
Town of Lansing

Monday, July 27, 2009 6:45 PM, Zoning Board of Appeals Meeting

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 | | |
| | Bud Shattuck, Town Board Liaison | | |
| | Lorraine Moynihan Schmitt, ZBA Attorney | | |

PUBLIC PRESENT

- Albert Budd
- Carlyle Newton
- Sandy Newton
- Robert Sullivan

GENERAL BUSINESS

Gregg Travis called the meeting to order at 6:45 PM. Mr. Travis acknowledged the Legal Notice published in The Ithaca Journal with regards to the Public Hearing on the Area Variance.

Public Hearing for: Area Variance, Applicant: Jack Jensen (Farm Pond Circle Subdivision) Collins Road, Tax Parcel No. 38.-1-4.122

Daniel Konowalow made a motion to open the Public Hearing at 6:46 PM. Henry (Hurf) Sheldon Seconded.

VOTE AS FOLLOWS:

- Daniel Konowalow - Aye
- Henry (Hurf) Sheldon - Aye
- Gregg Travis - Aye

MOTION CARRIED.

Member/Public Comments/Concerns:

Mr. Jensen gave a brief overview of his proposed “affordable green housing” consisting of 19 Single Family lot Subdivision to be located on Collins Road. This will be a residential reforestation project with 50% of the perimeter of each lot

being permanently set aside with deed restrictions to be forest land. Deed restrictions will be placed on the entire Subdivision and enforced by a Homeowners Association.

Mr. Jensen has come before the Board requesting an Area Variance for six lots (#s 14, 13, 11, 10, 8 & 7) not conforming on the road frontage requirement. The project has previously come before the Planning Board and a recommendation has been offered to the Zoning Board in favor of the proposed project. Jeffrey Overstrom stated he has discussed this proposal with the Town Highway Superintendent and the Lansing Fire Chief and they do not have any issues with the road design as presented.

Gregg Travis: Indicated there is a feasible way to meet the requirements, which is by reducing the number of the lots.

Jack Jensen: States financially there is no feasible way.

Carlyle Newton: Concerned that the proposed subdivision may affect his water supply.

Albert Budd: Questioned outdoor lighting, rising assessments on his property and the increase of traffic in the neighborhood.

Rob Sullivan: Feels the rules should be followed. Suggested that Mr. Jensen decrease the number of lot by (1) and follow the rules.

Daniel Konowalow: Suggested the layout of the road be changed to a T. Mr. Jensen advised him by changing the layout it would remove the community space.

Sandy Newton: Questioned if the jogging trail would have a buffer such as a fence. Mr. Jensen advised Ms. Newton that there would be no fence, the trail would be a grass surface and kept mowed.

Henry (Hurf) Sheldon made a motion to close the Public Hearing at 7:15 PM. Daniel Konowalow seconded.

VOTE AS FOLLOWS:

Daniel Konowalow - Aye

Henry (Hurf) Sheldon - Aye

Gregg Travis - Aye

MOTION CARRIED.

The Board Members reviewed the criteria for an Area Variance.

1. Can benefit be achieved by other means feasible to Applicant?

Yes, but would not allow the Community benefit that Mr. Jensen is trying to achieve.

- 2. Is there any undesirable change in the neighborhood character or to nearby properties?

Request will not change character of neighborhood regarding size of lots.

- 3. Is the request substantial?

Yes, regarding number of lots not meeting frontage.

- 4. Will the request have adverse physical or environmental effects?

It could have negative impact on water source.

- 5. Is the alleged difficulty self-created?

Yes, could have lots of larger frontage.

Member Discussion

Gregg Travis: States in his opinion, the lot size is more important in an Area Variance than the frontage when you have a development like this. In addition, The Planning Board is supporting this proposal per their recommendation letter to the Zoning Board.

Henry (Hurf) Sheldon: States as a Member of the Zoning Committee, there is an interest for affordable housing. Mr. Sheldon is concerned that this may not be affordable.

Henry (Hurf) Sheldon made a motion requesting that the petition for the Area Variance be **granted**. Gregg Travis seconded.

VOTE AS FOLLOWS:

Daniel Konowalow - Aye

Henry (Hurf) Sheldon - Aye

Gregg Travis - Aye

MOTION CARRIED.

Henry (Hurf) Sheldon made a motion to adjourn the Meeting at 7:29 P.M. Daniel Konowalow seconded.

VOTE AS FOLLOWS:

Daniel Konowalow - Aye

Henry (Hurf) Sheldon - Aye

Gregg Travis - Aye

MOTION CARRIED.