

APPROVED

# Town of Lansing

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Monday, August 22, 2016 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
- \* Deborah Trumbull
- \* Sandra Dennis Conlon, Alternate

### Other Staff

Lynn Day, Zoning Officer  
Doug Dake, TB Liaison  
Mike Long, AICP  
Guy Krogh, Esq.  
Ed LaVigne, Town Supervisor

### Public Present

Amanda Ryen-Yowhan	Stacy Harrison
Connie Wilcox	Jessica Turner
Lori Kofoid	Jim Blair
Mike Malda	Sandy Dhimitri
Bill Thibault	David Schultz
Michael Sweazey	Sandy Sweazey
Christine Rice	Paul Southard
Donna Faivre-Roberts	Pete Wells
Beverly Wells	John Andersson
Darlene Desmond	John Young
Ken Davis	

### Other Business

Thomas Ellis, Chairman called the Planning Board Meeting to order at 6:33 PM.

# APPROVED

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

## Approval/Denial of August 8, 2016 Planning Board Minutes

Page 25: 2<sup>nd</sup> Paragraph: statics should read statistics

Gerald Caward made a motion to approve as amended. Deborah Trumbull seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

## Kofoid proposed Subdivision

Chairman Ellis explained to the Members and Public present that an error was made in determining this proposal as a Planning Board issue. Due to changes in the Zoning Ordinance that were overlooked in error, this proposal request is an illegal size lot under the definition due to the right of way not being able to be part of the calculations for the required lot size (40,000 Sq. Ft. excluding right of way). Chairman Ellis further stated the Board can't act on something that will create an illegal lot. Mr. Ellis further stated this is a proposal that should be heard before the Zoning Board of Appeals for them to make a determination.

Lynn Day, the Zoning Officer refers to the Tompkins County Assessment Office to see exactly what the owner is being taxed on in order to determine if a lot is legal or not.

Al Fiorille stated just because they have a 25' width from the center of the road over, doesn't mean that it is all going to be used by the Town's Highway Department. Mr. Fiorille felt the Board should be looking closer at making a change with respect to this issue, the next time amendments are to be completed on the Land Use Ordinance.

Larry Sharpsteen stated if changes are going to be made, they should follow how either the County Assessment Office handles it or how Surveys are completed.

Mr. Ellis indicated he does not believe the Planning Board should hold a Public Hearing. It should be held at the Zoning Board level.

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Larry Sharpsteen made a motion for a recommendation to the ZBA to consider the following conflict standards when making their determination;

1. Traditionally
2. By the State
3. By Deeds

Gerald Caward seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

## Public Hearing- 3 Lot Subdivision, 33 Lansingville Road, Tax # 27.-1-20

### Applicant: Harry Powers

Larry Sharpsteen made a motion to open the Public Hearing at 6:50 PM on the SEQR and overall Application. Deborah Trumbull seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

Amanda Ryen-Yowhan, Agent for Harry Power appeared before the Board for a 3 Lot Subdivision (2 new lots, 1 parent parcel). The following Map was presented;



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Amanda Ryen-Yowhan, Agent states the County does have language in their Permanent Easement paperwork that was provided to Mr. Powers and filed with the Tompkins County Clerk on February 5, 2013. Also, Ms. Ryen-Yowhan states she has had a Surveyor out at the site and he felt there is plenty of room for a driveway.

Thomas Ellis states the Town Planning Office has been in contact with the Tompkins County Highway and the County Planning Department requesting their comments or concerns. According to Scott Doyle at the County Planning Department the only concern they have is to make sure to flag the easement area to allow for access and maintenance of the Stormwater Pond.

Richard Prybyl made a motion to close the Public Hearing at 7:04 PM. Al Fiorille seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

It was the Board consensus that an additional condition be added stating subject to;

- Any development to be approved and reviewed by the Tompkins County Highway Department.

Members reviewed Part I and completed Part II & III of the New York State Environmental Quality Review Act.

