

RESOLUTION PB 16-

RESOLUTION APPROVING SITE PLAN AND ISSUING SITE PLAN APPROVAL FOR THE PROPOSED 15 DUPLEX UNITS PROPOSED BY PINNEY PROPERTIES AT 390 PERUVILLE ROAD

WHEREAS, an application was made by Pinney Properties, LLC (A. Scott Pinney, Member) for site plan approval for the proposed construction of 15 Duplex (2-family residential) units, each to be approximately 1,568 SF, to be added to an existing contractor's office, contractor's storage yard, and 4 existing Duplex residential buildings located at 390 Peruville Road, Lansing, New York, also known as TPN 30.-1-28.212, as located in the RA - Rural Agriculture Zone and consisting of approximately 37.99± acres, and such proposal will also include, when fully completed, a private driveway connecting Peruville Road with Scofield Road; and

WHEREAS, the Timothy C. Buhl, P.E. completed a Stormwater Management Report dated July 2016, which report shows a disturbance of 14.9± acres and which report proposes how to manage the additional stormwater impacts of development on the site and the stormwater system which would accommodate and treat such disturbances and their runoff; and

WHEREAS, this proposed action is a Type I for which the Town of Lansing Planning Board duly issued a Negative Declaration of environmental impacts under SEQRA; and

WHEREAS, a General Municipal Law § 239 referral was delivered to, and a review dated January 6, 2015 was received from, the Tompkins County Planning Department, which recommended the private drive to be built to Town Road specifications and clarify the "Area to Remain Undeveloped" and such County Planning Department recommendations have been duly implemented; 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 amended site plan application and determined that a public hearing is required, and such public hearing was duly noticed and held upon November 28, 2016, and all persons wishing to be heard were3 duly heard and all evidence submitted was duly received; and

WHEREAS, on said November 28, 2016, the Planning Board duly considered the proposed 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 Pinney Properties, LLC Duplex site plan application for the proposed construction of 15 Duplex (2 family dwelling units) of 2,000± SF each, a private driveway connecting Peruville Road with Scofield Road, and related stormwater and site area improvements as shown and to be located at 390 Peruville Road, Lansing, New York, be and hereby is granted and approved, subject to the following conditions:

1. The existing fill site has been incorporated into the overall site plan to indicate the use and drainage improvements, and it will be operated only as a contractor's yard.

2. No other or future subdivision or re-subdivision of this entire site shall be permitted.
3. The interior roadway will remain a private driveway that will be built to meet, and be maintained to comply with, § 280-a of Town Law and all zoning and building code requirements, including being built and maintained in a manner and as to support and be and remain passable for fire trucks and emergency vehicles.
2. Site plan approvals shall be limited to the application materials and drawings as prepared by Timothy Buhl, P.E., dated October 6, 2015 and amended June 15, 2016.
3. Verification that the existing and any new stormwater systems and features, are properly constructed and working prior to issuance of any CO or the close-out of any building permit.
4. Building Permits will be required to construct the approved Duplex buildings 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.
5. All the individual buildings on the entire site must be approved by the Tompkins County Health Department for the Water and Sanitary Sewage (Septic) Systems.
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. Existing and any new 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 or any prior site plan approval. This condition shall be further deemed to augment and further define prior site plan approval conditions and site plan features hereby or heretofore approved by the Town.

November 28, 2016

VOTE AS FOLLOWS:

**Gerald Caward, Jr. -
Sandra Dennis Conlon -
Norman L. Davidson -
Al Fiorille -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis -**