



# ZONING BOARD OF APPEALS MEETING

Lansing Town Hall Board Room  
Wednesday, May 10, 2023  
6:30 PM

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## AGENDA

### SUBJECT TO CHANGE

Meeting is open to the public and streamed live on YouTube.

### VIEW THE MEETING LIVE - TOWN OF LANSING YOUTUBE CHANNEL

To find our YouTube Channel - Go to [www.lansingtown.com](http://www.lansingtown.com), click on the “YouTube” Icon (red square) located on the bottom left corner of our Home Page.

#### 1. Call Meeting to Order

#### 2. Roll Call

#### 3. Action Items

- a. Project: Variance for relief from §142-5(5)(a) – Flood Damage Protection- Construction Standards for Non Residential Structures

Applicant: Steve Ruoff

Location: 34 Ladoga Park Road, TPN 33.-1-59

Project Description: The applicant is applying for a variance from §142-5(5)(a) of the Flood Damage Prevention Law, requiring the top of the lowest floor to be raised 2’ above the Base Flood Elevation (BFE). BFE is 385.6 feet. The applicant is seeking approval to permit wet flood proofing of the structure in accordance with NFIP technical bulletin 7.

SEQR: This is a Type II action requiring no further SEQR review

Anticipated Action: review of the application

- b. Consideration of an Appeal made by Michelle Zirbel, owner of 1173 Auburn Road;

Tax Parcel No. 6.-1-18, located in the Rural Agriculture – RA Zoning District.

The applicant is proposing to construct an ice cream window with a roof covering the area 20 feet along the north side of the building and extending 8 feet to the side property line, 0’ from the property line, where 15’ is required.

The applicant is applying for an Area Variance from Town of Lansing Zoning Law § 270-11, Schedule II: 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.

#### 4. 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.

RECEIVED

APR 13 2023

Town of Lansing Zoning Board of Appeals  
Application for Variance

Application Fee \$175.00 Application Date 4/13/23

Property for which Variance is being requested  
Tax Parcel No. 33.-1-59 Street Address 34 Ludoga Park Rd

Applicant's Name and Address STEVE RUOFF (Empire Landings) Zoning District (check one)  
38 Ludoga Park Rd Phone \_\_\_\_\_ R1 \_\_\_\_\_  
Lansing, N.Y. 14882 Cell 607-227-1513 R2 \_\_\_\_\_  
Email SARVOFF38@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 X  
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) Flood Plain Regulations

Purpose of Request: (attach additional information if necessary)  
Our parcel is in a special Flood Hazard Zone, and house was designed & built to comply w/ those requirements. After the house was completed we moved a 96 sq ft shed onto the property, knowing we did not need a permit, but never thinking about the Flood zone. The shed is below the base Flood elevation of 386.3'. We would like a variance for being below the Flood elevation, but by meeting NFIP & FEMA requirements for an accessory structure as given below.

Justification of Request: (attach additional information if necessary)  
NFIP Technical Bulletin 7 (May 22) says need to meet 3 criteria.  
1. Shed is made of Flood resistant materials  
2. Shed needs to be sufficiently anchored.  
3. Shed needs to have 2 Flood vent openings } see Sciarabba Engineering Drawings

Once these are met the shed would meet the requirements for an accessory structure in a Flood zone below the base Flood elevation.  
Shed currently meets all setback requirements.



SCARABBA ENGINEERING, PLLC  
 4114 Longmeadow Road  
 Troy, New York 12182  
 www.scarabbaeng.com

**WARNING:**  
 It is a violation of Section 7209, Subsection 2 of the New York State Education Law for any person, unless he or she is working under the supervision of a licensed engineer, to alter or falsify in any way, or fail to keep the seal of an engineer in strict accordance with the statute, any drawing, plan, map or other document, or the name of such drafter, and a specific description of the alteration.

**SHED ANCHORS AND VENTS**  
 STEVE RUOFF  
 34 LADOGA PARK ROAD LANSING NY, 14882

REVISION 6	_____
REVISION 5	_____
REVISION 4	_____
REVISION 3	_____
REVISION 2	_____
REVISION 1	_____

PROJECT NO. 23-05

DATE 4-11-23

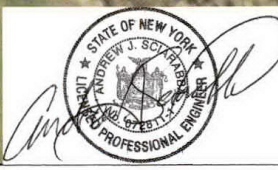
SCALE 1"=20'

DRAWING TITLE

**SITE PLAN**

DRAWING NUMBER

**C101**



**SITE PLAN**

SCALE: 1"=20'

NORTH



GRAPHIC SCALE





# Tompkins County Clerk Recording Page

**Return To**

KLAUSNER ADAM

**Aurora R. Valenti, County Clerk**

Tompkins County Clerk  
320 North Tioga Street  
Ithaca, NY 14850  
(607) 274-5431

Document Type: **EASEMENT**

Receipt Number: 14-76494

<b>Grantor (Party 1)</b>
LADOGA LANDING COMPANY LLC

<b>Grantee (Party 2)</b>
INDIAN LANDING INC

<b>Fees</b>	
Recording Fee	\$20.00
TP-584 Form Fee	\$5.00
Pages Fee	\$15.00
State Surcharge	\$20.00
Notation Fee	\$0.50
<b>Total Fees Paid:</b>	<b>\$60.50</b>

Transfer Amt: \$0.00
----------------------

Instrument #: 2014-13622
Transfer Tax #: 000664

Property located in **Lansing**

<b>Refers To</b>
540231-001
DEED 623 700

State of New York  
County of Tompkins

Recorded on November 12th, 2014 at 8:55:26  
AM with a total page count of 3.

**Tompkins County Clerk**

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

**EASEMENT AGREEMENT**

THIS Agreement made the 7<sup>th</sup> day of November, 2014, between

**Ladoga Landing Company, LLC**, a New York limited liability company of 146 Myers Road, Lansing, New York, 14882 hereinafter referred to as "Ladoga Landing", and

**Indian Landing, Inc.**, a New York corporation of 187 Storm Road, Groton, NY 13073 hereinafter referred to as "Indian Landing".

WHEREAS, Ladoga Landing owns the premises known as 38 Ladoga Park Road, Lansing, New York by deed recorded April 8, 2009 in the Tompkins County Clerk's Office as Instrument No. 540231-001, known as Town of Lansing Tax Map # 33-1-61, and

WHEREAS, the premises adjoining to the south and east are owned by Indian Landing and are known as 34 Ladoga Park Road, Lansing New York by deed recorded December 31, 1986 in the Tompkins County Clerk's Office at Liber 623 of Deeds at page 700, known as Town of Lansing Tax Map # 33-1-59; and

WHEREAS, Ladoga Landing wishes to install underground electrical utility and communications service lines (the "Lines") to its property from existing lines on property owned by Indian Landing; and

WHEREAS, Indian Landing has agreed to permit Ladoga Landing to run said Lines, from NYSEG line 863, pole 40 1/2 underground over its property to the Ladoga Landing property;

NOW, THEREFORE, in consideration of the recitations above and the mutual promises hereinafter made, it is hereby mutually agreed between the parties as follows:

1. That a right of way is granted over and across an area fifteen (15) feet in width from the southerly boundary of said Indian Landing premises in a northerly direction to the southerly line of said Ladoga Landing premises, the southerly line of which is the northerly boundary line of said Indian Landing premises.

2. Ladoga Landing shall have the right to install, maintain, repair or replace the Lines in this fifteen (15) foot right of way running from Indian Landing property for the benefit of the Ladoga Landing property as referenced above.

3. That Ladoga Landing will be permitted to enter upon the premises of Indian Landing to the extent that it will be necessary to maintain and make repairs to said Lines. That Ladoga Landing shall return the land to its "pre-construction" or its "pre-repair" state insofar as possible within ten (10) days of the construction or repairs.

4. The terms, rights and obligations of this Agreement shall run with the land.

IN WITNESS WHEREOF, the parties have hereunto signed this agreement the day and year first above written.

**Ladoga Landing Company, LLC**

Stephen A. Ruoff  
Stephen A. Ruoff, Member

Susan K. Ruoff  
Susan K. Ruoff, Member

Indian Landing, Inc.

Stephen A. Ruoff  
Stephen A. Ruoff, President

✓ Holly N. Hardie Treasurer  
Holly N. Hardie, Treasurer

STATE OF NEW YORK )  
COUNTY OF TOMPKINS ) SS:

On the 7<sup>th</sup> day of November, in the year 2014, before me the undersigned, a Notary Public in and for said State, personally appeared **Stephen A. Ruoff** and **Susan K. Ruoff**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person on behalf of which the individuals acted, executed the instrument.

Michele Bennett  
Notary Public MICHELE BENNETT  
Notary Public, State of New York  
No. 01BE6030007  
Qualified in Tompkins County  
Commission Expires Aug. 30, 20 17

STATE OF NEW YORK )  
COUNTY OF TOMPKINS ) SS:

On the 4<sup>th</sup> day of November, in the year 2014, before me the undersigned, a Notary Public in and for said State, personally appeared **Holly N. Hardie**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person on behalf of which the individuals acted, executed the instrument.

Debbie S. Crandall  
Notary Public

DEBBIE S. CRANDALL  
Notary Public, State of New York  
No. 01CR5013233  
Qualified in Tompkins County  
Commission Expires July 15, 20 15

RIGHT OF WAY AND EASEMENT

THIS INDENTURE, made the 18 day of January, 1994, by and between:

Indian Landing as tenants by the entirety, of  
the Town of Lansing as Grantors, and

THE TOWN OF LANSING, of P.O. BOX 186, Lansing, New York 14882, as  
Grantee.

WITNESSETH

The Grantors, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, do hereby grant and release unto the Grantee, its successors and assigns, a permanent right-of-way and easement to lay, construct, operate, maintain, alter, repair, remove, replace or change the size of a water main with all appurtenances needed therefor, including the right to trim and/or remove trees, shrubs and other obstructions in the parcel of land situate in the Town of Lansing, County of Tompkins, State of New York, being an easement across premises owned by the Grantors.

Said permanent easement extending across lands of the Grantors is more particularly bounded and described as follows:

ALL THAT ~~TRACT OR PARCEL~~ <sup>TRACT OR PARCEL</sup> of land situate in the Town of Lansing, County of Tompkins, State of New York, being a gore of land 20 feet wide, the center of which shall be the center of the private road as shown on a map entitled "PROPOSED WATER DISTRICT NO. 2, EXTENSION NO. 2 ET AL" attached hereto. REC. 74206.

Grantors covenant and agree that no buildings or structures shall be constructed within the aforesaid right-of-way and permanent easement which will in any way interfere with complete access by the Grantee, its successors, assigns, employees and agents, to lay, inspect, operate, maintain, alter, repair, remove, replace or change the size of its water main.

To have and to hold said right-of-way and easement unto the Grantee, its successors and assigns forever.

In further consideration of said grant, the Grantee agrees to regrade and restore the area excavated for purposes of repair and maintenance of said water main and the appurtenances thereto and to leave said area in a condition similar to that which existed prior to said excavation including reseeding where required.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above-written.

Marilyn F. Allen, President

TOWN OF LANSING

By Jeannine Kirby

RECEIVED/FILED  
TOMPKINS COUNTY CLERK  
94 DEC 23 AM 9:58

STATE OF NEW YORK:

:ss.

COUNTY OF TOMPKINS:

On this 13<sup>th</sup> day of January, 1994, before me, the subscriber, personally appeared Marilyn F. Allen to me known and known to me to be the person(s) described in and who executed the within Instrument and she duly acknowledged to me that she executed the same.

Donna B. Boman  
Notary Public

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REAL ESTATE  
DEC 23 1994  
TRANSFER TAX  
TOMPKINS COUNTY

DONNA BOMAN  
Notary Public, State of New York  
Qualified in Tompkins Co. No. 482200  
By Commission Expires April 27, 1995

STATE OF NEW YORK:

:ss.

COUNTY OF TOMPKINS:

On this 1<sup>st</sup> day of December, 1994 before me personally came Jeannine Kirby, to me personally known, who, being by me duly sworn, did depose and say that she resides in Lansing, New York, that she is the Supervisor of the Town of Lansing, the municipality described in, and which executed the within Instrument; that she knows the seal of said municipality; that the seal affixed to said Instrument is the seal of such municipality; and that it was so affixed by order of the Town of Board of such municipality; and that she signed her name thereto by like order.

NOTARY PUBLIC  
STATE OF NEW YORK

Tompkins County, ss. Sharon B. Boman  
Notary Public, State of New York  
Recorded on the 23<sup>rd</sup> day of December, 1994  
at 9:58 o'clock A.M., in Liber 742 of Allen  
at page 34 and examined

Aurora P. Valenti

SHARON B. BOMAN  
Notary Public, State of New York  
Qualified in Tompkins Co. No. 482204  
By Commission Expires Jan. 20, 1995



1878 - 798 PAGE 120

031C9  
EASEMENT

THIS INSTRUMENT WITNESSETH THAT Indian Landing Inc

hereinafter called the Grantor(s), being the owner(s) of or having an interest in land situate in the Town of Lansing County of Tompkins State of New York, fronting on the street or highway known as Ladoga Park West bounded Easterly by lands of Babcock and Northerly

by lands of Ladoga Park West for and in consideration of the sum of One and No / 100 Dollars (\$1.00), the receipt of which is hereby acknowledged, does hereby grant and release unto NEW YORK STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an office in the Town of Dryden (no street address), County of Tompkins, State of New York, hereinafter called the Grantee, its lessees, licensees, successors and assigns forever, a permanent easement and right of way, with the right, privilege and authority to install, construct, reconstruct, extend, operate, inspect, maintain, repair, replace, and at its pleasure, remove an underground gas pipeline, including hand/man holes, pipes, ducts and conduits, with the necessary fixtures or appurtenances thereto which the Grantee shall require now and from time to time for the underground transmission and/or distribution of natural and/or manufactured gas, for public or private use, in, under and across said land and/or the highways abutting or running through said land.

The easement and right of way hereby granted and released is 10 feet in width throughout its extent, situate, lying and being as follows

The centerline of said easement and right of way enters grantor's land on the east from land of Babcock and 8 feet southerly of the centerline of Ladoga Park West, thence said right of way extends in a westerly direction 100 feet to grantor's westerly property line. Together with the right for service laterals extending outside the limits of said right of way.

TOGETHER with free ingress and egress over the easement and right of way and other lands of Grantor(s) for all of the above purposes and the right now and from time to time to trim, cut, burn, treat and/or remove by manual, mechanical and chemical means trees, roots, brush, structures and other obstructions within said easement and right of way.

PROVIDED, however, that any damage (other than for trimming, cutting, treating, burning and/or removing trees, roots, brush, structures and other obstructions as above provided) to the property of the Grantor(s), caused by the Grantee in the exercise of its rights under this instrument shall be borne by the Grantee.

RESERVING, however, to the Grantor(s): the right to cultivate the ground, the right to cross and recross said easement and right of way provided that such use of said ground shall not interfere with, obstruct or endanger any rights granted as aforesaid and shall not disturb the grade of said ground as it now exists, and provided that no structure shall be erected, no trees shall be grown, cultivated or harvested, and no excavating, mining or blasting shall be undertaken within the limits of the easement and right of way without written consent of the Grantee.

This Instrument shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set their hand(s) and seal(s) this 12 day of March, 1997

IN PRESENCE OF:

Patricia A. Cornell

By: PATRICIA A. Cornell (L.S.)

Address: 117 Park Lane  
Ithaca, NY 14850

A. James Erickson

By: A. James Erickson (L.S.)

Address: 105 Indiv. Rd.  
Ithaca

RECEIVED  
\$ - 0 - 2201  
JUL 1 1997  
REAL ESTATE  
TRANSFER TAX  
TOMPKINS COUNTY



New York State Electric & Gas Corp. - Records Management & Real Estate Services Sthara RWC - 1

FILE 798 MAR 121

EASEMENT

Line T-Lansing  
Auth 43160-9000 Parcel No. 293  
Area Cost Center No. 43-70  
Construction W.O. No. 43166-79

Indian Landing, Inc.  
By Patricia A. Cornell, officer  
A. James Brinkerhoff, officer  
NEW YORK STATE ELECTRIC  
& GAS CORPORATION

Dated March 12 1991

STATE OF NEW YORK  
COUNTY OF Tompkins ss:

Recorded on the 1st day of

July 1991

at 8:53 o'clock A M

In Book 798 of Deeds at:

Page 120 and examined.

Maura R. Valenti  
(Clerk)

(Personal Acknowledgment)

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_ ] ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
before me, the subscriber, personally appeared

\_\_\_\_\_ to me personally known and known to me to be the same person \_\_\_\_\_ described in and who executed the within instrument and duly acknowledged to me the execution of the same

(Notary Public)

TAX MAP NUMBER  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Consideration on this document is less than \$100.00.

RETURN TO  
RECORDS MANAGEMENT &  
REAL ESTATE SERVICES  
NEW YORK STATE ELECTRIC & GAS CORP.  
POST OFFICE BOX 5224  
BINGHAMTON, NEW YORK 13902-5224

(Subscribing Witness Acknowledgment)

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_ ] ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
before me personally came:

\_\_\_\_\_ the subscribing witness to the foregoing instrument, with whom I am personally acquainted who being by me duly sworn, did depose and say that \_\_\_\_\_ he resides at \_\_\_\_\_

\_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ that \_\_\_\_\_ he knew \_\_\_\_\_

to be the individual \_\_\_\_\_ described in and who executed the foregoing instrument, that \_\_\_\_\_ he said subscribing witness, was present and saw \_\_\_\_\_ execute the same; and that \_\_\_\_\_ he, said witness, at the same time, subscribed his \_\_\_\_\_ name as witness thereto

(Notary Public)

RECEIVED/FILE  
JUN 13 11 58 AM '91

(Corporate Acknowledgment With Seal)

STATE OF NEW YORK  
COUNTY OF Tompkins ] ss:

On this 12th day of March, 1991  
before me came

A. James Brinkerhoff  
Patricia A. Cornell  
to me personally known, who being by me duly sworn, did depose and say that they reside and do business at Indian Landing, Inc.

in the County of Tompkins and that they are officers of Indian Landing, Inc.

the corporation described in and which executed the above instrument that they know the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that they be signed in the names thereto by the order.

