

Town of Lansing

Monday, October 6, 2014 6:30 PM

JOINT TB/PB 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
Guy Krogh, Esq.
Michael Long, Consultant
Doug Dake, TB Member
Ruth Hopkins, TB Member
Ed LaVigne, TB Member
Robert Cree, TB Member

Public Present

Connie Wilcox	John Anderson
Boris Simkin	Lowell Garner
Mel Richards	Lydia Krogh
Jane Richards	Larry Zuidema
Robert Hillman	Dan Veaner
Steve Palladino	Boris Simkin
Mary Lee Banfield	
David Banfield	

Several others

Other Business

Tom Ellis, Chairperson called the Planning Board Meeting to order at 6:35 PM.
Chairman Ellis enacted the voting privilege for Alternate Member, Deborah Trumbull due to two Members being absent.

Public Comments/Concerns other than Agenda Items

There were none.

New Planner-Consultant

Chairman Ellis introduced Michael Long, Planning Consultant for the Town. Mr. Long will be working in the Planning Office three days per week assisting the Town with their Planning needs.

Chairman Ellis switched the Agenda order to allow the review of Minutes first.

Approval/Denial of September 8, 2014 Minutes

Larry Sharpsteen made a motion to approve the Minutes of September 8, 2014 as presented. Gerald (Jerry) Caward 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) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Alternate
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

Sunpath and Eastlake Subdivision Discussion

Chairman Ellis advised all present the reason for the Joint (PB/TB) Meeting was to get everyone onboard with the dynamics of previously approved Subdivisions with respect to easements, right of ways, building of roads etc, west of East Shore Drive between Teeter Road and Sun Path. It was requested by Mr. Ellis for both Legal Counsel(s) and the Town's Engineer to compile a history of the projects dating back to 1975.

Chairman Ellis pointed out concerns for the final build out of these areas are as follows;

- Controversy with the Inter connection roads north and south. Some controversy comes from the residents within the developments, some from the Developers themselves. Mr. Ellis states he still feels the need for the completed interconnect for the stated reasons;
 1. A community and residential travel and interconnection
 2. Fire, safety and access
 3. Town Highway access for yearly maintenance and emergency maintenance

In the 1970's, the Planning Board and the Town Board Members both imagined paper roads that would inter-connect and make these communities accessible in and out for residents, fire & safety and maintenance purposes.

The Planning Board have been aware of several past documents, Resolutions, and Agreements concerning right of ways from Smugglers Path (Lakewatch Subdivision) to south to the Sun Path Subdivision. Some of this documentation is conflicting or may be outdated. It appears some right of way designations have disappeared as land has been sold over the years.

The Developer for the new proposed Novalane Development is willing to build a road north and south from Smugglers Path and Eastlake Road. Mr. Ellis states the Planning Board has questions such as;

1. Does the Town want a road built to the south that goes nowhere due to the right of way disappearing?
2. If indeed the Town feels the inter connector road (north-south) in the Eastlake Subdivision is important, who will be paying for it?
3. Where will Eastlake connector road go if the right of way for the (Sun Path) have legally disappeared? Does the Town want a road to no where or shall they eliminate the road?
4. Can the Town of Lansing enforce and get back the right of ways that have been removed over the years through land sales?

Al Fiorille stated from looking at the Map(s) there is a proposed lane that would connect Butler's property. If the lane is moved to connect to Mahool's property, would the Town be financially responsible to the land owner for the loss in value if the road is moved?

