

TOWN OF ELMIRA • PLANNING BOARD

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

**Meeting – November 3, 2025
MINUTES**

Location: West Elmira Volunteer Fire Department

PRESENT: Chairman Mark Miles

Members: Paul DiPietro
Mike Kohberger
Ron McConnell
Robert Knapp
Nick Kapnolas

ABSENT: William Maloney

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

Member William Maloney has recused himself from the meeting.

Chairman Miles opens the meeting at 7:00 pm and welcomes everyone.

He asked members if they had read the minutes from the October 21, 2025 meeting and if anyone had additions or corrections, and hearing none, a motion to approve.

MOTION by Paul DiPietro to accept the minutes as written.

Second by Robert Knapp

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

Nays: None

Abstains: Kapnolas

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 – Final Site Plan Review for Bhakti Marga America

Chairman Miles asks if there is anyone from Bhakti Marga that would like to address the board. Wendy Marsh, of Hancock Estabrook, the law firm representing Bhakti Marga America, gives a brief overview of what has happened thus far with previous meetings to include the Zoning Board and Planning Board. She states that the ZBA has approved the variances and they are looking for final approval of this site plan.

Chairman Miles then asks if the board has any questions for Bhakti Marga. Hearing no questions from the planning board, he states that there have been a lot of discussions with this project and if any member has any suggestions or want any changes to the Site Plan please do so now. Paul

DiPietro inquires if the planning board can make sure that there are restrictions on who can stay at the renovated rooms. It was stated previously by Bhakti Marga that those who stay in the room will be transient guests who are there for religious retreats and visiting monks and scholars. Attorney Moore states that this board can place restrictions and make it part of the resolution in the final determination of the Site Plan.

Since there are no other discussions, Chairman Miles then asks for a motion on the Bhakti Marga America Final Site Plan for the Bhakti Marga Campus located at 1100 Church Street, 301 Demarest Pkwy, and 304 Demarest Pkwy.

MOTION by Paul DiPietro to approve the Final Site Plan, based, in part, on the July 25, 2025 revision of the preliminary site plan, which proposes twenty-two (22) transient guest rooms, which will allow for up to forty-six (46) transient guests, and is restricted to house visiting monks, teachers, program participants, retreats, and volunteers engaged in religious programs, prayer, meditation, daily puja, and similar spiritual practices. The transient guests are permitted to stay up to a maximum of thirty (30) days.

Seconded by Nick Kapnolas

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

Nays: Knapp

Chairman Miles thanks the members of Bhakti Marga America for coming and wishes them well.

AGENDA ITEM – 386 Watercure Hill Rd Subdivision and Preliminary Site Plan and Special Use Permit Request

Next on the agenda is a preliminary Site Plan review for a Minor subdivision and a Tier 3 Solar Energy Project located at 386 Watercure Hill Rd. Chairman Miles asks if Planning Board members had a chance to review their packets and then asks if anyone from the project would like to address the board. Sean Reardon, P.E., who is representing the applicant, Tetra Tech, starts by stating that the project will consist of a subdivision and two (2) 40-acre solar farms. It is going to be on land that is a meadow, so minimal tree cutting or trimming will have to occur. Due to that fact that it is an active farm, there is already an access road in place. There will not be a battery storage on the site and a decommissioning plan has been included in the application.

He also stated that he has to get in touch with NYS DEC regarding the wetlands, and with the Chemung County Stormwater Engineer, Jimmie Joe Carl, regarding the SWPPP. Mr. Reardon understands that for the public hearing, he must notify neighbors within two-hundred feet of the project site. As far as landscaping is concerned, there are no plans to do any screening but, they are open to add some if necessary.

There were a few questions from the Planning Board members. Mike Kohberger asked how the property will be maintained once the panels are in place. Shawn responded by saying that there will be a maintenance crew to take care of the property and have also considered having the owner continue farming underneath the panels. Paul DiPietro asked that with the conversion of the property from farm land to solar farm does that affect the agricultural property tax exemption, if there is one. Since some of the property will still be used for farming some of that will change, but it is not an element that this board has to consider.

Chairman Miles asks the developer to reach out to the East Hill Fire Department to inquire about the addition of some sort of access road to go around the perimeter of the project. Mr. Reardon

states that there will be access around the inside perimeter of the project but not the outside. He does clarify that the outside perimeter will be cleared, but they are not proposing any type of access road.

Chairman Miles asks if a board member would like to make a motion to accept the plans as a preliminary plat for the minor subdivision.

MOTION by Robert Knapp to accept the preliminary plot plan for the Minor Subdivision located at 386 Watercure Hill Rd.

Seconded by Ron McConnell

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

Nays: None

Abstained: DiPietro

MOTION by Mike Kohlberger to have the Planning Board serve as the Lead Agency for the State Environmental Quality Review.

Seconded by Robert Knapp

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

Nays: None

Abstained: DiPietro

Chairman Miles wonders if the board should set the public hearing for the subdivision portion of this project and Attorney Moore mentions that the developer needs to gather more information regarding the site plan component of the project. In order to send the subdivision referral and the site plan referral to the Chemung County Planning Board at the same time, he suggests that we hold off on setting a public hearing on the subdivision portion until the site plan is complete and to table this site plan until the next meeting on December 1, 2025.

Chairman Miles asks if the board would like to table this until the next meeting and the developer has provided more information in preparation to send it to the Chemung County Planning Board and then set the Public Hearing.

MOTION by Nick Kapnolas to table this application until the next meeting on December 1, 2025.

Seconded by Mike Kohlberger

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

Nays: None

AGENDA ITEM – 129 Watercure Hill Rd Area Variance Referral

A variance application from the Zoning Board of Appeals for property at 129 Watercure Hill Road has been referred to the planning board for their comment. It is a request to tear down an existing single-family home and replace it with a modular home, but the sides of the home will be closer to the lot line than which is permitted by the Town. The property owner, Gina Gapa is seeking a variance for the side yard setbacks as well as the minimum lot size. Chairman Miles asks Code Enforcement Officer Crandall to explain the project to the board. Mr. Crandall states that the Zoning Board requests that this board look at the project from a planning perspective and send comments, if any, back to the ZBA. The house sits on a 2-acre lot and the applicant is looking for an area variance for minimum lot size in addition to the side-yard setback variances. Chairman Miles asks if any board members have any questions and hearing none asks the board what they would like to do.

MOTION by Mike Kohberger to send the area variance application back to the Zoning Board of Appeals with no comment.

Seconded by Robert Knapp

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

Nays: None

AGENDA ITEM – 552 Underwood Ave Area Variance Referral

Next on the agenda is another referral from the Zoning Board for a variance at 552 Underwood Ave where the owner would like to construct an addition to an existing garage in order to fit a second vehicle. The owner has stated that the proposed addition will meet the required side-yard setback of 10-feet at the front corner, but will be reduced to only 6-feet at the back corner. Code Enforcement Officer Crandall explains the owner wants to put an addition on their garage but it is not 10 feet from the back corner, which necessitated the variance. He explains that back when the house was built, the orientation of the back of the home is closer to the lot line than the front. He states that the owner has already spoken to the neighbor whom this might affect and he is fine with it and might be willing to sell that piece of the property if necessary. Chairman Miles wonders if they have any other questions for Mr. Crandall and hearing none, asks for a motion to send this back to the ZBA.

MOTION is made Ron McConnell to send the area variance application back to the Zoning Board of Appeals with no comment.

Seconded by Paul DiPietro

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

Nays: None

Chairman Miles asks if there is anyone from the public that would like to speak. There are no comments from the public.

Attorney Moore states that he will not be at the next planning board meeting and wonders if the board wants to still hold the meeting on December 1st or wait until December 8th. Code Enforcement Officer Crandall states that he would prefer to keep it on the first Monday of the month in order to meet the Chemung County Planning Board referral deadline. The meeting will be held on its regularly scheduled date and time of December 1, 2025 at 7 pm the Town Hall.

Having nothing further to discuss, Chairman Miles asks for a motion to adjourn.

MOTION by Pual DiPietro to adjourn the meeting

Seconded by Nick Kapnolas

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

Nays: None

*****THE MEETING ADJOURNS AT 8:10 pm*****