

APPROVED

# Town of Lansing

Monday, August 9, 2010 7:15PM

PLANNING BOARD

## PLANNING BOARD MEMBERS

(\*Denotes present)

|   |                                 |   |                        |
|---|---------------------------------|---|------------------------|
| * | Nancy Loncto                    | * | Tom Ellis              |
| * | Larry Sharpsteen                | * | Lin Davidson, Chairman |
|   | Viola Miller                    | * | David Hatfield 7:42PM  |
|   | Richard Prybyl 7:31 PM          |   |                        |
| * | Jeffrey Overstrom, EIT          |   |                        |
| * | Lorraine Moynihan Schmitt, Esq. |   |                        |
| * | Robert Cree, TB Liaison         |   |                        |

## Public Present

Mary Krizek     Dorothy Krizek  
Eileen Stout     Sarah Pike  
R. Krizek     Stephen Cardamone  
Tim Steed     Robert Brown  
Scott Coonrod

## General Business

Lin Davidson called the Planning Board Meeting to order at 7:17 PM. Mr. Davidson inquired if there was anyone from the Public that would like to speak to the Board with issues other than the Agenda items. There were none.

## Other Business: Proposed Local Law-Appointment of Alternate Planning Board Member

Ms. Moynihan Schmitt distributed a Draft of a proposal Local Law with respect to appointment of the Planning Board Alternate Member position on a yearly basis. After reviewing the proposal the Members were in favor of the Chairman sending it on to the Town Supervisor for enactment.

Nancy Loncto made a motion recommending Lin Davidson, Planning Board Chairman forward the Draft of the proposed Local Law for the Alternate Member to the Town Supervisor for enactment as submitted. Larry Sharpsteen seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Aye**

# DRAFT

**MOTION CARRIED.**

**Site Plan Review & SEQR Review, Eileen Stout – Rogues Harbor Brewing Company, 2075 East Shore Drive, Tax Parcel # 37.1-2-1**

Ms. Stout appeared before the Planning Board Members for Site Plan review to establish a Beer Brewing Company in an existing building located next to the Rogues Harbor. Lighting will remain the same, parking will be located in the lot behind the building. Ms. Stout has already placed landscaping planters in the front of the building to detour people from parking in the front. Signage plans have not been finalized yet, but will conform to The Town of Lansing Signage Ordinance. In the beginning, the Brewery will not be open to the Public, beer will be made strictly for the Rogues Harbor Inn.

The Planning Board received the following document via email from the Tompkins County Health Department in regards to the Sewage System;

7/15/10

Hi Eileen -

We have reviewed our files, and do not have information on the sewage system for the former coffee shop next to Rogue's Harbor that would allow us to assess its suitability for the micro-brewery that you are considering. As Steve Maybee noted in an earlier e-mail, this is a change of use which requires a sewage system conversion permit.

Before a permit can be issued, you will need to submit a report prepared by a licensed engineer that evaluates the existing sewage system for use for the micro-brewery. The report should contain a description of the existing sewage system; septic tank size, location, and pumping records; information on the micro-brewery (volume of product produced, customer seating, hours of operation - brewery and customer use, bathrooms, potential expansion, etc.); maximum water use; the volume and characteristics of waste generated; and an evaluation of the ability of the existing sewage system to handle the wastes generated. The engineer should document if the existing sewage system is adequately sized. There is a engineering review fee of \$150 that will need to be submitted with the report. This fee will be applied toward your sewage system application fee when the application is submitted.

Attached is a list of engineers that have worked in Tompkins County.

Please contact Steve Maybee or me if you have additional questions.

Respectfully,

Liz Cameron

(Town of Lansing - please forward this e-mail to Jeff Overstrom. Thanks.)

