

**Village of Lansing
Planning Board Meeting
May 25, 2010**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by
2 Chairman Mario Tomei. Present at the meeting were Planning Board Members, Maria Stycos,
3 Lisa Schleelein, Richard Durst and Phil Dankert; Alternate Board Member Ned Hickey; Code
4 Enforcement Officer Ben Curtis; Village Attorney David Dubow, Code Enforcement Officer
5 in training Marty Moseley; Trustee Liaison Lynn Leopold; resident Nick Vaczek; Jim Bold, Eric
6 Goetzmann, and Gina Speno from Triax Management Group; Kristin Campagnolo from
7 the Ithaca Montessori school; and Audrey Kahin observing for the Community Party.

Public Comment

9 Tomei opened the public comment period. With no one to speak, Durst moved to close the public
10 comment period. Seconded by Stycos. Ayes by Dankert, Stycos, Schleelein, Durst, and Tomei

Montessori Subdivision

12 Final Plat approval of the Montessori Subdivision, a minor subdivision by the Ithaca Montessori
13 School to divide one 5.13 acre lot into one approximately 2.54 acre lot where the Montessori
14 School is located and a residual vacant lot of approximately 2.59 acres. The lot to be subdivided
15 is known as 12 Ascot Place and is located in the Commercial Low Traffic District, Tax Parcel
16 No. 45.2-1-46.18. Tomei asked Campagnolo to explain the subdivision and answer any questions
17 the Planning Board might have. Campagnolo noted that the Montessori school is subdividing the
18 land to possibly sell the new vacant lot for revenue for the school. Tomei asked if the Montessori
19 school has notified all contiguous property owners. Campagnolo stated that they have with help
20 from Curtis. Curtis confirmed that he had received proof of mailing. Durst noted that the initial
21 proposed subdivision and the final plat differ in the amount of acreage per parcel. Campagnolo
22 explained that T.J. Miller had recently performed a survey, and the acreage shown on the final
23 plat is what they proposed. Durst noted that the documents should be changed to reflect the
24 correct amount. Durst asked if there was a required set back from a stream. Curtis explained that
25 anyone who wanted to build on that parcel will have to apply for a Special Permit, which then
26 would be subject to a Planning Board approval. The Planning Board would then address the issue
27 of the proximity of the building to the stream. Tomei opened the public hearing on the
28 Montessori Subdivision. There being no one who wished to speak, Dankert moved to close the
29 public hearing, seconded by Schleelein. Ayes by Dankert, Stycos, Schleelein, Durst, and Tomei.
30 Motioned carried. Schleelein moved the following resolution for the final plat approval for the
31 Montessori Subdivision, seconded by Stycos:

32 WHEREAS:

- 34 A. This matter involves consideration of the following proposed action: Final Plat
35 approval of the Montessori Subdivision, a minor subdivision by the Ithaca Montessori
36 School to divide one 5.13 acre lot into one approximately 2.54 acre lot where the
37 Montessori School is located and a residual lot of approximately 2.59 acres. The lot to

be subdivided is known as 12 Ascot Place and is located in the Commercial Low Traffic District, Tax Parcel No. 45.2-1-46.18; and

- B. On May 10, 2010, the Village of Lansing Planning Board, in accordance with subsection D of Section 125-5 of the Village of Lansing Code, (i) reviewed the sketch plan submitted with respect to this proposed action and (ii) classified the proposed subdivision as a minor subdivision; and
 - C. On May 25, 2010, the Village of Lansing Planning Board, in accordance with Section 123-2 of the Village of Lansing Code, determined that the approval of the proposed minor subdivision is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR); and
 - D. On May 25, 2010, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the proposed final subdivision plat and accompanying materials and information presented by and on behalf of the applicant in support of this proposed action, including information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Based upon all of its foregoing review and action, it is hereby determined by the Village of Lansing Planning Board that approval of the Montessori Minor Subdivision is **GRANTED**, subject to the following conditions and requirements:

None

2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat in accordance with subsection F of Section 125-6 and subsection A of Section 125-15 of the Village of Lansing Code.

Ayes by Dankert, Stykos, Schleelein, Durst, and Tomei. Motion carried.

Curtis noted that there is a minor correction that needs to be made to the final plat before it is filed. Leopold stated that the second lot is oddly shaped and would limit what could be built. Dubow noted that the builder would have to obtain a Special Permit from the Planning Board which would allow the Planning Board to review the development proposal. Leopold asked how much of the lot would be buildable. Curtis pointed out on the map the approximate area that

1 would be buildable.

2 **Triax PDA Further Discussion**

3 Curtis noted that the name Triax PDA is proprietary unlike that of other similar developments,
4 like Shannon Park PDA. Curtis suggested that the name be changed to Lansing Meadows PDA.
5 Goetzmann agreed to the name Lansing Meadows PDA. Curtis explained that he had been
6 working on draft district regulations for the PDA. Tomei explained that the Planning Board is at
7 a point where they could send a recommendation to the Board of Trustees if all the conditions for
8 the proposed PDA are met, but one of those conditions pertaining to financing and security has
9 only been addressed in a general way with specifics to be provided at a later date. Dubow noted
10 that the Planning Board can send a recommendation to the Board of Trustees in which the
11 Planning Board could recommend that the Board of Trustees continue to review the Lansing
12 Meadows PDA with the financing issue to be addressed in greater detail at some time in the
13 future. The Board of Trustees could then work through the Full Environmental Assessment Form
14 and schedule the required public hearing. If the Board of Trustees would like to continue to
15 proceed with the PDA process they could grant a conditional authorization. Dubow noted that in
16 section 6 part B of Appendix A-2 there are the conditions that have to be met before the Planning
17 Board forwards a recommendation to the Board of Trustees. The recommendation must include
18 the following:

19
20 A statement as to the effect of the proposed PDA on (i) the objectives of the Comprehensive
21 Plan and this Chapter145 and (ii) the character of the neighborhood.(2) A statement of the
22 conditions, specifications and requirements upon which agreement has been reached with
23 the developer and which the developer will be obligated to abide by in developing the
24 proposed PDA. Dubow noted that the Planning Board has received this. (3) The developer's
25 statement of intent to comply with the required conditions and requirements.(4) The amount
26 and type of performance guaranty and/or financial security which the Planning Board
27 believes developer should be obligated to provide. Dubow stated that Triax submitted a
28 letter that explains the financial frame work, which will be included in the recommendation
29 for the Trustees to look over. (5) Such other information and/or materials that the Planning
30 Board determines will be helpful to the Board of Trustees in its deliberations as to the
31 proposed PDA and whatever legislative/zoning action the Board of Trustees may undertake,
32 including, but not limited to, information and/or materials relevant to the environmental
33 review of the proposed PDA.

34
35 Dubow explained that the Planning Board might include the SEQR Part 1 and fill out Part 2 with
36 their recommended findings instead of leaving it blank for the Trustees to fill out. Dubow noted
37 that the Planning Board would have to adopt a resolution to allow the Planning Board Chairman
38 to write a recommendation to the Board of Trustees. Bold stated that Triax produced an
39 alternative plan for the residential parcel that included nine 1200 square foot stand alone single
40 family shotgun style bungalows that would serve as senior housing. There would still be one 3
41 unit town house style building. Bold noted that this information could be associated with #5, and
42 forwarded on to the Board of Trustees if the Planning Board thought it could be helpful. Bold
43 explained that the 9 separate houses would visually give the area a more residential feel.
44 Goetzmann stated that they were open to comments from the Village about which type of senior
45 housing people would prefer. Dubow asked if such a change would require revision of the

Environmental Assessment. Curtis explained that it would not because the footprint of the residential, commercial, and wetland areas would not be changed. Bold explained that all the garages and driveways would be behind the bungalows, and a front porch would be facing Oakcrest Road. Leopold asked why the bungalows would not be more like a town house and share a common wall, which would be more energy efficient. Bold replied that providing a 20 foot yard space between the bungalows creates a more residential appeal and adds more green space to the wetland buffer area. Dubow asked if the new housing would need a special permit. Curtis explained that one unit, two unit, and multi unit residential buildings would be permitted under the proposed district regulations in area B with a Special Permit and General and Additional Conditions. The additional condition is that the housing units in area B would have to meet the Fair Housing Act definition of "housing for older persons", which is part of a 1995 amendment to the Fair Housing Act. Stycos asked if Curtis could explain more about the Fair Housing Act criteria for senior housing. Curtis explained that the housing units must have at least one person who is 55 years of age or older living in at least 80 percent of its occupied units. It also requires that a senior housing group or the community publish and follow policies and procedures that demonstrate intent to provide housing for persons 55 and older and means for verifying compliance. Stycos asked if there are any specific accommodations associated with senior housing. Curtis noted that the requirement for 55 and older housing having "significant facilities and services" was eliminated in 1995. Stycos asked what would classify these housing units as "senior housing". Goetzmann explained that the housing is all one level and the New York State Code incorporates ADA requirements. Hickey asked who will be managing the senior housing. Dubow noted that is an issue that needs to be addressed before Special Permit approval. Goetzmann explained that Triax has been working with an organization from Syracuse, NY that works with other senior housing facilities. Curtis presented the proposed district regulations for Lansing Meadows PDA which are as follows:

§ 145-42.1 Lansing Meadows PDA.

A. Intent. The legislative intent of this subsection is to define and establish standard regulations for this Planned Development Area called Triax PDA containing a commercial area (Area A), a residential area (Area B) and a protected wetland/bird habitat (Area C) [see Zoning Map Addendum 1]; where public utilities to serve such facilities are available; where areas that border on Oakcrest Road are reserved for residential uses, thereby preserving the residential environment of the surrounding areas; where residential uses in Area B are reserved for senior housing thereby providing an appropriate housing option for senior citizens within walking distance of commercial and recreational services; where vehicular access to the commercial development in the PDA is solely from the adjacent commercial property, thereby minimizing traffic impact on Oakcrest Road and surrounding residential areas; and where existing wetlands are preserved and enhanced as a bird habitat and to provide a buffer between the residential and commercial development in the PDA and further buffer the commercial development in the PDA from Oakcrest Road.

B. Permitted uses. Permitted uses shall be as follows:

Areas A & B

(1) Utility service underground.

- (2) Natural parks.
 - (3) Alteration to Building or Improved Site or Change in Use that Does Not Result in Change in Applicable Parking Space Requirements

Area C

- (1) Utility service underground.
 - (2) Natural parks.

C. Permitted uses with additional conditions. Uses permitted with additional conditions shall be as follows:

Area A

- (1) Temporary commercial activities.

permitted

- #### (1) General conditions

(1) General conditions.

- (a) Utility transmission/storage/plants
- (b) Indoor recreation/club.
- (c) Office/studio/service.
- (d) Government buildings.
- (e) Motel/hotel.
- (f) Sales/Repair/Maintenance.
- (g) Theater/nightclub/discotheque.
- (h) Alteration to Building or improvement

Change in Applicable Parking S

- (i) Museums/public buildings.
- (j) Low Traffic Food and Beverage
- (k) High Traffic Food and Beverage

(2) General and additional conditions.

Area A

- ### (a) Mixed Use

Area B

- (a) One-unit residential building.*
 - (b) Two-unit residential building.*
 - (c) Multiunit residential building.*
 - (d) Home occupation.

*[Insert a new subsection O under 145-60 as follows:

O. One-unit residential building, two-unit residential building and multiunit

residential building in Triax PDA Area B.

(1) Housing units in the Triax PDA Area B shall meet Fair Housing Act definition of “housing for older persons.”]

E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking

1 requirements shall be as follows:

- 2 (1) Minimum lot size.
- 3 (a) All Uses: ten thousand (10,000) square feet.
- 4 (2) Maximum lot coverage: none, except what is required by minimum street frontage,
- 5 front, side and rear yard setbacks and by front, side and rear parking requirements.
- 6 (3) Minimum street frontage.
- 7 (a) All uses: seventy-five (75) feet.
- 8 (4) Front yard setback minimum
- 9 (a) One and two-unit residential and multiunit residential buildings: forty (40)
- 10 feet.
- 11 (b) All other principal uses: seventy-five (75) feet.
- 12 (5) Side yard setback minimum, all uses: twenty-five (25) feet.
- 13 (6) Rear yard setback minimum:
- 14 (a) All principal uses: forty (40) feet.
- 15 (b) All accessory buildings: twenty-five (25) feet.
- 16 (7) Parking setback standards.
- 17 (a) Front yard, all uses: twenty-five (25) feet.
- 18 (b) Side yard, all uses: fifteen (15) feet.
- 19 (c) Rear yard, all uses: fifteen (15) feet.
- 20 (8) Building height maximum.
- 21 (a) All principal uses: thirty-five (35) feet.
- 22 (c) All accessory buildings: fifteen (15) feet.
- 23 (9) Parking requirements: see Article V.

24 Buffer strip width: seventy-five (75) feet; see § 145-24.

25
26
27 Hickey noted that a map of the PDA showing the specific Areas A, B, and C should be included

28 as an addendum to the official Zoning Map. Hickey and Dubow encouraged Tomei to forward

29 the proposed PDA district regulations to the Board of Trustees with the Planning Board's

30 recommendation. Curtis noted that the district regulations could be a topic of discussion for the

31 Board of Trustees at the joint meeting on June 7th. Hickey asked if the Village authorized a PDA

32 and wanted to make alterations to the PDA would the Board of Trustees have to approve the

33 changes. Dubow explained that the Trustees would have to approve any amendment to the PDA.

