

Town of Elmira
New York
ZONING BOARD OF APPEALS
MINUTES

Meeting October 28, 2025 7:00 pm EDT

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

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

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

Chairman Sullivan asks if there are any additions or corrections to the meeting minutes and hearing none, asks for a motion to accept the minutes as written.

MOTION by Scot Gerould to accept the July 22, 2025 meeting minutes.
 Second by Peter Peterson
 Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan
 Nays: None

AGENDA ITEM – 129 Watercure Hill Area Variance Request

Gina Gapa, owner of 129 Watercure Hill Rd introduces herself and explains that her proposal calls for the demolition of their existing home and is being replaced by a new modular home with a full basement. She states that the house will be oriented such that the sides of the house will be closer to the lot lines than is permitted by the town and is seeking an area variance for the side-yard setbacks as well as for minimum lot size.

Due to the uniqueness of the lot, the board discusses which side of the lot should be considered as the front and which is considered the side. After some dialogue about what constitutes a front yard, a motion is made to establish the east property line as being the front yard boundary.

MOTION by Scot Gerould to establish the east property line as the front yard boundary line.
 Seconded by Chris Longwell
 Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan
 Nays: none

Chairman Sullivan notes that now that the front and side yards have been established, the application can move forward with the requested variances for the side-yard setbacks. Mr. Sullivan states that having discussed this application and receiving enough information regarding the proposal, the board may schedule a public hearing.

MOTION by Chris Longwell to schedule a Public Hearing for November 25, 2025 at 7 PM at Town Hall.

Seconded by Peter Peterson

Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan

Nays: None

Chairman Sullivan explains that this proposal will also need to be referred to the Town of Elmira Planning Board and the Chemung County Planning Board.

MOTION by Scot Gerould to refer the Area Variance application to the Town of Elmira Planning Board.

Seconded by Chris Longwell

Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan

Nays: None

MOTION by Chris Longwell to refer the Area Variance application to the Chemung County Planning Board.

Seconded by Jennifer Moffe

Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan

Nays: None

AGENDA ITEM – 552 Underwood Ave Area Variance Request

Lindsay Stephens, owner of 552 Underwood Ave introduces herself and explains that she would like to construct an addition to the existing attached garage in order to fit a second vehicle. She states that the proposed addition will meet the required side-yard setback of ten feet at the front corner, but will be reduced to only six feet at the back corner.

There is some discussion by the board after referencing both the survey map and the ariel map and it is noted that the house was constructed perpendicular to the road instead of the lot lines. As such, the house sits askew relative to the boundary lines. It is clarified that the applicant is asking for four feet of relief, at the maximum, from the south side-yard setback. Chairman Sullivan remarks that most of the houses in that subdivision are unusually close to the southern property line, which is relevant when making a determination.

Chairman Sullivan asks if there is any other questions for the applicant and hearing none, asks for a motion to set a public hearing and refer the application to the Planning Board.

MOTION by Chris Longwell to schedule a Public Hearing for November 25, 2025 at 7 PM at Town Hall.

Seconded by Scot Gerould

Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan

Nays: None

MOTION by Scot Gerould to refer the Area Variance application to the Town of Elmira Planning Board.

Seconded by Peter Peterson

Ayes: Gerould, Longwell, Peterson, Moffe, and Sullivan

Nays: None

Meeting adjourned at 7:56 pm EDT.

Chairman Sullivan asks if there is anything this board needs to do when an application comes before the board but no decision or determination is made. Attorney Moore clarifies that the board does not need to do anything until the applicant provides new information or submits a new or amended application.

Chairman Sullivan asks if there is any other old or new business to come before the board and hearing none entertains a motion to adjourn.

*** Meeting adjourned at 7:36 PM ***