

Town of Elmira
New York
ZONING BOARD OF APPEALS
MINUTES

Meeting July 28, 2026 7:00 pm EDT

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

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

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

Mr. Gerould asks if there are any additions or corrections to the meeting minutes from June 23, 2026 and hearing none, asks for a motion to accept the minutes as written.

MOTION by Pete Peterson to approve the June 23, 2026 meeting minutes.

Second by Chris Longwell

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

Public Hearing – 77 Durland Avenue

Chairman Gerould opens the public hearing and asks if there is anyone in attendance that would like to speak in favor of or opposition to the application. There is no one that chooses to speak on this matter. Attorney Moore informs the board that the applicant did submit an affidavit stating that all neighbors within 200 feet of the parcel have been appropriately notified. He also notes that the notice was published in the Star Gazette on July 13, 2026.

MOTION by Chris Longwell to close the public hearing

Second by Peter Peterson

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

Chairman Gerould reopens the regular meeting and moves into discussion on the 77 Durland Ave area variance application. There is nothing new to add to the application and the members discuss the project and its potential impacts on future variance requests.

Mr. Gerould states that the board is obligated to review five criteria prior to the granting of any area variances. The board discusses:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or community or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which is relevant to the decision, but shall not necessarily preclude the granting of the variance.

The board considered all of the criteria and came to the consensus that as a matter of scope and scale, this request was not very substantial and unlikely to change the neighborhood or have a negative impact on the area.

MOTION by Chris Longwell to grant an area variance giving 10 feet of relief into the front yard setback for the construction of a covered porch.

Second by Pete Peterson

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

Agenda Item – 1231 W. Water St. – West Elmira Library

Jeff Vieselmeyer, P.E., with Elmira Structures, and Paul Chapman, Executive Director of Chemung County Library District are in attendance to explain the application. Mr. Vieselmeyer states that the library district would like to construct a 14' x 73' addition to the east side of the existing West Elmira Library. The west side of the building abuts a residential property and they don't want to infringe on that space. Further, that is the location of many of the utilities, which would make an addition on that side difficult. The rear of the building (south side) is to be utilized to provide off-street parking, increasing the parking from five spaces to nine spaces.

The Proposed addition would come within approximately five feet of the public sidewalk along Westmont Avenue. Mr. Crandall asks if the current roof overhang would be recreated on the addition. Mr. Vieselmeyer explained that the aesthetics will be similar but the overhang will not be as expansive as it is now.

Mr. Crandall reminds the board that the applicant will need an area variance to encroach into the front yard setback as well as a variance to exceed the maximum allowable lot coverage.

There is discussion regarding the parking lot and potential stormwater runoff issues. Mr. Vieselmeyer stated that engineering would be conducted and designed to keep the water onsite.

Chairman Gerould notes that this application must be referred to the Town of Elmira Planning Board as well as the Chemung County Planning Board.

MOTION by Pete Peterson to refer the application to the Town of Elmira Planning Board.

Second by Chris Longwell

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

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

Second by Pete Peterson

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

MOTION by Chris Longwell to set a public hearing for September 22, 2026.

Second by Pete Peterson

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

Mr. Crandall also remarks that this application is subject to an environmental review due to being an Unlisted Action pursuant to SEQRA. Mr. Vieselmeyer acknowledges this and states they will submit the short environmental assessment form as soon as possible.

Mr. Gerould asks if there is any new business before the board and Mr. Crandall poses a question regarding allowable uses in a Neighborhood Business district. Discussion centers around coffee roasting and whether or not that fits within the approved uses. Attorney Moore informs the board that if the code officer denies the applicant a building permit, then the applicant may seek relief through a variance application.

With no other new or old business to discuss, the chairman asks for a motion to adjourn the meeting.

MOTION by Chris Longwell to adjourn the meeting.

Second by Jennifer Moffe

Ayes: Gerould, Longwell, Peterson, Moffe.

Nays: None

*** Meeting adjourned at 7:45 PM ***