FOUNDATION DESIGN: SEE SPEC/ASCE 7-22  
 ANALYSIS: SEE SPEC/ASCE 7-22  
 MATERIALS: SEE SPEC/ASCE 7-22  
 CONCRETE: SEE SECTION 0505.11  
 REINFORCEMENT: SEE SECTION 0505.11  
 ALUMINUM: SEE SECTION 0505.11  
 STEEL: SEE SECTION 0505.11  
 ROOF: SEE SECTION 0505.11  
 ROOF CATEGORY: II  
 WIND: 140 MPH

**DBG**  
 Larson Design Group  
 1000 COMMERCE PARK DRIVE  
 SUITE 201  
 WILLIAMSVILLE, NY 14221  
 (516) 329-9900

MARK	DATE	COMMENTS
1	02/06/2025	TOWN COALITION RESUBMISSION
0	10/29/2025	PERMIT SUBMISSION

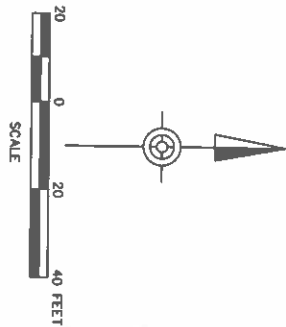
**PTV 1454, LLC**  
 400 PENN CENTER BLV. BUILDING 4 SUITE 1000  
 PITTSBURGH, PA

