

**Village of Lansing
Planning Board Meeting
June 25, 2012**

1 The meeting of the Village of Lansing Planning Board was called to order at 11:00 AM. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members Phil Dankert; Alternate Member Jon
4 Kanter; and Code Enforcement Officer Marty Moseley.

5 Tomei appointed Kanter as an acting member for the meeting due to the absence of Planning
6 Board member Richard Durst.

7

8 **Public Comment Period**

9 Tomei opened the public comment period.

10 With no one wishing to speak, Durst moved to close the public comment period. Seconded by
11 Kanter; Ayes: Tomei, Dankert, and Kanter.

12

13 **Continuation of Public Hearing to Consider:**

14 Tomei noted that the meeting is a continuation of the Public Hearing to consider:

15 Special Permit No. 2663, Marjorie Pryse, to operate a home occupation consisting of growing,
16 processing, and preparing for sale garden goods, plant products, and honey and hive products in her
17 home at 1 Pembroke Lane located in the Low Density Residential District, Tax Parcel Number
18 48.1-2-2.1. Special Permit review is required pursuant to section 145-39 D(2)[d].

19

20 Moseley noted that the Village is unaware of any regulations or restrictions that were instituted by
21 the Village on this particular subdivision (the McLean Subdivision) for the purposes of regulating or
22 prohibiting home occupations.

23 Tomei read Pryse's letter, which is attached to the minutes. Tomei indicated that Pryse had
24 addressed section 145-60(D)2 very well with her letter.

25 Kanter moved to close the public hearing. Seconded by Dankert; Ayes by Tomei, Kanter, and
26 Dankert.

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28

29 Tomei read the required special permit general conditions as follows:

30 *(1) It will not be detrimental to or endanger the public health, safety or general welfare.*

31 *(2) It will not be injurious to the use and enjoyment of other property in the vicinity or*
32 *neighborhood.*

33 (3) *It will not impede the orderly development of the vicinity or neighborhood and is*
34 *appropriate in appearance and in harmony with the existing or intended character of the*
35 *vicinity or neighborhood.*

36 (4) *The street system and off-street parking facilities can handle the expected traffic in a*
37 *safe and efficient manner.*

38 (5) *Natural surface water drainageways are not adversely affected.*

39 (6) *Water and sewerage or waste disposal facilities are adequate.*

40 (7) *The general environmental quality of the proposal, in terms of site planning,*
41 *architectural design and landscaping, is compatible with the character of the*
42 *neighborhood.*

43 (8) *Lot area, access, parking and loading facilities are sufficient for the proposed use.*

44 (9) *The requested use or facility conforms in all other respects to the applicable*
45 *regulations of the district in which it is located.*

46 (10) *The applicant has shown that steps will be taken where necessary to meet all*
47 *performance standards and all other applicable general regulations.*

48 Tomei asked for a motion that all general conditions have been met. Moved by Dankert.
49 Seconded by Kanter; Ayes by: Tomei, Kanter, and Dankert.

50 Kanter moved that all conditions as set in section 145-60(D)2 have been met. Seconded by
51 Dankert; Ayes by Tomei, Kanter, and Dankert.

52 Kanter noted, for the record in response to the letters of concern from neighboring properties, that
53 the site would be able to house multiple vehicles if there were to be numerous vehicles there at one point
54 in time, and he feels that there will be no increase to the traffic in that particular vicinity due to this Home
55 Occupation.

56 Tomei read the following proposed special permit resolution:

57
58 VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 2663 ADOPTED ON JUNE 25, 2012

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61 Motion made by: Phil Dankert

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63 Motion seconded by: Jon Kanter

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65 **WHEREAS:**

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68 A. This matter involves consideration of the following proposed action: Special Permit No. 2663, Majorie
69 Pryse, to operate a home occupation consisting of growing, processing, and preparing for sale garden
70 goods, plant products, and honey and hive products in her home at 1 Pembroke Lane located in the
71 Low Density Residential District, Tax Parcel Number 48.1-2-2.1; and
72

73 B. On June 11, 2012, the Village of Lansing Planning Board, in accordance with (i) Article 8 of the New
74 York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"),
75 and 6 NYCRR Section 617.5, (ii) Section 145-60, subsection D(3), of the Village of Lansing Code, and
76 (iii) Section 123.2 of the Village of Lansing Code, determined that the approval of the proposed
77 special permit is a Type II action, and thus may be processed without further regard to SEQR; and
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79 C. On June 11, 2012, the Village of Lansing Planning Board held a public hearing regarding this proposed
80 action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented
81 by and on behalf of the applicant in support of this proposed action, including information and
82 materials related to the environmental issues, if any, which the Board deemed necessary or
83 appropriate for its review, (ii) all other information and materials rightfully before the Board
84 (including, if applicable, comments and recommendations, if any, provided by the Tompkins County
85 Department of Planning in accordance with General Municipal Law Sections 239-l and -m), and (iii) all
86 issues raised during the public hearing and/or otherwise raised in the course of the Board's
87 deliberations; and
88

89 D. The Village of Lansing Planning Board, at its June 11, 2012 meeting, determined that it would be
90 appropriate and useful, prior to taking further action, for the Village Code Enforcement Officer and
91 attorney for the Village to review in more detail certain records and prior Village Planning Board
92 subdivision proceedings related to the proposed action, and therefore the public hearing was
93 adjourned to a further meeting date of the Village of Lansing Planning Board; and
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95 E. The Village of Lansing Planning Board scheduled a special meeting for June 25, 2012, notice thereof
96 having been published and posted as required, for the stated purpose of continuing the public
97 hearing and proceeding further with respect to the proposed action; and
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99 F. The Village of Lansing Planning Board at its special meeting on June 25, 2102 acknowledged its
100 receipt of additional information and clarification regarding the proposed action and prior records
101 and prior Planning Board subdivision proceedings related thereto, and thereupon sought any further
102 public comment, after which the previously adjourned public hearing was closed; and
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104 G. On June 25, 2012, the Village of Lansing Planning Board further reviewed and analyzed (i) the
105 materials and information presented by and on behalf of the applicant in support of this proposed
106 action, (ii) all other information and materials rightfully before the Board (including, if applicable,
107 comments and recommendations, if any, provided by the Tompkins County Department of Planning
108 in accordance with General Municipal Law Sections 239-l and -m), and (iii) all issues raised during the
109 continued public hearing and/or otherwise raised in the course of the Board's deliberations; and
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111 H. On June 25, 2012, in accordance with Section 725-b of the Village Law of the State of New York and
112 Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing
113 Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the
114 general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
115 applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-
116 60), (iii) any applicable conditions required for uses within a Combining District (Village of Lansing
117 Code Section 145-61), and (iv) any environmental issues deemed necessary and/or appropriate;
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119 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

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121

122 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and
123 requirements, if any, set forth below) that the proposed action meets (i) all general
124 conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
125 applicable conditions required for certain special permit uses (Village of Lansing Code
126 Section 145-60), and (iii) any applicable conditions required for uses within a Combining
127 District (Village of Lansing Code Section 145-61); and
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129 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.
130 2663 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
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136 The vote on the foregoing motion was as follows:

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138 AYES: Mario Tomei, Jon, Kanter, and Phil Dankert

139

140 NAYS: None

141

142 The motion was declared to be carried.

143

144 **Approval of Minutes**

145 *None*

146 **Reports**

147 *None*

148

149 **Other Business**

150 *None*

151 **Adjournment**

152 Dankert moved to adjourn at 11:20PM. Seconded by Kanter; Ayes: Tomei, Kanter, and Dankert.

Application for Special Permit for Home Occupation

May 18, 2012

Marjorie Pryse
1 Pembroke Lane

When Leslie Lewis and I purchased this property, which included at that time a building that had housed a kennel business, Marty's predecessor told us that we would be able to have a home office and/or a home occupation in the building, as long as it met Village guidelines. We have worked to upgrade this building and call it the Annex.

I am now applying for a Home Occupation Special Permit, since I have recently retired and am interested in taking my various hobbies (gardening, beekeeping, pickling) and turning them into a part-time business to be called "Pembroke Harvest." Pembroke Harvest will grow, process, and prepare for sale garden and garden plant products, and honey and hive products. My underlying motivation for moving from hobbyist to part-time Home Occupation is to become more involved in the local food movement that is thriving in the Ithaca area.

The education I receive from this involvement will make my investment worthwhile. While I do not expect to make much if any money at this business, I hope to be able to cover some of the expenses of my various hobbies, as well as the insurance and state certifications required. I plan to market some of the products of this Home Occupation at farmers' markets, the occasional fair, and local retail stores.

I do not foresee any change at all in the character of the residential neighborhood that is Pembroke Lane—or in the character of our very private, very quiet property. The following addresses the Additional Conditions set out in the Village of Lansing Code concerning Home Occupations, section §145.60 D(2).

(a) Pembroke Harvest will carry on principally as mother nature provides—in the garden itself. I will clean and process any produce for sale in the Annex building.

(b) I have no business plan to hire any employees to help with Pembroke Harvest. On occasion, a friend has offered to help weed the vegetable gardens but so far has not actually done so, and in any event, would not be employed to do so. Leslie and I primarily maintain the gardens ourselves. Should I decide to hire someone in the future, I understand that I would be able to hire not more than one full-time equivalent person not residing at 1 Pembroke Lane.

(c) I have no equipment that creates visible or audible electrical interference with any electrical appliance in anyone else's home.

(d) Pembroke Harvest will not create any "noxious odors, vibrations, glare or fumes."

(e) I do not plan to apply for any exterior signage. In fact, the existence of this Home Occupation will be invisible from the street and even from the driveway.

(f) I will not store any materials outside the Annex that may be used in connection with this Home Occupation.

(g) I do not plan to offer ANY goods for sale at the site of the Home Occupation, not even those crafted or produced in the Annex, with the possible exception of an informal sale to the occasional friend or neighbor who is visiting anyway and spontaneously asks to purchase something.

(h) 1 Pembroke Lane has parking for at least 15 cars at any one time because of its former history as a kennel business. However, unless we are entertaining guests, the only vehicles parked here are our own, or those of workers we have hired to do work on our property. In the unlikely event that we would hire one full time equivalent person to work at Pembroke Harvest, there would be adequate parking for that "person."

(i) Accompanying this text, I have submitted the formal application for the Special Permit for the Home Occupation.

(j) No additional traffic will result from the operation of this Home Occupation, since I will not sell from the property.