

RESOLUTION PB 15-

RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD RECOMMENDING APPROVAL OF PROPOSED AMENDMENT TO THE VILLAGE CIRCLE - VILLAGE SOLARS (VCVS) PDA FINAL DEVELOPMENT PLAN

WHEREAS, on April 17, 2013, the Lansing Town Board issued a Final Approval of the Village Circle-Village Solars Planned Development Area (PDA) affecting and rezoning lands then commonly known as Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12, covering approximately 33.25 acres within the R2 zoning district; and

WHEREAS, due to need and unforeseen circumstances pertaining to existing utility lines the Developer has requested relocation of one 6-unit building footprint from the approved PDA plan location at building G/H to building M, and it is noted that the Town Board is concurrently fixing a typographical error in the PDA local law to reflect that buildings may have up to 18 units such that this change is both allowed and consistent with existing plans that have always envisioned 18-unit buildings; and

WHEREAS, the Town of Lansing Planning Board has examined and reviewed the proposed building relocation, including by reviewing the February 5, 2015 application for a minor PDA amendment and the revised Site Plan drawings for such change, and such application was referred to the Town Engineer for review and comment and only minor changes in stormwater planning were recommended to account for the relocation of such 6-units, and the matter was further delivered to County Planning for § 239 review and the County replied upon February 20, 2015 indicating that “the modifications have no negative inter-community, or county-wide impacts,” and the matter was further discussed and considered at a public meeting of the Planning Board upon March 9, 2015, and the residents of the Town of Lansing were given a full opportunity to be heard respecting the amendment of the approved Village Circle Apartments/Village Solars PDA Final Development Plan; and

WHEREAS, on March 9, 2015, pursuant to Land Use Ordinance (“LUO”) § 706.5, the Planning Board conducted a site plan review of the proposed PDA site plan amendment and considered and carefully reviewed the requirements of the LUO § 701 *et seq.*, relative to the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man-made features upon and surrounding the area of the proposed amended PDA Final Development Plan and Site Plan; and

WHEREAS, the Lansing Town Board has final approval authority and thus is the proper lead agency for an environmental review, and accordingly and upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

RESOLVED AND DETERMINED, pursuant to LUO § 706.10, that this proposed PDA Final Development Plan and Site Plan change and amendment does not affect any significant element of the PDA such that a full PDA submission and approval are not required; and further pursuant to LUO §§ 701.6.2 and 701.6.4 it is determined that no public hearing is required or necessary for this minor a site plan change; and it is further

RESOLVED, that, pursuant to LUO §§ 706.7 and 706.10, the Planning Board hereby recommends that the Town Board approve the Amendment to the Village Circle Apartments/Village Solars PDA Final Development Plan, subject to:

(i) The continuing conditions of approval as set forth in Town Board Resolution 13-77 and Town of Lansing Local Law No. 1 of 2013; and

(ii) The additional numbered conditions as set forth below:

1. All of the previous conditions of PDA approval will remain in effect for the overall project with the exception of the 6 unit building here approved to be relocated from Building G/H to building M, and the final filed development plan plat shall be revised to: (i) reflect such building relocation; (ii) delineate individual tax map parcel numbers for the disparate parcels; and (iii) delineate all future road dedications, whether in fee or by easement, by express notation upon the final development plan or plat (ref. Local Law No. 1 of 2013, §§ 3(A)(6)(e) and (f)).

2. All stormwater changes now or hereafter proposed pertaining to such building relocation as recommended by the Town Engineer shall be adhered to and, if required, the SWPPP shall be amended accordingly.

Motion by:

Second by:

VOTE AS FOLLOWS:

**Thomas Ellis -
Lin Davidson -
Gerald Caward, Jr. -
Al Fiorille -
Deborah Trumbull-
Richard Prybyl -
Larry Sharpsteen -**

Approved: March 9, 2015