

**Town of Elmira, New York  
Planning Board  
Meeting – March 10, 2025 7:00 pm EST  
Held at Hendy Ave School**

**MINUTES**

**PRESENT:** Vice Chair William Maloney

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

**ABSENT:** Mark Miles

**ALSO PRESENT:** Eric Crandall, Code Enforcement Officer  
Patty Carozza, Recording Secretary  
Scott Moore, Town of Elmira Attorney

Vice Chairman Maloney opens the regular meeting at 7:00 pm and welcomes everyone.

Vice Chairman Maloney asked members if they had read the minutes of the February 3, 2025 meeting and if anyone had additions or corrections, and hearing none, a motion to approve.

**MOTION** by Nick Kapnolas to accept the minutes as written.

Second by Paul DiPietro

*Ayes:* McConnell, Kapnolas, DiPietro, Kohberger, Knapp and Maloney

*Nays:* None

Attorney Scott Moore then addresses the public and states that this is both a Town Board and Planning Board Meeting. He explains that when the Planning Board is presented with a site plan for any given project, it goes to the Chemung County Planning Board for their review and comment, and then it goes back to the Planning Board for their decision to either approve, approve with modifications, or deny the application. He also explains that there will be no public comment tonight, but any written questions will be addressed.

Nic Cunha, who is representing Carson Power, provides a project summary. He shares all aspects of the project including visual impact, the site plan, access road, and that NYSEG will be able to distribute the energy. Being a Community Solar project, those who sign up may receive an energy credit on their utility bill. He shared a few simulated views of the project (before and after), discusses that there will be a clear cutting of the trees, and there will be a vegetative border installed.

Mr. Cunha also speaks about his conversation with the Chemung County Stormwater office. He notes and summarizes the community feedback from which they received 49 letters from 53 individuals. Comments or areas of concern included: visual impact (which will be minimal), the stormwater pollution prevention plan, and the zoning. He explains that the project is compliant with the solar law and existing zoning. Approximately 60 letters were sent out to land owners in Chemung County looking for interest in permitting a solar farm on their property, 7 property owners expressed interest, but only 3 properties were feasible. They also brought an expert from Fire & Risk Alliance to share his knowledge of Battery Storage Systems.

Mr. Cunha introduces Tony Natale from Fire & Risk Alliance who is an instructor for fire safety and he provides his background. He then discusses how they actually conduct their training. He discusses the battery system failures and fire. He explains the process, how the Tesla Megapack 2XL works, and what you will see on the site of the West Hill Road Solar Farm.

He discusses the differences between the technology used at Moss Landing where there was a recent fire incident and what technology is actually used now. On extinguishing the fire (if one were to happen), firefighters are taught how to contain it. For a battery cell failure, they let the fire burn out and to prevent an explosion, gases vent out of the roof. He then shared a video of an active fire.

At this point, Mr. Natale addresses questions from the public. Mr. Cunha also addresses questions submitted by the public.

Scott Moore then introduces Paul Rogers from the Energy Safety Response Group (ESRG). Mr. Rogers discusses his background and he explains that he is here to make sure the Fire Code is being followed. He has no vested interest in either side, but is here to make sure the information presented is accurate and that it is complete. Mr. Rogers notes that the information provided by Mr. Natale was fair and correct. He further states that following the three NY battery storage fires in 2023, a working group was formed to investigate the fires and make recommendations for revisions to the fire code. The working group recommended 15 changes to the building code to the NYS Fire Prevention and Building Code Council. The Fire & Risk Alliance and Carson Power agreed to follow these recommendations when installing the battery storage on this project.

After Mr. Rogers finishes his comments, Attorney Moore thanks both Mr. Natale and Mr. Rogers for attending and sharing their knowledge.

William Maloney requests a motion to adjourn the meeting.

**MOTION** is made by Robert Knapp to adjourn.

Seconded by Nick Kapnolas

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

Nays: none

The meeting ends at 8:45 pm EST.

# # #