

Town of Elmira, New York Planning Board

Meeting – August 4, 2025

MINUTES

Location: West Elmira Volunteer Fire Department

PRESENT: Vice Chairman William Maloney

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

ABSENT: Chairman Mark Miles

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

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

Vice Chairman Maloney asked members if they had read the minutes from the July 7, 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 Mike Kohberger

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

Nays: None

AGENDA ITEM – 1801 W. Water St. Site Plan Review

Vice Chairman Maloney tells the board members they will look at a Preliminary Site Plan for Forever Bath and Shower located at 1801 W. Water Street.

Mike Templar addresses the board and talks about his plan to open a Bath and Shower Showroom. He would like to open by the fall and his hours of operation of business will be Monday through Friday, 9:00 am - 4:00 pm and by appointment only on Saturdays. Mike Kohberger inquires about additional signage, which Mr. Templar says that a façade sign will be on display with exterior lights shining on it. He is currently in the Empire Sports Building located in downtown Elmira. A question is asked about SEQR and Mr. Crandall remarks that this is a Type II action and is not subject to an environmental review. Attorney Moore states that because the building is already zoned for business and no major changes are happening, the public hearing can be waived per 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.”*

Vice Chairman Maloney asked for a motion to approve the site plan as written for 1801 W. Water Street, Elmira, NY 14905.

MOTION by Mike Kohberger to accept as Preliminary Plan

Seconded by Robert Knapp

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

Nays: None

MOTION by Paul DiPietro to waive the public hearing

Seconded Ron McConnell

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

Nays: None

MOTION by Paul DiPietro to approve the Final Site Plan

Seconded Ron McConnell

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

Nays: None

AGENDA ITEM - 226 Bowlby Rd Solar Project – DG Coleman Solar Site Plan and Special Use Permit Request

Sidney Shivers, the developer of the project, addresses the board and explains the updated plan after the last meeting. There was a change to the buffer and they presented a visual of the plants and trees that will be installed. The decommissioning plan has been increased to \$900,000. There will be 28 acres of clearcutting, which is approximately 10,000 trees. They also moved the access road per the request of a neighbor.

A question regarding the lifespan of the project was asked by a board member and the response was 30 years. Ms. Shivers wondered if there has been a response back on the SWPPP and Eric Crandall responded that Jimmie Joe Carl is still reviewing it. The question regarding the 911 address was asked and Mr. Crandall stated the Real Property Office will assign a new address once the project is approved.

Vice Chairman Maloney addresses the board and asks if there are any other questions. Hearing none from the board he asks for a motion to accept the preliminary site plan.

MOTION by Mike Kohberger to accept the Preliminary Site Plan

for the DG Coleman Solar Project located at 226 Bowlby Rd. Elmira, NY

Seconded by Robert Knapp

Ayes: McConnell, Knapp, Kohberger, and Maloney

Nays: DiPietro and Kapnolas

Vice Chairman Maloney then asks for a motion to set a Public Hearing for the next meeting held on September 8, 2025.

MOTION by Robert Knapp to set Public Hearing on September 8, 2025 at 7:00 pm at Town Hall.

Seconded by Mike Kohberger

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

Nays: None

AGENDA ITEM – 2770 Co Rte 60 Solar Project – Abundant Solar

Matthew McGregor addresses the board with changes that were asked to be made at the last planning board meeting. They provided a visual simulation of the property (including trees and plants), and they completed the tree survey. Vice chairman Maloney asks if the board has any other questions regarding this project. Hearing none - he asks for a motion to accept the Preliminary Site Plan regarding this project located at 2770 Co Rt. 60.

MOTION by Robert Knapp to accept the Preliminary Site Plan.

Seconded by Ron McConnell

Ayes: McConnell, Knapp, Kohberger, Kapnolas and Maloney

Nays: DiPietro

Vice Chairman Maloney then asks for a motion to refer this project to the Chemung County Planning Board.

MOTION by Mike Kohberger to refer this project to the Chemung County Planning Board.

Seconded by Robert Knapp

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

Nays: None

MOTION by Mike Kohberger to set Public Hearing on September 8, 2025 at 7:00 pm at Town Hall.

Seconded by Robert Knapp

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

Nays: None

AGENDA ITEM – Bhakti Marga America Site Plan Review

Lawrence Hoetzlein, representing Bhakti Marga, addresses the board with more information regarding the project. The site plan project is located at 301 and 304 Demarest Pkwy, and 1100 W. Church Street (the former Our Lady of Lourdes). The Temple is in the former church, and the community center is located in the former school. He states that they are registered as a nonprofit organization. Mr. Hoetzlein gives an overview of the project and states that they want to convert the gymnasium into an auditorium to be used for different events. There will be a larger kitchen added, a cafe, and outside seating. There will also be a small gift shop added for those who are attending events. The school classrooms will be converted into guest rooms (there will be 22 rooms) for people on retreat or visiting. He explains that they plan to start with opening the space for the kitchen and cafe and will continue until the project is complete. Attorney Scott Moore asked who would be staying in the 22 rooms that they want to add. Mr. Hoetzlein states the visiting monks, people who are here for larger gatherings, or on retreat. No one will stay longer than 30 days, but usually the length is one week. It was asked by a board member who will monitor the length of the stay of visitors and he replied that the Bhakti Marga community will monitor that and if there are any complaints the Code Enforcement Officer will address it. He also states that this is not a hotel/motel and it will not be for homeless people. Anyone who stays there must go through an application process, which is monitored by Bhakti Marga.

The discussion continues with questions from the board. It was asked if they knew the maximum occupancy for each guest room and Mr. Crandall states that it is based on the dimension of the

rooms, and they must meet the building code. Mr. Hoetzlein states that no one is staying in the school now as the rooms are not suitable for anyone to stay. He also states that when they have a big event now guests are staying in local hotels and are being shuttled in. This happens twice per year and the dates of the events are based on the Hindu Religious Calendar. There are also 6 times per year that 150 people will be in the Temple or auditorium. It is generally the local congregation and open to the public.

Mr. Hoetzlein states that the Zoning Board approved 4 out of 5 variances and was denied the second-story addition they wanted to build on the former school. He now addresses the Site Plan and starts with the stormwater, which is not an issue due to no changes in the property. There will be a small parking lot added, ramps added for accessibility, lighting will be added to the new parking lot and some other lighting will be added around the property. Paul DiPietro asks if the lighting in the parking lot will shine down or will it be to the east or west. Mr. Hoetzlein states the two lights in the parking lot will shine towards the ground. Some other lighting on property will be some wall lights by outdoor cafe, a few additional pole lights that will match the existing ones. They will also add some soft lighting to accentuate the building. Mr. DiPietro inquires about parking and wonders if they will allow campers/RV's to park there. Mr. Crandall interjects and states that neither of those are allowed to be parked there according to town law. Mr. Crandall adds that in regards to the new parking lot it can be either grass or asphalt - it is up to the discretion of the planning board on how they want it to look.

Mr. Hoetzlein then discusses the landscaping and thanked Mr. DiPietro for assisting him with some landscaping ideas and they plan to use them. He also discusses extending the median to Second Street and some new sidewalks will be added. Attorney Moore inquires as to whether or not they spoke to the neighbors regarding any new planting that might affect them. They agreed to reach out to them for their input.

The Public Hearing opens for the Bhakti Marga Site Plan and it is explained that each person will be allowed 3 minutes to speak to give everyone who wants to speak to have that opportunity. Mr. Crandall is appointed to be the time-keeper.

The following people spoke in favor of the project:

Ben Marks - 98 Sunnyside Drive
 David Goodwin - Lexington Ave
 Alan Lipschilz- 155 Drive A
 Annie Winger - 155 Drive A
 Allison Weis - 7 Cobbles West
 Matt Deskins - 7 Cobbles West
 Kelly Morrisette - 107 Demarest Pkwy
 Andrew Frasca – 107 Demarest Pkwy
 Braythen Hernandez - 701 W. Clinton Street
 Oleksiy Melnychuk - 1647 W. Church Street
 Rugmani Kutty - 2806 Goff Rd. Corning, NY

Overall, each that spoke in favor of project said they love living here, they feel safe, and the community has been nice and wants to become active members of this community.

The following people spoke in opposition to the project:

Jim Palmer - County Legislator
Jennifer Beecher Johnson - 443 Demarest Pkwy
Jennifer Coseo - 1050 W. Second Street
Mike Foley - 410 Highland Drive
Mary Johnson - 73 Larchmont Rd
Noreen Dieg - 1156 W. Clinton
Sue Dimon - 1053 Chatham Lane
Cynthia Manning - 116 Morningside Drive
Frank Messina - 71 Larchmont Rd
Mike Mustico - 5 Longmeadow Dr

Overall concerns centered around the new grass parking lot (water runoff), added lighting, increase in traffic in the town, if there is enough funding for the project to be completed once started, can the town handle the overflow of people, Triple A Zoning was also mentioned and compliance of it, and the proposed transient guest rooms.

Attorney Moore asks if there is anyone else who wants to speak in favor of or opposed and no one comes forward. Vice Chairman Maloney closes the public hearing at 9:11 pm.

At this time, Attorney Moore states that the board can move forward with a vote on this plan or the board can choose to adjourn this plan until the next meeting to allow time for consideration of everything that was said this evening.

MOTION by Mike Kohberger to adjourn this site plan until the next meeting on September 8, 2025.

Seconded by Nick Kapnolas

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

Nays: None

Vice Chairman Maloney then asks if there is a motion to adjourn.

MOTION by Nick Kapnolas to adjourn.

Seconded by Mike Kohberger

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

Nays: None

*****THE MEETING ADJOURNS AT 9:13 pm*****