

## RESOLUTION PB 15-

### TOWN OF LANSING PLANNING BOARD RESOLUTION APPROVING PRELIMINARY PLAT FOR LAKE FOREST CIRCLE SUBDIVISION AND ISSUING WAIVER OF TOWN HIGHWAY SPECIFICATIONS

WHEREAS, H. Floyd David III has requested Preliminary Plat and other approvals for the proposed phased 16-lot (plus 2 stormwater retention pond lots) Lake Forest Circle Subdivision Phase 1, and the Town of Lansing Planning Board duly noticed and held a Public Hearing on this proposed preliminary plat and the requested approvals on December 14, 2015, and thereat did hear and consider evidence and comments from residents of the community, the applicant, and others; and

WHEREAS, the Town of Lansing Planning Board had considered this project under SEQRA and duly issued a negative declaration of environmental significance; and

WHEREAS, the Town of Lansing Planning Board finds that agricultural or farm operations will not be impacted by the project because there are no current or planned farm operations on the project site; and

WHEREAS, the proposals under consideration, are to: (i) to consider, with or without conditions, approving the Preliminary Plat; (ii) to consider approval of a site plan for Lot #1 as it is a flag lot (and an additional 30-foot access will be created to be merged with existing adjacent tax parcels 32-01-37.441 (Parcel B) and 32-01-57 to relocate the existing driveway easement per rights of reversion in the applicable deeds); and (iii) to issue a waiver to allow the roadways to be built to January 1, 2014 highway specifications of the Town of Lansing; and

WHEREAS, the Town Planning Board has considered and carefully reviewed the requirements of the Town's local laws and Land Use Ordinance 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 subdivision and the lot subject to site plan review, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and the Town Planning Board has further considered the processes and procedures for subdivision review and the requirements for preliminary plat approvals; and

WHEREAS, General Municipal Law §§ 239-l and 239-m referrals were sent to the Tompkins County Planning Department by the Town of Lansing Planning Department, and the Tompkins County Planning Department, by letter dated November 12, 2014, recommended that the Town require the abandoned driveway area be vegetated and seeded after the new town road has been completed and the Town will require compliance with such recommendation as a condition of approval; and

WHEREAS, T.G. Miller has reviewed the Stormwater Pollution Prevention Plan ("SWPPP") and offered comments in a letter dated November 19, 2014, which resulted in a revised SWPPP, prepared by Timothy C. Buhl, P.E., duly submitted on October 25, 2015, which revised SWPPP has been the subject of further comment and follow-up from the Town Engineer; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Planning Board, and after consideration of any comments or information submitted by the developer or the public at the public hearing, the Town of Lansing Planning Board duly determine as follows, and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Lansing Planning Board does hereby grant final site plan approval for Lot #1, as a flag lot, as required by the Subdivision Local Law and the Land Use Ordinance, subject to the proper execution of documents and rights necessary to cause land reversion to occur to validly dedicate title to the public highways and to ensure that the owner, or future owner, of Lot #1 owns an indefeasible fee simple title in sufficient roadway frontage, in the opinion of Town Counsel, as to meet the requirements of the Town's Land Use Ordinance and be a "conforming" lot.

2. The Preliminary Plat for the whole of Lake Forest Circle be and hereby is approved, subject to the following conditions being addressed or satisfied at or before the time the Final Plat is submitted for review:

a. A Full SWPPP shall be submitted for the entire subdivision (all phases and improvements), and the same shall be approved by the Town Engineer and reviewed and accepted by the Town's Stormwater Management Officer prior to any Final Plat, or any phase thereof, being eligible for review or approval. Such Full SWPPP shall also describe a specific system for ensuring the future reporting upon, inspection of, maintenance of, replacement of, and improvement of all common or individual lot-based stormwater practices, including the ponds and forebays and all conveyances thereto, and including if appropriate, the terms of, dedications to, and general plan for a drainage district to manage such facilities for the benefit of all lots and landowners in the subdivision;

b. A Basic SWPPP shall be submitted to and approved by the Stormwater Management Officer for the development of each lot in the subdivision, including all acts that disturb soils upon any lot, and such Basic SWPPP shall be required and approved prior to the issuance of any building permits for each such lot;

c. Final Plat approval is further conditioned upon the Final Plat depicting and showing the areas and grants of permanent stormwater drainage easements, and the Final Plat plan shall provide adequate access to all stormwater facilities in a form as approved by the Planning Board;

d. Final Plat approval is further conditioned upon the presentation of plans and specifications for roadway and driveway reclamation, such plan to show that immediately upon completion and dedication of any public roadways all other driveways and roadways shall be removed, the land restored, and the soil duly seeded with native vegetation and grasses as will prevent erosion. The Final Plat shall further require that no building permits shall issue until such restoration and seeding shall have been substantially and properly completed;

e. Final Plat approval is further conditioned upon the approval by the Town of any proposed covenants and conditions, mainly to ensure compliance with subdivision approvals and the proper creation and dedication of easements or other rights to the Town to inspect and maintain, or require the maintenance, of individual lot-based stormwater practices;

f. Final Plat approval is further conditioned upon the redrawing of stormwater pond lot boundary lines to ensure that all land needed for or in connection with such facilities are located solely upon such lots, and so that no easements, rights of access, driveways, or other encroachments or rights cross such pond lots;

g. Final Plat approval is further conditioned upon the Full SWPPP, any covenants and restrictions common to the subdivision, or any other methodology, as appropriate and approved by the Planning Board, containing suitable plans to protect steep slopes, to prevent the de-vegetation of such slopes, and to protect and

promote Unique Natural Area #24, and the flora contained in the Lake Cliffs, North of Myers Point, as documented by F. Robert Wesley's report of October, 29, 2013.

3. As the Developer has submitted both a Preliminary Plat and a request for a waiver before the December 31, 2015 deadline, the Developer is hereby granted a waiver to utilize the 2014 Town of Lansing Highway Specifications for Phase 1, and only Phase I, of the proposed subdivision, on condition that such roadway be dedicated to the Town in fee in an approved location, and in an as-constructed condition, design, and layout as are approved by the Town Highway Superintendent.

Dated: December 14, 2015

VOTE AS FOLLOWS:

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