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Town of Lansing

PLANNING BOARD MEETING

Monday, November 27, 2017 6:30 PM

PLANNING BOARD MEMBERS

(*Denotes present)

- * Tom Ellis, Chairman
- * Norman (Lin) Davidson, Vice-Chairman
- * Larry Sharpsteen
- * Al Fiorille
- Gerald Caward
- * Deborah Trumbull
- * Sandra Dennis Conlon
- * Dean Shea, Alternate

Other Staff

Lynn Day, Zoning Officer Mike Long, AICP Sue Munson, Code Office
Edward LaVigne, Supervisor Guy Krogh, Esq. Doug Dake, Town Board Liaison
David Herrick, Town Engineer

Public Present (11) that signed in

Andy Sciarabba Ellen Garcia Carol Oster Christine Eisenhut Becca Lovenheim
Joseph Wetmore Tom Butler Vicki Bland Mike Koplinka-Loehr Roger Brandt
Tim Harris

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

Chairman Tom Ellis enacted Dean Shea as Jerry Caward is absent today.

FLOOR OPEN FOR COMMENTS/CONCERNS OTHER THAN WHAT IS ON THE AGENDA

No Comments

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MOTION TO APPROVE THE PLANNING BOARD MINUTES FOR NOVEMBER 13, 2017 MEETING

Deborah Trumbull made a motion to APPROVE THE NOVEMBER 13, 2017 minutes. Larry Sharpsteen seconded the motion:

All in Favor - 7

Opposed - 0

Chairman Tom Ellis noted that all Planning Board Members have completed the required training for 2017.

SEQRA AND SITE PLAN REVIEW AND APPROVAL - CORNERSTONE PROJECT "MILTON MEADOWS APARTMENTS" - PARCEL "C" ON AUBURN ROAD - TAX #P/O 37.-1-2-16.2

Chairman Tom Ellis recused himself from the decision process of this project for personal reasons. Lin Davison will direct this portion of the meeting.

Mike Long presented the long history of the steps that the Town and Cornerstone have taken to get to this point. Highlights are; initially Rochester's Cornerstone Group had entered into a purchase contract with the Town of Lansing to acquire 13.5 acres of Town parcel "C" with an option to purchase an additional 8.6 acres of the balance of parcel "C". Cornerstone then had consultants map the federal wetlands, which reduced the amount developable area coupled with pore soil conditions, and the cost of operating a DEC certified package plant, the Cornerstone Group has limited this project to the initial 13.5 acres and 72 dwelling units. They have agreed to extend the future town road and interconnect with the inner parking to create a second access point.

Roger Brandt and Tim Harris joined the Planning Board Member at the front table. Tim reviewed the most current updates on the project.

- New site plan dated October 10, 2017; revised November 21, 2017 includes the extension of the town road to the middle parking area of the complex to provide a second entrance and exit.
- The original turnaround at the end of the new town road has been changed to a hammerhead.
- The water main will NOT be extended to the north BUT a sleeve will be installed under the north entrance to facilitate future extension.

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- A bus stop, concrete pad, area has been located at the first entrance for the kids to wait for the bus.
- The DEC is waiting on the Town's SEQRA determination to continue their review.
- Construction of the project is expected to be staged with buildings on the southern portion of the site with individual buildings including the community center completed and occupied while ongoing construction activity will end in the north portion of the site.
- All units will have washer & dryer hookups. Checking into which is it? will have washer dryer hookups or will have washer and dryer connections and appliances?
- The existing trails will stay intact during construction and after. Due to construction, a portion of the trail may need to be touched up.
- The top of the septic system will be grass and the lawn on top can be used for recreation.
- There is a small playground open 24 hours for the Milton Meadow residents, labeled Tot Lot on the site plan.
- The Community Center will have set hours 7am - 4pm everyday but holidays. Residence will have access afterhours for doing laundry and for scheduled events via a card reader.
- Still a discussion on the relocation of Woodsedge Drive entrance to square up the new road across the street. Town may request to leave the Woodsedge entrance off Auburn Road "as is" for safety reasons and may also recommend that traffic calming measures like speed humps and a reduced speed be added to the road.
- The Town may petition the State to reduce the speed limit on NYS Route 34/34B in the general area to add additional safety precautions.

The Town of Lansing Planning Board completed the review of Part 2 and Part 3 of the Full Environmental Assessment Form.

RESOLUTION PB 17-12a

TOWN PLANNING BOARD RESOLUTION ISSUING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR MILTON MEADOWS RESIDENTIAL APARTMENTS DEVELOPMENT

WHEREAS, Rochester's Cornerstone Group (" Applicant") has submitted for consideration and approval a combined site plan and subdivision application for a Milton Meadows, a proposed 72-unit apartment complex with a community center building, comprising 10 buildings total, to be located upon 13.5 acres of Parcel C in the Town Center, on the north side of Auburn Road (SR 34), Lansing, New

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York, and otherwise known as P/O Tax Map# 37.1-2-16.2 within the B1 Commercial Mixed Use Zoning District; and

WHEREAS, this application has been deemed and classified as a SEQRA Type 1 Action; and

WHEREAS, the Town of Lansing Planning Board has responsibility for approving or carrying out the action under SEQRA and the Planning Board had previously decided to be, previously declared its intent to be, and hereby is declared as the lead agency for environmental review; and

WHEREAS, the requisite General Municipal Law § 239 referral was duly delivered to County Planning, and the requisite notices of intent were duly delivered to all involved agencies, and each such agency has duly responded and such comments and responses have been duly reviewed and considered by the Lansing Planning Board; and

WHEREAS, the Planning Board duly noticed and held a public hearing at the Town Hall (29 Auburn Road) concerning the Cornerstone Phase I site plan and subdivision upon August 28, 2017, whereat environmental concerns were also duly considered, and which public hearing was held and kept open until September 25, 2017, whereat all citizens were given an opportunity to continue to voice any concerns respecting the environmental review and to be heard thereupon; and

WHEREAS, as lead agency the Planning Board considered and analyzed each of the potential identified impacts 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 impact, and after weighing the actual and potential impacts arising from or in connection with this site plan and subdivision approval, and after also considering (i) the probability of each potential impact occurring, including weighing the speculative nature of some potential future contingencies and the potential non-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 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 environmental 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 environmental impact; and

WHEREAS, and after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, the Planning Board as Lead Agency hereby makes a negative declaration of environmental impacts under SEQRA, and

NOW, THEREFORE, BE IT DECLARED AND RESOLVED AS FOLLOWS:

1. That the Planning Board of the Town of Lansing be and hereby is again declared to be the Lead Agency.

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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 FEAF, 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 FEAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), and after consideration of the actual and potential environmental impacts the Planning Board finds that the proposed action of approving the proposed site plan and subdivision for Phase I of the Cornerstone residential project in the Town Center and B1 Zone will neither individually nor cumulatively have any moderate or significant negative environmental consequences or impacts, and the Planning Board therefore hereby makes a negative determination of environmental significance (a "Negative Declaration") in accordance with SEQRA for the above referenced proposed action, 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 the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed FEAF, findings statement, and determination of significance shall be incorporated by reference herein.

4. The Planning Board Clerk is directed to deliver or file a copy of this Resolution with the following persons and agencies: (i) the Town Clerk and Town Supervisor of the Town of Lansing; (ii) all Involved and Interested Agencies; (iii) any person requesting a copy; and (iv) a summary and notice hereof with NYSDEC for publication in the Environmental Notice Bulletin (ENB), by sending such notice, in forms required by the DEC, to the ENB at 625 Broadway, Rm. 538, Albany, NY 12233-1750 (or via delivery to the ENB electronically at <http://www.dec.ny.gov/enb/enb.html>, as required by 6 NYCRR § 617.12).

Dated: November 27, 2017

Motioned by: Dean Shea, Alternate member

Seconded by: Larry Sharpsteen

VOTE AS FOLLOWS:

Sandra Dennis Conlon – Aye

N. Lin Davidson – Aye

Al Fiorille - Aye

Larry Sharpsteen - Aye

Deborah Trumbull - Aye

Dean Shea - Aye

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RESOLUTION PB 17-13a

RESOLUTION CONDITIONALLY APPROVING MILTON MEADOWS APARTMENTS SITE PLAN AND SUBDIVISION APPLICATION

WHEREAS, Rochester's Cornerstone Group ("Applicant") has submitted for consideration and approval a combined site plan and subdivision application for Milton Meadows Apartments, a proposed 72-unit apartment complex with a community center building, comprising 10 buildings total, to be located upon 13.5 acres of Parcel C in the Town Center, on the north side of Auburn Road (SR 34), Lansing, New York, and otherwise known as p/o Tax Map # 37.1-2-16.2 within the B-1 Commercial Mixed Use Zoning District (the "Project"); and

WHEREAS, the proposal and Project are for a permitted use in the B-1 Commercial Mixed Use Zone, subject to obtaining site plan approval from the Planning Board and subdivision approval for the lot to be carved off as part of Parcel C from the Town's Town Center lands, and the Town has considered and carefully reviewed the subdivision and site plan review requirements of the Project, 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 Project, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, a Negative Declaration was duly issued by the Planning Board pursuant to SEQRA; and

WHEREAS, General Municipal Law § 239 County Planning referrals were sent to Tompkins County and, by letter dated August 25, 2017, County Planning determined that the proposed action may have negative inter-community or county-wide impacts and recommended the following: (1) that the applicant document that they have considered various energy alternatives; (2) that, in order to help facilitate the safe crossing of State Rt. 34 to Town facilities such as the ball fields, Town Hall, and the Library, appropriate signage, crosswalks and other measures be implemented; and (3) while not part of an official comment, the County offer additional suggested changes to the 100 foot setback, connection of pathways, and reducing the number of parking spaces; and

WHEREAS, the first two of the County's recommendations have been discussed, became the topic of extensive submissions by the Project developer demonstrating existing compliance with such recommendations, which acceptance and incorporation of County Planning recommendations are further demonstrated by the site planning requirements and conditions for the Project as set forth below, and this approval is none-the-less adopted by a super majority given the subjective nature of the requests and uncertainty as to whether they required proof or implementation or compliance with the county recommendations for residential energy and building construction requirements, even if not preempted by NYS Building Codes; and

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WHEREAS, informal recommendations do not require a response but the Town notes that the 100' setback is a matter of local zoning, such land is required and desired for stormwater management, pathways, and open space and setbacks, and the reduction of parking spaces is not deemed appropriate given the need for visitor spaces and the historical reality that TCAT has not altered its bus routes to accommodate local development, thereby reducing the likelihood that mode-share transportation may reduce the parking needs for this Project; and

WHEREAS, on August 28, 2017 the Planning Board duly scheduled and held public hearings on the Project, the application, and the environmental impacts thereof, which public hearing was continued to September 25, 2017, and all comments and evidence submitted at each thereof was duly considered, and upon September 25, 2017 the Planning Board reviewed and considered the aforementioned site plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882; and

WHEREAS, the Planning Board has duly considered the proposed site plan in accordance with the provisions of the Town of Lansing Land Use Ordinance Section 701.4 et seq., including consideration of site characteristics, site lighting, nearby residences, landscaping, parking, and screening, and any potential on and off site environmental impacts, as well as under the Town's Subdivision Local Law and related provisions of Town Law, and upon due consideration and deliberation by the Town of Lansing Planning Board, and

NOW THEREFORE BE IT DETERMINED AND RESOLVED AS FOLLOWS:

1. The final subdivision of one lot from the Town Center land, as shown upon a survey map entitled "Subdivision Plan Lansing Trails" dated October 10, 2017, as drawn by Passero Associates (the "Map"), be and hereby is approved subject to the following conditions:

- a. The Map be updated and labeled as a "Final Plat."
- b. The Map be updated to show the final delineated wetlands areas. Such delineated areas shall be a no build, no disturbance zone, except for the trails and stormwater facilities specifically approved in the site plan approval as set forth below.
- c. The existing Town Center Trail be specifically marked and noted as being required to remain in such locations as shown upon the site plan, unless approval by resolution of the Town Board shall be obtained to relocate, remove, or change such trail.

2. Conditional Final Site Plan Approval be and hereby is granted for the Project for 72 units and a community center, all to be located within 10 buildings in the layout and with the landscaping and amenities as submitted in the final site plan materials, all subject to the following specifications and conditions:

- a. Receiving approval from New York State Department of Environmental Conservation ("DEC") and the State and Tompkins County Health Departments (together, the "DOH") for the proposed sanitary sewer or septic treatment system servicing the Project. The obtaining of final approvals and permits for such sewer or septic treatment system(s) shall

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be a requirement of this site plan approval, and no building permits shall be issued until such permits and approvals are duly obtained, and such system(s) is tested, up, running and operational.

b. Approval from the Southern Cayuga Lake Intermunicipal Water Commission (“Bolton Point”) for the installation of one or more master water meters located at points selected by Bolton Point substantially adjacent to the public highways upon such Map. The Developer and owner will be responsible for the installation and maintenance of the complete water system throughout the Project, including fire hydrants, and the payment of all water bills. The obtaining of final approvals and permits from Bolton Point and the final testing and approval of all water lines, hydrants, and systems shall be a requirement of this site plan approval, and no building permits shall be issued until such permits and approvals are duly obtained, and such system is tested, up, running and operational.

c. The construction, inspection, dedication, acceptance, and approval of all public highways and highway improvements depicted or noted upon the proposed site plan or Map, including the following requirements:

i. Adjacent to and extending from Auburn Road to the Project site, including a hammerhead as approved by the Town Highway Superintendent as per the drawings dated November 21, 2017.

ii. Approval by the New York State Department of Transportation (“DOT”) of all intersections at and curb cuts upon Auburn Road, at the location depicted upon the site plans and Map, with similar approvals for all roadway intersections and grades, roadway geometries, and highway construction methodologies as may be required by such for connecting roadways within and without the DOT right-of-way. Developer shall be responsible to obtain all state and local permits and approvals, and to abide by the conditions and requirements thereof.

iii. All town roadways and private roads within the Project shall be reviewed and approved by the Town of Lansing Highway Superintendent. Public roads shall be designed to town highway specifications and dedicated to the Town after inspections and upon approval and acceptance thereof by the Town Board. Upon dedication, the Town Board shall name such roadway. The dedication of such public roadway shall be a requirement of this site plan approval and no certificates of compliance or occupancy shall be applied for or delivered until such roadway is duly constructed and dedicated in a form as approved by the Town Board and counsel for the Town.

iv. Developer shall install all required or desired signage and surface markings in and about such roads and intersections.

d. Construction of no more than, but up to, 1 Community Building plus 9 buildings of 8 dwelling units each, for a total maximum of 72 dwelling units, per the revised site plan drawing packages dated November 21, 2017.

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- e. Review and approval of the overall stormwater plans, retention basins, and drainage systems as included within the final site plan drawings dated November 21, 2017, including specific approvals as follows:
- i. All stormwater calculations and designs shall be approved by the Town Engineer.
 - ii. The final SWPPP shall be duly approved by the Town Engineer and the Town's SMO.
 - iii. All permanent stormwater practices shall be subject to adequate easements and a stormwater operation, management, and reporting agreement ("SOMRA") to ensure the long term viability of stormwater practices and improvements, as well as mandated reporting per EPA Phase II Stormwater Rules and the requirements of DEC and the Town's Stormwater Local Law, with the form of such easements and SOMRA to be approved by the Town Engineer and the Attorney for the Town.
 - iv. The execution of such SOMRA and emplacement of such easements shall be a requirement of this site plan approval, and no certificates of compliance or occupancy shall be applied for or delivered until such SOMRA and any such easements are duly executed, dedicated and accepted, and filed in the Tompkins County Clerk's Office (at Developer's sole expense).
- f. That trails be located upon the final site plan for Milton Meadows Apartments in the locations as shown in the site plan dated November 21, 2017. All trails and pathways shall be in final form, installation, and locations as approved by the Town Department of Parks & Recreation. All such trails shall also be the subject of an easement dedicated to the Town of Lansing to improve, maintain, and manage of such trail, including by or through such agreements or special districts as are or may hereafter be approved by the Town Board, upon the advice and consent of its counsel.
- g. Approval is for a septic system, if in the future a significant sewer treatment infrastructure is developed or used for the Project, including but not limited to treatment or package plants, or public septic or treatment systems requiring regular onsite monitoring by licensed individuals or entities, then, in the sole discretion of the Town, the Developer shall apply for, support, vote in favor of, and pay all expenses of a wastewater management district structured "underneath" the Developer's planned sewerage and treatment system(s) to ensure that the cost of such services is tied only to the properties benefitted by such system. Such district, if created now or in the future, shall include such easements and authorities as the Town Board may determine after preparation and a review of the proposed district's Map, Plan & Report.
- h. The Developer shall pay for and support the extension of the Town's Consolidated Water District ("CWD") to cover the whole parcel being developed, whether by an Article 12-A district extension or boundary amendment, and such extension shall be paid for, and

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all improvements made and installed, by and at the expense of the Developer. A Final Order establishing such CWD district or extension shall be a requirement of this site plan approval, and no certificates of compliance or occupancy shall be applied for or delivered until a Final Order is duly filed and such district formed or extended. Notwithstanding such extension, the CWD shall not own any water lines, mains, distribution systems, meters, or appurtenances located beyond the master meters referred to above unless such system is built or upgraded to Town specifications and offered and accepted for dedication.

i. The Developer shall assure proper building labelling. If required under Local Law# 4 of 2006, Developer shall install lockboxes in accord with such local law, with input and approval from the applicable Lansing fire department(s).

j. The Developer shall put into place such covenants and restrictions, in a form as reasonably approved by the Town and its counsel, to ensure that all future buildings and improvements meet the architectural designs and renderings disclosed in Developer building profiles and samples as delivered to the Planning Board, and that such buildings and improvements meet other designated site plan criteria as approved, including downcast or Dark Sky lighting elements, the protection and maintenance of stream buffers, pathways, bus stops of pull-offs, playground locations and improvements, plantings and buffer characteristics (including plant specifications and maintenance protocols), and such other guidelines as set forth in the site plan or as proposed through the site planning and SWPPP processes. The development, approval, and filing of such covenants and restrictions in the Tompkins County Clerk's Office shall be a requirement of this site plan approval, and no certificates of compliance or occupancy shall be applied for or delivered until such documents are approved by the Town and duly so filed.

3. A copy of this Resolution be delivered to County Planning as a report upon final action and an explanation as to the Town's decisions relative to the GML § 239 recommendations, both as required by GML § 239-m(d)(6).

Dated: November 27, 2017

Motioned by: Dean Shea, Alternate member

Seconded by: Deborah Trumbull

VOTE AS FOLLOWS:

Sandra Dennis-Conlon - Abstained

N. Lin Davidson - Aye

Al Fiorille - Aye

Larry Sharpsteen - Aye

Deborah Trumbull - Aye

Dean Shea - Aye

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The board members commented that it would be great if the Milton Meadows could give them an annual census including:

1. Number of primary school students
2. Number of Veterans
3. Number of Seniors
4. Where the renters moved from (Lansing, Cortland, PA,

MIKE LONG REVIEWS PLANNING UPDATES

Cell Tower – Crown Castle

- Site Plan Review on December 11, 2017 meeting.
- Town Board Public Hearing on the Comp Plan has been scheduled for Dec 20th at the Town Board meeting.
- Cargill Special Use Permit will also be on the Dec 20th Town Board Meeting agenda.

Next meeting on December 11, 2017 – review solar information from the subcommittee.

December 11, 2017 will be the only Planning Board Meeting for the Month of December.

Lin Davidson made a motion to adjourn at 8:05 PM. Deborah Trumbull seconded the motion.