Chemung County Planning Board – Municipal Referral Form
(Please complete all information on both pages)

Referring Municipality: □ City  ❑ Town  □ Village of Horseheads

Referring Official: Tina McGrane  Title: Deputy Town Clerk

Address: 150 Wysant Road, Horseheads, NY 14845

Phone Number: 607-739-8783  E-mail: tm McGrane@townofhorseheads.org

Referring Board (check appropriate box): □ Legislative Board  □ ZBA  ❑ Planning Board

Petitioner(s): Elmira Structures, Inc.  Phone: 607-739-8800

Petitioner’s Mailing Address: 66 Philo Rd. West, Elmira, NY  E-mail: jared@elmirastructures.com

Location of Property: 98 Philo Road West, Elmira, NY 14903

Tax Map Parcel Number(s): 58-20-2-3-8

Current Zoning District: Planned Unit Development

Proposed Action: (check all that apply)
❑ Area Variance  □ Use Variance  □ Subdivision Review
❑ Site Plan Review  □ Special/Conditional Use Permit  □ Rezoning
❑ Comprehensive Plan Adoption / Amendment  □ Zoning Text Amendment
❑ Other (please specify): □ Zoning Map Amendment
❑ Moratorium

Description of the proposed action (attach detailed narrative if available):

Applicant would like to construct a 8,500 S.F. Metal Building on a vacant lot.
The proposed action applies to real property within five hundred feet (500') of the following:

(a) Boundary of the (City), (Village) or (Town) of: Horseheads

(b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): C.R. 70

(c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road):

(d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines:

(e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated:

(f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances:

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### Hearings/Meetings Schedule

<table>
<thead>
<tr>
<th>Board</th>
<th>Public Hearing Date</th>
<th>Meeting Dates (prior and future)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Board/Village Board of Trustees</td>
<td>6-8-22 (est.)</td>
<td>4-13-2022</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td></td>
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</tr>
<tr>
<td>Planning Board/Planning Commission</td>
<td></td>
<td>5-4-2022</td>
</tr>
<tr>
<td>City Council</td>
<td></td>
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</tr>
</tbody>
</table>

Action taken on this application (reviewed, approved, discussed, etc.)

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### “Full Statement” Checklist

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

For All Actions:

- Chemung County Planning Board – Municipal Referral Form
- All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).
- Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- Municipal board meeting minutes on the proposed action (PDF preferred).

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

- Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- Zoning Map
- Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.
Town of Horseheads Application for Planning Board Review

Project location: 61 PHILO ROAD WEST, ELMIRA, NY 14903

Tax Map ID#: PARCEL 073489  58.20-2-3.8

Application for: ☑ Site Plan Review  ☐ Subdivision  ☐ Special Permit  ☐ Other

Applicant: ELMIRA STRUCTURES, INC.

Address: 66 PHILO ROAD WEST

ELMIRA  NY  14903

Phone: 607-739-8800  Fax: 607-796-0374  Cell: 607-742-3974

Email Address: JARED@ELMIRASTRUCTURES.COM  Send Agenda by Email: ☑ Yes

Owner: (if different) 607 PRO SPORTS COMPLEX, LLC

Address: 98 PHILO ROAD WEST

ELMIRA  NY  14903

Phone: 607-739-8800  Fax: 607-796-0374  Cell: 607-857-3176

Email Address: mstemerman@chemungsupply.com  Send Agenda by Email: ☑ Yes

Plans Prepared by: FAGAN ENGINEERS & LAND SURVEYORS, PC

Address: 113 E CHEMUNG PLACE

ELMIRA  NY  14904

Phone: 607-734-2165  Fax: 607-734-2169  Cell: 607-857-5344

Email Address: Brian.Grose@FaganEngineers.com  Send Agenda by Email: ☑ Yes

Project Description: NEW CONSTRUCTION OF 15,800 SF METAL BUILDING

General Location: 61 PHILO ROAD WEST (TOWN OF HORSEHEADS)

Current Zoning: PLANNED UNIT DEVELOPMENT
Present Use of Property: VACANT LOT

Will Property disturb one acre or more? □ Yes □ No If so, How Much? 1.7 ACRES

Description of Stormwater Management: CATCH BASINS ROUTED TO INFILTRATION BASIN

Water: □ Public □ Private Sewage: □ Public □ Private

Total site area: 4.49 ACRES

Anticipated construction time: SUMMER 2022 □ Staged: □ Yes □ No

Estimated Cost of Project: TBD

The information provided is true and correct to the best of my knowledge. I understand that the completion of this application neither implies nor guarantees approval of this project.

Applicant Signature: [Signature] Date: 3-22-2022

Owner Signature: [Signature] Date: 3/22/2022

All Applications for Planning Board must be received 10 days before scheduled meeting.

Address: 150 Wygant Rd. Horseheads, NY 14845 Phone: 607-739-7605 Fax: 607-739-0469

Office Use:

Date received: ____________________________ By: ____________________________

Plan File #: ____________________________ □ Assign plan file #

Referrals to: □ Chemung County

□ Village of ____________________________

□ Town of ____________________________

□ Other ____________________________

Fee: ____________________________ Paid: □ Yes
Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Action or Project:</td>
</tr>
<tr>
<td>607 Pro Sports Complex</td>
</tr>
<tr>
<td>Project Location (describe, and attach a location map):</td>
</tr>
<tr>
<td>61 Philo Road West, Elmira, NY 14903</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
</tr>
<tr>
<td>The Applicant is looking to construct a 15,200 SF building with 76 parking stalls, typical utilities, dumpster enclosure, grading, and stormwater mitigation.</td>
</tr>
</tbody>
</table>

Name of Applicant or Sponsor: 607 Pro Sports Complex, LLC

Telephone: 607-857-3176
E-Mail: mstamerman@chemungsupply.com

Address:
61 Philo Rd West

City/PO: Elmira
State: NY
Zip Code: 14903

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

   ☑ NO ☐ YES

2. Does the proposed action require a permit, approval or funding from any other government agency?
   If Yes, list agency(s) name and permit or approval: Town of Horseheads - Site Plan, NYSDEC - Stormwater

   ☑ NO ☐ YES

3. a. Total acreage of the site of the proposed action? 4.49 acres
   b. Total acreage to be physically disturbed? 1.70 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.49 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   - ☑ Urban
   - ✗ Rural (non-agriculture)
   - ☑ Industrial
   - ✗ Commercial
   - ☑ Residential (suburban)
   - ☑ Forest
   - ☐ Agriculture
   - ☐ Aquatic
   - ☐ Other(Specify):
   - ☐ Parkland

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
   b. Consistent with the adopted comprehensive plan?  

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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<td></td>
<td>✓</td>
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</table>

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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</table>

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: ___________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>✓</td>
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</table>

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation services available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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<td></td>
<td>✓</td>
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<tr>
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9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies: ___________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tr>
<td>✓</td>
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</table>

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water: ___________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>✓</td>
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</table>

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment: ___________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>✓</td>
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</table>

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>✓</td>
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</table>

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
   If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ___________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
<td>✓</td>
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<tr>
<td>✓</td>
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</table>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline
- [x] Forest
- [ ] Agricultural/grasslands
- [ ] Early mid-successional
- [ ] Wetland
- [ ] Urban
- [ ] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- [x] Yes
- [ ] No

16. Is the project site located in the 100-year flood plan?

- [x] Yes
- [ ] No

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   If Yes,
   
   a. Will storm water discharges flow to adjacent properties?
   
   - [x] Yes
   - [ ] No

   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   
   - [ ] Yes
   - [x] No
   
   If Yes, briefly describe:

   All proposed stormwater will be collected by a series of catchbasins, which will transfer the runoff to an infiltration basin.

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
   If Yes, explain the purpose and size of the impoundment:

   - [x] Yes
   - [ ] No

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:

   - [x] Yes
   - [ ] No

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:

   - [ ] Yes
   - [x] No

Following remediations are within the project area: 808007, 808012, and 808028. None of the remediations listed are the actual project site, but fall within the 2,000' search radius.

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant/sponsor/name: Marc Steinerman
Date: 3/22/2022

Signature: [Signature] Title: Owner
<table>
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<tr>
<th>Part 1 / Question</th>
<th>Details</th>
</tr>
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<tbody>
<tr>
<td>7 [Critical Environmental Area]</td>
<td>No</td>
</tr>
<tr>
<td>12a [National or State Register of Historic Places or State Eligible Sites]</td>
<td>No</td>
</tr>
<tr>
<td>12b [Archeological Sites]</td>
<td>Yes</td>
</tr>
<tr>
<td>13a [Wetlands or Other Regulated Waterbodies]</td>
<td>No</td>
</tr>
<tr>
<td>15 [Threatened or Endangered Animal]</td>
<td>No</td>
</tr>
<tr>
<td>16 [100 Year Flood Plain]</td>
<td>Digital mapping data are not available or are incomplete. Refer to EAF Workbook.</td>
</tr>
<tr>
<td>20 [Remediation Site]</td>
<td>Yes</td>
</tr>
</tbody>
</table>
MINUTES
TOWN OF HORSEHEADS
PLANNING BOARD MEETING
May 4th, 2022

A regular meeting of the Planning Board of the Town of Horseheads, County of Chemung, and the State of New York was held on the 4th day of May, 2022 @ 7:00PM.

MEMBERS PRESENT: Tom Skebey, Joe Atkinson, Roxanne Mark, Allan Curren (via Zoom), Angela Hawken

MEMBERS ABSENT: Amy Crandall

OTHERS PRESENT: Tina McGrane, Secretary, Brian Grose (Elmira Structures), Robert Romine (Parker Solar Project), Eric Redding & Cris Pasco (Bergman Associates-Breesport Solar Project), James Buckley, Dale & Carol Smith, Arnie Brown, Via Zoom the following: Jared Hines, Matt Effer, Matthew McGowan, Samantha Sargent

CALL TO ORDER: Chairman Tom Skebey called the meeting to order at 7:02pm.

MINUTES: A motion to accept the minutes from March & April 2022 was made by Board Member Roxanne Mark and seconded by Board Member Joe Atkinson. All were in favor.

Chairman Tom Skebey welcomed new Planning Board Member, Angela Hawken

CORRESPONDENCE: Chairman Tom Skebey passed out information from ‘Chapter 16 Solar Energy Systems & Equipment’.

NEW BUSINESS:

A. #897B – Buckley Holding, 2058 Grand Central Avenue, Horseheads, NY – Special Use Permit

Mr. Buckley appeared before the Planning Board to discuss his plans for the property at 2058 Grand Central Avenue. Due to the extended use of the property, this is referred to the Horseheads ZBA. This request was also referred to the Chemung County Planning Board and the Village of Horseheads.

RESOLUTION #7 OF 2022

RESOLUTION MAKING A POSITIVE RECOMMENDATION TO THE ZONING BOARD OF APPEALS, TO APPROVE THE SPECIAL USE PERMIT, FOR PROJECT #897B –BUCKLEY HOLDINGS, 2048 GRAND CENTRAL AVENUE, FOR THE PROPERTY LOCATED AT 2058 GRAND CENTRAL AVENUE, HORSEHEADS, NY – TAX MAP #69.06-3-41

Motion by: Board Member Joe Atkinson    Seconded by: Board Member Angela Hawken
WHEREAS, by way of Special Permit Application, dated April 12th, 2022, and

WHEREAS, current zoning is Business, and

WHEREAS, the applicant would like the vacant land to be used for overflow parking and a repair shop, and

WHEREAS, the Chemung County Planning Board recommended local determination of the proposed special use permit, stating no countywide or inter-community impact, and

WHEREAS, the Town Planning Board, having duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board of the Town of Horseheads, makes a positive recommendation to the Zoning Board of Appeals, for Project #897B, Buckley Holdings, 2048 Grand Central Avenue, Horseheads, for the property located at 2058 Grand Central Avenue, Horseheads, NY, Tax Map #69.06-3-41.

AYES: (5) Skebey, Atkinson, Curren, Mark & Hawken
NAYES: (0)

B. #898 - Elmira Structures, 607 Pro Sports Complex, LLC, 61 Philo Road, Elmira, NY – Site Plan Review - Referred from Horseheads Town Board

Mr. Brian Grose, from Fagan Engineers, appeared before the Board to discuss the project. The applicant plans new construction of a 15,800 square foot metal building. This project was referred back to the Horseheads Planning Board, from the Horseheads Town Board, by way of Horseheads Town Board Resolution #77 of 2022.

This project will be referred to the Chemung County Planning Board and Village of Horseheads. The project will come back to the Planning Board, for a site plan review, after receiving additional information from the applicant.

**RESOLUTION #8 OF 2022**

RESOLUTION TO MAKE A POSITIVE RECOMMENDATION TO THE HORSEHEADS TOWN BOARD, FOR PROJECT #898, ELMIRA STRUCTURES, 607 PRO SPORTS COMPLEX, LLC, 98 PHILO ROAD WEST, ELMIRA, NY, FOR A PLANNED UNIT DEVELOPMENT AMENDMENT

Motion by: Board Member Roxanne Mark  Seconded by: Board Member Joe Atkinson

WHEREAS, Elmira Structures, made application for a Site Plan Review, for 607 Pro Sports Complex, LLC, located at 98 Philo Road, Elmira, NY (Tax Map #58.20-2-3.8), by way of application and SEQR, dated March 23rd, 2022 and (9) nine maps, marked received as ‘A’, and

WHEREAS, the Horseheads Planning Board referred this back to the Horseheads Town Board for their recommendation on conceptual use of the property, and

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WHEREAS, the Town Planning Board, having duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board of the Town of Horseheads, hereby refers the Planned Unit Development Amendment request for Elmira Structures, Inc., to the Horseheads Town Board, for their recommendation.

AYES: (5) Atkinson, Curren, Mark, Skebey, Hawken
NAYES (0)

C. #871A – Catalyze (and its affiliate Breesport Community Solar, LLC), 625 Breesport Road, Breesport, NY – Community Solar Farm – Site Plan Review

Mr. Eric Redding, from Bergmann Associates, attended the meeting and discussed the project. The site for this solar farm is in an existing gravel mine and is not visible to the public. Mr. Redding will contact the various agencies (NYSEG, D.O.T. & NYDEC) that will be involved with the project. The applicant then has 30 days to come back to the Planning Board. This project will be referred to the Chemung County Planning Board. This project will carry to the June Meeting.

D. #742A – Randy Parker, Parker Solar Project, 251 Breesport Road, Breesport, NY, Pre-Application Conference

Mr. Robert Romine, the Project Developer, from ClearPath Energy, represented Randy Parker, who could not attend tonight’s meeting. Mr. Romine discussed the proposed project.

Chairman Tom Skebey requested a preliminary or final site plan review, along with a SEQR, to be reviewed at the next meeting. He also requested a letter from the owner of the property, stating that Mr. Romine is his representative for this project. This project will carry to the June Meeting.

OLD BUSINESS:

A. #54C – Matthew Cox, Valley Lane, Valley Acres Subdivision, Horseheads, NY – Final Plat Amendment – Public Hearing

Mr. Cox called to say he could not attend tonight’s meeting, therefore, no action was taken. A motion was made to adjourn this until the June meeting.

B. #897A – Buckley Holding, 2058 Grand Central Avenue, Horseheads, NY – Site Plan Review

Mr. Buckley attended the meeting. Chairman Tom Skebey said due to the regulations, this project needs to be referred to the ZBA.
C. #899 – Proposed Zoning Changes Regarding Sale of Cannabis in Business Zones and Amending the Special Permits Section of the Ordinance

There was no action taken on this item. This will carry to the June meeting.

OTHER BUSINESS:

A. Overlay Zones for Lake Rd. & Grand Central Avenue
   This item will carry to the June meeting.

B. Special Use Permits
   This item will carry to the June meeting.

As there was no further business to come before the Board, motion to adjourn was made by Joe Atkinson at 8:15pm and Seconded by Roxanne Mark. All were in favor.

Respectfully submitted,

Tina McGrane, Secretary
Town of Horseheads Planning Board
Chemung County Planning Board – Municipal Referral Form
(Please complete all information on both pages)

Referring Municipality:  □ City  □ Town  □ Village of  Horseheads

Referring Official:  Tina McGrane  Title:  Deputy Town Clerk

Address:  150 Wygant Road, Horseheads, NY 14845

Phone Number:  607-739-8783  E-mail:  tmgrane@townofhorseheads.org

Referring Board (check appropriate box):  □ Legislative Board  □ ZBA  □ Planning Board

Petitioner(s):  CATALYSE (affiliated Breesport Community  Solar)  Phone:  888-918-0771

Petitioner's Mailing Address:  6315 Guinep Dr, Suite C  Boulder CO  80301  E-mail:  matt.effler@ catalyse.net

Location of Property:  635 Breesport Road, Breesport, NY 14816

Tax Map Parcel Number(s):  # 51.00-2-4.3 and # 51.03-1-12

Current Zoning District:  Residential A & Agricultural and H11

Proposed Action: (check all that apply)
□ Area Variance  □ Subdivision Review
□ Use Variance  □ Rezoning
□ Site Plan Review  □ Zoning Text Amendment
□ Special/Conditional Use Permit  □ Zoning Map Amendment
□ Comprehensive Plan Adoption / Amendment  □ Moratorium
□ Other (please specify):  

Description of the proposed action (attach detailed narrative if available):

Construct a Community Solar Farm on vacant land
The proposed action applies to real property within five hundred feet (500') of the following
(Please identify each item by filling in the appropriate blank after each Item)

☑️ (a) Boundary of the (City), (Village) or (Town) of: Horseheads

☐ (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): C.R. #1

☐ (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway);
(Include (County) or (State Route) # and name of (Road):

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☐ (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture
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Action taken on this application (reviewed, approved, discussed, etc.) Discussed, Reviewed

"Full Statement" Checklist
As defined in NYS General Municipal Law §239-m (1)(c)
Please make sure you have enclosed the following required information with your referral, as appropriate.

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☐ Zoning Map
☐ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County
Planning Board meeting.
**Project location:** 625 Breesport Road, Breesport, NY 14816

Tax Map ID#: 51.00-2-4.3 & 51.03-1-1.2

Application for: [ ] Site Plan Review  [ ] Subdivision  [ ] Special Permit  [ ] Other

**Applicant:** Catalyze (and its affiliate Breesport Community Solar, LLC)

Address: 6325 Gunpark Drive, Suite C

Boulder  State: Colorado  Zip: 80301

Phone: 888-918-0771  Fax:  Cell:

Email Address: matt.effler@catalyze.net  Send Agenda by Email: [X] Yes

**Owner: (if different)** Cris Pasto, Christian Pasto, & Christopher King

Address: P.O. Box 685

Spencer  State: New York  Zip: 14883

Phone:  Fax:  Cell:

Email Address:  Send Agenda by Email: [ ] Yes

**Plans Prepared by:** Bergmann

Address: 280 East Broad Street, Suite 200

Rochester  State: New York  Zip: 14604

Phone: 518-556-3631  Fax:  Cell:

Email Address: eradding@bergmannpc.com  Send Agenda by Email: [X] Yes

**Project Description:** Community Solar Farm

**General Location:** 625 Breesport Road, Breesport, NY 14816

**Current Zoning:** Residential A (RES-A) & Agricultural and Hill (AG)
Present Use of Property: The land is currently vacant and idle. There are no occupants or on-going operations on site.

Will Property disturb one acre or more? ☒ Yes If so, How Much? 37 Acres

Description of Stormwater Management: Grass filter strip with level spreader

Water: ☐ Public ☐ Private Sewage: ☐ Public ☐ Private

N/A N/A

Total site area: 33 Acres

Anticipated construction time: TBD Staged: ☐ Yes ☒ No

Estimated Cost of Project: TBD

The information provided is true and correct to the best of my knowledge. I understand that the completion of this application neither implies nor guarantees approval of this project.

Applicant Signature:  

Date: Apr 11, 2022

Owner Signature:  

Date: 4-11-22

All Applications for Planning Board must be received 10 days before scheduled meeting.

Address: 150 Wygant Rd. Horseheads, NY 14845 Phone: 607-739-7605 Fax: 607-739-0469

Office Use:

Date received: ____________________ By: ____________________

Plan File #: ____________________ ☐ Assign plan file #

Referrals to: ☐ Chemung County

☐ Village of ____________________

☐ Town of ____________________

☐ Other ____________________

Fee: ____________________ Paid: ☐ Yes
Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Breesport Solar Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a general location map):</td>
<td>625 Breesport Road, Town of Horseheads NY (42.176192, -76.736932)</td>
</tr>
<tr>
<td>Brief Description of Proposed Action (include purpose or need):</td>
<td>The proposed Project involves the development of a 5.0 MW AC community solar farm located on approximately ±33-acre portion of a 48.6-acre parcel (51.00-2-4.3 &amp; 51.03-1-1.2) in the Town of Horseheads, Chemung County, New York. The Project will involve the installation of ground mounted single axis tracker photovoltaic panels as well as associated access road, electric utility upgrades, power inverters and perimeter fencing for the solar energy system.</td>
</tr>
<tr>
<td>Name of Applicant/Sponsor:</td>
<td>Breesport Community Solar, LLC</td>
</tr>
<tr>
<td>Telephone:</td>
<td>866-918-0771</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="http://www.catalyze.com">www.catalyze.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>6325 Gunpark Drive, Suite C</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Boulder</td>
</tr>
<tr>
<td>State:</td>
<td>Colorado</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>60301</td>
</tr>
<tr>
<td>Project Contact (if not same as sponsor; give name and title/role):</td>
<td>Bergmann, c/o Eric Redding, PE</td>
</tr>
<tr>
<td>Telephone:</td>
<td>518-556-3631</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="mailto:eredding@bergmannpc.com">eredding@bergmannpc.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>280 East Broad Street, Suite 200</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Rochester</td>
</tr>
<tr>
<td>State:</td>
<td>New York</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>14604</td>
</tr>
<tr>
<td>Property Owner (if not same as sponsor):</td>
<td>Cris Pasto, Christian Pasto, &amp; Christopher King</td>
</tr>
<tr>
<td>Telephone:</td>
<td></td>
</tr>
<tr>
<td>E-Mail:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td>P.O. Box 685</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Spencer</td>
</tr>
<tr>
<td>State:</td>
<td>New York</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>14883</td>
</tr>
</tbody>
</table>
### B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