**DOLLAR GENERAL - ELMIRA, NY**  
 TOWN OF SOUTHPORT  
 CHEMUNG COUNTY

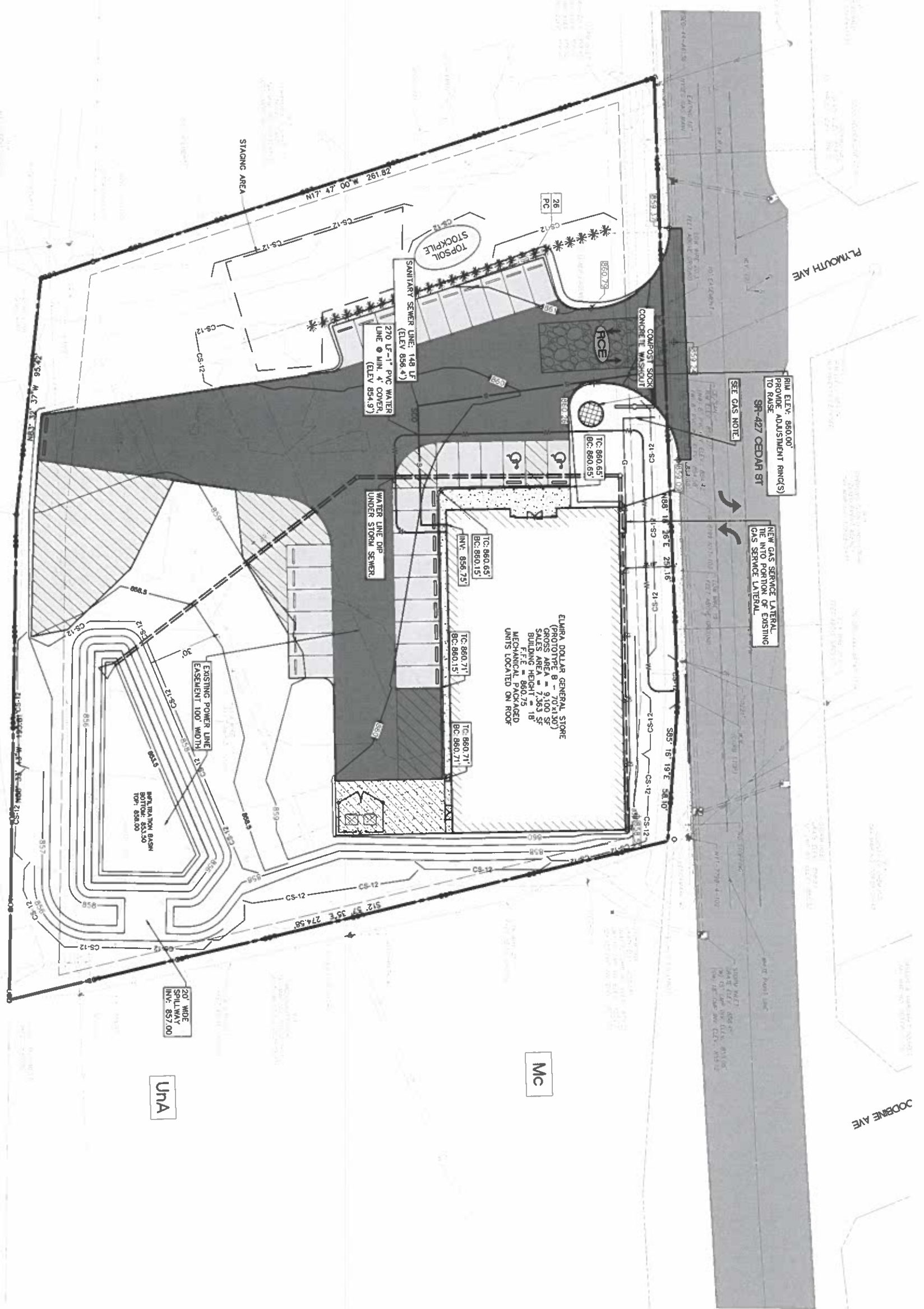
**SITE DETAILS**

**SITE PLAN**

Date: 01/06/2026  
 Project No.: 11693-071  
 Sheet No.: C-302



- LEGEND**
- PROPOSED
- CS-12
  - L-00
- FEATURES TEXT
- 12" COMPOST FILTER SOCK
  - LIMIT OF DISTURBANCE
  - SOILS BOUNDARY
  - SOIL TYPE
  - ROCK CONSTRUCTION ENTRANCE
- MC
- RCE



RUL ELEV. 860.00'  
PROVIDE ADJUSTMENT RINGS)  
TO RAISE  
SR-427 CEDAR ST

SEE GAS NOTE

NEW GAS SERVICE LATERAL  
NEW INTO PORTION OF EXISTING  
GAS SERVICE LATERAL

ELMIRA DOLLAR GENERAL STORE  
(PROTOTYPE B - 100 SQ FT  
SALES AREA - 7,393 SF  
BUILDING HEIGHT - 18'  
F.F.E. - 860.75  
MECHANICAL PACKAGED  
UNITS LOCATED ON ROOF

20' WIDE  
SPILLWAY  
INV. 857.00

Una

MC

<p><b>C-401</b></p>	<p>Date: 02/05/2026</p>	<p><b>DOLLAR GENERAL - ELMIRA, NY</b> TOWN OF SOUTHPORT CHEMUNG COUNTY</p>	<p><b>PTV 1454, LLC</b> 400 PENN CENTER BLV. BUILDING 4 SUITE 1000 PITTSBURGH, PA</p>	<p>1 02/05/2026 TOWN/COALITION RESUBMISSION</p>	<p>1000 Commerce Park Drive Suite 201 Williamsport, PA 17741 (877) 223-6600</p>
	<p>Project No: 11693-071</p>	<p><b>EROSION AND SEDIMENT CONTROL PLAN</b></p>	<p><b>SITE PLAN</b></p>	<p>0 10/29/2025 PERMIT SUBMISSION</p>	
<p>Sheet No:</p>				<p>MARK DATE COMMENTS</p>	





# Chemung County Planning Board

Chemung County Commerce  
Center 400 East Church Street  
P.O. Box 588  
Elmira, New York 14902-0588

(607) 737-5510

[www.chemungcountyny.gov](http://www.chemungcountyny.gov)  
[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

Referral Number

For office use only

## Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both  
pages)

