

1 **TOWN OF LANSING PLANNING BOARD**
2 **MEETING April 24, 2023**
3 **Lansing Town Hall, 29 Auburn Road**
4

5 **Board members Present:**

6 Al Fiorille, Chair
7 Thomas Butler
8 Christine Hass
9 John Licitra
10 Larry Sharpsteen
11 Dean Shea
12 Deborah Trumbull

Excused:

Sandy Dennis-Conlon, Vice-Chair
Laurie Hemmings

13
14 **Also Present:**

15 John Zepko, Director of Planning Heather Dries, Code Enforcement Officer
16 Chelsie Radcliffe-Denman, Planning Clerk Joe Wetmore, Councilmember

17
18 **Public Present:**

19 Kevin Kirby, Jesse Young, Andrew Sciarabba Jr., Scott Gibson,
20 Nathan Knapke, Chris Koenig, Frand and Lorraine Phillips, Lynne Sheldon,
21 Shelly Uhl Stark, Lisa Schultz, Albert Lacko, Jeannine Kirby,
22 Thomas Kirby, Becky K., David Eashmar, Michael Herbster,
23 Robert Moore.

24
25 Chair Al Fiorille opened the meeting at 6:30pm.

26
27 Chair Al Fiorille enacted Alternate Christine Hass as a voting member in the absence of the
28 regular voting member.

29
30 **Action Items:**

31 **Project: Site Plan – Barksville Inn**

32 **Applicant:** Kevin Kirby, owner

33 **Location:** 89 Goodman Rd, Tax Parcel Number 20.-1-8.22

34 **Project Description:** The applicant proposes to operate a kennel from their single-family home,
35 located in the RA Zone.

36 **SEQR:** This is an Unlisted action under SEQR 617.4 environmental review.

37
38 **Motion to Open the Public Hearing for 89 Goodman Rd at 6:41pm.**

39 Moved by: Dean Shea Seconded by: Deborah Trumbull (Motion Carried)

40
41 **Summary of Discussion:**

- 42 • Kevin Kirby was present to discuss this project.
- 43 • The Planning Board discussed the turn-around.
- 44 • The applicant described his business practices and site layout.
- 45 • Several members of the public were present to express their concerns.
- 46 • The Director of Planning clarified several zoning questions that were raised.
- 47 • The Planning Board has requested a solid vinyl or wood fence on the north and east sides
- 48 to reduce noise.
- 49 • There are concerns over the drainage on the site.
- 50 • Some Planning Board members will arrange a site visit with the applicant.

51

52 **Motion to Close the Public Hearing for 89 Goodman Rd at 7:31pm.**

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

54

55 **Project: Major Subdivision – Phase I East Shore Circle**

56 **Applicant:** Jesse Young, owner

57 **Location:** 106 East Shore Rd, Tax Parcel Number 37.1-7-12.2

58 **Project Description:** The applicant proposes to subdivide a ~23 acre lot (TPN 37.1-7-12.2), in

59 the R2 Zone, into 6 lots.

60 **SEQR:** This is an Unlisted action under SEQR 617.4 environmental review.

61

62 **Summary of Discussion:**

- 63 • Jesse Young, Andy Sciarabba, and Scott Gibson were present to discuss this project.
- 64 • The Planning Board discussed Stormwater Management on this project.
- 65 • The Planning Board discussed the Unique Natural Area. They find that this project will
- 66 not conflict with the UNA.
- 67 • The Applicant gave an update regarding the trail easement offered to the Town Board.

68

69 **RESOLUTION PB 23-08**

70

71

TOWN OF LANSING PLANNING BOARD RESOLUTION

72

SUBDIVISION FINAL PLAT APPROVAL

73

106 EAST SHORE CIRCLE

74

TAX PARCEL NO. 37.1-7-12.2

75

76 **WHEREAS**, an application was made by Jesse Young for a major subdivision to divide

77 an approximately 23 acre lot (TPN 37.1-7-12.2) located at 106 East Shore Circle into six

78 lots. The parcel is in the R2 zone; and

79

80 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 235
81 Subdivision, for which the respective completed applications were received October
82 25, 2022; and the Town reviewed and accepts as adequate: "East Shore Circle Major
83 Subdivision Phase I" sheets G-001, C101-C110 prepared by Andrew J. Sciarabba, PE
84 dated 01/25/2023, a Short Environmental Assessment Form (SEAF) Part 1 submitted
85 by the Applicant and Part 2 prepared by the Planning Staff, and other application
86 materials; and

87
88 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act
89 ("SEQRA") requires that a Lead Agency be established for conducting environmental
90 review of projects in accordance with state environmental law and the Lead Agency
91 shall be that local agency which has primary responsibility for approving and funding
92 or carrying out the action; and

93
94 **WHEREAS**, the Planning Board, being the local agency which has primary
95 responsibility for approving the action, did on February 27, 2023 classify the project
96 as an Unlisted Action and declare itself the Lead Agency for the environmental
97 review; and

98
99 **WHEREAS**, the Planning Board has considered and carefully reviewed the
100 requirements of the Town's local laws relative to subdivisions and the unique needs of
101 the Town due to the topography, soil types and distributions, and other natural and
102 man-made features upon and surrounding the area of the proposed subdivision, and
103 the Planning Board has also considered the Town's Comprehensive Plan and
104 compliance therewith and on 27 Feb 2023 issued a Negative Declaration of
105 Significance in accordance with the provisions of Part 617 of the SEQRA; and

106 **WHEREAS**, on 27 Feb 2023, the Planning Board reviewed and considered the
107 aforementioned subdivision application in the Lansing Town Hall, 29 Auburn Road,
108 Lansing, New York 14882 and duly held a public hearing on the Major subdivision
109 application, and all evidence and comments were considered, along and together with
110 the requirements of the Town's subdivision regulations, existing development in the
111 surrounding area, the public facilities and services available, the Town's
112 Comprehensive Plan and Land Use Ordinance, site characteristics and issues, and any
113 potential on- and off-site environmental impacts and on March 27, 2023 did approve
114 the preliminary subdivision plan; and

115 **WHEREAS**; Project plans, and related information, were duly delivered to the Tompkins
116 County Planning and Sustainability Department per General Municipal Law § 239; et seq.,
117 and such Department responded in a letter dated April 11, 2023, from Katherine Borgella,

118 Tompkins County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York
119 State General Municipal Law recommended the following modifications:

120 •We recommend that the Town require the applicant to identify building envelopes on
121 proposed lots 4 and 5 so as to exclude lands that contain UNA-63, Shurger Glen, so as to
122 not disturb the UNA.

123 • We recommend that the Town require the applicant to redesign the proposed permanent
124 stormwater management facilities so that elements of that system exclude lands that
125 contain UNA-63, Shurger Glen, so as to not disturb the

126 • If these recommended modifications are not possible, we recommend that the applicant
127 document that the factors contributing to the designation of UNA-63 were considered by
128 an experienced professional and elaborate on how the proposal will not negatively impact
129 the resources located within the UNA.

130 **WHEREAS;** The Planning Board, having carefully reviewed the submitted materials and the
131 materials delineating and describing UNA-63, provided by to the Tompkins County Planning
132 and Sustainability Department, has determined that the East Shore Circle Major Submission
133 will not impact the UNA for the following reasons:

134 Although the Tompkins County Planning and Sustainability Department has determined
135 that certain lots of the project may be included within the UNA, the Planning Board does not
136 concur with this assumption. The UNA Map itself states “UNA boundaries are approximate
137 and should be used for general planning purposes only. As a practical matter the County does
138 not warrant the accuracy or completeness of the information portrayed.” The Planning Board
139 finds that the East Shore Circle Major Subdivision either entirely or substantially avoids the
140 boundaries of UNA -63. Additionally, given that UNA-63, Shurber Glen, was designated a
141 UNA because it was considered an area of geological importance, may contain a
142 cultural/historical/archeological site (in this case an old quarry relating the area to early central
143 NY plaster and cement industries), and the presence of rare or scarce plants, the Planning Board
144 believes the UNA boundary was most likely delineated the top of the steep slopes above the
145 Glen. The project avoids earth disturbance on these slopes and in the judgement of the
146 Planning Board will not disturb the geology, cultural/historical/archeological features, or rare or
147 scarce plant communities of UNA – 63. It has been further determined that the building
148 envelopes provided by the applicant, representing setbacks imposed by the zoning, when taken
149 into consideration with the spatial requirements of onsite waste water treatment areas planned
150 for the subdivision, effectively prevent development on the steep portions of the site. As such,
151 the Planning Board has not required the modifications recommended by the Tompkins County
152 Planning and Sustainability Department per General Municipal Law § 239; et seq.; And

153
154 **WHEREAS,** upon due consideration and deliberation by the Town of Lansing
155 Planning Board;

156 **NOW THEREFORE BE IT RESOLVED:** that the Town of Lansing Planning Board
157 grants Final Subdivision Approval of the Application for a Major Subdivision of certain
158 land at 106 East Shore Drive, Lansing, New York, subject to the following
159 conditions:

- 160
161 1. The sealing and endorsement of such Major Subdivision Final Plat by the
162 PlanningBoard Chair, thereafter presenting and obtaining the signing of the Plat
163 by Tompkins County Assessment Department stamp followed by filing in the
164 Tompkins County Clerk's Office, followed by provision of proof of such filing
165 within the time limit requirements of 62 days with the Town of Lansing Code
166 Enforcement Office.
- 167 2. Prior to the signing of the subdivision maps, the driveways for lots 4 & 5 shall
168 be shown to be of sufficient width and provide sufficient access and turn around
169 for emergency vehicles as agreed upon by the Town of Lansing Code
170 Enforcement Officer.
- 171 3. Prior to the signing of the final subdivision map the project owner must comply
172 with all current and future recommendations of the Town's Engineer.
- 173 4. Prior to the signing of the final subdivision map the project must comply with
174 the recommendations of the Town's Engineer and SMO for any final stormwater
175 plans and the terms of the approved final Stormwater Pollution Prevention Plan
176 (SWPPP) for the developed site, and proper completion of all stormwater
177 reports, permits, and facilities in a form and manner as approved by the Town
178 and NYSDEC, including the creation and execution of a Drainage District (and
179 any supporting easements) is required to be submitted to the SMO.
- 180 5. The applicant will be required to obtain i) a Bolton Point water permit for a new
181 water service and meter to connect to the existing Consolidated Water District
182 Mains, and ii) a Tompkins County Health Department Onsite Wastewater
183 Treatment System (OWTS) permit. Both permits shall be obtained prior to
184 obtaining any building permit or Certificate of Occupancy ("CO").

185
186 Dated: 24 April 2023

187
188 Motion by: Larry Sharpsteen
189 Seconded by: Tom Butler

190
191 **VOTE AS FOLLOWS:**
192 **Tom Butler - Aye**
193 **Christine Hass - Aye**
194 **John Licitra - Aye**

195 **Larry Sharpsteen - Aye**
196 **Dean Shea - Aye**
197 **Deborah Trumbull - Aye**
198 **Al Fiorille - Aye**

199
200 **Project: Sketch Plan – Lansing Community Solar**

201 **Applicant:** Genie Solar Energy, sponsor

202 **Location:** Lansingville Road, Tax Parcel Number 16.-1-19.2

203 **Project Description:** The applicant proposes to construct a 5 MW ground-mounted solar,
204 approximately 18 acres in size, on a 107.2 acre parcel in the RA zone. The project will be
205 subject to Town of Lansing code §270-27 site plan review, and §270-35 R. Solar Energy Facility
206 Special Conditions

207 **SEQR:**

208

209 **Summary of Discussion:**

- 210 • Nathan Knapke and Chris Koenig were present to discuss this project.
- 211 • The Planning Board requested that some of the plantings be completed in the first phase.
- 212 • The Planning Board requested that the applicant install a sign notifying the neighbors of
213 the public hearing scheduled for May 22, 2023.

214

215 **RESOLUTION PB 23-09**

216 **STATE ENVIRONMENTAL QUALITY REVIEW RESOLUTION -**
217 **DECLARATION OF LEAD AGENCY – LANSING COMMUNITY SOLAR**
218 **SITE PLAN**

219 **WHEREAS**, an application was made by Chris Koenig of C.T. MALE, for Genie Solar,
220 Owner, for site plan approval for a 5.0 megawatt AC solar farm off Lansing Road, on
221 approximately 18 acres of the 107.2± acres owned by Turek Farms in the Town of
222 Lansing, New York, otherwise known as Tax Parcel 16.-1-19.2. The property is in the
223 RA – Rural Agricultural Zone; and

224

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

230

231 **WHEREAS**, The Planning Board of the Town of Lansing is believed best suited to
232 review the impacts of this proposed Site Plan as (i) the Planning Board is the only
233 body with jurisdiction to review the Site Plan and issue the final Site Plan approval,
234 (ii) the Planning Board is best situated to understand and evaluate the potential unique
235 impacts of such Site Plan upon the Town based upon the developmental patterns,

236 topography, and unique natural and non-natural features of the Town of Lansing,
237 including known streams, wetlands, UNAs, agricultural resources of value, and
238 archeosensitive sites within or near the proposed Site Plan area, (iii) the Planning
239 Board has the broadest governmental powers for investigating the potential or actual
240 impacts of the Site Plan and implementing conditions or mitigating controls, and
241 accordingly (iv) the Planning Board has the greatest capacity for providing the most
242 thorough environmental assessment of the proposed Site Plan; and
243

244 **WHEREAS**, this proposed action is a Type I Action, per 6 NYCRR 617.4 (b)(6)(i) for
245 the purposes of conducting a coordinated environmental review pursuant to the State
246 Environmental Quality Review Act ("SEQRA") ;
247

248 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**
249

250 That the Town of Lansing Planning Board does hereby declare itself Lead Agency for
251 the coordinate environmental review for the action of site plan review.

252 Dated: 24 April 2023

253 Motioned by: Dean

254 Shea

255 Seconded by: Larry Sharpsteen
256

257 **VOTE AS FOLLOWS:**
258

259 **Tom Butler - Aye**

260 **Christine Hass - Aye**

261 **John Licitra - Aye**

262 **Larry Sharpsteen - Aye**

263 **Dean Shea - Aye**

264 **Deborah Trumbull - Aye**

265 **Al Fiorille - Aye**
266

267 **Other Business**

- 268 ● Planning Board members gave liaison reports for their respective committees.
 - 269 ● Joe Wetmore asked for opinions on what the Planning Board would like the Code
270 Revision Committee to consider. These were mentioned by board members and staff:
 - 271 ○ Lighting
 - 272 ○ Short-Term Rental
 - 273 ○ Buffers
 - 274 ○ Lake Shore Zone
 - 275 ○ Comprehensive Plan revision
- 276

277 **Adjourned Meeting**
278 Meeting adjourned at the call of the Planning Board Chair at 8:43pm.
279
280 Minutes Taken and Executed by Heather Dries.
281
282 **Access to public documents are available online at:**
283 **Planning Board Email** tolcodes@lansingtown.com
284 **Town Website** <https://www.lansingtown.com>