C. Elizabeth Cameron, P.E.  
Director of Environmental Health

# DRAFT

Tompkins County Health Department

[lcameron@tom-pkins-co.org](mailto:lcameron@tom-pkins-co.org)  
607-274-6688

In addition, a reply from the Tompkins County Planning Department with respect to the 239 was as follows:

  
**Tompkins County**  
**DEPARTMENT OF PLANNING**  
121 East Court Street  
Ithaca, New York 14850

  
Telephone (607) 274-5560  
Fax (607) 274-5578

Edward C. Marx, AICP  
Commissioner of Planning  
and Public Works

July 14, 2010

Ms. Rachel Jacobson, Planning/Zoning/Code Clerk  
Zoning, Planning and Code Enforcement  
Town of Lansing  
Box 186  
Lansing, NY 14882

**Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law**  
**Action: Site Plan Review for Rogue's Harbor Micro-Brewery, Tax Parcel No. 37.1-2-1, Business 1 Zoning District; Eileen Stout, 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 and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have negative inter-community, or county-wide impacts as described below. We recommend modification of the proposal. If the Board does not incorporate these recommendations into its approval, such approval will require a vote of a supermajority (meaning a majority plus one) of all members of the decision-making body.

The Department offers the following recommendation under General Municipal Law §239 -l and -m:

- Parking should not be permitted in front of the proposed project along Route 34. As the building is located along the heavily traveled Cayuga Lake Scenic Byway (Route 34), close to the Route 34B intersection, cars pulling or backing onto the State Highway could cause an unsafe condition. There is more than adequate space for parking behind the building for the proposed use. Instead of parking in front, landscaping should be required which physically precludes parking in this location while also adding a visually appealing element to both the Byway and town center.

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 Public Works

Cc: New York State Department of Transportation

*Inclusion through Diversity* Page 1 of 1

David Hatfield made a motion to waive the SEQR Public Hearing. Larry Sharpsteen seconded.

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## VOTE AS FOLLOWS:

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - 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.

Larry Sharpsteen offered the following Resolution;

### **RESOLUTION No. 2010-43**

#### **RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD ISSUING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE RESPECTING SEQR ENVIRONMENTAL REVIEW OF ROGUE'S HARBOR BREWING COMPANY SITE PLAN**

**WHEREAS**, Eileen Stout, Rogue's Harbor Brewing Company, ("Applicant") has submitted, for consideration and approval from the Lansing Planning Board, a Site Plan application for operation of a small scale micro-brewery business in a 1,100 sq. ft. existing one story building located at 2017 East Shore Drive, Lansing New York, adjacent to the Rogue's Harbor Inn, and located on a 0.54+/- acre parcel otherwise known as Tax Map # 37.1-2-1 within the B-1 Zoning District in the Town of Lansing; and

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

**WHEREAS**, the Town of Lansing Planning Board has responsibility for approving or carrying out the action pursuant to State Law governing local environmental review; and

**WHEREAS**, the requisite General Municipal Law 239 Referrals of Article 12-8 and any interested and/or involved agency referrals have been duly effected by the by the Town of Lansing Planning Department, and those agencies have been given the opportunity to comment and any responses have been duly reviewed and considered by the Planning Board; and

**WHEREAS**, on August 9, 2010, the Planning Board determined to waive a public hearing on the SEQR review; and

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**WHEREAS**, on August 9, 2010, the Town of Lansing Planning Board conducted the environmental review, pursuant to the State Environmental Quality Review Act (“SEQR”), of the proposed Rogue’s Harbor Brewing Company site plan application at Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act (“SEQR”), and in the course of said review: (i) pursued its thorough review of the applicant’s completed Short 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 and completed the EAF, Part II on the record and, if necessary, Part III;

**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 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, *with the condition that sewer capacity for the proposed use and systems shall be approved by the Tompkins County Health Department and a sewer system conversion permit issued by said agency* and the Town of Lansing Planning Department determines that an Environmental Impact Statement will not be required, and it is

**FURTHER RESOLVED** that the Planning Board Clerk deliver and/or file a copy of this Resolution with the following persons and agencies:

1. The Town Clerk of the Town of Lansing;
2. The Town Supervisor of the Town of Lansing;
3. All Involved and Interested Agencies;
4. Any person requesting a copy;

and further, that this Resolution be posted and published in accord with law, including delivery of a copy of this Resolution to the Environmental Notice Bulletin, 625 Broadway, Room 538, Albany, New York 12233-1750 in accord with 6 NYCRR 617.12.

Dated: August 9, 2010

David Hatfield seconded.

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VOTE AS FOLLOWS:

Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye

MOTION CARRIED.

Thomas Ellis made a motion requesting that due to the existing lack of Public input, the Public Hearing on the Application be waived. The impact on traffic, lighting and drainage is going to be non existent. David Hatfield seconded.

VOTE AS FOLLOWS:

Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye

MOTION CARRIED.

