

1 **TOWN OF LANSING PLANNING BOARD MEETING**

2 **August 24, 2026**

3 **Lansing Town Hall, 29 Auburn Road**

4
5
6 **Board Members' Present:**

7 Dean Shea, Chair

8 Thomas Butler, Vice Chair

9 Al Fiorille

10 Sandy Conlon

11 Christine Hass

12 John Licitra

13 John Duthie

14 Freddy Villano

15 Aimee Caffrey

Excused:

Danielle Hautaniemi

16
17 **Also Present:**

18 Kelly Geiger, Planning Clerk

19 Nathaniel Rogers, Director of Planning

20 Amanda Hunt, Town Planner

21 Joe Wetmore, Town Board Liaison

22
23 **Public Present:**

24 A. Yurekli

25 Chris Perry

26 James Robertson

27 David Johnson

28 Ryan McCune

29
30 Chair, Dean Shea, opened the meeting at 6:30 pm.

31
32 **Action Items:**

33
34 **Project: Site Plan Amendment – 8-18 Verizon Lane**

35 **Applicant:** Bill Duthie, owner

36 **Location:** 8-18 Verizon Lane TPN 30.-1-16.32

37 **Project Description:** Requesting an amendment to the Site Plan Resolution passed for the proposed expansion
38 of existing United Storage Complex. This project is located in the IR zoning district.

39 **SEQR:** Type II Action - No further review is required.

40 **Anticipated Action:** Consideration of requested amendment

41
42 **Summary of Discussion:**

- 43
 - John Duthie was present to discuss this amendment

44
 - The Board approved the Amendment

45 **RESOLUTION PB 26-08**

46
47 **TOWN OF LANSING PLANNING BOARD RESOLUTION**
48 **STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) AND SITE PLAN APPROVAL**
49 **FOR**
50 **8-20 VERIZON LN TPN 30.-1-16.32**
51

52 **WHEREAS**, an application was submitted for a Site Plan Review by Bill Duthie, owner, for Site Plan
53 Review of a proposed 2,800 SF commercial/industrial building as shown on “Duthie Site Plan
54 Stormwater As-Built” received 30 June 2026, this property is located in the Industrial/Research Zone;
55 and
56

57 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 270-27 Site Plan
58 Review, for which the respective completed applications were received 3 December 2025; and
59

60 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act ("SEQRA") that the above-
61 referenced Action is hereby classified as an Unlisted Action under Section 617.6 of the SEQR Regulations,
62 and subject to further review under Part 617 of SEQR Regulations; and
63

64 **WHEREAS**, 6 NYCRR § 617 of the State Environmental Quality Review Act ("SEQRA") requires that a
65 Lead Agency be established for conducting environmental reviews of projects in accordance with state
66 environmental law and the Lead Agency shall be that local agency which has primary responsibility for
67 approving and funding or carrying out the action; and
68

69 **WHEREAS**, the Planning Board, being the local agency, which has primary responsibility for approving
70 the action declares itself the Lead Agency for the review of this action under SEQRA; and
71

72 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the Town's
73 local laws relative to site plan and the unique needs of the Town due to the topography, the soil types and
74 distributions, and other natural and man-made features upon and surrounding the area of the proposed
75 site plan, and the Planning Board has also considered the Town's Comprehensive Plan and compliance
76 therewith; and
77

78 **WHEREAS**, this Board acting as Lead Agency in SEQRA reviews and accepts as adequate:
79 Survey map showing the lands of United Storage, prepared by Brian Klump, Owasco Land
80 Surveying and dated 26 April 2026; a Short Environmental Assessment Form (SEAF) Part 1,
81 submitted by the Applicant, and other application materials; and
82

83 **WHEREAS**; Project plans, and related information, were duly delivered to the Tompkins County
84 Planning and Sustainability Department per General Municipal Law § 239; et seq., and such Department
85 responded in a letter dated 18 June 2026, from Katherine Borgella, Tompkins County Commissioner of
86 Planning and Sustainability, pursuant to §239 -l, -m, and -n of the New York State General Municipal Law,
87 which recommended that the Town require the applicant to document that they have considered the four
88 energy elements for new construction projects outlined in the Tompkins County Energy
89 Recommendations for New Construction (2018), and additional information was provided by the
90 applicant in the document titled “Tompkins County 239 Review Recommendation Response” received 22
91 June, 2026; and
92

93 **WHEREAS**, on 23 March 2026, the Planning Board reviewed and considered the aforementioned site
94 plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and duly held a
95 public hearing on the site plan review application, and all evidence and comments were considered, along
96 and together with the requirements of the Town's site plan regulations, existing development in the
97 surrounding area, the public facilities and services available, the Town's Comprehensive Plan and the Land
98 Use Ordinance, site characteristics and issues, and any potential on- and off-site environmental impacts;
99 and
100

101 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board; and
102

103 **NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above
104 referenced Action to be an Unlisted Action under Section 617.6 of the State Environmental Quality
105 Review (SEQR) Regulations; and
106

BE IT FURTHER RESOLVED THAT, that the Planning Board of the Town of Lansing determines the proposed project will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act for the action of Site Plan approval for Town of Lansing Tax Parcel Number 30.-1-16.32; and

RESOLVED, that the Town of Lansing Planning Board hereby grants Final Approval of the Application for a Site Plan Review of certain lands at 8-20 Verizon Lane, Tax Parcel Number 30.-1-16.32 Lansing, New York, subject to the following conditions:

1. This resolution shall supersede all prior Site Plan Review resolutions approved by the Town of Lansing Planning Board for the lands located at 8-20 Verizon Lane Tax Parcel Number 30.-1-16.32. This resolution does not supersede the terms of any previous resolutions regarding subdivisions, special use permits, water districts, or resolutions passed by any other board or government entity.
2. The existing private driveway shall be converted into a private road as shown on the survey received 23 July 2026. The private road shall be properly monumented, have adequate signage, have standard road lines, and must be sufficiently maintained to provide access to all buildings located on the property.
3. The private road must be 26 feet wide, unless the applicant/owner receives a variance from the New York Department of State. All improvements to the private road must be complete before a certificate of occupancy may be issued.
4. All buildings must conform with the requirements of the Americans with Disabilities Act (ADA). The Owner/applicant must ensure that all buildings with more than 4 dedicated parking spaces meet the minimum number of required accessible parking spaces as shown in table 208.2 of the 2010 ADA Design Standards. This shall include at least 1 accessible parking space for buildings 8, 10, 20, and 22.
5. All handicapped parking spaces must be located as to not block the regular flow of traffic, and meet the dimensional requirements included in the 2010 ADA Design Standards, New York State Department of Transportation Standards, and the Town of Lansing Town Code.
6. The applicant must coordinate with the Town of Lansing Planning and Codes Department on the creation of a watermain easement and right-of-way agreement for the fire hydrant located south of 12 Verizon Lane.
7. Building labels must be no less than 12" in height and be of a high contrast color to the building exterior. New buildings constructed in the business park must generally match the labeling scheme used on existing buildings.
8. Applicants are required to follow all requirements set out in the Town of Lansing Zoning Code. Any attempts to change the use of a building beyond what has been approved by the Planning Board must undergo Site Plan Review if required in the Zoning Code.
9. In accordance with Town Code § 270-27(M), this site plan approval is valid for only 36 months from the date hereof, and the applicant/owner is required to commence and substantially complete the construction or other activities for which the site plan is applicable within said 36 months or this approval shall, unless extended, expire, lapse, and be of no further validity, force or effect.
10. All outdoor storage of materials associated with a contractor yard at the new 2,800 SF building must be located in the area labeled "Extra Storage/Trailer Parking" on the provided as-built map. Stored materials must not interfere with the regular flow of traffic.

Dated: 24 August 2026

Motion by: Al Fiorille

Seconded by: Sandy Conlon

160 VOTE AS FOLLOWS:

161

162 Tom Butler – Aye

163 Aimee Caffrey – Not Voting

164 Sandy Conlon – Aye

165 John Duthie – Recused

166 Al Fiorille – Aye

167 Christine Hass – Aye

168 Danielle Hautaniemi – Absent

169 John Licitra – Aye

170 Fredric Villano – Aye

171 Dean Shea – Aye

172

173

174 **Project: Site Plan Review – 2037 A/B East Shore Dr**

175 **Applicant:** Christopher Perry

176 **Location:** 2037-A/B East Shore Drive TPN 37.1-2-50

177 **Project Description:** Site Plan Review of proposed auto shop. This project is located in the B1 zoning district.

178 **SEQR:** Type II Action - No further review is required.

179 **Anticipated Action:** Public Hearing, SEQR

180

181

182 **Summary of Discussion:**

183

- Christopher Perry was present to discuss this project

184

- Former auto shop-same use-no changes, repair and replace transmissions

185

- The board approved the project

186

187 **RESOLUTION PB 26-09**

188

189 **TOWN OF LANSING PLANNING BOARD RESOLUTION**

190 **STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) AND SITE PLAN APPROVAL**

191

192 **FOR**

193 **2037-A/B EAST SHORE DR TPN 37.1-2-50**

194

195 **WHEREAS**, an application was submitted for a Site Plan Review by Christopher Perry, owner, for

196 Site Plan Review of a commercial building as shown on “Survey of Lands of Merton Argetsinger”

197 received 28 May 2026, this property is located in the Commercial Mixed-Use District; and

198

199 **WHEREAS**, this is a proposed action reviewed under Town of Lansing Code § 270-27 Site Plan

200 Review, for which the respective completed applications were received 17 June 2026; and

201

202 **WHEREAS**, the proposed action is a Type II Action per 6 NYCRR §617.5 (18), “reuse of a residential or

203 commercial structure, or of a structure containing mixed residential and commercial uses, where the

204 residential or commercial use is a permitted use under the applicable zoning law or ordinance, including

205 permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section

206 617.4 of this Part” and requires no further review under the State Environmental Quality Review Act; and

207

208 **WHEREAS**, the Planning Board has considered and carefully reviewed the requirements of the Town's

209 local laws relative to site plan and the unique needs of the Town due to the topography, the soil types and

210 distributions, and other natural and man-made features upon and surrounding the area of the proposed

211 site plan, and the Planning Board has also considered the Town's Comprehensive Plan and compliance

212 therewith; and

213 **WHEREAS**, on 24 August 2026, the Planning Board reviewed and considered the aforementioned site
214 plan application in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882 and duly held a
215 public hearing on the site plan review application, and all evidence and comments were considered, along
216 and together with the requirements of the Town's site plan regulations, existing development in the
217 surrounding area, the public facilities and services available, the Town's Comprehensive Plan and the Land
218 Use Ordinance, site characteristics and issues, and any potential on- and off-site environmental impacts;
219 and

220
221 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board; and
222

223 **NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above
224 referenced Action to be a Type II Action under Section 617.5 of the State Environmental Quality Review
225 (SEQR) Regulations; and
226

227 **RESOLVED**, that the Town of Lansing Planning Board hereby grants Final Approval of the
228 Application for a Site Plan Review of certain lands at 2037-A/B East Shore Drive, Tax Parcel
229 Number 37.1-2-50 Lansing, New York, subject to the following conditions:

- 230
231 1. Applicants must meet the conditions of § 270-35O, including;
232 a. “No outdoor storage of parts and/or materials to be discarded.”
233

234 Dated: 24 August 2026
235

236 Motion by: Al Fiorille

237 Seconded by: Sandy Conlon
238

239 VOTE AS FOLLOWS:
240

241 Tom Butler – Aye

242 Aimee Caffrey – Not Voting

243 Sandy Conlon – Aye

244 John Duthie – Not Voting

245 Al Fiorille – Aye

246 Christine Hass – Aye

247 Danielle Hautaniemi – Absent

248 John Licitra – Aye

249 Fredric Villano – Aye

250 Dean Shea – Aye
251

252 **Project: Minor Subdivision – 126 Scofield Road**

253 **Project:** Minor Subdivision - 126 Scofield Road

254 **Applicant:** James Robertson

255 **Location:** 126 Scofield Road TPN 38.-1-6.5

256 **Project Description:** Minor Subdivision of 126 Scofield Road (5 ac) to create Parcel A (2.24 ac) and Parcel B
257 (2.76 ac). This project is located in the R3 zoning district.

258 **SEQR:** Unlisted/Uncoordinated Action

259 **Anticipated Action:** Sketch Review, Set Public Hearing, SEQR
260

261 **Summary of Discussion:**

- 262
 - James Robertson was present to discuss this project
 - Creating a flag lot on the existing lot
 - The Board scheduled a Public Hearing for the next meeting

264
265

Project: Site Plan Review – 18 Eastlake Road

Applicant: David Johnson, Owner

Location: 18 Eastlake Road TPN 42.-1-54.1

Project Description: Site Plan Review of proposed expansion of a recreational facility. This project is located in the R1 Residential Low-Density District.

SEQR: Unlisted/Uncoordinated Action

Anticipated Action: Consideration of proposed site plan, SEQR

Summary of Discussion:

- David Johnson was present to discuss this project
- Rec facility since built (over 37 years), Lounge for tennis court-pickle ball area, Lounge for Axe throwing area, 2 story addition, Storage shed, enclose lattice, vending only at this time, HOA, PDA, Phases of work, size of addition being requested
- The Board scheduled a Public Hearing for the next meeting

Project: Site Plan Review – 339 Jerry Smith Road

Applicant: Melissa Aucompaugh, Environmental Design Partnership Representative

Location: 339 Jerry Smith Road TPN 16.-1-10.2

Project Description: Site Plan Review of proposed large scale battery energy storage facility. This project is located in the AG zoning district.

SEQR: Unlisted Action

Anticipated Action: Consideration of proposed site plan, SEQR

Summary of Discussion:

- Ryan McCune was present to discuss this project
- Meeting with Fire Department, IDA, Host Community Agreement, Noise, Transformers, Install time generally 6-8 months with lulls, Distance Fire Trucks stay from active fire, GML 239, SEQR-Lead agency, conditions

RESOLUTION PB 26-10

**TOWN OF LANSING PLANNING BOARD RESOLUTION
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) INTENT TO COORDINATE
AND DECLARE LEAD AGENCY FOR
339 JERRY SMITH RD TPN 16.-1-10.2**

WHEREAS, an application was made by Melissa Aucompaugh, representing Jerry Smith LLC, for site plan approval of a large scale battery energy storage facility as shown on “CIVIL PERMIT PLANS FOR JERRY SMITH ENERGY STORAGE SYSTEM” dated July 10, 2026, on lands situated at 339 Jerry Smith Road in the Town of Lansing, New York, otherwise known as Tax Parcel numbers 16.-1-10.2. The project is located in the AG Agriculture Zoning District; and

WHEREAS, 6 NYCRR § 617 of the State Environmental Quality Review Act ("SEQRA") requires that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law and the Lead Agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action; and

WHEREAS, The Planning Board of the Town of Lansing is believed best suited to review the impacts of this proposed Site Plan as (i) the Planning Board is the only body with jurisdiction to review the Site Plan and issue the final Site Plan approval, (ii) the Planning Board is best situated to understand and evaluate the potential unique impacts of such Site Plan upon the Town based upon the developmental patterns, topography, and unique natural and non-natural features of the Town of Lansing, including known

streams, wetlands, UNAs, agricultural resources of value, and archeosensitive sites within or near the proposed Site Plan area, (iii) the Planning Board has the broadest governmental powers for investigating the potential or actual impacts of the Site Plan and implementing conditions or mitigating controls, and accordingly (iv) the Planning Board has the greatest capacity for providing the most thorough environmental assessment of the proposed Site Plan; and

WHEREAS, this proposed action is an Unlisted Action, per 6 NYCRR 617.4 for the purpose of conducting a coordinated environmental review pursuant to the State Environmental Quality Review Act ("SEQRA");

WHEREAS, upon due consideration and deliberation by the Town of Lansing Planning Board; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Town of Lansing Planning Board does hereby declare its intent to coordinate Lead Agency.

Dated: 24 August 2026

Motion by: John Licitra

Seconded by: Tom Butler

VOTE AS FOLLOWS:

Tom Butler – Aye

Aimee Caffrey – Not Voting

Sandy Conlon – Aye

John Duthie – Not Voting

Al Fiorille – Aye

Christine Hass – Aye

Danielle Hautaniemi – Absent

John Licitra – Aye

Fredric Villano – Aye

Dean Shea – Aye

Project: Minor Subdivision – 0 N Triphammer Road

Applicant: Wayne Britton

Location: 0 N. Triphammer Road TPN 37.1-4-2.12

Project Description: Major Subdivision of 0 North Triphammer Road (9.7 ac) to create 12 lots; “Lot 1” (27,115.4 - square feet), “Lot 2” (29,688.7 - square feet), “Lot 3” (36,739.9 - square feet), “Lot 4” (35,759.3 - square feet), “Lot 5” (33,455.7 - square feet), “Lot 6” (33,529.6 - square feet), “Lot 7” (40,268.0 - square feet), “Lot 8” (29,818.1 - square feet), “Lot 9” (35,353.8 - square feet), “Lot 10” (25,015.0 - square feet), “Stormwater Lot (Dedicated)” (13,310.4 - square feet), “Stormwater Lot (Dedicated)” (17,715.1 - square feet). This project is located in the R1 zoning district.

SEQR: Unlisted/Uncoordinated Action

Anticipated Action: Consideration of proposed subdivision

Summary of Discussion:

- No Show, Board will hear project at the next meeting

Project: Site Plan Review – 430 Peruville Road

Project: Site Plan Review - 430 Peruville Road

Applicant: Scott Gibson

Location: 430 Peruville Road TPN 30.-1-28.212

Project Description: Site Plan Review of existing contractors’ yard. This project is located in the AG zoning

372 district.
373 **SEQR:** Undetermined - More information is required
374 **Anticipated Action:** Sketch Plan Conference
375

376 **Summary of Discussion:**

- 377 • No Show, Board will hear project at the next meeting
378

379 **Project: Request for Immunity – 10 Town Barn Road**

380 **Applicant:** Town of Lansing

381 **Location:** 10 Town Barn Road TPN 30.-1-16.12

382 **Project Description:** Request for Immunity from review for proposed subdivision of Town lands. The Town
383 intends to subdivide the Town Barn parcel so that additional water meters can be installed.

384 **SEQR:** Type II Action - No further review is required.

385 **Anticipated Action:** Consideration of proposed request for immunity.
386

387 **Summary of Discussion:**

- 388 • The Board discussed and approved the request for immunity.
389

390 **RESOLUTION PB 26-11**

391
392 **TOWN OF LANSING PLANNING BOARD RESOLUTION**
393 **REQUEST FOR IMMUNITY FROM LOCAL LAND USE REVIEW FOR**
394 **10 TOWN BARN RD TPN 30.-1-16.12**
395

396 **WHEREAS,** the Town of Lansing is a municipal corporation duly organized and existing pursuant
397 to the laws of the State of New York and having such powers and responsibilities pursuant to the
398 provisions of the New York State Town Law and the Highway Law in conjunction with the Town's
399 Highway Superintendent to provide for the care and maintenance of the Town's highways and
400 bridges and to provide suitable places for the housing and storing of vehicles, machinery, tools and
401 equipment owned by the Town for the effectuation of such purposes; and
402

403 **WHEREAS,** the Town of Lansing is the owner of a parcel of real property (Tax Parcel 30.-1-16.12),
404 located on Town Barn Road, constituting approximately 18.27 acres of land that has been previously
405 acquired and utilized by the Town and designated for municipal purposes ("subject premises"); and
406

407 **WHEREAS,** the existing Town of Lansing Department of Public Works Building was constructed
408 in 1968 and is in need of an adequate repair, storage, and administrative, Salt/Sand Storage, and Fuel
409 Storage facility in order to meet the needs of maintaining the public roadways of the Town of
410 Lansing; and
411

412 **WHEREAS,** the Town of Lansing, after an extensive multi-year process of selecting a qualified
413 consultant, examining site selection options for constructing a new Town Public Works facility, and
414 preparing draft construction materials, was granted approval by the Zoning Board of Appeals to be
415 considered immune from local land use review for the design and construction of the new Town
416 Public Works Facility; and
417

418 **WHEREAS,** adequate water services are needed for the regular functioning of municipal facilities,
419 and local water utilities servicing 10 Town Barn Road only allow for one water meter to be built per
420 parcel in the Town of Lansing; and
421

422 **WHEREAS,** municipal infrastructure located at 10 Town Barn Road exists on both sides of Town
423 Barn Road and Verizon Lane, and cannot be feasibly serviced by one water meter, causing a formal
424 subdivision to be required; and
425

426 **WHEREAS,** pursuant to the decision of the New York State Court of Appeals in the *Matter of County of*

427 *Monroe*, 72 N.Y.2d 338 (1988), a “balancing of public interests analysis” (“Monroe Balancing Test”) is
428 required to determine whether and to what extent, this proposed subdivision shall be exempt from the
429 Town’s Zoning Code and use and bulk regulations and administrative approval from the Town of Lansing
430 Zoning Board of Appeals; and
431

432 **WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board; and
433

434 **NOW, THEREFORE, BE IT RESOLVED THAT**, that the Town of Lansing Planning Board has
435 analyzed, considered and discussed the following criteria as required by *Matter of County of Monroe* in
436 relation to the subdivision associated with the new Department of Public Works Building Replacement
437 and Campus Renovation Project on the subject premises, and the Town of Lansing’s land use
438 regulations, and hereby finds as follows with regard to each of the nine Monroe Balancing Test
439 criteria:
440

441 Factor #1: Whether there is an expression of legislative intent for the proposed action to be immune from
442 local zoning oversight.
443

444 The Town of Lansing Town Board is the municipal body solely responsible for the legislative and executive
445 functions of the Town of Lansing. The Town of Lansing Planning Board and Zoning Board of Appeals are
446 administrative boards of the Town of Lansing, whose members are appointed by the Lansing Town Board.
447 This project is to enable a fully governmental task—the operation of the Department of Public Works—
448 including to fulfill its duties to repair and maintain public highways and municipal building campuses, and
449 further including the emergency services of snow and ice removal and treatment. The legislative scheme of
450 the Town Law and the NYS Highway Law make this a core public service that is very much an emergency
451 service in many aspects. Under NYS statutes, therefore, it is generally understood that these are the very
452 functions that are considered exempt from local zoning and land use review under the County of Monroe
453 standard.
454

455 Further, the town board, by including planners, the town engineer, and many others upon these review
456 committees, has evinced an intent to fully review and proceed with this project as designed, and not to have
457 a critical governmental facility project subjected to discretionary review or delays, particularly given that the
458 proposed subdivision is necessary to construct the public works facilities that were previously declared to be
459 immune from local land use review by the Zoning Board of Appeals.
460

461 Factor #2: The kind of function of land use involved and the extent of the public interest to be served.
462

463 The construction associated with the Department of Public Works Building Replacement and Campus
464 Renovation Project as a repair, storage, and administrative facility for the Town of Lansing Department of
465 Public Works is a non-proprietary, governmental function which will serve the public interest by ensuring
466 the continued and improved maintenance of public roadways under the jurisdiction of the Town Lansing’s
467 Department of Public Works for the benefit of members of the public using said public roadways and the
468 citizens of the Town of Lansing. The proposed subdivision is necessary for the regular functioning of the
469 new public works facilities. Included services address emergency services, road maintenance, and
470 maintenance and repair of public utilities like water and sewer. The maintenance of public roadways under
471 the jurisdiction of the Town Department of Public Works is a statutory governmental function and
472 obligation of the Town of Lansing Department of Public Works, and many of the services are emergency
473 and utility services.
474

475 Factor #3: The effect local land use regulation would have upon the enterprise concerned and the impact
476 upon legitimate local interests.
477

478 If the Town of Lansing Zoning Code Schedule II was to be applied “as written” to this project, the Town
479 would be prevented from locating a water meter at the new Public Works Building, and could potentially be
480 required to seek a variance from the Zoning Board of Appeals to separate buildings on to different parcels.

481 The formal subdivision and variance process would be time-consuming and would likely delay the opening
482 of the new facilities, which have already been declared immune from local review and have begun
483 construction. In addition, the variance process could require project modifications which may not be feasible
484 at this time and reduce the buildings capacity to serve multiple Town departments, having adverse impacts
485 upon the Town's ability to maintain and improve their municipal highway systems in accordance with the
486 requirements of New York State law, and resulting in possible dangers and other adverse impacts to the
487 citizens of the Town and those travelling on the Town highways.

488

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

490

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

497

498 Moreover, as noted above, the town also is imbued with substantial experience in project review and siting
499 and causing redundant reviews by alternate agencies of the town does nothing relative to the governmental
500 purposes here fulfilled that falls within the exceptions to the County of Monroe test. The town is not the
501 type of agency that is incapable of undertaking a review, or which has no substantial experience in a land use
502 planning, as may require additional internal reviews. See, e.g., Matter of County of Monroe, 82 NY2d 338,
503 343 [1988]; Volunteer Fire Ass'n of Tappan, Inc. v. Town of Orangetown, N.Y.L.J. May 2, 2007, p. 22, col. 3
504 (Sup. Ct. Rockland Co. 2007), aff'd, 54 A.D.3d 850, 863 N.Y.S.2d 502 (2d Dept. 2008) (fire departments
505 have no intrinsic experience or authority with land use planning and thus may not fall under the County of
506 Monroe standard when all factors are duly balanced).

507

508 Factor #5: Alternate locations for the Department of Public Works facility in less restrictive zoning areas.

509

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

519

520 Since the Zoning Board of Appeals granted the Town of Lansing immunity from local review for the siting
521 and construction of the new Department of Public Works facilities in 2022, the Town has begun and made
522 substantial progress in constructing the new facility. It is not feasible to relocate a building which has been
523 approved and substantially constructed, and moving the affected departments would not materially improve
524 efforts to provide adequate water to the new facilities.

525

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

527

528 The construction of the new Department of Public Works facility as proposed represents the minimal
529 infrastructure improvements necessary to promote increased use of the subject premises as a centralized
530 Department of Public Works facility. The proposed subdivision is necessary for providing water to the new
531 facilities, it is not practical or viable to run a water line from the old highway barn to the new public works
532 facilities or run water lines from the single meter to every potentially developable area of 10 Town Barn
533 Road. There are no viable alternative methods of providing these improvements, and there is no way to
534 catch-up with the past 50 years, including in building design, maintenance, energy efficiency, or fire
535 suppression than to upgrade and re-use some parts of the existing facility and construct a new operations

536 barn and office space.

537

538 The decision to construct a new facility was made based upon thorough examinations of town needs, town
539 equipment, personnel, operations, and the design and function of the proposed facilities by Bergmann
540 Associates and the RFP committee, with approval from the Town Board, and thereafter from the Capital
541 Investment Committee, with further general approval from the Town Board. To re-visit over 5 years of
542 planning and site design, all at the cost of more time and money, would serve no valid land use purpose.
543 Indeed, this is the precise point of the County of Monroe test, and why so many core governmental projects
544 like this are in fact immune from such reviews. A review by a town agency of a town project already
545 reviewed would be likely to be redundant.

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

547

548 The past study, locational analyses, and site layout and design were subjected to rigorous review at multiple
549 levels of the town government, with key personnel serving on both committees. This included the Town
550 Board, town engineer, town planners, town clerk, Highway Department, Parks and Recreation Department,
551 town bookkeeper, Planning Board, and town attorney, with additional input from others, such as Bergmann
552 Associates and Municipal Solutions (finance). Atop this, the construction of the new highway facility has
553 been overseen by members of the Town Board of the Town of Lansing, its engineers, and other retained
554 professional consultants. The project has also required the review and approval of several outside
555 jurisdictional agencies including the New York State Department of Transportation, New York State
556 Department of Environmental Conservation, Army Corps of Engineers, and Tompkins County Department
557 of Health. Updated surveys and subdivision plats are being prepared by the town engineer, in coordination
558 with multiple municipal departments.

559

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

564

565 **RESOLVED**, that the Planning Board hereby declares that the proposed subdivision of 10 Town
566 Barn Road shall be exempt from the subdivision requirements and restrictions of the Town of
567 Lansing Zoning Code; and be it further

568

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

572

573 Dated: 24 August 2026

574

575 Motion by: Tom Butler

576 Seconded by: John Licitra

577

578 VOTE AS FOLLOWS:

579

580 Tom Butler – Aye

581 Aimee Caffrey – Not Voting

582 Sandy Conlon – Aye

583 John Duthie – Not Voting

584 Al Fiorille – Aye

585 Christine Hass – Aye

586 Danielle Hautaniemi – Absent

587 John Licitra – Aye

588 Fredric Villano – Aye

589 Dean Shea – Aye

590 **Other Business**

591 **Liaison Report**

592

593 Joe Wetmore was present to give Town Board Liaison Report

- 594 • Lucente project status, Batter Storage, Shelley Knickerbocker appointed as Code Enforcement
595 Officer, Amanda Hunt appointed as Town Planner, Cleanup of Dept. of Public Works, No
596 appointment of ZBA alternate at this time, Status of Planning Board Members terms that are
597 up, Will ribbon cutting ceremony take place for Dept. of Public Works, Options for old
598 Planning and Code Office, Generator back up at new Highway Dept., Dandy Mini Mart status.

599

600 **Adjourn Meeting**

601 Meeting adjourned at the call of the Planning Board Vice Chair at 8:10 pm.

602 Minutes Taken and Executed by Kelly Geiger

603

604 **Access to public documents available online at:**

605 **Planning Board Email** tolcodes@lansingtwnny.gov

606 **Town Website** <https://www.lansingtwnny.gov>