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Town of Lansing

Monday, May 13, 2013 7:15 PM PLANNING BOARD

PLANNING BOARD MEMBERS

(*Denotes present)

- * Thomas Ellis, Chairman
 - Lin Davidson, Vice-Chairman
 - Larry Sharpsteen
- * David Hatfield
- * Richard Prybyl
- * Al Fiorille
- * Gerald Caward
- * Jonathan Kanter, Planning Consultant
 - Lorraine Moynihan Schmitt, Esq.
- * Kathy Miller, TB Liaison
- * Ray Farkas, Alternate

Other Staff

- * Lynn Day, Zoning, Code, Fire Enforcement Officer
 - Lorraine Moynihan Schmitt, Esq.
- * David Herrick, Town Engineer

Public Present

Andy Sciarabba, Christine Moolin, Steve Moolin, Steve Boyers, Connor Aasen, Lanny Joyce, Sarah Zemonick, Ruth Hopkins, Roger Hopkins, Tim Butler

General Business

Thomas Ellis, Chairperson called the Planning Board Meeting to order at 7:15 PM. Mr. Ellis inquired if there were any questions or concerns from the Public that is not related to the Agenda. There were none.

Site Plan & SEQR Review - Applicant, Andy Sciarabba, Lansing Market, 3125 N.Triphammer Road, Tax Parcel # 30.-1-16.24, B2 Commercial Zone

The Lansing Market would like to add an additional Storage Shed and privacy Fence in the back property of the store at 3125 N. Triphammer Rd.

David Hatfield moved to waive the Public Hearing(s) on the SEQR and overall Application. Al Fiorille seconded the motion. The motion was approved unanimously

- Vote of Planning Board . . . (Aye) Gerald Caward, Member**
- Vote of Planning Board . . . (Aye) Ray Farkas, Alternate 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) Thomas Ellis, Member

*Richard Prybyl arrived at the Meeting.

David Hatfield moved the following Resolution;

RESOLUTION PB 13-10

TOWN OF LANSING PLANNING BOARD

**RESOLUTION OF STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE
DECLARATION FOR THE PROPOSED**

LANSING MARKET STORAGE SHED AND FENCE ADDITION - SITE PLAN

WHEREAS, an application was made by Andrew Sciarabba for site plan approval for the proposed addition of a storage shed and fence at the existing Lansing Market, located at 3125 N. Triphammer Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-16.24, B2 Commercial Zone; and

WHEREAS, the proposal is to add a storage shed that would be approximately 20' X 10' and about 10 feet high at the roof peak, as illustrated in the elevation sketch provided by the applicant, and a 6 +/- foot high fence to be placed around the shed to block the view of the shed, compactor, and dumpster area from the parking lot, as shown on a site plan drawing provided by the applicant; and

WHEREAS, this proposed action is an Unlisted Action for which the Town of Lansing Planning Board is an involved agency for the purposes of environmental review; and

WHEREAS, the Town of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated 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 Environmental Assessment Form Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) reviewed and completed the EAF, Part II on the record;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

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

Date: May 13, 2013

Seconded by: Gerald Caward

VOTE AS FOLLOWS:

Thomas Ellis - Yes

Gerald Caward - Yes

Al Fiorille - Yes

David Hatfield - Yes

Richard Prybyl - Yes

Ray Farkas - Yes

The motion was approved unanimously.

Gerald Caward moved the following Resolution;

RESOLUTION PB 13-11

RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD APPROVING LANSING MARKET SITE PLAN MODIFICATION - ADDITION OF STORAGE SHED AND FENCE

WHEREAS, an application was made by Andrew Sciarabba for site plan approval for the proposed addition of a storage shed and fence at the existing Lansing Market, located at 3125 N. Triphammer Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-16.24, B2 Commercial Zone; and

WHEREAS, the proposal is to add a storage shed that would be approximately 20' X 10' and about 10 feet high at the roof peak, as illustrated in the elevation sketch provided by the

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applicant, and a 6 +/- foot high fence to be placed around the shed to block the view of the shed, compactor, and dumpster area from the parking lot, as shown on a site plan drawing provided by the applicant; and

WHEREAS, the proposal is a permitted use in the B2 Commercial Zone subject to obtaining site plan approval from the Planning Board; and

WHEREAS, the proposal for the existing Lansing Market was granted final site plan approval by the Town of Lansing Planning Board on October 25, 2010; and

WHEREAS, the Town has considered and carefully reviewed the requirements of the Town's Laws relative to 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 area of the proposed Site Plan, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

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

WHEREAS, the Town of Lansing Planning Board is an involved agency pursuant to State Law governing local environmental review; and

WHEREAS, the Town of Lansing Planning Board has the primary responsibility for approving or carrying out the action and is conducting an uncoordinated environmental review of this action pursuant to State Law governing local environmental review; and

WHEREAS, General Municipal Law County Planning referrals 239-l and 239-m (of Article 12-B) were sent to the Tompkins County Planning Department by the **Town of Lansing Planning Department, and the Tompkins County Planning Department in a letter dated April 10, 2013 determined that the proposed action has no negative inter-community or county-wide impacts; and**

