

**Town of Elmira, New York  
Planning Board  
Meeting – November 4, 2024**

**MINUTES**

**PRESENT:** Chairman: Mark Miles  
Members: Ron McConnell  
Robert Knapp  
Paul DiPietro  
Mike Kohberger  
Nick Kapnolas  
William Maloney

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

Chairman Miles opens the meeting at 7:10 pm and welcomes everyone.

He then asked members if they had read the minutes from the October 7, 2024 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 William Maloney  
*Ayes:* Miles, McConnell, Knapp, DiPietro, Kohberger, Kapnolas and Maloney  
*Nays:* None

Chairman Miles opens the discussion regarding the West Hill Road Solar Site Plan. He invites Nick Cunha to speak as he is the project developer. He shared visuals with the board which included the lines of site and noted that the project is well hidden but on the north end there are a few places where it is visible. The discussion proceeded with the board asking questions about the project. Nick assured the board that he would get the answers they wanted but needed to consult with the engineer for the project (he is not an engineer). Nick also mentioned that they have been meeting with Jimmy Joe from the county and he has been a great help and they have another tele-meeting set up for November 11, 2024. The board feels that Jimmy Joe will be a huge asset especially with the stormwater guidance. Nick also explained how the project will move forward if it is approved. It would start with tree clearing (only 5 acres at a time in accordance with the guidance from the stormwater). It will be cleared and chipped in place. After the pre-work is done, panels will be put up and the chips will be removed to allow for grass to grow. There will also be a temporary road made from gravel and eventually there will be an impervious access road. Attorney Moore had many questions regarding the tree clearing including what would happen to the actual logs. He also asked if the company would be willing to provide a fiscal donation to our existing tree bank. Eric Crandall asked if they could spare any of the trees from being cut down. Nick stated he would look into both things.

The discussion moved to Battery Storage. Fire safety is the main issue which is why Chairman Miles invited City Fire Chief Andy Mallow to answer or ask any questions. Basically, Fire Chief Mallow asked if fire trucks would have access to the road, would it be maintained, and if there was a turnaround. He also asked about run-off with his concern being wild fires. Nick addressed his concerns and stated they would set up a meeting with the Fire Chief and the project engineer. It was decided that a public hearing would be set up for December 2, 2024 and Nick could submit the answers to questions asked this evening, and he would make revisions to SWPPP. Attorney Moore provided some information regarding holding the public hearing and how to keep it open until the following meeting, if necessary.

Chairman Miles asked if there is a motion to have a public hearing for this project on December 2, 2024.

**MOTION** is made by Mike Kohberger to hold a Public Meeting on December 2, 2024 for this project.  
Seconded by Nick Kapnolas  
*Ayes:* Miles, McConnell, Knapp, DiPietro, Kohberger, Kapnolas and Maloney  
*Nays:* None

Miles then opens the discussion regarding the View Shed and the meeting that some of the Planning Board members attended with Big Flats engineer, Robert Switala. Big Flats recently went through the process of setting restrictions to protect the view of the hillside near Harris Hill. It was noted that they hired a consultant to evaluate the hillside. They also discussed different options that could be used to protect the view - it would basically be what is in the best interest of the Town. Their process started with their comprehensive plan which the town doesn't have. If we had a comprehensive plan, it would provide the opportunity to work from that plan, but they are very expensive to have done. Those who attended felt that they learned a lot and it was a step in the right direction to start thinking about the View Shed as we continue getting more applications for Solar Projects.

Chairman Miles asked what direction the board wanted to go.

**MOTION** was made by Paul DiPietro to refer this back to the Town Board and ask them look at developing a comprehensive plan or hire an engineering firm to evaluate a potential view shed.  
Seconded by Ron McConnell  
*Ayes:* Miles, McConnell, Knapp, DiPietro, Kohberger, Kapnolas, Maloney  
*Nays:* None

**Old Business** - On November 12, 2024 - there is an evening training for any member who needs to complete their 4 hours.

Chairman Miles then asks if there is a motion to adjourn.

**MOTION** is made by Nick Kapnolas to adjourn  
Seconded by William Maloney  
*Ayes:* Miles, McConnell, Knapp, DiPietro, Kohberger, Kapnolas, Maloney  
*Nays:* None

**This meeting stands adjourned at 8:39 pm**