



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue
Elmira, NY 14904

**MINUTES TO BE APPROVED
BY BOARD OF APPEALS**

BOARD OF APPEALS

MINUTES

WEDNESDAY, OCTOBER 21, 2026

PUBLIC HEARING

KELSIE ANDERSON

RE: 140 STROUSE ROAD, PINE CITY, NY 14871
USE VARIANCE

REVIEW RESOLUTION

SOUTHPORT COMPREHENSIVE PLAN

7:00 PM

SOUTHPORT TOWN HALL
1139 PENNSYLVANIA AVENUE
ELMIRA, NY 14904

To join the meeting via video

<https://teams.microsoft.com/meet/2743135872488387>

Meeting ID: 274 313 587 248 838

Passcode: YG6Wu7kR

To Join the meeting by phone

1-646-838-1692

Conference ID: 910 960 641#

Minutes of the Zoning Board of Appeals, Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York on October 21, 2026 at 7:00 pm.

Item No. 1 - Call to Order

Board Members Present:

Attendance

Belinda Combs
Justin Faulkner
Susan Silvers
Kenneth Wrigley

Board Members Absent:

Shawn Crater

Others Present:

Megan Dorritie, Town Attorney
Peter Rocchi, Town Code Enforcement Officer
Bonnie Balok, Secretary-Zoning Board of Appeals

Item No. 2 - Approval of Minutes of September 16, 2026

Ms. Combs made a motion to approve the September 16, 2026 minutes. Ms. Silvers seconded the motion. Minutes of September 16, 2026 unanimously approved as written. Mr. Wrigley abstained; not in attendance at September 16th meeting.

Item No. 3 – Public Hearing

Kelsie Anderson, 2008 Old Route 22, Lenhartsville, PA

Re: 140 Strouse Road, Pine City, NY 14871

Tax Map No. 116.00-1-61.2

Use variance-560 foot shed for use as a hunting cabin with no primary structure

Zoning: AR

The applicant and the applicant's husband attended the hearing via the phone.

Item No. 3 – Public Hearing (continued)

Kelsie Anderson, 2008 Old Route 22, Lenhartsville, PA

Re: 140 Strouse Road, Pine City, NY 14871

Tax Map No. 116.00-1-61.2

Use variance-560 foot shed for use as a hunting cabin with no primary structure

Zoning: AR

Chairman Faulkner read the details of the applicant's request, as listed above, and requested Ms. Anderson provide information concerning her request for a use variance.

Ms. Anderson: Advised she is asking for a use variance on the property because she misunderstood the rules. She further explained her understanding was the property had to have six hundred seventy square feet (670") and not a permanent structure and she just wanted to put a shed on the property and thought that was okay. Ms. Anderson advised they were not trying to live there.

Mr. Anderson: Advised they live several hours away and wanted to do more with the property and made the shed bigger so they could sleep in it, installed a camp shower and warmed the water with a wood stove. A five hundred (500) gallon septic tank using as a holding tank, but no water, flush with pond water with a one-half (1/2) gallon flush rate, one thousand (1,000) flushes to flush the tank. This is a handy way to keep low key and not disturb neighbors. They had made a mistake and assumed it was okay to put a non-permanent structure on her land without a primary structure. Ms. Anderson explained she and her brothers built the shed, but now she understands she should have had a primary structure first, but she does not have the money to build a primary structure now.

Ms. Anderson: There is a floor in it, gives them a roof over their heads when they come to the property.

Ms. Anderson: Explained she wanted the shed to look like little house.

Mr. Anderson: This gives us a place for storage, wash up and try to make the shed nice.

Mr. Anderson: Answered the four (4) Use Variance questions as follows:

Question 1: The applicant cannot realize a reasonable return, provided that lack of return is substantial and demonstrated by competent financial evidence.

Mr. Anderson: Not able to build a house on the property now. Just a place to hunt.

Question 2: The alleged hardship relating to the lot in question is unique and does not apply to a substantial portion of the District or neighborhood in which the lot is located.

Mr. Anderson: They are the only ones putting a shed there and not disturbing anyone.

Ms. Anderson: They can't see anyone else.

Question 3: The requested use variance, if granted, will not alter the essential character of the District neighborhood in which a lot is located.

Mr. Anderson: Won't change anything. Cleaned up property covered with trees.

No electric there now.

Ms. Anderson: If they put up a bigger house that would be more intrusive than what is there now.

Question 4: The alleged hardship is not self-created.

Mr. Anderson: Not self-created. They misunderstood the six hundred eighty (680) rule and they are happy to clarify minimum length and width square footage.

Chairman Faulkner: If there was a primary structure there it would be seven hundred eighty square feet.(780).

Chairman Faulkner: Opened the meeting up to the Public Hearing.

Mr. Jack Lewis: 292 Strouse Road, Pine City, NY. Advised they did a nice job on this property which is next to his property.

Attorney Dorritie: Explained what a primary residence is. This is the main structure for the property such as a home with certain dimensions and square footage.

Mr. Rocchi: Permanent is anything in Southport less than one hundred days (180) in a one-year period. This would be two (2) structures combined to get to five hundred sixty feet (560').

Chairman Faulkner: Asked if there were any other questions. No other questions forthcoming, the Public Hearing portion of the meeting was closed.

Ms. Silvers: Asked what will happen with the illegal septic tank?

Mr. Rocchi: Advised that would be a Health Department matter.

Ms. Combs: Primary structure is required to control camps popping up and to protect first responders.

Attorney Dorritie: Primary structure is a safe guard and there is a process for building permits. The Zoning Board of Appeals is constrained because the Rules are created by the Town Board.

Zoning Board of Appeals Members Reviewed the four Use Variance Questions.

Question 1: The applicant cannot realize a reasonable return, provided that lack of return is substantial and demonstrated by competent financial evidence.

Ms. Combs: No financial hardship

Chairman Faulkner: They can recognize a reasonable return by building a house.

Four Votes: Yes

Question 2: The alleged hardship relating to the lot in question is unique and does not apply to a substantial portion of the District or neighborhood in which the lot is located.

Ms. Combs: Nothing unique

Ms. Silvers: Nothing unique

Four Votes: No

Question 3: The requested use variance, if granted, will not alter the essential character of the District neighborhood in which a lot is located.

Ms. Combs: Won't alter anything

Ms. Silvers: Septic could require forty feet (40) from the Health Department

Four Votes: No

Question 4: The alleged hardship is not self-created.

Four Votes: Yes

Chairman Faulkner: Explained NYS law requires if the Board can't prove all four (4) questions, the application has to be denied.

Ms. Silvers made a motion to vote on the variance for the applicant with a "no vote" denying the variance and a "yes vote" granting the variance. Motion seconded by Ms. Combs.

Ms. Balok called the Roll: Ms. Combs-No, Ms. Silvers-No, Mr. Wrigley-No, Chairman Faulkner-No.
Variance Denied.

Chairman Faulkner: Advised Ms. Anderson to speak with the Code Enforcement Officer to help address not being in compliance so they do not face any action from the Town.

Ms. Anderson: Asked why they could not receive a variance.

Ms. Combs: Explained the Board has to follow a certain set of rules. Unfortunately, the Board has to follow the rules. The applicant will have to speak to the Zoning Officer to see how it could be in compliance.

Ms. Anderson: I was told I have to bulldoze it.

Ms. Combs: No primary residence is the problem, Primary residence is not there.

Ms. Anderson: No choice, bulldoze, build a primary residence and add \$20,000 to the structure to build a whole new house.

Mr. Anderson: We will talk to Code Enforcement about how to make this legal.

Ms. Silvers: Discuss this with the Zoning Officer. This is not in the ZBA's purview.

Ms. Anderson: We love the neighbors, but we may have to sell it to our friend Bob for tons of money.

Ms. Silvers: This is not in the purview of the ZBA.

Attorney Dorritie: The Board has made a decision, You must bring this in compliance and bring this to the Code Enforcement Officer.

Public Hearing Adjourned: 7:36 pm

Item No. 4 – New Business

The Board reviewed the Resolution/Memo Attorney Dorritie prepared concerning the Southport Comprehensive Plan. The Board approved the Resolution/Memo and Chairman Faulkner signed the Resolution/Memo. The Resolution/Memo will be submitted to the Town Clerk.

Item No. 5 – Old Business

As the Board requested, on September 16, 2026, a letter, dated September 18, 2026, was sent to the Town Clerk requesting applications for an alternate Board member. .

Item No. 6– Discussion

The Board is scheduled to attend a training in Horseheads, NY on November 18, 2026. The date of November 18, 2026 is the regularly scheduled date for the Zoning Board of Appeals to meet if there is a variance request. The Board discussed an alternate date for the Zoning Board of Appeals if there is a variance request. Chairman Faulkner made a motion to set Tuesday, November 17, 2026, 7:00 pm as an alternative date for the ZBA meeting. Motion seconded by Ms. Combs. Unanimously approved; alternate date ZBA meeting November 17, 2026.

Item No. 7 – Adjournment

Ms. Combs made a motion to adjourn; seconded by Ms. Silvers. Adjournment unanimously approved.

Meeting Adjourned: 7:44 pm

Original on File: Town Clerk

C: Town Board, Board of Appeals, Planning Board, Town Supervisor, Town Attorney,
Town Assessor, Town Code Enforcement Officer, Applicant Ms. Anderson

Bonnie Balok, Secretary

Zoning Board of Appeals-October 23, 2026

**MINUTES TO BE APPROVED
BY BOARD OF APPEALS**

**ZONING BOARD OF APPEALS
TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK**

**RESOLUTIONS
2026**

**RESOLUTION TO BE APPROVED
BY BOARD OF APPEALS**

Resolution No. 7

USE VARIANCE DENIED

PROPERTY:	TAX MAP NO. 116.00-1-61.2 COMMONLY KNOWN AS 140 STROUSE ROAD	ZONED: AR PINE CITY NY 14871
APPLICANT:	KELSIE ANDERSON 2008 OLD ROUTE 22	LENHARTSVILLE PA
OWNER:	KELSIE ANDERSON 2008 OLD ROUTE 22	LENHARTSVILLE PA
RESOLUTION:	SILVERS	SECONDED: COMBS

WHEREAS, Kelsie Anderson, 2008 Old Route 22, Lenhartsville, PA, applied for a use variance for a five hundred sixty square foot (560') shed with no primary structure, at 140 Strouse Road, Pine City, NY 14871 in an AR Zone, as per Town Code, Town of Southport, County of Chemung. The property is located in an AR zone and is commonly known as 140 Strouse Road, Pine City, NY 14871, Tax Parcel, 116.00-1-61.2, and

WHEREAS, the Town of Southport Zoning Board of Appeals held a public hearing on October 21, 2026 at 7:00 p.m., or as soon thereafter as it could be heard, at the Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York, to consider the granting of the use variance, with one (1) resident in attendance providing support for the project and no other public comments for or against the project at the hearing, and

WHEREAS, based upon deliberation, consideration and discussion, the members of the Zoning Board of Appeals were of the opinion the use variance could not be granted to allow for a five hundred sixty square foot (560') shed with no primary structure at 140 Strouse Road, Pine City, New NY 14871, and

NOW THEREFORE BE IT RESOLVED the use variance is denied to Kelsie Anderson, for the property commonly known as 140 Strouse Road, Pine City, NY 14871, Tax Map 116.00-1-61.2 and the building inspector of the Town of Southport be and hereby is not authorized to issue a permit for said use.

No-Deny Variance:	Combs, Silvers; Wrigley and Faulkner
Yes-Grant Variance	None
Carried.	
October 21, 2026	