

APPROVED

Town of Lansing

Monday, October 24, 2011 7:15 PM

PLANNING BOARD

PLANNING BOARD MEMBERS

(*Denotes present)

*	Nancy Loncto	*	Tom Ellis
*	Larry Sharpsteen	*	Lin Davidson, Chairman
*	Mary McTiernan, Alternate	*	David Hatfield
*	Richard Prybyl	*	Al Fiorille
*	Jeffrey Overstrom, EIT		
	Lorraine Moynihan Schmitt, Esq.		
*	Robert Cree, TB Liaison		

Public Present

Kathy Miller	Connie Wilcox
Ruth Hopkins	Roger Hopkins
Greg Eastman	Charles Speta
Maureen Cowan	Deborah Trumbull
Sue Ruoff	Kyle Page
Brianne Rockefeller	Ron Seacord
Scott Pinney	

General Business

Lin Davidson, Chairperson called the Planning Board Meeting to order at 7:18 PM. Mr. Davidson requested to know if there was anyone from the Public that wished to speak with concerns other than what was on the Agenda.

Nancy Loncto: Inquired where the Public could receive information on the Warren Road Sewer District. Jeff Overstrom states they can obtain the information from him. In addition, Ms. Loncto inquired as to how easements get moved forward to the Town Board. There seem to be a couple (Lansing Market & Lansing Commons) that are at a standstill.

Tom Ellis: Inquired as to why The Lansing Market employees are still parking on the road. Jeff Overstrom states the Market has been advised that they can no longer park on the road.

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Public Hearing – SEQR Review, Minor Subdivision Applicant, Carol Eastman, 359 Munson Road, Tax Parcel # 20.-1-7.111

Larry Sharpsteen made a motion to open the Public Hearing at 7:26 PM. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Discussion

Greg Eastman: Inquired if the stormwater management problems are going to be taken care of as he does not want his basement flooding.

Larry Sharpsteen: Advised a Stormwater Prevention Plan has been provided by the Town Engineer.

Nancy Loncto: Advised there should be no problem as long as the instructions for Basic Stormwater Erosion and Sediment Practices for Residential Construction are followed.

Lin Davidson: Inquired if Mr. Overstrom would be responsible to see that the culvert pipe is the correct size.

Jeff Overstrom: Although this is private property, Mr. Overstrom will work with the Applicant to see that it is sized properly.

Larry Sharpsteen: As an experienced Stormwater Management Specialist, Mr. Sharpsteen advised the Board that if there is any disturbance of land, by putting silt fence between the disturbance and the temporary stream will take care of Mr. Eastman's concerns.

Larry Sharpsteen: Recommended a 25' long culvert pipe be centered on the property line, which would cover both driveways.

Thomas Ellis made a motion to close the Public Hearing at 7:37 PM. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member

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Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

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.

The Members reviewed the prepared Resolution and suggested the following changes be made: change four lot to three lot throughout the document. Nancy suggested that the Resolution state application(s) due to this being the second one. Larry Sharpsteen states no, as the second Application supersedes the first one. Thomas Ellis stated # 3 condition in the SEQR Resolution is not needed as it was addressed in # 1 condition.

Larry Sharpsteen made a motion to declare a negative declaration. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

David Hatfield offered the following conformed Resolution. Nancy Loncto seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

RESOLUTION No. 11-80

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

APPROVED

WHEREAS, after submission thereof, the Lansing Planning Board, on September 12, 2011 reviewed a Subdivision Application, and on October 24, 2011, reviewed a revised subdivision application and revised subdivision plat submitted by Applicant Carol Eastman, for a residential subdivision of a 10.9 +/- acre parcel with two flag lots of certain land, located at 359 Munson Road, Lansing, New York and otherwise known as Tax Map Parcel #20.-1-7.111 in the RA District; and

WHEREAS, the revised preliminary/final subdivision plat was classified as a minor three lot minor subdivision on October 24, 2011 and contains two proposed flag lots, Parcel "A" and Parcel "B", both of which have at least 30 feet of road frontage in compliance with Land Use Ordinance Schedule II and Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (C); and a shared driveway upon Parcel B; and

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

WHEREAS, the Applicant duly appealed to the Town of Lansing ZBA for the aforementioned area variance on the original preliminary plat presented to the Planning Board on September 12, 2011, said ZBA variance being sought to permit driveways upon the flag lots in excess of 500 feet, and the Applicant was granted the aforementioned ZBA variance by the Town of Lansing ZBA, by written decision, dated September 20, 2011, thereby permitting the Flag Lots on Parcels "A" and "B" of the proposed subdivision to have driveways exceeding 500 feet in *length with the condition that surface water drainage must be addressed to preclude increased water flow on adjacent properties due to development on the new parcels*; and said decision which made an express finding that, unless the drainage is addressed, the granting of the variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

WHEREAS, on September 12, 2011, the Town of Lansing Planning Board originally granted a waiver pursuant to Article 9, Section 900 of the Town of Lansing Subdivision Rules and Regulations Local Law #2 of 2008, thereby classifying the original Subdivision plat as a minor four lot subdivision and not a major six lot subdivision and making the following findings on the record supporting that determination:

1. This prevents land locking land. It provides a method of infill in an existing property, allows a more efficient use of the land as far as density of land that is otherwise not suitable for Agricultural land and lastly meets the needs outside of the Applicant/Community;

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2. Over the past 30 years, this location has taken a shift from Agricultural to Residential. There is no negative effect to the character of the neighborhood due to the lots being large enough that they will not crowd anybody. The land is not well drained, therefore, it is not good for agriculture;

The Planning Board accordingly made findings in its minutes in accordance with Article 9, Section 900, that (1) granting the waiver would be keeping with the intent and spirit of this Local Law, and is in the best interests of the community; (2) there is no adverse effect upon the character, appearance, or welfare of any neighborhood or the environment; (3) there are special circumstances involved in the particular case; (4) denying the waiver would result in undue hardship, provided that such hardship has not been self-imposed; and (5) the waiver is the minimum necessary degree of variation from the requirements of this Local Law.

And

WHEREAS, because the original subdivision plat has been withdrawn, the waiver is no longer required, and the **revised subdivision** plat was classified as a three lot minor subdivision by the Planning Board on October 24, 2011; and

WHEREAS, by correspondence dated September 26, 2022, the Town Engineer, David A. Herrick, P.E., T.G. Miller Engineers and Surveyors, has made the following comments respecting stormwater review of the proposed original subdivision plat:

As requested, I've reviewed the survey map dated 8/23/11 depicting the proposed boundary line modifications. With respect to stormwater management, it appears that access to the rear lands of Parcel A will require crossing an intermittent watercourse and likely another larger wet area that from aerial imagery could have wetland characteristics. Access to Parcel B would cross just the intermittent watercourse. The driveway culverts should be consistent in capacity to the downstream Town culvert on Munson Road. I understand that a common driveway for Parcels A and B may be proposed in lieu of two individual drives. If this is correct, I suggest the applicant show on the survey map the alignment of the common drive, together with easement descriptions, and the approximate location of the individual extension to Parcel A. The survey map should be amended to show the intermittent watercourse and the outer edges of the wet area on Parcel A. If the driveway extension and building footprint for Parcel A remain clear of the wet area, then it is my suggestion that basic stormwater erosion and sediment control practices for residential construction, similar to the attachments, be included with the building permit application.

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WHEREAS, on October 24, the Town of Lansing Planning Board *made findings that drainage and stormwater impacts referenced by the ZBA and Town Engineer can be properly mitigated by the procedures recommended in Town Engineer's letter of September 26, 2011 set forth above*; and

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

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

WHEREAS, the Town of Lansing Planning Board duly noticed a public hearing on September 12, 2011, postponed to October 24, 2011, concerning the environmental review, pursuant to the State Environmental Quality Review Act ("SEQRA"), of the proposed subdivision preliminary/final plat application at Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882, and, at the public hearing on October 24, 2011, all citizens were given an opportunity to voice any concerns respecting the environmental review and given a full opportunity to be heard thereon; and

WHEREAS, on October 24, 2011, the Town of Lansing Planning Board, in performing its reviewing Agency function in conducting an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) pursued its thorough review of the applicant's completed Short Form Environmental Assessment Form ("EAF") Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) reviewed, on the record, the EAF, Part II on the record (and reviewed and completed, if necessary, Part III of the EAF);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Lansing Planning Board, based upon (i) its thorough review of the EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern of the proposed project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its review and completion of the EAF, Part II (and, if applicable, Part III), including the findings noted thereon

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(which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required.

