



TOWN OF SOUTHPORT
1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD
Meeting Minutes

Monday, February 2, 2026
7:00 pm

Board Members Present:

Jackie French
John Hastings
Trish Peterson, Chairperson
Tracy Warner, Vice Chairperson
Chris Parsons
Penny Page
Kent Collier (alt)

Board Members Absent: Richard Petzke

Others Present:

Peter Rocchi, Code Enforcement Officer, Megan
Dorritie, Esq., Harter Secrest & Emery LLP, Attorney for
the Planning Board, Samantha Born, Secretary for
the Planning Board

Chairperson Peterson called the meeting to order at or about 7:00 pm. She asked if the Board Members had any comments, questions, concerns, or corrections about the January 5, 2026, meeting minutes. Hearing no comments, Board Member French made a motion to accept the minutes of January 5, 2026, as presented; Board Member Page seconded the motion. All were in favor. The Board accepted the minutes of January 5, 2026, as presented.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier

NOES: None

ABSENT: Petzke

MOTION CARRIED.

Public Hearing – Continuation of Site Plan of PTV 1454, LLC to construct a 9,100-sf commercial retail building located at 1550 Cedar Street, Elmira, New York, tax map 109.12-1-10, zoned Commercial Regional.

Chairperson Peterson noted that the applicant requested the public hearing be moved to the March 2, 2026, Planning Board meeting.

Public Hearing – Site Plan Amendment and Special Use Permit of Arshad Mahmood to allow preparation and sales of food at 1600 Cedar Street, Elmira, New York.

Chairperson Peterson invited Mr. Mahmood to explain to the public that he is planning to prepare and sell food from within his existing place of business. Mr. Mahmood explained his intent to sell and prepare food and the hours of operation to the public. Chairperson Peterson asked if the public had any questions or concerns. Jimmy Russell was in attendance via phone call and questioned what kind of store this was as he was unable to hear the applicant. Chairperson Peterson explained the type of existing store and the intent to add construction of a kitchen to be able to prepare and sell food from the existing store. Jimmy Russel questioned whether there were any environmental concerns to having a food place at that location as Jimmy stated the current situation needs maintenance due to the sewer backing up in the summer. Mr. Rochhi responded that this would be an issue for the Board of Health. Attorney Dorritie reiterated to Mr. Russell what the code enforcement officer had stated; that it would be an issue to address the Board of Health, not the Planning Board. Chairperson Peterson asked the public if there were any other questions, comments, or concerns. None were presented. At or about 7:11 p.m., Chairperson Peterson moved to close the public hearing. Member French seconded the motion and everyone agreed.

**RESOLUTION NO. 004-2026 PB
TOWN OF SOUTHPORT**

Resolution by: French
Seconded by: Page

WHEREAS, on or about December 18, 2025, Arshad Mahmood, on behalf of Fazal Food Mart LLC (the "Applicant"), for property located at 1600 Cedar Street, Elmira, NY, zoned Commercial Regional (the "Property"), applied for an amendment to the current site plan and a special use permit to allow food preparation and sales at the Property (the "Application"); and

WHEREAS, at its meeting on January 5, 2026, the Planning Board conducted a preliminary review of the Application and: (1) declared the Application complete for purposes of scheduling a public hearing; (2) preliminarily classified the Application as Type II under SEQRA, thus indicating that no additional environmental review is required; (3) scheduled a public hearing on the Application for February 2, 2026, and directing the Planning Board Clerk to publish notice of the same as required by all applicable laws; and (4) noted that no referral to County Planning per GML 239-m is required per the Town's agreement with County Planning; and

WHEREAS, after due posting and publication was made in compliance with all applicable laws, the Town Planning Board conducted a public hearing on the Application on February 2, 2026, at or about 7:00 p.m.; and

WHEREAS, at that public hearing, any and all individuals wishing to be heard were then and there given the opportunity to do so; and

WHEREAS, the Board discussed the Application and noted to the Applicant that hours of operation could not operate outside of the existing businesses hours of operation.

NOW THEREFORE IT BE RESOLVED, that The Town Planning Board hereby: (1) declares the Application complete; (2) confirms that the SEQRA classification is Type II per definition in NYCRR 617.5(c) (18) for reuse of a commercial structure where the use is permitted under the applicable zoning laws, including permitted by special use permit and confirms that no additional environmental review is required; (3) states that no referral to the County Planning Board is required under GML 239-m per the town's agreement with Chemung County Planning Board; and (4) waives any application procedures to which the application did not conform.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier

NOES: None

ABSENT: Petzke

MOTION CARRIED.

Preliminary Review: Site Plan Application of Jovon Moss to operate a mechanical repair shop located at 836 Broadway, Elmira, NY 14904, tax map # 109.06-1-8, zoned CN for Commercial Neighborhood.

Jovon Moss, applicant, stated that he is seeking to operate a mechanical repair shop. Applicant stated that the prior owner had wished that the auto mechanic shop would continue to operate as an auto repair shop and that was his intention. Discussion was had between the board members, code enforcement and applicant regarding prior fuel tanks removal, disposal of oil, business hours, lighting, parking regulations, and potential renovations.

**RESOLUTION NO. 005-2026 PB
TOWN OF SOUTHPORT**

Motion by: Peterson

Second by: Warner

WHEREAS, the Board received a Site Plan Application of Jovon Moss to operate a mechanical repair shop located at 836 Broadway, Elmira, NY 14904, tax map # 109.06-1-8, zoned CN for Commercial Neighborhood. (the "Application"); and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE IT BE RESOLVED, that the Town Planning Board hereby: (1) declares the Application complete for purposes of scheduling a public hearing; (2) preliminary classifies the Application as a Type II action for SEQRA purposes per 6 NYCRR 617.5(c)(1) for maintenance/repair involving no substantial change in the structure or facility; (3) scheduled a public hearing for the Application to for March 2, 2026, at 7:00 and directed the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (4) states that no referral under GML 239-m is required per the contract between the Town and the County Planning Board.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier

NOES: None

ABSENT: Petzke

MOTION CARRIED.

Preliminary Review: Site Plan Application for Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a "micro cell" wireless telecommunications facility on a replacement utility pole located in front of 1118 Charles St, tax map #109.08-4-55, Town of Southport, Chemung County, New York (Verizon Wireless' "Richard St" site); zoned Residential 3.

Discussion was had between Steve Fantuzzo (representative from Nixon Peabody for Bell Atlantic Mobile Systems LLC d/b/a Verizon) and the Board

regarding structure and appearance of small cell antenna, installation of new utility poles and who will be completing that work, maintenance and decommission, inspection procedures, schedules, records and FCC general exposure and compliance regulations. It was noted that on the application, Exhibit D, response to subsection O requirement that the applicant will provide "all SEQRA involved agency permits required, as applicable" (page 23 of PDF) is incomplete. Steve Fantuzzo will follow up and provide the missing information to the board, along with the maintenance schedule prior to the public hearing.

**RESOLUTION NO. 006-2026 PB
TOWN OF SOUTHPORT**

Motion by: French
Second by: Peterson

WHEREAS, the Board received a Site Plan Application for Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a "micro cell" wireless telecommunications facility on a replacement utility pole located in front of 1118 Charles St, tax map #109.08-4-55, Town of Southport, Chemung County, New York (Verizon Wireless' "Richard St" site); zoned Residential 3 (the "Application"); and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE IT BE RESOLVED, that the Town Planning Board hereby: (1) deems the Application complete for purposes of scheduling a public hearing, noting that the applicant will provide the two pieces of missing information prior to the public hearing; (2) makes a preliminary SEQRA classification of Unlisted with an uncoordinated review; (3) schedules a public hearing on the Application for March 2, 2026, at 7:00 p.m., and directed the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (4) declares that no referral to the County Planning Board is required per the contract between the Town and the County Planning Board; under GML 239-m.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier

NOES: None

ABSENT: Petzke

MOTION CARRIED.

Preliminary Review: Site Plan Application cell for Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a “micro cell” wireless telecommunications facility on a replacement utility pole located in front of 907 Broadway St (County Route 79), tax map #109.06-1-80.1, Town of Southport, Chemung County, New York (Verizon Wireless’ “Broadway School” site); zoned Commercial Neighborhood.

Discussion was had between Steve Fantuzzo (representative from Nixon Peabody for Bell Atlantic Mobile Systems LLC d/b/a Verizon) and the Board regarding structure and appearance of small cell antenna, installation of new utility poles and who will be completing that work, maintenance and decommission, inspection procedures, schedules, records and FCC general exposure and compliance regulations. It was noted that on the application, Exhibit D, response to subsection O requirement that the applicant will provide “all SEQRA involved agency permits required, as applicable” (page 23 of PDF) is incomplete. Steve Fantuzzo will follow up and provide the missing information to the board, along with the maintenance schedule prior to the public hearing.