Referring Municipality:  City  Town  Village of Southport

Referring Official: Carolyn A. Renko Title: Town Clerk

Address: 1139 Pennsylvania Avenue Elmira, NY 14904

Phone Number: 607-737-5270 E-mail: crenko@townofsouthport.com

Referring Board (check appropriate box):  Legislative Board  ZBA  Planning Board

Petitioner(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Tax Map Parcel Number(s): \_\_\_\_\_

Current Zoning District: \_\_\_\_\_

### Proposed Action: (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Area Variance                           | <input type="checkbox"/> Subdivision Review    |
| <input type="checkbox"/> Use Variance                            | <input type="checkbox"/> Rezoning              |
| <input type="checkbox"/> Site Plan Review                        | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit          | <input type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input checked="" type="checkbox"/> Moratorium |
| <input type="checkbox"/> Other (please specify): _____           |  |

Description of the proposed action (attach detailed narrative if available):

**The proposed action applies to real property within five hundred feet (500') of the following**

(Please identify each item by filling in the appropriate blank after each item)

(a) Boundary of the (City), (Village) or (Town) of: \_\_\_\_\_

(b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): \_\_\_\_\_

(c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): \_\_\_\_\_

(d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: \_\_\_\_\_

(e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: \_\_\_\_\_

(f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances: \_\_\_\_\_

**Hearings/Meetings Schedule**

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees	4/11/26	
Zoning Board of Appeals		
Planning Board/Planning Commission		4/6/2026
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) \_\_\_\_\_

**"Full Statement" Checklist**

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

***For All Actions:***

- \_\_\_\_\_ Chemung County Planning Board – Municipal Referral Form
- \_\_\_\_\_ All application materials required by local law/ordinance to be considered a "complete application" at the local level (PDF preferred).
- \_\_\_\_\_ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- \_\_\_\_\_ Agricultural Data Statement, for site plan review, special/conditional use permit, usevariances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- \_\_\_\_\_ Municipal board meeting minutes on the proposed action (PDF preferred).

***For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND***

- \_\_\_\_\_ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- \_\_\_\_\_ Zoning Map
- \_\_\_\_\_ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Submit this form with supporting documentation in PDF format to the Chemung County Planning Department via email if from webpage: [planning@chemungcountyny.gov](mailto:planning@chemungcountyny.gov). Send to [lhotaling@chemungcountyny.gov](mailto:lhotaling@chemungcountyny.gov) and [nmoss@chemungcountyny.gov](mailto:nmoss@chemungcountyny.gov) otherwise. Completed referrals must be submitted by close of business 12 calendar days prior to the Chemung County Planning Board meeting.

Resolution adopted by the Town Board of the Town of Southport at a meeting thereof held on March 10, 2026.

RESOLUTION NO. 60-2026

PROPOSED

LOCAL LAW NO. 1 OF 2026, A SIX-MONTH EXTENSION OF THE MORATORIUM ON COMMERCIAL SOLAR ENERGY SYSTEMS AND COMMERCIAL ENERGY STORAGE SYSTEMS WITHIN THE TOWN OF SOUTHPORT

Resolution by: Steed  
Seconded by: Hurley

WHEREAS, the Town of Southport wishes to review the Town Code and Zoning Laws along with the Town's Comprehensive Plan to further understand how Commercial Solar Energy Systems and Commercial Energy Storage Systems will impact the Town, its residents, the agricultural community and landscape; and

WHEREAS, the Town of Southport, as part of its planning in preparation for this potential development enacted a moratorium to prohibit the development of Commercial Solar Energy Systems and Commercial Energy Storage Systems in the Town of Southport with Local Law No. 1 of Year 2025, a Six-Month Moratorium on Commercial Solar Energy Systems and Commercial Energy Storage Systems within the Town of Southport on February 11, 2025 and Local Law No. 4 of 2025, A Six-Month Moratorium on Commercial Solar Energy Systems and Commercial Energy Solar Systems within the Town of Southport was passed on October 14, 2025; and

WHEREAS, the Town of Southport requires additional time to conduct such review; therefore, the Town Board wishes to extend the moratorium for an additional six months to prohibit the development of Commercial Solar Energy Systems and Commercial Energy Storage Systems during this period of review; and