Dated: October 24, 2011

Public Hearing- Overall Application Minor Subdivision Applicant, Carol Eastman, 359 Munson Road, Tax Parcel # 20.-1-7.111

Thomas Ellis made a motion to open the Public Hearing at 7:45 PM. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Discussion

Lin Davidson advised the PB Members that the Applicant will be returning to the ZBA with a new Application along with information from the Town Engineer as recommended by Legal Counsel.

Nancy Loncto: Has concerns with the driveway on the plat that dissolves on Parcel B. Ms. Loncto feels a condition should be placed on the approval to show exactly where the driveway is being placed.

Jeff Overstrom: States he has spoke with the Surveyor and David Herrick and they never have done that before. If an easement or right of way is needed, that is done at a later date and filed with the deed.

Larry Sharpsteen: States as far as the Board is concerned, the driveway line really does not need to be on the plat. This was addressed in the SEQR process and agreed that a larger culvert pipe would take care of this. If need be, two separate driveways could be installed.

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Nancy Loncto: Suggested that a condition be placed on the final approval stating any further division of this land within a 3 year time period, must come back before the Planning Board.

Lin Davidson: Requested that the Planning Office send the Fire Department a note advising them of these new parcel(s) with driveways over 500' +.

Al Fiorille: Requested that the owner place numbering at the road side as opposed to placing on the houses, for location purposes for emergency vehicles.

Larry Sharpsteen made a motion to close the Public Hearing at 7:53 PM. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Nancy Loncto made a motion to approve the following conformed Resolution. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

RESOLUTION No. 11-83

RESOLUTION OF THE LANSING PLANNING BOARD APPROVING THE CAROL EASTMAN SUBDIVISION, A THREE LOT MINOR SUBDIVISION CONTAINING TWO FLAG LOTS

WHEREAS, after submission thereof, the Lansing Planning Board, on September 12, 2011, reviewed a Subdivision Application submitted by Applicant Carol Eastman, and reviewed, on October 24, 2011, a revised subdivision application and revised plat for a residential subdivision of a 10.9 +/- acre parcel with two flag lots of certain land, located at 359 Munson Road, Lansing, New York, and otherwise known as Tax Map Parcel #20.-1-7.111 in the RA District; and

APPROVED

WHEREAS, the proposed subdivision contains two proposed flag lots, Parcel "A" and Parcel "B", both of which have at least 30 feet of road frontage in compliance with Land Use Ordinance Schedule II and Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (C); and

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

WHEREAS, the Applicant duly appealed to the Town of Lansing ZBA for the aforementioned area variance on the original preliminary plat presented to the Planning Board on September 12, 2011, said ZBA variance being sought to permit driveways upon the flag lots in excess of 500 feet, and the Applicant was granted the aforementioned ZBA variance by the Town of Lansing ZBA, by written decision, dated September 20, 2011, thereby permitting the Flag Lots on Parcels "A" and "B" of the proposed subdivision to have driveways exceeding 500 feet in length *with the condition that surface water drainage must be addressed to preclude increased water flow on adjacent properties due to development on the new parcels*; and said decision which made an express finding that, unless the drainage is addressed, the granting of the variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

WHEREAS, on September 12, 2011, the Town of Lansing Planning Board granted a waiver pursuant to Article 9, Section 900 of the Town of Lansing Subdivision Rules and Regulations Local Law #2 of 2008, thereby classifying the originally filed Eastman Subdivision and original subdivision plat as a minor four lot subdivision (including remaining portion of parent parcel) and not a major six lot subdivision and making the following findings on the record supporting that determination:

1. This prevents land locking land. It provides a method of infill in an existing property, allows a more efficient use of the land as far as density of land that is otherwise not suitable for Agricultural land and lastly meets the needs outside of the Applicant/Community;
2. Over the past 30 years, this location has taken a shift from Agricultural to Residential. There is no negative effect to the character of the neighborhood due to the lots being large enough that they will not crowd anybody. The land is not well drained, therefore, it is not good for agriculture;

APPROVED

3. The special circumstance is the allowing the proper infill of that land.

The Planning Board accordingly made findings in its minutes in accordance with Article 9, Section 900, that (1) granting the waiver would be keeping with the intent and spirit of this Local Law, and is in the best interests of the community; (2) there is no adverse effect upon the character, appearance, or welfare of any neighborhood or the environment; (3) there are special circumstances involved in the particular case; (4) denying the waiver would result in undue hardship, provided that such hardship has not been self-imposed; and (5) the waiver is the minimum necessary degree of variation from the requirements of this Local Law.

And

WHEREAS, because the original subdivision plat has been withdrawn, the waiver is no longer required, and the **revised subdivision** plat was classified as a three lot minor subdivision by the Planning Board on October 24, 2011; and

WHEREAS, on September 12, 2011, the Planning Board reviewed the initial application and originally filed subdivision plat , and classified the original subdivision as a minor four lot subdivision by granting the above waiver, directed the applicant to apply for the requisite ZBA area variance, made findings that the Planning Board was in favor of the ZBA granting the requested variance, noted that the application did not include a topographical map or stormwater analysis; directed the Planning Department to seek recommendations from the Town Engineer, David A. Herrick, T.G. Miller respecting stormwater review, analysis and recommendations; directed the Planning Department and Applicant to revise the Application, EAF and the Agricultural Data Statement to reflect the Planning Board classification and waiver and the requisite ZBA area variance and also to correct errors/omissions within the Application, EAF and the Agricultural Data Statement; and

WHEREAS, on October 3, 2011, the applicant submitted a revised application and a revised preliminary/final subdivision plat, dated August 23, 2011, depicting a common driveway upon Parcel B to be utilized by Parcel A, while still providing an access strip for construction of a potential future flag lot driveway to be potentially constructed upon parcel B; and

WHEREAS, on October 24, 2011, the Planning board classified the *revised subdivision* application and revised plat produced by the Applicant *as a minor three lot* subdivision; and

APPROVED

WHEREAS, the revised preliminary/final plat shows the placement of the proposed residential structures on Parcel A and Parcel B, as well as delineation of the location of the intermittent watercourse on Parcel A, Parcel B and the adjacent lands of Bartlett, and also depicts the location of the wet area on Parcel A, Parcel B, all as referenced in the correspondence of David. A. Herrick, the Town Engineer, as set forth more fully below; and

WHEREAS, the applicant's original subdivision plat has been reviewed by the Town's Engineer, David A. Herrick, P.E., T.G. Miller Engineers and Surveyors, who has opined, by correspondence dated, September 26, 2011, that:

As requested, I've reviewed the survey map dated 8/23/11 depicting the proposed boundary line modifications. With respect to stormwater management, it appears that access to the rear lands of Parcel A will require crossing an intermittent watercourse and likely another larger wet area that from aerial imagery could have wetland characteristics. Access to Parcel B would cross just the intermittent watercourse. The driveway culverts should be consistent in capacity to the downstream Town culvert on Munson Road. I understand that a common driveway for Parcels A and B may be proposed in lieu of two individual drives. If this is correct, I suggest the applicant show on the survey map the alignment of the common drive, together with easement descriptions, and the approximate location of the individual extension to Parcel A. The survey map should be amended to show the intermittent watercourse and the outer edges of the wet area on Parcel A. If the driveway extension and building footprint for Parcel A remain clear of the wet area, then it is my suggestion that basic stormwater erosion and sediment control practices for residential construction, similar to the attachments, be included with the building permit application.

And,

WHEREAS, pursuant to Subdivision Rules and Regulations Local Law #2 of 2008, Section 606 (F), all Flag Lots must undergo Site Plan Review and are subject to a Public Hearing thereon which was duly noticed for September 12, 2011 and postponed to October 24, 2011, wherein it was duly held at the Lansing Town Hall; and

WHEREAS, on October 24, 2011, the Planning Board underwent preliminary and final plat review of the revised plat of the proposed minor three lot subdivision with two flag lots and common driveway, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the

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area of the proposed Site Plan, and consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, the Planning Board has considered and carefully reviewed the requirements of the Town's Laws relative to subdivisions and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Subdivision, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

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

WHEREAS, a public hearing concerning the environmental review was held on October 24, 2011 at the Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 and original notice, posting and publication of the aforementioned public hearing, originally set for September 12, 2011, was posted and published at least 14 days in advance of the opening of said hearing as required by law; and

WHEREAS, on October 24, 2011, this Board, acting in Uncoordinated SEQR environmental review without Lead Agency, reviewed and accepted as adequate a Short Environmental Assessment Form (EAF) Part 1, submitted by the Applicant, and completed Part II and, if applicable, Part III, on the record; and

WHEREAS, by Resolution adopted on October 24, 2011, the Town of Lansing Planning Board determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposed subdivision will result in no significant impact on the environment, *so long as the drainage and stormwater concerns of the ZBA and Town Engineer are properly addressed through the mitigation measures recommended by the Town Engineer*, and the Planning Board

APPROVED

and has issued a Negative Declaration of environmental significance for purposes of Article 8 of the Environmental Conservation Law; and

WHEREAS, a public hearing was noticed to be held on September 12, 2011 at the Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 and notice, posting and publication of the aforementioned hearing was posted and published at least ten (10) days in advance of the opening of said public hearing as required by law; and on September 12, 2011 said public hearing was postponed as the application was not complete and said public hearing was eventually rescheduled for October 24, 2011; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

RESOLVED: that the Town of Lansing Planning Board grant Approval of the revised Eastman Subdivision Plat and revised Application for a minor three lot residential minor subdivision, with two flag lots and common driveway, of certain land located at 359 Munson Road, Lansing, New York, and otherwise known as Tax Map Parcel #20.-1-7.111, in the RA District subject to the following conditions:

1. Any easements for use of Parcel A of the driveway upon Parcel B may be depicted on the Final Subdivision Plat as recommended by the Town Engineer and may also be referenced in the final deeds to the properties at issue;
2. As suggested by the Town Engineer, all driveway extensions and building footprints should remain clear of the wet area depicted in the revised subdivision plat, such that basic stormwater erosion and sediment control practices for residential construction may be included with the Applicant's future building permit application to the Code Enforcement Office;
3. As suggested by the Town Engineer, the driveway culverts should be consistent in capacity to the downstream Town culvert on Munson Road and be a minimum 25' long to be able to cover two driveways; and
4. Before any building permit(s) may be issued, a supplementary area variance approval should be obtained from the ZBA in regard to the revised application and revised preliminary/final plat showing existence of the wet areas, intermittent watercourse and common shared driveway; Said supplementary ZBA decision should reference the mitigation

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factors respecting drainage, driveway culvert capacity, and driveway extension placement addressed in the Town Engineer's September 26, 2011 correspondence referenced above.

5. Any future division of this property within a three year time period, must come before the Planning Board for approval.

Dated: October 24, 2011

Other Business

Nancy Loncto inquired as to when and by whom made a decision to make a change to the Subdivision Form, combining pertinent information such as Licensed Land Surveyor and Licensed Engineer as they are totally two different rolls. Ms. Jacobsen advised the Board there were some old mixed with current. Ms. Jacobsen will sort through, and make sure they are all the current forms.

Revision to Major Subdivision-Lansing Commons, Cayuga Vista Drive, Tax Parcel # 37.1-2-53.222

Mr. Ron Seacord appeared before the Planning Board requesting a revision be made to his final Map with respect to a chain link fence around his Stormwater Pond. There are no other Stormwater Ponds within the Town that have required a fence.

Mr. Ellis states he believes that request came from when Mr. Seacord was proposing his stand alone sewer system.

Thomas Ellis made a motion to delete the requirement for a chain link fence on this Major Subdivision. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

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Other Business:

Nancy Loncto states she has spent numerous hours reviewing a number of actions that the Planning Board has been faced with over time and feels that possibly the Planning Board is not able to follow the law. Ms. Loncto is requesting an Executive Session take place at their next Meeting, Monday, November 14, 2011 to discuss possible litigation and employment issues. Furthermore, Ms. Loncto is requesting that the Town Board Liaison and Planning Board Lawyer be in attendance.

Approval/Denial of Minutes for September 12, 2011

Thomas Ellis requested on page 2, under Planning Board Reply, Line #3. should be deleted as it was discussed in # 1.

Under #4 (which will be reset to # 3) Necessary should read: necessarily.

Under new # 4, It should read: This waiver would have minimal effect on the existing Land Use Ordinance and does not set an unusual precedence.

Larry Sharpsteen made a motion to approve the Minutes of September 12, 2011 as amended. Al Fiorille seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Other Business

Al Fiorille states he has been reviewing the Land Use Ordinance and has found several inaccuracies with respect to certain requirements for Flag Lots.

Larry Sharpsteen states the Board changed that to 30'. If 20' is in there, it is an editing error.

Larry Sharpsteen made a motion to adjourn the Meeting at. David Hatfield seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Thomas Ellis, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Nancy Loncto, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member

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Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman