

TOWN of LANSING

"Home of Industry, Agriculture and Scenic Beauty"

ZONING, PLANNING AND CODE ENFORCEMENT
Box 186
Lansing, NY 14882

E-mail: tolcodes@lansingtown.com

Fred DelFavero
Project Manager, Beowulf
228 Cayuga Drive
Lansing, NY 14882

23 Oct 2025

Dear Mr. DelFavero

This letter is issued in response to your application for a site plan review from the Town of Lansing Planning Board.

Request Summary:

According to the site plan review application you have applied for a site plan review from the Town of Lansing Planning Board for Research based artificial intelligence server buildings. The project is proposed to be located at a 228 Cayuga Drive, Lansing NY, TPN 11-1-3.211. This project is located within the IR – Industrial/Research zoning district. The type of development listed within Project Information is described as “Data center facilities – high compute and AI”. The primary use listed in the Non-Residential Use Building Information portion of the application is “AI High Compute data servers”.

An email narrative submitted on 18 Oct 2025 by Fred DelFavero, Project Manager, further describes the project:

“The core purpose of the project is scientific and educational research, enabled through high-performance computing. The facility will provide infrastructure for research, investigation, testing, and experimentation — including AI model development, institutional research workloads, and scientific/engineering simulations such as energy and grid modeling. There is no manufacturing or commercial production component.

High-performance computing is widely recognized as the modern research environment used by universities and scientific institutions. Google, for example, operates its HPC platform specifically for these purposes through the Google Cloud Research Credits Program, which provides compute to university researchers for experimentation and model development. HPC is not commercial hosting — it is the research infrastructure itself. As you may know, TeraWulf is partnered with Google at our Lake Mariner campus in Niagara County, and regional academic institutions — including Cornell and TC3 — have expressed interest in a regional innovation and research hub with Lake Mariner and the Cayuga campus serving as anchors.

Importantly, zoning classification is determined by the primary function of the facility, and in this case the primary function is data processing and storage for research, not commercial hosting or manufacturing. The Town Code defines a laboratory as “facilities for research, investigation, testing or experimentation,” and this definition is purpose-based and technology-neutral — it does not limit research to wet-lab settings. The facility also fits within any common or dictionary definition of scientific research laboratory...”

The full email document is appended to this letter.

Zoning Ordinance Review:

The IR -Industrial/Research district is defined in § 270-5.H of the Town’s zoning code.

§ 270-5.H Industrial-Research (IR) District. The intent of the IR District is to designate areas where some form of light manufacturing, fabrication, assembly or research, mining and power generation/utilities are appropriate and desired land uses. These areas will become small employment centers that could contain a variety of land use activities. To achieve the type of development that will be compatible with the surroundings, it is appropriate to consider each proposal individually. Site planning concerns relate to accessibility, impact on nearby neighborhoods, parking and safe traffic movement, landscaping, buffers, environmental factors, lighting, size, location and such other elements as may be reasonably related to health, safety, property value and the general welfare of the Town.

Schedule I: Schedule of Land Use or Activities permits several land uses through various review processes, such as site plan review, under the general category of Industrial/Research. Schedule I has been appended to this letter.

§ 270-8 Uses not listed as permitted are not allowed.

Any land use not specifically permitted under this chapter shall be disallowed uses unless a use variance therefore shall be properly obtained, unless such use is a lawful pre-existing, non-conforming use, or unless such use is permitted in any newly created zone, such as (but not limited to) planned development zones. As to preexisting, nonconforming uses, this chapter shall be interpreted and applied so as to eliminate the same as soon as legally practicable.

Definitions:

§ 270-3 of the Zoning Code defines “Laboratory” as “A building or group of buildings within which are located facilities for research, investigation, testing or experimentation, but not facilities for manufacturing or selling of products except as may be necessary for prototype development or as incidental to the main purpose of the laboratory.”

Wikipedia defines a “data center” as “... a building, a dedicated space within a building, or a group of buildings[1] used to house computer systems and associated components, such as telecommunications and storage systems”.

Amazon Web Services defines a “data center” as “...a physical location that stores computing machines and their related hardware equipment. It contains the computing infrastructure that IT systems require, such as servers, data storage drives, and network equipment. It is the physical facility that stores any company’s digital data.”

The American Planning Association (APA) defines a “data center” as “a physical facility that houses servers, storage, and networking infrastructure to support digital applications and services.”

Interpretation:

After reviewing your request and all applicable sections of the ordinance, it is my determination that:

A data center is not defined by the Town of Lansing Zoning Code and § 270-8 of the zoning code disallows uses not specifically permitted. Therefore, the proposed use of **“Data center facilities – high compute and AI”** as found in the site plan application project description or **“data processing and storage for research”** as stated in Mr. DelFavero’s email narrative are not permitted uses in the IR – Industrial/Research District.

Conclusion:

Based on the above, the use of Data Center at 228 Cayuga Drive, TPN 11-1-3.211 is not permitted. Engaging in such a use without appropriate zoning relief (e.g., rezoning or ordinance amendment) may be subject to enforcement action under Article X of the zoning code.

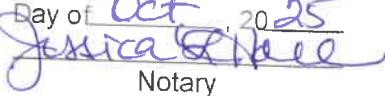
This interpretation is issued pursuant to the authority granted to the Code Enforcement Officer under § 270-62 of the Town of Lansing Zoning Ordinance. Should you disagree with this determination, you have the right to appeal to the Board of Zoning Appeals. You may also have the right to petition the Town Board for a change of zoning or the formation of a Planned Development Area per § 270-32 of the Zoning Code.

Please contact our office if you have further questions or require assistance with the appeal or application process.

Sincerely,



Scott Russell
Code Enforcement Officer

Sworn to me this 23rd of Oct, 2025
Day of Oct, 2025


Notary

JESSICA L. HALL
Notary Public, State of New York
No. 01HA6401119
Qualified in Tompkins County
Commission Expires Dec. 2, 2027



Outlook

RE: REQUEST: Information regarding Lake Hawkeye, aka TeraWulf

From Fred DelFavero <fdelfavero@beowulfed.com>

Date Sat 10/18/2025 6:55 PM

To John Zepko <jzepko@lansingtownny.gov>

Cc Kerri Langlais <langlais@terawulf.com>; Jerry Goodenough <jgoodenough@beowulfed.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

John,

Thanks for your note. As you requested, I want to follow up with clarification on the principal use of the Cayuga Data Campus.

The core purpose of the project is scientific and educational research, enabled through high-performance computing. The facility will provide infrastructure for research, investigation, testing, and experimentation — including AI model development, institutional research workloads, and scientific/engineering simulations such as energy and grid modeling. There is no manufacturing or commercial production component.

High-performance computing is widely recognized as the modern research environment used by universities and scientific institutions. Google, for example, operates its HPC platform specifically for these purposes through the Google Cloud Research Credits Program, which provides compute to university researchers for experimentation and model development. HPC is not commercial hosting — it is the research infrastructure itself. As you may know, TeraWulf is partnered with Google at our Lake Mariner campus in Niagara County, and regional academic institutions — including Cornell and TC3 — have expressed interest in a regional innovation and research hub with Lake Mariner and the Cayuga campus serving as anchors.

Importantly, zoning classification is determined by the primary function of the facility, and in this case the primary function is data processing and storage for research, not commercial hosting or manufacturing. The Town Code defines a laboratory as “facilities for research, investigation, testing or experimentation,” and this definition is purpose-based and technology-neutral — it does not limit research to wet-lab settings. The facility also fits within any common or dictionary definition of scientific research laboratory.

The 2018 Comprehensive Plan likewise anticipated this future land use for the parcel; the site is designated IR (gray) on the future land use map and is expressly contemplated for research and technology-based redevelopment of former industrial infrastructure.

The project remains a permitted use in the IR district and is eligible for Sketch Plan/Site Plan review. We respectfully request that Cayuga be reinstated on the Planning Board agenda as originally posted on October 15.

Please confirm placement on the agenda, and let me know if you need anything further beyond this for the record.

Thanks,
Fred

From: John Zepko <jzepko@lansingtownny.gov>

Sent: Friday, October 17, 2025 9:56 AM

ZONING

270 Attachment 1

Town of Lansing

Schedule I: Schedule of Land Uses or Activities, Town of Lansing [Amended 7-15-2020 by L.L. No. 3-2020; 4-19-2023 by L.L. No. 3-2023]

KEY:

P* = Permitted with site plan
P = Permitted as of right
SC = Permitted but special conditions apply (see § 270-35)
SP = Special use permit required (see § 270-36)
N = Not permitted
* = Site plan review required (see § 270-27)
Z = Zoning permit required

Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
	L1	R1	R2	R3	B1	B2	IR
Residential Uses							
Dwelling, one-family	P	P	P	P	P	P	N
Dwelling, two-family	P	P	P	P	P	P	N
Dwelling, conversion of existing building into three or four dwelling units	N	N	P*	SC* § 270-35K	P*	P*	N
Dwelling, multi-family, including apartments and condominium	N	N	P*	P*	P*	N	N
Dwelling, townhouse	N	N	P*	P*	P*	P*	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Retirement housing	P*	P*	P*	P*	P*	SP* § 270-36B(1)	N
Congregate housing	N	N	P*	P*	P*	P*	N
Shared housing	P*	P*	P*	P*	P*	P*	N
Mother-in-law/accessory	Z	Z	Z	Z	Z	Z	Z
Dwelling, ECHO housing (elder cottage housing opportunity)	SC* § 270-35J						
Dwelling, mobile home	P	N	N	P	N	N	N
Mobile home park (see Ch. 170)	N	N	N	N	N	N	N
Cluster development	SP* § 270-36B(1)	N	N				
Seasonal cabin or cottage	P	N	N	P	N	N	N
Storage unit/containers	N	N	N	Z	Z	Z	Z
Accessory use related to residential development	P	P	P	P	P	P	P
Mixed residential/commercial development	N	N	N	N	P*	P*	N
Community Uses							
Government building; school; related buildings	P*	P*	P*	P*	P*	P*	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Church, place of public worship and related facility	P*	P*	P*	P*	P*	P*	P*
Community residence	P*	P*	P*	P*	P*	P*	N
Playground, park, noncommercial	P	P	P	P	P	P	P
Public or private club (except rod and gun club)	SP* § 270-36A	SP* § 270-36A	SP* § 270-36A	SP* § 270-36A	SP* § 270-36B(1)	SP* § 270-36B(1)	N
Public or private club - sportsmen's club with outdoor shooting	N	N	N	N	N	N	N
Cemetery	N	N	N	N	N	N	N
Youth center, library, museum and theater	P*	P*	P*	P*	P*	P*	N
Business Uses							
Farming – crops	P	P	P	P	P	P	N
Farming – dairy	N	N	N	P	N	N	N
Farming – poultry	N	N	N	SC* § 270-35P	N	N	N
Farming – livestock	N	N	N	SC* § 270-35Q	N	N	N
4H/similar educational husbandry programs (see § 270-6, Definitions)	P	P	P	P	N	N	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Commercial plant nursery; greenhouse, garden center	N	N	P*	P*	P*	P*	P*
Roadside stand	Z	Z	Z	Z	Z	Z	N
Bed-and-breakfast facility	SC* § 270-35H	SC* § 270-35H	SC* § 270-35H	SC* § 270-35H	SC* § 270-35H	SC* § 270-35H	N
Rooming house; tourist home	N	N	N	N	SC* § 270-35H	SC* § 270-35H	P*
Nursery school; day-care facility	SC* § 270-35C	SC* § 270-35C	SC* § 270-35C	SC* § 270-35C	SC* § 270-35C	SC* § 270-35C	N
Nursing home; hospital; health-related clinic	P*	P*	P*	P*	P*	P*	N
Residential (home) business or occupation	SC* § 270-35D	SC* § 270-35D	SC* § 270-35D	SC* § 270-35D	SC* § 270-35D	SC* § 270-35D	N
Funeral home	N	N	P*	P*	P*	P*	N
Public stable	N	N	N	P*	N	N	N
Kennel; animal boarding	N	N	N	SP* § 270-36B(2)	SC* § 270-35E	SP* § 270-36B(2)	SC* § 270-35E
Keeping or raising of horses or ponies	Z	Z	Z	Z	N	N	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Veterinary hospital	N	N	N	SP* § 270-36B(3)	SC*/SP* § 270-35F and § 270-36B(3)	SC* § 270-35F	SC* § 270-35F
Keeping of chickens	Z	Z	Z	P	Z	Z	Z
Dog grooming (not as a home business)	N	N	N	P*	P*	P*	N
Commercial recreation: outdoors	SP* § 270-36B(1)	N	SP* § 270-36B(1)	SP* § 270-36B(1)	SP* § 270-36B(1)	SP* § 270-36B(1)	SP* § 270-36B(1)
Commercial recreation: indoors	P*	N	P*	P*	P*	P*	SP* § 270-36B(1)
Motel; hotel	N	N	N	N	SC* § 270-35G	SC* § 270-35G	SC* § 270-35G
Professional or business office (not in a home)	P*	N	N	N	P*	P*	P*
Bank; financial institution	N	N	N	N	P*	P*	P*
Retail sales, specialty; antiques, crafts and similar independent facility	N	N	N	SC* § 270-35I	P*	P*	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Retail sales, general: food, clothing, furniture, floor covering, hardware, variety, lawn and garden supply, pets and similar goods and items, paint.	N	N	N	N	P*	P*	N
Retail sales: lumber and other building materials and supplies	N	N	N	N	SC* § 270-35L	SC* § 270-35L	N
Retail sales: industrial or agricultural equipment and supplies	N	N	N	N	P*	P*	N
Retail sales, services and storage; marine- and water-oriented	SC* § 270-35M	N	N	N	N	SC* § 270-35M	SC* § 270-35M
Retail sales: mobile home, RV, snowmobile and similar items requiring outdoor storage	N	N	N	N	N	SC* § 270-35M	N
Restaurant or tavern	N	N	N	N	P*	P*	N
Banquet hall/reception venue	N	N	N	N	N	N	N
Barber/beauty shop and similar personal services (not as a home business)	N	N	N	N	P*	P*	N

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Photocopying and similar graphic services	N	N	N	N	P*	P*	N
Convenience (mini) mart	N	N	N	N	P*	P*	N
“Mini” commercial warehouse for self-storage	N	N	N	N	N	P*	P*
Vehicular fuel and service (except body work)	N	N	N	N	P*	P*	P*
New and used car sales, including garage service and repair	N	N	N	N	P*	P*	P*
Car wash	N	N	N	N	N	P*	N
Sale of plumbing, HVAC, electrical supplies and equipment (not as a home business)	N	N	N	N	P*	P*	N
Laundry (self-service)	N	N	N	N	P*	P*	N
Sexually oriented business	N	N	N	N	N	N	N
Contractor's/ landscaping yard	N	N	N	N	N	P*	P*

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Industrial/Research							
Warehouse, storage or wholesaling of nonagricultural goods or materials	N	N	N	N	N	P*	P*
Printing and publishing (not a home business)	N	N	N	N	SC* § 270-35N	SC* § 270-35N	P*
Commercial assembly: jewelry, leather, fabric, scientific instruments and similar items (not a home business)	N	N	N	N	P*	P*	P*
Commercial excavation; rock, sand, gravel, salt and similar near-surface products	N	N	N	N	N	N	N
Natural resource exploration (not a production facility)	SP* § 270-36B(1)	N	N	SP* § 270-36B(1)	N	SP* § 270-36B(1)	SP* § 270-36B(1)
Truck or motor freight terminal	N	N	N	N	N	P*	P*
Vehicle body shop, not as part of new or used car sales and service	N	N	N	N	N	SC* § 270-35O	SC* § 270-35O
Vehicle wrecking and salvage yard	N	N	N	N	N	N	SP* § 270-36B(1)

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Agricultural, industrial or educational research, design and production of prototypes (not as a home business)	N	N	N	N	P*	P*	P*
General processing, light manufacturing and assembly	N	N	N	N	P*	P*	P*
Scientific research laboratory	N	N	N	N	P*	P*	P*
Use of accessory farm buildings for sale of farm commodities, light fabrication or assembly	N	N	N	P*	N	N	N
Utility and Miscellaneous Uses							
Public utility service and distribution, including gas, electric, telephone, water and sewer, TV cable, but excluding substations, storage yards and transmission towers	P	P	P	P	P	P	P
Public utility substation, or storage yard	SP* § 270-36B(1)	N	N	SP* § 270-36B(1)	SP* § 270-36B(1)	SP* § 270-36B(1)	SP* § 270-36B(1)

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Electric or gas transmission lines	SP* § 270-36B(1)	P*					
Wind energy conversion system	N	N	N	N	N	N	SC* § 270-35S
Non-tower-based wind energy conversion system	Z § 270-20N						
Small-scale solar energy system	Z § 270-20M						
Solar energy facility	N	N	N	N	N	N	SC* § 270-35R
Solid waste recycling or transfer station	N	N	N	N	N	N	SP* § 270-36B(1)
Solid waste landfill	N	N	N	N	N	N	N
Communications tower for the commercial or public sector reception or transmission of electronic signals	N	N	N	N	N	SP* § 270-36B(5)	SP* § 270-36B(5)
Junkyard	N	N	N	N	N	N	SP* § 270-36B(1)
Toxic waste disposal	N	N	N	N	N	N	N
Planned Development Area	SP* § 270-32						

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Land Use or Activity	Lakeshore	Residential			Commercial		Industrial/Research
		Low Density	Moderate Density	Mixed Use	Mix Use	General Business	
		L1	R1	R2	R3	B1	B2
Small-scale battery energy storage system	P	P	P	P	P	P	P
Large-scale battery energy storage system	N	N	N	N	SC* § 270-35T	SC* § 270-35T	SC* § 270-35T