

Town of Elmira
New York
ZONING BOARD OF APPEALS

Meeting April 22, 2025 7:00 pm EDT

PRESENT: Members: Joe Sullivan
Scot Gerould
Peter Peterson
Chris Longwell
Jennifer Moffe

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

Lawrence Hoetzlein, A.I.A, Anne Hersh Architect
Swami Tulsidas, Applicant
Wayne Goulet, Applicant

Chairman Sullivan opens the meeting at 7:00 PM and asks the clerk to call the roll. All members are present.

Moving on, Chairman Sullivan asks the members if they had any corrections to the minutes of the ZBA meeting of January 21, 2025, and if no corrections, a motion to approve.

MOTION by Scot Gerould to approve the minutes of the March 26, 2024 ZBA meeting.

Second by Peter Peterson

Ayes: Gerould, Peterson, Longwell, Moffe and Sullivan

Nays: none

AGENDA ITEM – Application for Bhakti Marga campus located at 304 Demarest Pkwy, 301 Demarest Pkwy, and 1100 W. Church St.

Lawrence Hoetzlein, architect for the project, introduces himself and confirms each piece of the submitted application which includes a project narrative, zoning letters from Code Enforcement, site plan application, zoning application, land survey, proposed site plan, proposed community center plan, seating calculations, and elevation profiles. Mr. Hoetzlein recommends, and the Chairman affirms, that they go through the project narrative and discuss each item as they get to it.

Mr. Hoetzlein explains the organization and gives a brief history of the buildings included in the scope of work. Mr. Crandall interjects to inform the board and applicant that the Town of Elmira Assessor's Office has completed the parcel consolidation request for the vacant lot (tax map # 98.08-4-71.2) and merged it with the former school lot (tax map #

98.08-4-71.) to create a singular parcel which the building sits. This does change the bulk density requirements which include maximum lot coverage.

Discussion moves onto the proposed site plan of the former school building, which has been dubbed 'The Community Center.' It is explained that the former gymnasium will be converted to an auditorium with seating capacity listed at approximately 400 people. Two proposed additions to the building include a space for a production studio on the north end of the auditorium and a kitchen space in between the auditorium and the former classrooms, which shall be attached to the cafeteria space.

Attorney Moore clarifies that although the applicant is referencing the three parcels as 'The Campus', it is important to keep in mind that each parcel is unique and the Board must look at the proposed uses for each. He states that one of the first things the Board must do is to make a determination on each of the proposed uses to see if it aligns with traditionally accepted uses of a place of worship. Mr. Crandall notes that the Zoning Board of Appeals has the statutory authority to issue variances as well as making zoning determinations. This application is seeking a determination as to whether those proposed uses would require a use variance or if they are accessory to the place of worship.

Chairman Sullivan asks about the proposed gift shop and what that may entail. Swami Tulsidas explains that they will be selling religious texts and small items associated with prayer service. Mr. Crandall remarks that there was also a small gift shop which sold similar religious items at the former Dominican Monastery located at 1310 W. Church St.

The Chairman then asks Mr. Hoetzlein to expound on the statement that it will serve "both members and the broader public". Mr. Hoetzlein says that like most religious organizations, Bhakti Marga is open and available for any and all interested persons. On top of that, the large events that they have during the year bring in many tourists which support local hotels and businesses.

Chairman Sullivan asks if the proposed guest rooms would be for temporary or permanent living to which Mr. Hoetzlein states that it is transient in nature. By definition, transient accommodations are less than thirty days. The occupancy of those rooms would primarily fall during their large events which are generally twice per year. The question is asked as to whether or not there would be a charge to use the guest rooms. The applicant clarifies that the only charges would be to offset the actual cost of operation.

Chairman Sullivan asks if they would be adding signage to the property. Mr. Hoetzlein states that they will utilize the currently existing signage areas and simply swap out the signs to insert their organizations identification.

Mr. Crandall informs the applicant that, contrary to the tables created in their application package, lot coverage in the Town of Elmira consists of all buildings and impervious surfaces. That means the proposed lot coverage for the Community Center would increase from approximately 28% to 34.5% and the Ashram parking addition would increase coverage from 38.2% to 49%. In addition to two area variances for lot coverage, this site plan would require an area variance for the proposed awnings which would extend into the front-yard setback more than four feet.

Mr. Crandall also notes that there is a distinction between maximum building height permitted and number of stories permitted. It appears that due to the existing gymnasium exceeding the 15-foot maximum building height under "All other uses" in the Use Regulation

Table, the applicant would only be permitted to raise the height of the cafeteria roof to at or below that of maximum height of the gym. If the applicant is seeking a second-story addition to increase the number of guest rooms, then that would require an area variance due to exceeding the maximum number of allowable stories.

Chairman Sullivan briefly runs down the five requirements that the board must consider for area variances. Mr. Hoetzlein asks if this application will require a SEQR. It is understood that this project will be subject to SEQRA and it will only require the short environmental assessment form.

There is some discussion regarding the required number of parking spaces and whether or not that will meet the requirements established in section 217-62 of Town Code. Based on the most intense use, the required number of off-road parking spaces is 170. The proposed plan calls for 172 parking spaces.

Chairman Sullivan recaps what the board will be looking for prior to the next meeting. The applicant will need to submit an amended application seeking area variances for lot coverage, second-story addition, and front-yard setbacks. The Board also requests the applicant submit west elevation drawings depicting the proposed guest room addition.

Chairman Sullivan asks if there is any new business to be discussed. Mr. Crandall reminds the board of the training offered by STC in June and hands out applications for interested board members. The Chairman then asks if there is any old business to discuss and hearing none asks for a motion to adjourn.

MOTION by Scot Gerould to adjourn the meeting.

Second by Peter Peterson

Ayes: Gerould, Peterson, Longwell, Moffe and Sullivan

Nays: none

Meeting adjourned at 8:27 pm EST.