

**CHEMUNG COUNTY PLANNING BOARD
MEETING NOTES
JUNE 26, 2025**

Present

Joseph Coletta, Chair
Frank Pierce
Mark Watts
Marilyn Paulo
Emma Miran
Michelle Podolec
Kristin Griffiths, Staff
Sean McGranaghan, Staff
Nanette Moss, Staff

Excused

Henry Dalrymple
Nick Vosburg
Elisabeth Corveleyn

Visitors

Noreen Dieg, Town of Elmira resident

1. Call to order at 3:00 p.m.

Special Announcement – Kristin Griffiths from the Chemung County Planning Department announced that Planning Commissioner Kevin Meindl had left county employment on June 19 and advised that she along with staff member Alison Herman would attend this and future meetings until a replacement is hired, also noting that staff member Associate Planner I Sean McGranaghan will conduct the meetings in the interim in addition to his normal staff duties at Planning Board meetings.

2. Approval of Meeting Notes - After discussion of the May 22, 2025 notes, there were no questions, comments or corrections from the Board and the minutes were approved as distributed on a motion made by Mark Watts, seconded by Frank Pierce. All in favor, aye; opposed, none. Motion carried.

3. Visitor Comments (accepted after each referral review).

4. Zoning Referrals

5. Staff Comments

A. TOWN OF VETERAN – CONIDTIONAL User Permit, Zoning Use Variance and Zoning Area Variance
- Benjamin/Audinwood

Present: Kelly Benjamin, Petitioner

DISCUSSION: Request for conditional use permit, zoning use variance and zoning area variance to establish and operate a seasonal wedding destination utilizing existing barn exceeding front-yard setback distance requirements in the RA (Agricultural-Residential) zoning district. Property is located at

753 Ridge Rd. within 500' of Ridge Rd. (CR 5). Staff member S. McGranaghan reported that a conditional use permit is necessary to operate the existing barn as a seasonal wedding event center. The barn exceeds the front-yard setback requirement. He advised that N. Vosburg who is not in attendance today has submitted comments as follows: DPW has issued a driveway permit. The site layout in the referral packet appears to be an outdated version and does not match the driveway configuration approved by DPW, further noting that the materials submitted to us indicating the driveway entrance is not the same permit that the DPW approved. When the Town reviews the permit, they should ensure that the final approval has the correct driveway entrance approved by DPW. DOT has advised that they have no comments regarding this referral. S. McGranaghan recommended local determination along with N. Vosburg's comments regarding the driveway permit. There were no comments from the Board. Kelly Benjamin advised that the updated permit had been submitted to N. Vosburg and that the Zoning Board of Appeals had approved the zoning area variance. J. Coletta summarized that local determination has been recommended along with comments by N. Vosburg to ensure that the driveway entrance permit is the correct one for the driveway configuration. There being no further comments or questions, J Coletta called for a motion for local determination along with N. Vosburg driveway comments.

MOTION: Made by Michelle Podolec, seconded by Emma Miran, recommending local determination stating no countywide impacts along with comments made by N. Vosburg that when the Town reviews the driveway permit, they should ensure that the final approval is correct for the driveway entrance approved by DPW. Members in favor, all; opposed, none. Motion carried.

B. TOWN OF ERIN – Subdivision Review – Benjamin

DISCUSSION: Request for subdivision review to create two lots from existing single lot to construct a home on one of the parcels in the AR-1 (Agricultural-Residential) Zoning District. Property is located at 42 Becky Lane within 500' of SR 223. Staff member S. McGranaghan reported that petitioner wishes to subdivide a single parcel to create two parcels, one being five acres and nine for future construction of a house. N. Vosburg submitted comments regarding the proposed subdivision, that the property will need a subdivision survey performed by a New York State licensed land surveyor if one has not been done already. DOT submitted comments as follows: This project will require a Residential Driveway permit to build a house to provide access. There were no comments from staff. S. McGranaghan recommended local determination along with comments from N. Vosburg to ensure that a NYS licensed land surveyor performs a survey. J. Coletta summarized that a recommendation has been made for local determination with N. Vosburg comments to obtain a survey. J. Coletta called for a motion for local determination along with comments regarding needed performance of a survey.

Motion: Made by Mark Watts, seconded by Frank Pierce, recommending local determination along with comments from Nick Vosburg to obtain services of a NYS licensed land surveyor to perform a survey with respect to the driveway. Members in favor, all; opposed, none. Motion carried.

C. TOWN OF ELMIRA – Zoning Area Variances – Hoetzlein

Present: Eric Crandall, Code Enforcement Officer

DISCUSSION: Request for zoning area variance to allow renovation and additions to former elementary

school, adaptive reuse of existing structure to create a new community center which includes auditorium, cafeteria and kitchen, religious shop, transient guest accommodations exceeding front-yard setback distance, height, and maximum lot requirements in the AAA (Residential) Zoning District. Property is located at 1100 W. Church St., 301 and 304 Demarest Parkway within 500' of SR 352. S. McGranaghan advised that he had spoken with NYSDOS regarding the five factors required to be considered when reviewing an area variance: affect on neighborhood character, setbacks, height variance, lot coverage increasing impervious surfaces; alternative solution; how substantial the request is. There is a 5% maximum lot coverage requirement. However, since the existing property already exceeds the maximum lot coverage requirement, compare it to the existing as opposed to the 5%. That would substantially increase the lot coverage from 21.6% to 26.5%, 7.1% to 17.1%, 28.7% to 43.6%, then doubling height from one to two stories, increasing from maximum allowable height of 15' to a potential 36'. Regarding setbacks, 80' is required and they have 18.5' and proposed 2.58'; 37.76' to 25.76' which are all significant increases. Effect on the environment—increase in impervious surfaces. We recommend they request a stormwater report to see the effect on run-off. Whether or not it is a self-created issue when the property was purchased, as the purchaser needs to be aware of what is and isn't allowed on the property. We have received comments from N. Vosburg as follows: the Short Environmental Assessment Form is not completed and we would recommend it be completed for the town. The driveway entrance needs to be reconfigured to accommodate the crosswalk. The sidewalk on Demarest Parkway must be ADA compliant and along with two parking spaces in the lot designated for and need to be ADA compliant. DOT submitted comments as follows: Only the first page of the Short Environmental Assessment Form is filled out and the form needs to be completed. Eric Crandall advised that this is the site of the former Our Lady of Lourdes school, church, and convent. The petitioner seeks to convert it into a kind of new witness campus. They are requesting five area variances: two for setbacks involving awnings projecting into the setback area over the entrances; two for lot coverage exceeding maximum allowable lot coverage for impervious surfaces, expanding the parking lots; add a second-story addition to the school. You will receive the site plan in July. The Zoning Board of Appeals would have met on June 24, changed the meeting date so that the county would have the opportunity to respond prior to the public hearing for this application which is scheduled for July 1 at 7:00 p.m. A. Herman noted that positive comments were received from NYS Department of State regarding this application. S. McGranaghan recommended local determination and that the town study the five factors comprising area variances in conjunction with the indicated considerations noted relating to the five factors, review and the town determine whether it meets area variance consideration along with N. Vosburg and DOT comments. Eric Crandall advised that they are aware of the ADA compliance requirements which will come up in the site plan review. Parking spaces accessible at the rear must be compliant from that spot all the way to the building. M. Podolec commented that when they review the stormwater permits, it would be positive to see that it was permeable pavement or some kind of onsite paving to which Eric Crandall informed that the existing proposed lot had been adjusted for the site plan to use grass only or install geotextile and are no longer planning macadam. It is only used once or twice a year when they have a large event and they do not want to pave it, create stormwater issues. M. Podolec commented that native species are good to use. S. McGranaghan asked if there was anyone from the Temple present to give an overview. Architect Lawrence Hoetzlein attended via Webex and spoke regarding the impervious surfaces, explaining that it is in the latest plan to change the proposed large lot macadam addition to a grass parking lot. They also decreased the area of the addition to the lot by the Ashram approximately 20 percent, the change between the Ashram is from 34 to 39 percent coverage, the community center is changing from 28.7% to 31.9%, noting that the changes are much smaller than what is shown. There being no questions, S. McGranaghan recommended local determination, stating no countywide impact, the town review considerations expressed regarding the five proposed area variances and noted considerations relating to the proposed

variances, and completion of the EAF, along with Nick Vosburg and DOT comments. The Zoning Board of Appeals will see this at its July 1 meeting. McGranaghan asked if there were any further questions and there were none. J. Coletta summarized that local determination has been recommended with comments. There being no further comments or questions, J. Coletta called for a motion for local determination along with comments.

Motion: Made by Frank Pierce, seconded by Emma Miran, recommending local determination stating no countywide impacts, along with comments that the town review the proposed five variances and related noted considerations as to effect on neighborhood character, setbacks, height variance, lot coverage increasing impervious surfaces, alternative solution, how substantial the proposed request exceeds the 5% maximum lot coverage requirement, doubling height from one to two stories which would increase from the maximum allowable height of 15' to a potential 36'. Regarding setbacks, 80' is required and they have 18.5' and proposed significant changes being 2.58'; 37.76' to 25.76'. Effect on the environment—increase in impervious surfaces, request a stormwater report to see the effect on run-off. Whether it is a self-created issue when the property was purchased which the purchaser needs to be aware of what is and isn't allowed on the property before purchasing. The EAF should be completed for the town. Comments from N. Vosburg as follows: regarding the proposed parking lot at the intersection of Demarest Parkway and W. Second Street, the driveway entrance needs to be reconfigured to accommodate the crosswalk. Confirm the existing sidewalk along Demarest Parkway is ADA compliant. All paths to facilities from ADA parking spaces need to be ADA compliant. There are two proposed ADA compliant parking spaces in the new lot. Comments from DOT as follows: Only the first page of the Short Environmental Assessment Form is filled out and the form needs to be completed. Members in favor, all; opposed, none. Motion carried.

