

Village of Lansing
Planning Board Special Meeting

November 20, 2000

The special meeting of the Village of Lansing Planning Board was called to order at 1:30 P.M. by Chairman Hickey. Present at the meeting were Planning Board Members Brown, Halevy, and Waterman; Trustee Lynn Leopold; Code Enforcement Officer Curtis; and Attorney Marcus.

Special Permit # 1589 – Cornell Lab of Ornithology

Hickey noted that the purpose of the meeting today is to begin the administrative actions necessary for the Cornell Lab of Ornithology Environmental Assessment. Packets containing the complete applications and all supporting material will be sent to the involved agencies. Hickey provided members with a copy of the cover letter to be sent. John Heintz will be sending documents to the involved agencies and also those who are interested agencies. A list is included in the front of the packet of those to receive the documents and include: NYS DEC, NYS Dept. of Parks & Historic Preservation; NYS DOT; Village of Lansing; Town of Dryden; and Town of Ithaca (as an interested agency). Pending Planning Board action to classify the project and make a determination regarding lead agency, John Heintz has volunteered to hand deliver the binders at the conclusion of this meeting including one to the Tompkins County Planning Department for 239 Review. The Village of Lansing may volunteer to become the lead agency. If it does so, the other involved agencies will be requested to send written acknowledgement of their consent to the Village prior to the Planning Board meeting of Nov. 28. The Public Hearing will be scheduled for Dec. 11.

Curtis stated that today the application is being officially received and that the Planning Board must classify it as a Type I action, unlisted action, or exempt action. If the Board classifies it as an unlisted action, it must decide if they want to proceed with a coordinated or uncoordinated review and finally whether the Village wants to be the lead agency.

Hickey stated that he feels this is an unlisted action. Marcus stated he did not see any threshold on the list for Type I actions that this project exceeded. Curtis reviewed the 12 thresholds for Type I actions and none were exceeded by this project. Waterman moved to classify the project as an unlisted action. Seconded by Halevy. All aye.

Curtis stated if this is an unlisted action, then the Planning Board must determine whether to continue as a coordinated review with all the involved agencies which would then sign off during the process, or as an uncoordinated review like that done with the sewage package plant. With that project, the DEC and the Village performed separate reviews and each determined that there would be no significant adverse environmental impacts. In an uncoordinated review, if any of the involved agencies determine at any time that there might be a significant adverse environmental impact, then a coordinated review would need to be started. John Heintz would prefer to proceed with the coordinated review from the beginning. Curtis stated a lead agency would take the lead role, direct the SEQR Review, gather input from other agencies, address their concerns, distribute findings and declarations, and would make a final determination subject to their approval. Hickey stated a letter would be sent out to involved agencies with the documents and they would respond back as to whether they would like to participate in the coordinated review with the Village acting as lead agency. If they choose to, they will send their comments and concerns to the Village to become part of our review. Hickey feels many of them will choose to sign off and the Board can continue with the EAF on Nov. 28. Waterman moved to have the Planning Board proceed with the coordinated review. Seconded by Halevy. All aye.

Hickey stated that next the Planning Board needs to decide whether to become the lead agency or propose that another agency become lead agency. He stated that since much of the proposed project is in the Village, it makes sense that the Village become the lead agency. Halevy questioned whether any of the other participating agencies could determine that the Village not become the lead agency. Curtis responded that they could also request to be lead agency and then the DEC commissioner would make the determination as to who would become the lead agency. Hickey stated that the

Village would be volunteering to become the lead agency unless others disagree. Waterman moved that the Village of Lansing become the lead agency for this project. Seconded by Brown. All aye.

Hickey asked Board members to review his Nov. 20 letter to Mr. Gordon Reimels of NYS DOT. (Trustee Leopold entered the meeting.) In it, Hickey has expressed his concerns about traffic from the B & T Park and is advising DOT of the increased development in the Park that might impact Warren Road and Brown Road intersections. Hickey used statistics from the 1998 B & T Park Report and has added the Marriott and the three buildings approved in October. The Board approved the letter as submitted.

Marcus stated that at this point a letter needs to go out indicating that the Village has agreed to volunteer to be lead agency. Curtis has the prepared letter and read it to the Board. Hickey stated that agencies have 30 days to respond although the Village is requesting they respond prior to the Nov. 28 meeting date. After the application is complete with information from all the involved parties and any additional information the involved parties request from the applicant, then the Village has 20 days to make a determination if there may be significant adverse environmental impact(s). If all the letters are back by Nov. 28 and favorable, then the Village can accept the role of lead agency. If all the letters are not back, then the Village can not accept this role because there is the possibility of another agency desiring to take the lead role. Marcus stated the Village can begin work on review of the LEAF, because the Village will still need to do a review in any event, although the 20 days would not have begun yet. Halevy recommended sending the letters and then placing phone calls to determine if another agency has an interest in taking the lead role. Hickey stated the Town of Dryden has already agreed to the Village of Lansing becoming the lead agency and he is quite certain DOT and DEC will not desire to take the lead role. Marcus stated that there is no prohibition against any agency beginning a review at any time prior to the 20 day deadline. If an agency has not responded within 30 days from today, they have forfeited their right to become the lead agency. Curtis stated the application becomes complete after it has been reviewed and the Planning Board determines it is complete. The Planning Board will begin working on this on Nov. 28 although members are encouraged to begin earlier.

Other Business

Hickey stated that Suttons go to the BZA tonight so there may be a resolution to that issue. Depending on the outcome of that meeting, the Sutton Home Occupation might need to be placed on the agenda for the Nov. 28 meeting. Otherwise, the Ornithology Lab will be the only item on the agenda. Marcus asked if documents with the cover letter would be delivered today and Heintz responded yes.

Adjournment:

Waterman moved to adjourn the meeting. Seconded by Brown. All aye.

Reopening of Special Meeting:

Waterman moved to reopen the special meeting to discuss Proposed Local Law F. Seconded by Halevy. All aye.

Proposed Local Law F:

Marcus brought a file with him regarding the passage of Local Law E relating to the parking space requirements developed in response to certain deficiencies in the Zoning Law revealed during the review of Kionix Building 2. The law was enacted by the Board of Trustees as Local Law 5 – 2000 and Kionix subsequently received their Special Permit. While incorporating the language into the Zoning Law, Willard picked up 2 typographical errors pertaining to sections that had been changed earlier. Therefore, Marcus has prepared proposed Local Law F to correct these errors in Local Law 5. The Board of Trustees have set a Public Hearing for Dec. 4 so the Planning Board needs to make a recommendation to the Board of Trustees regarding this proposed local law. Waterman moved to recommend approval of Local Law F as proposed by Attorney Marcus. Seconded by Halevy. All aye.

Adjournment:

Waterman moved to adjourn the meeting. Seconded by Halevy. All aye.

