

REGULAR TOWN BOARD MEETING
APRIL 17, 2013

A Regular Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:00 p.m. The meeting was called to order by the Supervisor, Kathy Miller and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

PRESENT:

Kathy Miller, Supervisor
Katrina Binkewicz, Councilperson
Robert Cree, Councilperson
Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson

ABSENT: None

ALSO PRESENT: Sharon Butler Bowman, Deputy Supervisor, Guy Krogh, Town Attorney, Jack French, Highway Superintendent, Steve Colt, Park Superintendent and Recreation Director, Pat Pryor, Tompkins County Representative, John O'Neill, Village of Lansing, Dan Veaner, Lansing Star, Scott and Karen Bishop, Chuck Crandall, Andrew Aasen, Dave and Joyce Heck, Connie Wilcox, John A. Stevens, Craig and Diane Christopher, Mary Krizek, Dorothy Krizek, John Kotmel, Doug and Jodi Dake, Kyle Dake, Don Howell, Robert Rasmussen, Tonya Reynolds, Darrell Rhoads, Dan Konowalow, Marcy Rosenkrantz, Ted Laux, Donna Scott, Stephen Lucente, Rocco Lucente, Larry Fabbroni, Sr., Larry Fabbroni, Jr. and several other attendees.

HONOR KYLE DAKE WITH THE TOWN OF LANSING PROCLAMATION

Town of Lansing Proclamation

Whereas, KYLE D. DAKE, an admired native son of the Town of Lansing, New York, is honored and saluted in recognition of his outstanding achievements in wrestling, and

Whereas, Kyle D. Dake began his wrestling endeavors as a youngster with the Town of Lansing's Recreation Youth Wrestling Program, and enjoyed a spectacular wrestling career at both Lansing High School and Cornell University, and

Whereas, Kyle D. Dake's High School accomplishments include his record of 224-14 and his titles as New York State Wrestling Champion twice; and

Whereas, Kyle D. Dake's collegiate wrestling achievements, which have earned him the status of the most decorated wrestler at Cornell University, featuring a record of 137-4, and his titles of EIWA Champion three times, as All-American four times, as Academic All-American three times and he captured the NCAA Division 1 Wrestling Championship four times; and

Whereas, Kyle D. Dake made collegiate wrestling history by becoming only the third person to win four individual NCAA Championships and the first to win them each at a different weight class; and

Whereas, the Ivy League honored Kyle D. Dake by naming him the 2013 Ivy League Wrestler of the Year, in addition to his 2010 Ivy League Rookie of the Year title and all-Ivy League honors in 2011; as well as being named the 2013 Hodge Award recipient; and

Whereas, the Lansing Town Board wishes to acknowledge and commend the athletic talents of Kyle D. Dake, who has brought honor and pride to his family, the Lansing Central School District along with the Lansing Community and his University;

Now, therefore, I, Kathryn C. Miller, Town of Lansing Supervisor on behalf of the Lansing Town Board, do hereby proclaim the month of May 2013 to be:

Kyle D. Dake Month In the Town of Lansing

in celebration of his four championships in four years in four weight brackets, the Town of Lansing honors and salutes Kyle D. Dake, pays tribute to his meritorious accomplishments, competitive spirit, and sportsmanship as a champion wrestler, and extends its best wishes for continued success in all his future endeavors,

In Witness whereof, I have hereto set my hand and caused the great seal of the Town of Lansing to be affixed this the 17th day of April in the year 2013.

Kathryn C. Miller, Supervisor

Katrina Binkewicz, Councilperson

Robert Cree, Councilperson

Ruth A. Hopkins, Councilperson

Edward J. LaVigne, Councilperson

OPEN PUBLIC HEARING – LOCAL LAW #1 OF 2013

Supervisor Kathy Miller moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #1 OF 2013, A MORATORIUM UPON CERTAIN BUSINESS AND COMMERCIAL SIGNAGE AND SIGNS IN THE TOWN OF LANSING** at 6:06 pm. Councilperson Robert Cree seconded the motion. All AYE

John A. Stevens – 25 Stormy View Road, Representing Craig Christopher

There are two issues that concern the Christopher's and other members of the Town.

1. – The recusal of Mr. LaVigne. On March 20th or before, he was asked to recuse himself because he talked to a constituent. There is concern that this is not a proper way to require a recusal.
2. – With the proposed moratorium, one of the things that the Town is trying to stop is any repairs. The statute as presented in the moratorium accounts for anything including alterations, changes, modifications and things of that nature. With the signs, the safety issue could come up if you don't allow someone to repair a sign. The process of repairing a sign requires 30 days with a public hearing through the Zoning Board of Appeals. This would present a safety risk if you can not repair a sign. It is a misdemeanor to repair an existing sign under the proposal, it is not appropriate under this moratorium and therefore they are opposing this.

Supervisor Kathy Miller stated if someone needs to change a light bulb in an existing sign they could do it without any difficulty through the Code Officer.

Mr. Stevens stated that the moratorium does not state that. There is a lot of controversy and the punishment is a misdemeanor.

Supervisor Kathy Miller stated that this issue was discussed and this could be changed.

Mr. Stevens stated that they are opposed to the moratorium.

Bob (Robert) Rasmussen – 127 Asbury Road

Mr. Rasmussen stated he strongly opposes the flashing LED sign in his R1 District neighborhood. The sign is closer to his house than it is to the sign company. He presented safety documents that this sign presents safety issues. They should be allowed in business districts and not in the R1 District residential community. The light flashes in his child's bedroom.

Mr. Rasmussen stated that everything about the sign is wrong. He stated there was a sign ordinance, everyone on the Board thought there was a Sign Ordinance and the Code Enforcement Officer approved the sign under the Sign Ordinance. He stated he does not have a lawyer and didn't come prepared to speak but he stated that the sign should be gone and asked the Board to consider his request.

Supervisor Kathy Miller explained the need for the moratorium as it was determined that the Town didn't have an existing sign law. The Code Revision Committee is working on the proposed sign law and the moratorium would protect the Town during this process.

Supervisor Kathy Miller asked Counsel, Guy Krogh if the Board could change the proposed Local Law to reflect repairs.

Counsel, Guy Krogh stated that Municipal Home Rule Law §20 sets requirements for Public Hearings on a Local Law. It states that if the law as discussed at the Public Hearing is substantially changed as a result of or after the Public Hearing then you must conduct another Public Hearing. In this situation you would be removing the phrase "or repair" in one section of the law and it is repeated in the subdivisions. Counsel stated that he didn't know if this would be substantial or not. If this is the amendment the Town Board wants to consider and continue the Public Hearing on the law with the "or repair" language removed this could be done and if a secondary Public Hearing is required he will let the Town Board know.

Councilperson Katrina Greenly stated she would like to see the "or repair" removed.

Councilperson Ruth Hopkins asked if the Town Board could leave the change out and approve it subject to that. Supervisor Kathy Miller replied yes and continued with the Public Hearing.

Connie Wilcox – 83 Algerine Road

April 17, 2013

Lansing Town Board Members:

I believe to enact a sign moratorium would not be in the best interest of the town. All of you on this board state that you want business and commercial development to come. But, what business is going to want to rent any of the empty store fronts or build a commercial building if they cannot put up a sign for their business. This moratorium all stems from a couple of people who feel a business that has been at a location for 17 years and been a family business for 50 years in Lansing should not be allowed to have a sign at his business, the business I refer to is Cayuga Signs. Honestly I had driven by the location several times before I even noticed it was there, and at night it is totally darkened. What if someone complains to you about the sign at the Lansing Market being too bright at night and brings forth a petition. Are you going to have them turn it off and or take it down, granted it's in a commercial area, but some people might think it is distracting or blinding at night. I think this town board has more pressing business to deal with than a neighbor dispute.

I took the time to Foil all the sign applications from the Code Enforcement Office expecting there must be a glut of them if the town was proposing a resolution for a moratorium. I found there were only nine in all of 2012 to the current date of April 12, 2013. Each of them including Mr. Christopher's was approved by the Code Enforcement office and each paid a \$30 fee except for the Pathways sign and Lynn Day waived that fee. I also noticed in the fee schedule for 2013 the fee for an application for a sign has increased to \$40. If you don't have an ordinance how can you set a fee for it.

I also think there could be an ethical issue here as well since Mr. Christopher was asked by one of the board members spouses to remove his sign, because he stated to Mr. Christopher the town didn't know what they were doing when they issued the permit. I admire Mr. Christopher for not naming names in his letter and being the bigger person. Personally I think, and (I have set where you do) you are opening a big can of worms here and are sliding down a slippery slope. It is your job to think things through rationally and not act emotionally on every issue that comes to you. Doing the right thing is not always the most popular with your constituents, but, you shouldn't make promises you can't keep. You need to work for the good of the whole town not just on your personal agendas. I am sure none of you appreciate me saying any of this, but someone has to stand up for the little guy, and for those who have lived in Lansing all their life, paid their taxes and kept their business here in Lansing

All the Ordinances need to be reviewed and properly worded, but I don't see that happening over night so let's not lose our heads here and proceed with caution. Do not vote for a moratorium.

Respectfully,

Connie Wilcox
83 Algerine Rd.
Lansing, NY 14882

Councilperson Edward LaVigne stated that Counsel was not present at the time he was asked to recuse himself, therefore he now asked Counsel for the parameters for what one would use to recuse themselves. He asked if it falls under friendship?

Counsel Guy Krogh stated that recusal and conflict of interest are two different things. The conflict of interest rules that govern ethical boards and alleged unethical conduct or conflict of interest from Municipal Officials is governed by Article 18 of the General Municipal Law. It prohibits you or any spouse or relation having a direct interest in any contract or having a direct or indirect monetary gain or loss from the decisions that are made as a member of the Town Board. There is nothing in Article 18 that states you must recuse yourself unless you trigger one of those standards. Counsel Guy Krogh stated that he is unable to see how Councilperson Edward LaVigne has any interest in any contract or any financial gain or loss based on whether there is or is not a moratorium.

Councilperson Edward LaVigne stated for the record, he has gone before the Town of Lansing Ethic's Board to have them review this issue. Their conclusion was there were no improprieties. He stated that he has been good friends with Craig Christopher for over 50 years. He stated he would never do anything illegal for any gain of anybody. He stated he was asked by this Town Board to go to his residence and address this issue. He has also asked the Code Enforcer numerous times if he was okay at the time with the information he had in hand, and his reply was yes. He defends the Code Enforcer's actions but granted new information has come out. Mr. Christopher in his opinion has done nothing wrong. He will not have his integrity questioned because he is friends with somebody. Councilperson Edward LaVigne stated that he is not going to recuse himself as requested, on this issue.

Diane Christopher – 130 Asbury Road

Mrs. Christopher stated that she is also friends with Sharon Bowman and Debbie Crandall and we have been for over thirty years since high school.

