

Motion made by Daniel Manuel, seconded by Anthony Pagano to approve the November 16, 2017 Meeting Notes as drafted. Members in favor, all; opposed, none. Motion carried.

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**CHEMUNG COUNTY PLANNING BOARD**  
**MEETING NOTES**  
**NOVEMBER 16, 2017**

Present:

Ronald Panosian, Chair  
Andrew Avery  
Joseph Peters  
Douglas Brackley  
Bo Manuel  
Anthony Pagano  
Henry Dalrymple  
Nicolette Wagoner, Staff  
Scott Shaw, Staff  
Nanette Moss, Staff  
Michael Ross, Guest  
Mark Maser, Maser Engineering, Guest  
Dan Williams and Andy Collier, Williams Construction, Guests  
Jim Davis, Culligan Water, Guest  
Larry Foor, Foor & Associates, Guest  
Tom Skebey, City of Elmira Code Enforcement, Guest

Excused:

Mary Jo Yunis  
Robert Lewis

A. TOWN OF ASHLAND – Proposed Extension of Moratorium on Large Scale Solar Energy Systems – Town of Ashland  
DISCUSSION: R. Panosian advised that the Town of Ashland wishes to extend its current moratorium on large scale solar energy systems and asked N. Wagoner to give an overview of the referral. N. Wagoner reported that the current moratorium expires at the end of November. The Town has an interest in solar energy and wants to come together as a community and decide what the process would be for approving these things and what their vision would be. They are developing their comprehensive plan and working with a consultant on it which they believe will be done in early 2018 and wish to incorporate solar energy into their plan. The moratorium would go through the end of May so they will have their plan done and that will help guide their next steps. It has been in effect a year. It seems reasonable for them to have this time. There are no issues. S. Shaw advised that our recommendation previously when we reviewed it was favorable. The zoning regulations in their ordinance right now are somewhat vague, and this will help strengthen those, look at a broader picture. N. Wagoner has no issues with the proposed moratorium extension and recommended favorable approval. R. Panosian asked if the Board had any questions or comments; there being none, he called for a motion for approval.

MOTION: Made by Anthony Pagano, seconded by Henry Dalrymple, recommending approval of the proposed extension of the moratorium on large scale solar energy systems. Members in favor, all; opposed, none. Motion carried.

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B. TOWN OF BIG FLATS – Zoning Area Variances – Ross

DISCUSSION: R. Panosian advised that petitioner Michael Ross is present and asked N. Wagoner to give an overview of the referral. N. Wagoner reported that the petitioner wishes to construct a third structure (detached garage) on his property on County Route 64 which both exceeds the allowable number of accessory structures and allowable square footage in an R-1 zoning district. Petitioner Michael Ross advised that he has 5.5 acres of land where he wishes to place the structure, 100' behind his home. The Town in its review had no issues with this proposal and has asked for a positive recommendation. N. Wagoner recommended local determination since no Countywide or intermunicipal interests would be directly affected by the proposed zoning area variances. R. Panosian asked if there was any further discussion from the Board; there being none, he called for a motion for local determination.

MOTION: Made by Anthony Pagano, seconded by Andrew Avery recommending local determination since no Countywide or intermunicipal interests would be directly affected by the proposed zoning area variances. Members in favor, all; opposed, none. Motion carried.

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C. TOWN OF BIG FLATS – Approval of Site Plan – Williams Honda

DISCUSSION: R. Panosian advised that Mark Maser of Maser Engineering is present representing the petitioner Williams Honda and asked N. Wagoner to give an overview of the referral. N. Wagoner reported that property is located on County Route 64 in a Business Regional zoning district and that Williams Honda wishes to acquire a parcel of land from Lowe's to expand their existing parking lot and believed there were no issues for circulation, traffic or storm water. M. Maser advised that a run-off analysis had been done and proposing to sheet flow water to the center of the existing lot which has an underground infiltration system that was installed when they renovated that site. There was a front yard variance that was granted when they did that for the original project and we are encroaching into that 25' now. The Town Planning Board and Town asked if the new parcel was to be part of the larger common development. It is and petitioner plans on merging it into a single parcel. The Town advised that if that is the case, then the variance would apply to this piece as well. There are no curb cuts. N. Wagoner recommended approval. R. Panosian asked if the Board had any further questions; there being none, he called for a motion for approval.

MOTION: Made by Henry Dalrymple, seconded by Douglas Brackley, Daniel Manuel abstaining, recommending approval of the proposed site plan. Members in favor, all; opposed, none. Motion carried.

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D. CITY OF ELMIRA – Approval of Site Plan – Culligan Water -- ADD-ON ITEM

DISCUSSION: R. Panosian asked A. Pagano to introduce the referral due to a conflict of interest. A. Pagano reported that Dan Williams and Andy Collier of Williams Construction, Jim Davis of Culligan Water, Larry Foor of Foor & Associates and City of Elmira Code Enforcement Officer Tom Skebey are present and asked N. Wagoner to give an overview of the referral. N. Wagoner reported that the referral comes to us because of its proximity to the Chemung County Nursing Facility. It is located in a Central Business District (BB) zoning district. DOT has no concerns regarding traffic. Petitioner is seeking site plan approval to construct an addition to the back of the building and we see no major impact, no increase in the intensity of the use, not changing much from what was there before and with its high visibility it is good that the building is being used again. A public hearing is set for December 7. Dan Williams advised they wish to construct loading docks on the back side of the building giving access to the north end, reducing parking lot lighting from two-light to one-light poles only shining on the inside of the property, utilizing the same curb cuts, being less traffic than before, consisting of 36 employees, façade will be painted and cleaned up, landscaping will be done to have a green area. The City is bringing in a new water line right now for the processed water. There will be ingress and egress off Madison Avenue. The very front building will hold retail office and showroom. The second building back will be the parts department. The third will be loading and unloading of trucks. On the right side will be the bottling facility with bottled water. The other side will

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be used for processing portable tanks that we take to homes that don't have room for a softener or drains. It is a portable exchange for processing. The goal to start construction is December 12 with foundations and demolition of a wood shed in the northwest corner and targeting a June 2018 opening. N. Wagoner recommended approval. A. Pagano asked if the Board had any questions or comments; there being none, he called for a motion for approval.

**MOTION:** Made by Douglas Brackley, seconded by Daniel Manuel, Ronald Panosian abstaining, recommending approval of the site plan. Members in favor, all; opposed, none. Motion carried.

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**Planning Commissioner's Report:**

N. Wagoner presented items at today's meeting for discussion that were previously sent to Board members for their review regarding proposed changes to the 1969 Bylaws, updated referral form and inter-municipal agreement.

**Bylaws:**

Through discussion with the Clerk of the Chemung County Legislature, it was suggested that the Planning Department and Planning Board be identified individually as to each one's purpose and function. It was asked that Board members share any comments or questions to ensure board members are comfortable with the proposed changes as noted. The next step is to meet with County Attorney Bryan Maggs and County Legislature Attorney Dick Keyser to move forward. Board members will receive a draft of the proposed revisions before it is forwarded to the Legislature. Chairman Ron Panosian was in favor of the proposed changes and the Board concurred.

**Referral Form:**

The revised form contains information that was previously not covered on the form, for example public hearings, meeting dates, in an effort to have all pertinent information included and to avoid unnecessary use of staff time requesting such type of information from the municipality. If the Board is comfortable with the form, it will be distributed to municipalities requesting that they start using the form in January. In addition, staff has been working with IT with regard to posting an on-line fillable referral form. The Board was in favor of the revised referral form.

**Inter-Municipal Agreement (IMA):**

We currently have an IMA with the Town of Southport for exemptions from certain kinds of referrals, in this case area variances. We can discuss editing or expanding to other municipalities. If the town feels it is reasonable, we can trust them. Minor amendments to local zoning laws wouldn't necessarily need to be seen by us. Major amendments to zoning laws should be forwarded to the Planning Commissioner for review, however there are things that don't necessarily need to come in front of the Board. A comparison will be made to what Southport has in place. As to referrals received in the past 12 months, staff will review and determine what percentage of them would fall under exempt. The municipality could still submit referrals to the Board for review. Referrals could also be reviewed by the Planning Commissioner who could decide if it would be necessary for it to come before the Board. It could be for a probationary period to try the exercise. The idea behind an exemption is to reduce the amount of paperwork and time delays. If the idea is to streamline it and take the county out of the picture of things we don't need to be in, perhaps it is better to have a straight exemption. It could be tried on a probationary basis and be evaluated, a six-month courtesy. Planning Commissioner will delve into these ideas to determine the best protocol and report back to the Board at our next meeting.

**Hand-out Packets at Board Meetings:**

At the Board's request, we will continue to distribute referral hand-out packets at our Board meetings in addition to what is e-mailed to the Board in advance of our meetings. Board members noted that they find it useful to receive referrals ahead of Board meetings as it gives them appropriate time to review them.

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Meeting adjourned at 3:21 p.m.