(Notary Public)

DEBRA HORTON  
Notary Public, State of New York  
No. 01105061383  
Qualified in Tompkins County  
Commission Expires June 10, 1998

JUN 27 1991

LIBER 742 PAGE 304

00075

BOUNDARY LINE AGREEMENT

THIS AGREEMENT made this 27 day of June, 1994, by and between LILLIAN L. BABCOCK, residing at 32 Ladoga Park, Lansing, New York 14882, and INDIAN LANDING CO., of 34 Ladoga Park, Lansing, New York 14882,

W I T N E S S E T H :

WHEREAS, LILLIAN L. BABCOCK is the owner of premises known as 32 Ladoga Park, Lansing, New York, being the same premises conveyed to her by deed of Mabel Inman by instrument dated November 12, 1971 and recorded in the Tompkins County Clerk's Office on November 17, 1971 in Liber 699 of Deeds at Page 635, and

WHEREAS, INDIAN LANDING CO. is the owner of premises known as 34 Ladoga Park, Lansing, New York, being the same premises conveyed to them by deed of Ladoga Landing Co. by instrument dated December 31, 1986 and recorded in the Tompkins County Clerk's Office in Liber 623 of Deeds at Page 700, and

WHEREAS, 32 Ladoga Park, the premises owned by LILLIAN L. BABCOCK is contiguous to the premises of INDIAN LANDING CO. in that the said parcels share a common boundary line between the northwesterly line of said Babcock property and the southeasterly line of said Indian Landing Co. premises, and

WHEREAS, the boundary line between the premises of the parties hereto has not been clearly established and the parties hereto are uncertain as to the exact location of the boundary line based on previous conveyances and surveys, and

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\$.....  
REAL ESTATE  
JAN 6 1995  
TRANSFER TAX  
TOMPKINS  
COUNTY  
1363

11518 742 PAGE 305

WHEREAS, the parties desire to make the boundary line between their properties pursuant to a certain survey made by T. G. Miller, P.C., Engineers and Surveyors, dated December 7, 1992, the original of which will be filed concurrently herewith with the Office of the Clerk of the County of Tompkins such that the encroachments heretofore existing be eliminated and that the said line as set forth on the survey constitutes the property line of the respective parcels,

NOW THEREFORE, in consideration of the mutual covenants, conveyances and agreements herein made, and for other good and valuable consideration paid by the parties hereto to the other, the said parties do hereby agree that the boundary line between their properties known as Lot 3 and Lot 2 on the aforesaid survey map be and the same hereby is established as follows:

COMMENCING at a point at or near the easterly shore line of Cayuga Lake at the southwesterly corner of premises of Babcock, being 32 Ladoga Park, Lot #2 on the aforesaid map,

thence North 48 degrees 15 minutes East 171.8 feet to an iron pin marking the newly established northeast corner of Lot #1 of the Indian Landing Company, and the parties hereto mutually

GRANT and CONVEY to the other all those pieces, gores, strips or parcels of land lying between the above described boundary line and the other lines or marks heretofore identified as the boundary

between the aforesaid properties, to have and to hold the same forever.

1814 742 PAGE 306

TOGETHER WITH all riparian rights in and to those portions of

land lying between the above described lot and the low water mark

of Cayuga Lake.

IN WITNESS WHEREOF, the parties have hereunto set their hands

and seals this 27th day of May, 1994.

*Lillian L. Babcock*  
LILLIAN L. BABCOCK

INDIAN LANDING CO.

By *Marta Alice*  
Marta Alice



STATE OF NEW YORK )  
COUNTY OF TOMPKINS )

On this 27th day of May, 1994, before me, the subscriber,

LILLIAN L. BABCOCK

to me personally known and known to me to be the same person described in and who executed the within instrument, and she acknowledged to me that she executed the same.

*Lillian L. Babcock*  
LILLIAN L. BABCOCK

VALERIE C. FRENCH  
Notary Public, State of New York  
Tompkins County No. 482888  
Commission expires June 30, 1994

STATE OF NEW YORK )  
COUNTY OF TOMPKINS )

On this 16 day of May, 1994, before me personally came

MARTHA ALICE

to me personally known who, being by me duly sworn did depose and say that she resides at 201 Oakhill Road, Ithaca, New York, that he is the President of INDIAN LANDING CO., the corporation described in and which executed the above instrument; that she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she signed her name thereto by like order.

*Marta Alice*  
Marta Alice  
NOTARY PUBLIC

JOSEPH W. ALLEN  
Notary Public, State of New York  
Tompkins County No. 800530  
Commission expires Aug. 17, 1994

*Marta Alice*  
Marta Alice

Tompkins County, ss:  
Recorded on the  
9th day of May, 1994  
at 11:00 A.M. in Liber  
306



# Tompkins County Clerk Recording Page

**Return To**

STEVE RUOFF  
146 MYERS RD  
LANSING, NY 14882

**Maureen Reynolds, County Clerk**

Tompkins County Clerk  
320 North Tioga Street  
Ithaca, NY 14850  
(607) 274-5431

Document Type: **MISC**

Receipt Number: 15-93335

<b>Party 1</b>
INDIAN LANDING COMPANY

<b>Party 2</b>
NEW YORK STATE ELECTRIC & GAS CORPORATION

<b>Fees</b>	
Recording Fee	\$20.00
Pages Fee	\$15.00
Notation Fee	\$0.50
State Surcharge	\$20.00
<b>Total Fees Paid:</b>	<b>\$55.50</b>

Instrument #: 2015-06101
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<b>Refers To</b>
DEED 371 473

State of New York  
County of Tompkins

Filed on June 4th, 2015 at 4:12:51 PM with a total page count of 3.

\_\_\_\_\_  
Tompkins County Clerk

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

**Do Not Detach**

COPY

PARTIAL RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that NEW YORK STATE ELECTRIC & GAS CORPORATION, a corporation organized under the laws of the State of New York, having an office at 18 Link Drive in the Town of Kirkwood, County of Broome and State of New York, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, DOES HEREBY RELEASE, remit and quit-claim to INDIAN LANDING COMPANY, 34 Ladoga Park West (Tax Map Number 33.-1-59), and LADOGA LANDING COMPANY LLC, 38 Ladoga Park West (Tax Map Number 33.-1-61), in the TOWN OF LANSING NEW YORK heirs, successors or assigns, the right of way and easement, as shown on the attached sketch marked Exhibit 'A' which is attached hereto and made a part hereof, as granted to NEW YORK STATE ELECTRIC & GAS CORPORATION by JOSEPH AND TILA MACHALA, dated July 16, 1954 and recorded, September 25, 1954, Book 371 Page 473 in the Tompkins County Clerk's Office, reference to which is hereby made for a more accurate description of said easement and the terms and conditions thereof.

IN WITNESS WHEREOF, NEW YORK STATE ELECTRIC & GAS CORPORATION has caused this instrument to be executed in its name and on its behalf by its duly authorized officer this 11th day of May, 2015.

NEW YORK STATE ELECTRIC & GAS CORPORATION

By: Cynthia K. Mathewson  
Manager - Real Estate

(Personal/Corporate Acknowledgment)

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF Otsego )

On the 11th day of May, in the year 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Cynthia K. Mathewson; personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person\* upon behalf of which the individual(s) acted, executed the instrument.

Barbara H. Shields  
Notary Public

BARBARA H. SHIELDS  
Notary Public, State of New York  
Qualified in Delaware County  
Reg. No. 01SH0067800  
Commission Expires December 17, 2017

\* "For the purposes of this section, the term "person" means any corporation, joint stock company, estate, general partnership (including any registered limited liability partnership or foreign limited liability partnership), limited liability company (including a professional service limited liability company), foreign limited liability company (including a foreign professional service limited liability company), joint venture, limited partnership, natural person, attorney in fact, real estate investment trust, business trust or other trust custodian, nominee or any other individual or entity in its own or any representative capacity."

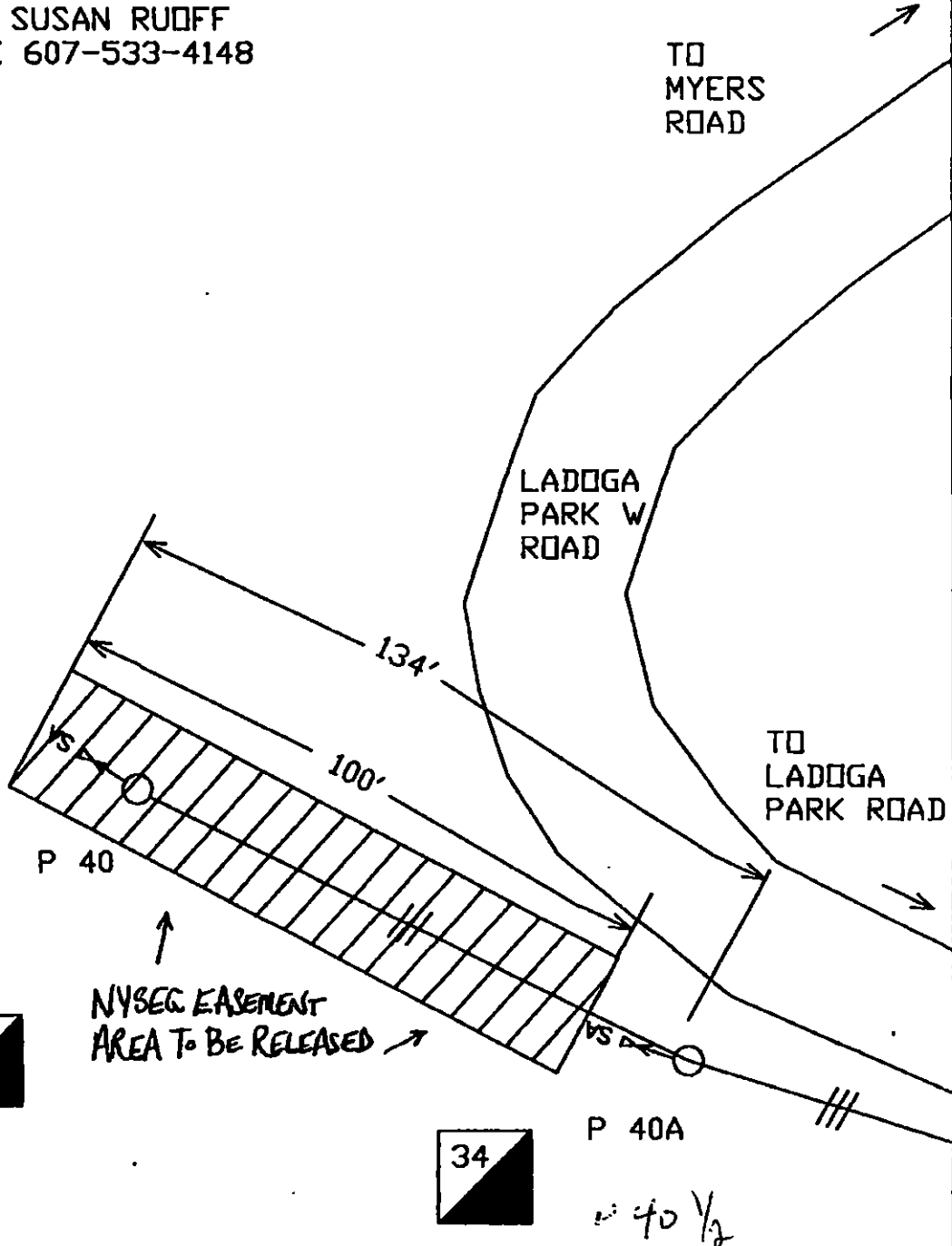
EXHIBIT 'A'

<b>NYSEG</b>	<b>NEW YORK STATE ELECTRIC &amp; GAS CORP.</b>
JOB TITLE: RUOFF EASEMENT RELEASE,	
LADOGA PARK W RD, T./LANSING, TOMPKINS CO.	
DRAWN BY: DAR	3/22/15
NOTIFICATION #103000	
WORK ORDER #8010000.	

LUDLOWVILLE SUB  
 CODE 05,01  
 CIR. - 726  
 L 863



CUST. SUSAN RUOFF  
 PHONE 607-533-4148





DEED

Section 3, Item a.

See Misc. Records, Liber 30 page 385

FORM 623 PAGE 700  
Form 15630 N.Y. DEED - WARRANTY with Lien Covenant  
with assumption clause

11397

BRIDGEMAN LEGAL SUPPLY INC. PUBLISHER 79 HOWLAND ROAD  
PO BOX 1624 BRONXHTON, NEW YORK 13002-1624

# This Indenture

Made the 31st day of December

Nineteen Hundred and Eighty Six

### Between

LADOGA LANDING COMPANY, a General Partnership under New York State Law with offices at 34 Ladoga Point, Lansing, New York 14882

parties of the first part, and

INDIAN LANDING, INC., a Domestic Corporation, with offices at 34 Ladoga Point, Lansing, New York 14882

Witnesseth that the parties of the first part, in consideration of One and no/100  
-----Dollar (\$1.00\*\*\*\*)

lawful money of the United States,  
paid by the parties of the second part, do hereby grant and release unto the  
parties of the second part, heirs or successors  
and assigns forever, ~~and~~

ALL THAT TRACT OR PARCEL OF LAND located in the Town of Lansing, County of Tompkins and State of New York, bounded and described as follows:

BEGINNING at an existing pipe found in the southwest corner of premises of Babcock (Liber 496 of Deeds at page 966 in the Tompkins County Clerk's Office), which pipe is located in the eastern shore of Cayuga Lake near the present shoreline thereof; thence running north 47 degrees 04 minutes east a distance of 170 feet to a set pipe; thence running north 42 degrees 58 minutes west a distance of 119.2 feet to a set pipe; thence running south 22 degrees 27 minutes west a distance of 84.6 feet to a pipe set at a rail fence line corner post; thence running south 30 degrees 53 minutes west a distance of 96.9 feet to a set pipe; thence running south 42 degrees 56 minutes east a distance of 57.0 feet to the place of beginning.

Intended to be included herewith is all that tract or parcel of land (inclusive of riparian rights to Cayuga Lake) between the high water mark of said Lake to the above described premises (being extensions of the northwest course bordering Babcock to the Lake and the extension of the southwest course which intersects a pipe set 25 feet from the southwest corner thereof.

The above described premises are more particularly shown on a survey map entitled "Survey Map No. 34 LADOGA POINT (and adjoining lands) East Shore Cayuga Lake, Town of Lansing, Tompkins County, New York" dated December 15, 1985 as prepared by T.G. Miller Associates, P.C., Engineers and Surveyors, Ithaca, New York which map is intended to be recorded with this Deed as a part hereof.

Map

The above described premises are a portion of premises conveyed to the Grantor by Warranty Deed of Harry Bradley by Robert Thompson his Attorney-in-Fact dated October 3, 1983 and recorded October 4, 1983 in the Tompkins County Clerk's Office at Liber 597 of Deeds at page 577 which represents approximately 7 feet off the southerly boundary thereof increasing to 15.4 feet as shown on the above referenced map.

The above described are a portion of premises conveyed by Executor's Deed to the Grantor's from Elaine G. Weibel, as Executrix under the Last Will and Testament of Grace Brewer, deceased, dated December 12, 1978 and recorded in the Tompkins County Clerk's Office on October 1, 1981 in Liber 585 of Deeds at page 1109 which represents the northern portion of the above described premises as shown on said survey.



LIBER 623 PAGE 702

The above described premises are all of the premises conveyed to the Grantor's by Deed of Agnes Machala dated August 31, 1972 and recorded August 31, 1972 in the Tompkins County Clerk's Office in Liber 502 of Deeds at page 730, being a cottage known as No. 34 Ladoga Point and Lake Shore abutting same as shown on said map.

TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY for purposes of ingress and egress to and from said lot, on and over a strip of land in the rear of said lot of width of ten (10) feet and which said right of way shall be subject to similar rights of Ellen G. Townsend and her assigns, and other grantees of additional lots on the south/southeasterly of the premises and subject to the right of ingress and egress to the above lot, on and over a right of way over premises heretofore conveyed to Bertha Baildon by Ellen G. Townsend by Deed dated January 3, 1942 and recorded in the Tompkins County Clerk's Office in Liber 268 of Deeds at page 22 and which said right of way runs in an easterly/northeasterly direction to the highway running through the Village of Myers.

SUBJECT to all rights to minerals under premises described herein which were reserved in Liber 283 of Deeds at page 525, but removal thereof shall not be on or over the property herein conveyed.

SUBJECT TO THE FOLLOWING AGREEMENTS AND RESTRICTIONS running with the land: a) The above described premises shall be kept free and clear of waste materials and garbage and anything that would constitute a nuisance on the premises; b) no alcoholic liquors shall be sold on the premises; c) no building shall be built on the premises except such as shall reasonably conform with other similar ones and on a line with other buildings so there shall be no projection of one building ahead of the other; d) drainage, bath and sanitary arrangements shall be so made that the water supply shall not be contaminated or anything allowed that would cause unhealthy conditions on the premises; and e) no commercial enterprise shall be conducted on the premises either directly or indirectly.

Grantor certifies that it and its predecessors in interest have complied with the above covenants.

Subject to an easement granted to the New York State Electric & Gas Corporation by Joseph and Fila Machala dated July 16, 1954 recorded in Liber 371 of Deeds at page 473.

SAID PREMISES ARE CONVEYED SUBJECT TO AND TOGETHER WITH A RIGHT OF WAY as at present laid out and traveled along the premises to the main Myers Highway lying on the easterly side of the Lehigh Valley Railroad for Ellen G. Townsend and her respective representatives, successors and assigns for the use of other premises owned by Ellen G. Townsend on January 3, 1942 and subdivision of lots lying on the easterly side of the premises herein described with the right of access to said right of way at the most convenient points of entry along the east line of the premises hereby conveyed.

Reference is made to a map entitled Ladoga Park, Subdivision of Lake Front, Ellen G. Townsend, Ex. Part of Lot 86, Town of Lansing, Myers, New York by E.D. Crumb dated July 15, 1941, revised March 1, 1944 filed in the Tompkins County Clerk's Office on August 28, 1944 in Lansing Book of Maps E-1 at page 23.

Also subject to the covenants running with the land as set forth in a Deed recorded in the Tompkins County Clerk's Office at Liber 261 of Deeds at page 368 and subject to the right of way set out therein and together with same.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage upon said premises executed by Ladoga Landing Company as mortgagor to First National Bank of Moravia, as mortgagee, which mortgaged is dated October 4, 1983 and was recorded in the Tompkins County Clerk's office on the 4th day of October, 1983, in Liber 457 of Mortgages at page 919, on which there is this date, an unpaid principal and interest of \$55,440.24, which said mortgage debt the grantee hereby assumes and agrees to pay, as part of the consideration for this conveyance.

BRUCE D. WILSON  
 Notary Public, State of New York  
 No. 55-151763  
 Qualified in Tompkins County  
 Term Expires March 30, 1988

BRUCE D. WILSON  
 Notary Public, State of New York  
 No. 55-151763  
 Qualified in Tompkins County  
 Term Expires March 30, 1988

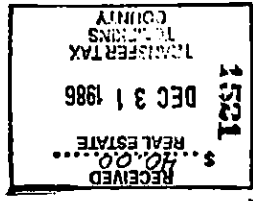
On this 31st day of December 1986  
 before me, the subscriber, personally came Jack Shea to me known, who, being  
 by me duly sworn, did depose and say, that he resides at 636 Ridge Rd.,  
 Lansing, New York; that he is the Treasurer of Indian Landing, Inc.,  
 the corporation described in and which executed the within Deed and  
 assumption; that he knows the seal of said corporation; that the seal  
 attached to said Deed and assumption is such corporate seal; that it was  
 so attixed by order of the Board of Directors of said corporation, and  
 that he signed his name thereto by like order.