WHEREAS, SEQRA classifies a moratorium as a Type II action, and therefore no additional review under SEQRA is required; and

NOW THEREFORE BE IT RESOLVED that the Town of Southport Town Board, County of Chemung, State of New York hereby refers this proposed Local Law No. 1 of 2026, A Six-Month Extension of the Moratorium on Commercial Solar Energy Systems and Commercial Energy Storage Systems within the Town of Southport, as described herein, to the Town of Southport Planning Board and the Chemung County Planning Board; and

WHEREAS, NOW THEREFORE BE IT RESOLVED that the Town of Southport Town Board, County of Chemung, State of New York hereby schedules a public hearing to receive public comment on Local Law No. 1 of the Year 2026, A Six-Month Extension of the Moratorium on Commercial Solar Energy Systems and Commercial Energy Storage Systems within the Town of Southport, as set proposed herein, to be held on April 14, 2026 at 6:00 p.m., or as soon thereafter can be heard, before the Town Board at the Town of Southport Town Hall located at 1139 Pennsylvania Avenue, Elmira, N.Y. 14904.

PROPOSED

LOCAL LAW NO. 1 OF 2026, A SIX-MONTH EXTENSION OF THE MORATORIUM ON COMMERCIAL SOLAR ENERGY SYSTEMS AND COMMERCIAL ENERGY STORAGE SYSTEMS WITHIN THE TOWN OF SOUTHPORT.

Section 1. Title.

This local law shall be known as “Local Law No. 1 of the Year 2026, A Six-Month Extension of the Moratorium on Commercial Solar Energy Systems and Commercial Energy Storage Systems within the Town of Southport”.

Section 2. Legislative Intent.

- A. It is the intent of this local law to impose a six-month moratorium for any development, installation, or creation of commercial solar energy systems or commercial energy storage systems, as defined herein, within the Town of Southport. The Town imposes this temporary moratorium on the issuance of building permits, special use permits, variances, site plan approvals, or any related review pursuant to a request for such commercial solar energy systems or commercial energy storage systems within the Town of Southport.
- B. The purpose of this moratorium is to allow the Town of Southport time to review its current zoning laws and comprehensive plan related to development for commercial solar energy and storage systems.
- C. In recent years, installation of solar energy and storage systems on properties has become more popular due governmental funding, tax incentives and provider options. The Town recognizes the importance of the use of this alternate clean type of energy and its potential to provide another source of energy use for residents. The Town seeks to preserve and protect agriculture use, aesthetics and natural resources of the Town and property values while understanding the impact this type of development will have on land use for the overall benefit of the Town.
- D. During the period for this moratorium, the Town Board intends to suspend land use regulations in the Town of Southport which conflict with the effect and intent of this local law.
- E. Local Law No. 1 of Year 2025, a Six-Month Moratorium on Commercial Solar Energy Systems and Commercial Energy Storage Systems within the Town of Southport was enacted on February 11, 2025 and Local Law No. 4 of 2025, A Six-Month Moratorium on Commercial Solar Energy Systems and Commercial Energy Solar Systems within the Town of Southport was passed on October 14, 2025 .
- F. The Town Board finds pursuant to 6NYCRR 617.5(c) (30) that the adoption of a moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQR”) which has been determined to not have a significant impact on the environment.

Section 3. Definitions.

“Commercial Solar Energy Systems” are defined, for the purpose of this local law, as any devise or assembly of devices that is ground installed and uses solar energy from the sun for generating electricity for the primary purpose of wholesale or retail sale and not primarily for the consumption on the property on which the device or devices reside.

"Commercial Energy Storage Systems" are defined, for the purpose of this local law, as any rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems, and associated electrical equipment designed to store and provide electrical power primarily off site or for commercial purposes. Any installations by, or undertaken on behalf of individual landowners, householders, businesses or farmers, primarily for personal, residential and onsite use shall not be considered a commercial energy storage system and shall be specifically exempted from this moratorium.

