

CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
FEBRUARY 26, 2026

Present

Andrew Avery
Marilyn Paulo
Emma Miran
Michelle Podolec
Elisabeth Corveleyn
Nick Vosburg
Dave McCormick, Staff
Lauren Hotaling, Staff
Nanette Moss, Staff

Excused

Frank Pierce
Mark Watts

Visitors

Nikole Watts, Chemung County Stormwater Coalition

1. Call to order at 3:00 p.m.
2. Approval of Meeting Notes - After discussion of the December 18, 2025 notes there were no questions, comments or corrections from the Board and the minutes were approved as distributed on a motion made by Michelle Podolec, seconded by Emma Miran. The January 2026 meeting was cancelled. All in favor, aye; opposed, none. Motion carried.
3. Visitor Comments (accepted after each referral review).
4. Zoning Referrals
5. Staff Comments

A. TOWN OF VETERAN – Special Use Permit – West/Wholesome Wheels LLC

DISCUSSION: Request to review special use permit to station movable food trailer along road to establish and operate drive-through coffee shop in the Residential/Commercial Zoning District. Property is located at 3644 Watkins Rd. within 500' of SR #14. D. McCormick asked L. Hotaling to display slides relating to the proposed special use permit. L. Hotaling presented slides of the entrance side and exit on Watkins Rd, the food truck off Watkins Rd., water municipal storage, signage, and noting that DOT has indicated that they must be off the right-of-way engaged in selling. N. Vosburg advised that they also need a permit so DOT can review the location and signage. A. Avery noted that DOT commented that the following SEQR items should be addressed: There is no name on the SEAF for the action or project. **Question 2** is not answered. **Question 3** is not answered in full. **Question 5** is not answered. **Question**

7 is not answered. **Question 9** is not answered. **Question 13** is not answered in full. **Question 14** is not answered. **Question 15** should be yes. **Question 16** is not answered. The applicant did not sign at the bottom. D. McCormick recommended local determination along with comments submitted by DOT to address SEQR items. A. Avery summarized staff and board comments regarding DOT permit needed and feedback for the town regarding SEQR, DOT advising that the food truck must be off the right-of-way. A. Avery asked if there were any other comments from the Board and there were none. A. Avery called for a motion for local determination along with comments from DOT to obtain a permit, that food truck be off the right-of-way and to address SEQR items.

MOTION: Made by Marilyn Paulo, seconded by Elisabeth Corveleyn, recommending local determination stating no countywide impacts along with comment from Nick Vosburg that they obtain a permit from DOT, keep the food truck off the right-of-way and comments from DOT to address SEQR as follows: There is no name on the SEAF for the action or project. Question 2 is not answered. Question 3 is not answered in full. Question 5 is not answered. Question 7 is not answered. Question 9 is not answered. Question 13 is not answered in full. Question 14 is not answered. Question 15 should be yes. Question 16 is not answered. The applicant did not sign at the bottom. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF VETERAN – Zoning Text Amendment – Town of Veteran

DISCUSSION: Request to review proposed zoning text amendment for revised Solar Law. D. McCormick asked L. Hotaling to display slides. L. Hotaling noted that in May of 2025 the Board suggested that the town consider setback flexibility which they have addressed. If solar energy is planned for greater than one acre, it would require a Stormwater Pollution Prevention Plan (SWPPP). The feedback comment falls in line with their zone accessory buildings and uses. Other changes to this draft, decommissioning plan. DOT commented that the following SEQR item should be addressed: **Question C.3.b** is not answered. N. Vosburg noted Article 6 and 12 of the law regarding road use and restoration--Road use verbiage is only applicable to town roads. Please consider adding county roads to that list for any issues with town or county roads so those roads are addressed. The existing 250' setback is a concern due to unintended consequences to farmland, the effect on trees, how 6" trees would be mitigated. As a county we should consider making this a requirement of all solar laws of all towns. Nikole Watts advised that the decommissioning plan was not there and for the town to ensure it's on the books for the next one coming down the pipeline. A. Avery noted that they had to have a plan reviewing the cost of decommissioning to update bonds for the future. D. McCormick recommended local determination along with N. Vosburg's comments regarding roads, asking if they were using the NYSERDA template and noted DOT's comments to address SEQR items. A. Avery asked if there was any further discussion, questions or comments from the Board and there were none. A. Avery summarized that staff recommendation is for local determination, to address SEQR issues noted by DOT, add language that includes county roads with town roads so roads are protected, expressing concern over the existing 250' setback that could result in unintended consequences to farmland, effect on trees, how the 6" trees would be mitigated and called for a motion.

MOTION: Made by Michelle Podolec, seconded by Emma Miran, recommending local determination stating no countywide impacts along with comments to address SEQR issues noted by DOT that Question C.3.b is not answered, add language that includes county roads with town roads so roads are protected, expressing concern over the existing 250' setback that could result in unintended consequences to farmland, effect on trees, how the 6" trees would be mitigated. Members in favor, all;

opposed, none. Motion carried.

C. TOWN OF BIG FLATS – Review of Proposed Site Plan and Special Use Permit – Kumpel/Sunoco
Present: Gary Hurta, Sunoco

DISCUSSION: Request to review proposed site plan and special use permit for construction of a 108 kw ground mounted major solar collection system on the south side of SR 352 adjacent to existing Sunoco terminal facility in an Industrial (I) Zoning District. Property is located within 500 of SR 352. D. McCormick asked L. Hotaling to display slides. L. Hotaling presented slides of an aerial view and two parcels, street view of the site. She noted that there is no Battery Energy Storage System (BESS) proposed. She also noted that the project size is less than one acre and no SWPPP is required. There is storage. A seven foot chain link fence would surround the panels. The town would like to see landscaping, visual buffering. Engineering comments should reflect parking. A. Avery added that the green line is underground electric. N. Vosburg advised that he had no comments. A. Avery asked if there were any comments from the Board. D. McCormick asked if they have electricity not from NYSEG. Projects tend to be utility demand connected to the grid. Gary Hurta advised that 108kw solar arrays would help Sunoco to offset their current electric usage at the current facility, reduce operating costs with no capital investment. D. McCormick commented that if there were to be a proposed BESS later that they would need to go back through the approval process and asked if it was under consideration and was advised by Gary Hurta that there was no consideration for a BESS. He advised that they have a metering agreement with NYSEG that any unused solar power will be offset through NYSEG. D. McCormick recommended local determination of the proposed site plan and special use permit. DOT commented that the following SEQR items should be addressed: **Table B** is not filled out in full. **Question E.2.o** – This should be "Yes", site is within range of the Northern Long-eared Bat (Endangered), Tricolored Bat (Proposed Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened) which are afforded federal protection. A. Avery asked if there was any further discussion, comments or questions from the Board and there were none. A. Avery summarized that the recommendation is for local determination with comment that any BESS in the future would require going through the approval process, that the noted SEQR items that DOT commented on be addressed and called for a motion.

MOTION: Made by Emma Miran, seconded by Michelle Podolec, recommending local determination of the proposed site plan and special use permit stating no countywide impacts along with the comment that any desired BESS in the future would require the approval process, DOT comments on SEQR be addressed as follows: Table B is not filled out in full. Question E.2.o – This should be "Yes", site is within range of the Northern Long-eared Bat (Endangered), Tricolored Bat (Proposed Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened) which are afforded federal protection. Members in favor, all; opposed, none. Motion carried.

D. TOWN OF BIG FLATS – Review of Proposed Site Plan – Blanchard/Carlson Consultin/Sam's Club
Present: Connor Blanchard, Keith Moore, Carlson Consulting via Webex.

DISCUSSION: Request to review proposed site plan for automobile fueling station within Consumer Square Shopping Plaza for utilization by Sam's Club and club members in the Business Regional (BR) Zoning District. Property is located at 830 CR 64 and within 500' of CR 64. L. Hotaling presented slides

showing location of the proposed fueling station behind Wendy's Restaurant in that drive area. Engineering comments note that they should show the property lines for setbacks. Overlay district. They need to comply with the zoning code. The Town Planning Board has met. The project will require a permit from the county Sewer District. Fueling station slide shows 18 fueling spaces proposed. A. Avery asked Connor Blanchard if he had anything to add and was advised that Carlson Consulting had attended Town Planning Board meetings and that the Board was generally approving of the project. N. Vosburg recommended that the site developer coordinate with the Town regarding any future potential development in the area to ensure that all parties concerned are on the same page regarding the traffic impact study, signal facing and queueing on Chambers Rd., site plan east driveways, median and striping. During any sort of snow fall the striping starts to fade and it would be a free fall exit. N. Vosburg recommend that the median be a raised curb with vegetation, delineate exit locations in that way. He asked what the plan was for snow storage and was advised by Connor Blanchard that it was not discussed at the Big Flats Planning Board Meeting how to handle the snow. N. Vosburg advised that snow removal be determined. He noted that the required parking on the site plan is tabled. It refers to City of Elmira parking requirements, however the project is located in the Town of Big Flats and should reference Big Flats parking requirements. A Chemung County Highway Permit will be required for utility work taking place in the county right-of-way. N. Vosburg asked if there was a plan for advertising signs as there were none shown on the site plan and wish to see where any potential signage will go, make a determination and was advised by Connor Blanchard that they have not done so, that it was not discussed, noting that it is not required. D. McCormick asked about any truck turning plan status and was advised by Connor Blanchard that the truck route will need to show that in the site plan. M. Podolec noted that the plant selection in the plan is not native and would struggle to survive past one year. Connor Blanchard advised that they would review the plan to see if it works. D. McCormick inquired regarding storage tank capacity of the three planned tanks to which Keith Moore advised that there are three, 20,000 gallon underground tanks: one diesel, one lead, the other one lead. D. McCormick asked if fire protection was determined to which N. Vosburg did not know. A. Avery suggested that they confirm with the Big Flats Town Planning Board that any requirements of the fire department have been met. D. McCormick asked if there was a proposed deadline for completion to which Connor Blanchard advised that they are targeting this summer with a four to six month construction phase to complete before the weather turns cold again. A. Avery asked if there were any further questions and there were none. He asked D. McCormick for his recommendation. D. McCormick recommended local determination with comments that a Traffic Impact Study be conducted, coordinate with the Town for any future development, exit median be a raised curb with vegetation, snow storage, highway permit, meet fire department requirements, native plants. Where are any advertising signs that say Sam's Club fueling to be located? Connor Blanchard noted that proposed plans of other development may have a bigger traffic impact than them, noting that it was first brought up to ensure development is coordinated. Other development might be responsible for a study. A. Avery noted that it should be prepared, adding that there are no other items from other development yet. He suggested that they coordinate with the town for status of the other developments and was asked by Connor Blanchard if a full plan is still required to conduct a traffic impact study. A. Avery said we would like to see a traffic study which includes queue lines, pedestrian, issues. We don't want to create backups. N. Vosburg noted that there are two exit drives, two stop bars after you go to the fueling pumps, on the south side. Connor Blanchard asked if it was the stripe between the two stop bars and did DPW want it striped to which A. Avery said it is important to look at from a traffic standpoint. In the winter you will not see the striping. DOT commented that the following SEQR items should be addressed: **Table B** – This is not filled out in full. **Question D.2.a** – This is not answered in full. **Question D.2.p** – The applicant answered no but the project is building a gas station and indicate further up in the document that there will be multiple 20,000-gallon gasoline tanks. This question

should be answered “Yes” and the “If Yes” section filled out completely. **Question E.2.a** – The pavement does not count as bedrock so 0ft is incorrect. **Question E.2.h ii** – This should be “yes”, there are mapped wetlands directly behind the site and then the subsequent questions will need answered. **Question E.2.o** – This should be “Yes”. The project site is within the range of these federally protected species: Northern Long-eared Bat (Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened). A. Avery asked if there was any further discussion, questions or comments from the Board and there were none. A. Avery summarized that staff recommendation is for local determination along with the comments that DOT submitted regarding SEQR, comments that a Traffic Impact Study be conducted, coordinate with the Town for any future development, exit median be a raised curb with vegetation, snow storage, county highway permit, county Sewer District permit for utilities, meet fire department requirements, native plants, correct parking requirements from stated Elmira to be and include Big Flats parking requirements, location of fueling advertising signs, meet fire department requirements, reference and include Big Flats parking requirements, truck turning status and called for a motion.

MOTION: Made by Michelle Podolec, seconded by Elisabeth Corveleyn, recommending local determination of the proposed project stating no countywide impacts along with comments from DOT regarding SEQR: Table B – This is not filled out in full. Question D.2.a – This is not answered in full. Question D.2.p – The applicant answered no but the project is building a gas station and indicate further up in the document that there will be multiple 20,000-gallon gasoline tanks. This question should be answered “Yes” and the “If Yes” section filled out completely. Question E.2.a – The pavement does not count as bedrock so 0ft is incorrect. Question E.2.h ii – This should be “yes”, there are mapped wetlands directly behind the site and then the subsequent questions will need answered. Question E.2.o – This should be “Yes”. The project site is within the range of these federally protected species: Northern Long-eared Bat (Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened); submission of traffic impact study, coordinate with the Town regarding any future development, exit median be raised and include vegetation, determination of snow storage, obtain highway permit, obtain county Sewer District permit, consider using native plants, correct parking requirements from stated Elmira to be and include Big Flats parking requirements, determine signage placement, truck turning status. Members in favor, all; opposed, none. Motion carried.

E. CITY OF ELMIRA – Review of Proposed Site Plan – Ernie Davis Community Center

Present: Andrea Ogunwumi, Anita Lewis, EOP, Inc.; Martin Chalk, EOP Board of Directors; James Gensel, Fagan Engineers

DISCUSSION: Request to review proposed site plan for renovations of the existing Ernie Davis Community Center with new parking area in the C-T Campus Tech Zoning District. Property is located at 350 E. Fifth St. within 500’ of Clemens Center Parkway. D. McCormick asked L. Hotaling to display slides. L. Hotaling presented slides showing an aerial view of the site, two additions of 4,400 and 7,200 square feet, parking lot portion of the proposed addition, parking lot to be shifted over, 20 parking spots included. N. Vosburg noted the existing driveway on E. Fifth St. is offset, a minor commercial type driveway and not ideal to have the driveway offset. He recommended removing the driveway access on E. Fifth St. with ingress and egress only on Lake St. A. Avery asked where the entrance to the new office addition was as compared to the parking lot and was advised by James Gensel that it hadn’t been determined yet and noted that a study was conducted in 2007 for deficiencies but issues were not addressed at that time. A plan was done without an architect. That is more of staff parking. We do not have to have access on E. Fifth St. Realistically it is the main entrance. There will be some entrances on

the new façade, Fifth St. sidewalk to make one of the main entrances. Staff entrance is on the parking lot aside and ADA accessible. A. Avery noted that the parking lot appeared to be fixed but it is not designed to any standards, adding that a 10'x20' parking space is bigger than the city requires, asking if it would be a small size, 10', to which James Gensel responded that it may be more of a need for trucks. The cost estimate is increasing now and can be honed back if necessary. We are not sure regarding a grant for design. The ARC non-construction grant was submitted on January 31. We are in the process of waiting to hire an architect after the grant is awarded. There might be more details needing correction. It was knitted together through the site plan approval process for the first grant to make sure it is proceeding, civil engineer, geotechnical. A. Avery noted that this is very preliminary, no stormwater plan and was advised by James Gensel that they are waiting for the grant so it is all reimbursed. A. Avery asked if they would bring the plan back to the city and was advised by James Gensel that it is conditional approval, then work with commercial. It does not need a SPDES Permit, just local approval. A. Avery asked if there was anything further from EOP to which James Gensel noted they were eager to start and would be meeting with the New York State grant representatives next week to be informed regarding that process. Andea Ogunwumi added that the date is March 3 when everybody will be here. Martin Chalk informed that that is the official announcement that we have the grant. James Gensel advised that they would change the driveway and would review parking for any additional spaces that may be needed. A. Avery asked if there were any questions or comments from the Board and there were none. DOT commented that the following SEQR items should be addressed: **Question E.2. O** – This should be answered Yes, the following federally protected species are found at this site: Northern Long-eared Bat (Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened). A. Avery asked for staff recommendation. D. McCormick recommended local determination. A. Avery asked if there were any other questions or comments and there were none. A. Avery summarized that staff recommendation is for local determination along with DOT comments to address SEQR and to remove the driveway access on E. Fifth St. with ingress and egress only on Lake St. and called for a motion.

MOTION: Made by Emma Miran, seconded by Michelle Podolec, recommending local determination stating no countywide impacts along with comments submitted by DOT regarding SEQR as follows: Question E.2. O – This should be answered Yes, the following federally protected species are found at this site: Northern Long-eared Bat (Endangered), Green Floater (Proposed Threatened), and the Monarch Butterfly (Proposed Threatened); and remove plan for the driveway access on E. Fifth St. with ingress and egress only on Lake St. Members in favor, all; opposed, none. Motion carried.

5. **Visitors Comments:** None

Planning Commissioner's Report –Planning Commissioner Dave McCormick:

We welcome new Board member Andrew (Andy) Avery who brings much experience having been the Ex-Officio board member in this position as DPW Commissioner before retirement. Chairman Frank Pierce is unable to attend the meeting today and Andy is conducting the meeting in his stead as acting chairman.

Mark your calendars for the STCRPDB 2026 Annual Leadership Conference to be held at Corning Community College on Thursday/June 11, 2026. We will forward the announcement for registration when it becomes available.

Planning Department staff has assembled and presented a slide show today regarding the various aspects of solar energy including location, farmland used, crops compatible in conjunction with solar panels, impacts and benefits on farmland and local economy, urban locations as opposed to farmland, Battery Energy Storage Systems (BESS), what we should be thinking about or consider as a Planning Board.

Planning Board Chairman:

Acting Chairman Andrew Avery suggested that the Board consider taking a training class to get an understanding of solar energy, how it is gathered, various aspects surrounding solar energy.

Next CCPB Meeting:

Our next meeting will be in person unless there is no quorum. As a reminder, we will be meeting at the Human Resources Center building, first floor, Room #110 at 3:00 p.m. on **Thursday, March 26, 2025**.

A motion to adjourn was made by Michelle Podolec, seconded by Elisabeth Corveleyn. All in favor, aye; opposed, none. Motion carried. Full Meeting adjourned at 4:13 p.m.