34 He also pointed out that Special Permit approvals would be in the purview of the Planning Board

35 and the Board of Trustees would not be involved in that process. Tomei asked what the

1 reasoning was for keeping a three unit town house. Bold explained that protecting and enhancing
2 the wetland areas restricted the building area. Tomei asked if Triax was going to change the
3 phasing plan. Dubow noted that this would be a fluid process in which the commercial, wetland,
4 and residential components would be built in accordance with the PDA authorization and the
5 conditions of the Special Permit approvals. Bold agreed. Curtis noted that in addition to the 17
6 additional conditions for the PDA an 18th condition would have to be met, which is an easement,
7 approved by the Village Attorney and filed at the County Clerk's Office, conveying rights of
8 access and egress across the property of the Shops at Ithaca Mall connecting the commercial
9 portion of the PDA known as Area A to a public street. Bold responded that Triax would take
10 care of the issue. Durst asked about the financing. Dubow noted that the financing was addressed
11 in the letter that was submitted by the developer. Dubow noted that the submission indicates that
12 there would be an 18 month construction season in which areas A, B, and C would be completed.
13 Dubow stated that the security for the residential project is still a work in progress. Curtis
14 explained that at the June 7th meeting Trustees could set a public hearing for June 29th at which
15 the SEQR would hopefully be completed. Dubow noted that if a final plan was available the
16 Board of Trustees would be able to grant PDA authorization at the same meeting. Curtis asked
17 when the Village should send the Lansing Meadows PDA for the Tompkins County review.
18 Dubow explained that the Village could send the information that they have now and any
19 additional information at a later time. Tomei noted that the financial commitment will have to be
20 resolved before the final PDA authorization or final Special Permit approvals. Dankert moved to
21 authorize the Planning Board Chairman to make a positive recommendation to the Board of
22 Trustees concerning the Lansing Meadows PDA. Seconded by Durst. Ayes by Dankert, Stycos,
23 Schleelein, Durst, and Tomei.

24 Curtis thanked Shops at Ithaca Mall for repairing the potholes in their parking lot and on the ring
25 road.

26 **Approval of Minutes**

27 Schleelein moved the minutes of May 10, 2010 as corrected. Seconded by Stycos, Ayes by
28 Stycos, Tomei, Schleelein and Durst. Dankert abstained

29 **Reports**

30 *Board of Trustees- May 3-* Leopold noted that the Trustees approved money transfers and
31 acknowledged that the Village is still working on the Dart Dr. Project. Leopold presented the
Storm Water report. Leopold stated that it was a short meeting.

32 **Other Business**

33 Curtis directed the Planning Board's attention to a drainage swale located between the University
34 Park Apartments and Chateau Claire Apartments that is over grown, collects trash, and needs to
35 be maintained. Curtis noted that the Village might consider adopting the swale into the Village
36 Green Way system. Curtis explained that the Village owns a trail next to the swale that the DPW
37 plans to pave and it might be timely to do some maintenance on the swale as part of the paving
38 project. Curtis stated that there were pallets that were stacked on top of each other to construct a
39 makeshift bridge for pedestrians to cross the swale, and the pallets are acting like a dam backing
40 up water in the swale. Curtis noted that where the pallets are located is a natural pedestrian

1 connection to a Village trail. If the Village were to help improve that connection so it doesn't
2 interfere with the flow of water it might be an asset for the Village. Hickey stated that the Village
3 has had individuals volunteer for projects similar in nature. Hickey pointed out that the bridge on
4 the Wakefield /Churchill Trail was built by the Boy Scouts. Hickey noted that the Village has a
5 lot of streams, trails, and ditches the DPW maintains at this point in time. Hickey added that
6 there is still a problem with carts on the walkways and in the streams on Graham Rd.

7 Hickey pointed out that the proposed senior housing in the Lansing Meadows PDA might be a
8 good opportunity to promote green housing. Leopold noted that solar would be a problem
9 because the roofs would not be pointed in the right direction to catch the most sun.

10 **Adjournment**

11 Stykos moved to adjourn at 8:45. Seconded by Dankert, Ayes by Schlelein, Stykos, Tomei,
12 Durst, and Dankert