



TOWN OF SOUTHPORT
1139 Pennsylvania Avenue • Elmira New York 14904

PLANNING BOARD
Meeting Minutes

Monday, April 6, 2026
7:00 pm

Board Members Present:

Jackie French
John Hastings
Trish Peterson, Chairperson
Tracy Warner, Vice Chairperson
Chris Parsons
Penny Page
Richard Petzke

Board Members Absent: None

Others Present: Peter Rocchi, Code Enforcement Officer; Megan Dorritle, Esq., Harter Secrest & Emery LLP, Attorney for the Planning Board; Samantha Born, Secretary for the Planning Board; Kent Collier, Alternate Board Member; Jennifer Vaughn, LaBella & Associates, Consultant for the Planning Board

Chairperson Peterson called the meeting to order at or about 7:13 p.m. (technical issues resulted in a delayed start). She asked if the Board Members had any comments, questions, concerns, or corrections about the March 2, 2026, meeting minutes. Hearing no comments, Board member Page made a motion to accept the minutes of March 2, 2026, as presented; Board Member Petzke seconded the motion. All were in favor. The Board accepted the minutes of March 2, 2026, as presented.

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

NOES: None
MOTION CARRIED.

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

Chairperson Peterson opened the public hearing at or about 7:22 p.m. It was noted that the publication was in order, then the public hearing was open for comment.

Jenn Vaughn provided updates for the site plan review comments, dated April 3rd, 2026, from LaBella, noting that all comments were satisfied except for item numbers 6,9, and 10. William Owen from Foundry, representing Dollar General, agreed to address and complete the line items from the comments that remain outstanding. No one from the public came forth to comment during the hearing. Chairperson Peterson closed the public hearing at 7:23 p.m., after which general discussion was had by the Planning Board; and

RESOLUTION NO. 0019-2026 PB
TOWN OF SOUTHPORT

Resolution by: Peterson
Seconded by: Warner

WHEREAS, On or about October 8, 2025, the Town of Southport (the "Town") received a site plan application (the "Application") from PTV 1454, LLC, (the "Applicant") requesting site plan approval for a 9,100 square-foot commercial retail store on a 1.8-acre parcel located at 1550 Cedar Street, Tax Map No. 109.12-1-10, in the Town of Southport, Chemung County, New York (the "Property"); and

WHEREAS, The Application proposes redevelopment of the Property to consist of a 9,100 square foot Dollar General commercial retail store, where "Retail Use" is defined in Chapter 525 of the Southport Town Code (the "Code") as "*A business or commercial use or activity involving primarily the sale of merchandise or stock-in-trade to the public which may include some fabrication on premises of merchandise/materials that are sold on the premises.*" Other site improvements include but are not limited to parking areas, site lighting, utilities, stormwater management facility, signage and landscaping (the "Project"), as more fully

depicted and described within the Applicant's submission materials including, but not limited to site plan drawings prepared by Larson Design Group dated October 24, 2025, last revised March 26, 2026; Site Plan Application form signed by the Applicant on October 8, 2025; Part I of the Short Environmental Assessment Form ("SEAF") dated October 8, 2025; elevation drawing prepared by RDL Architects, dated December 19, 2025; a June 6, 2025 Phase I Environmental Site Assessment ("ESA") prepared by Environmental Alliance; an October 2, 2025 Limited Phase II ESA prepared by Montrose Environmental; a November 14, 2025 Limited Surface Soil Sampling Investigation prepared by Montrose Environmental; a March 18, 2026 letter from Montrose Environmental addressed to the Chemung County Stormwater Coalition, a subsequent Part I Short EAF dated February 2, 2026 with associated attachments; a March 2026 Stormwater Pollution Prevention Plan ("SWPPP") prepared by Larson Design Group; and

WHEREAS, The Applicant has prepared Part I of the SEAF for the Project in accordance with 6 NYCRR 617.6(a)(3) for Unlisted Actions; and

WHEREAS, On December 1, 2025, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Town of Southport Planning Board ("Planning Board") announced its intent to serve as lead agency with respect to the site plan application submitted on behalf of the Applicant to develop and construct the Project, and the Planning Board preliminarily found that the Project is classified as an Unlisted Action as defined under SEQRA and its implementing regulations 6 NYCRR Part 617 (collectively "the SEQRA Regulations"); and

