

# APPROVED

## TOWN OF LANSING BOARD OF ZONING APPEALS

MINUTES OF APRIL 16, 2013

Members present: Hurf Sheldon                      Also present: Lynn Day, Code Officer  
Dan Konowalow  
Greg Travis  
Linda Hirvonen  
Judy Drake  
Donna Scott

7:00    Public Hearing

Dan Konowalow moved to open the public hearing.  
Seconded by Hurf Sheldon  
Carried unanimously

Applicant: Richard Hayes of the Lansing Lions  
Request: To have a roadside stand in front of the Community Center on Mother's Day  
Weekend to sell flowers. Roadside stands are not allowed in B1 zoning.

Mr. Hayes explained that this is a fundraiser for Lansing Lions scholarship program. It used to be held at the corner of Brickyard and Rt. 34B but it is always very windy there and he has lost 3 tents over the years.

No members of the public were present.

Dan Konowalow moved to close the public hearing.  
Judy Drake seconded  
Carried unanimously

Discussion:

J.Drake: wondered why it is not allowed in B1?

L. Day: unknown, it was before his time.

H. Sheldon: the boy scouts collect bottles & cans in the same location. For profit organizations have to be at the Farmers Market.

G.Travis: the request is for 1 weekend annually.

Variance hearing continued.

D. Konowalow: MOVED to grant a variance to the Lansing Lions to allow them to sell flowers one weekend in May annually at the Community Center; the booth to be placed 15' from the edge of the road so as not to encroach on the highway right of way.

L.Hirvonen: seconded the motion.

Discussion:

H.Sheldon: Lions donate 100% of the proceeds.

L.Day: the Town Board and Planning Board have discussed changing the Land Use Ordinance to allow temporary roadside stands.

G.Travis: it could be allowed with a Special Permit.

Vote:

H.Sheldon: Abstained

D.Konowalow: Yes

J.Drake: Yes

L.Hirvonen: Yes

G.Travis: Yes

SEQR: No negative findings.

D.Konowalow: moved to accept the SEQR findings.

J.Drake: seconded.

Vote:

H.Sheldon: Abstained

D.Konowalow: Yes

J.Drake: Yes

L.Hirvonen: Yes

G.Travis: Yes

The motion was carried with one abstention.

H.Sheldon: MOVED to recommend to the Town Board that the Land Use Ordinance be changed to allow roadside stands in the B1 and B2 zones with special permits.

Seconded: J. Drake

Vote:

H.Sheldon: Yes

D.Konowalow: Yes

J.Drake: Yes

L.Hirvonen: Yes

G.Travis: Yes

Carried unanimously.

Meeting adjourned: 7:45 PM

Items for discussion at May meeting:

1. What issues are appropriate to bring before the Zoning Board of Appeals?
2. How can area variances be incorporated into existing deeds?