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# Town of Lansing

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Tuesday, April 21, 2009 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 |                        |
| * Bud Shattuck, Town Board Liaison                 |                        |
| Lorraine Moynihan Schmitt, ZBA Attorney            |                        |

### PUBLIC PRESENT

Stephanie Spackman

Chris Bordlemay

Bert Fortner

James Mason

### GENERAL BUSINESS

Gregg Travis called the meeting to order at 7:00 PM.

### Public Hearing for: Area Variance, Applicant: Stephanie Spackman, 181 Ludlowville Road, Tax Parcel No. 26.-6-9

Stephanie Spackman appeared before the Board with her Architect Bert Fortner. Ms. Spackman is requesting an Area Variance to allow her to remove the small utility room and add an addition and front porch to the east side of her existing home. The existing home is non conforming to the current setbacks.

Chairman Travis acknowledged the Legal Notice published in The Ithaca Journal.

Linda Hirvonen made a motion to open the Public Hearing at 7:01 PM. Henry (Hurf) Sheldon Seconded.

#### VOTE AS FOLLOWS:

- David Dittman - Aye
- Linda Hirvonen - Aye
- Henry (Hurf) Sheldon - Aye
- Gregg Travis - Aye

MOTION CARRIED.

Mr. Konowalow arrived at the Meeting after the Public Hearing was opened.

**Member/Public Comments/Concerns:**

Gregg Travis advised from Mr. Fortner that the numbers submitted on the plans look to be incorrect. Mr. Travis further stated that, 0.208 acres is approximately 9,000 sq. ft., not 3,484 sq. ft. The proposed lot coverage would then be 14.3% coverage.

James Mason: Encouraged/urged the Board to approve for the following reasons:

1. Community value having young families move into the area.
2. Increase in property values due to those families putting major amounts of money into their structures.
3. In keeping with the architectural heritage of time.

Mr. Mason further stated he is totally in favor of this project.

Dan Konowalow made a motion to close the Public Hearing at 7:08 PM. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

**David Dittman - Aye**

**Linda Hirvonen - Aye**

**Daniel Konowalow - Aye**

**Henry (Hurf) Sheldon - Aye**

**Gregg Travis - Aye**

**MOTION CARRIED.**

The Members review the following Area Variance criteria;

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes \_\_\_ No

Reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes  No \_\_\_ *BUT NOT NECESSARY*

Reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Whether the requested variance is substantial: Yes \_\_\_ No

Reasons: \_\_\_\_\_  
\_\_\_\_\_

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes \_\_\_ No

Reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Whether the alleged difficulty was self-created: Yes  No \_\_\_

Reasons: *BUT NOT SIGNIFICANT*  
\_\_\_\_\_  
\_\_\_\_\_

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

The Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is

The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: THERE IS NO DETRIMENT TO NEIGHBORHOOD

The ZBA further finds that a variance of \_\_\_\_\_ from Section \_\_\_\_\_ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

NOT APPLICABLE

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: NO CONDITIONS ARE APPLIED

Adverse impact to be minimized: \_\_\_\_\_

Condition No. 2: \_\_\_\_\_

Adverse impact to be minimized: \_\_\_\_\_

Gregg Travis 4/21/09  
Chairman, Zoning Board of Appeals Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>GREGG TRAVIS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member	<u>LINDA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member	<u>HIRE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member	<u>DAVE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member	<u>DAN</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Daniel Konowalow made a motion requesting that the petition for an Area Variance be granted. David Dittman seconded.

VOTE AS FOLLOWS:

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

MOTION CARRIED.

Daniel Konowalow requested the following statement be made a part of the Minutes. "This is a nice project, and nicely presented. For me, although, I had the advantage of being slightly familiar with the neighborhood having visited the Federal House both on business and personal reasons, having the little Sketch of the neighborhood and where the plans fits in was absolutely terrific. I would recommend whenever there is an Architect or Engineer involved in future petitions, they be encouraged to show a little Sketch Plan of where the proposed project would fit in with the neighborhood".

**Approval/Denial of March 17, 2009 Minutes**

Linda Hirvonen made a motion to approve the Minutes of March 17, 2009 Minutes as submitted. Dan Konowalow seconded.

VOTE AS FOLLOWS:

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

MOTION CARRIED.

**April 21, 2009 PB/ZBA/TB Workshop**

Gregg Travis, Chairman expressed to those Members that did not make it, that the presentation was very good. Linda Hirvonen gave the following website [www.lansingmatters.org](http://www.lansingmatters.org) for those who wish to review a summary of the presentation. Rachel Jacobsen also advised the Members that she has an audio that may be produced for them.

**Town Board Liaison update on The North Log Cabin:**

Bud Shattuck, Councilman stated a Meeting was held today to discuss the erection of The North Cabin on Town property. Mr. Shattuck stated the next meeting will take place on May 18, 2009. Tentative plans are to erect the cabin down at Salt Point. Volunteers will be used to erect the building under the direction of Lindall Homes. The Committee is looking for log donations. The

Lead Agency will be The Lansing Community Council. A new Trust will be established (Friends and Family of the North Family) that will allow for future upkeep of the Cabin.

Daniel Konowalow made a motion requesting the Meeting be adjourned at 7:24 PM. David Dittman seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**

**Linda Hirvonen - Aye**

**Daniel Konowalow - Aye**

**Henry (Hurf) Sheldon - Aye**

**Gregg Travis - Aye**

**MOTION CARRIED.**