



# ZONING BOARD OF APPEALS MEETING

Lansing Town Hall Board Room  
Wednesday, October 09, 2024  
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:** Applicant wishes to remove prior conditions allowing for fill to be added to site to create positive drainage

**Applicant:** Jason Demarest, representing Lillian Babcock

**Location:** 32 Ladoga Park W, TPN 33.-1-58

**Project Description:** The applicant has applied for a rehearing to discuss the removal of prior conditions (from 7/20/2004) which would allow for fill to be added to create positive drainage at 30 & 32 Ladoga. This property is located in L1 zoning with lake frontage

**SEQR:** This project is an Unlisted action and will require further review

**Anticipated Action:** Review of TG letter, Final decision/conditions of approval

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.

# T.G. MILLER, P.C.

ENGINEERS AND SURVEYORS

605 W. State Street | Ithaca, NY 14850 | phone 607-272-6477 | fax 607-273-6322 | www.tgmillerpc.com

September 9, 2024

John Zepko, CPESC, CFM  
Director of Planning & Code Enforcement  
Town of Lansing  
29 Auburn Road  
Lansing, New York 14882

Re: 32 Ladoga Park  
Flood Development Permit Application

Dear Mr. Zepko,

The revisions made by Mr. Demarest in the July 9, 2024 Grading Plan have removed any encroachments on the neighboring property to the south and the 8-inch pipe penetration through the Babcock break-wall can accommodate a larger underdrain pipe, if ever necessary. Along the north property line, the roof downspouts will be conveyed to the lakeshore and the limited lawn area between the #32 residence and the north wall is served with an underdrain that also discharges to the lakeshore. Therefore, I have no further concerns that the grading improvements will have drainage impacts on the properties at #28 and #34 Ladoga Park.

Please contact me with any questions. Thank you.

Respectfully,



David A. Herrick, P.E.

David A. Herrick, P.E.  
Frank L Santelli, P.E.  
Owen B. Barden, P.E.

Donald M. Harner, P.E.  
LEED A.P., C.P.E.S.C.

Lee Dresser, L.S.  
Darrin A. Brock, L.S.  
Jacqueline L. Dresser, L.S.



**FINDINGS AND DECISIONS  
TOWN OF LANSING ZONING BOARD OF APPEALS**

**BACKGROUND INFORMATION**

Applicant:  
Jason Demarest, representing Lillian Babcock  
950 Danby RD. Suite 105  
Ithaca, NY 14850

Variance No: VAR 24-5  
Zoning District: L1 with lake frontage  
Public Hearing Published on: 5/31/24  
600' Notices Mailed: 5/28/24

Property Location: 32 Ladoga Park West  
Tax Parcel #: 33.-1-58

Requirement for which a Variance is being requested: Relief from an amended motion imposed during the June 20<sup>th</sup>, 2004, Zoning Board of Appeals hearing for an Area Variance for the construction of the cottage at 32 Ladoga Park (TPN 33.-1-58).

**RESOLUTION AND FINDINGS**

WHEREAS, Jason Demarest, representing Lillian Babcock owner of 32 Ladoga Park Tax Parcel No. 33.-1-58 located in the L1 zoning district with lake frontage, has applied for a variance to reverse the motion to not alter the ground level: "To approve the construction on existing footprint, with any additional structure located outside the existing footprint to be consistent with current Zoning Regulations. Ground level will not be altered, and any drainage will be reviewed by the Towns engineer at applicant's expense." The property owner (Mrs. Babcock) has since purchased adjoining TPN 33.-1-57 and wishes to add fill to the site to create positive drainage away from the two dwelling units. TG Miller, the Towns Engineer, has reviewed the plans and deemed no negative impacts to drainage; and

WHEREAS, on 12 June 2024 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 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 an Unlisted action, with further environmental review being required by the ZBA, which upon review found no negative environmental impacts; 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 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:** a Variance to reverse the motion to not alter the ground level: “To approve the construction on existing footprint, with any additional structure located outside the existing footprint to be consistent with current Zoning Regulations. Ground level will not be altered, and any drainage will be reviewed by the Towns engineer at applicant’s expense.” The property owner (Mrs. Babcock) has since purchased adjoining TPN 33.-1-57 and wishes to add fill to the site to create positive drainage away from the two dwelling units.

**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:**

- Bruce Barber (alt) –
- Richard Hayes –
- Mary Stoe –
- Susan Tabrizi –
- Roger VandePoel –
- Jack Young –

Dated: 09 October 2024

Received in the Lansing Town Clerk’s Office on \_\_\_\_\_

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