

APPROVED

Town of Lansing

Monday, April 9, 2012 7:15 PM

PLANNING BOARD

PLANNING BOARD MEMBERS

(*Denotes present)

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

Public Present

Kathy Miller

Ed LaVigne

Mark Wheeler

General Business

Lin Davidson, Chairperson called the Planning Board Meeting to order at 7:15 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. There were none.

Exempt Subdivision Update

Jeff Overstrom advised the Members that he has authorized five (5) Exempt Subdivisions thus far this year.

Larry Sharpsteen disclosed for the record, one of the Subdivisions being his property on Auburn Road.

Village Solar Update

Lin Davidson inquired if the Planning Office had heard of any updates on the Village Solar, LLC. entities. Mr. Overstrom states we have not heard from them on that. Mr. Overstrom wrote up a letter requesting for additional sewer units for the Warren Road area. The letter was delivered to Cayuga Heights and they will be reviewing it tonight. The Meeting Mr. Overstrom had with them was very positive.

Cayuga Way Subdivision Extension

Mark Wheeler, Legal Counsel for the above owner requested the following;

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3/12/12

HARRIS BEACH P.C.
ATTORNEYS AT LAW

119 EAST SENeca STREET
ITHACA, NY 14850
(607) 273-9444

MARK B. WHEELER

FAX: (607) 273-6802
MWHEELER@HARRISBEACH.COM

March 8, 2012

Mr. Jeffrey Overstrom
Engineer and Planning Coordinator
Town of Lansing Planning Board
29 Auburn Road
Lansing, NY 14882

Re: Cayuga Way Subdivision

Dear Mr. Overstrom:

I represent WB Property Group, LLC, developer of a residential subdivision known as Cayuga Way Subdivision. In light of the dire economic conditions that plague the residential housing industry and make it virtually impossible for developers to obtain financing for residential construction, WB Property Group, LLC previously was granted an extension of the subdivision to November 14, 2012.

Within a few months following the closing on this property, our nation fell into the worst economic crisis since the 1930s. The single most glaring and lingering national issue of the first decade of this century is the abrupt and steep decline in the residential housing market. Prices of existing homes have plummeted. Millions of families have suffered the loss of a lifetime's worth of the equity in their homes. Conventional construction financing for new homes has all but disappeared. The number of potential residential buyers for homes of the type envisioned for this subdivision dropped to historic lows. The Great Recession's adverse impact on construction lending has further all but wiped out construction of spec homes. WB Property Group, LLC continues to be advised by its real estate consultants to defer development until such time as the real estate market improves.

Consequently, WB Property Group, LLC has postponed commencement of construction of roads or infrastructure. The current subdivision approval is slated to terminate on November 14, 2012. Accordingly, an additional 18 month extension is requested. Under these circumstances we submit that an extension is both understandable and reasonable. We appreciate your consideration in this matter.

Sincerely,

HARRIS BEACH P.C.



Mark B. Wheeler

MBW:jac

Larry Sharpsteen felt that The Planning Board should make it very clear that any construction that is built will be under the New York States Codes that are in effect on that date. The Land Use Ordinance as well as The Subdivision Rules and Regulations that were in effect when this Subdivision was originally approved will be in effect.

Larry Sharpsteen made a motion to approve the Cayuga Way Subdivision extension for 18 months, terminating on May 14, 2014. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Al Fiorille, Member

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Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Lakeview Subdivision Extension

Mark Wheeler, Legal Counsel for the above owner requested the following;

March 8, 2012

HARRIS BEACH PLLC
ATTORNEYS AT LAW

111 EAST SENeca STREET
ITHACA, NY 14850
(607) 273-6444

MARK B. WHEELER

FAx: (607) 273-6804
MHWHEELER@HARRISBEACH.COM

Mr. Jeffrey Overstrom
Engineer and Planning Coordinator
Town of Lansing Planning Board
29 Auburn Road
Lansing, NY 14882

Re: Lakeview Subdivision – Amended Plat

Dear Mr. Davidson:

I represent WB Realty Group, LLC, developer of a residential subdivision known as Lakeview Phase II (Amended Subdivision). In light of the dire economic conditions that plague the residential housing industry and make it virtually impossible for developers to obtain financing for residential construction, WB Realty Group, LLC previously was granted an extension of the subdivision to November 14, 2012.

Within a few months following the closing on this property, our nation fell into the worst economic crisis since the 1930s. The single most glaring and lingering national issue of the first decade of this century is the abrupt and steep decline in the residential housing market. Prices of existing homes have plummeted. Millions of families have suffered the loss of a lifetime's worth of the equity in their homes. Conventional construction financing for new homes has all but disappeared. The number of potential residential buyers for homes of the type envisioned for this subdivision dropped to historic lows. The Great Recession's adverse impact on construction lending has further all but wiped out construction of spec homes. WB Realty Group, LLC continues to be advised by its real estate consultants to defer development until such time as the real estate market improves.

Consequently, WB Realty Group, LLC has postponed commencement of construction of roads or infrastructure. The current subdivision approval is slated to terminate on November 14, 2012. Accordingly, an additional 18 month extension is requested. Under these circumstances we submit that an extension is both understandable and reasonable. We appreciate your consideration in this matter.

Sincerely,

HARRIS BEACH PLLC

Mark B. Wheeler

MHW:jac

Larry Sharpsteen felt that The Planning Board should make it very clear that any construction that is built will be under the New York States Codes that are in effect on that date. The Land Use Ordinance as well as The Subdivision Rules and Regulations that were in effect when this Subdivision was originally approved will be in effect.

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Larry Sharpsteen made a motion to approve the Lakeview Subdivision extension for 18 months, terminating on May 14, 2014. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Approval/Denial of February 13, 2012 PB Minutes

Richard Prybyl made a motion to approve the Minutes as presented. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Approval/Denial of March 12, 2012 PB Minutes

Richard Prybyl made a motion to approve the Minutes as presented. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Abstained) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman

Approval/Denial of March 26, 2012 PB Minutes

Richard Prybyl states an omission was made regarding a statement he made. Mr. Prybyl requested that the following be inserted under Reply;

Given the significant financial stress from tax sources in our Town, any project that will be proposed must have positive tax consequences both in the short term, and long term.

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

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

Larry Sharpsteen made a motion to adjourn the Meeting at 7:28 PM. Richard Prybyl seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) David Hatfield, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Norman L. Davidson, Chairman