

Town of Corning – 20 S Maple Street
Planning Board Meeting and Public Hearing
Minutes - June 25, 2024
5:30 p.m.

Members Present

Wayne Bennett, Chair
Sara Hale
James Allen
Dale Bly

Others Present

Brad Laverty, CEO
Brian Toy, STC
Hannah Waschezyn, STCRPDB
Robert Romine, ClearPath Energy, LLC
Brenda West
Steve Rossettie
Patty Ozer

Chair Wayne Bennett made a motion to open the meeting at 5:31 p.m. Motion was made by Dale Bly and seconded by Sara Hale; motion carried.

Roll Call of Planning Board Members

Jay Harrison was absent.

Minutes

The Board reviewed meeting minutes from April 23, 2024. Wayne Bennett asked for a motion to approve the minutes; motion made by Sara Hake and seconded by Dale Bly. The motion passed.

Subdivision with public hearing and SEQR for 3573 Pine Hill Rd., Corning, NY; tax ID #28.00-02-040.110

Applicant Brenda West was present.

Brian Toy explained details of the subdivision request.

Wayne Bennett asked for a motion to deem the application complete; motion made by Dale Bly and seconded by Sara Hale. Motion passed.

Wayne Bennett asked for a motion for the Planning Board to classify this as an unlisted action and claim lead agency; motion made by Sara Hale and seconded by James Allen. Motion passed.

Wayne Bennett led the Board through the EAF 11 question SEQR Part II Impact Assessment Form. Board members answered all questions with a “no.”

Wayne Bennett asked for a motion for a declaration of negative environmental significance; motion made by Sara Hale and seconded by James Allen. Motion passed.

Wayne Bennett asked for a motion to open the public hearing. The motion was made by Dale Bly and seconded by Sara Hale. Motion passed. Chair Bennett closed the public hearing.

Wayne Bennett asked for a motion to approve the application; motion was made by Dale Bly and seconded by James Allen. The motion passed.

Wayne Bennett asked for a motion to have chair sign plats; motion made by Dale Bly and seconded by Sara Hale. Motion passed. Chair Bennett then signed all plats and advised applicant that she has 62 days to file with the county.

Planning Board advisory opinion on use variance for commercial mini-storage for 4402 College Ave., Corning, NY; Tax ID#265.00-03-021.000

Brad Laverty explained what applicant wants to do with her property regarding setting up mini storage units on her property. After discussion among Board members, Brian Toy and Brad Laverty, it was decided that the applicant did not meet all four criteria for her use variance request and that the Zoning Board of Appeals will need an advisory opinion from the Planning Board regarding the mini storage units.

Wayne Bennet asked for a motion to give an opinion of non-support to the Zoning Board of Appeals as the application doesn't meet any of the use variance criteria. Motion was made by Sara Hale and seconded by Dale Bly. Motion passed.

Edger Enterprises – discussion of response to DEC SEQR coordination notice

DEC is asking to be lead agency for Edger to build a road connecting the Big Flats Mine and Steel Cold Springs Pit, as well as construct a new wash plant. The wash plant is on the part of the mine in the Town of Corning and the road is in the Town of Big Flats in Chemung County. Brian Toy provided paperwork to support the request.

After discussion among Planning Board members and Brian, it was decided that Brian will email a draft letter to the DEC to Planning Board members stating that there is no objection to allowing the DEC to be lead agency. The letter will also include any concerns that need to be brought to the attention of the DEC.

Wayne Bennett asked for a motion to allow the DEC to be lead agency and send information and concerns of the Planning Board to the DEC; motion was made by Dale Bly and seconded by Sara Hale. Motion passed.

Ozer East Solar Project – discussion

Representatives Robert Romine, Patty Ozer and Steve Rossettie were present. Brian Toy submitted documents to the Planning Board members. He went through all the information and explained this to the Planning Board. Brian noted that the application was pretty complete. He noted they don't have an electronically generated rendering of the project, nor a separate landscaping plan.

They are asking for one variance (height of solar panel) and would need to go before the ZBA with that request, and one waiver (dismiss soil sampling requirement). The Planning Board might recommend that an engineer check the soil. If Jody Allen has no objection to waiving the soil sampling requirement, the Planning Board is on board to agree to the waiver.

Brian then went through the timeline of events. He also listed all the requirements the Planning Board would need to complete at its July meeting meeting for the environmental review and 239-m review. If there are no issues, then we could hold a public hearing and preliminary vote on site plan approval at the August meeting. If there continues to be no issues nor items to be addressed, then September could be the vote on final approval.

Wayne Bennett asked for a motion to give an opinion of support to the Zoning Board of Appeals for approval of the variance. Motion made by Sara Hale and seconded by James Allen; motion was approved.

Robert Romine indicated that they would be able to do a presentation on July 23 at the next Planning Board meeting. Planning Board members agreed that this was a good idea and would perhaps invite Jody Allen to the presentation.

Discuss potential zoning changes related to accessory structures

Brian Toy went through the 1-page handout regrading zoning changes related to accessory structures. He will update the changes based on today's discussion and present the final changes at next month's meeting.

Adjournment

Wayne Bennett asked for motion to adjourn the meeting; motion made by Dale Bly and seconded by Sara Hale. Motion passed and the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Barbara Sammis
Secretary PBZBA