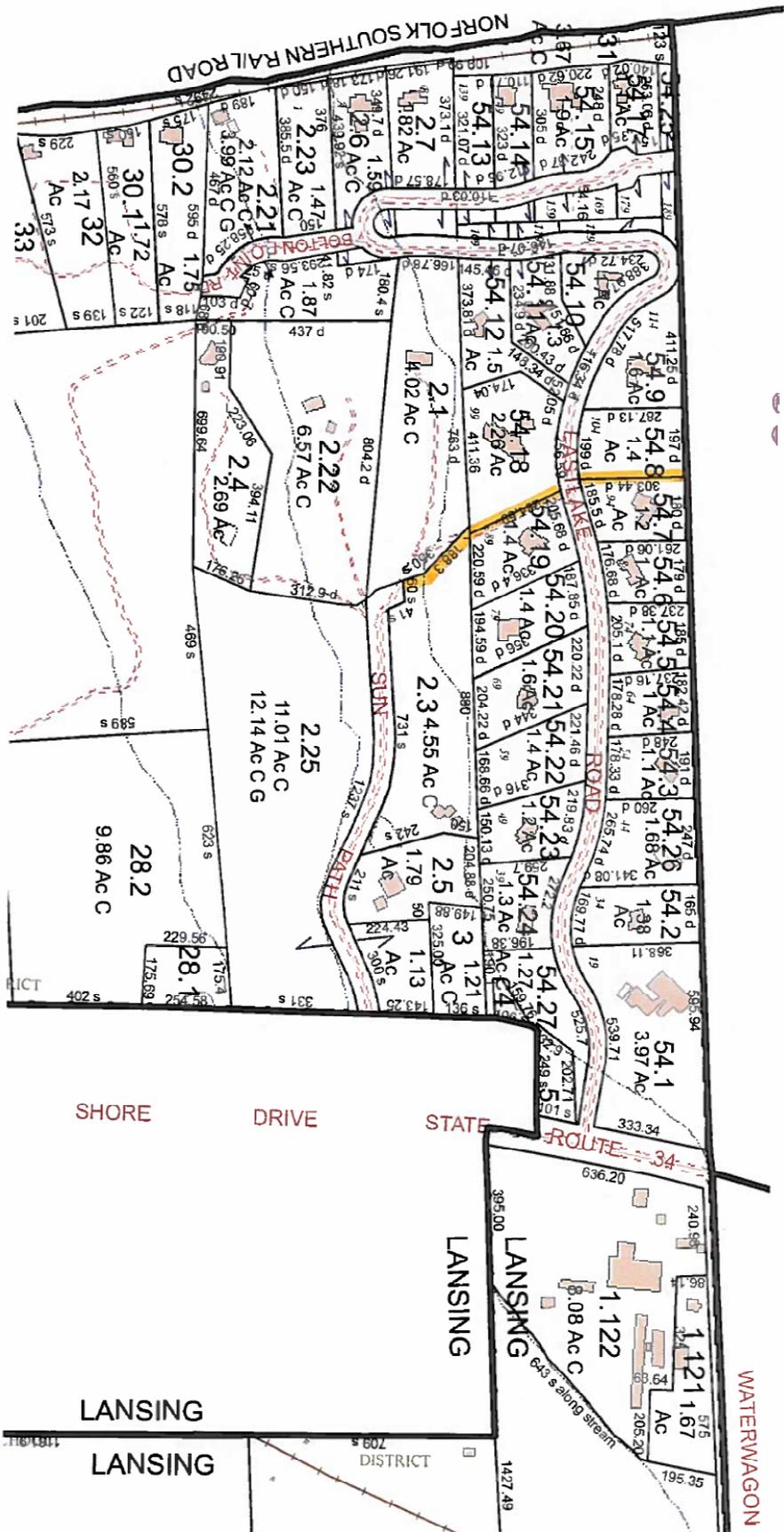
Chairman Ellis stated the Planning Board is requesting that the Town Board make a decision based on the presentations tonight by Legal Counsel(s) and the Town Engineer. By way of making this decision, the Planning Board can then begin a new starting point that either erases or enforces all past actions by the Planning Board, Town Board and Developers.

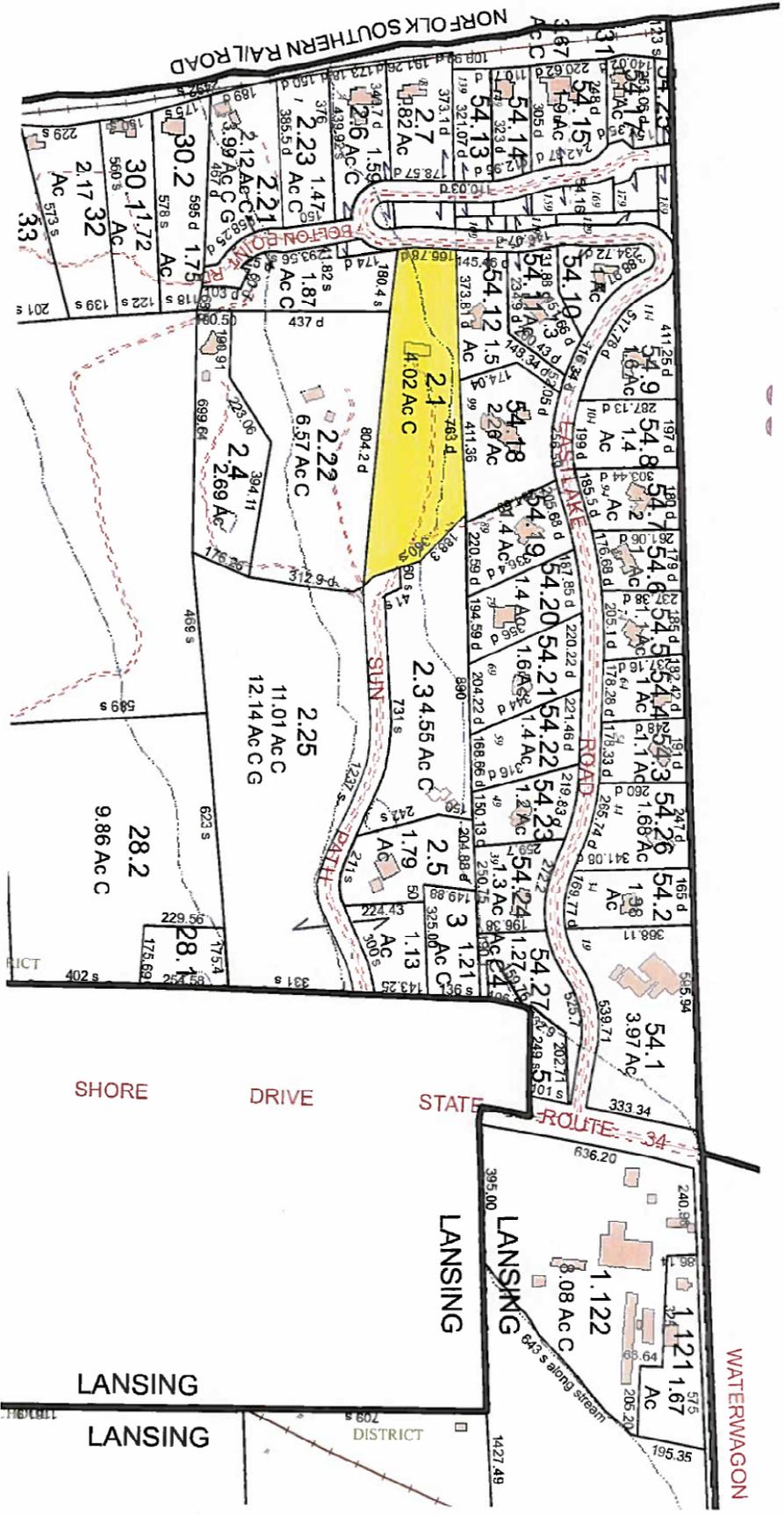
David Herrick, Town Engineer states he retrieved Public information from the Tompkins County Clerk's Office and compiled the following and gave a brief overview of his findings;

1. Orear Subdivision – October 27, 1975
 - Plat prepared by Schlieder dated September 3, 1975 and revised September 25, 1975 (Map #1).
 - Subdivision approved by Planning Board October 27, 1975 and survey map filed November 14, 1975.
 - Includes 60' wide "Reservation for Future Street" north and south of "Proposed Town Road."
2. Conveyance to Beischer (Lot #1, Tax Map Parcel 42-1-2.1) – November 18, 1975
 - Deed refers to September 25, 1975 survey by Schlieder.
 - Deed includes Seller (Orear) responsible to extend the proposed Town Road at least 110 feet along eastern boundary of Beischer lot. Doesn't appear this was ever done.
3. Conveyance to Gray (Lots #2 & #3, Tax Map Parcel 42-1-2.3) – December 18, 1979
 - A new survey (Map #2) by Schlieder dated November 27, 1979 is used for the conveyance and map does not include the north "Reservation for Future Street" originally shown on the approved subdivision map. It also does not depict the reservation for the future street to the south.
 - Survey map also changes the eastern boundary of Lot 3 from the approved subdivision map.
 - Includes reference to Map #1 only for "pedestrian and vehicular access to Cayuga Lake."
4. Conveyance to Maas (Tax Map Parcel 42-1-2.4) – February 25, 1980
 - A new survey (Map #3) by Schlieder dated July 12, 1977 and revised November 15, 1979 is referenced in the deed. Survey was filed on February 29, 1980.
 - Deed also refers to a survey map dated November 27, 1979 with the title "Survey Map of Proposed Subdivision of the lands of Jay & Virginia Arear on the Lansing Road (Route 34)". However, this is not the same title as Map #2 even though the date is the same.
 - Deed includes Maas to construct a "road" of 150 foot length using Town specifications. The road easement is 30 feet wide and to be located on the lands of seller (Orear). It is not clear on Map #3 where this easement is supposed to be located.
 - Deed reserves to Orear the right to convey the Maas driveway to a municipality for a portion of a public highway.
 - Map #3 shows the outline of the north future street reservation, although it is not labeled, and the south street reservation is missing.
5. Conveyance to Town of Lansing (Town Road) – April 10, 1981
 - A new survey (Map #4) by Schlieder titled "Survey Map of Proposed Subdivision of Lands of Jay & Virginia Orear on the Lansing Road (Route 34)" dated October 15, 1975 and last revised May 29, 1981 is referenced in the deed description. Survey was filed June 3, 1981.
 - The deed and map also describe additional land beyond the 60 foot wide right-of-way at the west end of Sun Path Road for a turnaround.

- The map shows a new configuration of subdivision lots but no indication of Town Planning Board approval or Chair signature.
 - The map also illustrates a new alignment for the future 60' road south of Sun Path Road.
6. Conveyance to Yodh (42-1-2.5) – May 30, 1981
- A new survey (Map #5) by Schlieder titled "Survey of Lands to be Conveyed by Jay & Virginia Orear" dated May 28, 1981 is filed concurrently with the deed.
7. Conveyance to Virginia Watts (42-1-2.22) – February 19, 1999
- Quitclaim deed by Jay Orear includes only a description of the parcel conveyed to Virginia Watts (formerly Virginia Orear). No survey map is referenced.
8. Conveyance to Westview, LLC (42-1-2.25) – March 22, 2007
- A new survey (Map #6) by Fabbroni titled "Proposed Plat of Sun Path Road Subdivision and Town Highway" dated August 26, 2002 is filed concurrently with the deed.

Town of Lansing
Portion of Tax Map 42
9/30/14





Conveyance to BEISCHER
 Tax Map Parcel 42.-1-2.1
 November 18, 1975

CAYUGA LAKE

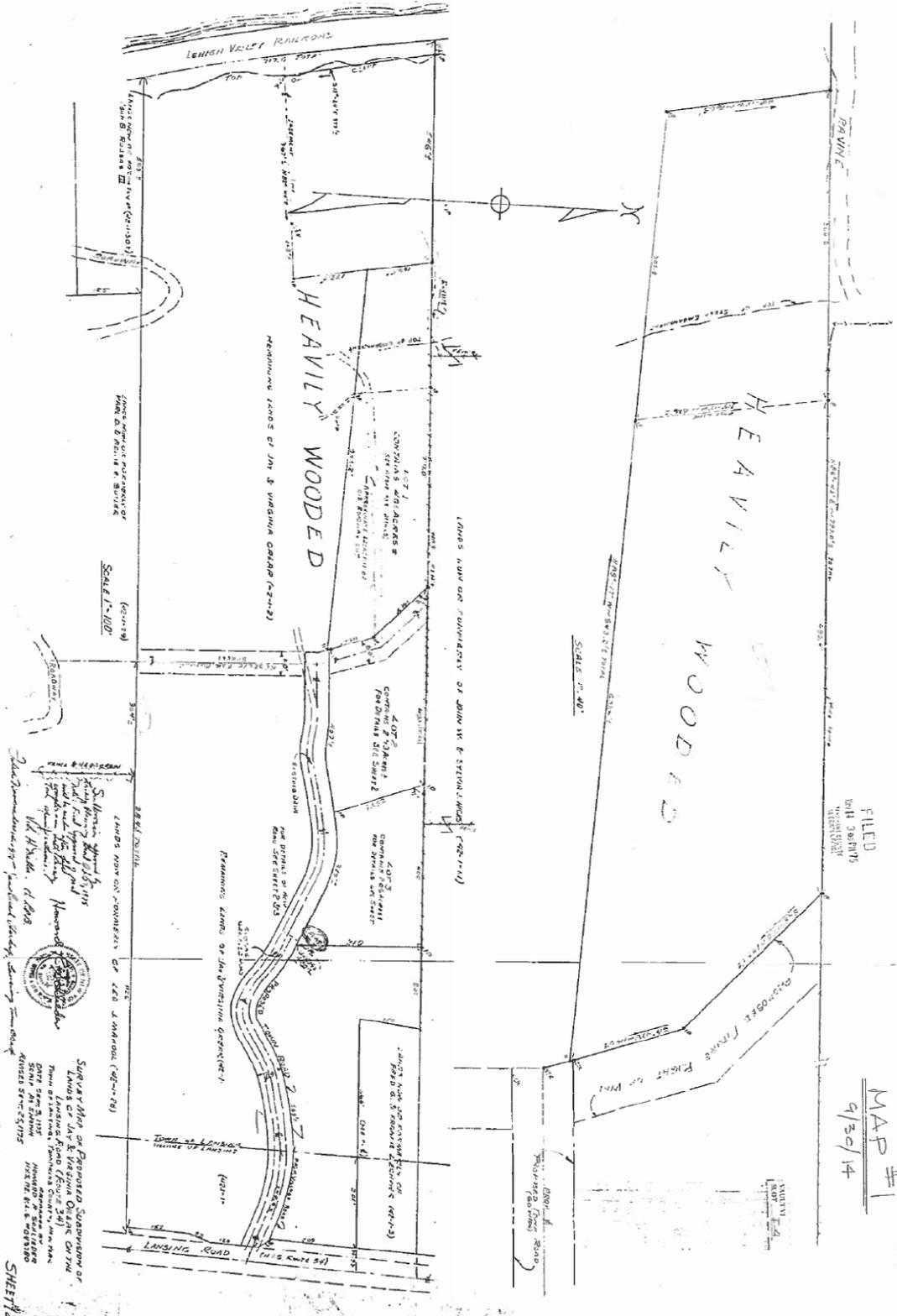
LEHIGH VALLEY RAILROAD

HEAVILY WOODED

HEAVILY WOODED

FILED
DEPT. OF REVENUE
ALBANY, N.Y.

MAP #1
9/30/14



Survey Map of Portions of
LANDS OF JAY & VIRGINIA GRANGE
TOWNSHIP OF LANSING, FULTON COUNTY, N.Y.
SIGNED AND DATED
THIS 30th DAY OF SEPTEMBER
1914

Survey Map of Portions of
LANDS OF JAY & VIRGINIA GRANGE
TOWNSHIP OF LANSING, FULTON COUNTY, N.Y.
SIGNED AND DATED
THIS 30th DAY OF SEPTEMBER
1914

SHEET #1