Deborah Trumbull offered the following Resolution declaring a Negative Declaration. Sandra Dennis Conlon seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

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## RESOLUTION PB 16-14

### TOWN OF LANSING PLANNING BOARD RESOLUTION OF STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION FOR THE PROPOSED HARRY POWERS - 33 LANSINGVILLE ROAD MINOR SUBDIVISION

**WHEREAS**, an application was made by Amanda K. Ryen-Yowhan as agent for Harry Powers for subdivision approval for a three-lot subdivision, including two new residential building lots, on certain land located at 33 Lansingville Road, Lansing, New York and otherwise known as Tax Parcel #27.-1-20 consisting of a total of 12.432± acres in the RA Rural Zone; and

**WHEREAS**, the proposed subdivision, shown on a “Final Plat - Harry Powers “Minor Subdivision,” located at 33 Lansingville Road, Town of Lansing, Tompkins County, New York, dated June 6, 2016, would consist of Lot 1 (5.738± acres), Lot 2 (5.021± acres, and Lot 3 (with existing house) of 1.673± Acres which will total 12.432 acres; 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 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;

**WHEREAS**, each of the identified impacts were analyzed and duly considered by the Planning Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, and after weighing the potential impacts arising from or in connection with this site plan approval, and after also considering: (i) the probability of each potential impact occurring, including weighing the highly speculative nature of some potential future contingencies and the potential non-highly speculative nature of others; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including a consideration of permanently lost resources of value; (iv) whether

## APPROVED

each potential impact can or will be controlled or mitigated by permitting, reviews, or other regulatory processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's Master Plan or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts; the Planning Board found that these factors did not cause any potential negative environmental or related social or resource impact to be or be likely to become a moderate or significant negative impact; and

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

**RESOLVED**, that the Planning Board of the Town of Lansing be and hereby is again declared to be the Lead Agency; and it is

**FURTHER RESOLVED**, that 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.

**FURTHER RESOLVED** that a responsible Officer of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed FEAF and determination of significance shall be incorporated by reference in these resolutions.

Dated: August 22, 2015

Motion by: Deborah Trumbull

Seconded by: Sandra Dennis Conlon

### **VOTE AS FOLLOWS:**

**Gerald Caward, Jr. - Aye**  
**Sandra Dennis Conlon - Aye**

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Al Fiorille - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen - Aye  
Deborah Trumbull - Aye  
Thomas Ellis - Aye

Larry Sharpsteen recommended an additional condition as follows;

Any work related to construction of the house, driveway or access there to;

- Cannot cut, weaken or otherwise modify the structure of the retention basin.
- Any such driveway or construction must meet with the approval of Tompkins County Highway Department and Tompkins County Planning Department

Deborah Trumbull offered the following Resolution with the above amendments to be inserted as conditions. Gerald Caward seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

## RESOLUTION PB 16-15

### RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD APPROVING WITH CONDITIONS POWERS 3-LOT MINOR SUBDIVISION, 33 LANSINGVILLE ROAD

**WHEREAS**, an application was made by Amanda K. Ryen-Yowhan as agent for Harry Powers for subdivision approval for a three-lot subdivision, including two new residential building lots, on certain land located at 33 Lansingville Road, Lansing, New York and otherwise known as Tax Parcel #27.-1-20 consisting of a total of 12.432± acres in the RA Rural Zone; and

**WHEREAS**, the proposed subdivision, shown on a “Final Plat - Harry Powers “Minor” Subdivision” (hereafter, more simply the “Final Plat”), as located at 33 Lansingville Road, Town

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of Lansing, Tompkins County, New York, dated June 6, 2016, would consist of Lot 1 (5.738± acres), Lot 2 (5.021± acres, and Lot 3 (with existing house, 1.673± Acres), in all to total 12.432 acres; 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**, on August 8, 2016, the Planning Board determined that the proposed subdivision meets the definition and requirements for a minor subdivision in that the subdivision is only for 3 lots and there are no roads or infrastructure proposed to be developed; and

**WHEREAS**, a negative declaration of environmental impacts was duly issued under the State Environmental Quality Review Act (SEQRA) respect of this action, and it is further noted that this is exempt from the General Municipal Law County Planning referral requirements of 239-l, 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 "residential subdivisions of fewer than 5 lots all of which comply with local zoning standards and Tompkins County Sanitary Code requirements, and do not involve new local roads or streets directly accessing a State or county road" are excluded from the General Municipal Law referral requirements; **and**

**WHEREAS**, on August 8, 2016, the Planning Board reviewed and considered the aforementioned subdivision application in the Lansing Town Hall, 29 Auburn Road, Lansing,

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New York 14882 and classified the action as a minor subdivision and resolved to hold public hearing on August 22, 2016 for the Minor subdivision application or its SEQRA review; and

