
Town of Lansing

Zoning Board of Appeals Meeting

Wednesday, May 14, 2025 6:30 PM

Lansing Town Hall, 29 Auburn Rd

Present

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

Excused

Mary Stoe

Other Staff Present

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

Public Present

George Breuhaus
Scott Hicks
Diane Kinne

Jack Young opened the meeting at 6:32pm

Action Items:

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

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Applicant: George Breuhaus on behalf of Scott Hicks

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

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.

SEQR: This project is a Type II action

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

Summary of Discussion:

- George Breuhaus and Scott Hicks were present to discuss this project
- 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
- Board approved the Variance

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

BACKGROUND INFORMATION

Applicant: Scott Hicks, property owner

Variance No: 25-05

Property Location: 13 Waterwagon Road

Zoning District: AG

Tax Parcel #: 42.-1-1.121

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

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

RESOLUTION AND FINDINGS:

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

WHEREAS 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; and

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

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

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

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

95
96
97 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**
98

- 99 1. The Town of Lansing Zoning Board of Appeals (“ZBA”) hereby makes the following findings
100 with respect to the specific criteria for area variances as set forth in Town Law § 267-b(3)(b),
101 and other applicable provisions of law and of the Zoning Ordinance:
102

103 **a. Whether an undesirable change will be produced in the character of the neighborhood**
104 **or a detriment to nearby properties will be created by the granting of the area variance?**
105

106 Yes ___ No ☒ Findings: No
107

108 **b. Whether the benefit sought by the applicant can be achieved by some method, feasible**
109 **for the applicant to pursue, other than an area variance?**
110

111 Yes ___ No ☒ Findings: No, moving the storage building is not a feasible option,
112 slab would move, distance too far.
113

114 **c. Whether the requested area variance is substantial?**
115

116 Yes ☒ No ___ Findings: Wouldn't be 60' regardless.
117

118 **d. Whether the proposed variance will have an adverse effect or impact on**
119 **the physical or environmental conditions in the neighborhood or district?**
120

121 Yes ___ No ☒ Findings:
122

123 **e. Whether the alleged difficulty was self-created?**
124

125 Yes ___ No ☒ Findings: Zoning changes caused a non- self-created situation.
126

127 **DETERMINATION BASED ON THE ABOVE FACTORS:**
128

129 It is hereby determined by the Town of Lansing Zoning Board of Appeals (the “ZBA”) that the
130 following area variances are **GRANTED** with any conditions hereafter stated (if any), it being
131 further found and determined that (i) the benefit to the applicant outweighs any potential
132 negative impacts or detriment to the neighborhood or community; and (ii) such area variance is
133 the minimum necessary as adequate to grant relief and, at the same time, preserve and protect the
134 character of the neighborhood and the safety and welfare of the community.
135

136 **DESCRIPTION OF SPECIFIC VARIANCES GRANTED:**
137

138 Area Variance seeking relief, from the required front yard setback, for the placement of a new 40'
139 x 100' storage building. The setbacks for newly proposed storage building are as follows: 1)
140 Northern front yard setback of 6' – 6” whereas 60' is required, 2) Eastern side setback of 58' – 4”
141 whereas 10' is required, 3) Southern rear setback of 430'+ whereas 25' is required, and 4) Western
142 side setback of 250'+ whereas 10' is required.
143

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

146
147 Yes ____ No ☒

148 **STATEMENT OF CONDITIONS:**

- 149
150 1. No conditions

151
152 **THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND**
153 **RESOLUTION OF THE TOWN OF LANSING ZONING BOARD OF APPEALS WAS AS**
154 **FOLLOWS:**

155
156 Dated: 14 May 2025

157
158 Motioned by: Richard Hayes

159 Seconded by: Susan Tabrizi

160
161 **VOTE AS FOLLOWS:**

162
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

169
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

175
176 Jack Young adjourned the meeting at 6:57 PM

177
178 Minutes taken and executed by Kelly Geiger