WHEREAS, The Planning Board proceeded with a coordinated review in accordance with 6 NYCRR 617.6(b)(3); and

WHEREAS, The Planning Board duly notified involved and interested agencies as part of the coordinated review and received two sets of comments from the New York State Department of Transportation dated December 16, 2025, and December 22, 2025; and

WHEREAS, The Planning Board retained an independent Professional Engineer, LaBella Associates, to assist with the review of the Application, and LaBella Associates provided comment letters dated December 16, 2025, February 26, 2026, and April 3, 2026, that provided technical expertise to assist the Planning Board and comments to be addressed by the Applicant; and

WHEREAS, With the assistance of its consultants, including the consulting Engineer (LaBella Associates), Chemung County Stormwater Coalition, the Town Attorney, as well as Town staff, the Planning Board has carefully examined the

SEAF, the Application, all materials accompanying the Application, and all other materials related thereto, including information and comments offered at its meetings; and

WHEREAS, At the request of the Planning Board, the Town's consulting Engineer, LaBella Associates, has prepared Part 2 of the SEAF as well as Part 3 of the SEAF for the Planning Board's consideration, including the attachment thereto entitled "Reasons Supporting Determination".

NOW THEREFORE BE IT RESOLVED, that in accordance with the SEQRA Regulations, the Town of Southport Planning Board hereby reaffirms its status as Lead Agency, and affirms classification of the Project as an Unlisted Action; and

BE IT FURTHER RESOLVED, the Planning Board, as Lead Agency, has reviewed and considered Part 1 of the SEAF, Application materials, public comments and environmental record concerning the Project, and has carefully reviewed and considered Part 2 of the SEAF and finds that although potential environmental impacts were identified, none of the impacts were found to be significant; and

BE IT FURTHER RESOLVED, that in using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3), the Planning Board finds that the Application and related Project will not cause a significant adverse environmental impact that would otherwise necessitate the preparation of an environmental impact statement, and the Planning Board hereby issues a Negative Declaration of Environmental Significance, as indicated in the attached Part 3 SEAF – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance, including attachment thereto entitled Reasons Supporting Determination, which is hereby approved; and

BE IT FURTHER RESOLVED, that the Planning Board's adoption of the Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law of the State of New York and implemented under 6 N.Y.C.R.R. Part 617; and

BE IT FURTHER RESOLVED, that notice of this resolution and the Notice of Negative Declaration shall be filed to the extent required by the applicable regulations under SEQRA and/or any other relevant statute or regulation; and

BE IT FURTHER RESOLVED, the Chair of the Planning Board be and hereby is authorized to execute further documents that may be required to complete the issuance of the Negative Declaration authorized herein.

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

NOES: None
MOTION CARRIED.

RESOLUTION NO. 0020-2026 PB
TOWN OF SOUTHPORT

Resolution by: Peterson
Seconded by: French

WHEREAS, On or about October 8, 2025, the Town of Southport (the "Town") received a site plan application (the "Application") from PTV 1454, LLC, (the "Applicant") requesting site plan approval for a 9,100 square-foot commercial retail store on a 1.8-acre parcel located at 1550 Cedar Street, Tax Map No. 109.12-1-10, in the Town of Southport, Chemung County, New York (the "Property"); and,

WHEREAS, The Property for which the Application was submitted is within the Town's CR (Commercial Regional) Zoning District, as shown on the Town's Zoning Map, and Attachment 1, Use Table, of Chapter 525 of the Southport Town Code (the "Code") identifies Retail use as a permitted use within the Commercial Regional Zoning District, subject to site plan review by the Town of Southport Planning Board (the "Planning Board"); and,

WHEREAS, The Application proposes redevelopment of the Property to consist of a 9,100 square foot Dollar General commercial retail store, where "Retail Use" is defined in the Code as "*A business or commercial use or activity involving primarily the sale of merchandise or stock-in-trade to the public which may include some fabrication on premises of merchandise/materials that are sold on the premises.*" Other site improvements include but are not limited to parking areas, site lighting, utilities, stormwater management facility, signage and landscaping (the "Project"), as more fully depicted and described within the Applicant's submission materials including, but not limited to site plan drawings prepared by Larson Design Group dated October 24, 2025, last revised March 26, 2026; Site Plan Application form signed by the Applicant on October 8, 2025; Part I of the Short Environmental Assessment Form ("SEAF") dated October 8, 2025; elevation drawing prepared by RDL Architects, dated December 19, 2025; a June 6, 2025 Phase I Environmental Site Assessment ("ESA") prepared by Environmental Alliance; an October 2, 2025 Limited Phase II ESA prepared by Montrose Environmental; a November 14, 2025 Limited Surface Soil Sampling Investigation prepared by Montrose Environmental; a March 18, 2026 letter from Montrose Environmental addressed to the Chemung County Stormwater Coalition; a subsequent Part I Full EAF dated February 2, 2026 with associated

attachments; a March 2026 Stormwater Pollution Prevention Plan ("SWPPP") prepared by Larson Design Group; and

WHEREAS, The Planning Board retained an independent Professional Engineer, LaBella Associates, to assist with the review of the Application, and LaBella Associates provided comment letters dated December 16, 2025, February 26, 2026, and April 3, 2026, that provided technical expertise to assist the Planning Board and comments to be addressed by the Applicant; and

WHEREAS, The Planning Board opened a public hearing for the Application on December 1, 2025, as required by Section 525-57, Paragraph D of the Code, affording the public an opportunity to comment on the proposed Project, and the public hearing was closed on April 6, 2026; and

WHEREAS, The Planning Board provided thorough and thoughtful consideration of public comments provided during the public hearing process; and

WHEREAS, The Application was referred to the Chemung County Planning Board ("CCPB") under General Municipal Law, Section 239-m, and the CCPB considered the application at their March 26, 2026 meeting, and recommended approval and discussed the following potential conditions: 1) NYSDOT traffic approval; 2) Stormwater approval by the Chemung County Stormwater Coalition; 3) Submission of a landscaping plan to the Town Planning Board; and 4) NYSDEC approval of asphalt placement in proximity to the levee; and

WHEREAS, The Application was considered under the State Environmental Quality Review Act ("SEQRA") and was preliminarily classified by the Planning Board as an Unlisted Action at the December 1, 2025, Planning Board meeting. The Planning Board conducted a coordinated review of the Project, and found that although potential environmental impacts from the Project may be anticipated with regard to: land use, traffic and transportation, surface water runoff, noise, light and community character, the potential impacts do not rise to a level of being large or significant, as described in Part 2, Part 3 and to the Short Environmental Assessment Form, including attachments thereto, and as the impacts were not found to rise to a level of having the potential to be significant adverse environmental impacts, the Planning Board issued a Negative Declaration on April 6, 2026, the substance thereof is incorporated herein for purposes of the Planning Board's consideration of the Application; and,

WHEREAS, The Planning Board has given careful consideration to the Application, public comments, analysis from its consulting Engineer and other consulting agencies, and environmental record concerning the project;

NOW THEREFORE BE IT RESOLVED, that the Planning Board waives the need for the Applicant to submit the concept plan documentation generally required by Section 525-54 of the Code due to the Property being previously developed and underutilized, and the surrounding properties are also developed, or surrounding property is already an existing public right-of-way; and

BE IT FURTHER RESOLVED, that the Site Plan Application by PTV 1454, LLC, for the proposed Project to be located at 1550 Cedar Street, site plan set drawn by Larson Design Group, last revised March 26, 2026, be **CONDITIONALLY APPROVED**, and

BE IT FURTHER RESOLVED, the Planning Board hereby requires, as conditions of site plan approval, the following:

1. That comments in a letter dated April 3, 2026, from LaBella Associates must be addressed, including but not limited to, the comments pertaining to minimum horizontal and vertical separation distance requirements between water and sewer (sanitary and storm); C-001 Lot Percents to document all paved/sidewalk coverage; Applicant to confirm the pavement/sidewalk percent coverage noted as 26% on C-001 includes the "Additional paved area to cover soil contamination", as we estimate the total paved and sidewalk area to be approximately 32% of the lot. Similarly, the green space percentage may need to be updated (reduced) to reflect the additional paved area if it wasn't reflected in the calculation; Applicant to include wheel stops on plans submitted for final signature.
2. That all exterior light fixtures shall be installed in a configuration that provides full cutoff performance, meaning no illumination above the 90-degree horizontal plane.

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

NOES: None

MOTION CARRIED.

Preliminary Review- Site Plan of Rex Travis to open and operate a furniture sale store and swap/donation shop located at 823 and 825 Pennsylvania Avenue, Elmira New York, 14904, tax map # 99.19-2-67 and #99.19-2-66, zoned CR for Commercial Regional.

Rex Travis, applicant, stated that he is seeking to open and operate a furniture sale store and swap/donation shop. Applicant stated that he would like to donate 20 percent of the proceeds from both businesses to the Children's

Miracle Network and give the community a place where they can purchase furniture and items at a minimal cost as many cannot afford these items even at secondhand stores. Discussion was had between the board members and Applicant regarding hours of operation, entrance points into the building, and parking. Hours of operation will be Monday through Saturday, 9:00 a.m. to 10:00 p.m.

**RESOLUTION NO. 0021-2026 PB
TOWN OF SOUTHPORT**

**Resolution by: Peterson
Seconded by: Petzke**

WHEREAS, The Board received a Site Plan of Rex Travis to open and operate a furniture sale store and swap/donation shop located at 823 and 825 Pennsylvania Avenue, Elmira New York, 14904, tax map # 99.19-2-67 and #99.19-2-66, zoned CR for Commercial Regional. (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) preliminarily classifies the Application as a Type II action for SEQRA purposes; (3) scheduled a public hearing for the Application for May 4, 2026, at 7:00 p.m.; (4) directs the Planning Board Clerk to publish notice of the hearing as required by all applicable laws; and (5) 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, Petzke

NOES: None

MOTION CARRIED.

Other business to come before the Board is The Town Board of Southport referral of Local Law No. 2 of 2026, for a six-month Moratorium Extension of the Temporary 122-month Moratorium for operating unlicensed retail businesses involving the transfer, distribution, or sale of cannabis within the Town of Southport

**RESOLUTION NO. 0022-2026 PB
TOWN OF SOUTHPORT**

Resolution by: French
Seconded by: Peterson

WHEREAS, the Board received a referral of Local Law No. 2 of 2026, for a six-month Moratorium Extension of the Temporary 122-month Moratorium for operating unlicensed retail businesses involving the transfer, distribution, or sale of cannabis within the Town of Southport; and

WHEREAS, the Board reviewed and discussed generally the continuation of the moratorium and the comprehensive plan that is still in the process of creation.

NOW THEREFORE IT BE RESOLVED, that the Planning Board supports the six-Month Moratorium Extension of the Temporary 12-month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis within the Town of Southport.

AND BE IT FURTHER RESOLVED, that the Planning Board encourages the Town Board to consider the issue of cannabis sales within the Town in the revisions to the Comprehensive Plan, which is an on-going process.

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

NOES: None

MOTION CARRIED.

Other business to come before the board is the Town Board of Southport referral of proposed Local Law No. 1 of 2026, for a six-month extension of the moratorium on commercial solar energy systems and commercial energy storage systems within the Town of Southport

RESOLUTION NO. 0023-2026 PB
TOWN OF SOUTHPORT

Resolution by: Warner
Seconded by: Peterson

WHEREAS, the Board received a referral of proposed Local Law No. 1 of 2026, for a six-month extension of the moratorium on commercial solar energy systems and commercial energy storage systems within the Town of Southport; and

WHEREAS, the Board reviewed and discussed generally the continuation of the moratorium and the comprehensive plan that is still in the process of creation.

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NOW THEREFORE IT BE RESOLVED, that the Planning Board supports the six-month extension of Local Law No. 1 of 2026, for a six-month extension of the moratorium on commercial solar energy systems and commercial energy storage systems within the Town of Southport.

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

NOES: None

MOTION CARRIED.

No other business to come before the Board. Board Member French made a motion to adjourn the meeting. Chairperson Peterson seconded the motion. All were in favor. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Samantha Born
Planning Board Secretary

Original on file with Town Clerk

cc: Planning Board
Town Board
Town Clerk Town Attorney