

RESOLUTION PB 15-

RESOLUTION ISSUING CONDITIONAL SITE PLAN APPROVAL OF PAVILION TO BE LOCATED AT 727 LANSING STATION ROAD

WHEREAS, an application was made by Gary Bush, P.E. for site plan approval for a pavilion, to be located at 727 Lansing Station Road, Lansing, New York, Tax Parcel #13.-2-35, located in a L1 Lakeshore Zone, consisting of the construction of an open sided pavilion located on an overall site of approximately 0.63± with an existing lakefront parcel with a house, across the railroad tracks, and the proposal is construct a 14' by 14' open side pavilion and deck, together with related site improvements; and

WHEREAS, on November 23, 2015 the Planning Board reviewed and considered the aforementioned site plan application and determined that, per the Land Use Ordinance, public hearings were not required for this project and that such proposed use is an allowed use in the L1 Lakeshore Zone, subject to obtaining site plan approval from the Planning Board; and

WHEREAS, as less than one acre is disturbed by this application the owner will be required to complete a Basic SWPPP for the immediately affected area and have the same approved by the Highway Department before building permits are issued; and

WHEREAS, the Planning Board has reviewed the proposed site plan under the requirements of SEQRA and has duly issued a negative declaration of environmental impacts on November 9, 2015: and

WHEREAS, General Municipal Law §§ 239-l and 239-m referrals were not required to be sent to the Tompkins County Planning Department by the Town of Lansing Planning Department; and

WHEREAS, the Planning Board has duly considered the proposed site plan in accordance with the provisions of the Town of Lansing Land Use Ordinance § 701.4 *et seq.*, including concerns addressing site drainage, lighting, impacts to any nearby residences, landscaping, parking, buffering, screening, driveways and traffic, and any potential for on- and off-site environmental impacts, and the Planning Board further duly considered and carefully reviewed the requirements of the Town's Land Use Ordinance and site planning requirements relative to the this project, as well as 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, 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 grant Final Site Plan Approval to Gary Bush for the proposed construction of an open sided pavilion with deck and site improvements, located at 727 Lansing Station Road, Lansing, Tax Parcel #13.-2-35, in a L1 Lakeshore Zone, *subject to the following conditions:*

1. Building Permits will be required for such improvements and for the entirety of the site plan, including a 14 foot by 14 foot open sided pavilion and deck and associated improvements shall meet the requirements of the NYS building and property codes.
2. The Town Highway Dept. shall review and approve a "Basic SWPPP" for the proposed 0.005 acres of disturbed area, and such Basic SWPPP shall be thereafter submitted to and approved by the Lansing Highway Department before any building permit is issued.

3. This approval is contingent upon the approval of the Town of Lansing Board of Zoning Board of Appeals (ZBA) which on November 17, 2015 granted an area variance which requires this to remain an open sided pavilion and to locate the site improvements 10 feet from the Cayuga Lake shoreline as indicated on the site plan submitted by Gary Bush, P.E.

November 23, 2015

VOTE AS FOLLOWS:

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