

APPROVED

# Town of Lansing

Monday, April 26, 2010 7:15PM

PLANNING BOARD

## 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

Kathy Miller	Larry Updike	Sue Updike
Richard Krizek	Maureen Cowen	Dale Baker
Paul Costantini	Stephen Cardamone	Allison Graffin
Carl Snyder	Tony Sanito	James Larounis
Dorothy Krizek	Larry Zuidema	Mary Adie
Mary Krizek	Ed Collins	Mary Lou Garrity
Doug Firth	Carl Synder	Richard Adie
S. Ryan Sun	Ben Gustafson	

## 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.

## Preliminary Proposal/Feasibility Conference-Planned Development Area, Cardamone Home Builders, Inc. Hillcrest/Warren Road, Tax Parcel # 41.-2-5

Ben Gustafson, P.E. for the Cardamone Home Builders appeared before the Board with a proposed PDA. The following is a description of the proposal;

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Town of Lansing  
Planning Board  
29 Auburn Road  
Lansing, NY 14882

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

Ladies and Gentlemen of the Planning Board:

On behalf of Cardamone Home Builders, Inc., Hunt Engineers, Architects & Land Surveyors, PC, is pleased to submit this application for a residential development in the Town of Lansing. Enclosed please find the following in support of this application:

- Completed application.
- Four (4) full-size and eight (8) half-size sets of the plan titled, "Conceptual Plan – Warren Road Subdivision (Sheets 1 and 2 of 2)," dated March 12, 2010.
- Completed Full SEQR form.

The enclosed conceptual plan shows the development of a 60.4 acre parcel into thirty-two (32) single family lots and forty-four (44) townhouse units. Though the parcel is currently within the R-1 Low Density Residential zone, the applicant requests consideration of the development under the Planned Development Area section of the Town of Lansing Zoning Code. The higher density of the proposed development is in keeping with the character of the surrounding area that includes single-family lots (lot sizes between 20,000 square feet and 60,000 square feet) and the multi-family dwelling developments of Village Circle and Springbrook Circle on the east side of Warren Road opposite of the project site. Furthermore, the development will meet the need for luxury townhouse units in the Lansing area as evidenced by the overwhelming response to the recent "Hamlet" townhouse subdivision in the Village of Lansing. This demand is primarily driven by established career professionals seeking to own high-quality low-maintenance dwelling units.

The project site is located approximately 2,000 feet north of the intersection of Hillcrest Road and Warren Road with frontage on both roads. The site is generally wooded with an existing barn and associated driveway in the southwest corner of the property. The conceptual plan proposes a mixed-density upscale residential subdivision with three-quarter (3/4) acre single-family lots and a 16.5 acre private townhome community. The roads providing access to the single-family section of the development (Road A, B, & C) will be public roads with access to both Hillcrest Road and Warren Road; the loop road (Road D) in the townhome community is proposed as a private road with gated access. A 7.4 acre parcel at the northwestern corner of the site is to be preserved as deed-restricted wooded open space maintained by the townhome community.

Currently, three (3) stormwater management ponds are proposed for the site. The pond proposed within the townhome community will be privately maintained; the remaining two (2) ponds are proposed to be dedicated to the Town for maintenance. Stormwater Management structures and storm sewer will be designed to meet New York State and Town of Lansing

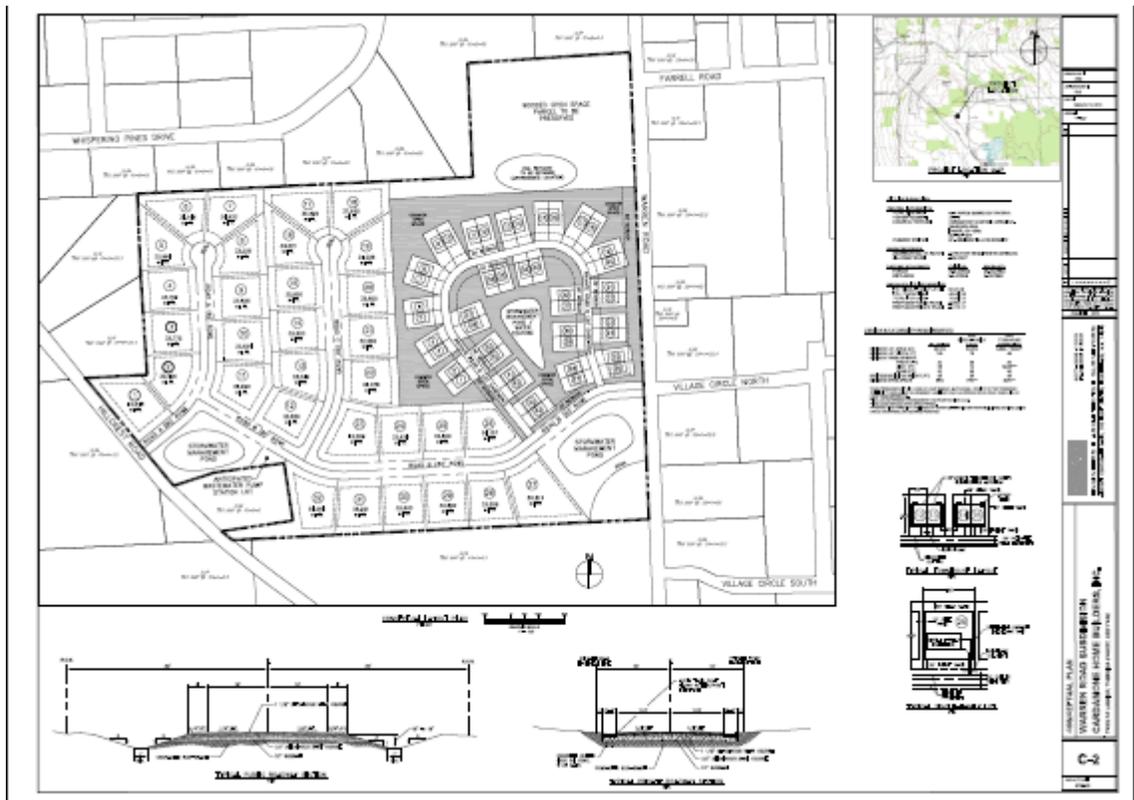
# APPROVED

standards. Public water and sanitary utilities are proposed for the entire development. Presently, approximately twelve (12) acres of the parcel is within the existing Town Water District, and a request for extension of the district to the entire parcel has been submitted. The project site lies within the newly created Sanitary Sewer District, and T.G. Miller has indicated a manhole will be provided at the southeast corner of the site for connection of this project. Due to the site topography, a pump station and forcemain will be required for the development as indicated on the conceptual plans. The developer will install street lighting throughout the development.

The applicant expects to construct the development in three phases with construction starting September of 2010 pending the necessary approvals and permits. Full build-out of the project is anticipated to be completed by September of 2015. A phasing plan and phased construction sequence will be provided as part of the final development plan submission.

In conclusion, the proposed development is consistent with the objectives of the Planned Development Area, which are to be consistent with the character of the surrounding area, preserve a substantial section of wooded open space, and increase the variety of housing types within the Town. Furthermore, the higher density of the development is supported by the availability of public water and sewer services.

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.



## Member/Public Comments/Concerns:

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Ben Gustafson stated his firm has done a preliminary traffic analysis and determined that approximately 4,700 trips are made per day before the construction. The amount of traffic as the results of this proposal would generate approximately 340 more trips. A detailed Traffic Study will be performed at a later date.

Larry Sharpsteen advised Mr. Gustafson that if a Traffic Study is performed prior to the end of July 2010, the data will be flawed due to Warren Road being closed north of Farrell Road.

Krizek: Concerned with additional water flow on to their property, who will be responsible for paying for the street lights in the development, how will construction noise be controlled, and will clear cutting of the trees be performed. They presented the following concerns;

Town of Lansing

Richard, Mary, Dorothy Krizek, Helen Dormady  
80 Hillcrest road  
Ithaca, NY

Concerns on Development on Warren Road Subdivision by Cardamone Home Builders, Inc.

- 1) This high density development will have a dramatic environmental impact on the area. Has there been an Environmental study done on this development? This development is currently within an R-1 low density residential area and the proposed development is not keeping with the surrounding area. The adjacent property is farm land.
- 2) Will this development clear-cut all the trees?
- 3) Storm water ponds – Is it normal practice for the town to be responsible for the maintenance of this type of ponds? Thus the town, and the Lansing tax payers, will have to take legal responsibility of any problems relating to the ponds, i.e. Maintenance, Children safety, overflow, mosquito problems? Is there going to be standing water in the ponds, (the depth of soil is limited)? The locations of the ponds are not located with the natural flow of water. If Cardamone Home Builders is going to maintain the 7.4 acres of open space they could also maintain the storm water management ponds, thus eliminating the town from any legal or other problems in the future.
- 4) Cardamone Home Builders stated that they will install street lighting in the development. Who will be paying for the electricity? Who will be paying for the maintenance of them?
- 5) How is noise going to be controlled during development? Construction should be restricted to control noise during evenings and nights.
- 6) It would be more logical to eliminate the two dead end streets. The two dead end streets can very easily be connected.

Mr. Gustafson explained that Hunt Engineers will design a plan to control the water on the property. They will follow strict guidelines set by the Town and the State with respect to Stormwater Laws. Mr. Overstrom explained that a Lighting District will be formed and all residents within that district will be responsible for paying their portion for the lights. As for the construction noise, hours of operation will be most likely be the same as normal hours of business for the Town Code Office.

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Larry Zuidema: States he is very familiar with the property and there is standing water all over the property which is almost perfectly level.

Ben Gustafson states they will begin by reviewing a topography survey that will tell the Engineers working on the project where the standing water is and then determine where the existing water goes. A Wetlands Consultant will also visit the site next week.

Ed Collins: Concerned with the pooling of water and trees dying.

Ben Gustafson indicated a part of their detailed design will be a grading plan.

Larry Updike: Has had water problems for 26 years and believes that the excess water on the proposed site will need to be pumped up and out.

Paul Costantini: Agrees with Mr. Updike, from the low spot on the property most of the water goes under the road to the field across the road, except when it is a bad rainy season and then it goes over the road.

Jeff Overstrom states the Town of Lansing Stormwater Law and the State DEC Laws require any design to take into account the 1, 10 & 100 year storm. Any structure or ponds must have out fall structures that control the runoff to discharge to control those storm levels at or below current water runoff from the site.

Ben Gustafson states when they do the granting design they will make sure that they are not negatively impacting the property.

Mary Adie: Concerned with additional Stormwater drainage. Her backyard is under water 6 months out of the year. In addition, trees have been lost due to the excessive water.

Larry Sharpsteen advised all Public present to ride through the Bolton Point Estate Subdivision or the new Medical Offices at Brentwood and Arrowood and view the three Stormwater practices.

Thomas Ellis inquired if there are plans to bring in fill. Also will any individual lots have rain gardens?

Ben Gustafson states they are anticipating trying to balance the site. There are no plans to bring in our take out fill. Only community Stormwater management areas are proposed.

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Doug Firth questioned if drainage ditches could be installed in the open space areas.

Ben Gustafson indicated the areas of dark green are intended to remain green and undisturbed.

A gentleman was concerned that the Developer could put piping some place other than what is proposed which then would go into the town ditches. Also he suggested that the residents in the Whispering Pines Development that are having problems now that something be done and to work with the Town.

Jeff Overstrom advised the public that the Town would own the Stormwater practices and the owners within the Development would be responsible for paying maintenance. The Town would be well aware of how the facility is working.

Paul Costantini: Inquired who would own the green space after the development is complete, also, is there a plan to prevent further development of the green area. Paul Costantini inquired if the Town would be willing to take on the ownership of the green space.

Larry Sharpsteen and David Hatfield would recommend to the Town not to take possession of the property.

Ben Gustafson states the Stormwater Ponds will be dedicated to the Town. The green area would be deed restricted with a Conservation Easement to include no further development and to remain as wooded open space.

Maureen Cowan inquired if the proposed PDA includes trails, and wondered if they would consider some.

Ben Gustafson stated they have none proposed at this time.

Doug Firth states he thinks the purpose of the PDA is to provide more useable space for recreation, but it is not usable.

Lin Davidson stated the Town is interested in the trails. This will be on Mr. Davidson's list to discuss at a later date.

Jeff Overstrom states the Warren Road Sewer is going out to bid as it has not been constructed yet. This particular property was included in the initial service area. The trunk line will be brought up Warren Road to the southeast corner of this property. A lift station will be provided at the lowest end of the property so they can service the whole area by gravity and size the duplex lift station with

## APPROVED

emergency back up power that would pump up to the gravity section of the Warren Road district.

Ben Gustafson indicated a lighting plan has not been completed as of yet, however, they will be lighting the roads and immediate areas of the Townhouses. They will be using night sky lighting which would not shine out of the area.

Thomas Ellis stated he did not feel this Subdivision would need lighting as it is a waste of energy.

Maureen Cowan disagrees with Mr. Ellis. Ms. Cowan states lighting is important for safety reasons.

Tony Sanito agrees that lighting is necessary. Not only for safety reasons, but it will cut down on crime happening.

Paul Costantini agrees that lights are necessary.

Jeff Overstrom explained that a lighting district will be formed and those living within the proposal would be responsible as well as the Developer for those charges.

Larry Updike questioned what the price range would be for the units.

Ben Gustafson indicated around \$400,000.

Larry Sharpsteen advised the Public that the PB has received a reply from The Tompkins County Planning Department with respect to the 239 submittal and they have formally requested that 10% of the development be priced at affordable to low to moderate. With this formal request, the Planning Board must have a supermajority vote to disregard their request.

Ben Gustafson states this high quality unit is not currently available in the Town.

Kathy Miller states there is a difference between low income and moderate housing. People confuse this all the time.

Paul Costantini inquired as to how having Townhouses would be an advantage to him. The zoning should only be changed to a PDA when there is an advantage to the residents and citizens of the Town, not the Town. Mr. Costantini read the following statement;

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There are basically two issues that concern me.

1) When a potential homeowner is about to buy a house and this house is probably the major investment he makes in his life, one thing he considers is the neighborhood. When I bought my house the surrounding area including this parcel was zoned low density. And low density is where I wanted to live. Zoning is like a compact between the town and the homeowner. If zoning is change arbitrarily to benefit some it is not fair to the homeowner who invested based on existing zoning. I was one of many who worked with the Planning and Town Boards on the present ordinance. Many of us opposed the concept of PDAs. We feared it was a method to facilitate spot re-zoning. We were assured that it would be rarely used and only for the most extreme reasons. Does this project qualify?

2) I know the Cardamone organization have built very fine homes and this is a credit to them. However I assume since there will be many more units ~~planned~~ into this parcel then allowed by the present zoning, that the per family assessment will be lower than if low density housing be built. This of course will only raise my school tax more.

PAUL COSTANTINI /  
1 WHISPERING PINES

Larry Updike states this proposal is designed for a Village, not a Town.

James Larounis stated this type of proposal could bring in a million dollars of revenue to the school district.

Allison Graffin has concerns with down the road with lots on A & C roads being turned in to Townhouses if the market is requesting them. Also if current zoning permits 64 units, then why not lower the number from 76 to 64.

Lin Davison explained that no changes can be made without Planning Board and Town Board approval.

Chairman Davidson offered the following concerns from the Lansing Fire Chief received via email;

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Here are a few things that the Fire Department will require if part of his new proposal will be secured.

At the gate he will need to provide an override switch that is keyed with a Knox Box key that we can use to open the gate if we need to get in. This switch and box must be purchased from the Knox Company to accommodate our key system.

He would also need a source of back up electric power or an emergency generator at the gate in the event of a power outage. I believed we also discussed having a way to manually unlock the gate and manually opening it if the regular power and back up did not work.

I would be more than happy to discuss this with the planning board if they would like me to attend one of their meetings. All they have to do is let me know and I will make arrangements to be there.

If you have any questions please let me know.

Lin Davidson said there are concerns with the 30' width of the road in the proposal where the Town houses will be located. Also, the Town and County have concerns with the cul de sac. The Town requires Hammer Heads.

Lorraine Moynihan Schmitt, Legal Counsel reviewed the PDA Process with Mr. Gustafson. Ms. Moynihan Schmitt states there are still a few items needed before the Preliminary Plat.

Section 706.3, page 2

1. Proposed financing
2. Phase timing re looked at
3. Statement for 706.2
4. PDA tie in to Comprehensive Plan

Lin Davidson suggested thinking about including an easement to the south (paper road) be considered.

Thomas Ellis had further concerns with access to the gate entrance. Larry Sharpsteen would like to see easements for the maintenance on the utilities.

Concerns with the 30' wide road in the Townhouse area was a large concern. The Board requested a 60'.

Based on the surrounding Community, sidewalks would not be in keeping with the neighborhood.

Ms. Moynihan Schmitt further stated this is a working process as to how to potentially change the preliminary Application to include any conditions so the Planning Board can make the necessary recommendation to the Town Board for approval.

## **Approval/Denial of the following Minutes**

**January 25, 2010**

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Thomas Ellis made a motion to approve the Minutes of January 25, 2010 as submitted. Richard Prybyl seconded.

### VOTE AS FOLLOWS:

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

### MOTION CARRIED

#### February 8, 2010

Lorraine Moynihan Schmitt requested on page 1 under Upcoming Agenda, that the name of the Trails Committee be corrected to read: Lansing Recreation Pathway Group.

Thomas Ellis made a motion to accept the Minutes of February 8, 2010 as amended. Rick Prybyl seconded.

### VOTE AS FOLLOWS:

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

### MOTION CARRIED

#### February 22, 2010

Lorraine Moynihan Schmitt requested on page 2 under # 3 Trails Committee be correct to Lansing Recreational Pathways Group, also in last paragraph on page 2.

Thomas Ellis made a motion to approve the Minutes of February 22, 2010 as amended. Richard Prybyl seconded.

### VOTE AS FOLLOWS:

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

### MOTION CARRIED

#### March 15, 2010

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Thomas Ellis requested on page 2 under Sketch Plan-Major Subdivision the word proposed be corrected to proposal.

Thomas Ellis made a motion to approve as amended. Richard Prybyl seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

**MOTION CARRIED**

**April 12, 2010**

Thomas Ellis made a motion to approve as presented. Richard Prybyl seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

**MOTION CARRIED**

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

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Richard Prybyl - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

**MOTION CARRIED**