



ZONING BOARD OF APPEALS MEETING

Lansing Community Library, 27 Auburn Rd
Tuesday, September 13, 2022
6:30 PM

AGENDA

SUBJECT TO CHANGE

Meeting is open to the public

1. Call Meeting to Order

2. Action Items

- a. Consideration of an Appeal made by Mathew Pool, owner of 166 Ludlowville Rd.; Tax Parcel No. 26.-5.12, located in the Residential Moderate Density – R2 Zoning District. The applicant is proposing to construct a 10' x 16' accessory 3 feet from the side and rear yard lines, where 10 feet is required. The applicant is applying for an Area Variance from Town of Lansing Zoning Law § 270-11, Schedule II (footnote 12): Area, Frontage, Yard, Height and Coverage Requirements. This is a Type II Action under the State Environmental Quality Review Act 6 NYCRR 617.5(c)(16), granting of individual setback and lot line variances and adjustments.

3. Adjourn Meeting

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact the Town Clerk's Office at 607-533-4142. Request should be made 72 hours prior to the meeting.

RECEIPT DATE 8/2/22 No. 192412

RECEIVED FROM Matthew Poole \$ 175.00

One Hundred Seventy five DOLLARS

FOR RENT
 FOR Variance App. 166 Ludlowville Rd
26-5-12

ACCOUNT	<u>140</u>	<input type="radio"/> CASH
PAYMENT		<input checked="" type="radio"/> CHECK
BAL. DUE		<input type="radio"/> MONEY ORDER
		<input type="radio"/> CREDIT CARD

FROM _____ TO _____

BY [Signature]

3-11

Town of Lansing Zoning Board of Appeals Application for Variance

Application Fee \$ 175Application Date 08/02/2022**Property for which Variance is being requested**Tax Parcel No. 26-5-12 Street Address 166 Ludlowville Road

Applicant's Name and Address

Matthew R. Poole
166 Ludlowville Rd.
Lansing, NY 14982

Zoning District (check one)

Phone _____ R1 _____
Cell 607 339 3448 R2
Email mpoole226@gmail.com R3 _____

(If Applicant different from owner, notarized written permission of owner must be attached hereto.)

Owner's Name and Address (if different)

Phone _____ B1 _____
Cell _____ B2 _____
Email _____ L1 _____
RA _____
IR _____

Application for (check applicable item)

- A. Interpretation of Zoning Ordinance or Map
 B. Area Variance
 C. Use Variance
 D. Appeal of decision of Code Enforcement Officer

Request relates to provisions of (check applicable item)

- A. Town of Lansing Land use Ordinance, Section _____
 B. Town of Lansing Subdivision Regulations, Section _____
 C. Other (Identity) _____

Purpose of Request: (attach additional information if necessary)

Install a 10' x 16' Shed in back yard that would
sit 3' in from two property lines inc the northern
and western lines.

Justification of Request: (attach additional information if necessary)

Due to the size of the property, although the shed
will fit well in the given space, it is not possible to
comply with the standard offsets from the property line
as required by code.

The property is a duplex with income where in one
apt I live and the other apt I rent out. A shed is
required to house the lawn, snow, general tools and supplies
needed on site to maintain the property. A 10' x 16' shed
is the size needed to house all listed items.

Short Environmental Assessment Form

Part 1 - Project Information

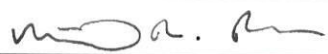
Instructions for Completing

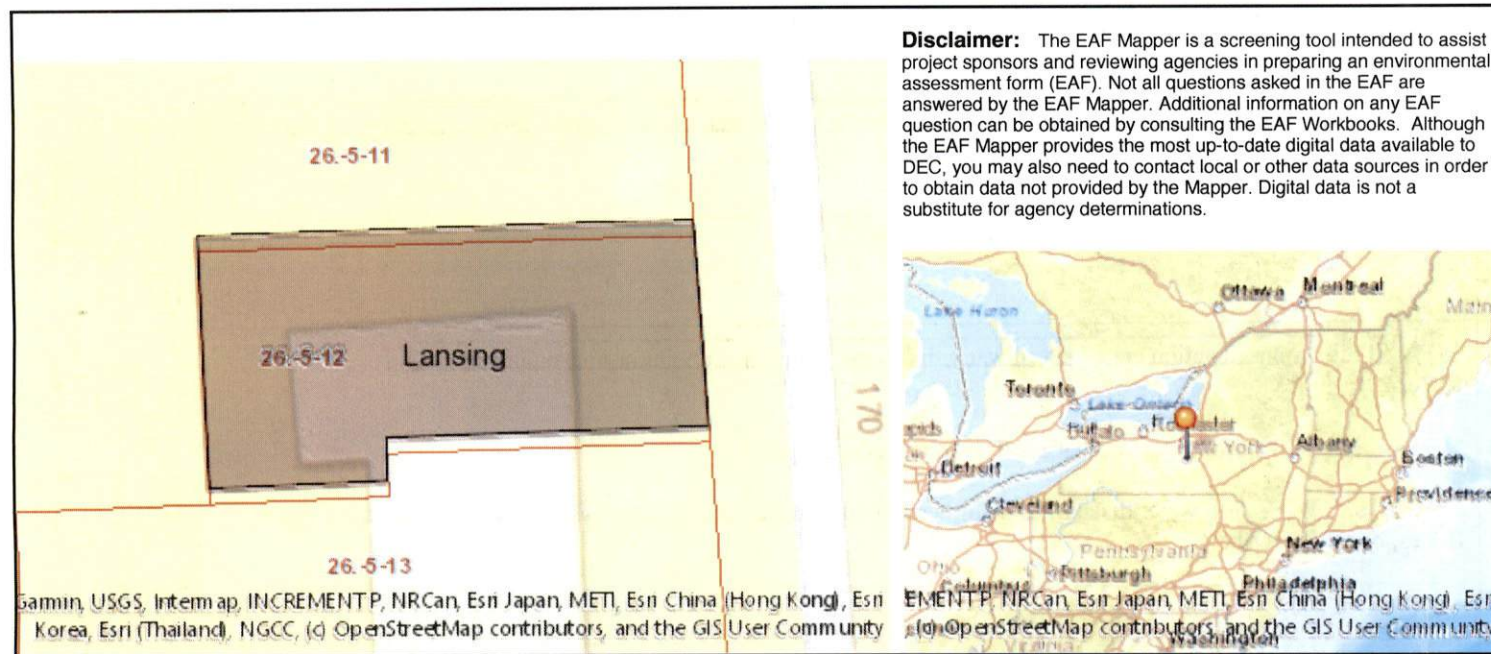
Part 1 – Project Information The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Install non conforming shed			
Project Location (describe, and attach a location map): 166 Ludlowville Road			
Brief Description of Proposed Action: Install a 10'x16' shed in backyard that would sit 3' off of two of the property lines including the northern and western property lines. Due to the size of the property although the shed will fit well in the given space it is not possible to comply with the standard offsets from the property line required. The property is a duplex where in one apartment I live and I rent out the other apartment. A shed is required to house the lawn, snow, supplies and general tools I need on site to maintain the property. A 10'x16' shed is the required size to house all mentioned items.			
Name of Applicant or Sponsor: Matthew R Poole		Telephone: (607)339-3448 E-Mail: mpoole226@gmail.com	
Address: 166 Ludlowville Road			
City/PO: Lansing		State: New York	Zip Code: 14882
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u> If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u> If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. <u>Total acreage of the site of the proposed action?</u> _____ acres b. <u>Total acreage to be physically disturbed?</u> _____ acres c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u> _____ acres			NO <input checked="" type="checkbox"/>
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. <u>A permitted use under the zoning regulations?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <u>Consistent with the adopted comprehensive plan?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. <u>Does the proposed action meet or exceed the state energy code requirements?</u>	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. <u>Will the proposed action connect to an existing public/private water supply?</u>	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. <u>Will the proposed action connect to existing wastewater utilities?</u>	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. <u>Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input checked="" type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Matthew R Poole</u> Date: <u>08/02/2022</u>		
Signature: <u></u> Title: _____		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