Bob Rassmussen – 127 Asbury Road

Mr. Rassmussen stated that he is all for signage in a business district but this sign does not belong in the R1 District in a residential section of the town. Mr. Rassmussen stated Mr. Christopher has been a good neighbor for years but there is nothing stopping him from blasting that sign at night. The sign remains and has the same capacity. When the sign was on towards night, residents from the end of West Meadow Drive complained.

Supervisor Kathy Miller stated that the moratorium has nothing to do with Mr. Christopher's sign. The moratorium is because the town found out that there is no sign law. Therefore if someone wants to install a big billboard in front of their business they could. The moratorium is simply being put in place until such time the town can adopt a sign law. The Codes Revision Committee is working on the law and she anticipates it being completed for consideration in a few months.

Connie Wilcox – 83 Algerine Road

Mrs. Wilcox stated that Mr. Christopher already has his sign and asked if he would be grandfathered in with his sign.

Supervisor Kathy Miller stated that there was no sign law at the time.

Mrs. Wilcox asked if Mr. Christopher will be able to keep his sign or is the town going to make things retroactive?

Supervisor Kathy Miller stated that she has no idea what the sign law is going to be when it is completed. It would never be retroactive. She has seen in other sign laws that within five years you have to change it, but she stated she doesn't know what the Committee is going to consider, it is not her decision.

Mrs. Wilcox stated that with this moratorium there are two different ways the moratorium could go and that Mr. Christopher may not be grandfathered in.

Supervisor Kathy Miller stated that there is no grandfathering at all.

Councilperson Katrina Binkewicz stated that not having a sign law that is enforceable, understandable and one everyone can agree on doesn't protect the person installing the sign or the neighborhood. The moratorium is needed to protect the people that are putting up signs and the people that are living around signs. To help prevent anything that is confusing and upsetting like what has happened. It is protection for everyone.

CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING ON LOCAL LAW #1 OF 2013 FOR A MORATORIUM UPON CERTAIN BUSINESS AND COMMERCIAL SIGNAGE AND SIGNS IN THE TOWN OF LANSING** at 6:27 pm. Councilperson Ruth Hopkins seconded the motion. All AYE

OPEN PUBLIC HEARING FOR APPROVAL OF VCVS PDA AND LOCAL LAW #2 OF 2013

Supervisor Kathy Miller moved to **OPEN THE PUBLIC HEARING OF APPROVAL OF VCVS PDA FINAL DEVELOPMENT PLAN AND LOCAL LAW #2 OF 2013 AMENDING LAND USE ORDINANCE TO ADD ARTICLE XVI AND TO MAP AND CREATE PLANNED DEVELOPMENT ZONE #1** at 6:28 pm. Councilperson Robert Cree seconded the motion. All AYE

No one commented on the project.

CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING OF APPROVAL OF VCVS PDA FINAL DEVELOPMENT PLAN AND LOCAL LAW #2 OF 2013 AMENDING LAND USE ORDINANCE TO ADD ARTICLE XVI AND TO MAP AND CREATE PLANNED DEVELOPMENT ZONE #1** at 6:29 pm. Councilperson Ruth Hopkins seconded the motion. All AYE

CONSIDER: RESOLUTION APPROVING AND ADOPTING LOCAL LAW #1 OF 2013

DISCUSSION:

Supervisor Kathy Miller stated that the moratorium will be amended to remove "or repair". Counsel Guy Krogh stated that Municipal Home Rule Law Subdivision 4, §20 states the final version of the Local Law has to be in the hands of the Town Board and the Town Clerk's for eight consecutive days. The question discussed earlier was whether or not the Town Board needs to schedule another Public Hearing. Councilperson Edward LaVigne stated they would be looking at the Work Session meeting at the earliest. Counsel Guy Krogh stated probably.

CONSIDER: RESOLUTION TO APPROVE SEQRA FOR VCVS PDA ZONING AMENDMENT

DISCUSSION:

Local Law #1 as proposed was not adopted by the Town Board, therefore the following Local Law #2 now becomes Local Law #1 of 2013.

Counsel Guy Krogh asked if everyone had reviewed the environmental review. He stated it was an uncoordinated review. There were no further comments or discussion.

RESOLUTION 13-76

RESOLUTION MAKING DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE CONCERNING LOCAL LAW #1 OF 2013, A LOCAL LAW AMENDING THE TOWN OF LANSING ZONING ORDINANCE TO CREATE PDA ZONE #1

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Applicant, Rocco Lucente, filed an Application for formation of a Planned Development Area (“PDA”) to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, Applicant, Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional “Village Solars” apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12 within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, the proposed name of the PDA encompassing both projects is Village Circle Apartments/Village Solars (“VCVS”) PDA and the combined acreage of the above referenced parcels within the PDA is +/- 33.25 acres within the R2 Zoning District; and

WHEREAS, the Town of Lansing Planning Board has considered and carefully reviewed the Applications for the VCVS PDA and duly made recommendations to the Town Board, and the Town Board conducted a coordinated SEQRA review for the VCVS PDA project and issued a negative declaration of environmental impacts upon August 15, 2012 (Resolution 12-150); and

WHEREAS, the matter thereafter went back to the Planning Board for development of the final project plans and issuance of necessary approvals and recommendations therefore, and pursuant to Section 706.7 *et seq.* of the Town of Lansing Land Use Ordinance, the Lansing Planning Board adopted a resolution on January 14, 2013, recommending to the Town Board that the Town Board conditionally approve the Village Circle Apartments/ Village Solars PDA Final Development Plan; and

WHEREAS, Town Board conducted a hearing upon both the Final Development Plan and a draft local law entitled, “Town of Lansing Local Law Amending the Town of Lansing Land Use Ordinance to Add Article XVI and to Map and Create Planned Development Zone #1 – the Village Circle - Village Solars Planned Development Area,” upon April 17, 2013, and in connection therewith the Town Board has classified the action as a Type I Action and conducted an environmental review of the proposed local

law and submitted the same, and other relevant materials, to the Tompkins County Department of Planning pursuant to General Municipal Law §§ 239-1, -m and -n; and

WHEREAS, as set forth more fully in the SEQRA review documents and findings statement, the potential impacts identified were (i) construction and related development occurring in areas where bedrock and surface water is located within 3 feet of the surface, including groundwater impacts, alteration of existing surface flows, and impacts upon small wetland areas; (ii) impacts from phasing; (iii) potential density and traffic impacts; (iv) noise and odor impacts from construction; and (v) potential impacts to the character of the community or neighborhood and potential increased in needed community services; and

WHEREAS, each of the identified impacts were analyzed and duly considered by the Town Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, and after weighing the above and all other potential impacts arising from or in connection with the adoption of this PDA Local Law, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's master plan and/or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts, the Town Board found that these factors did not cause any potential impact to be or be likely to become significant. Thus, and after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, the Town Board as Lead Agency hereby makes a negative declaration of environmental impact from the adoption of this local law; and

WHEREAS, the Lead Agency having made a negative declaration of environmental impact; accordingly, it is hereby

RESOLVED, that the Town Board of the Town of Lansing be and hereby is again declared to be the Lead Agency; and it is further

RESOLVED, after consideration of the above impacts, and other impacts required under 6 NYCRR Part 617, Section 617.7(c), the Lead Agency finds that the proposed action – adopting Local Law #1 of 2013 - will have no significant negative environmental consequences; and it is further

RESOLVED AND DETERMINED, that this declaration is made in accord with Article 8 of the Environmental Conservation Law of the State of New York and the New York SEQRA Act, and the Regulations promulgated there under, and accordingly, the Town Board of the Town of Lansing, based upon (i) its thorough review of the EAF, 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 to determine if the proposed action may have a significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c), and (iii) its completion of the EAF, including the findings noted therein (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement is therefore not required; and it is further

RESOLVED, that a Responsible Officer of the Town Board of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution; and it is further

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

CONSIDER: RESOLUTION TO APPROVE VCVS PDA FINAL DEVELOPMENT PLAN

DISCUSSION:

No further discussion.

RESOLUTION 13-77

RESOLUTION ISSUING FINAL APPROVAL OF VILLAGE CIRCLE - VILLAGE SOLARS PLANNED DEVELOPMENT AREA UNDER TOWN OF LANSING LAND USE ORDINANCE

The following resolution was duly presented for consideration by the Town Board:

WHEREAS, Applicant, Rocco Lucente, filed an Application for formation of a PDA to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, Applicant, Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional "Village Solars" apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12 within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, the proposed name of the PDA encompassing both projects is Village Circle Apartments/Village Solars Planned Development Areas (VCVS PDA") and the combined acreage of the above referenced parcels within the PDA is +/- 33.25 acres within the R2 Zoning District; and

WHEREAS, the Town of Lansing Planning Board has considered and carefully reviewed the Applications for the VCVS PDA and held a Public Hearing on July 9, 2012, whereat the residents of the Town of Lansing were given a full opportunity to be heard respecting the proposed VCVS PDA, and the Planning Board reviewed said comments and concerns of the residents, including concerns respecting the following potential impacts of the project: increased traffic, drainage and stormwater concerns, density issues, infrastructure capacity; and

WHEREAS, on July 9, 2012, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed VCVS PDA and considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board 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 consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, upon July 9, 2012, upon due consideration and deliberation, the Town of Lansing Planning Board issued a resolution resolving that pursuant to Section 706.5 of the Town of Lansing Land Use Ordinance, the Lansing Planning Board recommended to the Town Board that the Town Board conditionally approve the VCVS PDA Applications, subject to such conditions as set forth in the June 25, 2012 Resolution of the Planning Board and Developer/Applicants' Statements of Intent to Comply; and

WHEREAS, on August 15, 2012, after a duly scheduled and noticed public hearing thereupon, the Town Board duly issued a negative determination of environmental significance under and pursuant to SEQRA; and

WHEREAS, the Town did duly consider all other input received, including comments made and evidence received, if any, at a duly noticed and scheduled public hearing upon the project and on August 15, 2012, the Town Board issued a resolution resolving that a Conditional Approval of the proposed Planned Development Area, pursuant to and under Section 706.6 of the Town of Lansing Land Use Ordinance, be granted, subject to the conditions and findings set forth in that Resolution; and

WHEREAS, on or about December 3, 2012, the Applicant/Developers submitted their final development plan to the Planning Department; and

WHEREAS, on January 14, 2013, the Planning Board was presented with further materials from the Applicants/Developers respecting potential satisfaction of Town Board conditions, including the January 9, 2013 SRF Traffic Impact Study Review Report and the January 14, 2013 report and comments of the Town Engineer, David Herrick, T.G. Miller P.C., respecting water, sewer and stormwater SWPPP conditions, and, upon review of the Applicant/Developers' Final Development Plan and updated submissions and the above comments and reports thereon, the Planning Board has made its findings in respect to completion of those Town Board conditions and the status of progress toward completing any outstanding conditions; and

WHEREAS, pursuant to Section 706.7 *et seq.* of the Town of Lansing Land Use Ordinance, the Lansing Planning Board adopted a Resolution on January 14, 2013 recommending to the Town Board that the Town Board conditionally approve the VCVS PDA Final Development Plan, subject to the continuing conditions of approval as set forth in the above Planning Board Findings; and

WHEREAS, the final development plan was revised as required in the January 14, 2013, resolution of the Planning Board and provided to the Planning Department, and the Planning Department provided the revised development plan to the Town Board for review, and pursuant to Land Use Ordinance Section 706.7, a copy of the Planning Board recommendation was duly filed by the Planning Department with the Town Board and with the Code Enforcement Officer; and

WHEREAS, pursuant to Land Use Ordinance Section 706.8 the Town Board did duly conduct a Public Hearing upon the proposed final approval of the VCVS PDA in conjunction with a draft local law entitled, "Town of Lansing Local Law Amending the Town of Lansing Land Use Ordinance to Add Article XVI and to Map and Create Planned Development Zone #1 – the Village Circle-Village Solars Planned Development Area," to implement the conditions and regulations for such PDA; and

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

RESOLVED, that the VCVS PDA Final Development Plan be and hereby is approved, subject to the terms and regulations of the local law for PDA Zone #1, which local law incorporated and implemented each of the recommendations of the Planning Board, including:

1. Water – Development beyond a certain number of units is part of the proposed local law for this development, so this condition has been addressed by including required improvements for volume and water pressure through hydro-pneumatic pumps and potential future water tanks and pump and transmission stations, subject to the approval, in each case, of the Town Engineer;
2. Sewer – The total number of EDUs for sewer flows is capped by the local law based upon 20 year design flows and, further, future phased construction conditions are also addressed in the proposed local law regarding securing additional treatment and transportation capacity through an updated IMA with the Villages of Lansing and Cayuga Heights;
3. Stormwater – The local law and NYS SPDES permitting have addressed stormwater conditions, including by providing runoff reduction volume (RRv) sizing criteria in compliance with NYSDEC GP-0-010-01 regulations and the NYSDEC Design Manual specifications for green infrastructure, in each case, subject to review by the Town of Lansing SMO and Town Engineer;
4. Bus Shelter - This condition is addressed in the local law, both as to current and potential future bus shelters;
5. Community Areas – This condition is addressed in the local law, including as to phased development and construction parameters for the same;
6. Trails/Pathways – The creation, maintenance, and dedication of all trails and pathways is also addressed in the local law;
7. Roads – The final approved location and design of all public and private roads has been subjected to the approval of the Highway Superintendent and the local law delineates these requirements; and
8. Other Issues – Mixed uses, the creation of separate parcels, and the scope of permitted and allowed uses, including specially permitted uses, have been addressed in the local law, as have aesthetic and related design considerations and other conditions as set forth for consideration by the Planning Board; and it is further

RESOLVED and DETERMINED, that the proposed VCVS PDA Final Development Plan, together with the terms, conditions, and regulations of the local law, are in compliance and accordance with the Town of Lansing’s Comprehensive Plan, including but not limited to the following goals and objectives set forth therein: appropriate growth and development while preserving the distinctive character of this area of the Town; mixed uses where water and sewer may be provided; development of the mixed residential use area in a way that will maximize access for pedestrian traffic and open spaces while preserving natural areas of value; providing a range of dwelling types; diversified housing development; new development consistent with existing and future land uses; housing development patterns that help retain open space and preserve the traffic-carrying function of major roads; and encouraging alternatives to traditional residential development through measures such as clustering and planned development that will conserve land and land uses.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Ruth Hopkins, duly seconded by Supervisor Kathy Miller, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye

Councilperson Edward LaVigne Aye
Supervisor Kathy Miller Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

CONSIDER: RESOLUTION TO APPROVE LOCAL LAW #1 2013:

DISCUSSION:

No further discussion.

RESOLUTION 13-78

**RESOLUTION ADOPTING LOCAL LAW #1 OF 2013
AMENDING LAND USE ORDINANCE AND CREATING PDA ZONE #1**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Applicant, Rocco Lucente, filed an Application for formation of a PDA to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, Applicant, Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional “Village Solars” apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12 within the R-2 Zoning District; and requested Planning Board and Town Board review and approvals of such application, as amended; and

WHEREAS, the proposed name of the PDA encompassing both projects is Village Circle Apartments/Village Solars Planned Development Ares (“VCVS PDA”) and the combined acreage of the above referenced parcels within the PDA is +/- 33.25 acres within the R2 Zoning District; and

WHEREAS, the VCVS PDA has been subjected to multiple levels of regulatory and environmental review and the Final Development Plan was approved by the Planning Board and Town Board, and a negative declaration of potential environmental impacts was duly declared for both the PDA and the local law implementing the same; and

WHEREAS, upon due consideration of the same, the Town Board of the Town of Lansing has duly

RESOLVED, that Local Law Number 1 of 2013 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted”; and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted version of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required certifications, if any, as follows: (i) in the Office of the Town Clerk; and (ii) with the New York State Secretary of State as required by Municipal

Home Rule Law §27 (said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231).

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Edward LaVigne, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

**TOWN OF LANSING LOCAL LAW AMENDING THE TOWN OF LANSING
LAND USE ORDINANCE TO ADD ARTICLE XVI AND TO MAP AND
CREATE PLANNED DEVELOPMENT ZONE #1 - THE VILLAGE CIRCLE-
VILLAGE SOLARS PLANNED DEVELOPMENT AREA**

TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

LOCAL LAW NUMBER 1 OF 2013

Be it enacted by the Town of Lansing as follows:

SECTION 1: TITLE & APPLICATION; FINDINGS

- A. This Local Law shall be known as “Local Law Number 1 of 2013.” This Local Law amends the Town of Lansing Land Use Ordinance, by: (i) creating Article XVI, to be entitled “Planned Development Areas”; and (ii) by mapping, approving, and adopting Planned Development Area (“PDA”) #1 for the Village Circle-Village Solars PDA, and by specifying the allowed land uses and related regulations for such PDA #1.
- B. The Town of Lansing Land Use Ordinance encourages the development of creative and environmentally sound housing communities, particularly those that create the clustering of housing units so as to promote and preserve open and recreational space and existing significant natural features and conditions, and those that promote energy efficiency through sustainable and intelligent design.
- C. The Developers of PDA #1, Rocco Lucente and Village Solars, LLC (the “Developer” or “Developers,” as the context herein may admit or require, and such terms shall include each and all of their successors, heirs, and assigns), have set forth a development plan of mixed uses and clustered multi-housing units, the creation of enclosed and non-enclosed community and recreational spaces, walkways and paths to foster a walk-able community, the use of rain gardens and watercourses to foster an “amenities loop” with services, walkways, gardens, and which interlinks to a town-wide community trail, as well as a recreational loop of over a half mile in length surrounding the PDA that interconnects a dog park, basketball courts, recreational lawns, picnic areas, and other amenities. The Developers also propose solar efficiency for reduced heating and electric costs by orienting buildings and improvements towards solar radiation and other design elements.
- D. The proposed project will contribute to the variety of housing styles and patterns of development available in the Town and will create a model housing project that displays the benefits of integrated services, efficient solar design, recreation, and open spaces, all while being designed to create a neighborhood design favoring pedestrian and walk-able uses, with minimal vehicular traffic incursion, all while providing native and attractive landscaping and buffering, safe play areas for children, clustering housing to create open spaces and promote an aesthetic and safe neighborhood space to foster a sense of community. The usage of interior acreage for housing promotes these goals and

also helps preserve soil and water resources, all while avoiding strip-type residential development along roadways. This PDA will preserve many roadside rural vistas and demonstrate a permissible manner through which planned housing may conserve energy and water, provide open space, recreational opportunities, and community facilities, all within the parameters of allowed density.

SECTION 2: PLANNED DEVELOPMENT AREAS GENERALLY

A. The Zoning Ordinance of the Town of Lansing as readopted, amended and revised, effective on or about May 18, 2005, be further amended as set forth below.

1. A new Article XVI is added entitled “Planned Development Areas” as follows:

a. 1600.0 - Planned Development Areas (“PDA”) are permitted in the Town of Lansing when approved pursuant to the procedures and requirements of the Town of Lansing Land Use Ordinance, including § 706.0 (and all its subdivisions), therein. No PDA approval shall hereafter become valid until a local law is adopted implementing and approving such PDA, each of which such local laws shall adopt and implement such regulations as the Town Board shall deem advisable, as based in whole or in part upon the recommendations of the Planning Board in relation to such PDA, and which local law shall define such PDA and place it numerically within the body of Article XVI of this Land Use Ordinance.

b. 1601.0 - Every PDA that is included within the Land Use Ordinance and which is thus then authorized and allowed shall contain, at a minimum, a description of each of the following in relation to the allowed land uses and regulations:

1. Any special definitions for land uses, particularly including any definitions as vary from the general definitions already set forth in the Land Use Ordinance;
2. The allowed principal and supplementary or accessory land uses;
3. Any yardage, set-back requirements, or density regulations or requirements;
4. Maximum building coverage, height, or size, or the maximum number of dwelling units within each such building;
5. The principal requirements for traffic management, including roadways, parking areas, public highways, pedestrian and other ways, including the potential construction, development, maintenance, and/or dedication of the same;
6. Landscaping plans and buffering requirements;
7. Allowed building materials and architectural details, including coloration and visibility of project elements, including buildings and structures;
8. Any lighting or signage plans or constructs;
9. Provisions addressing the adequacy and provision of water and sewer services, stormwater, and other required services and infrastructure;
10. Any rules relative to mixed uses within any one building or structure and within the PDA itself;
11. The preservation, conservation, or use of wetlands or other significant natural areas or features;

12. Any phasing plan or developmental timetable and the issuance of future approvals or permits relating to the same, including a definition or designation of such uses or changes in use that may require special permits, site plan review, or amendments to the Land Use Ordinance; and

13. Any other matter relevant to such PDA or necessary to give effect to such local law.

c. 1602.0 – Construction and Interpretation - The provisions of this Article shall not diminish or impair the right of any other governmental agency or body to require that any act be taken or avoided. No permit, grandfather right, resolution, procedure, or rule pertaining to zoning or land use shall supersede the requirements of this Article. This Article is intended to supplement and augment the requirements of zoning and land use regulations and rules of the Town of Lansing and thus shall be read in harmony therewith. In the event of a conflict as to applicable zoning rules, the requirements of this Article shall apply to land uses and related rights and activities with respect to any PDA listed within this Article.

SECTION 3: PLANNED DEVELOPMENT AREA #1 – THE VILLAGE CIRCLE-VILLAGE SOLARS PDA

A. Planned Development Area (“PDA”) #1, to also be known as the Village Circle-Village Solars PDA, is hereby established, permitted, and defined with permitted uses and applicable definitions, as hereafter follows. PDA #1 shall be enumerated as section 1610 (with section 1603 through 1609 being reserved for future use):

1. PDA #1 shall use all definitions as are applicable to the Land Use Ordinance generally.

2. The allowed principal and supplementary or accessory land uses permitted within the PDA are as follows:

a. Uses permitted as of right include:

1. Single family residential dwellings and multi-family dwellings not to exceed 12 units in any one structure or connected but independent structures.

2. One or more leasing and rental offices.

3. Indoor and outdoor recreational facilities, whether for public use or for profit.

4. Traditional home occupations shall be allowed only where, in the determination of the Town Code Enforcement Officer, the following standards are met. All home occupations that exceed any one or more of these standards or requirements shall be permitted only after an approved site plan review is completed by the Town Planning Board:

i. Such operation, business, or trade is operated solely or principally by a full-time resident of the dwelling;

ii. No more than one additional person not residing at the premises is employed therein;

iii. No goods or products are publicly displayed or advertised for sale on the premises;

iv. There is no outside storage of goods, parts, or inventory;

v. No noise, dust, or objectionable odor is experienced beyond the dwelling where such use is conducted;

vi. The home occupation may not exceed the lesser of 300 ft² or 20% of the floor space of such dwelling;

vii. No signage for such home occupation may be displayed other than upon the residence structure, and only one such sign shall be permitted. The coloration of the sign must match that of the residence in question, the sign may only be two-dimensional in its geometrical aspects, and such sign may not exceed 12 ft² in total surface area.

5. Accessory buildings, such as dog houses, storage sheds, patio covers, garages, gazebos, or other small structures clearly ancillary and related to dwelling uses are permitted when they meet the other requirements of these PDA regulations and the Land Use Ordinance;

6. Self-service laundry facilities, but only (i) within the Community Center Building; or (ii) when located within a dwelling and only when the design and location of the same make such facility not observable from the building exterior.

b. The following uses are permitted, but only upon the receipt of site plan approval by the Town Planning Board:

1. Small retail convenience stores and coffee/sandwich shops, including similar small-scale retail services.

2. Churches or other places of worship, convents, and parish houses.

3. Public or private libraries, museums, private and public schools and instructional centers, nursery schools, kindergartens, and day care centers.

4. Nursing, retirement and congregate housing or convalescent homes and medical clinics or professional offices located outside of a residential dwelling.

5. Youth centers.

6. Theaters and facilities for live indoor performing arts.

7. One Community Center Building, which may contain any of the uses allowed in this Subsection or as set forth in subsection (a) of Section 2(A)(2), above, and which may also contain self-service laundry facilities and restaurants.

8. One rooming house/tourist home, not to exceed 2 suites, to be made available only to visitors of residents of the PDA.

9. One maintenance building for the storage of tools, supplies, parts, and other items needed to maintain residences, buildings, improvements, yards, buffers, and other elements of the PDA by the Developer.

3. Yardage requirements and set-back requirements, density, building and structure height, and coverage regulations are as follows:

a. All building and structure setbacks, excluding roadways, pedestrian walkways and trails, shall be at least 25' from the exterior boundary lines of the PDA. Other internal PDA set-back and yardage requirements shall be as set forth in the Land Use Ordinance for R2 zones;

b. Density regulations or requirements are allowed per the development plans and all parcels within the PDA shall maintain 40% minimum open

space standard; similarly the entire PDA parcel shall also have a minimum 40% open space standard; and

c. Buildings shall not exceed 3 stories and no building or structure shall exceed a height of greater than 45 vertical feet measures from the average grade to the highest point in the roof line, excluding chimneys and vents.

4. No additional buildings shall be permitted within this PDA/zone without site plan review unless the same is a defined accessory structure with less than 100 ft² of overall floor and foundational space. For the purposes of clarity an 8' x 8' structure with 2 floors would require site plan review as it would have 128 ft² of combined floor/foundational space.

5. A maximum total of 470 dwelling units shall be permitted within the PDA, inclusive of existing units and dwellings, except upon the amendment of the PDA plans and maps, approval thereof by the Town Board, and the amendment of this Local Law.

6. Roadway, parking, trail, and pathway requirements are as follows:

a. There shall be a minimum 1.5 parking spaces provided for each residential dwelling, and such parking shall be adjacent or near to such residential dwelling(s);

b. Non-residential facilities shall have a minimum of 2 parking spaces for each 250 ft² of floor area, and such parking shall be adjacent or near such non-residential facility; however, and except that, the Community Center Building shall have a minimum of 30 parking spaces;

c. All parking spaces shall have a minimum width of 8.5', a minimum depth of 18', and a minimum vertical clearance height of 7', except handicapped and impaired parking spaces, which shall conform to all code and legal requirements in terms of the number of spaces, their location, and the minimum dimensions thereof.

d. All sidewalks and pathways shall be constructed pursuant to the approved plat and design for the PDA, including all building-to-building walkways, the perimeter exercise trail, the amenities trail, and the main community trail, each designed to be build pursuant to trail and walkway specifications and such maintenance agreements as are approved by the Town Board with input from the Town Planning Department and the Town Director of Parks and Recreation;

e. All connecting vehicular roadways shall be built by the Developer and kept and maintained as private roadways, except that the Developer and Town of Lansing may agree, in the future, to the dedication of such roadways or easements thereto, and except as to the following, which shall be dedicated as soon as practical after completion:

i. The Developer shall dedicate a 60-foot right of way and easement for a potential future road and/or pathway within the PDA linking Dutch Mill and Village South roads;

ii. The Developer shall dedicate a 60-foot right of way and easement for a potential future road and/or pathway within the PDA linking Village Circle North and Springbrook Circle roads; and

iii. The Developer shall dedicate in fee the road section on Village Place within the PDA;

f. All trails and roadways shall be constructed and maintained, including snow and ice removal, by the Developer. Roads shall be constructed to Town of Lansing roadway specifications as to sub-base and roadway surfacing, even

though the same may not be proposed to be dedicated to the Town of Lansing, and all pathways and pedestrian ways shall be constructed as set forth in the plans, including blacktopping where indicated. The East-West main trail shall be accessible to the public and dedicated to the Town either by easement or in fee (in the sole discretion of the Town. The trail along Warren Road shall also be publicly accessible and so dedicated to the Town. Approvals for any development beyond the Initial Allowed Build-Out Limit (as defined below) are also contingent upon the dedication of such trails and pathways. The other pathways/trails shall be private to the Developers but public use thereon shall be permitted, and all pathways and trails shall be properly maintained by the Developer and fit for their intended uses. All roadways shall be engineered, designed, constructed, and maintained in such manner as to permit the safe passage of fire trucks and other emergency vehicles, and at all times there shall be at least two access ways for ingress and egress to all areas and buildings within the PDA.

g. Approvals for any development beyond the Initial Allowed Build-Out Limit (as defined below) are also contingent upon the construction of a bus shelter and related appurtenances (including roadway improvements or changes) upon Warren Road, as set forth in the development plans.

h. An additional bus stop and enclosed shelter is permitted within the PDA and is to be located near or in proximity to the Community Center Building as set forth in such plans, once population of the PDA would support the same and once TCAT agrees that a bus route may extend into or through the PDA.

7. Landscaping plans and buffering requirements are approved as set forth in the project plans, including the planting of buffering and screening vegetation, shade trees, and other plantings, each with only native vegetation (i.e., no exotic or invasive non-native species shall be permitted). A minimum landscaped buffer of at least 15' shall be preserved or developed, and maintained around the perimeter of the PDA (and such buffer may be located partly or wholly within required setback limits). All plantings shall be maintained by the Developer and replaced with similar vegetation whenever a plant or tree shall die or become diseased or fail of its purpose relative to providing screening or buffering.

8. All building materials shall meet New York State Building and Energy Codes, and all buildings shall follow and similar complimentary architectural design and coloration. Only muted shades of blue, green, and natural colors are permitted for building exterior finishes. All rooflines and dormer and peak angles shall be similar in their angle and slope as to create a homogenized project "look and feel." All buildings and structures shall be sight buffered and screened per the planting plans approved for the PDA. All buildings shall be oriented towards the sun and sited to maximize solar exposure and natural light penetration of building envelopes so as to increase heating efficiency and decrease energy usage as set forth in the plans for the PDA. Rooftops and other suitable sites shall be available for solar access for photovoltaic or solar thermal systems, where appropriate and where structures permit such loading.

9. Lighting shall only be in locations of approved lighting poles and plans, plus any security or passage lighting for buildings. All lighting and lighting fixtures shall be shielded and designed so as to avoid glare upon adjacent properties. Any additional or different lighting, including any new or different lighting plans, shall be subject to approval pursuant to site plan review by the Planning Board.

10. No signs, other than entry signs, traffic signs, street signs, or directional signs are permitted, except the following:

- a. Non-residential facilities may have no more than 2 signs, the combined size of which shall not exceed 90 ft² and both of which must be located upon the building;
- b. Home occupations may have signage, as set forth above;

- c. Small traditional directional signage to identify the location of parking facilities, to designate handicapped and impaired parking facilities, and to identify trash, recycling, and related facilities;
- d. Interior building signage is permitted in the Community Center Building and other public-use buildings to identify facilities or allowed businesses; and
- e. A large project sign is allowed on the west side of the Community Center Building, but it may have only 2 significant display surfaces and may not exceed 350 ft² in surface area upon any one side.

Any additional or different signs, including any new or different signage or signage plans, shall be subject to approval pursuant to site plan review by the Planning Board.

