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**TOWN OF LANSING PLANNING BOARD  
MEETING October 25, 2021  
Via Zoom – Live on YouTube**

**Board members Present:**

Jerry Caward, Chair  
Al Fiorille, Vice-Chair  
Sandy Dennis-Conlon  
Larry Sharpsteen  
Dean Shea  
Dale Baker, Alternate  
Thomas Butler, Alternate

**Excused:**

Lin Davidson  
Deborah Trumbull

**Also Present:**

John Zepko, Planner    Heather Dries, Planning Clerk    Joe Wetmore, Town Councilman

**Public Present:**

Matt Meehan    Wayne Matteson    Steve Ruoff    Andy Sciarabba    Gary Bush  
Michelle Zirbel    Steve Vukas

Chair Jerry Caward opened the meeting at 6:33pm.

Chair Jerry Caward enacted alternates Tom Butler and Dale Baker as voting members due to the excused absence of two voting members.

**Motion to approve the minutes from September 27, 2021 Planning Board Meeting as amended.**

Moved by: Dale Baker    Seconded by: Sandra Dennis-Conlon    Abstained: Larry Sharpsteen  
(Motion Carried)

**Privilege of the Floor**

- Planning Board member, Dean Shea, discussed upcoming legislation regarding accessory structures at the State level.
- Chairman Jerry Caward's term is expiring at the end of the year, and he will not be renewing.

**Town Board Liaison Alternate Joe Wetmore gave an update from the October 20, 2021 Town Board Meeting**

**Items of Note:**

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- 39 - Resolution Adopting Local Law No. 3 of 2021- Temporary Moratorium on Certain Land  
40 Use Development and Zoning Reviews and Approvals in the Rural Agriculture Zone for a  
41 Period of One Year- TABLED
- 42 - Presentation – Adult-Use Cannabis – John Dann

43

## 44 **Action Items:**

45 **Project: Mirabito Lansing Propane / Petroleum Bulk Storage & Distribution Facility (Phase 2)**

46 **Applicant:** Wayne C. Matteson, Jr., P.E., on behalf of Mirabito Holdings, Inc., Owner

47 **Location:** 15 Town Barn Rd; Tax Parcel No. 30.-1-16.25

48 **Anticipated Board action(s) this month:** Action on Site Plan

49 **Project Description:** The Applicant is requesting Site Plan approval for construction of three (3)  
50 30,000-gallon petroleum bulk storage tanks to be placed underground, and the existing 30,000-  
51 gallon propane storage tank (approved via Planning Board Resolution 16-09 on May 9, 2016,  
52 amended September 26, 2016) as well as a 4,000 SF garage structure, a 1,600 SF office building,  
53 10-15 parking spaces, and other site improvements on the existing 3.05-acre parcel. The  
54 property is located in the General Commercial (B2) Zoning District. This an Unlisted Action  
55 under the State Environmental Quality Review Act and is subject to environmental review.

56 **Project submittals submittals are located at:** [https://lfweb.tompkins-](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=48000&dbid=7&repo=Lansing)  
57 [co.org/WebLink/Browse.aspx?id=48000&dbid=7&repo=Lansing](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=48000&dbid=7&repo=Lansing)

58

## 59 **Summary of Discussion:**

- 60 - Wayne Matteson and Matt Meehan were present to discuss this project.
- 61 - The applicant has submitted the requested diagrams for traffic flow and plantings.
- 62 - Dondi has submitted letter addressing comments on the SWPPP.
- 63 - The Planning Board reviewed the EAF Part 2

64

## 65 **RESOLUTION PB 21-26**

66

67 **TOWN OF LANSING PLANNING BOARD RESOLUTION – STATE**  
68 **ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION AND SITE PLAN**  
69 **MIRABITO HOLDINGS LANSING PROPANE / PETROLEUM STORAGE AND**  
70 **DISTRIBUTION FACILITY SITE PLAN (PHASE TWO), 15 TOWN BARN RD, TAX PARCEL NO.**  
71 **30.-1-16.25**

