

APPROVED

# Town of Lansing

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Monday, April 11, 2011 7:15 PM

PLANNING BOARD

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## PLANNING BOARD MEMBERS

(\*Denotes present)

*	Nancy Loncto	*	Tom Ellis
*	Larry Sharpsteen	*	Lin Davidson, Chairman
	Viola Miller		David Hatfield
*	Richard Prybyl		
*	Jeffrey Overstrom, EIT		
	Lorraine Moynihan Schmitt, Esq.		
*	Robert Cree, TB Liaison		

## Public Present

Barry Putnam

Cathy Putnam

## General Business

Lin Davidson called the Planning Board Meeting to order at 7:15 PM. Mr. Davidson requested to know if there was anyone from the Public that wished to speak with concerns other than what was on the Agenda. There were none.

## Eastlake Covenants

Thomas Ellis inquired if we had received anything from Legal Counsel with regards to the covenants being either updated or relinquished at Eastlake as their sunset clause is coming to an end soon. Ms. Jacobsen advised a letter was sent to the Agent and Developer with respect to the withdrawing their Applications, there was no mention of covenants updating or relinquishing in their letters.

## May 9<sup>th</sup> Presentation

Jeff Overstrom advised the Members that at our May 9<sup>th</sup> Meeting, a presentation will be given by a company that has an interest in providing community wide boilers.

## Approval/Denial PB Minutes of: March 28, 2011

Thomas Ellis requested the following corrections;

Page: 5, first sentence, garage should read: garbage

Page: 7, under Cayuga Farms, sentence 2 the word farther should read: further, also the email from Tim Buhl to Jeff Overstrom with respect to the "temporary modular system" should be inserted into the minutes.

Page: 8, under Other, first sentence the word instill should read: install

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Nancy Loncto made a motion to approve the Minutes as amended. Richard Prybyl seconded.

**VOTE IS:**

**Thomas Ellis - Aye**  
**Nancy Loncto - Aye**  
**Richard Prybyl - Aye**  
**Lin Davidson - Aye**

**MOTION CARRIED.**

\*7:25 PM: Larry Sharpsteen arrived.

**Keeping track of Records w/ conditions**

Nancy Loncto inquired as to the policy the Planning Office has with respect to tracking conditions of Planning Board matters. Jeff Overstrom advised Ms. Loncto that between the copies of Minutes kept in the file and an action sheet, conditions are well monitored.

**Public Hearing(s) - SEQR Review & Application, Minor Subdivision (2 Flag, 1 Regular), Applicant: Putnam, Barry & Cathy, Ridge Road, Tax Parcel # 12.-1-17.2**

Mr. & Mrs. Putnam appeared before the Planning Board requesting approval to subdivide their property creating two flag lots and one regular lot. The Putnams' would like to build a home for themselves and sell one parcel to their Son for an additional home. The large back lot will remain forest. A 60' right of way will be provided to the back lot until such time when a Town Road can/ or will be built. The Zoning Board of Appeals granted approval for the driveways to be over 500' at their Meeting of February 15, 2011.

February 16, 2011

Barry & Cathy Putnam  
25 Murfield Drive  
Ithaca, New York 14850

Re: Approval of Variance request, Tax Parcel No. 12.-1-17.2, Ridge Road, Lansing, NY 14882.

Dear Mr. & Mrs. Putnam,

On February 15, 2011 the Town of Lansing Zoning Board of Appeals discussed your appeal and arrived at a final decision for your Area Variance request.

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The Zoning Board's decision was to approve your request to allow for the driveway(s) to be over 500' in length.

Feel free to contact this office with any questions concerning this issue.

Chairman Lin Davidson acknowledged the Legal Notice Published in The Ithaca Journal with regards to the above Public Hearing(s).

Thomas Ellis made a motion to open the SEQR Public Hearing at 7:28 PM. Richard Prybyl seconded.

**VOTE IS:**

**Thomas Ellis - Aye  
Nancy Loncto - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**

**There were no public comments.**

Thomas Ellis made a motion to close the Public Hearing at 7:34 PM. Richard Prybyl seconded.

**VOTE IS:**

**Thomas Ellis - Aye  
Nancy Loncto - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**

The Planning Board reviewed Part I of the Short Environmental Assessment Form completed by the Applicant and completed Part II by the Planning Board Members. No significant adverse environmental impacts or effects were identified in Part II by the Planning Board Members.

Nancy Loncto offered the following Resolution;

## **RESOLUTION No. 11-30**

**RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD  
ISSUING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE  
RESPECTING THE STATE ENVIRONMENTAL QUALITY REVIEW ("SEQR") OF  
THE PUTNAM MINOR SUBDIVISION**

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**WHEREAS**, after submission thereof, the Lansing Planning Board, on April 11, 2011, reviewed a Subdivision Application submitted by Applicants Barry Putnam and Cathy Putnam, for a minor three lot residential subdivision with two flag lots of certain land, located at the intersection of Ridge Road and County Route 156, Lansing, New York and otherwise known as Tax Map Parcel #12.1.17.2 in the RA District; and

**WHEREAS**, the proposed subdivision contains two proposed flag lots, Lot #1 with 60 feet of road frontage and Lot #3 with 40 feet of road frontage onto Ridge Road in the Town of Lansing, and is in compliance with the Town of Lansing Subdivision Rules and Regulations and Land Use Ordinance requiring Flag Lots in the RA District to be at least 30 feet in length where there are no sewers and no planned sewers in the area (See, Land Use Ordinance Schedule II and Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (C); and

**WHEREAS**, both flag lot driveways are in excess of 500 feet in contravention to Town of Lansing Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (E) of the Lansing land Use Ordinance, such that an appeal for an area variance would be required by the Town of Lansing Zoning Board of Appeals (ZBA) ; and

**WHEREAS**, the Applicants duly appealed to the Town of Lansing ZBA for the aforementioned area variance permitting driveways upon the flag lots in excess of 500 feet, and was granted the aforementioned variance by the Town of Lansing ZBA on February 15, 2011 thereby permitting the Flag Lots # 1 and #3 to have driveways exceeding 500 feet in length; and

**WHEREAS**, Pursuant to Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (F), all Flag Lots must undergo Site Plan Review and are subject to a Public Hearing thereon which was duly noticed and held on April 11, 2011, and

**WHEREAS**, the Applicant has submitted a Short Form Environmental Assessment Form (EAF) for the State Environmental Quality Review (SEQR) of the proposed Putnam, a minor Subdivision, said review to be Uncoordinated Review without declaration of Lead Agency; and

**WHEREAS**, the requisite General Municipal Law 239 Referrals of Article 12-8 referrals were duly effected by the by the Town of Lansing Planning Department, and

**WHEREAS**, by correspondence, dated March 8, 2011, the Tompkins County Planning Department stated that it had reviewed the Application and determined that the proposal, as submitted, has no negative inter-community, or county-wide impacts; and

**WHEREAS**, the Town of Lansing Planning Board duly noticed and opened a public hearing concerning the environmental review, pursuant to the State Environmental Quality Review Act ("SEQRA"), of the proposed subdivision preliminary plat

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application at Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 on April 11, 2011, and all citizens were given an opportunity to voice any concerns respecting the environmental review and given a full opportunity to be heard thereon; and

**WHEREAS**, on April 11, 2011, the Town of Lansing Planning Board, in performing its reviewing Agency function in conducting an 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 Short Form Environmental Assessment Form ("EAF") 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, on the record, the EAF, Part II on the record (and reviewed and completed, if necessary, Part III of the EAF);

### **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 review and 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 SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and it is

Dated: April 11, 2011

Thomas Ellis seconded.

### **VOTE IS:**

**Thomas Ellis - Aye**  
**Nancy Loncto - Aye**  
**Richard Prybyl - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Abstained**

**MOTION CARRIED.**

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Larry Sharpsteen made a motion to open the Public Hearing at 7:41 PM on the overall Application. Richard Prybyl seconded.

**VOTE IS:**

**Thomas Ellis - Aye**  
**Nancy Loncto - Aye**  
**Richard Prybyl - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Aye**

**MOTION CARRIED.**

**No Public comments**

The Tompkins County Planning offered the following reply;

**Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law**  
**Action: Subdivision of three lots abutting NYS 34, Tax Parcel No. 12.-1-17.2, Barry & Cathy Putnam, Owner/Applicant.**

Dear Ms. Jacobson:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Edward C. Marx, AICP  
Commissioner of Planning  
and Community Sustainability

Nancy Loncto made a motion to close the Public Hearing on the overall Application at 7:43 PM. Larry Sharpsteen seconded.

**VOTE IS:**

**Thomas Ellis - Aye**  
**Nancy Loncto - Aye**  
**Richard Prybyl - Aye**  
**Larry Sharpsteen - Aye**

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Lin Davidson - Aye

## MOTION CARRIED.

Having opened and closed both Public Hearing(s) with no Public comments, Nancy Loncto offered the following Resolution;

### RESOLUTION No. 11-33 RESOLUTION OF THE LANSING PLANNING BOARD APPROVING THE PUTNAM SUBDIVISION, A THREE LOT MINOR SUBDIVISION CONTAINING TWO FLAG LOTS

**WHEREAS**, after submission thereof, the Lansing Planning Board, on April 11, 2011, reviewed a Subdivision Application submitted by Applicants Barry Putnam and Cathy Putnam, for a minor three lot residential subdivision with two flag lots, of certain land located at the intersection of Ridge Road and County Route 156, Lansing, New York and otherwise known as Tax Map Parcel #12.1.17.2 in the RA District; and

**WHEREAS**, the proposed subdivision contains two proposed flag lots, Lot #1 with 60 feet of road frontage and Lot #3 with 40 feet of road frontage onto Ridge Road in the Town of Lansing, and is in compliance with the Town of Lansing Subdivision Rules And Regulations and Land Use Ordinance requiring Flag Lots in the RA District to be at least 30 feet in width where there are no sewers and no planned sewers in the area (See, Land Use Ordinance Schedule II and Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (C); and

**WHEREAS**, both flag lot driveways are in excess of 500 feet in length in contravention to Town of Lansing Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (E) of the Lansing land Use Ordinance, such that an appeal for an area variance would be required by the Town of Lansing Zoning Board of Appeals (ZBA) ; and

**WHEREAS**, the Applicants duly appealed to the Town of Lansing ZBA for the aforementioned area variance permitting driveways upon the flag lots in excess of 500 feet, and was granted the aforementioned variance by the Town of Lansing ZBA on February 15, 2011 thereby permitting the Flag Lots # 1 and #3 to have driveways exceeding 500 feet in length; and

**WHEREAS**, the requisite General Municipal Law 239 Referrals of Article 12-8 were duly effected by the Town of Lansing Planning Department and, by correspondence dated March 8, 2011, the Tompkins County Planning Department Stated that it had reviewed the Application and determined that the proposal, as submitted, has no negative inter-community, or county-wide impacts; and

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**WHEREAS**, Pursuant to Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (F), all Flag Lots must undergo Site Plan Review and are subject to a Public Hearing thereon, which was duly noticed and held on April 11, 2011, and

**WHEREAS**, on April 11, 2011, the Planning Board underwent site plan review of the proposed minor three lot subdivision with two flag lots, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board 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 consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

**WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the Town's Laws relative to subdivisions 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 Subdivision, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

**WHEREAS**, the subject parcel is a minor subdivision and this is an Unlisted Action under the State Environmental Quality Review Act which requires environmental review; and

**WHEREAS**, a public hearing concerning the environmental review was held on April 11, 2011 at the Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 and notice, posting and publication of the aforementioned public hearing was posted and published at least 14 days in advance of the opening of said hearing as required by law; and

**WHEREAS**, on April 11, 2011, this Board, acting in Uncoordinated SEQR environmental review without Lead Agency, reviewed and accepted as adequate a Short Environmental Assessment Form (EAF) Part 1, submitted by the Applicant, and completed Part II and, if applicable, Part III, on the record; and

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**WHEREAS**, by Resolution adopted on April 11, 2011, the Town of Lansing Planning Board determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposed subdivision will result in no significant 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**, on April 11, 2011, a public hearing was held at the Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 and notice, posting and publication of the aforementioned hearing was posted and published at least ten (10) days in advance of the opening of said public hearing as required by law; and

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**RESOLVED:** that the Town of Lansing Planning Board grant Approval of the Putnam Subdivision, an Application for a minor three lot residential minor subdivision of certain land located at the intersection of Ridge Road and County Route 156, Lansing, New York and otherwise known as Tax Map Parcel #12.1.17.2 in the RA District.

Dated: April 11, 2011

Larry Sharpsteen seconded.

**VOTE IS:**

**Thomas Ellis - Aye**  
**Nancy Loncto - Aye**  
**Richard Prybyl - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Abstained**

**MOTION CARRIED.**

## **Upcoming Meeting/Training on Trails**

Thomas Ellis again voiced his dislikes with the way the Town is placing this request on Developers without having something legal in writing from the Town. Larry Sharpsteen agreed too with Thomas Ellis.

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Jeff Overstrom states the Trails Committee presented to him with a document and requested that he provide each Developer with it. Due to language discrepancies that Mr. Overstrom is working on correcting, he has not provided this material to any Developer. The Planning Board Members requested that Mr. Overstrom run his amended copy by their Board prior to it being distributed to the public.

Richard Prybyl believes it is to the Town's benefit to have something in writing to provide to Developers ahead of time.

Larry Sharpsteen requested for the records that it be known that for the last 28 years, The Planning Board for the safety and health of the public has tried to get a reasonable pattern on paper with respect to paper roads with little or no success, and magically all of a sudden the Town has a map of Trails. These trails could be an incredible liability to the Town.

Larry Sharpsteen made a motion to adjourn the Meeting. Richard Prybyl seconded.

**VOTE IS:**

**Thomas Ellis - Aye  
Nancy Loncto - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**