**WHEREAS**, the Planning Board has duly considered the proposed subdivision in accordance with the provisions of the Subdivision Regulations of the Town of Lansing including existing development in the surrounding area, public facilities and services available, the Town's Comprehensive Plan and Land Use Ordinance, site characteristics and issues, and any potential on and off site environmental impacts; and

**WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

**RESOLVED**, that the requirement of a public hearing under § 6(F) is hereby waived, and in accord with § 12 of Local Law No. 3 of 2016, the Planning Board finds special circumstances that here result in the waiver of a need for a public hearing as: (i) granting the waiver would be keeping with the intent and spirit of the subdivision law as it effects no change in the character of the neighborhood and this application is in keeping with the nature and character of the lots and homes in the area such that no negative impact on the community is expected; (ii) there is no adverse effect upon the character, appearance, or welfare of any neighborhood or the environment, including as the proposed building lots are each over 5 acres in size; (iii) there are special circumstances involved in the particular case due to the county stormwater easements and facilities, including their location being in and of itself a natural buffer to any potential negative impacts; (iv) that denying the waiver would result in undue hardship in terms of imposing extra time and expense upon a citizen when no impact to the land or this approval would be accomplished by strict compliance, and it is expressly found that this hardship has not been self-imposed; and (v) the waiver is the minimum necessary degree of variation from the requirements of this Local Law; and it is further

**RESOLVED**, that the Town of Lansing Planning Board grants Final Plat Approval of the Application for a three lot subdivision of certain land located at 33 Lansingville Road, Lansing, New York in accordance with the following conditions:

1. The Final Plat is deemed final and for good cause as shown other plat requirements of Local Law #3 of 2016, § 6(B), are hereby waived in that the location, topography, unique nature

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of the lots due to the stormwater facility, and the land development area in which situate results in the lots being in conformance with other nearby lots.

2. The sealing and endorsement of such Minor Subdivision Final Plat by the Planning Board Chair, thereafter presenting and obtaining the signing of the plat by Tompkins County Assessment Department stamp followed by filing in the Tompkins County Clerk's Office, followed by provision of proof of such filing within the time limit requirements with the Town of Lansing Code Enforcement Office.

3. Obtaining the necessary curb-cut/work permits from the appropriate State or local Highway Department(s) for any driveways connecting with Lansingville Road, as well as for any culverts that are to be installed in conjunction with such driveways.

4. Obtaining approval from the Tompkins County Health Department for the installation of any septic systems on the approved building lots.

5. Submission of a plot plan for each approved lot when any building permits are sought, to show a proposed layout and dimensions of any proposed buildings, driveways, and other improvements, as well as a drainage plan with details sufficient to demonstrate that adequate drainage facilities can be provided to protect houses from flooding, standing water, or other potential drainage problems.

5. No further subdivision of any of the lots created hereby shall be allowed except pursuant to classification and review as a major subdivision, regardless of the number of lots, the sizes thereof, or the purposes therefor.

6. The existing easement to Tompkins County for the stormwater retention basin, and the areas and improvements affected thereby, shall be and remain undisturbed and the purposes and obligations of and for such easements to not be interfered with and to continue to run with the land. Can't weaken or otherwise modify the structure of the retention basin without the written approval of Tompkins County (Department of Public Works and Tompkins County Planning Department).

7. Any such driveway or construction must meet with the approval of Tompkins County Department of Public Works and Tompkins County Planning Department.

August 22, 2016

Motion by: Deborah Trumbull

Seconded by: Gerald Caward

**APPROVED**

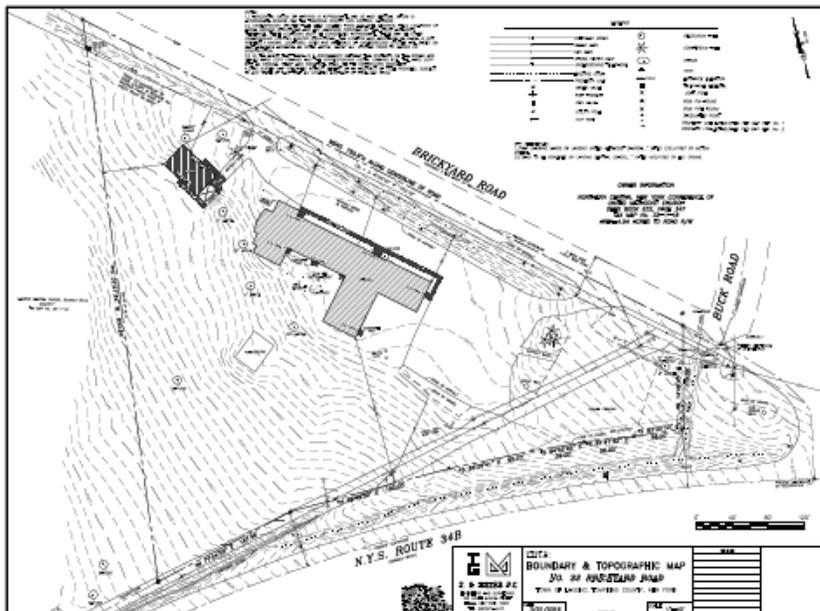
**VOTE AS FOLLOWS:**

**Gerald Caward, Jr. – Aye**  
**Sandra Dennis Conlon - Aye**  
**Al Fiorille – Aye**  
**Richard Prybyl – Aye**  
**Larry Sharpsteen – Aye**  
**Deborah Trumbull – Aye**  
**Thomas Ellis - Aye**

**Site Plan & SEQR Review, Lansing United Methodist Church, 32  
Brickyard Road, Tax Parcel # 32.-1-18**

Mr. James Blair, Chair for the LUMC Building Committee and Project Manager, Mike Malda appeared before the Board for Site Plan Review. The Church has proposed to add 3,000 Sq. Ft. of Classroom and Fellowship Hall space along with 7 new parking areas.

The following is the proposed site Map;



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The existing trees will remain and any damaged or diseased will be taken care of. There will be a Stormwater trench around the perimeter of the parking area to catch any stormwater runoff.

Thomas Ellis inquired about the down spouts at the corner of the existing building. Mr. Ellis requested that the old down spouts be connected to the new portion.

Al Fiorille requested a few more trees or shrubs be added to the south of the land. Mr. Blair, Chairman of the Building Committee for the Church states they can add more greenery, however, they take into consideration the residents that live up above with respect to their lake views.

The existing lights will remain, with only new lights added to the building and no poles added.

There were no public comments with respect to this proposal, therefore, the Board Members felt a Public Hearing was not necessary.

Members reviewed Part I and completed Part II & III of the New York State Environmental Quality Review Act.

Larry Sharpsteen offered the following Resolution declaring a Negative Declaration. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

### RESOLUTION PB 16-16

STATE ENVIRONMENTAL QUALITY REVIEW RESOLUTION  
MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL  
IMPACTS FOR THE PROPOSED LANSING UNITED METHODIST CHURCH  
SITE PLAN AND 3,000 SF ADDITIONS AT 32 BRICKYARD ROAD

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**WHEREAS**, an application was made by Lansing United Methodist Church, owner for site plan approval for the proposed construction of a commercial addition expansion for classroom and fellowship meeting rooms to be added to an existing church facility located at 32 Brickyard Hill, Lansing, New York, also known as TPN 32.-1-18, located in the R2 - Residential Moderate Density Zone and consisting of approximately 4.54 ± acres, and such proposal more specifically will add 3,000 SF of classrooms and fellowship meeting rooms, and 7 additional parking spaces on the current site; and

**WHEREAS**, the Architects, Holmes, King, Kallquist & Associates completed Stormwater review for considering the additional impacts of development on the site and the stormwater system which would accommodate 29,983 square feet or 0.688 acres of disturbance; and

**WHEREAS**, this proposed action is an Unlisted Action for which the Town of Lansing Planning Board is the sole involved agency for the purposes of a State Environmental Quality Review Act ("SEQRA") review, and the Town will thus undertake as Lead Agency an uncoordinated review of the Short-form Environmental Assessment Form ("SEAF") under SEQRA; and

**WHEREAS**, the requisite General Municipal Law § 239 referrals were duly made, and the reply and recommendations of County Planning are reflected in their letter dated August 5, 2016, none of which concerns affect this environmental review, and the Planning Board further finds that agricultural/farm operations will not be impacted by the project because there are no current or planned farm operations on the project site and it is within an residential zone; and

