



# REGULAR TOWN BOARD MEETING

Lansing Town Hall Board Room  
Wednesday, November 15, 2023  
6:30 PM

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## 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](http://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. **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
5. **Presentation**
  - a. Board of Ethics Presentation - Jamie Ferris
  - b. County Resource Hub Presentation - Monalita Smiley
6. **Resolutions**
  - a. Resolution Approving the Special Districts Budget and Town Budget for the Fiscal Year 2024
7. **Department Reports**
  - a. **Lansing Community Library Report** – Christine Eisenhut
  - b. **Lansing Youth Services Report** – Richard Alvord
  - c. **Tompkins County Legislator Report** – Mike Sigler
  - d. **Highway Report** – Mike Moseley
  - e. **Parks and Recreation Report** – Patrick Tyrrell
  - f. **Director of Planning Report** – John Zepko
  - g. **Engineer's Report** – Dave Herrick
  - h. **Town Clerk Report** - Debbie Munson
8. **Consent Agenda**
  - a. Resolution and Order Calling Public Hearing upon Public Interest Order for Formation of Drainage District # 11 for East Shore Circle Subdivisions
  - b. Resolution and Order Calling Public Hearing upon Public Interest Order for Formation of Drainage District # 12 for the Asbury-Collins Subdivision

c. Resolution Declaring Highway Equipment as Excess Property and Authorizing Disposal or Sale

d. Resolution Approving Consent Agenda

**9. Motions and Resolutions**

a. Resolution Approving Audit and Budget Modifications and Supervisor's Report

**10. Board Member Reports**

a. Councilperson Andra Benson

b. Councilperson Ruth Groff

c. Councilperson Bronwyn Losey

d. Councilperson Joseph Wetmore

e. Supervisor Edward LaVigne

**11. Work Session**

**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.

**RESOLUTION APPROVING THE SPECIAL DISTRICTS BUDGET AND TOWN BUDGET FOR THE FISCAL YEAR 2024**

**Town Board Discussion**

The Preliminary Budget for Fiscal Year 2024 for Town of Lansing was available as a handout.

**RESOLUTION 23-**

**RESOLUTION APPROVING THE SPECIAL DISTRICTS BUDGET AND TOWN BUDGET FOR THE FISCAL YEAR 2024**

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

WHEREAS, the Town Board of the Town of Lansing, having duly held public hearings on November 8, 2023, upon the Preliminary Budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024, including the lighting, water, drainage districts, and sewer Special District Budgets for 2024, and the Town Board having heard all persons desiring to be heard in the matter, and the matter of the Budget for this Town for such fiscal year having been fully discussed and considered, and

WHEREAS, the Town Board, at such meeting, having discussed the changes and final updates to such Preliminary Budget, and as so amended, duly approved and established the same as the annual Budget for this Town for the fiscal year beginning January 1, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that the said Budget approved and filed as aforesaid, for 2024, is hereby amended as follows:

**Changes to Preliminary Budget for Final Adopted Budget**

- 1) **A1610.400 (Technology Contractual) – Increase to \$113,750 from \$102,750 per updated quote from Edmunds**
  - a. **Updated quote also includes, Employee Self Service Portal, HR Admin, Fleet Maintenance, Inventory and Work Orders**
- 2) **A1950.400- Taxes & Assessments Municipal Prop – in light of September budget mod and increased assessment, increase to \$10,500 from \$8,750**
- 3) **A7320.110- Increase to \$19,373 from \$19,074 after receiving actual budget from Cornell Coop Ext**
- 4) **A7320.400- Increase to \$57,229 from \$53,936 after receiving actual budget from Cornell Coop Ext**
- 5) **A9060.800 (Health Ins.) – Increase to \$225,000 from \$204,500 based on new allocation formulas**
- 6) **A1289- Drop In – Program suspended for 2024, revenue needs to be removed.**

- 7) A3821- State Aid- Youth Drop In – Need to remove, program suspended for 2024
- 8) Preliminary Budget Fund Balance was \$ -88,725.79 (*Note: a negative amount increases year-end Fund Balance*)
- a. Adopted Budget Fund Balance would be \$-49,995.79
- 9) B8010.400 (Zoning Contractual)- Decrease from \$127,750 to \$27,750. Removed \$100,000 for Zoning Consultant
- 10) B8020.420 (Planning Consultant) – Decrease to \$0 and move this \$30k plus \$20k to a contingency account B1990.400
- 11) B8020.433- Conservation Advisory Council – Per Ruth Groff request, increase from \$6,000 to \$10,000 for Open Space Index
- 12) B9060.800 (Health Ins.) – Increase to \$80,000 from \$70,000 based on new allocation formulas
- 13) Preliminary Budget Fund Balance Used \$377,739.84
- a. Adopted Budget Fund Balance Used would be \$317,739.84 after these changes
- b. This budget will use approximately 42% of available fund balance & will not be sustainable beyond 2024.
- 14) DA9060.800 (Health Ins)- Decrease from \$200,000 to \$145,000 per new allocation formulas
- 15) Decrease DA1120 (Sales Tax) from \$125,000 to \$75,000
- 16) Preliminary Budget Fund Balance \$-96,607.90 (*Note: a negative amount increases year-end Fund Balance*)
- a. Adopted Budget Fund Balance would be -\$101,607.90
- 17) DB9060.800 (Health Ins)- Decreased from \$160,000 to \$150,000 per new allocation formulas
- 18) Increase DB1120 (Sales Tax) from \$1,150,000 to \$1,200,000
- 19) Preliminary Budget Fund Balance used \$310,124.78
- a. Adopted Budget Fund Balance Used would be \$250,124.78
- 20) SS1-9060.800 – Added code, and allocated \$4,000
- 21) SS1-1030 – Per rate change increased from \$4,277.50 to \$4,779
- 22) SS3-9060.800- Added code, and allocated \$2,000
- 23) SS3-1030 – Per rate change increased from \$368.75 to \$476.25
- 24) SW8310.401- Water Administration- Engineer
- a. Suggest changing to correct code SW1440.400
- 25) SW8310.402- Water Administration- Legal
- a. Suggest changing to correct code SW1420.400
- 26) SW8310.403 - Water Administration- Fiscal Advisors
- a. Suggest changing to correct code SW1380.400
- 27) SW8320.400- Source of Supply – Contractual- Increase from \$750,000 to \$790,000
- a. SW8320.401- Source of Supply- Lansing Station- Increase to \$19,000 per rate increase

- b. **SW8320.402- Source of Supply- Drake Rd CWD#2- Increase to \$1,900 per rate increase**
  - c. **SW8320.403- Source of Supply- Drake Rd CWD#4- Increase to \$3,500 per rate increase**
  - d. **SW8320.404- Source of Supply- Peruville Rd- Increase to \$1,200 per rate increase**
- 28) SW9060.800- Increase from \$15,500 to \$45,000 per allocation formula**
- 29) SW2140- Metered Water Sales – per rate increases, this should be increased to \$909,000**
- a. **SW2141- Metered Sales-Lansing Station – Increase to \$24,000 per rate increase**
  - b. **SW2142- Metered Sales- Drake Road CWD#2- Increase to \$2,400 per rate increase**
  - c. **SW2143- Metered Sales- Drake Road CWD#4- Increase to \$4,200 per rate increase**
  - d. **SW2145- Metered Sales- Peruville Rd- Increase to \$1,350 per rate increase**

RESOLVED, that the proposed Preliminary Special Districts Budget and the proposed Preliminary Town Budget, as so amended, be and hereby are approved and adopted as the Town of Lansing Final Budget for the Fiscal Year 2024; and be it further

RESOLVED, that the Clerk of the Town shall prepare and certify as provided by law duplicate copies of the said annual Budget hereby adopted and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislators of the County, as required by law.

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 November 15, 2023.



LANSING COMMUNITY LIBRARY UPDATE TO THE LANSING TOWN BOARD  
November, 2023

Submitted by Christine Eisenhut

1. Many thanks once again to the community for their patience as the library repairs the upstairs public bathroom and teen room. The asbestos remediation is complete and the work on rebuilding what was damaged will take place in January.
2. Thanks as well to The Friends of the Library for hosting Costumes and Cocktails on October 20<sup>th</sup>. It was a great success with more than 200 community members attending.
3. There will be a Martial Arts Workshop for Kids (ages 8-12) on Saturday, November 18<sup>th</sup> at 10am. Registration is required.
4. The Artisan Fair will take place on December 1-2 at the Library and Town Hall. There is currently space for more vendors. Please contact the Friends of the Library for more information – [friendsoflcl@lansinglibrary.org](mailto:friendsoflcl@lansinglibrary.org)
5. On display during the month of December – From the bottom of my heart, a series of anatomical heart illustrations – by Jessica Stratton.
6. The library will be closed Thursday, November 23<sup>rd</sup> and Friday, November 24<sup>th</sup>.
7. The library has a mobile wireless hotspot available for check out. Also, the Wi-Fi is not password protected. The community is welcome to park in the lot to access the Internet.
8. Instructor John Burger hosts T'ai Chi classes at the Community Center on Fridays from 10:30-11:30am.
9. Learn to play American Mah Jongg every Tuesday at 10:15am and play American Mah Jongg every Wednesday from 1:00-3:00pm.
10. The library continues to provide free delivery to Woodsedge.
11. 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.
12. The library continues to distribute free self-test COVID-19 kits, antibacterial wipes and N95 masks to Lansing households.

**Lansing Youth Services**  
**Town Board Report**  
**November 2023**

**Outdoor Cooking Adventures:** This program has combined woodland games and cooking around a campfire. Participants have been playing Camouflage and completing scavenger hunts. Campfires occur every week and we have been using a new location, which has become the new favorite place for “home base”. Fire making skills are developing throughout this session of cooking outdoors. Youth requests to repeat recipes so they can perfect their technique. Daily cooking projects have included pizza cones, spider dogs, pigs in a blanket, cinnamon snakes, banana boats, variations of s’mores, and hot chocolate. This program will transition to Outdoor Adventure next round. **11 youth served.**

**Game On:** Participants in Game On have been super busy with a handful of games, a couple were the clear favorites. The group attempted a new game called Dominion, they played many games of Apples to Apples, Monopoly, Exploding Kittens, and the Trail Game. The most popular game turned out to be Chess and Connect 4. The final day was all about tournaments, this included cheering on their peers and celebrating every win, a very exciting end to a rather calm program. This program will transition to Dungeons and Dragons. **10 youth served.**

**Crafter’s Corner:** Crafter’s Corner participants have been busy getting ready for the Lansing Artisan Fair. Some of the popular projects include making Friendship bracelets, making popsicle stick sleds, survival bracelets, and on an upcoming special extended program day, the group will experiment with whittling to add to the array of products. Discussions around small business management take place each week, introducing students to how the event operates and our role during the event. **8 youth served.**

**Mad Science:** The youth have been very busy each week enjoying STEM kits from the Ithaca Sciencenter. The Rube Goldberg and Keva Plank kits have many challenging activities, many of which were compatible with both kits, parts were combined, and some very cool ideas materialized. The Lansing Middle School Library was a great location for this program as students were able to utilize the split level and had a lot of vertical freedom with their systems. The field trip to the Spacecraft and Planetary Imaging Facility (SPIF) at Cornell was awesome. The information presented during the visit to SPIF was current, exciting, eye opening and inspirational. The Sciencenter visit was right in line with the programming we have been enjoying as their exhibit is on simple machines- literally everything the group had been working with in the weeks leading up to the trip. This program will transition into Iron Chef for the next round. **8 youth served.**

**Youth Employment:** Youth employees are hard at work. The Lansing Public Library employees are rather consistent, two are moving along to new placements and experience. Their skill sets have been honed in as far as customer service, and behind the scenes work that takes place at the library to help keep it functioning smoothly. We have past employees who would like to work with the Rec Department’s Ice-Skating program, they are eager to be with the youth on the ice! Lansing Youth Service assistants will begin next week. Employees are interested in youth development, for the most part, but also looking to challenge themselves in unfamiliar roles, and in my opinion, admirable qualities and they will be in our future workforce! **12 youth served.**

Visit [cctompkins.org/4h/rys/lansing](http://cctompkins.org/4h/rys/lansing) for more information and to sign up for programs.

## HIGHWAY REPORT November 15, 2023

### **Road Maintenance/Improvement**

- Continued patch work in preparation for winter
- Crews continue to prep equipment for winter maintenance as well as storing/winterizing equipment for the winter.
- Installed culvert pipe.
- Crews continue to work on culvert pipe replacements as part of the Town's Road infrastructure.
- Crews worked on drainage maintenance.
- Worked with Village of Lansing to stone and oil Cayuga Heights Road.

### **Tree & Brush Maintenance**

- Finished cutting back/mowing to improve line of sight issues prior to plowing this winter.

### **Water/Sewer Maintenance**

- Crews worked to repair a water main break on Myers Road.
- Crews continued to work with Tompkins County Soil and Water within the Consolidated Water District on an erosion project.

### **Office**

- Software demo with Mary Ellen and Jenn, looking to replace our Williamson Software.
- Continue to work with Bergman on completing revisions for our AIA agreement.
- We received our new 2022 International 10-wheeler, that was ordered in November 2021 for the year 2022. (This was a 2-year process from the time the Board approved the purchase to when we received the truck).
- We have submitted our road improvement costs to NYS through CHIPS, PAVE- NY, POP (Pave our Potholes), and EWR (Extreme Winter Recovery). We're hopeful that we'll receive our reimbursement check next month.

