

**Town of Elmira, New York
Planning Board**

Meeting – July 1, 7:00 pm EST

MINUTES

PRESENT: Chairman Mark Miles

 Members: Ron McConnell
 Mike Kohberger
 Nick Kapnolas
 Robert Knapp
 William Maloney

ALSO PRESENT:

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

Chairman Miles opens the regular meeting at 7:00 pm

Chairman Miles excuses Paul DiPietro from the meeting.

Chairman Miles asked members if they had read the minutes of the June 3, 2024 meeting and if anyone had additions or corrections, and hearing none, ask for a motion to approve.

MOTION by Nick Kapnolas to accept the minutes as written.
Second by Ron McConnell
Ayes: Miles, McConnell, Kapnolas, Kohberger, and Knapp
Nays: None

AGENDA ITEM – 305 WALL ST SITE PLAN REVIEW

William Maloney will recuse himself from the meeting while discussing the Site Plan as it is a conflict of interest with the applicant. It is noted that Mr. Maloney is seated with the applicant and not with the board for this discussion.

Chairman Miles refers to the site plan and states that this has already been in front of the Zoning Board of Appeals and that an Area Variance was granted. Mark invites the applicant, Stacey Carollo, whom resides at 305 Wall Street, to address the board to explain what she would like to do. Ms. Carollo states she would like to demolish an existing deteriorating garage and would like to add a one-story addition for her aging mother. Mark thanks her and then asks if there are any board members that have questions for Stacey Carollo. A board member asks if the addition will

be attached to the house to which she responds “It would be connected to the house via a breezeway”. Attorney Moore remarks that the Planning Board is reviewing the amended application, which was done so at the ZBA meeting to reduce the requested setback from 15ft to 18ft. Eric Crandall explains that the current existing garage has an 18-foot setback and the new addition will maintain that setback.

Chairman Miles asks if anyone else has questions – hearing none – he asks Attorney Moore what the next options are. Attorney Moore states that the board can review the site plan and set up a public hearing or review the plan and waive the public hearing and accept as final plan.

Chairman Miles reminds the board of section 217-49 (Waiver Requirements) which states as a whole, *“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.”*

Chairman Miles seeks to have a motion to approve or deny the site plan.

MOTION is made by Nick Kapnolas to approve the site plan for Stacey Carollo to replace existing garage with a home addition.

Seconded by Robert Knapp

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

Nays: None

Attorney Moore states that a preliminary plan must be accepted first. An amendment is made to the motion that states the board will accept the preliminary site plan.

MOTION is made by Mike Kohberger to amend the motion to accept the plan as the preliminary site plan.

Seconded by Nick Kapnolas

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

Nays: None

Chairman Miles ask if there is a motion to waive the public hearing based on section 217-49

MOTION is made by Robert Knapp to waive the public hearing.

Seconded by Nick Kapnolas

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

Nays: None

Chairman Miles asks if anyone on the board wants to make a motion to accept the final site plan.

MOTION by Robert Knapp is made to accept the final site plan for the demolishing of the existing garage and build an addition at 305 Wall Street.

Seconded by Mike Kohberger.

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

Nays: None

Chairman Miles congratulates Ms. Carollo and tells her she is all set to proceed. At this time, Chairman Miles invites William Maloney to rejoin the board. He then inquires if there is any new business. Attorney Moore states that the Town Board is holding a public hearing on the Battery Energy Storage System Law, which will be held on July 15, 2024.

Chairman Miles then asks if there is any old business to which Mike Kohberger states that he is in need of the 4 hours of training and how could he go about completing that. Eric states that he will email him with information.

The meeting moves to Public Comment and Sean McGranaghan addresses the board and states that he can help with the 4-hour training as he works on the county's planning team. He is given Mike's email.

Chairman Miles asks if there is any other business or comments to be brought before the Board and if none, a motion to adjourn.

MOTION by Nick Kapnolas to adjourn the meeting.

Second by Ron McConnell

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

Nays: None

The meeting ends at 7:17 PM EST.

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