
Town of Lansing

Tuesday, November 15, 2016 6:30 PM, Zoning Board of Appeals Meeting

ZONING BOARD OF APPEALS MEMBERS

(*Denotes present)

- | | |
|----------------------------------|-----------------|
| * Linda Hirvonen | * Dan Konowalow |
| * Henry (Hurf) Sheldon, Chairman | * Judy Drake |
| Maureen Cowen | |
| * Dean Shea, Alternate | |

Other Staff

- * Lynn Day, Zoning Officer
- * Guy Krogh, Esq.

PUBLIC PRESENT

John Young
Catherine Lama

GENERAL BUSINESS

Chairperson, Henry (Hurf) Sheldon called The Town of Lansing Zoning Board of Appeals Meeting to order at 6:31 PM.

Mr. Sheldon reviewed the Agenda with all present.

Alternate Dean Shea was enacted to vote this evening due to a Member being absent.

Approval/Denial of Minutes for: August 16, 2016

Pg. 7, under 1st finding: well to will

APPROVED

Linda Hirvonen made motion to approve as amended. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Dean Shea, Alternate**
- Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Chair**

Mr. Sheldon acknowledged the Legal Notice pertaining to the Area Variance request was published in the Ithaca Journal as required.

Judy Drake made a motion to open the Public Hearing at 6:35 PM on the Application request made by Greg Carlson, Agent for Reach Works, Inc. for an Area Variance. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Dean Shea, Alternate**
- Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Chair**

Public Hearing - Consideration of an Area Variance (height) made by; Greg Carlson, Agent for Reach Works, Inc., 1767 East Shore Drive, Tax # 37.1-6-9

Mr. Carlson gave the Board a Power Point Presentation of the requested In-door Climbing Gymnasium proposal as well as the information below.

APPROVED

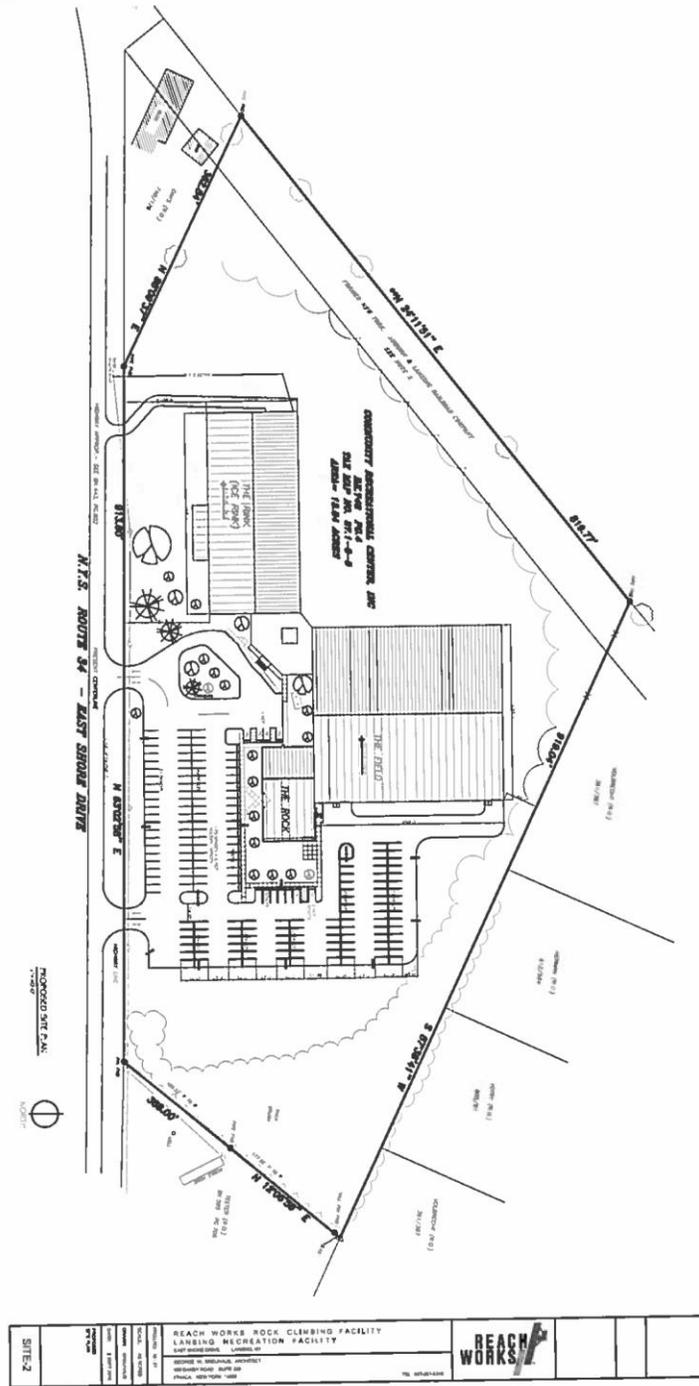
Justification of Request:

Our aim is to provide a world-class indoor climbing experience for local residents and to create a destination for climbers in the tri-state region. To provide a world-class facility, we seek to build two types of indoor climbing walls that are approximately 50 feet tall. These are 1) An overhanging “lead” climbing wall that fulfills International World Cup competitive standards (approximately 15 meters tall) and 2) A 15 meter speed climbing wall that fulfills National and International competitive climbing standards. These same standards will be used for competitive climbing in the 2020 Olympics.

When open, this facility would provide a training and competition environment for youth, collegiate and adult climbers that would be unmatched on the Atlantic Coast. Currently, east of the Mississippi, the only other Olympic-standard gym is in Atlanta, GA. For competitive climbing, this gym would attract athletes from the whole Northeastern region, including New England. These heights would also provide an exceptional recreational experience for area residents. As our decision to collaborate with the Community Recreation Center reflects, we seek to make climbing at this world-class facility available to as broad a range of local participants as possible.

To contain these 50-foot walls, we are requesting a building height variance of up to 56 feet, as shown in the attached drawings. This would place our building 14 feet above the directly adjacent building housing “the Field” in the existing Community Recreation Center complex.

APPROVED



A Balloon test was performed on Wednesday, October 19, 2016 for several hours. Several of the PB and ZBA Members viewed the aerial display from different locations within the Town and had no negative feedback.

APPROVED

Ms. Hirvonen inquired if equipment would be available on site for the Public to rent. Mr. Carlson advised her yes.

Mr. Carlson further stated there will competitions held approximately four times per year. This facility would bring people here from all over the Northeast and certainly it will increase tourism revenue to the Town.

Public/Member Comments/Concerns

Catherine Lama: Resident who resides adjacent to the proposal states she has great concerns with the late night noise and increase in traffic (shining car lights). Ms. Lama presented photos taken from her back deck showing the closeness of the parking lot. Ms. Lama further stated this proposal is out of character for the neighborhood. It was not the Rink's intention to continue to add additions to this property.

Linda Hirvonen advised Ms. Lama that it is not the purview of the Zoning Board to determine conditions with respect to noise. That is the Planning Board's jurisdiction under Site Plan Review.

Andy Sciarabba states the Planning Board discussed planting trees to buffer the sound. The trees will be closer to the building as they cannot be planted near the road due to the site lines for both driveways.

John Young states he owns the largest number of properties around the parcel in question as see no detriment to the property in question or his. Mr. Young thinks this is a fabulous amenity to the area. Mr. Young again reminded the Zoning Board Members that his support was for the overall project, however, they should only be considering the height. Mr. Young presented the following letter in support of the proposal along with a Map high lighting the proposal and his properties;

APPROVED

TO: Town of Lansing Planning Board
Town of Lansing Zoning Board of Appeals
FROM: John Young
DATE: November 14, 2016
RE: Reach Works Inc. Indoor Climbing Wall Addition

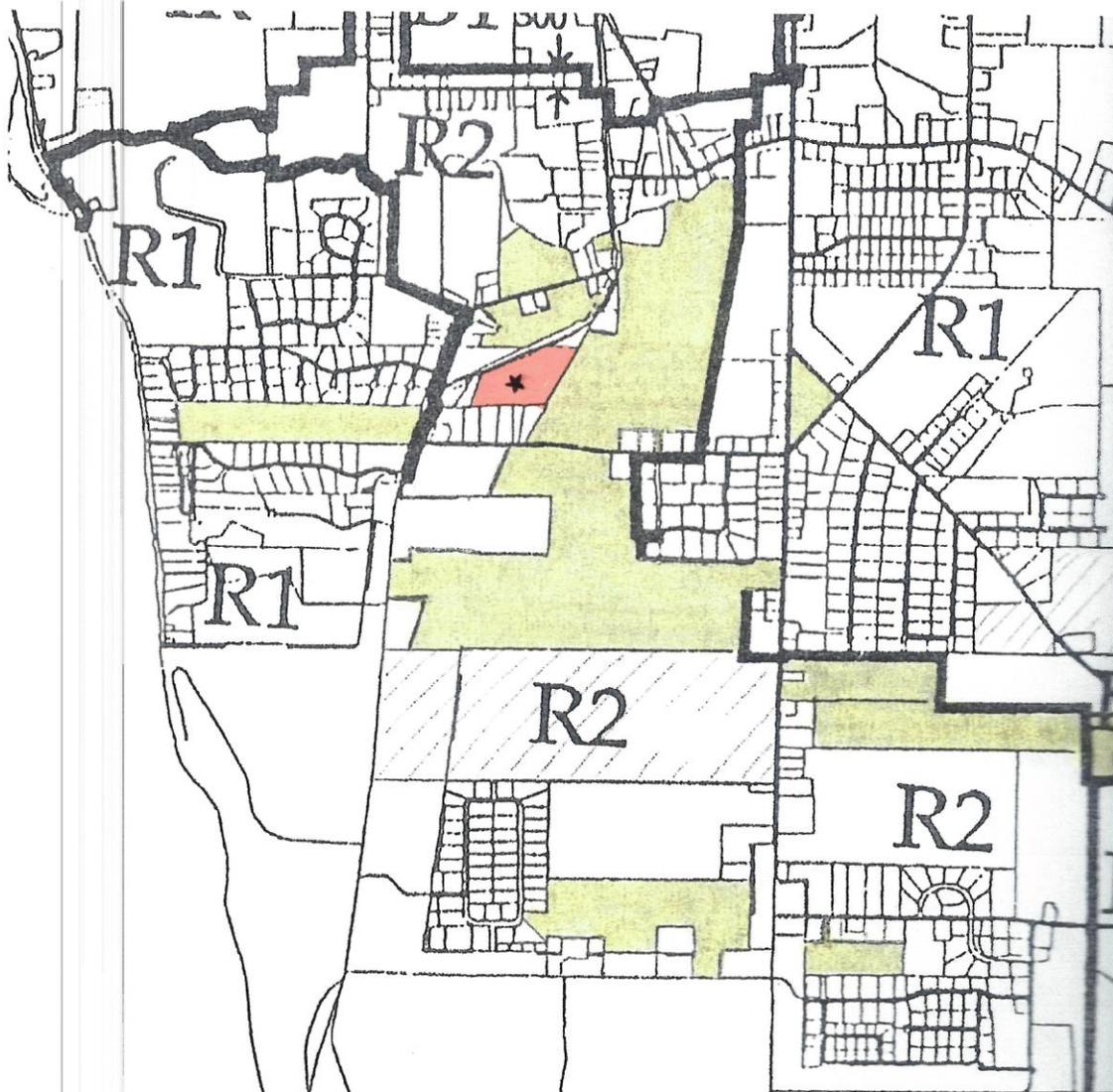
Please accept this letter of support for the Reach Works proposal your boards will both be considering this week.

As you will note on the attached map, we own land adjacent to or within sight distance of the proposed addition on all sides, thus our properties will be more heavily impacted by this project than anyone. And we are 100% supportive, feeling that this will be a great amenity for the neighborhood and won't have any significant adverse consequences.

Views are important, but for most people in the area this will be a minor adjustment to their skyline at worst, and a wonderful asset to the community. And you can't have a proper indoor climbing wall without a fairly tall building. So we hope that both boards will accept the proposal before them.



APPROVED



Linda Hirvonen made a motion to close the Public Hearing at 7:07 PM. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Dean Shea, Alternate**
- Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Chair**

Further Member Discussion

Daniel Konowalow further explained that a number of years ago the Town placed a height restriction on structures throughout the Town for safety reasons. The

APPROVED

reason being that the Fire Department did not have an apparatus that could reach over a certain height. The Fire Department now has the capability to handle structures up to 100’.

Linda Hirvonen and Judy Drake both agreed that the only issue before the Board is for the height in question.

Members reviewed the criteria for the Area Variance and made the following determination.

Dean Shea offered the following Decision in favor of granting the requested Area Variance up to 56’ in height. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Dean Shea, Alternate**
- Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Chair**

**AREA VARIANCE FINDINGS AND DECISION
TOWN OF LANSING ZONING BOARD OF APPEALS**

BACKGROUND INFORMATION

Applicant:

Reach Works, Inc.
1118 Autumn Ridge Lane
Ithaca, NY 14850
9/15/16

Variance No: 16-07
Zoning District: R2
Published Notice on: 10/26/16
Notice to County Sent on:

SEQRA: N/A
Hearing Held On: 11/15/16

Property Location: 1767 East Shore Drive, Ithaca, NY 14850

Tax Parcel #: 37.1-6-9

Requirement for which Variance is Requested: Height

Applicable Section of Town Zoning Ordinance:

APPROVED

Sec. 504, Schedule II Area, Frontage, Yard, Heights and Coverage Requirements.

RESOLUTION AND FINDINGS

WHEREAS, Greg Carlson, Agent for Reach Works, Inc. has applied for an Area Variance and

WHEREAS, on November 15, 2016 the Town of Lansing Zoning Board of Appeals (the "ZBA") thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant(s) in support of the requested area variance; (ii) all other information and materials properly before the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and the ZBA; and

WHEREAS, this proposed action is a SEQRA Unlisted Action for which the Town of Lansing Planning Board, as Lead Agency, duly issued a Negative Declaration of environmental impacts on November 14, 2016; and

WHEREAS, a General Municipal Law § 239 referral was delivered to, and a review dated July 15, 2016 was received from, the Tompkins County Planning Department, which officially determined that there will be no "negative inter-community, or county wide impacts"; and

WHEREAS, on November 15, 2016 the ZBA, in accordance with Town Law § 267 *et seq.* and the Town of Lansing Land Use Ordinance, considered the application and all materials before the ZBA and, in the course of deliberations, took into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community arising from the potential granting of an area variance.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Lansing Zoning Board of Appeals ("ZBA") hereby makes the following findings with respect to the specific criteria for area variances as set forth in Town Law § 267-b(3)(b), and other applicable provisions of law and of the Town Zoning Ordinance:

a. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

Yes ____ No X

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Findings: Change is minimal with regard to current.

b. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance?

Yes ____ No X

Findings: Not available under the current Ordinance.

c. Whether the requested area variance is substantial?

Yes X No ____

Findings: Yes it is substantial, not as substantial considering existing building.

d. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Yes ____ No X

Findings: Conforms to and enhances existing property.

e. Whether the alleged difficulty was self-created?

Yes X No ____

APPROVED

Findings: Applicant chose this location.

2. DETERMINATION BASED ON THE ABOVE FACTORS (choose one):

It is hereby determined by the Town of Lansing Zoning Board of Appeals (the "ZBA") that the following area variance is **GRANTED**, with any conditions hereafter stated (if any), it being further found and determined that (i) the benefit to the applicant outweighs any potential negative impacts or detriment to the neighborhood or community; and (ii) such area variance is the minimum necessary as adequate to grant relief and, at the same time, preserve and protect the character of the neighborhood and the safety and welfare of the community.

DESCRIPTION OF SPECIFIC VARIANCE GRANTED: To allow construction of the proposed Indoor Climbing Gymnasium to the height of 56'.

ARE CONDITIONS IMPOSED WITH RESPECT TO THE AREA VARIANCE AS GRANTED:

Yes No

STATEMENT OF CONDITIONS:

1. As variances are exceptions based upon exigent need or emergency, should applicant fail to avail itself of the benefits of the above-described area variance within one year from the date hereof, this approval and such area variance shall expire. In cases where construction may be applicable, "avail itself of the benefits" shall mean a building permit obtained (if necessary) and substantial construction has commenced. Said one-year approval period may be extended for good cause by the ZBA if application for an extension is submitted before the expiration of the then applicable variance period.

It is hereby determined by the Town of Lansing Zoning Board of Appeals that the request for an Area Variance is: **APPROVED**

THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND RESOLUTION OF THE TOWN OF LANSING ZONING BOARD OF APPEALS WAS AS FOLLOWS:

Member: Judy Drake- Aye

Member: Linda Hirvonen - Aye

APPROVED

Member: Daniel Konowalow - Aye
Alternate Member: Dean Shea - Aye
Chair: Henry (Hurf) Sheldon- Aye

Other Business

A brief discussion took place with respect to changing the Meeting date for next month due to the Holiday. It was the consensus of the Board to change the Meeting date to Tuesday, December 13, 2016 at 6:30 PM.

Daniel Konowalow made a motion to adjourn the Meeting at 7:33 PM. Linda Hirvonen seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Dean Shea, Alternate
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Chair