### **Community**

- Worked with Tompkins County Soil and Water to host a tire collection event, November 3<sup>rd</sup>. It was a great success.



**Parks & Recreation  
November 2023  
Town Board Meeting**

**RECREATION:**

- Small Fry and Flag Football has ended for the season.
- Our current programming includes basketball, indoor soccer, horseback riding, swimming, basketball cheerleading, wrestling, adult exercise, and yoga.
- The water has been turned off for the season on the ball fields, restrooms are no longer available.
- Our seasonal worker will be done this week.
- Our trails group meets every other week.
- Modified soccer has ended for the season.
- All soccer goals have been removed from the fields.
- Trunk or Treat was once again very successful. We estimate over 1000+ kids attended.
- We'll be cleaning up equipment and getting some pieces ready to sell or trade in.

**PARKS:**

- Camping has ended for the season and the dump station is closed for the season.
- The water has been turned off at Myers Park, the restrooms are now closed. We do leave a port-a-john there year-round.
- We in partnership with Tompkins County Soil and Water turned in a grant application to purchase a boat washing station for Myers Park to slow the spread of hydrilla.
- Beavers are becoming a problem at Myers Park; they have chewed down several trees including a couple of memorial trees.
- Thanks to Lansing Residential Center for building and installing new bridges for several spots on the Lansing Center Trail.
- Salt Point is getting some new natural barriers instead of large concrete blocks, the blocks will be used by our Highway Department.
- Boats in the marina and dry dock must be out by November 1<sup>st</sup>.

Thank you to all our Veteran's for your service.

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## Planning & Code Enforcement

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John Zepko, Acting Director, CPESC, CFM

Reporting Period Oct 2023

### CORE PLANNING FUNCTIONS

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- **General Admin**
  - The Department continues to seek applicants for the position of Planner. To date two applications have been received and interviews scheduled.
  - 10/03 Met w/ Henry Williams, PhD student, to discuss impacts of Solar Dev.
  - 10/05 - Met w/ CEO Scott Russell; comment to Yellow Barn Local Law analysis
  - 10/10 – review and comment of Yellow Barn Solar Local Law analysis
  - 10/12 – met w/ T. County energy advisor, Terry Carrol, to discuss HVAC improvements at Town Hall
- **Planner conducting classification and review of development applications**
  - 10/18 – Met w/ Kerry Moore to discuss development application
  - 10/23 – Met w/ Fred and Lisa Campbell to discuss upcoming subdivision application
- **Hazard Mitigation Planning**
- **Floodplain Management**
  - Work continues to resolve the findings from the 31 May 2023 Community Assistance Visit (CAV) conducted by NYS DEC.
  - Site visit to 7 Ladoga Park Rd w/ Scott Russell, CEO, to ascertain compliance w/ NFIP standards
  - 25 Oct – attended webinar “A Legal Examination of No Adverse Impact Flood Risk Management and Floodplain Stewardship”
- **Stormwater Management**
  - 10 Oct – attended webinar “Green Infrastructure Solutions for Wet Weather”
  - 11 October – attended TC Stormwater Coalition meeting
  - 26 Oct - issued MS4 Acceptance of Duthie Warehouse, Verizon Ln, SWPPP

### LAND USE WORK PROGRAM

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### COMMITTEE MANAGEMENT

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- **Agricultural and Farmland Protection Committee staff support**
- **Conservation Advisory Committee Council**
  - 10/17 Met w/ CAC Chair and Vice Chair to discuss draft OSCP and strategy for public open house
  - 10/23 – reviewed and commented on Draft Open Space & Conservation Plan
- **Water & Sewer Working Group**

- No meeting
- **Code Revision Committee**
  - 26 Oct meeting – discussed Draft Local Law on Boards & Committees
- **Capital Improvement Committee**

**PLANNING BOARD**

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- **23 Oct meeting** – the Planning Board heard the following:
  - Lot line adjustment 129 Farrell
  - Lot line adjustment 48 Lansing Station Rd,
  - Presentation of Draft Open Space & Conservation Plan by CAC

**ZONING BOARD OF APPEALS**

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- No Oct meeting

**Code Enforcement**

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▪ **Oct 2023 Permit Information**

	<b>Oct 2023</b>
Fees Collected	\$8,386.50
Estimated Project Cost	\$1,827,214.00
Certificate of Occupancy/Compliance	26
Building Permits	38
One & Two Family Residences	6
New Mobile Homes	0
New Businesses	0
Multi-Family Residences (3 or more units)	0
<b>TOTAL 2023 Misc. Fee Collected to date</b>	<b>18,360.00</b>
	<b>Jan 1, 2023 to Oct 31, 2023</b>
Fees Collected	\$90,865.18
Estimated Project Cost	\$17,882,429.00
Certificate of Occupancy/Compliance	184

Building Permits	217
One & Two Family Residences	15
New Mobile Homes	0
New Businesses	0
Multi-Family Residences (3 or more units)	0

**TOWN CLERK  
NOVEMBER 2023**

**Water and Sewer Payments**

November is very busy collecting water and sewer payments. Total bills: 1856 of which 372 were emailed. Payments are due by November 27<sup>th</sup>.

**Hunting Licenses**

The second round of Deer Management Permits started on November 1, 2023. Dick's Sporting Goods is no longer selling licenses. Our office has seen an increase in hunting/fishing license sales in our office this year. The Town gets a small commission for each license sold out of our office.

**Board Vacancies**

The application to apply for a board/council with a vacancy is still available on the Town's website. The boards/councils with vacancies are Planning Board, Zoning Board of Appeals, Board of Ethics and the Conservation Advisory Council.

Interested applicants can complete the form online here - <https://lfweb.tompkins-co.org/Forms/TOLBCApplication>. We will mail or email a paper application. Interested applicants should contact our office if they require a paper form.

**Security Upgrade**

We had one way glass installed in the door in the customer area of our office. This was recommended as an added security feature.

**Woodsedge Board Still Seeking New Members**

The Town of Lansing Housing Authority (LHA), which owns and operates the Woodsedge Senior Apartments locally, is looking to fill two vacancies on its board of directors. The board meets on the 4th Monday of the month at 7:00 PM. If you have some experience with aging issues or property management, you are invited to learn more about this volunteer opportunity by contacting David Stoyell, LHA Board Chair, by phone (607) 533-7947 or email - [davestoyell@gmail.com](mailto:davestoyell@gmail.com).

**Mailbox House Number Signs**

The Lansing Fire Department is making and selling signs (\$20 each) for mailboxes. Order forms are available in the Town Clerk's Office and Town Hall Lobby.

**TOWN OF LANSING**

TOMPKINS COUNTY, NEW YORK

November 6, 2023

**ENGINEER'S REPORT**

**Proposed Town of Lansing  
Drainage District #11:  
East Shore Circle Subdivision**



PREPARED BY:  
**T. G. Miller, P.C.**  
**Engineers and Surveyors**  
**Ithaca, New York**

**ENGINEER'S REPORT**  
**PROPOSED TOWN OF LANSING**  
**DRAINAGE DISTRICT #11:**  
**EAST SHORE CIRCLE SUBDIVISION**

**TABLE OF CONTENTS**

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- Section 2 - Service Area
- Section 3 - Overview of Maintenance Responsibilities
- Section 4 - Overview of Maintenance Activities
- Section 5 - First Year Maintenance Cost Estimates
- Section 6 - Method of Financing

**APPENDIX**

- Appendix A - Boundary Description

**MAPS**

- Map 1 - Vicinity Map
- Map 2 - Drainage District Boundary and Stormwater Management Practice Location

## SECTION 1 - INTRODUCTION

The East Shore Circle Major Subdivision is a nine-parcel realty subdivision located north of East Shore Circle and west of East Shore Drive. The Major Subdivision obtained final approval from the Town of Lansing Planning Board on April 24, 2023. In addition, East Shore Circle Minor Subdivision is a four-parcel realty subdivision located south of East Shore Circle and west of East Shore Drive. The Minor Subdivision obtained final approval from the Town of Lansing Planning Board on January 22, 2018. Land disturbance activities within the subdivisions are subject to the design and permitting requirements of New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit No. GP-0-20-001 and GP-0-15-002, respectively. In accordance with these General Permits, the Stormwater Pollution Prevention Plans (SWPPP) prepared by the Owner/Operator for each subdivision incorporate permanent post-construction stormwater treatment and peak flow attenuation practices. In addition, permanent swales have been designed to convey stormwater runoff to and away from permanent practices.

The General Permits require on-going maintenance of these practices and dictate the Owner/Operator ensure one of the following prior to terminating permit coverage:

- a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,*
- b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),*
- c. for post-construction stormwater management practices that are privately owned, the owner or operator has a deed covenant in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.*
- d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, the owner or operator has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.*

In this instance, there are permanent water quality treatment practices (bioretention basins, detention ponds and dry ponds) together with grassed diversion swales that will be or have been installed on residential lots or lands that will be dedicated to the Town. Long-term operation and maintenance of these practices and swales will be the responsibility of the Town as prescribed in a maintenance agreement carried in the deed or general covenants and restrictions filed and common to the Subdivision. As described herein, Drainage District No. 11 here after referred to as the "District", will provide the methodology for financing long-term stormwater practice maintenance. It is the intent that any prior Stormwater Operation, Reporting and Maintenance Agreements (SOMRAs) recorded for the four-parcel minor subdivision will be superseded by a new Stormwater Declarations, Covenants, Conditions and Restrictions Agreement drafted concurrently with the formation of the District. The maintenance agreements and covenants will be reviewed and approved by the Town's Counsel to assure that adequate rights of access and maintenance are provided. These privately owned and District owned practices will require annual inspection by the drainage district. To offset the expenses related to the inspection and maintenance of these stormwater management facilities, the Town is proposing to form the District to include all lands within the Minor and Major Subdivisions, which are further described in Appendix A, Boundary Description.



**SECTION 2 - SERVICE AREA**

As depicted on Map 1, the subdivisions are located north and south of East Shore Circle and west of East Shore Drive. The total land area of the two subdivisions to be included in the District is approximately 21.48 acres, inclusive of road right-of way. Based on the approved final subdivision plats, the lands have been divided into eight residential building lots, two storm water lots, and a remnant parcel of vacant land on the south side of E. Shore Circle. The parcels to be included in the District are identified on Map 2 and itemized in Table 1.

<b>Table 1. Tax Map Parcels in Drainage District #11</b>			
<b>Lot #</b>	<b>Tax Map Parcel #</b>	<b>Owner</b>	<b>Acres</b>
1		JOHN YOUNG, et al	1.03
2		JOHN YOUNG, et al	1.04
3		JOHN YOUNG, et al	1.24
4		JOHN YOUNG, et al	1.32
5		JOHN YOUNG, et al	2.07
7		JOHN YOUNG, et al	9.85
8		JOHN YOUNG, et al	0.39
9		JOHN YOUNG, et al	0.58
-	37.1-7-12.8	PIKULIK, GRIGORY & NATALYA	1.05
-	37.1-7-12.9	PIKULIK, GRIGORY & NATALYA	1.05
-	37.1-7-12.10	GLENNA MCMINN	1.16
Total			20.78

**SECTION 3 – OVERVIEW OF MAINTENANCE RESPONSIBILITIES**

Under this proposal, the District will assume the responsibility for maintaining the dry pond, detention ponds, bioretention basins and grassed diversion swale once constructed by the Owner/Operator on lots as identified in Map 2 and detailed in final plans and SWPPP as approved by the Stormwater Management Officer for the Major Subdivision and final approved Minor Subdivision plan and SWPPP dated December 27, 2017. The Owner/Operator will be responsible for all temporary sediment and erosion control practices in compliance with the requirements of the General Permits for land disturbance activities. The roles and responsibilities of the District and the Owner/Operator are further outlined below.

*3.1 The Owner/Operator*

Prior to beginning construction on any lot or parcel, the Owner/Operator will be responsible for obtaining coverage under the General Permit by submitting a Notice of Intent (NOI). Under the General Permit, the individuals who obtain coverage are responsible for complying with the permit until a Notice of Termination (NOT) is filed with the NYSDEC. A NOT cannot be filed until the site is completely stabilized and all soil disturbance activity is ceased. Until that time, the Owner/Operator will be liable for the following elements of the permit:

- 1) Fees for continuing permit coverage.
- 2) Construction inspections for ongoing construction activity.
- 3) Ensuring final site stabilization.
- 4) Responsibility and liability for water quality violations caused by construction activity within the Subdivision.
- 5) Filing of a NOT to terminate permit coverage.

### 3.2 *Town of Lansing on behalf of Drainage District #11*

The Town will be responsible on behalf of the District for undertaking annual inspections and implementing emergency repairs to the dry pond, detention ponds, bioretention practices and grassed diversion swales as deemed necessary. In addition, the Town will be responsible for administration of the Drainage District, including tracking expenses, assessing fees, and collecting fees attributable to any emergency repair activities for the permanent stormwater practices.

The required permanent practices, or Facilities, are to be installed by Owner/Operator on each building lot or parcel prior to or as houses are constructed, thereafter, to be maintained by the District. The District will complete annual inspection, reporting, maintenance and improvement obligations. To assure compliance with such local law and NYSDEC Stormwater regulations, the following minimum provisions shall cover each building lot or parcel within the District:

- 1) All landowners and lot owners shall be responsible to construct and install, and once so constructed and installed, the District to operate, maintain, and repair the stormwater management facilities as described in or as shown upon the Final Subdivision Plat, the Stormwater Drainage District Map, or the Stormwater Pollution Prevention Plan (hereinafter severally and together, the "Stormwater Plan"), including but not limited to drainage ditches, swales, infiltrators, drop inlets, pipes, culverts, soil absorption devices, raingardens, bioretention basins, and all appurtenances thereto (hereinafter severally and together, the "Facilities"), to ensure that the Facilities continue to function as designed and for their intended purposes.
- 2) All Owners shall grant access to the Town of Lansing for the purposes of observing, maintaining, and inspecting the Facilities at any time, and from time-to-time, as may be deemed appropriate, necessary, or desirable by the Town.
- 3) If any deficiencies in Facilities are discovered or suspected to have been caused by the Owner/Operator, the Town will notify the Owner in writing and mandate a reasonable number of days to effect needed analyses or repairs or maintenance pursuant to a fair plan on notice to the Owner. If the Owner shall fail to complete any analyses or repairs or maintenance to the reasonable satisfaction of the Town within the required period set forth in any notice the Town may effect the same and charge to the Owner the cost thereof. Emergencies do not require prior notice. The Town may collect such costs in any manner as allowed by law and determinations and demands for reimbursement shall be subject to review under Article 78 of the New York Civil Practice Law and Rules.
- 4) No Owner may authorize, undertake, or permit the alteration of, abandonment of, modification of, demolition of, discontinuation of, or interference with any Facilities, except in strict accordance with the written approval of the Town.

- 5) All covenants or maintenance easements or agreements implementing these basic requirements shall be written in a form as is acceptable to and approved by the Town, and all rights of entry and rights of way to and for the Facilities shall be written as appurtenant easements and rights-of-way duly limited to that which is reasonably necessary for stormwater needs and practices under law. All covenants and maintenance easements and agreement shall be enforceable in law or equity.
- 6) Other landowners within the Drainage District shall also have rights of enforcement relative to stormwater Facilities maintenance to prevent flooding, nuisance, loss of property or property value, and hazards.

#### **SECTION 4 - OVERVIEW OF MAINTENANCE ACTIVITIES**

The Owner/Operator will be responsible for constructing the permanent practices on their land in accordance with the Final Subdivision SWPPP applicable to each subdivision and as shown on Map 2. With respect to Lots 1-5, the dry pond (Lot 9), bioretention basin (Lot 8) and swales on Lots 1, 3, 4 and 5 shall be constructed prior to issuing buildings permits in order to capture runoff from the impervious areas of the individual lots they serve. For parcels 37.1-7-12.8, 37.1-7-12.9 and 37.1-7-12.10 the Owner/Operator shall construct individual lot detention pond, bioretention basin and swale in order to capture runoff from the impervious areas of the lot they serve. Maintenance activities for these practices may include annual inspections, routine maintenance, and emergency repairs. This section outlines some of the routine activities needed to maintain both the long-term pollutant removal and structural integrity of stormwater practices. These activities are encompassed within six general categories as described below. In addition, Table 3 outlines some of the detailed activities within these categories, together with an estimated frequency.

##### Inspections

An annual inspection is needed to monitor the permanent practices. In the long term, these inspections reduce expenses by allowing the Owner and District to address small problems as they occur, with relatively low-cost solutions.

##### Sediment and Debris Removal

Sediment, trash and other debris accumulate within bioretention practices at a fairly constant rate. As sediment accumulates in stormwater practices, the capacity to treat and attenuate stormwater is reduced. In addition, the sediment can clog outflow pipes and reduce the capacity of the overflow channels. Some typical maintenance activities include removing sediment and debris, and unclogging outlet pipes.

##### Vegetation Management

Vegetation can enhance pollutant removal in some stormwater management practices but needs to be managed. Mowing is necessary to maintain a safe basin embankment.

##### Animals and Nuisances

Some typical nuisance issues for stormwater basins are mosquitoes and animal burrows. Mosquitoes can sometimes breed in pond forebays, particularly if dense vegetation develops. Some non-toxic methods are available to discourage mosquito breeding. Animal burrows damage basin embankments and need to be filled immediately.

##### Erosion

Over time, soil erosion can occur at some critical points in stormwater management practices, particularly when bare soil exists. When erosion occurs, the area needs to be stabilized to prevent further damage.

Structural Repairs

Although the stormwater detention ponds, dry ponds and bioretention basins that services the lots in this Subdivision have relatively few moving parts and structural elements, some long-term repairs may be needed. These will include replacing or repairing cracked pipes, eroded banks, and basin cleanout structures.

Inspections of Private Practices

These will be as needed and conducted in conjunction with annual review and any complaints or direct observations made during construction and site alterations.

<b>TABLE 3. STORMWATER MAINTENANCE ACTIVITIES FOR DRAINAGE DISTRICT #11</b>		
<b>Maintenance Item</b>	<b>Frequency (years)<sup>1,2</sup></b>	<b>Practices Where Performed</b>
<i>Inspections</i>		
Inspection	1	Detention Pond, Dry Pond, Bioretention basin and swales
<i>Sediment and Debris Removal</i>		
Unclog outlet pipes	1	Detention Pond, Dry Pond, Bioretention basin and swales
Debris/Trash Removal	1	Detention Pond, Dry Pond, Bioretention basin and swales
Remove sediment from forebay and swales	5	Forebay Swales
Dredge Detention Pond and Dry Pond	15	Detention Pond and Dry Pond
<i>Vegetation Management</i>		
Mowing	1	Detention Pond, Dry Pond, Bioretention basin and swales
Tree removal from embankment	10	Detention Pond, Dry Pond, Bioretention basin Embankments (should be limited by mowing)
Replace vegetation (Dead or decaying vegetation in filter)	As needed	Bioretention basin
<i>Animals/ Nuisances</i>		
Remove animal burrows from basin embankment.	5	Detention Pond, Dry Pond and Bioretention basin
<i>Erosion</i>		
Repair areas of erosion	2-5	Detention Pond, Dry Pond, Bioretention basin and swales
<i>Structural repairs</i>		
Repair low spots on the embankment	5	Detention Pond, Dry Pond and Bioretention basin
Repair or replace trash racks	15	Detention Pond and Dry Pond
Repair cracks in concrete	10	Dry Pond
Replace riser structure (concrete)	50	Dry Pond
Till bioretention surface to restore permeability (Filter drains slowly and surface is compacted)	3 (or as needed)	Bioretention basin

Maintenance Item	Frequency (years) <sup>1,2</sup>	Practices Where Performed
Replace entire bioretention media (Filter does not drain, and other measures to restore are unsuccessful)	10 (or as needed)	Bioretention basin
1: Maintenance Frequencies derived from the "New York State Stormwater Management Design Manual created by the New York State Department of Environmental Conservation.		
2: Frequency may vary, and the need for maintenance will be determined by annual inspections.		

**SECTION 5 – ESTIMATE OF FIRST-YEAR MAINTENANCE COST**

This section estimates the initial first year maintenance cost, with the goal of establishing an initial assessment rate for landowners of properties within the District. Over time, these costs will vary, based on the occurrence of relatively high cost items at the time services are performed. The cost estimate includes assumptions regarding the items that will occur within the first year, the extent of these items, and the unit cost. The first-year maintenance plan, along with cost estimates, is presented in Table 4.

The first-year maintenance items are derived from the maintenance frequencies presented in Table 3, with the following assumptions:

- 1) All residential lots are simultaneously developed for residential use.
- 2) Items listed as annual or more frequent occur within the first year, at the frequency named.
- 3) Some erosion occurs within the diversion swales or swales leading to the basins, and will need to be repaired.
- 4) As a contingency, it is assumed that two five-year frequency items occur in the first year, including repairing low spots on the embankment and removing animal burrows.
- 5) Mowing is needed on basin embankments and swales, representing a total of approximately 2.0 acres.

Maintenance Item	Description	Unit Cost	Extent	Cost
Inspection, Reporting and coordinating corrective actions	Inspect using forms derived from Appendix G of the "New York Stormwater Management Design Manual"	\$150/hour	10 hours	\$1,500
Unclog outlet pipes	Remove accumulated debris from the outlet pipes, possibly by jet cleaning.	\$150/basin	1 time for 8 basins	\$1,200
Mowing and Debris/Trash Removal	Mow the swales and embankments. Remove trash and debris.	\$800/acre	2 acres	\$1,600
Repair areas of erosion and settling within swales and basins	Replace topsoil, compact and reseed area.	\$5/sf	400 sf	\$2,000
<b>TOTAL ESTIMATED COST (ROUNDED) =</b>				<b>\$6,300</b>

**SECTION 6 – METHOD OF FINANCING**

*Estimate of First-Year Maintenance Charges*

The cost of annual inspection and reporting completed by the Town will be assessed to the owners of taxable land within the District. The total acreage of all parcels based on the approved final plat, excluding stormwater Lots 8 and 9 and excluding road right-of-way is 19.81 acres. Thus, the maintenance charge to each of the parcels within the district is calculated as outlined in the formula below. A tiered rate will be used for parcels considered Vacant Land and Developed Land defined as follows:

“Vacant Land” means a lot or parcel of land that is not improved or significantly disturbed, and which has not been earmarked by planning board or other approvals for development or significant disturbance.

“Developed Land” means a lot or parcel of land was or is improved, or which is earmarked for significant disturbance or development, whether with a residence, an accessory structure, or otherwise, including by planning board or other approvals.

Developed Land will be charged full rate. Parcels that are considered Vacant Land will be charged 10% of the full rate until the property becomes classified as Developed Land.

Maintenance Charge (cost per acre):

Full Rate (Developed Land)=  
 Maintenance Cost/(Developed Land Acreage + (10%\*Vacant Land Acreage))

**Full Rate (Developed Land) = \$6,300/(9.96 + (10%\*9.85))**  
**= \$575.61 per acre**

**10% of Full Rate (Vacant Land) = \$575.61\*10%**  
**= \$57.56 per acre**

Using the cost of \$6,300 derived from Table 4, and the lot areas from the Final Subdivision plats, the estimated first-year maintenance fees are presented in Table 5.

Table 5. Estimated First-Year Stormwater Maintenance Fees					
Lot #	Tax Map Parcel #	Owner(s) Names(s)	Developed Land Acreage	Vacant Land Acreage	Estimated Fee (Rounded)
1		JOHN YOUNG, et al	1.03		\$593
2		JOHN YOUNG, et al	1.04		\$599
3		JOHN YOUNG, et al	1.24		\$714
4		JOHN YOUNG, et al	1.32		\$760
5		JOHN YOUNG, et al	2.07		\$1,192
7		JOHN YOUNG, et al		9.85	\$567
-	37.1-7-12.8	PIKULIK, GRIGORY & NATALYA	1.05		\$604
-	37.1-7-12.9	PIKULIK, GRIGORY & NATALYA	1.05		\$604
-	37.1-7-12.10	GLENN MCMINN	1.16		\$668
Total			9.96	9.85	\$6,300

*Method of Assessment*

The charges to finance the costs of this district will be included in the annual Town/County tax bill. Although estimated first year charges are included in this report, the calculated charge will be a reimbursement for actual maintenance activities of each preceding year. The Town will track all maintenance activities and the resulting costs in labor and equipment, and annually adjust the amount to be raised from each landowner.

APPENDIX A

BOUNDARY DESCRIPTION

TOWN OF LANSING DRAINAGE DISTRICT No. 11

ALL THAT TRACT OR PARCEL OF LAND situate in the, Town of Lansing, County of Tompkins, State of New York, being bounded and described as follows:

BEGINNING at a point in the present centerline of East Shore Circle, said point being further located approximately 587.3' East of the present centerline intersection with Teeter Road;

RUNNING THENCE North 70° 57' 51" East along the present centerline of East Shore Circle for a distance of 75.00' to a point;

RUNNING THENCE South 18° 58' 58" East, passing through an iron pin found at a distance of 28.85' and continuing for a total distance of 248.59' to an iron pin found;

RUNNING THENCE North 71° 11' 06" East for a distance of 329.32' to an iron pin found;

RUNNING THENCE South 18° 02' 05" East for a distance of 5.92' to a point;

RUNNING THENCE North 70° 49' 21" East for a distance of 341.21' to an iron pin found;

RUNNING THENCE North 71° 01' 16" East for a distance of 147.52' to an iron pin found;

RUNNING THENCE North 16° 32' 00" West for a distance of 33.11' to an iron pin found;

RUNNING THENCE South 25° 15' 46" East for a distance of 147.00' to an iron pin found;

RUNNING THENCE South 24° 53' 54" West for a distance of 189.64' to a point;

RUNNING THENCE South 56° 56' 25" West, along the North line of East Shore Drive for a distance of 305.99' to a point;

RUNNING THENCE South 63° 15' 24" West, along the North line of East Shore Drive for a distance of 467.00' to a highway monument found;

RUNNING THENCE North 87° 15' 43" East for a distance of 619.53' to an iron pipe found;

RUNNING THENCE North 14° 52' 42" East for a distance of 143.28' to an iron pin found;

RUNNING THENCE North 19° 11' 22" West for a distance of 39.16' to an iron pin found;



RUNNING THENCE North 19° 11' 22" West for a distance of 310.35' to a point;

RUNNING THENCE North 71° 06' 53" East along the present centerline of East Shore Circle for a distance of 160.00' to a point;

RUNNING THENCE North 71° 06' 53" East along the present centerline of East Shore Circle for a distance of 139.59' to a point;

RUNNING THENCE North 03° 02' 22" West for a distance of 390.04' to a point;

RUNNING THENCE North 03° 02' 22" West for a distance of 277.95' to a point;

RUNNING THENCE North 03° 02' 22" West for a distance of 239.60' to an iron pin found;

RUNNING THENCE South 82° 49' 40" East for a distance of 136.15' to a point;

RUNNING THENCE South 82° 49' 40" East for a distance of 133.50' to a point;

RUNNING THENCE South 07° 10' 20" West for a distance of 45.00' to a point;

RUNNING THENCE along a curve to the right for an arc distance of 124.14' to a point, said course having a chord tie of South 10° 36' 36" East for a distance of 122.16';

RUNNING THENCE along a curve to the right for an arc distance of 53.00' to a point, said course having a chord tie of South 35° 59' 01" East for a distance of 52.85';

RUNNING THENCE South 43° 33' 41" East for a distance of 105.80' to a point;

RUNNING THENCE South 43° 33' 41" East for a distance of 234.55' to a point;

RUNNING THENCE South 43° 33' 41" East for a distance of 122.10' to a point;

RUNNING THENCE South 19° 02' 09" East for a distance of 73.92' to a point;

RUNNING THENCE South 70° 57' 51" West for a distance of 51.13' to a point;

RUNNING THENCE South 19° 02' 09" East for a distance of 46.97' to a point;

RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 162.48' to a point;

RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 174.85' to a point;

RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 76.00' to the point and place of beginning;

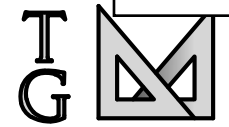
Said parcel having an area of 21.48 acres to the centerline of roads.

SUBJECT TO covenants, restrictions, easements and encumbrances of record.

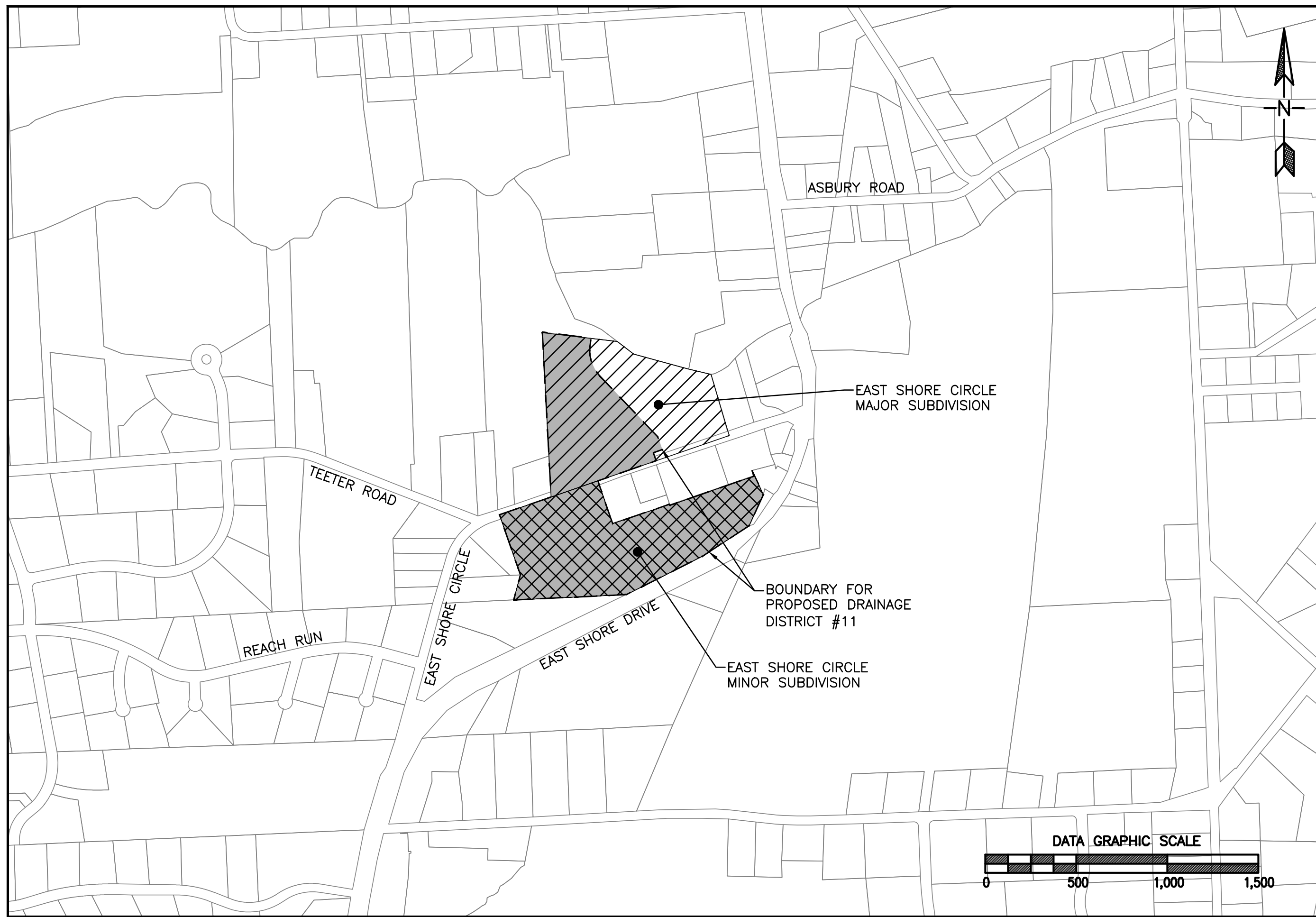
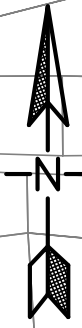
For a more particular description thereof, reference is hereby made to a survey map entitled, being "Subdivision Plat, Showing Portion of Lands of John F. Young, Susan M. Barnett, James R. Young and Julie Young, Located North of East Shore Circle, Town of Lansing, Tompkins County, New York" dated 10/23/2023, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.

Also, reference is hereby made to a survey map entitled, being "Survey Map Showing Southerly Portion of Lands of No. 106 East Shore Circle, Town of Lansing, Tompkins County, New York" dated 12/14/2022, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.

Also, references is hereby made to a survey map entitled, being "Town of Lansing Proposed Drainage District No. 11 East Shore Circle Subdivision, Town of Lansing, Tompkins County, New York" dated 8/7/2023, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.



**T.G. MILLER, P.C.**  
ENGINEERS AND SURVEYORS  
605 WEST STATE STREET, SUITE A  
ITHACA, NEW YORK 14850  
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607-272-6477



**TOWN OF LANSING**  
**PROPOSED DRAINAGE DISTRICT #11**  
**EAST SHORE CIRCLE SUBDIVISION**  
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

SHEET TITLE

VICINITY  
MAP

DATE: 8/7/23

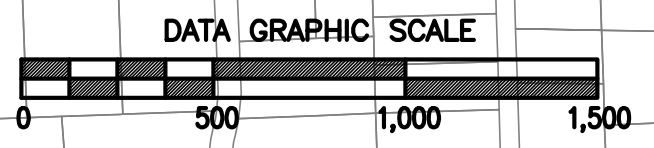
JOB No.  
E23-01

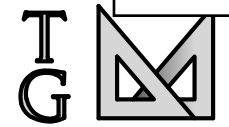
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1" = 500'

DRAWN BY:  
AXA

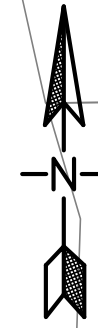
SHEET  
MAP 1

CHECKED:  
DMH





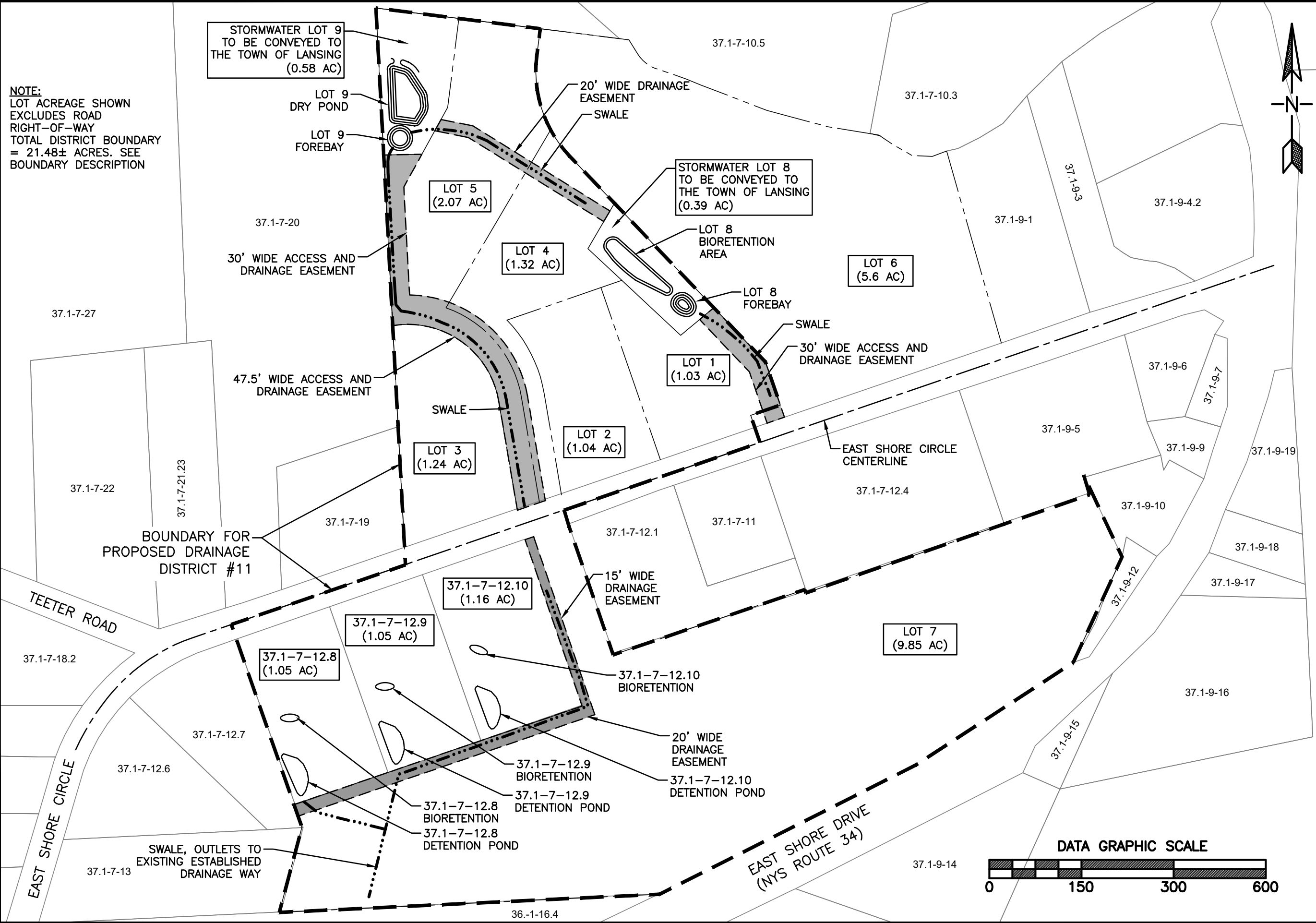
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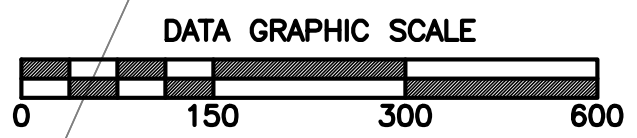
**TOWN OF LANSING  
PROPOSED DRAINAGE DISTRICT #11  
EAST SHORE CIRCLE SUBDIVISION**  
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

**SHEET TITLE**  
DISTRICT BOUNDARY  
AND STORMWATER  
MANAGEMENT  
PRACTICE LOCATION

DATE: <b>8/7/23</b>	JOB No. <b>E23-01</b>
SCALE: <b>1" = 150'</b>	SHEET <b>MAP 2</b>
DRAWN BY: <b>AXA</b>	
CHECKED: <b>DMH</b>	



**NOTE:**  
LOT ACREAGE SHOWN  
EXCLUDES ROAD  
RIGHT-OF-WAY  
TOTAL DISTRICT BOUNDARY  
= 21.48± ACRES. SEE  
BOUNDARY DESCRIPTION



**RESOLUTION 23-\_\_****RESOLUTION AND ORDER CALLING PUBLIC HEARING UPON  
PUBLIC INTEREST ORDER FOR FORMATION OF DRAINAGE  
DISTRICT #11 FOR EAST SHORE CIRCLE SUBDIVISIONS**

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

WHEREAS, John Young, *et al.* (the “Developer”) is proposing the dedication of stormwater facilities and easements relating thereto for the purposes of fulfilling Planning Board approval conditions and ensuring the long-term maintenance of stormwater facilities for the East Shore Circle Major and Minor Subdivisions, further including the dedication of stormwater pond lots identified on the major subdivision plat as Lots 8 and 9; and

WHEREAS, the development plans, subdivision plats, and project SWPPPs have envisioned that the common facilities and stormwater operation, maintenance, reporting, and repair obligations would be managed by a drainage district operated by the Town as an Article 12-A improvement district, and the final approval of the major subdivision plat issued by the Planning Board defines the boundaries of the subdivision and requires district formation for the whole thereof as a condition of approval; and

WHEREAS, the proposal to proceed with this specific district, and its location and boundaries, arose as a result of both said planning board conditions, Phase 2 EPA Stormwater requirements (as reflected in the Town Code and the town policy mandating drainage districts for residential subdivisions), and the direct and unanimous petitions of all landowners in both the major and minor subdivisions; and

WHEREAS, the Town Board accepted the town engineer’s recommendation as to this district and forwarded the same, together with maps, the landowner petitions, and related information, to the Water and Sewer Advisory Board (“WSAB”), which agency reviews and issues advisory recommendations on all special benefit districts for the town, and the WSAB unanimously recommended by written memorandum that the town proceed with formation of this district as was so mapped and proposed; and

WHEREAS, the Town Board duly accepted and adopted such advisory opinion and recommendations and, by resolution, authorized the town engineer to proceed with a Map, Plan and Report (“MPR”) for this proposed district based upon all of the foregoing, and upon November 6, 2023, a final MPR was prepared and sealed and thereafter submitted to the town for review, as well as for development of the concurrent and needed stormwater management terms and easements; and

WHEREAS, suitable documents have been prepared respecting stormwater agreements and easements, the same are under review by the landowners, and the Town Board finds

that all requirements for this district appear to be in place, or are anticipated to be in place prior to the adoption of any Final Order under Town Law Article 12-A; and

WHEREAS, the MPR is found to be in compliance with Town Law §§ 209-c and 209-d, and it is and has been determined that it is in the public interest to form such district, such that the Town now desires to proceed towards establishment of Drainage District #11 pursuant to the provisions of Town Law Article 12-A (the "Project") and finds that all proceedings to date have been in compliance therewith and that the final Map, Plan and Report, dated November 6, 2023 properly describes the district and its expenses; it being further found that such district benefits all parcels in the proposed district and that no benefitted parcels have been excluded from such district; and

WHEREAS, this action was previously classified as a Type I Action under SEQRA and the lead agency (the Town of Lansing Planning Board), under a coordinated review that duly considered drainage and stormwater facilities and this Project, previously issued a Negative Declaration; and

WHEREAS, an examination of such FEAF and prior SEQRA findings in relation to this Project has been undertaken, and the Town Board (as an involved agency) has found that no impacts arising from this Project are or are likely to cause any actual or potential impact to become a moderate or significant impact, such that no supplemental review under SEQRA is determined to be necessary that does or may require referral to the lead agency; and

WHEREAS, upon due deliberation hereupon, the Town Board hereby adopts an Order pursuant to Town Law §209-d as follows:

1. The boundaries of the proposed district are inclusive of all that land now and formally part of the East Shore Circle Minor and East Shore Circle Major Subdivisions, including approximately 21.48 acres of land, being comprised of two stormwater lots and related easement areas, and approximately ten residential building parcels (some of which are already developed, or partially developed) all being known as TPNs 37.1-7-12.8, 37.1-7-12.9, 37.1-7-12.10, and p/o 37.1-7-12.2, each of said parcels and the district boundaries being thus further depicted in the Subdivision Plat maps and stormwater maps, each duly deemed incorporated herein, and the descriptions for land records thereof as are on file at the Tompkins County Clerk's Office. The said lands are also described in the MPR as follows: BEGINNING at a point in the present centerline of East Shore Circle, said point being further located approximately 587.3' East of the present centerline intersection with Teeter Road; RUNNING THENCE North 70° 57' 51" East along the present centerline of East Shore Circle for a distance of 75.00' to a point; RUNNING THENCE South 18° 58' 58" East, passing through an iron pin found at a distance of 28.85' and continuing for a total distance of 248.59' to an iron pin found; RUNNING THENCE North 71° 11' 06" East for a distance of 329.32' to an iron pin found;

RUNNING THENCE South 18° 02' 05" East for a distance of 5.92' to a point; RUNNING THENCE North 70° 49' 21" East for a distance of 341.21' to an iron pin found; RUNNING THENCE North 71° 01' 16" East for a distance of 147.52' to an iron pin found; RUNNING THENCE North 16° 32' 00" West for a distance of 33.11' to an iron pin found; RUNNING THENCE South 25° 15' 46" East for a distance of 147.00' to an iron pin found; RUNNING THENCE South 24° 53' 54" West for a distance of 189.64' to a point; RUNNING THENCE South 56° 56' 25" West, along the North line of East Shore Drive for a distance of 305.99' to a point; RUNNING THENCE South 63° 15' 24" West, along the North line of East Shore Drive for a distance of 467.00' to a highway monument found; RUNNING THENCE North 87° 15' 43" East for a distance of 619.53' to an iron pipe found; RUNNING THENCE North 14° 52' 42" East for a distance of 143.28' to an iron pin found; RUNNING THENCE North 19° 11' 22" West for a distance of 39.16' to an iron pin found; RUNNING THENCE North 19° 11' 22" West for a distance of 310.35' to a point; RUNNING THENCE North 71° 06' 53" East along the present centerline of East Shore Circle for a distance of 160.00' to a point; RUNNING THENCE North 71° 06' 53" East along the present centerline of East Shore Circle for a distance of 139.59' to a point; RUNNING THENCE North 03° 02' 22" West for a distance of 390.04' to a point; RUNNING THENCE North 03° 02' 22" West for a distance of 277.95' to a point; RUNNING THENCE North 03° 02' 22" West for a distance of 239.60' to an iron pin found; RUNNING THENCE South 82° 49' 40" East for a distance of 136.15' to a point; RUNNING THENCE South 82° 49' 40" East for a distance of 133.50' to a point; RUNNING THENCE South 07° 10' 20" West for a distance of 45.00' to a point; RUNNING THENCE along a curve to the right for an arc distance of 124.14' to a point, said course having a chord tie of South 10° 36' 36" East for a distance of 122.16'; RUNNING THENCE along a curve to the right for an arc distance of 53.00' to a point, said course having a chord tie of South 35° 59' 01" East for a distance of 52.85'; RUNNING THENCE South 43° 33' 41" East for a distance of 105.80' to a point; RUNNING THENCE South 43° 33' 41" East for a distance of 234.55' to a point; RUNNING THENCE South 43° 33' 41" East for a distance of 122.10' to a point; RUNNING THENCE South 19° 02' 09" East for a distance of 73.92' to a point; RUNNING THENCE South 70° 57' 51" West for a distance of 51.13' to a point; RUNNING THENCE South 19° 02' 09" East for a distance of 46.97' to a point; RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 162.48' to a point; RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 174.85' to a point; RUNNING THENCE South 70° 57' 51" West along the present centerline of East Shore Circle for a distance of 76.00' to the point and place of beginning; Said parcel having an area of 21.48 acres to the centerline of roads.

2. The proposed improvements consist of stormwater retention ponds, vegetated swales and ditches to convey stormwater to pond forebays, rip rap, a culvert, and other related stormwater facilities and drains, all of which are set forth upon and within the final subdivision plats, in recorded easements, and in the SWPPPs (which are incorporated herein by reference). All costs of installation will be paid for by the Developer, and the future maintenance responsibilities of Drainage District #11 include

inspections and reporting, unclogging outlet pipes, mowing and vegetation management, animal and nuisance controls, pond and forebay management, dredging ponds and forebay when needed, sediment and debris removal, repairs to areas with erosion and settling within ponds, embankments, swales, and bioretention areas, structural and other repairs/replacements of trash racks, concrete, and riser structures, and the tilling or replacement of bioretention surfaces and media, as needed, to ensure or restore permeability and drainage. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and further responsibilities of the District include the need to periodically inspect on-site privately built and maintained stormwater facilities (on individual residential lots) and require their preservation, maintenance, and improvement, as required by law.

3. The estimated cost to the Town and the District for the proposed improvements is \$0.00, which is the maximum amount proposed to be expended by the Town or the District. There is no hook-up cost for or to the drainage district, and there is no financing needed for this project.

4. The MPR describes in detail how the financing, hook-up costs, and other costs and expenses of the proposed drainage district were estimated and computed, including the first year's estimated maximum average maintenance cost of \$630 per parcel. Such costs are proposed to be paid through special benefit assessments for the benefited parcels of the proposed district, to be collected with the annual Town and County tax bill. The average cost was computed by identifying the frequency that each maintenance activity is required; then establishing the number of hours and cost per hour for such maintenance activity, then arriving at a total district first year's estimated cost of \$6,330. Such amount was then applied to the total acreage and a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly in said MPR. This statement of detail as to how the costs were calculated is and shall be deemed the required computation statement required to be filed with the Town Clerk by Town Law § 209-d(1).

5. The MPR is on file for public review and inspection at the Office of the Town Clerk, and a public hearing upon such proposed district will be held at 6:31 pm upon December 20, 2023, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law.

6. The Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause this Resolution and Order to be published in the Town's official newspaper and posted not less than 10 nor more than 20 days before such public hearing.



**TOWN OF LANSING**

TOMPKINS COUNTY, NEW YORK

November 6, 2023

**ENGINEER'S REPORT**

**Proposed Town of Lansing  
Drainage District #12:  
Asbury Road Subdivision**



PREPARED BY:  
**T. G. Miller, P.C.**  
**Engineers and Surveyors**  
**Ithaca, New York**

**ENGINEER'S REPORT**  
**PROPOSED TOWN OF LANSING**  
**DRAINAGE DISTRICT #12:**  
**ASBURY ROAD SUBDIVISION**

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## **SECTION 1 - INTRODUCTION**

The Asbury Road Subdivision is a six-parcel realty subdivision located north of Asbury Road and east of Collins Road. The Subdivision obtained final approval from the Town of Lansing Planning Board on March 28, 2022. Land disturbance activities within the Subdivision are subject to the design and permitting requirements of New York State Department of Environmental Conservation (DEC) SPDES General Permit No. GP-0-20-001. In accordance with the General Permit, the Stormwater Pollution Prevention Plan (SWPPP) prepared by the Owner/Operator incorporates permanent post-construction stormwater treatment and peak flow attenuation practices. In addition, permanent swales have been designed to convey stormwater runoff from the undeveloped areas away from the permanent practices.

The SPDES General Permit requires on-going maintenance of these practices and dictates the Owner/Operator ensure one of the following prior to terminating permit coverage:

- a. *the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,*
- b. *an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),*
- c. *for post-construction stormwater management practices that are privately owned, the owner or operator has a deed covenant in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.*
- d. *for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, the owner or operator has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.*

In this instance, there are permanent water quality treatment practices (bioretention basins) and grassed diversion swales that will be installed on each residential lot as houses are constructed. Long-term operation and maintenance of these practices and swales will be the responsibility of the drainage district as prescribed in a maintenance agreement carried in the deed or general covenants and restrictions filed and common to the Subdivision. The maintenance agreements and covenants will be reviewed and approved by the Town's Counsel to assure that adequate rights of access and maintenance are provided. These privately owned practices will require annual inspection by the drainage district. To offset the expenses related to the inspection and maintenance of these stormwater management facilities, the Town is proposing to establish a drainage benefit district for all lands within this Subdivision and which are further outlined in the Boundary Description in Appendix A. As described herein, Drainage District No. 12 here after referred to as the "District", will provide the methodology for financing long-term stormwater practice maintenance.

## **SECTION 2 - SERVICE AREA**

As depicted on Map 1, the Subdivision is located north of Asbury Road and east of Collins Road. The total land area of the subdivision to be included in Drainage District #12 is approximately 72.358 acres including road right-of-way. Based on the approved final subdivision plat, the lands have been divided into five residential building lots and a remnant parcel of vacant land. The building lots are identified on the final plat and Map 2 as Lots 3-7, and the vacant land as Parcel A.

TABLE 1. TAX MAP PARCELS IN DRAINAGE DISTRICT #12			
Lot #	Tax Map Parcel #	Owner	Acres
3		JOHN YOUNG, et al	1.049
4		JOHN YOUNG, et al	1.303
5		JOHN YOUNG, et al	1.306
6		JOHN YOUNG, et al	3.254
7		JOHN YOUNG, et al	9.219
Parcel A		JOHN YOUNG, et al	55.314
Total Area of Building Lots =			71.445

**SECTION 3 – OVERVIEW OF MAINTENANCE RESPONSIBILITIES**

Under this proposal, the District will assume the responsibility for maintaining the bioretention basin and grassed diversion swale once constructed by the Owner/Operator on lots as identified in Map 2 and detailed in the final plans and SWPPP as approved by the Stormwater Management Officer. The Owner/Operator will be responsible for all temporary sediment and erosion control practices in compliance with the requirements of the NYSDEC SPDES General Permit for land disturbance activities. The roles and responsibilities of the District and the Owner/Operator are further outlined below.

*3.1 The Owner/Operator*

Prior to beginning construction on any lot or parcel, the Owner/Operator will be responsible for obtaining coverage under the General Permit by submitting a Notice of Intent (NOI). The NOI must reference the Final Subdivision SWPPP as well as the Subdivision SPDES permit number identified on the Final Plat. Under the General Permit, the individuals who retain permit coverage are responsible for and liable under the permit until a Notice of Termination (NOT) is filed with the NYSDEC. A NOT cannot be filed until the site is completely stabilized and all soil disturbance activity is ceased. Until that time, the Owner/Operator will be liable for the following elements of the permit:

- 1) Fees for continuing permit coverage.
- 2) Construction inspections for ongoing construction activity.
- 3) Ensuring final site stabilization.
- 4) Responsibility and liability for water quality violations caused by construction activity within the Subdivision.
- 5) Filing of a NOT to terminate permit coverage.

*3.2 Town of Lansing on behalf of Drainage District #12*

The Town will be responsible on behalf of the District for undertaking annual inspections and implementing emergency repairs to the bioretention practices and grassed diversion swales as deemed necessary. In addition, the Town will be responsible for administration of the Drainage District, including tracking expenses, assessing fees, and collecting fees attributable to any emergency repair activities for the permanent stormwater practices.

The required permanent practices, or Facilities, are to be installed by Owner/Operator on each building lot or parcel prior to or as houses are constructed, thereafter, to be maintained by the District. The District will complete annual inspection, reporting, maintenance and improvement obligations. To assure compliance with such local law and NYSDEC Stormwater regulations, the following minimum provisions shall cover each building lot or parcel within the District:

- 1) All landowners and lot owners shall be responsible to construct and install, and once so constructed and installed, the District to operate, maintain, and repair the stormwater management facilities as described in or as shown upon the Final Subdivision Plat, the Stormwater Drainage District Map, or the Stormwater Pollution Prevention Plan (hereinafter severally and together, the "Stormwater Plan"), including but not limited to drainage ditches, swales, infiltrators, drop inlets, pipes, culverts, soil absorption devices, raingardens, bioretention basins, and all appurtenances thereto (hereinafter severally and together, the "Facilities"), to ensure that the Facilities continue to function as designed and for their intended purposes.
- 2) All Owners shall grant access to the Town of Lansing for the purposes of observing, maintaining, and inspecting the Facilities at any time, and from time-to-time, as may be deemed appropriate, necessary, or desirable by the Town.
- 3) If any deficiencies in Facilities are discovered or suspected to have been caused by the Owner/Operator, the Town will notify the Owner in writing and mandate a reasonable number of days to effect needed analyses or repairs or maintenance pursuant to a fair plan on notice to the Owner. If the Owner shall fail to complete any analyses or repairs or maintenance to the reasonable satisfaction of the Town within the required period set forth in any notice the Town may effect the same and charge to the Owner the cost thereof. Emergencies do not require prior notice. The Town may collect such costs in any manner as allowed by law and determinations and demands for reimbursement shall be subject to review under Article 78 of the New York Civil Practice Law and Rules.
- 4) No Owner may authorize, undertake, or permit the alteration of, abandonment of, modification of, demolition of, discontinuation of, or interference with any Facilities, except in strict accordance with the written approval of the Town.
- 5) All covenants or maintenance easements or agreements implementing these basic requirements shall be written in a form as is acceptable to and approved by the Town, and all rights of entry and rights of way to and for the Facilities shall be written as appurtenant easements and rights-of-way duly limited to that which is reasonably necessary for stormwater needs and practices under law. All covenants and maintenance easements and agreement shall be enforceable in law or equity.
- 6) Other landowners within the Drainage District shall also have rights of enforcement relative to stormwater Facilities maintenance to prevent flooding, nuisance, loss of property or property value, and hazards.

#### **SECTION 4 - OVERVIEW OF MAINTENANCE ACTIVITIES**

The Owner/Operator will be responsible for constructing the permanent practices on their land in accordance with the Final Subdivision SWPPP and as shown on Map 2. With respect to Lots 3-7, each bioretention basin is intended to receive runoff from the impervious areas of the individual lot they serve. Runoff from the upstream undeveloped land will be captured and diverted to the Town's right-of-way by grass lined swales. Maintenance activities for these practices may include annual inspections, routine maintenance, and emergency repairs. This section outlines some of the routine activities needed to

maintain both the long-term pollutant removal and structural integrity of stormwater practices. These activities are encompassed within six general categories as described below. In addition, Table 3 outlines some of the detailed activities within these categories, together with an estimated frequency.

Inspections

An annual inspection is needed to monitor the permanent practices. In the long term, these inspections reduce expenses by allowing the Owner and District to address small problems as they occur, with relatively low-cost solutions.

Sediment and Debris Removal

Sediment, trash and other debris accumulate within bioretention practices at a fairly constant rate. As sediment accumulates in stormwater practices, the capacity to treat and attenuate stormwater is reduced. In addition, the sediment can clog outflow pipes and reduce the capacity of the overflow channels. Some typical maintenance activities include removing sediment and debris, and unclogging outlet pipes.

Vegetation Management

Vegetation can enhance pollutant removal in some stormwater management practices but needs to be managed. Mowing is necessary to maintain a safe basin embankment.

Animals and Nuisances

Some typical nuisance issues for stormwater basins are mosquitoes and animal burrows. Mosquitoes can sometimes breed in pond forebays, particularly if dense vegetation develops. Some non-toxic methods are available to discourage mosquito breeding. Animal burrows damage basin embankments and need to be filled immediately.

Erosion

Over time, soil erosion can occur at some critical points in stormwater management practices, particularly when bare soil exists. When erosion occurs, the area needs to be stabilized to prevent further damage.

Structural Repairs

Although the stormwater bioretention basins that services the lots in this Subdivision have relatively few moving parts and structural elements, some long-term repairs may be needed. These will include replacing or repairing cracked pipes, eroded banks, and basin cleanout structures.

Inspections of Private Practices

These will be as needed and conducted in conjunction with annual review and any complaints or direct observations made during construction and site alterations.

<b>TABLE 3. STORMWATER MAINTENANCE ACTIVITIES FOR DRAINAGE DISTRICT #12</b>		
<b>Maintenance Item</b>	<b>Frequency (years)<sup>1,2</sup></b>	<b>Practices Where Performed</b>
<i>Inspections</i>		
Inspection	1	Bioretention basin and swales
<i>Sediment and Debris Removal</i>		
Unclog outlet pipes	1	Bioretention basin
Debris/Trash Removal	1	Bioretention basin and swales
Remove sediment from swales	5	Swales
<i>Vegetation Management</i>		
Mowing	1	Bioretention basin embankment and swales
Tree removal from embankment	10	Bioretention basin Embankments (should be

<b>TABLE 3. STORMWATER MAINTENANCE ACTIVITIES FOR DRAINAGE DISTRICT #12</b>		
<b>Maintenance Item</b>	<b>Frequency (years)<sup>1,2</sup></b>	<b>Practices Where Performed</b>
		limited by mowing)
Replace vegetation (Dead or decaying vegetation in filter)	As needed	Bioretention basin
<i>Animals/ Nuisances</i>		
Remove animal burrows from basin embankment.	5	Bioretention basin
<i>Erosion</i>		
Repair areas of erosion	2-5	Bioretention basin and swales
<i>Structural repairs</i>		
Repair low spots on the embankment	5	Bioretention basin
Till bioretention surface to restore permeability (Filter drains slowly and surface is compacted)	3 (as needed)	Bioretention basin
Replace entire bioretention media (Filter does not drain, and other measures to restore are unsuccessful)	10 (as needed)	Bioretention basin
1: Maintenance Frequencies derived from the “New York State Stormwater Management Design Manual created by the New York State Department of Environmental Conservation.		
2: Frequency may vary, and the need for maintenance will be determined by annual inspections.		

**SECTION 5 – ESTIMATE OF FIRST-YEAR MAINTENANCE COST**

This section estimates the initial first year maintenance cost, with the goal of establishing an initial assessment rate for landowners of properties within the District. Over time, these costs will vary, based on the occurrence of relatively high cost items at the time services are performed. The cost estimate includes assumptions regarding the items that will occur within the first year, the extent of these items, and the unit cost. The first-year maintenance plan, along with cost estimates, is presented in Table 4.

The first-year maintenance items are derived from the maintenance frequencies presented in Table 3, with the following assumptions:

- 1) Each inspection takes approximately two staff hours, including a site visit by one person, travel time, and report writing.
- 2) A total of five lots are simultaneously developed for residential use.
- 3) Items listed as annual or more frequent occur within the first year, at the frequency named.
- 4) Some erosion occurs within the diversion swales or swales leading to the basins, and will need to be repaired.
- 5) As a contingency, it is assumed that two five-year frequency items occur in the first year, including repairing low spots on the embankment and removing animal burrows.
- 6) Mowing is needed on basin embankments and swales, representing a total of approximately 1.5 acres.

**TABLE 4. COST OF FIRST-YEAR MAINTENANCE**

Maintenance Item	Description	Unit Cost	Extent	Cost
Inspection and Reporting	Inspect using forms derived from Appendix G of the “New York Stormwater Management Design Manual”	\$150/hour	2-hr for five improved lots	\$1,500
Unclog outlet pipes	Remove accumulated debris from the outlet pipes, possibly by jet cleaning.	\$150/bio	1 time for 5 bio’s	\$750
Mowing and Debris/Trash Removal	Mow the swales and embankments. Remove trash and debris.	\$200/lot	1 time for 5 improved lots	\$1,000
Repair areas of erosion and settling within swales and bio	Replace topsoil, compact and reseed up to two areas.	\$250/lot	1 time for 5 improved lots	\$1,250
<b>TOTAL ESTIMATED COST (ROUNDED) =</b>				<b>\$4,500</b>

**SECTION 6 – METHOD OF FINANCING**

*Estimate of First-Year Maintenance Charges*

The cost of annual inspection, reporting and maintenance completed by the Town will be assessed to the owners of taxable land within the District. The total acreage of all parcels based on the approved final plat is 71.445 acres excluding road right-of-way. Thus, the maintenance charge to each of the parcels within the district is calculated as outlined in the formula below. A tiered rate will be used for parcels considered Vacant Land and Developed Land defined as follows:

“Vacant Land” means a lot or parcel of land that is not improved or significantly disturbed, and which has not been earmarked by planning board or other approvals for development or significant disturbance.

“Developed Land” means a lot or parcel of land was or is improved, or which is earmarked for significant disturbance or development, whether with a residence, an accessory structure, or otherwise, including by planning board or other approvals.

Developed Land will be charged full rate. Parcels that are considered Vacant Land will be charged 10% of the full rate until the property becomes classified as Developed Land.

Maintenance Charge (cost per acre):

Full Rate (Developed Land)=

$$\text{Maintenance Cost}/(\text{Developed Land Acreage} + (10\%*\text{Vacant Land Acreage}))$$

**Full Rate (Developed Land) = \$4,500/(16.131 + (10%\*55.314))**  
**= \$207.73 per acre**

**10% of Full Rate (Vacant Land) = \$207.73\*10%**  
**= \$20.77 per acre**

Using the cost of \$4,500 derived from Table 4, and the lot areas from the Final Subdivision plat, the estimated first year maintenance fees are presented in Table 5.



<b>TABLE 5. ESTIMATED FIRST-YEAR STORMWATER MAINTENANCE FEES</b>					
<b>Lot #</b>	<b>Tax Parcel #</b>	<b>Owner(s) Name(s)</b>	<b>Developed Land Acreage</b>	<b>Vacant Land Acreage</b>	<b>Estimated Fee (Rounded)</b>
3		JOHN YOUNG, et al	1.049		\$218
4		JOHN YOUNG, et al	1.303		\$271
5		JOHN YOUNG, et al	1.306		\$271
6		JOHN YOUNG, et al	3.254		\$676
7		JOHN YOUNG, et al	9.219		\$1,915
Parcel A		JOHN YOUNG, et al		55.314	\$1,149
		Total	16.131	55.314	\$4,500

*Method of Assessment*

The charges to finance the costs of this district will be included in the annual Town/County tax bill. Although estimated first year charges are included in this report, the calculated charge will be a reimbursement for actual maintenance activities of each preceding year. The Town will track all maintenance activities and the resulting costs in labor and equipment, and annually adjust the amount to be raised from each landowner.

APPENDIX A

BOUNDARY DESCRIPTION

TOWN OF LANSING DRAINAGE DISTRICT No. 12

ALL THAT TRACT OR PARCEL OF LAND situate in the, Town of Lansing, County of Tompkins, State of New York, being bounded and described as follows:

BEGINNING at a point in the present centerline of Asbury Road, said point being further located 776.46' East of the present centerline intersection with Collins Road;

RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 60.00' to a point;

RUNNING THENCE North 01° 50' 40" West, passing through an iron pin found at a distance of 26.47' and continuing for a total distance of 325.42' to an iron pin found;

RUNNING THENCE North 87° 08' 08" East, passing through an iron pin found at a distance of 177.99', passing through an iron pin set at an additional distance of 150.02', passing through an iron pin set at an additional distance of 150.02', said course having a total distance of 478.03';

RUNNING THENCE South 03° 51' 57" East for a distance of 328.91' to a point;

RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.05' to a point;

RUNNING THENCE North 03° 51' 57" West, passing through an iron pipe found at a distance of 29.76' and continuing for a total distance of 329.98' to an iron pipe found;

RUNNING THENCE North 87° 08' 08" East for a distance of 300.00' to a tall post;

RUNNING THENCE South 03° 51' 57" East for a distance of 332.12' to a point;

RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 76.26' to a point;

RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.00' to a point;

RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.00' to a point;

RUNNING THENCE North  $02^{\circ} 52' 45''$  West, passing through an iron pipe found a distance of 36.22' and continuing for a total distance of 404.60' to an iron pin set;

RUNNING THENCE North  $02^{\circ} 52' 45''$  West for a distance of 113.62' to an iron pipe found;

RUNNING THENCE North  $02^{\circ} 18' 28''$  West for a distance of 1336.42' to an iron pin set;

RUNNING THENCE South  $87^{\circ} 02' 17''$  West for a distance of 1616.99' to an iron pin found;

RUNNING THENCE South  $86^{\circ} 41' 09''$  West for a distance of 328.97' to an iron pin set;

RUNNING THENCE South  $02^{\circ} 41' 44''$  East for a distance of 200.00' to a point

RUNNING THENCE South  $86^{\circ} 41' 09''$  West, passing through an iron pipe found at a distance of 191.47' and continuing for a total distance of 217.50' to a point;

RUNNING THENCE South  $02^{\circ} 50' 10''$  East along the present centerline of Collins Road for a distance of 642.90' to a point;

RUNNING THENCE South  $02^{\circ} 50' 10''$  East along the present centerline of Collins Road for a distance of 75.00' to a point;

RUNNING THENCE South  $02^{\circ} 50' 10''$  East along the present centerline of Collins Road for a distance of 300.00 to a point;

RUNNING THENCE North  $87^{\circ} 29' 09''$  East, passing through an iron pin found at a distance of 25.00' and continuing for a total distance of 330.84' to an iron pin set;

RUNNING THENCE North  $56^{\circ} 37' 39''$  East for a distance of 243.70' to an iron pin set;

RUNNING THENCE North  $87^{\circ} 29' 09''$  East for a distance of 246.68' to an iron pin set;

RUNNING THENCE South  $02^{\circ} 30' 51''$  East for a distance of 125.00' to an iron pin found;

RUNNING THENCE South  $01^{\circ} 50' 40''$  East, passing through an iron pin found at a distance of 590.36' and continuing for a total distance of 615.12 to the point and place of beginning;

Said parcel having an area of 72.35 acres to the centerline of roads.

Said parcel having an area of 71.45 acres net to the road right of ways.

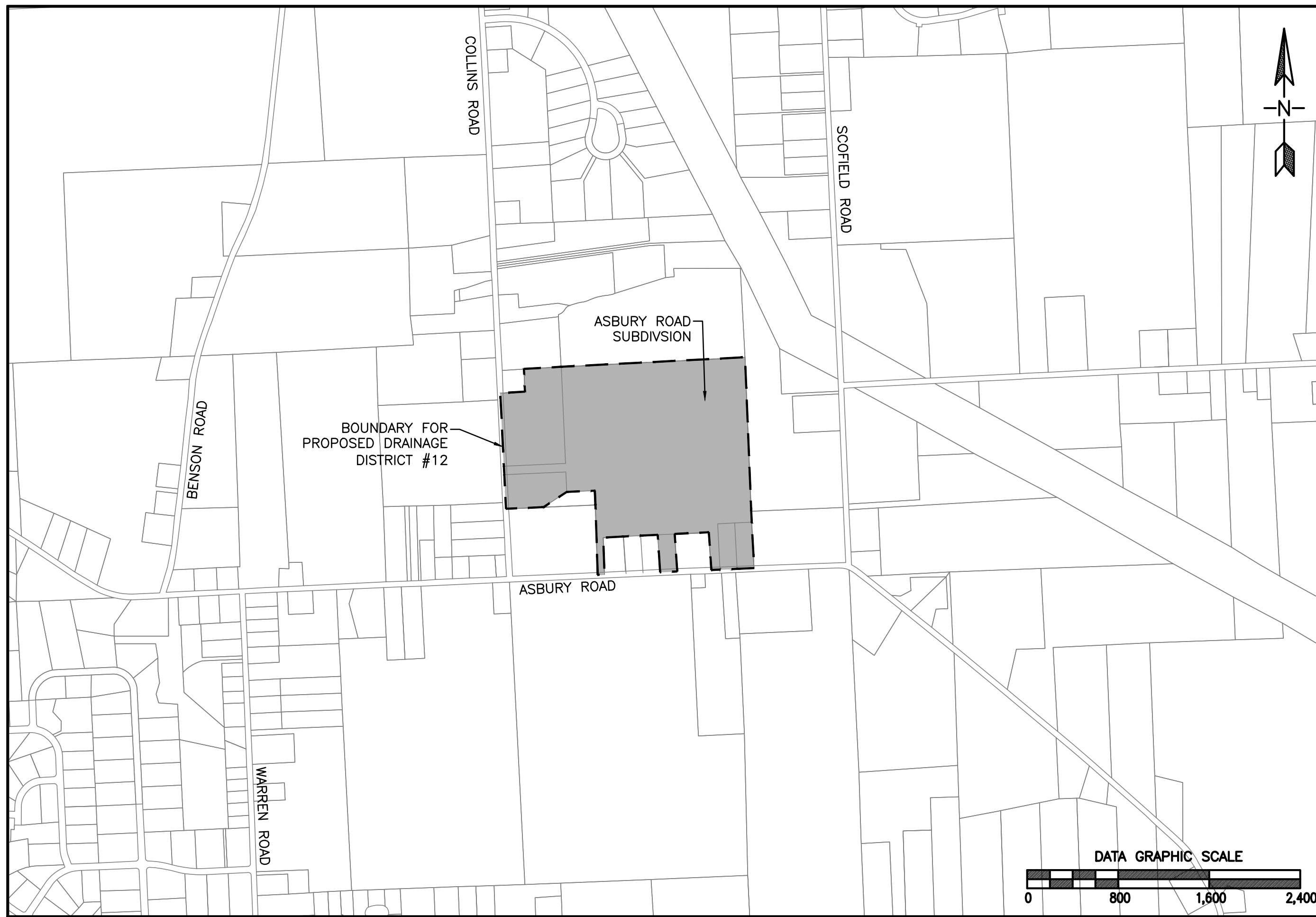
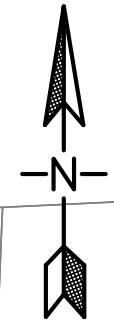
SUBJECT TO covenants, restrictions, easements and encumbrances of record.

For a more particular description thereof, reference is hereby made to a survey map entitled, being “Subdivision Plat for Lots 3-7, Showing a Portion of Lands of James R. and Julie R. Young and John F. Young and Susan M. Barnett, Located on Asbury Road, Town of Lansing, Tompkins County, New York” dated 1/4/2022, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.

Also, references is hereby made to a survey map entitled, being “Town of Lansing Proposed Drainage District No. 12 Asbury Road Subdivision, Town of Lansing, Tompkins County, New York” dated 8/7/2023, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York, filed concurrently herewith and incorporated herein by reference.



**T.G. MILLER, P.C.**  
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**TOWN OF LANSING**  
**PROPOSED DRAINAGE DISTRICT #12**  
**ASBURY ROAD SUBDIVISION**  
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

SHEET TITLE

VICINITY  
MAP

DATE:  
**8/7/23**

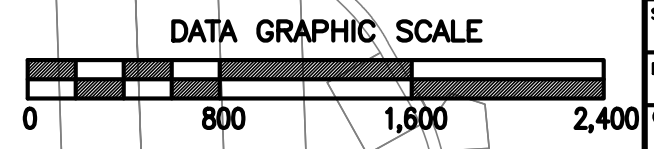
JOB No.  
**E22-01**

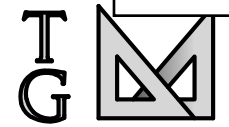
SCALE:  
**1" = 800'**

DRAWN BY:  
**OBB**

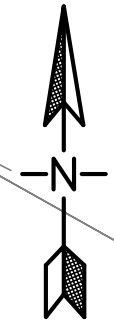
SHEET  
**MAP 1**

CHECKED:  
**DMH**





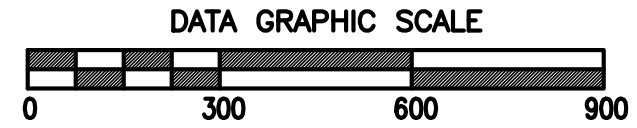
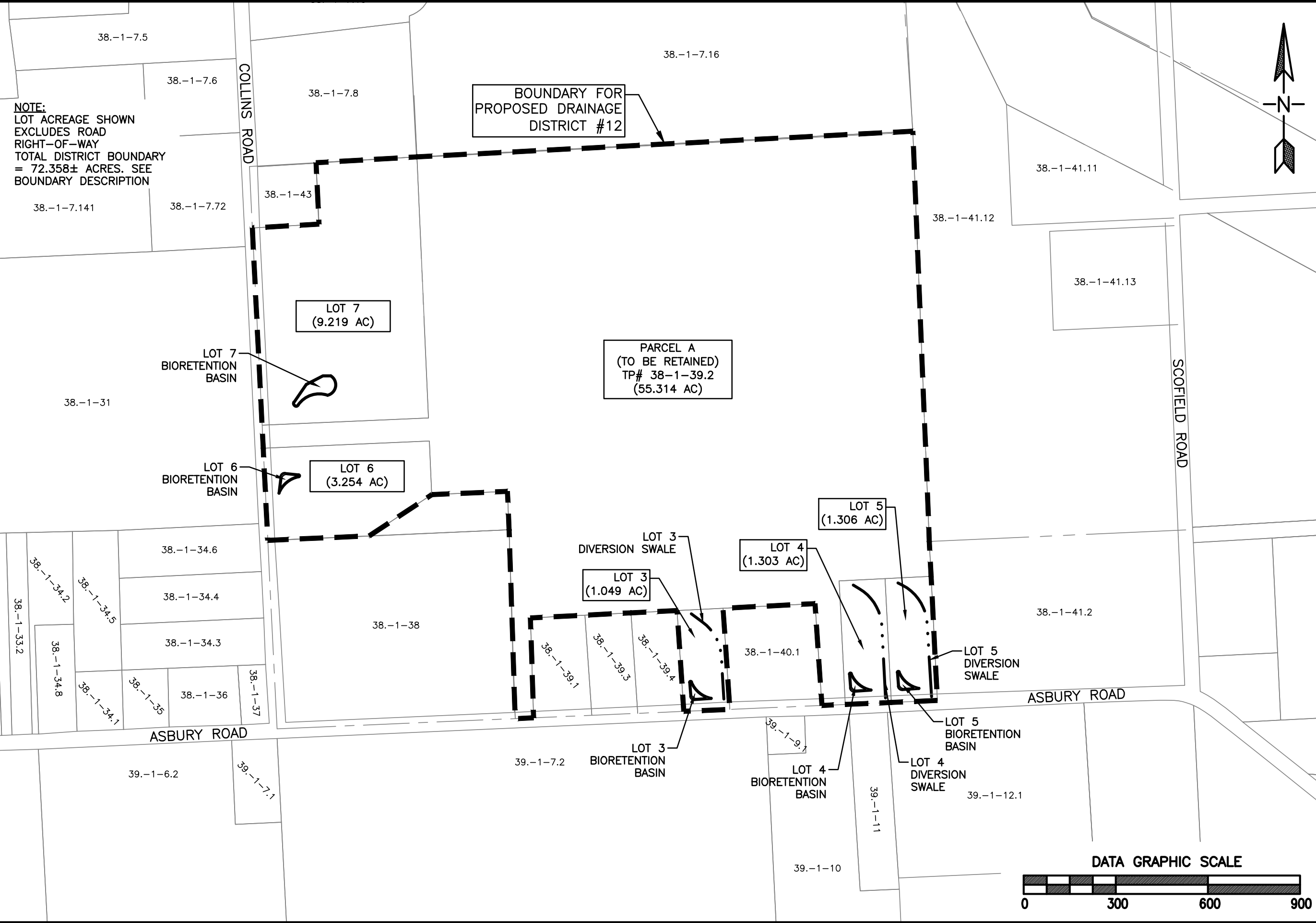
**T.G. MILLER, P.C.**  
ENGINEERS AND SURVEYORS  
605 WEST STATE STREET, SUITE A  
ITHACA, NEW YORK 14850  
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607-272-6477



**TOWN OF LANSING  
PROPOSED DRAINAGE DISTRICT #12  
ASBURY ROAD SUBDIVISION**  
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