**WHEREAS**, on August 22, 2016, the Town of Lansing Planning Board, in performing its reviewing agency functions in conducting an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law and SEQRA regulations: (i) pursued its thorough review of the project and the Applicant's SEAF, as well as a review of all other documents prepared and submitted with respect to this proposed action; and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have any moderate or significant adverse impacts on the environment, including the criteria identified in 6 NYCRR § 617.7(c); and (iii) reviewed the SEAF on the record; and

**WHEREAS**, each identified potential environmental impact was analyzed and duly considered by the Planning Board in relation to the question of whether any potential environmental impacts were so probable of occurring or so significant as to require a positive declaration, and after weighing the above and all other potential impacts arising from or in connection with this project, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's master plan or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts, the Planning Board found that these factors did not cause any

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potential impact to be or be likely to become a moderate or significant impact such that a negative declaration will be issued.

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

1. After consideration of the potential environmental impacts, including those reviewed in accord with 6 NYCRR § 617.7(c), the Planning Board finds that the proposed action of approving the proposed Lansing United Methodist Church addition and site plan, as based upon the site plan as submitted, will individually and cumulatively through amending the existing approved site plan, have no moderate or significant negative environmental consequences or impacts.
2. This declaration is made in accord with Article 8 of the New York State Environmental Conservation Law and SEQRA regulations promulgated thereunder, and accordingly, the Planning Board of the Town of Lansing, based upon: (i) its thorough review of the SEAF, 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 to determine if the proposed action may have any moderate or significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c); and (iii) its completion of the SEAF, including the findings noted therein (if any, and 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 actions, and determines that an Environmental Impact Statement is therefore not required.
3. A Responsible Officer of the Planning Board of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed SEAF and determination of significance shall be incorporated by reference in this Resolution

Dated: August 22, 2016

**VOTE AS FOLLOWS:**

**Gerald Caward, Jr. - Aye**  
**Sandra Dennis Conlon - Aye**  
**Al Fiorille - Aye**  
**Larry Sharpsteen - Aye**  
**Deborah Trumbull - Aye**  
**Richard Prybyl - Aye**  
**Thomas Ellis - Aye**

It was the consensus of the Board Members to add the following conditions to the final Site Plan Approval;

1. Drainage for the northeast corner of the existing Church building (roof gutters)
2. Vegetation-plantings around the parking lot.

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Deborah Trumbull offered the following Resolution. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

## RESOLUTION PB 16-17

### RESOLUTION APPROVING SITE PLAN AND ISSUING FINAL SITE PLAN APPROVAL FOR EXPANSION OF FACILITIES AT LANSING UNITED METHODIST CHURCH - 32 BRICKYARD ROAD

**WHEREAS**, an application was made by Lansing United Methodist Church for site plan approval for the proposed construction for classrooms and fellowship hall addition of 3,000 square feet (SF) addition to an existing 10,742 SF church and office building, located at 32 Brickyard Road Lansing, New York, 14882 also known as TPN 32.-1-18, located in the R2 - Residential Moderate Density Zone and consisting of approximately 4.54± acres, and such proposal more specifically will construct 3,000 SF of classroom space and fellowship hall space, and add 7 parking spaces and storm drainage improvements on an existing site, thereby expanding an existing site whereby 29,983 square feet or 0.688 acres of disturbed area including buildings, parking improvements and site improvements were previously duly approved with conditions; and

**WHEREAS**, the owner completed an updated Stormwater Plan for considering the additional impacts of development on the site and the stormwater system, and the same was reviewed and generally approved by the Town Engineer; and

**WHEREAS**, this proposed action is an Unlisted Action for which the Town of Lansing Planning Board duly issued a Negative Declaration of environmental impacts under SEQRA; and

**WHEREAS**, a General Municipal Law § 239 referral was delivered to, and a review dated August 5, 2016 was received from, the Tompkins County Planning Department, which officially has determined that "the proposal has no negative inter-community, county-wide impacts; and

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**WHEREAS**, the Planning Board has again considered and carefully reviewed the requirements of the LUO relative to site plan review, the unique needs of the Town due to the topography, the soil types and distribution, and other natural and man-made features upon and surrounding the area of the proposed site plan, and the Planning Board has also considered the zoning in the area and the project in light of the Town's Comprehensive Plan and compliance therewith, and the Planning Board has again reviewed and considered the aforementioned amended site plan application and determined that no public hearing is required for this site plan due to its small size, the fact that no new stormwater permanent practices are triggered and no SEQRA or 239 impacts were found, the location is permitted within an R2-Residential Moderate Density Zone, and the fact that it is an addition to an already existing developed site; and

**WHEREAS**, on August 22, 2016 the Planning Board duly considered the proposed site plan in accordance with the provisions of LUO § 701.4 *et seq.*, including concerns addressing site drainage, lighting, nearby residences, landscaping, parking, buffering, screening, driveways, and any potential on and off site environmental impacts, and upon due consideration thereupon and deliberation by the Town of Lansing Planning Board, *now therefore be it*

**RESOLVED** that the Lansing United Methodist Church site plan application for the proposed construction of a 3,000 SF building additions and site area improvements located at 32 Brickyard Road, Lansing, New York, be and hereby is granted and approved, subject to the following conditions:

1. Site plan approvals shall include the application materials as prepared by Holmes, King, Kallquist, Architects site plan drawings as dated July 8, 2016.
2. Verification that the existing stormwater system and features are properly working prior to issuance of any CO or the close-out of any building permit.
3. Building Permits will be required to construct the approved building addition and such plans must meet all code requirements, including the sealing of plans by a licensed engineer or architect, and be constructed in compliance with all building code requirements.
4. All existing or previously required vegetative buffers (including as shown on the updated site plans described above) shall be maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Emphasis shall be placed upon solid cover barriers, such as hedges and offset rows of evergreen

## APPROVED

trees, or densely placed deciduous trees with variable heights and interspersed with evergreens or other plants as provide for such cover. Existing and any new Buffers shall be properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease or other cause, cease to function as buffers shall be replaced in a manner as promotes the goal of such buffer as stated in this site plan approval. This condition shall be deemed to augment and further define prior site plan approval conditions and site plan features hereby or heretofore approved by the Town.

5. Provide for drainage connections for the northeast corner of the existing Church building roof gutters.

6. Provide additional site vegetation landscaping adjacent to the parking area to screen from the Brickyard Road intersection.

August 22, 2016

### VOTE AS FOLLOWS:

Gerald Caward, Jr. - Aye  
Sandra Dennis Conlon - Aye  
Al Fiorille - Aye  
Rick Prybyl - Aye  
Larry Sharpsteen - Aye  
Deborah Trumbull - Aye  
Thomas Ellis - Aye

### **Final Plat Approval for a Major Subdivision known as Novalane. Agent, John Young, East Shore Drive/Reach Run, Tax Parcel # 36.-1-17.40**

Chairman Ellis states earlier today Mike, Dondi, and himself met with John Andersson & Jack to review T.G. Miller's latest concerns. Most issues were taken care of.

Mike Long states he believes there are only a couple outstanding items that needs to be addressed and that is on the south side of the property with respect to the drainage easement and some field work.

# APPROVED

Thomas Ellis advised the Members the road that heads east to the Parent Parcel is a right of way, and will not be paved.

The Town and the Developer will try to get the North/South road started September 1<sup>st</sup>.

The Zoning Board of Appeals approved Mr. Young's request for an Area Variance.

Mike Long states the resident requests for Speed bumps have been referred to the Highway Superintendent as that is his jurisdiction.

Larry Sharpsteen gave his comments with regards to speed bumps. Mr. Sharpsteen states the bumps can be a big issues with snow removal. The curves should help with speed. Speed humps are more realistic for this neighborhood.

A brief discussion occurred with regards to the speed limit. Mr. Long advised the Members that the Highway Department would give their recommendation to the Town Board who sets the speed.

## Public Comments

David Schutz: Felt the speed limit issue is more of a Community issue and should fall upon the Law Enforcement for patrolling.

Mr. Long states on condition # 10 they have added elevations of 610 or less. That should satisfy the County. Also, Mr. Young has deed restrictions with regards to property owners cutting trees.

