

**Town of Lansing**  
**Zoning Board of Appeals Meeting**  
**Monday, December 22, 2025 6:30 PM**  
**Lansing Town Hall, 29 Auburn Rd**

**Present**

**Excused**

Jack Young, Chair  
Susan Tabrizi, Vice Chair  
Mary Stoe  
Rick Hayes  
Roger VandePoel  
Jamie Jones

**Other Staff Present**

Kelly Geiger, Planning Clerk  
Megan Dorritie, Legal Counsel  
Guy Krogh, Legal Counsel

**Public Present**

Attendance sheet for this meeting is located on pages 7 of the minutes

Jack Young opened the meeting at 6:30 pm

**Action Items:**

**Appeal of Code Enforcement Officer's written zoning interpretation dated October 22, 2025**

**Project:** Cayuga Data Campus

**Applicant:** Fred DeFavero

**Location:** 228 Cayuga Drive, TPN 11.-1-3.211

**Project Description:** Appeal of Code Enforcement Officer's (CEO) written zoning interpretation dated October 22, 2025, that the proposed high-performance computing ("HPC") research facility is not a permitted principal use in the IR District. The Applicants appeal that determination and seek a finding that the proposed use is properly classified as a "Scientific Research Laboratory", a permitted principal use within the IR District under the Town of Lansing Zoning Code.

**Anticipated Action Items:** Deliberation and determination of appeal

**Summary of Discussion:**

- Board deliberation of proposed data center project as a "scientific research laboratory"
- Determination for Appeal #1 - Jack Young Moved and Susan Tabrizi Seconded the motion, Roll Call Vote- (4) No, (1) Yes

**RESOLUTION 25-09**

**INTERPRETATION APPEAL FINDINGS AND DECISION  
TOWN OF LANSING ZONING BOARD OF APPEALS**

**BACKGROUND INFORMATION**

Appellants:  
Cayuga Operating Company LLC  
TeraWulf Inc.

Appeal Dated: November 5, 2025  
Zoning District: IR – Industrial/Research  
Public Hearing Published on: 12/11/25

Property Location: 228 Cayuga Drive, Lansing, NY 14882  
Tax Parcel #: 11.-1-3.211

Relief sought: (1) determination that the proposed high-performance computing research facility (the “Project”) is a permitted principal use in the IR District; and (2) reversal of the Code Enforcement Officer’s October 22, 2025 zoning interpretation finding that the Project is not a permitted principal use in the IR District.

**RESOLUTION AND FINDINGS**

WHEREAS, on or about 09 September 2025, Appellants TeraWulf Inc. and Cayuga Operating Company LLC (“Appellants”), along with Lake Hawkeye LLC, submitted a site plan review application to the Town of Lansing Planning Board, seeking approval to construct a high-performance computing research facility at 228 Cayuga Drive (the “Project”); and

WHEREAS, after initial review of the Project, by letter dated October 23, 2025, the Town of Lansing’s Code Enforcement Officer (“CEO”) determined that the Project is not a permitted use within the Town; and

WHEREAS, on or about November 5, 2025, Appellants submitted an appeal contesting the CEO’s determination, and arguing that the project should be properly classified as a “Scientific Research Laboratory,” which is a permitted use under the Town Code; and

WHEREAS, at the December 10, 2025, meeting, this body: (1) determined the appeal application was complete; (2) classified the appeal as a Type II Action under 6 NYCRR 617.5(c)(37) (interpretation of an existing code), with no further environmental review required; (3) scheduled a public hearing on the appeal for December 16, 2025; and (4) directed the clerk for the ZBA to publish and otherwise provide notice of the public hearing as required by law; and

WHEREAS, notice of the public hearing was published in The Ithaca Journal on 11 December 2025, and posted on the Town’s website and in Town Hall; and

WHEREAS, the ZBA held the public hearing on December 16, 2025, where the Appellants, the CEO, and all people wishing to be heard on this appeal were heard, and written public comment was accepted; and

WHEREAS, on December 19, 2025, Appellants submitted a written rebuttal in response to written public comment accepted at the December 16, 2025, public hearing; and

WHEREAS, on December 22, 2025, the ZBA convened in a duly noticed open meeting to deliberate on this appeal; so, upon due deliberation upon the foregoing, this appeal and all evidence and testimony presented to the ZBA:

