

APPROVED

Town of Lansing

Monday, February 10, 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
Charlie Purcell, Deputy Highway Superintendent

Public Present

Jack Jensen
John Stevens
Jim Stephenson
Jennifer Micale
Jeff Goodman
John Young
John Andersson

Other Business

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

Education - Drainage Benefit District s

Lorraine Moynihan Schmitt, Legal Counsel for the Planning Board explained to the Board Members that Drainage Districts are Benefit Districts. The purpose of the Drainage District is to control and manage the flow of Stormwater from all categories of land use. Standard operating procedures in Lansing, has been that each Major

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Subdivision has a Drainage District. The purpose is to manage Stormwater and erosion. In addition, it also is to make sure if there is a Homeowner's Association that defaults, the Town is covered for Stormwater maintenance by the people within that district. Because it is a Benefit District, the cost differs from lot to lot. It is based on the percentage of land in the district.

Final Plat Approval of Amended Subdivision Plat for the addition of two new lots (Lots 20 and 21) and the modification of existing Lot 19, Farm Pond Circle Subdivision, Farm Pond Circle & Peruville Road, Applicant: Jack Jensen Development Co. LLC, Tax Parcel #'s 38.-1-4.121 & 38.-1-4.122, RA Rural Agricultural District and R3 Residential Mixed-Use District.

The Planning Board Members reviewed Part I completed by the Applicant's Engineer and Part II of the Full Environmental Assessment Form completed by Planner, Jonathan Kanter.

Lin Davidson offered the following Resolution. Ray Farkas 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) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member
Vote of Planning Board . . . (Aye) Thomas Ellis, Member

RESOLUTION PB 14-02

**TOWN OF LANSING PLANNING BOARD
RESOLUTION OF STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION FOR THE PROPOSED FARM POND CIRCLE
AMENDED FINAL SUBDIVISION PLAT**

WHEREAS, an application was made by Jack Jensen Development Co. LLC for Final Plat Approval of an Amended Subdivision Plat for the addition of two new lots (Lots 20 and 21) and the modification of existing Lot 19, Farm Pond Circle Subdivision, Farm Pond Circle & Peruville Road, Tax Parcel #'s 38.-1-4.121 & 38.-1-4.122, RA Rural Agricultural District and R3 Residential Mixed-Use District; and

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WHEREAS, the proposed amended subdivision, shown on a survey map entitled, "Farm Pond Circle Subdivision, Lots 19/20/21, Town of Lansing, Tompkins County, New York," dated January 20, 2014, and labeled as Sheet S-1 - Proposed Lots, would consist of two new building lots (Lot 20 - +/- 48,150 square feet net area to include one single-family dwelling, and Lot 21 - +/- 80,700 square feet net area to include two dwelling units in a duplex configuration) and a modification of existing Lot 19 (currently Tax Parcel # 38.-1-4.122 consisting of +/- 8.32 acres) to provide the lot area necessary for Lots 20 and 21, thereby reducing the lot area of Lot 19 to +/- 6.76 acres; and

WHEREAS, this proposed action has been determined to be an Unlisted Action for which the Town of Lansing Planning Board (Planning Board) is an involved agency for the purposes of environmental review; and

WHEREAS, on January 13, 2014, the Planning Board reviewed and considered the aforementioned subdivision application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and resolved to waive public hearings on the subdivision application and on the State Environmental Quality Review (SEQR) review on this action; and

WHEREAS, the Planning Board, in performing 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 Full 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 Full 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

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(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.

Further Discussion on the proposed amended Subdivision conditions;

The Chairman reviewed the proposed conditions in the Draft Resolution previously provided to the Members;

Members inquired as to where each rain garden would be located on the map. According to John Andersson they will be on the map and in the deeds.

Larry Sharpsteen inquired as to the sundown on deed restrictions.

Legal Counsel will check into the sundown on the deed restrictions. In the mean time, she advised that the Board may want to leave the rain gardens a little more open ended as stormwater practices do/will change in the future.

8: The Board Members felt that some sort of language that’s approved by the current Stormwater Regulations or equally approved by the DEC be inserted on # 8 with respect to the rain gardens. This will make new or future owners aware of the Storm Water Regulations.

4 Drainage District

Members discussed adding Lots, 20 & 21 to the existing drainage district and pro-rating the drainage district fee from lot 19. They also suggested that language be inserted in the deed that states the Town can enter the property to maintain practices as the district requires, at the districts cost.

Lorraine Moynihan Schmitt, Legal Counsel suggested extra time be given in order for her and Jonathan Kanter, Town Planner to work together on the verbiage for the Resolution.

It was the consensus of the Planning Board to hold a “Special Meeting” on Tuesday, February 18, 2014 @ 5:00 PM to vote on the Resolution for Final Approval.

Chairman Ellis advised the Public that the up-coming presentation on the Steven’s Subdivision is an Informal Discussion only.

Informal Developer’s Conference/Discussion for the Proposed Six (6) Lot Stevens Subdivision, Stormy View Drive, Applicant/ Owners: John and

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developed down the road and then Stormy View could connect. Mr. Kanter felt it would be a more desirable design. In addition, the Pathway's Committee has future east/west trails on their future design board that could go through Mr. Young's property and connect out to Triphammer Road.

Thomas Ellis advised Jim Stephenson that he would like to see a letter from the Fire Chief indicating he is satisfied with the access and the turn around.

Richard Prybyl agreed with other Members that he feels there should not be a thru road.

Mr. Stephenson states he will insert covenants with respect to street lights.

Mr. Stephenson states in his personal opinion Stormwater Gardens create a lot of problems down the road. He would prefer a centralized location near the road.

Jonathan Kanter expressed to the Members that each lot can only have a Single Family home on the property due to the size.

The Members had no further comments/concerns at this time.

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PROJECT NARRATIVE

The Stevens Subdivision is a 6 lot single family residential subdivision located off of Stormy View Road in the Town of Lansing, Thompkins County. The existing property containing the 6 lots, is a compilation of 4 individual parcels of land totaling approximately 7.05+/- acres. The site of the proposed subdivision currently has one single family home (Lot 6) with the remaining property area being undeveloped. The properties are zoned R1-Residential Low Density.

At this time, Mr. Stevens (Owner) is intending on obtaining Sketch Plan approval. The 6 lots associated with this Project will be developed as follows:

- 1 existing single family residence to remain.
- 5 single family residential lots.
- 630 LF of a new 20 FT wide access road with a "T" turnaround at the end of the road to be dedicated to the town of Lansing.
- Stormwater management areas to satisfy current stormwater management regulations.

The subject parcels are bounded to the south by residential lots which have frontage along Stormy View Road, bounded to the west by Triphammer Road, bounded to the east by residential lots and bounded to the west by residential lots ad vacant land.

The proposed roadway pavement will be 20 feet wide with 6 foot shoulders. The asphalt surface for both the road and shoulders will be the bituminous double surface treatment over a 6 inch base, 12inch subbase and geotextile fabric. Drainage along the edge of the road will from swales.

Driveways connecting to the new road will require culverts to be installed in the swales along the new road. These new culvert will be approved and installed based on the following information:

1. The department will go out to new lots and size the culvert to be used (minimum size is 15 inch)
2. Pipe to be used is galvanized steel or smooth interior corrugated polyethylene.
3. Culvert pipes must have end sections on both ends.
4. Culvert pipes are to be provided and installed by homeowner or by contractor doing building.
5. All driveways to be built to prevent water from running out into highway.
6. The Highway Department will give a written permit to homeowner or contractor with a copy kept on file and a copy given to the Zoning Officer (Zoning Officer must have copy of permit before giving building permit).

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The existing site conditions vary from open lawn/field to wooded areas. The property appears to be nearly 75 percent wooded with a heavy shrub understory. The site topography appears to be approximately 5 to 15 percent grade which will be verified by a topographic survey of the entire subdivision.

A detailed soils investigation will be conducted to determine the stability of the existing soils to accommodate a new residences, septic systems plus provide adequate potable water from wells. A soils analysis was conducted using the USGS database with the results of the analysis included in this report.

It is anticipated that during construction activity land disturbance will not exceed more than 5 acres at any given time, which is a NYSDEC established threshold. Once the Project receives Sketch Plan approval, Preliminary and Final Plat approvals will establish a Stormwater Pollution Prevention Plan (SWPPP) with supporting documents to be submitted to New York State Department of Health (NYSDOH) and New York State Department of Conservation (NYSDEC) prior to commencing construction.

Approval/Denial of Minutes for the following dates:

January 13, 2014

Larry Sharpsteen made a motion to approve as presented. 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) Ray Farkas, 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

January 27, 2014

Thomas Ellis made a motion to approve as presented. Ray Farkas 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 . . . (Abstained) Richard Prybyl, Member
Vote of Planning Board . . . (Aye) Larry Sharpsteen, Member

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

Lorraine Moynihan Schmitt referred to the Minutes of January 27, 2014 where a possible discussion took place with respect to covenants. Ms. Moynihan Schmitt states for the record that restrictive covenants by deed can be more restrictive than the Land Use Ordinance but not less.

Other Business- Shulman-Wilson Road Subdivision

Lynn Day, Zoning Officer distributed information with respect to their parcel of land that will be up for discussion at the February 24, 2014 Planning Board Meeting. Chairman Ellis explained that the Applicant is requesting an Exempt Subdivision. Lynn Day further explained how the old Exempt Subdivision was written and how it applied to this one. Mr. Day states he has denied this as an exempt subdivision and has now turned this over to the Planning Board due to many subdivisions of the property and stormwater practices.

Legal Counsel seems to agree with Mr. Day, the Zoning Officer.

A brief discussion with respect to stormwater and the south side of the property. It has been determined that the Town can't go back on the current residents for stormwater, however, the Planning Board can request a stormwater plan for a full build out.

Other Business-Tompkins Co. Soil & Water

Thomas Ellis & Lynn Day have recently spoken with Angle at the Tompkins Co. Soil & Water with regards to generating a generic type Stormwater Plan that will fit to the Town of Lansing's Stormwater for future owners to purchase at a lesser price. Mr. Ellis requested to know if the Board would be interested in having someone from their company come to the Town and give a brief presentation. The Board would like that.

Larry Sharpsteen moved to hold this Meeting over to the February 18, 2014 @ 5:00 PM for final vote on the Farm Pond Circle Resolution. 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) Ray Farkas, 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

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Kathy Miller, TB Liaison- Planning Federation Training

Kathy Miller encouraged all Members to consider attending this year's Planning Conference in April as the deadline is approaching soon.

The Meeting ended at 9:15 PM.