

APPROVED

Town of Lansing

Monday, April 25, 2016 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
- * Deborah Trumbull
- * Sandra Dennis Conlon, Alternate

Other Staff

Mike Long, Planning Consultant
Doug Dake, TB Liaison

Public Present

Boris Simkin

Other Business

Thomas Ellis, Chairman called the Planning Board Meeting to order at 6:36 PM. Mr. Ellis inquired if there were any questions or concerns from the Public with items other than what are on the Agenda. There were none.

Chairman Ellis enacted Sandra Dennis Conlon, Alternate Member as a voting Member this evening.

Approval/Denial of April 11, 2016 Planning Board Minutes

Page 1 under other Business: Brake to break

Page 4, Dubdivision to Subdivision

Page 12, middle of section remove: unless they can prove this will be within the fall zone.

Page 12, complied to compiled

Page 12, remove: more than and insert an

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Gerald Caward made a motion to approve as amended. 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) Sandra Dennis Conlon, Alternate
Vote of Planning Board . . . (Aye) Norman (Lin) Davidson, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman

Final Plat Approval on the Application of a Major (5) Lot Subdivision submitted by Boris Simkin, Agent for Westview Partners, LLC,. The Application is for a Major 5 Lot Subdivision known as "Sun Path Development", located in The Town of Lansing, on Sun Path Road, Ithaca, New York, 14850 and otherwise known as Tax Map Parcel # 42.-1-2.25

Members reviewed the below DRAFT Resolution for the Final Plat Approval with Conditions, and requested that following changes be made;

Under # 4. Insert in the beginning of the paragraph: The Final Plat shall show
Remove: no disturbance and add: Lawns,

Insert: Map Creek language in the Resolution and on the Final Plat.

RESOLUTION PB 16-__

TOWN OF LANSING PLANNING BOARD RESOLUTION CONDITIONALLY APPROVING FINAL PLAT FOR SUN PATH SUBDIVISION, PHASE 1

WHEREAS, on March 10, 2014, the Lansing Planning Board conducted a sketch plan review of the Sun Path Subdivision, then and later considered and proposed as a two-phase project, with the initial development being near and along the Village of Lansing boundary line, with some overall site layout to address overall subdivision impacts, such as stormwater, transportation and roadway planning, protect the creek and any other sensitive areas, and to help assure adequate planning foresight and oversight given the history of the area, the need for north-south roadway connections, and the existing subdivision controls of the Town; and

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WHEREAS, on March 28, 2016, the Planning Board conducted a public hearing upon the Sun Path Subdivision Preliminary Plat, Phase I, and the environmental review thereof, whereat all residents and members of the public were permitted to speak or submit such documents and evidence as they thought relevant or appropriate, and said Preliminary Plat for Phase I was duly approved with conditions and a Final Plat for Phase I has been prepared and submitted for consideration and approval; and

WHEREAS, the proposed Final Plat, Phase I, to be considered herein consists of: (i) 6 lots, consisting of 4 building lots, one roadway lot required to be dedicated as hereafter provided (said roadway being the connecting road with turnaround to the south adjacent to the westerly line of Lot 4), and one remaining large lot that is known as Phase II (demarked as lots 5 through 10, with additional roadway segments, as mapped); (ii) a creek line with a demarked buffer zone; and (iii) existing roadway layouts that are sometimes located outside of the existing ROW for Sun Path Road, all as show upon a survey map entitled "FINAL SUBDIVISION PLAT SHOWING LANDS OF WESTVIEW PARTNERS, LLC, SUN PATH ROAD SUBDIVISION - PHASE I, TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK," as dated April 12, 2016 and drawn by T.G. Miller P.C. (the "Final Plat Map"), being approximately 4.53 acres of a larger 12.14 acre parcel commonly known as TPN 42.-1-2.25; and

WHEREAS, the Planning Board considered this project under SEQRA and duly issued a negative declaration of environmental significance, duly referred and acted upon the recommendations of County Planning under GML § 239, determined that no agricultural or farm operations would be impacted, and duly issued a Preliminary Plat approval, with conditions, upon April 11, 2016; and

WHEREAS, T.G. Miller P.C., as the Town Engineer, has reviewed the Stormwater Pollution Prevention Plan ("SWPPP") and offered comments throughout the past 2 years, and an updated SWPPP has been submitted by Phillip Erik Whitney, P.E., bearing a date of January 13, 2016, which revised SWPPP has been deemed final and sufficient, subject to the conditions listed below; and

WHEREAS, there have been no significant changes to the project or the Preliminary Plat as require further public hearings, and no changes as would require any supplemental environmental review, and thus, upon due consideration and deliberation the Town of Lansing Planning Board duly determines as follows; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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The Final Plat for Phase I of the Sun Path Subdivision be and hereby is approved, subject to the following conditions:

1. Any proposed restrictions, covenants and conditions common to the subdivision (if any) shall require approval by the Town before filing.
2. (a) A final Full SWPPP shall be submitted for Phase I and the same shall be approved by the Town Engineer and reviewed and accepted by the Town's Stormwater Management Officer prior to the endorsement or sealing of the Final Plat, and (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 submitted and approved prior to the issuance of any building permits for each lot.
3. A blanket access easement, or subdivision-wide covenants and restrictions of similar import and effect, shall be provided to the Town prior to the endorsement or sealing of the Final Plat, in a form acceptable to and approved by the Town, to:
 - (a) Allow the Town access to all future stormwater facilities and improvements; and
 - (b) Mandate that developer and any owner (and all subsequent heirs and assigns) be bound to approve and accept any future drainage district (when formed) to manage stormwater facilities for the benefit of all lots and landowners in the subdivision.
4. The 60' wide no-build, no disturbance area around the intermittent creek mapped on the plat (federal waterway 898-245, Class C), being located 30' on each side of the centerline thereof (the "Creek Buffer"), shall not be improved or disturbed except for culverts and driveways to cross over such creek that meet the following requirements:
 - (a) Culverts shall be buried as required by the Town Engineer to assure the continuation of the stream ecosystem;
 - (b) Driveways within or crossing over or through the Creek Buffer shall be of permeable surfaces only in such segment(s); and
 - (c) Driveways and supporting structures, including the culverts, shall not exceed 12' in width within the Creek Buffer (excluding any required flanging of the culvert).

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5. The future roadways depicted on the Final Plat shall be dedicated or dedicated and constructed as follows:

(a) The roadway adjacent to Lot 4 running south to the lands of Mahool (RO) shall be included as part of Phase I and noted as dedicated to and for such future highway use. Such roadway shall not be required to be built and dedicated in fee until the occurrence of any development within any parcel, lot, or land within Phase II, including the subdivision or other review of such Phase II;

(b) The southerly extension at the terminus of the main arterial of Sun Path Road, which runs along the westerly lines of Lots 8 and 9 in Phase II (and easterly along Virginia Watts Irrevocable Trust (RO) and Harrison (RO), and southerly to Butler (RO)), may be constructed and dedicated to the Town prior to the issuance of any building permits being issued for such future Phase II Lots 8 and 9 (or their future equivalents); and

(c) The northerly extension at the terminus of the main arterial of Sun Path Road, which runs within an existing roadway reservation and easement area to the southerly line of the East Lake PDA to the north, may be constructed and dedicated to the Town prior to the issuance any subdivision or land development approvals or permits, including building permits, anywhere within or for such future Phase II.

6. The following gores of land shall be dedicated by deed for highway and roadway improvement purposes prior to the endorsement of sealing of the Final Plat:

(a) The area to the south of Lot 1 adjacent to the existing roadway parcel as shown upon the Final Plat Map as a potential roadway realignment gore;

(b) To the extent reasonably obtainable from Chung Yuen Hi, *et al.* (RO), the area to the south of such lot adjacent to the roadway parcel as shown upon the Final Plat Map as a potential roadway realignment gore;

(c) To the extent reasonably obtainable from Banfield (RO), the area to the south of such lot adjacent to the roadway parcel as shown upon the Final Plat Map as a potential roadway realignment gore; and

(d) The area to the north of Lots 5 and 6, and the roadway parcel westerly of Lot 4, as is adjacent to the dedicated roadway parcel as shown upon the Final Plat Map as a potential roadway realignment gore.

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For the above purposes, “reasonably obtainable” shall mean and require a showing of reasonable attempts to obtain such rights and a refusal or rejection thereof by the landowner, but it shall not require the payment of substantial consideration in cash or other form, and in all cases the discretion of the Town, reasonably exercised, shall solely determine what is “reasonable”). However, upon approval thereof by the Town, existing town-owned land no longer necessary for highway purposes upon any such realignment may be “swapped” for such future dedications to help compensate landowners and to help emplace the existing roadway surface, and related areas of land managed for travel upon such highway, within such now existing or future dedicated highway bounds.

Dated: April 25, 2016.

VOTE AS FOLLOWS:

**Gerald Caward, Jr. -
Sandra Dennis Conlon -
Norman L. Davidson -
Rick Prybyl -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis, Chairperson -**

Norman (Lin) Davidson made a motion to approve the Final Plat with the above amendments inserted into the Resolution. 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) Sandra Dennis Conlon, Alternate
Vote of Planning Board . . . (Aye) Norman (Lin) Davidson, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

Chairman Ellis expressed to Mr. Simkin that no Building Permit will be issued until all conditions have been met, Mr. Ellis signs the Final Plat and it is filed with the Tompkins County Clerk.

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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) Sandra Dennis Conlon, Alternate
Vote of Planning Board . . . (Aye) Norman (Lin) Davidson, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman

Mike Long-Planning Board Updates for April 25, 2016

Mr. Long reviewed the following update with the Members.

- Novalane – Jack Young
 - Preliminary Plat subdivision plan with turn around extension of Smugglers Path.
 - SEQR – classified as an “Unlisted Action” and will have resolutions available.
 - Public Hearing opened Feb 9th for the “Flag Lots” – still open.
 - Storm Water Plan SWPPP reviewed by T.G. Miller, letter dated Jan 26, 2015 of issues, revisions currently underway
 - Site meeting to walk future Smugglers Path road extension – 5/7/2015 –
 - Request for 1 lot subdivision as an interim step before the entire subdivision is completed – Sept 28, 2015. Withdrawn at this time.
 - Preliminary and Final Plat approvals - TBD.
- West view Partners, Boris Simkin – Sun Path R1 Zone - Major Subdivision – 4 Lots + Parent parcel (5).
 - Original application - 3 lot subdivision classified as minor
 - Joint Planning Board / Town Board Meeting Oct. 6, 2014 to review the history of the Sun Path development- reclassified as a “Major Subdivision” and future phases to be included and storm water considerations.
 - Designated a Major subdivision (4 lots and ROW issues) – phase plan completed by T.G. Miller with ROW access and future roads included (drawing dated 12/15/2015).
 - Revised Subdivision Plan (12/15/2014) - submitted to TG Miller Storm Water Plan for 4 lots with future lots #5-10 and road to north.
 - Revised 239 Review from County – response 50 foot buffer 3/30/2015

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- SWPPP plan reviewed by T.G. Miller, recommended changes letter 3/23/2015, Meeting held on 4/8/2015.
- Field work completed 9/4/2015 with Dave Herrick on site.
- Revised SWPPP submitted Jan 10, 2016 and review letter issued 1/14/2016 by T.G. Miller
- Revisions to the draft subdivision map are being prepared by T.G. Miller.
- Public Hearing date –March 28, 2016 Planning Board Meeting
- SEQRA and Preliminary Plat approval – April 11, 2016.
- **Final Plat review –tentative April 25, 2016 meeting pending survey map.**
- Lake Forest Circle Drive – L1 Zone - Major subdivision of 16 lots plus storm water.
 - Tompkins Co. 239 review (Letter 11/12/2014) has been completed.
 - Storm water plan revisions requested T.G. Miller. Letter dated 11/19/2014.
 - Revisions are being made to the SWPPP materials. Submitted 10/26 revised maps. Letter (Oct. 27, 2015) from Tim Buhl in response circulated. Comments on map sent on map 10/28/2015.
 - “Public Hearing”- held December 14, 2015.
 - SEQRA, Preliminary Plat approval December 14, 2015 – included waiver of new town highway specs.
 - Discussion regarding existing easements and potential changes – propose meeting with owner and staff to resolve outstanding issues.
 - Revised SWPPP documents submitted March for review T.G. Miller.
 - Final Plat approval – TBD.
- Ag Plan – Follow up meeting – finalize report meeting June 1, 2015
 - Joint Planning Board and Town Board meeting held– June 22, 2015
 - Town Board Public Hearing Meeting – July 15, 2015
 - Town Board establishes 2nd Public Hearing for Sept. 16, 2015
 - Town Board adopted Ag Plan on Sept. 16, 2015.
 - Town Board to establish a formal “Agriculture Committee” as per the recommendations.
 - Requested community volunteers Lansing Star and town web site.
 - Meeting held Feb 8th 9:00 AM at Linda’s Diner with farmers, etc.
 - Ag Committee members appointed by the Town Board February 17th meeting.
 - First Ag Committee Meeting held Monday March 7, 2016.
 - **Next Ag Committee meeting Monday May 2, 2016.**
- **Mirabito Holdings, Inc. – Site Plan Requested – Town Barn Road B2 Zone.**
 - 3 acre phased development – LP Gas storage facility with later phase petroleum.
 - Informal Site Plan meeting – PB held Oct 26, 2015
 - PB is requesting a “Public Hearing” to be established after SWPPP is prepared.
 - 239 Review requested underway.

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- Storm Water Plan submitted 1/11/2016 for T.G. Miller review.
- Applicant's agreement executed 1/18/2016 with deposit.
- Set "Public Hearing" as requested by Planning Board – January 8, 2016.
- Applicant has submitted the Fire Safety Analysis dated March 1, 2016.
- Revisions being made to the site plan for new driveway entrance and additional landscaping to coordinate with the SWPPP plan before final submission.
- Town Board designated Town Barn /Verizon Lane as a "public road" – April 13, 2016 mtg.
- SEQRA and Site Plan approval – TBD.
- A. Scott Pinney – Peruville Road Site Plan (RA Zone) to add 15 additional duplex buildings in addition to 4 existing duplexes and office / barn complex.
 - Site Plan draft submitted (12/2014, meeting held and revised site plan resubmitted (9/14/2015).
 - Application for Site Plan and Developers Agreement –received 11/15/2015.
 - Revised SEQRA application received 11/16/2015.
 - SWPPP submitted to T.G. Miller – Oct. 2015 preliminary review underway
 - Revised SWPPP submitted 11/12/2015.
 - SWPPP comments from T.G. Miller 11/24/2015 to engineer, waiting response.
 - 239 Review – comments received 1/6/2016.
 - SWPPP revision dependent upon drainage tests. To be done.
 - SEQRA, SWPPP and Site Plan approval – TBD
- East Shore at Cayuga Vista Drive – (B1 Zone) – Site plan for a "Dollar General" 9,100 SF retail store by Primax Properties, LLC. Together with a subdivision request to create 2 lots.
 - Preliminary site plan drawings received 11/9/2015, application 11/30/2015.
 - Informal sketch plan meeting held by Planning Board on Dec. 14, 2015 with neighbors notified.
 - Revised site plan with formal application and stormwater plan submitted 1/11/2016.
 - 239 Review – submitted 1/21/2016 and received comments 2/2/2016 with an updated letter dated March 1, 2016.
 - Public Hearing for One-Lot subdivision held Feb 22, 2016.
 - Approval for "Minor sub-division" creating 2 lots.
 - SEQRA / Site Plan approved at the March 14, 2016 meeting.
 - Requested easement from the Town Board authorization for driveway access to Cayuga Vista Drive approved Town Board April 20, 2016.
 - ZBA denied the (3) sign area variances at the April 12, 2016 meeting.
- Airport Storage Building – Arno Finkelday at 8 Hillcrest Road - addition 8 storage units.
 - Application and SEQRA forms submitted 1/20/2016.

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- SWPPP information submitted 1/20/2016. Forward to T.G. Miller for review and comments received dated February 3, 2016.
- 239 Review – submitted 1/21/2016 and received Feb 9, 2016.
- Formal SEQRA / Site Plan approval – March 28, 2016.
- Cell Tower – Crown Castle (Verizon Wireless tenant) – applicant represented by Matthew Kerwin attorney of Barclay Damon.
 - Preliminary application materials received 3/21/2016.
 - Copy submitted to structural engineer for review.
 - Sketch Plan review meeting – April 11, 2016
 - Balloon site testing – Visual Analysis to be scheduled.
 - SEQRA / Site Plan approval – TBD.
- Comprehensive Plan – Town Board appointment of members Jan 4, 2016
 - Planning Board Members appointed: Lin Davidson, Larry Sharpsteen, Jerry Caward and Sandy Conlon.
 - Requested additional members - Lansing Star and town web site.
 - Reorganizational meeting held Wed. Jan. 13, 2016 at 7:00 PM.
 - Committee Meeting scheduled for first Wed. of the month at 6:00 PM. – next 5/4/2016. Committees have been consolidated and new members assigned.
 - Full Comprehensive Plan Committee meetings 2nd Wed. – at 6:00 PM - next 5/11/2016.

Other Business-Proposed Cell Tower

Member Gerald Caward advised the Members that he contacted his Bank inquiring if they would loan a new mortgage on his home, and they stated they would not if the Tower was located in what they call their definition of the Fall Zone. Mr. Caward has great concerns with this.

Other Business-Guest-Connie Wilcox

Mr. Ellis states he has invited Connie Wilcox to the next Planning Board Meeting so that she may give an update on the progress of the Comprehensive/ Ag Plan.

Richard Prybyl made a motion to adjourn the Meeting at 7:15 PM. Deborah Trumbull 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) Sandra Dennis Conlon, Alternate
Vote of Planning Board . . . (Aye) Norman (Lin) Davidson, Member

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Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman