

**Town of Elmira**  
**New York**  
**ZONING BOARD OF APPEALS**  
**MINUTES**

**Meeting November 25, 2025 7:00 pm EDT**

**PRESENT:**           Chairman:     Joe Sullivan

                          Members:     Peter Peterson  
  Scot Gerould  
  Chris Longwell  
  Jennifer Moffe

**ALSO PRESENT:**                               Eric Crandall, Code Enforcement Officer

Chairman Sullivan opens the regular meeting at 7:00 p.m. and asks the clerk to call the roll. All members are present. He explains that there are public hearings scheduled for this evening and proceeds introduce applicant Gina Gapa of 129 Watercure Hill Rd. Ms. Gapa states that they wish to demolish the existing single-family home and replace it with a new modular home. She seeks variances for minimum lot size as well as two area variances for side yard setbacks.

Chairman Sullivan asks the board if they have any further questions and hearing none, opens the public hearing for 129 Watercure Hill Rd. After confirming the receipt of the affidavit of mailing and proof of publication of the hearing, he asks if there is anyone present that would like to speak in favor or in opposition to the requested variances. There is no one to speak for or against the application and Chairman Sullivan closes the public hearing at 7:03 PM.

Chairman Sullivan then introduces Lindsay Stephens of 552 Underwood Ave and has her explain her application. She states that she is looking to construct an addition to her garage and due to the arrangement of the house on the lot, the back corner of the garage would be less than the required setback. She is asking for approximately four-feet of relief from the side yard setback.

Chairman Sullivan asks the board if they have any further questions and hearing none, opens the public hearing for 552 Underwood Avenue. After confirming the receipt of the affidavit of mailing and proof of publication of the hearing, he asks if there is anyone present that would like to speak in favor or in opposition to the requested variances. There is no one to speak for or against the application and Chairman Sullivan closes the public hearing at 7:06 PM.

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 Chris Longwell to accept the October 28, 2025 meeting minutes.

Second by Scot Gerould

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

Nays: None

**AGENDA ITEM – 129 Watercure Hill Area Variance Request**

Chairman Sullivan asks if the front of the new dwelling is going to be at least forty-feet from the road. Mr. Crandall confirms that the new structure has plenty of room in the front and the front-yard setback will not be an issue. Chairman Sullivan reiterates that there are three area variances being requested and if there are no other questions then they will move through the five criteria required for review. The board affirms that there will not be an undesirable change in the neighborhood, the benefit cannot be achieved by some other feasible method, it is not substantial, and it will not have an adverse effect on the physical or environmental conditions of the neighborhood. The board acknowledges that the difficulty was self-created, but that shall not necessarily preclude the granting of the variance.

Chairman Sullivan notes that Pursuant to Chapter 6 of the State Compilation of Codes, Rules and Regulations of the State of New York, Part 617.5 (6 CRR-NY 617.5), the submitted application has been listed as a Type II action and is hereby not subject to environmental review. 617.5 (c) 17 states that, “granting of an area variance for a single-family, two-family, or three family residence” shall be considered a Type II action.

Chairman Sullivan then asks for a motion on the application.

**MOTION** by Scot Gerould to grant an area variance for relief from the minimum lot area requirements and allow construction on a lot with less than five acres.

Seconded by Jennifer Moffe

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

Nays: none

**MOTION** by Chris Longwell to grant an area variance for ten-feet of relief from the North side-yard setback.

Seconded by Peter Peterson

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

Nays: None

**MOTION** by Scot Gerould to grant an area variance for ten-feet of relief from the South side-yard setback.

Seconded by Peter Peterson

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

Nays: None

**AGENDA ITEM – 552 Underwood Ave Area Variance Request**

Chairman Sullivan notes that Pursuant to Chapter 6 of the State Compilation of Codes, Rules and Regulations of the State of New York, Part 617.5 (6 CRR-NY 617.5), the submitted application has been listed as a Type II action and is hereby not subject to environmental review. 617.5 (c) 17 states that, “granting of an area variance for a single-family, two-family, or three family residence” shall be considered a Type II action.

Chairman Sullivan asks if this will have any impact on the lot coverage requirements and Mr. Crandall notes that even with the proposed site improvements, the applicant is still under the minimum lot coverage.

Chairman Sullivan moves the discussion to the criteria for review and the board acknowledges that there will not be an undesirable change in the neighborhood, the benefit cannot be achieved by some other feasible method, it is not substantial, and it will not have an adverse effect on the physical or environmental conditions of the neighborhood. The board understands that the difficulty was self-created, but that shall not necessarily preclude the granting of the variance.

**MOTION** by Scot Gerould to grant the area variance request for four-feet of relief from the North side-yard setback for the construction of a garage addition.

Seconded by Peter Peterson

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

Nays: None

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.

**MOTION** by Jennifer Moff to adjourn the meeting.

Seconded by Peter Peterson

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

Nays: None

\*\*\* Meeting adjourned at 7:21 PM \*\*\*