

## **RESOLUTION PB 15-**

### **RESOLUTION APPROVING AMENDED SITE PLAN OF ADVANCED DESIGN CONSULTING USA, INC., AND RESTATING SITE PLAN APPROVAL**

**WHEREAS**, a prior application was made by Advanced Design Consulting USA, Inc., for site plan approval for the proposed construction of a 3,000 ft<sup>2</sup> addition to its existing 12,200 ft<sup>2</sup> commercial building, and such prior site plan application was approved by the Planning Board upon May 11, 2015, and the applicant is now requesting a change in the site plan to increase the project size by approximately 50% to now become a 75 foot by 55 foot building addition, to be located at 126 Ridge Road, Lansing, New York and otherwise known as Tax Parcel #35-.2-2.2, consisting of approximately 4.47 acres in the B1 - Commercial Mixed Use Zone, and the proposal is a permitted use in such zone subject to obtaining site plan approval from the Planning Board; and

**WHEREAS**, the Planning Board did grant site plan approval in 2012 for a 100 foot by 200 foot new building to be constructed north of the existing structures, which may be completed at a later date, which prior approval is unaffected hereby except as to stormwater conditions, as set forth below; and

**WHEREAS**, the original approved site plan was for a 50 foot by 60 foot addition and the new proposed site plan and project created an increase of approximately 1,125 ft<sup>2</sup>, thus requiring approval by the Planning Board as such site plan amendment exceeds the Town of Lansing Land Use Ordinance ("LUO") § 701.7.1 threshold of 1,000 ft<sup>2</sup>; and

**WHEREAS**, by triggering such threshold a new site plan is required, but the Planning Board has reviewed this application and finds that the only change is the building addition size, and no new disturbance or other features have been changed such that, pursuant to LUO §§ 701.4 and 705, the Planning Board hereby waives all other documentary requirements of site plan review and deems the application substantially complete as based upon the prior site plan and documents submitted and already reviewed and approved, plus the new drawings and plans as submitted; and

**WHEREAS**, this matter was previously subject to a SEQRA environmental review and a negative declaration was duly issued, and the Planning Board has examined the change in the size of this building and determined that such change does not convert the SEQRA classification of this action or project and it thus remains an Unlisted Action; and

**WHEREAS**, the Planning Board has examined the amended site plan and reconsidered the potential environmental impacts arising from or in relation to this project, including a re-review of its prior negative declaration with respect to the prior site plan approval, and the Planning Board finds that this change in building plans and this amended site plan approval action are minor and do not, individually or collectively with the underlying project or prior approval, so change the project or its potential impacts, including the likelihood of an impact occurring, as to warrant any full supplemental review or rescission of the prior determination pursuant to 6 NYCRR 617.7(c), (e), and (f), and therefore the Planning Board hereby reissues and continues its negative declaration in respect of this action; and

**WHEREAS**, a prior General Municipal Law § 239 referral was delivered to, and a review dated April 16, 2015 was received from, the Tompkins County Planning Department, which then determined that the proposed action had no negative inter-community or county-wide impacts, but given the change in the site plan and the ~1,125 ft<sup>2</sup> addition to the building, the Planning Department again contacted County Planning, and County Planning said no further review was necessary and they continued their prior no impact determination and statement; and

**WHEREAS**, the Planning Board has again considered and carefully reviewed the requirements of the LUO relative to site plan review, the unique needs of the Town due to the topography, the soil types and distribution, and other natural and man-made features upon and surrounding the area of the proposed site plan, and the Planning Board has also considered the zoning in the area and the project in light of the Town's Comprehensive Plan and compliance therewith, and the Planning Board has again reviewed and considered the aforementioned but amended site plan application and determined that no public hearing is required for this amended site plan; and

**WHEREAS**, on August 24, 2015, the Planning Board has duly considered the proposed amended site plan in accordance with the provisions of LUO § 701.4 *et seq.*, including concerns addressing site drainage, lighting, nearby residences, landscaping, parking, buffering, screening, driveways, and any potential on and off site environmental impacts, and upon due consideration thereupon and deliberation by the Town of Lansing Planning Board, *now therefore be it*

**RESOLVED**, that the amended site plan application of Advanced Design Consulting USA, Inc. for the proposed construction of a 75 foot by 55 foot building addition and site area improvements, located at 126 Ridge Road, Lansing, New York, be and hereby is granted and approved; and it is further

**RESOLVED**, that the prior resolution approving the site plan for this project, as dated May 11, 2015, be and hereby is superseded by this resolution, and the revised and amended site plan is approved *subject to the following conditions*:

1. Site Plan drawing Sheet ST-3, dated April 24, 2015, as drawn by Cornerstone Architects, be revised to show the new building location, as extended and in accord with the drawings already submitted to the Town, to the reasonable satisfaction of the Planning Board Chairman; and that such revised drawing be submitted by the applicant prior to and as a condition of issuance any Certificate of Compliance or Certificate of Occupancy;
2. The applicant shall submit a "Basic SWPPP" for the 0.67 acres of proposed disturbed area, including any revisions potentially occasioned by the revised site plan and building size change, and the same shall be required to be approved by the Town Engineer and a Town Stormwater Management Officer prior to and as a condition of issuance any Building Permit;
3. The applicant will be required to submit and have a "Full SWPPP" approved by the Town Engineer and a Town Stormwater Management Officer prior to and as a condition of issuance of any building permit for the previously approved (July 23, 2012) 100 foot by 200 foot new building (20,000 ft<sup>2</sup>), and such Full SWPPP shall take into consideration the entire parcel and site drainage plan;
4. Building Permits will be required to construct the approved amended larger building addition and such plans must meet all code requirements, including the sealing of plans by a licensed engineer or architect, and be constructed in compliance with all building code requirements; and
5. Buffering is required as follows: (i) applicant and landowner shall at all times protect and maintain existing and planted tree and vegetation buffers, especially along Ridge Road, as indicated on the site plan; and (ii) applicant and landowner shall relocate and plant coniferous trees as included and indicated upon the site plan prior to and as a condition of issuance any Certificate of Compliance or Certificate of Occupancy.
6. All existing or required vegetative buffers shall be maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Emphasis shall be placed upon solid cover barriers, such as hedges and offset rows of evergreen trees, or densely placed deciduous trees with variable heights and interspersed with evergreens or other plants as provide for such cover. Buffers shall be

properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease or other cause, cease to function as buffers shall be replaced in a manner as promotes the goal of such buffer as stated in this amended site plan approval.

August 24, 2015

**VOTE AS FOLLOWS:**

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