

APPROVED

Town of Lansing

Wednesday, July 22, 2013 7:15 PM

PLANNING BOARD

PLANNING BOARD MEMBERS

(*Denotes present)

- * Tom Ellis, Chairman
- * Lin Davidson, Vice-Chairman
- * Larry Sharpsteen
- David Hatfield
- Richard Prybyl
- * Al Fiorille
- * Gerald Caward
- * Jonathan Kanter, Planning Consultant
- * Ray Farkas (Alternate Member)

Other Staff

Lynn Day, Zoning, Code, Fire Enforcement Officer
Sue Munson

Public Present

Ross Benson
Sue Sullivan
Kevin Snyder
Jase Baese
Emily Franco
Sarah Thomson
Keith Thomson
Ed LaVigne

Other Business

Tom Ellis, Chairperson called the Planning Board Meeting to order at 7:17 PM.

Chairman Ellis enacted the Alternate Member to vote due to two Members being absent.

No public comments/concerns voiced.

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Other Business

Lin Davidson- As the result of the Gov.'t Regional Development monies, TC3 is developing a training farm to raise food and train young farmers as well as setting up a local culinary facility in Ithaca to train Chef's.

Informal sketch site plan of Hygear Suspension, , at 308 Peruville Road, Tax Parcel # 30.-1-26.27, in the R-A Rural Agricultural Zone in the Town of Lansing.

Mr. Ross Benson appeared before the Board. Mr. Benson offered the following with respect to his Application;

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July 2, 2013

Subject: Hygear Motorsports Relocation
Purpose: Town of Lansing Site Plan Approval
Property: 308 Peruville Road

To Members of the Town of Lansing Planning Board

Hygear Motorsports LLC was founded in 2002 and specializes in custom suspension service for recreational vehicles. Hygear Motorsports also produces its own line of suspension related parts in house, in addition to machining small parts under contract for other companies. The business is currently rents a 3000 sq ft space located at 8 Cayuga Vista Drive, in the Town of Lansing. 2200 sq ft is used for business operations, with the remaining 800 sq ft occupied as the business owner's residence. Hygear Motorsports currently has 6 full time employees and also offers summer internship positions. The company is looking to move to a larger, more efficient space in which to operate.

We are currently under contract for the property at 308 Peruville Rd, also located in the Town of Lansing. This facility has a total of 5000 sq ft, which will provide over 4000 sq ft for business operations, and around 1000 sq ft of living space for the owner. The location is ideal as it is very close in proximity to our current one. This will keep our relocation costs and interruption of daily operations to a minimum. Employee commute times will be virtually unchanged, and we will be able to maintain the same ease of access to courier services such as UPS for incoming and outgoing shipments. The ability to keep the same zip code, phone numbers, and school district is very appealing as well.

The present driveway layout at 308 Peruville Rd will be satisfactory for our immediate needs and will provide parking for approximately eleven vehicle, leaving room for delivery vehicles as well. The attached site map outlines an area where parking may be expanded, but this change will only be made if we find additional space is necessary after relocating.

Hygear Motorsports holds a special permit from the Town of Lansing to operate a controlled test area at 8 Cayuga Vista Drive. The permit was first issued and has been maintained since 2003, with allowable hours of operation

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● Page 2

July 3, 2013

between 10am and 4pm, Monday through Friday(no weekends or holidays). The test area has proven to have a low impact to its immediate surroundings, and is used intermittently for an average of 2-3 hours per month. The majority of the activity takes place during the winter months.

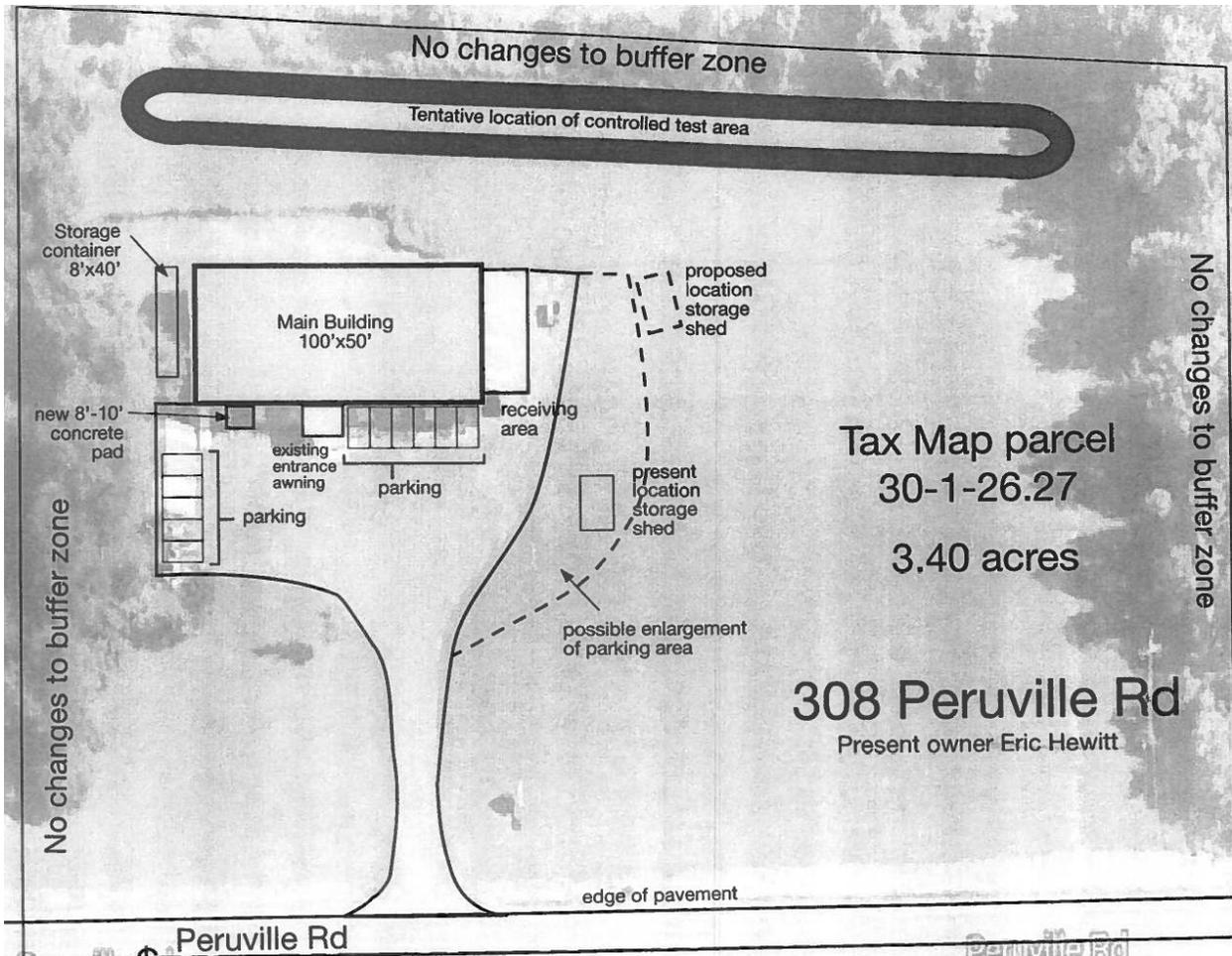
The controlled test area has been an invaluable resource for the growth and success of the company in terms of product development and testing suspension calibrations. A proposed controlled testing area is outlined on the attached site plan for 308 Peruville Rd, with full buffer zones on all sides. A controlled testing area at the new location may or may not be necessary dependent on how our business continues to grow and capabilities change. We do, however request that the option of installing a closed testing area on the property be made available to us should the need arise. We would expect the stated conditions for use of the new test facility to be the same as our current one, with the exception of the annual \$75 permit renewal fee.

We appreciate you taking the time to review our application, and look forward to your positive response. Please do not hesitate to contact us with any questions or concerns. Our hope is to complete the move by the 1st of September, just in time for the start of busy season.

Sincerely,

Ross Benson
Hygear Motorsports LLC

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Lin Davidson requested that the outdoor lighting be upgraded to a full cut off light.

Thomas Ellis: Inquired if the Test Track is an essential part of Mr. Benson's business.

Ross Benson: The test track has proven to be successful when it comes to gaining knowledge and experience on his products. Mr. Benson would like the option to have the test track on site.

Larry Sharpsteen: Inquired what the hours of operation would be. Mr. Benson indicated the same hours as he currently has, 10:00 AM to 4:00 PM with no weekends or Holidays.

Jonathan Kanter indicated at such time of approval, the Board could put conditions on the approval requesting additional engineering details for the test track with respect to the disturbance of soil for the determination of stormwater management purposes.

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Members discussed the options in order to act on the Site Plan tonight. They agreed that if Mr. Benson does go ahead and builds the test track that he return to the Planning Board at which time a Public Hearing would be required.

Public Comments:

Jase Baese & Emily Franco : Concerned with the hours of operation and the track noise.

- Mr. Benson explained that the business and test track is a very low impact business.

Sue Sullivan: Concerned with the existing buffering and would request that the Board consider increasing it in the future.

Kevin Snyder: Inquired from Mr. Benson how important the test tract is to his business.

- Mr. Benson indicated history has shown it to be critical.

Sue Sullivan: Inquired if the business would be contained.

- Mr. Benson indicated yes.

The Tompkins County Planning Department offered the following;

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07/22/2013 09:15 FAX 607 274 5578

Tompkins Co Planning/HPO → LANSING TOWN 0001

Tompkins County
DEPARTMENT OF PLANNING

Edward C. Marx, AICP
Commissioner of Planning

121 East Court Street
Ithaca, New York 14850

Telephone (607) 274-5560
Fax (607) 274-5578

July 19, 2013

Mr. Jonathan Kanter, AICP, Town Planning Consultant
Zoning, Planning and Code Enforcement
Town of Lansing
Box 186
Lansing, NY 14882

Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action: Site Plan Review Hygear Suspension at 388 Fernville Road,
Tax Parcel No. 30.-1-26.27, RA Zoning District; Eric Hewitt, Owner; Ross Benson,
Applicant.

Dear Mr. Kanter:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Edward C. Marx, AICP
Commissioner of Planning

Inclusion through Diversity

Larry Sharpsteen moved to waive the Public Hearing(s) on the SEQR and Site Plan Application for this phase of the proposal. Lin Davidson seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

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The Planning Board Members reviewed Part I and completed Part II of the Full Environmental Assessment Form.

Lin Davidson offered the following Resolution. Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 13-14

TOWN OF LANSING PLANNING BOARD RESOLUTION OF STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION FOR THE PROPOSED HYGEAR RELOCATION - SITE PLAN

WHEREAS, an application was made by Ross Benson for site plan approval for the relocation of Hygear Suspension to a new site located at 308 Peruville Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-26.27, RA Rural Agricultural Zone; and

WHEREAS, the applicant has requested site plan approval in conjunction with the relocation of Hygear Suspension, a business currently located in the Town of Lansing specializing in the performance and handling of sport ATV and snowmobile suspension systems, including expansion of the parking lot. Businesses such as Hygear are permitted in the RA Zone subject to site plan review by the Planning Board; 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

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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 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.

Dated: July 22, 2013

VOTE AS FOLLOWS:

Gerald Caward, Jr. - Aye
Lin Davidson - Aye
Raymond Farkas - Aye
Al Fiorille - Aye
Larry Sharpsteen - Aye
Thomas Ellis - Aye

Gerald Caward made a motion offering the following Resolution. Lin Davidson seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 13-15

**RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD
APPROVING SITE PLAN FOR
RELOCATION OF HYGear SUSPENSION TO 308 PERUVILLE ROAD**

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WHEREAS, an application was made by Ross Benson for site plan approval for the relocation of Hygear Suspension to a new site located at 308 Peruville Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-26.27, RA Rural Agricultural Zone; and

WHEREAS, the applicant has requested site plan approval in conjunction with the relocation of Hygear Suspension, a business currently located in the Town of Lansing specializing in the performance and handling of sport ATV and snowmobile suspension systems, including expansion of the parking lot. Businesses such as Hygear are permitted in the RA Zone subject to site plan review by the Planning Board; 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 239-1 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 July 19, 2013 determined that the proposed action has no negative inter-community or county-wide impacts; and**

WHEREAS, on July 22, 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

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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 July 22, 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 239-1 and in review and other application materials, and the Lansing Planning Board completed Part II of the EAF; and

WHEREAS, by Resolution adopted on July 22, 2013, the Town of Lansing Planning Board has determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposed relocation of Hygear Suspension to 308 Peruville Road 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, the proposed site plan only shows approximate size and location for a possible “controlled test area”, and sufficient details have not been provided for that facility; 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 does hereby grant Site Plan Approval for the proposed relocation of Hygear Suspension to a new site located at 308 Peruville Road, Lansing, New York and otherwise known as Tax Parcel #30.-1-26.27, RA Rural Agricultural Zone, subject to the following conditions:

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1. The Planning Board's approval of this proposed site plan does not authorize the inclusion or construction of the possible "controlled test area". The applicant shall submit engineering details to the Planning Board for additional site plan approval prior to proceeding with any construction of the "controlled test area"; and
2. Any new exterior lighting shall comply with the Town of Lansing requirements for full cutoff light fixtures to avoid glare and light spillage on adjacent properties. Existing lighting shall be modified or replaced to include shielding or full cutoff light fixtures to avoid glare and light spillage on adjacent properties.

July 22, 2013

VOTE AS FOLLOWS:

Gerald Caward, Jr. - Aye
Lin Davidson – Aye
Raymond Farkas - Aye
Al Fiorille – Aye
Larry Sharpsteen – Aye
Thomas Ellis - Aye

Approval/Denial of July 08, 2013 Meeting Minutes

Larry Sharpsteen states under Upcoming Sewer Meeting remove Jeanne Kirby's name.

Tom Ellis: Page 3 under Multiple Dwelling remove **Storm Water Management required**

Al Fiorille motion to accept as amended. Lin Davidson seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

Continue Discussion Regarding Possible Code Revisions –

Solar

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Definition: A solar collection device or combination of devices are designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.

- Screening, capable of providing year round screening, is provided along the non-reflective axis of the solar collection device or collection of devices.
- Roof mounted solar collection devices shall not exceed the current Code for maximum height limit for the district.
- Solar collection devices shall not exceed 45 feet in height without specific review.

Setback: Active solar energy systems must meet the accessory structure setback of the zoning district and primary land use associated with the land on which the system is located. Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. In lieu of a planting screen, a decorative fence meeting the requirement of the Zoning Ordinance may be used.

Solar Panel

- Small scale Residential allowed by right as long as they still within the height restrictions and meet the appropriate setbacks.
- Commercial -large scale required to have Site Plan Review.

Wind Energy Source

- Residential height limitation is 40 ft. (check State Regulations)
- Jonathan will check with The New York Planning Federation for an example Ordinance of such.

Definition of "Dwelling-Multi Family"

- A Building or group of buildings on one lot containing Three (3) or more Dwelling Units.

Definition of "Two-Family Dwelling"

- Only one (1) Two-Family Dwelling is allowed on a lot.

Special Use Permits

- Consider the Planning Board taking over some jurisdiction in place of the Town Board. Planning Board will review this further.

Possible Modifications for Site Plan Review

A brief discussion took place with the possibility of revamping the threshold for Site Plan Review on small projects. The Board will discuss this at a future Meeting.

Member Update

Ray Farkas, Alternate Member distributed a copy of the new SEQR that is proposed to take effect in October 2013.

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Up-coming Event- Cayuga Operating Plant Public Hearing

Kathy Miller, Town Supervisor reminded the Planning Board Members that a Public Hearing will be held on July 29, 2013 @ 6:00 PM in the Lansing Middle School Auditorium with respect to the Cayuga Operating Plant. Ms. Miller encourage Members to attend and voice their opinions.

Lin Davidson made a motion to adjourn the Meeting at 8:55 PM. . Larry Sharpsteen seconded the motion and it was carried by the following roll call vote:

Vote of Planning Board . . . (Aye) Gerald Caward, Member
Vote of Planning Board . . . (Aye) Lin Davidson, Member
Vote of Planning Board . . . (Aye) Ray Farkas, Alternate
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member