



PLANNING BOARD MEETING

Lansing Town Hall Board Room
Monday, December 19, 2022
6:30 PM

AGENDA

SUBJECT TO CHANGE

Meeting is open to the public and streamed live on YouTube.

VIEW THE MEETING LIVE - TOWN OF LANSING YOUTUBE CHANNEL

To find our YouTube Channel - Go to www.lansingtown.com, click on the "YouTube" Icon (red square) located on the bottom left corner of our Home Page.

1. **Call Meeting to Order**
2. **Action Items**

- a. **Project: Public Hearing - Minor Subdivision**
Applicant: Perry Cook, owner
Location: 87 Armstrong Rd, Tax Parcel Number 38.-1-14.1
Project Description: The applicant proposes to subdivide a ~9.92 acre lot (TPN 38.-1-14.1), in the R1 and R3 Zones, into two lots: Parcel B - 4.52 acres; Parcel C – 5.2 acres, and a lot line adjustment, Parcel A, of .21 acres.
SEQR: This is an Unlisted action under SEQR 617.4 environmental review.
Anticipated Action: Public Hearing, SEQR, subdivision review
- b. **Project: Site Plan – Dandy Mini Mart – Convenience (Mini) Mart**
Applicant: Brian Grose, Fagan Engineers, representing Dandy Mini Mart
Location: 7 Ridge Rd, Tax Parcel No's 31.-6-9.1, 31.-6-10, 31.-6-11, 31.-6-13, & 31.-6-14
Project Description: The applicant proposes the consolidation of several lots to form an approximately 4.7 acre parcel. The site plan proposal consists of a 6,100 sf convenient store with a 128'x24' gasoline fueling island, a 48'x22' diesel fuel island, fuel tank storage, and a drive through window. 36 vehicle parking spaces (including 4 tractor trailer parking stalls and up to 4 EV parking stalls) are proposed. The project is located in the B1 – Commercial Mixed Use Zoning District.
SEQR: This is a Type I Action, under 6 NYCRR 617.4 (b)(6)(i) and 617.4 (b)(9) for the purposes of conducting a coordinated environmental review pursuant to the State Environmental Quality Review Act ("SEQRA")
Anticipated Action: Initiate coordinated review with Zoning Board of Appeals
- c. **Project: Site Plan modification, Village Solar Phase VII**
Applicant: Rocco Lucente, owner ; Tim Buhl, engineer
Location: Village Solar, Tax Parcel numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16
Project Description: The applicant is proposing to modify the conditions of site plan approval, issued September of 2022, for the demolition of four (4) existing apartment buildings, #21,

#88, #96, & #28. And the construction of 138 multifamily units within six 6) apartment buildings. The project is located in PDA 1 – Village Circle//Village Solar.

Anticipated Action: Discussion of modification of conditional site plan approval

3. Board Member Reports

4. Adjourn Meeting

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact the Town Clerk's Office at 607-533-4142. Request should be made 72 hours prior to the meeting.



**Town Of Lansing Planning Board
Application for Review and Approval of Subdivision**

Check One: Subdivision Plat Fee Paid \$ _____ Date _____
 Boundary Change Receipt No. _____

1. Name or Identifying Title Perry h Cook
 2. Tax Parcel No. 38.-1-14.1 Zoning District R3/R1
 3. Subdivider: (if owner, so state; if agent or other type of relationship,
 state details on separate sheet)

Name & Title Perry h Cook
 Signature [Signature] Date 10/17/22
 Address 87 ARMSTRONG ROAD
 Phone 607 280 0806 Fax _____ E-Mail COOKSHK@GMAIL.COM
 Other Contact information _____

4. Licensed Land Surveyor:

Name: Sheive Land Surveying
 Address 165 Wood RD Freeville, NY 13068
 Phone 607 347-9800 Fax _____ E-Mail IAN.SHEIVE@TWCNY.NY.COM
 Other Contact information 607-351-2906

5. Engineer:

Name: _____
 Address _____
 Phone _____ Fax _____ E-Mail _____
 Other Contact information _____

6. Easements or other restrictions on property: (Describe generally)

7. Names of abutting owners and owners directly across adjoining streets, including those
 in other towns (Available at Tompkins County Assessor's Office. Attach
 additional sheets if necessary)

Williams 38.-1-12
COOK 38.-1-13
COOPER 38.-1-15
BRANN 38.-1-12

8. Requested exceptions: The planning Board is hereby requested to authorize the
 following exceptions to or waivers of its regulations governing subdivisions
 (attach list of exceptions with the reason for each exception set forth):

SUB Divide PARCEL 38.-1-14.1 INTO TWO PARCELS
AND SMALL LOT LINE ADJUSTMENT TO PARCEL 38.-1-12
(Williams)

* Note: Application, Fee and required documents must be received in the Code
 Enforcement Office 14 days prior to the scheduled Planning Board meeting.

R1 + R3 zones

Town of Lansing

AGRICULTURAL DATA STATEMENTDate: 10/17/22

Instructions: In accordance with Section 283-a of the New York State Town Law, this form must be completed for an application for a special permit, site plan approval, use variance, or a subdivision requiring municipal review that would occur on property with 500 feet of a farm operation in a certified Agricultural District.

Applicant	Owner (if different from applicant)
Name: <u>Perry Cook</u>	Name:
Address: <u>87 ARMSTRONG ROAD</u>	Address:

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Subdivision Approval
- Project Name/Location: _____
- Tax Parcel Number(s): 38.-1-14.1
- Description of proposed project: Divide PARCEL INTO TWO SEPARATE PARCELS. ALSO MAKE A LOT LINE ADJUSTMENT (PARCEL A). THIS MAKING (PARCEL C) LOT #1, (PARCEL B) A "FLAG" LOT AND (PARCEL A) AN ADDITION TO 38.-1-12
- Number of total acres involved with project: 9.93
- Number of acres presently in Tax Parcel: 9.93
- How much of the site is currently farmed? 0 Acres
- Please identify who is farming the site: N/A
- Does this person N/A own, or N/A rent the land. (Please check only one).
- Please indicate what the intentions are for the use of the remainder of the property
SEPARATE LOT FOR FUTURE RESIDENCE. OR SALE

11. Who will maintain the remainder of the property not being used for this development?

Penny & Paige Cook

12. Other project information. Please include information about the existing land cover (crops or vegetation), any known impacts on existing stormwater drainage (including field tiles), or other significant plant materials: _____

This is simply a large lawn with
20x24 cold storage building. Nothing
will be changed at all.



Signature of Applicant

Signature of Owner (if other than app)

FOR TOWN USE ONLY:

Note: This form and a map of the parcel(s) should be mailed to County Planning as part of the GML 239 m and n referral. It should also be mailed to property owners within 600 feet of the property boundary (Attach list of property owners within 600 feet).

Name of Staff Person: _____

Date referred to County Planning: _____

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

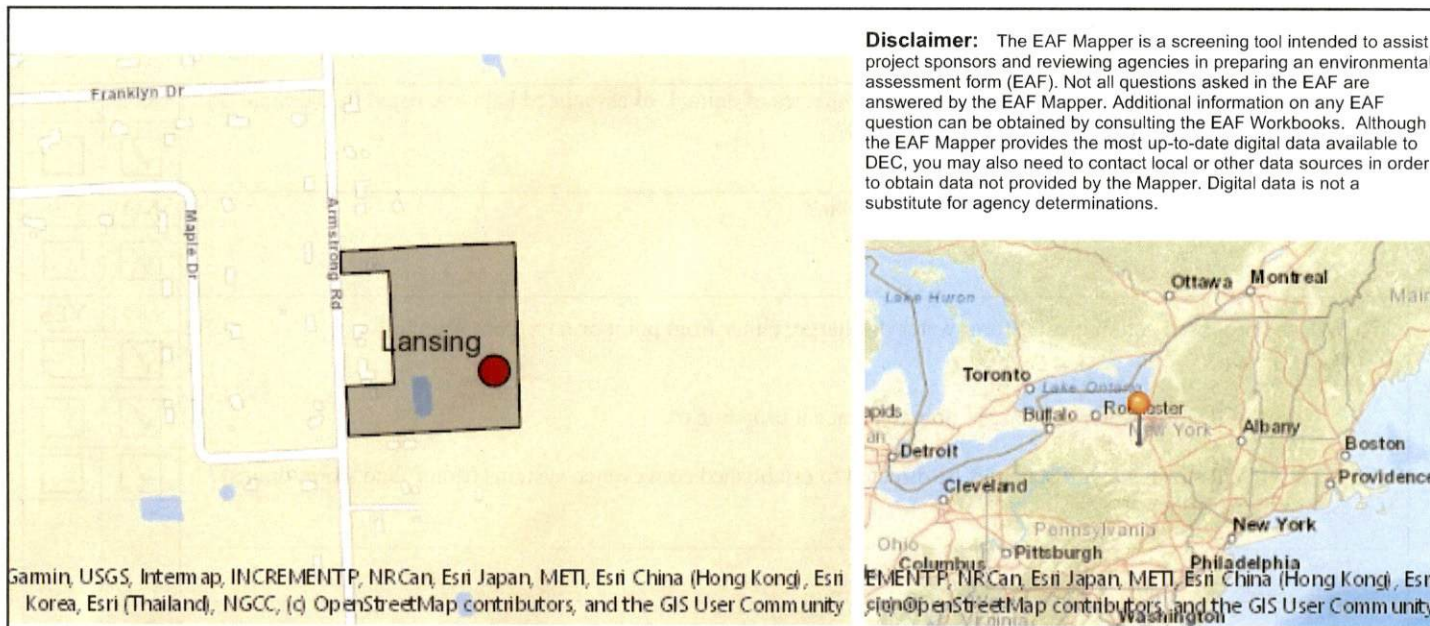
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

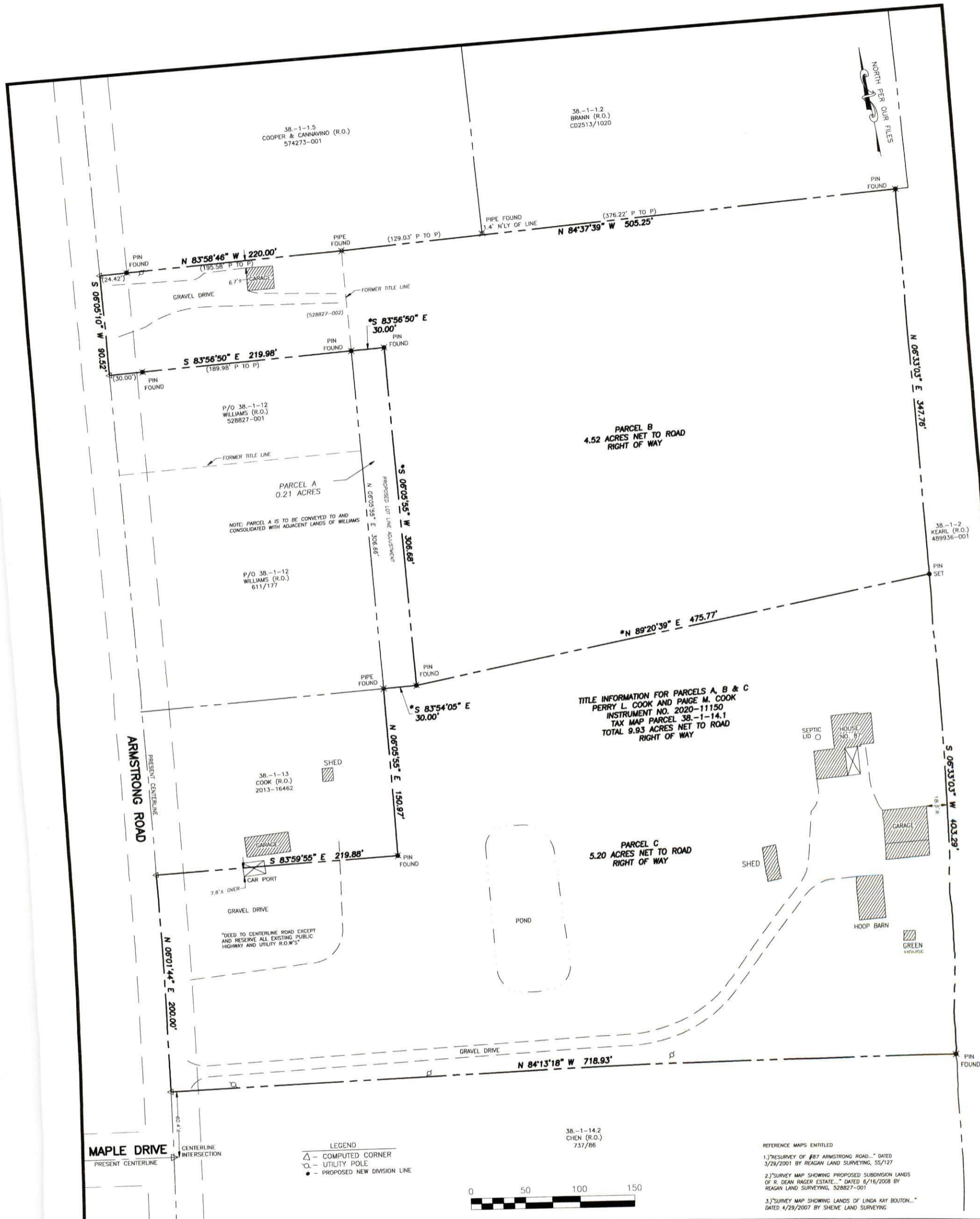
Part 1 – Project and Sponsor Information			
Name of Action or Project: Perry and Paige Cook Subdivision			
Project Location (describe, and attach a location map): 87 Armstrong Road Lansing Ny 14882			
Brief Description of Proposed Action: Simple subdivision creating a flag lot			
Name of Applicant or Sponsor: Perry and Paige Cook		Telephone: 607-280-0806	
		E-Mail: cookslc@gmail.com	
Address: 87 Armstrong Rd			
City/PO: Lansing		State: New York	Zip Code: 14882
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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 9.92 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 4.52 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Perry and Paige Cook</u> Date: <u>10/27/22</u>		
Signature: <u></u> Title: _____		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



CERTIFICATION
 I hereby certify to PERRY L. COOK AND PAIGE M. COOK
 that I am a Licensed land surveyor, New York State License No. 050769, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision; and that I found no visible encroachments either way across property lines except as shown hereon.

SIGNED: _____ DATED: _____



SHEVIE LAND SURVEYING 165 WOOD ROAD FREEVILLE, NY 13068 807-347-9800	TITLE: SUBDIVISION PLAT NO. 87 ARMSTRONG ROAD, TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK		REVISED _____ _____ _____ _____ _____ _____ _____ _____
	DATE: 08/01/2022	FILE NO. 22072	

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Section 2, Item a.

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

Section 2, Item a.

Criteria Spatial Results

Lookup USN Survey National Register Library

Survey Type: Archaeology

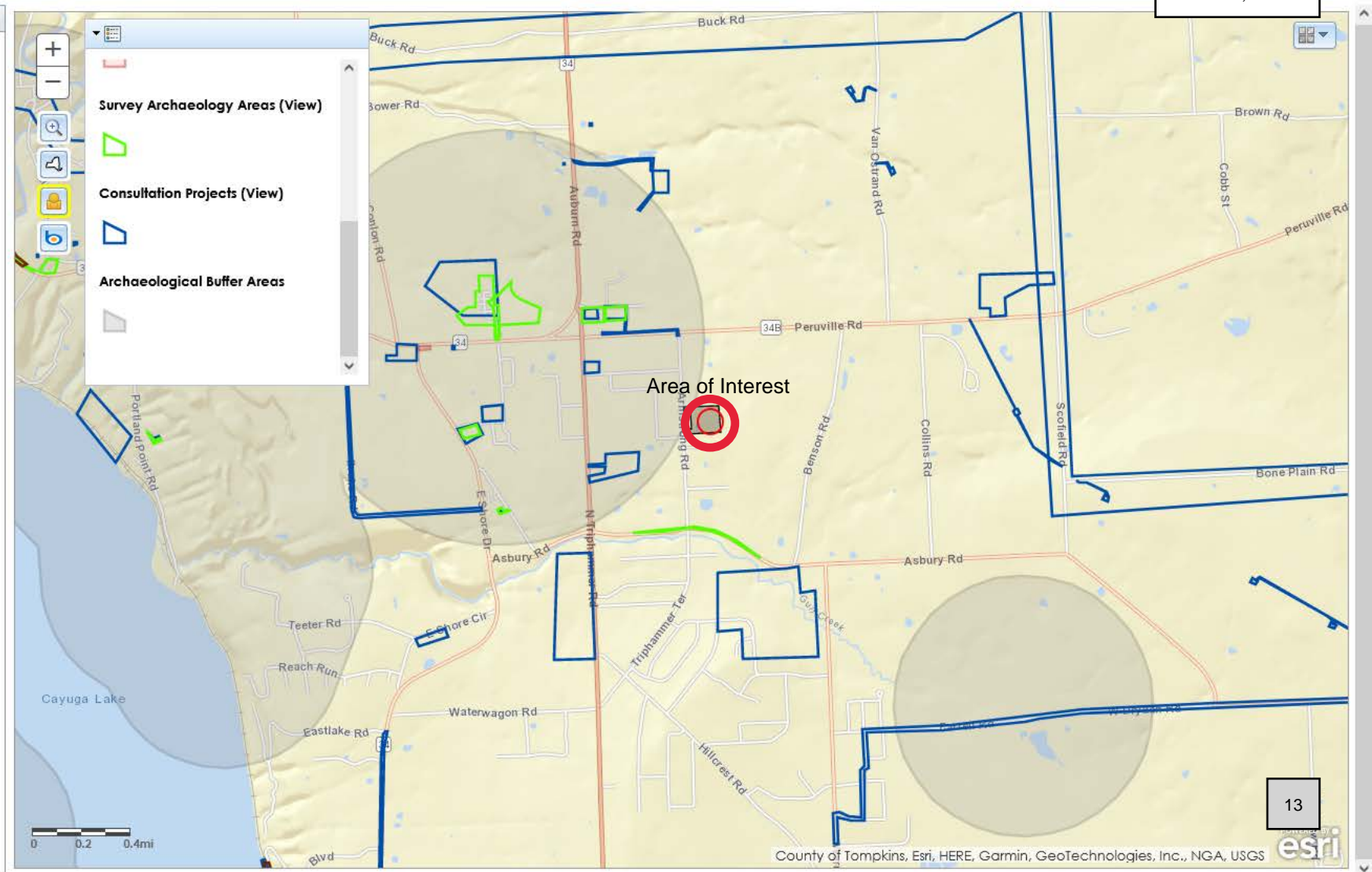
Survey Number:

Survey Name:

County: Tompkins

Municipality: LANSING (Town)

Search Advanced Reset



Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Section 2, Item a.

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

RESOLUTION PB 22-XX

**TOWN OF LANSING PLANNING BOARD RESOLUTION
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE
DECLARATION AND MINOR SUBDIVISION APPROVAL
87 ARMSTRONG ROAD
TAX PARCEL NO. 38.-1-14.1**

WHEREAS, an Application was submitted for Minor Subdivision review by Perry Cook, owner, for the proposed subdivision of the existing ~9.92 acre lot, Tax parcel number 38.-1-14.1, into two (2) parcels; Parcel B - 4.52 acres; Parcel C – 5.2 acres, and a lot line adjustment, Parcel A, of .21 acres. The property is in the R1 and R3 Zones; and

WHEREAS, this is a proposed action reviewed under Town of Lansing Code § 235-6 Minor Subdivision, for which the respective completed applications were received Oct 21, 2022; 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 has considered and carefully reviewed the requirements of the Town's local laws relative to subdivisions 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 subdivision, and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, this Board reviews and accepts as adequate: "Subdivision Plat No. 87 Armstrong Road" prepared by Sheive Land Surveying and dated 08/01/2022; a Short Environmental Assessment Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Staff; and other application materials;

WHEREAS, this action is exempt from the General Municipal Law County Planning referral requirements of General Municipal Law ("GML") §§ 239-1, 239-m, and 239-n through an Inter-Governmental Agreement between the Tompkins County Planning Department and the Town of Lansing dated 24 November 2003, as "residential

subdivisions of fewer than 5 lots all of which comply with local zoning standards and Tompkins County Sanitary Code requirements, and do not involve new local roads or streets directly accessing a State or county road" are excluded from GML referral requirements: and

WHEREAS, on 19 December 2022, the Planning Board reviewed and considered the aforementioned subdivision application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and duly held a public hearing on the Minor subdivision application, and all evidence and comments were considered, along and together with the requirements of the Town's subdivision regulations, existing development in the surrounding area, the public facilities and services available, the Town's Comprehensive Plan and the Land Use Ordinance, site characteristics and issues, and any potential on- and off-site environmental impacts; and

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

NOW THEREFORE BE IT RESOLVED,

That the Town of Lansing Planning Board, as the only body with jurisdiction to classify the Subdivision and issue the final Subdivision approval is best suited to the review the environmental impacts of the proposed subdivision, does hereby declare itself the Lead Agency for the environmental review for the action of a Minor Subdivision of four lots at 87 Armstrong Road, TPN 38.-1-14.1; and be it further

RESOLVED, that the Town of Lansing Planning Board, as the lead agency, has evaluated the potential unique impacts of such Subdivision upon the Town based upon the developmental patterns, topography, and unique natural and non-natural features of the Town of Lansing, including known streams, wetlands, UNAs, agricultural resources of value, and archeologically sensitive sites within or near the Minor Subdivision area, and determines the proposed project will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act for the action of Minor Subdivision approval for Town of Lansing Tax Parcel Number 38.-1-14.1 by Perry Cook, Owner; and be it further

RESOLVED, that the Town of Lansing Planning Board hereby grants Final Approval of the Application for a Minor Subdivision of certain land at 87 Armstrong Road, Tax Parcel Number 38.-1-14.1, Lansing, New York, subject to the following conditions:

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

Enforcement Office.

Dated: 19 Dec 2022

VOTE AS FOLLOWS:

Motion by:

Second by:

Name	Vote
Tom Butler	
Sandra Dennis-Conlon	
Norman L. Davidson	
Larry Sharpsteen	
Dean Shea	
Deborah Trumbull	
Al Fiorille	
Dale Baker (alt)	
Erin Worsell (alt)	

RESOLUTION PB 22-XX

**TOWN OF LANSING PLANNING BOARD RESOLUTION
IDENTIFYING THE ZONING BOARD OF APPEALS AS AN INVOLVED AGENCY
DANDY MINI- MART SITE PLAN**

WHEREAS, an application was made by Brian Grose, EIT, for Dany Mini Mart, Owner, for site plan approval for a 6,100 sf convenient store with two gasoline fueling islands, a diesel fueling island, and a drive-through window, fuel tank storage area, and parking (36 spaces including 4 truck spaces and up to 4 EV spaces) on lands situated at the approximate corner of Ridge Road and East Shore Drive in the Town of Lansing, New York, otherwise known as Tax Parcel numbers 31.-6-9,1, 31.-6-10, 31.-6-11, 31.-6-13, & 31.-6-14. The properties consist of approximately 4.07± acres in the B1 – Commercial Mixed-Use Zone. The proposal includes the merging of adjacent parcels to be reconfigured into a single parcel; 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 local and 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 project must obtain area variances from the Zoning Board of Appeals to permit the proposed amount of signage on the proposed site plan; and

WHEREAS, the Zoning Board of Appeals has been identified as an Involved Agency under SEQRA; and

WHEREAS, The Planning Board of the Town of Lansing is believed best suited to review the impacts of this proposed Site Plan as (i) the Planning Board is the only body with jurisdiction to review the Site Plan and issue the final Site Plan approval, (ii) the Planning Board is best situated to understand and evaluate the potential unique impacts of such Site Plan upon the Town based upon the developmental patterns, topography, and unique natural and non-natural features of the Town of Lansing, including known streams, wetlands, UNAs, agricultural resources of value, and archeosensitive sites within or near the proposed Site Plan area, (iii) the Planning Board has the broadest governmental powers for investigating the potential or actual impacts of the Site Plan and implementing conditions or mitigating controls, and accordingly (iv) the Planning Board has the greatest capacity for providing the most thorough environmental assessment of the proposed Site Plan; and

WHEREAS, this proposed action is a Type I Action, per 6 NYCRR 617.4 (b)(6)(i) and 617.4 (b)(9) for the purposes of conducting a coordinated environmental review pursuant to the State Environmental Quality Review Act ("SEQRA") ;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

That the Town of Lansing Zoning Board of Appeals be considered an Involved Agency under SEQR and notified of the Town of Lansing Planning Board’s intent to declare itself Lead Agency for the coordinate environmental review for the action of site plan review; and

That the Town of Lansing Planning Board amends Planning Board resolution 22-09, declaring itself as Lead Agency under SEQR, until the Zoning Board of Appeals has been duly notified and has an opportunity to object or comment.

Dated:

Motioned by:

Seconded by:

VOTE AS FOLLOWS:

- Al Fiorille –**
- Sandra Dennis Conlon**
- Tom Butler**
- Norman L. Davidson**
- Larry Sharpsteen**
- Dean Shea**
- Dale Baker**
- Erin Worsel**



December 14, 2022

Town of Lansing Zoning Board of Appeals
PO Box 186
29 Auburn Road
Lansing, NY 14882

RE: Dandy Mini Mart
Area Variance Application
FE Project #2020.062

Dear Judith:


Fagan Engineers & Land Surveyors, P.C. (FE) has been retained by Dandy Mini-Mart to assist in the area variance process for their application for the development of 7 Ridge Road. The following items are included in this submission:

- Eight (8) copies of the proposed sign package,
- Eight (8) copies of the area variance application,
- Eight (8) copies of the justification of request letter, and
- Eight (8) copies of the area variance questionnaire.

We look forward to presenting the area variance request at the January meeting. Thank you again for your diligence and assistance in the process.

Sincerely,

FAGAN ENGINEERS & LAND SURVEYORS, P.C.



James B. Gensel, P.E., CPESC
President

L:\PROJECTS\2020\2020-062\Approvals\ZBA\Town of Lansing Submittal 2022-12-13.doc

Town of Lansing Zoning Board of Appeals Application for Variance

Application Fee \$ _____

Application Date 12/12/2022

Property for which Variance is being requested

Tax Parcel No. 31-6-9,10,11,13, 14 Street Address 7 Ridge Rd., Lansing, NY 1488

Applicant's Name and Address

Dandy Mini Marts, Inc./Duane Phillips
6221 Mile Lane Rd.
Sayre, PA 18840

Zoning District (check one)

Phone 570-888-4344 R1
Cell 607-857-4337 R2
Email dphillips@godandy.com R3

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

Owner's Name and Address (if different)

Phone _____ B1
Cell _____ B2
Email _____ L1
IR
RA

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 _____
- B. Town of Lansing Subdivision Regulations, Section _____
- C. Other (Identity) Town of Lansing L.L. No. 1 (Sign Law) Commercial Sign District

Purpose of Request: (attach additional information if necessary)

To obtain permission for additional signage, beyond that permitted by the Town of Lansing's "Sign Law" (§ 210) at Dandy's proposed facility on the corner of Ridge Rd. and E. Shore Dr. Dandy's request aims to uphold the overall "Purpose" of the Town's Sign Law (§ 210-2) by properly identifying our place of business in a manner that tastefully enhances the area and aids the flow of traffic.

Justification of Request: (attach additional information if necessary)

Please refer to the attachment.

All Applicants for Variances shall please read the following:

The Board of Zoning Appeals may grant Variances from the provisions of this Ordinance, only where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or where by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, or where by reason of other extraordinary or exceptional circumstances, the strict application of the requirements of this Ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property, and further provided that this relief may be granted without substantially impairing the intent and purpose of this Ordinance. In granting a Variance, the Zoning Board of Appeals may attach such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this Ordinance will be served, public safety and welfare secured and substantial justice done. However, the Board of Zoning Appeals shall not be authorized to grant a density Variance or a Use variance to permit a use in a district in which the use is prohibited.

Incomplete Applications will not be considered.

Applicant / Agent must be present at the Public Hearing. This Application, accompanying fee and all supporting documents must be submitted to the Zoning Administrator no later than two (2) weeks prior to the date that the request is to be considered. See Schedule of Meetings at www.lansingtown.com

PURPOSE OF REQUEST:

To obtain permission for additional signage, beyond that permitted by the Town of Lansing's "Sign Law" (§ 210) at Dandy's proposed facility on the corner of Ridge Rd. and E. Shore Dr. Dandy's request aims to uphold the overall "Purpose" of the Town's Sign Law (§ 210-2) by properly identifying our place of business in a manner that tastefully enhances the area and aids the flow of traffic.

JUSTIFICATION OF REQUEST:

The property's physical location, unique construction, and Dandy's brand image concessions justify the need for additional signage at this site.

The property's corner location will have two main entrances. One on Ridge Rd. and another on E. Shore Drive. To reduce the distraction of a single sign at the main intersection, Dandy is proposing two freestanding monument signs be installed at each entrance of the property. These illuminated signs will help define the property's entrances, during both day and nighttime hours, safely directing vehicular travelers onto the site without the need for additional wayfinding signage. To enhance the aesthetic of these monument signs they will be mounted atop a stone base and be well under the Sign Law's maximum sign height of 15'.

Development of this site Incorporates a great amount feedback from the Town Board resulting in a "unique to Dandy" construction consisting of three main customer entrances into the building. A typical new construction for Dandy has one main customer entrance and secondary side entrance. With three main building entrances we have mirrored our standard sign package, consisting of two simple signs on each. The illuminated Dandy logo safely directs pedestrian traffic to the entrance and the PizzaCafeDeli channel letters inform consumers that Dandy has a full-service restaurant offering, helping to break the "just a gas station" stereotype. The installation of these signs on the building also helps the aesthetic of an otherwise plain brick wall as they are framed in with decorative brick and classic styled awnings.

Lastly, in consideration of granting this area variance request, please note that Dandy has willfully made several concessions to our typical branded sign package, building façade, and site design to work with the community in which we look to serve. We've removed standard twin pole signs with LED digits and LED message centers, there will be no branding on the fuel island canopies, no large fields of red around our building entrances, no awnings with graphic representations of food and drink. We respect the historic character of the town of Lansing and look forward to building a site that adds to it.



December 13, 2022

Town of Lansing Zoning Board of Appeals
 Attn: Chair Judith Drake
 Post Office Box 186
 29 Auburn Road
 Lansing, NY 14882

RE: Dandy Mini Mart
 Area Variance Application
 FE Project #2020-062

Dear Chair Drake:

Dandy Mini Mart (the Applicant) is proposing to construct a 6,100 square foot commercial building with fueling islands at the following parcel:

- NYS Route 34B (Ridge Road), Lansing, NY 14850

Through the Town of Lansing site plan approval process, the Applicant proposes to construct a 6,100 square foot commercial building with fueling islands on the southwest corner of the intersection of NYS 34 and NYS 34B. The above-mentioned parcel is currently zoned Commercial Mixed Use and Commercial (B1 and B2) and the proposed action is a permitted use within the Town of Lansing Zoning Ordinance.

In order to achieve the proposed design and to utilize the unique property, the following relief is being requested from the Town of Lansing Zoning Ordinance:

- §210-5 (C-1) – Illuminated signs shall not be lit or illuminated from one hour after sunset until sunrise each day; except that business identification signs may remain lit or illuminated during normal business hours.
 - **Proposed signs will be lit until typical closing, which is around 11 PM. No variance is required.**
- §210-5 (I-1) – For all commercial activity signs and other commercial and business signs, no more than two signs shall be allowed per each premises and the area of each such sign shall not exceed the maximum allowed area for each such sign as based upon its use and location and the requirements of this chapter.
 - **Proposed sign package includes eleven signs. The signage on the three canopies has been removed during the Planning Board process.**
- §210-8 (A) – Commercial Signs shall not exceed 48 square feet.
 - **Proposed monument sign is 113.5 square feet (56.75 sf per side).**

Please see the following answers to the five required area variance questions below and attached plans for supporting documentation:

(i) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

An undesirable change will not be produced in the character of the neighborhood. The proposed sign package was developed to respect the historic character of the Town of Lansing and in consultation with the Town Planning Board and Staff. Standard twin pole signs with LED digits and LED message centers, typical branded fuel island canopies, and awnings with graphic representations of food and drink were all removed from the Applicant’s typical sign package. This would allow the proposed project to fit better with the community, and at the same time allow the Applicant to show what is offered at this location. It should be noted that the removal of a branded fuel canopy was not required of the other similar site within the Town that received variances. It should also be noted that the Applicant made significant architectural changes based on Planning Board input.

(ii) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

The benefit sought by the Applicant cannot be achieved by other than by an area variance. The Applicant has reduced their typical sign package to the greatest extent possible. Certain minimal signage must be used in order to provide adequate information to the travelling public for the three uses (fueling, restaurant and grocery) that are part of this project.

(iii) Whether the requested area variance is substantial;

The requested area variance is substantial. However, to develop a customer base Dandy must show minimal signage that can be seen by the passing traffic. A driver will not stop at a fueling station without seeing what the prices are beforehand or if other conveniences are provided. Most drivers compare different fueling stations to ensure that they are getting the best price. At the same time, the Applicant will showcase what is offered inside the store. This is necessary since there are essential three different products (fuel, restaurant and groceries) that need to be depicted for the travelling public.

(iv) Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

The proposed area variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. As stated previously, the sign package proposed has been minimized to the greatest extent possible. The signs proposed are specifically used for safety reasons. The signs show where the pedestrians are supposed to enter the building, where vehicles can go to use the drive-thru, and how to enter and exit the property. The signage is internally illuminated and in-accordance with Town illumination requirements.

(v) Whether the alleged difficulty was self-created, which consideration shall be relevant to the board's discussion but shall not necessarily preclude the granting of the use variance.

The alleged difficulty was self-created however the unique characteristics of the project dictate the need. The site is a corner lot with a building oriented to face the intersection as per discussions with the Planning Board. Essentially that creates three “front” doors


Page 3
Ms. Judith Drake
December 13, 2022

to the building with two site access drives. The use of monument signs are preferred to maintain the character of the neighborhood, however that reduces visibility for the required fuel pricing as opposed to a tall freestanding pylon sign. Therefore, two separate monument signs are required with one at each entrance. As stated before, the proposed sign package was designed to showcase what the commercial business has to offer for the customer while being respectful to the historic character of the Town of Lansing.

Our package includes instructional signage that is typically not regulated under sign code (i.e. Drive-Thru Menu, Dispensers, etc.). We have included dimensions of those items for informational purposes. If you have any questions or comments, please feel free to contact me at (607) 734-2165, ext. 220.

Sincerely,

FAGAN ENGINEERS & LAND SURVEYORS, P.C.



James B. Gensel, P.E., CPESC
President

\\officedatadrive\Public\PROJECTS\2020\2020-062\Approvals\ZBA\2022-12-13 Area Variance Questionnaire.doc

TOWN OF LANSING tolcodes@lansingtown.com PH. (607) 533-7054
29 Auburn Road
Lansing, NY 14882 TAX MAP # 31-6-9, 10, 11, 13, 14
DATE:

Sign Application

Applicant's Name: Dandy Mini Marts, Inc.
Mailing Address: 6221 Mile Lane Rd. City: Sayre, PA Zip: 18840
Telephone#: 570-888-4344
Property Owner: Dandy Mini Marts, Inc.
Owner's Address: 6221 Mile Lane Rd., Sayre, PA 18840

Address of Project: 7 Ridge Road, Lansing NY, 14882
Description of work to be undertaken: Installation of ten (10) wall mount signs to four (4) sides of new Dandy PizzaCafeDeli, and two (2) free standing signs at the two (2) main entrances.

Estimated Construction Cost: \$100,000
Contractor/Installer: RAPP Signs / Greene, NY Phone: 607-656-8167
Type of Sign: Wall mounted & Free standing
Free standing Sign Height: 8'
Sign Size (Dimensions): Please refer to sign proposal
Plot Plan/Location of sign: Please refer to sign proposal
Lighted Sign? Yes
Highway ROW permission (State, County, Town) Town

The undersigned applies for a permit for the construction as described, in accordance with all provisions of all Laws or Regulations of the Town of Lansing, New York, or others having jurisdiction, and affirms that all statements and information given above are correct to the best of his knowledge and belief, and hereby authorizes the Code Enforcement Officer of the Town Lansing, or his designee, to conduct on site inspections to ensure that work is carried out in accordance with all applicable codes.

Owner's Signature: 

(Office Use Only- Do Not Fill Out Below Dotted Line)
Occupancy Class: _____ Construction Type: _____ Hazard: _____

CONDITIONS & PERMITS VERIFIED OR ISSUED
Town Zoning _____
Workers' Compensation _____

Sign Permit: Approved Received Permit Fee of: \$ _____
 Denied Sign Permit # _____
Reason: _____



Dandy Pizza Cafe Deli

Convenience Store

Signage Proposal

7 Ridge Road, Lansing NY, 14882

TAX MAP PARCELS 31-6-9, 10, 11, 13 and 14



South Elevation

- 1) **Wall Mount - Main ID - Dandy Logo - Illuminated**
7'w X 7'h Circle = 38.5 sq/ft
- 2) **Wall Mount - PizzaCafeDeli - Illuminated**
9'6" w X 1'1" h = 10 sq/ft



North Elevation

3) Wall Mount - Main ID - Dandy Logo - Illuminated

7'w X 7'h Circle= 38.5 sq/ft

4) Wall Mount - PizzaCafeDeli - Illuminated

9'6"w X 1'1"h = 10 sq/ft

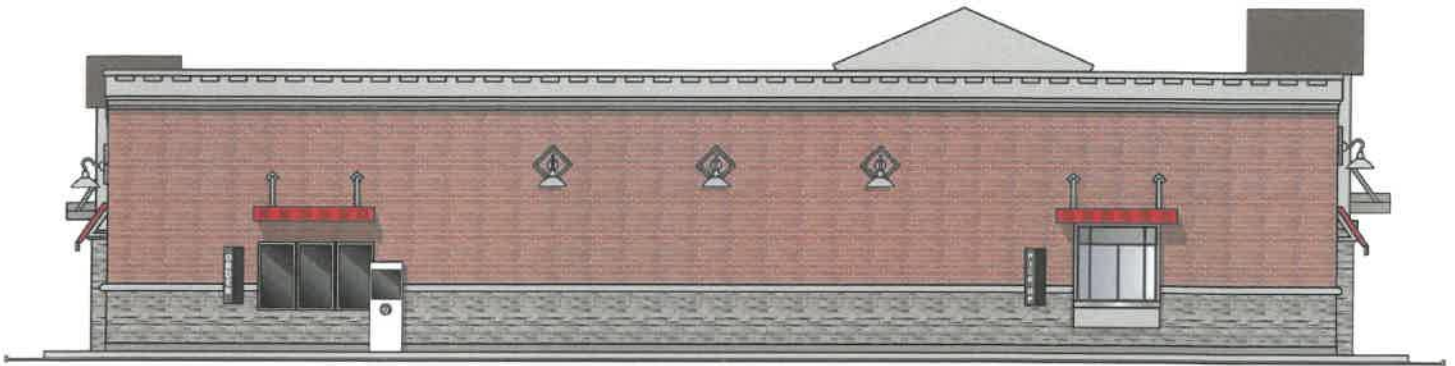


East Elevation

- 5) **Wall Mount - Main ID - Dandy Logo - Illuminated**
7'w X 7'h Circle= 38.5 sq/ft

- 6) **Wall Mount - PizzaCafeDeli - Illuminated**
9'6"w X 1'1"h = 10 sq/ft

- 7) **Wall Mount - Informational - Drive Thru - Illuminated**
7'w x 1'6"h = 10.5 sq/ft



West Elevation

8) Wall Mount - Informational - Order - Non Illuminated

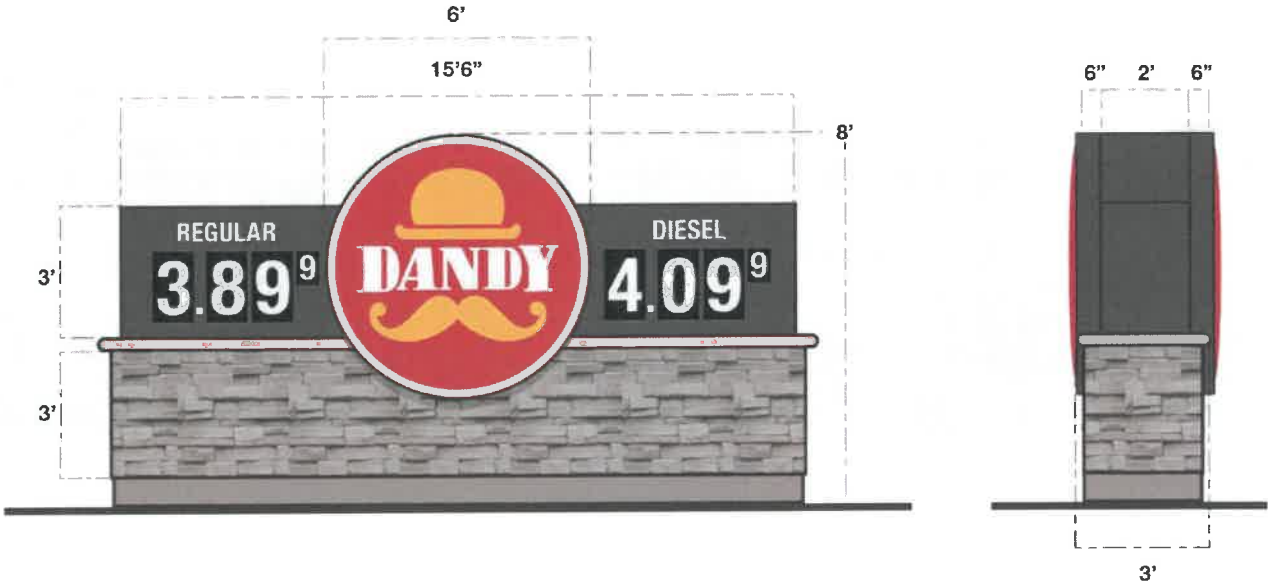
4' x 1'h = 4 sq/ft

9) Wall Mount - Informational - Pick Up - Non Illuminated

4'w X 1'h = 4 sq/ft

10) Wall Mount - Digital Drive Thru Menu - Illuminated

8'w x 4'h = 32 sq/ft



Main Entrances

- 11) Free Standing Monument - Illuminated - Double Sided
 - a) Dandy Logo: 6'w x 6'h = 28.25 sq/ft
 - b) Pricer: (15'6" - 6')x 3' = 28.5



Fuel Dispensers

12) Fuel Dispenser - Double Sided

- a) Top: Dandy text 20" w x 5" h = 1 sq/ft
- b) Bottom: Dandy Logo 20" w x 17" h = 2.5 sq/ft



Total Aggregate: _____

<u>Sign:</u>	<u>Square Foot:</u>
1) Wall Mount - Main ID - Dandy	38.5
2) Wall Mount - PizzaCafeDeli	10
3) Wall Mount - Main ID - Dandy	38.5
4) Wall Mount - PizzaCafeDeli	10
5) Wall Mount - Main ID - Dandy	38.5
6) Wall Mount - PizzaCafeDeli	10
7) Wall Mount - Drive Thru	10.5
8) Wall Mount - Order	4
9) Wall Mount - Pick Up	4
10) Wall Mount - Drive Thru Menu Freestanding	32
11) Monument (qty 2 - 56.75 ea.) Fuel	113.5
12) Dispensers (qty 9 - 3.5ea)	31.5

Total Square footage of site signage: 341

Town of Lansing

Tuesday, February 2, 2010 7:00 PM, Zoning Board of Appeals Meeting

ZONING BOARD OF APPEALS MEMBERS

(*Denotes present)

- | | | | |
|---|--|---|----------------------|
| | Gregg Travis, Chairman | * | David Dittman |
| * | Linda Hirvonen | * | Dan Konowalow |
| | Ronald Bricker, Alternate Member | * | Henry (Hurf) Sheldon |
| * | Jeffrey Overstrom, Engineer & Planning Coordinator | | |
| * | Kathryn Miller, Town Board Liaison | | |
| | Lorraine Moynihan Schmitt, ZBA Attorney | | |

PUBLIC PRESENT

Andy Sciarabba

Ron Fortune

Arthur Paul

GENERAL BUSINESS

Linda Hirvonen, Acting Chair called the meeting to order at 7:10 PM. Ms. Hirvonen reviewed the Agenda items and acknowledged the Legal Notice published in The Ithaca Journal with regards to the Public Hearing on the Area Variances.

Public Hearing for: Area Variance Application, Applicant: Consulting & Design, Agent for; Drake Petroleum, 32 Peruville Road, Tax Parcel # 30.-1-16.4

Henry (Hurf) Sheldon made a motion to open the Public Hearing at 7:12 PM. Daniel Konowalow seconded.

VOTE AS FOLLOWS:

David Dittman - Aye

Linda Hirvonen - Aye

Daniel Konowalow - Aye

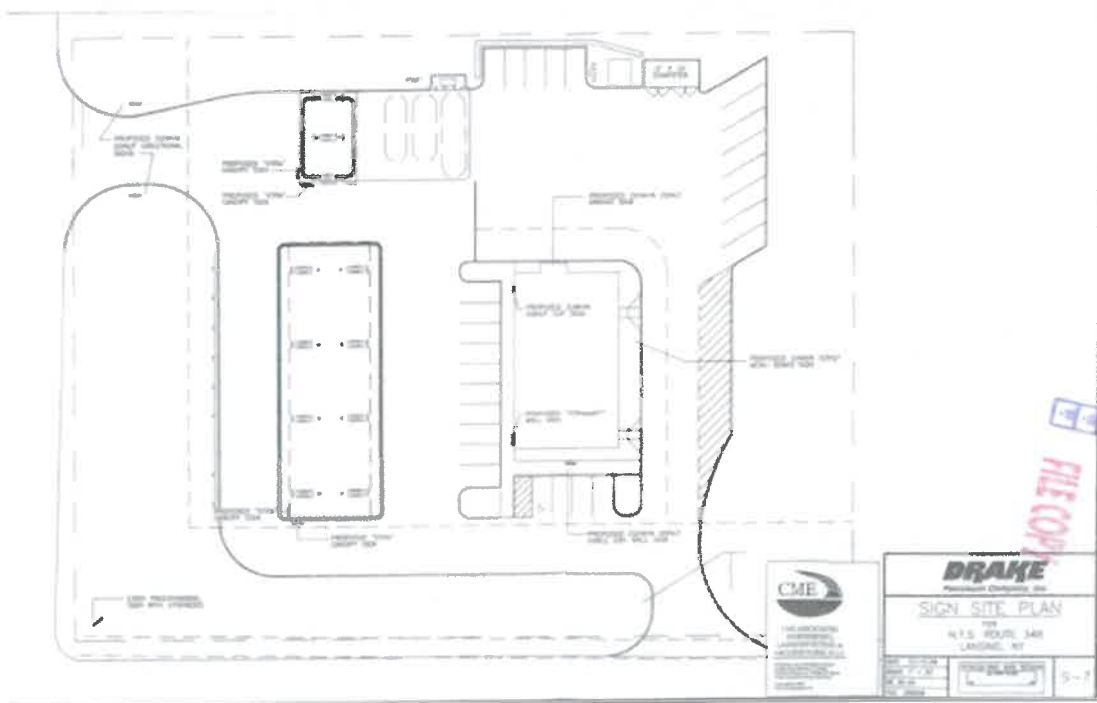
Henry (Hurf) Sheldon - Aye

MOTION CARRIED.

Mr. Ron Fortune, Agent for Drake Petroleum appeared before the Board requesting an Area Variance for the number of signs to be permitted on the

APPROVED

premises at 32 Peruville Road. The Town of Lansing Sign Ordinance permits two signs per lot, of which they shall not exceed 50 square feet in area. Mr. Fortune states his Company proposes the Signage Package for a Plaza, not just a Gas Station. There are three different types of business (Dunkin Donuts, Xtra-mart and Gas/Diesel) housed on the site. The free standing pre-existing sign at the corner will remain. The following Sketch Plan was proposed;



Member/Public Comments/Concerns:

Daniel Konowalow: Has concern with the additional signage (facing south) located near the diesel gas pump island. Mr. Konowalow does not have a problem with the directional signs.

Kathy Miller: States she trucks horses and more than once she has pulled into a Service Station and has to pull out and back in again due to the lack of signage for diesel. Ms. Miller is in favor of the proposed plan.

David Dittman: States putting the little logo signs on the building does not change the character of the neighborhood.

Andy Sciarabba: Indicated this is a business, in a Business District and that it is suppose to be allowed to promote it self and pay more taxes to our community. Constantly Developers are being told "we do not want to do things because it is

APPROVED

offensive". These people have been a good neighbor for many years and should be able to continue. These folks should be encouraged, not discouraged.

Linda Hirvonen: Feels different size lots should have different regulations (square footage) for their signage.

Henry (Hurf) Sheldon: Wanted to make sure the B2 area is not over decorated with large signs.

David Dittman made a motion to close the Public Hearing at 7:46 PM. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Daniel Konowalow - Aye**
- Henry (Hurf) Sheldon - Aye**

MOTION CARRIED.

Further Member Discussion

Daniel Konowalow: Inquired if Drake Petroleum would consider reducing the one sign on the south side near the diesel pumps.

Ron Fortune: The design is already balanced.

David Dittman: States they have 3 distinct businesses there.

Henry (Hurf) Sheldon: Thinks the building is very tasteful in design and an upgrade to Lansing. Mr. Sheldon further believes that setting a precedence with bending the rules for this company that has made a nice addition to the Town should be allowed.

The Board Members reviewed the criteria for an Area Variance.

1. State whether an undesirable change in the neighborhood character will be created, and reason why:
No.
2. Is there an alternative method, feasible to pursue, to achieve what the Applicant desire, and reason why:
No.
3. State whether the requested Area Variance is substantial, and reason why;
No.

APPROVED

4. State whether the Variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and reason why:

No.

5. State whether the alleged difficulty was self-created, and reason why:

Yes, expansion of Business coupled with a pre-existing Sign.

David Dittman made a motion to **approve** the Area Variance. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Daniel Konowalow - Nay**
- Henry (Hurf) Sheldon - Aye**

MOTION CARRIED.

Approval/Denial of December 7, 2009 Minutes

Daniel Konowalow requested on page 2, under Bud Shattuck, it should be **precedent**. Also, on page 4, under Gregg Travis (3 below) should be **rights of way**.

Daniel Konowalow made a motion to approve as amended. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Henry (Hurf) Sheldon - Aye**
- Daniel Konowalow - Aye**

MOTION CARRIED.

Henry (Hurf) Sheldon made a motion to adjourn the Meeting. David Dittman seconded.

VOTE AS FOLLOWS:

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Henry (Hurf) Sheldon - Aye**

APPROVED

Daniel Konowalow - Aye

MOTION CARRIED.

Rocco Lucente
Senior Vice President, Village Solars LLC
381 Hagadorn Hill Road
Spencer, New York 14883

Dear Members of the Planning Board,

I am writing to formally request a change to Planning Board Resolution 22-13, regarding the site plan approval of Village Solars. We've had to work through several issues with the town engineer. These include issues with the site plan which came as a result of misunderstandings of land ownership between the PDA owners and the town. They also include the construction of bioretention area 1, and our inability to construct bioretention area 2 due to it being on my deceased grandfather's land. We are currently working with the town to address both issues.

That being said, we are requesting that the following provisions of Resolution 22-13 be moved from "conditions to be satisfied prior to building permit" to "conditions to be satisfied prior to Certificate of Compliance":

- a. A Final Site Plan, incorporating all recommended changes from the Planning Board and the Town Engineer, shall be submitted for the signature of the Chair of the Planning Board within 180 days of this approval. No Certificate of Compliance will be issued prior to the signing of the Final Site Plan. The applicant may extend this deadline by requesting an extension from the Planning Board prior to the expiration of this conditional approval.
- b. Compliance with all current and future recommendations of the Town's Engineer.
- c. Bioretention area 1 (Lot 41) shall be constructed within 180 days of this approval and inspected by the Town's Engineer. (COMPLETED DECEMBER 2022).

This will allow us to address these issues without further compromising our severely damaged construction schedule. We are confident that none of these outstanding issues will impact the buildings in the current phase, as the pond in question is on the northern end of the project. The Town Engineer appeared to agree in our meeting, and we are confident that he does agree. This would be consistent with how we have traditionally worked with the Town of Lansing on similar issues.

Thank you,

Rocco Lucente

Senior Vice President, Village Solars LLC

T.G. MILLER, P.C.

ENGINEERS AND SURVEYORS

605 W. State Street | Ithaca, NY 14850 | phone 607-272-6477 | fax 607-273-6322 | www.tgmillerpc.com

December 8, 2022

Mr. John Zepko
Town of Lansing
29 Auburn Road
Lansing, NY 14882

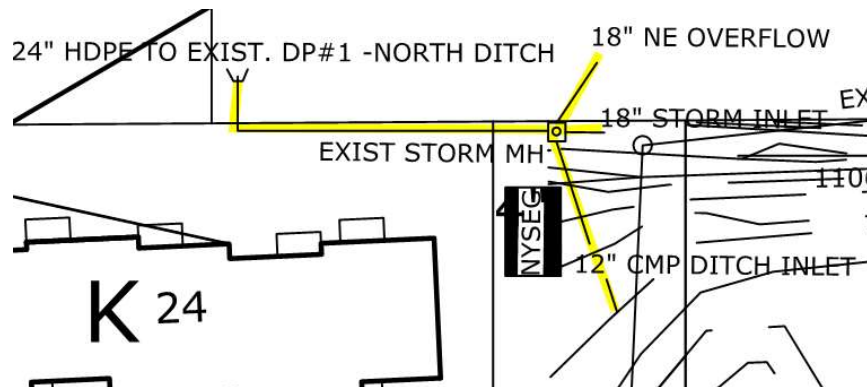
Re: Village Solars Development Phase 7, Storm Water Pollution Prevention Plan Review

Dear Mr. Zepko,

Electronic copy of the revised project drawings (Sheets ST-1-ST-12) dated December 7, 2022 as well as a response letter dated November 18, 2022 and email response dated December 6, 2022 were received from the Project Engineers Tim Buhl and Scott Gibson. Outstanding comments have been listed below along with the associated condition to each item per Resolution PB 22-13 dated September 12, 2022.

At this time I would recommend the Stormwater Officer sign the MS4 Acceptance form noted as a SWPPP amendment- Phase 7. See attached.

1. It is recommended that the north storm structure and associated piping that appears to have been installed by developer within ROW remain private and be identified in the SOMRA once finalized. See snip below. I would suggest the existing SOMRA be amended to include the additional storm water facilities for Phase 7. In addition I would recommend a final as-built stormwater infrastructure map be created that clearly shows stormwater infrastructure and drainage conveyance systems that are required to be maintained. SOMRA to be filed prior to signing the Notice of Termination or sooner. *Condition B prior to C/O.*



2. It has come to my attention that Lot 39 is not controlled by Lucente Holdings. Per resolution the missing bioretention basin on this lot was to be constructed which we believe was a requirement as part of earlier approvals for this lot. We have also reviewed the SOMRA and it

David A. Herrick, P.E.
Frank L. Santelli, P.E.

Donald M. Harner, P.E.
LEED A.P., C.P.E.S.C.

Lee Dresser, L.S.
Darrin A. Brock, L.S.

- appears this agreement only covers lots 1-11. At this time I suggest this condition be removed and be coordinate separately with the property owner. *Condition C prior to building permit.*
3. Bioretention 1 has recently been installed on lot 41. I suggest the Town inspect this facility to ensure it has been installed to capture stormwater runoff as originally designed. *Condition C prior to building permit.*
 4. It is recommended that any outstanding utility easements that have been identified in earlier letters be completed and recorded along with any cross easements. *Condition J prior to C/O.*
 5. Per Bolton Point standards, there is to be one meter per parcel or a master meter and backflow devise installed. It appears the developer is looking to subdivide lot 21 and 88 to meet this requirement. *Condition F prior to building permit.*

If you have any questions, please feel free to call me at (607) 272-6477.

Sincerely,



Donald M. Harner, P. E., C.P.E.S.C
Principle Engineer

Cc: A. Fiorille, Chair
S. Russell, Code Enforcement
M. Moseley, Highway Superintendent

RESOLUTION PB 22-13

**TOWN OF LANSING PLANNING BOARD RESOLUTION
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) NEGATIVE DECLARATION AND
SITE PLAN APPROVAL
VILLAGE SOLAR PHASE VII**

WHEREAS, an Application was submitted for Site Plan review by Rocco Lucente, for the proposed site plan of Village Solar Phase VII, which proposes the demolition of four (4) existing apartment buildings, #21, #88, #96, & #28, and the construction of 138 multifamily units within six (6) apartment buildings; and

WHEREAS, the project is located in Planned Development Area No. 1 - The Village Circle-Village Solars PDA, Tax Parcel numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16; 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 local agency which has primary responsibility for approving the action, did on 28 March 2022 classify the project as a Type I Action and declare itself the Lead Agency for the environmental review; 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 21 July 2022 letter 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 or comments on the proposal; and

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

WHEREAS, the project, which proposes to demolish 40 dwelling units and construct 138 dwelling units (98 new dwelling units) falls within the maximum of 572 dwelling units as permitted by the Village Solars - Village Circle PDA; and

WHEREAS, the project has incorporated a landscaping plan that includes the planting of various tree and shrubs as scheduled upon said plan, and which sufficiently mitigates the concerns of light and noise pollution to neighboring properties; and

WHEREAS, the project includes a lighting plan which is Dark Sky compliant, containing cut off lighting fixtures and limiting the CCT of external lighting to no more than 3000K CCT to protect the character of the neighborhood from light pollution; and

WHEREAS, the project has submitted a stormwater pollution prevention plan which complies with the NYS General SPDES Permit for Stormwater Discharges from Construction and sufficiently attenuates any increase in stormwater that project may create; and

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

1. That the Planning Board of the Town of Lansing determines the proposed project will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act for the Site Plan Review for Town of Lansing Tax Parcel Numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16.
2. That the Planning Board of the Town of Lansing does hereby grant Site Plan Approval for Town of Lansing Tax Parcel Numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16 for Rocco Lucente, which includes all building and parking layouts, screening, dark sky lighting, and other site conditions listed in the plan set titled "Village Circle-Village Solars PDA - Phase 7, Lucente Homes/Village Solars, Lansing (T), Tompkins CO. N.Y." prepared by Timothy C. Buhl, Professional Engineer, respectively, revised Sept 6, 2022, and subject to the following:

The following conditions must be satisfied before issuance of any Building Permit:

- a. A Final Site Plan, incorporating all recommended changes from the Planning Board and the Town Engineer, shall be submitted for the signature of the Chair of the Planning Board within 180 days of this approval. No building permits will be issued prior to the signing of the Final Site Plan. The applicant may extend this deadline by requesting an extension from the Planning Board prior to the expiration of this conditional approval.
- b. Compliance with all current and future recommendations of the Town's Engineer.
- c. Bioretention area 1 (Lot 41) and Bioretention area 2 (Lot 39) shall be constructed within 180 days of this approval and inspected by the Town's Engineer.
- d. Acceptance of the final Stormwater Pollution Prevention Plan (SWPPP) by the Town's Engineer and Town Stormwater Management Officer.
- e. Building Permits are required to construct the approved building and site facilities. Plans must meet all code requirements, including the sealing of plans by a licensed engineer or architect. All improvements shall be constructed in compliance with all state and local building code requirements.
- f. The applicant will be required to obtain both: i) a Bolton Point water permit for a new water service and meter to connect to the existing Consolidated Water District Mains in accordance with Lansing Town Board Resolution 15-40; and ii) Town of Lansing Sewer Permit.

The following conditions must be satisfied within six months of approval or the start of construction, whichever comes first:

- a. Submission to Planning staff for review and approval of placement, design, and photometrics of site lighting fixtures in accordance with the Final Site Plan.
- b. Submission to Planning staff for review and approval of all site details including but not limited to landscaping details, exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc. in accordance with the Final Site Plan.

The following conditions must be satisfied before issuance of a Certificate of Occupancy:

- a. Any changes to the approved Final Site Plan must be submitted to Planning staff for review and may require Board approval.
- b. Proper completion of all stormwater reports, permits, and facilities in a form and manner as approved by the Town and NYSDEC, including execution and filing of Stormwater Operating, Management, and Reporting Agreement (“SOMRA”) in the form as set forth pursuant to Town Code § 225-8(D), which executed and filed SOMRA (and any supporting easements) is required to be submitted to the SMO.
- g. The final locations of all crosswalks, signage and stop signs, dumpsters, and mailboxes shall be approved by the Code Enforcement Officer and Highway Superintendent.
- h. All site plan elements shall be present at the locations represented on the approved site plan prior to the issuance of the last certificate of occupancy.
- i. The dog park shall be relocated and completed prior to the issuance of the last certificate of occupancy.
- j. Submission of any required executed easement, licenses or other legal agreements involving Town property.
- k. Repair, replacement or reconstruction of any Town property damaged or removed during construction including, but not limited to paving, signage, drainage structures, etc.
- l. All plantings (including as shown on the plans described above) shall be maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Existing and any new vegetation shall be properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease or other cause, cease to function as buffers shall be replaced in a manner as promotes the goal of such buffer as stated in this site plan approval. This condition shall be deemed to augment and further define prior site plan approval conditions and site plan features hereby or heretofore approved by the Town.
- m. All lighting fixtures will be “dark sky compliant” glare-free, downward directed, and shielded lighting as promotes the dark-sky standards of the International Dark-Sky Association (IDA) and lamps will be not higher than 3000K CCT to minimize adverse human and ecological impacts.

3. In accordance with Town Code § 270-27(K), this site plan approval is valid for only 36 months from the date hereof, and the applicant/owner is required to commence and substantially

complete the construction or other activities for which the site plan is applicable within said 36 months or this approval shall, unless extended upon application timely made, expire, lapse, and be of no further validity, force or effect.

Dated: 12 September 2022

Motioned by: Norman Lin Davidson

Seconded by: Deborah Trumbull


VOTE AS FOLLOWS:

Tom Butler	Yeah
Norman 'Lin' Davidson	Yeah
Sandra Dennis Conlon	Yeah
Al Fiorille	Yeah
Larry Sharpsteen	Yeah
Dean Shea	Yeah
Deborah Trumbull	Yeah

Dale Baker
Erin Worsell

The Planning Board hereby directs clerk of the Planning Board to promptly, and within 10 days of the date of adoption of this Resolution, file a copy hereof in the Office of the Town Clerk of the Town of Lansing, who returns a date-stamped copy as received to clerk of the Planning Board, who files a hard copy and electronic copy and duly indexes in the Planning & Code Enforcement Department's Building/Property History System.

Received in the Lansing Town Clerk's Office on Sept 13, 2022


Debbie Munson, Town Clerk
Town of Lansing
Tompkins County, New York

RESOLUTION PB 22-XX

**TOWN OF LANSING PLANNING BOARD RESOLUTION
AMENDING CONDITIONS OF SITE PLAN APPROVAL
VILLAGE SOLAR PHASE VII**

WHEREAS, an Application was submitted for Site Plan review by Rocco Lucente, for the proposed site plan of Village Solar Phase VII, which proposes the demolition of four (4) existing apartment buildings, #21, #88, #96, & #28, and the construction of 138 multifamily units within six (6) apartment buildings; and

WHEREAS, the project is located in Planned Development Area No. 1 - The Village Circle-Village Solars PDA, Tax Parcel numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16; and

WHEREAS, the Planning Board, on 12 September 2022 did issue a Negative Declaration of Significance under SEQR and a conditional Site Plan Approval in Planning Board Resolution #22-13; and

WHEREAS, the project has requested that certain conditions be modified to be completed prior to the issuance of a Certificate of Occupancy; and

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

1. That the Planning Board of the Town of Lansing determines the proposed project will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act for the Site Plan Review for Town of Lansing Tax Parcel Numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16.
2. That the Planning Board of the Town of Lansing does hereby modify the conditional Site Plan Approval, resolution PB #22-13, conditionally approved 12 Sept 2022, for Town of Lansing Tax Parcel Numbers 39.-1-38.8, 39.-1-38.11, 39.-1-38.13, 39.-1-38.16 for Rocco Lucente which includes all building and parking layouts, screening, dark sky lighting, and other site conditions listed in the plan set titled "Village Circle-Village Solars PDA - Phase 7, Lucente Homes/Village Solars, Lansing (T), Tompkins CO. N.Y." prepared by Timothy C. Buhl, Professional Engineer, respectively, revised Sept 6, 2022, and subject to the following:

The following conditions must be satisfied before issuance of any Building Permit:

- a. A Final Site Plan, incorporating all recommended changes from the Planning Board and the Town Engineer, shall be submitted for the signature of the Chair of the Planning Board within 180 days of this approval. No building permits will be issued prior to the signing of the Final Site Plan. The applicant may extend this deadline by requesting an extension from the Planning Board prior to the expiration of this conditional approval.
- b. Building Permits are required to construct the approved building and site facilities. Plans must meet all code requirements, including the sealing of plans by a licensed engineer or

architect. All improvements shall be constructed in compliance with all state and local building code requirements.

- c. The applicant will be required to obtain both: i) a Bolton Point water permit for a new water service and meter to connect to the existing Consolidated Water District Mains in accordance with Lansing Town Board Resolution 15-40; and ii) Town of Lansing Sewer Permit.

The following conditions must be satisfied within six months of approval or the start of construction, whichever comes first:

- a. Submission to Planning staff for review and approval of placement, design, and photometrics of site lighting fixtures in accordance with the Final Site Plan.
- b. Submission to Planning staff for review and approval of all site details including but not limited to landscaping details, exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc. in accordance with the Final Site Plan.

The following conditions must be satisfied before issuance of a Certificate of Occupancy:

- a. Any changes to the approved Final Site Plan must be submitted to Planning staff for review and may require Board approval.
- b. Compliance with all current and future recommendations of the Town’s Engineer.
- c. Acceptance of the final Stormwater Pollution Prevention Plan (SWPPP) by the Town’s Engineer and Town Stormwater Management Officer.
- d. Proper completion of all stormwater reports, permits, and facilities in a form and manner as approved by the Town and NYSDEC, including execution and filing of Stormwater Operating, Management, and Reporting Agreement (“SOMRA”) in the form as set forth pursuant to Town Code § 225-8(D), which executed and filed SOMRA (and any supporting easements) is required to be submitted to the SMO.
- e. The final locations of all crosswalks, signage and stop signs, dumpsters, and mailboxes shall be approved by the Code Enforcement Officer and Highway Superintendent.
- f. All site plan elements shall be present at the locations represented on the approved site plan prior to the issuance of the last certificate of occupancy.
- g. The dog park shall be relocated and completed prior to the issuance of the last certificate of occupancy.
- h. Submission of any required executed easement, licenses or other legal agreements involving Town property.
- i. Repair, replacement or reconstruction of any Town property damaged or removed during construction including, but not limited to paving, signage, drainage structures, etc.
- j. All plantings (including as shown on the plans described above) shall be maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Existing and any new vegetation shall be properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease or other cause, cease to function as buffers shall be replaced in a manner as

promotes the goal of such buffer as stated in this site plan approval. This condition shall be deemed to augment and further define prior site plan approval conditions and site plan features hereby or heretofore approved by the Town.

- k. All lighting fixtures will be “dark sky compliant” glare-free, downward directed, and shielded lighting as promotes the dark-sky standards of the International Dark-Sky Association (IDA) and lamps will be not higher than 3000K CCT to minimize adverse human and ecological impacts.

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

Dated: 12 September 2022

Motioned by: Norman Lin Davidson

Seconded by: Deborah Trumbull

VOTE AS FOLLOWS:

Tom Butler	Yeah
Norman ‘Lin’ Davidson	Yeah
Sandra Dennis Conlon	Yeah
Al Fiorille	Yeah
Larry Sharpsteen	Yeah
Dean Shea	Yeah
Deborah Trumbull	Yeah

Dale Baker
Erin Worsell

The Planning Board hereby directs clerk of the Planning Board to promptly, and within 10 days of the date of adoption of this Resolution, file a copy hereof in the Office of the Town Clerk of the Town of Lansing, who returns a date-stamped copy as received to clerk of the Planning Board, who files a hard copy and electronic copy and duly indexes in the Planning & Code Enforcement Department’s Building/Property History System.

Received in the Lansing Town Clerk’s Office on _____

Debbie Munson, Town Clerk

DRAFT