
Town of Lansing

Zoning Board of Appeals Meeting
Tuesday, September 14, 2021 6:30 PM
At Lansing Town Hall, 29 Auburn Road

Present

Maureen Cowen
Judy Drake, Chair
Peter Larson
Mary Stoe
Jack Young, Alternate

Excused

Richard Hayes

Other Staff Present

John Zepko, Planner Guy Krogh, Town Attorney Heather Dries, Planning Clerk

Public Present

May Lovelace Amy Newman Eric Clay Drew Minson Eric Trotter
Jerry & Patricia Codner Heather Fowler James Wells David Lennox
Debbie Bosanko Kerry Moore

General Business

Chair Judy Drake opened the meeting at 6:33pm.

Alternate Jack Young was enacted as a voting member in the excused absence of a voting member.

Motion to Approve the Minutes of February 9, 2021.

Moved by: Mary Stoe Seconded by: Maureen Cowen (Motion Carried)

Motion to Approve the Minutes of April 13, 2021 as amended.

Moved by: Judy Drake Seconded by: Maureen Cowen (Motion Carried)

Motion to Approve the Minutes of July 13, 2021 as amended.

Moved by: Jack Young Seconded by: Mary Stoe (Motion Carried)

Motion to Approve the Minutes of August 10, 2021.

Moved by: Judy Drake Seconded by: Mary Stoe (Motion Carried)

41 **PUBLIC HEARING #1:**

42 Consideration of an Appeal made by Dale and Judy Williams, 99 Armstrong Road; Tax Parcel No.
43 38.-1-12, located in the Low Density Residential – R1 Zoning District. The applicant is proposing
44 to construct a 28’ x 24 car port and is requesting a 16’ Area Variance from Town of Lansing
45 Zoning Law § 270, Schedule II which requires a 60’ Minimum Front Yard Setback from the
46 center line of the road. This is a Type II Action under the State Environmental Quality Review
47 Act 6 NYCRR 617.5(c)(16) and 6 NYCRR 617.5(c)(17).

48

49 **Motion to Open the Public Hearing for 99 Armstrong Road at 6:40 pm.**

50 Motioned by: Maureen Cowen Seconded by: Richard Hayes (Motion Carried)

51

52 **Summary of Discussion:**

- 53 - Kerry Moore, Contractor, was present to discuss this project.
- 54 - The proposed carport is sized to fit both of the applicant’s vehicles and possibly a
55 camper.
- 56 - The proposed carport would be a timber frame structure with repurposed elements
57 from a local historic barn.
- 58 - The proposed carport will be open on all sides except where it attaches to the house.

59

60 **Board Deliberation:**

- 61 - The proposed carport is within reasonable limits and compatible with the space on the
62 applicant’s property.
- 63 - There would be no impact on the neighbors.
- 64 - Many neighbors are in favor of the proposed carport.
- 65 - The proposed carport is reasonable to the neighborhood.

66

67 **Motion to Close the Public Hearing for 99 Armstrong Road at 6:45 pm.**

68 Motioned by: Pete Larson Seconded by: Maureen Cowen (Motion Carried)

69

70

71

**AREA VARIANCE FINDINGS AND DECISION
TOWN OF LANSING ZONING BOARD OF APPEALS**

72

73

74

BACKGROUND INFORMATION

75

76 Applicant and Owner:

77 Dale & Judy Williams

78 99 Armstrong Road

79 Lansing, NY

80

81

82

83

84 Property Location: 99 Armstrong Road

Variance No: 21-05

Zoning District: R1 –

Public Hearing

Published on:

9/3/2021

Mailed 600’ Notices

Sent on: 9/1/2021

85 Tax Parcel #: 38.-1-12

86

87

88 Requirement for which Area Variances are requested: Town of Lansing Land Use Ordinance (the
89 "Zoning Ordinance"): Section 504, Schedule II: Area, Frontage, Yard, Heights and Coverage
90 Requirements.

91

92

RESOLUTION AND FINDINGS

93

94 WHEREAS, Dale & Judy Williams, Applicant and Owner of 99 Armstrong Road, Tax Parcel No. 38.-
95 1-12 located in the Residential Low Density Zoning District (R1) applied for an Area Variance from
96 Town of Lansing Land Use Ordinance Section 504, Schedule II requiring a Minimum Front Yard
97 Set Back of 60'; and

98

99 WHEREAS, Applicant is requesting an Area Variance of 16' to facilitate placement of a 28'x24'
100 Carport Structure; and

101

102 WHEREAS, on September 14, 2021 the Town of Lansing Zoning Board of Appeals (the "ZBA")
103 thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant
104 in support of the requested area variance; (ii) all other information and materials properly before
105 the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and
106 the ZBA; and

107

108 WHEREAS, this application is classified as a Type II Action under 6 NYCRR Part 617.5 (c)(17) (such
109 that no further environmental review is required) and this matter also does not require a GML
110 Section 239 review; so, upon due deliberation upon the foregoing, the application, and all
111 evidence and testimony presented to the ZBA,

112

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

114

115 1. The Town of Lansing Zoning Board of Appeals ("ZBA") hereby makes the following findings with
116 respect to the specific criteria for area variances as set forth in Town Law § 267-b(3)(b), and other
117 applicable provisions of law and of the Zoning Ordinance:

118 a. **Whether an undesirable change will be produced in the character of the neighborhood or a**
119 **detriment to nearby properties will be created by the granting of the area variance?**

120

121 Yes ___ No x Findings: The Zoning Board of Appeals finds that the proposed structure
122 would fit the character of the neighborhood.

123

124 b. **Whether the benefit sought by the applicant can be achieved by some method, feasible for**
125 **the applicant to pursue, other than an area variance?**

126

127 Yes ___ No x Findings: The Zoning Board of Appeals finds that there is not another
128 feasible method to allow this structure in the available space on this lot.

129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171

c. Whether the requested area variance is substantial?

Yes ___ No x Findings: The Zoning Board of Appeals finds that this is not a substantial request.

d. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Yes ___ No x Findings: The Zoning Board of Appeals finds that this would not impact any conditions of the neighborhood. Several neighbors have shown support for this project.

e. Whether the alleged difficulty was self-created?

Yes x No ___ Findings: The Zoning Board of Appeals finds that this difficulty is self-created because they are choosing to install the carport.

2. DETERMINATION BASED ON THE ABOVE FACTORS (choose one):

It is hereby determined by the Town of Lansing Zoning Board of Appeals (the "ZBA") that the following area variance is **GRANTED**, with any conditions hereafter stated (if any), it being further found and determined that (i) the benefit to the applicant outweighs any potential negative impacts or detriment to the neighborhood or community; and (ii) such area variance is the minimum necessary as adequate to grant relief and, at the same time, preserve and protect the character of the neighborhood and the safety and welfare of the community.

DESCRIPTION OF SPECIFIC VARIANCES GRANTED: 16ft Area Variance from the Minimum Yard Setback

ARE CONDITIONS IMPOSED WITH RESPECT TO THE AREA VARIANCES AS GRANTED?

Yes x No ___

STATEMENT OF CONDITIONS:

- As variances are exceptions based upon exigent need or emergency, should applicant fail to avail itself of the benefits of the above-described area variances within one year from the date hereof, this approval and such area variances shall expire. In cases where construction may be applicable, "avail itself of the benefits" shall mean a building permit obtained (if necessary) and substantial construction as commenced. Said one-year approval period may be extended for good cause by the ZBA if application for an extension is submitted before the expiration of the then applicable variances period.

THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND RESOLUTION OF THE TOWN OF LANSING ZONING BOARD OF APPEALS WAS AS FOLLOWS:

172
173 **Motion by:** Mary Stoe
174 **Seconded by:** Jack Young

175
176 **Maureen Cowen – Aye**
177 **Jack Young – Aye**
178 **Peter Larson – Aye**
179 **Mary Stoe – Aye**
180 **Judy Drake – Aye**

181
182 Dated: September 14, 2021

183
184 **PUBLIC HEARING #2:**

185 Consideration of an Appeal made by Amy Newman and Eric Clay on behalf of Newman-Clay
186 Revocable Trust, 281 Bill George Rd; Tax Parcel No. 24.-4-2, located in the Lakeshore – L1 (with
187 lake frontage) Zoning District. The applicant is proposing to construct a 10’ x 12 accessory
188 building and is requesting a 30’ Area Variance from Town of Lansing Land Use Ordinance § 270,
189 Schedule II which requires a 30’ Minimum Yard Setback from the shore of Cayuga Lake. This is a
190 Type II Action under the State Environmental Quality Review Act 6 NYCRR 617.5(c)(16) and 6
191 NYCRR 617.5(c)(17).

192 The above referenced appeal and its supporting documents are available for inspection at
193 <https://lfweb.tompkinsco.org/WebLink/Browse.aspx?id=52144&dbid=7&repo=Lansing>

194
195 **Motion to Open the Public Hearing for 281 Bill George Road at 6:51 pm.**

196 Motioned by: Maureen Cowen Seconded by: Richard Hayes (Motion Carried)

197
198 **Summary of discussion:**

- 199 - Applicants, Amy Newman and Eric Clay, as well as May Lovelace of Sunny Brook
200 Builders, were present to discuss this project.
201 - The applicant reviewed their request, outlining new changes to the project.
202 - The Zoning Board of Appeals discussed other options for the structure including the
203 demolition and rebuilding of an existing structure on its original footprint.

204
205 **Public Comment:**

- 206 - Drew Minson explained the letter and documentation he provided.
207 ○ He has concerns over the inaccuracy of the size, noise, future use, etc.
208 - Eric Trotter has concerns with the proximity to the neighbor’s living space, and with the
209 potential for the railroad to retaliate against the other landowners if the applicant does
210 something to upset them.
211 - James Wells has concerns over the proximity to the neighbor’s living space.
212 - David Lennox stated that the applicant should be given the opportunity to refresh their
213 property when it no longer fits the character of the neighborhood.

216 **Board Deliberation:**

- 217 - Despite the fact that the other properties surrounding applicant have similar structures,
- 218 the proposed project would still be a detriment to neighbors.
- 219 - The Zoning Board of Appeals discussed other options with the applicant.
- 220 - This request substantial.
- 221 - There would no environmental impacts.
- 222 - This is a self-created hardship.

223

224 **Motion to Close the Public Hearing for 281 Bill George Road at 8:09 pm.**

225 Motioned by: Pete Larson Seconded by: Mary Stoe (Motion Carried)

226

227

**AREA VARIANCE FINDINGS AND DECISION
TOWN OF LANSING ZONING BOARD OF APPEALS**

228

229

230

BACKGROUND INFORMATION

231

232 Applicant: Amy Newman & Eric Clay
233 281 Bill George Road
234 Groton NY 13073

Variance No: 21-06
Zoning District: L1
Public Hearing
Published on 08/03/2021
Mailed 600' Notices
on: 08/03/2021

235

236

237 Property Location: 281 Bill George Road

238 Tax Parcel #: 24.-4-2

239

240 Requirement for which Area Variance is requested: Town of Lansing Code (the "Code"): Section
241 270, Schedule II: Area, Frontage, Yard, Heights and Coverage Requirements.

242

243

RESOLUTION AND FINDINGS

244

245 **WHEREAS**, Amy Newman & Eric Clay, Applicants, applied for an Area Variance to construct a new
246 10' X 10' Accessory Structure that is not compliant with the 30' Minimum Front Setback from the
247 lakeshore; and

248

249 **WHEREAS**, on August 10, 2021, the Town of Lansing Zoning Board of Appeals (the "ZBA")
250 thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant
251 in support of the requested area variance; (ii) all other information and materials properly before
252 the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and
253 the ZBA; and

254

255 **WHEREAS**, this application is classified as a Type II Action under 6 NYCRR Part 617.5 (c)(17) (such
256 that no further environmental review is required) and this matter also does not require General
257 Municipal Law §239 -l, -m, and -n referral as the items are excluded per an Inter-Governmental

258 Agreement between the Tompkins County Planning Department and the Town of Lansing dated
259 December 17, 2003; and; so, upon due deliberation upon the foregoing, the application, and all
260 evidence and testimony presented to the ZBA,

261

262 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

263

264 1. The Town of Lansing Zoning Board of Appeals (“ZBA”) hereby makes the following findings with
265 respect to the specific criteria for an Area Variance as set forth in Town Law § 267-b(3)(b), and
266 other applicable provisions of law and of the Zoning Ordinance:

267

268 a. **Whether an undesirable change will be produced in the character of the neighborhood or a**
269 **detriment to nearby properties will be created by the granting of the area variance?**

270

271 Yes No Findings: The character of the neighborhood includes similar structures,
272 however it would block the view for other residents.

273

274 b. **Whether the benefit sought by the applicant can be achieved by some method, feasible for**
275 **the applicant to pursue, other than an area variance?**

276 Yes No Findings: The Zoning Board of Appeals discussed other options including the
277 demolition and rebuilding of an existing structure on its original footprint.

278

279 c. **Whether the requested area variance is substantial?**

280

281 Yes No Findings: This is a 100% variance.

282

283 d. **Whether the proposed variance will have an adverse effect or impact on**
284 **the physical or environmental conditions in the neighborhood or district?**

285

286 Yes No Findings: This will not harm the physical or environmental conditions
287 in the neighborhood.

288

289 e. **Whether the alleged difficulty was self-created?**

290

291 Yes No Findings: The applicants want to place a shed.

292

293 2. DETERMINATION BASED ON THE ABOVE FACTORS (choose one):

294

295 It is hereby determined by the Town of Lansing Zoning Board of Appeals (the “ZBA”) that the
296 following area variance is **DENIED**, with any conditions hereafter stated (if any), it being further
297 found and determined that (i) the benefit to the applicant outweighs any potential negative
298 impacts or detriment to the neighborhood or community; and (ii) such area variance are the
299 minimum necessary as adequate to grant relief and, at the same time, preserve and protect the
300 character of the neighborhood and the safety and welfare of the community.

301

302
303 **THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND RESOLUTION OF THE TOWN**
304 **OF LANSING ZONING BOARD OF APPEALS WAS AS FOLLOWS:**

305
306 **Motion by:** Jack Young
307 **Seconded by:** Maureen Cowen

308 **Jack Young – Aye**
309 **Peter Larson – Aye**
310 **Mary Stoe – Aye**
311 **Maureen Cowen – Aye**
312 **Judy Drake – Aye**

313
314 Dated: September 14, 2021

315
316 **Discussion**

- 317 - Future meetings (through January 15, 2022) will return to Zoom.
318 - If you would like a paper packet, please let Heather know.
319 - Please complete your required trainings.
320 - Heather will be sending out your training record within the next few weeks so you will
321 know what you need to complete before the end of the year.

322
323 **Chair Judy Drake adjourned meeting at 8:17 PM**

324
325 Minutes taken and executed by Heather Dries