
Town of Lansing

Tuesday, May 21, 2013 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 | * Donna Scott, Alternate |
| * Judy Drake | |
| * Ruth Hopkins, Town Board Liaison | |
| Lorraine Moynihan Schmitt, ZBA Attorney | |
| • Lynn Day, Zoning Officer | |

PUBLIC PRESENT

Pat Welch
Michelle Compagni

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.

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

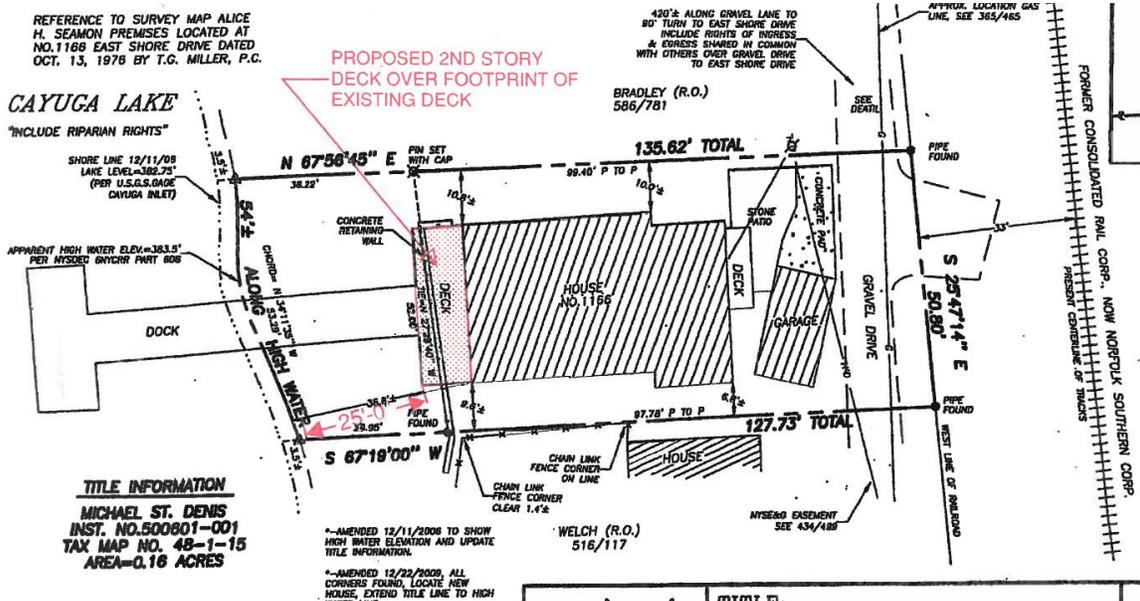
Public Hearing - Area Variance - Applicant (Stephen & Michelle Compagni) 1166 East Shore Drive, Tax Parcel #48.-1-15

Daniel Konowalow moved to open the Public Hearing on the Application at 7:03 PM. Donna Scott seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Donna Scott, Alternate
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

Discussion

Noah Demarest, Architect for the Applicants appeared before the Board. Mr. Demarest states the owners would like to add a second story porch/ deck with a portion of it having a roof over it for the purpose of shade on the west face of the building. The existing small balcony on the second floor is in poor condition and would be removed. The posts to support the new upper deck will project approximately 5'-0" +/- into the required front yard setback (lake side) where 30'-0 is required by the Town of Lansing Land Use Ordinance and 25'-0' =/- is proposed.



Member/Public Comments/Concerns

Daniel Konowalow and Donna Scott state the proposed would not completely block the sun.

Gregg Travis stated the encroachment would only be for a portion of the deck, not the entire length.

Michelle Compagni owner of the property states they are fully aware that this proposal will not take care of the sun 100%, however, they have children and are desperate for some over head.

Pat Welch neighbor to the south appeared at the Meeting and is in favor of the proposal.

Judy Drake inquired if the proposal could be constructed in a different way. Noah Demarest indicated yes, however it would impact the usable space and the view.

Daniel Konowalow made a motion to close the Public Hearing on the Application at 7:30 PM. Judy Drake seconded the motion and it was carried by the following roll call vote:

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Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Donna Scott, Alternate
Vote of Zoning Board . . . (Aye) Gregg Travis, Chair

Further Member Comments/ Concerns

Dan Konowalow felt there are other viable alternatives to this proposal. Also, the Board would be adding non-conforming project to an already existing non-conforming property.

Daniel Konowalow made a motion to deny the request due to other viable solutions that can be performed. Linda Hirvonen seconded the motion and it was denied by the following roll call vote:

Vote of Zoning Board . . . (No) Judy Drake, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (No) Donna Scott, Alternate
Vote of Zoning Board . . . (No) Gregg Travis, Chair

Judy Drake made the motion to approve the Area Variance request as presented. Donna Scott seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Nay) Linda Hirvonen, Member
Vote of Zoning Board . . . (Nay) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Donna Scott, Alternate
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. Minor Nonconformance

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

Yes. Structural changes to support posts

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Could be designed.

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:

No.

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

Yes.

5. State whether the request is substantial; and reason why:

No. Posts only.

No conditions apply.

Update Saratoga Training Session

Daniel Konowalow states there was not much training on Zoning Issues which was disappointing. Overall the training was a review for Mr. Konowalow.

Linda Hirvonen states she attended one in Cayuga County which discussed Wetlands, the Lake and Docks. This presentation was very interesting.

Other Business-Signs

Members discussed an email with an attached document with respect to Signs. Further discussion took place.

Lynn Day, Zoning Officer states the Town has composed a Committee to review and update the old Sign Ordinance. Changes have been made and will be presented to the ZBA Members for their comments/concerns at the June Meeting.

Dan Konowalow made a suggestion indicating that once the Town has a Sign Law in effect, perhaps the Town Board can go back to those people that have signs and ask that they be a good Samaritan and bring them up to compliance with the Town's new Sign Law.

Approval/Denial of April 16, 2013 Minutes

DRAFT

Daniel Konowalow made a motion to approve the Minutes as presented. Judy Drake seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Donna Scott, Alternate**
- Vote of Zoning Board . . . (Aye) Gregg Travis, Chair**

Linda Hirvonen made a motion to adjourn the Meeting at 7:12 PM. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

- Vote of Zoning Board . . . (Aye) Judy Drake, Member**
- Vote of Zoning Board . . . (Aye) Linda Hirvonen, Member**
- Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member**
- Vote of Zoning Board . . . (Aye) Donna Scott, Alternate**
- Vote of Zoning Board . . . (Aye) Gregg Travis, Chair**