Thomas Ellis offered the following Resolution;

## **RESOLUTION No. 2010-45**

### **RESOLUTION OF THE LANSING PLANNING BOARD APPROVING WITH CONDITIONS ROGUE'S HARBOR MICRO-BREWERY SITE PLAN**

**WHEREAS**, Eileen Stout, Rogue's Harbor Brewing Company, ("Applicant") has submitted, for consideration and approval from the Lansing Planning Board, a Site Plan for operation of a small scale micro-brewery business in a 1,100 sq. ft. existing one story building located at 2017 East Shore Drive, Lansing New York, adjacent to the Rogue's Harbor Inn, and located on a 0.54+/- acre parcel otherwise known as Tax Map Parcel # 37.1-2-1 within the B-1 Zoning District in the Town of Lansing; and

**WHEREAS**, this action is classified as an Unlisted Action, pursuant to 6 NYCRR Part 617 *et seq.* of the State Environmental Quality Review Act, which requires environmental review of the impacts of the project; and

**WHEREAS**, the Interested and Involved Agencies were duly notified of the project, and invited to comment thereon; and the requisite General Municipal Law 239 Referral(s) of GML Article 12-B were duly effected by Town of Lansing Planning Department and any

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comments received from the Tompkins County Planning Department and any Involved/Interested Agencies were duly reviewed and considered by the Planning Board; and

**WHEREAS**, the Tompkins County Planning Department General Municipal Law 239 Referral Response, by correspondence dated July 14, 2010, formally recommended the following modification to the site plan pursuant to GML § 239 –l am –m:

“Parking should not be permitted in front of the proposed project along Route 34. As the building is located along the heavily traveled Cayuga Lake Scenic Byway (Route 34), close to the Route 34B intersection, cars pulling or backing onto the State Highway could cause an unsafe condition. There is more than adequate space for parking behind the building for the proposed use. Instead of parking in front, landscaping should be required which physically precludes parking in this location while also assign a visually appealing element to both the Byway and town center.”

and such formal recommendation requiring a super majority vote of the Planning Board if not incorporated into the approval, and

**WHEREAS**, the Planning Board, on August 9, 2010, determined that the aforementioned parking and landscaping recommendations were appropriate; and

**WHEREAS**, on August 9, 2010, the Planning Board, acting on a uncoordinated environmental review, reviewed and accepted, as adequate, a short form Environmental Assessment Form (“EAF”) Part I, submitted by the Applicant; and the Lansing Planning Board completed Part II on the record (and, if applicable, Part III of the LEAF); and

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**WHEREAS**, by motion adopted August 9, 2010, the Town of Lansing Planning Board determined, pursuant to the provisions of the State Environmental Quality Review Act, that the proposed site plan will result in no significant impact on the environment and issued a **Negative Declaration** of environmental significance for purposes of Article 8 of the Environmental Conservation Law *with the condition that sewer capacity for the proposed use and systems shall be approved by the Tompkins County Health Department and a sewer system conversion permit issued by said agency*; and

**WHEREAS**, on August 9, 2010 Planning Board duly considered and carefully reviewed the Site Plan in compliance with the requirements of the Town's Laws relative to site plan review and respecting the proposed project in conjunction with the unique needs of the Town, due to topography, drainage, soil types and distributions and other natural and man made features upon and surrounding the area of the proposed Site Plan; and the Planning Board duly considered the design objectives of the Applicant and the quality and distinctiveness of the project proposal, in conjunction with the standards of review set forth at Section 701.4 *et seq.* of the Town of Lansing Land Use Ordinance, including, but not limited to, storm-water drainage plan, erosion controls, parking, water and sewer facilities, driveways, site lighting, on site and off-site impacts, landscaping and/or fencing, buffering and/or screening, roads and walkways, height limitations and compliance with other agency regulations and/or state, county and local laws and ordinances; and the Planning Board has also considered the requirements of the Town's Land Use Ordinance and Comprehensive Plan, and has determined compliance therewith in conjunction with said Site Plan Application and Review; 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 grant Final Site Plan Approval to the Applicant for operation of the a small scale micro-brewery business in a 1,100 sq. ft. existing one story building located at 2017 East Shore Drive, Lansing New York, adjacent to the Rogue's Harbor Inn, and located on a 0.54+/- acre parcel otherwise known as Tax Map # 37.1-2-1 within the B-1 Zoning District in the Town of Lansing, *subject to the following conditions:*

1. Sewer capacity for the proposed use and systems shall be approved by the Tompkins County Health Department and a sewer system conversion permit issued by said agency; and
2. Parking shall be designated behind the building, and no parking shall be permitted in front of the building adjacent to State Route 34.

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3. Landscaping shall be planted in front of the building in a fashion that serves to physically preclude parking along State Route 34 in front of the building site.

August 9, 2010

David Hatfield seconded.

## VOTE AS FOLLOWS:

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Aye**

## MOTION CARRIED.

### **Review & Discussion of Modified Sketch Plan for Warren Road Planned Development Area, Applicant: Cardamone Home Builders, Warren/Hillcrest Road, Tax Parcel # 41.-2-5**

Mr. Tim Steed, P.E. for Mr. Cardamone appeared before the Planning Board with a Modified Sketch Plan showing the topography and Wetland delineations as well as their Narrative of a Planned Development Area as follows;  
June 17, 2010

Town of Lansing Planning  
Board      ATTN:      Jeff  
Overstrom, EIT  
29 Auburn Road  
Lansing, NY 14882

**Re:**      *Planned Development Area Narrative*  
          **Warren Road Subdivision**  
          **Cardamone Home Builders, Inc.**  
          **HUNT job #2108-023**

Ladies and Gentlemen of the Planning Board:

As requested by the Planning Board, the following narrative has been prepared in order to comply with the Town Zoning Code section 706.3.5. This narrative incorporates comments from the Planning Board and the public, which were made at the meeting on April 26, 2010. Since the presentation of the concept plan at that meeting, updated site survey information regarding the general location of wet areas and site topography has become available; therefore, the concept plan has been adjusted accordingly. Furthermore, the project has been divided into two phases, with the first phase consisting primarily of the proposed townhouses and the second future phase containing single family dwellings. A revised concept plan, dated June 17, 2010, is enclosed for the use of the Planning Board in reviewing this application for a planned development area.

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## Character and Purpose of Proposed Planned Development Area (PDA)

The enclosed revised conceptual plan shows the development of a 60.4 acre parcel (gross acreage) into forty-eight (48) townhouse units and twenty-six (26) single family lots in two (2) phases for an average density of approximately 35,500 square feet per dwelling unit.

The proposed townhomes will be approximately 2,400 square feet, with three (3) bedrooms per unit, and high-end quality construction, similar to those constructed in the Village of Lansing by this developer. These townhomes will be in a gated community with private roads, a private stormwater pond, and private open space to be maintained by a Home Owners Association. Public water and sewer utilities will be dedicated to the Town and are proposed to be contained within the fifty (50) foot easement that is provided for the private road. Though general access to the gated community will be restricted to residents, twenty-four (24) hour access will be provided for Town and emergency personnel for maintenance of utilities, inspection of stormwater structures, and emergency conditions as required by the fire and police departments.

As shown by the "Typical Private Road Section" on the enclosed concept plan, a pavement width of twenty-three feet with concrete curb and gutter is proposed for the private road. The maximum proposed block length is 1,800 feet. The "Typical Townhouse Layout" detail and "Zoning Bulk Density Requirements" table show the proposed bulk zoning requirements for each lot, which are as follows:

Minimum Lot Width per Unit: 55 feet  
Minimum Front Yard: 20 feet  
Minimum Side Yard: 10 feet (excluding eaves, overhangs and covered porches)

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Minimum Rear Yard: 30 feet (excluding patios and decks)  
Minimum Building Separation: 45 feet (excluding eaves, overhangs and covered porches)  
Minimum Lot Area: 6,600 square feet

The proposed single-family homes will be approximately 3,400 square feet in living space, with an average of four (4) bedrooms per unit, and luxury in nature. The single-family homes will be serviced by public roads and utilities that will be dedicated to the Town. Up to three (3) stormwater facilities are proposed in order to meet Town and New York State water quality and water quantity requirements.

As shown by the "Typical Public Road Section" on the enclosed concept plan, travel lane widths of either ten (10) or twelve (12) feet are proposed with varying widths of paved shoulders. Along Roads A and B, a six (6) foot shoulder will be provided on a side of the road in order to provide pedestrians and cyclists a safer passageway through the site. The "Typical Single-Family Lot" detail and "Zoning Bulk Density Requirements" table show the proposed bulk zoning requirements for each lot, which are as follows:

Minimum Lot Width per Unit: 75 feet  
Minimum Front Yard: 30 feet  
Minimum Side Yard: 10 feet  
Minimum Rear Yard: 30 feet  
Minimum Lot Area: 32,670 square feet

## Variety of Housing Types

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An objective of the PDA process is to provide maximum choice in types of housing at all economic levels. This proposed PDA will create forty-eight (48) high-end townhouse units in a gated community; currently, no similar housing types exist within the Town of Lansing. The demand for this type of housing is increasing as established career professionals are looking for smaller dwelling units that require less maintenance but do not sacrifice quality in design and construction. Other townhome units are available within the Town, but these are primarily for rent and do not meet the needs of those in higher economic levels. Furthermore, since it will be a gated community with a homeowner's association, this townhouse development will provide a close-knit community that many are seeking.

## **Increased Usable Open Space and Recreation Areas**

The proposed PDA will establish more usable open space within the proposed development. Due to the cluster design of the townhouse phase of the project and the purposeful layout of the single-family home phase, nearly twenty-three (23) acres of deed-restricted open space will be provided on the site. This is more than 37% of the total project site area. The majority of this open space is highly accessible to the community as it is located along the proposed public and private roads. Approximately 2.3 acres of open space is proposed within the inner loop of the townhouse section of the project; this area will be developed as a water feature with highly attractive views from the adjacent dwellings. In addition, a seven (7) acre parcel located in the northeast corner of the site will be preserved as wooded open space, and a soft surface walking path will be provided within the wooded parcel for use by the gated community.

## **Environmental Preservation**

The conceptual layout of the proposed development, especially the location of the proposed stormwater facilities, was designed in order to protect environmentally sensitive areas, minimize grading and tree disturbance, and to maintain established drainage areas. Of particular note is the aforementioned wooded open space parcel that will be created in order to preserve over seven (7) acres of existing woods. Recently, the layout of the townhomes and single-family lots has been revised in order to minimize disturbance to approximate wet areas. Any wetland

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disturbance for the construction of road crossings proposed in Phase 2 of the development will be coordinated with the Army Corps of Engineers. If necessary, wetland mitigation will be provided as required by the Corps as a part of Phase 2, though some of the wetlands mitigation may be provided within the Phase 1 area

During construction, the developer will pay special attention to the preservation of existing woods wherever possible. The single-family dwelling lots will not be clear cut, but instead, each home will be "fit" into the woods on that lot to the greatest extent possible. Natural drainageways and drainage patterns will also be maintained in the site development. The stormwater facilities have been located as close to the natural discharge points as possible, which will maintain existing drainage patterns and is the optimum location for sedimentation basins to control soil erosion during the construction of the development.

## Efficient Use of Land

The proposed land use efficiency is demonstrated in four areas:

1. Location within the Town of Lansing

**The** project site is approximately one-mile from the southern boundary of the Town of Lansing and less than a ten (10) minute drive from the City of Ithaca. As stated within the Town's comprehensive plan, "land use in the southern part of the Town will continue to change from rural/agriculture to suburban residential development." Given its location near the southern boundary of the Town, this project is within this transition zone and is consistent with a suburban neighborhood.

2. Availability of Public Sewer and Water

The project site lies within the newly formed Warren Road Sewer District, and as part of the extension of sewer to this area, a manhole is being provided at the southeast corner of the parcel explicitly for the connection of this property. In addition, a section of the property is currently with the Water District, and a request has been made to expand the District to include the entire parcel. Minimal improvements are needed to extend these public utilities to the project site. If desired by the Town, it is possible that a connection between the watermain in Hillcrest Road and the watermain in Warren Road could be provided in the construction of the site, increasing the connectivity of the utilities in the area.

3. Accessibility of Transportation

The project site fronts on Warren Road, an Urban Collector, which provides a high level of near immediate access to the major highways of the area. Based on a cursory assessment of available traffic information, minimal or no improvements will need to be made to the surrounding road network in order to accommodate the proposed development. The proposed PDA also proposes a connection to Hillcrest Road and a future stub road to the parcel to the south. This will promote interconnectivity of the road networks and is consistent with the future road connections shown on Map 5 of the Comprehensive Plan. Furthermore, a public bus route runs along Warren Road with a bus stop one (1) block north of the proposed entrance onto Warren Road.

## Increase of Tax Base

As discussed in the Planning Board meeting on April 26<sup>th</sup>, the proposed development will significantly increase the tax base of the Town without significantly increasing the school district enrollment. Based on anecdotal evidence, the households of those who

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purchased similar townhouse units in the Village of Lansing contain no or few school age children.

## **Complimentary to the Character of the Existing Community**

The neighborhood in the vicinity of the proposed development consists of single-family lots (lot sizes between 20,000 square feet and 60,000 square feet) to the north and west and multi-family dwelling developments of Village Circle and Springbrook Circle on the east side of Warren Road opposite of the project site. The proposed land use of townhomes and single-family homes is consistent with these surrounding residential developments. In addition, landscaping and proposed site improvements will be in keeping with the high end nature of the proposed dwelling units, so the proposed residential development will be attractive to residents and neighbors alike.

## **Consistency with the Comprehensive Plan**

The proposed PDA is significantly consistent with the goals and objectives stated within the Comprehensive Plan prepared by the Town of Lansing in 2006. In promoting growth and development the Comprehensive Plan seeks:

1. *To strike a balance between expanding the tax base through new growth and the need to conserve the environmental qualities of the Lansing community.*

The proposed PDA has been designed to provide for an expansion of the tax base of the community while going to great lengths to protect important environmental portions of the site. Given the luxury nature of the units and the minimal impact on school district enrollment, it is anticipated that the construction of this residential development will result in a significant increase in the tax revenue to the Town. Environmental protection and preservation techniques such as cluster development, providing conservation areas, and maintaining natural hydrology and drainageways have been employed in the design of the concept layout of the site. This has resulted in the creation of over 23 acres of deed restricted open space for the use of the residents and the preservation of the important environmental areas

2. *That new development be consistent with existing and future uses.*

As discussed in sections above, the proposed land uses of townhomes and single-family homes is consistent with the surrounding residential neighborhoods. The proposed development is also in the southern portion of the Town, where future higher density development is anticipated as stated within the Comprehensive Plan.

3. *To support more intensive development and mixed land uses in those areas where water and sewer services may be provided.*

The proposed PDA is within both the public water and public sewer districts with access to the public utilities at the property boundaries. The density of this project is a directly related to the newly available sanitary sewer service provided at the southeast corner of the site.

*To modify current regulations concerning land use. when this is necessary to achieve the goals of the Comprehensive Plan.*

Based on the ability of the development to meet the objectives of the Comprehensive Plan, the applicant is requesting the establishment of a Planned Development Area in order to modify the current zoning regulations. The current R-1 zoning does not provide for efficient use of a residential property with public utilities and a high level of access to major roadways.

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In addition to meeting the growth and development objectives of the Comprehensive Plan, the proposed PDA fulfills the housing goals of the Plan by increasing within the Town the availability of housing types and environments that satisfies the needs of those in higher economic levels. This development will minimize disruption of natural features, retain significant open space, and utilize the traffic-carrying capacity of major roads. The site also provides for a connection through the property between Hillcrest Road and Warren Road and a future road to the adjacent property to the south in accordance with the future road layout on Map 5 of the Comprehensive Plan thereby increasing the interconnection of local roads.

## Financing and Schedule

The proposed project will be privately financed by Cardamone Home Builders. It is anticipated that Phase 1 of the project will be started by the fall of this year and Phase 2 will begin when the appropriate Army Corps wetland permits are granted, likely within the next two (2) years. Full build-out of the site should be completed within 7 to 10 years.

Based on the information provided above, this proposal for a Planned Development Area meets the objectives stated in Section 706.2 of the Town Zoning Code and is consistent with the Town of Lansing Comprehensive Plan.

If the Town has any questions or requires additional information for a complete review of the proposed project, please do not hesitate to contact me at 607-358-1041.

Sincerely,

HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, PC

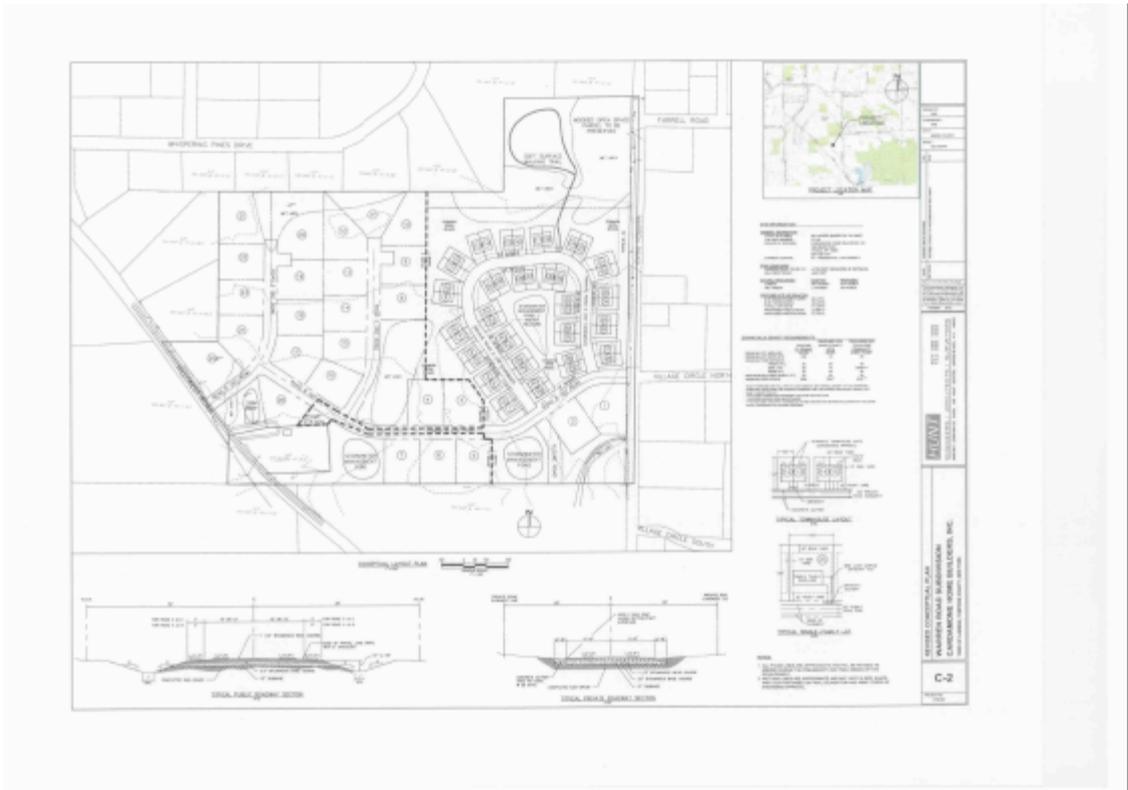


Ben Gustafson, P )

enclosures

cc: Lorraine Moynihan Schmitt, Esq., Thaler & Thaler, 309 North Tioga Street, Ithaca, NY 14851  
Steve Cardamone, Cardamone Home Builders, Inc.  
Tim Steed, PE, HUNT  
Dan Bower, PLS, HUNT

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The following changes were made:

1. Topography obtained
2. Wetland delineations completed
3. Configuration of the site plan layout due to Wetlands
4. Paper Road added in the S.E. corner (not the Developer's intent to develop that road)
5. Walking Trail added in the N.E. area
6. Private Road easement increased to 50'
7. Configuration of cul-de-sac changes (now a hammer head)
8. Project phased (Town Houses two (2) phases, larger homes two (2) phases)

Lin Davidson indicated that the Planning Board previously requested that the private road have a 60' right of way in addition to the proposed Town Road.

Nancy Loncto brought to the Boards attention that Home Owner Associations can and do dissolve, therefore, it would be in the Town's best interest to have that 60' right of way.

Nancy Loncto requested to hear from Jack French has to say about the density and safety issues with this proposal.

Larry Sharpsteen stated the Planning Board must deal with the regulation now, which is 60'.

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Nancy Loncto indicated that the Board had previously discussed putting sidewalks in the proposal and she did not see them added to the new proposal.

Thomas Ellis previously suggested putting in a bus pull off on the west side of Warren Road and he does not see where they have considered that. With more than a hundred plus people, they should not have to cross a major highway.

Lorraine Moynihan Schmitt, Legal Counsel for the Planning Board advised Mr. Steed that The Town Board must be Lead Agency for SEQR. Ms. Moynihan Schmitt further expressed to Mr. Steed that now that the Planning Board has received the PDA'S Narrative, the Planning Board can now set conditions at this Meeting. The Intent to Comply Letter must come next. There is a Public comment period and the Applicant must notify all residents within 600' of the property of the pending Application, along with the conditions and their statement of Intent to Comply. Site Plan will then be undertaken by the Planning Board, who will recommend to approve/disapprove to the Town Board.

The Stormwater Plan is in the process of being worked on. Delays are due to the topography layout of the proposal.

Lin Davidson inquired if there would be walking trails in the single family homes phase or would they be allowed to use the town house trail.

Tim Steed indicated there will be no walking trails in the single family home proposal. A determination has not been made to whether or not they can use the townhouse trail.

Ms. Moynihan Schmitt requested that Mr. Steed prepare a SWPPP prior to the Public Hearing in order for the Planning Board and David Herrick, P.E. to so their Site Plan Review.

Ms. Moynihan Schmitt also requested in writing a statement from Jack French with regards to the road infrastructure.

Larry Sharpsteen is concerned with the grading on the single family homes, he wants to make sure it does not interfere with the drainage of the 100 year level plan.

Mr. Steed indicated their intent is to capture the run off from those areas and bring to the Stormwater feature.

Nancy Loncto feels there could be legal problems down the road with the single family homes not being able to utilize the green space.

David Hatfield stated there is no difference than buying a single family home in this area, if you want recreation then you must visit a public park.

## DRAFT

Larry Sharpsteen indicated people buying into this gated community, buy for privacy.

Lorraine Moynihan Schmitt indicated part of the rationale in the PDA narrative talks about open space. If the common middle could be utilized by all, that would satisfy the rationale.

Thomas Ellis made a motion to approve Ms. Moynihan Schmitt's written conditions as suggested by the Planning Board Members and attach them to the Intent to Comply Letter from Hunt's Engineering.

Written conditions as follows;

### Planning Board Conditions and Specifications:

1. Phase III and IV single family home construction approval shall be contingent upon the ACOE approval and issuance of wetland permits and any wetland mitigation required by the ACOE;
2. Approval of all phases of the PDA project are contingent upon review and approval of the Applicant's storm water and erosion control plan / SWPPP application;
3. Approval of all phases of the PDA are contingent upon review and approval of the Road Infrastructure layout by the Town of Lansing Highway Superintendent;
4. The Applicant shall identify which parcels in Phase III and Phase IV (single family home construction) shall require soil fill elevation;
5. The Town's Right of Way/Easement Road Width for the proposed Private Road in the Townhouse phased construction shall be 60 feet unless a waiver for 50 foot easement is granted by the Town Board;
6. The Applicant shall make provision of a TCAT bus stop on Warren Road, east of the Townhouse construction;
7. The Applicant shall make provision for a 6 foot shoulder/pathway either north or south of Public Road B, located on the southern portion of the PDA sketch plan;
8. The Applicant shall provide an estimated time frame proposal for each phase of the construction;
9. Phase III and Phase IV must remain single family home construction and cannot be amended to permit additional multifamily dwellings in the PDA;
10. All phases of the PDA approval are contingent upon Town Board approval of the applicant's application for extension of the Water District to encompass the entire PDA project.

Nancy Loncto seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye**

## **DRAFT**

**David Hatfield - Aye**  
**Nancy Loncto - Aye**  
**Larry Sharpsteen - Abstained**  
**Lin Davidson - Aye**

**MOTION CARRIED.**

### **Approval/Denial of the July 12, 2010 Minutes**

Thomas Ellis requested that on page 1 under Lucente, the last paragraph should indicate the four lower units can be handicap convertible. Also on page 8, third paragraph should read; signed by the Applicant.

David Hatfield made a motion to approve as amended. Thomas Ellis seconded.  
**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - Abstained**  
**Larry Sharpsteen - Abstained**  
**Lin Davidson - Aye**

**MOTION DENIED.**

The Planning Board Members requested that corrections be made and the amended Minutes be placed on the next Planning Board Agenda for approval.

David Hatfield made a motion to adjourn the Meeting. Nancy Loncto seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - Aye**  
**Larry Sharpsteen - Aye**  
**Lin Davidson - Aye**

**MOTION CARRIED.**