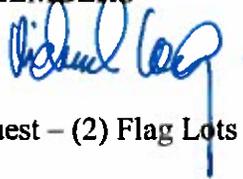


TOWN OF LANSING PLANNING MEMORANDUM

TO: PLANNING BOARD MEMBERS
FROM: Michael H. Long, AICP 
RE: Minor Subdivision Request – (2) Flag Lots at 425 Lansing Station Road
DATE: August 19, 2015

The applicant, Edythe D. Conway, is requesting a Minor subdivision and site plan approval to create (2) Flag Lots be located at 425 Lansing Station Road, Tax Parcel # 14.-2-59.2 , L1 Lakeshore Zone. The parcel currently has two complete structures on the site and no further construction is anticipated. The purpose of this subdivision request is for estate planning purposes for successive generations to continue to utilize these waterfront properties.

In the past, the adjacent parcel was created with a 50 foot roadway frontage which would not be in compliance with the current Land Use Ordinance which today requires a 75 foot road frontage. Therefore, this non-conforming lot would be considered a “Flag Lot”. This request to create (2) additional lots also meet the same test and are proposed for a 50 foot roadway frontage. According to the current Land Use Ordinance, this would create (3) contiguous “Flag Lots”. The proposed subdivision would create a lot of Parcel A of 32,120 sf and Parcel B of 32,948 sf – both with 50 foot road frontage and shared access driveway (existing curb cut). The proposal would also require a waiver under Article 9 for a shared driveway.

Site Characteristics: The site consists of 1.494 +/- acres site which is located at 425 Lansing Station Road. As the Planning Board members are well aware, this is a prime water front development area that has been built up over several decades due to the close proximity to Cayuga Lake.

Surrounding Area: The area surrounding the site includes is a mixture of building styles and types, predominantly residential activities. The Land Use Ordinance also allows for smaller parcel sizes and reduced road frontages due to the attraction of the waterfront.

Comprehensive Plan/Zoning: The site is in the L1 Lakeshore Zone. The area is developed with residential uses and this particular use is consistent with the current land use regulations in effect. The 2006 Town of Lansing Comprehensive Plan anticipates smaller lot sizes due to the dense development patterns along the lakeshore.

GML Referral: The proposal is not required to be submitted to the County Planning Department for 239 GML review.

Possible Considerations:

- 1) The Planning Board will hold a public hearing at the Sept. 14, 2015 meeting for the Flag Lot subdivision and receive input for the SEQR environmental determination and site plan review.
- 2) SEQR review – Staff recommends that the Board issue a Negative Declaration of Environmental Significance (Neg. Dec.) based on a review of the Short EAF Part I completed by the applicant and the EAF Part II prepared by staff (refer to draft SEQR resolution).
- 3) The staff recommends that the Planning Board consider this proposed action under Section 503. A “One Lot subdivision” under the current Subdivision and grant Final Preliminary Plat approval and grant a waiver of a final plat review after the public hearing has been concluded. The existing building development has been completed and there should not be any further development on the site at this time.
- 4) The staff further recommends that the Planning Board waive the subdivision requirement under Section 606. D. “No more than 2 contiguous Flag Lots may be allowed”. There is currently an existing adjacent Flag Lot to this proposal of (2) Flag Lots. It is unclear if the intention was to create 3 flag lots from one parcel or if adjacent parcels were to be considered when calculating the number of flag lots. Article 9: Variances and Modifications Sec. 900 grants the Planning Board the authority to waive the subdivision requirements due to the special circumstances.
- 5) Add waiver for Article 9 to allow a shared driveway and a requirement that a condition that each parcel grants to the other an appurtenant easement and right of way securing access for each parcel to continue access across the railroad as an easement of necessity.

Recommendations:

It is the staff recommendation that the site plan addition be approved as presented.

Please feel free to contact me with any questions regarding the above.

**Town Of Lansing Planning Board
Application for Review and Approval of Subdivision**

Check One: X Subdivision Plat Fee Paid \$ _____ Date 8/1/15
Boundary Change Receipt No. _____

1. Name or Identifying Title 425 Lansing Station Road

2. Tax Parcel No. & Zoning District 14-2-59.2 14-2-59.2

3. Subdivider: (if owner, so state; if agent or other type of relationship, state details on separate sheet)

Name & Title Edythe D. Conway - owner

Signature Edythe D. Conway Date _____

Address 425 Lansing Station Road, Lansing, NY 14882

607-280-4382 Phone 607-280-4382 Fax - E-Mail edydickconway@gmail.com

Other Contact information _____

4. Licensed Land Surveyor:

Name: Ed R. P. C. v/z T G Miller Engineers + Surveyors

Address 207 N. Aurora St. Ithaca, NY 14850

Phone 273-6322 Fax 273-6322 E-Mail _____

Other Contact information _____

5. Engineer:

Name: Same as above

Address _____

Phone _____ Fax _____ E-Mail _____

Other Contact information _____

6. Easements or other restrictions on property: (Describe generally)

NYSEB easement next to Lansing Station Road from pole + wires

7. Names of abutting owners and owners directly across adjoining streets, including those in other towns (Available at Tompkins County Assessor's Office. Attach additional sheets if necessary)

Mike + Karen Shuler 417 Lansing Station Road

Robert + Laurin Jetty 457 Lansing Station Road

Justin + Luann Bennett 424 Lansing Station Road

} Lansing NY 14882

8. Requested exceptions: The planning Board is hereby requested to authorize the following exceptions to or waivers of its regulations governing subdivisions (attach list of exceptions with the reason for each exception set forth):

There is existing 50' parcel next door. This would create 3 existing flag lots. This request is for the Planning Board to grant a waiver of the subdivision regulation section 606 D.

* Note: Application, Fee and required documents must be received in the Code Enforcement Office 14 days prior to the scheduled Planning Board meeting.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map): 425 Lansing Station Road			
Brief Description of Proposed Action: divide a large lake property into 2 properties 1 parcel would have 140' of lake front + 1 parcel would have 180' of lake front			
Name of Applicant or Sponsor: Edythe D. Conway		Telephone: 607-280-4382	
		E-Mail: edydickconway@gmail.com	
Address: 425 Lansing Station Road			
City/PO: Lansing		State: NY	Zip Code: 14882
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		0 _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		211 _____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) general residences on Lansing Station Road			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Well</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>both have own septic systems</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*if feet would not come up very far on lawn -
House is built on high energy*

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name <u>Edythe D. Conway</u>		Date: <u>8/3/15</u>
Signature: <u>Edythe D. Conway</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

RESET

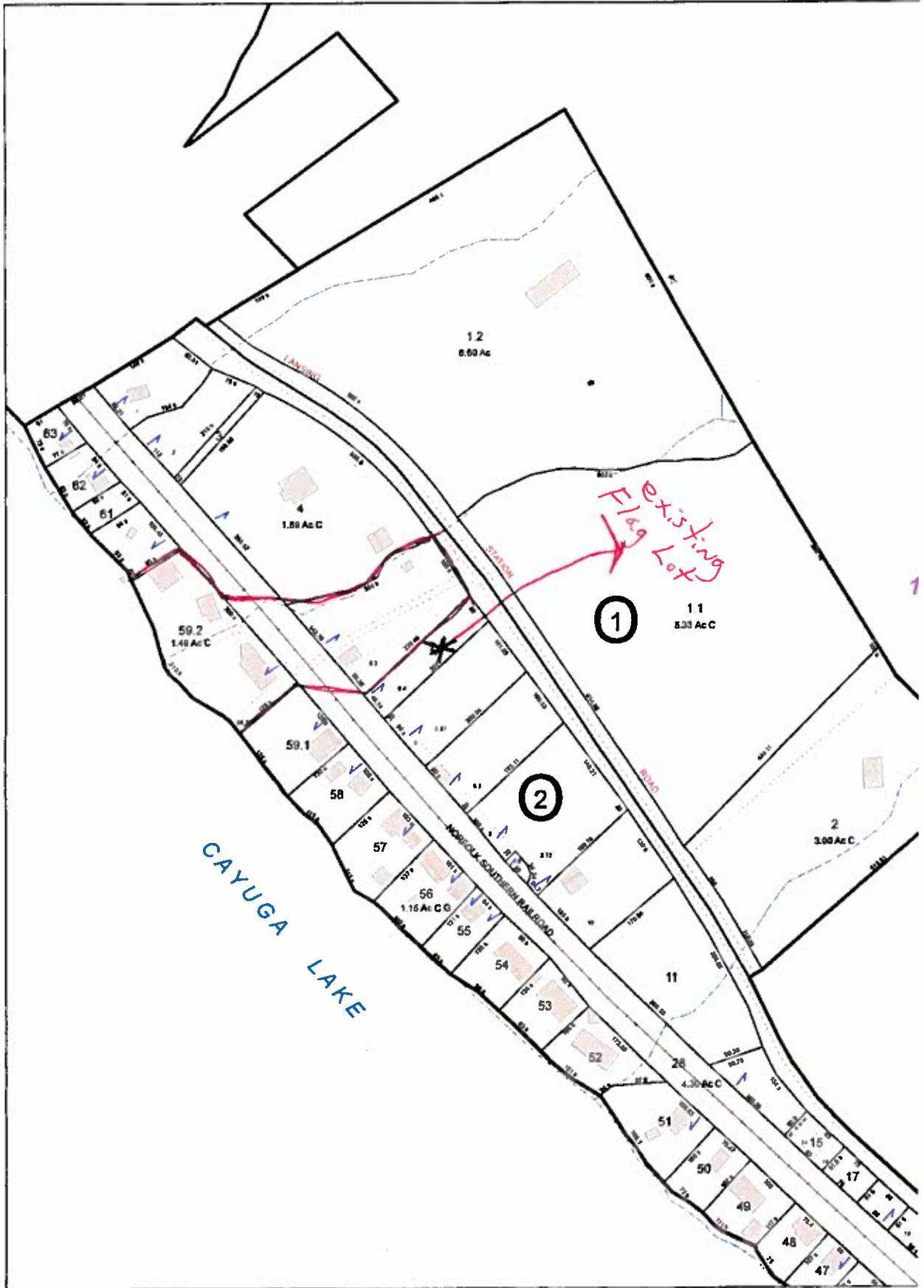
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET



**FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE**

All tax maps are referenced to the New York State Plane Control Coordinate System using the 1983 North American Datum. Property lines have been registered to 1991-92 Tompkins County Digital Planimetric Base Map, and, as a result, dimensions and acreage may vary from legal descriptions. For complete legal descriptions or conveyances, please refer to the appropriate deeds and surveys.

NOTICE OF DISCLAIMER

This map represents a reproduction of graphical and textual information from deeds and maps, a digital planimetric base map, and digital extraction of hand-drawn vector maps. Errors and omissions do occur from time to time, and users are responsible for verification of accuracy and completeness of information. As a practical matter, the County does not warrant the accuracy or completeness of the information presented. The use of this map is subject to the terms and conditions of the deed. The County is not responsible for any damages that may result from the use of this map.

SPECIAL DISTRICT INFORMATION

Learning Center School District
Lansing Fire District #1

-  Building Footprint (1991-2015)
-  Curb/Pavement Line
-  Railroad
-  Hydrography

 Military Tract/Watkins & Feltz Ltd

Town of Lansing Subdivision Rules and Regulations

Sec. 604. Endorsement: Prior to endorsement of any conditionally approved Final Plat, the Planning Board shall be provided with:

- A. Statements from the Town's attorney that the forms of all deed transfers and easements required in the Subdivision are satisfactory; and
- B. Statements from the Enforcement Officer and the Town's engineer that any conditions have been met and that all required improvements have been installed in accordance with approved specifications; or,
- C. A Statement from the Town Board that a satisfactory guarantee for completion of all required improvements has been provided by the Subdivider.

Sec. 605. "As Built" Plans: As a condition of Final Plat approval, the Planning Board shall require the Subdivider to file with the Town Clerk a certified "as built" plan of all public utilities and Roads within the Subdivision. Information to be shown on the "as built" plan shall be in accordance with requirements of the Town's engineer.

Sec. 606. Flag Lots: Driveways may not be considered in any required area calculations for Flag Lots. All Flag Lots must meet the following minimum requirements:

- A. Flag Lots must be connected to a public Road by a strip of land at least 30 feet wide containing viable private access.
- B. Flag Lots must equal 1.5 times the minimum required Lot size for the applicable land use classification in which any portion of the Flag Lot is located as determined in accordance with the Town's land use or zoning ordinance or law. For purposes of this calculation, the access strip (the "flagpole") may not be taken into consideration in calculating compliance with this minimum standard.
- C. Minimum width of the access strip along a Road shall be 40 feet in any area where municipal sewers exist or are planned. Where there are no sewers and no planned sewers, a 30 foot wide access strip is permitted.
- D. No more than 2 contiguous Flag Lots may be allowed.
- E. No Flag Lots shall have a driveway over 500 feet long.
- F. All proposed Flag Lots shall undergo Site Plan Review and are subject to the requirements of a Public Hearing. The Enforcement Officer shall notify all Persons residing or owning land within 600' of the boundary of the proposed Flag Lot. The determination of which Persons are entitled to notification of any public hearing shall be based upon the records of land ownership possessed by the Tompkins County Assessment Office. This hearing shall also be advertised in a newspaper of general circulation in the Town at least 14 days before such hearing. All public notice publication, posting and mailing fees and expenses incurred by the Town, together with all mailing charges to any Persons entitled to notice hereunder, shall be the responsibility of the Subdivider. The minimum fee for such notification services is \$45.00.
- G. Flag Lot driveways may be required to be 60 feet wide to accommodate easements to extend access or roadways to remaining back lands or other parcels.

**LEGAL NOTICE OF PUBLIC HEARING
TOWN OF LANSING PLANNING BOARD**

PLEASE TAKE NOTICE that the Planning Board of the Town of Lansing, New York, will hold a Public Hearing on Monday, **September 14, 2015 @ 6:40 PM** at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, at the following time and on the following matter:

Consideration of Site Plan & SEQR Review an Application made by Edythe Conway, of 425 Lansing Station Road , Tax Parcel # 14.-2-59.2 for a proposed two (2) Flag Subdivision as it pertains to The Town of Lansing Subdivision Rules and Regulations, Section 606 (F). All proposed Flag Lots shall undergo Site Plan Review and are subject to a Public Hearing.

The above referenced Application is open to inspection at the office of the Town of Lansing Planning Department located at 29 Auburn Road, Lansing, New York. Persons wishing to appear at the hearing may do so in person or by Attorney or other representation. All interested persons or representatives thereof will be given an opportunity to be heard.

Individuals with visual, hearing, or manual impairment and requiring assistance should contact Rachel Jacobsen at the Town of Lansing 533-7054 at least 48 hours prior to the time of the Public Hearing.

By Order of:

Thomas Ellis, Planning Board Chairman

**Town of Lansing,
25Auburn Rd
Lansing NY 14882
August 18, 2015**