<table>
<thead>
<tr>
<th>Government Entity</th>
<th>If Yes: Identify Agency and Approval(s) Required</th>
<th>Application Date (Actual or projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. City Counsel, Town Board, or Village Board of Trustees</td>
<td>☑Yes ☐No Site Plan Approval</td>
<td></td>
</tr>
<tr>
<td>b. City, Town or Village Planning Board or Commission</td>
<td>☑Yes ☐No Town of Horseheads Planning Board</td>
<td></td>
</tr>
<tr>
<td>c. City, Town or Village Zoning Board of Appeals</td>
<td>☐Yes ☑No</td>
<td></td>
</tr>
<tr>
<td>d. Other local agencies</td>
<td>☐Yes ☑No</td>
<td></td>
</tr>
<tr>
<td>e. County agencies</td>
<td>☑Yes ☐No Chemung County Planning Board &amp; Stormwater Coalition</td>
<td></td>
</tr>
<tr>
<td>f. Regional agencies</td>
<td>☐Yes ☑No</td>
<td></td>
</tr>
<tr>
<td>g. State agencies</td>
<td>☑Yes ☐No SHPO; NYSDEC SPDES GP-0-20-0001; NYS DOT</td>
<td></td>
</tr>
<tr>
<td>h. Federal agencies</td>
<td>☐Yes ☑No</td>
<td></td>
</tr>
</tbody>
</table>

i. Coastal Resources.
   - Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No
   - Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No
   - Is the project site within a Coastal Erosion Hazard Area? ☑Yes ☐No

### C. Planning and Zoning

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  
☐Yes ☑No  
- If Yes, complete sections C. F and G.  
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No
   
   If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No
   
   If Yes, identify the plan(s):
   NYS Major Basins/Upper Susquehanna
   
   b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No
   
   If Yes, identify the plan(s):

   c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, ☑Yes ☐No
   or an adopted municipal farmland protection plan?  
   If Yes, identify the plan(s):  

---

Page 2 of 13
C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?  
   Residential A (RES A) & Agricultural and Hill (AG) Zoning Districts
   Yes ☑ No ☐

b. Is the use permitted or allowed by a special or conditional use permit?  
   Yes ☑ No ☐

c. Is a zoning change requested as part of the proposed action?  
   Yes ☑ No ☐
   i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located?  
   Horseheads School District

b. What police or other public protection forces serve the project site?  
   Chemung County Sheriffs Department

c. Which fire protection and emergency medical services serve the project site?  
   Breesport Fire Station

d. What parks serve the project site?  
   N/A

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
   Community Solar Farm

b. a. Total acreage of the site of the proposed action?  
   b. Total acreage to be physically disturbed?  
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   43.2 acres  
   42.0 acres  
   48.6 acres

c. Is the proposed action an expansion of an existing project or use?  
   Yes ☑ No ☐
   i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?  
   % Units:

   d. Is the proposed action a subdivision, or does it include a subdivision?  
   Yes ☑ No ☐
   i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

   ii. Is a cluster/conservation layout proposed?  
   Yes ☑ No ☐
   iii. Number of lots proposed?
   iv. Minimum and maximum proposed lot sizes?  
   Minimum ___________  
   Maximum ___________

c. Will the proposed action be constructed in multiple phases?  
   Yes ☑ No ☐
   i. If No, anticipated period of construction:  
   _______ months
   ii. If Yes:
   • Total number of phases anticipated  
   • Anticipated commencement date of phase 1 (including demolition)  
   _______ month _______ year
   • Anticipated completion date of final phase  
   _______ month _______ year
   • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:  
   ____________________________  

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<table>
<thead>
<tr>
<th>f. Does the project include new residential uses?</th>
<th>□ Yes □ No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Yes, show numbers of units proposed.</td>
<td></td>
</tr>
<tr>
<td>Initial Phase</td>
<td>One Family</td>
</tr>
<tr>
<td>At completion of all phases</td>
<td></td>
</tr>
</tbody>
</table>

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<tr>
<th>g. Does the proposed action include new non-residential construction (including expansions)?</th>
<th>□ Yes □ No</th>
</tr>
</thead>
</table>

  i. Total number of structures N/A

  ii. Dimensions (in feet) of largest proposed structure: N/A height; N/A width; and N/A length

  iii. Approximate extent of building space to be heated or cooled: N/A square feet

<table>
<thead>
<tr>
<th>h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?</th>
<th>□ Yes □ No</th>
</tr>
</thead>
</table>

  i. Purpose of the impoundment:

  ii. If a water impoundment, the principal source of the water: □ Ground water □ Surface water streams □ Other specify:

  iii. If other than water, identify the type of impounded/contained liquids and their source.

  iv. Approximate size of the proposed impoundment. Volume: ________ million gallons; surface area: ________ acres

  v. Dimensions of the proposed dam or impounding structure: ________ height; ________ length

  vi. Construction method/materials for the proposed dam or impounding structure (e.g., earthen fill, rock, wood, concrete):

<table>
<thead>
<tr>
<th>D.2. Project Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? □ Yes □ No</td>
</tr>
</tbody>
</table>

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

  i. What is the purpose of the excavation or dredging?

  ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

    • Volume (specify tons or cubic yards):

    • Over what duration of time?

  iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

  iv. Will there be on-site dewatering or processing of excavated materials? □ Yes □ No

    If yes, describe:

  v. What is the total area to be dredged or excavated? ________ acres

  vi. What is the maximum area to be worked at any one time? ________ acres

  vii. What would be the maximum depth of excavation or dredging? ________ feet

  viii. Will the excavation require blasting? □ Yes □ No

  ix. Summarize site reclamation goals and plan:

<table>
<thead>
<tr>
<th>b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?</th>
<th>□ Yes □ No</th>
</tr>
</thead>
</table>

  i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

Page 4 of 13
<table>
<thead>
<tr>
<th>ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:</th>
</tr>
</thead>
<tbody>
<tr>
<td>--------------------------------------------------</td>
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<tr>
<td>iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes No</td>
</tr>
<tr>
<td>If Yes, describe:</td>
</tr>
<tr>
<td>iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>- acres of aquatic vegetation proposed to be removed:</td>
</tr>
<tr>
<td>- expected acreage of aquatic vegetation remaining after project completion:</td>
</tr>
<tr>
<td>- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):</td>
</tr>
<tr>
<td>- proposed method of plant removal:</td>
</tr>
<tr>
<td>- If chemical/herbicide treatment will be used, specify product(s):</td>
</tr>
<tr>
<td>v. Describe any proposed reclamation/mitigation following disturbance:</td>
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<tr>
<td>c. Will the proposed action use, or create a new demand for water?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>i. Total anticipated water usage/demand per day: ___________ gallons/day</td>
</tr>
<tr>
<td>ii. Will the proposed action obtain water from an existing public water supply?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>- Name of district or service area:</td>
</tr>
<tr>
<td>- Does the existing public water supply have capacity to serve the proposal?  Yes No</td>
</tr>
<tr>
<td>- Is the project site in the existing district?  Yes No</td>
</tr>
<tr>
<td>- Is expansion of the district needed?  Yes No</td>
</tr>
<tr>
<td>- Do existing lines serve the project site?  Yes No</td>
</tr>
<tr>
<td>iii. Will line extension within an existing district be necessary to supply the project?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>- Describe extensions or capacity expansions proposed to serve this project:</td>
</tr>
<tr>
<td>- Source(s) of supply for the district:</td>
</tr>
<tr>
<td>iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes No</td>
</tr>
<tr>
<td>If, Yes:</td>
</tr>
<tr>
<td>- Applicant/sponsor for new district:</td>
</tr>
<tr>
<td>- Date application submitted or anticipated:</td>
</tr>
<tr>
<td>- Proposed source(s) of supply for new district:</td>
</tr>
<tr>
<td>v. If a public water supply will not be used, describe plans to provide water supply for the project:</td>
</tr>
<tr>
<td>vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: ________ gallons/minute.</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
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<td>--------------------------------------------------</td>
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<td>--------------------------------------------------</td>
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<td>--------------------------------------------------</td>
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<tr>
<td>d. Will the proposed action generate liquid wastes?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>i. Total anticipated liquid waste generation per day: ___________ gallons/day</td>
</tr>
<tr>
<td>ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):</td>
</tr>
<tr>
<td>iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes No</td>
</tr>
<tr>
<td>If Yes:</td>
</tr>
<tr>
<td>- Name of wastewater treatment plant to be used:</td>
</tr>
<tr>
<td>- Name of district:</td>
</tr>
<tr>
<td>- Does the existing wastewater treatment plant have capacity to serve the project?  Yes No</td>
</tr>
<tr>
<td>- Is the project site in the existing district?  Yes No</td>
</tr>
<tr>
<td>- Is expansion of the district needed?  Yes No</td>
</tr>
</tbody>
</table>
• Do existing sewer lines serve the project site? □Yes □No
• Will a line extension within an existing district be necessary to serve the project? □Yes □No
  If Yes:
  • Describe extensions or capacity expansions proposed to serve this project:

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? □Yes □No
  If Yes:
  • Applicant/sponsor for new district:
  • Date application submitted or anticipated:
  • What is the receiving water for the wastewater discharge?

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:


c. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes □No
  If Yes:
  i. How much impervious surface will the project create in relation to total size of project parcel?
     791 Square feet or 0.01 acres (impervious surface)
     2,117,016 Square feet or 46.6 acres (parcel size)
  ii. Describe types of new point sources. Limited use pervious gravel driveway

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Off-site streams

  • If to surface waters, identify receiving water bodies or wetlands:
    Federal waters

  • Will stormwater runoff flow to adjacent properties? □Yes □No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes □No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? □Yes □No
  If Yes, identify:
  i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

  ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

  iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)


g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? □Yes □No
  If Yes:
  i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) □Yes □No
  
ii. In addition to emissions as calculated in the application, the project will generate:
  • Tons/year (short tons) of Carbon Dioxide (CO₂)
  • Tons/year (short tons) of Nitrous Oxide (N₂O)
  • Tons/year (short tons) of Perfluorocarbons (PFCs)
  • Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
  • Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  • Tons/year (short tons) of Hazardous Air Pollutants (HAPs)
h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? □ Yes □ No
   If Yes:
   i. Estimate methane generation in tons/year (metric): ________________________
   ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): ________________________

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? □ Yes □ No
   If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): ________________________

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? □ Yes □ No
   If Yes:
   i. When is the peak traffic expected (Check all that apply): □ Morning □ Evening □ Weekend
      □ Randomly between hours of __________ to __________
   ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): ________________________
   iii. Parking spaces: Existing ________ Proposed ________ Net increase/decrease ________
   iv. Does the proposed action include any shared use parking? □ Yes □ No
   v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? □ Yes □ No
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? □ Yes □ No
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? □ Yes □ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? □ Yes □ No
   If Yes:
   i. Estimate annual electricity demand during operation of the proposed action: ________________________
   ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): ________________________
   iii. Will the proposed action require a new, or an upgrade, to an existing substation? □ Yes □ No

Table:

<table>
<thead>
<tr>
<th>h.</th>
<th>i.</th>
<th>j.</th>
<th>k.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the proposed action generate or emit methane?</td>
<td>Estimate methane generation in tons/year</td>
<td>Will the proposed action result in the release of air pollutants?</td>
<td>Will the proposed action result in a substantial increase in traffic?</td>
</tr>
<tr>
<td>□ Yes □ No</td>
<td>________________________</td>
<td>□ Yes □ No</td>
<td>□ Yes □ No</td>
</tr>
</tbody>
</table>

Table:

<table>
<thead>
<tr>
<th>Hours of Operation: Answer all items which apply.</th>
</tr>
</thead>
<tbody>
<tr>
<td>During Construction:</td>
</tr>
<tr>
<td>• Monday - Friday: 8:00 am - 6:00 pm</td>
</tr>
<tr>
<td>• Saturday: 8:00 am - 6:00 pm</td>
</tr>
<tr>
<td>• Sunday: N/A</td>
</tr>
<tr>
<td>• Holidays: N/A</td>
</tr>
<tr>
<td>ii. During Operations:</td>
</tr>
<tr>
<td>• Monday - Friday: N/A</td>
</tr>
<tr>
<td>• Saturday: N/A</td>
</tr>
<tr>
<td>• Sunday: N/A</td>
</tr>
<tr>
<td>• Holidays: N/A</td>
</tr>
</tbody>
</table>

Page 7 of 13
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? □ Yes □ No

If yes:

i. Provide details including sources, time of day and duration:

Noise levels will increase during construction due to construction equipment during the hours of 8:00 a.m. - 6:00 p.m., Monday through Saturday.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? □ Yes □ No

Describe:

n. Will the proposed action have outdoor lighting? □ Yes □ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? □ Yes □ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? □ Yes □ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? □ Yes □ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) per unit time (e.g., month, year)

Formulas: Provide the storage capacity equation used to justify the need for bulk storage

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? □ Yes □ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? □ Yes □ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? □ Yes □ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>Tons</td>
<td>Unit of time</td>
</tr>
<tr>
<td>Operation</td>
<td>Tons</td>
<td>Unit of time</td>
</tr>
</tbody>
</table>

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
</tr>
<tr>
<td>Operation</td>
</tr>
</tbody>
</table>

iii. Proposed disposal methods/facilities for solid waste generated on-site:

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operation</th>
<th>Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar panels will either be returned to the manufacturer for appropriate disposal or will be transported to a recycling facility, where the glass, metal, and semiconductor materials will be separated and recycled. Electronic equipment will be sent back to the manufacturer, recycled, or safely disposed off-site in accordance with current standards and best practices.</td>
<td></td>
</tr>
</tbody>
</table>
s. Does the proposed action include construction or modification of a solid waste management facility? □ Yes ☑ No
If Yes:
   i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities):
   ii. Anticipated rate of disposal/processing:
      •        Tons/month, if transfer or other non-combustion/thermal treatment, or
      •        Tons/hour, if combustion or thermal treatment
   iii. If landfill, anticipated site life: _______ years

i. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? □ Yes ☑ No
If Yes:
   i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:
   
   ii. Generally describe processes or activities involving hazardous wastes or constituents:

   iii. Specify amount to be handled or generated ______ tons/month
   iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

   v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? □ Yes ☑ No
If Yes: provide name and location of facility:
If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
   i. Check all uses that occur on, adjoining and near the project site.
      □ Urban □ Industrial □ Commercial □ Residential (suburban) □ Rural (non-farm)
      ☑ Forest □ Agriculture □ Aquatic □ Other (specify):
   ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

<table>
<thead>
<tr>
<th>Land use or Covertype</th>
<th>Current Acreage</th>
<th>Acreage After Project Completion</th>
<th>Change (Acres +/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, buildings, and other paved or impervious surfaces</td>
<td>0.16±</td>
<td>0.01±</td>
<td>-0.15</td>
</tr>
<tr>
<td>Forest</td>
<td>28.10±</td>
<td>8.95±</td>
<td>-19.15</td>
</tr>
<tr>
<td>Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td>
<td>20.34±</td>
<td>27.72±</td>
<td>+6.18</td>
</tr>
<tr>
<td>Agricultural (includes active orchards, field, greenhouse etc.)</td>
<td>0±</td>
<td>0±</td>
<td>0±</td>
</tr>
<tr>
<td>Surface water features (lakes, ponds, streams, rivers, etc.)</td>
<td>0±</td>
<td>0±</td>
<td>0±</td>
</tr>
<tr>
<td>Wetlands (freshwater or tidal)</td>
<td>0±</td>
<td>0±</td>
<td>0±</td>
</tr>
<tr>
<td>Non-vegetated (bare rock, earth or fill)</td>
<td>0±</td>
<td>0±</td>
<td>0±</td>
</tr>
<tr>
<td>Other</td>
<td>0±</td>
<td>10.12±</td>
<td>+10.12</td>
</tr>
</tbody>
</table>

Describe: Solar Panels & Pervious Gravel Driveway. Ground under panels will remain grassland.
c. Is the project site presently used by members of the community for public recreation?  
   i. If Yes: explain:  
   □ Yes ☒ No

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  
   If Yes,  
   i. Identify Facilities:  

   □ Yes ☒ No

e. Does the project site contain an existing dam?  
   □ Yes ☒ No
   i. Dimensions of the dam and impoundment:  
      • Dam height:  _________________________ feet  
      • Dam length:  _________________________ feet  
      • Surface area:  _________________________ acres  
      • Volume impounded:  _________________________ gallons OR acre-feet  
   ii. Dam's existing hazard classification:  
   iii. Provide date and summarize results of last inspection:  

   □ Yes ☒ No

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  
   □ Yes ☒ No

   i. Has the facility been formally closed?  
      • If yes, cite sources/documentation:  
         □ Yes ☒ No
   ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  

   □ Yes ☒ No

   iii. Describe any development constraints due to the prior solid waste activities:  

   □ Yes ☒ No

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  
   □ Yes ☒ No

   i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  

   □ Yes ☒ No

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  
   □ Yes ☒ No

   i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  
      □ Yes – Spills Incidents database  
      □ Yes – Environmental Site Remediation database  
      □ Neither database  
      Provide DEC ID number(s):  

   □ Yes ☒ No

   ii. If site has been subject of RCRA corrective activities, describe control measures:  

   □ Yes ☒ No

   iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  
      If yes, provide DEC ID number(s):  
   iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  

   □ Yes ☒ No
E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? ________________ 5.89+ feet

b. Are there bedrock outcroppings on the project site? □ Yes □ No
   If Yes, what proportion of the site is comprised of bedrock outcroppings? ________________%

c. Predominant soil type(s) present on project site:
   - HoA - Altherton mucky silt loam ________________ 42.9%
   - HoE - Howard gravelly silt loam ________________ 36.3%
   - HoB - Howard gravelly silt loam ________________ 9.0%

d. What is the average depth to the water table on the project site? Average: ________________ 4.92+ feet

e. Drainage status of project site soils:
   - □ Well Drained: ________________ 88.3% of site
   - □ Moderately Well Drained: ________________ 0.0% of site
   - □ Poorly Drained: ________________ 11.7% of site

f. Approximate proportion of proposed action site with slopes:
   - □ 0-10%: ________________ 57.7% of site
   - □ 10-15%: ________________ 6.0% of site
   - □ 15% or greater: ________________ 36.3% of site

g. Are there any unique geologic features on the project site? □ Yes □ No
   If Yes, describe:

h. Surface water features.
   - i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? □ Yes □ No
   - ii. Do any wetlands or other waterbodies adjoin the project site? □ Yes □ No
   If Yes to either i or ii, continue. If No, skip to E.2.i.
   - iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? □ Yes □ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
   - Streams: Name ________________ Classification ________________
   - Lakes or Ponds: Name ________________ Classification ________________
   - Wetlands: Name Federal Waters ________________ Approximate Size ________________
   • Wetland No. (if regulated by DEC)

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? □ Yes □ No
   If yes, name of impaired water body/bodies and basis for listing as impaired:

i. Is the project site in a designated Floodway? □ Yes □ No

j. Is the project site in the 100-year Floodplain? □ Yes □ No

k. Is the project site in the 500-year Floodplain? □ Yes □ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? □ Yes □ No
   If Yes:
   - i. Name of aquifer: Principal Aquifer

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m. Identify the predominant wildlife species that occupy or use the project site:

n. Does the project site contain a designated significant natural community?  
   If Yes:
   i. Describe the habitat/community (composition, function, and basis for designation):

   ii. Source(s) of description or evaluation:

   iii. Extent of community/habitat:
   - Currently: ________________ acres
   - Following completion of project as proposed: ________________ acres
   - Gain or loss (indicate + or -): ________________ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  
   If Yes:
   i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  
   If Yes:
   i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  
   If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  
   If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present?
   i. If Yes: acreage(s) on project site?
   ii. Source(s) of soil rating(s):

b. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  
   If Yes:
   i. Nature of the natural landmark: Biological Community Geological Feature
   ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

   d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  
   If Yes:
   i. CEA name:
   ii. Basis for designation:
   iii. Designating agency and date:
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No
   If Yes:
   i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District
   ii. Name:
   iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No
   If Yes:
   i. Describe possible resource(s):
   ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No
   If Yes:
   i. Identify resource:
   ii. Nature of, or basis for, designation (e.g., established highway lookout, state or local park, state historic trail or scenic byway, etc.):
   iii. Distance between project and resource: ______ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No
   If Yes:
   i. Identify the name of the river and its designation:
   ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☑ No

---

F. Additional Information
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

---

G. Verification
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name ________________________________ Date ________________________________

Signature ________________________________ Title ________________________________
B.i.i [Coastal or Waterfront Area] No

B.i.ii [Local Waterfront Revitalization Area] No

C.2.b. [Special Planning District] Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.

C.2.b. [Special Planning District - Name] NYS Major Basins: Upper Susquehanna

E.1.h [DEC Spills or Remediation Site - Potential Contamination History] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.1.h.i [DEC Spills or Remediation Site - Listed] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.1.h.iii [Within 2,000' of DEC Remediation Site] No

E.2.g [Unique Geologic Features] No

E.2.h.i [Surface Water Features] Yes

E.2.h.ii [Surface Water Features] Yes

E.2.h.iii [Surface Water Features] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

E.2.h.iv [Surface Water Features - Wetlands Name] Federal Waters

E.2.h.v [Impaired Water Bodies] No

E.2.i. [Floodway] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.j. [100 Year Floodplain] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
<table>
<thead>
<tr>
<th>E.2.i. [Aquifers]</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.2.i. [Aquifer Names]</td>
<td>Principal Aquifer</td>
</tr>
<tr>
<td>E.2.n. [Natural Communities]</td>
<td>No</td>
</tr>
<tr>
<td>E.2.o. [Endangered or Threatened Species]</td>
<td>No</td>
</tr>
<tr>
<td>E.2.p. [Rare Plants or Animals]</td>
<td>No</td>
</tr>
<tr>
<td>E.3.a. [Agricultural District]</td>
<td>No</td>
</tr>
<tr>
<td>E.3.c. [National Natural Landmark]</td>
<td>No</td>
</tr>
<tr>
<td>E.3.d [Critical Environmental Area]</td>
<td>No</td>
</tr>
<tr>
<td>E.3.e. [National or State Register of Historic Places or State Eligible Sites]</td>
<td>Digital mapping data are not available or are incomplete. Refer to EAF Workbook.</td>
</tr>
<tr>
<td>E.3.f. [Archeological Sites]</td>
<td>No</td>
</tr>
<tr>
<td>E.3.i. [Designated River Corridor]</td>
<td>No</td>
</tr>
</tbody>
</table>
MINUTES
TOWN OF HORSEHEADS
PLANNING BOARD MEETING
May 4th, 2022

A regular meeting of the Planning Board of the Town of Horseheads, County of Chemung, and the State of New York was held on the 4th day of May, 2022 @ 7:00PM.

MEMBERS PRESENT: Tom Skebey, Joe Atkinson, Roxanne Mark, Allan Curren (via Zoom), Angela Hawken

MEMBERS ABSENT: Amy Crandall

OTHERS PRESENT: Tina McGrane, Secretary, Brian Grose (Elmira Structures), Robert Romine (Parker Solar Project), Eric Redding & Cris Pasco (Bergman Associates-Breesport Solar Project), James Buckley, Dale & Carol Smith, Arnie Brown, Via Zoom the following: Jared Hines, Matt Effer, Matthew McGowan, Samantha Sargent

CALL TO ORDER: Chairman Tom Skebey called the meeting to order at 7:02pm.

MINUTES: A motion to accept the minutes from March & April 2022 was made by Board Member Roxanne Mark and seconded by Board Member Joe Atkinson. All were in favor.

Chairman Tom Skebey welcomed new Planning Board Member, Angela Hawken

CORRESPONDENCE: Chairman Tom Skebey passed out information from ‘Chapter 161 Solar Energy Systems & Equipment’.

NEW BUSINESS:

A. #897B – Buckley Holding, 2058 Grand Central Avenue, Horseheads, NY – Special Use Permit

Mr. Buckley appeared before the Planning Board to discuss his plans for the property at 2058 Grand Central Avenue. Due to the extended use of the property, this is referred to the Horseheads ZBA. This request was also referred to the Chemung County Planning Board and the Village of Horseheads.

RESOLUTION #7 OF 2022

RESOLUTION MAKING A POSITIVE RECOMMENDATION TO THE ZONING BOARD OF APPEALS, TO APPROVE THE SPECIAL USE PERMIT, FOR PROJECT #897B –BUCKLEY HOLDINGS, 2048 GRAND CENTRAL AVENUE, FOR THE PROPERTY LOCATED AT 2058 GRAND CENTRAL AVENUE, HORSEHEADS, NY – TAX MAP #69.06-3-41

Motion by: Board Member Joe Atkinson Seconded by: Board Member Angela Hawken

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WHEREAS, by way of Special Permit Application, dated April 12th, 2022, and

WHEREAS, current zoning is Business, and

WHEREAS, the applicant would like the vacant land to be used for overflow parking and a repair shop, and

WHEREAS, the Chemung County Planning Board recommended local determination of the proposed special use permit, stating no countywide or inter-community impact, and

WHEREAS, the Town Planning Board, having duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board of the Town of Horseheads, makes a positive recommendation to the Zoning Board of Appeals, for Project #897B, Buckley Holdings, 2048 Grand Central Avenue, Horseheads, for the property located at 2058 Grand Central Avenue, Horseheads, NY, Tax Map #69.06-3-41.

AYES: (5) Skebey, Atkinson, Curren, Mark & Hawken
NAYES: (0)

B. #898 - Elmira Structures, 607 Pro Sports Complex, LLC, 61 Philo Road, Elmira, NY – Site Plan Review - Referred from Horseheads Town Board

Mr. Brian Grose, from Fagan Engineers, appeared before the Board to discuss the project. The applicant plans new construction of a 15,800 square foot metal building. This project was referred back to the Horseheads Planning Board, from the Horseheads Town Board, by way of Horseheads Town Board Resolution #77 of 2022.

This project will be referred to the Chemung County Planning Board and Village of Horseheads. This project will come back to the Planning Board, for a site plan review, after receiving additional information from the applicant.

RESOLUTION #8 OF 2022

RESOLUTION TO MAKE A POSITIVE RECOMMENDATION TO THE HORSEHEADS TOWN BOARD, FOR PROJECT #898, ELMIRA STRUCTURES, 607 PRO SPORTS COMPLEX, LLC, 98 PHILO ROAD WEST, ELMIRA, NY, FOR A PLANNED UNIT DEVELOPMENT AMENDMENT

Motion by: Board Member Roxanne Mark  Seconded by: Board Member Joe Atkinson

WHEREAS, Elmira Structures, made application for a Site Plan Review, for 607 Pro Sports Complex, LLC, located at 98 Philo Road, Elmira, NY (Tax Map #58.20-2-3.8), by way of application and SEQR, dated March 23rd, 2022 and (9) nine maps, marked received as ‘A’, and

WHEREAS, the Horseheads Planning Board referred this back to the Horseheads Town Board for their recommendation on conceptual use of the property, and
WHEREAS, the Town Planning Board, having duly considered the same, and

NOW, THEREFORE, BE IT RESOLVED, the Town Planning Board of the Town of Horseheads, hereby refers the Planned Unit Development Amendment request for Elmira Structures, Inc., to the Horseheads Town Board, for their recommendation.

AYES: (5) Atkinson, Curren, Mark, Skebey, Hawken
NAYES (0)

C. #871A – Catalyze (and its affiliate Breesport Community Solar, LLC), 625 Breesport Road, Breesport, NY – Community Solar Farm – Site Plan Review

Mr. Eric Redding, from Bergmann Associates, attended the meeting and discussed the project. The site for this solar farm is in an existing gravel mine and is not visible to the public. Mr. Redding will contact the various agencies (NYSEG, D.O.T. & NYDEC) that will be involved with the project. The applicant then has 30 days to come back to the Planning Board. This project will be referred to the Chemung County Planning Board. This project will carry to the June Meeting.

D. #742A – Randy Parker, Parker Solar Project, 251 Breesport Road, Breesport, NY, Pre-Application Conference

Mr. Robert Romine, the Project Developer, from ClearPath Energy, represented Randy Parker, who could not attend tonight’s meeting. Mr. Romine discussed the proposed project.

Chairman Tom Skebey requested a preliminary or final site plan review, along with a SEQR, to be reviewed at the next meeting. He also requested a letter from the owner of the property, stating that Mr. Romine is his representative for this project. This project will carry to the June Meeting.

OLD BUSINESS:

A. #54C – Matthew Cox, Valley Lane, Valley Acres Subdivision, Horseheads, NY – Final Plat Amendment – Public Hearing

Mr. Cox called to say he could not attend tonight’s meeting, therefore, no action was taken. A motion was made to adjourn this until the June meeting.

B. #897A – Buckley Holding, 2058 Grand Central Avenue, Horseheads, NY – Site Plan Review

Mr. Buckley attended the meeting. Chairman Tom Skebey said due to the regulations, this project needs to be referred to the ZBA.
C. #899 – Proposed Zoning Changes Regarding Sale of Cannabis in Business Zones and Amending the Special Permits Section of the Ordinance

There was no action taken on this item. This will carry to the June meeting.

OTHER BUSINESS:

A. Overlay Zones for Lake Rd. & Grand Central Avenue
   This item will carry to the June meeting.

B. Special Use Permits
   This item will carry to the June meeting.

As there was no further business to come before the Board, motion to adjourn was made by Joe Atkinson at 8:15pm and Seconded by Roxanne Mark. All were in favor.

Respectfully submitted,

Tina McGrane, Secretary
Town of Horseheads Planning Board
Chemung County Planning Board – Municipal Referral Form
(Please complete all information on both pages)

Referring Municipality:  ☐ City  ☑ Town  ☐ Village of Southport

Referring Official:  Carolyn Renko  Title:  Town Clerk

Address:  1139 Pennsylvania Ave., Elmira, NY 14904

Phone Number:  607-737-5270  E-mail:  crenko@townofsouthport.com

Referring Board (check appropriate box):  ☑ Legislative Board  ☐ ZBA  ☐ Planning Board

Petitioner(s):  ___________________________________________  Phone:  __________________________

Petitioner’s Mailing Address:  ___________________________________________  E-mail:  __________________________

Location of Property:  ___________________________________________

Tax Map Parcel Number(s):  ___________________________________________

Current Zoning District:  ___________________________________________

Proposed Action: (check all that apply)
☐ Area Variance  ☐ Subdivision Review
☐ Use Variance  ☐ Rezoning
☐ Site Plan Review  ☐ Zoning Text Amendment
☐ Special/Conditional Use Permit  ☑ Zoning Map Amendment
☐ Comprehensive Plan Adoption / Amendment  ☐ Moratorium
☐ Other (please specify):  ___________________________________________

Description of the proposed action (attach detailed narrative if available):

Proposed Local Law No. 2 of 2022 to amend zoning map Chapter 525, Article III Section 525-9, for Parcel Located at 431 Laurentian Place (Tax map 100.17-3-18.1) to Residential.
The proposed action applies to real property within five hundred feet (500') of the following

[Please identify each item by filling in the appropriate blank after each item]

☐ (a) Boundary of the (City), (Village) or (Town) of: ________________________________

☐ (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area):

___________________________________________________________________________

☐ (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (include (County) or (State Route) # and name of (Road):

___________________________________________________________________________

☐ (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines:

___________________________________________________________________________

☐ (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated:

___________________________________________________________________________

☐ (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of area variances):

___________________________________________________________________________

Hearings/Meetings Schedule

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Action taken on this application (reviewed, approved, discussed, etc.) ____________________________________________

“Full Statement” Checklist

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

For All Actions:

[ ] Chemung County Planning Board – Municipal Referral Form
[ ] All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).
[ ] Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
[ ] Agricultural Data Statement, for site plan review, special/conditional use permit, use variances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
[ ] Municipal board meeting minutes on the proposed action (PDF preferred).

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

[ ] Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
[ ] Zoning Map
[ ] Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Deadline: Please submit completed referrals by close of business 10 business days prior to the Chemung County Planning Board meeting.
Resolution adopted by the Town Board of the Town of Southport at a meeting thereof held on May 10, 2022.

RESOLUTION NO. 85-2022

SETTING PUBLIC HEARING FOR LOCAL LAW NO. 2 OF 2022 TO AMEND ZONING MAP, CHAPTER 525, ARTICLE III, SECTION 525-9, FOR PARCEL LOCATED AT 431 LAURENTIAN PLACE TO RESIDENTIAL AND REFER TO THE CHEMUNG COUNTY PLANNING BOARD

Resolution by: Williams
Seconded by: Gunderman

WHEREAS, the Town of Southport wishes to amend the Zoning Map, Chapter 525, Article III, Section 525-9, to allow for a change to from Agricultural Residential (AR) to Residential (R1) for the parcel located at 431 Laurentian Place (tax map # 100.17-3-18.1) since this parcel is adjacent to the R1 zoning district and such change in zoning benefits and addresses the needs of the changing residential community and provides consistency with the comprehensive plan and further will allow for the parcel to be subdivided and meet the R1 Bulk and Density Control Schedule requirements; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Southport, County of Chemung, State of New York wishes to enact the proposed amendment as set forth below and as further depicted on the attached map for Chapter 525, Article III, Section 525-9, to allow for a change to from Agricultural Residential (AR) to Residential (R1) for the parcel located at 431 Laurentian Place, Elmira, New York 14904 (tax map # 100.17-3-18.1) and is hereby proposed and referred to the Chemung County Planning Board and scheduled for a public hearing on June 14, 2022 at 7:00 p.m. or as soon thereafter as it can be heard.

PROPOSED LOCAL LAW NO. 2 OF 2022
LOCAL LAW NO. 2 OF 2022 TO AMEND ZONING MAP, CHAPTER 525, ARTICLE III, SECTION 525-9, FOR PARCEL LOCATED AT 431 LAURENTIAN PLACE (TAX MAP #100.17-3-18.1) TO RESIDENTIAL

Section 1.

Chapter 525, Article III, Section 525-9 Zoning Map is hereby amended to the change zoning district designation for the parcel as further described in the survey map dated December 7, 2021 for Travis McDonald, as attached hereto, referenced as Parcel A on attached map located at 431 Laurentian Place, Elmira, New York 14904 (tax map # 100.17-3-18.1) from Agricultural Residential (AR) to Residential (R1) to benefit and address the changing needs of the residential community and provide consistency with the comprehensive plan.

Section 2. Inconsistent Zoning Ordinances.

All zoning laws inconsistent with any provision or provisions of this law are hereby repealed.

Section 3. Severability.
The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

**Section 4. Authority**

This local law is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution, Municipal Home Rules Law § 10 and Town Law.

**Section 5. Effective Date.**

This Local Law shall take effect immediately upon adoption and publication according to law.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

I, Carolyn A. Renko, Town Clerk of the Town of Southport, New York, do hereby certify that I have compared the foregoing with the resolution duly adopted by the Town Board of the Town of Southport on the 10th day of May, 2021, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of May, 2022.

Carolyn A. Renko, Town Clerk