State of New York  
 County of Tompkins } ss.  
 On this 31st day of December  
 Nineteen Hundred and Eighty Six

DAVID EARNEST HARDIE, as commodore and general partner  
 to me personally known and known to me to be the same person  
 described in and acknowledged  
 to me that he executed the within instrument, and he executed the same.

State of New York  
 County of Tompkins } ss.  
 On this 31st day of December  
 Nineteen Hundred and Eighty Six

In presence of  
 In witnesses hereof, the part les of the first part have herunto set their  
 hand and seal the day and year first above written.



Grantor: by David Earnest Hardie, as commodore of Ladoga Landing Co., a general partnership  
 Grantee, by Jack Shea as Treasurer of Indian Landing, Inc.

And said part les of the first part  
 First, That the part les of the second part shall quietly enjoy the said premises;  
 Second, That said part les of the first part  
 will forever warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor s will receive  
 the consideration for this conveyance and will hold the right to receive such consideration as a  
 trust fund to be applied first for the purpose of paying the cost of the improvement and will  
 apply the same first to the payment of the cost of the improvement before using any  
 part of the total of the same for any other purpose.

Together with the appurtenances and all the estate and rights of the parties  
 of the first part in and to said premises,  
 do have and to hold the premises herein granted unto the part les  
 of the second part, heirs or successors  
 and assigns forever.

From: Heather Dries [tolcodes@lansingtown.com](mailto:tolcodes@lansingtown.com)  
Subject: Area Variance for 38 Ladoga Park Way  
Date: Apr 13, 2023 at 12:05:38 PM  
To: [saruoff38@gmail.com](mailto:saruoff38@gmail.com)

Section 3, Item a.

April 14, 2023

Good Morning Mr. Ruoff,

We have received your Area Variance Application for 34 Ladoga Park Way- shed below base flood elevation. Please provide a copy of the deed to the property as well as copies of any easements or covenants you are aware of. In addition, please answer the following questions to the best of your knowledge:

- \*Can the benefit be achieved by other means feasible to the applicant? *NO*
- \*Will there be an undesirable change in the neighborhood character or nearby properties? *NO*
- \*Is the request substantial? *NO*
- \*Will this request have adverse physical or environmental effect? *NO*
- \*Is the difficulty self-created? *Yes by putting shed on property*

When we have received these answers and documents we will be able to submit your application for review.

Please do not hesitate to reach out with any additional questions or concerns.

Thank you,

**Heather Dries**  
Information Aide  
Planning & Code Enforcement  
[607-533-7054](tel:607-533-7054)



**Please note our new window hours**  
**Building permits, applications for building permits, Planning Board and Zoning Board applications, and questions regarding permits or applications are addressed during office hours Monday through Thursday, 7:30 a.m. to 12:30 p.m or by appointment, Friday 7:30-12 p.m. Call [607-533-7054](tel:607-533-7054) or send us an email at [tolcodes@lansingtown.com](mailto:tolcodes@lansingtown.com) to make an appointment.**

RECEIVED

APR 13 7:17:23

Section 3, Item a.



SCARABBA ENGINEERING, PLLC  
Civil Engineering, Surveying, Planning, and Construction  
7700 Southpark Drive, Suite 100  
Charlotte, NC 28216  
www.scarabbaengine.com

**WARNING:**  
It is a violation of Section 7208, Subdivision 2 of the New York State Education Law for any person, unless he or she is working under the direction of a licensed engineer, to alter in any way or in any way, if it has been bearing the seal of an engineer is altered, the drawing engineer and will be the same for or for seal and the violation "altered" followed by the name of the signatory, the date of such alteration, and a specific description of the alteration.

**SHED ANCHORS AND VENTS**  
STEVE RUOFF  
34 LADOGA PARK ROAD LANSING NY, 14882

REVISION 5	_____
REVISION 4	_____
REVISION 3	_____
REVISION 2	_____
REVISION 1	_____

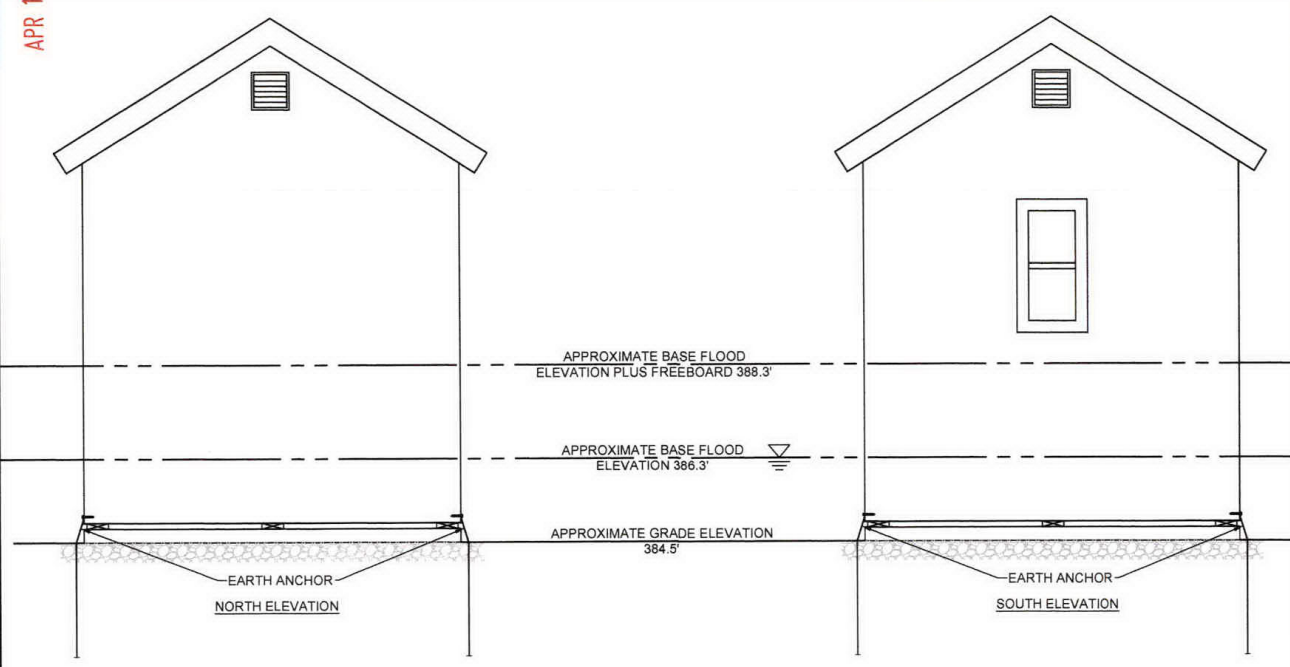
PROJECT NO. 23-05

DATE 4-11-23

SCALE 1"=2'

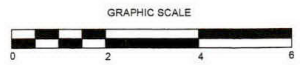
DRAWING TITLE  
**SHED ANCHORING PLAN**

DRAWING NUMBER  
**C102**



# SHED ANCHORING PLAN

SCALE: 1"=2'





RECEIVED

APR 13 2023

Section 3, Item a.



SCARABBA ENGINEERING, PLLC  
Civil Engineering Firm  
1100 Washington St. Suite 200  
West Nyack, NY 10994-2000  
www.scarabbaengineering.com

**WARNING:**  
It is a violation of Section 2206, Subsection 2 of the New York State Education Law for any person, company or entity to utilize, under the direction of a licensed engineer, to alter or tamper in any way, if not being the seal of an engineer in attendance, the stamp, signature that affix to the drawings or to any other document, "bearing or" reference by law or by signature, the name of such alteration, and a specific description of the alteration.

**SHED ANCHORS AND VENTS**  
STEVE RUOFF  
34 LADOGA PARK ROAD LANSING NY, 14882

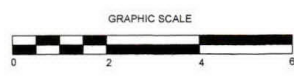
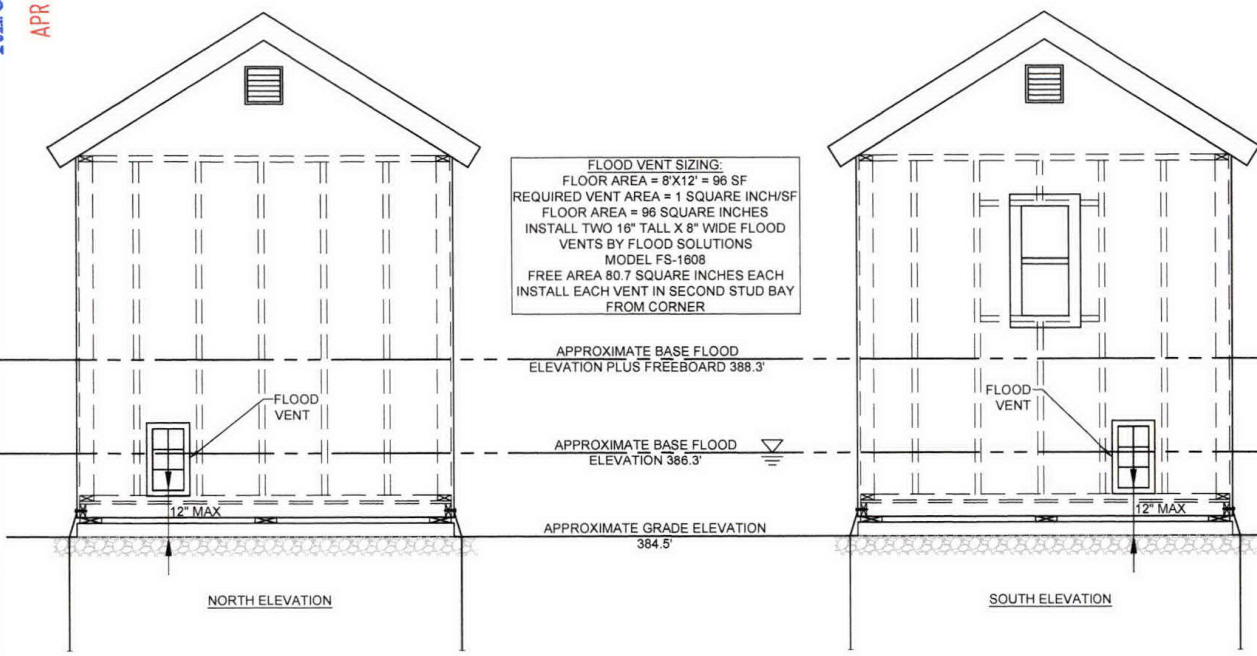
REVISION 6	_____
REVISION 5	_____
REVISION 4	_____
REVISION 3	_____
REVISION 2	_____
REVISION 1	_____

PROJECT NO.	23-05
DATE	4-11-23
SCALE	1"=2'

DRAWING TITLE  
**SHED FLOOD VENTING PLAN**

DRAWING NUMBER  
**C104**

**FLOOD VENT SIZING:**  
FLOOR AREA = 8'X12' = 96 SF  
REQUIRED VENT AREA = 1 SQUARE INCH/SF  
FLOOR AREA = 96 SQUARE INCHES  
INSTALL TWO 16" TALL X 8" WIDE FLOOD VENTS BY FLOOD SOLUTIONS MODEL FS-1608  
FREE AREA 80.7 SQUARE INCHES EACH  
INSTALL EACH VENT IN SECOND STUD BAY FROM CORNER



**SHED FLOOD VENTING PLAN**  
SCALE: 1"=2'



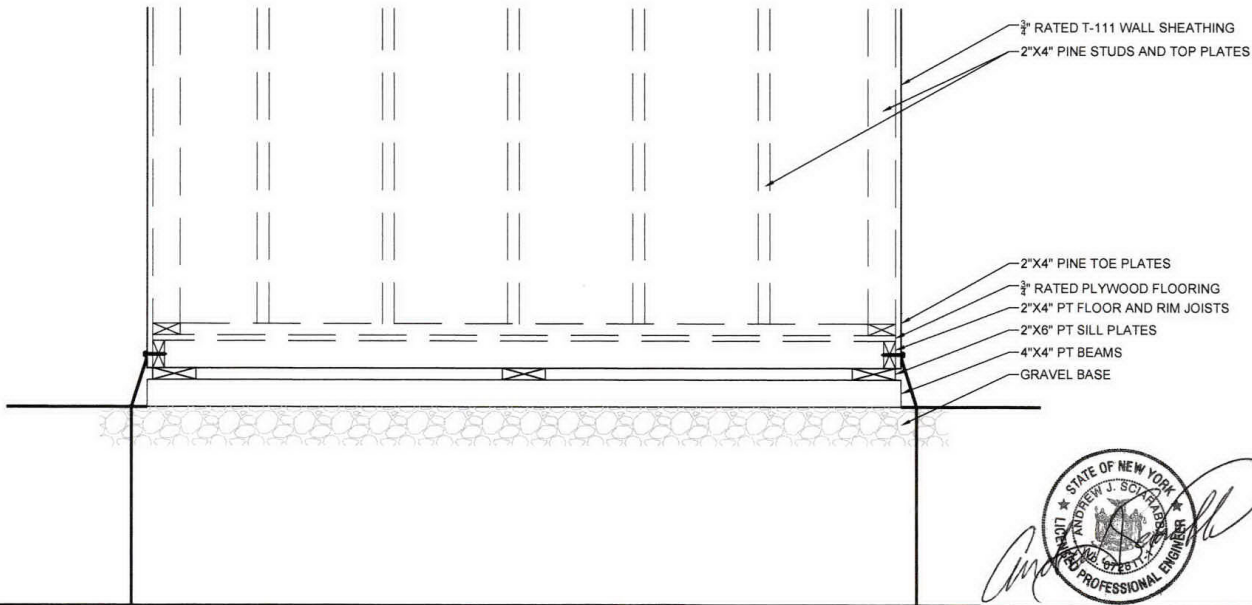
RECEIVED

APR 13 2023

Section 3, Item a.

EXISTING SHED MATERIALS:  
ALL SHED MATERIALS ARE  
EITHER CLASS 4 OR 5  
BUILDING MATERIALS  
WHICH ARE FLOOD DAMAGE  
RESISTANT PER FEMA  
TECHNICAL BULLETIN 2  
DATED AUGUST 2008.

TRIM AND WINDOW MATERIALS:  
PVC TRIM AND VINYL WINDOWS



SCARABBA ENGINEERING, PLLC  
Civil Engineers & Architects  
1100 Montgomery, NY 12534  
607-535-2000  
www.sciarabba.com

**WARNING:**  
It is a violation of Section 2203, Subsection 2 of the New York State Education Law for any person, unless he or she is working under the direction of a licensed engineer, to alter or tamper in any way, if an item bearing the seal of an engineer is altered, the altering engineer shall affix to the item his or her seal and the words "Altered by" followed by his or her signature, the date of such alteration, and a specific description of the alteration.

SHED ANCHORS AND VENTS  
STEVE RUOFF  
34 LADOGA PARK ROAD LANSING NY, 14882

REVISION 8	_____
REVISION 5	_____
REVISION 4	_____
REVISION 3	_____
REVISION 2	_____
REVISION 1	_____

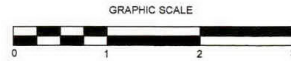
PROJECT NO.	23-05
DATE	4-11-23
SCALE	1"=1'

DRAWING TITLE  
EXISTING SHED MATERIALS PLAN

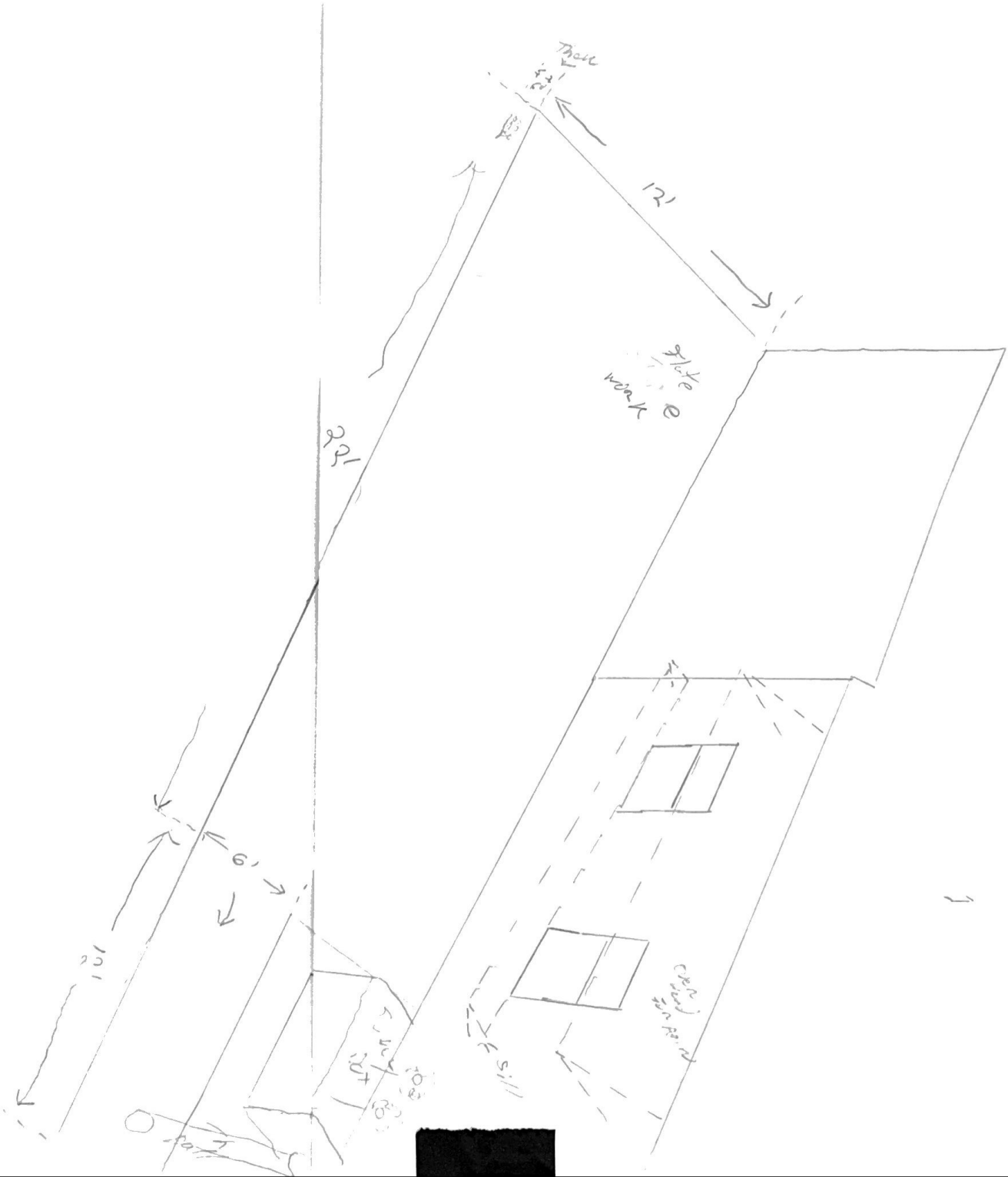
DRAWING NUMBER  
C105

**EXISTING SHED MATERIALS PLAN**

SCALE: 1"=1'



I would like to have an outside pick up window for customers, that would mainly be used as an ice cream window. In order to do this I would like to add a 20 x 8 ft roof over a patio, so I can place some out door seating and make it wheel chair accessible.





Section 3, Item b.

# Tompkins County Clerk Recording Page

**Return To**

MAZZA LAW OFFICES

**Maureen Reynolds, County Clerk**

Tompkins County Clerk  
320 North Tioga Street  
Ithaca, NY 14850  
(607) 274-5431

Document Type: **DEED**

Receipt Number: 21-293112

<b>Grantor (Party 1)</b>
STRAUF, LINDA

<b>Grantee (Party 2)</b>
MOMOS TRAVELING CAFE LLC

<b>Fees</b>	
Recording Fee	\$20.00
Pages Fee	\$25.00
State Surcharge	\$20.00
TP-584 Form Fee	\$5.00
RP-5217 Form Fee	\$250.00
State Transfer Tax	\$880.00
County Transfer Tax	\$440.00
Deed Notice Fee	\$0.00
<b>Total Fees Paid:</b>	<b>\$1,640.00</b>

Transfer Amt: \$220,000.00
----------------------------

Instrument #: 2021-04300
Transfer Tax #: 001689

Property located in **Lansing**

State of New York  
County of Tompkins

Recorded on April 23rd, 2021 at 4:08:12 PM  
with a total page count of 5.

**Tompkins County Clerk**

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

RG

**Do Not Detach**

**WARRANTY DEED WITH LIEN COVENANT**

This Indenture made the 15<sup>th</sup> day of April, Two Thousand Twenty-One

**BETWEEN** LINDA STRAUF, residing at 165 Locke Road, Locke, New York, 13092, party of the first part, and

MOMO'S TRAVELING CAFÉ, LLC, a New York Limited Liability Company with offices at 1032 Ledyard Road, King Ferry, New York, 13081, party of the second part

**Witnesseth**, that the party of the first part, in consideration of the sum of One and no/100.....Dollars (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs, successors and assigns forever,

**SEE SCHEDULE 'A' ATTACHED**

**Together** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**To have and to hold** the premises herein granted unto the party of the second part, its heirs, successors and assigns forever.

**And** said party of the first part covenants as follows:

**First**, That the party of the second part shall quietly enjoy the said premises;

**Second**, That said party of the first part will forever **Warrant** the title to said premises.

**Third**, That, in Compliance with Section 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purposes of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**In Witness Whereof**, the party of the first part has hereunto set her hand and seal the day and year first above written.

**IN PRESENCE OF**

Linda J. Strauf  
LINDA STRAUF

STATE OF NEW YORK )  
 )  
 ) SS:  
COUNTY OF *Tompkins* )

On the 15<sup>th</sup> day of April in the year 2021 before me, the undersigned, a Notary Public in and for the said State, personally appeared LINDA STRAUF, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

*David E. Ames*  
\_\_\_\_\_  
Notary Public

DAVID E. AMES  
Notary Public, State of New York  
No. 02AM4637816  
Qualified in Cortland County  
Commission Expires August 31, 2022

**SCHEDULE A**

ALL THAT TRACT OR PARCEL OF LAND situate in Military Lot No. 49 in the Town of Lansing, County of Tompkins and State of New York, being more particularly bounded and described as follows: BEGINNING at a point in the intersection of the centerline of NYS Route 34 and the centerline of the county highway leading from North Lansing to Locke, New York (being known as Locke Road); thence running N 01°-11'-19" W along the centerline of said NYS Route 34 a distance of 121.1 feet to a point in said centerline, said point being the southwest corner of premises of Lansing Fire District (Liber 433; page 754); thence N 89°-25'-52" E along the southline of said premises of Lansing Fire District, passing through iron pipes set at 29.6 feet and 52.79 feet, and continuing thence 150.0 feet for a total distance of 202.8 feet to a point in the southeast corner of said premises of Lansing Fire District marked by an iron pipe; thence S 01°-35'-08" E passing through an iron pipe found at 75.75 feet and continuing thence 37.45 feet, for a total distance of 113.2 feet to a point in the centerline of Locke Road; thence S 87°-12'-18" W along the centerline of Locke Road a distance of 203.65 feet to the point and place of beginning, containing 0.358 acre of land.

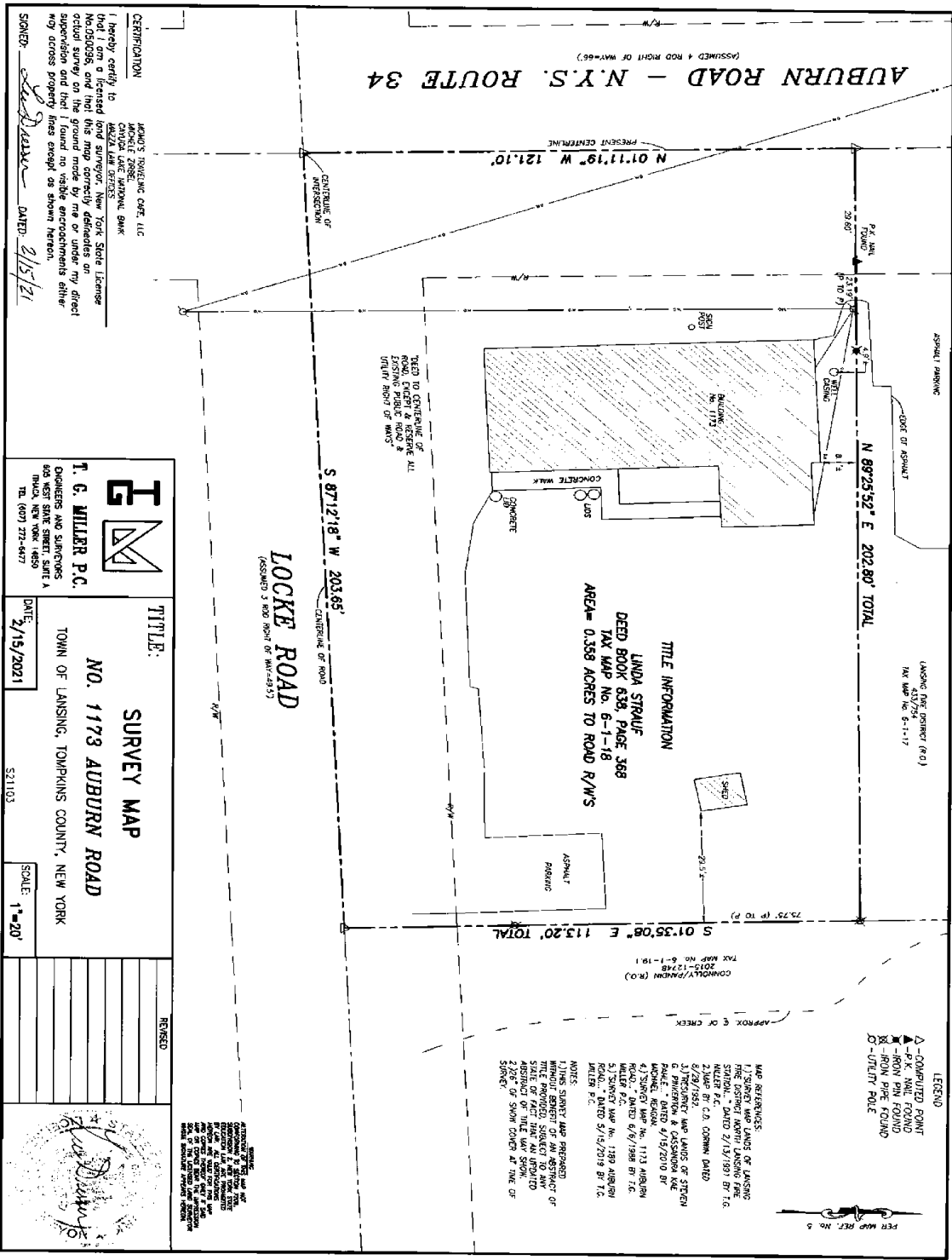
SUBJECT TO the following insofar as they may affect the premises described herein:

- (1) The rights of the public in and to that portion of the premises lying within the bounds of the public highway.
- (2) A right-of-way granted by Dennis A. Doyle to New York State Electric and Gas Corporation by instrument dated March 4, 1936 and recorded April 30, 1937 in the Tompkins County Clerk's Office in Liber 241 of Deeds at page 171.

The above described premises are the same premises shown on a map of a survey made by T.G. Miller, P.C., Lee Dresser, PLS 50096, dated February 15, 2021, which is incorporated herein by reference and filed in the Tompkins County Clerk's Office concurrently herewith.

The above described premises are the same premises conveyed to Linda Strauf by deed recorded July 26, 1988 in the Tompkins County Clerk's Office in Book 638 of Deeds at page 368.

