

To: Al Fiorille, Planning Board Chairman
From: Lawrence P. Fabbroni, P.E., L.S.
Re: Subdivision of Existing Lot 28 Asbury
Hill Subdivision
Date: June 7, 2022



This is a request for a lot line adjustment to subdivide the existing lot 28 currently approved as a building lot into a smaller 2.88 acre lot encompassing the approved areas for the access driveway, house, sand filter and replacement, and biofilter. The remaining 4.04 acres of lot 28 would be added to and consolidated with lot 27 of Asbury Hill Subdivision having frontage on Asbury Road.

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

Check One: Subdivision Plat Fee Paid \$ _____ Date March 2, 2022
 Boundary Change Receipt No. _____

1. Name or Identifying Title LOT 27 & Subdivision Lot 28 Asbury Hill Subdivision
 2. Tax Parcel No. 40-3-38.28, 40-3-38.27 Zoning District R-1
 3. Subdivider: (if owner, so state:

if agent or other type of relationship, state details on separate sheet)

Name & Title Sonia Thaler Revocable Trust- Owner
 Signature Sonia R. Thaler Date March 2, 2022
 Address 269 Asbury Road, Lansing, new York 14882
 Phone sthaler@twcny.rr.com Fax sthaler@twcny.rr.com E-Mail sthaler@twcny.rr.com
 Other Contact information Phone 607-280-3210

4. Licensed Land Surveyor:

Name: Lawrence P. Fabbroni
 Address 539 Powers Road N., King Ferry NY 13081
 Phone _____ Fax _____ E-Mail Fabbroni@aol.com
 Other Contact information Phone 607-3510940

5. Engineer:

Name: Lawrence P. Fabbroni
 Address 269 Powers Road N. King Ferry NY 13081
 Phone _____ Fax _____ E-Mail Fabbroni@aol.com
 Other Contact information Phone 607-3510940

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

Maintenance Easement for Stormwater Pond Whispering Pines V and Access Variance to Lot 28 2-29-2016 exist

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

<u>Sonia Thaler 269 Asbury Road</u>	<u>John Hill 1218 Warren Road</u>
<u>Louis & Carolyn Fabi 1214 Warren Road</u>	<u>Gioacchino Melice 1210 Warren Road</u>
<u>Garth McMillen 1206 Warren Road</u>	<u>David & Elizabeth Ellis 1200 Warren Road</u>
<u>Linda Stevenson 1198 Warren Road</u>	<u>James & Holly Metcalf 56 Tiger Lily Lane</u>
<u>41-2-44 Cardamone Home Builders 165 Reach Run</u>	<u>Sarup Singh & Anita Rani 72 Tigeer Lily Lane</u>
<u>Sufdar & Neelam Ali 75 Tiger Lily Lane</u>	<u>Phaelon & Karin Silva 65 Tiger Lily Lane</u>

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

Existing Variance for driveway length for flag lot granted 2-29-2016

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

Subdivision Application Procedure

Subdivision Plat Requirements.

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

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

The Application and Subdivision Plat shall contain the following information:

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

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

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

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

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 – Project and Sponsor Information			
Subdivision Lots 27 & 28 Asbury Hill Subdivision			
Name of Action or Project: Tax Parcel 40-3-27, 40-3-28			
Project Location (describe, and attach a location map): Backlot off of Tiger Lily Lane			
Brief Description of Proposed Action: Adjust lot line for lots 27 and 28 Asbury Hill subdivision to leave 2.88 acres total for lot 28 including 20 foot access strip from Tiger Lily Lane and adding 4.04 acres to Lot 27.			
Name of Applicant or Sponsor: Sonia Thaler Revocable Trust		Telephone: 607-280-3210 E-Mail: sthaler@twcny.rr.com	
Address: 269 Asbury Road			
City/PO: Lansing		State: New York	Zip Code: 14882
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		6.92 acres	
b. Total acreage to be physically disturbed?		0.75 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		61.73 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Sand Filter Approved by TCHD _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Whispering Pines V Stormwater Pond is on propped pond lot 1 3.14Ac _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gulf Stream is north of site and discharge from stormwater ponds will end up there		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
on site biofilter		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Sonia thaler</u> Date: <u>March 14,2022</u>		
Signature: <u><i>Sonia P. Thaler</i></u> Title: <u>Owner</u>		

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

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

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

VARIANCE FOR 20 FT. ACCESS WIDTH FOR F4H6 HU1
GRANTED FEBRUARY 29, 2016
APPROVED

Vote of Zoning Board . . . (Aye) Dean Shea, Alternate Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Acting Chair

The Town of Lansing Zoning Board of Appeals ("ZBA") hereby makes the following findings with respect to the specific criteria for area variances as set forth in Town Law § 267-b(3)(b), and other applicable provisions of law and of the Town Zoning Ordinance:

a. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?**

Yes ___ No X

Findings: The Driveway is existing. The cost and nature of the development and property suggests that the driveway will be improved.

b. **Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance?**

Yes ___ No X

Findings: Best access due to the Wetland areas, slopes and Study by the Town of Lansing Planning Board and the Developer's Engineer.

