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# Town of Lansing

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Tuesday, July 20, 2010 7:00 PM, Zoning Board of Appeals Meeting

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## ZONING BOARD OF APPEALS MEMBERS

(\*Denotes present)

- |  |                        |
|--|------------------------|
| * Gregg Travis, Chairman                             | David Dittman          |
| * Linda Hirvonen                                     | * Dan Konowalow        |
| Ronald Bricker, Alternate Member                     | * Henry (Hurf) Sheldon |
| * Jeffrey Overstrom, Engineer & Planning Coordinator |                        |
| * Kathryn Miller, Town Board Liaison                 |                        |
| Lorraine Moynihan Schmitt, ZBA Attorney              |                        |

## PUBLIC PRESENT

Constance Neff

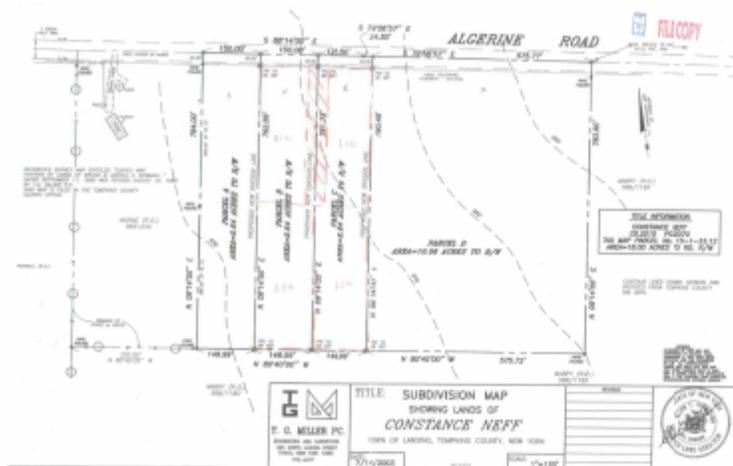
## GENERAL BUSINESS

Gregg Travis called the meeting to order at 7:01PM. Mr. Travis acknowledged the Legal Notice published in The Ithaca Journal.

### Public Hearing for: Area Variance Application, Applicant: Constance Neff, Algerine Road, Tax Parcel # 15.-1-33.14 & .15

Ms. Neff appeared before the Zoning Board of Appeals for an Area Variance with respect to Section 504, Schedule II (Frontage requirements) and Section 606 (B) (Minimum Lot size). Ms. Neff would like to create a 4 lot Subdivision from 2 previously subdivided lots on Algerine Road.

The following proposal was presented;



**APPROVED**

Daniel Konowalow made a motion to open the Public Hearing at 7:03 PM. Linda Hirvonen seconded.

**VOTE AS FOLLOWS:**

**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**MOTION CARRIED.**

**Member/Public Comments/Concerns:**

Gregg Travis: Inquired why Ms. Neff did not take land from Parcel D (Boundary change) and incorporate it with parcel B & C so both lots fronting the road would remain the same and have the required frontage, but would give the back lots the required 30' width for a driveway.

Constance Neff: Would like to keep the 10 acre parcel intact.

Daniel Konowalow: Suggested Ms. Neff build a road to the Town Specs in the middle of lots B & C and that would take care of her problem.

Chairman Travis read a letter received from a neighbor with regard to the Area Variance request, the neighbor is not in favor of the proposal.

Connie Neff: Is proposing deed restrictions that will not allow Mobile Homes, Double Wides and Modulars on the proposed lots.

Jeff Overstrom: Read Section 606(b) of the Subdivision Rules and Regulations with respect to the area configuration for Flag Lots. These lot sizes do not meet the requirements, therefore, as part of the Variance request this Section must also be taken into consideration.

Daniel Konowalow: There are alternatives to satisfy Ms. Neff's desire to use this acreage and still meet the Town's Land Use Ordinance.

Daniel Konowalow made a motion to close the Public Hearing at 7:29 PM. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**APPROVED**

**MOTION CARRIED.**

**Further Discussion:**

The Board Members reviewed the criteria for an Area Variance.

1. State whether an undesirable change in the neighborhood character will be created, and reason why:

No, but this will create small lots compared to most on Algerine Road.

2. Is there an alternative method, feasible to pursue, to achieve what the Applicant desire, and reason why:

Yes, there is sufficient land owned by the Applicant to meet Subdivision Regulations for the creation of additional lots.

3. State whether the requested Area Variance is substantial, and reason why;

Yes, because two conforming lots would be divided to make four non conforming lots.

4. State whether the Variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and reason why:

No, but Health Department requirements must be met.

5. State whether the alleged difficulty was self-created, and reason why:

Yes.

List conditions if any, prescribed by the Zoning Board of Appeals in granting this Variance.

Daniel Konowalow made a motion to deny the request. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

**Linda Hirvonen - Aye**

**Daniel Konowalow - Aye**

**Henry (Hurf) Sheldon - Aye**

**Gregg Travis - Aye**

**MOTION CARRIED.**

**Approval/Denial of April 20, 2010 Minutes**

**APPROVED**

Daniel Konowalow requested on page 2, first paragraph, first sentence the extra word "the" be removed. Linda Hirvonen made a motion to approve as amended. Henry (Hurf) seconded.

**VOTE AS FOLLOWS:**

**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**MOTION CARRIED.**

Daniel Konowalow made a motion to adjourn the Meeting. Henry (Hurf) seconded.

**VOTE AS FOLLOWS:**

**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**MOTION CARRIED.**