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

BACKGROUND INFORMATION

Applicant and Owner:
Matthew Poole
166 Ludlowville Road
Lansing, NY 14882

Variance No: 22-XX
Zoning District: R2
Public Hearing Published on: 9/7/22
600' Notices Mailed: 9/7/22

Property Location: 166 Ludlowville Rd
Tax Parcel #: 26.-5.12

Requirement for which Area Variances are requested: Town of Lansing Zoning Law § 270-11, Permission to Frontage, Yard, Height and Coverage Requirements

RESOLUTION AND FINDINGS

WHEREAS, Matthew Pool, Applicant and Owner of 166 Ludlowville Rd, Tax Parcel No. 26.-5.12, located in the Moderate Density Residential – R2 Zone applied for an Area Variance from Town of Lansing Zoning Law § 270-11, to construct a 10' x 16' accessory 3 feet from the side and year yard lines, where 10 feet is required.

WHEREAS, on 13 September 2022 the Town of Lansing Zoning Board of Appeals (the "ZBA") thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant in support of the requested area variance; (ii) all other information and materials properly before the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and the ZBA; and

WHEREAS, this application is classified as a Type II Action under 6 NYCRR Part 617.5(c)(16), granting of individual setback and lot line variances and adjustments, such that no further environmental review is required, nor does this matter require a GML Section 239 review; so, upon due deliberation upon the foregoing, the application, and all evidence and testimony presented to the ZBA,

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:

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:

c. Whether the requested area variance is substantial?

Yes ___ No ___ Findings:

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:

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/DENIED**, 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 under 270-11 (Frontage, Yard, Height and Coverage Requirements to construct a 10' x 16' accessory 3 feet from the side and rear yard lines, where 10 feet is required.

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

Yes ___ No ___

STATEMENT OF CONDITIONS:

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

Motion by:

Seconded by:

- Richard Hayes –
- Mary Stoe –
- Susan Tabrizi –
- Jack Young –
- Judy Drake –

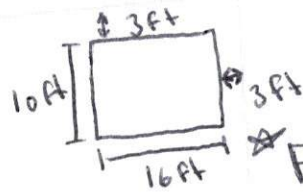
Dated: 13 September 2022

Received in the Lansing Town Clerk's Office on _____

Debbie Munson, Town Clerk
Town of Lansing
Tompkins County, New York

DRAFT

Property line
See Survey for exact
measurements



Floor will be
concrete pad
of same
dimensions,
(10ft x 16ft)

166 Ludlowville Rd,
Lansing, NY 14882

156

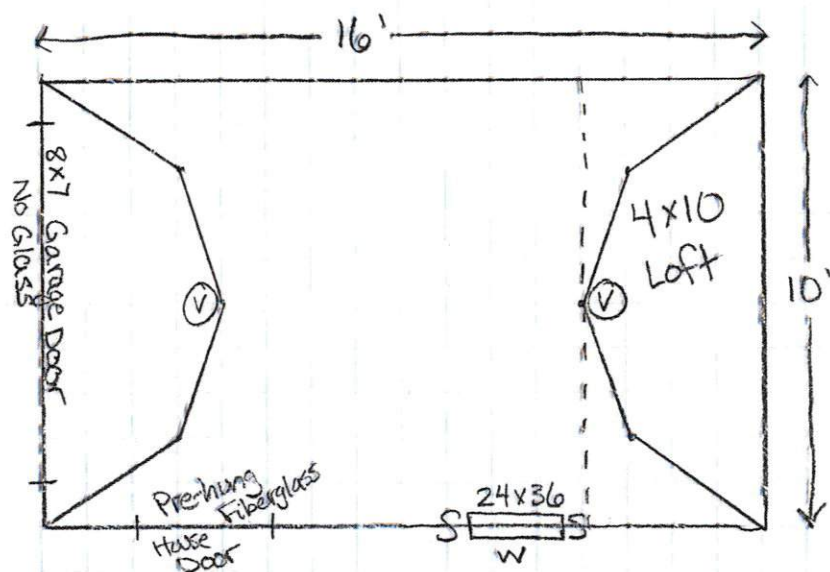
158

162

159

Ludlowville Rd

159



10x16 FLOORLESS DUTCH
MATTHEW POOLE
166 LUDLOWVILLE RD.
LANSING, NY 14882

AMISH BARN COMPANY
6048 STATE HWY 7
ONEONTA, NY 13820

FLOOR

- FLOORLESS
- BUILT ON 4"x6" PT PERIMETER RING

WALLS

- 6'6" WALL HEIGHT
- 2"x4" FRAMING - 16" OC
- 3/8" LP SMART PANEL T1-11 SIDING
- MDO BACKER

ROOF

- GAMBREL ROOF PITCH
- ARCHITECTURAL SHINGLES - 30YR
- TAR PAPER
- 7/16" TECHSHIELD ROOF SHEATHING
- 2x4 RAFTERS - 16" OC
- DOUBLE TOP PLATE
- NOTCHED RAFTERS W/ A DOUBLE FLYWOOD GUSSETT

DOORS

- (1) 8x7 GARAGE DOOR - NO GLASS (HEADER: (2) 2"x4" SANDWICHEI W/ PLYWOOD)
- (1) PRE-HUNG, FIBERGLASS HOUSE DOOR
↳ w/ DOUBLE TOP PLATE / SINGLE 2"x4"

WINDOWS/VENTS

- (1) 24x36 VERTICAL SLIDER WINDOW W/ SCREENS
- SHUTTERS ON WINDOW
- (2) STANDARD GABLE VENTS
- WINDOW HEADER: FLAT 2"x4"

MISC.