Section 3, Item b.



**CERTIFICATION**

HEREBY CERTIFY TO THE TOWN OF LANISING, NEW YORK STATE LICENSE NO. 1173, THAT I AM A LICENSED SURVEYOR AND HAVE CONDUCTED AN ACTUAL SURVEY ON THE GROUND FROM WHICH THIS MAP WAS PREPARED. I FOUND NO VISIBLE ENCROACHMENTS EITHER ON OR ACROSS PROPERTY LINES EXCEPT AS SHOWN HEREON.

SIGNED: *[Signature]* DATED: 2/15/21

APONS TOOLWORK CORP. LLC  
 MONROE, 2086  
 CANADA LAKE NATIONAL BANK

ENTIRETY OF INTERSECTION

TO BE TO GOVERNANCE OF ROAD, ERECT & RESERVE ALL EXISTING PUBLIC ROAD & UTILITY RIGHT OF WAY

LOCKE ROAD  
 (ASSUMED 2 ROD RIGHT OF WAY=433)

S 87°12'18" W 203.85'

AREA = 0.358 ACRES TO ROAD R/W/S

DEED BOOK 638, PAGE 368  
 TAX MAP NO. 6-1-18

LOCKE (PER OWNER (R.O.)  
 433/254  
 TAX MAP NO. 6-1-1-17

APPROX E OF CREEK

CONVEY/BANKN (R.O.)  
 TAX MAP NO. 6-1-1-18 1

APONS TOOLWORK CORP. LLC  
 MONROE, 2086  
 CANADA LAKE NATIONAL BANK

ENTIRETY OF INTERSECTION

TO BE TO GOVERNANCE OF ROAD, ERECT & RESERVE ALL EXISTING PUBLIC ROAD & UTILITY RIGHT OF WAY

LOCKE ROAD  
 (ASSUMED 2 ROD RIGHT OF WAY=433)

S 87°12'18" W 203.85'

AREA = 0.358 ACRES TO ROAD R/W/S

DEED BOOK 638, PAGE 368  
 TAX MAP NO. 6-1-18

LOCKE (PER OWNER (R.O.)  
 433/254  
 TAX MAP NO. 6-1-1-17

APPROX E OF CREEK

CONVEY/BANKN (R.O.)  
 TAX MAP NO. 6-1-1-18 1

**T. G. MILLER P.C.**  
 CHARTERS AND SURVEYS  
 400 WEST 15TH STREET  
 SUITE A  
 ITHACA, NY 14850  
 TEL: (607) 272-4677

ENTIRETY OF INTERSECTION

TO BE TO GOVERNANCE OF ROAD, ERECT & RESERVE ALL EXISTING PUBLIC ROAD & UTILITY RIGHT OF WAY

LOCKE ROAD  
 (ASSUMED 2 ROD RIGHT OF WAY=433)

S 87°12'18" W 203.85'

AREA = 0.358 ACRES TO ROAD R/W/S

DEED BOOK 638, PAGE 368  
 TAX MAP NO. 6-1-18

LOCKE (PER OWNER (R.O.)  
 433/254  
 TAX MAP NO. 6-1-1-17

APPROX E OF CREEK

CONVEY/BANKN (R.O.)  
 TAX MAP NO. 6-1-1-18 1

**TITLE:**  
 SURVEY MAP  
 NO. 1173 AUBURN ROAD  
 TOWN OF LANISING, TOMPKINS COUNTY, NEW YORK

ENTIRETY OF INTERSECTION

TO BE TO GOVERNANCE OF ROAD, ERECT & RESERVE ALL EXISTING PUBLIC ROAD & UTILITY RIGHT OF WAY

LOCKE ROAD  
 (ASSUMED 2 ROD RIGHT OF WAY=433)

S 87°12'18" W 203.85'

AREA = 0.358 ACRES TO ROAD R/W/S

DEED BOOK 638, PAGE 368  
 TAX MAP NO. 6-1-18

LOCKE (PER OWNER (R.O.)  
 433/254  
 TAX MAP NO. 6-1-1-17

APPROX E OF CREEK

CONVEY/BANKN (R.O.)  
 TAX MAP NO. 6-1-1-18 1

**DATE:**  
 2/15/2021

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**SCALE:**  
 1"=20'

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**REVISIONS:**


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**NOTES:**  
 1.) SURVEY MAP LANDS OF LANISING TOWN DISTRICT NORTH LANISING FIRE TOWER, DATED 2/15/1991 BY T.G. MILLER P.C. (CONV. DATED 2/15/2021)  
 2.) MAP BY C.A. COBURN DATED 8/28/1952.  
 3.) CONVEYANCE MAP LANDS OF STEVEN S. MILLER, DATED 8/15/2010 BY T.G. MILLER P.C.  
 4.) SURVEY MAP NO. 1173 AUBURN ROAD, DATED 6/6/1988 BY T.G. MILLER P.C.  
 5.) SURVEY MAP NO. 1189 AUBURN ROAD, DATED 5/15/2019 BY T.G. MILLER P.C.

**NOTES:**  
 THIS SURVEY WAS PREPARED BY THE SURVEYOR OF LANISING TOWN DISTRICT NORTH LANISING FIRE TOWER, DATED 2/15/1991 BY T.G. MILLER P.C. (CONV. DATED 2/15/2021) AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE DISCOVERED BY THE SURVEYOR OF THE DATE OF THIS SURVEY.

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**LEGEND**

▲ - COMPUTED POINT  
 ▲ - P.K. NAIL FOUND  
 ▲ - IRON PIN FOUND  
 ▲ - IRON PIPE FOUND  
 ○ - UTILITY POLE

PER MAP REF. NO. 5



**WARRANTY DEED WITH LIEN COVENANT**

This Indenture made the 15<sup>th</sup> day of April, Two Thousand Twenty-One

**BETWEEN** LINDA STRAUF, residing at 165 Locke Road, Locke, New York, 13092, party of the first part, and

MOMO'S TRAVELING CAFÉ, LLC, a New York Limited Liability Company with offices at 1032 Ledyard Road, King Ferry, New York, 13081, party of the second part

**Witnesseth**, that the party of the first part, in consideration of the sum of One and no/100.....Dollars (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs, successors and assigns forever,

**SEE SCHEDULE 'A' ATTACHED**

**Together** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**To have and to hold** the premises herein granted unto the party of the second part, its heirs, successors and assigns forever.

**And** said party of the first part covenants as follows:

**First**, That the party of the second part shall quietly enjoy the said premises;

**Second**, That said party of the first part will forever **Warrant** the title to said premises.

**Third**, That, in Compliance with Section 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purposes of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**In Witness Whereof**, the party of the first part has hereunto set her hand and seal the day and year first above written.

**IN PRESENCE OF**

  
LINDA STRAUF

STATE OF NEW YORK )  
COUNTY OF Tompkins )

SS:

On the 15<sup>th</sup> day of April in the year 2021 before me, the undersigned, a Notary Public in and for the said State, personally appeared LINDA STRAUF, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

DAVID E. AMES  
Notary Public, State of New York  
No. 02AM4637816  
Qualified in Cortland County  
Commission Expires August 31, 2023

## SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in Military Lot No. 49 in the Town of Lansing, County of Tompkins and State of New York, being more particularly bounded and described as follows: BEGINNING at a point in the intersection of the centerline of NYS Route 34 and the centerline of the county highway leading from North Lansing to Locke, New York (being known as Locke Road); thence running N 01°-11'-19" W along the centerline of said NYS Route 34 a distance of 121.1 feet to a point in said centerline, said point being the southwest corner of premises of Lansing Fire District (Liber 433; page 754); thence N 89°-25'-52" E along the southline of said premises of Lansing Fire District, passing through iron pipes set at 29.6 feet and 52.79 feet, and continuing thence 150.0 feet for a total distance of 202.8 feet to a point in the southeast corner of said premises of Lansing Fire District marked by an iron pipe; thence S 01°-35'-08" E passing through an iron pipe found at 75.75 feet and continuing thence 37.45 feet, for a total distance of 113.2 feet to a point in the centerline of Locke Road; thence S 87°-12'-18" W along the centerline of Locke Road a distance of 203.65 feet to the point and place of beginning, containing 0.358 acre of land.

SUBJECT TO the following insofar as they may affect the premises described herein:

- (1) The rights of the public in and to that portion of the premises lying within the bounds of the public highway.
- (2) A right-of-way granted by Dennis A. Doyle to New York State Electric and Gas Corporation by instrument dated March 4, 1936 and recorded April 30, 1937 in the Tompkins County Clerk's Office in Liber 241 of Deeds at page 171.

The above described premises are the same premises shown on a map of a survey made by T.G. Miller, P.C., Lee Dresser, PLS 50096, dated February 15, 2021, which is incorporated herein by reference and filed in the Tompkins County Clerk's Office concurrently herewith.

The above described premises are the same premises conveyed to Linda Strauf by deed recorded July 26, 1988 in the Tompkins County Clerk's Office in Book 638 of Deeds at page 368.

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I would like to have an outside pick up window for customers, that would mainly be used as an ice cream window. In order to do this I would like to add a 20 x 8 ft roof over a patio, so I can place some out door seating and make it wheel chair accessible.

### Balancing Test Questions

please provide answers to the following questions:

\*Can the benefit be achieved by other means feasible to the applicant?

Not without obeying the 15 ft rules of the property line

\*Will there be an undesirable change in the neighborhood character or nearby properties?

No

\*Is the request substantial?

No

\*Will this request have adverse physical or environmental effect?

No

\*Is the difficulty self-created?