**SHEET TITLE  
DISTRICT BOUNDARY  
AND STORMWATER  
MANAGEMENT  
PRACTICE LOCATION**

DATE: <b>8/7/23</b>	JOB No. <b>E22-01</b>
SCALE: <b>1" = 300'</b>	SHEET <b>MAP 2</b>
DRAWN BY: <b>OBB</b>	CHECKED: <b>DMH</b>



**RESOLUTION 23-\_\_****RESOLUTION AND ORDER CALLING PUBLIC HEARING UPON  
PUBLIC INTEREST ORDER FOR FORMATION OF DRAINAGE  
DISTRICT #12 FOR THE ASBURY-COLLINS SUBDIVISION**

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

WHEREAS, John Young, *et al.* (the “Developer”) is proposing the dedication of stormwater facilities and easements relating thereto for the purposes of fulfilling Planning Board approval conditions and ensuring the long-term maintenance of stormwater facilities for the Asbury-Collins Subdivision; and

WHEREAS, the development plans, subdivision plats, and project SWPPPs have envisioned that the common facilities and stormwater operation, maintenance, reporting, and repair obligations would be managed by a drainage district operated by the Town as an Article 12-A improvement district, and the final approval of the major subdivision plat issued by the Planning Board defines the boundaries of the subdivision and requires district formation for the whole thereof as a condition of approval; and

WHEREAS, the Town Board accepted the town engineer’s recommendation as to this district and forwarded the same, together with maps, the landowner petitions, and related information, to the Water and Sewer Advisory Board (“WSAB”), which agency reviews and issues advisory recommendations on all special benefit districts for the town, and the WSAB unanimously recommended by written memorandum that the town proceed with formation of this district as was so mapped and proposed; and

WHEREAS, the Town Board duly accepted and adopted such advisory opinion and recommendations and, by resolution, authorized the town engineer to proceed with a Map, Plan and Report (“MPR”) for this proposed district based upon all of the foregoing, and upon November 6, 2023, a final MPR was prepared and sealed and thereafter submitted to the town for review, as well as for development of the concurrent and needed stormwater management terms and easements; and

WHEREAS, suitable documents have been prepared respecting stormwater agreements and easements, the same are under review by the landowner-developers, and the Town Board finds that all requirements for this district appear to be in place, or are anticipated to be in place prior to the adoption of any Final Order under Town Law Article 12-A; and

WHEREAS, the MPR is found to be in compliance with Town Law §§ 209-c and 209-d, and it is and has been determined that it is in the public interest to form such district, such that the Town now desires to proceed towards establishment of Drainage District #12 pursuant to the provisions of Town Law Article 12-A (the “Project”) and finds that all

proceedings to date have been in compliance therewith and that the final MPR dated November 6, 2023, properly describes the district and its expenses; it being further found that such district benefits all parcels in the proposed district and that no benefitted parcels have been excluded from such district; and

WHEREAS, this action was previously classified as a Type I Action under SEQRA and the lead agency (the Town of Lansing Planning Board), under a coordinated review that duly considered drainage and stormwater facilities and this Project, previously issued a Negative Declaration; and

WHEREAS, an examination of such FEAF and prior SEQRA findings in relation to this Project has been undertaken, and the Town Board (as an involved agency) has found that no impacts arising from this Project are or are likely to cause any actual or potential impact to become a moderate or significant impact, such that no supplemental review under SEQRA is determined to be necessary that does or may require referral to the lead agency; and

WHEREAS, upon due deliberation hereupon, the Town Board hereby adopts an Order pursuant to Town Law §209-d as follows:

1. The boundaries of the proposed district are inclusive of all that land now and formally part of the Asbury-Collins Subdivision, including approximately 72.35 acres of land, being comprised of approximately six lots, all being more particularly known as TPN 38.-1-39.2, each of said parcels and the district boundaries being thus further depicted in the subdivision plat map and stormwater maps, each duly deemed incorporated herein, and the descriptions for land records thereof as are on file at the Tompkins County Clerk's Office. The subject lands are also described in the MPR as follows: BEGINNING at a point in the present centerline of Asbury Road, said point being further located 776.46' East of the present centerline intersection with Collins Road; RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 60.00' to a point; RUNNING THENCE North 01° 50' 40" West, passing through an iron pin found at a distance of 26.47' and continuing for a total distance of 325.42' to an iron pin found; RUNNING THENCE North 87° 08' 08" East, passing through an iron pin found at a distance of 177.99', passing through an iron pin set at an additional distance of 150.02', passing through an iron pin set at an additional distance of 150.02', said course having a total distance of 478.03'; RUNNING THENCE South 03° 51' 57" East for a distance of 328.91' to a point; RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.05' to a point; RUNNING THENCE North 03° 51' 57" West, passing through an iron pipe found at a distance of 29.76' and continuing for a total distance of 329.98' to an iron pipe found; RUNNING THENCE North 87° 08' 08" East for a distance of 300.00' to a tall post; RUNNING THENCE South 03° 51' 57" East for a distance of 332.12' to a point; RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road



for a distance of 76.26' to a point; RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.00' to a point; RUNNING THENCE North 87° 32' 39" East along the present centerline of Asbury Road for a distance of 150.00' to a point; RUNNING THENCE North 02° 52' 45" West, passing through an iron pipe found a distance of 36.22' and continuing for a total distance of 404.60' to an iron pin set; RUNNING THENCE North 02° 52' 45" West for a distance of 113.62' to an iron pipe found; RUNNING THENCE North 02° 18' 28" West for a distance of 1336.42' to an iron pin set; RUNNING THENCE South 87° 02' 17" West for a distance of 1616.99' to an iron pin found; RUNNING THENCE South 86° 41' 09" West for a distance of 328.97' to an iron pin set; RUNNING THENCE South 02° 41' 44" East for a distance of 200.00' to a point RUNNING THENCE South 86° 41' 09" West, passing through an iron pipe found at a distance of 191.47' and continuing for a total distance of 217.50' to a point; RUNNING THENCE South 02° 50' 10" East along the present centerline of Collins Road for a distance of 642.90' to a point; RUNNING THENCE South 02° 50' 10" East along the present centerline of Collins Road for a distance of 75.00' to a point; RUNNING THENCE South 02° 50' 10" East along the present centerline of Collins Road for a distance of 300.00 to a point; RUNNING THENCE North 87° 29' 09" East, passing through an iron pin found at a distance of 25.00' and continuing for a total distance of 330.84' to an iron pin set; RUNNING THENCE North 56° 37' 39" East for a distance of 243.70' to an iron pin set; RUNNING THENCE North 87° 29' 09" East for a distance of 246.68' to an iron pin set; RUNNING THENCE South 02° 30' 51" East for a distance of 125.00' to an iron pin found; RUNNING THENCE South 01° 50' 40" East, passing through an iron pin found at a distance of 590.36' and continuing for a total distance of 615.12 to the point and place of beginning; Said parcel having an area of 72.35 acres to the centerline of roads

2. The proposed improvements consist of stormwater bioretention basins, vegetated swales and ditches to convey stormwater, and other related stormwater facilities and drains, all of which are set forth upon and within the final subdivision plats and in the SWPPPs (which are incorporated herein by reference). All costs of installation will be paid for by the Developer, and the future maintenance responsibilities of Drainage District #12 include inspections and reporting, unclogging outlet pipes, mowing and vegetation management, animal and nuisance controls, sediment and debris removal, repairs to areas with erosion and settling within swales and bioretention areas, and the tilling or replacement of bioretention surfaces and media, as needed, to ensure or restore permeability and drainage. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and further responsibilities of the District include the need to periodically inspect on-site privately built and maintained stormwater facilities (on individual residential lots) and require their preservation, maintenance, and improvement, as required by law.

3. The estimated cost to the Town and the District for the proposed improvements is \$0.00, which is the maximum amount proposed to be expended by the Town or the

District. There is no hook-up cost for or to the drainage district, and there is no financing needed for this project.

4. The MPR describes in detail how the financing, hook-up costs, and other costs and expenses of the proposed drainage district were estimated and computed, including the first year's estimated maximum average maintenance cost of \$750 per parcel. Such costs are proposed to be paid through special benefit assessments for the benefited parcels of the proposed district, to be collected with the annual Town and County tax bill. The average cost was computed by identifying the frequency that each maintenance activity is required; then establishing the number of hours and cost per hour for such maintenance activity, then arriving at a total district first year's estimated cost of \$4,500. Such amount was then applied to the total acreage and a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly in said MPR. This statement of detail as to how the costs were calculated is and shall be deemed the required computation statement required to be filed with the Town Clerk by Town Law § 209-d(1).

5. The MPR is on file for public review and inspection at the Office of the Town Clerk, and a public hearing upon such proposed district will be held at 6:32 pm upon December 20, 2023, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law.

6. The Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause this Resolution and Order to be published in the Town's official newspaper and posted not less than 10 nor more than 20 days before such public hearing.

**RESOLUTION DECLARING 2013 INTERNATIONAL 7600 DUMP TRUCK WITH HENDERSON PLOW AND WING, JOHN DEERE TRACTOR FRONT TIRES & RIMS SIZE 340/85 AND 340/85-R-24: MITAS BRAND, JOHN DEERE REAR TIRE RIM, SIZE 34 AS EXCESS PROPERTY AND AUTHORIZING DISPOSAL OR SALE**

**RESOLUTION 23-**

**RESOLUTION DECLARING 2013 INTERNATIONAL 7600 DUMP TRUCK WITH HENDERSON PLOW AND WING, JOHN DEERE TRACTOR FRONT TIRES & RIMS SIZE 340/85 AND 340/85-R-24: MITAS BRAND, JOHN DEERE REAR TIRE RIM, SIZE 34 AS EXCESS PROPERTY AND AUTHORIZING DISPOSAL OR SALE**

WHEREAS, the Town Highway Department has excess property of a 2013 International 7600 dump truck with Henderson plow and wing, John Deere tractor front tires and rims, size 340/85 and 340/85-R-24: Mitas brand, and John Deere rear tire rim, size 34, that is old and for which no use exists; 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 2013 International 7600 Dump Truck VIN# 1HTGRSJT3DJ332543, Henderson plow VIN# OWP-12418, Henderson wing VIN# LWNG-12417, John Deere tractor front tires and rims, size 340/85 and 340/85-R-24: Mitas brand, and John Deere rear tire rim, size 34 be and hereby are declared as excess property of the Town for which no current or future use is anticipated and that the Highway Superintendent, or his designee, 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.

**CONSENT AGENDA MOTIONS M23-XX – M23-XX AND RESOLUTIONS 23-XX – 23-XX**

**RESOLUTION 23-XX**

**CONSENT AGENDA MOTIONS M23-XX – M23-XX AND RESOLUTIONS 23-XX – 23-XX**

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

RESOLVED, that the Consent Agenda Motions **M23-XX – M23-XX** and Resolutions **23-XX – 23-XX**, are hereby approved as presented and amended, and

The question of the adoption of such proposed Consent Agenda Motions and Resolutions were 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 Motions and Resolutions were approved, carried, and duly adopted on November 15, 2023.

**Joseph Wetmore  
Town Board Member Report  
November 2023**

**Planning Board**

**Monday, October 23·6:30 – 8:30pm**

1. Lot Line Adjustment: 129 Farrell Rd, Tax Parcel Number 39.-1-13.23. The applicant proposes a lot line adjustment of 1.332 acres to the adjacent property owner. The property is in the AG Zone. Al Fiorelli-Chair, moved to refer this to the Planning Department and the board voted unanimously.
2. Lot Line Adjustment: 48 Lansing Station Rd, Tax Parcel Number 15.-1-30.62. The applicant proposes a lot line adjustment of 4.42 acres (Parcel A) to the adjacent property owner. The property is in the RA Zone. The Board authorized the Planning Director to approve the Lot Line Adjustment.
3. Carrie Koplinka-Loeher and Ed Dubovi of the Conservation Advisory Council presented the Draft Lansing Open Space Conservation Plan.

**Code Revision Committee Monthly Meeting**

**Thursday, October 26·10:00 – 11:00am**

Revised Draft Local Law on Boards, Commissions and Committees.

**Yellow Barn Solar**

**Monday, October 30·10:00 – 11:00am**

Discussed the proposed Host Community agreement.

**Meeting with shop stewards of the Highway Association**

**Thursday, November 9·9:30 – 11:30am**

Met with the Association members and got an understanding of what the Association wanted in the 2024 contract.

**Bolton Point**

**Thursday, November 9·4:00 – 5:00pm**

Management Staff Report

1. Update from Community Science Institute
  - a. HABs
  - b. Nurturant monitoring on streams
2. Cornell University Brooks School of Public Policy
3. System Meeting between Cornell, City of Ithaca and Bolton Point

Committee Reports

1. Budget and Finance Committee
  - a. September 30, 2023 Financial Report
  - b. Approval of the November 9, 2023 Warrants
2. Engineering and Operations Committee
  - a. 16 water-main breaks in October
3. Personnel and Organization Committee
  1. Resolution for Appointment of Jeffrey Frazier to GIS/IT Specialist position
  2. Resolution for Appointment of Jeremy Whitmarsh to Water Treatment Plant Operator Trainee position

**Conservation Advisory Council Open Space Plan public meeting  
Thursday, November 9·5:30 – 8:00pm**



**Yellow Barn Solar  
Monday, November 13·1:00 – 2:00pm**

Discussed application that Yellow Barn submitted.