



# TOWN OF SOUTHPORT

1139 Pennsylvania Avenue • Elmira New York 14904

## PLANNING BOARD

### Meeting Minutes

Monday, October 7, 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

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 September 3, 2024 meeting minutes. Hearing no comments, Board Member Page made a motion to accept the minutes of September 3, 2024 as presented; Vice Chairwoman Warner 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.**

**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 Emily McNeill, LaBella Associates, engineering partner on the project, spoke about the project. The project involves the development of an approximate 2.8

MW AC solar farm with single access trackers. The yellow on the site plan represents the old plan and the black area shows the location change. All within the required setbacks.

Chemung County Planning Board referral recommendation from September 26, 2024 shows no significant county-wide impact, local determination, with the following comments:

1. SEQR QE.1.a- Aquatic should be checked
2. SEQR Page 13 Missing
3. NYSDOT will require a Commercial Highway Work Permit for the driveway entrance and the utility work.

The SWPPP has been submitted to the Chemung County Stormwater Coalition Engineer. The applicant is working on the review letter from Hunt Engineers. There are technical issues being addressed. The decommissioning plan and amounts need to be stamped by an engineer and show the figures over time. The fence around the project will be an 8-foot agricultural fence. Topsoil will be re-spread with pollinator grass mix over that.

Mr. Dunleavy is working with the Town Assessor to get the parcels merged. He will provide the solar panel height that needs to be clarified in the flood zone. He will provide the SHPO letter for SEQR purposes.

The Board discussed the decommissioning plan and the agreement with the Town.

Attorney Dorritie stated that the review engineers need additional information, however, the application could be deemed complete.

Board Member French made a motion deeming the application complete as required by the Town Code section 442-8A(1). Board Member Page seconded the motion. No discussion on the motion. All were in favor.

**AYES: French, Lovejoy, Page, Parsons, Peterson, Petzke, Warner**  
**ABSTAIN: Hastings**  
**ABSENT: None**  
**NOES: None**  
**MOTION CARRIED**

Chairwoman Peterson opened the public hearing for comments.

Ron Strobe, 40 Dalrymple Avenue, Pine City, has a farm next to the project. He asked who would be responsible for and enforce the decommissioning and the bond. He asked if the land remains an agricultural zone.

No one else wished to be heard, it was turned over to the Planning Board at 7:33 p.m. The public hearing will remain open until November 4, 2024.

No other business to come before the Board. Chairwoman Peterson made a motion to adjourn the meeting; Board Member Petzke seconded the motion. All were in favor. The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Michelle Murray  
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board  
Town Board  
Town Clerk  
Town Attorney