

RESOLUTION PB 15-

RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD CONDITIONALLY APPROVING SITE PLAN APPLICATION OF KAIDA COMPUTER TECH, LLC / GLOBAL COMPUTERS FOR CONSTRUCTION OF PARKING LOT AND RELATED IMPROVEMENTS

WHEREAS, an application was made by Robert Winans, Costich Engineering, as agent for owner Kevin Kong, for site plan approval for the proposed construction of site improvements located on Dutch Mill Road, Lansing, New York, and otherwise known as Tax Parcel #39.-1-50.2, in the Town of Lansing, consisting of approximately 2.41± acres, located in a Planned Development Area (“PDA”), with the underlying zoning in neighboring areas being mainly Industrial/Research (IR) Zone; and consisting of a plan to connect the existing building at 21 Dutch Mill Road parcel #39.-1-50.6 (4.63± acres, also in the PDA) to a new and expanded parking area and to municipal sewers, thereby eliminating the on-site septic system, thus creating a combined overall development site of 7.04± acres spread over two parcels in the Warren Road Business Park PDA; and

WHEREAS, the Planning Board granted site plan approvals in 2003 and 2007, and now considers additional expansions by site plan review, including development of an adjacent related parcel to construct and expand upon and build a 151 car parking lot, as well as a new municipal sewer interconnection, and in connection therewith the entirety of the site (both lots) will be subject to full stormwater management and review, and a Full SWPPP shall be required; and

WHEREAS, the Development Plan for the PDA, and the Town’s Land Use Ordinance, envision that so long as any site-specific development is within the scope of the PDA approval and approved land uses, the review of site specific developments within the scope of the Development Plan are the role of the Planning Board, with the Town Board only being required to step-in and review any approval when the proposal constitutes a change that affect significant elements of the PDA, such as land use, size, orientation, occupancy, or density of buildings (see LUO § 707.10.1), and the Planning Board here finds that a parking lot supporting a business located in a business park does not constitute a change in any significant element of the PDA; and

WHEREAS, the Town has considered and carefully reviewed the requirements of the Town’s laws and Comprehensive Plan relative to site plan review and 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 project, and the Town has also considered the Town’s Comprehensive Plan and compliance therewith; and

WHEREAS, this action was classified as an Unlisted Action under the State Environmental Quality Review Act (“SEQRA”) and the Planning Board, as the sole involved agency and as lead agency in an uncoordinated review, duly issued a negative declaration; and

WHEREAS, the Planning Department duly referred this matter to the Tompkins County Planning Department under and pursuant to General Municipal Law §§ 239-1 and 239-m, and County Planning duly replied by letter dated June 18, 2015 noting that the proposed action has no negative inter-community or county-wide impacts; and

WHEREAS, on **August 24, 2015**, the Planning Board reviewed and considered the aforementioned site plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and resolved that due to the scale and location of the proposed project there is no need to hold a public hearing on the project or its environmental review; and

WHEREAS, the Planning Board has duly considered and found the proposed site plan is in accordance with the provisions of the Town of Lansing Land Use Ordinance Section 701.4 *et seq.*, including concerns addressing site drainage, lighting, nearby residences, landscaping, parking, and buffering/screening, driveway and any potential on and off site environmental impacts; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

RESOLVED, that the Town of Lansing Planning Board does hereby find and determine that a parking lot supporting a business located in a business park does not constitute a change in any significant element of the PDA; and it is further

RESOLVED, that the Town of Lansing Planning Board does hereby grant Final Site Plan Approval to KAIDA Computer Tech, LLC and Costich Engineers for the proposed site area improvements, located on Dutch Mill Road, Lansing, New York, and otherwise known as Tax Parcel #39.1-50.2 (a PDA located within an existing IR Zone), as shown on the **site plan drawings dated May 29, 2015 with revisions dated August 12, 2015**, as drawn by Costich Engineers and submitted by the applicant, *subject to the following conditions:*

- (1) The existing septic system must be property decommissioned.
- (2) The sewer line must be connected pursuant to properly issued permits and all inspections shall be timely scheduled and allowed.
- (3) Easements shall be granted to the Town, the Consolidated Water District, and the Warren Road Sewer District Extension, in a form as reasonably approved by the Town, so as to permit inspections, repairs and replacements of, and access to the site and such utility infrastructure as reasonably required by the Town.
- (4) Each parcel shall grant the neighboring parcel a cross-easement to permit the use, maintenance, and replacement of sewer lines, water lines, similar and other utility structures and appurtenances, stormwater facilities (including monitoring, reporting, and maintenance rights) and parking rights (with appurtenant crossing and travel rights as to vehicular and pedestrian traffic as between such parcels), each and all in a form as reasonably approved by the Town.
- (5) Permanent stormwater and drainage easements and a "Full SWPPP" shall be required for the entire 7.04± acre site, and such SWPPP must be approved before the issuance of any certificates of occupancy, use, or compliance may be issued.
- (6) All new construction must meet the requirements of the New York State Building Codes.
- (7) Buffering shall be required as follows: (i) install additional new native plant materials along the parking lot as indicated on the site plan so as to meet the standards set forth below in this paragraph #7; and (ii) protect and maintain the existing site vegetation and trees, especially along the parking lot as indicated on the site plan. All existing and required additional vegetative buffers as depicted on the site plan shall be planted, improved, and maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Emphases shall be placed upon solid-cover-type barriers, such as hedges, offset rows of evergreen trees, or densely placed deciduous trees of variable heights interspersed with evergreens or other plants as provide for such cover. Landscaping shall be properly maintained and any dead, diseased, or dying plants or trees shall be promptly replaced. Any plantings that fail for any reason to provide screening or

buffering shall be replaced or enhanced. All buffers, unless otherwise depicted, shall be a minimum of 10' wide.

(8) Compliance with any stormwater management recommendations or changes as reasonably required by the Town Engineer.

August , 2015

VOTE AS FOLLOWS:

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