

**Village of Lansing
Planning Board Meeting
October 13, 2003**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Alternate Member John Piscopo; Trustee Liaison Lynn Leopold; Attorney David Dubow; Village Engineer Brent Cross; Code Enforcement Officer Ben Curtis; and members of the public.

Public Comment:

Hickey opened the Public Comment period.

John O'Neill, 53 Janivar Drive, spoke about Ayla Way and wondered about the possibility of a paved shoulder. Hickey stated the first binder coat has been placed and will stay a year before the final coat is laid. Hickey would recommend the Homeowner's Association write a letter to the Planning Board requesting their recommendation to the Board of Trustees for a paved shoulder. O'Neill also has spoken to Robert Witty of CFCU and wondered if the paved shoulder on Craft Road could be lengthened to connect to Lansing Trails. Hickey has spoken to Dennis Reinhart and Reinhart has placed this on his to do list. O'Neill's third concern is the potential for trucks driving across the field from Ayla Way to Bomax Drive. Hickey has spoken previously to Ivar Jonson about blocking the end of Ayla Way with a berm and will speak to him again so that the field will not be used by trucks or vehicles as a shortcut.

As there was no one else who wished to speak, Klepack moved to close the Public Comment period. Seconded by Brown. All aye.

Public Hearing, Special Permit No. 1865, Adler Single Family Residence:

The first item on the agenda was a Public Hearing for Special Permit No. 1865, Kraig and Dolores Adler to construct a single family residence at 17 Cayuga Hills Road in the Low Density Residential District, Tax Parcel No. 43.1-1-26.63. A Special Permit is required because the lot is located in an environmentally sensitive area with steep slopes and Unique Natural Areas and Special Permit approval for construction on this lot is a condition of the final plat approval for the subdivision in which it is located. A Special Permit is also required because two curb cuts are proposed where Section 104.17(a)(1) of the Village of Lansing Zoning Law requires a Special Permit for any curb cut in excess of one for a residential lot.

Hickey stated the applicant is not expecting to gain final approval tonight but needs to be given some direction. Kraig Adler spoke first about his plan. Adler currently lives on a wooded lot in Ellis Hollow and values the beauty of the lot in Cayuga Hills and would like to preserve it. Adler had a survey made a month ago which depicts the eastern third of the 2+ acre lot. Two small streamlets are either on the lot or nearby, but he has not seen them flow to date. Adler stated there is also an old railroad bed on the property where the Health Department determined that the septic system should be built. Adler would like approval for a "window" for the building location based on the zoning setbacks, railroad bed, intermittent stream, and Health Department location of the septic system. This would allow architect Ernie Bayles the flexibility for optimum placement of the residence. Cross addressed Adler and stated the proposed "window" is not entirely consistent with the drawing given to Board members. Cross noted that as proposed on the large drawing presented by Adler at the meeting, the septic system flows uphill. Cross also stated the small drawing previously submitted by Adler with his Special Permit application shows the 20-25 ft. railroad bed being within about 3 ft. of the deck and a septic system must be 20-25 ft. from the residence. Adler stated the larger drawing is more accurate and the small drawing was more to address issues concerning the front of the residence. Hickey stated the Health Department must approve the placement of the septic system.

Hickey felt tonight the Board would give Adler some direction with regard to the proposed "window", the position of the proposed house, garage and driveway, and landscaping. Hickey and Board members were concerned about the number of trees with blue tape around them and did not want to see all of them removed. Adler is uncertain why they were marked in such a fashion but they are not all slated for removal. Bayles stated they were marked as such only for

cataloguing purposes.

Hickey then addressed the concerns he and Cross have regarding the location of the garage. Their recommendation is to place the garage on the south end of the house so it will not encroach on the drainage easement and the driveway would also not encroach on the easement. Cross stated the driveway as shown would also require the removal of some of the guard rail at the road. Bayles stated that since the slope was over 23%, he determined the garage would be better on the north side. Klepack questioned why there needed to be a circular driveway. Bayles stated a circular driveway was proposed to provide easier access if the Village would allow it to be built in the drainage easement area, but if this is not allowed, there would be a single driveway. Adler felt the proposal for a circular driveway would be advantageous because those visiting the residence would not have to park on the roadway.

Hickey asked if the residence were moved forward to the 40 ft. setback line so that the garage encroached into the setback area, would that improve the slope calculations. Adler confirmed that it would. Hickey stated a variance would be required and the Board might be more supportive if bringing the garage closer to the road reduced the impacts on the steep slopes, the drainage way and the guard rail. Hickey stated this would also allow for more distance between the residence and the septic fields and would protect the slopes in this area better as well. Board members were in agreement with this recommendation to move the residence forward on the property. Hickey reiterated that the Board would not allow the residence or driveway to encroach on the drainage easement; that it prefers the garage on the south end of the residence; that it does not support the second driveway; and that it would support the garage portion of the residence being moved forward into the 40 ft. front yard setback.

Hickey stated a Landscape Plan will be required and that it must indicate trees being removed and what they are being replaced with, as well as shrubs to hold soil, and the applicant's intentions regarding clear cutting on the west end of the lot to gain lake views. Adler stated about 8 large trees would be removed. Stycos asked about the possibility of having the garage under the residence. Bayles stated the height of the garage is defined by the height of the road; the driveway would be too steep if the garage were under the house.

Dubow drew the Board's attention to the documentation distributed by Curtis prior to the meeting regarding this lot and the subdivision. Dubow stated there was a lot of environmental review when the subdivision was originally approved and conditions were developed for construction such as that being proposed. Hickey stated it was a condition of the subdivision approval that a Special Permit from the Planning Board would be required for construction on this and similar lots.

Cross spoke of the specific requirements for the drainage plan. Cross stated the sheet flow from east to west would be intercepted at the east side of the railroad bed and would then go south into an existing drainage way. Cross would like to see this drainage plan drawn and analyzed in detail. The septic system must be designed so as not to block the natural flow of the water across the site or to cause pooling on the site.

Hickey opened the Public Hearing. As there was no one present wishing to speak, Dankert moved to close the Public Hearing. Seconded by Klepack. All aye.

Leopold asked if the intermunicipal sewer agreement is settled. In the DEIS the old railroad bed has been proposed for the most likely route for a sewer main in this area. Hickey stated if the main line goes through that area, the private septic systems and sand filters would be removed and residents would be required to hook up to the sewer system. Dubow read the condition previously established which required the developer to grant an easement for sewer and water lines which would be placed in the railroad bed and homeowners would be required to hook up.

Curtis asked for clarification as to the location of the house and garage should the applicants decide to pursue a variance from the BZA at the BZA's November or December meeting. Hickey responded that it would, at a minimum, be based upon the distance determined by the Health Department for the septic system to meet their standards. Adler stated the distance is nine feet. Curtis stated the variance could be for a distance not to exceed ten feet but the final figure would be determined when a final plan is submitted.

Dubow stated when the application is deemed to be complete, then a 62 day deadline would begin for Planning Board

review unless an extension is granted by the applicants in written form. Dubow stated that in light of the preliminary nature of the proposal and the nature of the comments and suggestions made, tonight might be considered to be a Public Hearing prior to another Public Hearing if the Planning Board determined that another Public Hearing would be useful.

Cross felt the septic system being installed first might be wise in order to minimize disturbance of the site. This will be discussed at a later date between Cross and the applicants. It was agreed that the applicants will use the input received at the meeting and proceed further with a more detailed site plan to be presented to the Board at a subsequent meeting.

Public Hearing, Final Plat Approval, Dart Subdivision:

The second item on the agenda was a Public Hearing for Final Plat Approval of the Dart Subdivision, a minor subdivision dividing the 37.73 acre lot known as 89 Graham Road into a 5.278 acre building lot and the residual parcel. The lot is located in the Medium Density Residential District, Tax Parcel No. 46.1-1-6.

Jim Ross who will own the 5.278 acre lot gave the presentation showing the large parcel and the smaller parcel. The barn and trees would remain as is and a residence added.

Hickey opened the Public Hearing. As there was no one present who wished to speak, Klepack moved to close the Public Hearing. Seconded by Dankert. All aye.

Curtis stated that to meet the requirements of the Subdivision Law a plat will be required which shows the full parcel with all the boundaries. Curtis stated the final plat must show all the dimensions of the entire parcel rather than just the smaller 5+ acre parcel. Curtis has notified Jim & Nancy Ross of this requirement. Dubow stated this information is needed on the final plat before the final plat can be signed by the Planning Board Chairman. Dubow also stated that the Village passed a law in 2000 listing additional Type II actions which do not require a SEQRA Review and a minor subdivision such as this one was included as an exempt action. Hickey also noted that the Planning Board has received a 239 Review dated 10/10/03 from the County and there are no negative comments. Curtis stated the applicants will be back at the next meeting as the residence they are proposing to build on the smaller lot will be within 200 ft of the stream. Dubow reiterated that the survey would need to be of the entire parcel including the portion in the Lansing School District in addition to the portion in the Ithaca School District, if the deed confirms that the land has been conveyed as one parcel,. Dubow would recommend the entire survey be done at the same time as the survey on the 5+ acre parcel.

Dankert moved to approve the Dart Subdivision as a minor subdivision contingent on submittal of a plat with all the necessary metes and bounds subject to the approval of the Village Attorney. Seconded by Stycos. All aye.

Open Space Report Plan, Initial Discussion – Leopold, Stycos & Wolf:

Hickey stated the remainder of the meeting would be a presentation by Kathryn Wolf of Trowbridge and Wolf on the Open Space Plan .

Wolf described the project briefly, reviewed what the committee of Leopold, Stycos and herself has done, and noted the steps to be taken in the future. The purpose of the Open Space Protection Plan is to serve as a guide for open space protection and preservation in the Village of Lansing. Four aspects of the plan provide 1) a document that illustrates and inventories open space; 2) identifies lands of high open space value; 3) identifies priorities for open space protection; and 4) identifies strategies for open space protection. The plan will serve as a guide for municipal officials.

Wolf showed maps of inventoried space in the Village which has since been categorized or prioritized and mapped. The committee feels it is now up to the Board to determine how to proceed.

Wolf showed the open space inventory on a map based on the County GIS. Wolf stated that existing zoning districts were also mapped, as well as subdivisions in progress and DEC wetlands. Forested areas, brush, and agricultural lands were also depicted. Public water and sewer systems are depicted on the map with existing as well as potential sewer

mains.

Another color-coded map showed an analysis of the open space with wetlands and agricultural soils. Wolf indicated that the best agricultural soils in the Village already have development on them. She also advised the Board that areas like Pittsford NY have used the purchase of development rights to protect valuable agricultural soil areas.

It was explained that the committee looked at all existing open space in the Village based on aerial photography. Lands already protected were identified. Maps were further refined to show parks, bike lanes, greenway paths, and historic registry sites (Greystone Inn, Colonial Veterinary and 86 Oakcrest Road). Hickey recommended cemeteries be added.

The committee then reviewed criteria for prioritizing land for preservation. Land preservation can be broken into four categories of land: 1) agricultural resources, 2) scenic resources (vistas), 3) ecological resources (wetlands, steep slopes, streams, ponds and wooded areas), and 4) historic and cultural resources. Hickey felt the Henslow Sparrows on Sun Downs Farm should also remain protected and wondered if the presence of unusual species should be a criteria. Wolf stated wildlife habitat could be an added criteria. Stycos stated the committee also discussed overlapping criteria.

Wolf showed a map depicting agricultural resources. The committee noted the farmland along E. Shore Drive extends into the Town of Lansing and it will be difficult to protect that land at this time and agricultural land may not be a useful criteria for the Village to include. Next, the committee reviewed scenic resources primarily on the major roadways of North Triphammer Road and East Shore Drive. The third criteria was ecological resources to include Unique Natural Areas (UNAs), wooded areas, national and DEC wetlands, slopes over 15%. Land that met more than one of these criteria was then color-coded.

Wolf then identified the principal tools for land protection: changes in zoning to be more restrictive, conservation easements, purchase of development rights, transfer of development rights, and land acquisition. Hickey stated transfer of development rights would likely not be applicable to the Village because there is very little developable property remaining to be transferred in exchange for open space. Wolf stated some of the things the Village could do would be to require wetlands be mapped by developers; to increase protection of stream corridors; to further restrict development on steep slopes; to adopt urban forestry guidelines or regulations; etc. Wolf will provide copies of sample restrictions used in other municipalities for Board review.

The committee is planning to have a public meeting to review the information gathered thus far. Hickey would like to see input from the public. Hickey stated there are two or three major landowners in the Village who would be affected by an open space policy and he will notify them. The Board would like to see if residents are interested in this topic. Hickey would like to see the inventory presented and then see what response there is. Leopold would like to see a short presentation and then a question and answer period. Leopold and Wolf will coordinate a date for the public meeting.

Upcoming Events:

Oct. 14 Fingerlakes Land Trust Workshop at the Library

Oct 14: Reception and tour of the Cornell Lab of Ornithology

Oct. 30: Randall Arendt Open Space Presentation in Canadaigua

Vision Statement & Goals:

Hickey will put a notice in the Newsletter and the Vision and Goals will be on the Internet from Nov. 1-21 and residents will be asked to provide feedback. Paper copies will also be available in the Village Office.

Approval of Minutes – Sept. 30:

Dankert moved to accept the minutes of September 30th as revised. Seconded by Brown. All aye.

Reports:

Trustees: Brown stated there was no Board of Trustees' meeting.

Other Business as Time Permits:

The Board discussed certain procedural matters related to the Adler Special Permit. Since the application was not complete, the Board could have waited and held the Public Hearing after it was deemed to be complete. This Public Hearing was held because the applicant desired feedback and the Public Hearing was already publicized. Hickey stated the Board might need to require materials to be submitted ten days prior to a meeting or continue the discussion to a future meeting for a final vote. Hickey and Curtis will review this. Dubow would recommend the Board be more conservative with scheduling a Public Hearing until after the Board has reviewed the materials. Hickey likes the Public Hearing up front to hear the resident's concerns but would feel comfortable voting at the next meeting. Curtis asked if it would be possible to adjourn a Public Hearing to the next meeting and Dubow responded that it could be adjourned but should not be done on a regular basis. Curtis stated if anyone would like notification of meetings, he would gladly add them to his e-mail/fax list of those requesting to receive the agenda when it is ready the Friday before the meeting. All they have to do is contact him and give him either an email address or a fax number.

Adjournment:

Klepach moved to adjourn at 10:15 P.M. Seconded by Stycos. All aye.