

APPROVED

# Town of Lansing

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Monday, January 12, 2015 6:30 PM

PLANNING BOARD MEETING

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## 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)
- \* Guy Krogh, Esq.

## Other Staff

Kathy Miller, Town Supervisor  
Michael Long, Planning Consultant  
Ed LaVigne, Town Board Member  
David Herrick, P.E. Town Engineer  
Ruth Hopkins, Town Board Member

## Public Present

Timothy Buhl, P.E.	Ted Laux
Kris & Chris Marshall	Martha Laux
Hannes Maddens	Mary Sullivan
Connie Wilcox	James Sullivan
Dan Veaner	Elisabeth Hegarty
Amy Bukowski	Robert Bukowski
Larry Beck	Roger Hopkins
Dennis Shaw	Lynda Skibitsky
Maureen Cowan	Norfe Pirro
Richard Yehl	Lynne Yehl

Several Other People

## Other Business

Thomas Ellis called the Planning Board Meeting to order at 6:32 PM.

## Public Comments/Concerns other than Agenda Items

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Thomas Ellis, Chairman inquired if there were any comments from the Public. There were none.

Mr. Ellis rearranged the Agenda to allow for Minutes to be reviewed first.

## Approval/Denial of December 22, 2014 Minutes

Thomas Ellis states on page 5, 2<sup>nd</sup> paragraph, last sentence build to built. 3<sup>rd</sup> paragraph 2<sup>nd</sup> sentence, purposal to proposal.

Raymond Farkas made a motion to approve as amended. Gerald 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) Norman (Lin) Davidson, Member**  
**Vote of Planning Board . . . (Aye) Ray Farkas, Member**  
**Vote of Planning Board . . . (Aye) Al Fiorille, Member**  
**Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Member**

## Public Hearing (s) SEQR and overall Application- Cayuga Farms Multi-Family Residential Rental Townhomes, Applicant: WB Asset Management, LLC, North Triphammer Road, Tax Parcel # 37.1-6-3.362

Mr. Timothy Buhl, P.E. for WB Asset Management, LLC appeared before the Planning Board with the following presentation;

This project has been on the drawing board for a number of years now and has changed a couple of different times, due to the economy. The project will consist of high end two story residential rental units. Approximate rents fees range from \$1,800 to \$2,200 per month. There will be units with 3, 2 & 1 bedrooms. The 2 & 3 bedroom units will each have a two car garage and 1 garage for the 1 bedroom. There will be a total of 102 units, 21 buildings, 4-6 units but nothing smaller. The site will be served by Public Water. The front portion of the property (eastern side) is in the Town's Consolidated Water District. The Developer has submitted the necessary paperwork to the Town Board for a back lot water extension. The extension will be paid for entirely by the Developer with no cost to the taxpayers. The project will have an onsite Wastewater Treatment Plant that will be manned by a NYS Licensed Treatment Operator, and again the Treatment Plant will be fully financed by the Developer. Interior Pedestrian walkways and driveways will be installed. The project will be built in Phases with a build out of approximately five years. With this proposal, it will bring about 50 additional cars at the peak hour of commuting. The road on the property will be private. Several years ago the Town Board and the Planning Board requested that the Developer builds the first phase of

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their access road (600 ft.) south of the property (through Michaleen's) and dedicates it to the Town. The Developer agreed to that.

Larry Sharpsteen brought to Mr. Buhl's attention the Map presented did not show both construction entrances.

Lynn Day, Zoning Officer states previously it has been the Town policy to have the road built and dedicated prior to issuance of any Building Permits. Mr. Buhl states they had planned on building it later.

Mr. Ellis reminded the Public prior to opening up the Public Hearings that this is an allowed use for the R3 District. Mr. Ellis further stated the Public Hearings will remain open in order to continue to take comments/concerns and to get items ironed out prior to the closure of the Hearings.

## **Public Hearing (s) SEQR and overall Application- Cayuga Farms Multi-Family Residential Rental Townhomes, Applicant: WB Asset Management, LLC, North Triphammer Road, Tax Parcel # 37.1-6-3.362**

Larry Sharpsteen made a motion to open both Public Hearing(s) at 6:50 PM. Norman (Lin) Davidson 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) Norman (Lin) Davidson, Member**  
**Vote of Planning Board . . . (Aye) Ray Farkas, Member**  
**Vote of Planning Board . . . (Aye) Al Fiorille, Member**  
**Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Member**

## **Public Comments/Concerns**

Elisabeth Hegarty: Chief Issues: Traffic & Traffic Control

- High accident rate on Waterwagon Road & Asbury Road (? Arrow lane for new development)
- Sewer Plant: Are there any Package Plant in Tompkins County & what is their track record
- Taxation
- Safe guards by this Company

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Larry Sharpsteen states there is a Package Plant currently in operations in Lansing at the Department of Corrections/Youth building on Auburn Road. There have been no problems that the Town has been made aware of with respect to their system.

Timothy Buhl advised Ms. Hegarty that the Developer is responsible for paying for the installation of the system, as well as upgrades or if it should fail. The Tompkins County Health Department monitors it very closely.

Thomas Ellis states the Town is preparing to create a sewer benefit district for this particular project that will be paper only that would relieve the Town of any obligation to fix, repair, maintain or replace the plant.

Guy Krogh legal Counsel for the Town stated it's a Wastewater District. Basically it's a catch basin, if for some reason the owner retreated from the obligation to maintain by virtue of Bankruptcy, the cost would not fall to the Town's general charge.

Thomas Ellis states the Town is working diligently with the traffic issues within the town with respect to Subdivisions, however, the state regulates the roads and have the final say what the Town and County can do with them. The Planning Board will take into consideration, the possibility of requesting an arrow pull off lane for the main entrance of the subdivision.

Larry Sharpsteen states the Planning Board many times tried to get pull offs and it's the County that keeps denying them. Mr. Sharpsteen referred Ms. Hegarty directly to the County Highway Department.

Two different Gentlemen had concerns with pedestrians' safety at the corner of Asbury and North Triphammer. One suggested putting in a traffic light. Again, several Members of the Planning Board advised the Public that it is the State's jurisdiction for lighting and the Town has tried for 30 years plus to get the State to put a light in.

Timothy Buhl indicated he is going to talk to TCAT about servicing the project

James Sullivan offered the following concerns;

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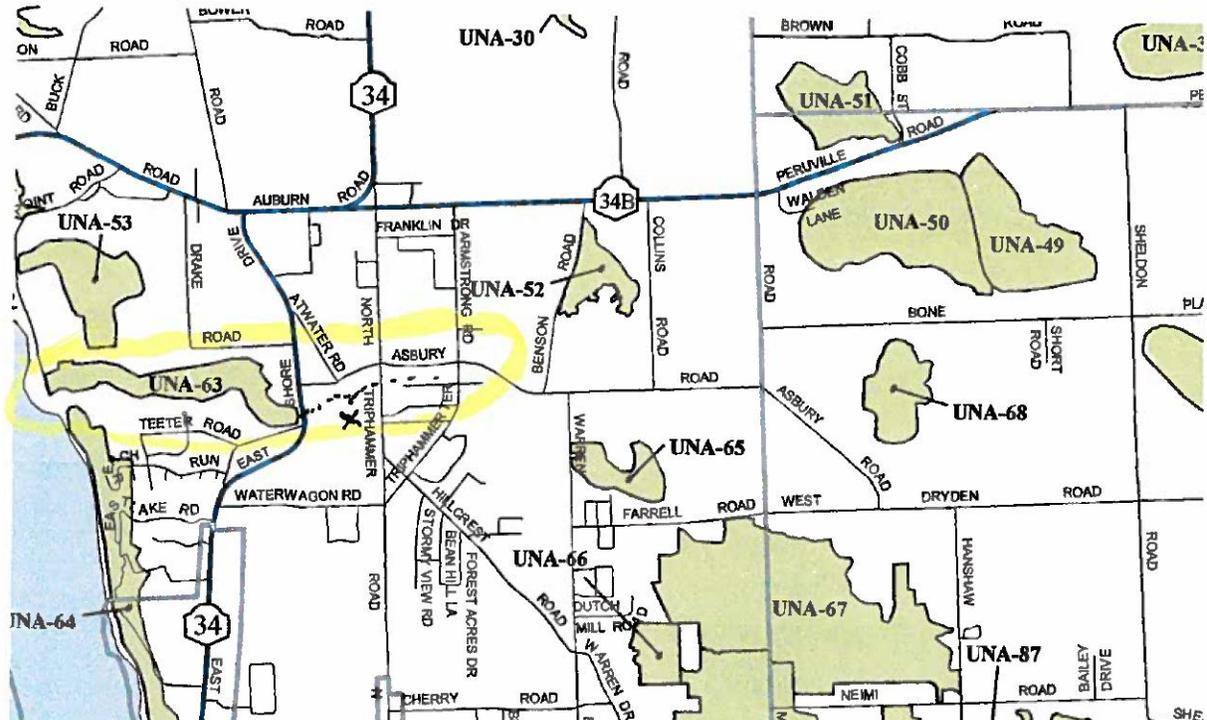
Presented by James Sullivan  
1/12/15  
PB Mtg

## Analysis of Environmental Assessment:

1. All sections of the environmental assessment were not completed.
2. 25,000 gallons discharge off waste water per day into Gulf Stream Creek which flows into Shurger Glenn that is a State protected stream and Unique Natural Area (Section E.3 possibly wrong should have been checked yes).
3. Lansing has just created a new public access to a hiking trail into Shurger Glenn, what will be the impact on people going into the water?
4. Treatment Plant Concerns:
  - a. Monitoring – onsite or remote?
  - b. Qualifications of individuals monitoring and responding to problems?
  - c. Response time on problems?
  - d. Auditing and reporting of events?
  - e. Custom or standard control panels?
  - f. Life cycle maintenance?
  - g. Mercury or mechanical float switches?
  - h. Methane gas and odor control?
  - i. Flow monitoring?
  - j. Potential for dumping untreated or partially treated waste water?
  - k. Solid waste handling?
  - l. Backup power for pumps and treatment equipment?
  - m. Ultraviolet disinfection to be used?
  - n. Removal of organic materials, nitrogen compounds, chemicals?
  - o. Dispersion of flow from treatment plant to prevent erosion?
5. Storm water run from new roads, buildings driveways and lots.
6. Environmental assessment indicates no traffic impact – questionable.
7. Has there been an adequate assessment of electrical grid load for local area?
8. Pesticide and or herbicide use for land maintenance?
9. Solid waste disposal from treatment plant?
10. Impact on land not fully evaluated (part 2 and 3 of environmental assessment form)
11. Potential for bank erosion due to increase run off rate?

Chairman Ellis advised Mr. Sullivan the items he has listed is beyond the purview of the Planning Board. Mr. Ellis further stated the Town has their own Engineer that will review the plans as well as the DEC reviewing them.

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Mr. Sullivan has great concerns with 16,000 gallons of treated sewage dumping into Shurger Glen, which has been designated a unique natural area. There is a trail located near the Glen where people could divert from the trail and enter that waste water.

Mr. Sharpsteen advised Mr. Sullivan the items he has concerns with are between the Developer who contracts with an Operator who takes care of control and maintenance of the plant.

A gentleman inquired if there is enough natural gas capacity to supply this project. Mr. Buhl indicated there are constraints on natural gas. Mr. Buhl states his project will be starting with propane and hopefully will be able to convert in the future.

A lady inquired if the water supply to this proposal would affect the water pressure or supply to those residents in the surrounding area or up on the hill. David Herrick, P.E. for Town indicates it will not.

Dennis Shaw states he has walked a trail near this site for the last 3 years and there's a stream that has never dried up. Mr. Shaw was wondering how it can be classified as an intermittent stream. Also, he requested to know where he can find the Cornell Connect Traffic Study on the Town's website. Also concerns of his were stormwater and height restrictions on the Townhomes.

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Thomas Ellis again advised all present, the Public Hearings will remain open in order to allow any future questions/concerns be made to the Planning Consultant, Michael Long who in turn will bring them to the Planning Board.

Al Fiorille inquired if the Town would require a 20' wide drainage easement along the stream in Autumn Ridge, would that Town want to do that with this site?

Tim Buhl indicated they are 50' from the stream.

Larry Sharpsteen agreed with Al Fiorille. Mr. Sharpsteen feels the Board should require a drainage easement for the future in case something should fail.

Thomas Ellis inquired if there would be a buffer between the project and Triphammer Road. Mr. Buhl indicated yes, it will continue the length of the property on Triphammer Road with planting on top of it.

The extension on the road will be deeded to the Town.

Mr. Buhl states the Arenco Representative is willing to come and give a presentation to the Board at any time with regards to the treatment plant. Mr. Buhl states just let him know and he will set it up.

Larry Sharpsteen reminded all that the Unique Natural Area Map provided by the County does not carry a force of law. They are there for Town Boards and Planning Boards to help as a tool.

Thomas Ellis inquired from Mr. Buhl as to when they intend on building the portion of the road that will be turned over to the Town? Tim Buhl states they would like to use that as their construction entrance. He really does not want to build until the work is done.

Larry Sharpsteen states the Town should require a bond until such time the road is built. Mr. Sharpsteen further stated asking for the binder to be put down is not an unreasonable request.

Gerald Caward felt a base should be put on road, especially if large equipment is going to be using it. It would also allow for Michaleen's to move their entrance.

Thomas Ellis inquired if Mr. Buhl has a signed acknowledgement from Michaleen's with regards to their parking lot being taken.

Guy Krogh indicated this project concept has been going on for a number of years now. Michaleen's is fully aware of the intent to build a road. According to Mr. Buhl, they

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have not been in contact with the owners of Michaleen's. Lynn Day states he has spoken with the owners of Michaleen's and they don't have a problem with it.

Thomas Ellis inquired if in the near future, the Town gets Sewer in that location, would the piping from the Pump Station on private property going to the Town's sewer be installed worthy to current standards.

Timothy Buhl states all infrastructures from the town's sewer back to the Pump Station will be owned and cared for by the owner.

Thomas Ellis inquired to know if the Meters will be plumbed in such a way that if the Buildings ever were to be sold as condos there would be a Meter Room.

Timothy Buhl states there will be a Meter Room, and possibly they may do individual Metering in each apartment. They will be digital, but not to the Town's standards.

Thomas Ellis inquired as to who would be responsible for the Water system if it should fail.

Timothy Buhl states The Homeowners Association. Guy Krogh gave a brief overview of how the Homeowner's works.

David Herrick, P.E. states the Town's Water District will be modified to include this entire parcel. By having the Master Meter connection, the Town's responsibility ends there.

The Town will be requiring either a Stormwater Agreement (SOMRA) or Drainage District. The Stormwater practices within the development are privately owned.

David Herrick states as far as the Engineering goes, they are getting down to the fine details. Mr. Herrick does have concerns with the existing drainage ditches and their capacity. With respect to the water, there needs to be a good understanding of what the fire protection will require. Eventually, we need to know if it will be a 4" or 6" pipe?

Mr. Herrick has reached out to Region 4 of the DEC and spoke with the Engineer who is familiar with this type of System. They have no experience with this system in the area, only in the Albany area.

Mr. Buhl states Fred Gillette from the DEC will be providing him with a summary concept approval. The Health Department will review the overall design plan too.

David Herrick felt it would be very helpful to the Town to have a conceptual summary from the DEC for SEQR purposes.

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Mike Long expressed to Tim Buhl that he will need to something more definitive from the DEC, answers for David Herrick, and also something from the County Health Department.

It was the consensus of the Board that Mr. Buhl will return for the February 23<sup>rd</sup> Meeting for the SEQR completion.

Mike Long, Planning Consultant offered the following update;

## Planning Board Project Update: Jan 12, 2015 meeting

- Cayuga Farms (102 dwelling Unit Site Plan) –
  - Received letter from DEC – Concurrence of Lead Agency Designation
  - Additional Information was reviewed by T.G. Miller letter dated Dec 12, 2014
  - Tompkins Co. 239 Review completed.
  - Requested DEC review of package system – follow up approvals needed.
  - Public Hearing – January 12, Meeting
  - SEQR / Site Plan approval required.
- Novalane – Jack Young
  - Preliminary subdivision plan with Hammerhead end
  - Received the revised map of the entire parcel from John Anderson.
  - Tompkins Co. 239 Review has been completed
  - Tentative for the Jan 26, 2015 meeting
  - Schedule Public Hearing for the “Flag Lots”
  - Final Plat approval
- Forest Circle Drive – Major subdivision plan
  - Tompkins Co. 239 review has been completed
  - Storm water plan revisions requested T.G. Miller
  - Will require a variance as 1 lot is less than 150 foot of road frontage.
  - Required Public Hearing –
- Whispering Pines VI –
  - Storm water plan has been reviewed
  - Completing County Health Dept. perk testing
  - Need 239 Review from Tomkins County?
  - Need to establish a public hearing date.
- West view Partners, Boris Simkin – Major Subdivision
  - Designated a Major subdivision (4 lots and ROW issues)
  - Revised Subdivision Plan submitted – updating the Storm Water Plan for 4 lots
  - Revised subdivision plan to 239 Review from County
  - Need to establish a Public Hearing date...

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- Anne Sheldon – Major subdivision approval (4-7 lots)
  - Needs to submit developer’s agreement and fees SEQR Long Form part 1.
  - Then can complete the 239 review
  - Need to establish a public hearing date...
- Comprehensive Plan – Wed. Jan 14<sup>th</sup> at 7:00 PM
  - To review maps, Existing Use Classifications, Housing Construction (by decade), Economic business locations, and map series

Larry Sharpsteen made a motion to adjourn the Meeting at 8:50 PM. Norman (Lin) Davidson 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) Norman (Lin) Davidson, Member**  
**Vote of Planning Board . . . (Aye) Ray Farkas, Member**  
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