
1 **Town of Lansing**

2 **Zoning Board of Appeals Meeting**
3 **Wednesday, May 14, 2025 6:30 PM**
4 **Lansing Town Hall, 29 Auburn Rd**

5 **Present**

6 Jack Young, Chair
7 Susan Tabrizi
8 Rick Hayes
9 Roger VandePoel
10 Jamie Jones

Excused

Mary Stoe

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12 **Other Staff Present**

13 Kelly Geiger, Planning Clerk
14 Mason Molesso, Town Planner
15 Judy Drake, Liaison

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17 **Public Present**

18 George Breuhaus
19 Scott Hicks
20 Diane Kinne

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22 Jack Young opened the meeting at 6:32pm

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24 **Action Items:**

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26 **Project: Requesting an Area Variance for a front (north) yard setback of 6'-6" where 60' is required**

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28
29 **Project:** Requesting an Area Variance for a front (north) yard setback of 6'-6" where 60' is required

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31 **Applicant:** George Breuhaus on behalf of Scott Hicks

32 **Location:** 13 Water Wagon Road, TPN 42.-1-1.121

33 **Project Description:** The applicant has applied for an Area Variance to tear down the existing shop building and build a new 40' x 100' structure in its place. The applicant is seeking relief from Town of Lansing Zoning Law § 270-11, Schedule II: Area, Frontage, Yard, Height, and Coverage Requirements for a front (north) yard setback of 6'-6" where 60' is required.

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37 **SEQR:** This project is a Type II action

38 **Anticipated Action:** Review variance request, hold Public Hearing, issue conditions & approval

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40 **Summary of Discussion:**

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- 42 • George Breuhaus and Scott Hicks were present to discuss this project
 - 43 • Property use to be Ag but due to Zoning changes is now R2. Replace existing building with new. Entrance to property off from Waterwagon Rd
 - 44 • Board approved the Variance
- 45

46 **TOWN OF LANSING ZONING BOARD OF APPEALS RESOLUTION**
47 **APPROVAL OF AREA VARIANCE**
48 **40' x 100' STORAGE BUILDING AT 13 WATERWAGON ROAD**

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50 **BACKGROUND INFORMATION**

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52 Applicant: Scott Hicks, property owner

Variance No: 25-05

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54 Property Location: 13 Waterwagon Road

Zoning District: AG

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56 Tax Parcel #: 42.-1-1.121

Public Hearing Published on: 05/01/25
600' Notices Mailed: 04/24/25

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59 Requirement for which an Area Variance is being requested: Town of Lansing Zoning Law §
60 270 – 27 Attachment 2 Schedule II for a front yard (north) setback of 6' – 6" where 60' is
61 required.

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63 **RESOLUTION AND FINDINGS:**

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65 **WHEREAS** an application was made by Andy Sciarabba, on behalf of the owner Scott Hicks,
66 for an Area Variance seeking relief, from the required front yard setback, for the placement of a
67 new 40' x 100' storage building as shown on "Proposed Storage Replacement Building" dated
68 18 MAR. 2025. This property is located within the R2 zoning district which, per § 270 – 27
69 Attachment 2 Schedule II requires a 60' front yard setback; and

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71 **WHEREAS** the setbacks for newly proposed storage building are as follows: 1) Northern front
72 yard setback of 6' – 6" whereas 60' is required, 2) Eastern side setback of 58' – 4" whereas 10' is
73 required, 3) Southern rear setback of 430'+ whereas 25' is required, and 4) Western side setback
74 of 250'+ whereas 10' is required; and

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76 **WHEREAS** project plans, and related information, were duly delivered to the Tompkins County
77 Planning and Sustainability Department per General Municipal Law § 239; et seq., and such
78 Department responded in a letter dated 02 May 2025, from Katherine Borgella, Tompkins County
79 Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State General
80 Municipal Law, which recommend the Town require the applicant to document that they have
81 considered the four energy elements for new construction projects outlined in the attached
82 Tompkins County Energy Recommendations for New Construction (2018) ; and

83
84 **WHEREAS** this project has been classified as a Type II action under SEQRA (617.5(C)(9)), and
85 therefore will not require any further environmental review; and

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87 **WHEREAS** legal notice was published on 01 May 2025 and adjacent property owners within 600
88 linear feet were notified by mail on the 24 April 2025; and

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90 **WHEREAS** pursuant to Town Code § 270-27(F), a public hearing was duly held before the
91 Zoning Board of Appeals upon 14 May 2025. The public was duly allowed to speak upon and
92 address the proposed Area Variance; and

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NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

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

Yes ___ No Findings: No

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

Yes ___ No Findings: No, moving the storage building is not a feasible option, slab would move, distance too far.

c. Whether the requested area variance is substantial?

Yes No ___ Findings: Wouldn’t be 60’ regardless.

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 Findings:

e. Whether the alleged difficulty was self-created?

Yes ___ No Findings: Zoning changes caused a non- self-created situation.

DETERMINATION BASED ON THE ABOVE FACTORS:

It is hereby determined by the Town of Lansing Zoning Board of Appeals (the “ZBA”) that the following area variances are **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:

Area Variance seeking relief, from the required front yard setback, for the placement of a new 40’ x 100’ storage building. The setbacks for newly proposed storage building are as follows: 1) Northern front yard setback of 6’ – 6” whereas 60’ is required, 2) Eastern side setback of 58’ – 4” whereas 10’ is required, 3) Southern rear setback of 430’+ whereas 25’ is required, and 4) Western side setback of 250’+ whereas 10’ is required.

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

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147 Yes ___ No

148 **STATEMENT OF CONDITIONS:**

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150 1. No conditions

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

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156 Dated: 14 May 2025

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158 Motioned by: Richard Hayes
159 Seconded by: Susan Tabrizi

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161 **VOTE AS FOLLOWS:**

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163 Richard Hayes – Aye
164 Jamie Jones (Alt.) – Aye
165 Mary Stoe – Absent
166 Susan Tabrizi – Aye
167 Roger VandePoel – Aye
168 Jack Young – Aye

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170 **Other Business:**

171 Judy Drake discussed Ethics Disclosure Statement deadline, flood damage protection law is in
172 process of approval, Bid approved for Public Works Building-bids came in lower than expected-
173 groundbreaking to take place in about a week-Planning and Code Enforcement will move to new
174 building, received grant for Zoning Code Rewrite, and grant for Greenway Master Plan

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176 Jack Young adjourned the meeting at 6:57 PM

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178 Minutes taken and executed by Kelly Geiger