

Village of Lansing
Planning Board Meeting
Minutes of
Monday, September 10, 2018

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The meeting of the Village of Lansing Planning Board was called to order at 7:03 PM by Chairperson, Lisa Schleelein.

Present at the meeting were Planning Board Members: Mike Baker, Carolyn Greenwald, Jim McCauley, and Lisa Schleelein; Alternate Member, Monica Moll; Code Enforcement Officer, Mike Scott; Code and Zoning Officer Advisor, Marty Moseley; Village Trustee Liaisons, Gerry Monaghan and Ronny Hardaway; Village Attorney, William Troy; Village Engineer, Brent Cross; There were approximately 8-10 additional attendees including; Tony Ingraffea, Bob Miller, David Beer, Steven Beer, and Beverly Beer.

Absent: Mario Tomei

Schleelein appointed Monica Moll as an acting member for the meeting due to the absence of Planning Board member, Mario Tomei.

Public Comment Period

Schleelein opened the public comment period.

Ronny Hardaway made a public service announcement to advise of the Village Park's dedication located on Northwood Road to be held on Sunday, 9/16, from 1:00pm – 3:00pm. This Park will be known as the Marian Hartill Village Park.

With no one wishing to speak, Baker moved to close the public comment period. Seconded by McCauley.

Ayes: Baker, Greenwald, McCauley, Moll, and Schleelein.

Public Hearing to Consider: Special Permit #4196 for Village Park

Schleelein explained that this proposal by the Village of Lansing is to construct a public park on Northwood Road, to be known as the Marian Hartill Village Park. Schleelein opened the public hearing.

SEQR REVIEW

The Planning Board worked through the Short Environmental Assessment Form (EAF).

Cross inquired on question #9 of the application where he believed it should have been answered as "Yes" instead of "No" due to the electrical installation and meeting or exceeding the state energy code requirements. After a brief discussion amongst the Board it was agreed that the answer should be changed to "Yes".

Cross inquired on question #13 (b) of the application regarding the Nationwide Permit 14 and asked if guidelines needed to be followed where the Village was required to submit a permit application to the U.S. Army Corps of Engineers. An online search confirmed that because the amount of 1/10 of an acre, no permit application is required.

49

50 Schleelein made a comment to #18 of the application stating the last word in the answered, if yes, needed
51 to be clarified.

52

53 After discussion, the Board filled in the appropriate areas prior to determining that the proposed action
54 will not result in any significant adverse environmental impacts.

55 No County review of the proposal is required.

56

57 Greenwald moved to close the Public Hearing; Seconded by Baker.

58 Ayes; Baker, Greenwald, McCauley, Moll, and Schleelein.

59 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQ**

60 **REVIEW OF SPECIAL PERMIT NO. 4196 ADOPTED ON SEPTEMBER 10, 2018**

61 **WHEREAS:**

62 A. *This matter involves consideration of the following proposed action: Special Permit No.*
63 *4196, for the proposal by the Village of Lansing to construct a public park on Northwood*
64 *Road, to be known as the Marian Hartill Village Park; and*

65 B. *On September 10, 2018, the Village of Lansing Planning Board, in performing the lead*
66 *agency function for its independent and uncoordinated environmental review in accordance*
67 *with Article 8 of the New York State Environmental Conservation Law - the State*
68 *Environmental Quality Review Act ("SEQR"), (i) determined that the proposed action*
69 *provided for herein is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed*
70 *the Short Environmental Assessment Form (the "Short EAF") Part 1, and any and all other*
71 *documents prepared and submitted with respect to this proposed action and its*
72 *environmental review [including any Visual Environmental Assessment Form deemed*
73 *required, and comments and recommendations, if any, provided by the Tompkins County*
74 *Department of Planning in accordance with the General Municipal Law Sections 239-1 and*
75 *239-m]; (iii) completed its thorough analysis of the potential relevant areas of environmental*
76 *concern to determine if the proposed action may have a significant adverse impact on the*
77 *environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed*
78 *the Short EAF, Part 2); and*

79 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

80 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF,*
81 *Part 1, and any and all other documents prepared and submitted with respect to this*
82 *proposed action and its environmental review [including any Visual Environmental*
83 *Assessment Form deemed required, and comments and recommendations, if any, provided by*
84 *the Tompkins County Department of Planning in accordance with General Municipal Law*
85 *Sections 239-1*

86 *and 239-m], and (ii) its thorough review of the potential relevant areas of environmental*
87 *concern to determine if the proposed action may have a significant adverse impact on the*
88 *environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its*
89 *completion of the Short EAF, Part 2, including the findings noted thereon (which findings are*
90 *incorporated herein as if set forth at length), hereby makes a negative determination of*
91 *environmental significance (“NEGATIVE DECLARATION”) in accordance with SEQOR for*
92 *the above referenced proposed action, and determines that an Environmental Impact*
93 *Statement will not be required; and*

94 2. *The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and*
95 *directed to complete and sign as required the Short EAF, Part 3, confirming the foregoing*
96 *NEGATIVE DECLARATION, which fully completed and signed Short EAF shall be attached*
97 *to and made a part of this Resolution.*

98 *The vote on the foregoing motion was as follows:*

99 *Moved by McCauley, Seconded by Moll;*

100 *Ayes: Baker, Greenwald, McCauley, Moll, and Schleelein.*

101 *The motion was declared to be carried.*

102 Schleelein read the Resolution for Special Permit #4196. Cross asked if T.G. Miller was the Engineer for
103 this project. Schleelein stated yes. Schleelein entertained a motion to approve Special Permit #4196.

104

105 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL**
106 **PERMIT NO. 4196 ADOPTED ON SEPTEMBER 10, 2018**

107 **WHEREAS:**

108 A. *This matter involves consideration of the following proposed action: Special Permit No. 4196*
109 *for the proposal by the Village of Lansing to construct a public park on Northwood Road, to*
110 *be known as the Marian Hartill Village Park; and*

111 B. *Thereafter, on September 10, 2018, the Village of Lansing Planning Board opened the public*
112 *hearing for the initial purpose of (i) eliciting public comment on environmental issues*
113 *regarding this proposed action, and (ii) reviewing and evaluating the materials and*
114 *information presented by and on behalf of the applicant in support of this proposed action,*
115 *and such public hearing has remained open until this current date; and*

116 C. *On September 10, 2018, the Village of Lansing Planning Board, in performing the lead*
117 *agency function for its independent and uncoordinated environmental review in accordance*
118 *with Article 8 of the New York State Environmental Conservation Law - the State*
119 *Environmental Quality Review Act (“SEQOR”), (i) thoroughly reviewed the Short*
120 *Environmental Assessment Form (the “Short EAF”), any and all other documents prepared*

121 *and submitted with respect to the proposed action and its environmental review [including*
122 *any Visual Environmental Assessment Form deemed required, comments and*
123 *recommendations, if any, provided by the Tompkins County Department of Planning in*
124 *accordance with General Municipal Law Sections 239-1 and 239-m]; and (ii) reviewed any*
125 *environmental related comments from the public; and*

126 *D. On September 10, 2018 in accordance with Section 7-725-b of the Village Law of the State of*
127 *New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code,*
128 *the Village of Lansing Planning Board, in the course of its further deliberations, reviewed*
129 *and took into consideration (i) the general conditions required for all special permits (Village*
130 *of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special*
131 *permit uses (Village of Lansing Code Section 145-60, and (iii) any applicable conditions*
132 *required for uses within a Combining District (Village of Lansing Code Section 145-61);*

133 ***NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:***

134 *1. The Village of Lansing Planning Board hereby finds (subject to the conditions and*
135 *requirements, if any, set forth below) that the proposed action meets (i) all general conditions*
136 *required for all special permits (Village of Lansing Code Section 145-5913), (ii) any*
137 *applicable conditions required for certain special permit uses (Village of Lansing Code*
138 *Section 145-60), and (iii) any applicable conditions required for uses within a Combining*
139 *District (Village of Lansing Code Section 145-61); and*

140 *2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.*
141 *4196 is GRANTED AND APPROVED, subject to the following conditions and requirements:*

142 *A. Soil and Erosion control measures shall be implemented and coordinated as required*
143 *and approved by either the Village of Lansing Code Enforcement Officer and/or the*
144 *Village of Lansing Engineer.*

145 *B. Prior to a building permit being issued, a final lighting plan shall be submitted to and*
146 *approved by Village of Lansing Lighting Commission prior to installation, if necessary.*

147 *C. Landscaping plan shall be submitted to and approved by the Planning Board prior to*
148 *installation.*

149 *D. Prior to a building permit being issued, approval by the Village of Lansing Engineer and*
150 *Village of Lansing Storm Water Officer of, but not limited to, site work, storm water*
151 *management and infrastructure plans, and implementation thereof. Drainage easements*
152 *for potential impact from the stormwater management facilities on neighboring parcels*
153 *shall be obtained, provided to the Village for approval by the Village Engineer,*
154 *Stormwater Officer and Attorney, and thereafter recorded at the Tompkins County*
155 *Clerk's Office.*

156 E. *Required permits, approvals, consents and other authorizations from all applicable*
157 *Federal, State, County and local governmental and regulatory agencies shall be*
158 *obtained, maintained and complied with for all permitted improvements, operations and*
159 *activities as authorized by this special permit approval, and such improvements,*
160 *operations and activities shall at all times comply with all applicable Federal, State,*
161 *County and local laws, codes, rules and regulations.*

162 G. *Prior to a building permit being issued, a maintenance agreement shall be submitted to*
163 *and approved by the Village Attorney, Village Engineer, and Village Stormwater*
164 *Management Officer pertaining to the stormwater facilities, if necessary.*

165 H. *Prior to a building permit being issued, water consumption proposed for the new park*
166 *shall be provided to the Village of Cayuga Heights and the Village of Lansing for the*
167 *issuance of the required sewer permits prior to the issuance of the building permit, if*
168 *necessary.*

169 *Baker moved this resolution, seconded by McCauley: Ayes: Baker, Greenwald, McCauley, Moll, and*
170 *Schleelein*

171
172 *The motion was declared to be carried.*

173 **Continue to Consider the Proposal by Hunt Engineers and Beer Properties, LLC**

174 This proposal is for a cluster style development. The Board of Trustees has determined that further
175 consideration, by the Planning Board, as to whether it is appropriate to develop as proposed the property
176 bearing Tax Parcel # 45.2-1-47.2, which consists of approximately 40 acres of vacant land. The Planning
177 Board will determine whether the developer has provided a comprehensive preliminary proposal so as to
178 schedule a Developer's Conference, and to determine what recommendations should be made to the Board
179 of Trustees by the Planning Board, all as provided in Chapter 145, Appendix A-1, Sections 4, 5 and 6 of
180 the Village of Lansing Code.

181
182 Schleelein opened this consideration and explained that this will not be a public hearing and stated this is
183 a continuation of a review of the proposal to determine if it is complete. Schleelein asked the Board what
184 additional items should be addressed by the Developer.

185
186 Schleelein stated she would like to see more information on the financials as stated in Appendix A-2.

187
188 Greenwald asked what language had been acceptable in the past. Moseley commented during the Lansing
189 Meadows project there were questions about financials and that PDA's are unique where it's up to the
190 Board to determine what is acceptable. Troy explains his view of the law.

191
192 Steve Beer thanked the Board again for all their considerations and asked what questions would be
193 required and if he should be taking notes. Troy stressed to Steve Beer to take notes and that he would be
194 in contact with the Beers' attorney capturing questions in a formal letter to present to the Board for their
195 review and he would then send that list to the developers and their attorney.

196

197 Steve Beer asked if he could comment. Schleelein stated that the goals for this meeting is to review the
198 proposal to verify if it was complete.

199

200 David Beer asked if he could ask questions on the infrastructure, etc. Troy asked David Beer what would
201 be the dollar amount to complete this project and requested this to be in more detail. Schleelein asked
202 David Beer how he could insure what they start would be finished and explained the Village would not
203 want empty foundations if this project did not get completed. David Beers stated that he understood the
204 Village would not want to adopt a half completed project.

205

206 Greenwald inquired on the financial report. David Beer suggested he could obtain a letter of credit from
207 their bank on what they could borrow. Schleelein asked what the money would cover. Steven Beer
208 suggested that part of that money would cover the roads for the initial phase which would be
209 approximately \$2 million and the next phase would be approximately \$1 million which is for the
210 infrastructure of the roads and sewer for phase 1. Baker suggested they submit their financials to be
211 broken out by phase.

212

213 Steven Beer stated they have arranged to have an architect be involved in the design. Cross inquired on
214 the costs of clearing and developing this area and would like to see ballpark figure on the square foot

215

216 costs. Greenwald asked how this report should be presented to the Planning Board, paper or power point.
217 The Board stated they would like it as a paper copy.

218

219 Steve Beer refers back to Appendix A-2. Troy explains that a performance bond may be required by
220 phase.

221

222 Schleelein asked if the Village sewer and water had the capacity of handling additional volume and could
223 this even be tied into. It was suggested that they get assurance from the Village of Cayuga Heights and
224 Bolton Point. Steve Beer stated he believed there has been informal conversation. Cross agreed that
225 something should be in writing and to advise the water district of the possibility of the additional capacity
226 needed. Cross and Schleelein suggested to the Beers to also advise the Village of Cayuga Heights with a
227 letter regarding this proposal. The Village of Cayuga Heights could then comment on their concerns.
228 Moseley stated that before a permit would even be written, both the Village of Cayuga Heights and the
229 Village of Lansing would need to agree to the additional capacity and hookups. Conversation continued
230 on what requirements are needed for assurance.

231

232 Steven Beer asked if this concern pertained to other utilities. Moseley said this should be entertained and
233 that Bolton Point should also be contacted. Baker asked about NYSEG. Cross commented that this
234 would help the builder when laying in the new electric lines and that these costs would be on the
235 developer. David Beer stated that Hunt had already investigated these concerns. Schleelein suggested we
236 get these answers from Hunt.

237

238 Schleelein asked Moll about questions she had. Moll stated she didn't see anything on the buffering of
239 the new structures to the existing structures to mitigate the substantial changes. Steve Beer mentioned
240 where they plan to build roads they would keep some of the existing vegetation and plant additional
241 vegetation where needed to make it a green environment. Moll mentioned if this moves forward to a
242 Developers Conference that the residences might want a clearer picture on what is expected for the
243 buffering. Moll additionally added that vegetation dies so what would be the details or plans to have dead

244 vegetation replaced. Baker commented on the general look of the Village. Greenwald inquired on a
245 landscape plan.

246

247 Moseley inquired on the buffering for clubhouse and non-residential use that it is different for residential
248 referencing page 145-119 section 2 objectives of Appendix A-2.

249

250 Schleelein asked about the dimensions. Moseley commented that some of this and the conditions would
251 be discussed at the Developers Conference. David Beer stated they have done projects elsewhere like this
252 and are surprised how some board members don't visit the project site. He encourages this Board to visit
253 this proposed site where that would allow a better understanding of the density, etc.

254

255 Moll continued to discuss questions for phase #1. Troy read Appendix A-2, Section 6, paragraph A,
256 cautioning, and explaining when this becomes a complete preliminary proposal Moll's questions would
257 fall under the Developers Conference.

258

259 Moseley asked if a complete copy of the EAF could be provided. Steven Beer believed the one dated
260 8/20 is what he sent to the Clerk. Baker said he did receive a copy from the Clerk. Steven Beer stated
261 Michael Keith along with Hunt reviewed it.

262

263 Moseley asked about the dedication of the roadways, subdivisions and existing subdivisions. Moseley
264 inquired on the stormwater management facilities to be maintained by the developer and that the Village
265 would want to make sure they could maintain and have access. Steven Beer believed the stormwater
266 would be dedicated. Bob Miller agreed. Steven Beer mentioned the roadways and stormwater would be
267 turned over to the Village and believed this was in their proposal.

268

269 Moseley inquired on the trails mentioned in the proposal. Steve Beer said that the proposed trails would
270 be connected to the existing trails. Schleelein commented that the Lansing Trails trails are for the public
271 and asked if the new trails in this development would also be. Moseley asked who would maintain these
272 trails. Steven Beer indicated they would like to turn them over to the Village.

273

274 Moseley mentioned a 239 review and believed it would require a 50 ft buffer maintained in and around
275 the stream area on the parcel. Moseley explains Section 4 of Appendix A-2 defines the uses have to be
276 the same as what the Village has in place and that the PDA works closely with the Code Enforcement
277 Officer and it would be up to the Board how this is to be laid out.

278

279 Greenwald inquired about energy certifications. Schleelein spoke of energy efficient methods that are
280 required at different levels and this would be discussed more at that Developers Conference.

281

282 There was conversation regarding the fact that there is more than one tax parcel comprising the
283 development area. Cross mentioned the County has already identified these parcels for the Millcroft
284 Properties and this would have to be brought back as a single piece of land or a subdivision. Troy
285 suggested the parcels will need to be re-consolidated. Bob Miller understood that the Millcroft Trust was
286 subdivided to the northeast of the property where phases 1, 2, 3 and 4 were submitted as a subdivision and
287 his attorney is working with the Village. Cross stated that the Miller land is one single parcel but they
288 have multiple tax maps. Schleelein asked how to resolve this. Greenwald suggested the Tompkins County
289 Assessment Department. Baker said you can subdivide only so many times and asked if this is the same
290 rule to bring a parcel back together as one.

291

292 Cross had concerns on the South connections to this property where one of the roads would be eliminated
293 therefore there would be only one roadway.

294

295 Schleelein reviewed page 6 of the Millcroft Trust and asked how they came up with 107 units. Steven
296 Beer explained the incentives of doing a PDA and how they came up with the number of units.
297 Greenwald asked if this goes to a Developer Conference would the number of units be reconsidered, as
298 this is a sticking point.

299

300 Schleelein advised that more detail and clarification would be needed as to how this proposal would
301 complement and benefit the Village overall.

302

303 David Beer stated they would be making this a nice place to live. Schleelein explained this PDA proposal
304 is for a zoning change and this proposal is a very different type of concept.

305

306 Steve Beer asked how they are to respond to Troy's questions. Baker asked them to integrate their
307 responses into their proposal as an amendment so we are working with one document.

308

309 Steve Beer stated they would like to move forward as soon as possible as they would like to take
310 advantage of the spring construction season and hoped to continue this at the next meeting. Troy said he
311 would get with their attorney by Wednesday but there would be no guarantee it would be reviewed during
312 the next meeting. Troy explained that the Board has the right to review all submissions before going to
313 the next level.

314

315 Schleelein asked McCauley if he had any questions. McCauley stated no as Moseley covered them well.

316

317 Cross inquired for Mr. Miller to have his lots be consolidated as this could be a consideration before
318 going further.

319

320 **Approval of Minutes:**

321

322 **May 14, 2018:**

323 Minutes of May 14, 2018 were not approved as Schleelein has not reviewed.

324

325 **August 28, 2018:**

326 Baker moved to accept the minutes of August 28, 2018(as amended). Seconded by Greenwald;

327 Ayes by Baker, Greenwald, McCauley, and Moll. Nays: None: Abstention by: Schleelein.

328

329 **Trustee Report:**

330 There was no Trustee meeting held on September 3rd due to Labor Day.

331

332 **Adjournment**

333 Greenwald moved to adjourn at 9:20 PM. Seconded by McCauley;

334 Ayes by: Schleelein, Baker, Greenwald, McCauley and Moll.

335

336 Minutes taken by: Tammy Milliman, PT Clerk