



REGULAR TOWN BOARD MEETING

Lansing Town Hall Board Room
Wednesday, December 21, 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. **Pledge of Allegiance**
3. **Roll Call**
4. **Public Hearing on Granting a Waiver from the Requirements of the Town of Lansing Planned Development Area No. 1 (Village Circle-Village Solars) § 270-67C**
 - a. Motion to open/close
5. **Resolutions**
 - a. Resolution Granting a Waiver from the Requirements of Town of Lansing Planned Development Area No. 1 (Village Circle - Village Solars) § 270-67C and Issuing Subdivision Approval for VCVS PDA Per Prior Approvals and Authorizing Sealing of Such Plat or Map per Lansing Town Code § 270-67V
6. **Privilege of the Floor:** Limited to 20 Minutes with a Maximum of 3 Minutes per Speaker
 - a. Optional Board Member Responses – Maximum 2 Minutes per Board Member
7. **Department Reports**
 - a. **Lansing Community Library Report** – Christine Eisenhut
 - b. **Lansing Youth Services Report** – Rick Alvord
 - c. **Tompkins County Legislator Report** – Mike Sigler
 - d. **Highway Report** – Mike Moseley
 - e. **Parks and Recreation Report** – Patrick Tyrrell
 - f. **Engineer's Report** – Dave Herrick
 - g. **Director of Planning Report** – C.J. Randall
 - h. **Town Clerk Report** - Debbie Munson
8. **Work Session**
 - a. Chairs, Liaisons and Committees

9. Consent Agenda

- [a.](#) Motion Authorizing Town of Lansing Supervisor to Sign Agreement Between the Town of Lansing and Foodnet Meals on Wheels
- [b.](#) Motion Approving Draft Local Law Respecting Tax Limit Exemption Increase to Implement NYS Real Property Tax Law Exemptions, and Scheduling Public Hearing for Same
- [c.](#) Motion Adopting Updated Town Information Technology Policies, and Amendment to § 511 of Employee Handbook Regarding Information Technology and Related User Policies
- [d.](#) Motion Authorizing Town of Lansing Supervisor to Sign Renewal of Intermunicipal Agreement Between the Town of Lansing and the Lansing Community Library
- [e.](#) Motion Approving Mary Ellen Albrecht, Melody Lombardo, and Patrick Tyrrell Carrying Forward Vacation Time Exceeding Forty (40) Hours
- [f.](#) Resolution Approving Dog Control & Shelter Agreement with Country Acres Pet Services
- [g.](#) Resolution Approving the Town of Lansing Conservation Advisory Council 2022 Annual Report
- [h.](#) Resolution Appointing David Wolfe as Town of Lansing Liaison to the Tompkins County Environmental Management Council
- [i.](#) Resolution Declaring Stihl Chainsaws, Polesaw and Demolition Saw as Excess Property and Authorizing Disposal or Sale
- [j.](#) Resolution Amending Resolution #21-108 Authorizing Highway Superintendent to Purchase Different Model Plow for Original Dump Truck Purchase
- [k.](#) Resolution Authorizing Town Supervisor to Execute Independent Contractor Agreement with Charmagne Rungay for Administrative Services for the Supervisors Office
- [l.](#) Resolution Scheduling Public Hearing for Adoption of a Local Law to Amend the Code of the Town of Lansing Chapter 270: Zoning and Referral to Planning Board Under Chapter 270-57
- [m.](#) Resolution Approving 2023 Counsel Engagement Letter with Guy K. Krogh, and his Firm, Thaler and Thaler, P.C.
- [n.](#) Resolution Updating Employee Leslie Colbert's Position and Job Classification to Secretary to the Highway Superintendent

10. Motions and Resolutions

- [a.](#) Resolution Approving Audit and Budget Modifications and Supervisor's Report
- [b.](#) Resolution Making Negative Declaration of Environmental Significance for the Construction and Financing of a New Highway Department Facility, at a Maximum Estimated Cost of \$15,000,000
- [c.](#) Resolution Approving and Authorizing Execution of Town Center Lease to Kersat Landscaping, Inc., Subject to Permissive Referendum
- [d.](#) Resolution Affirming Charging Duties to the Agriculture and Farmland Protection Advisory Committee, and Appointing Members to Such Committee
- [e.](#) Resolution Amending Resolution # 19-160 Regarding Membership in, and Purpose of the Town of Lansing Parks, Recreation, and Trails Committee

- [f.](#) Resolution Appointing Members to the Town of Lansing Parks, Recreation, and Trails Committee
- [g.](#) Resolution Renaming the Broadband Committee and Reappointing Members
- [h.](#) Resolution for Conservation Advisory Council Member Recommendations
- [i.](#) Resolution Appointing Town of Lansing Planning Board Members
- [j.](#) Resolution Appointing Town of Lansing Zoning Board of Appeals Members
- [k.](#) Resolution Accepting Carrie J. Randall's Resignation Letter as the Town of Lansing Director of Planning and Authorizing John Zepko to Serve as the Director of Planning (Temp under 90 Days)

11. Board Member Reports

- a. Councilperson Andra Benson
- b. Councilperson Ruth Groff
- c. Councilperson Bronwyn Losey
- d. Councilperson Joseph Wetmore
- e. Supervisor Edward LaVigne

12. Executive Session if Needed

- [a.](#) Motion to Enter/Exit

13. Adjourn Meeting

- a. Motion to 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.



RECEIVED
12/12/22

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

Check One: Subdivision Plat Fee Paid \$ _____ Date 12/9/2022
 Boundary Change Receipt No. _____

1. Name or Identifying Title Village Solars Phase VIIA

2. Tax Parcel No. 39.1-38.11 Zoning District VCVS PDA

3. Subdivider: (if owner, so state: _____
if agent or other type of relationship, state details on separate sheet)

Name & Title Rocco Lucente, Owner & Senior VP, Village Solars LLC
Signature *Rocco Lucente* Date 12/9/22
Address 381 Hagadorn Hill Road Spencer, NY 14883
Phone _____ Fax _____ E-Mail _____
Other Contact information 607-229-4822, 607-256-5821, lucenterocco@Yahoo.com

4. Licensed Land Surveyor:
Name: Brian Klumpp
Address 52 Hart Drive Freeville, NY 13068
Phone _____ Fax _____ E-Mail _____
Other Contact information 607-898-5051, owascols@outlook.com

5. Engineer:
Name: Timothy Buhl
Address 35 Fire Lane 24 Auburn, NY 13021
Phone _____ Fax _____ E-Mail _____
Other Contact information 607-423-1919, tcbuhl@verizon.net

6. Easements or other restrictions on property: (Describe generally)
Cross easements granting access to common features (trails, community center) throughout PDA

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)
Kaida Computer Tech LLC, 21-23 Dutch Mill Rd, Ithaca NY 14850
Rocco P Lucente Estate, 39 Village Circle, Ithaca NY 14850
Rocco P Lucente Estate, 9 Village Circle, Ithaca NY 14850
Village Solars LLC, 28 Village Circle, Ithaca NY 14850
Village Solars LLC, 22 Village Circle, Ithaca NY 14850

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):
None

* Note: Application, Fee and required documents must be received in the Planning Office 21 days prior to the scheduled Planning Board Meeting.

Subdivision Application Procedure

Subdivision Plat Requirements.

Materials for Subdivision Review shall be submitted to the Planning Department at least twenty-one (21) days in advance of the Planning Board meeting and shall include;

1. _____ Subdivision Application (Received); _____ Complete
 2. _____ Subdivision Plat of the proposed Subdivision (Details below)
 3. _____ SEQR For: Completed and signed Short Environmental Assessment Form, Part I (SEAF), or Long Environmental Assessment For, Part I (LEAF). (Consult with Planning Department as to which to submit)
 4. _____ Agricultural Data Statement if site is in an Agricultural District
 5. _____ Payment of Application Fee
 6. _____ Applicant should be provided with "information regarding Lansing Pathway Planning".
-

The Application and Subdivision Plat shall contain the following information:

- a. _____ Name and address of the landowner of record and the applicant, if not the same. Scale of the drawing(s), north arrow, and date.
- b. _____ An identification map showing the location and orientation of the proposed development relative to the local road system and pathway plan (See information regarding Lansing Pathway Planning). A tax map or USGS map may be adequate for this purpose.
- c. _____ Location of the site in relation to abutting properties and roads. Show existing property lines, right of-way, easements and the names of current owners of adjacent property and property on the opposite side of the road serving the site.
- d. _____ Gross acreage of the parcel to be subdivided.
- e. _____ Existing and proposed buildings, structures and land uses on the site and on adjacent properties.
- f. _____ The location of any floodplain, NYSDEC mapped state wetlands and/or federal mapped wetlands designated by the National Flood Insurance Program.
- g. _____ The location of any areas either recognized or designated by the Town of Lansing Planning Board as Unique Natural Areas as may be set forth in the Tompkins County Inventory of Unique Natural Areas. In addition, provide location of any CEAs and New York State Historic Preservation Office (SHPO) mapped historic archeological, and cultural resources located at or near the site.
- h. _____ Indication of existing and proposed topography and drainage systems for the site.
- i. _____ Proposed storm water drainage from the site. Applicant shall delineate the area of proposed soil disturbance, including landscaping and proposed lawn. A stormwater management plan, consistent with the Town's local stormwater and erosion control local law and NYSDEC SPEDES permit requisites is required. A full SWPPP is currently required for a 2 acre or more soil disturbance pursuant to the Town's Local Stormwater and Erosion Control Local Law Number 6 of 2009. Soil disturbance includes landscaping and lawn placement.

- j. _____ Proposed water source and sewage disposal system.
- k. _____ The location, size and type of any proposed site lighting and signs. (installed so as to prevent glare on adjacent properties and roads) and signs.
- l. _____ Brief statement describing the proposed Subdivision.
- m. _____ Provide materials for County Department of Health (DOH) and/or Tompkins County Department of Planning 239 Review.

The Planning Board's statement may include recommendations of modifications to be incorporated into the final Subdivision Plat, and conformance with said modifications shall be considered a condition of approval. If the preliminary Subdivision Plat is not approved, the Planning Boards' statement shall contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the Subdivision Plat and resubmission.

Any of the above Subdivision application requirements may, on the applicant's request, be waived by the Planning Board if circumstances warrant. The Planning Board may also request the applicant to submit additional information when this is necessary to make an informed judgment about the proposal. Such additional information, and the need for it, shall be agreed to by the applicant.

Refer to Local Law No. 2 of 2008 Subdivision Rules and Regulations of the Town of Lansing for additional details and requirements regarding applications for Subdivision approval.

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: Rocco Lucente
Mailing address: 381 Hagadorn Hill Road, Spencer NY 14883

B. Description of the proposed project: We seek to subdivide the parcel at 21 Village Circle
for the purpose of tearing down one building and replacing it with two buildings, each on their own parcel.

C. Project site address: 21 Village Circle Town: Lansing

D. Project site tax map number: 39.-1-38.11

E. The project is located on property:
 within an Agricultural District containing a farm operation, or
 with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 1.77

G. Is any portion of the project site currently being farmed?
 Yes. If yes, how many acres _____ or square feet _____ ?
 No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.
N/A

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

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.

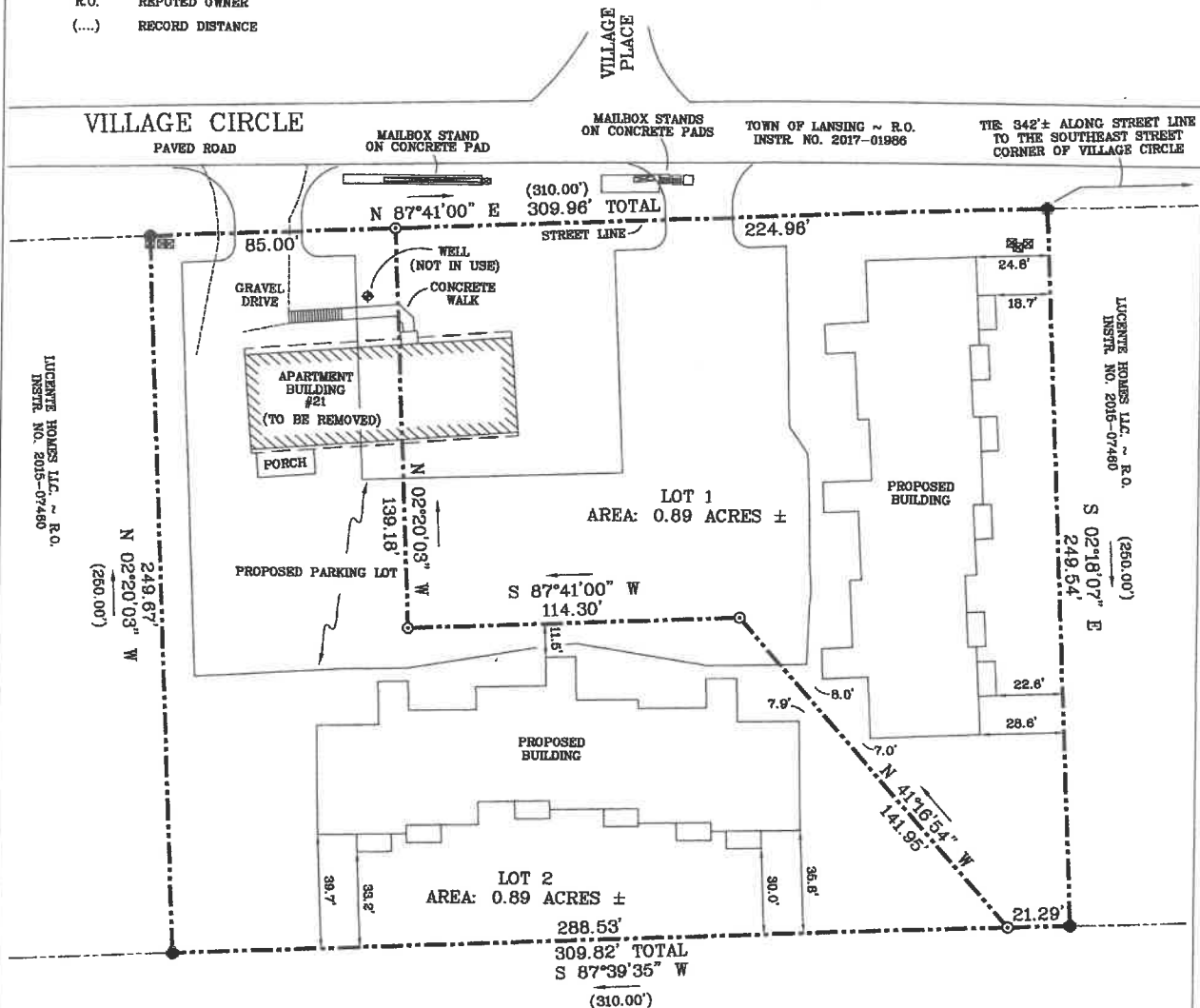
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Rocco Lucente, Owner & Senior VP, Village Solars LLC			
Name of Action or Project: 21 Village Circle Subdivision			
Project Location (describe, and attach a location map): 21 Village Circle, Ithaca NY 14850			
Brief Description of Proposed Action: We seek to subdivide the parcel currently containing 21 Village Circle (39.-1-38.11). This will allow us to construct two new buildings, each one on their own separate parcel. This is necessary to comply with the process for getting a plumbing permit from Bolton Point, who cannot allow more than one permit per parcel.			
Name of Applicant or Sponsor: Rocco Lucente		Telephone: 607-229-4822	
		E-Mail: lucenterocco@yahoo.com	
Address: 381 Hagadorn Hill Road			
City/PO: Spencer		State: New York	Zip Code: 14883
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.77 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.59 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 checked="" 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):			

PROPOSED SUBDIVISION ~ LANDS OF LUCENTE HOLDINGS, INC.

LEGEND: TOWN OF LANSING ~ COUNTY OF TOMPKINS STATE OF NEW YORK
 TAX MAP NO. 39.-1-38.11
 REFERENCE DEED: L764/P.311

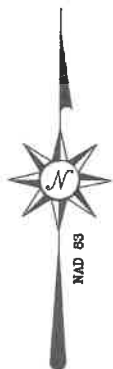
- EXISTING PIN
- ⊙ SET 5/8" REBAR AND SURVEY CAP
- ⊞ BURIED CABLE PEDESTAL
- R.O. REPUTED OWNER
- (....) RECORD DISTANCE



KAIDA COMPUTER TECHNOLOGIES, LLC ~ R.O.
 INSTR. NOS. 471363-001, 488698-001 AND 523367-008

REFERENCE SURVEYS:

1. "REVISED PLANS OF VILLAGE APARTMENTS..." MADE BY HOWARD SCHLEDER, P.E., L.S., DATED APRIL 18, 1975, REVISED APRIL 12, 1976.
2. "SURVEY MAP, HIGHWAY DEDICATION VILLAGE CIRCLE & VILLAGE PLACE..." MADE BY LAWRENCE FABBRONI, P.E., L.S., DATED DECEMBER 20, 2016.



OWASCO LAND SURVEYING
 52 HART DRIVE
 FREEVILLE, NEW YORK 13068
 PHONE: (607) 898-6051
 email: owascos@outlook.com

NOTE: Any revisions to this map must comply with section 7209, Subdivision 2 of the New York State Education Law. All certifications hereon are valid for this map and copies thereof only if said map or copies bear the embossed seal of the licensed land surveyor whose signature appears hereon. This map is not valid when used in conjunction with a "Survey Affidavit" or "Certificate of No-Change".

Drawn By: LMK Scale: 1" = 40' Job No.: 22-105 Drawing File: 22105.DWG
 Coordinate File: 22105.CRD

I hereby certify to LUCENTE HOLDINGS, INC.

that I am a licensed land surveyor, New York State License No. 050380, 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: *Brian M. Klapp* Dated: NOV. 1, 2022
 "Copyright 2022: All Rights Reserved, Owasco Land Surveying"

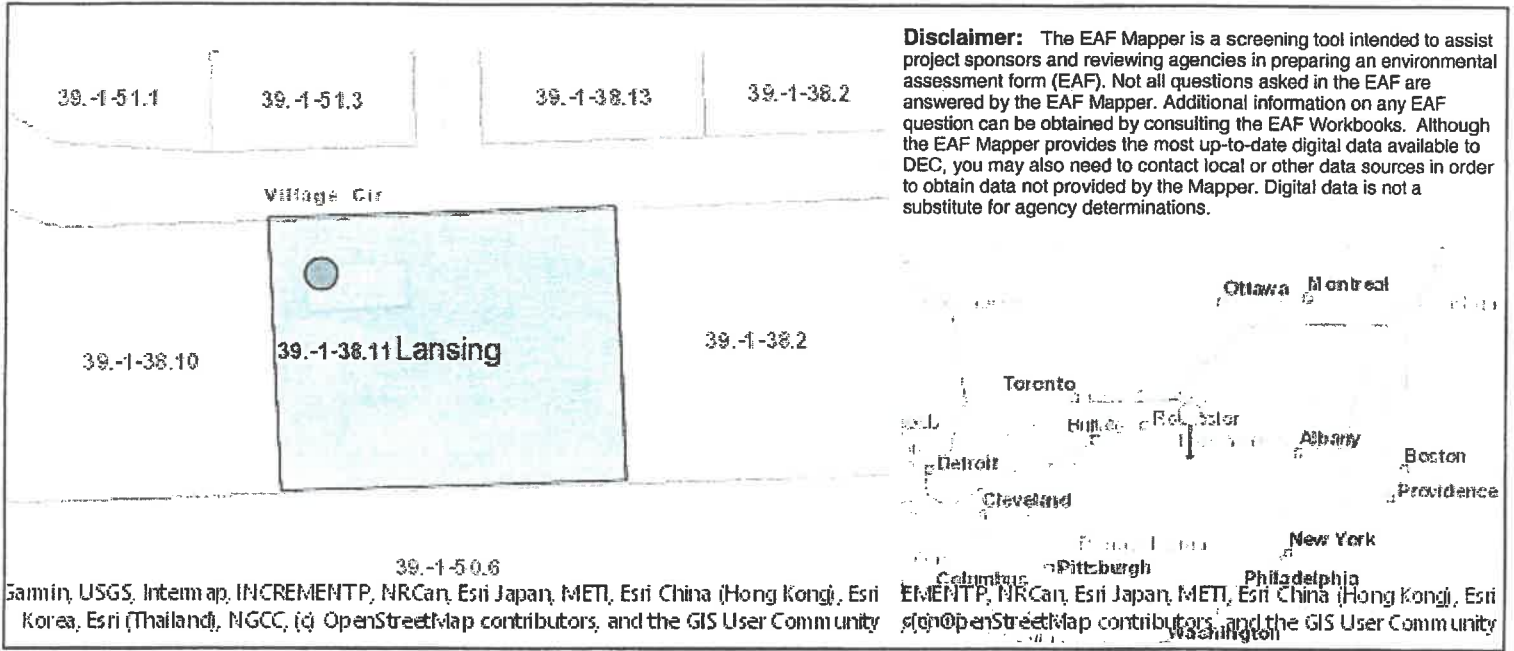
		NO	YES	N/A
5.	Is the proposed action,			
a.	<u>A permitted use under the zoning regulations?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	<u>Consistent with the adopted comprehensive plan?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	<u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>		NO	YES
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	<u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>		NO	YES
	If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	<u>Does the proposed action meet or exceed the state energy code requirements?</u>		NO	YES
	If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	<u>Will the proposed action connect to an existing public/private water supply?</u>		NO	YES
	If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11.	<u>Will the proposed action connect to existing wastewater utilities?</u>		NO	YES
	If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	a. <u>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?</u>		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <p><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional</p> <p><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban</p>									
<p>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?</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<p>16. Is the project site located in the 100-year flood plan?</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources?</p> <p>If Yes,</p> <p>a. Will storm water discharges flow to adjacent properties?</p> <p>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</p> <p>If Yes, briefly describe:</p> <p>_____</p> <p>_____</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<p>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)?</p> <p>If Yes, explain the purpose and size of the impoundment:</p> <p>_____</p> <p>_____</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe:</p> <p>_____</p> <p>_____</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe:</p> <p>_____</p> <p>_____</p>	<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
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: Rocco Lucente Date: 12/9/22

Signature: Rocco Lucente Title: Senior VP



39.-1-50.6
 Garmin, USGS, Intermap, INCREMENTP, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Esri, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

- 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] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] No
- 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

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

Dear Members of the Town Board,

I am writing to formally request a waiver under 270-67Q from all applicable requirements of the R2 Zoning district regulations, in order to facilitate the subdivision approval of Village Solars. This is being done in order to achieve compliance with Town Board Resolution 15-40, which states that we shall have separate metering for each building at Village Solars. Since Bolton Point now requires that we have a different parcel for each meter (a requirement not present when we did our last multi-unit phase on the same parcel in 2018), we must subdivide the lot in order to get two meters.

All water and sewer line dedications and appurtenances are complete, and those drawings are in the planning departments possession. It would create a substantial hardship to our entire crew to delay construction through the failure to issue this waiver, as it would result in the cancellation of the second building. This hardship would not be self created, as we are subdividing for the reason of complying with the new Bolton Point policy regarding metering. We have proven our adequate financial support to complete this small subdivision through our performance on similar issues over time, and this is the minimum variation which would allow us to obtain meters for each separate building.

Thank you,

Rocco Lucente
Senior Vice President, Village Solars LLC

RESOLUTION 15-40

RESOLUTION ISSUING PRELIMINARY APPROVALS FOR WATER METERING GUIDELINES FOR CAYUGA FARMS PROJECT AND VILLAGE CIRCLE-VILLAGE SOLARS PDA PROJECTS

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

WHEREAS, upon a review of water metering issues and infrastructure siting pertaining to the above projects, and after consultation with Bolton Point, the Water and Sewer Advisory Board ("WSAB"), and delineating the needs and distinctions for various projects; and

WHEREAS, some general guidelines for metering were thus developed with input from the Town Engineer and WSAB, including factors such as: (i) whether the Town owns the roadways; (ii) whether the Town owns the water lines and related infrastructure; (iii) whether the Town owns the underlying lands upon which the same are situate or merely has rights of access or an easement; (iv) whether the project is new or is an infill project; (v) whether the project is to be built in phases; (vi) the needs of the development and the residents, businesses, and users thereof, including for fire suppression and firefighting purposes; and (vii) any other relevant factors; and

WHEREAS, and after due deliberation upon these matters and in respect of the upcoming construction of water facilities for the above mentioned projects, the Town Board of the Town of Lansing has hereby

RESOLVED as follows:

1. The Cayuga Farms project shall have two master meters located off Triphammer Road, to be paid for and owned by the Developer or otherwise approved and managed or owned as required by Bolton Point, with each building or user(s) to be sub-metered in such manner as the Developer shall desire.
2. The VCVS PDA sites for the Village Circle infill buildings shall have separate metering for each building, and the Town Board reserves the right to review metering issues for the Village Solars projects as the same become phased into construction. The Developer shall ensure reasonable ground floor access to meter sites and will, if and as required, install remote metering and other related infrastructure for each meter as required by the PDA approval and the Rules of the Town and of Bolton Point.

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

Councilperson Ruth Hopkins
Supervisor Kathy Miller

U Councilperson Edward LaVigne

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

RESOLUTION GRANTING A WAIVER FROM THE REQUIREMENTS OF THE TOWN OF LANSING PLANNED DEVELOPMENT AREA NO. 1 (VILLAGE CIRCLE - VILLAGE SOLARS) § 270-67C AND ISSUING SUBDIVISION APPROVAL FOR VCVS PDA PER PRIOR APPROVALS AND AUTHORIZING SEALING OF SUCH PLAT OR MAP PER LANSING TOWN CODE § 270-67V

RESOLUTION 22-

RESOLUTION GRANTING A WAIVER FROM THE REQUIREMENTS OF THE TOWN OF LANSING PLANNED DEVELOPMENT AREA NO. 1 (VILLAGE CIRCLE - VILLAGE SOLARS) § 270-67C AND ISSUING SUBDIVISION APPROVAL FOR VCVS PDA PER PRIOR APPROVALS AND AUTHORIZING SEALING OF SUCH PLAT OR MAP PER LANSING TOWN CODE § 270-67V

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

WHEREAS, Planned Development Area No. 1 was established by Local Law No. 1 of 2013, passed by Town Board Resolution #13-78 on April 17, 2013, and amended 4-15-2015 by Local Law No. 4 of 2015; 11-16-2016 by Local Law No. 10 of 2016; and 6-21-2017 by Local Law No. 6 of 2017, which added §270-67 to the Town of Lansing Code; and

WHEREAS, by narrative dated December 16, 2022, the Town received a request for Waiver from Rocco Lucente, Senior Vice President, Village Solars LLC, under the provisions of Town Code § 270-67V, to modify the requirements required by § 270-67C; and

WHEREAS, by application dated December 9, 2022, received December 12, 2022, the Town received an Application for Review and Approval of Subdivision from Rocco Lucente, Senior Vice President, Village Solars, LLC under the provisions of Town Code § 270-67V:

The developer may subdivide (and rejoin or consolidate) the PDA parcel into separate or differing tax parcels to assist in the delineation of project phasing, tax management issues, and financing for project development. In each such case, suitable cross easements shall be implied, required, and provided for access and common use of project facilities, and such proposed subdivision and line locations shall be subject to review and approval by the Town Board. Once approved by the Town Board, the Town Code Enforcement Officer may seal such map for filing with or delivery to the County Clerk or Assessor's office; and

WHEREAS, an environmental review was already conducted upon this proposal and project, and as the existing approvals and negative declarations already considered any potential adverse environmental effects of this approval, and as the passage of time and lack of changes in the proposal and final development plan do not create any risk of new environmental impacts not previously considered, the Town Board has determined that no supplemental environmental review is required; and

WHEREAS, upon a review and in consideration of the phased subdivision mapping submitted in

furtherance of the existing approved PDA plan and approval; and

WHEREAS, Town Code § 270-67Q(1)-(4) requires that the Town Board consider the request for Waiver under and, upon deliberation thereupon, the Town Board of the Town of Lansing has hereby:

RESOLVED, this application for a Waiver be and hereby is approved; and be it further

RESOLVED, that the proposed phasing and subdivision plat or map as submitted be and hereby is approved, and the Town's Code Enforcement Officer be and hereby is authorized to seal and certify such proposed subdivision and lot line maps for filing with or delivery to the County Clerk and County Assessor's Office for approval and filing.

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

Councilperson Andra Benson –
Councilperson Bronwyn Losey–
Supervisor Edward LaVigne –

Councilperson Ruth Groff–
Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.



LANSING COMMUNITY LIBRARY UPDATE TO THE LANSING TOWN BOARD
December, 2022

Submitted by Christine Eisenhut

1. The library is grateful for the use of the Town Hall for the Artisan Fair. The event was very successful.
2. The library has purchased a 3D printer to be used for adult and teen programming.
3. The artwork of Larry Beck will be on display through November and December.
4. Storytime is in-person on Thursdays at 10:30 am with Ms. Shelley. There are several winter themed events on the schedule for the coming months.
5. Take and Make craft kits are available starting on December 13th. This month's theme is Pop-Tart Gingerbread Houses.
6. Instructor John Burger hosts T'ai Chi classes at the Community Center on Fridays from 10:30-11:30 am.
7. Learn to play American Mah Jongg every Tuesday at 10:15am.
8. Play American Mah Jongg every Wednesday from 1:00-3:00pm.
9. The library continues to provide free delivery to Woodsedge.
10. The library has an Empire Pass and passes to the Museum of the Earth and the Cayuga Nature Center available for check out. Board games, puzzles, story time kits, and STEAM kits are also available.
11. The library is continuing to distribute free self-test COVID-19 kits, antibacterial wipes and N95 masks to Lansing households.
12. The LCL's Wi-Fi is not password protected. The community is welcome to park in the lot to access the Internet.
13. The library will be closed on Saturday, December 24-26 and 31st and January 2nd.

Lansing Youth Services
Town Board Report
December 2022

Legos! Legos participants have been busy building their theme parks and completing challenges along the way. Participants have made grand entrances to their parks, rides that range from zip lines to petting zoo areas and completed challenges for some added flavor to the day. The drop test, color challenge, tallest tower, and Lego Meals have been completed, with a new “drop test day” that will finish out the program. 16 youth served.

Outdoor Adventure: Outdoor Adventure youth continued building their shelters when the weather allowed us to go to Salmon Creek. Fire making was practiced daily, with the magnesium and ferro rod taking the front and center stage. One student has been practicing at home and excited to share their new skill with their peers. The Nature Center behind the high school has been frequented more recently and a lot of prep work is in order as the spring and summer have radically transformed the landscape, creating new areas for exploration and discovery. 15 youth served.

Artisan Fair: Participants are excited for the Artisan Fair this year! Youth have been making crafts for the fair and are ready to show and sell them to the public, while learning how to run a small business. At the fair, participants will interact with patrons, conduct transactions, restock shelves, and talk about the projects they worked on. Students have made lots of resin mold goods, ornaments, “stained glass”, holiday art, and greeting cards. 15 youth served.

Fun and Field Games: Kan-Jam remains a favorite, with lots of excitement building around the geocaching excursion. The playground balls have been used for so many games. The group has played 4 square, basketball, kickball (including another large group), and the ever-popular game of “catch”. 10 youth served.

Youth Employment: Youth Employees are finishing the year busy in their placements. We had two youth employees assist the middle school musical with lighting and sound, the library’s team is full, and one teen is assisting the technology department with engineering projects in the high school. We will have two special events in December for added opportunities, the Gingerbread House Build will take place on Dec 22nd, for the first time since the pandemic, and the Lansing Artisan Fair is Dec 2nd and 3rd! 18 youth served.

HIGHWAY REPORT

December 2022

Winter Maintenance

- Crew worked on maintaining trucks and plows for winter snow and ice removal
- Maintained roads snow and ice events

Water

- Installed hydrant markers to aid in verifying hydrant location
- Repaired curb stop stands

Tree and Brush Maintenance

- Tree and brush maintenance along roadside to aid line of sight
- Right of way tree maintenance

Miscellaneous

- Worked on renovations of Historical Buildings
- No new updates from Stopen Engineering regarding Ludlowville Rd. (Crooked Hill)
- Furnace and septic serviced for Community Center and Town Hall
- Construction of NYSEG monopole has begun on highway campus. Highway Department assisting as needed

**Parks & Recreation
December 2022
Town Board Meeting**

RECREATION

- In January, we are beginning several rec programs. Middle School skating is already full. Others are filling up quickly too.
- We finished our first Lansing Water Cats swim group; it was successful, and we'll be holding another one session in January.
- After 3 years, we are bringing back our youth wrestling program. Thank you, Doug Dake & family!
- Our Bowling program was once again a success. Thank you, Memory Lanes.
- Travel basketball is set to begin in January as well. We have several games scheduled.
- Gym Space has been limited and difficult to squeeze our programs in.

PARKS

- We shrink wrapped the engraved Myers Park entrance stone and sailboat rack at the park last week.
- We are looking into new software, Campspot, for our camping and pavilion reservations.
- We are receiving five hundred bulbs from Agway at a 75% discount to plant on the Town Grounds.
- Brush hogged Salt Point according to the mowing plan.
- We built a beautiful porta-john enclosure at Myers Park.
- The Annual Christmas Tree Lighting ceremony went well, and the weather cooperated. Thank you to all the sponsors.

TOWN CLERK
DECEMBER 21, 2022

Tax Season

We have been busy preparing for the upcoming tax collection season.

Cayuga Lake National Bank

Our office, along with the Supervisor's Office, met with Cayuga Lake National Bank to discuss switching some Town accounts to their bank (located on North Triphammer Road). It was a productive meeting and we have started the process of opening accounts there.

Tompkins County Health Department Rabies Clinics

The Health Department has scheduled a clinic on January 18, 2023 at the Tompkins County SPCA. Preregistration is recommended. Visit this link to sign up for an appointment - <https://tompkinscountyny.gov/health/eh/rabies#clinics>

Accessible Letter

Permanent accessible hang tags expire every five years. Our office mails a letter to residents whose tag is going to expire within 30 days, reminding them to obtain a new one. We have updated the letter with additional instructions.

Town Support

We continue to support other Town departments when requested with proof reading and administrative support.

MOTION AUTHORIZING TOWN OF LANSING SUPERVISOR TO SIGN AGREEMENT BETWEEN THE TOWN OF LANSING AND FOODNET MEALS ON WHEELS

MOTION M22-

MOTION AUTHORIZING TOWN OF LANSING SUPERVISOR TO SIGN AGREEMENT BETWEEN THE TOWN OF LANSING AND FOODNET MEALS ON WHEELS

Motion to authorize Town of Lansing Supervisor to sign agreement between the Town of Lansing (Town) and Foodnet Meals on Wheels (Contractor), agreement is for January 1, 2023 to December 31, 2023, Town will pay Contractor \$4,750 for 2023 services.

**MOTION APPROVING DRAFT LOCAL LAW RESPECTING TAX LIMIT
EXEMPTION INCREASE TO IMPLEMENT NYS REAL PROPERTY TAX LAW
EXEMPTIONS, AND SCHEDULING PUBLIC HEARING FOR SAME**

MOTION M22-

**MOTION APPROVING DRAFT LOCAL LAW RESPECTING TAX LIMIT
EXEMPTION INCREASE TO IMPLEMENT NYS REAL PROPERTY TAX LAW
EXEMPTIONS, AND SCHEDULING PUBLIC HEARING FOR SAME**

Motion to approve draft local law amending Town Code Chapter 240 to increase real property tax limit exemptions, and scheduling public hearing thereupon for 6:31 pm on January 18, 2023.

LOCAL LAW NUMBER #_ OF 2023

A LOCAL LAW OF THE TOWN OF LANSING TO AMEND THE CODE OF THE TOWN OF LANSING CHAPTER 240: TAXATION, TO INCREASE CERTAIN SENIOR AND DISABLED CITIZEN TAX EXEMPTIONS PER NYS REAL PROPERTY TAX LAW § 467 AND 459-c

This Local Law hereby amends § 240-3(A) of the Town Code to increase the real property tax exemptions levels to the amounts allowed under the New York State Real Property Tax Law. Accordingly, the Town Board of The Town of Lansing, New York, pursuant to Resolution dated January 18, 2023, does hereby adopt and pass this Local Law Number #_ of 2023, and therefore, be it so enacted as follows:

SECTION 1 - AUTHORITY & PURPOSE: This Local Law is adopted pursuant to the powers granted by NYS Real Property Tax Law, including §§ 467 and 459-c therein, as well as Municipal Home Rule Law § 10, which authorize the Town of Lansing to adopt zoning provisions and local laws that advance and protect the health, safety and welfare of the community. The purpose of this Local Law is to reduce the real property tax burdens imposed under state tax laws upon the most vulnerable citizens and have town exemptions match the state exemption levels.

SECTION 2 - AMENDMENTS TO TOWN OF LANSING CODE: Section 240-3(A) of the Town Code of the Town of Lansing is amended to remove and replace the existing exemption charts and instead substitute the following updated exemptions:

Annual or Combined Annual Income of Owners	Percentage Assessed Valuation Exempt
Up to \$35,000.00	50%
\$35,000.00 to \$36,000.00	45%
\$36,000.01 to \$37,000.00	40%
\$37,000.01 to \$38,000.00	35%
\$38,000.01 to \$38,900.00	30%
\$38,900.01 to \$39,800.00	25%
\$39,800.01 to \$40,700.00	20%
\$40,700.01 to \$41,600.00	15%
\$41,600.01 to \$42,500.00	10%
\$42,500.01 to \$43,400.00	5%

SECTION 3 - CODIFICATION: These amendments and regulations shall be incorporated into the Town Code, and the incorporator may designate such new section and numerical headings, or other indexed references, as make for a coherent Town Code, sequentially numbered or marked. Nothing in this local law is intended to disrupt or affect the existing Town Code, except to the extent any existing code provision is herein expressly superseded or repealed. All other provisions of the Town Code are hereby reaffirmed and continued in force and effect, and the codification of these amendments shall follow the proceed for amending the code as set forth in the code or the Town’s local laws, including but not limited to Local Law #2 of 2020.

SECTION 4 - SEVERABILITY: The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional must not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which must remain in full force and effect.

SECTION 5 - EFFECTIVE DATE: This Local Law shall take effect immediately.

**MOTION ADOPTING UPDATED TOWN INFORMATION TECHNOLOGY POLICIES,
AND AMENDMENT TO § 511 OF EMPLOYEE HANDBOOK REGARDING
INFORMATION TECHNOLOGY AND RELATED USER POLICIES**

MOTION M22-

**MOTION ADOPTING UPDATED TOWN INFORMATION TECHNOLOGY POLICIES,
AND AMENDMENT TO § 511 OF EMPLOYEE HANDBOOK REGARDING
INFORMATION TECHNOLOGY AND RELATED USER POLICIES**

Motion to approve updated 2022 IT Policy as presented to the meeting, and to further approve changes to § 511 of Employee Handbook respecting such subject matter, as also presented to this meeting.

MOTION AUTHORIZING TOWN OF LANSING SUPERVISOR TO SIGN RENEWAL OF INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF LANSING AND THE LANSING COMMUNITY LIBRARY

MOTION M22-

MOTION AUTHORIZING TOWN OF LANSING SUPERVISOR TO SIGN RENEWAL OF INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF LANSING AND THE LANSING COMMUNITY LIBRARY

Motion to authorize Town of Lansing Supervisor to sign renewal of intermunicipal agreement between the Town of Lansing (Town) and Lansing Community Library supporting summer reading program and library programming in the sum of \$5,000 per year.

MOTION 22-

MOTION APPROVING CARRYING FORWARD VACATION TIME EXCEEDING FORTY (40) HOURS

Motion that, due to 2022 being in and of itself an extraordinary circumstance relative to employee leave time and scheduling, the Town Board hereby approves exceeding the 40-hour vacation leave time carry-forward rule for Mary Ellen Albrecht, Melody Lombardo, and Patrick Tyrrell as set forth in Employee Handbook § 802, with such time in excess of 40 hours to be, in each case approved, scheduled, and used in the first three months of 2023 in accordance with the directives of each employee’s respective Department Head; For all subsequent years § 802 shall apply as written and Department Heads shall continue to refer excess employee carry-forward recommendations to the Town Board for review prior to the deadlines set for scheduling matters for the regular December Town Board meeting, or sooner as circumstances may allow.

RESOLUTION APPROVING DOG CONTROL & SHELTER AGREEMENT WITH COUNTRY ACRES PET SERVICES

RESOLUTION 22-

RESOLUTION APPROVING DOG CONTROL & SHELTER AGREEMENT WITH COUNTRY ACRES PET SERVICES

RESOLVED, as follows:

1. Country Acres Pet Services is the Dog Control Officer for the Town of Lansing; and
2. The shelter maintained by Country Acres Pet Services is the Town of Lansing Dog Shelter; and
3. The 2023 Dog Control and Shelter Agreement between the Town of Lansing and Country Acres Pet Services is for a term commencing January 1, 2023 and ending December 31, 2023; and
4. The Town Supervisor of the Town of Lansing is hereby authorized to sign said agreement.

RESOLUTION APPROVING TOWN OF LANSING CONSERVATION ADVISORY COUNCIL 2022 ANNUAL REPORT

RESOLUTION 22-

RESOLUTION APPROVING THE TOWN OF LANSING CONSERVATION ADVISORY COUNCIL 2022 ANNUAL REPORT

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

WHEREAS, per Town Board Resolution 19-49 the Conservation Advisory Council was authorized to perform certain functions for the Town and to act in an advisory capacity under General Municipal Law § 239-x; and

WHEREAS, the aforementioned Resolution and General Municipal Law 239-x(f) require the Conservation Advisory Council to file required annual reports with the Town Board on or before the thirty-first day of December of each and every year, and once approved by the Town Board, to send a copy thereof to the New York State Commissioner of Environmental Conservation; and

Membership

Members of the Conservation Advisory Council (hereafter “CAC”) are appointed by the Lansing Town Board each December via resolution. The following members served in 2022:

- Andra Benson, liaison to Town Board
- Robyn Bailey
- Tom Butler, informal liaison to Planning Board
- Edward Dubovi
- Karen Edelstein
- John Fleming
- Carrie Koplinka-Loehr
- Evan Ogata
- Todd Walter
- David Wolfe

Carrie Koplinka-Loehr and Tom Butler agreed to continue to co-chair the CAC in 2022.

Cayuga Lake Scenic Byway Overlay District

The CAC created maps and proposed language for an overlay district that would guide planning along NY Route 34B and East Shore Drive, from the northern to the southern boundaries of the town. The goal of the district is to maintain lake and pastoral views and encourage any commercial development in specific areas. On January 10, 2022 the CAC presented the overlay district to the Planning Board, which requested additional maps. The CAC created those maps and added photographs of scenic views, then presented the overlay district to the Planning Board in May, 2022.

Conservation Easements

Members began working on conservation easement criteria list in 2021 and furthered this work in 2022. We now have a document that is one tool for rating the suitability of parcels for potential conservation easements in the town.

In September, 2022, the CAC reviewed maps and background information about a parcel of land off NYS Route 34B along Salmon Creek below the new bridge construction. We discussed the benefits and drawbacks for the town and then recommended purchase of the parcel to the Town Board.

Climate Act Draft Scoping Plan

In April 2022 a subset of the CAC joined with members of Lansing’s Committee on a Power Plant Future to review and comment on the Climate Act Draft Scoping Plan. We submitted our assessment to Lansing’s Director of Planning in April.

Lansing Parks, Recreation, and Trails Master Plan

The CAC reviewed Lansing’s Parks, Recreation and Trails Master Plan in the spring of 2022. We submitted comments to the Director of Parks and Recreation focused on promoting low-carbon transportation, rethinking rest rooms, and funding for green spaces.

Environmental Management Council

The CAC recommended to the Town Board that CAC member David Wolfe be appointed as liaison to the Tompkins County Environmental Management Council and David began serving in this role in 2022.

Open Space Index

In the winter of 2022 the Town was awarded a grant from the Park Foundation to create an Open Space Index. The Town Board appropriated \$5,000 toward this effort in 2021 (and again in 2023) and released a Request for Qualifications for an Open Space Index and Conservation Plan on January 20, 2022.

We received six responses from prominent environmental consulting firms in New York State, which our Conservation Advisory Council (CAC) reviewed and ranked. Each contained a scope of work and cost estimate. The CAC interviewed four firms on April 7, 2022 and recommended to the Town Board that Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. be selected for the project because of their solid experience with open space indices, upstate communities, and conservation councils.

After a professional services agreement was signed, we began meeting with two professionals from Bergmann Associates to refine a Scope of Work, deliverables, and target completion dates. Lansing’s Director of Planning provided Bergmann Associates with the Town’s Natural Resources Inventory and Scenic Resource Appendix, the Tompkins County Conservation Strategy, maps, the list of Unique Natural Areas, and other materials to help them identify significant natural resource areas for open space preservation within the Town. The intersection of these significant resource areas is a starting point for identifying areas of preservation to be illustrated on an Open Space Preservation map.

In September 2022, Bergmann Associates, with input from the Conservation Advisory Council, designed a survey intended to draw out opinions on open space in Lansing. It is available on paper and online (<https://tinyurl.com/LansingOSISurvey>). The online version

includes an interactive map that allows respondents to identify specific areas of the Town that are worthy of conservation. The deadline for public feedback was 11-30-22.

To engage the public in the Open Space process, the CAC has, in conjunction with Bergmann Associates:

Hosted a booth at the Lansing Carnival on September 24, 2022, where 30 visitors identified areas on a map that they felt were worthy of conservation (see photo attached);

Printed a color vinyl outdoor banner identifying the Conservation Advisory Council (attached);

Printed flyers describing the open space survey (attached) and distributed these at the carnival;

Interviewed a farmer, community leader, business owner, and environmentalist to obtain their views on open space preservation;

Printed 7,900 postcards announcing the survey and a public meeting, and mailed these to 6,188 residents in Lansing using voter registration lists. The remaining postcards were distributed to more than two dozen locations in the Town, including places of worship, apartments, schools, the library, YMCA, restaurants, gas stations, businesses, and town and village offices’

Painted and erected a billboard on Route 34 near the entrance to the Town that advertises the survey;

Sent press releases about the project, the survey, and the public meeting to news outlets in Tompkins County (e.g., Ithaca Journal, Tompkins Weekly) and also to local listservs (e.g., Lansing Discussion; Dart Drive; Lansing Central School District, Parent-Teacher-Staff Organization).

Hosted a public meeting on November 15, 2022, to explain this project and gather additional input from Lansing residents.

Hosted “office hours with Lansing’s Director of Planning” on November 16, 2022, to explain this project via Zoom and answer questions.

So far, the Town has received 439 survey responses. Public comments will be summarized and presented to the Town Board to prioritize the issues that will be addressed in the Open Space Index.

Comments provided on drafts and plans

At the request of the Director of Planning for the Town, the CAC reviewed and commented on draft text and map of an Agriculture Zoning District in June 2022.

The CAC was also asked to comment on the initial plan for the proposed Dandy Mart (at Rte 34 and 34B) and we sent our comments to Lansing’s Planning Board in June 2022.

Presentations by the CAC

January 10, 2022, presentation to the Lansing Planning Board via Zoom on the CAC’s Cayuga Lake Scenic Byway Overlay District (Todd Walter).

May 2022, presentation to the Lansing Planning Board on revisions and improvements to the Cayuga Lake Scenic Byway Overlay District (Todd Walter).

November 15, 2022, presentation with environmental consultant Bergmann Associates, to the public about the CAC, Open Space Index, and (preliminary) survey results. Twenty-one people attended.

Presentations to the CAC

Pat Tyrell, Director of Parks and Recreation, explained the Lansing Parks, Recreation and Trails Master Plan at our May 5, 2022 meeting.

Andrew Zepp, director of the Finger Lakes Land Trust, gave CAC members a walking tour of Bell Station on June 14, 2022.

Pat Tyrell, Director of Parks and Recreation, explained the possible value to the Town of the parcel below the NYS Route 34B bridge over Salmon Creek at our September 3, 2022 meeting.

Town of Lansing Support

C.J. Randall, Director of Planning for the Town of Lansing, continues to advise the CAC and Heather Dries provides administrative support. This assistance is critical as CAC members develop and implement activities.

Trainings

CAC members are poised to complete their annual training in a) recognizing sexual harassment and b) reducing workplace violence.

Work Plan

The CAC continued to update its work plan. The co-chairs and members use this document to guide future actions and gauge progress.

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

RESOLVED, the Town Board of the Town of Lansing has received and accepted the Town of Lansing Conservation Advisory Council 2022 Annual Report.

RESOLUTION APPOINTING DAVID WOLFE AS TOWN OF LANSING LIAISON TO THE TOMPKINS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

RESOLUTION 22-

RESOLUTION APPOINTING DAVID WOLFE AS TOWN OF LANSING LIAISON TO THE TOMPKINS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

WHEREAS, David Wolfe has applied to serve as Town of Lansing liaison to the Tompkins County Environmental Management Council (“EMC”); and

WHEREAS, upon due deliberation thereupon, the Town Board of the Town of Lansing hereby

RESOLVES, that Conservation Advisory Council member David Wolfe be and is hereby approved and appointed as the sole liaison for the Town to the EMC for 2023, and for so long thereafter until he be reappointed or his successor qualifies and is approved and appointed.

RESOLUTION DECLARING STIHL CHAINSAWS, POLESAW AND DEMOLITION SAW AS EXCESS PROPERTY AND AUTHORIZING DISPOSAL OR SALE

RESOLUTION 22-

RESOLUTION DECLARING STIHL CHAINSAWS, POLESAW AND DEMOLITION SAW AS EXCESS PROPERTY AND AUTHORIZING DISPOSAL OR SALE

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

WHEREAS, the Town’s budget has planned the retirement and replacement of four chainsaws, one polesaw and one demolition saw operated and used by the Town Highway Department, and the same have been replaced; and

WHEREAS, the equipment named above are thus declared excess property and directed to be sold in a manner as produces fair value, whether at auction or private sale; and

WHEREAS, upon due deliberation being had thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the following 2005 Stihl Polesaw HT101(SN: 262283664), 2014 MS261CS Stihl chainsaw (SN: 297339037), 2009 MS260 Stihl chainsaw (SN: 278418118), 2010 MS290 Stihl Chainsaw (SN:282349172), 2004 MS361 Stihl Chainsaw (SN: 263298478), and 2010 TS Stihl demo saw (SN:170955470) be and hereby are declared as excess property of the Town for which no current or future use is anticipated, including due to be replaced through scheduled equipment rotation cycles, and that the Highway Department sell the same “as is,” document the sale thereof to verify fair value, and deliver the proceeds of sale thereof to the Town Budget Officer. The Highway Superintendent, or his designee, be and each is hereby authorized to sign such bills of sale or other documents as are or may be necessary to give effect to this Resolution by and for the Town of Lansing.

RESOLUTION AMENDING RESOLUTION #21-108 AUTHORIZING HIGHWAY SUPERINTENDENT TO PURCHASE DIFFERENT MODEL PLOW FOR ORIGINAL DUMP TRUCK PURCHASE

RESOLUTION 22-

RESOLUTION AMENDING RESOLUTION #21-108 AUTHORIZING HIGHWAY SUPERINTENDENT TO PURCHASE DIFFERENT MODEL PLOW FOR ORIGINAL DUMP TRUCK PURCHASE

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

WHEREAS, the Town of Lansing had adopted Resolution 21-108 (August 17, 2022) to allocate funds for the Highway Superintendent to purchase in 2022 and pay for and receive in 2024: a 2024 International HX620 tandem axle dump truck with plow package and muni body (county contract #8996); but only as long as the amount to be expended does not cumulatively exceed the sum of \$284,139.39 for such vehicle and equipment; and

WHEREAS, the Highway Department now wishes to purchase a different model plow (bi-directional plow instead of a one way plow) to said dump truck: and

WHEREAS, the stated equipment will cost an additional \$3,385.82; and

WHEREAS, the Town Board has fully reviewed such need and the options for the same, including the purchase of the same from the budget balances, and the Highway Department now wishes to use such funds and seeks verification from the Town Board that this budget line item is indeed to be used as cash to purchase this equipment; and

WHEREAS, upon and after due deliberation upon this matter, the Town Board of the Town of Lansing has determined as follows, and now be it therefore

RESOLVED, that the Town Board affirms the additional funds to pay for same in 2024 are \$1,128.60 in DB5110.200 and \$1,128.61 in SW8430.200 and \$1,128.61 in DA5142.200 are intended to be used for equipment; and it is further

RESOLVED, that the Highway Superintendent be and hereby is authorized to affect the following purchase: Bi-directional plow from Viking Cives (county contract #8996); but only as long as the amount to be expended does not cumulatively exceed the sum of \$3,385.82 for such equipment; and it is further

RESOLVED, that should the sum proposed to be expended exceed such amount of \$3,385.82, it is requested that the Highway Superintendent notify the Town Board and work with the Town Board to decide whether to spend such additional funds.

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO EXECUTE INDEPENDENT CONTRACTOR AGREEMENT WITH CHARMAGNE RUMGAY FOR ADMINISTRATIVE SERVICES FOR THE SUPERVISOR’S OFFICE

RESOLUTION 22-

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO EXECUTE INDEPENDENT CONTRACTOR AGREEMENT WITH CHARMAGNE RUMGAY FOR ADMINISTRATIVE SERVICES FOR THE SUPERVISOR’S OFFICE

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

WHEREAS, retired Bookkeeper Charmagne Rumgay has offered to assist the Supervisor’s Office with the transition to a new Bookkeeper until December 31, 2023 under an Independent Contractor Agreement to continue to assist, which will commence on January 1, 2023; and

WHEREAS, Charmagne Rumgay is a single-source provider with detailed knowledge of the administrative duties of the position and department and is to be paid at a rate of \$45.00 per hour; and

WHEREAS, such agreement has been reviewed by and is generally acceptable to the Town Board, and upon consideration and deliberation upon the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Independent Contractor Agreement be and hereby is approved, and that the Town Supervisor may sign and execute the same by, for, on behalf of, and in the name of the Town of Lansing

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF A LOCAL LAW OF THE TOWN OF LANSING TO AMEND THE CODE OF THE TOWN OF LANSING CHAPTER 270: ZONING AND REFERRAL TO PLANNING BOARD UNDER CHAPTER 270-57

RESOLUTION 22-

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF A LOCAL LAW OF THE TOWN OF LANSING TO AMEND THE CODE OF THE TOWN OF LANSING CHAPTER 270: ZONING AND REFERRAL TO PLANNING BOARD UNDER CHAPTER 270-57

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

WHEREAS, the Town Board of the Town of Lansing is authorized to adopt zoning provisions and local laws that advance and protect the health, safety and welfare of the community; and

WHEREAS, adoption of a Local Law of the Town of Lansing to Amend the Code of the Town of Lansing Chapter 270: Zoning (Rural Agricultural Zoning District; Site Plan Review; and General Provisions) is a Type I Action under the State Environmental Quality Review Act §617.4(b)(2); and

WHEREAS, Chapter 270-57 requires referral to the Town Planning Board “for review and recommendation thereon before the public hearing hereinafter provided for”; and

WHEREAS, the Town Board of the Town of Lansing did declare itself Lead Agency on February 16, 2022; and

WHEREAS, upon deliberation there upon, the Town Board of the Town of Lansing has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of January 2023, at 6:32 pm, to consider public input and comments upon such proposed Local Law, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

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

LOCAL LAW NUMBER #_ OF 2023

**A LOCAL LAW OF THE TOWN OF LANSING TO AMEND CERTAIN SECTIONS
OF THE CODE OF THE TOWN OF LANSING CHAPTER 270: ZONING**

This Local Law hereby amends certain sections of Chapter 270 of the official code of the Town of Lansing and, where indicated, certain sections are also superseded in their entirety. Among the changes to the code are zoning map changes, the redefinition of the Rural Agricultural (RA) Zoning District, the addition of an Agricultural Zone (AG) Zoning District, related amendments to allowed use charts (Schedule I) and definitions, and enhancements and updates to site planning and parking codes, all based generally upon the Town's most recently updated Comprehensive Plan, the work of the Agricultural and Farmland Committee and Codes Review Committee, as well as several other sources, including valuable input from multiple committees and boards of the town.

The Town Board of The Town of Lansing, New York, pursuant to Resolution dated _____, 2023, does hereby adopt and pass this Local Law Number #_ of 2023, and therefore, be it so enacted as follows:

SECTION 1 - AUTHORITY: This Local Law is adopted pursuant to the powers granted by §§ 261 and 263 of the Town Law of the State of New York, and Municipal Home Rule Law § 10, which authorize the Town of Lansing to adopt zoning provisions and local laws that advance and protect the health, safety and welfare of the community.

SECTION 2 - PURPOSE: The purposes of this Local Law are to facilitate and regulate the development of land to be compatible with farming within agricultural areas, and to generally update administrative provisions (such as site planning), zoning maps, zoning schedules, and definitions, along with other more minor amendments, to implement agricultural goals and other needed updates and administrative amendments. It is in the public interest to allow for and encourage desired land development within the Agriculture (AG) Zoning District and Rural Agricultural (RA) Zoning District areas, including to keep such areas primarily focused upon agricultural and agricultural support uses, in accordance with the Town of Lansing Comprehensive Plan and Agriculture and Farmland Protection Plan.

SECTION 3 - APPLICABILITY: The requirements of this Law apply to all properties within the Town of Lansing, including specifically the Rural Agricultural (RA) Zoning District on the Official Zoning Map of the Town of Lansing dated October 3, 2018.

SECTION 4 - AMENDMENTS TO THE TOWN OF LANSING CODE CHAPTER 270

A. The Town of Lansing Zoning Code § 270-3: entitled "Definitions" is amended by repealing and removing the following definitions:

ADULT RESIDENTIAL CARE FACILITY
 AGRICULTURE
 BED-AND-BREAKFAST
 CHURCH or OTHER PLACE OF PUBLIC WORSHIP
 CLUB
 CONTRACTOR'S/LANDSCAPING YARD

HOME OCCUPATION OR BUSINESS

KENNEL

OPEN SPACE

PLANT/LANDSCAPE NURSERY, GREENHOUSE AND GARDEN CENTER FOR COMMERCIAL/RETAIL

RESTAURANT

ROADSIDE STAND

STORAGE CONTAINER, UNIT

USED CAR LOT

B. The Town of Lansing Zoning Code § 270-4 Districts is amended by the addition of referencing the following Zoning District: AG - Agriculture

C. The Town of Lansing Zoning Code § 270-5(A) Rural Agriculture (RA) District description is expressly repealed and superseded by the following:

- A. Rural Agriculture (RA) District. The intent of the RA District is to designate areas where farming and farm-related businesses are the prevalent and desired land use activities. Some nonagricultural development, largely low-density housing, has occurred, is anticipated in the future, and is appropriate as determined by access to public water infrastructure. The Rural Agriculture (RA) Zoning District is primarily intended to maintain a rural boundary adjacent to the AG Zoning District and to encourage a proper environment to foster farming operations and rural residential land uses.

D. The Town of Lansing Zoning Code § 270-5 Description of districts; intent, is amended by the addition of the following zone and zone description:

- I. Agriculture (AG) Zoning District. The Agriculture Zoning District is primarily intended to maintain farming and agricultural lands in the Town of Lansing in accordance with Chapter 133: Farming. Farming reinforces the bucolic quality of life enjoyed by residents of the Town, provides the visual benefit of open space and scenic views, and generates both direct and indirect economic benefits and social well-being within the community.

E. The Town of Lansing Zoning Code § 270-7: Schedule of regulations is superseded and replaced with the following:

Regulations and controls relating to land uses or activities in the Town of Lansing are set forth in Schedule I (§ 270-10). Regulations relating to lot size, yards, building height, coverage and so forth are set forth in Schedule II (§ 270-11). Said schedules are hereby adopted with all explanatory matter thereon and information related thereto being a material part of this chapter. However, the Rural Agriculture (RA) District and Agriculture (AG) Zoning District do not use Schedule I (§ 270-10) and Schedule II (§ 270-11), and instead rely upon the rules and regulations set forth in § 270-12 (for the RA zone) and § 270-13 (for AG zone), respectively.

F. The Town of Lansing Zoning Code § 270-8, Excluded uses or activities; similar use classifications and procedures, is deleted and replaced with the following title and text:

Uses not listed as permitted are not allowed. Any land use not specifically permitted under this Chapter shall be disallowed unless a use variance therefor shall be properly obtained, unless such use is a lawful pre-existing, non-conforming use, or unless such use is permitted in any newly created zone, such as (but not limited to) planned development zones. As to pre-existing, non-conforming uses, this Chapter shall be interpreted and applied so as to eliminate the same as soon as legally practicable.

G. The Town of Lansing Zoning Code § 270-10, Schedule I: Schedule of Land Uses or Activities, is amended by expressly repealing and eliminating therefrom the Rural Agriculture (RA) column. Schedule I shall not apply to the Rural Agriculture (RA) or Agricultural (AG) Zones.

H. The Town of Lansing Zoning Code § 270-11, Schedule II: Area, Frontage, Yard, Height and Coverage Requirements, is amended by repealing and eliminanting therefrom the Rural Agriculture (RA) row. Schedule II shall not apply to the Rural Agriculture (RA) or Agricultural (AG) Zones.

I. Town of Lansing Zoning Code § 270-12: Schedule III: Parking Requirements is expressly repealed. All references thereto in the Town Code shall be excised and remaining language in such chapter or section (or notes) shall be conformed to this change.

J. A new § 270-12 is hereby added, titled and consisting of the language and regulations set forth in the document appended hereto entitled "270-12 RA Zoning District final draft 10062022."

K. A new § 270-13 is hereby added, titled and consisting of the language and regulations set forth in the document appended hereto entitled "270-13 AG Zoning District final draft 10062022."

L. Town of Lansing Code Chapter V: Supplementary regulations, at § 270-27, Site plan review, is expressly repealed and replaced with new site plan regulations (also to be numbered as § 270-27) appended hereto and named "270-27 Site Plan Review final draft 10062022."

M. The Town of Lansing Zoning Code Article VII: Parking and Loading, §§ 270-37 through 270-41, is expressly repealed and superseded by the new Article VII entitled "Article VII Zoning Uses - Principal Accessory Temporary final draft 10062022," as appended to this local law.

N. The Town of Lansing Zoning Code Article VIII: Nonconforming Uses is expressly renumbered to Article IX.

O. A new Chapter VIII is added entitled Article VII; Site Development Standards," the rules and text for which are contained in the document appended hereto entitled "Article VIII Site Development final draft 10062022."

P. The Town of Lansing Zoning Code Article IX: Administration and Enforcement, is expressly renumbered to Article X: Administration and Enforcement.

Q. Town Code § 270-61, Penalties for offenses is renumbered as § 270-55 and added to renumbered Chapter X: Administration and Enforcement.

R. The Town of Lansing Zoning Code Article X: Appeals, is expressly renumbered to Article XI: Appeals.

M. The Town of Lansing Zoning Code Article XI: Amendments, is expressly renumbered to Article XII: Amendments.

N. The Town of Lansing Zoning Code Article XII: is expressly repealed, the sole former section therein having been renumbered and added to renumbered Article 10: Administration and Enforcement, as set forth in subparagraph Q, above.

O. The Official Zoning Map of the Town of Lansing, last updated October 3, 2018, is hereby expressly repealed and superseded by the Official Zoning Map dated _____, 2022, as appended to this local law.

SECTION 4 – CODIFICATION: These amendments and regulations shall be incorporated into the Town Code, and the incorporator may designate such new section and numerical headings, or other indexed references, as make for a coherent Town Code, sequentially numbered or marked. Nothing in this local law is intended to disrupt or affect the existing Town Code, except to the extent any existing code provision is herein expressly superseded or repealed. All other provisions of the Town Code are hereby reaffirmed and continued in force and effect, and the codification of these amendments shall follow the proceed for amending the code as set forth in the code or the Town’s local laws, including but not limited to Local Law #2 of 2020.

SECTION 5 – ENFORCEMENT: Any violation of this Local Law shall be enforced in accordance with this Chapter, the Town Code, or applicable law.

SECTION 6 – SEVERABILITY: The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional must not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which must remain in full force and effect.

SECTION 7 – EFFECTIVE DATE: This Local Law shall take effect immediately.

Chapter 270. Zoning

Article V. Supplementary Regulations

Current regulations: <https://ecode360.com/33034169>

§ 270-27. Site plan review.

A. Authority. The Planning Board is hereby empowered to grant site plan approval in accordance with the provisions of § 274-a of the New York State Town Law. The Town Board hereby further empowers the Planning Board to, when reasonable, waive any requirement for the approval, approval with modifications or disapproval of site plans submitted for approval. Those identified applications requiring site plan approval as a prerequisite and all special use permits (which require site plan approval) shall be regulated as set forth in this article.

B. Definitions.

Definitions of specific terms or words as used in this chapter shall conform to the definitions of the same terms in the Zoning Ordinance, Chapter 270. In addition to the definitions in Chapter 270, the following terms shall be used in this chapter as they are defined in this section:

BOARD

The Planning Board, unless otherwise specified.

DEVELOPMENT

Any land use activity or project which requires a permit from the Planning & Code Enforcement Department or will result in changes to the physical condition, appearance or type of use, or intensity of use, of property.

(1) Development projects include but are not limited to:

(a) New construction, reconstruction, modification or expansion of existing structures or site improvements.

(b) Landfilling, excavation, grading, parking lot construction or any other disturbances to the natural or existing topography or vegetation of the site.

(c) Demolition of structures or site improvements.

(2) A project shall not be considered a development if it is one or a combination of the following:

(a) Replacement in kind only;

(b) Interior construction only; or

(c) Infrastructure maintenance only.

DIRECTOR

The Director of Planning for the Town of Lansing, New York, or his/her designee.

MODIFICATION

Rearrangement of site layout or an exterior alteration to an existing structure (including any changes to a building facade, except replacement in kind).

PERFORMANCE GUARANTEE

A form of security approved by the Town that has the effect of providing assurance or a guarantee that all improvements will be made and constructed in accord with the requirements of this chapter, applicable codes and requirements, the requirements of the Town, and the terms and requirements of any approved site plan. A performance guarantee may include performance bonds, escrow agreements, letters of credit, cash, and other or similar collateral or surety agreements. No such performance guarantee shall be deemed acceptable or in compliance with the requirements of this chapter if the person posting the bond or other undertaking is a guarantor or surety to any underwriter of such bond or undertaking, or if such person provides for indemnity to any underwriter or issuer with respect to such bond or undertaking. Bonds shall comply with the requirements of Town Law § 274-a and shall be acceptable to the Town Board and Town Attorney as to form, sufficiency, manner of execution, and surety. A period of one year (or such other periods as the Director of Planning may determine appropriate, not to exceed three years) shall be set forth in the bond within which required improvements must be completed.

RECONSTRUCTION

Construction of buildings or site plan improvements following total demolition of a previous development.

REPLACEMENT IN KIND

Replacement of materials (for maintenance purposes) which does not have an effect on the appearance of the existing building and site.

SITE IMPROVEMENT

Features including but not limited to planting, paving, retaining walls, drainage culverts and swales, fences and gates, lighting, site furniture, fountains, pools, bridges, dams, decks, boardwalks, pergolas, signs and any other accessory structures, devices, or landscape materials on the site.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A plan to identify and mitigate stormwater impacts as defined in Chapter 225.

C. Applicability.

1. The provisions of this § 270-27 shall apply to any land use activity that is indicated in Schedule I of this chapter as requiring site plan review and approval, to any similar use, and whenever otherwise requires by this chapter or by any local law or other ordinance of the Town of Lansing.
2. In addition, and supplementing such provisions, the requirements of this article shall also apply to the following actions except as to those actions specifically exempted, or for which alternative specific site plan review and approval requirements are established, elsewhere in this chapter:
 - a. All new commercial, industrial, or institutional development.
 - b. All new Multiple-Unit Dwellings.

- c. Any modification of existing commercial, industrial, institutional, or multiple-unit dwelling buildings, for which no previous site plan exists.
- d. Any conversion of an existing residential structure to a nonresidential use (except as may have occurred in connection with a Home Occupation established in conformity with the provisions of this chapter).
- e. Any conversion of an existing nonresidential structure into a residential structure containing three or more dwelling units.
- f. Any modification to an existing residential structure which increases the number of dwelling units in the building to three or more dwelling units.
- g. Any other modification to any facility or structure not set forth in the preceding subsections, for which final site plan approval was or is presently required by the terms of this chapter or any modification to any previously approved site plan, except as otherwise authorized below.

D. Land use activities exempt from site plan review. Land uses allowed by zoning permit and the following land uses and activities are exempt from site plan review provisions of this § 270-27 unless such review is specifically required in Schedule I of this chapter:

- (1) New construction of a one- or two-unit dwelling, and related accessory structures, as these terms are defined in § 270-3 of this chapter.
- (3) Normal maintenance or repair and routine landscaping.
- (4) Uses and structures that are lawfully in existence as of the date this chapter becomes effective. Nonconforming uses may not be expanded (see Article VIII).

E. Site Plan Review Procedures

- 1. Process initiation.
 - a. The Zoning Officer shall determine whether Site Plan Review is required when an application for Site Plan Review, Building Permit, or a Demolition Permit is filed.
- 2. The following procedures are required for both Site Plan Review and Site Plan Review for Certain Farm Operations:
 - a. Sketch plan conference with planning staff, or when appropriate, with the Board as a whole.

F. Site Plan Review submittals.

- 1. Submission of Application Materials.
 - a. Applicants must submit a complete site plan review application, including all applicable materials as described in the Site Plan Review Checklist, which may be obtained from the Department of Planning and Code Enforcement, as well as the following:
 - i. Evidence of site control or owner's authorization.
 - ii. Statement of intent that describes the project. If the development is to be staged, a general indication of how the staging is to proceed;

any project that requires more than 36 months to construct shall be staged. Whether or not the development is to be staged, the preliminary plan shall show the intended total project.

- iii. A statement as to proposed sources of water supply and method of sewage disposal to include a statement as to who will own the water and sewer systems, a conceptual layout of each system, whether necessary districts are formed or are in process, the receiving sewage treatment plant, the lines, dimensions, and purpose of all utility easements, including properly placed fire hydrants and preliminary design of bridges and culverts.
- iv. A site plan, drawn to a scale no smaller than one inch equals 30 feet, on one or more sheets, stamped by a New York State licensed architect, landscape architect, engineer, or surveyor.
- b. An environmental assessment form as required by SEQRA.
- c. Additional application materials may be required by the Board. Depending on the scope and complexity of the project, the Board has the discretion to require applicants to engage the services of licensed design professionals and other experts such as architects, landscape architects, engineers, ecologists, or surveyors.

G. Application Procedure for Site Plan Review for Certain Farm Operations. The applicant for site plan review and approval shall submit the following:

- 1. Application form and fee.
- 2. Name and address of the applicant and any professional advisors.
- 3. Evidence of site control or owner's authorization.
- 4. Sketch of the parcel on a location map (e.g., tax map) showing boundaries and dimensions of the parcel of land involved and identifying contiguous properties and any known easements or rights-of-way and roadways depicting:
 - a. Existing features of the site including land and water areas, water or sewer systems and the approximate location of all existing structures on or immediately adjacent to the site.
 - b. The proposed location and arrangement of buildings and uses on the site, including means of ingress and egress, parking and circulation of traffic.
 - c. The proposed location and arrangement of specific land uses, such as pasture, crop fields, woodland, livestock containment areas, or manure storage/manure composting sites.
 - d. Any proposed building, structure, or sign, including exterior dimensions and elevations of front, side and rear views. Include copies of any available blueprints, plans or drawings.
- 5. Provide a description of the farm operation (existing and/or proposed) and a narrative of the intended use and/or location of proposed buildings, structures, and/or signs, including any anticipated changes in the existing topography and natural features of the parcel to accommodate the changes.

6. If any new structures are going to be located within 100 feet of a stream or wetland provide a copy of the floodplain map and wetland map that corresponds with the boundaries of the property.

H. Project Review Criteria. In reviewing an application for approval of a site plan, the Planning Board will be guided by the existing characteristics and conditions of the site and its surroundings, by particular design objectives of the applicant, by the quality and distinctiveness of the proposal, by avoidance or mitigation of any negative impacts, in accordance with Article VII: Site Development Standards. Unless waived or otherwise modified by Planning Board resolution as specified below, each site plan for a proposed land use activity shall conform to the general standards listed in this Subsection H, as applicable, and to any other requirements specifically related to a particular site as may be identified and described in writing by the Planning Board.

1. Stormwater drainage. Adequacy of stormwater and drainage facilities, and a stormwater drainage plan shall be provided. Natural drainageways shall be used to the fullest practicable extent. The amount of stormwater draining onto or across adjacent properties shall not be increased. Any activity disturbing more than one acre of land shall be required to obtain an SPDES Stormwater Phase II Construction Permit from the New York State Department of Environmental Conservation.
2. Erosion control. Developments on soils which may erode, or on slopes greater than 10%, shall include a sediment and erosion control plan designed to minimize erosion during construction and after construction has been completed and consideration, where feasible, of:
 - a. Avoiding construction upon or disturbances of hydric soils;
 - b. Avoiding impervious surfaces in favor of pervious surfaces;
 - c. Using bioengineering techniques rather than traditional construction methods to manage water and stormwater on site;
 - d. Avoiding the crossing of streams and ditches with roads and driveways; and
 - e. Establishing buffers along streams and other watercourses.
3. Off-street parking. Location (reverse frontage preferred), arrangement, appearance and sufficiency of off-street parking and loading. Parking areas, if any, shall be adequate in terms of area, safe access thereto and surface water drainage.
4. Water and sewer facilities. Adequacy of water supply and sewage and waste disposal facilities, and the type and design of any water supply and sewage disposal system, shall be approved by appropriate jurisdictions. Calculations of the existing and estimated increased loads on the system may be required. When the proposed source of water is groundwater, consideration of well and pump tests, the amount of any water proposed to be used, the proposed sequestration of any amount of water, and water or hydro-geological studies to determine the impact of the proposed withdrawal of groundwater on surface waters, surface

water flows, aquifers, aquifer capacity and recharge rates, and existing users of the same supply of water, are appropriate matters for review in the discretion of the Planning Board where issues concerning groundwater quality and quantity have been documented.

5. Driveways, pedestrians, and traffic. Safe and convenient pedestrian and bicycle access and circulation, including provision for bicycle parking facilities and sidewalks along public thoroughfares, unless applicant demonstrates that a sidewalk is not feasible due to site constraints. Adequacy and arrangement with vehicular and nonvehicular traffic access and circulation, walkway structures, control of intersections with vehicular traffic, and overall pedestrian safety and convenience, including the adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls, as well as adequacy of fire lanes and other emergency zones. Access and egress driveways shall be clearly defined and no more than 35 feet wide unless otherwise permitted by the NYSDOT, Tompkins County, or the Town of Lansing. Analysis of the project's impact on parking and traffic may be required, including sight lines at curb cuts.
6. Site lighting. All lighting to be used on a building or site shall be installed in accord with any Town lighting requirements and in a manner as will prevent glare on adjacent properties and roads. Wherever practical, luminaires shall provide for glare-free, downward directed, and shielded lighting as promotes the dark-sky standards of the International Dark-Sky Association ("IDA"), Tucson, Arizona, including, for example, meeting the goals and standards expressed in the "Outdoor Lighting Ordinance and Community Standards" Information Sheet No. 172 and the IDA "Outdoor Lighting Code Handbook." Excessive lighting for promotional or commercial visibility purposes shall be discouraged.
7. Off-site impacts. Potential off-site impacts such as noise, odor, excess or heavy vehicle traffic, and vibration shall be identified and proposed measures to mitigate adverse impacts on adjacent property and the surrounding neighborhood shall be submitted.
8. General improvement plan. Location, arrangement, size, design and general site compatibility of buildings, lighting, and signs. Sign size and location shall comply with Chapter 210, Signs, of the Code of the Town of Lansing.
9. Trees and shrubs. Adequacy, type and arrangement of trees, shrubs and other landscaping, including, where practical, a focus upon the maximum retention of existing vegetation and considerations of visual and noise-detering buffers between the proposed use and adjoining uses or properties.
10. Roads and walks. Roads, pedestrian walks, and open space for play areas and informal recreation shall be designed as integral parts of an overall site design, be properly related to existing and proposed buildings, roads and pedestrian ways, and be appropriately landscaped.
11. Other regulations. All other applicable state, county and local laws, ordinances and regulations shall be complied with. These include, but are not limited to,

- Zoning, Signs, Subdivision Regulations, Stormwater Management, Code Enforcement Local Law, and the State Environmental Quality Review Act.
12. Impacts on unique or critical resources. Impacts upon agricultural resources, unique natural areas, critical environmental areas, wetlands, flood hazard zones, other unique topological, cultural, historical, and archeological areas, including scenic resources identified in the Lansing Natural Resources Inventory and Scenic Resources Inventory, and general consistency with the Town's Comprehensive Plan.
 13. Public services. Consideration of any needed or desirable public services and public service impacts, including upon the availability of fire hydrants, and emergency medical services, streetlighting, schools and educational services, and public transportation services and plans.
 14. Handicap accessibility of buildings, pathways, and parking in accordance with ADA standards.
 15. For new construction of multiple-unit dwellings, commercial, industrial, and retail & service uses, adequate and appropriately located facilities for the storage and collection of solid waste and recyclable materials shall be required. Developers of new commercial and mixed-occupancy buildings must design a waste management system that can support the needs of any allowable use in the building, including those uses that could result in maximum garbage generation. Screening of these facilities, as well as other actions relating to the appearance of the facilities, may be required in accordance with Article VII: Site Development Standards.
 16. Shielding or reduction of noise from mechanical equipment and other sources to the extent reasonably practicable.
 17. Screening or architectural integration of a building's or structure's exterior mechanical equipment.
 18. Additional information. The Planning Board may consult with any other Town board, commission, department, agency and/or official it deems advisable. It may also engage the services of engineers, planners, or other professionals to aid in the review process. All costs incurred by the Board for such professional services shall be reimbursed to the Town by the Applicant.

I. Approval procedure.

The following procedures are required for Site Plan Review and not required for Site Plan Review for Certain Farm Operations:

1. Public notice by posting. At least 20 days before the first meeting at which the Planning Board considers site plan approval, the Planning Board may require the applicant to post a sign at the center of each property line of the project site which fronts on a public or private roadway or public right-of-way. Such signs shall be continuously maintained and displayed facing the roadway until final action has been taken by the Board to approve or deny the site plan. At the time such signs are emplaced, the applicant or the applicant's representative shall

- indicate, in writing, the date on which the signs are to be erected. Signs shall be removed within 15 days of the final action or withdrawal of the application.
2. Planning Board meeting. Following timely receipt of a complete application for site plan approval, the Board shall schedule consideration of the application at its earliest possible scheduled meeting. The Board may establish its procedures and requirements, within the framework provided by this chapter, for conducting site plan review.
 3. Public hearing. Prior to rendering any decision on a Site Plan Review application, the Board may hold a public hearing on the proposed development. The hearing on the site plan shall be advertised in the Town newspaper of record at least five days before the hearing. This may begin concurrently with any required public hearing for the purpose of environmental review of the same project and may continue after any such environmental review public hearing is closed. Public hearings are not required for Site Plan Review for Certain Farm Operations.
 4. Action on application for site plan approval.
 - a. Within 62 days after determination of environmental significance on a complete Site Plan Review application, the Board shall render one of the following decisions:
 - [1] Approval.
 - [2] Approval with conditions.
 - [3] Disapproval of the site plan.
 - b. Such sixty-two-day period will be extended if the environmental review process has not been completed and/or may also be extended by mutual consent of the applicant and the Planning Board.
 - c. If the site plan is disapproved, the Planning Boards' statement shall contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and resubmission.
 5. Changes. Any current or future change to an approved site plan must be reviewed and approved by the Planning Board. Failure to comply will result in loss of permitted use.

J. Modifications of site plans. A site plan that has received final site plan approval may be modified upon the application of the owner for such modification. Such application shall be in accordance with the provisions of this article and the procedures applicable to such application shall be the same as are applicable to an initial application for site plan approval. Notwithstanding the foregoing, Planning Board approval of a modification shall not be required if the modification does not involve:

1. Construction of an addition of more than 1,000 square feet of enclosed space whether on one or more stories. The numerical criteria for the exception from the requirement of obtaining Planning Board approval are an aggregate maximum (i.e., if a 700 square foot addition is constructed without obtaining Planning Board approval and construction of a second addition larger than 300 square feet would require Planning Board approval of a modified site plan).

2. Construction or relocation of more than five parking spaces nor construction or relocation of any parking spaces to an area that is not adjacent to the original planned parking area; nor
3. Enlargement of an existing or previously approved building that involves an increase of square footage of more than 15% of the existing square footage of the existing or previously approved building; nor
4. Alteration of traffic flows and access nor a significant increase in the volume of traffic; nor
5. A significant (in the judgment of the Zoning Officer) change in the aesthetic appearance of any structure or site plan element, including landscape and lighting details, from that presented at the time of the last approved site plan; nor
6. A change in the impacts of the project on surrounding properties, such as an increase in noise, water runoff, light illumination, or obstructions to views; nor
7. Violations of any express conditions (including, without limitation, buffer zones, setbacks, and similar restrictions) imposed by the Planning Board in granting prior site plan approval; or
8. If the modification does not involve a movement or shift of a location of one or more buildings laterally or vertically from the location or elevation shown on the final site plan;
9. A determination by the Zoning Officer that such shift does not materially affect the overall site layout or specific elements of the site, including roads, traffic movements, sidewalks, parking areas, viewshed, drainage, and buffer areas; and
10. Such shift does not directly violate any express conditions (including, without limitation on, buffer zones, setbacks, etc.) imposed by the Planning Board in granting prior site plan approval.
11. A demolition or proposed demolition of an existing building, or of a previously approved building on a previously approved site plan, is a modification of a site plan subject to the terms of this section.
12. Notwithstanding the other sections of this article, Planning Board approval of a modification of a site plan shall not be required if the modification only involves the construction, alteration, or renovation of the interior of a building, regardless of whether a change of occupancy or use is involved, and none of the limitations of this § 270-27 are exceeded.

M. Building permit. Before a building permit or certificate of occupancy or certificate of compliance can be issued for any of the activities for which site plan approval is required, a site plan must be approved by the Planning Board in accordance with these and other applicable provisions.

N. Other Permits. An approved site plan shall be binding on all further permits and approvals needed for the project. Compliance with other applicable state, county and local agencies is required.

1. All required modifications or conditions established as a result of the site plan review process shall be and be deemed conditions of the building permit (regardless of whether expressly so stated upon any such building permit). For projects subject to Site Plan Review, a Building Permit shall be issued only after approval has been granted. In a case where a conditional Site Plan Review approval has been granted, no Certificate of Occupancy or Completion shall be issued until final Site Plan Review approval has been granted and all conditions of such final approval have been met. See also § 279-27(L).
2. Variances.
 - a. Any required variance must be obtained from the Zoning Board of Appeals before the Planning Board will issue site plan approval.
 - b. Storm Water Pollution Prevention Plans (SWPPP). All Storm Water Pollution Prevention Plans must be approved by the Stormwater Management Officer (SMO) in accordance with § 225 before final site plan approval is granted.

O. Expiration of site plan approvals. Once any site plan approval is issued, whether with or without conditions, the applicant or other person or entity claiming the benefit of such approval shall commence and substantially complete the construction or other activities for which the site plan is applicable within three years of the date of the resolution of the Planning Board so issuing such approval or such site plan approval shall expire, lapse, and be of no further validity, force or effect, unless an extension has been granted by the Board following a written request by the applicant. If no extension is granted, the landowner or other applicant may then reapply for site plan review, the same shall be and be deemed a new application, and nothing in any prior site plan review process or approval shall be binding or of precedential value with respect to such new application or review, or as to any terms or conditions applied in relation to the review or potential approval of such application or site plan. The Planning Board may list such three-year commencement and substantial completion requirement upon the face of any site plan drawing or related plat or map, and the Planning Board may list such three-year requirements within its approval(s) as a condition or otherwise.

1. For the purposes of this section, work is not "substantially complete" unless, at a minimum:
 - (a) A building permit, if required, has been obtained;
 - (b) Construction equipment and tools consistent with the size of the proposed work have been brought to and been used on the site; and
 - (c) Substantial excavation (where excavation is required) or significant framing, erection, or construction (where excavation is not required) has been started and is being diligently pursued.

P. Performance Guarantee.

- a. No certificate of occupancy or certificate of completion shall be issued until all improvements required by site plan approval are installed, and including any

conditions placed on such approval are fulfilled, or until a sufficient guarantee, in the form of a performance bond, letter of credit or other security, is in place.

- b. Upon satisfactory completion of all required improvements shown on the approved site plan, an as-built plan shall be submitted for the review and approval of the Code Enforcement Officer at least one week prior to the occupancy of the building. Such plan shall include the record of all progress and final inspections for the installation of all on-site and off-site improvements as approved by the Code Enforcement Officer or certified by a licensed engineer. The completion of as-built plans and the successful inspection reports shall be the basis for release of any performance guarantee or portion thereof.

Q. Development projects may be periodically inspected for conformance to the approved site plan, including the maintenance of the viability of the planting required as part of the site plan approval. If there is nonconformance, or if any conditions of SPR approval are not fulfilled, no certificate of occupancy or certificate of completion shall be issued. Where a development reverts to nonconformance after the issuance of a certificate of occupancy or certificate of completion, current owners of the development shall be notified, in writing, and given the opportunity to correct the situation. If the Director determines that the corrective measures are inadequate, the Town shall implement any necessary changes to the site to bring it into conformance, the cost of which shall be charged to the property owner. All construction and site operations shall be in compliance with the site plan.

270-xx.x - AGRICULTURE (AG) ZONING DISTRICT



270-x.x: Purpose

The Agriculture (AG) Zoning District is primarily intended to maintain farming and agricultural lands in the Town of Lansing in accordance with Chapter 133: Farming. Farming reinforces the bucolic quality of life enjoyed by residents of the Town, provides the visual benefit of open space and scenic views, and generates both direct and indirect economic benefits and social well-being within the community.

The AG Zoning District prioritizes and preserves viable agriculture in the Town by providing an area where farm operations are the predominant active land use. The AG Zoning District illustrates the Town's commitment to farming uses as preferred uses in this zoning district and intends to protect existing agricultural areas by limiting residential development; encouraging the continuation of farming as a viable economic activity and way of life; reducing land use conflicts; protecting ecological and natural resources; and conserving open space.

Persons and entities not engaged in farming in the Agriculture (AG) Zoning District should be aware that the primary intention of this Zoning District is to permit lawful farming and farming practices which may generate dust, odor, smoke, noise, and vibration; during growing seasons machinery may be operated at other than daylight hours; certain generally acceptable farming operations may involve the proper use and spraying of herbicides or pesticides; and acceptable practices in keeping animals may involve odors or noises. To the extent buffer areas may be required, the intention of such buffers is to reduce the potential for disruption to lawful farming uses and to minimize perceived density.

The AG Zoning District has been intentionally mapped to limit expansion of public water or sewer to reduce the economic pressures for development. Accordingly, persons acquiring property in the AG Zoning District should not expect such public services to be extended or provided.

270-x.x: General

All development in the AG Zoning District must comply with the area, bulk, and form standards of this section, as well as any applicable standards in other sections, including the following:

108: Building Codes

112: Buildings, Unsafe

119: Communication Towers

133: Farming

142: Flood Damage Prevention

158: Junkyards and Outdoor Storage

174: Public Assembly
210: Signs
225: Stormwater
230: Streets and Sidewalks
235: Subdivision of Land
253: Water
270-37 Principal Uses
270-38 Accessory Uses
270-39 Temporary Uses
270-40 Site Development Standards

270-x.x: Principal Uses

Any of the following Principal Uses are permitted by right, separately or in combination with other Principal Uses permitted by right, if in compliance with any applicable use standards, in the Agriculture (AG) Zoning District:

- A. Bed & Breakfast
- B. Dwelling, One-Unit
- C. Dwelling, Two-Unit
- D. Day-Care Facility
- E. Farm Operation
- F. Alternative Energy System, subject to § 270-25.1.
- G. Open Space

270-x.x: Principal Uses subject to Site Plan Review for Certain Farm Operations

Any of the following Principal Uses are permitted by Site Plan Review for Certain Farm Operations (Section 270-27), separately or in combination with other Principal Uses permitted by right, if in compliance with any applicable use standards, in the Agriculture (AG) Zoning District:

- A. Agricultural Education and Recreation Facility
- B. Agriculture-Related Commerce

- C. Farm Creamery
 1. The combined square footage of all structures or buildings associated with the Farm Creamery as well as any Roadside Stand or Farm Market on the premises used to sell the dairy products may not exceed a total of 15,000 square feet. The milking operation is not included in this limitation.
- D. Farm Brewery; Farm Cidery; Farm Distillery; Farm Winery
- E. Farm Market

270-x.x Principal Uses subject to Site Plan Review

- A. Animal Care Facility
- B. Cemetery
- C. Communication Towers
- D. Contractor's/Landscaping Yard
- E. Large-Scale Battery Energy Storage System
- F. Nursery School
- G. Place of Worship
- H. Retail Garden Center
- I. Rural Enterprise
- J. Solar Energy Facility
- K. Utilities and Services, Major
- L. Veterinary Clinic
- M. Wind energy conversion system

270-x.x Accessory Uses

- A. Accessory Building
- B. District Energy System
- C. Dwelling, Accessory
- D. Farm Operation - Accessory Commerce
- E. Home Business, subject to Section 270-38.1.
- F. Home Occupation, subject to Section 270-38.1

- G. Non-tower-based wind energy conversion system
- H. Outdoor Display
- I. Roadside Stand
- J. Small-scale battery energy storage system
- K. Small-scale solar energy system
- L. Utilities and Services, Minor

- A. Agricultural Events, subject to Chapter 174: Motorcades, Parades and Assemblies.
- B. Contractor Trailer, subject to Section 270-39.1.
- C. Shipping Container, subject to Section 270-39.1.
- D. Temporary Occupancy of Permanent Dwelling, subject to Section 270-39.2.

270-x.x Temporary Uses

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270-xx.x – RURAL AGRICULTURE (RA) ZONING DISTRICT

270-x.x: Purpose

The intent of the RA District is to designate areas where farming and farm-related businesses are the prevalent and desired land use activities. Some nonagricultural development, largely low-density housing, has occurred, is anticipated in the future, and is appropriate as determined by access to public water infrastructure. The Rural Agriculture (RA) Zoning District is primarily intended to maintain a rural boundary adjacent to the AG Zoning District and to encourage a proper environment to foster farming operations and rural residential land uses. The purpose of the RA Zoning District is to provide an area of limited housing density and a meaningful transition between the rural/agricultural character of the community and the more intensely developed areas south of Peruville Road.

270-x.x: General

All development in the Rural Agriculture (RA) Zoning District must comply with the area, bulk, and form standards of this section, as well as any applicable standards in other sections, including the following:

- 108: Building Codes**
- 112: Buildings, Unsafe**
- 119: Communication Towers**
- 133: Farming**
- 142: Flood Damage Prevention**
- 158: Junkyards and Outdoor Storage**

- 174: Public Assembly**
- 210: Signs**
- 225: Stormwater**
- 230: Streets and Sidewalks**
- 235: Subdivision of Land**
- 253: Water**
- 270-37: Principal Uses**
- 270-38: Accessory Uses**
- 270-39: Temporary Uses**
- 270-40: Site Development Standards**

270-x.x: Principal Uses

Any of the following Principal Uses are permitted by right, separately or in combination with other Principal Uses permitted by right, if in compliance with any applicable use standards, in the Rural Agriculture (RA) Zoning District:

- A. Bed & Breakfast
- B. Dwelling, One-Unit
- C. Dwelling, Two-Unit
- D. Day-Care Facility
- E. Farm Operation
- F. Alternative Energy System, subject to § 270-25.1.
- G. Open Space

270-x.x: Principal Uses subject to Site Plan Review for Certain Farm Operations

Any of the following Principal Uses are permitted by Site Plan Review for Certain Farm Operations (Section 270-27(G)), separately or in combination with other Principal Uses permitted by right, if in compliance with any applicable use standards, in the Rural Agriculture (RA) Zoning District:

- A. Agricultural Education and Recreation Facility
- B. Agriculture-Related Commerce

- C. Farm Creamery
 - 1. The combined square footage of all structures or buildings associated with the Farm Creamery as well as any Roadside Stand or Farm Market on the premises used to sell the dairy products may not exceed a total of 15,000 square feet. The milking operation is not included in this limitation.
- D. Farm Brewery; Farm Cidery; Farm Distillery; Farm Winery
- E. Farm Market

270-x.x Principal Uses subject to Site Plan Review

- A. Amusement Facility, Indoor
- B. Amusement Facility, Outdoor
- C. Animal Care Facility
- D. Assembly
- E. Business Offices
- F. Cemetery
- G. Communication Towers
- H. Contractor’s/Landscaping Yard
- I. Large-Scale Battery Energy Storage System
- J. Lodge or Private Club
- K. Medical Clinic
- L. Nursery School
- M. Place of Worship
- N. Primary/Secondary School
- O. Public Safety Facility
- P. Residential Care Facility
- Q. Retail Garden Center
- R. Restaurant
 - 1. Drive-through service is prohibited.
- S. Retail and Service, General
- T. Retail & Service, Heavy

- U. Rural Enterprise
- V. Solar Energy Facility
- W. Tavern
- X. Utilities and Services, Major
- Y. Veterinary Clinic
- Z. Wind energy conversion system

270-x.x Accessory Uses

- A. Accessory Building
- B. District Energy System
- C. Dwelling, Accessory
- D. Farm Operation – Accessory Commerce
- E. Home Business, subject to Section 270-38.1.
- F. Home Occupation, subject to Section 270-38.1.
- G. Non-tower-based wind energy conversion system
- H. Outdoor Display
- I. Roadside Stand
- J. Small-scale battery energy storage system
- K. Small-scale solar energy system
- L. Utilities and Services, Minor

270-x.x Temporary Uses

- A. Agricultural Events, subject to Chapter 174: Public Assembly.
- B. Contractor Trailer, subject to Section 270-39.1.
- C. Storage Container, subject to Section 270-39.1.
- D. Temporary Occupancy of Permanent Dwelling, subject to Section 270-39.1.

ARTICLE VII - PRINCIPAL, ACCESSORY, AND TEMPORARY USES

270-37: PRINCIPAL USES

- A. All principal uses must comply with the standards of this section.
- B. Multiple Principal Uses. A site may contain more than one principal use, so long as each principal use is allowed in the Zoning District.
- C. All uses must meet any applicable federal, state, and local requirements, including, but not limited to, licensing, health, safety, and building and fire code requirements.

270-37.1 Agricultural Uses.

- A. **Agricultural Education and Recreation Facility.** Recreation, education, and entertainment operated in conjunction with and as part of an overall direct farm marketing strategy for an active Farm Operation or Farm Market that contributes to the production, preparation, and marketing of crops; livestock and livestock products; and other such agricultural events and educational demonstrations, and the onsite preparation, processing and sale of foods prepared from local farm products for consumption on site and off site. An agricultural education and recreation facility may include a community kitchen, and / or ancillary assembly or retail use.
- B. **Agriculture-Related Commerce.** A retail or wholesale enterprise not part of an active Farm Operation providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock and livestock processing, feed, seed, fertilizer, and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations.
- C. **Farm Brewery.** An enterprise engaged in the production for sale of beer, licensed and regulated as such by the State of New York, and including as subsidiary activities the sale of gifts, clothing, beverage tastings, prepared foods and other items that promote the sale of agricultural products.
- D. **Farm Cidery.** An enterprise engaged in the production for sale of cider, licensed and regulated as such by the State of New York, and including as subsidiary activities the sale of gifts, clothing, beverage tastings, prepared foods and other items that promote the sale of agricultural products.
- E. **Farm Creamery.** An establishment that is part of a Farm Operation where dairy products such as milk, butter, cheese, ice cream, and yogurt are made, processed, or prepared.
- F. **Farm Distillery.** An enterprise engaged in the production for sale of liquor is manufactured primarily from farm and food products, licensed and regulated as such by the State of New York, and including as subsidiary activities the sale of gifts, clothing, beverage tastings, prepared foods and other items that promote the sale of agricultural products.

- G. **Farm Winery.** An enterprise engaged in the production for sale of wine, brandies distilled as the by-product of wine or other fruits, or fruit juice, licensed and regulated as such by the State of New York, and including as subsidiary activities the sale of gifts, clothing, beverage tastings, prepared foods and other items that promote the sale of agricultural products.
- H. **Farm Market.** Generally permanent year-round retail operations that sell agricultural products, baked goods, and other foodstuffs. Handicrafts and other agriculture-related products could also be sold.
- I. **Farm Operation.** The use of land, buildings, structures (including on-farm housing) and equipment, and the practices which support the production, preparation, processing, marketing and transportation of grains, vegetables, fruit, and other crops, horticultural and floricultural products, animal husbandry (including the raising, breeding, boarding and sale of horses, llamas and alpacas) and including commercial horse boarding operation, livestock and livestock products, aquaculture, apiary products, forest farming, and farm energy production from sun, wind, manure or biomass crops.
- J. **Retail Garden Center.** The growing, producing, storage and sale of nursery and greenhouse stock, garden and house plants, trees and shrubs, not part of a Farm Operation. The accessory storage and sale of seeds, bulbs, packaged insecticides, fertilizer and other soil nutrients, mulches, topsoil, stone, and similar materials used in the care and maintenance of lawns, gardens and plants, in bulk or in bags shall be permitted. The accessory sale and display of lawn chairs, tables, benches and other similar outdoor furniture and other lawn and garden-related products such as garden ornaments, pots and pottery products shall be permitted.

270-37.2 Civic Uses.

- A. **Assembly.** A facility that has organized services, meetings, events, or programs to benefit, educate, entertain, or promote discourse in a public or private setting. Examples include community centers, meeting or lecture halls, exhibition rooms, or auditoria. If an assembly use is ancillary to another principal use and has a gross floor area of less than 5,000 square feet, it is considered part of that use and is not considered a separate principal use.
- B. **Cemetery.** A tract of land for the disposal or burial of deceased human beings or remains in a grave, mausoleum, vault, columbarium, or other receptacle. The provisions of this chapter shall apply to all cemeteries and burial grounds including those owned by a religious corporation, Municipal Corporation, or a cemetery corporation owning a cemetery operated, supervised, or controlled by or in connection with a religious corporation.
- C. **Lodge or Private Club.** A facility for the use of a membership organization or association with elected officers and directors, pursuant to a charter or bylaws, that excludes the general public from its premises and holds property for the common benefit of its members.

- D. **Open Space.** A noncommercial site reserved for active or passive recreation or natural resources conservation including parks, dedicated Open Space, landscaped areas (plantings, lawns, parking lot islands), and including sidewalks or trails used to access these areas, including Accessory Structures accessible to the public and intended to enhance the Open Space.
- E. **Place of Worship.** A building or space for worship and used by an organization that is recognized or registered as a religious institution by the State of New York or by law. In the event of any ambiguity or doubt, the rights and privileges afforded religious institutions and persons as codified in federal law, and related regulations and state laws, by The Religious Land Use and Institutionalized Persons Act (and, if applicable, the Religious Freedom Restoration Act of 1993) shall be applied to any such proposed land use.
- F. **Primary/Secondary School.** A public, private, or parochial institution offering instruction at the elementary through high school levels with a full range of curricular and extracurricular programs and accessory uses normally provided in support of the larger educational mission of the institution.
- G. **Public Safety Facility.** A facility operated by a public safety agency, including fire stations and firefighting facilities, police and sheriff substations and headquarters, and emergency medical services substations.

270-37.3 Employment Uses.

- A. **Business Offices.** A facility for the processing, manipulation, or application of business information or professional expertise, and which may or may not offer services to the public. A business office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, or engaged in the repair of products or retail services.
- B. **Rural Enterprise.** A manufacturing, construction, or service enterprise. Types of businesses that are envisioned under the above definition include small contractors, woodworking, metalworking and other craft manufacturing, small auto repair and body shops, small craft bakeries and food processors, small sawmills. Does not include retail operations.
 1. Subject to Chapter 158: Outdoor Storage limitation.

270-37.4 Infrastructure Uses.

- A. **Alternative Energy System.** Solar Energy Systems, Wind Energy Conversion systems, and Battery Energy Storage Systems.
- B. **Communication Towers,** subject to Chapter 119.
- C. **District Energy System.** A community-based energy system shared by property owners for common use, or managed by a homeowners' association, institution, or similar organization.
 1. All right-of-way construction and repair must be in accordance with standards and specifications set forth by the Highway Superintendent.

2. Any right-of-way work requires a Permit per Chapter 230: Streets and Sidewalks.
- D. **Large-scale battery energy storage system.** Battery energy storage systems with an aggregate energy nameplate capacity greater than or equal to 280 kWh.
1. Subject to § 270-35T.
 2. Subject to abandonment and decommissioning requirements of § 270-35U.
- E. **Solar energy facility.** Ground-mounted or freestanding (racking or ballasts) solar collection devices, solar energy system related equipment, and other associated infrastructure whose components cover a land area greater than 10,000 square feet. The primary intention of a solar energy facility is the generation of electricity or other conversion of solar energy to a different form of energy for commercial or off-site sale to a public utility, off-site users, or for placement on or delivery to the local or regional electrical grid.
1. Subject to § 270-35R.
 2. Subject to abandonment and decommissioning requirements of § 270-35U.
- F. **Utilities and Services, Major.** Large-scale facilities that primarily serve a regional need, which because of their scale or method of operation are more likely to produce external impacts that are detectable beyond the property lines of the subject property. Such facilities include, but are not limited to, wastewater treatment plants, electric or gas generation plants, electrical transforming substations, water pumping stations, and water towers and tanks.
1. All structures are subject to the same bulk, area, and form requirements as apply to Dwellings in the Zoning District where emplaced.
 2. A Type A Buffer Yard, designed per Section 270-14, is required along interior, side, and rear lot lines that abut any lot in an AG, L1, R1, R2, R3, or RA Zoning District.
- G. **Utilities and Services, Minor.** Facilities and services that primarily serve local distribution needs, including, but not limited to, water and sewer pump stations, water conveyance stations, gas regulating stations, telephone exchange / switching centers, and emergency communication warning / broadcast facilities.
- H. **Wind energy conversion system.** A wind energy conversion system that sells its generated power, whether by wires, grid-connections, metering, or a battery energy storage system, to a third party, and such term includes the support tower, foundations and support cables, the nacelle and electric generator, gearing, and braking, the rotor, blades, tail and other associated components, the associated electric and electronic connections, panels, boxes, controls, inverters, switches, transformers, gates, vehicular paths, fencing, the fall zone around each tower, etc., whose power output is intended to be used on-site to offset on-site consumption of utility power and off-site, including through grid connections and the transmission or sale of energy to third parties.
1. Subject to § 270-35S.
 2. Subject to abandonment and decommissioning requirements of § 270-35U.

270-37.5 Lodging Uses.

- A. **Bed & Breakfast.** A dwelling that provides temporary lodging for compensation in guest rooms with no in-room cooking facilities. A bed and breakfast may include dining facilities and meeting rooms.
- a. No more than ten (10) guest rooms are permitted.
 - b. Hourly rate lodging is not permitted.
 - c. Subject to annual fire & safety inspection.

270-37.6 Residential Uses.

- A. **Dwelling, Accessory.** A dwelling unit associated with, subordinate in size, and incidental to a principal dwelling on the same lot, located in either the principal dwelling or a separate structure, intended, designed to be used, or used, rented, leased, let, or hired to be occupied for living purposes.
1. One accessory dwelling unit per lot.
- B. **Dwelling, One-Unit.** Any building or structure or portion thereof that contains one dwelling unit intended, designed to be used, or used, rented, leased, let, or hired to be occupied for living purposes.
- C. **Dwelling, Two-Unit.** A detached building containing no more than two (2) dwelling units intended, designed to be used, or used, rented, leased, let, or hired to be occupied for living purposes.
- D. **Residential Care Facility.** A licensed care facility that provides 24-hour medical or non-medical care to persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. Residential care facilities include nursing homes, independent living, assisted living, continuum of care, and hospice facilities.

270-37.7 Retail & Service

- A. **Amusement Facility, Indoor.** A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, and pool halls.
1. Building Area may not exceed 100,000 square feet gross floor area.
- B. **Amusement Facility, Outdoor.** A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as fairgrounds, batting cages, campgrounds, drive-in movie theaters, petting zoos, golf courses, miniature golf courses, and amusement parks. Does not include recreational vehicle parks.
1. A campground may have two but no more than fifteen camping unit sites and may be accessible by vehicular traffic where sites are substantially developed. Tables, refuse containers, flush toilets, bathing facilities, and water are provided.

- C. **Animal Care Facility.** A business providing for the care, day or overnight boarding, grooming and/or training of dogs, cats and other customary household pets, including veterinary offices for the immunization, diagnosis, or treatment of customary household pets.
1. The facility and all associated runs or fenced areas must be setback a minimum of one hundred fifty (150) feet from all Lot lines.
 2. All associated runs or fenced areas shall be adequately screened by fence, plantings, or landscaping from streets and adjacent properties.
 3. All animal wastes shall be disposed of properly to avoid odor, diseases, and contamination of drinking water supplies.
 4. Any exterior boarding quarters and exercise areas located outside must be designed to provide shelter against weather.
- D. **Contractor's/Landscaping Yard.** Any space, whether inside or outside a building, used for the storage or keeping of construction supplies, building materials, landscaping supplies (rock, stone, bricks, fencing, mulch, etc.), construction equipment, machinery of vehicles or parts thereof which are in operable condition and active in use by a construction contractor.
1. Subject to Chapter 158: Outdoor Storage limitation.
- E. **Medical Clinic.** A facility for physicians, dentists, chiropractors, physical therapists, alternative medical practitioners, or other licensed healthcare practitioners to examine and treat persons on an outpatient basis.
- F. **Restaurant.** A business where food and beverages are prepared for and served to patrons for consumption either on-premises or off-premises.
1. The sale of alcohol for on-premises consumption requires separate approval as a Tavern. The sale of alcohol for off-premises consumption requires separate approval for an Alcohol Sales Establishment.
 2. A Restaurant may include ancillary live entertainment without a separate approval, so long as all of the following conditions are met: no permanent space is dedicated for live entertainment; no admission is charged for live entertainment; and when live entertainment is offered, it is clearly incidental and subordinate to the restaurant use.
- G. **Retail and Service, General.** A commercial use characterized by the sale of goods and services directly to the consumer, including but not limited to printing, copying/ mail service, department, clothing, drug, food, hardware and similar stores and establishments and barber/beauty, dry-cleaning and similar personal service establishments, not including restaurants, taverns, vehicle service facilities, or vehicle sales.
- H. **Retail and Service, Heavy.** A retail and service business with permanent outdoor display, service, and storage areas, such as vendors of lumber and building supplies, landscaping supplies and equipment, industrial equipment, and outdoor structures such as prefabricated sheds, decks and patios, swimming pools, and play equipment. This does not include a Retail Garden Center, which

is addressed by Section 270-37.1(J). This does not include sales or service of watercraft or commercial or recreational vehicles.

1. A Type C buffer yard, designed per Article VII Section TBD, is required along interior side and rear lot lines that abut any lot in an L1, R1, R2, or R3 Zoning District.
 2. Any materials stored that exceed the height of the screening must be located a minimum of 25 feet from any lot line.
- I. **Tavern.** A business that serves alcoholic beverages for on-premises consumption, and may or may not serve food.
1. A Tavern may include ancillary live entertainment without a separate approval, so long as all of the following conditions are met: no permanent space is dedicated for live entertainment; no admission is charged for live entertainment; and when live entertainment is offered, it is clearly incidental and subordinate to the restaurant use.
- J. **Veterinary Clinic.** The premises or buildings used for the diagnosis, treatment or other care of the ailments of customary household pets or livestock animals, which may include related facilities, such as laboratories, offices and temporary quarters for such animals.

270-38: ACCESSORY USES

- A. All accessory uses must comply with the standards of this section.
- B. Accessory uses and structures are permitted as of right in conjunction with allowed principal uses.
- C. Accessory uses and structures must be:
 1. Customarily found in association with the principal use.
 2. Clearly incidental and subordinate to the principal use in terms of area and function.
 3. Located on the same site as the principal use.
- D. Accessory structures:
 1. Must comply with the maximum building coverage and impervious coverage requirements of the zone.
 2. Structures under 144 s.f. may encroach upon required side and rear yards, so long as they are not expressly restricted in the standards in Section 270-38.1.
 3. Structures under 144 s.f. may not encroach upon required front yards or forwards of the front building wall of a principal building, unless expressly allowed in the standards in Section 270-38.1.
 4. Must be located at least 5 feet from lot lines, except where there is no required yard or where lot lines share a right-of-way line with an alley. The standards in Section 270-38.1 may require larger minimum setbacks for some accessory uses and structures.

270-38.1: ACCESSORY STRUCTURES AND USES

- A. **Home Business.** Any business or personal service carried on by a resident of a dwelling unit, where the occupation is secondary to the use of the dwelling unit for residential purposes.
1. A Home Business must be located within a fully enclosed building owned or occupied by a resident of the site. A home business may not be established prior to residential occupancy of the site by the operator of the home business.
 2. The home occupation may not exceed 35% of the gross floor area of the principal dwelling unit.
 3. There may be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a Home Business, except for one sign of up to two square feet in sign area, mounted flush with and on the front facade of the building.
 4. No display of products may be visible from the adjacent public right-of-way. Direct sales and rentals of products off display shelves or racks are not allowed, although a person may pick up an order previously made by telephone, by internet, or at a sales meeting.
 5. No outdoor storage or warehousing of material, supplies, or equipment is allowed on the site.
 6. Vehicle repairs or veterinary hospitals or kennels are not allowed as part of a home occupation.
- B. **Home Occupation.** Any occupation, trade, profession, or craft carried on by a resident of a dwelling unit, where the occupation is secondary to the use of the dwelling unit for residential purposes.
1. Only involves persons working on the premises or routinely operating from the premises who are permanent residents of the dwelling.
 2. Does not involve more persons regularly visiting the premises for business purposes.
 3. Is limited to only the following types of activities:
 - i. Office-type and telework (such as writing, editing, drafting, tax preparation, computer programming and computer data entry);
 - ii. Clerical work (such as typing, stenography, addressing and sending mail), custom sewing and fabric crafts;
 - iii. Creation of visual arts (such as painting, sculpture, or wood carving).
 4. The home occupation must be located within a fully enclosed building owned or occupied by a resident of the site. A home occupation may not be established prior to residential occupancy of the site by the operator of the home occupation.
 5. The home occupation may not exceed 25% of the gross floor area of the principal dwelling unit.
 6. No business storage or warehousing of material, supplies, or equipment is allowed outdoors on the site.

7. No processes or equipment may be used that creates heat, glare, dust, smoke, fumes, odors, or vibration detectable off the property. No related sound above ambient noise level is permitted that is detectable off the property.
- C. Farm Operation – Accessory Commerce**
A retail or wholesale enterprise operated as an accessory use to an active Farm Operation on the same premises selling products principally utilized in agricultural production, limited to 1,000 square feet of Outdoor Display or storage of products. Examples of such products include agricultural equipment and agricultural equipment parts; batteries and tires; products allowed to be sold by the New York State Department of Agriculture and Markets such as farm machinery; Providing agricultural equipment repairs; processing and packaging of food where the predominant ingredient is not grown on-farm.
- D. Non-tower-based wind energy conversion system.** A wind energy conversion system that is not based upon or located upon a tower, such as rooftop horizontal turbines, vertical flute or "candy cane" poles under 30 feet tall, or wind trees.
- E. Outdoor Display.** The outdoor display of products actively available for sale. Outdoor display does not include vehicle sales, which is considered a principal use.
- F. Roadside Stand.** A stall or booth used for commercial purposes, where farm or other products are offered for sale on a seasonal basis.
1. Building Permit required over 144 g.s.f. per § 108-4B(1)
 2. Not exceeding 300 square feet of enclosed space; majority of products must promote the sale of local farm products. (§ 270-28H)
- G. Small-scale battery energy storage system.** Battery energy storage systems with an aggregate energy nameplate capacity less than 280 kWh.
- H. Small-scale solar energy system.** A building-mounted solar energy system whose photovoltaic components occupy an area greater than 150 square feet on any code-compliant structure, or a ground-mounted solar energy system whose components cover a land area less than 10,000 square feet and whose energy output is primarily for on-site consumption. Small-scale solar energy systems may generate energy in excess of the energy requirements of a property if it is to be sold back to a public utility or placed on or delivered to the local or regional electrical grid.

270-39: TEMPORARY USES

Intent: Uses that are established for a fixed period because they are generally not appropriate on a long-term or continuous basis.

- A. All temporary uses and buildings must comply with the standards of this section.
- B. No temporary use may be established on a public right-of-way or public park without the authorization of the Town Board.

- C. Temporary uses that require a temporary use permit are subject to the following general requirements, as applicable:
 - 1. If the operator of the temporary use is not the owner of the site where the temporary use will be located, written permission from the property owner is required.
 - 2. The operator of the temporary use must ensure adequate traffic control, emergency vehicle ingress and egress, provision for trash/recycling and sanitary facilities, and measures for security and crowd control, as necessary.
 - 3. All temporary buildings must be cleared from the site within 72 hours after the use is terminated, unless an exception is granted by the Code Enforcement Officer.
 - 4. A Site Plan may be required, where applicable, to demonstrate compliance with this Land Use Code and all other requirements.
 - 5. 180 day limit per Building Code for other than Farm Operation.
- D. No temporary use may result in adverse effects upon the public health, safety, and welfare, as determined by the Code Enforcement Officer.

270-39.1: TEMPORARY USES, PERMIT REQUIRED

The following temporary uses are allowed subject to approval of a temporary use permit issued in accordance with Section **TBD**: Administration and Approvals.

- A. Storage Container:** A standardized, re-sealable article of transportation equipment, including one on a chassis, that is designed for repeated use to facilitate unitized freight handling by one or more means of transportation. Includes but is not limited to intermodal shipping containers.
 - 1. The placement or use of storage containers, for permanent use as an accessory storage building shall be prohibited in all Zoning Districts. Storage containers are allowed by right only for the storage of hay, other agricultural commodities, or farm equipment in an amount and scope directly related to the production function of a Farm Operation.
 - 2. The placement or use of storage containers, as temporary storage, shall be permitted under the following circumstances:
 - a. A structure is undergoing construction, repair, alteration, or reconstruction, for which a building permit has been issued. Permitted in conjunction with Temporary Dwelling. The storage container shall be removed from the premises upon issuance of a Certificate of Occupancy or a Certificate of Compliance, or such time as the Code Enforcement Officer deems the project complete.
 - b. The storage container is being used to store household belongings in connection with a disaster, i.e., fire, flood, etc. The storage container shall be removed from the premises upon issuance of a Certificate of Compliance, demolition of the structure, or such time as the Code Enforcement Officer deems the project complete.
 - 3. At the discretion of the Code Enforcement Officer, for extenuating circumstances, and/or limited time periods.

4. Storage containers shall not occupy required off-street parking spaces, loading spaces, or landscape areas.
 5. Storage containers shall not be placed in an area of special flood hazard.
 6. Storage containers shall not be stacked above the height of a single container.
 7. Storage containers shall not be used for the placement of signage or advertising.
 8. Temporary permit approval criteria:
 - a. A narrative statement detailing the anticipated dates for emplacement and removal of the storage containers.
 - b. A detailed list of all material and amounts of materials to be stored in the containers and the material data sheets applicable to any materials to be stored.
 - c. A site plan, drawn to scale, of the entire parcel showing all existing structures and the location of the proposed temporary uses giving the distances to all property lines and existing structures. Storage containers shall meet the setback requirements for accessory structures, for the zoning district in which they are being placed.
 - d. A maximum of four (4) storage containers shall be permitted under a temporary use permit.
 - e. Storage containers may be placed for not more than four (4) months in any twelve (12) month period.
 - f. A portable fire extinguisher is required to be mounted in each storage container on site. The minimum size extinguisher shall be a two and one-half (2 1/2) pound, handheld extinguisher, compatible with the materials or products being stored.
 - g. Storage containers shall not be placed so as to pose a fire hazard to a permanent structure, restrict exit discharge or access to the public way, or restrict fire department access to the perimeter of the structure where storage containers are located.
- B. Contractor Trailer.** A mobile home, travel trailer, truck trailer, or other structure used as an on-site management or marketing office in conjunction with a construction project.
1. Contractor trailers are allowed only in connection with active construction activities and must be removed once the building permit expires or terminates.
 2. Sleeping or cooking facilities within the trailer are prohibited.
 3. No trailer may be used as the main office or headquarters of any firm.
- C. Temporary Occupancy of Permanent Building.** The temporary need to establish and occupy a temporary dwelling unit or premises, including special

consideration where a natural disaster or Emergency (defined in Chapter 112) situation has the existing dwelling house unsuitable for habitation.

1. Also includes a dwelling unit within a development project as a sales or rental office or as a representative unit for units located on-site.

270-39.2: TEMPORARY USES, TEMPORARY USE PERMIT NOT REQUIRED

- A. **Agricultural Events.** On-farm events, including, but not limited to, farm tours, hayrides, corn mazes, seasonal petting farms, educational demonstrations, harvest festivals, and classes related to agricultural products or skills offered in conjunction with the above. Events must be directly related to the sale and promotion of the crops, livestock and livestock products produced at the farm; incidental and subordinate to the retail or wholesale sale of the farm's crops, livestock and livestock products; hosted by the farm operation; and prominently feature the farm's crops, livestock and livestock products at all locations in which the event is conducted on the farm.
 - a. Agricultural Events are subject to Chapter 174: Public Assembly.
- B. **Garage Sale.** A temporary estate, garage, or yard event for the sale of miscellaneous household goods or personal articles.
 - a. Limited to a maximum duration of three consecutive days, three times per calendar year.
- E. **Temporary Signs,** per Chapter 210.

Chapter 270. Zoning

Article VIII. Site Development Standards

§ 270-40. General Provisions.

- A. Intent. The intent of this Article VII is to protect the existing character and visual appeal of the built environment in the Town of Lansing, to promote the orderly development of attractive public spaces as business expansions and new development occurs and to screen incompatible views and uses from view of the public and secure a quality public realm for the enjoyment of residents and visitors effectively and appropriately.
- B. Authorization: Landscaping and buffering are permitted in any Zoning District. When required by this section in conjunction with a particular use, said landscaping and buffering shall be deemed to be a mandatory element of any permit granted for said use. All required landscaping must be maintained by the property owner and any damaged or dead plant materials, fence or structure shall be replaced by the property owner. The Code Enforcement Officer may send a notice to the property owner if the required landscaping or screening is found to be deficient.
- C. Definitions: When used in this section, the following words and terms shall have the meanings herein assigned:
- Arterial Streets and Highways: Those ways used primarily for fast or heavy traffic generally having a right-of-way width of 80 to 120 feet. An example is NYS Route 34 or 34-B.
- Berm: An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.
- Buffer: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to physically separate and visually screen incompatible land uses from each other.
- Deciduous: A plant with foliage that is shed annually (e.g., Maple).
- Evergreen: A plant with foliage that persists and remains green year-round (e.g., Pine).
- Ornamental Tree: A deciduous tree planted primarily for its ornamental value or for screening purposes which tends to be smaller at maturity than a shade tree (e.g., Crab Apple).
- Screen: A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.
- Shade Tree: Usually a deciduous tree, rarely an evergreen, planted primarily for its high crown of foliage or overhead canopy (e.g., Norway Maple).
- Shrub: A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground. It may be deciduous or evergreen.

Specimen Tree: A particularly impressive or unusual example of a species due to its size, shape, age, or any other trait that epitomizes the character of the species.

Tree: A large, woody plant having one or several self-supporting stems or trunks and numerous branches. It may be classified as deciduous or evergreen.

Woodlands, Existing: Existing trees and shrubs of number, size and species that accomplish the same general function as new plantings.

§ 270-40.1 **Landscape Plan.**

- A. All developments subject to Site Plan review (270-27) must submit a landscape plan. Where developments involve either 10,000 square feet or more of development area or construction or reconstruction of a parking lot containing 20 or more spaces, the landscape plan must be stamped by a New York State licensed landscape architect. Single-unit dwellings, two-unit dwellings, and multi-unit dwellings of three units or less, are exempt from this requirement.
- B. A landscaping plan shall include the following:
 1. Description of the site, including location, general type and quality of existing vegetation, including specimen trees.
 2. Existing vegetation to be saved.
 3. Methods and details for protecting existing vegetation during construction and the approved sediment control plan if one is required by state DEC regulations.
 4. Location and labels for all proposed plants.
 5. Plant lists or schedules with the botanical and common names, quantity, spacing and size of all proposed landscape material at the time of planting.
 6. Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights and courts or paved areas.
 7. Planting and installation details as necessary to ensure conformance with all required standards.

§ 270-40.2 **Landscape Installation.**

- A. Plant materials must be installed in accordance with the latest edition of the American Standard for Nursery Stock published by the American Nursery and Landscape Association (ANLA).
- B. Plant materials must be installed in soil of sufficient volume, composition, and nutrient balance to sustain healthy growth.
- C. Prior to a certificate of occupancy being granted, all landscape required by this section must be installed. However, where required landscape cannot be installed because of seasonal weather conditions, a certificate of occupancy may be issued by the Code Enforcement Officer provided that the applicant produces a contract for the landscape work to be completed within nine months of the issuance of the certificate of occupancy.

§ 270-40.3 Landscape Maintenance.

1. All plant materials must be maintained in a healthy, growing condition.
2. Any landscape that is considered hazardous or unsafe, interferes with public utilities, conflicts with required corner visibility, obstructs pedestrian or vehicular access, constitutes a traffic hazard, or is listed as an invasive species by the New York Invasive Species Council, must be abated by the property owner as soon as practicable or within 30 days of notice by the Code Enforcement Officer.

§ 270-40.4 Buffer Yards.

A. Buffer Yard Parameters

1. A buffer yard is determined exclusive of any required front, corner side, interior side, rear, or waterfront yard. However, the buffer yard may be located wholly or partially within required yards.
2. A buffer yard must be located within the outer perimeter of the lot, parallel to and extending to the applicable lot line. A buffer yard may not be located within the adjacent public right-of-way.
3. Where a fence and landscaping are required within the buffer yard in accordance with Table: Buffer Yards, the fence must be positioned interior to the landscaping, except for buffer yards along an interior side or rear lot line, where fences must be positioned exterior to the landscaping. However, the Planning Board may adjust the positioning of a fence within a buffer yard to better mitigate potential impacts between the proposed project and adjacent properties.
4. No building, accessory structure, or vehicle parking, may encroach upon a buffer yard, with the following exceptions:
 - a. Pedestrian and vehicle access points, plus related signs, may encroach upon a buffer yard.
 - b. Where a proposed project is subject to Site Plan review, per Section 270-37, the Planning Board may allow a building or other structure to be located within a required buffer yard, where it finds the building or other structure would better mitigate potential impacts between the proposed project and adjacent properties. This exception does not allow for the waiver by the Planning Board of any other required yard, per the applicable Zoning District regulations.
5. A natural, pre-existing grade separation may be conserved, or a man-made berm retained or installed, in lieu of a fence or wall to the extent that the height of the berm or preexisting grade separation meets the minimum required height of the fence or wall.

B. Buffer Yard Landscape

1. Required buffer yard landscape must be of the following dimensions at installation:

- a. Shade trees must be of a minimum caliper of two inches.
- b. Ornamental trees must be of a minimum caliper of one and one-half inches.
- c. Shrubs must be of a five-gallon container minimum.
2. Pre-existing, equivalent vegetation that is conserved within the buffer yard may substitute for any required landscape installation, so long as the pre-existing vegetation is healthy and growing.
3. Any required trees or shrubs may be installed at varying distances to create a naturalistic landscape design, so long as the per linear foot requirement is applied as an average, and the landscape is arranged so as to provide sufficient screening.
4. Buffer yards must be integral, where possible, with on-site stormwater management facilities.
5. All required plant materials within the buffer yard must be maintained in a healthy, growing condition over their lifetime, or replaced where necessary.
6. Except as it relates to the required height of fences and walls for buffer yards, fences and walls must be installed and maintained in accordance with Section 270-40.5(L).

§ 270-40.5 Fences and walls.

- A. Except as otherwise specified in other provisions of this chapter, fences and walls up to six feet high are permitted as of right in all zones and in all locations, including yards, setbacks, and buffer areas.
- B. A fence or wall may be built up to a common lot line but may not encroach on the adjoining property nor interfere with adequate sight distance for vehicles exiting from driveways on the parcels sharing common lot lines.
- C. Fences and walls are not allowed within public road right-of without the written permission from the public entity that holds the right-of way and, when required, applicable roadway use or construction permits, licenses, and the like
- D. Fences and walls must be constructed of permanent, durable materials, such as brick, stone, concrete, textile block, wood, iron, or steel. Vinyl or chain link fence materials are not allowed in the L1, R1, R2, or R3 Zoning Districts.
- E. No fence or wall may be constructed of barbed wire, concertina wire, razor wire, electrically charged wire, railroad ties; standard, fluted, or split face concrete masonry units (CMU); scrap metal, tarps, or any other material determined by the Code Enforcement Officer to be detrimental to the public health, safety, and welfare. This restriction does not apply to lawful Farm Operations in the AG Zoning District.
- F. The height of all fences and walls is measured from the average ground level within two feet of the base of the fence or wall. An additional one foot of height is allowed, above the maximum permitted height, for posts, columns, light fixtures, or other decorative details.

- G. Deer fences up to eight feet in height are permitted as of right in all zones and in all locations, including yards, setbacks and buffer areas. (See definition for deer fencing.)
- H. Fences and walls up to eight feet in height are permitted as of right in all locations, including yards, setbacks and buffer areas, for lawful Farm Operations.
- I. An open fence enclosing a tennis, basketball, pickleball, or other recreational court may be erected to a maximum of 12 feet in height, irrespective of the above standards.
- J. Fences shall be erected with the finished side (if any) facing the road and abutting properties, and with backers, supports, and posts on the inside of the fence, unless they constitute an integral part of the finished side, or unless the fence is of the type that requires posts to be placed in an alternating pattern inside and outside the fence to maintain stability.
- K. Fence and wall heights shall be measured vertically from the natural grade to the top of the fence or wall at each point along the fence or wall.
- L. Maintenance. Fences and walls, including supports, must be maintained in a proper state of repair. Any damage to or deterioration of a fence or wall, whether due to vandalism, weather, age, loss of mortar, or peeling paint, must be repaired as soon as practicable or within 30 days of receipt of notice from the Code Enforcement Officer.

§ 270-40.6 Retaining walls.

- A. Except as otherwise specified in other provisions of this chapter, retaining walls are permitted as of right in all zones and in all locations, including yards, setbacks, and buffer areas (subject to the above rules in § 270-40.5).
- B. A retaining wall may be built up to a common lot line but may not encroach on the adjoining property nor interfere with the adequate sight distance for vehicles exiting from driveways on the parcels sharing the common lot line.

§ 270-40.7 Lighting Plan.

- A. All developments subject to Site Plan review per Section 270-27 must submit a lighting plan, stamped by a New York State licensed engineer or other qualified professional, demonstrating compliance with this section. Single-unit dwellings, two-unit dwellings, and multi-unit dwellings of three units or less, are exempt from this requirement.
- B. The submission shall contain but shall not necessarily be limited to the following:
 1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices;
 2. Description of the illuminating devices, fixtures, lamps, supports, reflectors and other devices, and their lumen output. The description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required);

3. Photometric data, such as that furnished by manufacturers, or similar data showing the angle of cut off or light emissions, and the lumen output.
- C. Additional submission. The above-required plans, descriptions and data shall be sufficiently complete to enable the Code Enforcement Officer or board to readily determine whether compliance with the requirements of this chapter will be secured. If such plans, descriptions and data cannot enable this determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit additional evidence of compliance to enable such determination, such as certified test reports by a recognized testing laboratory.
- D. Lamp or fixture substitution or addition. Should any outdoor light fixture, or the type of light source therein, be changed or added after the permit or approval has been issued, a change request must be submitted to the Enforcement Official for approval, together with adequate information to assure compliance with this chapter. Approval must be received prior to substitution or addition.

§ 270-40.8 Parking

- A. The intent of this Article VII is to ensure that all nonfarm land use activities in the Town of Lansing be provided with sufficient and safe off-street motor vehicle parking and loading space to adequately serve, and meet the needs of, persons associated with such land use activities. The requirements of this article do not apply to agricultural land uses.
- B. Off-street parking requirements.
 1. Required spaces. There are no provisions that establish a minimum number of off-street parking spaces for development. However, development proposals subject to Site Plan review (270-27) are required to provide off-street parking as determined by the Planning Board. Where provided, off-street vehicle parking must comply with the standards of this section.
 2. Size and access. Each required off-street parking space shall have a dimension of at least nine feet by 18 feet exclusive of passageways and driveways thereto. Each such space shall have direct and usable access to a road, designed and located so as not to require the backing of any vehicle into a road right-of-way, except that this provision shall not apply to one- and two-unit dwellings.
- C. Parking in yards. Off-street parking space, open to the sky, may be located in any yard area required by Schedule III[2] of this chapter, except that:
 1. No more than 50% of the area of any required front yard may be used for parking.
 2. No parking space may be located less than 10 feet from any property line of an adjacent residential lot.
 3. For nonresidential land use activities, all front yard area not used for parking or access shall be improved by grass, trees, shrubs or other forms of landscaping.

- D. Screening and landscaping. For nonresidential land uses in lake shore and residential districts (L1, R1, R2 and R3 Districts), off-street parking areas adjacent to an existing residence shall provide for a buffer yard designed to screen the parking area from such adjacent residence.
- E. Parking area lighting. If an off-street parking area is to be lighted, such illumination shall be designed using cutoff fixtures, or equivalent, installed so that light does not create glare onto adjacent residential properties or onto any adjacent roadway. Wherever practical, luminaires shall provide for glare-free, downward directed, and shielded lighting as promotes the dark-sky standards of the International Dark-Sky Association ("IDA"), Tucson, Arizona, including, for example, meeting the goals and standards expressed in the "Outdoor Lighting Ordinance and Community Standards" Information Sheet No. 172 and the IDA "Outdoor Lighting Code Handbook." Excessive lighting for promotional or commercial visibility purposes shall be discouraged.
- F. Off-street loading requirements.
1. Location and size. All required off-street loading berths shall be located on the same lot as the land use activity to be served, shall not be located in any front yard area or located on a front facade and shall be at least 12 feet in width and 35 feet in length.
 2. Space requirements. Areas for off-street loading shall only be required in commercial and industrial districts and only when necessary to provide adequate service. Unless modified by the Zoning Board of Appeals, one loading space shall be provided for each 15,000 square feet of floor area or major fraction thereof.

§ 270-41. Variance.

In case of practical difficulty or unusual conditions arising out of the requirements of this article, such requirements may be modified or waived through an application to the Zoning Board of Appeals for an area variance in accordance with the provisions of § 270-55 of this chapter.

xxx Attachment x
Town of Lansing
Area, Frontage, Bulk, Height, and Setback Requirements

Zoning District	Permitted Principal Use	Streamlined Site Plan Required For	Minimum Lot Size (square feet)	Maximum Percentage of Lot Coverage (includes parking)	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Yard Dimensions			Minimum Floor Area (square feet)	Maximum Floor Area (square footage of all structures or buildings)	
							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
RA - Rural Agricultural	Dwelling, One - Unit		40,000	25	150	35	60	15	25			
	Dwelling, Two- Unit		40,000	25	150	35	60	15	25			
	Bed and breakfast,		40,000	25	150	35	60	15	25			
	Day-Care Facility		40,000	50	200	35	60	30	40			
	Farm Operation		40,000	50	200	35	60	30	50			
	Alternative Energy System		400,000	50	200	35	100	50	50			
	Open Space			10		30						
		Agricultural Education/Recreation Fac.	200,000									14,000
		Agriculture Related Commerce	200,000									14,000
		Farm Creamery	40,000	50	200	35	60	30	50			15,000
		Farm Brewery, Cidery, Distillery, Winery	40,000	50	200	35	60	30	50			
		Farm Market	40,000	50	200	35	60	30	50			
		Site Plan Required For										
		Amusement Facility, Indoor	40,000	50	200	30	60	30	40			
		Amusement facility, outdoor	200,000	50	200	30	60	30	40			
		Animal Care Facility	80,000	50	200	30	60	20	40			
		Assembly	80,000	50	200	30	60	20	40			12,000
		Business office	80,000	50	200	30	60	20	40			12,000
		Cemetery	200,000	50	200	30	60	30	40			
		Communication Towers	40,000	50	200	40	60	20	40			
		Contractor's/Landscaping yard	120,000	25	300	35	75	30	50			
		Nursery School	80,000	50	200	40	60	20	40			
		Lare Scale Battery Energy Storage System	160,000	25	300	40	60	30	40			
		Lodge or Private Club	40,000	50	200	30	60	20	40			
		Medical Clinic	80,000	50	200	30	60	20	40			
		Place of Worship	160,000	25	300	40	60	20	40			
		Primary/Secondary School	160,000	50	200	40	60	20	40			
		Public Safety Facility	80,000	50	200	40	60	20	40			
	Residential Care Facility	80,000	50	200	40	60	20	40				
	Retail Garden Center	217,000									19,000	
	Restaurant	120,000	25	300	35	75	30	50				
	Retail and Service, General										12,000	
	Retail & Service, Heavy	217,000	25	300	40	60	30	50			19,000	
	Rural Enterprise	80,000	50	200	35	60	20	40			12,000	
	Solar Energy Facility	400,000	50	500	35	100	50	50				
	Tavern	120,000	25	300	35	75	30	50			8,000	
	Utilities and Services, major	400,000	50	500	35	100	50	50				
	Veterinary Clinic	80,000	50	200	30	60	20	40				
	Wind Energy Conversion System	400,000	50	500	35	100	50	50				

Zoning District	Permitted Principal Use	Streamlined Site Plan Required For	Minimum Lot Size (square feet)	Maximum Percentage of Lot Coverage (includes parking)	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Yard Dimensions			Minimum Floor Area (square feet)	Maximum Floor Area (square feet)	
							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
AG - Agricultural	Dwelling, One - Unit		40,000	25	150	35	60	15	25			
	Dwelling, Two-Unit		40,000	25	150	35	60	15	25			
	Bed and breakfast,		40,000	25	150	35	60	15	25			
	Day-Care Facility		40,000	50	200	35	60	30	40			
	Farm Operation		40,000	50	200	35	60	30	50			
	Alternative Energy System, subject to § 270-25.1G.		400,000	50	200	35	100	50	50			
	Open Space			10		30						
		Agricultural Education/Recreation Facility		200,000	50	200	30	60	20	40		14,000
		Agriculture Related Commerce		200,000	50	200	30	60	20	40		14,000
		Farm Creamery		40,000	50	200	35	60	30	50		15,000
		Farm Brewery, Cidery, Distillery, Winery		40,000	50	200	35	60	30	50		
		Farm Market		40,000	50	200	35	60	30	50		
		Site Plan Required For										
		Animal Care Facility		80,000	50	200	30	60	20	40		
		Cemetery		200,000	50	200	30	60	30	40		
		Communication Towers		40,000	50	200	40	60	20	40		
		Contractor's/Landscaping yard		120,000	25	300	35	75	30	50		
		Nursery School Home		80,000	50	200	40	60	20	40		
	Lare Scale Battery Energy Storage System		160,000	25	300	40	60	30	40			
	Place of Worship		160,000	25	300	40	60	20	40			
			200,000	50	200	35	60	20	40		19,000	
	Retail Garden Center		200,000	50	200	35	60	20	40			
	Rural Enterprise		80,000	50	200	35	60	20	40			
	Solar Energy Facility		400,000	50	500	35	100	50	50			
	Utilities and Services, major		400,000	50	500	35	100	50	50			
	Veterinary Clinic		80,000	50	200	30	60	20	40			
	Wind Energy Conversion System		400,000	50	500	35	100	50	50			

RESOLUTION APPROVING AND AUTHORIZING TOWN SUPERVISOR TO EXECUTE 2023 COUNSEL ENGAGEMENT LETTER WITH GUY K. KROGH, AND HIS FIRM, THALER AND THALER, P.C.

RESOLUTION 22-

RESOLUTION APPROVING AND AUTHORIZING TOWN SUPERVISOR TO EXECUTE 2023 COUNSEL ENGAGEMENT LETTER WITH GUY K. KROGH, AND HIS FIRM, THALER AND THALER, P.C.

RESOLVED, that the Attorney for the Town is Guy K. Krogh, and that he, and his firm, Thaler and Thaler, P.C. be consulted on an as needed basis and that the Town Supervisor be authorized to execute the 2023 counsel engagement letter.

RESOLUTION UPDATING EMPLOYEE LESLIE COLBERT'S POSITION AND JOB CLASSIFICATIONS TO SECRETARY TO THE HIGHWAY SUPERINTENDENT

RESOLUTION 22-

RESOLUTION UPDATING EMPLOYEE LESLIE COLBERT POSITION AND JOB CLASSIFICATION TO SECRETARY TO THE HIGHWAY SUPERINTENDENT

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

WHEREAS, Leslie Colbert (Cross) was hired as an Information Aide in the Highway Department meets the qualifications for Secretary to the Highway Superintendent; and

WHEREAS, upon due deliberation thereupon, the Town Board of the Town of Lansing has thus

RESOLVED, that effective January 1, 2023, Leslie Colbert be classified as Secretary to the Highway Superintendent, with an hourly wage to be set at \$23.28 per hour.

RESOLVED, that the appropriate Town officer be and hereby is authorized to make such changes to the Towns' employment and civil service rosters, to file the required Civil Service forms to effect such changes per this Resolution, and to file Form 428s, if required.

RESOLUTION APPROVING AUDIT AND BUDGET MODIFICATIONS AND SUPERVISOR'S REPORT

RESOLUTION 22-

RESOLUTION APPROVING AUDIT AND BUDGET MODIFICATIONS AND SUPERVISOR'S REPORT

The Supervisor submitted his monthly report for the month of November 2022, to all Board Members and to the Town Clerk. The Supervisor's Report was reviewed by Councilperson Joseph Wetmore. The bills were reviewed by Councilperson Joseph Wetmore and Councilperson Bronwyn Losey. The Supervisor's Report be approved as submitted and the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 012

DATED 12/21/2022

AUDITED VOUCHER #'s	<u>1100 – 1209</u>
PREPAY VOUCHER #'s	<u>1100 – 1106</u>
AUDITED T & A VOUCHER #'s	<u>78 – 84</u>
PREPAY T & A VOUCHER #'s	<u>78 – 80</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	<u>\$ 74,791.31</u>
HIGHWAY FUND (DA&DB)	<u>\$ 29,899.61</u>
LANSING LIGHTING (SL1, 2 &3)	<u>\$ 1,546.66</u>
LANSING WATER DISTRICTS (SW)	<u>\$ 7,805.59</u>
TRUST & AGENCY (TA)	<u>\$ 60,714.02</u>
WARREN RD & CHERRY RD SEWER DISTRICT (SS1, SS3)	<u>\$ 50,332.96</u>

**BUDGET MODIFICATIONS
DECEMBER 21, 2022 MEETING**

GENERAL FUND A
December 21, 2022

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A599	A1420.400	From FB to Attorney -Townwide Contractual Addtl needed	\$ 20,000.00
A599	A1610.400	From FB to Technology Contractual Addtl needed	\$ 1,000.00
A599	A1620.404	From FB to Buildings telephone Addtl needed	\$ 1,500.00
A599	A1640.403	From FB to Town Barn Rd Storage electric Addtl needed	\$ 200.00
A599	A3120.100	From FB to Police personal services parks Addtl needed	\$ 10.00
A1440.406	A1440.403	From Eng Water Ext to Eng-Transportation Addtl needed	\$ 3,000.00
A8810.110	A3310.100	From Cemeteries labor to Traffic control personal svc Addtl needed	\$ 1,895.16
A5010.400	A5132.404	From Supintendent of Hwy - Contractual to Garage telephone Addtl needed	\$ 400.00
A5132.110	A5132.410	From Garage Labor to Garage - Contractual Addtl needed	\$ 5,335.00
A7510.100	A7510.400	From Historian personal svcs to Historian contractual Addtl needed	\$ 500.00
A7110.200	A7310.400	From Parks equipment to Youth Program contractual Addtl needed	\$ 1,000.00
A599	A9060.800	From FB to Hospital Medical insurance Addtl needed	\$ 10,000.00

GENERAL FUND B
December 21, 2022

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B599	B3620.110	From FB to Safety Inspector Addtl needed	\$ 500.00

HIGHWAY FUND DA
December 21, 2022

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA599	DA9060.800	From FB to Hospital Medical Insuarnc Addtl needed	\$ 15,000.00
DA5140.400	DA5130.400	From Brush/Weeds contractual to Machinery contractual Addtl needed	\$ 9,454.40
DA5140.100	DA5142.100	From Brush/Weeds personal svcs to Snow Removal personal svcs Addtl needed	\$ 13,402.00

HIGHWAY FUND DB
December 21, 2022

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DB5110.100	DB5112.100	From Street Maintence personal svcs to Improvements personal svcs Addtl needed	\$ 21,948.65

WATER FUND SW
December 21, 2022

SW599	SW8310.400	From FB to Water admin - contractual Addtl needed	\$ 100.00
SW599	SW8310.402	From FB to Water admin - legal Addtl needed	\$ 5,000.00
SW599	SW8320.401	From FB to Source of supply Lansing station Addtl needed	\$ 3,000.00
SW599	SW8320.402	From FB to Source of supply - Drake Rd Addtl needed	\$ 200.00

SW599	SW8320.403	From FB to Source of supply - CWD4 Addtl needed	\$	300.00
SW599	SW8320.404	From FB to Source of supply - CWD5 Addtl needed	\$	300.00
SW 8340.100	SW8320.400	From Transmission & Distribution Hwy Pers Svc to Source supply/Pump/Bolton Pt Addtl needed	\$	110,000.00

INTERFUND TRANSFER / LOAN

A599	A9901.900	From Fund Balance (A) to Transfer to Other Funds (SL3-)	\$	4,500.00
SL3-5031	SL3-599	From Interfund Transfer to Fund Balance	\$	4,500.00
SL3-599	SL3- 5132.400	From Fund Balance to Lakewatch lighting contractual SL3- Addtl needed - Electric expenses	\$	4,500.00

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

- | | |
|-------------------------------|--------------------------------|
| Councilperson Andra Benson – | Councilperson Ruth Groff – |
| Councilperson Bronwyn Losey – | Councilperson Joseph Wetmore – |
| Supervisor Edward LaVigne – | |

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW 6 NYCRR PART 617.7 FOR THE CONSTRUCTION AND FINANCING OF A NEW HIGHWAY DEPARTMENT FACILITY ON A TOWN-OWNED PARCEL OF LAND IN LANSING, NEW YORK, IN AND FOR THE TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$15,000,000

RESOLUTION 22-

RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW 6 NYCRR PART 617.7 FOR THE CONSTRUCTION AND FINANCING OF A NEW HIGHWAY DEPARTMENT FACILITY ON A TOWN-OWNED PARCEL OF LAND IN LANSING, NEW YORK, IN AND FOR THE TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$15,000,000

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

WHEREAS, the Town of Lansing is a municipal corporation duly organized and existing pursuant to the laws of the State of New York and having such powers and responsibilities pursuant to the provisions of the New York State Town Law and the Highway Law in conjunction with the Town's Highway Superintendent to provide for the care and maintenance of the Town's highways and bridges and to provide suitable places for the housing and storing of vehicles, machinery, tools and equipment owned by the Town for the effectuation of such purposes; and

WHEREAS, this capital project is construction of a New Highway Department Facility on a Town-owned Parcel of Land in Lansing, New York, in and for the Town of Lansing, Tompkins County, New York, at 10 Town Barn Road (Tax Parcel Numbers 30.-1-16.12 and 30.-1-16.11) including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$15,000,000; and

WHEREAS, the Town of Lansing is the owner of a parcel of real property (Tax Parcel Nos. 30.-1-16.12 and 30.-1-16.11), located on Town Barn Road, constituting approximately 17 acres of land that has been previously acquired and utilized by the Town and designated for municipal purposes ("subject premises"); and

WHEREAS, the existing Town of Lansing Highway Department Building was constructed in 1968 and is in need of an adequate repair, storage, and administrative, salt/sand storage, and fuel storage facility in order to meet the needs of maintaining the public roadways of the Town of Lansing; and

WHEREAS, the Town of Lansing, after an extensive multi-year process of selecting a qualified consultant and examining site selection options for constructing a new Town Highway facility, recently affirmed the existing location at 10 Town Barn Road as the subject parcel for the purposes of constructing a Highway Department Building Replacement and Campus Renovation Project for the storage and operations needed by the Town of Lansing Highway Department; and

WHEREAS, the Town has, in accordance with the 2020 request for proposals process, selected Bergmann Architects, Engineers, and Planners, P.C. ("Bergmann") to prepare the required plans for a Highway Department Building Replacement and Campus Renovation Project to be constructed on the subject property; and

WHEREAS, Bergmann has prepared preliminary plans for said facility which will be constructed in three phases, with Phase 1 consisting of construction of a 46,515 sf facility including, but not necessarily limited to, administrative offices, break room, vehicle storage, maintenance, and parts storage; and Phase 2 consisting of Staff/Equipment Relocation; and Phase 3 consisting of the existing building partial demolition and conversion to unheated storage for trailers and other equipment; and

WHEREAS, 6 NYCRR Part 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

WHEREAS, the project hereinafter described is classified as a Type I Action under the State Environmental Quality Review Act §617.4(b)(6)(i) defined as “activities, other than the construction of residential facilities, which meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50% of any of the following thresholds: (i) a project or action that involves the physical alteration of 10 acres,” which requires environmental review; and

WHEREAS, the Town Board, by Resolution 22-127, dated November 16, 2022, declared itself lead agency for the project, declared this to be a Type I Action pursuant to State Environmental Quality Review Act (“SEQRA”) regulations, and accepted a Part 1 of a Full Environmental Assessment Form as prepared by the Town’s Director of Planning; and

WHEREAS, the subject property is located in the Town's Industrial/Research (IR) zoning district in which such a highway facility is not a permitted, or specially permitted, use and it further, appears that some of the required construction for the facility on the site will not be in accordance with certain setback requirements for structures and improvements within the IR zoning district ("Bulk Regulations"), as set forth in the Town of Lansing Zoning Code; and

WHEREAS, the Town of Lansing Zoning Board of Appeals did find and declare on December 13, 2022, that the proposed Town Highway Department Building Replacement and Campus Renovation Project: shall be exempt from the use and bulk requirements and restrictions of the Town of Lansing Zoning Code; shall be deemed to be a use permitted, constructed and maintained on the subject property, subject to the approval of the Lansing Town Board; and that the Town of Lansing Schedule I and Schedule II Regulations for the IR Zoning District to the extent that they may restrict or prohibit the proposed facility shall not apply to this project; and

WHEREAS, the Town Board scheduled a public hearing on November 16, 2022 for purposes of receiving comments and input from the general public with regard to the potential impacts of this project; and

WHEREAS, the Town Board opened the public hearing on November 16, 2022 and received no comments whatsoever from the public concerning any potential environmental impacts of this project; and

WHEREAS, the Town Board determined that the project may require review and approval of the New York State Department of Transportation with regard to the driveway access; the Army Corps of Engineers for nationwide permit for stream disturbance; the Tompkins County Department of Health approval for the on-site wastewater treatment system; and the development of a Stormwater Pollution Prevention Plan (“SWPPP”) by the Town’s engineers and Stormwater Management Officer; and

WHEREAS, the project will be designed in accordance with all applicable codes, rules and regulations for such facilities and the facility will be operated in a manner that will have the least amount of disturbance to the community; and

WHEREAS, the facility is located close to Auburn Road (NYS-34) and North Triphammer Road (CR-122), which are both major arteries for the Town of Lansing, which can easily accommodate any traffic flow to be generated by this facility and its construction; and

WHEREAS, the Town Board has determined that the current Town highway garage and salt storage facilities are badly outdated and in need of replacement; and

WHEREAS, the Town Board has determined that the location of this highway facility in its existing location at a previously disturbed site is a perfect location for such a facility, which will have the least impact on community character; and

WHEREAS, the Town Board has determined that the site does not contain any threatened or endangered species, and that the Town would comply with any requirement for an archeological study should any materials be uncovered during excavation for the construction of this facility and operation of the same; and

WHEREAS, the Town Board has determined that any impacts from the construction of the facility will be short-term and minimized pursuant to the phasing plan for the same; and

WHEREAS, the Town Board, at its December 21, 2022 meeting, carefully reviewed and considered the Part 2 and Part 3 of the Full Environmental Assessment Form with the assistance of its Director of Planning and Attorney to the Town; and

WHEREAS, the Town Board has determined that any impacts which could result from this project will be positive rather than negative impacts to the environment; and therefore be it

RESOLVED, that the Town Board hereby accepts the Part 2 Full Environmental Assessment Form conducted by the Town Board at its public hearing which indicates that no, or only small, impacts may occur as a result of this project; and be it further

RESOLVED, that the Town Board determines that, based upon the information and analysis as set forth above, and in the Town’s review of the Environmental Assessment Form and all supporting documentation and information for the proposed facility, that the action will not result in any significant adverse impacts and that a Draft Environmental Impact Statement need not be prepared for this project; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign the Part 3 of the Full Environmental Assessment Form constituting the Town’s SEQRA Negative Declaration.

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

- Councilperson Andra Benson –
- Councilperson Bronwyn Losey –
- Supervisor Edward LaVigne –
- Councilperson Ruth Groff –
- Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

**FINDINGS AND DECISION
TOWN OF LANSING ZONING BOARD OF APPEALS**

BACKGROUND INFORMATION

Applicant and Owner:
Town of Lansing
29 Auburn Rd
Lansing, NY 14882

Variance No: 22-08
Zoning District: IR
Public Hearing Published on: N/A
600' Notices Mailed: N/A

Property Location: 10 Town Barn Rd
Tax Parcel # 30.-1-16.12 and 30.-1-16.11

RESOLUTION AND FINDINGS

WHEREAS, the Town of Lansing is a municipal corporation duly organized and existing pursuant to the laws of the State of New York and having such powers and responsibilities pursuant to the provisions of the New York State Town Law and the Highway Law in conjunction with the Town's Highway Superintendent to provide for the care and maintenance of the Town's highways and bridges and to provide suitable places for the housing and storing of vehicles, machinery, tools and equipment owned by the Town for the effectuation of such purposes; and

WHEREAS, the Town of Lansing is the owner of a parcel of real property (Tax Parcel Nos. 30.-1-16.12 and 30.-1-16.11), located on Town Barn Road, constituting approximately 17 acres of land that has been previously acquired and utilized by the Town and designated for municipal purposes ("subject premises"); and

WHEREAS, the existing Town of Lansing Highway Department Building was constructed in 1968 and is in need of an adequate repair, storage, and administrative, Salt/Sand Storage, and Fuel Storage facility in order to meet the needs of maintaining the public roadways of the Town of Lansing; and

WHEREAS, the Town of Lansing, after an extensive multi-year process of selecting a qualified consultant and examining site selection options for constructing a new Town Highway facility, recently affirmed the existing location at 10 Town Barn Road as the subject parcel for the purposes of constructing a new Highway Department Building Replacement and Campus Renovation Project for the storage and operations needed by the Town of Lansing Highway Department, and;

WHEREAS, the Town has, in accordance with the 2020 request for proposals process, selected Bergmann Architects, Engineers, and Planners, P.C. ("Bergmann") to prepare the required plans for a Highway Department Building Replacement and Campus Renovation Project to be constructed on the subject property; and

WHEREAS, Bergmann has prepared preliminary plans for said facility which will be constructed in three phases, with Phase 1 consisting of construction of a 46,515 sf Facility including, but not necessarily limited to, administrative offices, break room, vehicle storage, maintenance and parts storage; and Phase 2 consisting of Staff / Equipment Relocation; and Phase 3 consisting of the existing building partial demolition and conversion to unheated Storage for trailers and other equipment; and

WHEREAS, the subject property is located in the Town's Industrial/Research (IR) zoning district in which such a highway facility is not a permitted, or specially permitted, use and it further, appears that some of the required construction for the facility on the site will not be in accordance with certain setback requirements for structures and improvements within the IR zoning district ("Bulk Regulations"), as set forth in the Town of Lansing Zoning Code; and

WHEREAS, pursuant to the decision of the New York State Court of Appeals in the *Matter of County of Monroe*, 72 N.Y.2d 338 (1988), a "balancing of public interests analysis" ("Monroe Balancing Test") is required to determine whether and to what extent, this project shall be exempt from the Town's Zoning Code and use and bulk regulations and administrative approval from the Town of Lansing Zoning Board of Appeals; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lansing Zoning Board of Appeals has analyzed, considered and discussed the following criteria as required by *Matter of County of Monroe* in relation to the construction associated with the new Highway Department Building Replacement and Campus Renovation Project on the subject premises, and the Town of Lansing's land use regulations, and hereby finds as follows with regard to each of the nine Monroe Balancing Test criteria:

Factor #1: Whether there is an expression of legislative intent for the proposed action to be immune from local zoning oversight.

The Town of Lansing Town Board is the municipal body solely responsible for the legislative and executive functions of the Town of Lansing. The Town of Lansing Planning Board and Zoning Board of Appeals are administrative boards of the Town of Lansing, whose members are appointed by the Lansing Town Board. This project is to enable a fully governmental task—the operation of the highway department—including to fulfill its duties to repair and maintain public highways and municipal building campuses, and further including the emergency services of snow and ice removal and treatment. The legislative scheme of the Town Law and the NYS Highway Law make this a core public service that is very much an emergency service in many aspects. Under NYS statutes, therefore, it is generally understood that these are the very functions that are considered exempt from local zoning and land use review under the County of Monroe standard (as was the case with the NYSDOT highway facility as well).

Further, the town board, by including planners, consulting planners, the town engineer, consulting engineers, and many others upon these review committees, has evinced an intent to fully review and proceed with this project as designed, and not to have a critical governmental facility project subjected to discretionary review or delays, particularly given that the site plans are detailed and complete at this time and fully address any known issues that would normally be considered under any land use review process.

Finally, it is suspected (but not definitively known) that the reason this particular governmental use is not an allowed use in the zone in which it is situate is because the town has always understood that this governmental use was not subject to local zoning and land use review. In fact, there is no known record of zoning reviews or approvals for this site, including for recent projects, such as the re-design and expansion of the storage yard, or the older solar facility installations. It thus seems that the town has also considered this use and facility a governmental use that is not subject to land use review.

Factor #2: The kind of function of land use involved and the extent of the public interest to be served.

The construction associated with the Highway Department Building Replacement and Campus Renovation Project as a repair, storage, and administrative facility for the Town of Lansing Highway Department is a non-proprietary, governmental function which will serve the public interest by ensuring the continued and improved maintenance of public roadways under the jurisdiction of the Town of Lansing's Highway Department for the benefit of members of the public using said public roadways and the citizens of the Town of Lansing. Included services address emergency services, road maintenance, and maintenance and repair of public utilities like water and sewer. The maintenance of public roadways under the jurisdiction of the Town Highway Department is a statutory governmental function and obligation of the Town of Lansing Highway Department, and many of the services are emergency and utility services.

Factor #3: The effect local land use regulation would have upon the enterprise concerned and the impact upon legitimate local interests.

If the Town of Lansing Zoning Code Schedule I for the Industrial/Research (IR) Zoning District was to be applied "as written" to this project, the Town would be prohibited from siting the Highway Department Building on the subject property where it already exists unless either a variance to expand a lawful pre-existing use or a use variance could be obtained from the Town's Zoning Board of Appeals. While this is perhaps non-sensical for a governmental use that has been in place for over 50 years and which is clearly consistent with uses in the zone in which the same is situated, being essentially a commercial-industrial use (e.g., a truck depot), subjecting a project that is necessary for the performance and delivery of core municipal purposes makes little sense, including in light of the above analyses already undertaken.

Atop this, the process could be expensive and time consuming, with the outcome uncertain, at best (particularly under variance standards). The cure—to amend the zoning to fix a multi-decadal error—is equally problematic in terms of being speculative and untimely, particularly for this type of County of Monroe use. In addition, the facility, as preliminarily designed, could not be sited on the subject property in a manner fully compliant with the setback requirements of the Town of Lansing Zoning Code Schedule II for the Industrial/Research (IR) Zoning District and would also require area variance applications and approvals from the Zoning Board of Appeals, a process which would also be expensive and time consuming, with the outcome uncertain. Moreover, this variance could also require certain project modifications that are not feasible given the needs of the highway department and the town for a larger facility, all resulting in the potential for a highway facility which does not adequately meet the needs of the Town of Lansing Highway Department, with resulting adverse impacts upon the Town's ability to maintain and improve their municipal highway systems in accordance with the requirements of New York State law, resulting in possible dangers and other adverse impacts to the citizens of the Town and those travelling on the Town highways.

Factor #4: The applicant's legislative grant of authority.

New York State Town Law and Highway Law authorize and require the Town of Lansing to provide adequate facilities for the Town of Lansing Highway Department in aid of its responsibility to maintain those public roadways utilized by members of the general public which fall under the jurisdiction of the Town Highway Departments. Article 7 of the Highway Law specifically vests the Town Highway Superintendent with jurisdiction over the care of the town highways. The authority of the town to provide for these facilities and services is statutorily plenary, including under Town Law Article 4.

Moreover, as noted above, the town also is imbued with substantial experience in project review and siting and causing redundant reviews by alternate agencies of the town does nothing relative to the governmental purposes here fulfilled that falls within the exceptions to the County of Monroe test. The town is not the type of agency that is incapable of undertaking a review, or which has no substantial experience in a land use planning, as may require additional internal reviews. See, e.g., Matter of County of Monroe, 82 NY2d 338, 343 [1988]; Volunteer Fire Ass'n of Tappan, Inc. v. Town of Orangetown, N.Y.L.J. May 2, 2007, p. 22, col. 3 (Sup. Ct. Rockland Co. 2007), aff'd, 54 A.D.3d 850, 863 N.Y.S.2d 502 (2d Dept. 2008) (fire departments have no intrinsic experience or authority with land use planning and thus may not fall under the County of Monroe standard when all factors are duly balanced).

Factor #5: Alternate locations for the Highway Department storage facility in less restrictive zoning areas.

The subject premises is the only Town-owned parcel located within the Town of Lansing suitable for the construction and maintenance of the facility and represents the most reasonable and efficient use of Town owned property in furtherance of the objectives of providing the Town of Lansing Highway Department with a consolidated highway facility location within the Town. Despite this, and as part of the project investigation, the Town evaluated several potential alternative sites for a new Highway Department facility. At least 3 other sites were evaluated, and several site configurations considered as to this site. Consultants Bergmann Associates and the Town RFP Committee determined that there are no feasible alternate locations which meet the necessary objectives of the Town of Lansing Highway Department, and that this layout was the best overall layout given cost, traffic flow, needs, and available land.

Moreover, it is believed that there are no zoning districts within the Town of Lansing in which a highway facility could be constructed in full compliance with the requirements of the Town Zoning Code (perhaps suggesting this is a "non-permitted" use precisely because it was not ever subjected to zoning, thereby explaining the exclusion of this use as an allowed use from its zone). Finally, the proposed Highway Department facility at the Town Barn Site is consistent with the existing current public service/highway department use and infrastructure at the site.

Finally, the least amount of impacts, changes, and costs are incurred by using the existing site, including because of its location, being in a high-impact IR zone, and not needing to disturb other lands or sites and build more roads, lots, and impervious new surfaces. Additionally, the town board approved a consolidated water district improvement specifically to get an additional main to Town Barn Road to be able to service the new facility with sprinklers for fire and risk management purposes. In sum, there are years of planning in play here, even beyond the 5 years these facilities have been evaluated and laid out.

Factor #6: Alternative methods of providing the needed improvement.

The construction of the new Highway Department facility as proposed represents the minimal infrastructure improvements necessary to promote increased use of the subject premises as a centralized Highway Department facility. There are no viable alternative methods of providing these improvements, and there is no way to catch-up with the past 50 years, including in building design, maintenance, energy efficiency, or fire suppression than to upgrade and re-use some parts of the existing facility and construct a new operations barn and office space.

This decision was made based upon thorough examinations of town needs, town equipment, personnel, operations, and the design and function of the proposed facilities by Bergmann Associates and the RFP committee, with approval from the town board, and thereafter from the Capital Investment Committee, with further general approval from the town board. To re-visit over 5 years of planning and site design, all at the cost of more time and money, would serve no valid land use purpose. Indeed, this is the precise point of the County of Monroe test, and why so many core governmental projects like this are in fact immune from such reviews. A review by a town agency of a town project already reviewed would be likely to be more of a redundancy than anything else (see Factor #5 analyses, above).

Factor #7: Intergovernmental participation in the project development process.

The past study, locational analyses, and site layout and design were subjected to rigorous review at multiple levels of the town government, with key personnel serving on both committees. This includes the town board, town engineer, town planners, town clerk, highway department, parks and recreation department, town bookkeeper, planning board, and town attorney, with additional input from others, such as Bergmann Associates and Municipal Solutions (finance). Atop this, the construction of the new highway facility will be overseen by members of the Town Board of the Town of Lansing, its engineers, and other retained professional consultants. The project will also require the review and approval of several outside jurisdictional agencies including the New York State Department of Transportation, New York State Department of Environmental Conservation, Army Corps of Engineers, and Tompkins County Department of Health. The Tompkins County Business Energy Advisors (BEA) Lansing, a program of the Tompkins County Department of Planning & Sustainability, has been engaged with project development since April 2021. The Town intends to utilize the energy analysis services offered by BEA Lansing for the development of the building.

In addition, the development of plans for this facility will be fully vetted, discussed, and considered by the members of the Town Board and its legal, planning, and engineering staff and consultants, and Town of Lansing citizens have been and will be permitted to offer comments and suggestions upon the review and development of this project.

RESOLVED, that the Zoning Board of Appeals hereby declares that the proposed Town Highway Department Building Replacement and Campus Renovation Project shall be exempt from the use and bulk requirements and restrictions of the Town of Lansing Zoning Code; and be it further

RESOLVED, that the proposed Town Highway Department facility shall be deemed to be a use permitted, constructed and maintained on the subject property, subject to the approval of the Lansing Town Board; and be it further

RESOLVED, that the Town of Lansing Schedule I and Schedule II Regulations for the IR Zoning District to the extent that they may restrict or prohibit the proposed facility shall not apply to this project.

THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND RESOLUTION OF THE TOWN OF LANSING ZONING BOARD OF APPEALS WAS AS FOLLOWS:

Motion by: Mary Stoe

Seconded by: Susan Tabrizi

Richard Hayes – Absent
Mary Stoe – Aye
Susan Tabrizi – Aye
John Young – Aye
Judy Drake – Aye

Dated: 13 December 2022

Received in the Lansing Town Clerk's Office on December 14, 2022

Jessica Hall
Jessida Hall, Deputy Town Clerk
Town of Lansing
Tompkins County, New York

ZBA RESOLUTION 2022-08



**Department of
Transportation**

KATHY HO
Governor

Section 10, Item b.

MARIE THERESE DOMINGUEZ
Commissioner

DAVID P. SMITH, P.E.
Regional Director

November 29, 2022

CJ Randall, Director of Planning
Town of Lansing
29 Auburn Road
Lansing, NY 14882
Via: crandall@lansingtown.com

Dear CJ Randall:

RE: SEQR LEAD AGENCY DESIGNATION
PROPOSED TOWN OF LANSING HIGHWAY
DEPARTMENT BUILDING REPLACEMENT
PROJECT, TOWN OF LANSING, TOMPKINS
COUNTY

The New York State Department of Transportation (NYSDOT) has received the material regarding the proposed Town of Lansing Highway Department Building Replacement and Campus Renovation project. The Region has no objections to the Town of Lansing Town Board assuming lead agency status for SEQR purposes.

Concurrence with the Town of Lansing Planning Board as Lead Agency will be sent to TOLcodes@lansingtown.com per your request.

NYSDOT has no further comments at this time. Thank you for keeping us informed on matters in the Town of Lansing.

Very truly yours,

DAVID N. ROTH
Acting Director, Planning and Program Management Group
By

Julie Baldwin
Senior Transportation Analyst

JAB:DR/jb


INTERESTED AGENCIES

- Lansing Fire Department
- NYS Department of Environmental Conservation, Region 7
- NYS Department of Transportation, Region 3
- NYS Historic Preservation Office
- Tompkins County Department of Planning & Sustainability
- Tompkins County Health Department, Environmental Health Division
- US Army Corps of Engineers

The undersigned agency consents to the designation of the Town Board of the Town of Lansing as Lead Agency pursuant to the provisions of the SEQRA regulations (6 NYCRR, Part 617) for the review Town of Lansing Highway Department Building Replacement and Campus Renovation Project.

Agency NYS Department of Transportation

Name and Title Julie Baldwin, Senior Transportation Analyst

Signature  Date 11-29-2022

INTERESTED AGENCIES

- Lansing Fire Department
- NYS Department of Environmental Conservation, Region 7
- NYS Department of Transportation, Region 3
- NYS Historic Preservation Office
- Tompkins County Department of Planning & Sustainability
- Tompkins County Health Department, Environmental Health Division
- US Army Corps of Engineers

The undersigned agency consents to the designation of the Town Board of the Town of Lansing as Lead Agency pursuant to the provisions of the SEQRA regulations (6 NYCRR, Part 617) for the review Town of Lansing Highway Department Building Replacement and Campus Renovation Project.

Agency Tompkins County Department of Planning and Sustainability

Name and Title Katherine Borgella, Commissioner

Signature 

December 2, 2022

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF TOWN CENTER LEASE TO KERSAT LANDSCAPING, INC., SUBJECT TO PERMISSIVE REFERENDUM

RESOLUTION 22-

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF TOWN CENTER LEASE TO KERSAT LANDSCAPING, INC., SUBJECT TO PERMISSIVE REFERENDUM

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

WHEREAS, the Town acquired title to 104 Auburn Road upon August 15, 2019, such land being part of the Town Center area; and

WHEREAS, the Town acquired such land subject to two leases, one of which is Kersat Landscaping, Inc. (the other being “Scoops”). Kersat Landscaping, Inc. requested a one-year extension of its lease and an expansion of leasehold occupancy rights to assume in tenancy the entirety of the main building located upon such parcel; said lease expired on November 30, 2022; and Kersat Landscaping, Inc. has requested an additional one-year extension of its lease; and

WHEREAS, a form of lease has been drafted and approved and, upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED that the 1-year lease to Kersat Landscaping, Inc. be and hereby is approved in substantially the form as presented and, subject to negotiation and approval of the final form thereof by the Town Supervisor, undertaken upon the advice and consent of the Town Attorney, and as so amended in their negotiated final form, the Town Supervisor be and hereby is authorized to execute the same by, for, on behalf of, and in the name of the Town of Lansing; and it is further

RESOLVED, that this Resolution be and hereby is subject to permissive referendum as required by Town Law § 64 and Town Law Article 7, and the Town Clerk is directed to publish a compliant notice of permissive referendum within 10 days of the adoption hereof.

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

- | | |
|-------------------------------|--------------------------------|
| Councilperson Andra Benson – | Councilperson Ruth Groff – |
| Councilperson Bronwyn Losey – | Councilperson Joseph Wetmore – |
| Supervisor Edward LaVigne – | |

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION AFFIRMING CHARGING DUTIES TO THE AGRICULTURE AND FARMLAND PROTECTION ADVISORY COMMITTEE, AND APPOINTING MEMBERS TO SUCH COMMITTEE

RESOLUTION 22-

RESOLUTION AFFIRMING CHARGING DUTIES TO THE AGRICULTURE AND FARMLAND PROTECTION ADVISORY COMMITTEE, AND APPOINTING MEMBERS TO SUCH COMMITTEE

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

WHEREAS, the Town of Lansing Agriculture and Farmland Protection Plan was adopted via Resolution 15-101, on September 16, 2015, whereupon it was incorporated into the Town's comprehensive plan, and such plan calls for a permanent committee to follow-up on the goals, updates, and other agricultural plans set forth therein; and

WHEREAS, the Agriculture and Farmland Protection Committee (the "Committee") was initially created to develop a farmland protection plan pursuant to grant money awarded by NYSDAM and such committee had an informal existence until Resolution 17-46, adopted January 18, 2017; and

WHEREAS, the Agriculture and Farmland Protection Advisory Committee is officially reformed and will have 11 members (one of which is the Chairperson, and one of which is the Vice Chair), appointed for coincident 3-year terms; and

WHEREAS, the Town Board of the Town of Lansing has hereby RESOLVED as follows:

1. The Town hereby formally reaffirms the Agriculture and Farmland Protection Advisory Committee the "Committee"), as a perpetual, standing, citizens' advisory committee comprised of one Chairperson, one Vice Chair, and 9 other members, each and all as appointed by the Town Board (including vacancies), with each position being at the will of the Town Board. Membership upon the Committee is by appointment by the Town Board for 3-year terms running concurrently and commencing January 1, 2023, ending December 31, 2025. Any vacancy shall be filled for the remainder of the term by appointment by the Town Board. At least 4 members of the Committee shall be owners or substantially involved in the operation of a commercial farming enterprise located in the Town of Lansing that engages in the production, preparation, or marketing of fruits, vegetables, field crops, nursery stock, flowers, livestock or livestock products, including commercial horse boarding and breeding operations, Christmas tree farming, timber processing, the production of compost, mulch, or other biomass crops, woodland farm products, beekeeping or honey production. Members of the Committee may be removed at any time, with or without cause and for any or no reason, by resolution of the Town Board. Members of the Committee may resign or withdraw at any time, with or without cause, and for any or no reason, and an oral or written resignation shall be irrevocable once communicated to the Chairperson of the Committee, the Town Clerk, or the Town Supervisor.

2. The following persons be and hereby are appointed to the Committee for three-year terms expiring on December 31, 2025:

- Connie Wilcox, Chairperson
- John Fleming, Vice Chairperson
- Adam Buck
- Todd Eldred
- James Hatfield
- Christine Hass
- Jeannine Kirby
- Peter Larson III
- Larry Moore
- Steve Nedrow
- Ken Patchen

The Chairperson of the Committee shall be appointed from time- to-time by the Town Board. In the absence of the Chairperson, the Vice shall conduct meetings and other actions by and for the Committee.

3. The Committee shall pursue agricultural and farmland promotion and protection goals as outlined in NYS Agriculture and Markets Law Article 25-AAA, in the General Municipal and Town Laws, and as more specifically defined and proposed in the 2015 Town of Lansing Agriculture and Farmland Protection Plan, as adopted in September, 2016. The Committee shall thus and also pursue the following purposes, goals, reviews, operations, recommendations, etc.:

- a. To advise the Town of Lansing regarding agricultural policy in the Town; to provide educational resources for sharing information among farmers and agriculturally-based businesses; and to educate Town residents and officials about farming and farmland issues.
- b. To provide regular input, comment, and analyses upon zoning, site planning, taxation, and other regulatory and mapping issues pertaining to agriculture, agricultural sales, and the development, transportation and marketing of agricultural and woodland goods and products in commerce in and through the Town; to serve as a clearinghouse for relations between farm operations and the Town Board, Planning Board, Zoning Board of Appeals, Planning Department, Code Enforcement Officers, and other officers and agencies of Town Government, including to provide a forum for concerns about Town policy, Town operations, or other matters relating to farming in the Town, including the making of referrals upon farm related subjects that may result in policy reviews, changes, or recommendations; to develop, promote, and encourage appropriate conservation strategies, best-practices, and sustainable agricultural practices and activities; and to review and advise upon private and public development and redevelopment projects, including the environmental reviews thereof, whenever requested by the Town Board or other agencies engaged in such reviews, with a specific focus and eye towards advising concerning the impact or potential future impacts upon agriculture, agricultural enterprises, and future agricultural opportunities and developmental plans within the Town of Lansing and surrounding areas and regions.

- c. To provide input for annual additions to the County Agricultural Districts and input upon the eight-year review of County Agricultural Districts; and to encourage and assist applications to farmland preservation programs and, when such applications are submitted, provide input into the review thereof.
- d. To examine and monitor trends in agriculture and local farming activity; to determine obstacles and fiscal issues and obstacles facing agricultural enterprises; to identify pressures upon agricultural lands and soils; to recommend reasonable and desirable plans and solutions to the Town to overcome or assist with the mitigation of such obstacles so as to preserve such lands and agricultural enterprises; to identify and promote direct marketing and commodity marketing opportunities for local farmers, expand value-added agricultural operations in the Town, and identify and promote methods whereby existing farmers can be encouraged to continue in active agricultural operation; and to assist in the connection between those interested in agricultural businesses and production and the location of available opportunities and lands within the Town of Lansing to fulfill such goals.
- e. To review, suggest updates to, and take the lead in developing recommendations relating to the Town's Agricultural and Farmland Protection Plan; to recommend reasonable and desirable changes to this listing of responsibilities; to undertake other appropriate tasks requested by the Town Board; and to examine any other matters reasonably and directly related to the above tasks and goals.

4. The Committee shall meet at least twice annually at such times and locations as shall be set by the Chairperson. The Committee may meet more often or at regularly scheduled times and intervals as the Committee may decide. The Committee shall also hold at least one meeting a year to which the general public and members of the local farming community are invited to attend as guests.

5. The Committee shall be a citizens' advisory committee and not a capital or other planning committee. The Committee shall keep required accurate records of its meetings and actions and file required annual reports with the Town Board on or before the Town's organizational meeting, yearly.

6. The Town Board, Planning Board, ZBA, and town staff and employees shall reasonably cooperate to provide data, information, and support to the Committee to assist it in the pursuit of the goals and purposes herein described. The Committee may request technical assistance and specialized advice from any resource it may deem appropriate, including but not limited to other local residents, the Tompkins County Departments of Planning or Assessment, the Tompkins County Soil and Water Conservation Counsel, the Tompkins County Agriculture and Farmland Protection Board, the Finger Lakes Land Trust, the American Farmland Trust, the Land Trust Alliance, the New York Agricultural Land Trust, the New York Planning Federation, the Cayuga Lake Watershed Intermunicipal Organization, and the NYS Department of Agriculture and Markets.

7. The Town Board may adopt other rules of procedures for the Committee which, once adopted, shall be controlling. In the absence of the same the Committee may itself adopt such operational rules and procedures as it deems prudent for its operations. However, in limitation

thereof and as a citizens' advisory committee, the Committee may not authorize any expenditure of Town funds or enter into any contract arrangements for payment of services. Funds necessary for proper committee operation or technical assistance may be requested by the Committee from the Town Board and, in accordance with customary procedures, the Town Board may authorize such funds, approve the expenditure thereof, and execute contracts in support of approved expenditures. The Town Board may also, consistent with budgetary requirements and rules, provide budgetary funding for the Committee's use for paper, mailing, and like and related miscellaneous expenses relating to the work of the Committee.

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

- Councilperson Andra Benson –
- Councilperson Bronwyn Losey –
- Supervisor Edward LaVigne –
- Councilperson Ruth Groff –
- Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION AMENDING RESOLUTION # 19-160, REGARDING MEMBERSHIP IN, AND PURPOSE OF THE TOWN OF LANSING PARKS, RECREATION, AND TRAILS COMMITTEE

RESOLUTION 22-

RESOLUTION AMENDING RESOLUTION # 19-160, REGARDING MEMBERSHIP IN, AND PURPOSE OF THE TOWN OF LANSING PARKS, RECREATION, AND TRAILS COMMITTEE

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

WHEREAS, Resolution #19-160 sets forth the necessity for the Parks, Recreation, and Trails Committee, as that it is needed to perform certain functions for the Town and to act in an advisory capacity in helping to enhance active and passive recreational opportunities for residents and visitors; and

WHEREAS, inconsistencies in Resolution #19-160 have occurred with the use of the term “advisory,” where an advisory committee, as such, should preclude from its membership, members of the Town Board or the Planning Board, but said Resolution clearly states that such members may be included. Resolution #19-160 has inserted the term inconsistently throughout the document. The existing committee contains members of both Boards, and the Parks, Recreation, and Trails Committee has thus far been functioning as a working committee; and

WHEREAS, Resolution #19-160 sets forth that the Parks, Recreation, and Trails Committee shall direct itself toward accomplishing certain tasks, as outlined in Section 2; with additional tasks being identified by the Parks and Recreation Supervisor, to be added to Section 2(f) as the following items: (vii) provide recommendations on trails routing, construction, signage, and crosswalks; and (viii) discover easement, license, and covenant options for sections of trails identified in the Town of Lansing Parks, Recreation, and Trails Master Plan; and

WHEREAS, such efforts as outlined in Resolution #19-160, Section 3, require representatives of key organizations, and members who have had direct experience working with trail development in the Town, presenting a need to increase the number of members from a maximum of seven (7), as set forth in Resolution #19-160, Section 3(a), to a maximum of twelve (12) members, in order to represent the five categories of membership as outlined in Resolution #19-160, a Chairperson, and additional Lansing residents to participate; and the Town Board of the Town of Lansing has hereby:

RESOLVED, that the term “advisory” be removed from all aspects of Resolution #19-160, and it is further

RESOLVED, that the Parks, Recreation, and Trails Committee be deemed to be a working committee, and it is further

RESOLVED, that the scope of the purpose of the Town of Lansing Parks, Recreation, and Trails Committee include the tasks of (1) providing recommendations on trails routing, construction, signage, and crosswalks; and (2) discover easement, license, and covenant options for sections of trails identified in the Town of Lansing Parks, Recreation, and Trails Master Plan; and it is further

RESOLVED, that the membership limit be increased from seven (7) to twelve (12).

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

- Councilperson Andra Benson –
- Councilperson Bronwyn Losey –
- Supervisor Edward LaVigne –
- Councilperson Ruth Groff –
- Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION APPOINTING MEMBERS TO THE TOWN OF LANSING PARKS, RECREATION, AND TRAILS COMMITTEE

RESOLUTION 22-

RESOLUTION APPOINTING MEMBERS TO THE TOWN OF LANSING PARKS, RECREATION, AND TRAILS COMMITTEE

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

WHEREAS, Katrina Binkewicz and Becca Lovenheim have both tendered their resignations, leaving two (2) vacancies for the term expiring December 31, 2023; and

WHEREAS, the following applicants, in the judgement of the Town Board, are qualified to serve on the Town of Lansing Parks, Recreation, and Trails Committee and are appointed to terms of membership, subject to reappointment, and the Town Board of the Town of Lansing has hereby:

RESOLVED, that the following people be appointed to the Town of Lansing Parks, Recreation, and Trails Committee, as replacements for the two (2) vacancies, with terms expiring upon December 31, 2023: Laura Morse and Ruth Hopkins; and it is further

RESOLVED, that the following people be appointed to the Town of Lansing Parks, Recreation, and Trails Committee with two-year terms expiring upon December 31, 2024: Bruce Barber, Christie Thornton, Chris Pettograsso, Steve Lauzun, Michael Ariel; and it is further

RESOLVED, that the following people be reappointed to the Town of Lansing Parks, Recreation, and Trails Committee with terms expiring upon December 31, 2023: Ronny Hardaway, Deborah Trumball, Jack Young, and Patrick Tyrrell (Chairperson).

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

- | | |
|-------------------------------|--------------------------------|
| Councilperson Andra Benson – | Councilperson Ruth Groff – |
| Councilperson Bronwyn Losey – | Councilperson Joseph Wetmore – |
| Supervisor Edward LaVigne – | |

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION RENAMING THE BROADBAND COMMITTEE AND REAPPOINTING MEMBERS

RESOLUTION 22-

RESOLUTION RENAMING THE BROADBAND COMMITTEE AND REAPPOINTING MEMBERS

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

WHEREAS, the 2018 Town of Lansing Comprehensive Plan recommends adding or improving broadband infrastructure to accommodate both new planned development and existing business retention; and

WHEREAS, on April 15, 2020, the Town Board of the Town of Lansing adopted Resolution 20-73 creating the Broadband Committee; and

WHEREAS, a request was made to rename the Broadband Committee to the Broadband Task Force; and

WHEREAS, the following applicants, in the judgment of the Town Board, are qualified to serve again and are appointed to terms of membership, subject to reappointment, and the Town Board of the Town of Lansing has hereby:

RESOLVED that this group be referred to as the Broadband Task Force; and it is further

RESOLVED, that Jase Baese be reappointed to the Broadband Task Force with a term to expire December 31, 2023; and it is further

RESOLVED, that Chuck Bartosch be reappointed to the Broadband Task Force with a term to expire December 31, 2023; and it is further

RESOLVED, that Norman L. Davidson be reappointed to the Broadband Task Force with a term to expire December 31, 2023; and it is further

RESOLVED, that Dan Ferguson be reappointed to the Broadband Task Force with a term to expire December 31, 2023; and it is further

RESOLVED, that Bronwyn Losey be reappointed to the Broadband Task Force as Co-Chairperson with a term to expire December 31, 2023; and it is further

RESOLVED, that Joseph Wetmore be reappointed to the Broadband Task Force as Co-Chairperson with a term to expire December 31, 2023.

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

Councilperson Andra Benson –
Councilperson Bronwyn Losey –
Supervisor Edward LaVigne –

Councilperson Ruth Groff –
Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION FOR CONSERVATION ADVISORY COUNCIL MEMBER RECOMMENDATIONS

RESOLUTION 22-

RESOLUTION REAPPOINTING MEMBERS AND APPOINTING NEW MEMBERS TO THE TOWN OF LANSING CONSERVATION ADVISORY COUNCIL

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

WHEREAS, in November of 2017, and as is set forth in the updated 2018 Comprehensive Plan, the Town approved creating a Conservation Advisory Council to perform certain functions for the Town and to act in an advisory capacity under General Municipal Law § 239-x; and

WHEREAS, on January 16, 2019, the Town Board of the Town of Lansing adopted Resolution 19-49 creating the Conservation Advisory Council (hereinafter termed “Council” or “CAC”) under authority granted to the Town by General Municipal Law Section 239-x; and

WHEREAS, on December 15, 2021, the Town Board of the Town of Lansing adopted Resolution 21-167 expanding the CAC membership to a maximum of nine (9) members under authority granted to the Town by General Municipal Law Section 239-x; and

WHEREAS, on December 1, 2022, as per the Town of Lansing Appointed Board Application Process, the CAC unanimously passed a Motion recommending that two members whose terms are expiring continue to serve on the CAC; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Town Board, the following candidates, in the judgment of the Town Board, are qualified to serve on the CAC and now therefore be it RESOLVED as follows:

1. Adam Buck is hereby appointed as a Member to the Town of Lansing Conservation Advisory Council effective January 1, 2023 through December 31, 2024.
2. Gabrielle Desnoes is hereby appointed as a Member to the Town of Lansing Conservation Advisory Council effective January 1, 2023 through December 31, 2024.
3. Robyn Bailey is reappointed to the Town of Lansing Conservation Advisory Council with a term to expire December 31, 2024.
4. Karen Edelstein is reappointed to the Town of Lansing Conservation Advisory Council with a term to expire December 31, 2024; and it is further

RESOLVED, Members Carrie Koplinka-Loehr and Edward Dubovi will serve as Co-Chairs effective January 1, 2023 through December 31, 2023.

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

Councilperson Andra Benson –	Councilperson Ruth Groff –
Councilperson Bronwyn Losey –	Councilperson Joseph Wetmore –
Supervisor Edward LaVigne –	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION REAPPOINTING NORMAN ‘LIN’ DAVIDSON AS A TOWN OF LANSING PLANNING BOARD MEMBER FOR A SEVEN (7) YEAR TERM AND REAPPOINTING ERIN WORSELL AS ALTERNATE MEMBER AND APPOINTING CHRISTINE HASS AS ALTERNATE MEMBER

RESOLUTION 22-

RESOLUTION REAPPOINTING NORMAN ‘LIN’ DAVIDSON AS A TOWN OF LANSING PLANNING BOARD MEMBER FOR A SEVEN (7) YEAR TERM AND REAPPOINTING ERIN WORSELL AS ALTERNATE MEMBER AND APPOINTING CHRISTINE HASS AS ALTERNATE MEMBER

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

WHEREAS, the Planning Board has three members terms expiring on December 31, 2022; and

WHEREAS, Norman ‘Lin’ Davidson is qualified to be and remain on the Town of Lansing Planning Board by virtue of having mandatory NYS and Town of Lansing training and by already serving on the Town of Lansing Planning Board since January 1, 1993; and

WHEREAS, Erin Worsell is qualified to be and remain on the Town of Lansing Planning Board by virtue of having mandatory NYS and Town of Lansing training and by already serving on the Town of Lansing Planning Board since January 1, 2022; and

WHEREAS, Christine Hass is qualified to be on the Town of Lansing Planning Board; and

WHEREAS, on December 12, 2022, as per the Town of Lansing Appointed Board Application Process, the Planning Board unanimously passed a Motion recommending Norman ‘Lin’ Davidson be reappointed as a Member to the Town of Lansing Planning Board, Erin Worsell be reappointed as Alternate Member to the Town of Lansing Planning Board, and Christine Hass be appointed as Alternate Member to the Town of Lansing Planning Board; and

WHEREAS, the appointments require Norman ‘Lin’ Davidson, Erin Worsell, and Christine Hass to complete the mandatory New York State and Town of Lansing training requirements; and

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

1. Norman ‘Lin’ Davidson is hereby reappointed as a Member to the Town of Lansing Planning Board effective January 1, 2023 through December 31, 2029, to serve at the pleasure of this Board, and
2. Erin Worsell is hereby reappointed as an Alternate Member to the Town of Lansing Planning Board effective January 1, 2023 through December 31, 2023, to serve at the pleasure of this Board, and

3. Christine Hass is hereby appointed as an Alternate Member to the Town of Lansing Planning Board effective January 1, 2023 through December 31, 2023, to serve at the pleasure of this Board, and
4. The Town Clerk shall administer the oath of office for such new positions, and
5. Member Alfonso Fiorille will serve as Chairperson effective January 1, 2023 through December 31, 2023, and
6. Member Sandra Dennis-Conlon will serve as Vice Chairperson effective January 1, 2023 through December 31, 2023.

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

Councilperson Andra Benson –
Councilperson Bronwyn Losey –
Supervisor Edward LaVigne –

Councilperson Ruth Groff –
Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION APPOINTING SUSAN TABRIZI TO THE TOWN OF LANSING ZONING BOARD OF APPEALS FOR A FIVE (5) YEAR TERM

RESOLUTION 22-

RESOLUTION APPOINTING SUSAN TABRIZI TO THE TOWN OF LANSING ZONING BOARD OF APPEALS FOR A FIVE (5) YEAR TERM

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

WHEREAS, on December 13, 2022, as per the Town of Lansing Appointed Board Application Process, the Zoning Board of Appeals unanimously passed a Motion recommending that Susan Tabrizi be reappointed as a Member to the Town of Lansing Zoning Board of Appeals to a new five-year term; and

WHEREAS, Susan Tabrizi is qualified to be and remain on the Town of Lansing Zoning Board of Appeals by virtue of having mandatory NYS and Town of Lansing training and by already serving on the Town of Lansing Zoning Board of Appeals since January 1, 2022; and

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

1. Susan Tabrizi is hereby reappointed as a Member to the Town of Lansing Zoning Board of Appeals effective January 1, 2023 through December 31, 2027 to serve at the pleasure of this Board, and
2. The Town Clerk shall administer the oath of office for such new term, and
3. Member Judy Drake will serve as Chairperson effective January 1, 2023 through December 31, 2023, and
4. Member John Young will serve as Vice Chairperson effective January 1, 2023 through December 31, 2023.

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

Councilperson Andra Benson –
Councilperson Bronwyn Losey –
Supervisor Edward LaVigne –

Councilperson Ruth Groff –
Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 21, 2022.

RESOLUTION ACCEPTING CARRIE J. RANDALL’S RESIGNATION LETTER AS THE TOWN OF LANSING DIRECTOR OF PLANNING AND AUTHORIZING JOHN ZEPKO TO SERVE AS THE ACTING DIRECTOR OF PLANNING

RESOLUTION 22-XX

RESOLUTION ACCEPTING CARRIE J. RANDALL’S RESIGNATION LETTER AS THE TOWN OF LANSING DIRECTOR OF PLANNING AND AUTHORIZING JOHN ZEPKO TO SERVE AS THE ACTING DIRECTOR OF PLANNING

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

WHEREAS, the Lansing Town Clerk has received a resignation letter from Carrie J. Randall, as of January 6, 2023, as the Town of Lansing Director of Planning, which leaves a vacancy in the Planning & Code Department; and

WHEREAS, the Town of Lansing Supervisor has recommended that John Zepko, Planner, be appointed as Acting Director of Planning; and

WHEREAS, acceptable and qualified candidates will be located, and is therefore proposed to be hired to fulfill such job requirements; and

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

1. Carrie J. Randall’s resignation from the Town of Lansing as of January 6, 2023 is accepted.
2. John Zepko will serve as Acting Director of Planning in the Planning & Code Department, at the same rate of pay as the existing Director of Planning, subject to all Town perquisites and benefits as are available to such position.
3. The Town Personnel Officer be and hereby is authorized to make such changes to the Towns’ employment and civil service rosters and file required Civil Service forms to effect such changes and these Resolutions, including by the filing of form MSD 428, if required.

The question of the adoption of such proposed Resolution was put to a roll call vote with the following results:

Councilperson Andra Benson –	Councilperson Ruth Groff –
Councilperson Bronwyn Losey –	Councilperson Joseph Wetmore –
Supervisor Edward LaVigne –	

Accordingly, the foregoing Resolution was approved, carried and duly adopted on December 21, 2022.

MOTION TO ENTER EXECUTIVE SESSION

Councilperson _____ moved to **ENTER EXECUTIVE SESSION TO DISCUSS**

AT _____ PM.

Councilperson _____ seconded the motion.

All in Favor – _____ Opposed – _____

MOTION TO EXIT EXECUTIVE SESSION

Councilperson _____ moved to **EXIT EXECUTIVE SESSION AT _____ PM.**

Councilperson _____ seconded the motion.

All in Favor – _____ Opposed – _____

MOTION TO ADJOURN MEETING

Councilperson _____ moved to **ADJOURN THE MEETING AT _____ PM.**

Councilperson _____ seconded the motion.

All in Favor – _____ Opposed – _____