
Town of Lansing

Tuesday, September 20, 2011 7:00 PM, Zoning Board of Appeals Meeting

ZONING BOARD OF APPEALS MEMBERS

(*Denotes present)

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

PUBLIC PRESENT

Carol Eastman
Charles Speta
Greg Eastman

GENERAL BUSINESS

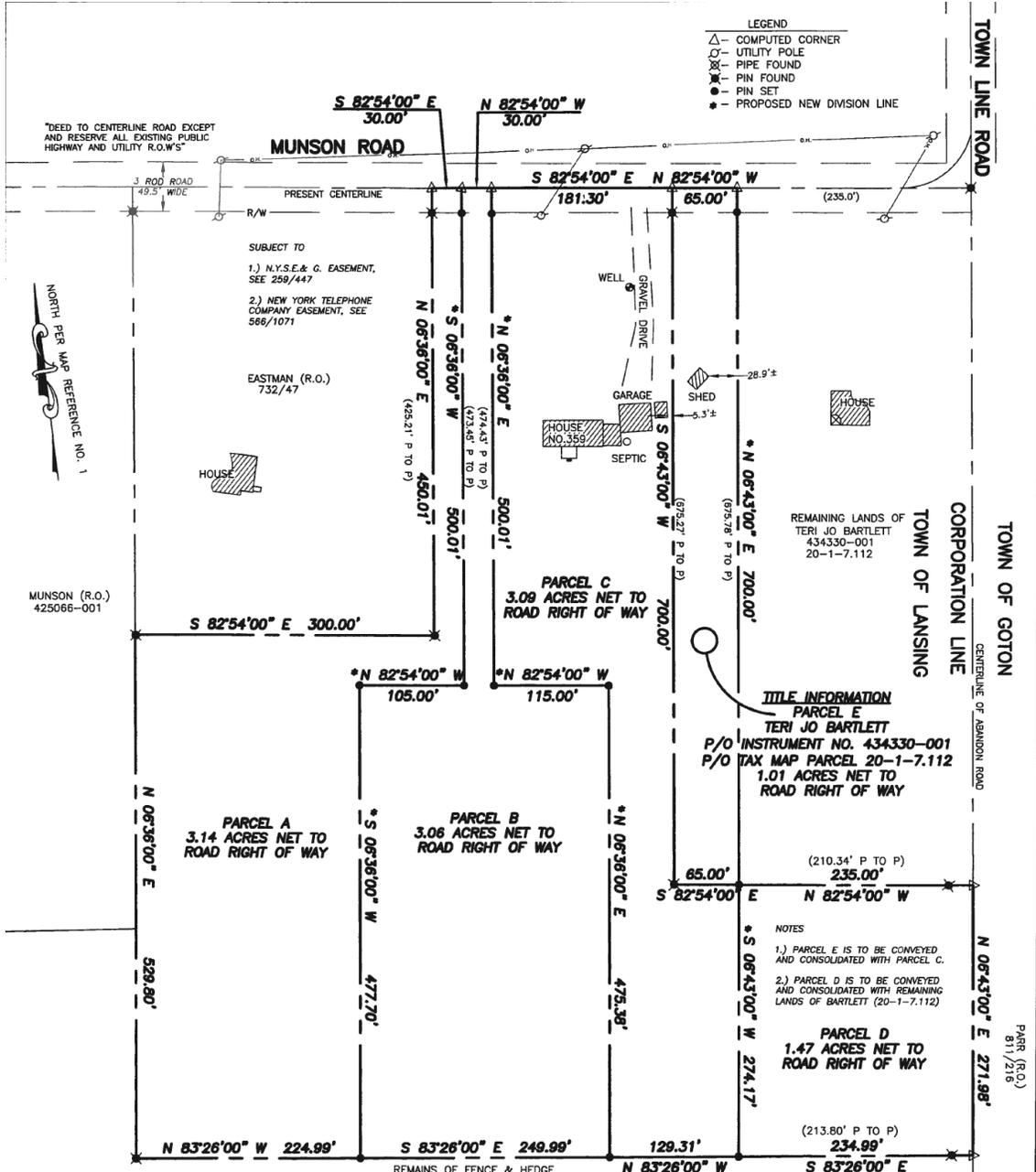
Chairman Gregg Travis called The Town of Lansing Zoning Board of Appeals Meeting to order at 7:00 PM and reviewed the Agenda with the Public. Mr. Travis noted for the record, the Minutes for approval/denial shall read; May 31, 2011.

Chairman Travis acknowledged the Legal Notice was duly published in The Ithaca Journal as required.

Public Hearing – Area Variance, Applicant: Carol Eastman, Munson Road, Tax Parcel #P/O 20.-1-7.111

Carol Eastman appeared before the Board requesting an Area Variance that will allow two (2) driveways over 500' long to be installed as part of her proposed Subdivision which is currently under the Planning Board's purview.

APPROVED



TITLE INFORMATION
PARCELS A, B, C & D
CAROL L. EASTMAN
DEED BOOK 872 PAGE 243
TAX MAP PARCEL 20-1-7.111
TOTAL 10.76 ACRES NET TO
ROAD RIGHT OF WAY

TITLE INFORMATION
PARCEL E
TERI JO BARTLETT
P/O INSTRUMENT NO. 434330-001
P/O TAX MAP PARCEL 20-1-7.112
1.01 ACRES NET TO
ROAD RIGHT OF WAY

CERTIFICATION
 I hereby certify to CAROL L. EASTMAN
 that I am a licensed land surveyor, New York State License
 No. 050769, and that this map correctly delineates an actual survey
 on the ground made by me or under my direct supervision; and
 that I found no visible encroachments either way across property
 lines except as shown hereon.