11. The following requirements apply to the provision of water services, sewer services, and stormwater within the PDA:

a. Water - Phase I of the project, being the 12 units for Village Circle, plus an additional 10 buildings not to exceed 138 units or EDUs (herein together, the “Initial Allowed Build-Out Limit”), will rely upon an interconnection to the Town of Lansing Consolidated Water District (“CWD”), but will require a hydropneumatic system being installed in order to obtain building permits and certificates of occupancy or compliance. Such system shall be designed, installed, and meet operational parameters as designated by the Town Engineer. All buildings and residences proposed beyond the Initial Allowed Build-Out Limit shall be dependent upon the successful completion and implementation of a new pressure zone within the CWD, including through the potential development of the Burdick Hill Water Tank improvements by the Southern Cayuga Lake Intermunicipal Water Commission and the CWD, and/or by the construction and connection of the Bone Plain Water Tank system by the CWD. Until a new pressure zone is operational, no additional building permits or certificates of occupancy or compliance (beyond the Initial Allowed Build-Out Limit) shall be issued by the Town of Lansing unless the Developer can address water pressure or water volume impacts or deficiencies in a manner as meets the requirements of the CWD, subject to, in all instances, the approval of the Town Engineer and a future site plan review approval to measure any impacts of such future development(s) or building(s). Allowable water usage capacity is capped at 470 EDUs, plus additional units for the Community Center Building not to exceed 15 units;

b. Sewer – No building permits and no certificates of occupancy or compliance shall be issued for any buildings or structures beyond the Initial Allowed Build-Out Limit of the PDA until the “Intermunicipal Wastewater Transportation and Treatment Agreement,” dated March 8, 2010, by and between the Town of Lansing and the Villages of Lansing and Cayuga Heights, is updated and amended to provide for additional sewer transportation and treatment volumes equal to existing levels plus all anticipated flows from the complete and maximum build-out of this PDA. Allowable sewer capacity is capped at 470 EDUs, plus additional units for the Community Center Building not to exceed 15 units;

c. Stormwater - No certificates of occupancy or compliance shall be issued until after the stormwater plans and the SWPPP:

1. Are duly approved by the Town and NY SPDES permits are issued; and
2. All permanent stormwater facilities and permanent practices are substantially constructed; and
3. All stormwater facilities and permanent practices are either dedicated to the Town or any drainage district formed for this PDA or until a stormwater management agreement is duly executed by the Developer in a form acceptable to the Town.

12. Except for the Community Center Building, other community buildings, and the rental offices, residential uses within the PDA shall not be mixed within any one building or structure with any non-residential uses. Further, as to the Community Center Building and other community buildings and areas, the approval of future PDA phases and the issuance of building permits and certificates of compliance and occupancy for the same are conditioned upon the Developer: (i) completing the public, quasi-public, and community improvements within the proposed PDA within 2 years of the date of commencement of initial PDA construction, with these improvements including the shared yards, courtyards, trails, pathways, community grills, outdoor community recreation areas, and community fire pits (each as so documented in the development plan); and (ii) the Community Center Building is considered separately from other community infrastructure and is proposed as part of a later part of Phase II (sometimes called Phase II-b) of the development; however, the Community Center Building shall be built within 5 years of the date of adoption of this Article (and this Local Law), failing which, the approval of future PDA phases and the issuance of building permits and certificates of compliance and occupancy may be withheld in the discretion of the Town.

13. All wetlands and significant natural features shall be preserved and enhanced in accord with the existing development plans.

14. The March 20, 2013, updated PDA project proposals outline the proposed phasing of the project. The development of the Initial Allowed Build-Out Limit are hereby authorized and allowed, subject to all approvals, permitting, and stormwater requirements, each where applicable or as required. However, any development beyond the Initial Allowed Build-Out Limit is and remains subject to the water and sewer requirements set forth above;

15. Any proposed use not specifically herein allowed is expressly prohibited. Any future plan or proposal not here specifically allowed is prohibited unless an amendment to the development plan is approved through the applicable site planning, special permitting, or variance procedures as outlined in the Land Use Ordinance. In no event may the open space percentage of 40% be reduced; such open space measurement to be expressed as a percentage of land that is undeveloped by buildings or impervious surfaces as compared to the total acreage of the PDA as based upon its boundaries as defined below;

16. All outdoor recreational uses shall be for passive and non-motorized recreation. Auxiliary uses relating to such recreation, such as exercise areas, tennis courts, basketball courts, ball fields, gardens, trails, and small covered or stone-paved cooking and picnic pavilions or similar facilities shall be permitted.

17. All waterlines and appurtenant infrastructure shall be dedicated, along with accompanying easements and rights-of-way to the CWD. Similarly, all sewer lines and appurtenances shall be dedicated to the Town and/or any applicable sewer district or improvement area. Such dedications shall occur after construction and installation, after all permits have been obtained and all permit conditions duly met, including permits from the Tompkins County Health Department. All such water and sewer lines shall be subject to inspection and testing, and shall be in operational condition at the time of dedication. Such installation, inspections, and operational parameters shall be verified at reasonable times by the Town Engineer and other designees of the Town of Lansing.

18. The Developer may request a waiver from the requirement of this Article and this Local Law to the extent of obtaining additional building permits (or certificates of compliance or occupancy) earlier than would otherwise be authorized hereunder by applying for such a waiver to the Town Board. If such a waiver is granted, the Town Board may impose such reasonable conditions upon the waiver as it may deem appropriate. The Town Board may, but is not required to, authorize the issuance of additional building permits (or the issuance of such certificates) if the Town Board finds:

- a. The plans for the water or sewer lines and appurtenances have been approved by all applicable agencies;

- b. Work has been commenced on the construction of the line and appurtenances and is progressing with sufficient rapidity that it is reasonable to expect that it will be completed before any certificates of occupancy or compliance for any dwelling or other units are issued;
- c. There would be a substantial hardship to one or more individuals to delay construction or certificate issuance absent such waiver, and such hardship was not self-created;
- d. There is proof provided to the Town Engineer and Planning Board that there is adequate financial support available to the Developer to complete the work, such proof being in the form of a dedicated escrow account, performance bond, letter of credit, or other proof satisfactory and acceptable to the Town Board as based upon the recommendations of the Town Engineer and the Attorney for the Town;
- e. The Town Engineer recommends granting the waiver; and
- f. Such waiver is the minimum variation from the requirements of this Local Law as would remediate or lessen such found hardship.

19. The area encompassed and rezoned in accordance with this Local Law is described as follows: Being Town of Lansing Tax Parcel Numbers 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, all as more particularly described as the land within the following described boundaries:

Beginning at a point marked by a found iron pin located at the northeasterly corner of lands now or formerly of the Town of Lansing (592/709), as shown on a Survey Map entitled "Village Circle Village Apartments/Village Solar PDA Boundary Survey Map," as dated March 5, 2013 and drawn by Lawrence Fabbroni (NYSPE 51734, NYSLS 49682) (hereinafter, the "Survey Map"); and thence proceeding

N 14° 40' 08" W a distance of 300.73' to a point, such point being located at the northwesterly corner of lands now or formerly of Kaida Computer Technologies LLC (#521821-001); and thence proceeding

S 75° 43' 15" E a distance of 8.50' to a point located in the northerly property line of said Kaida Computer Technologies LLC; and thence proceeding

N 14° 34' 20" E a distance of 570.01' to a point in the southerly property line of lands now or formerly of Rocco P. Lucente (#510428-001), said course also partly running along easterly property lines of lands now or formerly of Lucente Holdings Inc. (867/94 and 837/266); and thence proceeding

S 75° 43' 15" E a distance of 201.60' to a point marking the southeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 14° 34' 20" E a distance of 260.73' to a point marking the northeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 75° 46' 45" W a distance of 1,132.12' to a point marked by a set iron pin in the southerly property line of lands now or formerly of Rocco Lucente (580/702), said course passing along the southerly property lines of lands now or formerly of Lee (CD2509/6727), Ivy Bridge, LLC (#592211-002), and Rocco Lucente (580/702); and thence proceeding

N 75° 45' 27" W a distance of 169.07' to a point in the southerly property line of lands now or formerly of Hopkins (908/276), said point being also

the northeasterly corner of lands now or formerly of Lucente Holdings, Inc. (CD2512/1241), and said course passing along the southerly property lines of lands now or formerly of Rocco Lucente (580/702) and said Hopkins (908/276); and thence proceeding

S 14° 31' 26" W a distance of 100.00' to a point marking the southeasterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), said course being also the easterly line of said lands of Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

N 75° 45' 27" W a distance of 150.14' to a point in or near the centerline of Warren Road, said point also being the southwesterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), and said course being the southerly property line of said Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

S 14° 31' 26" W a distance of 968.10' along or near the centerline of said Warren Road to a point, such point being also the northwesterly corner of lands now or formerly of Bracco (#457019); and thence proceeding

S 75° 37' 57" a distance of 150.16' to a point located at the northeasterly corner of lands of said Bracco (#457019), said course being the northerly property line of said Bracco (#457019); and thence proceeding

S 14° 31' 26' W a distance of 310.00' to a point marking the southeasterly corner of lands now or formerly of Lane (733/314), said course running along the westerly property lines of lands of said Bracco (#457019) and Lane (733/314); and thence proceeding

S 75° 37' 57" E a distance of 889.01' to a point marking the southwesterly corner of lands now or formerly of the Town of Lansing (592/708), said course passing along the northerly property lines of lands of Kaida Computer Technologies LLC (##488698-001, 471363-001, and 523357-008); and thence proceeding

N 14° 40' 08" E a distance of 250.00' to a point marking the northwesterly corner of said lands of the Town of Lansing (592/708), said course passing along the westerly boundary of said lands of the Town of Lansing (592/708); and thence proceeding

S 75° 37' 57" E a distance of 200.00' along the northerly property line of said lands of the Town of Lansing (592/708) to the point and place of beginning, all as more particularly shown upon the Survey Map, a copy of which is in file at the Town of Lansing Town Clerk's Office.

20. Unless work has materially commenced within the 24 months following the date of adoption of this Local Law, the zoning change effected by this Local Law shall terminate and the zoning shall revert to that in effect prior to the adoption of this section unless, in the interim, there has been a general rezoning of the area surrounding the area being rezoned by this section, in which event the zoning shall revert to the same zoning as then in effect along a majority of the perimeter of the land being rezoned as a PDA by this Local Law. The Town Board, upon request of the applicant, after a public hearing, and upon a finding that the imposition of the time limits set forth above would create an undue hardship on the applicant, may extend the time limits for such additional periods as the Town Board may reasonably determine. For the purposes of this section, work will not have "materially commenced" unless, at a minimum, a building permit, if required, has been obtained; construction equipment and tools consistent with the size of the proposed work have been brought to and been used on the site; and substantial excavation (where excavation is required) or significant framing, erection, or construction (where excavation is not required) has been started and is being diligently pursued.

21. The Developer assumes sole responsibility for the development and its worksites and all related or adjacent areas and lands and agrees to assume all responsibility for any injury or damage that may or does occur as a result of any excavation, construction, or related work. The Developer, to the fullest extent permitted by law, shall indemnify and hold the Town of Lansing harmless from and against any, each, and all losses, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity (all together hereafter, "Claims"), including, but not limited to, reimbursement to the Town of Lansing any amount expended for any and all experts', consultants', attorneys' and engineering fees and expenses arising from or in relation to any Claim. The Town of Lansing shall not be liable or responsible for any injury to persons or damage to property due to any acts or failures to act unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional act of the Town of Lansing.

22. The Town of Lansing Zoning Map is hereby amended to incorporate the location and boundaries of PDA #1.

23. The Developer may subdivide the parcel into separate tax parcels to assist in the delineation of project phasing, tax management issues, and financing for project development. In each such case, suitable cross-easements shall be provided for access and common use of project facilities and such proposed subdivision and line locations shall be subject to review and approval by the Town Board. Once approved by the Town Board, the Town Code Enforcement may seal such map for filing with or delivery to the County Clerk or Assessor's Office.

SECTION 4: SEVERABILITY; INTERPRETATION

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid by a court or other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such order or judgment shall have been rendered. Section and other headings are for reference and convenience only and shall not be deemed or construed to limit or define the requirements of clauses set forth hereunder.

SECTION 5: EFFECTIVE DATE

This Local Law shall be and become effective immediately upon filing with the New York Secretary of State.

SCHEDULE PUBLIC HEARING FOR LOCAL LAW #3 OF 2013

DISCUSSION:

Councilperson Edward LaVigne asked if any of the language had changed from the previous Local Law #1 of 2012. Counsel Guy Krogh stated that some of the numbering had changed and a minor change to clarify pre-existing business uses in Subdivision 6.

After discussion and clarification of continuously taking diligent efforts to make progress the following resolution was considered:

RESOLUTION 13-79

RESOLUTION SCHEDULING PUBLIC HEARING UPON PROPOSED LOCAL LAW #3 OF 2013 TO EXTEND HEAVY INDUSTRIAL USE MORATORIUM FOR AN ADDITIONAL 12 MONTHS

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Local Law #1 of 2012, entitled “Moratorium and Prohibition within the Town of Lansing of High-Impact Industrial Uses, Including Natural Gas and Petroleum Exploration and Extraction Activities, the Underground Storage of Natural Gas, and the Disposal of Natural Gas or Petroleum Extraction, Exploration, and Production Wastes,” was adopted by Resolution 12-82 on April 18, 2012, and such moratorium prohibited certain defined heavy industrial uses of land pending the necessary review and potential implementation of zoning updates and other regulatory schemes to manage such activities and mitigate harsh impacts arising therefrom within the Town; and

WHEREAS, the Town has been conducting and continuing a multi-year study concerning updates to both its zoning laws and its Comprehensive Plan, including an examination of the use of overlay and other districts to protect important natural and other features of the Town, as well as the creation of a Town Center; and

WHEREAS, among other things, the Town has continued to develop its Town Center plans, has a working Town Center Committee, a Comprehensive Plan Committee, and a new Code Committee; each intended to contribute to an updated Comprehensive Plan and Zoning Regulations to address heavy industrial uses and impacts and the protection of Cayuga Lake, listed streams, and surface waters and aquifers vital to the community; and

WHEREAS, the Town has continued to examine the need for community recreation and trails, has considered HVHF bans through its Oil and Gas Committee, and has also closely followed and participated in the work of TCCOG relative to roadway impacts and regulations; and

WHEREAS, the Town has diligently pursued an examination of those zoning and other land use impacts and how to address the same during the period of the initial moratorium, but has discovered that such projects are complex projects and usually take more than one year; and

WHEREAS, such moratorium extension, proposed to be enacted by local law (if adopted), proposes to continue the existing prohibitions pertaining to the siting or operation of any new heavy industrial activities within the Town, whether temporary or permanent, until the Town can consider several regulations or changes in law to address the issues arising from such heavy industrial activities; and such moratorium further proposes to adopt a hardship exemption to allow relief to properties and landowners disproportionately and harshly affected by such moratorium; and

WHEREAS, since a Moratorium is a Type II Action under SEQRA, no environmental review is required; though the same is subject to review by and comment from the Tompkins County Planning Department under GML §§ 239-l, -m, and -n; and

WHEREAS, upon due consideration thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the **15th day of May, 2013, at 6:10 o'clock P.M.**, to consider the adoption of proposed Local Law #3 of 2013, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law; and it is further

RESOLVED, that the Town Clerk notify the County Department of Planning via a request for a GML § 239-l, *et seq.*, review as soon as is practical.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR

To: Lansing Town Board
From: Pat Pryor, County Legislator
Re: Monthly report
Date: April 17, 2013

1. Much of the work of the Legislature recently has been routine, aside from deliberations on the SAFE Act. We again spent close to 2 ½ hours listening to public input at our meeting on April 2nd and eventually adopted a resolution that, “supports the intent and enactment of the ...SAFE Act...,” while recognizing that some changes are needed in it. The language suggests that the SAFE Act, “could be revisited without undoing the law itself”. If you’d like a copy of the complete language of the resolution please send me an email at plp3@twcny.rr.com and I’ll send you a copy.
2. Update on the expansion of broadband Internet service: Some of the elements of the infrastructure build-out that will start within the next few weeks, include:
 - a. A total of 44 telephone poles to be installed, countywide, most of which will receive and rebroadcast a wireless signal, but some of which will have fiber run to the poles where topography and tree cover prevent the use of a totally wireless installation.
 - b. One tower to be built in Mecklenburg that will coordinate the signals of all other towers and telephone poles.
 - c. Two Tompkins County Emergency Management System towers will be used as relays.
 - d. Most telephone poles will be 61’ high.
 - e. Signal strength will vary, but in all cases will meet at least the minimum FCC standard for “broadband” Internet. Initially, about 5% will have a speed of 6Mbps down and 1.5 Mbps up; about 70%-75% will have 32 Mbps down and 7 Mbps up; the remainder, about 25%-30% will be between those two.
 - f. The radio receivers to be installed are upgradeable and in about 18 months the download and upload speeds will be able to be approximately doubled.
3. The Town of Lansing is included in the \$2.2 million of funding received and with full build-out all except 6-16 of the 330 currently unserved/underserved homes and businesses in Lansing will be able to receive broadband Internet service at a moderate fee of about \$35-\$45 per month, depending on the package chosen.
4. [The most important step for Lansing residents who would like to receive this new service is to go to: http://clarityconnect.com/index.php?page=wireless-service-inquiry and fill out the inquiry form. Areas that indicate the most interest through filling out the inquiry form will likely be the earliest to see the build-out in their neighborhood.](http://clarityconnect.com/index.php?page=wireless-service-inquiry)

Ms. Pryor also reported that at last night’s County Legislators meeting the (Old Court House) was renamed as the Governor Daniel D. Tompkins Building in honor of Governor Tompkins, who served as Governor of NYS from 1807-1817. The renovation of the Old County Courthouse was approved to accommodate relocation of the County Legislature Chambers and Offices, as required to accommodate the needs of the NYS Court System.

PRIVILEGE OF THE FLOOR
LIMITED to 20 MINUTES with a MAXIMUM of 3 MINUTES PER SPEAKER

Andrew Aasen – 11 Brooks Hill Road

Board Members
Lansing Town Board

Andrew R. Aasen
11 Brooks Hill Rd.
Lansing, NY 14882

RE: (NYS SAFE ACT, Resolution & Position of Board members)

I trust that all members of the board have received my communication in regard to the (NYS SAFE ACT). Although some of you may think, the idea of a resolution is moot, in light of the County's decision, to support the unconstitutional (NYS SAFE ACT). It is of great importance to those of us who value our liberty, freedom and the safety of our loved ones and our community, as to your stance on this important issue. So tonight, as you have all had much more time to read, reflect and research this topic than those who passed it into law, I would like to have each board member state for the record, your position so that your constituents know where you stand.

Councilperson Katrina Binkewicz

Councilperson Katrina Binkewicz stated that she is not in support of repealing it, but she does support suspending it. She stated that more feedback is needed from the public along with the police officers and people that are working to ensure the safety of citizens. She stated the intent was good but it should not be activated until it is a good law.

Councilperson Edward LaVigne

Councilperson Edward LaVigne stated that he would quickly repeal it as it was not filed by procedure. He stated we are a nation of laws and we celebrate the process. He stated we are one of the few nations in the world that play by the rules. He also stated it is another unfunded mandate. He stated more information is needed from police officers. His concerns are with the mentally ill and the illegal guns.

Councilperson Ruth Hopkins

Councilperson Ruth Hopkins stated she attended the Tompkins County Legislator Public Hearings along with the Public Safety Committee meeting. During the PSC meeting she listened to the Tompkins County Sheriff who expressed the views of his Association along with the Tompkins County District Attorney's views. They recommended not repealing the law, but fixing a lot of problematic parts and aspects of the law. She stated that there are aspects of the law that are not based in research. She stated she supports the intent of the law but also supports fixing everything we can to make it a better law.

Councilperson Robert Cree

Councilperson Robert Cree stated that the Town Board agreed that there was not a way they could convey the opinion of all the residents of Lansing. It was the consensus of the Town Board that the best avenue was to write personal letters and that the Board itself not make a statement that would look like this is how the Town of Lansing feels as a whole. He stated he doesn't think the process was properly followed and there are too many holes in the SAFE Act. He stated if it came to a vote he would repeal it.

Supervisor Kathy Miller

Supervisor Kathy Miller stated that she is a gun owner and has read the SAFE Act along with critics of the SAFE Act. She stated some things are wonderful, are right on and great and other things are not. She stated the process was not the best and the Board sending a repeal is not going to make a difference. She stated that the Legislature is making progress reviewing the mandates, etc. She stated it was a knee jerk reaction to the fact that 20 children and six adults were killed. She stated she is embarrassed to live in a

country where this happens and some how this has to stop. She stated if this happened to one of her children her life would be over. She doesn't know what the right course of action is, but stated she supports good laws and the issue is incredibly emotional to her.

Councilperson Katrina Binkewicz

Councilperson Katrina Binkewicz acknowledged that the information that Andrew Aasen provided to the Town Board members on April 16, 2013 was very thoughtful, thought provoking and prompted her to take another look at it. She stated that she did read the SAFE Act, she is a gun owner and you may not be in agreement with some people but you have to follow the pros and cons of their vision.

Supervisor Kathy Miller

Supervisor Kathy Miller thanked Andrew Aasen for approaching the Town Board in regards to the SAFE Act.

HIGHWAY DEPARTMENT REPORT

Highway Department Agenda

1. Finished Myers Park Marina
2. Work finished at Community Center
3. Cutting trees down along road side
4. Hauling and placing cement blocks at Salt Point
5. Broom winter sand off town roads
6. Repair mailboxes hit by snow plows
7. Cleaning road side ditches
8. Repair plow damage along road side

Supervisor Kathy Miller stated that we wouldn't have the parks we have if it wasn't for the Highway Department. They are an adjunct to the Recreation Department and perform many duties that we could not afford to do and pay for labor. The Highway Department does not say that is not my job, they are asked and when time permits, they work at the park, paint rooms at the Town Hall, install bathrooms, etc. The town is extremely lucky to have multi talented employees.

PARKS and RECREATION DEPARTMENT REPORT

Parks & Recreation Department 4/17/13 Town Board Meeting

RECREATION

- **LBP baseball and LSP softball** teams are set. Once we have the T-Ball coaches meeting we will have 37 - 38 teams practicing and playing games. Practices have started and games for most will begin on May 4th. Over 340 players are participating.
- **Coaches** – we are very fortunate, and always have been, to have parents always willing to step up and help coach and work with our kids. This year we have over 70 adults that are coaching all or our teams. Most all are returning coaches that bring experience.

- **The Ballfields** – all seem to be in good condition but we are currently behind right now. We need some dry weather now to get them rolled, lined and safety checked. The T-Ball program will again take place at the Highway Barn Fields. We will have a little more scheduling flexibility this season, as the Men’s Softball League (not our program) will not be playing this year.
- **East Shore Festival of the Arts** – show is set for Friday May 3rd and will again take place here on the Town Hall Campus. There will be food, wine tasting, music and a “Chainsaw Artist” that will be working on a project in the parking lot in front of the Town Hall.
- **The Summer Program booklet** – is in the planning stages now and we hope to have it available by the second week in May. It is taking a little more time to pull it together as we are trying to work out the logistics of running some of the programs that cannot be run at the schools this year.

PARKS

- **The Parks** also seem to be in good shape this spring. This past weekend Lansing Pack 48 participated in a clean-up project in Myers Park. There were 18 Cub Scouts, plus 22 parents, and 6 siblings that picked up and moved 3 trailer loads of twigs and leaves. They also raked the playground areas too. Lynn Green has arranged this project for the past few years. They do a great job.
- **Playground areas are smoke-free** - We plan to post signs at each of our playgrounds stating that smoking in and around our playgrounds is no longer permitted.
- **The Myers Park Concert schedule** is set. See the attachment. Very strong line-up this year!!
- **Kayak racks** – We plan to repair, label and rent the spaces on the current racks. We already have a list of interested kayak and canoe owners that want a space.
- **Salt Point** - Katrina and Pat have completed the tree planting project. Katrina is also working on a clean-up day for Salt Point. So far things are going very well and early projects have been completed.
- **Pathways** – The main Town Center Pathway was closed for a while due to very wet and muddy conditions.

MUSIC IN THE PARK

*Lansing Parks & Recreation Department invites you to bring your dinner, coolers, and lawn chairs and enjoy pleasant Thursday evenings on the lake at Myers Park listening to some great bands. **2013 Myers Park Concert listing:***

July 11– 6:30 – *Backtalk* The Backtalk Band is one of Central New York’s most versatile groups. Comprised of four accomplished and professional musicians, the band includes Lansing’s own Bob Keefe (guitar, vocals), Jim Lawrence (bass, vocals), John White (keyboards, vocals), and Mark Joyce (drums, vocals). Their play list is like a who’s who of rock ‘n’ roll history from the 1950’s up to the 1980’s.

July 18 – 6:30 – 5 Mile Drive Covering some familiar classics and deeper cuts from the 60's and 70's as well as some of the best in recent music, the band also drives home its own engaging and innovative songs. Band members include Addison Gates, Jay Skezas, Kevin Moss, Mark Finnigan and Jeff Goodmark.

July 25 – 6:30 – The Destination Band is a 9-pc. dance band with its musical focus in the genres of R&B, Latin influenced material, Swing and Funk/Disco. Three outstanding vocalists and four horns set this group apart from virtually every other group in the CNY area. The band's "A"-list repertoire is built around the power of the horns. *No other group in the area can match the dynamics and crowd motivating force of The Destination.*

August 1– 6:30 – Iron Horse Returns to the line-up this summer and always draw some of the largest crowds of the series! If you like "Southern Rock" you can't miss this concert. Featuring Lansing's own Mark Armstrong, you better get to the park early!

August 8 – 6:30 – Steve Southworth and The Rockabilly Rays Return from last year with a great show and a huge crowd. A long time favorite and the ultimate tribute to the legends of the 1950's and early 1960's and boasts a HUGE play list!

August 15 – 6:30 –The Jeff Love Band is an 11-piece funk/soul band playing music from the 60's, 70's and 80's. Lead singer Jeff Love's energy and charisma are infectious to the point where you won't be able to stop dancing all night! This band has a classic vibe so get ready to dance and sing the night away to the classic songs that you can't get enough of. *Mark this on your calendar as a must see show!*

August 22 – 6:30 – Tailor Made is a regular lately in the summer line-up. Central New York's premier contemporary Country act with a smattering of great Classic Rock! Playing the local scene since 1994 and have opened for: Sammy Kershaw, George Jones and even Molly Hatchet. *A definite fan favorite...*

Admission is free but donations will be appreciated!

Ludlowville Park Concerts are Friday's in July 12, 19, 26.
6:30 PM at the Ludlowville Park bandstand

SPIGOTS TAKEN AT MYERS PARK:

Steve Colt informed the Town Board that 50 to 60 spigots have been taken from Myers Park. He had checked with the schools and they have had similar issues. The good news is they unscrewed the spigots instead of breaking them off.

LIGHTHOUSE GRAFFITI:

Andrew Aasen reported that he is still working on removing the graffiti on the lighthouse. He is currently in the process of ventilating the lighthouse to remove moisture. When it is dried out he will continue renovation.

CONSIDER APPOINTING DONNA SCOTT TO THE ZBA/ALTERNATE MEMBER

DISCUSSION:

Councilperson Katrina Binkewicz thanked Donna Scott for volunteering to serve on this board.

RESOLUTION 13-80

APPOINT DONNA SCOTT TO THE ZONING BOARD OF APPEALS AS AN ALTERNATE

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, there is a vacancy for an alternate position on the Town of Lansing Zoning Board of Appeals (“ZBA”); and

WHEREAS, the ZBA has recommended that Donna Scott be appointed to a fill the vacancy term on said Board as an alternate; and

WHEREAS, Donna Scott is qualified and willing to serve in such capacity as an alternate member of the ZBA; and

WHEREAS, upon consideration and deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, that Donna Scott be and is hereby appointed as an Alternate Member of the ZBA effective April 1, 2013, with such appointment to expire December 31, 2013 with such service to be at the pleasure of this Board.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Ruth Hopkins, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

SCHEDULE PUBLIC HEARING FOR RENEWAL OF SPECIAL USE PERMIT AND MODIFICATION OF CONDITIONS OF PREVIOUS SPECIAL USE PERMIT FOR GRANTCHESTER YOUTH SOCCER FIELDS, 1775 EAST SHORE DRIVE

DISCUSSION:

The question of the length of time the permit could be issued for was addressed. Jonathan Kanter stated that the previous permit was issued for three years and expired in November of 2012. The application for the renewal did not specify a timeframe. The Planning Board reviewed the proposal and issued a recommendation to have a five year renewal. It was the consensus of the Town Board to consider the five year renewal.

RESOLUTION 13-81

RESOLUTION SCHEDULING PUBLIC HEARING FOR CONSIDERATION OF APPLICATION FOR RENEWAL

**OF SPECIAL USE PERMIT AND MODIFICATION OF CONDITIONS OF
PREVIOUS SPECIAL USE PERMIT FOR
PROPOSED GRANTCHESTER YOUTH SOCCER FIELDS
1775 EAST SHORE DRIVE**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Applicants, Ithaca Youth Soccer Club Inc., TC United Soccer, and John F. Young, have requested the renewal of a Special Use Permit and modification of conditions of the previously approved Special Use Permit to allow for the continued operation of not-for-profit soccer clubs upon an approximately 12.4 acre parcel to be used as a non-commercial recreational facility in a R2 District located at 1775 East Shore Drive (part of Tax Parcel #37.1-6-2.2), pursuant to the Town of Lansing Land Use Ordinance; and

WHEREAS, Applicants are requesting modifications in the site plan to include a gate at the emergency access drive to control vehicular access and the addition of a small gravel parking area to provide easier access for the disabled; and

WHEREAS, Applicants are requesting a modification of Condition #4 in the previously approved Special Use Permit, which requires soccer players to be 18 years of age and under, to in addition, allow soccer players to be up to 22 years of age for a total not to exceed three times per year, thereby allowing previous youth soccer club members who are now college-age to play soccer on the fields for a limited number of times per year; and

WHEREAS, Applicants are requesting a modification of Condition #6, which requires all parking to be on the adjacent Community Recreational Center (CRC), to state that “all parking to be on the CRC site, except that up to two gravel parking spaces for the disabled shall be allowed on the soccer field site, as shown on the revised site plan”; and

WHEREAS, the Town Board of the Town of Lansing approved the Special Use Permit in November 2009 for the youth soccer fields in Town Board Resolution 09-201 subject to conditions, including Condition #11, which states that the Special Use Permit shall expire in 3 years, being subject to renewal at that time; and

WHEREAS, the Special Use Permit did expire in November 2012; and

WHEREAS, in accordance with such Ordinance, the applicant first submitted the information, site plan, and related project information to the Planning Board for consideration, review, and a recommendation to the Town Board regarding such application for renewal of the Special Use Permit; and

WHEREAS, the youth soccer club facility was constructed and includes two soccer fields, a mower storage building and an emergency access drive, located in the R2 District, and Section 503 Schedule I (B) of the Lansing Land Use Ordinance only permits a public or private club (except rod or gun) in the R2 District by special use permit, subject to site plan review, as set forth in the Lansing Land Use Ordinance Section 803.2.1; and

WHEREAS, on March 13, 2013, the Code Enforcement Officer duly referred the application for renewal of the Special Use Permit for the Grantchester Youth Soccer Fields to the Lansing Planning Board for review, and the Planning Board duly reviewed such application upon April 15, 2013, and forwarded its findings and recommendations to the Town Board for review; and

WHEREAS, General Municipal Law County Planning referrals 239-l and 239-m (of Article 12-B) in conjunction with the application for site plan approval and renewal of the Special Use Permit 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 March 27, 2013 determined that the proposed actions have no negative inter-community or county-wide impacts; and

WHEREAS, the Planning Board found that a stormwater management plan was implemented with the construction of the soccer fields in 2009, and there have been no apparent drainage or erosion issues associated with the soccer fields project; and

WHEREAS, the Planning Board found, in addition, that the youth soccer fields have been operating for the past three years under the previously issued Special Use Permit and its conditions without apparent negative impacts on the surrounding community character; and

WHEREAS, the Planning Board recommends that the Town Board approve the renewal of the Special Use Permit subject to the conditions in the previously approved Special Use Permit pertaining to mitigating potential impacts by, among other things, buffering, screening, prohibiting lighting, limiting hours of operation, prohibiting commercial activities, restricting usage to members and guests only, limiting and regulating traffic and parking locations, ensuring adequate emergency vehicle access, prohibiting public events at the site, allowing only seasonal use, minimum setbacks, and periodic review of the permit, with several modifications recommended; and

WHEREAS, the Ordinance requires that the Town Board conduct a Public Hearing upon the proposed Special Use Permit; and

WHEREAS, upon review and discussion of the matter the Town Board of the Town of Lansing has hereby

RESOLVED, that a Public Hearing to consider the application of the Ithaca Youth Soccer Club Inc., TC United Soccer, and John F. Young, for renewal of a Special Use Permit and modification of conditions of the previously approved Special Use Permit to allow for the continued operation of the Grantchester Youth Soccer Fields by not-for-profit soccer clubs upon an approximately 12.4 acre parcel to be used as a non-commercial recreational facility in a R2 District located at 1775 East Shore Drive (part of Tax Parcel #37.1-6-2.2) to permit and allow, with or without conditions, the operation of private not-for-profit soccer clubs upon private non-profit recreational soccer fields, be and is hereby scheduled for the **15th day of May, 2013, at 6:15 P.M.** at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law.

SEQRA: Unlisted.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17, 2013.

SCHEDULE PUBLIC HEARING FOR SEQRA REVIEW OF RENEWAL OF SPECIAL USE PERMIT FOR GRANTCHESTER YOUTH SOCCER FIELDS

DISCUSSION:

There was no discussion.

RESOLUTION 13-82

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR ENVIRONMENTAL REVIEW OF PROPOSED
RENEWAL OF SPECIAL USE PERMIT FOR
GRANTCHESTER YOUTH SOCCER FIELDS
1775 EAST SHORE DRIVE**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Applicants, Ithaca Youth Soccer Club Inc., TC United Soccer, and John F. Young, have requested the renewal of a Special Use Permit and modification of conditions of the previously approved Special Use Permit to allow for the continued operation of not-for-profit soccer clubs upon an approximately 12.4 acre parcel to be used as a non-commercial recreational facility in a R2 District located at 1775 East Shore Drive (part of Tax Parcel #37.1-6-2.2), pursuant to the Town of Lansing Land Use Ordinance; and

WHEREAS, the Town Board of the Town of Lansing approved the Special Use Permit in November 2009 for the youth soccer fields in Town Board Resolution 09-201 subject to conditions, including Condition #11, which states that the Special Use Permit shall expire in 3 years, being subject to renewal at that time; and

WHEREAS, the Special Use Permit did expire in November 2012; and

WHEREAS, the youth soccer club facility was constructed and includes two soccer fields, a mower storage building and an emergency access drive, located in the R2 District, and Section 503 Schedule I (B) of the Lansing Land Use Ordinance only permits a public or private club (except rod or gun) in the R2 District by special use permit, subject to site plan review, as set forth in the Lansing Land Use Ordinance Section 803.2.1; and

WHEREAS, pursuant to law, such renewal of Special Use Permit and modification of conditions therein are subject to environmental review, and, accordingly, the Town Board classifies this action as an Unlisted Action under SEQRA and intends to conduct its own 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”); and

WHEREAS, the Applicants have completed and submitted a Short Environmental Assessment Form, Part I, to the Town Board; and

WHEREAS, upon due deliberation upon the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that this action is classified as an Unlisted Action having reviewed the thresholds set forth in 6 NYCRR Part 617.4; and it is further

RESOLVED, that the Town Board will conduct its own 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”); and it is further

RESOLVED, that a Public Hearing to consider the environmental impacts of the application for the renewal of a Special Use Permit and modification of conditions of the previously approved Special Use Permit to allow for the continued operation of not-for-profit soccer clubs upon an approximately 12.4 acre parcel to be used as a non-commercial recreational facility in a R2 District located at 1775 East Shore Drive, being more particularly identified as part of Town of Lansing Tax Parcel Number #37.1-6-2.2,

be and is hereby scheduled for the **15th day of May, 2013, at 6:20 P.M.** at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law.

SEQRA: Unlisted.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, duly seconded by Councilperson Ruth Hopkins, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on April 17th, 2013.

APPROVE AUDIT and BUDGET MODIFICATIONS:

RESOLUTION 13-83

Councilperson Robert Cree moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 004

DATED 4/17/13

AUDITED VOUCHER #'s	<u>279 – 372</u>
PREPAY VOUCHER #'s	<u>279 – 285</u>
AUDITED T & A VOUCHER #'s	<u>22 – 29</u>
PREPAY T & A VOUCHER #'s	<u>22 – 23</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>85,639.04</u>
HIGHWAY FUND	\$ <u>54,393.32</u>
LANSING LIGHTING	\$ <u>1,176.92</u>
LANSING WATER DISTRICTS	\$ <u>2,522.21</u>
TRUST & AGENCY	\$ <u>36,153.86</u>
WARREN RD SEWER-CAPITAL PROJ	\$ <u>0.00</u>
LANSING SEWER DISTRICTS	\$ <u>47.62</u>
DEBT SERVICE	\$ <u>0.00</u>

BUDGET MODIFICATIONS

**GENERAL FUND A
4/17/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1410.400	A1410.130	From Town Clerk Contractual to Town Clerk Personal Srvcs	515.00
A2650	A7110.200	Unforeseen need for extra help- due to illness Increase Auction Proceeds and Increase Parks Equipment	13,000.00
A599	A7110.406	Reason Purchase of New Mower - part of amount From Fund Balance to Salt Point Contractual	10,000.00
	Reason	From December Resolution	

**GENERAL FUND B
4/17/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B8020.100	B8010.403	From Engineer Pers Srvcs to Engineer Underestimated Budget	3,000.00
B8020.100	B8010.411	From Engineer Pers Srvcs to Paid Consultant	\$27,000.00
	Reason	Change in staffing	
B8020.100	B8020.402	From Engineer Pers Srvcs to PB Legal	\$4,000.00
	Reason	Underestimated Budget	\$3,000.00

**HIGHWAY FUND DA
4/17/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA0511	DA5130.200R	From Appropriated Reserves to Machinery Equip Reservces For Equipment Purchase	33,214.00

WARREN RD SEWER SS1-

4/17/2013 Board Meeting

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS1-599	SS1- 8120.200	From Fund Balance to Sewer Equipment	2,417.33
	Reason	Underestimated Budget	

Councilperson Ruth Hopkins seconded the motion and it was carried by the following roll call vote:

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

BOARD MEMBER REPORTS:

Katrina Binkewicz

Salt Point Clean-Up

As Steve Colt reported there have been plantings at Salt Point along with half of the wildflower seed that was done right before the rain came. There is a reserve of 5lbs of wildflower seed in hopes that boys or girls scout troops will distribute the remainder. There will be a Salt Point Community Clean Up on Saturday the 27th of April from 2-4 pm. The rain date will be Sunday the 28th. The Highway Department will supply the trash bags along with bins for collection of glass and metal.

Edward LaVigne

Seniors and LHA

The second Wednesday of every month, he has lunch with the Senior Citizens. He reports that they are very happy and healthy.

The LHA is in good hands with one of the reasons being Connie Wilcox who is in attendance at tonight's meeting. The building is sound and safe with the installation of the new elevator.

Second Constable

He stated he has no view point but was asked to address the situation. Feedback will be looked at and can be discussed further. The cost can be paid for by the extra fines collected.

Ruth Hopkins

NYS Comptroller's Template

She has been working on a simple form to help with major expenditures and year end balances along with the tax cap. Hopefully it will be in place for this budget season.

Agriculture Committee

The next meeting will be this Thursday the 18th at 7:30 am. They are nearing the completion of their report. The meeting at the North Lansing Fire Hall, given by the Assessment Department, Jay Franklin and Irene Keogh was well received. They explained the tax increases on the agriculture land and changes on the exemptions.

TCCOG Health Consortium

She attended the Health Consortium meeting and they discussed and have met the reserve requirement.

Cable Franchise Group

They are recommending substantial changes to the franchise agreements. These will be reviewed at the end of the month.

Towns Share Ways to Distribute Information

Many towns do bulk mailings to internet reserves. Several towns include notices along with their bills as they are sent out. Many towns have a face book page. Most all towns send out newsletters and she will be collecting them to share.

New Format for Fees in Codes Office

She volunteered and has been working on a new fee format in the Codes Office with Lynn Day. She asked the Board to look at the new format and get back to her with comments.

Robert Cree

Internal Audit

He has met with Sharon Bowman in conjunction with setting up the materials needed from Department Heads in order to process and meet the annual audit requirements. Added to this year's process will be looking into in depth journal controls. He suggested that most departments could be processed during the May 1st Work Session meeting. The

Court Clerks will be scheduled during the daytime. He would like the completion of the audit to be done by June.

Process for the Residential Wide Vote for Sewer

He suggested that this be discussed and reviewed as this will not be covered by the Tompkins County Board of Elections. It is not a voter registered vote but a landowner vote. Counsel Guy Krogh stated that he has provided the information to the Sewer Committee. The County Board of Elections will not do these as they are not true general elections. Normally a paper ballot is used in these cases.

Kathy Miller

Sign Moratorium

Right now there is someone that wants to put a sign up. There are two businesses that are next to each other and can't agree on the placement of the sign and Lynn Day is trying to help with the decision.

Codes Revision Committee

They have met three times and are currently working on the new sign law. Their intent is to get a law on the books and not extend the moratorium.

Comprehensive Plan Committee

They are currently working on the survey. The Village has joined them and are coming up with questions they would like asked. It was determined that this is a joint effort to obtain information and lower costs for both sides.

SEQR Sewer Agreement with GHD

Changes have been made and Counsel Guy Krogh stated until GHD agrees you don't have a contract to approve.

Sewer Meeting

On Tuesday, April 23, 2013 there will be a Sewer Public Information Meeting at 7:00 pm at the Middle School Auditorium.

Joint Village Meeting

On Monday, April 29, 2013 there will be joint meeting with the Village of Lansing and Town of Lansing Boards in the Lansing Town Hall Board Room at 6:00 pm.

Monthly Report:

The Supervisor submitted her monthly report for the month of March 2013 to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT:

Nothing to report at this time.

MOTION TO ENTER EXECUTIVE SESSION:

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE JOB PERFORMANCE OF A PARTICULAR PERSON AT 7:55 PM.**

Councilperson Robert Cree seconded the motion. Board Members Present - Ruth Hopkins, Robert Cree and Kathy Miller – All AYE

MOTION TO EXIT EXECUTIVE SESSION:

Councilperson Katrina Binkewicz moved to **EXIT EXECUTIVE SESSION AT 8:52 PM**. Supervisor Kathy Miller seconded the motion. With All Board Members Present
All AYE

MOTION TO ADJOURN MEETING:

Supervisor Kathy Miller moved to **ADJOURN THE APRIL 17, 2013 TOWN BOARD MEETING AT 8:53 PM**. Councilperson Katrina Binkewicz seconded the motion.
All AYE

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall