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4/28/16

**Tompkins County**  
**DEPARTMENT OF PLANNING**

121 East Court Street  
Ithaca, New York 14850

Edward C. Marx, AICP  
Commissioner of Planning

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

April 26, 2016

Mr. Lynn Day, Code Enforcement Officer  
Town of Lansing  
PO Box 186  
29 Auburn Road  
Lansing, NY 14882

**Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law**  
**Action: Area Variance for proposed ground mounted solar array at 397 Salmon Creek Road, Town of Lansing Tax Parcel #21.-1-1.4, RA Zoning District, Karen Edelstein, Owner; Renovus Solar, Applicant, Johnno Potts, Agent.**

Dear Mr. Day:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has positive and beneficial inter-community, or county-wide impacts. Because of the contribution of this project to the County's renewable energy goals we recommend its approval.

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

Sincerely,



Edward C. Marx, AICP  
Commissioner of Planning

**Town of Lansing Zoning Board of Appeals  
Application for Variance**

Application Fee \$175.00

Application Date April 4, 2016

**Property for which Variance is being requested**

Tax Parcel No. 21.-1-1.4 Street Address 397 Salmon Creek Road

**Applicant's Name and Address**

Karen Edelstein  
397 Salmon Creek Road  
Lansing, NY 14882

**Zoning District (check one)**

Phone 607-592-4131 R1   
Cell \_\_\_\_\_ R2   
Email karen.edelstein@gmail.com R3

*(If Applicant different from owner, notarized written permission of owner must be attached hereto.)*

**Owner's Name and Address (if different)**

Same  
\_\_\_\_\_  
\_\_\_\_\_

B1   
B2   
L1   
Cell \_\_\_\_\_ RA   
Email \_\_\_\_\_ IR

**Application for (check applicable item)**

- A. Interpretation of Zoning Ordinance or Map
- B. Area Variance
- C. Use Variance
- D. Appeal of decision of Code Enforcement Officer

**Request relates to provisions of (check applicable item)**

- A. Town of Lansing Land use Ordinance, Section 504 Schedule II Area, frontage, yard heights and
- B. Town of Lansing Subdivision Regulations, Section coverage requirements
- C. Other (Identity) \_\_\_\_\_

**Purpose of Request: (attach additional information if necessary)**

The purpose of the request is to install a ground mount solar array with a set back of 40 ft. when the RA zoning district requires a set back of 60 feet. For more information see attachments.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Justification of Request: (attach additional information if necessary)**

Please see justification Edelstein next page.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# **TOWN of LANSING**

*"Home of Industry, Agriculture and Scenic Beauty"*

ZONING, PLANNING AND CODE ENFORCEMENT

Box 136

Lansing, NY 14882

E-mail: [tolcodes@twcnv.ny.us](mailto:tolcodes@twcnv.ny.us)

March 28, 2016

Karen Edelstein  
397 Salmon Creek Rd  
Lansing, NY 14882

Re: Proposed 5.72kw ground mounted solar array  
Tax Map #21.-1-1.4

Dear Karen,

This letter is to inform you that your building permit application request to install a ground mount solar array has been denied in accordance with the Town of Lansing Land Use Ordinance, Section 504. Schedule II: AREA, FRONTAGE, YARD, HEIGHTS AND COVERAGE REQUIREMENTS. The minimum front yard setback for the RA Zoning District is 60' from the center of the road, whereas you are requesting a 40' setback from the center of the road. If you wish to pursue the proposed project at the above location, an Application for an Area Variance must be submitted.

Feel free to contact our office with any questions you may have. We can be reached at 533-7054 or stop by in person at 29 Auburn Rd.

Sincerely,

Lynn Day  
Code Enforcement Officer



### Justification for Use Variance for Karen Edelstein

- 1 They have installed solar on the available roof space of their home.
2. They have installed a geo-thermal system to heat and cool the residence.
3. The only other space on their property that we could put solar is on a barn that is not structurally viable to support the array or oriented properly for solar.
4. They have purchased the wooded lot to the North of the proposed array location which creates a large barrier between it and any neighbors.
5. If the array was to be moved any further to the East on their property it would be shaded by trees located on the neighbors property and a large hill (immovable object).
6. Across the street to the West is a large agricultural field. Essentially the array would not be in view of any of the few close by neighbors. They live in a very low density residential area.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

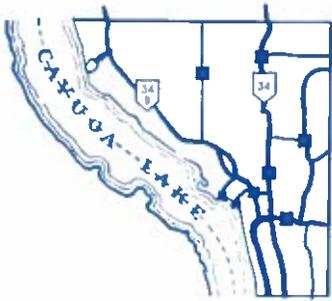
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <p style="text-align: center;">Install 5.72 kW ground mount solar array</p>			
Project Location (describe, and attach a location map): <p style="text-align: center;">397 Salmon Creek Road Lansing NY 14882</p>			
Brief Description of Proposed Action:  <p style="text-align: center;">This 5.72 kW grid-connected solar electric PV Photovoltaic system will be installed as a ground mounted array comprised of 22 Winaico WST-260P6, solar panels. The system will use 1 SMA SunnyBoy 5000TL-US-22 inverter, will have web monitoring and secure power supply, with installation of 100A sub-panel in the barn and 175A main breaker in meter main.</p>			
Name of Applicant or Sponsor: <p style="text-align: center;">Renovus Solar                      Johnno Potts</p>		Telephone: <b>607-277-1777</b> E-Mail: <b>jpotts@renovussolar.com</b>	
Address: <p style="text-align: center;">1520 Trumansburg Road Ithaca, NY 14850</p>			
City/PO: <p style="text-align: center;">Ithaca,</p>		State: <p style="text-align: center;">NY</p>	Zip Code: <p style="text-align: center;">14850</p>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		7.75          acres	
b. Total acreage to be physically disturbed?		352 sq. ft      acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>John O. Potts / Renew Solar</u> Date: <u>3/30/16</u></p> <p>Signature: <u>[Signature]</u></p>		



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E-mail: [tolcodes@tweny.ny.us](mailto:tolcodes@tweny.ny.us)

March 28, 2016

Karen Edelstein  
397 Salmon Creek Rd  
Lansing, NY 14882

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Dear Karen,

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Feel free to contact our office with any questions you may have. We can be reached at 533-7054 or stop by in person at 29 Auburn Rd.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Day', written over a horizontal line.

Lynn Day  
Code Enforcement Officer