72

73 **WHEREAS**, an application was made by Wayne C. Matteson, Jr., P.E., on behalf of Mirabito  
74 Holdings, Inc., Owner, for construction of three (3) 30,000-gallon petroleum bulk storage tanks  
75 for fuel storage and delivery operations, a 4,000 SF garage structure, a 1,600 SF office building,  
76 and 10-15 parking spaces, and other site improvements on the existing 3.05-acre parcel,

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77 Lansing, New York, TPN 30.-1- 16.25, located in the General Commercial (B2) Zoning District;  
78 and

79

80 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 270-7 Site Plan  
81 Review, for which the completed revised application was received March 9, 2021; and

82

83 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act (“SEQRA”) requires that  
84 a Lead Agency be established for conducting environmental review of projects in accordance with  
85 state environmental law and the Lead Agency shall be that local agency which has primary  
86 responsibility for approving and funding or carrying out the action; and

87

88 **WHEREAS**, the Planning Board, being the agency which has primary responsibility for approving  
89 the action, did on March 22, 2021 declare itself the Lead Agency for the environmental review of  
90 this Unlisted Action; and

91

92 **WHEREAS**, the Tompkins County Department of Planning and Sustainability, Tompkins County  
93 Highway Department, and Town of Lansing Highway Department were given the opportunity to  
94 comment on the proposed action; and

95

96 **WHEREAS**, Project plans, and related information, were duly delivered to the Tompkins County  
97 Planning and Sustainability Department per General Municipal Law § 239; *et seq.*, and such  
98 **Department responded** in a letter dated 11 June 2021 from Katherine Borgella, Tompkins  
99 County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State  
100 General Municipal Law with no recommendations or comments on the proposal; and

101

102 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the  
103 Town code relative to site plan review, the unique needs of the Town due to the topography, the  
104 soil types and distribution, and other natural and man-made features upon and surrounding the  
105 area of the proposed site plan, and the Planning Board has also considered the zoning in the area  
106 and the project in light of the Town’s Comprehensive Plan and compliance therewith, and as the  
107 underlying use is a permitted use in the zone in which located; and

108

109 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board,  
110 now therefore be it RESOLVED as follows:

111

- 112 1. That the Planning Board of the Town of Lansing determines the proposed project will  
113 result in no significant impact on the environment and that a Negative Declaration for  
114 purposes of Article 8 of the Environmental Conservation Law be filed in accordance with



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115 the provisions of Part 617 of the State Environmental Quality Review Act; and

- 116
- 117 2. That the Planning Board of the Town of Lansing does hereby grant Site Plan approval for
- 118 the construction of three (3) underground 30,000-gallon petroleum bulk storage tanks
- 119 for fuel storage and delivery operations, a 4,000 SF garage structure, a 1,600 SF office
- 120 building, and 12 parking spaces and site improvements on the existing 3.05-acre parcel,
- 121 Lansing, New York, TPN 30.-1-16.25, which includes all parking layouts, landscaping, dark
- 122 sky lighting, and other site conditions listed here in Site Plan as shown in and upon the
- 123 Drawing Sheets titled: "Mirabito Energy Products" Site Plan (S-1), Septic Details (S-2),
- 124 Additional Details (S-3), Internal Traffic Flow Plan (S-4), prepared by Wayne Matteson Jr.,
- 125 PE, dated October 2021, subject to the following conditions:

- 126
- 127 a. Compliance with the recommendations of the Town's Engineer and SMO for any
- 128 final stormwater plans and the terms of the approved final Stormwater Pollution
- 129 Prevention Plan (SWPPP) for the developed site, and proper completion of all
- 130 stormwater reports, permits, and facilities in a form and manner as approved by
- 131 the Town and NYSDEC, including execution and filing of Stormwater Operating,
- 132 Management, and Reporting Agreement ("SOMRA") in the form as set forth
- 133 pursuant to Town Code § 225-8(D), which executed and filed SOMRA (and any
- 134 supporting easements) is required to be submitted to the SMO prior to the
- 135 issuance of any certificate of occupancy or compliance for the Project.
- 136 b. The applicant will be required to obtain i) a Bolton Point water permit for a new
- 137 water service and meter to connect to the existing Consolidated Water District
- 138 Mains, and ii) a Tompkins County Health Department Onsite Wastewater
- 139 Treatment System (OWTS) permit. Both permits shall be obtained prior to
- 140 obtaining any building permit or Certificate of Occupancy ("CO").
- 141 c. The applicant must obtain a NY SPDES Multi Sector General Permit for Stormwater
- 142 Discharges Associated with Industrial Activity (GP-0-17-004), an individual SPDES
- 143 permit, and the applicant must register with the NYS Bulk Petroleum Discharge
- 144 Program and obtain any other permits required from regulating agencies.
- 145 d. All plantings (including as shown on the plans described above) shall be maintained as
- 146 healthy and natural non-invasive vegetation designed to provide both visual and sound
- 147 buffering. Existing and any new vegetation shall be properly maintained and any dead,
- 148 diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that,
- 149 whether singularly or in combination, due to lack of growth, death, recession, disease or
- 150 other cause, cease to function as buffers shall be replaced in a manner as promotes the
- 151 goal of such buffer as stated in this site plan approval. This condition shall be deemed to
- 152 augment and further define prior site plan approval conditions and site plan features
- 153 hereby or heretofore approved by the Town.



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- 154 e. All lighting fixtures will be “dark sky compliant” glare-free, downward directed, and  
155 shielded lighting as promotes the dark-sky standards of the International Dark-Sky  
156 Association (IDA) and lamps will be not higher than 3000K CCT to minimize adverse  
157 human and ecological impacts.
- 158 f. In accordance with Town Code § 270-27(K), this site plan approval is valid for only  
159 36 months from the date hereof, and the applicant/owner is required to  
160 commence and substantially complete the construction or other activities for  
161 which the site plan is applicable within said 36 months or this approval shall,  
162 unless extended upon application timely made, expire, lapse, and be of no further  
163 validity, force or effect.

164  
165 Dated: October 25, 2021

166  
167 Motioned by: Al Fiorille  
168 Seconded by: Dean Shea

169  
170 **VOTE AS FOLLOWS:**

171 **Sandra Dennis- Conlon – Aye**  
172 **Tom Butler – Aye**  
173 **Al Fiorille – Aye**  
174 **Larry Sharpsteen – Aye**  
175 **Dean Shea – Aye**  
176 **Dale Baker – Aye**  
177 **Jerry Caward – Aye**

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179 **Project: Waza Turf Field**

180 **Applicant:** Steve Ruoff, on behalf of SKR Land LLC, Owner, in collaboration with TC Waza  
181 Academy and FC LIFA, Ltd.

182 **Location:** 320 Peruville Rd; Tax Parcel No. 30.-1-30.1

183 **Anticipated this month:** Action on Site Plan

184 **Project Description:** The Applicant is requesting site improvements for commercial recreation:  
185 outdoors on the existing 37.63-acre parcel. Applicants were granted a Special Use Permit under  
186 Town of Lansing Code § 270-36 at the June 16, 2021 Town Board meeting. The property is  
187 located in the Rural Agricultural (RA) Zoning District. This is an Unlisted Action under the State  
188 Environmental Quality Review Act and is subject to environmental review.

189 **Project submittals are located at:** [https://lfweb.tompkins-](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=50383&dbid=7&repo=Lansing)  
190 [co.org/WebLink/Browse.aspx?id=50383&dbid=7&repo=Lansing](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=50383&dbid=7&repo=Lansing)

191  
192 **Summary of Discussion:**

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- 193 - Andy Sciarabba and Steve Ruoff were present to discuss this project.  
194 - The applicant has provided all requested information.  
195 - The Planning Board would like there to be a condition of approval for the lighting on the  
196 walkway and parking area included in the Resolution.

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## 198 RESOLUTION PB 21-27

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**TOWN OF LANSING PLANNING BOARD RESOLUTION – STATE  
ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION AND SITE PLAN  
APPROVAL  
WAZA TURF FIELD, 320 PERUVILLE RD;  
TAX PARCEL NO. 30.-1-30.1**

**WHEREAS**, an application was made by Steve Ruoff, Applicant on behalf of SKR Land LLC, Owner, in collaboration with TC Waza Academy and FC LIFA, Ltd. for construction and site improvements for commercial recreation: outdoors on the existing 37.63-acre parcel, Lansing, New York, TPN 30.-1-30.1, located in the Rural Agricultural (RA) Zoning District; and

**WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act (“SEQRA”) requires that a Lead Agency be established for conducting environmental review of projects in accordance with state environmental law and the Lead Agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action; and

**WHEREAS**, the Planning Board, being the agency which has primary responsibility for approving the action, did on March 22, 2021 declare itself the Lead Agency for the environmental review of this Unlisted Action (resolution # 21-08); and

**WHEREAS**, the Tompkins County Department of Planning and Sustainability, Tompkins County Highway Department, and Town of Lansing Highway Department were given the opportunity to comment on the proposed action; and

**WHEREAS**, Project plans, and related information, were duly delivered to the Tompkins County Planning and Sustainability Department per General Municipal Law § 239; *et seq.*, and such **Department responded** in a letter dated 23 June 2021 from Katherine Borgella, Tompkins County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State General Municipal Law with no recommendations on the proposal:

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231 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the  
232 Town code relative to site plan review, the unique needs of the Town due to the topography, the  
233 soil types and distribution, and other natural and man-made features upon and surrounding the  
234 area of the proposed site plan, and the Planning Board has also considered the zoning in the area  
235 and the project in light of the Town’s Comprehensive Plan and compliance therewith, and as the  
236 underlying use is a permitted use in the zone in which located; and  
237

238 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board,  
239 now therefore be it RESOLVED as follows:  
240

- 241 1. That the Planning Board of the Town of Lansing determines the proposed project will  
242 result in no significant impact on the environment and that a Negative Declaration for  
243 purposes of Article 8 of the Environmental Conservation Law be filed in accordance with  
244 the provisions of Part 617 of the State Environmental Quality Review Act; and  
245
- 246 2. That the Planning Board of the Town of Lansing does hereby grant Site Plan approval for  
247 the construction of a 60’ x 100’ outdoor turf field, which includes all parking layouts,  
248 improvements to the driveway to include widening to 20’ and the installation of a 60’x15’  
249 gravel emergency pullout, landscaping, dark sky lighting, and other site conditions listed  
250 here in Site Plan as shown in and upon the Drawing Sheets titled: “Topographic Map Show  
251 Lands of SKR Land LLC” dated 9/2/2021, Prepared by TG Miller; “C-100 Site Plan” dated  
252 9/30/2021, Prepared by Sciarabba Engineering; “C-101 Erosion & Sediment Control Plan”  
253 dated 9/30/2021, Prepared by Sciarabba Engineering; and  
254
  - 255 a. The applicant must obtain a NYS DOT permit to widen and otherwise improve the  
256 driveway entrance.
  - 257 b. If required by Army Corps of Engineers, the applicant will obtain the appropriate  
258 permit to replace the culvert under the driveway
  - 259 c. All lighting fixtures will be “dark sky compliant” glare-free, downward directed, and  
260 shielded lighting as promotes the dark-sky standards of the International Dark-Sky  
261 Association (IDA).
  - 262 d. In accordance with Town Code § 270-27(K), this site plan approval is valid for only  
263 36 months from the date hereof, and the applicant/owner is required to  
264 commence and substantially complete the construction or other activities for  
265 which the site plan is applicable within said 36 months or this approval shall,  
266 unless extended upon application timely made, expire, lapse, and be of no further  
267 validity, force or effect.
  - 268 e. The applicant must provide lighting on the walkway between the field and



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269 clubhouse as well as for the parking lot. The lighting may be in a form such as  
270 bollard lighting, pole mounted lighting, or wall pack lighting, or equivalent. The  
271 lighting must be shown on the final site maps provided to the Town.  
272

273 Dated: October 25, 2021

274  
275 Motioned by: Tom Butler

276 Seconded by: Dale Baker

277

## 278 VOTE AS FOLLOWS:

279 Sandra Dennis- Conlon – Aye

280 Tom Butler – Aye

281 Al Fiorille – Aye

282 Larry Sharpsteen – Aye

283 Dean Shea – Aye

284 Dale Baker – Aye

285 Jerry Caward – Aye

286

## 287 Applicant: Carl Schimmelfing

288 **Location:** 144 Locke Rd – Tax Parcel No. 6.-1-24.1

289 **Anticipated this month:** Public Hearing; SEQR Determination; Review of Subdivision Plat

290 **Project Description:** Applicant is requesting to subdivide the existing ~5.62 -acre parcel into  
291 three parcels: Lot A measuring 1.64 acres; Lot B measuring 1.63 acres; Lot C, a 2.66 acre lot with  
292 an existing one-family dwelling. The property is in the Rural Agricultural (RA) Zoning District.  
293 This is an Unlisted Action under the State Environmental Quality Review Act and is subject to  
294 environmental review.

295 **Project submittals are located at:** [https://lfweb.tompkins-](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=53579&dbid=7&repo=Lansing)  
296 [co.org/WebLink/Browse.aspx?id=53579&dbid=7&repo=Lansing](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=53579&dbid=7&repo=Lansing)

297

## 298 Motion to Open Public Hearing for Carl Schimmelfing- 144 Locke Rd at 6:12pm

299 **Moved by:** Larry Sharpsteen **Seconded by:** Dean Shea **(Motion Carried)**

300

## 301 **Summary of Discussion:**

- 302 - The applicant has revised this application, so it is now a Minor Subdivision with only 3 lots.  
303 - The Planning Board Reviewed the EAF Part 2

## 304 Motion to Close Public Hearing for Carl Schimmelfing- 144 Locke Rd at 6:13pm

305 **Moved by:** Larry Sharpsteen **Seconded by:** Tom Butler **(Motion Carried)**

306

307 **RESOLUTION PB 21-28**  
308

309 **TOWN OF LANSING PLANNING BOARD RESOLUTION – STATE**  
310 **ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION AND MINOR**  
311 **SUBDIVISION APPROVAL – 144 LOCKE RD**  
312 **TAX PARCEL NO. 6.-1-24.1**  
313

314 **WHEREAS**, an Application was submitted for Minor Subdivision review by Carl Schimmelfing, for  
315 the proposed subdivision of the existing 5.62 -acre parcel into three parcels Lot A measuring  
316 1.64 acres; Lot B measuring 1.63 acres; Lot C, a 2.66 acre lot with an existing one-family  
317 dwelling, in Lansing, New York, also known as Tax Parcel Number 6.-1-24.1 in the Rural  
318 Agricultural (RA) Zoning District; and  
319

320 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 235-6 Minor  
321 Subdivision, for which the respective completed applications were received October 5, 2021; and  
322

323 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act (“SEQRA”) requires that  
324 a Lead Agency be established for conducting environmental review of projects in accordance with  
325 state environmental law and the Lead Agency shall be that local agency which has primary  
326 responsibility for approving and funding or carrying out the action; and  
327

328 **WHEREAS**, the Planning Board, being the local agency which has primary responsibility for  
329 approving the action, did on August 23, 2021 (resolution #2125) declare itself the Lead Agency  
330 for the environmental review; and  
331

332 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the  
333 Town’s local laws relative to subdivisions and the unique needs of the Town due to the  
334 topography, the soil types and distributions, and other natural and man-made features upon and  
335 surrounding the area of the proposed subdivision, and the Planning Board has also considered  
336 the Town’s Comprehensive Plan and compliance therewith; and  
337

338 **WHEREAS**, this Board, acting as Lead Agency in environmental review, did on October 25, 2021  
339 review and accept as adequate: “Proposed Subdivision Lands of Sovereign Rentals LLC,”  
340 prepared Owasco Land Surveying. and dated 7/23/2021; a Short Environmental Assessment  
341 Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Staff; and  
342 other application materials;  
343

344 **WHEREAS**, this action is exempt from the General Municipal Law County Planning referral  
345 requirements of General Municipal Law (“GML”) §§ 239-l, 239-m, and 239-n through an Inter-

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346 Governmental Agreement between the Tompkins County Planning Department and the Town  
347 of Lansing dated 24 November 2003, as “residential subdivisions of fewer than 5 lots all of  
348 which comply with local zoning standards and Tompkins County Sanitary Code requirements,  
349 and do not involve new local roads or streets directly accessing a State or county road” are  
350 excluded from GML referral requirements; **and**  
351

352 **WHEREAS**, on October, 2021, the Planning Board reviewed and considered the aforementioned  
353 subdivision application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and  
354 duly held a public hearing on the Minor subdivision application, and all evidence and comments  
355 were considered, along and together with the requirements of the Town’s subdivision  
356 regulations, existing development in the surrounding area, the public facilities and services  
357 available, the Town’s Comprehensive Plan and the Land Use Ordinance, site characteristics and  
358 issues, and any potential on- and off-site environmental impacts; and  
359

360 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board;  
361

362 **NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Lansing determines  
363 the proposed project will result in no significant impact on the environment and that a Negative  
364 Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in  
365 accordance with the provisions of Part 617 of the State Environmental Quality Review Act for the  
366 action of Minor Subdivision approval for Town of Lansing Tax Parcel Number 6.-1-24.1 3 by Carl  
367 Schimmelfing, Owner; and be it further  
368

369 **RESOLVED**, that the Town of Lansing Planning Board grants Final Plat Approval of the Application  
370 for a Minor Subdivision of certain land at 144 Locke Road, Lansing, New York, subject to the  
371 following conditions:  
372

- 373 1. The sealing and endorsement of such Minor Subdivision Final Plat by the Planning Board  
374 Chair, thereafter presenting and obtaining the signing of the plat by Tompkins County  
375 Assessment Department stamp followed by filing in the Tompkins County Clerk’s Office,  
376 followed by provision of proof of such filing within the time limit requirements of 62 days  
377 with the Town of Lansing Code Enforcement Office.  
378

379 Dated: October 25, 2021  
380

381 Motion by: Dean Shea

382 Seconded by: Tom Butler  
383

384 **VOTE AS FOLLOWS:** Sandra Dennis Conlon – Aye  
385 Tom Butler – Aye



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386 Al Fiorille – Aye  
387 Dean Shea – Aye  
388 Dale Baker – Aye  
389 Larry Sharpsteen – Aye  
390 Jerry Caward – Aye  
391

## 392 Project: MoMo’s Café addition

393 **Applicant:** Michelle Zirbel, owner

394 **Location:** 1173 Auburn Rd; Tax Parcel No. 6.-1-18

395 **Anticipated this month:** Classification of SEQR action, Declaration of Lead Agency

396 **Project Description:** The Applicant is requesting a site plan amendment to add a two story  
397 addition (640 sf footprint) to the existing 2,688 sf building (approved 5/10/2021; resolution 21-  
398 02). The property is in the Rural Agricultural (RA) Zoning District. The proposed addition will  
399 contain storage, an employee restroom, and office space. This is an Unlisted Action under the  
400 State Environmental Quality Review Act and is subject to environmental review.

401 **Project submittals are located at:** [https://lfweb.tompkins-](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=59776&dbid=7&repo=Lansing)  
402 [co.org/WebLink/Browse.aspx?id=59776&dbid=7&repo=Lansing](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=59776&dbid=7&repo=Lansing)  
403

### 404 **Summary of Discussion:**

- 405 - Gary Bush and Michelle Zirbel were present to discuss this project.
- 406 - Gary Bush described the project.

## 407 **RESOLUTION PB 21-29**

### 410 **TOWN OF LANSING PLANNING BOARD RESOLUTION - SITE PLAN APPROVAL FOR** 411 **CONSTRUCTION OF ADDITION TO 1173 AUBURN ROAD, TAX PARCEL NO. 6.-1-18, AS** 412 **RESTAURANT BY MOMO'S CAFE**

413  
414 **WHEREAS**, an Application was submitted for a site plan amendment by Michelle L Zirbel,  
415 Owner, for the construction of a 2 story addition (640 sf footprint) to the existing 2,624 s.f.  
416 restaurant on the existing .42-acre Tax Parcel No. 6.-1-18 (1173 Auburn Rd), located in the Rural  
417 Agricultural (RA) Zoning District; and

418  
419 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Zoning Code  
420 § 270-36 - Site Plan Review, for which the completed application was received 30 Sept, 2021;  
421 and  
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423 **WHEREAS**, this action was determined to be a Type II Action under 6 NYCRR 617.5(c)(9) of the  
424 State Environmental Quality Review Act ("SEQRA"); and

425

426 **WHEREAS**, the Planning Board did on October 25, 2021, review and accept as adequate:  
427 "Elevations" A1, Dated 9/30/2021, Prepared by Gary Bush; "3D Views" A2, Dated 9/30/2021,  
428 Prepared by Gary Bush; "Project Maps" C1, Dated 9/30/2021, Prepared by Gary Bush; "Site  
429 Plan" C2, Dated 9/30/2021, Prepared by Gary Bush; and other application materials; and

430

431 **WHEREAS**, Project plans, and related information, were duly delivered to the Tompkins County  
432 Planning and Sustainability Department per General Municipal Law § 239; et seq., and such  
433 Department responded in a letter dated 15 October 2021 from Katherine Borgella, Tompkins  
434 County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State  
435 General Municipal Law with no recommendations on the proposal; and

436

437 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the  
438 Zoning Law relative to site plan review, the unique needs of the Town due to the topography,  
439 the soil types and distribution, and other natural and man-made features upon and surrounding  
440 the area of the proposed site plan, and the Planning Board has also considered the zoning in  
441 the area and the project in light of the Town's Comprehensive Plan and compliance therewith,  
442 and as the underlying use is a permitted use in the zone in which located; and

443

444 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board,  
445 **NOW THEREFORE BE IT RESOLVED:**

446

447 That the Planning Board of the Town of Lansing does hereby grant  
448 Site Plan approval for the construction of a 2 story addition (640 sf footprint) to the existing  
449 2,624 s.f. restaurant, located Town of Lansing Tax Parcel Number 6.-1-18 , to Michelle Zirbel,  
450 Owner, subject to the following specifications and conditions:

451

452 1. In accordance with Town Code§ 270-27(K), this site plan approval is valid for only 36 months  
453 from the date hereof, and the applicant/ owner is required to commence and substantially  
454 complete the construction or other activities for which the site plan is applicable within said 36  
455 months or this approval shall, unless extended upon application timely made, expire, lapse, and  
456 be of no further validity, force or effect.

457

458 Dated: October 25, 2021

459 Motioned by: Tom Butler

460 Seconded by: Dale Baker

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461 **VOTE AS FOLLOWS:**

462

463 Sandra Dennis Conlon – Aye

464 Tom Butler – Aye

465 Al Fiorille – Aye

466 Larry Sharpsteen – Aye

467 Dean Shea – Aye

468 Dale Baker – Aye

469 Jerry Caward – Aye

470

471 **Project: Dollar General Retail Store – Site Plan and Consolidation/lot-line Adjustment**

472 **Applicant:** Steve Vukas, Bohler Engineering MA, LLC on behalf of Franklin Land Associates, LLC,  
473 Owners

474 **Location:** East Side of Route 34B North of Lansing Station Rd; Tax Parcel No. 16.-40.225;  
475 16.-40.223; 16.-40.222

476 **Anticipated this month:** Classification of SEQR action, Declaration of Lead Agency

477 **Project Description:** The Applicant is proposing Site Plan approval for construction of a 10,640  
478 sq. ft. retail store with parking and other site improvements and consolidation/lot line  
479 adjustment between three existing parcels. The property is located in the Rural Agricultural  
480 (RA) Zoning District. This is an Unlisted Action under the State Environmental Quality Review  
481 Act and is subject to environmental review.

482 **Project submittals are located at:** [https://lfweb.tompkins-](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=59757&dbid=7&repo=Lansing)  
483 [co.org/WebLink/Browse.aspx?id=59757&dbid=7&repo=Lansing](https://lfweb.tompkins-co.org/WebLink/Browse.aspx?id=59757&dbid=7&repo=Lansing)

484

485 **Summary of Discussion:**

- 486 - Steve Vukas was present to discuss the project.
- 487 - Steve Vukas described the project.
- 488 - The applicant is expecting DOT approval with a few small changes to their plan.
- 489 - The SWPPP has been submitted for review by TG Miller.
- 490 - The Town Planner suggested reducing the amount of parking.
- 491 - There are concerns over flooding on Emmons Road.
- 492 - The Planning Board would like a Public Hearing set for the November 22, 2021 meeting.
- 493 - The Planning Board would like to use a 1200' range for neighbor notifications.
- 494 - The Planning Board discussed placing a notice on the project site.

495

496 **RESOLUTION PB 21-30**

497



**DRAFT**

498 **STATE ENVIRONMENTAL QUALITY REVIEW RESOLUTION – DECLARATION OF LEAD AGENCY,**  
499 **DOLLAR GENERAL RETAIL STORE, SITE PLAN REVIEW AND MINOR SUBDIVISION, AUBURN RD,**  
500 **TAX PARCEL # 16.-40.225;**  
501 **16.-40.223; 16.-40.222**  
502

503 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act (“SEQRA”) requires that  
504 a Lead Agency be established for conducting environmental review of projects in accordance with  
505 state environmental law and the Lead Agency shall be that local agency which has primary  
506 responsibility for approving and funding or carrying out the action; and  
507

508 **WHEREAS**, an application was made by Steve Vukas, Bohler Engineering MA, LLC on behalf of  
509 Franklin Land Associates, LLC, Owners, for construction of a 10,640 sq. ft. retail store with parking  
510 and other site improvements and lot line adjustments of the existing parcels 16.-40.225;  
511 16.-40.223; 16.-40.222, Lansing, New York, TPN 5.-1-32, located in the Rural Agricultural (RA)  
512 Zoning District; and  
513

514 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 270-7 Site Plan  
515 Review and § 235-6 Minor Subdivision, for which the respective completed applications were  
516 received August 28, 2020; and  
517

518 **WHEREAS**, The Planning Board of the Town of Lansing is believed best suited to review the  
519 impacts of this proposed Site Plan and Lot line Adjustment as (i) the Planning Board is the only  
520 body with jurisdiction to issue the final Site Plan and Subdivision approvals, (ii) the Planning  
521 Board is best situated to understand and evaluate the potential unique impacts of such lot line  
522 adjustment upon the Town based upon the developmental patterns, topography, and unique  
523 natural and non-natural features of the Town of Lansing, including known streams, wetlands,  
524 UNAs, agricultural resources of value, and archeologically sensitive sites within or near the Site  
525 Plan and lot line adjustment area, (iii) the Planning Board has the broadest governmental  
526 powers for investigating the potential or actual impacts of the Site Plan and lot line adjustment  
527 and implementing conditions or mitigating controls, and accordingly (iv) the Planning Board has  
528 the greatest capacity for providing the most thorough environmental assessment of the  
529 proposed Site Plan and lot line adjustment; and  
530

531 **WHEREAS**, this proposed action is an Unlisted Action for the purposes of a State Environmental  
532 Quality Review Act (“SEQRA”) review;  
533

534 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**  
535

536 That the Town of Lansing Planning Board does hereby declare itself Lead Agency for the

# DRAFT

537 environmental review for the action of Site Plan and lot line adjustment review for Town of  
538 Lansing Tax Parcel Numbers 16.-40.225; 16.-40.223; 16.-40.222, for Steve Vukas, Bohler  
539 Engineering MA, LLC, Applicant, on behalf of Franklin Land Associates, LLC, Owners.  
540

541 Dated: October 25, 2021

542

543 Motioned by: Dean Shea

544 Seconded by: Tom Butler

545

546 **VOTE AS FOLLOWS:**

547

**Sandra Dennis Conlon – Aye**

548

**Tom Butler – Aye**

549

**Al Fiorille – Aye**

550

**Larry Sharpsteen – Aye**

551

**Dean Shea – Aye**

552

**Dale Baker – Aye**

553

**Jerry Caward – Aye**

554

555

556 **Adjourned Meeting**

557 Meeting adjourned at the call of the Planning Board Chair at 8:23pm.

558

559 Minutes Executed by Heather Dries.

560

561 **Access to public documents are available online at:**

562 **Planning Board Email**      [tolcodes@lansingtown.com](mailto:tolcodes@lansingtown.com)

563

564 **Town Website**                      <https://www.lansingtown.com>

565

566 **Planning Board agendas, minutes & submittals**      <https://www.lansingtown.com/town-docs>