**NOW, THEREFORE, THE ZBA FINDS:**

The Project's proposed function is to house, process, and disseminate data; and

The Project's proposed function is not to research or test; and

The Project's proposed function is not investigative or experimental in nature; and

The term "Laboratory" is defined in the Town Code to be "a building or group of buildings within which are located facilities for research, investigation, testing, or experimentation...."; and

The Project's proposed use and functions do not fall within the definition of "Laboratory" in the Town Code;

The Project is not a "Scientific Research Laboratory" as that term is used in and/or contemplated by the Town of Lansing Code; and

The Town Code specifically prohibits any use not specifically allowed.

**UPON SPECIFIC VOTE AS TO WHETHER THE APPEAL SHOULD BE GRANTED BECAUSE THE PROJECT IS A SCIENTIFIC RESEARCH LABORATORY, THE LANSING ZONING BOARD OF APPEALS VOTED AS FOLLOWS:**

**Motion by:** Jack Young

**Seconded by:** Susan Tabrizi

Richard Hayes – Aye

Mary Stoe – No

Susan Tabrizi – No

Roger VandePoel – No

Jack Young – No

Dated: December 22, 2025

**Appeal of Code Enforcement Officer's written zoning interpretation dated November 10, 2025**

**Project:** Cayuga Data Campus

**Applicant:** Fred DeFavero

**Location:** 228 Cayuga Drive, TPN 11.-1-3.211

**Project Description:** Appeal of Code Enforcement Officer's (CEO) written interpretation dated November 10, 2025, that the proposed high-performance computing research facility is not a permitted principal use in the IR District. The Applicant seeks a determination and seek a finding that the proposed use is proper "General Processing" and/or "Warehouse / Storage of non-agricultural goods" within the IR District under the Town of Lansing Zoning Code. Appeal Dated: November 12, 2025  
Zoning District: IR – Industrial/Research  
Public Hearing Published on: 12/11/25

**Anticipated Action Items:** Deliberation and determination of appeal

**Summary of Discussion:**

- Board deliberation of proposed data center project as a “warehouse”
- Determination for Appeal #2 - Mary Stoe Moved and Roger VandePoel Seconded the motion, Roll Call Vote- (3) No, (2) Yes
- Board deliberation of proposed data center project as a “general processing” facility
- Determination for Appeal #2 Richard Hayes Moved and Roger VandePoel Seconded the motion, Roll Call Vote- (2) No, (3) Yes

**RESOLUTION 25-10**

**INTERPRETATION APPEAL FINDINGS AND DECISION  
TOWN OF LANSING ZONING BOARD OF APPEALS**

**BACKGROUND INFORMATION**

**Appellants:**

Cayuga Operating Company LLC

TeraWulf Inc.

Lake Hawkeye LLC

**Property Location:** 228 Cayuga Drive, Lansing, NY 14882

**Tax Parcel #:** 11.-1-3.211

**Relief sought:** (1) determination that the proposed high-performance computing research facility (the “Project”) is a permitted principal use in the IR District; and (2) reversal of the Code Enforcement Officer's November 10, 2025, zoning interpretation finding that the Project is not a permitted principal use in the IR District.

**RESOLUTION AND FINDINGS**

WHEREAS, on or about October 29, 2025, Appellants TeraWulf Inc., Cayuga Operating Company LLC, and Lake Hawkeye LLC (“Appellants”) submitted a second site plan review application to the Town of Lansing Planning Board, seeking approval to construct a high-performance computing research facility at 228 Cayuga Drive (the “Project”); and

WHEREAS, after initial review of the Project, by letter dated November 10, 2025, the Town of Lansing’s Code Enforcement Officer (“CEO”) determined that the Project is not a permitted use within the Town; and

WHEREAS, on or about November 12, 2025, Appellants submitted an appeal contesting the CEO’s determination, and arguing that the project should be properly classified as a facility for “General Processing” and/or a “Warehouse/ Storage of Non-Agricultural Goods,” each of which is a permitted use under the Town Code; and

WHEREAS, at the December 10, 2025, meeting, this body: (1) determined the appeal application was complete; (2) classified the appeal as a Type II Action under 6 NYCRR 617.5(c)(37) (interpretation of an existing code), with no further environmental review required; (3) scheduled a public hearing on the appeal for December 16, 2025; and (4) directed the clerk for the ZBA to publish and otherwise provide notice of the public hearing as required by law; and

WHEREAS, notice of the public hearing was published in The Ithaca Journal on 11 December 2025, and posted on the Town’s website and in Town Hall; and

WHEREAS, the ZBA held the public hearing on December 16, 2025, where the Appellants, the CEO, and all people wishing to be heard on this appeal were heard, and written public comment was accepted; and

WHEREAS, on December 19, 2025, Appellants submitted a written rebuttal in response to written public comment accepted at the December 16, 2025, public hearing; and

WHEREAS, on December 22, 2025, the ZBA convened in a duly noticed open meeting to deliberate on this appeal; so, upon due deliberation upon the foregoing, this appeal and all evidence and testimony presented to the ZBA:

**NOW, THEREFORE, THE ZBA FINDS:**

The Project’s proposed function is to house, process, and disseminate data; and

The term “warehouse” is not defined in the Town Code; and

The Project’s proposed primary function is not storage of non-agricultural goods as that term is contemplated by the Town Code; and

The Project's proposed function is not a "Warehouse" as that term is contemplated by the Town Code; and

The term "general processing" is not defined in the Town Code; and

The Town Code does not limit term "general processing" to tangible goods; and

The word "general" expands the meaning of the word "processing," thus encompassing anything that can be processed by a business; and

The law requires that zoning regulations be strictly construed against the municipality; and

The Project is a facility for a "General Processing" as that term is used in and/or contemplated by the Town of Lansing zoning code.

**UPON SPECIFIC VOTE AS TO WHETHER THE APPEAL SHOULD BE GRANTED BECAUSE THE PROJECT IS A "WAREHOUSE," THE LANSING ZONING BOARD OF APPEALS VOTED AS FOLLOWS:**

**Motion by:** Mary Stoe  
**Seconded by:** Richard Hayes

Richard Hayes – Aye  
Mary Stoe – No  
Susan Tabrizi – No  
Roger VandePoel – Aye  
Jack Young – No

**UPON SPECIFIC VOTE AS TO WHETHER THE APPEAL SHOULD BE GRANTED BECAUSE THE PROJECT IS A FACILITY FOR "GENERAL PROCESSING," THE LANSING ZONING BOARD OF APPEALS VOTED AS FOLLOWS:**

**Motion by:** Richard Hayes  
**Seconded by:** Roger VandePoel

Richard Hayes – Aye  
Mary Stoe – No  
Susan Tabrizi – No  
Roger VandePoel – Aye  
Jack Young – Aye

Dated: December 22, 2025

Jack Young adjourned the meeting at 10:09 PM

Minutes taken and executed by Kelly Geiger

# Zoning Board Meeting

December 22, 2025

## ATTENDANCE SIGN IN SHEET

### PRINT NAME

IRA GOLDSTEIN  
Tessa Sage Flores  
Kady Nawrocki  
Steph Nawrocki  
Marcus Converse  
Allison DeSario  
Corey Bryant  
Sabrina Johnston  
  
HAROLD MULLS  
Evan Alvarez  
Jerry Goodenough  
Rebecca Frye  
Corey McLaughlin  
John Glawer  
Melisa DeGroot  
Ken Wokim  
Maureen Stanhope  
Lisa Martin  
Brennen Fent  
Lauren Baker  
Corey Baker  
Taina Moynihan  
Josh Chamberlain

### ADDRESS

154 COMPTON RD, ITHACA 14850  
154 Compton Rd Ithaca  
575 Hector St Ithaca  
575 Hector St Ithaca  
139 Cemetery Lane Freeville  
8 Sunrise drive Newfield  
8 Sunrise drive Newfield  
110 Ludlow Rd Lansing  
  
110 LUDLOW RD. LANSING  
  
2922 Lower Lake Rd Seneca Falls  
Freeport, NY  
Marathon, NY  
Newfield NY  
Newfield NY  
154 C Ludlowville Rd Lansing  
Collins Rd, Freeville  
720 Ridge Rd  
Lansing, NY  
LANSING, NY  
LANSING, NY  
Ithaca  
Ithaca/Enfield