



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD

### Meeting Minutes

Monday, November 4, 2024

7:00 pm

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

Board Members Absent: None

Others Present: Peter Rocchi, Code Enforcement Officer  
Michelle Murray, Secretary  
Megan Dorritie, Town Attorney (joined remotely)

Chairwoman Peterson called the meeting to order on or about 7:00 pm. She asked if the Board Members had any comments, questions, concerns, or corrections about the October 7, 2024 meeting minutes. Hearing no comments, Board Member Petzke made a motion to accept the minutes of October 7, 2024 as presented; Board Member French seconded the motion. All were in favor. The Board accepted the minutes as presented.

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

**ABSENT: None**

**NOES: None**

**MOTION CARRIED.**

### Continued

**Public Hearing -** Site Plan application of NY Southport I, LLC for the development of a Community Solar Farm facility located at 1309 Maple Avenue, Elmira, New York tax map #100.00-1-2.1 and 100.00-1-1.21 zoned Agricultural Residential

Brian Dunleavy and Matt Mihaly, Delaware River Solar Project Developer, along with Kelly Sullivan, LaBella Associates, engineering partner on the project, discussed updates to the solar project.

The no impact letter from the State Historic Preservation Office (SHPO) still needs to be submitted for SEQR. The project is in an archaeologically sensitive location. Therefore, the State Historic Preservation Office/Office of Parks, Recreation and Historic Preservation (SHPO/OPRHP) recommends a Phase IA/IB archaeological survey for components of the project that will involve ground disturbance, unless substantial prior ground disturbance can be documented. A Phase IA/IB survey is designed to determine the presence or absence of archaeological sites or other cultural resources in the project's Area of Potential Effects (APE).

Visual impact assessment may be conducted. They might want to check the viewshed. Photos will be taken from properties within a certain radius to assess visual impact.

The project is not in an Agricultural District nor within 500 feet of an Agricultural District therefore not required to fill out the Agricultural Data Statement.

Floodplain and Development Permit was discussed with Peter Rocchi. They have the Cut and Fill analysis completed for permit application. The solar equipment is above the 100-year floodplain elevation. Remote Monitoring Technology will be used to alert for high water or significant weather events. Inclusion of the technology in the project is to ensure safety during floods.

Access Road Specifications is DEC approved limited use pervious access road constructed with chunky gravel (1 to 4 inches). Road is designed to prevent heavy equipment from compressing it as heavy trucks can damage the road and impede water drainage. Local fire trucks have weight limitations and cannot go off pavement. A turnaround has been added to the project area to ensure trucks can navigate the site effectively.

Mr. Dunleavy stated that the parcels have been merged with the Town Assessor tax map number is 100.00-1-1.21.

Solar farm will be fenced with an eight-foot agricultural fence that is square wire mesh. No landscape screening was proposed as it is not deemed necessary. The farm is set back several hundred feet from the roadway. Natural vegetation provides sufficient visual buffer. The Board could approve the project with a condition that if there were any visual impacts later then that would be addressed. Perennial vegetation is a proposed mix which includes wildflowers and pollinator species.

The SWPPP has been submitted to the Chemung County Stormwater Coalition Engineer and still waiting for feedback.

The Board prefers to wait for Hunt Engineers follow up letter before proceeding with SEQR. The next meeting will potentially address SEQR if all materials are ready. Hunt Engineers will prepare Parts 2 and 3 of SEQR. There will be coordination between engineering firms.

Chairwoman Peterson opened the public hearing for comments.

No one wished to be heard, it was turned over to the Planning Board at 7:26 p.m. The public hearing will remain open until December 2, 2024.

Next was the referral from Town Board, a Six-Month Moratorium Extension of the Temporary 12-month Moratorium for Operating Unlicensed retail businesses involving the transfer, distribution, or sale of cannabis within the Town of Southport.

Board Member French made a motion that the Town Board extend the Six-Month Moratorium Extension of the Temporary 12-month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis within the Town of Southport. Chairwoman Peterson seconded the motion. No discussion on the motion. All were in favor.

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

**ABSENT: None**

**NOES: None**

**MOTION CARRIED.**

No other business to come before the Board. Board Member French made a motion to adjourn the meeting; Board Member Petzke seconded the motion. All were in favor. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Michelle Murray  
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney