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Town of Lansing

Monday, January 13, 2014 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
Lorraine Moynihan Schmitt, PB Legal Counsel

Public Present

Jack Young	Roger Hopkins
Susan Murphy	Joseph Morse
Max Steinhardt	Sean Whittaker
Maryanne Banks	Rick Banks
Natalia Emlen	Steve Emlen
Zach Shulman	Floyd Davis
Ed LaVigne	Jim Johnston
Karen Piersanti	James Piersanti
Maureen Cowan	Carolyn Sampson
John Anderson	Bill Bellamy
Nancy Bellamy	Deborah Trumbull
Susan Markowitz	Mel Richards
Jane Richards	Margaret Keller
Michael Keller	William Currie
Roberta Wasenko	Chris Anagnost

Other Business

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Tom Ellis, Chairperson called the Planning Board Meeting to order at 7:16 PM. No public comments/concerns voiced.

Chairman Ellis stated for the record, this presentation is a very informal Meeting between the developer and the Planning Board.

Informal Sketch Presentation/Comments from the Town of Lansing Planning Board for a Seven (7) lot Major Subdivision, Applicant: John Young, Tax Parcel No. 36.-1-17.40, R1-Residential-Low Density District.

David Rutherford, Representative for Mr. Young appeared before the Board. The following information was provided to the Board;

Project Description

The owners of tax parcel # 36-1-17.40 (32.71 acres) are proposing to subdivide the western portion of their property into a minimum of seven (7) building lots. These lots would be larger than what is required by the applicable zoning laws and what exists in the adjacent subdivisions. (Thus the density here would be lower than in the surrounding neighborhoods.) The balance of the property will remain in cultivation for the time being, although it is anticipated that the entire property will eventually be developed for residential uses as permitted by its existing R-1 (low density residential) zoning.

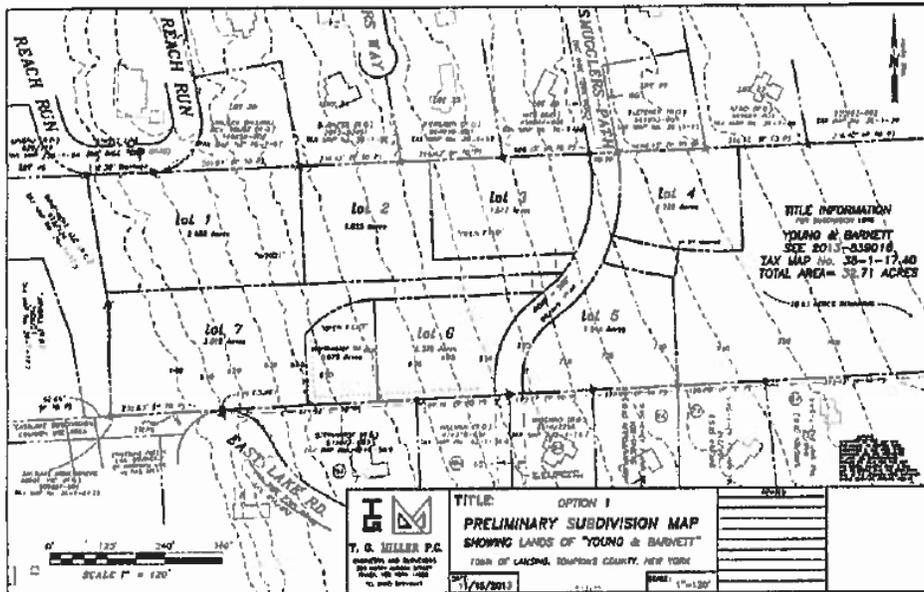
This property is somewhat unusual, as it is sandwiched between two well established high-end residential developments yet has remained undeveloped itself for many years. As the property is long and thin with only problematic road frontage on Route 34, provisions were made by previous planning boards for access from each adjacent subdivision, with Smugglers Path coming to the property line from the north through the Lake Watch neighborhood, and a paper street allowing access to East Lake Road coming from the south. Without these two access roads the property would have functionally limited public road access, and there would be no way to connect the two adjoining neighborhoods in conjunction with this subdivision proposal as required by Section 702 (1) of the Town's Subdivision Rules and Regulations.

While the owners desire to be sensitive to the concerns of their neighbors to the north and south, there is no way to develop the property that won't have some impacts on both, just as those developments impacted the subject property and the other surrounding properties. Many of these impacts are positive, as this proposal would allow for the roads and *possibly* also the water systems in the two neighborhoods to be connected, thus allowing better and more reliable access for people, emergency vehicles, snow plows and school buses. Other changes would be temporary, as this project would involve a certain amount of infrastructure building and then the construction of seven new homes.

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Option 1

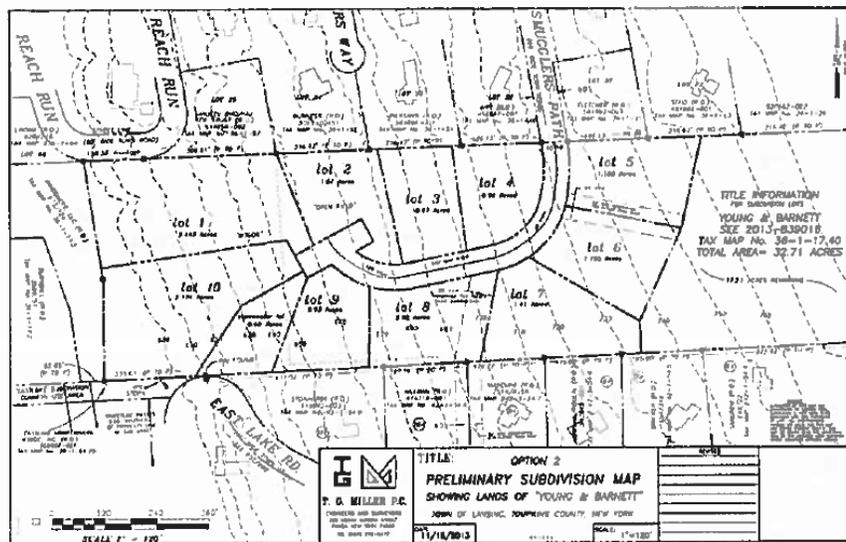
Building a public road through the property connecting East Lake Road with Smugglers Path



This option appears to provide the most advantages for both adjoining neighborhoods, as it would allow for pedestrians, bicycles, cars, snow plows, emergency vehicles and school buses to pass smoothly and freely from one neighborhood to the other. In addition, this would be the fairest and most equitable option, as all traffic and benefits would flow in both directions and the new road would serve the needs of each existing neighborhood and the newly created lots equally. This option is the preferred choice of the Lansing Highway Department.

Option 2

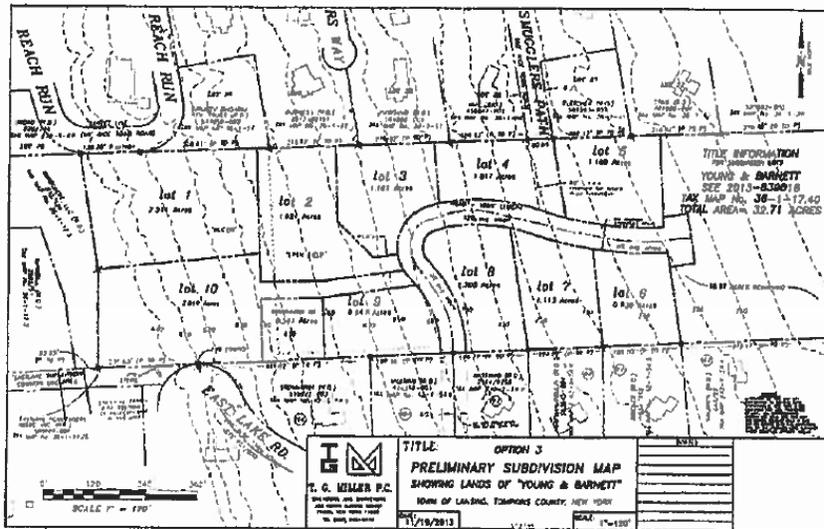
Building a public road into the property from Smugglers Path, bending towards the lake and ending in a hammerhead turn in the middle of the property



This option delays the need to connect the subdivision to East Lake Road but would require additional land to be paved, and would yield a steeper public road than the first option. It doesn't help remedy the current lack of back-up access for emergency vehicles in the adjacent neighborhoods, and doesn't allow for pedestrian, bicycle or any other traffic between the two. At such time as the balance of the property is developed, access to East Lake Road would still be required (via a right-of-way established in lot 8) to avoid breaching the Town's rules on cul-de-sac length, unless direct access to Rt. 34 was built instead, which we are assuming isn't a feasible option due to the current configuration of the existing intersections there. The burden of the small amount of additional traffic generated by the new lots would fall entirely on the Lake Watch community, to the north.

Option 3

Building a public road into the property from the East Lake subdivision through the dedicated right-of-way, bending away from the lake and ending in a hammerhead turn in the middle of the property



This option is similar to option 2, and like option 2, delays the need to connect the subdivision to the Lake Watch community, but would require additional land to be paved. It also doesn't help remedy the current lack of back-up access for emergency vehicles in the adjacent neighborhoods, and doesn't allow for pedestrian, bicycle or any other traffic between the two. At such time as the balance of the property is developed, access to Smuggler's Path would still be required (via a right-of-way established in lot 4) to avoid breaching the Town's rules on cul-de-sac length. The burden of the small amount of additional traffic generated by the new lots would fall entirely on the East Lake community, to the south.

Mr. Rutherford indicated the presented maps are only for informational purposes, to better help the Members. They are not the final design.

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Al Fiorille inquired if the new road was built to Smuggler's Path with a 60' wide reservation for connection to East Lake Road, who would be responsible for building the road extension?

Jonathan Kanter indicated it would be the Developer's (Mr. Young) responsibility. There is already an easement in place on the two separate lots for the road extension. Lorraine Moynihan Schmitt, Legal Counsel indicated it states the Developer is responsible in the Subdivision Rules and Regulations.

Thomas Ellis has concerns with the traffic flow, as does Larry Sharpsteen. The brunt of the traffic will be borne by Eastlake.

Larry Sharpsteen and Thomas Ellis have Stormwater concerns. Mr. Sharpsteen would like to see a plan for future-potential development on the property.

Mr. Rutherford states Mr. Young did send a document to Mr. Kanter indicating he does not want to develop the full eastern part of the property at this time.

Jonathan Kanter states an overall conceptual Stormwater Plan and Traffic Plan can be done for the entire site with the assumptions we know will happen in the future.

Richard Prybyl states in order to continue Comprehensive Planning for the Town, he believes the whole Stormwater Plan should be laid out. Mr. Prybyl also has great concerns with the traffic in the area of NYS Route 34 (Eastlake to the Rink). A request for lighting, pathways, and signage was also requested by Mr. Prybyl.

Mr. Rutherford reiterated the sketches are not the original plans. They are just options for discussion purposes.

Lorraine Moynihan Schmitt expressed to the Board Members that there are certain requirements needed at the Sketch Plan level.

Thomas Ellis states he would prefer to see a road built on the west side of 34 at Waterwagon Road. Jonathan Kanter disagreed with Mr. Ellis due to the poor site distance on the north side of Waterwagon.

Larry Sharpsteen indicated the Town Highway Department has indicated their preferred option is number one for maintenance purposes and life safety.

Lots 1 & 7 of option # 1 will need to have Variances.

Jonathan Kanter encouraged the Board Members to review the Comprehensive Plan reference that Mr. Young's memo pointed out. Mr. Kanter further explained it is quite

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specific with respect to the need for the future Smuggler's Path extension to go thru the Novalane property to hook up to the adjacent subdivisions and eventually connect to Sun Path Road area.

Public Comments/Concerns

A Resident inquired as to where the Stormwater Pond would be located. The Engineer advised it is unknown, at this time.

Increase traffic concerns within the existing subdivisions and on the state highway in that area. The speed limit needs to be reduced, or even a street light.

Ed LaVigne advised the public that he will check with our County Rep. Mike Sigler, and local Congressman to get the ball rolling on the traffic/safety concerns.

Revised Sketch Plan, Farm Pond Circle Subdivision, Farm Pond Circle & Peruville Road, Applicant: Jack Jensen Development Co. LLC, Tax Parcel # 38.-1-4.121 & .122

John Andersson, P.E. for Mr. Jensen gave a brief overview of the proposal and indicated as follows;

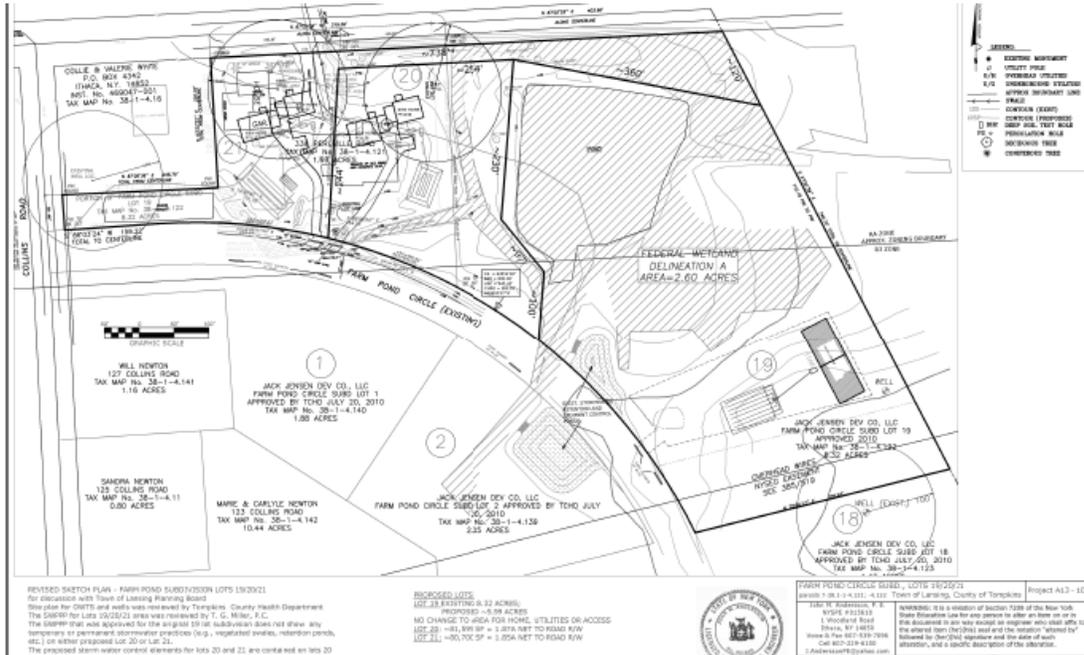
Re: Farm Pond Circle Subdivision (add Lots 20, 21; revise Lot 19)
Peruville Road and Farm Pond Circle, Lansing-T
Tax parcels 7-38.-1-4.121 and Part Of -4.122
Revised Sketches for Planning Board Meeting January 13, 2014

The preliminary lot layout as presented to you on September 23, 2013, was discussed at the Board of Zoning Appeals on October 29, 2013. The proposed Lots 20 and 21, planned for duplex units (2-bedroom + 1-bedroom), were shown approximately 52,000 square feet each while the zoning requires 40,000 square feet per unit. The BZA denied the request to waive the 80,000 square foot requirement.

The members of the BZA informally indicated that the lot size variance would be favorably reviewed if the lots were increased to at least 70,000 square feet. However, the difference in layout of 70,000 or 80,000 square foot lots for this project is not significant. The larger lots must include federal wetlands that cannot be used for buildings, water or sewage systems. The attached revised sketch plan shows Lot 20 encompassing additional road frontage along Farm Pond Circle and wetland area between the building site and the pond. Lot 21 is forced to have an unusual shape and include a portion of the wetland paralleling Peruville Road because the line dividing lots 20 and 21 must be where it is shown to provide enough usable area to build on each lot.

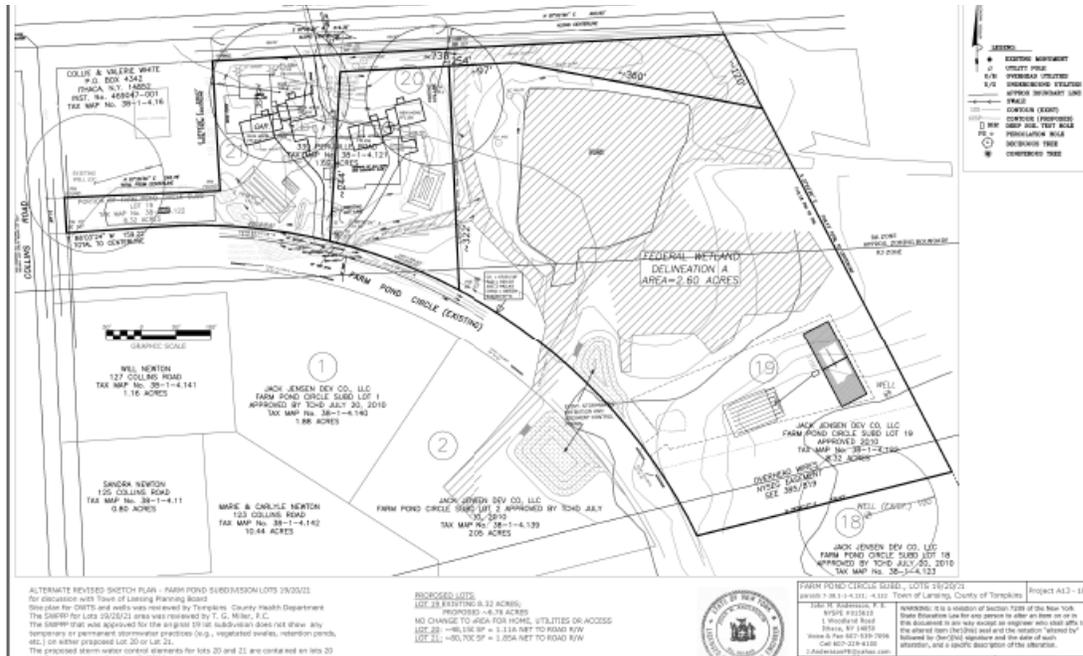
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An alternative sketch plan is also included that shows Lot 20 at about 48,000 square feet for a single family home. Lot 19 then is able to have better access and more privacy around the pond. Lot 21 remains the same shape and size in either scenario.



Alternate

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Larry Sharpsteen made a motion to re-affirm the classification as an amendment to a Major Subdivision with option 2 being the Board's choice as well as Mr. Jensen's. Lot 20, will be a single family residence on 48,000 sq. ft. lot. 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) Al Fiorille, Member**
- Vote of Planning Board . . . (Aye) Richard Prybyl, Member**
- Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member**
- Vote of Planning Board . . . (Aye) Thomas Ellis, Member**

It was requested that an amendment to the EAF be completed to reflect the Single Family home as oppose to the duplex. Planning Board Members will review the amendment at the February 10th Meeting. A new map showing the single family home should be provided.

Richard Prybyl made a motion to waive the Public Hearing on the SEQR and the modification of the original development plan. 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) Al Fiorille, 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) Thomas Ellis, Member

Consider Approval of December 9, 2013 Meeting Minutes

Page 2, 4th paragraph seems to sees

Page 2, 5th paragraph Gerry to Jerry

Page 4, Strike last sentence

Thomas Ellis made a motion to approve 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 . . . (Abstained) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

Planning Board Member's Resignation

Chairman Ellis advised the Board that Member David Hatfield has resigned for personal reasons.

Lynn Day- Zoning Officer/Building Inspector

Mr. Day distributed a copy of the proposed changes to the Land Use Ordinance and a copy of the existing one. Discussion on the changes will follow at the January 27th Meeting.

Executive Session

Richard Prybyl made a motion to enter into Executive Session at 8:50 PM to discuss a Personnel issue. Jerry Caward 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) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

Thomas Ellis made a motion to terminate the Executive Session at 9:06 PM and reconvene the regular Meeting.

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Recommendation for Farkas Appointment to permanent position

Larry Sharpsteen recommended that the Planning Board submit a letter of recommendation to the Town Board to appoint Ray Farkas to the Planning Board position vacated by Hatfield. Richard Prybyl 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) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Abstained) Thomas Ellis, Member

Recommendation for Prybyl Re-Appointment (7 Yr. Term)

Larry Sharpsteen made a motion to recommend to the Town Board for re-appointment of Member Richard Prybyl for an additional seven (7) year term. Al Fiorille 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) Al Fiorille, Member
Vote of Planning Board . . . (Abstained) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Abstained) Thomas Ellis, Member

Thomas Ellis made a motion to terminate the Regular Meeting at 9:12 PM. Richard Prybyl 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) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member