**RESOLUTION NO. 007-2026 PB
TOWN OF SOUTHPORT**

Motion by: Warner
Second by: Parsons

WHEREAS, the Board received a Site Plan Application for Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a “micro cell” wireless telecommunications facility on a replacement utility pole located in front of 907 Broadway St (County Route 79), tax map #109.06-1-80.1, Town of Southport, Chemung County, New York (Verizon Wireless’ “Broadway School” site); zoned Commercial Neighborhood; and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE IT BE RESOLVED, that the Town Planning Board hereby: (1) deems the Application complete for purposes of scheduling a public hearing, noting that the applicant will provide the two pieces of missing information prior to the public hearing; (2) makes a preliminary SEQRA classification of Unlisted with an uncoordinated review; (3) schedules a public hearing on the Application for March 2, 2026, at 7:00 p.m., and directed the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (4)

declares that no referral to the County Planning Board is required per the contract between the Town and the County Planning Board; under GML 239-m.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier

NOES: None

ABSENT: Petzke

MOTION CARRIED.

Preliminary Review: Application for a small cell permit from the Planning Board by Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a “micro cell” wireless telecommunications facility on a replacement utility pole located in front of 969 Pennsylvania Ave (County Route 69), tax map #109.07-6-8, Town of Southport, Chemung County, New York (Verizon Wireless’ “Pennlaurel” site); zoned Commercial Regional.

Discussion was had between Steve Fantuzzo (representative from Nixon Peabody for Bell Atlantic Mobile Systems LLC d/b/a Verizon) and the Board regarding structure and appearance of small cell antenna, installation of new utility poles and who will be completing that work, maintenance and decommission, inspection procedures, schedules, records and FCC general exposure and compliance regulations. It was noted that on the application, Exhibit D, response to subsection O requirement that the applicant will provide “all SEQRA involved agency permits required, as applicable” (page 23 of PDF) is incomplete. Steve Fantuzzo will follow up and provide the missing information to the board, along with the maintenance schedule prior to the public hearing.

**RESOLUTION NO. 008-2026 PB
TOWN OF SOUTHPORT**

Motion by: Hastings

Second by: Page

WHEREAS, the Board received a Site Plan Application for a small cell permit from the Planning Board by Bell Atlantic Mobile Systems LLC d/b/a Verizon, to co-locate and operate a “micro cell” wireless telecommunications facility on a replacement utility pole located in front of 969 Pennsylvania Ave (County Route 69), tax map #109.07-6-8, Town of Southport, Chemung County, New York (Verizon Wireless’ “Pennlaurel” site); zoned Commercial Regional; and

WHEREAS, The Board reviewed and discussed generally the state of the Application.

NOW THEREFORE IT BE RESOLVED, that the Town Planning Board hereby: (1) deems the Application complete for purposes of scheduling a public hearing, noting that the applicant will provide the two pieces of missing information prior to the public hearing; (2) makes a preliminary SEQRA classification of Unlisted with an uncoordinated review; (3) schedules a public hearing on the Application for March 2, 2026, at 7:00 p.m., and directed the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (4) declares that no referral to the County Planning Board is required per the contract between the Town and the County Planning Board; under GML 239-m.

AYES: Hastings, Peterson, Page, French, Parsons, Warner, Collier
NOES: None
ABSENT: Petzke
MOTION CARRIED.

Other business to come before the Board is the election of officers of the Planning Board for the Chairperson and Vice Chairperson.

WHEREAS, Vice Chairperson Warner made a motion to nominate Trish Peterson as the Chairperson of the Planning Board. Board Member French seconded the motion.

NOW THEREFORE IT BE RESOLVED, That Trish Peterson is elected the Chairperson of the Town of Southport Planning Board.

AYES: Hastings, Page, French, Parsons, Warner, Collier
ABSTAIN: Peterson
NOES: None
ABSENT: Petzke
MOTION CARRIED.

WHEREAS, Board Member French made a motion to nominate Tracy Warner as the Vice Chairperson of the Planning Board. Board Member Hastings seconded the motion.

NOW THEREFORE IT BE RESOLVED, That Tracy Warner is elected the Vice Chairperson of the Town of Southport Planning Board.

AYES: Hastings, Peterson, Page, French, Parsons, Collier
ABSTAIN: Warner

NOES: None
ABSENT: Petzke
MOTION CARRIED.

No other business to come before the Board. Chairperson Peterson made a motion to adjourn the meeting. Board Member French seconded the motion. All were in favor. The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Samantha Born
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk Town Attorney