**Section 4.**      **Scope of Controls.**

- A. For a period of six (6) months from the effective date of this Local Law, the Town Board, Town Planning Board, Town Zoning Board of Appeals, and the Town Code (Zoning) Enforcement Officer shall not permit, accept, process, interpret, deliberate upon or approve any application for the installation, development, or creation of commercial solar energy systems or commercial energy storage systems, as defined herein, except as set forth in Section 5 of this Local Law.
- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of Year 2025 shall be extended for an additional six (6) months from the date of adoption.
- C. During the term of this moratorium the Town Board intends to develop, consider, and adopt changes to its comprehensive plan and local laws to allow for regulation of commercial solar energy systems and commercial energy storage systems.

**Section 5.**      **Exception.**

Notwithstanding any provision hereof to the contrary, any person or entity that has been granted a Special Use Permit by the Town of Southport Planning Board for construction of a solar facility prior to the effective date of Local Law No. 1 of 2025 may continue such project and related activities while this Moratorium is in effect so long as all construction and supporting activities are conducted in accordance with all applicable laws and any conditions of the Special Use Permit.

**Section 6.**      **Relief from Provisions of This Local Law.**

Should any owner of property affected by this local law suffer any unnecessary hardship and seek relief from this moratorium to enable such owner to obtain a permit for activity otherwise prohibited under this moratorium, such owner shall make application to the Town Board. Such request shall be taken under the procedural provisions of the existing Town of Southport zoning law in relation to appeals and shall be subject to a public hearing before the Town Board in accordance with these same procedures. It shall be within the discretion of the Town Board to grant, in whole or in part, or deny, the application for such relief from the terms of this moratorium. It shall be the burden of the applicant for such relief to demonstrate to the satisfaction of the Town Board, upon competent evidence that an unjust result and extraordinary hardship would occur to the applicant, if such relief is not granted, and such showing must demonstrate that the proposed activity for which relief is sought shall be consistent with the reasonable and orderly development of the Town. The unnecessary hardship shall not be the delay in the application process created by this local law.

**Section 7.** Penalties.

A. Any person, firm, entity, or corporation that shall construct, reconstruct, relocate, enlarge, or alter any building or structure in violation of the provisions of this local law, or otherwise violate any provisions of this local law, shall be guilty of a violation and subject to a fine not less than \$250.00 and not more than \$1,000.00, or imprisonment for a term not to exceed fifteen (15) days, or both. Each day the violation continues shall be a separate offense.

B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this local law.

**Section 8.** Enforcement.

This local law shall be enforced by the Code Enforcement Officer of the Town of Southport.

**Section 9.** Authority.

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rules Law § 10.

**Section 10.** Supersession of the Town Law.

This local law is hereby adopted pursuant to Municipal Home Rules Law § 10. It is the intent of the Town Board, pursuant to Municipal Home Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under Town Law § 274-a, § 274-b, § 267-a, § 267-b, § 276, and § 277.

**Section 11.** Inconsistent Laws.

All laws inconsistent with any provision or provisions of this law are hereby repealed.

**Section 12.** Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or the application thereof to any person, firm, or corporation or circumstance, is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 13.** Effective Date.

This local law shall take effect immediately upon filing with the New York State Secretary of State and shall remain in force and effect for a period of six (6) months from the date of passage.

AYES: Hurley, Mathews, Steed, Roman

NOES: None

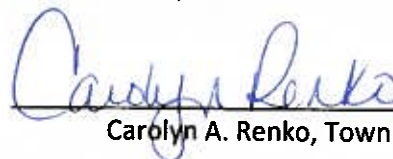
ABSENT: Williams

CARRIED.

I, Carolyn A. Renko, Town Clerk of the Town of Southport, New York, do hereby certify that I have compared the foregoing with the resolution duly adopted by the Town Board of the Town of Southport on the 10<sup>th</sup> day of March, 2026, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11<sup>th</sup> day of March, 2026.