REFERENCE MAP ENTITLED
 1.) "LANDS OF BRIAN C. & TERI JO
 BARTLETT..." DATED 3/31/2000 BY GARY
 BRUCE DAWSON

SIGNED: _____ DATED: _____

SHEIVE LAND SURVEYING 165 WOOD ROAD FREEVILLE, NY 13068 607-347-9800	TITLE: SURVEY MAP SHOWING LANDS OF CAROL L. EASTMAN LOCATED ON MUNSON ROAD TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK		REVISED _____ _____ _____ _____ _____	DRAFT
	DATE: 8/23/2011	FILE NO. 11-046	SCALE: 1"=100'	

WARNING:
 ALTERATION OF THIS MAP NOT
 CONFORMING TO SECTION 7209,
 SUBDIVISION & NEW YORK STATE
 EDUCATION LAW, ARE PROHIBITED
 BY LAW. ALL COPIES OF THIS
 HEREON ARE VALID FOR THIS MAP
 AND COPIES HEREOF ONLY IF THIS
 MAP OR COPIES BEAR THE IMPRESSION
 SEAL OF THE LICENSED LAND SURVEYOR
 WHOSE SIGNATURE APPEARS HEREON.

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Daniel Konowalow moved to open the Public Hearing at 7:02 PM. David Dittman seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) David Dittman, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Member
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

Public Comments/Concerns

Greg Eastman, resident 355 Munson Road (top left on Map) states he has had drainage issues on his property for a number of years and is concerned that with installing additional driveways, there will be no place for the additional runoff to go to, except his land.

Jeff Overstrom & Gregg Travis both agreed that drainage can be mitigated.

From The Town of Lansing Planning Board

At the Planning Board Meeting held on September 12, 2011 the Board offered the following Resolution directed to The Zoning Board of Appeals;

Planning Board Reply;

1. This prevents land locking land. It provides a method of infill in an existing property, allows a more efficient use of the land as far as density of land that is otherwise not suitable for Agricultural land and lastly meets the needs outside of the Applicant/Community.
2. Over the past 30 years, this location has taken a shift from Agricultural to Residential. There is no negative effect to the character of the neighborhood due to the lots being large enough that they will not crowd anybody. The land is not well drained, therefore, it is not good for agriculture.
3. Special circumstances is allowing the proper infill of that land
4. Denying Variance would result in an undue hardship, and the hardship is not necessary self imposed. There is no other way to get to the back lots
5. This would be the minimal waiver for this land.

Thomas Ellis moved to recommend to the Zoning Board of Appeals that the Variance for the longer length of the driveways be granted for the reasons stated

APPROVED

above. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson,
Chairman

Linda Hirvonen moved to close the Public Hearing at 7:25 PM. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) David Dittman, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Member
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

The Zoning Board reviewed the following criteria:

FINDINGS:

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

No.

2. State whether there is an alternative method to achieve what the applicant desires, and reason why:

No, at least not to have the separate parcels as desired.

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

Yes, unless drainage is addressed.

4. State whether the alleged difficulty (variance needed) was self-created, and reason why:

Yes.

5. State whether the request is substantial:

No, only a slight length of driveway beyond the Ordinance requirement is being requested.

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CONDITIONS: List conditions prescribed by the Zoning Board of Appeals in granting this variance:

Surface water drainage must be addressed to preclude increased water flow on adjacent properties due to development on the new parcels.

Linda Hirvonen moved to grant an Area Variance for the driveway lengths with the condition, surface water drainage must be addressed to preclude increased water flow on adjacent properties due to development on the new parcels. David Dittman seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) David Dittman, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Member
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

Approval/Denial of May 31, 2011 Minutes

David Dittman made a motion to approve the Minutes of May 31, 2011 as presented. Linda Hirvonen seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) David Dittman, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Member
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

Other Business

Dan Konowalow had concerns with the Planning Department scheduling "Emergency" Meeting when we have a routine scheduled for Meetings. Mr. Konowalow states as far as the vote goes, an absent person is an automatic no vote, and the Applicant is at a disadvantage. Mr. Konowalow proposed that the Chairman of the Board be consulted when an Application for a Variance arrives, and it would be his opinion whether it is urgent or not.

Linda Hirvonen disagrees with Mr. Konowalow. Ms. Hirvonen states one of the things she likes about Lansing is they are so responsive to their citizens. Ms. Hirvonen feels the schedule should be left the way it is.

Hurf Sheldon agreed with Ms. Hirvonen, stating the Public would like to see the Planning Department more responsive to their needs.

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Gregg Travis suggested that we take Dan's suggestion and schedule two Meetings per month (1st and 3rd) Tuesday of the month. The primary would be the 3rd Tuesday. Business should not be placed on both dates.

Linda Hirvonen moved to adjourn the Meeting at 8:00 PM. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) David Dittman, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Henry (Hurf) Sheldon, Member
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair