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Town of Lansing

Monday, September 8, 2014 6:30 PM

PLANNING BOARD MEETING

PLANNING BOARD MEMBERS

(*Denotes present)

- * Tom Ellis, Chairman
 - * Norman (Lin) Davidson, Vice-Chairman
 - * Larry Sharpsteen
 - * Richard Prybyl
 - * Al Fiorille
 - * Gerald Caward
 - * Ray Farkas
- Deborah Trumbull (Alternate)
Lorraine Moynihan Schmitt, Esq.

Other Staff

Lynn Day, Zoning, Code, Fire Enforcement Officer
Kathy Miller, Town Supervisor
Charlie Purcell, Deputy Superintendent

Public Present

Connie Wilcox
Anne Sheldon
Kristin Tobias
John Dean
Boris Simkin
Jamie Morgan

Other Business

Tom Ellis, Chairperson called the Planning Board Meeting to order at 6:30 PM.

Public Comments/Concerns other than Agenda Items

There were none.

Site Plan Review & SEQR Review for Side Yard Set Back in the B1-
Residential District, Dean, John, 8 Conlon Road, Tax Parcel # 31.-3-11

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Mr. Dean appeared before the Planning Board for Site Plan Review with respect to his setbacks for the B1 District. Mr. Dean would like to erect a 14' x 24' Two story Garage/Storage Building for residential use on his property.

There currently is an existing Shed that is closer than 15'. Mr. Dean will be removing the Shed to erect the proposed. There will be no additional driveway or curb cuts to the parcel. Additionally, on the north-western half of the property is the existing septic system and a gas line.

Lin Davidson made a motion to waive the Public Hearing(s) on SEQR and overall Site Plan. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

The Planning Board Members reviewed Part I and completed Part II of the Full Environmental Assessment Form.

Larry Sharpsteen offered the following Resolution on the SEQR. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 14 -12

TOWN OF LANSING PLANNING BOARD
RESOLUTION OF STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION FOR THE PROPOSED
JOHN DEAN TWO STORY GARAGE / STORAGE BUILDING - SITE PLAN

WHEREAS, an application was made by John Dean for site plan approval for the proposed two story Garage/Storage Building, located at 8 Conlon Road, Lansing, New

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York and otherwise known as Tax Parcel #31.-3-11, consisting of a total of 15,708 +/- square feet, B1 Commercial Zone; and

WHEREAS, the proposal is to replace a storage shed (12' x 14') with a two story Garage / Storage Building that would be approximately 14' x 24' and about 18 feet high at the roof peak, as illustrated in the elevation sketch provided by the applicant; and

WHEREAS, this proposed action is an Unlisted Action for which the Town of Lansing Planning Board is an involved agency for the purposes of environmental review; and

WHEREAS, the Town of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) pursued its thorough review of the applicant's completed Environmental Assessment Form Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) reviewed and completed the EAF, Part II on the record;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Lansing Planning Board, based upon (i) its thorough review of the EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern of the proposed project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the EAF, Part II (and, if applicable, Part III), including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("**NEGATIVE DECLARATION**") in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required.

Dated: September 8, 2014

VOTE AS FOLLOWS:

**Gerald Caward - Aye
Lin Davidson - Aye
Ray Farkas - Aye**

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Al Fiorille - Aye
Richard Prybyl - Aye
Larry Sharpsteen -
Thomas Ellis - Yes

Ray Farkas offered the following Resolution. Al Fiorille seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 14 -13

RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD APPROVING JOHN DEAN SITE PLAN – TWO STORY GARAGE / STORAGE BUILDING

WHEREAS, an application was made by John Dean for site plan approval for the proposed Two Story Garage / Storage Building, located at 8 Conlon Road, Lansing, New York and otherwise known as Tax Parcel #31.-3-11, consisting of a total of 15,708 +/- square feet, B1 Commercial Zone; and

WHEREAS, the proposal is to remove a 12'x 14' storage shed and construct a two story 14' x 24' Garage / Storage Building and about 18 feet high at the roof peak, as illustrated in the elevation sketch provided by the applicant; and

WHEREAS, the proposal is a permitted use in the B1 Commercial Zone subject to obtaining site plan approval from the Planning Board; and

WHEREAS, the Town has considered and carefully reviewed the requirements of the Town's Laws 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 Site Plan, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, this is an Unlisted Action under the State Environmental Quality Review Act

which requires environmental review; and

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WHEREAS, the Town of Lansing Planning Board is an involved agency pursuant to State Law governing local environmental review; and

WHEREAS, the Town of Lansing Planning Board has the primary responsibility for approving or carrying out the action and is conducting an uncoordinated environmental review of this action pursuant to State Law governing local environmental review; and

WHEREAS, this action is exempt from the General Municipal Law County Planning referrals 239-l and 239-m and 239-n (of Article 12-B) through an Inter- governmental Agreement between the Tompkins County Planning Department and the Town of Lansing; dated December 17, 2003, as this is a Site Plan Review for permitted Accessory uses on Residential Lots (II. C. – Items to be Excluded from Review); **and**

WHEREAS, on September 8, 2014, the Planning Board reviewed and considered the aforementioned Site Plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and resolved to waive public hearings on the site plan application and on the State Environmental Quality Review (SEQR) review on this action; and

WHEREAS, on September 8, 2014, this Board, acting on an uncoordinated environmental review of the proposed action, reviewed and accepted as adequate a Short Environmental Assessment Form (“EAF”) Part I, submitted by the Applicant, the comments (if any, of the Town Engineer, the Tompkins County Department of Planning County 239-l and m review and other application materials, and the Lansing Planning Board completed Part II of the EAF; and

WHEREAS, by Resolution adopted on September 8, 2014, the Town of Lansing Planning Board has determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposed two story Garage / Storage Building at 8 Conlon Road will result in no significant

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impact on the environment and has issued a Negative Declaration of environmental significance for purposes of Article 8 of the Environmental Conservation Law; 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 Section 701.4 *et seq.*, including consideration of site characteristics, Frontage , Yard, Heights and Coverage Requirements, nearby residences, landscaping, screening and any potential on and off site environmental impacts; and

WHEREAS, the Planning Board has reviewed the side yard setbacks and found them to be acceptable due to a previous shed being in the same location. Neighbors' view sheds are not being impacted, and there are no objections to this proposal from Residents. There is no increased risk for fire or safety considerations on this property.

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 grant Final Site Plan Approval for the proposed two story Garage / Storage Building as shown on the submitted site plan and materials, located at 8 Conlon Road, Lansing, New York and otherwise known as Tax Parcel #31.-3-11, B1 Commercial Zone.

September 8, 2014

VOTE AS FOLLOWS:

**Gerald Caward – Aye
Lin Davidson – Aye
Ray Farkas - Aye
Al Fiorille – Aye
Richard Prybyl – Aye
Larry Sharpsteen – Aye
Thomas Ellis - Aye**

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Informal Discussion- Subdivision, Sheldon/Putnam, Ridge Road, Tax Parcel # 12.-1-18.2

Lynn Day, Zoning Officer gave the following statement with respect to the proposed Subdivision; Ms. Sheldon is proposing a four lot Subdivision. Out of the four lot division, parcel A is tentatively being sold to the Putnams'. Mr. Putnam is considering subdividing parcel A into three which combined with Ms. Sheldon's would create a Major Subdivision. Mr. Day and Ms. Moynihan Schmitt conversed and agreed the simplest way to move forward would be for the parties to complete a Joint Application. Between the two of them, they could then decide who would be responsible for certain charges. Ms. Moynihan Schmitt recommended that a condition be placed on parcel D indicating any further Subdivision would require Site Plan Review.

Thomas Ellis felt Parcel C should also have a condition placed upon it.

Lynn Day states Stormwater would only come into play if the land disturbance is over an acre.

Larry Sharpsteen felt making a Joint Application would complicate matters. These are two completely different individuals and should be handled separate. Larry Sharpsteen requested to know specifically what advantage is there for the Applicants.

After some discussion, the Board felt they should receive a further explanation from Legal Counsel as to why it would be easier for the Applicant(s) to file this jointly.

Jamie Morgan a property owner near the proposed Subdivision states he purchased his property 15 years ago for recreational purposes and eventually would like to build a home on it. Mr. Morgan states he is not in favor of looking down on a Subdivision.

Board Members Larry Sharpsteen and Lin Davidson explained to Mr. Morgan that the owner's can do whatever they wish with their land, as long as it is legal.

Lynn Day states he has spoke with Bob Sumner from that NYS Ag. & Market and they have no restrictions on the property. The water district could be extended without issues. Mr. Day will obtain a formal letter from Mr. Sumner indicating Ag. & Market has no issues with the Subdivision.

Other Business

Thomas Ellis, Chairman advised the Members that the Planning Board has been asked to re-review the designation for Westview Partner, LLC (Sunpath Subdivision). Mr. Ellis stated the Town Board and Legal Counsel(s) state this should be looked at as a Major Subdivision. The previous two lots located within the Village limits were subdivided from this parent parcel.

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It was recommended that a “Special Meeting” be set up to include, Planning Board Members, Town Board Member, Town Engineer and Legal Counsel(s) to discuss past/present/future issues on the Sun Path Subdivision. The Meeting has been set for Monday, October 6, 2014 at 6:30 PM, 29 Auburn Rd. Lansing NY.

Boris Simkin states there was an agreement made in 1974/75 that involved a Resolution prepared by the Lansing Town Board with respect to future development and extending the road. Mr. Simkin states that was 40 years ago and the Town should look at the present not the past. Building a road down there to “nowhere” makes no sense in today’s age. In addition, the two parcels in the Village are separate tax parcels that should not be included in this subdivision.

Larry Sharpsteen explained what the Planning Board’s intent was back then with respect to proposed roadways. Further discussion will occur at the Meeting on October 6, 2014.

PB Meetings in October

Due to the Columbus Holiday on the Planning Board’s normal scheduled date, it was the consensus of the Planning Board not to have a make up date for that Meeting.

Ray Farkas made a motion to adjourn the Meeting at 7:45 PM. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member