  
\_\_\_\_\_  
Carolyn A. Renko, Town Clerk



# Chemung County Planning Board

Chemung County Commerce  
Center 400 East Church Street  
P.O. Box 588  
Elmira, New York 14902-0588

(607) 737-5510

[www.chemungcountyny.gov](http://www.chemungcountyny.gov)

[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

Referral Number

For office use only

## Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality:  City  Town  Village of Southport

Referring Official: Carolyn A. Renko Title: Town Clerk

Address: 1139 Pennsylvania Avenue Elmira, NY 14904

Phone Number: 607-737-5270 E-mail: crenko@townofsouthport.com

Referring Board (check appropriate box):  Legislative Board  ZBA  Planning Board

Petitioner(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Tax Map Parcel Number(s): \_\_\_\_\_

Current Zoning District: \_\_\_\_\_

### Proposed Action: (check all that apply)

- Area Variance
- Use Variance
- Site Plan Review
- Special/Conditional Use Permit
- Comprehensive Plan Adoption / Amendment
- Other (please specify): \_\_\_\_\_
- Subdivision Review
- Rezoning
- Zoning Text Amendment
- Zoning Map Amendment
- Moratorium

Description of the proposed action (attach detailed narrative if available):

**The proposed action applies to real property within five hundred feet (500') of the following**

(Please identify each item by filling in the appropriate blank after each item)

- (a) Boundary of the (City), (Village) or (Town) of: \_\_\_\_\_
- (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): \_\_\_\_\_
- (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): \_\_\_\_\_
- (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: \_\_\_\_\_
- (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: \_\_\_\_\_
- (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of areavariances: \_\_\_\_\_

**Hearings/Meetings Schedule**

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees	4/11/26	
Zoning Board of Appeals		
Planning Board/Planning Commission		4/6/2026
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) \_\_\_\_\_

**“Full Statement” Checklist**

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

***For All Actions:***

- \_\_\_\_\_ Chemung County Planning Board – Municipal Referral Form
- \_\_\_\_\_ All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).
- \_\_\_\_\_ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- \_\_\_\_\_ Agricultural Data Statement, for site plan review, special/conditional use permit, usevariances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- \_\_\_\_\_ Municipal board meeting minutes on the proposed action (PDF preferred).

***For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND***

- \_\_\_\_\_ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- \_\_\_\_\_ Zoning Map
- \_\_\_\_\_ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Submit this form with supporting documentation in PDF format to the Chemung County Planning Department via email if from webpage: [planning@chemungcountyny.gov](mailto:planning@chemungcountyny.gov). Send to [lhotaling@chemungcountyny.gov](mailto:lhotaling@chemungcountyny.gov) and [nmoss@chemungcountyny.gov](mailto:nmoss@chemungcountyny.gov) otherwise. Completed referrals must be submitted by close of business 12 calendar days prior to the Chemung County Planning Board meeting.

Resolution adopted by the Town Board of the Town of Southport at a meeting thereof held on March 10, 2026.

RESOLUTION NO. 61-2026

PROPOSED

LOCAL LAW NO. 2 OF 2026, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

Resolution by: Hurley  
Seconded by: Mathews

WHEREAS, the Town of Southport enacted Local Law No. 1 of 2022 in April of 2022 titled a Temporary 12-Month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis to allow the Town of Southport to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a "gift" to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt and enacted a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis to allow the Office of Cannabis Management to complete regulations and rules to oversee the licensing, cultivation, production, distribution, sale, laboratory testing and use of cannabis; and

WHEREAS, the Town of Southport enacted Local Law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025, and Local Law No. 5 of 2025 for six-month extensions of the temporary moratorium; and

WHEREAS, to date the Town of Southport is concerned with the lack of regulatory enforcement of unlicensed cannabis retail business as described in Local Law No. 1 of 2022, and wishes to extend the moratorium for an additional six (6) months to update its comprehensive plan and further review its zoning and code regulations related to this issue; and

THEREFORE BE IT RESOVLED, that the Town Board of the Town of Southport now refers this proposed extension of the moratorium, Local Law No. 2 of 2026, to the Town of Southport Planning Board and the Chemung County Planning Board; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby schedules a public hearing to receive public comment for this Local Law No. 2 of 2026, A Six Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport on April 14, 2026 at 6:00 p.m., or as soon after as it may be heard, at Town of Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York 14904 and said Local Law is as follows:

## PROPOSED

### LOCAL LAW NO. 2 OF 2026, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

#### Section 1. TITLE.

This local law shall be known as “Local Law No. 2 of 2026, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport”.

