

# TIMOTHY C. BUHL, P.E.

35 Fire Lane 24  
Auburn, NY 13021  
(607) 423-1919

May 10, 2022

Mr. John Zepko, CPESC, CFM  
Planner/ Stormwater Management Officer  
Town of Lansing  
29 Auburn Road – NYS Rte. 34  
Lansing, NY 14882

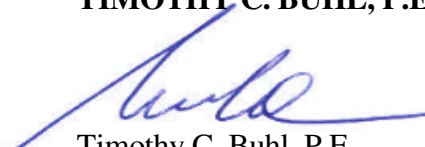
Re: Village Solars PDA Boundary Information  
Warren Road, Lansing (T) Tompkins County NY

Dear Mr. Zepko:

Please see the attached Boundary Map and Description for the Village Solars PDA site. Note that all parcels included in the proposed Phase 7 development are in fact within the original approved boundary, as was indicated earlier to the Planning Board. The 60' wide strip is also shown and can be dedicated to the Town if and when needed.

If there are any further questions in the regard, please email me or call to go over things.

Very truly yours,  
**TIMOTHY C. BUHL, P.E.**



Timothy C. Buhl, P.E.



Village Circle  
 Village Apartments/Village Solar  
 PDA Boundary Survey Map



LAWRENCE J. JAMES, P.E., L.S.  
 1200 WEST BAY  
 ANNAPOLIS, MARYLAND 21403  
 PHONE (410) 291-1000

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14. The updated PDA plat, Landscape Plan, and site plan narrative dated May 22, 2017 outline the proposed phasing of the project. The development of the Allowed Build-Out Limit are hereby authorized and allowed, subject to all approvals, permitting, and stormwater requirements, each where applicable or as required.

15. Any proposed use not specifically herein allowed is expressly prohibited. Any future plan or proposal not here specifically allowed is prohibited unless an amendment to the zoning and development plan are approved through the applicable site planning, special permitting, or variance procedures as outlined in the Land Use Ordinance. In no event may the open space percentage of 40% be reduced; such open space measurement to be expressed as a percentage of land that is undeveloped by buildings or impervious surfaces as compared to the total acreage of the PDA as based upon its boundaries as defined below.

16. All outdoor recreational uses shall be for passive and non-motorized recreation. Auxiliary uses relating to such recreation, such as exercise areas, tennis courts, basketball courts, ball fields, gardens, trails, and small covered or stone-paved cooking and picnic pavilions or similar facilities, shall be permitted.

17. The Developer may for good cause request a waiver from the requirements of this Article and this § 1610, including for the obtaining of building permits (or certificates of compliance or occupancy) earlier than would otherwise be authorized hereunder, by applying for such a waiver to the Town Board. If such a waiver is granted, the Town Board may impose such reasonable conditions upon the waiver as it may deem appropriate. The Town Board may, but is not required to, approve any such waiver if the Town Board finds that:

a. The plans for the water or sewer lines and appurtenances have been approved by all applicable agencies and are or have been built and duly dedicated, together with necessary access and other easements, and that the SWPPP and stormwater requirements have been adequately addressed.

b. There would be a substantial hardship to one or more individuals to delay construction or certificate issuance absent such waiver, and such hardship was not self-created.

c. There is proof provided to the Town that there is adequate financial support available to the Developer to complete the work, such proof being in the form of a dedicated escrow account, performance bond, letter of credit, or other proof satisfactory and acceptable to the Town as based upon the recommendations of the Town Engineer and the Attorney for the Town.

d. Such waiver is the minimum variation from the requirements of this Article or § 1610 as would remediate or lessen such found hardship.

18. The area encompassing current TPN 39.-1-34, located within the PDA on the Village Circle side of the plan shall be allowed to be appended to and consolidated with TPN 38.-1-38.3 (or other adjacent parcel(s)) and included in the Village Solars side of the development plan.

19. The area encompassed and rezoned in accordance with this § 1610, and which is governed hereby, is described as follows: Being Town of Lansing Tax Parcel Numbers 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, all as more particularly described as the land within the following described boundaries:

Beginning at a point marked by a found iron pin located at the northeasterly corner of lands now or formerly of the Town of Lansing (592/709), as shown on a Survey Map entitled "Village Circle Village Apartments/Village Solar PDA Boundary Survey Map," as dated March 5, 2013 and drawn by Lawrence Fabbroni (NYSPE 51734, NYSLS 49682) (hereinafter, the "Survey Map"); and thence proceeding

N 14° 40' 08" E a distance of 300.73' to a point, such point being located at the northwesterly corner of lands now or formerly of Kaida Computer Technologies LLC (#521821-001); and thence proceeding

S 75° 43' 15" E a distance of 8.50' to a point located in the northerly property line of said Kaida Computer Technologies LLC; and thence proceeding

N 14° 34' 20" E a distance of 570.01' to a point in the southerly property line of lands now or formerly of Rocco P. Lucente (#510428-001), said course also partly running along easterly property lines of lands now or formerly of Lucente Holdings Inc. (867/94 and 837/266); and thence proceeding

S 75° 43' 15" E a distance of 201.60' to a point marking the southeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 14° 34' 20" E a distance of 260.73' to a point marking the northeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 75° 46' 45" W a distance of 1,132.12' to a point marked by a set iron pin in the southerly property line of lands now or formerly of Rocco Lucente (580/702), said course passing along the southerly property lines of lands now or formerly of Lee (CD2509/6727), Ivy Bridge, LLC (#592211-002), and Rocco Lucente (580/702); and thence proceeding

N 75° 45' 27" W a distance of 169.07' to a point in the southerly property line of lands now or formerly of Hopkins (908/276), said point being also the northeasterly corner of lands now or formerly of Lucente Holdings, Inc. (CD2512/1241), and said course passing along the southerly property lines of lands now or formerly of Rocco Lucente (580/702) and said Hopkins (908/276); and thence proceeding

S 14° 31' 26" W a distance of 100.00' to a point marking the southeasterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), said course being also the easterly line of said lands of Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

N 75° 45' 27" W a distance of 150.14' to a point in or near the centerline of Warren Road, said point also being the southwesterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), and said course being the southerly property line of said Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

S 14° 31' 26" W a distance of 968.10' along or near the centerline of said Warren Road to a point, such point being also the northwesterly corner of lands now or formerly of Bracco (#457019); and thence proceeding

S 75° 37' 57" E a distance of 150.16' to a point located at the northeasterly corner of lands of said Bracco (#457019), said course being the northerly property line of said Bracco (#457019); and thence proceeding

S 14° 31' 26" W a distance of 310.00' to a point marking the southeasterly corner of lands now or formerly of Lane (733/314), said course running along the westerly property lines of lands of said Bracco (#457019) and Lane (733/314); and thence proceeding

S 75° 37' 57" E a distance of 889.01' to a point marking the southwesterly corner of lands now or formerly of the Town of Lansing (592/708), said course passing along the northerly property lines of lands of Kaida



Computer Technologies LLC (##488698-001, 471363-001, and 523357-008); and thence proceeding

N 14° 40' 08" E a distance of 250.00' to a point marking the northwesterly corner of said lands of the Town of Lansing (592/708), said course passing along the westerly boundary of said lands of the Town of Lansing (592/708); and thence proceeding

S 75° 37' 57" E a distance of 200.00' along the northerly property line of said lands of the Town of Lansing (592/708) to the point and place of beginning, all as more particularly shown upon the Survey Map, a copy of which is in file at the Town of Lansing Town Clerk's Office.

20. The Developer assumes sole responsibility for the development and its worksites and all related or adjacent areas and lands and agrees to assume all responsibility for any injury or damage that may or does occur as a result of any excavation, construction, or related work. The Developer, to the fullest extent permitted by law, shall indemnify and hold the Town of Lansing harmless from and against any, each, and all losses, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity (all together hereafter, "Claims"), including, but not limited to, reimbursement to the Town of Lansing any amount expended for any and all experts', consultants', attorneys' and engineering fees and expenses arising from or in relation to any Claim. The Town of Lansing shall not be liable or responsible for any injury to persons or damage to property due to any acts or failures to act unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional act of the Town of Lansing.

21. The Town of Lansing Zoning Map is hereby amended to incorporate the location and boundaries of PDA #1.

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

**SECTION 3: SEVERABILITY; INTERPRETATION**

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid by a court or other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such order or judgment shall have been rendered. Section and other headings are for reference and convenience only and shall not be deemed or construed to limit or define the requirements of clauses set forth thereunder.

**SECTION 4: EFFECTIVE DATE**

This Local Law shall be and become effective immediately.

**RESOLUTION APPROVING 2017 ANNUAL STORM WATER REPORT**

**RESOLUTION 17-92**

**RESOLUTION APPROVING 2017 ANNUAL STORM WATER REPORT**