

**Village of Lansing  
Planning Board Meeting  
February 27, 2007**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Ned Hickey. Present at the meeting were Planning Board Members Phil Dankert, Carol Klepack, Maria Stycos and Mario Tomei; Attorney David Dubow; Trustee Liaison Lynn Leopold; and Code Enforcement Officer Ben Curtis.

**Public Comment:**

Hickey opened the Public Comment period.

As there was no one present who wished to speak, Stycos moved to close the Public Comment Period. Seconded by Tomei. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

**Varn Subdivision, 2593 N. Triphammer Rd., Public Hearing:**

The next item on the agenda was the Public Hearing for the Final Plat approval of the Varn Subdivision, a minor subdivision by Ralph Varn to divide one 1.691 acre lot into one 1.377 acre lot, with the residual .314 acre parcel added to the adjacent .52 acre lot, known as 2593 North Triphammer Road, pursuant to the provisions of Section 125-34 of the Village of Lansing Code. The parcel is located in the Medium Density Residential District, Tax Parcel Numbers 44.1-1-33.21 and 44.1-1-32.

Varn stated there is a problem building on the smaller lot due to the combination of the 40' front yard setback and the location of an easement for overhead wires so he is proposing to add part of an adjoining lot which he will also own to the smaller lot. Adding to the smaller lot makes that lot more buildable, and the larger lot from which the property has been removed will still be 60,000 sf, which is the minimum lot size lot under the Village's Zoning regulations. Varn stated the smaller lot is a non-conforming lot but this will make it less non-conforming. Dubow stated that even though the smaller lot is non-conforming, under the Village Zoning Law, the owner has the right to build a single family house on that property. Dubow stated the Board classified this as a minor subdivision for which the provisions of Section 125-34 of the Village Code applied which allows enlarging a lot through a minor boundary adjustment.

Klepack asked about the non-conforming status of the lot. Dubow stated this was a non-conforming lot at the time of the formation of the Village and as such is grand-fathered for the minimum use of single family residence. Dubow stated the law provides that a single family residence can be built on a non-conforming lot if all other requirements are met with the exception of the setback requirements of which only 80% must be met. This action would give the developer the ability to move the house back from N. Triphammer Road. Dubow stated this will be an improvement. Stycos asked about the size of the house. Curtis stated setback requirements will dictate the size and a standard single family residence will easily fit on the lot.

Varn stated he has a septic permit for each lot and the smaller lot could sustain a three bedroom house and the larger lot could have a four bedroom house. The houses would be about 2000 sf not counting the basements. Tomei stated that as originally proposed the two parcels were configured a little differently. Varn replied that the engineers had revised the map to keep the larger lot at 60,000 sf. Now, one lot will be L-shaped and the other will be rectangular.

Hickey declared the Public Hearing open. As there was no one present who wished to speak, Stycos moved to close the Public Hearing. Seconded by Klepack. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

Stycos asked about shared driveways. Varn responded that there would not be a shared driveway as each house would have its own driveway.

Hickey stated that the Village engineer need not review this. Hickey also noted that the septic system will require approval from the County Health Department. The only condition will be documentation that the land separated from

the larger lot has in fact been joined to the non-conforming lot. Dubow stated this is done through the Assessment Department and written proof can be provided to the Village confirming that this has been done. Curtis stated that approval should include the condition that documentation will be provided, subject to approval of the Village Attorney, confirming that the lots have been combined.

Dubow stated this minor subdivision is a Type II action under SEQRA pursuant to the Village's Code provisions and is exempt from environmental review. Curtis stated he has received proof of mailing.

Dankert moved the following resolution, seconded by Tomei:

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR FINAL PLAT APPROVAL OF VARN  
MINOR SUBDIVISION ADOPTED ON FEBRUARY 27, 2007**

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Final Plat approval of the Varn Subdivision, a minor subdivision by Ralph Varn to divide one 1.691 acre lot into one 1.377 acre lot, with the residual .314 acre parcel being added to the adjacent .52 acre lot, known as 2593 North Triphammer Road, pursuant to the provisions of Section 125-34 of the Village of Lansing Code. The parcel is located in the Medium Density Residential District, Tax Parcel Numbers 44.1-1-33.21 and 44.1-1-32; and
- B. On February 12, 2007, the Village of Lansing Planning Board, in accordance with subsection D of Section 125-5 of the Village of Lansing Code, (i) reviewed the sketch plan submitted with respect to this proposed action, (ii) classified the proposed subdivision as a minor subdivision, (iii) determined that it should be reviewed in accordance with Section 125-34 of the Village of Lansing Code as the enlargement of an existing lot, and (iv) determined that such classification and determination were appropriate notwithstanding the non-conforming status of the existing lot to be enlarged as proposed; and
- C. On February 27, 2007, the Village of Lansing Planning Board, in accordance with Section 123-2 of the Village of Lansing Code, determined that the approval of the proposed minor subdivision is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"); and
- D. On February 27, 2007, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the proposed final subdivision plat and accompanying materials and information presented by and on behalf of the applicant in support of this proposed action, including information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:**

1. Based upon all of its foregoing review and action, it is hereby determined by the Village of Lansing Planning Board that (i) the proposed Varn Minor Subdivision is for the purpose of enlarging what will be the subdivider's existing lot and otherwise complies with the provisions of Section 125-34 of the Village of Lansing Code; (ii) final plat approval of the Varn Minor Subdivision is **GRANTED**, subject to the conditions and requirements, if any, set forth below, and (iii) based upon such final plat approval (and such conditions and requirements, if any, set forth below), all other Subdivision Regulations set forth in Chapter 125 of the Village of Lansing Code are waived:

- 1. Documentation approved by the Village Attorney confirming that the land separated from the larger lot has been joined to the smaller lot.**

2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat in accordance with subsection F of Section 125-6 and subsection A of Section 125-15 of the Village of Lansing Code.

The vote on the foregoing motion was as follows:

**AYES: Mario Tomei, Phil Dankert, Ned Hickey, Carol Klepack and Maria Stycos**

**NAYS: none**

The motion was declared to be carried.

**Other Business as Time Permits:**

Hickey stated that training is required for Planning Board members and on March 15 there is training available in the Cortland area. Hickey distributed materials. Hickey called County Planner Joan Jurkowich about what Tompkins County plans to do for training. Jurkowich stated there is no money in their budget for training, but there will probably be public service teleconferences. Hickey stated that Board members need 4 hours per year which can include educational training obtained during meetings. Dubow stated the training can be in many forms and is self-directing. Tomei stated he would like to attend some of the training in Cortland. Others interested should contact Tomei.

Hickey stated he has spoken with Heather Filberto and learned that Tompkins County has been awarded an Empire Zone. Filberto works with TCAD (Tompkins County Area Development). Hickey received a map to better explain what is included within the Empire Zone. Included in it are the B & T Park, the Bomax property, and the area behind Convenient Care which is under the power lines. Hickey stated any businesses which want to locate within that zone can apply for tax abatement from the state. Hickey stated the map has been approved by the state. Board members discussed the boundaries of the Empire Zone. Hickey stated that the Empire Zone encourages location of businesses within these zones.

Hickey distributed 2006 goals for review. Most have been completed and should be crossed off the list and possibly new ones added. Hickey stated stormwater will be on-going and will remain on the list for 2007. Hickey stated that the next goal of reviewing special permits and subdivision regulations has been completed with the latest changes on slopes although new issues may come up for review as the year progresses. This goal will remain for 2007. The Greenway Plan goal has been completed as the document has gone to print. The goal for review of Chapter 8 of the Comprehensive Plan regarding the proposed sewer line for the Town of Lansing is an unrealistic goal given the uncertainties and will therefore be eliminated for now. The goal of reviewing the Village Lighting Plan will remain on the list and Dankert will follow up. Curtis stated he has the folder that former Planning Board member Steve Halevy maintained. Goals will be placed on the agenda and finalized at the next meeting.

Klepack asked if anyone has news of the progress of the assessment for the Crossmore property. Hickey responded that he has spoken with Mayor Hartill who indicated to County Planning Commissioner Ed Marx that the Village would be willing to pay for half of the assessment cost. Hickey stated the project is on hold because of the archeological review which is required. Curtis stated that Binghamton University will first do a Phase I which is an historical document review which will probably take a month to complete. Depending on what the Phase I reveals, additional investigation may be required. Hickey stated Crossmore is expected to return at the end of March or beginning of April.

Dankert asked about an Alternate Member for the Planning Board. Hickey stated he wrote an article for the Newsletter stating that Doris Brown is no longer a member and Mario Tomei has moved into the position and vacated the Alternate Member position. Board members also discussed Brown's terms on the Board. Trustee John O'Neill and Trustee Leopold will bring Brown's name up again to the Board of Trustees for recognition.

**Reports:**

*Board of Trustees:* Tomei stated there was no meeting.

**Adjournment:**

- Klepack moved to adjourn at 8:10 P.M. Seconded by Stycos. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.