

Town of Corning – 25 South Elm Street
Planning Board Meeting and Public Hearing Minutes

August 26, 2025

5:30 p.m.

Members Present:

Jay Harrison, Acting Chair
Dale Bly
Sara Hale
James Allen

Others Present:

Robert Romine, ClearPath Energy LLC
Mollie Messenger, Delaware Solar
Chelsea Robertson, STCRP&DB
Steve Rossettie, RRM
Jody Allen, LaBella
Russell and Patricia Ozer
Matt Liponis, Hodgson Russ
Jamie Gensel, Fagan Engineering
Michael Scanlon, P.W. Grosser Consulting

Absent:

Wayne Bennett

Open Meeting

Jay Harrison asked for a motion to open the meeting at 5:33 PM; motion was made by Dale Bly and seconded by Sara Hale. All said yes and the motion carried.

Roll Call:

All members were present except Chair Wayne Bennett.

Minutes

The Board reviewed meeting minutes from July 22, 2025, and July 23, 2025. Sara Hale noted on July 23rd minutes that the last name of Steve and Vicki Russell needed to be changed to Rossettie. Jay Harrison asked for a motion to approve minutes pending the noted change; motion made by Sara Hale and seconded by James Allen; the motion passed.

Higman Hill Application - Update and Review for completeness

Applicant was present.

Chelsea Roberson gave a brief explanation of a few events and explained some issues that need to be addressed. It was noted that the DEC has not yet responded with comments, stating that they were overwhelmed at this time and would respond when they were able. Chelsea then turned to Jamie Gensel for further explanation. He also noted that there were several items that needed more clarification from the applicant. This project is a little different because it spans two municipalities – the Town of Erwin and the Town of Corning. Representatives from the Town of Erwin also noted that they have no desire to claim lead agency on this matter.

There is also a public road that will become a private road, and the applicant is proposing to make improvements to the road. Drainage issues and turnaround space have been addressed.

Jody Allen had questions about the decommissioning plan. She noted that a significant amount of trees will be cleared. Mollie Messenger explained that a cost analysis was done to determine the worth of the trees so that the property can be properly replanted in 30 years. Robert Romine also added to the discussion about reclaiming the land after decommissioning. Matt Liponis, attorney for the applicant, added that if there is a precedent for putting back trees for one applicant, it should be consistent and required of all applicants. Also, soil testing will be done every five years.

Jamie Gensel presented some maps to show the turnaround for construction equipment, trucks and the fire department. The applicant will be responsible for road maintenance past the last residence on that road. There was extensive discussion about water flow, drainage and flow diffusers.

Since there are still details to be ironed out, the Board members deemed the application to be incomplete. Jay Harrison asked for a motion to deem the application incomplete. Motion was made by Dale Bly and seconded by Sara Hale. Motion passed.

Chelsea came up with a final list of what needs to be met to complete the application.

This list includes:

- JD letter that covers both Town of Corning and Erwin (Mollie stated that she believes this has been shared and includes Town of Corning already, but she will resend).
- Double check fire code turn around is met. Show the dimensions of the biggest truck that will be turning around on the drive.
- Combined SWPPP for both Town of Corning and Town of Erwin projects.
- Visual Assessments provided to Town of Erwin.
- Flow definition and grade and dimension of panels.

Ozer Solar Application - Update and Review for completeness

Chelsea brought up some issues that she was unclear about, including the 239M review. The County only has 30 days to respond but has not yet done so. She also asked about visual impact assessments, tree survey and timber harvesting, subdivision and combined SEQR that looks at the total environmental impact of the project.

Jody then discussed her thoughts regarding DEC review. A completed SWPPP is needed before they can proceed to the next step of the application project.

There was a discussion about the SWPPP. It was noted that LaBella did not agree with the applicant's current SWPPP plan. It could be sent to the DEC, but the DEC will not do a detailed review. A completed SWPPP is required in order to move to the next stage. Applicant also indicated that they are using stone diffusers for water runoff, which is still awaiting DEC approval.

Questions arose concerning soil sampling questions, and as the previous applicant will be doing soil sampling every 5 years and sampling after decommissioning, it was deemed that this project would do the same.

The Board members had questions regarding specs for solar panels: what is the manufacturing process; what are the materials used in the manufacturing process; what is listed on the MSDS sheet.

Chelsea said they need a direct response to the letter generated by Jody from LaBella as there appear to be items that were missing.

A discussion was held on whether escrow had been paid. The applicant indicated that he thought everything was paid. Some checks that were issued were held too long and had to be reissued.

Again, as there were details that needed to be ironed out, Jay Harrison asked for a motion to declare the application incomplete. Motion was made by Sara Hale and seconded by Dale Bly; motion passed.

Chelsea then let the Board members know what her list of requirements were that need to be completed:

- A coordinated SEQR
- Comments from the County on the 239 review
- Visual assessments for the DEC
- Combined EAF that includes the subdivision
- Plats that show better-defined lines and dimensions
- Tree survey
- Plans for soil testing as a part of decommissioning
- MSDS and MSDL data sheets
- Response to August 20th letter from LaBella

Adjournment

Jay Harrison asked for a motion to adjourn the meeting at 7:36 p.m.; motion by Sara Hale and seconded by Dale Bly. All were in favor and the motion passed.

Respectfully submitted,

Barbara Sammis
Secretary PBZBA