#### Section 2. LEGISLATIVE INTENT

- A. Since the enactment of Local Law No. 1 of 2022, Local Law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025, and Local Law No. 5 of 2025, the New York State Office of the Cannabis Management is still finalizing the issuance of licenses for businesses to allow for the legal sale of adult-use cannabis or cannabinoid hemp licenses. In addition, regulatory enforcement is lacking for the unlicensed cannabis retail business which are the subject of this local law. Therefore, to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt, the Town wishes to continue to enact a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis.
- B. During this additional six (6) month moratorium, the Town of Southport will continue to review and update its zoning code and regulations and monitor the adoption and enforcement of the rules and regulations regarding licensure by the Office of Cannabis Management (OCM). The Town Board has deemed this an appropriate amount of time to study whether additional local action is necessary; the extent of such action; if such local action is necessary; provide the Town Board with the time to adopt the appropriate local rules and regulations to ensure comprehensive uniformity, fairness, and consistency in such regulations governing the time, place, and manner of the operation of licensed adult use cannabis retail dispensaries and/or on-site consumption cannabis businesses.
- C. The Town of Southport does hereby find a six (6) month extension of this moratorium is necessary and reasonable in order to afford the Town time to evaluate whether appropriate laws or ordinances should be enacted for the health, safety, and welfare of the Town residents and properly aligned with the Comprehensive Plan. A Six-Month extension of this moratorium will prevent the establishment of unlicensed businesses related to distribution and/or consumption of cannabis as described herein. The health, safety and general welfare of the residents will be protected by the adoption of the moratorium pending the issuance of final regulations by the Town of Southport.
- D. The Town Board finds pursuant to 6 NYCRR 617.5(c) (30) that the adoption of this extension to the moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQR”) which has been determined to not have a significant impact on the environment.

#### Section 3. EXTENDED TERM FOR MORATORIUM

- A. The moratorium as referenced herein and last extended by Local Law No. 5 of 2025 shall be extended for an additional six (6) months.

- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2022 and Local law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025 and Local Law No. 5 of 2025 shall remain in effect and be extended for an additional six (6) months from adoption.

**Section 4. AUTHORITY**

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rules Law § 10.

**Section 4. SUPERCESSION OF THE TOWN LAW**

This local law is hereby adopted pursuant to Municipal Home Rules Law § 10. It is the intent of the Town Board, pursuant to Municipal Home Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under the Town Law § 274-a and b, § 267-a and b, § 276 and § 277.

**Section 11. INCONSISTENT LAWS**

All laws inconsistent with any provision or provisions of this law are hereby repealed.

**Section 12. SEVERABILITY**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or the application thereof to any person, firm, or corporation or circumstance, is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

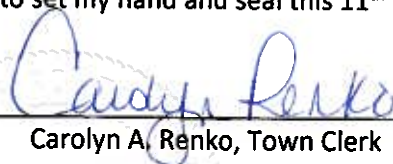
**Section 5. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the New York State Secretary of State.

AYES: Hurley, Mathews, Steed, Roman  
NOES: None  
ABSENT: Williams  
CARRIED.

I, Carolyn A. Renko, Town Clerk of the Town of Southport, New York, do hereby certify that I have compared the foregoing with the resolution duly adopted by the Town Board of the Town of Southport on the 10<sup>th</sup> day of March, 2026, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11<sup>th</sup> day of March, 2026.

  
\_\_\_\_\_  
Carolyn A. Renko, Town Clerk