WHEREAS, on May 13, 2013, the Planning Board reviewed and considered the aforementioned site plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and resolved to waive public hearings on the site plan application and on the State Environmental Quality Review (SEQR) review on this action; and

WHEREAS, on May 13, 2013, this Board, acting on an uncoordinated environmental review of the proposed action, reviewed and accepted as adequate a Short Environmental Assessment Form ("EAF") Part I, submitted by the Applicant, the comments (if any, of the Town Engineer, the Tompkins County Department of Planning County 239-l and m review and other application materials, and the Lansing Planning Board completed Part II of the EAF; and

WHEREAS, by Resolution adopted on May 13, 2013, the Town of Lansing Planning Board has determined that, pursuant to the provisions of the State Environmental Quality Review Act,

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the proposed addition of a storage shed and fence at the existing Lansing Market will result in no significant impact on the environment and has issued a Negative Declaration of environmental significance for purposes of Article 8 of the Environmental Conservation Law; 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; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

RESOLVED: that the Town of Lansing Planning Board grant Final Site Plan Approval for the proposed addition of a storage shed and fence as shown on the submitted site plan and materials, located at 3125 N. Triphammer Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-16.24, B2 Commercial Zone.

May 13, 2013

Seconded by David Hatfield

VOTE AS FOLLOWS:

Thomas Ellis - Yes

Gerald Caward - Yes

Al Fiorille -Yes

David Hatfield - Yes

Richard Prybyl - Yes

Ray Farkas - Yes

The motion was approved unanimously.

Sketch Plan Review: Informal Presentation by Distributed Sun and Cornell University for a proposed Solar Array, 870 Snyder Road, Tax Parcel #44.-1-50.2

Cornell Representatives started the presentation for Distributed Sun regarding a proposed Solar Array. Braden Pan spoke via Speaker Phone who conducted the formal presentation. It was noted that there is no known electrical magnetic field issue. Distributed Sun will stay

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within the groundwater standards and will use glare resistant panels to avoid any issues with planes. They will also submit for Airport acceptance on the project. The facilities security plan is to protect the area with barb wire fencing and have Cornell include the site on a normal patrol by their campus police. Sarah Zemonick noted that the monitoring software will also let them know if there are any issues by the output of the panels. The plan for maintenance of the property is to plant hardy low grow 6-8 inch high grass that is beneficial to the storm water runoff and will reduce mowing the grass to a minimum.

The question was asked if the Cornell's property would be able to be taxed as they are leasing this project from Distributed Sun who is a for profit company? Private use on Public Land. Cornell was not prepared to answer the question at this time. It was also asked, what would happen if Distributed Sun went out of business? Braden answered, "The Finance Company backing the project would find a new Lease Holder." Robert also stated, "That Cornell also has the rights to take over if Distributed Sun defaults."

David Herrick noted that in the state of Maryland any large arrays are considered pervious surfaces. He is questioning how the Town of Lansing is going to deal with it to avoid going against the State. The request from the Town is for Cornell and Distributed Sun to apply using a long form upon completion of the Grant Approval.

Update Regarding Cayuga Farms Townhomes Proposal

Representative Tim Buhl appeared before the Planning Board on behalf of Cayuga Farms Townhomes. They have found a new self-contained Waste Water Treatment Plant plan. Cayuga Farms will have to schedule a new SEQR Hearing to finalize the process. A Storm Water Plan will need to be revisited. The Health Department will need to be notified and any other interested agencies. The neighbors will also need acknowledgement. The Planning Board will not approve until final approval from the DEC and Health Department. They will also need additional Site Plan Approval and Subdivision approval due to the for sale townhouses that will have common areas and a Homeowners Association. The Subdivision will consist of 138 units to be sold.

Approval/Denial of Minutes for: February 25, 2013 & March 11, 2013

- February 25, 2013: Gerald Caward noted that his name was missing from the attendance list.
- March 11, 2013:

Richard Prybyl moved to approve the Minutes of February 25, 2013 as amended and the March 11, 2013 as presented. Gerald Caward seconded. The motion was unanimously approved.

Vote of Planning Board . . . (Aye) Gerald Caward, Member

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Vote of Planning Board . . . (Aye) Ray Farkas, Alternate Member
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) Thomas Ellis, Member

Thomas Ellis stated for the record that he has no personal gain for the Jon Young Soccer Fields that was voted on in a prior meeting. All agreed that this was no problem.

Jonathan Kanter passed out materials for a Special Meeting to be held on May 22, 2013 at 6pm. Mr. Kanter updated the Board regarding pending projects:

- 1) Lamp Post Bed and Breakfast – Owner Kristin Tobias. It was approved to add to the June 10 Agenda.
- 2) Lansing Community Library – working on wording for the easement then will schedule
- 3) Compagni will be on the schedule for June 10, 2013 Meeting

Lynn Day, Code Enforcement Officer passed out Sign revisions and asked the Board Members to fill out the questionnaire and bring back to the Special Meeting on Wednesday, May 22, 2013.

David Hatfield made motion to adjourn the Meeting at 8:45 PM. Richard Prybyl seconded. The motion was unanimously approved.

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate Member
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) Thomas Ellis, Member