

TOWN OF ELMIRA • PLANNING BOARD

**Town of Elmira, New York
Planning Board
Meeting – October 6, 2025
MINUTES**

Location: West Elmira Volunteer Fire Department

PRESENT: Chairman Mark Miles

Members: Ron McConnell
Robert Knapp
Nick Kapnolas
William Maloney

ABSENT: Mike Kohberger
Paul DiPietro

ALSO PRESENT: Eric Crandall, Code Enforcement Officer
Scott Moore, Town Attorney

Chairman Miles opens the meeting at 7:00 pm and welcomes everyone. He notes that two members are not here tonight and excuses Mike Kohberger and Paul DiPietro from the meeting

He asked members if they had read the minutes from the September 8, 2025 meeting and if anyone had additions or corrections, and hearing that one correction be made, a motion to approve.

MOTION by Ron McConnell to accept the minutes as amended.

Second by Robert Knapp

Ayes: Miles, McConnell, Knapp, Kapnolas and Maloney

Nayes: None

Chairman Miles states that there are four items on the agenda. He then states the first thing on the agenda is the Bhakti Marga Site Plan.

AGENDA ITEM – Bhakti Marga America Final Site Plan Review

Attorney Moore addresses the board and explains that when the SEQR was completed at the September 8th meeting by the Planning Board, it was completed in error as it was already done by the Zoning Board, which was considered the lead agency for this project. The ZBA also made a negative declaration for the SEQR. A letter was sent by Bhakti Marga America asking that the Planning Board rescind the Positive Declaration issued on September 8, 2025. Attorney Moore states that he researched this and it was shown to be accurate. He makes the recommendation that the planning board make a resolution to rescind the SEQR with the positive declaration. Attorney Moore also states that moving forward, this board can look at the issues that they were concerned with when they completed the SEQR on September 8, 2025.

At that point, Chairman Miles asks the board to make a motion rescinding the positive declaration on the SEQR, pointing out the Zoning Board is the lead agency and they completed the SEQR with a negative declaration.

MOTION by Robert Knapp to rescind the prior SEQR completed by the Planning Board on September 8, 2025 for the properties at 1100 W. Church Street, 301 Demarest Parkway, and 304 Demarest Parkway and accept the findings of the SEQR that was completed by the zoning board.

Second by Ron McConnell

Ayes: Miles, McConnell, Knapp, Kapnolas and Maloney

Nays: None

Chairman Miles also states that Bhakti Marga America requested that the Planning Board continue its review of the pending Site Plan Application on November 3, 2025, at the regularly scheduled meeting. He notes that this is the applicant's request and not the Planning Board's request.

MOTION by Ron McConnell to accept the request from Bhakti Marga America to table this site plan until November 3, 2025.

Second by: Maloney

Ayes: Miles, McConnell, Knapp, Kapnolas and Maloney

Nays: None

AGENDA ITEM – 1649 W. Water St. Site Plan – Chicken Coop

Chairman Miles then moves to the next item on the agenda, which is a request for a Site Plan for a Chicken Coop located on the property at 1649 W. Water Street. Chairman Miles asks if Mr. Hayden (property owner) would like to address the board. Mr. Hayden states that the reason for the request is to have a family activity, to feed the chickens their compost, and gather the eggs. He just wants to have a fun project for his family to have and making it a learning experience for them. Code Enforcement Officer Crandall confirms that everything is in place for this project. Chairman Miles asks if there is a restriction on where the chicken coop can be placed. Mr. Crandall states that it is within the approved area, which meets all the setback requirements set forth in the code.

Chairman Miles states that since everything is in place, this board can move to waive any requirements. Chairman Miles then reads section 217-49, Waiver of Requirements, in whole, which states, *"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 then asks if someone from the board would like to make a motion to waive the public hearing.

MOTION by Nick Kapnolas to waive the public hearing for this site plan.

Second by Ron McConnell

Ayes: Miles, McConnell, Knapp, Kapnolas and Maloney

Nays: None

MOTION by Nick Kapnolas to Approve the Final Site Plan

Second by William Maloney

Ayes: Miles, McConnell, Knapp, Kapnolas and Maloney

Nays: None

AGENDA ITEM – 2770 County Route 60 Solar Project – Abundant Solar

The next item on the agenda is the Abundant Solar project located at 2770 County Rt. 60. Chairman Miles states that they have requested this site plan be tabled until all board members can be present.

MOTION by Robert Knapp to table the Site Plan and Special Use Permit request until next meeting.

Second by William Maloney

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

Nays: None

AGENDA ITEM – 226 Bowlby Rd Solar Project – DG Coleman

The next item on the agenda is DG Coleman Solar project located at 226 Bowlby Rd. Chairman Miles states that they have also requested this site plan be tabled until all board members can be present.

MOTION by Robert Knapp to table the Site Plan and Special Use Permit request until next meeting.

Second by William Maloney

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

Nays: None

Mr. Crandall states that this board could have a special meeting to move towards a resolution with both of the Solar Projects and wonders if the planning board is open to that idea. Mr. Crandall states that he will send a few dates for the board members to consider.

Chairman Miles moves to Public Comments. There were a few public comments regarding Bhakti Marga.

Chairman Miles then asks the board if there is any other business, hearing none, asks for motion to adjourn.

MOTION by Robert Knapp to adjourn the meeting.

Seconded by Ron McConnell

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

Nays: None

*******THE MEETING ADJOURNS AT 7:32pm*******