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Town of Lansing

Monday, January 27, 2014 7:15 PM

PLANNING BOARD

PLANNING BOARD MEMBERS

(*Denotes present)

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

Other Staff

Lynn Day, Zoning, Code, Fire Enforcement Officer
Kathy Miller, Town Supervisor, TB Liaison

Public Present

Karen Piersanti
Jim Piersanti
Ed LaVigne
Christine Lee
James Lee
Ruth Hopkins

Other Business

Tom Ellis, Chairperson called the Planning Board Meeting to order at 7:18 PM.
No public comments/concerns voiced.

Chairman Ellis enacted Deborah Trumbull the Alternate Member to vote due to a Member being absent.

Chairman Ellis shared with the Board a compliment he received from a Resident regarding how the Planning Board handled the January 13, 2014 Meeting.

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Chairman Ellis disclosed to the Board that he owns property within the 600' jurisdiction of the proposed Home Office Business.

Public Hearing: Site Plan Review - Home Office for Acupuncture Practice, Applicant - Christine Lee, 3 Reach Run, Tax Parcel # 36.-1-26, R-1 Residential Low Density District.

Larry Sharpsteen made a motion to open the Public Hearing at 7:20 PM. 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, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Alternate
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

Ms. Lee appeared before the Board requesting Site Plan Review to conduct an In-Home acupuncture business. Ms. Lee states her clientele will be limited to 5-6 persons per week. There will be no employees. There will be no new lighting. Eventually, Ms. Lee would like to have a sign erected on her property.

Al Fiorille feels a street sign would not be compatible with the neighborhood. Mr. Fiorille states it should be fixed to the structure rather than by the road. Members agreed.

Larry Sharpsteen feels there should be no on street parking. Members agreed.

Public Comments/Concerns

A Resident inquired to know if the Town's Land Use Ordinance supersedes the Lakewatch covenants.

Jonathan Kanter stated Municipalities must follow their own Land Use Ordinances and cannot act on the bases of whether or not there are restrictive covenants on the private Homeowners Association side.

Larry Sharpsteen stated there must be an active Homeowners Association to enforce covenants.

The Resident stated there is not an active Homeowners Association in the Lakewatch Subdivision.

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Thomas Ellis made a motion to close the Public Hearing at 7:27 PM. 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, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Alternate
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

After some discussion with regards to conditions, the Board agreed to the following;

1. The Sign must be install on the Building, not on the lawn. The size can be no larger than 4 sq. ft. and must not be an electric LED or an interior illumination Sign.
2. No on street parking.

Larry Sharpsteen offered 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, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Alternate
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 14-01

**RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD
APPROVING SITE PLAN FOR CHRISTINE LEE HOME OFFICE, 3 REACH RUN**

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WHEREAS, an application was made by Christine Lee for site plan approval for a proposed home office, located at 3 Reach Run, Lansing, New York and otherwise known as Tax Parcel #36.-1-26, R1 Residential – Low Density District; and

WHEREAS, the proposal is to establish an in-home acupuncture practice in the existing house on a lot consisting of +/- 0.884 acres, as shown on the survey map provided by the applicant, with no exterior changes proposed; and

WHEREAS, the proposal is a permitted use in the R1 Residential – Low Density District subject to the special conditions listed in Section 802.9 of the Town of Lansing Land Use Ordinance and subject to obtaining site plan approval from 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, this action is exempt from the General Municipal Law County Planning referral requirements of 239-1, 239-m, and 239-n (of Article 12-B) through an Inter-governmental Agreement between the Tompkins County Planning Department and the Town of Lansing, dated December 17, 2003, as this is a site plan review for a home occupation on a residential lot; **and**

WHEREAS, on December 9, 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 the public hearing on the State Environmental Quality Review

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(SEQR) review on this action, and to schedule a public hearing on the site plan application for January 27, 2014; and

WHEREAS, on December 9, 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 m review and other application materials, and the Lansing Planning Board completed Part II of the EAF; and

WHEREAS, by Resolution adopted on December 9, 2013, the Town of Lansing Planning Board has determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposal to establish an in-home acupuncture practice in the existing house 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, on January 27, 2014, the Planning Board held a public hearing on the proposed home office and has duly considered comments from the public and has 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, access, and screening, and any potential on and off site environmental impacts; and

WHEREAS, the Planning Board has duly considered all of the conditions for a residential home business or occupation listed in Section 802.9 of the Town of Lansing Land Use Ordinance; 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 find that the proposed establishment of an in-home acupuncture practice in the existing house meets the conditions and

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requirements specified in Section 802.9 of the Town of Lansing Land Use Ordinance; *and be it further*

RESOLVED: that the Town of Lansing Planning Board does hereby grant Final Site Plan Approval for the proposed establishment of the proposed in-home acupuncture practice in the existing house, located at 3 Reach Run, Lansing, New York and otherwise known as Tax Parcel #36.-1-26, R1 Residential – Low Density District, subject to the following conditions:

1. The Sign must be install on the Building, not on the lawn. The size can be no larger than 4 sq. ft. and must not be an electric LED or an interior illumination Sign.
2. No on street parking.

Review and Discussion of Revised “Proposed Changes for 2014 - Town of Lansing Land Use Ordinance”

Members were previously provided with a copy of the proposed changes for their review prior to this Meeting.

Lynn Day, Zoning Officer verbally summarized the changes that have been made on the document thus far as the result of numerous Meetings among the various Boards involved with the changes.

Planning Board Members reviewed the changes with the Zoning Officer and suggested some minor changes. Mr. Day has advised the Board he will not make any changes to the actual document until the Town Board has again reviewed the document and given their final approval.

Subdivision Changes

Lynn Day, Zoning Officer read the minor changes to the Subdivision Rules and Regulations. Once the Town Board reviews the changes, the document will be amended to show the changes.

Kathy Miller-TB Liaison- Re: Up-coming Training

Kathy Miller encouraged the Members to try and attend at least one of the following trainings;

Onondaga County Planning Federation
26th Annual Planning Symposium

Time: 8:00 am - 4:15 pm

Date: Thursday, March 13, 2014

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Location: Convention Center at Oncenter

Or

The New York Planning Federation's Annual Training Conference

Date: March 30th – April 1st, 2014

Saratoga Springs, NY 12866

Monday, March 3, 2014 @ 7:00 PM Stormwater Training (Lansing Town PB, TB, ZBA Only)

Lansing Town Hall, Board Room

Presenters: Scott Gibson, Guy Krogh, David Herrick

Approval/Denial of the January 13, 2014 Meeting Minutes

Approval postponed until the February 10, 2014 Meeting to allow the Members time to review the Minutes.

Jonathan Kanter-RFP (Request For Proposals) Meeting

Jonathan Kanter reminded the Members of the Request For Proposal Meeting to be held Tomorrow, January 28, 2014 @ 5:30 PM, 29 Auburn Rd, Lansing Town Hall (Board Room). All were encouraged to attend.

Thomas Ellis made a motion to adjourn the Meeting at 9:05 PM. 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, Member
Vote of Planning Board . . . (Aye) Al Fiorille, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Deborah Trumbull, Alternate
Vote of Planning Board . . . (Aye) Thomas Ellis, Member