

**Town of Elmira, New York  
Planning Board  
Meeting – February 6, 2023  
MINUTES**

Eric Crandall opened the meeting and asked for nominations for Chairman for the Planning Board.

**MOTION** by Paul DiPietro to accept the nomination of Mark Miles  
as Chairman of the Planning Board

Second by Ron McConnell

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

*Nays:* None

Chairman Miles then resided over the meeting as the Chairperson and nominated William Maloney as Vice Chairman of the board.

**MOTION** by Ron McConnell to accept the nomination of William Maloney  
as Vice- Chairman of the board.

Second by Paul DiPietro

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

*Nays:* None

Chairman Miles asked for a nomination of Secretary for the Planning Board.

**MOTION** by Michael Kohberger to nominate Ron McConnell as  
Secretary of the Planning Board.

Second by Nick Kapnolas

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

*Nays:* None

Continuing with the articles of organization for 2023, Chairman Miles asked if the Planning Board Meeting should continue to be held on the 1<sup>st</sup> Monday of the month (as needed) at 7:00 PM and should be held at the Town Hall in West Elmira.

**MOTION** by Mike Kohberger to continue to hold the Planning Board  
Meetings on the 1<sup>st</sup> Monday of the month (as needed) at 7:00 PM  
and be held at the Town Hall 1255 W. Water Street in West Elmira.

Second by Nick Kapnolas

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

*Nays:* None

TOWN OF ELMIRA • PLANNING BOARD

Chairman Miles stated that a newspaper has to be established for Public Notices. In the past the Star Gazette has been used and would this board want to continue using it.

**MOTION** by Paul DiPietro to continue using the Star Gazette as the newspaper for public notices.

Second by Ron McConnell

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

*Nays:* None

PRESENT: Chairman Mark Miles

Members: Ron McConnell  
Paul DiPietro  
Mike Kohberger  
Nick Kapnolas

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

Chairman Miles excused William Maloney from the meeting. A Motion from Ron McConnell to excuse William Maloney was seconded by Paul DiPietro. Motion passed.

Chairman Miles opens the regular meeting at 7:08 pm and welcomes everyone. He states that this meeting is being held to review SEQR for the Jason Lewis Dam Reconstruction Project located at 366 West Hill Road, Elmira, NY. Jennifer Vaughn from LaBella Associates was at the meeting to present the information.

Chairman Miles asked members if they had read the minutes of the October 3, 2022 meeting and if anyone had additions or corrections, and hearing none, a motion to approve.

**MOTION** by Paul DiPietro to accept the minutes as written.

Second by Ron McConnell

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

*Nays:* None

Jennifer is invited to share her information regarding the Lewis Dam located at 366 West Hill Road. This dam was constructed in 2020. It is an earthen dam which is now empty since this process started. The owners want to reconstruct the dam based on the deficiencies which should have been done prior to the violation. The owners want to make it a recreational pond. Reconfiguring the dam with a single spillway has been designed and is based on the guidelines of the NYSDEC for designing dams.

Chairman Miles asks the board if there are any questions for Ms. Vaughn. She was asked some questions regarding the SEQR to which she replied that the dam is designed not to overtop and it would not cause damage to any of the neighbor's property. Paul asked about the inspection and

maintenance plan of the dam and Jennifer replied that it will be updated and brush will get cleared when necessary.

She also stated that every other year it is inspected and if anything is not correct, the DEC and the Town of Elmira would be notified. The actual Design Report and Inspection/Maintenance plan is currently under review. All have been submitted to the DEC.

Chairman Miles then reads the questions in Part Two of the SEQR for the dam located at 366 West Hill Road, Elmira, NY and to each question the board members responded “No.” He then asks for a motion to make a Negative Declaration, and a motion to accept the SEQR.

**MOTION** by Ron McConnell to make a Negative Declaration to the SEQR for the dam located at 366 West Hill Road, Elmira, NY

Second by Paul DiPietro

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

Nays: None

**MOTION** by Ron McConnell accept the State Environmental Quality Review for the dam located at 366 West Hill Road, Elmira, NY

Second by Paul DiPietro

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

Nays: None

Chairman Miles thanks Jennifer for attending and she is appreciative to be given the opportunity. She does state that she will need a copy of the minutes from this meeting and Eric Crandall will make sure she receives them.

Chairman Miles then reminds all board members that the required 4 hour training is available to them and the information was emailed to them. He then asks the board if anyone has any other business to discuss.

Paul DiPietro inquired about the process for amending codes in the Town. Scott Moore states that the town board could make the change or make recommendations or the Planning Board can make recommendations and send it to the Town Board for further review.

It was announced that Tom Kump has resigned from the board and Mark Miles thanked him for his service to this board and we greatly appreciated his expertise.

A new member, Bob Knapp, was appointed to this board to replace Tom Kump by the Town Board on 2/6/23

**MOTION** by Mike Kohberger to adjourn.

Seconded by Nick Kapnolas

Ayes: Miles, McConnell, Kump, DiPietro and Kohberger

Nays: none

The meeting ends at 7:40 pm EST.

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