

**Town of Elmira, New York
Planning Board
Meeting – April 1, 2024
MINUTES**

PRESENT: Chairman Mark Miles

 Members: Ron McConnell
 Robert Knapp
 Paul DiPietro
 Mike Kohberger
 Nick Kapnolas

ALSO PRESENT: Eric Crandall, Code Enforcement Officer,
 Scott Moore, Town of Elmira Attorney

Chairman Miles opens the meeting at 7:00 pm and welcomes everyone.

He notes that William Maloney is not present and excuses his absence.

Chairman Miles asked members if they had read the minutes from the March 4, 2024 meeting and if anyone had additions or corrections, and hearing none, a motion to approve.

MOTION by Mike Kohberger to accept the minutes as written.

Second by Nick Kapnolas

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas
Nays: None

AGENDA ITEM – Site Plan Review for Quilt Business at 101A Morningside Drive, Chairman Miles asks if there is anyone in attendance to speak on behalf of the Quilting Business- there is not anyone present. Chairman Miles asks Attorney Moore if he has anything to add. He states that because the Zoning Board of Appeals has approved the variance, the board may move on to finish the site plan review.

Chairman Miles then reads the questions in Part Two of the SEQR for the parcel at 101A Morningside Drive and to each question the board members responded “**No.**” He then asks for a motion to make a Negative Declaration, a motion to accept the SEQR, and a motion to approve the subdivision.

MOTION by Ron McConnell to make a Negative Declaration to the SEQR for 101A Morningside Drive.

Second by Robert Knapp

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas
Nays: None

MOTION by Nick Kapnolas to accept the State Environmental Quality Review for 101A Morningside Drive.

Second by Mike Kohberger

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas

Nays: None

Chairman Miles informs the board that at this juncture they may move to set a public hearing, or, if they feel that this application is of a small enough nature, then the board may waive the hearing requirements. Chairman Miles then reads section 217-49, Waiver of Requirements, in whole, which states, *"The Planning Board is authorized to waive any requirements of this article, including a public hearing, in the event any such requirement is found not to be necessary in the interest of the health, safety, and general welfare."*

MOTION is made by Nick Kapnolas to waive the public hearing requirement based on the findings of the public hearing held by the Zoning Board of Appeals

Second by Robert Knapp

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas

Nays: None

Chairman Miles then asks if there is a motion to accept the site plan as presented and approve it as the Final Site Plan.

MOTION by Mike Kohberger to accept the site plan and approve the Final Site Plan

Second by Ron McConnell

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas

Nays: None

AGENDA ITEM - Site Plan Review for Chiropractic Office located at 2020 Lake Rd.

Chairman Miles asks if there is anyone in attendance to speak on behalf of the business and there is not. He then addresses the board and asks if they want to move forward with reviewing the site plan or table it until the applicant can be present to discuss the plan. Eric states that this site plan and application process has been done strictly by email and he informed the applicant that there would be a meeting tonight. Eric stated that he visited the site and there are some ADA requirements that must be met. The property is located next to the City Zoo plaza. Chairman Miles asks again how this board wants to proceed. Nick and Mike would like the applicant to attend a meeting as they would like to know more information.

MOTION is made by Nick Kapnolas to table this discussion until the applicant can be present.

Second by Paul DiPietro

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas

Nays: None

Chairman Miles asks if there is any other business for this board to address. Hearing from no one he asks if anyone is attending the training at Corning Community College this week. Eric, Paul, Ron, and

Nick are all planning to attend. Chairman Miles reminds the board that there is 4-hour of mandatory training for this board and is glad members are attending. He then inquires if there is anything else that needs to be address and Eric gives update about a house on Rambler Road that was purchased by a neighbor who is planning to level the house and the house has solar panels. The solar panels have to be decommissioned which will be costly.

Hearing no further comments, Chairman Miles asks for a motion to adjourn.

Motion by Nick Kapnolas is made to adjourn

Second by Ron McConnell

Ayes: Miles, McConnell, Knapp, DiPietro, Kohberger, and Kapnolas

Nays: None

The meeting ends at 7:19 pm EST