Gerald Caward offered the following Resolution. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**

## RESOLUTION PB 16-18

# APPROVED

## RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD APPROVING NOVALANE MAJOR SUBDIVISION FINAL PLAT WITH CONDITIONS

**WHEREAS**, an application was made by John Young for approval for the Novalane subdivision, consisting of 8 lots (six for new residential building, stormwater lot and one remaining portion of the parent lot) on certain land located on 1714 East Shore Drive with access to the sites by Smuggler's Path, Lansing, New York and otherwise known as Tax Parcel #36.-1-17.40, consisting of a total of 32.71± acres in the R-1 Residential Low Density Zone; and

**WHEREAS**, the proposed subdivision, as shown on a "Final Plat Novalane Subdivision Lots 1-6, located at 1714 East Shore Drive, Town of Lansing, Tompkins County, New York," dated 8/17/2016, would consist of Lot 1 (3.1 +/- acres), Lot 2 (1.74± acres), Lot 3 (1.63± acres), Lot 4 (1.26± acres), Lot 5 (1.62± acres), Lot 6 (3.51 acres), with the remaining parent parcel and storm water lot to include 18.81± acres; 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**, on April 28, 2014, the Planning Board determined that the proposed subdivision meets the definition and classification requirements of a major subdivision in that there is certain infrastructure required and the subdivision has more than 5 lots, including a proposed road extension for Smuggler's Path; and

**WHEREAS**, the Town of Lansing Board reviewed the preliminary Smuggler's Path extension road at the Town Board Meeting January 21, 2015 and approved Resolution 15-37, issuing a formal preliminary approval of proposed locations and specifications for roadways and infrastructure potentially to be dedicated to the Town of Lansing in and for the Novalane Subdivision, and

## APPROVED

**WHEREAS**, this action has been reviewed under the State Environmental Quality Review Act (“SEQRA”) and a negative declaration was duly issued; and

**WHEREAS**, the Town of Lansing Zoning Board of Appeals (ZBA) approved a minor frontage area variance for Lot #1, such that it is now a conforming lot as a matter of law; and

**WHEREAS**, this action has been reviewed under the General Municipal Law § 239-1 *et seq.* referral requirements, and a formal letter from Edward C. Marx, AICP, Commissioner of Planning for Tompkins County, dated December 11, 2014, as reaffirmed July 25, 2016, was duly received and considered, and County Planning noted that the western edge of the subdivision is located in the UNA # 64 area, being basically a sloped and wooded area, and the developer had hired a specialist Terrestrial Environmental Specialists, Inc. to twice look at the vegetation and the site conditions, and the Developer has provided a report dated November 26, 2013 and impact mitigation plan that the Planning Board determined satisfies the County’s 239 concerns; and

**WHEREAS**, on January 26, 2015, the Planning Board reviewed and considered the aforementioned preliminary plat subdivision application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882, and thereafter a public hearing was duly held upon such preliminary plat and its environmental and potential environmental impacts upon February 9, 2015, and again on August 8, 2016 and all members of the public were invited to attend and all

## APPROVED

comments and evidence were duly considered, and the preliminary plat was considered and reviewed in light of such comments and the public hearing duly closed; and

**WHEREAS**, since the close of such second Public Hearing no material changes in the subdivision plan have occurred requiring any supplemental review under SEQRA or otherwise; and

**WHEREAS**, the Town is adhering to the intent of the recommendations from County Planning, but not strictly to the letter of such determination, and the sensitive area known and identified as “UNA #64 – Lake Cliffs, South of Portland Point” is and will hereby be protected by the conditions as set forth below, but based upon mapping and testing the actual boundary of the steep slopes and the woods contained therein vary from the county’s location or the county’s “no disturbance” line, and the actual line as mapped by Terrestrial Environmental Specialists, Inc., of Phoenix, New York, is the line and location chosen by the Town Planning Board to demark the protected area, and a formal easement is not herein required, such that it is the intent of the Planning Board that this resolution suffices as a response to the GML § 239, this resolution will be adopted by supermajority, and the Planning Board shall cause a copy of this resolution to be delivered to County Planning in fulfillment of the Town’s § 239 obligations; and

**WHEREAS**, the Planning Board has duly considered the proposed subdivision in accordance with the provisions of the Subdivision Regulations of the Town of Lansing including existing

# APPROVED

development in the surrounding area, public facilities and services available, the Town's Comprehensive Plan and Land Use Ordinance, site characteristics and issues, and any potential on and off site environmental impacts; and

**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 grants Preliminary Plat Approval of the Application for a major eight (8) lot residential subdivision of certain land located at 1714 East Shore Drive, Lansing, New York with access from Smugglers Path and otherwise known as Novalane Subdivision (Tax Parcel #36.1-7-17.40), consisting of a total of 32.71± acres, as shown on a "Preliminary Novalane Subdivision Lots 1-7, located at 1714 East Shore Drive, Town of Lansing, Tompkins County, New York," dated 7/15/2015, prepared by John Anderson, P.E. consisting of Lot 1 (3.1± acres), Lot 2 (1.74± acres), Lot 3 (1.63± acres), Lot 4 (1.26± acres), Lot 5 (1.62± acres), Lot 6 (3.51± acres), with the remaining parent parcel and stormwater lot to include 18.81± acres; *subject to the following conditions being fulfilled prior to the issuance of any building permits on any of the subdivided parcels:*

- (1) That a drainage district be formed for such subdivision by the Developer, with the facilities and infrastructure to be designed and built per NYS permit requirements and the Town of Lansing Stormwater Local Law, and once so built and inspected the same shall be dedicated to the Town, acting by and on behalf of said drainage district prior to the issuance of any building permits.
- (2) Development of the subdivision will be limited to the six approved building lots identified on the plat and the storm water lot, and the balance of undeveloped land (the parent parcel remnant) shall not be further subdivided, developed, or improved until such time as a subsequent major subdivision application is approved.
- (3) The developer obtaining the necessary curb-cut/work permits from the Town of Lansing Highway Department for any driveways connecting with Smugglers Path and for any culverts that are to be installed in conjunction with such driveways.
- (4) The construction and dedication of the proposed extension of Smugglers Path through the subdivision of the site, which proposed location may be slightly modified, if and as needed, to ensure a connection to any future extensions to Eastlake Road as proposed in the 2006 Comprehensive Plan, mainly to interconnect the north south routes of the adjacent subdivisions as originally envisioned by this project and the Town's prior and existing Comprehensive Plans, all to facilitate the extension to Eastlake Road PDA as described on the original PDA Eastlake Road survey.

## APPROVED

- (5) No landscape plantings other than lawn shall be permitted within the front yard setback areas along lots 3, 4, 5 and 6 (i.e., within 30 feet of the road right-of-way) so that visibility along the curve of the road is not restricted. This condition shall be stated on the Final Plat and indexed to the affected parcels.
- (6) The extension of Consolidated Water District (“CWD”) infrastructure, including water mains, along such roadways to service each of the 6 building parcels, in a manner as approved by the Town Board and Bolton Point, and including the dedication of such facilities and improvements to the CWD in a manner as approved the Town Board prior to issuance of a building permit.
- (7) The extension of other required utilities by underground connections in areas adjacent to the roadways depicted in the preliminary plat as approved by the Highway Superintendent, unless above-ground facilities are otherwise approved by the Planning Board or the Highway Superintendent in writing.
- (8) Other than approved stormwater facilities and drainage ways, no land disturbances, tree removals (other than pursuant to Town-approved forestry plans), or improvements shall be constructed upon the westerly edge of the subdivision at or below the “no development or disturbance” line marked upon the Final Plat, which location shall be verified and approved by the Chairperson of the Planning Board prior to endorsement or sealing of the Final Plat, and which line shall generally follow the approved 610’ elevation line demarking the steep slopes (15% or greater slopes, and all areas where the slope exceeds 20% shall be in the demarked area), as mapped by Terrestrial Environmental Specialists, Inc., Phoenix, New York. This condition shall also be textually stated upon the Final Plat and indexed to each affected parcel, with the affected areas within each affected parcel clearly hatched or marked accordingly.

August 22, 2016

Motion by: Gerald Caward

Seconded by: Larry Sharpsteen

### VOTE AS FOLLOWS:

**Gerald Caward, Jr. – Aye**  
**Sandra Dennis Conlon - Aye**  
**Al Fiorille – Aye**

# APPROVED

**Larry Sharpsteen – Aye**  
**Deborah Trumbull – Aye**  
**Thomas Ellis – Aye**  
**Richard Prybyl – Abstained**

## **Other Business-Proposed Comprehensive Plan**

It was requested that the Planning Board hold a special working meeting to review the proposed Comprehensive Plan and make any necessary changes/recommendations to the Town Board. The Members agreed to meet on Monday, August 29, 2016 at @ 5:00 PM in the Town Hall-Board Room.

Gerald Caward made a motion to adjourn the Meeting at 8:00 PM. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

**Vote of Panning Board . . . (Aye) Gerald Caward, Member**  
**Vote of Planning Board . . . (Aye) Sandra Dennis Conlon, Alternate**  
**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) Deborah Trumbull, Member**  
**Vote of Planning Board . . . (Aye) Thomas Ellis, Chairman**