c. **Whether the requested area variance is substantial?**

Yes X No ___

Findings: It is 30% more than there is existing

d. **Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?**

Yes ___ No X

Findings: Driveway is already existing.

e. **Whether the alleged difficulty was self-created?**

APPROVED

Yes___ No X

Findings:

Dean Shea offered the following Resolution. Judy Drake seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Nay) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Dean Shea, Alternate Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Acting Chair

RESOLUTION

WHEREAS, Larry Fabbroni, PE, Agent for Richard Thaler has applied for an Area Variance and

WHEREAS, on February 29, 2016 the Town of Lansing Zoning Board of Appeals (the "ZBA")

thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant(s) in support of the requested area variance; (ii) all other information and materials properly before the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and the ZBA; and

WHEREAS, in accordance with Article 8 of the New York State Environmental Conservation Law and the State Environmental Quality Review Act, and its implementing regulations at 6 NYCRR Part 617, the ZBA has determined that this action—considering and approving or denying an area variance—is a Type II Action per 6 NYCRR 617.5(c), and therefore no environmental review is required; and

WHEREAS, on February 29, 2016 the ZBA, in accordance with Town Law § 267 *et seq.* and the Town of Lansing Subdivision Rules & Regulations, considered the application and all materials before the ZBA and, in the course of deliberations, took into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community arising from the potential granting of an area variance.

APPROVED

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

DETERMINATION BASED ON THE ABOVE FACTORS:

It is hereby determined by the Town of Lansing Zoning Board of Appeals that the request for an area variance is **GRANTED WITH ONE (1) CONDITION.**

1. Must meet NYS Fire Code requirement for Emergency Vehicle access.

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

Member: Judy Drake -Aye

Member: Daniel Konowalow - Nay

Alternate Member: Dean Shea - Aye

Acting Chair: Linda Hirvonen- Aye

Dated: February 29, 2016

Daniel Konowalow requested that the following statement be entered into the Minutes. Daniel Konowalow is asking the Planning Board to be very, very careful in their Plan approvals to make sure all zoning laws are adhere to.

Dean Shea and Linda Hirvonen agreed with Mr. Konowalow.

Approval/Denial of November 17, 2015 Minutes

Judy Drake made a motion to approve the Minutes as submitted. Daniel Konowalow seconded the motion and it was carried by the following roll call vote:

Vote of Zoning Board . . . (Aye) Judy Drake, Member
Vote of Zoning Board . . . (Abstained) Dean Shea, Alternate
Vote of Zoning Board . . . (Aye) Daniel Konowalow, Member
Vote of Zoning Board . . . (Aye) Linda Hirvonen, Acting Chair

No. of Pages: 3
Delivered By: THALER & THALER
Receipt No. 491631
Return To:
THALER & THALER
DATE: 06/06/2006
Time: 04:37 PM
Document Type: EASEMENT/LEASE
Parties To Transaction: THALER

Deed Information

Consideration: \$0.00
Transfer Tax: \$0.00
RETT No: 02555

State of New York
Tompkins County Clerk

Mortgage Information

Mortgage Amount
Basic Mtge. Tax:
Special Mtge. Tax:
Additional Mtge. Tax:
Mortgage Serial No.:

This sheet constitutes the Clerk endorsement required by Section 316-A(5) & Section 319 of the Real Property Law of the State of New York. DO NOT DETACH

Aurora R. Valenti

Tompkins County Clerk



RIGHT-OF-WAY AND EASEMENT

THIS INDENTURE is made this 19th day of April, 2006, by and between **RICHARD B. THALER**, of 269 Asbury Road, Lansing, New York 14882 ("Grantor") and the **TOWN OF LANSING**, an incorporated municipality of the state of New York, with offices at 29 Auburn Road, Lansing, New York 14882 (the "Town").

WITNESSETH: That the Grantor, in consideration of One and 00/100 Dollar (\$1.00) and other good and valuable consideration paid by the Town, the receipt and sufficiency of which are hereby acknowledged by the Grantor and the Town, does hereby grant and release unto the Town, its successors and assigns forever, a **RIGHT-OF-WAY** and **EASEMENT** to lay, construct, operate, maintain, alter, repair, remove, replace or change the size of a drainage, stormwater and sediment control ditch, pond, and other and related appurtenances and devices, together with the rights of free ingress and egress in, over, upon and under the below-described parcels and gores of land, such parcels and gores being the areas of the permanent easements and rights-of-way, and including the right to trim and/or remove trees, shrubs and other obstructions upon said parcels and gores of land situate in the Town of Lansing, County of Tompkins and State of New York, all as a more particularly bounded and described as follows:

ALL THAT TRACT, PARCEL AND GORE OF LAND situate in the Town of Lansing, Tompkins County, New York, being a part of Lot 79 in said Town and described as follows:

BEGINNING at a point at the Northwest corner of premises now or formally of Brown (Instrument No. 468128-001), which point of beginning is North 83 degrees 11 minutes 12 seconds West 387.60 feet from the center line of Warren Road;

thence North 37 degrees 23 minutes 38 seconds East 87.63 feet to a point;

thence North 63 degrees 39 minutes 21 seconds East 158.99 feet to a point;

thence North 7 degrees 44 minutes East 1404.00 feet to a point;

thence North 53 degrees 50 minutes 43 seconds West 366.00 feet to a point;

thence South 7 degrees 44 minutes West 389.00 feet to a point;

thence South 15 degrees 59 minutes 39 seconds East 700.45 feet to a point;

thence South 7 degrees 44 minutes West 262.88 feet to a point in the

thence South 37 degrees 23 minutes 38 seconds West 75.13 feet to a point;

thence South 7 degrees 44 minutes West 19.10 feet to a point;

thence South 82 degrees 16 minutes East 35.07 feet to the point or place of beginning.

Said premises being shown on a survey map entitled "SURVEY MAP, DRAINAGE MANAGEMENT EASEMENT, TOWN OF LANSING; COUNTY OF TOMPKINS, STATE OF NEW YORK, WHISPERING PINES V", made by Lawrence P. Fabbroni, L. S. (#49682), dated December 11, 2005, a copy of which map is intended to be filed concurrently herewith.

FURTHER WITNESSETH: That the Grantor covenants and agrees that no buildings or structures shall be constructed within the aforesaid right-of-way and permanent easement which will in any way interfere with complete access by the Town, its successors, assigns, employees and agents to lay, construct, operate, maintain, alter, repair, remove, replace or change the size of any drainage, stormwater and sediment control ditch, pond, and other and related appurtenances.

AND, Grantor further covenants and agrees:

1. Grantor, for himself and all of his successors and assigns, covenants and agrees that no building or structures shall be constructed or placed within the aforesaid right-of-way.
2. Grantor, for himself and all of his successors and assigns, covenants and agrees that no trees or other plants will be planted or cultivated that may interfere with the said easement and right-of-way.
3. Grantor, for himself and all of his successors and assigns, covenants and agrees that he will not permit or conduct any mining, excavation, construction or blasting within said easement and right-of-way.
4. Grantor, for himself and all of his successors and assigns, covenants and agrees that he will not engage in any conduct, directly or indirectly, that blocks, obstructs, or interferes with the ingress and egress rights of the Town, its successors, assigns, employees and agents.
5. Grantor, for himself and all of his successors and assigns, covenants and agrees that he will place the following provision in all conveyances of property, or any rights therein, of any land in the Whispering Pines Phase V subdivision:

"Being the purpose of the said drainage easement and right-of way

of which rights are (1) set forth in a permanent easement and right-of-way granted to the Town, the terms, obligations and conditions of which are expressly incorporated herein, and (2) assignable by the said Town to any successor or assign, or to any Drainage District now existing or hereafter to be formed.

AND FURTHER, Grantor and the Town acknowledge that the easement and rights-of-way hereby granted are fully assignable by the Town, without prejudice or recourse.

TO HAVE AND TO HOLD said right-of-way and easement unto the Town, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

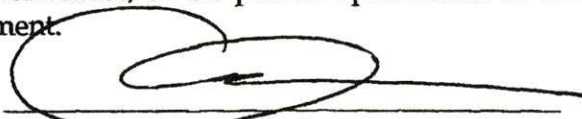


RICHARD B. THALER, GRANTOR

STATE OF NEW YORK }
COUNTY OF TOMPKINS } ss:

On the 24th day of April, in the year 2006, before me, the undersigned, personally appeared RICHARD B. THALER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

GUY K. KROGH
Notary Public, State of New York
Qualified in Tompkins Co. No. 4968322
My Commission Expires June 18, 2006



Notary Public

Approve Map, Plan and Report:RESOLUTION 06-256RESOLUTION APPROVING FINAL MAP, PLAN AND REPORT AND
ADOPTING ORDER FOR PROPOSED DRAINAGE DISTRICT NUMBER 2

&

CONFIRMING DECEMBER 20, 2006 PUBLIC HEARING

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 15th day of November, 2006, the following members being present: Stephen Farkas, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Francis Shattuck, and was duly seconded by Martin Christopher; and the vote was as follows: Stephen Farkas – aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer – aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Lansing Town Board having previously approved necessary elements of the Whispering Pines Phase V Subdivision and the Planning Board having issued an approval of the Final Plat, and having sealed the same; and

WHEREAS, pursuant to the Town's Storm Water Local Law there is now a need to establish a drainage district for the storm water runoff and drainage within the said subdivision; and

WHEREAS, pursuant to Resolution 06-181 (August 16, 2006), the Town Engineer was authorized to prepare a map, plan and report ("MPR") for the proposed Drainage District Number 2, subject to a permissive referendum; and

WHEREAS, no petition or request for a permissive referendum was filed or received, and the Town Engineer duly submitted a MPR that was examined and discussed by the Town Board; and

WHEREAS, the creation of a drainage district was, and is again, deemed to be in the public interest; and

WHEREAS, upon consideration and deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town Board of the Town of Lansing hereby finds that the MPR is complete and accurate, and has been prepared in accord with the NYS Town Law; and it is further

RESOLVED, that the MPR be and hereby is deemed final, and the Town Clerk is directed to keep complete copies on file at the Town Clerk's Office for public review and examination; and it is further

RESOLVED AND DETERMINED, that this Resolution shall be and be deemed an "Order" as used in Town Law § 209-d, and in furtherance thereof, the Town Board of the Town of Lansing declares as follows:

1. The boundaries of the proposed district are hereby described as all those parcels of land as are described in deeds on file at the Tompkins County Clerk's Office for Town of Lansing Tax Parcel Numbers 40.-3-2.11, 41.-2-4.2, 41.-2-41, 41.-2-42, 41.-2-43, 41.-2-44, 41.-2-45, 41.-2-46, 41.-2-47, 41.-2-48, 41.-2-49, and 41.-2-51, all of which parcels are more particularly shown and described upon the Whispering Pines, Phase V, Subdivision Plat, a copy of which is on file at the Tompkins County Clerk's Office.

2. No improvements are proposed to be built by the Town or the District, as all improvements, including, but not limited to swales, retention ponds, ditches, and embankments have already been built by the Developer. The proposed Drainage District will maintain these facilities to manage and control sediment and storm water. Pursuant to the Developer's agreement, many of these facilities will be maintained by the Developer.

3. No amount of money is proposed to be expended for district improvements, nor are there any applicable hook-up fees. The district will be financed through benefited property assessments, and the maximum first year operation and maintenance costs to the typical property are estimated to be \$111.67.

4. The Map, Plan and Report ("MPR") is deemed incorporate herein, and such MPR is available for public review and inspection at the Town of Lansing Clerk's Office.

5. Pursuant to Resolution 06-220 (October 18, 2006), a public hearing to consider and discuss the formation of Drainage District Number 2 will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 20th day of December, 2006, at 6:10 o'clock P.M., whereat all persons interested in the subject thereof will be heard; and it is further

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 20th day of December, 2006, at 6:10 o'clock P.M., to consider the creation of Drainage District #2, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a copy of this Resolution and to be published in the official newspaper of the Town of Lansing (and also to post a copy thereof on the Town signboard maintained by the Town Clerk) not more than 10 nor less than 20 days before the public hearing, in accord with law.

SEQRA: Unclassified

Sewer Meeting:

The next meeting will be on November 29th. Mrs. Wilcox stated that she thinks a mailing should be done for the Open House on December 9th.

James Sullivan:

Mr. Sullivan suggested that the web site for the Town be improved and that more information should be put on the Town's agenda's.

Highway Superintendent's monthly report:

Mr. French was absent, therefore Mr. Purcell gave the following report:

Salt Storage Building:

The foundation is complete and the trusses may be set at the end of the week. Mr. Purcell stated that Scott Weaver, Mark and Mike Moseley did a great job on this project. He also thanked Darby for getting the grant and Dick Platt and Dave Herrick for their rolls in this project.

Authorize Salt Storage Building Grant Application:

RESOLUTION 06-257

12-16-15

December 16, 2015

3. There are no Involved Agencies;
4. The Interested Agencies are the NYS Department of Environmental Conservation, the Tompkins County Health Department, and the Town of Lansing Planning Board; and it is further

RESOLVED, that the public hearing upon the Public Interest Order for the formation of Drainage District #8 shall also be a forum to consider any input from the public, the Developer, or from any Interested Agencies relative to the SEQRA review of the environmental impacts of proposed Drainage District #8; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause: (1) a Notice of Public Hearing to be published in the Town's official newspaper not less than 14 days before such public hearing, and to be also posted on the Town's official signboard not less than 14 days before such public hearing; and (2) a copy of this Public Interest Order to be so published and posted not less than 10 nor more than 20 days before such public hearing.

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

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye	Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 16, 2015.

RESOLUTION APPROVING MAP, PLAN & REPORT FOR PROPOSED DRAINAGE DISTRICT #9 FOR ASBURY HILL SUBDIVISION, ISSUING PUBLIC INTEREST ORDER, AND SCHEDULING PUBLIC HEARING THEREUPON AND FOR ENVIRONMENTAL REVIEW THEREOF

RESOLUTION 15-136

RESOLUTION APPROVING MAP, PLAN & REPORT FOR PROPOSED DRAINAGE DISTRICT #9 FOR ASBURY HILL SUBDIVISION, ISSUING PUBLIC INTEREST ORDER, AND SCHEDULING PUBLIC HEARING THEREUPON AND FOR ENVIRONMENTAL REVIEW THEREOF

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

WHEREAS, Richard Thaler (the "Developer") is proposing the dedication of stormwater lots and easements to and for stormwater facilities for the Asbury Hill Subdivision, and the development plan, subdivision plat, and project SWPPP have always 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 Plat Subdivision approval issued by the Planning Board therefore requires district formation as a condition thereof; and

WHEREAS, a Map, Plan and Report ("MPR") that complies with Town Law §§ 209-c and 209-d was prepared by the Developer's Engineer and, it being in the public interest to form such district, the Town desires to proceed towards establishment of Drainage District #9 pursuant to the provisions of Town Law Article 12-A and finds that all proceedings to date have been in compliance therewith; and

WHEREAS, upon due deliberation upon the foregoing and the public interests to be served and the properties to be benefited thereby, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that the final Map, Plan and Report complies with the requirements of Town Law §§ 209-c and 209-d, particularly as to the descriptions and

expenses set forth therein for the boundaries and first year's expenses for the proposed district; and it is further

RESOLVED AND DETERMINED that it is in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #9; and it is further

RESOLVED AND DETERMINED that all benefited parcels are included within such district and no benefitted properties have been excluded from the district; and it is further

RESOLVED, that 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 Hill Subdivision, including lots 1-28 therein, and consisting of the following tax map parcels:

- 40.-3-2.12 – comprised of Lots 1 through 26
- P.O. 40-3-2.12 & 40.-3-2.2 – comprising Lot 27
- P.O. 40-3-2.12 & 41.-2-46 – comprising Lot 28

Said lands being further depicted in the Subdivision and Stormwater maps, incorporated herein, the descriptions for land records thereof as are on file at the Tompkins County Clerk's Office, incorporated herein, and as further described by metes and bounds in Appendix A of the MPR, as follows:

That Tract or Parcel of Land situate in the Town of Lansing, County of Tompkins, and State of New York bounded and described as follows:

Beginning at a point being the northwest corner of lot 30 of the Subdivision Plat of Whispering Pines V, thence N7°44'E 250 feet; thence N82°09'56"W 409.21 feet to the northwest corner of lot 22 at the east boundary of WB Property Group LLC lands subdivided as Cayuga Way; thence N7°48'07"E 958.57 feet north along the east boundary of the WB Property Group LLC lands, thence N82°03'28"W 307.04 feet west along the north boundary of the WB Property Group LLC lands, thence N83°09'07"W 300.65 feet west along the north boundary of the WB Property Group LLC and WB Realty Group LLC lands; thence N7°12'47"E 874.40 feet north along the east property boundaries of Breck and Morse; thence S80°45'19"E 257.87 feet east along the south property boundary of Armstrong; thence S82°00'48"E 736.99 feet east along south property boundary of Armstrong to the centerline of Asbury Road; thence on a curve to the left along the centerline of Asbury Road feet along the north boundary of Thaler T.P. 40-3-2.2 a chord course S82°23'23"E 297.59; thence along the centerline of Asbury Road S82°49'51"E 698.84 feet the centerline of Warren Road; thence along the centerline of Warren Road S8°14'26"W 629.67 feet to the northeast corner of the Zanetti T.P.40-3-3; thence N81°51'50"W 209.10 feet to the northwest corner of the Zanetti T.P.40-3-3 thence on an average course S8°08'13"W 561.93 feet south along the west boundary of properties along Warren Road to the southwest corner of Sperger T.P. 40-3-6, thence on an average course S8°11'57"W 890.80 feet continuing south along the west boundary of properties along Warren Road to the southwest corner of Stevenson T.P. 40-3-13, thence N77°38'24"W 26.34 feet to northwest corner of Singh T.P. 41-2-47, thence N82°09'56"W 715.00 feet to the point or place of beginning.

The above described area as shown on Map, "Drainage District, Town of Lansing, County of Tompkins, State of New York, , Asbury Hill Subdivision", by Lawrence P. Fabbroni, N.Y.S.L.S.#49682, N.Y.S.P.E.#51734, dated March 20, 2015, revised September 29, 2015 and November 4, 2015.

2. The proposed improvements consist of stormwater retention ponds, a series of 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 the Final Subdivision Plat (which Plat is expressly herein incorporated herein, as now exists or as

hereafter amended). All costs of installation will be paid for by the Developer and the future maintenance responsibilities of the Town (through Drainage District #9, with the exception of the pre-existing stormwater pond on Lot 28, which is part of Drainage District #2) include inspections, sediment and debris removal, vegetation management, animal and nuisance management, erosion control, and structural repairs. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and title to the ponds and forebays are proposed to be dedicated to the Town or District, as then applicable. Further responsibilities of the District include the need to periodically inspect on-site privately built and maintained stormwater facilities (on individual residential lots), such as rain gardens and bioretention treatment practices, and to 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.
4. There is no hook-up cost for or to the drainage district.
5. There is no financing needed for this project.
6. The Map, Plan and Report are on file for public review and inspection at the Office of the Town Clerk.
7. A public hearing upon such proposed district will be held at 6:08 p.m. upon January 20, 2016, 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.
8. The MPR Report 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 average maintenance cost of \$129.47 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; and it is further

RESOLVED AND DECLARED that 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; and then arriving at a total district first year's estimated cost of \$3,625.00. Such amount was then applied to the total acreage of the benefitted properties in the Asbury Hill subdivision, being approximately 62.05 acres; then a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly on pages 13-16 of 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); and it is further

RESOLVED AND DETERMINED that as the Town is required to examine any potential negative environmental impacts of district formation, the Town will conduct a SEQRA review to examine the environmental impacts of such proposed Drainage District, and in connection therewith the Town Board has further determined:

1. This action is classified as an Unlisted Action pursuant to 6 NYCRR Part 617.2(ak);
2. The Town Board of the Town of Lansing is the sole involved agency and thus is the Lead Agency for environmental review and will thus conduct an uncoordinated review under SEQRA;
3. There are no Involved Agencies;

4. The Interested Agencies are the NYS Department of Environmental Conservation, the Tompkins County Health Department, and the Town of Lansing Planning Board; and it is further

RESOLVED, that the public hearing upon the Public Interest Order for the formation of Drainage District #9 shall also be a forum to consider any input from the public, the Developer, or from any Interested Agencies relative to the SEQRA review of the environmental impacts of proposed Drainage District #9; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause: (1) a Notice of Public Hearing to be published in the Town's official newspaper not less than 14 days before such public hearing, and to be also posted on the Town's official signboard not less than 14 days before such public hearing; and (2) a copy of this Public Interest Order to be so published and posted not less than 10 nor more than 20 days before such public hearing.

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

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye	Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 16, 2015.

**RESOLUTION ISSUING GENERAL APPROVAL OF PROPOSED DESIGN,
LOCATIONS AND SPECIFICATIONS FOR ROADWAYS AND
INFRASTRUCTURE POTENTIALLY TO BE DEDICATED IN REALATION TO
THE LAKE FOREST CIRCLE SUBDIVISION**

RESOLUTION 15-137

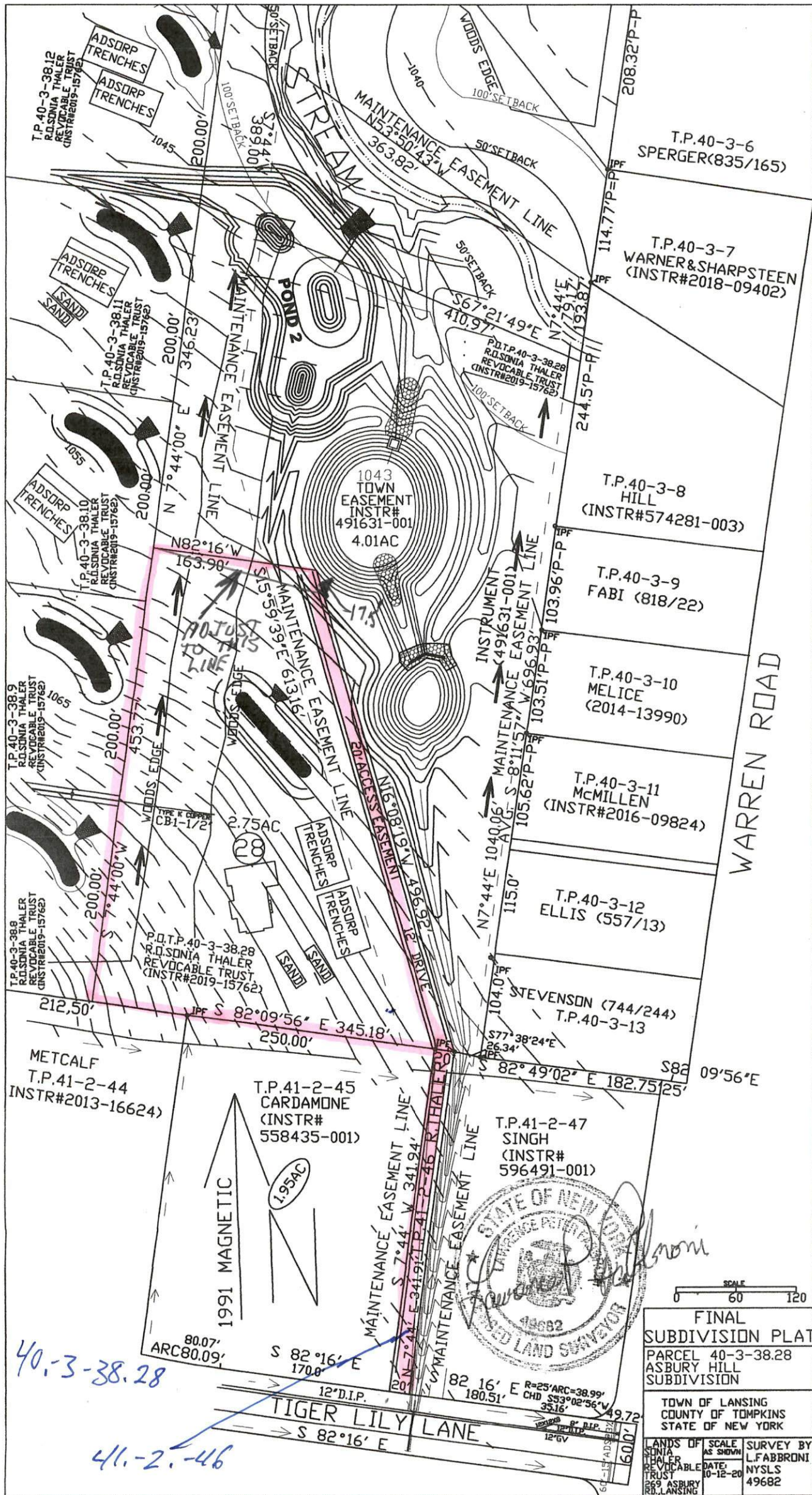
**RESOLUTION ISSUING GENERAL APPROVAL OF PROPOSED DESIGN,
LOCATIONS AND SPECIFICATIONS FOR ROADWAYS AND
INFRASTRUCTURE POTENTIALLY TO BE DEDICATED IN RELATION TO
THE LAKE FOREST CIRCLE SUBDIVISION**

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

WHEREAS, H. Floyd Davis, III, requested Preliminary Plat and other approvals for the proposed one phase 16-lot (plus 2 stormwater retention pond lots) Lake Forest Circle Subdivision Phase 1, and the Town of Lansing Planning Board duly noticed and held a Public Hearing on the proposed preliminary plat and further duly issued a negative declaration of environmental significance; and

WHEREAS, the Town Highway Superintendent has reviewed the proposed roadway layout and specifications and found the same adequate and similarly, as to water and stormwater and other proposed permanent infrastructure that may or will be dedicated or offered for dedication, the Town's Planner, Engineer, and Attorney have each had input and have generally approved the layout, design, and location of such infrastructure; and

WHEREAS, the Town's Subdivision Local Law, at § 505 (for major subdivisions), in anticipation of the dedication of roadways and certain other features (such as culverts, ditches, water lines, and stormwater infrastructure), requires that the Town Board approve the general layout, design, and locations of roadways and other infrastructure so that, by the time the Planning Board gets to a final plat approval (see also Subdivision Local Law § 507(B)), and the Town SMO gets to a final approval of the SWPPP, it is known that the Town Board, the Town Engineer, and Town Highway Superintendent have approved such infrastructure such that a dedication will be accepted in furtherance



METCALF
T.P.41-2-44
INSTR#2013-16624)

40-3-38.28

41-2-46



SCALE
0 60 120

FINAL
SUBDIVISION PLAT

PARCEL 40-3-38.28
ASBURY HILL
SUBDIVISION

TOWN OF LANSING
COUNTY OF TOMPKINS
STATE OF NEW YORK

LANDS OF SONIA THALER REVOCABLE TRUST 269 ASBURY RD., LANSING	SCALE AS SHOWN DATE: 10-12-20	SURVEY BY L.F. ABBRONI NYSLS 49682
---	--	---

FINAL SUBDIVISION PLAT

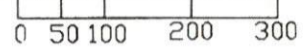
TOWN OF LANSING; COUNTY OF TOMPKINS STATE OF NEW YORK

ASBURY HILL SUBDIVISION 1

OWNER: RICHARD THALER 269 ASBURY ROAD LANSING, NEW YORK

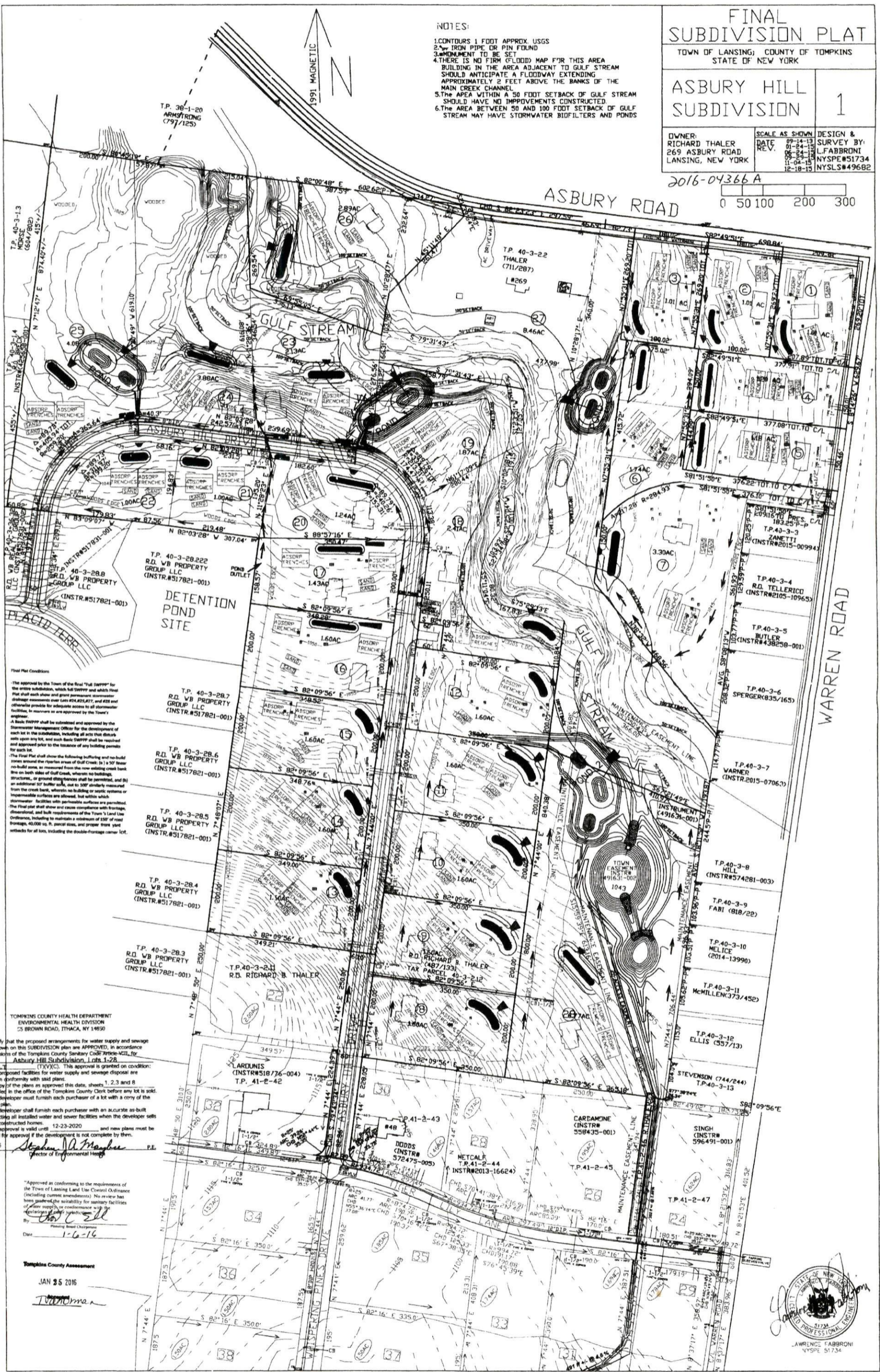
SCALE AS SHOWN
DATE: 07-14-13
REV: 06-24-14
DESIGN & SURVEY BY: L.F. ABBRONI
NYSP#51734
NYSLS#49682

2016-04366 A



NOTES:

1. CONTOURS 1 FOOT APPROX. USGS
2. IRON PIPE OR PIN FOUND
3. MONUMENT TO BE SET
4. THERE IS NO FIRM (FLOOD) MAP FOR THIS AREA BUILDING IN THE AREA ADJACENT TO GULF STREAM SHOULD ANTICIPATE A FLOODWAY EXTENDING APPROXIMATELY 2 FEET ABOVE THE BANKS OF THE MAIN CREEK CHANNEL
5. THE AREA WITHIN A 50 FOOT SETBACK OF GULF STREAM SHOULD HAVE NO IMPROVEMENTS CONSTRUCTED
6. THE AREA BETWEEN 50 AND 100 FOOT SETBACK OF GULF STREAM MAY HAVE STORMWATER BIOFILTERS AND PONDS



Final Plat Conditions

The approval by the Town of the Final "Final Survey" for the entire subdivision, which shall show and grant permanent stormwater discharge easements over Lots 1-47, 201, and 422 and otherwise provide for adequate access to all stormwater facilities, inasmuch as are approved by the Town's engineer.

A final SWPPP shall be submitted and approved by the Stormwater Management Office for the development of each lot in the subdivision, including all lots that directly abut upon any lot, and such final SWPPP shall be required and approved prior to the issuance of any building permits for each lot.

The Final Plat shall show the following buffering and no-build zones around the riparian areas of Gulf Stream: (a) a 50' buffer no-build zone, as measured from the raw existing creek bank line on both sides of Gulf Stream, wherein no buildings, structures, or ground disturbances shall be permitted, and (b) an additional 50' buffer zone, not to 100' similarly measured from the creek bank, wherein no building or other structure or impermeable surfaces are allowed, but within which stormwater facilities with permeable surfaces are permitted. The Final Plat shall show and cause conformance with frontage, side, and back requirements of the Town's Land Use Ordinance, including to maintain a minimum of 100' of front setbacks, 40,000 sq. ft. parcel size, and proper front yard setbacks for all lots, including the double-frontage corner lot.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
35 BROWN ROAD, ITHACA, NY 14850

is to certify that the proposed arrangements for water supply and sewage disposal as shown on this SUBDIVISION plan are APPROVED, in accordance with the provisions of the Tompkins County Sanitary Code Article XII, for the Asbury Hill Subdivision, Lots 1-47.

(T)(V)(C). This approval is granted on condition: That the proposed facilities for water supply and sewage disposal are installed in conformity with said plans; That a copy of the plans as approved this date, sheets 1, 2, 3 and 8 shall be filed in the office of the Tompkins County Clerk before any lot is sold; That the developer must furnish each purchaser of a lot with a copy of the approved plan; That the developer shall furnish each purchaser with an accurate as-built plan depicting all installed water and sewer facilities when the developer sells lots with constructed homes. 12-23-2020; That this approval is valid until 12-23-2020 and new plans must be submitted for approval if the development is not completed by then.

-23-2015
Date: 1-6-16
Stephen J. Mander, P.E.
Director of Environmental Health

"Approved as conforming to the requirements of the Town of Lansing Land Use Control Ordinance (including current amendments). No review has been made of the suitability for sanitary facilities of water supply or sewerage with the exception of the relationship of water supply and sewerage facilities to the proposed lots.

By: [Signature]
Planning Board Chairman
Date: 1-6-16

Tompkins County Assessor
JAN 25 2016
[Signature]



TOWN OF LANSDING
 COUNTY OF TOMPKINS
 STATE OF NEW YORK
 PARCELS 40-3-38.28
 ASBURY HILL
 SUBDIVISION PLAT
 FINAL
 49682

