

**Village of Lansing
Planning Board Meeting
November 10 2003**

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

Public Comment:

Hickey opened the Public Comment period.

Mike Stazie, 6 Leifs Way, reported that he has drainage problems on his lot with standing water in low places after storms. He would like someone to look at it and help with remedial action. Cross has previously reviewed the site and he suggested Stazie stop by to see him to review the issue again.

John O'Neill, 53 Janivar Drive, spoke next about two issues. The first regarded the Planning Board recommendation that the Lansing Trails Homeowners Association prepare a written recommendation about paved shoulders on Ayla Way. O'Neill gave their report to the Board. Secondly, the Association has drafted a proposal including estimated costs for improvements to the park area on Leifs Way as well as some adjacent proposed open space from Lansing Trails 2. They would like the Planning Board to review the proposal and make recommendations which could be submitted to the Board of Trustees.

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

Public Hearing – Shannon Park PDA Amendment:

The first item on the agenda was a Public Hearing for a proposed amendment of the Shannon Park Planned Development Area by Steve Cardamone pertaining to the parcel referred to in the Shannon Park Planned Development Area as "The Hamlet" (Tax Parcel No. 47.1-6-58.1). The proposal involves the subdivision of the parcel into smaller parcels for sale to individual owners as 16 townhouse units with a small amount of land attached to each unit and residual land and infrastructure owned in common. The Preliminary Plat and concept plan will be considered.

Hickey noted that ultimately this needs to be approved by the Board of Trustees. The Planning Board will review the project and, because tonight is the first time they have seen the Engineer's Report, another meeting will probably be necessary to complete the preliminary plat approval. Tonight there will be a presentation followed by the Public Hearing.

Dan Bowers, Project Manager from Hunt Engineers, provided Curtis with the required proof of mailing and gave a brief presentation of the project. He displayed an aerial photograph showing Pyramid Mall, townhouse units, and existing homes backing up to the Hamlet, as well as the 40 ft. utility easement owned by the Village. Engineer, Rick O'Dell, and the Developer, Steve Cardamone, were also present at the meeting. Another graphic depicted the utilities and grading plan as well as the lot layout. Bowers stated there would be 16 lots for townhouse units and the 17th lot would be the remaining land around the project. Each townhouse unit would have a lot approximately 65x90 feet with the home inside and a zero lot line between units. This 65x90 parcel would be conveyed to each homeowner along with the rights and responsibilities for the remainder of the land shared with all the other owners of lots in the development. The project would have a private road, private sewer system which would hook into the municipal system, privately owned drainage facilities, and the residual lands which would include woods, trails, streams, etc. All this would be governed by an offering plan approved by the State Attorney General's Office. The grading plan shows detention facilities to control the rate of storm water discharge from the site. The grading required would remove some vegetation but would

maintain privacy where the site abuts existing residential lots in Shannon Park. Cardamone is receptive to planting trees to enhance privacy and planting of trees is also proposed along the roadway. Because of the topography of the site and the need to pump uphill to reach the existing sewer lines, the utility plan depicts a privately owned sewer line with a pump. It is proposed to be privately owned because the developer understood that the Village would not want to take responsibility for a system requiring a sewage pump. The developers would, however, like to convey the water main to the Village to avoid the requirement to install backflow preventers for the fire hydrants.

Rich Steinacher, 41 Beckett Way, asked about the blue line noted on the plan and was told it was a water line.

Wes Buchanan, 49 Beckett Way, asked how long water would stand in the two drainage ponds. Hickey responded the rate of flow leaving the ponds can not be any greater than the rate of flow from the property without development. Bowers stated there are two levels of water, one for water being detained to slowly drain off the property and one as a water quality base level which acts as a settling basin to clean the water before it leaves the property. These are regulated by EPA and the standing water in water quality basin could be 6 – 12 inches deep. Buchanan asked about mosquitoes and Bowers stated there is no plan to mitigate mosquitoes and no provision by EPA to address this problem. Buchanan asked about the gaps in the trees and Bowers responded that one gap is the outlet structure to the stream channel but most gaps will be filled in and the vegetation behind the houses which would remain or would be filled with new plantings.

Mrs. Peter Widman, 55 Beckett Way stated that trees would not grow in the wet areas. Bowers responded that fill will be placed prior to planting of trees. Widman asked who would make sure trees are planted in those area. Hickey responded a Landscaping Plan will be submitted and it will be his responsibility, as well as his assistants, to inspect the parcel to see the trees are planted. Hickey also stated the Code Enforcement Officer can be notified if trees die and he will see that they are replaced by the property owner.

Connie Woodrow, 5 Bellwood Lane, asked who monitors the ponds to protect children. Hickey stated the municipality could not monitor children playing in the ponds and feels this could best be done by parents.

Jim Hazzard, 2 Bellwood Lane, wanted to know if the plans are for the units to look like the existing units, if they would be essentially the same, what amenities would they have, and what would be their price. Cardamone stated the buildings would look different and would be priced from \$250-300,000 each. They would have the same amount of bedrooms and bathrooms and would be approx. 2000 sf per unit, not including the garage.

Thomas Smith, 7 Bellwood Lane, spoke about traffic issues. He stated that the 16 units would translate to about 32 cars which would equate to 65-125 trips per day. From a safety perspective, the corner of Wedgewood and Beckett could be a problem because of the configuration where the roads intersect. Smith feels this intersection should be reviewed. His second concern is where Beckett Way enters onto Cayuga Heights Road. There are problems at that intersection with bushes and trees and line of sight and this intersection must be maintained properly. As a resident he had a concern about construction noise levels and what can be done to mitigate the noise and dust. Hickey stated this has not been addressed yet but it will at a later date. Another traffic issue is parking along Wedgewood Drive at night for those going to Pyramid Mall. Hickey recommended the Shannon Park Homeowners Association write a letter to the Board of Trustees recommending No Parking signs be installed.

Lou Gentsch, 76 Wedgewood Drive, addressed the traffic issues. Gentsch stated there are people from out of the area hanging out and parking after the mall is closed. Hickey stated the Village does not have a police force and he would recommend the Sheriff's Department and State Police be called.

Peter Widman, 55 Beckett Way, spoke next. Regarding his property, there are problems with standing water and wetlands and there is no real drainage and little would grow there. The elevation of the pond behind his house will be several feet higher and additional water may go on to his property. Bowers responded that there will be a bermed area to stop the free flow of water in all directions and control the water that might otherwise cross his property. This berm may be up to 6.5 ft. high and will have vegetation or shrubbery on top.

Another resident asked what could be built in the Hamlet currently. Hickey responded that this is all part of the PDA

approved previously and the proposed townhouses were approved as part of the original PDA. Hickey stated the current proposal will be less dense than that originally approved with a total of only 24 units rather than the previously approved 32 units if you count the 8 units already built.

Gentsch asked for clarification on the sanitary sewer system. O'Dell stated the privately owned system would utilize gravity flows to a pump station and then there would be a forced main to a Village manhole where it would be connected to the municipal system. The subdivision must be approved by the Tompkins County Health Dept.

There being no one else who wished to speak, Dankert moved to close the Public Hearing. Seconded by Klepack. All aye.

The Board discussed privately owned sewer systems. Dubow stated there will be an offering plan approved by the State Attorney General's Office which offering plan will insure that each of the 16 homeowners are aware of the private sewer system. Dubow stated that sometimes a developer or home owners association will hire a manager to manage collectively owned property including infrastructure such as the sewer system. Bellwood Lane residents have a Homeowner's Association. Cardamone indicated that the new Hamlet will have their own Association.

Cross presented his report. Cross stated many of his comments are based on his observations. First, Cross walked the site and said the proposed road would go from low to high to low again. Also the proposed stream through the SE corner of the site is draining water all the way from the airport and under Pyramid Mall. Cross stated the developers have stayed away from that corner which is in everybody's best interest. The private road will be a cul-de-sac of 800-900 ft. and only the first 175 ft. would be public. Cross stated this might be a concern as it does not provide access from two different directions. Cross stated the turnaround has a center line radius of 36 ft. which is far less than what the Village would require for a public road for emergency access. Hickey stated Bowers would need to get a letter from the Lansing Fire Department Chief approving the turn around and signing off on this. Cross stated the pavement is 10 ft. with 3 ft. shoulders but the ROW width is not standard and structures come within 5 ft. of the 50 ft. ROW that would normally be required for such a road if the Village were going to own it. Cross is pleased with the storm water management plan which keeps the water away from the stream. Previously, the small bottom drains for detention ponds were sized so water exits the site in 24 hours, but the new EPA Regulations are different and the ponds must be designed differently. Cross stated there will be residual property owned by the homeowners but there is no official ROW owned by the Village to this property so ownership and maintenance of stormwater facilities must be specified so the Village could gain access if needed. Dubow stated there would be language for easement rights in case of default by the Homeowner's Association. Cross stated the municipality would assume ownership of the water pipes. The Village currently charges both a water and sewer surcharge and this would be assessed for these residences as well and placed on the tax bill. Finally, Cross stated that since this development is over 1 acre, DEC requires a notice of intent to implement a storm water management plan and that during the construction phase there must be one person responsible for inspecting the storm water management facilities and reporting to the Village.

Hickey noted that the Landscaping Plan did not include a list or number of species of each tree type to be planted. This information is needed on the final site plan, as well as a list of larger trees to be removed. The proposed trail will be turned to the north behind the east houses rather than connecting to Pyramid Mall; this will be redrawn. Hickey also noted one of the designations on the plat for residential and commercial districts is incorrect and needs to be changed.

Dubow stated from the date of the Public Hearing, the Planning Board has 15 days according to Subdivision Regulations to make a decision. The applicants would like to return on Nov. 25th to gain approval of a preliminary plat. Cardamone agreed to an extension of the timeframe if there are still unanswered questions on Nov. 25th.

Special Permit No. 1865, Adler at 17 Cayuga Hills Road – Continued Discussion:

The next item on the agenda was a continued discussion on Special Permit No. 1865, Mr. Adler to construct a new home at 17 Cayuga Hills Road. New maps have been provided to Board members. Ernie Bayles, the Project Architect, responded to some previous concerns of the Board. He stated the residence driveway has been moved to the south for better driveway access and to achieve a slope of less than 10%. There will also be a tee turnaround and the circular driveway has been eliminated. The clearance between the house and the septic has been increased to comply

with the Health Departments requirement of 20 feet. The grading plan shows saved trees as well as removed trees. The septic system has not yet received Health Department approval but no problems are perceived. Silt fences are shown on drawings.

Hickey asked why the south side of the walkway shows a double oak being removed. Bayles stated the Adlers desire to have the oak tree removed from the front yard. Kraig Adler stated it is the only oak tree in the front and he would prefer a small green area. Hickey also asked about the hickory tree in the parking area and Bayles stated it is also slated for removal.

Leopold asked to have the sand filter and drainage field explained to her. Bayles explained how they are built according to Health Department regulations.

Cross gave his engineer's report. Cross stated the driveway is better. The septic is better also. House foundation and sand filter separation distances have been met. Stormwater has been directed to the natural drainageway to the north and some to the south to prevent sheetwater drainage across the driveway. The walkway is proposed to be gravel rather than an impervious surface. The finished floor elevation makes the first floor 18 ft. above ground outside and while the designs have not been finalized, the front will appear one story and the back two story because of the steepness of the slope. The slope is stabilized and it is not proposed to have fill placed in the back to lessen the slope because the fill itself would not be stable on a slope this steep. Cross would recommend that a condition be included that contractors either use track equipment to construct the septic system or it must be constructed before the foundation or access must be gained from the neighbors to the access road across the railroad bed, Village land, and Roy Park's land. Adler would like to cross Parks and Village land to gain access from the rear after the residence is built so as not to risk damaging the septic lines. The Board will require a written document stating the applicant has gained permission to cross land to gain access to install the septic system and if access is not given, then the septic system must be built prior to the foundation. The applicant was agreeable to this. Curtis stated the applicant could have a staging plan subject to the approval of the Village Engineer. Dubow stated all the conditions attached to Lot 17 previously approved will also apply to this parcel except for two provisions specific to Lot 17. Adler agreed to this.

Because the action is exempt under SEQRA, but the Village Zoning Law requires the Planning Board to do an environmental review of proposed development in this Combining District, the Board did a Village environmental review using the SEQRA Environmental Review Part II as a guideline. C1 – No, appropriate measures will be taken by the Village Engineer to ensure there is no adverse environmental impact. C-2 – No, because it is in a single family residential area. No evidence of archeological artifacts found. C-3 - No, this area was investigated for rare flora and fauna in the course of prior approvals and none were identified. C-4 – No. C-5 – None C-6 – None C-7 – No D No

Brown moved that Special Permit No. 1865 for the Adler residence will have no significant adverse environmental impact. Seconded by Klepack. All aye.

The Planning Board then reviewed the General Conditions for all Special Permits in Section 304.05 of the Zoning Law.

Dankert moved that the applicant has met all the General Conditions for a Special Permit under Section 304.05 of the Zoning Law. Seconded by Klepack. All aye.

Hickey moved that the applicant has met all Special Permit conditions in Section 305.02 of the Zoning Law for Conservation Combining Districts consistent with the environmental review just completed. Seconded by Klepack. All aye.

Dubow noted for the record that the Planning Board has received a 239 Review from the County and there are no negative comments.

The Board needed to set the conditions for approval of the Special Permit. First, Hickey addressed the BZA concerns. A 40 ft. front yard setback is required and the residence lacks 14 ft. on the closest corner so a variance is required. Previously, the Board agreed to write a letter of support. Hickey also noted that the turn around in the driveway is 14 ft

too close to the front property line and another variance would be required. Hickey stated he will write a letter to the BZA recommending the residence be moved forward for environmental reasons to minimize the removal of trees, disturbance of steep slopes and encroachment on drainage ways, and to provide a driveway not to exceeding a 10% slope.

The Board continued to discuss the conditions for approval of the Special Permit. One condition will be that the applicant obtain a variance from the BZA. Hickey stated the Board likes to review landscape plans. Bayles stated that grass and vegetative ground cover will be established in the disturbed areas before silt fencing is removed. Hickey stated the Board will review the landscape plan prior to issuance of a CO and this will be another condition for approval. A third condition for approval is a staging plan for construction to minimize disturbance of the site and of an erosion and sedimentation control plan by the Village Engineer. Another condition will incorporate the conditions previously approved for Lot 17 (Conditions for Granting Approval for Lot 17 dated 5/14/91), except that all but the first sentence of Condition 9 and all of Condition 13 will be deleted.

Klepack moved to approve Special Permit No. 1865 for 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 subject to the following conditions: approval of a variance by BZA; approval of Landscape Plan prior to issuance of CO; approval by Village Engineer of a staging plan and an erosion and sedimentation control plan; all conditions listed in document entitled Conditions for Granting Approval for Lot 17 dated 5/14/91 except for (i) all but the first sentence of Item 9 and (ii) all of Item 13. Seconded by Dankert. All aye.

Airport Combining District – Zoning Amendments:

The next item discussed was two amendments relating to the Airport Combining District. Dubow stated at the last meeting the Board desired to simplify the requirements for this District. This would require changing both the Zoning Law as well as the Subdivision Regulations. Dubow has prepared drafts for both. Curtis has raised additional concerns and provided his input. Curtis stated property owners have not always been notified in the past and wonders if it is really in the Village's best interests to get involved in this in the future and possibly expose the Village to liability. Dubow stated the Village might want to look at why the Zoning Law has an Airport Combining District and how other municipalities deal with properties in proximity to airports. Hickey felt the Special Permit process was developed for environmentally sensitive areas and that the Airport Combining District was also incorporated at that time. Hickey feels if it is noted on the deed or plat then an additional letter would not be required. Dubow stated that if there is not a subdivision plat, then there might not be notification that the property is located within that district. Currently, there is not an inventory but not much area remains in the Airport Combining District that would be developed for residential uses, although there is some in the Jonson Subdivision. Dubow stated the Zoning Law states that an applicant must be notified that the parcel is within the Airport Combining District. Hickey stated it would be desirable to have the Airport Combining District taken out of the Special Permit process. Hickey would recommend the Airport Combining District be placed on all subdivision plats. Curtis would recommend placing decibel lines on the zoning map and a note as to what it means and removing the Airport Combining District; the Zoning Map is available to the public including anyone interested in buying land in the Village. It is even on the Village web page. The Board all agreed that the Airport Combining District be removed from the Special Permit process. Board members liked the idea of calling the area an Airport Noise Corridor. Dubow would recommend researching this topic and how other municipalities handle areas near airports.

Approval of Minutes – October 28th:

Klepack moved to accept the minutes of October 28th as revised. Seconded by Stycos. All aye.

Other Business as Time Permits:

Hickey noted that the two items presented by O'Neill would be placed on the Nov. 25th agenda.

Reports:

Trustees: Hickey attended the Board of Trustees meeting. Items included discussion and approval of a Stormwater Grant Resolution; Bolton Point water rate increase to \$2.09 per 1,000 gallons, Village will continue to bill 33% surcharge; Mayor is still discussing sewer and is hopeful Kline Road Bypass goes through; and the Village has

received 39 sewer permits.

Municipal Officials Association – Planning Coalition: Hickey attended this in early November and there is a meeting scheduled for Feb. 12, 2004 which is a Housing Forum. Crystal Buck is a new planner with the County and she brought in materials regarding open space. Hickey received the one for the Village with private protected areas (Twin Glens Area) and other protected areas (none listed). Hickey will provide information to the County on Village parks and trails. Hickey stated the County is preparing an Open Space Plan and Ed Marx stated the County is hopeful of getting cooperation from municipalities.

Other Business as Time Permits:

Stycos stated she had provided information on the Open Space meeting scheduled for November 11th to Hickey and Willard. Fresinski placed the info on the web. Hickey did not send it to the Ithaca Journal and did not know if Willard had either. Stycos also stated Kathryn Wolf will make a presentation on November 20th regarding North Triphammer Road.

Adjournment:

Dankert moved to adjourn at 9:55 P.M. Seconded by Stycos. All aye.