D. CITY OF ELMIRA— Site Plan – Dandy Mini-Marts, Inc.

DISCUSSION: Request for review of proposed site plan for construction of addition to existing Dandy Mini-Mart store with an adjacent fueling island, increasing parking stalls for vehicles and tractor trailers in a UMU (Urban Mixed-Use) Zoning District. Property is located at 908 E. Church St. within 500' of SR 352. Brian Grose advised this would be an expansion of the existing building which will affect the existing fueling island. They are trying to improve the drive-through with sidewalks and other accoutrements. They own the property to the west which consists of a hard packed gravel lot that will be paved. No driveway issues for pre-existing driveway entrances. Jimmy Joe Carl will be consulted on the upcoming stormwater design. The code states that if in the city you add 3,000 square feet of impervious surface it needs to go through the stormwater Coalition. We will contact Jimmy Joe Carl. M. Watts asked about the original Dandy Mini-Mart hot spot now and was advised by Brian Grose that they will work through it. S. McGranaghan noted that there were no major concerns. As far as a sign for the Travel America, the property is ___ if adding a sign. Brian Grose was not sure that the application had been submitted. They will prepare a sign variance application as far as what ___ stop __. S. McGranaghan relayed comments from Nick Vosburg that driveway entrances at the Dandy property enter a portion of E. Church Street that NYSDOT has jurisdiction over. NYSDOT driveway access permits will be required. Driveway accesses will need to be reviewed to ensure they are not in conflict with the new Travel America development across the street. S. McGranaghan noted that review of the Travel America plazas shows that they do not interfere with driveways. The existing Dandy driveway access locations present issues during peak travel times, and N. Vosburg stated he is not in favor of allowing a third driveway access. Stormwater permits will be required. It is his understanding that the proposed improvements will impact a NYSDEC owned easement. If this is true, NYSDEC approval will be required.

What does the proposed new signage look like? Where is it going? S. McGranaghan advised that DOT commented as follows: This project will require a Commercial Driveway permit. There is only page 1 of the Short Environmental Assessment Form included in the package. S. McGranaghan recommended local determination along with N. Vosburg, DOT and any board comments. J. Coletta summarized that local determination has been recommended along with comments from N. Vosburg and DOT. M. Podolec asked if parking for semi's was for overnight, and as well was it allowed, and was advised by Brian Grose that it wasn't 100 percent but ___ easement possible; he was not sure and advised that Dandy Mini-Marts is OK either way. J. Coletta asked for the hours of operation and was advised by Brian Grose that he was not sure. There being no further comments or questions, J. Coletta called for a motion for local determination along with comments submitted by N. Vosburg and DOT.

Motion: Made by Mark Watts, seconded by Frank Pierce, recommending local determination stating no countywide impacts along with comments submitted by N. Vosburg that driveway entrances at the Dandy property enter a portion of E. Church Street that NYSDOT has jurisdiction over. NYSDOT driveway access permits will be required. Driveway accesses will need to be reviewed to ensure they are not in conflict with the new Travel America development across the street. He is not in favor of allowing a third driveway access because the existing Dandy driveway access locations present issues during peak travel times. Stormwater permits will be required. NYSDEC approval will be required if the proposed improvements will impact a NYSDEC owned easement. What does the proposed new signage look like? Where is it going? Comments submitted by DOT that this project will require a Commercial Driveway permit. There is only page 1 of the Short Environmental Assessment Form included in the package. Members in favor, all; opposed, none. Motion carried.

5. Visitors Comments: J. Coletta called for any visitor comments on any matters. Town of Elmira resident Noreen Dieg submitted a letter and spoke regarding the proposed changes to the former Our Lady of Lourdes property now operating as a temple. She resides nearby. She expressed concern over the following: activities at the property, proposed zoning changes, vehicles parked long-term, young shoeless people walking to and from the property, proposed two-story apartment building with a transient population not a good fit for the residential neighborhood, why is it necessary to have a police presence during temple festivals when that didn't occur when it was a church, encouraged Chemung County Planning Board members to visit the site, not be in favor of the proposed zoning variance(s).

Planning Commissioner's Report – Staff Member Sean McGranaghan:

S. McGranaghan introduced three Planning Department interns here this summer who have been working on a number of projects and tasks.

Planning Board Chairman:

Chairman Joseph Coletta noted that the Town of Elmira Zoning Board of Appeals would be meeting the first Tuesday in July at 7:00 p.m. at the Town Hall.

Next CCPB Meeting:

Our next meeting will be in person unless there is no quorum. As a reminder, we will be meeting at the Human Resources Center building, first floor, Room #110. Please note that we plan to meet next on **Thursday, July 24, 2025.**

A motion to adjourn was made by Frank Pierce, seconded by Mark Watts. All in favor, aye; opposed, none. Motion carried. Full Meeting adjourned at 3:34 p.m.