- COMPOSITE WOOD TRIM ON CORNERS
- 4'x10' LOFT

NORTH PER MAP REFERENCE NO. 1

LEGEND
 Δ - COMPUTED CORNER
 ○ - UTILITY POLE

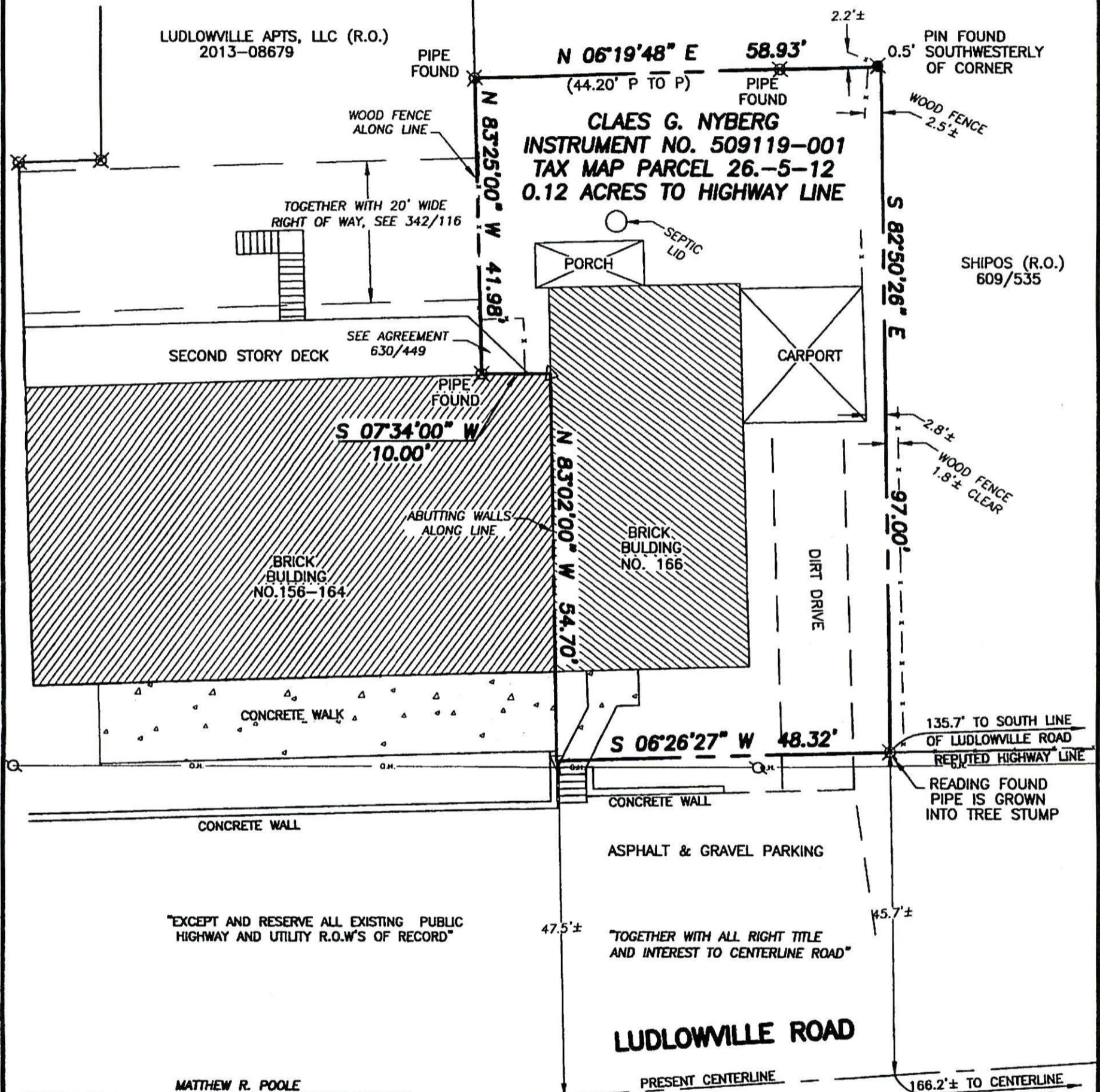
REFERENCE MAPS ENTITLED
 1.) "SURVEY MAP RICHARD HOLGATE PREMISES NO. 162 LUDLOWVILLE ROAD..." DATED 4/27/1984 AND 5/28/1985 BY T.G. MILLER P.C.
 2.) "LANDS OF RICHARD W. & PATRICIA ANN NIEMI #172 LUDLOWVILLE ROAD..." DATED 6/15/1984 BY C. GEORGE HANFORD
 3.) "SURVEY MAP OF A DWELLING AT 166 LUDLOWVILLE ROAD..." DATED 6/19/1986 AND RESURVEYED 9/9/1987 BY HOWARD R. SCHLIEDER

SHIPOS (R.O.)
609/535

LUDLOWVILLE APTS, LLC (R.O.)
2013-08679

CLAES G. NYBERG
INSTRUMENT NO. 509119-001
TAX MAP PARCEL 26.-5-12
0.12 ACRES TO HIGHWAY LINE

SHIPOS (R.O.)
609/535



"EXCEPT AND RESERVE ALL EXISTING PUBLIC HIGHWAY AND UTILITY R.O.W'S OF RECORD"

"TOGETHER WITH ALL RIGHT TITLE AND INTEREST TO CENTERLINE ROAD"

CERTIFICATION
 I hereby certify to MATTHEW R. POOLE that I am a licensed land surveyor, New York State License No. 050769, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision; and that I found no visible encroachments either way across property lines except as shown hereon.

SIGNED: *[Signature]* DATED: 12/3/2014

SHEIVE
LAND SURVEYING
 165 WOOD ROAD
 FREEVILLE, NY 13068
 607-347-9800

TITLE:
SURVEY MAP
NO. 166 LUDLOWVILLE ROAD
 HAMLET OF LUDLOWVILLE,
 TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK



WARNING
 ALTERATION OF THIS MAP NOT CONFORMING TO SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE IMPRESSION SEAL OF THE LICENSED LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

DATE: 12/3/2014 FILE NO. 14-136 SCALE: 1"=20'