

Village of Lansing
Planning Board Meeting
November 12, 2018

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The meeting of the Village of Lansing Planning Board was called to order at 7:01PM by Chair, Lisa Schleelein.

Present at the meeting: Planning Board Members; Lisa Schleelein, Mike Baker, Carolyn Greenwald, Jim McCauley, Monica Moll, and Alternate Member, Anthony Ingraffea; Code Enforcement Officer, Mike Scott; Zoning Officer Adviser, Marty Moseley; Village Attorney, William Troy; Village Trustee Liaison, Ronny Hardaway; and approximately 10-12 additional people including Steve Beer, David Beer, Beverly Beer, Attorney for the Beers, Randy Marcus; Architect, George Breuhaus; Bob Miller, Chuck Childs and Dan Veanor with the Lansing Star.

Absent: Village Engineer, Brent Cross

Public Comment Period

Schleelein opened the public comment period and advised comments could be made other than what is on the agenda.

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

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

Schleelein stated the below proposal is a continuation.

Continuation of the Developer’s Conference for the proposal by Hunt Engineering and Beer Properties LLC.

This proposal consists of a possible consideration for a cluster style development of property Parcel # 45.2-1-47.2, which consists of approximately 40 acres of vacant land. The proposed PDA was referred to the Planning Board by the Board of Trustees to conduct an in-depth review and consideration for the purpose of providing the Board of Trustees with its input and possible recommendation. The Planning Board has determined, according to Appendix A-2 of the Village Code, that the applicant has met the criteria to justify a Developers Conference.

Schleelein asked the Beers if they had additional information they would like to share.

Steve Beer handed out a document addressing the additional information the Board requested at the previous meeting.

40 **BEER PROPERTIES LLC**

41 Steven, Beverly and David Beer

42 211 Hudson Street

43 Ithaca NY 14850

44 November 12, 2018

45 *Planning Board*

46 *Village of Lansing, NY*

47 *2405 N. Triphammer Road*

48 *Ithaca NY 14850*

49

50 **Subject:** *Revised Planned Development Area Proposal for Lansing Village Cottages (LVC)*

51

52 **Greetings Members of the Planning Board of the Village of Lansing:**

53 *Based on the second phase of our Developer's Conference, held on October 30, we understood that the*
54 *Planning Board would appreciate additional details concerning the likely appearance of the proposed development*
55 *and several possible modifications to our proposals. We have discussed these among the members of the team and*
56 *hereby submit several possibilities for your consideration. We would like to discuss the several possibilities with you*
57 *during the continuation of the Developer's Conference at your next meeting on Monday, November 12.*

58 *We recognize that the Board has several categories of questions and concerns; below we are listing these*
59 *and providing several possible modifications and additions to our PDA proposal for your consideration.*

60

61 **DENSITY**

62 *Concern for "density" can be construed as concern for the number of residential structures, the number of*
63 *living units or the number of residents. We offered our calculations that the LVC proposal to house seniors*
64 *would likely result in a substantial reduction in the number of residents vs. development of the 41.2 site as of*
65 *right under the Village's MDR zoning. As a reminder, the proposed Lansing Village Cottages would each house*
66 *1 or 2 individuals, for an average total of 150 residents, as compared to as of right MDR development that*
67 *would include 250 or more residents. Our calculations have not been questioned.*

68 *As proposed, the 105 LVC residences would be located on 41.2 acres, which amounts to about 2.5*
69 *residences per acre. Each residence would not be situated on its own 0.4 acre, but rather it would utilize*
70 *common space with those other residences.*

71 *Possible reduction in the number of structures might be achieved by deleting the number of structures*
72 *proposed, or by replacing pairs of single structures with duplexes. We might consider both possibilities.*

73 *Possibility A: Eliminate the 8-unit neighborhood east of the extension of Millcroft Way **Effect:** Reduce*
74 *structures, living units and residences by 8.*

75 *Possibility B: Substitute 12 duplex structures for 24 residences and living units in several neighborhoods.*
76 ***Effect:** Reduce structures by 12; No change in living units or residences.*

77 *Possibility C: Eliminate the northern portion of the Phase 4 neighborhood that has 10 residences north of*
78 *the creek. **Effect:** Reduce structures and residences by 10.*

79 **VIEW OF DEVELOPMENT**

80 *Our architect and engineer are collaborating on developing color images of part of the development. These*
81 *will likely include perspective views, floor plans and elevation views of the residential structures. These likely*
82 *will be available at the meeting.*

83 **VIEWS OF DEVELOPED POCKET NEIGHBORHOODS**

84 *We plan to present several slides depicting the appearance of a few developed pocket neighborhoods that*
85 *have inspired our planning. We will also show slides of present buffer areas.*

86

87 **PROVIDE FOR OWNERSHIP OF RESIDENCES**

88 *Beer Properties LLC desires to develop rental housing for seniors in the Village of Lansing, our LVC proposal*
89 *is specifically designed as a rental housing project. However, as the Planning Board has suggested, there is a*
90 *possibility that some seniors may desire to purchase an LVC residence for a variety of reasons. As our*
91 *development will take place in four phases, we may be able to develop a particular neighborhood in a manner*
92 *suitable for resident ownership.*

93 *If the developer becomes aware of interest in ownership by several potential buyers, we could designate a*
94 *future neighborhood (of 12 residences) for sale in a subsequent Phase. That might be done under the*
95 *following conditions:*

96 *1. Price, location, terms and design would be determined by the developer, subject to normal Village*
97 *approvals, such as for subdivision of the individual lots to be sold (of course, if this possibility is included in*
98 *the LVC PDA, the district regulations for the PDA would have to include this opportunity to subdivide these*
99 *individual lots).*

100 *2. Membership in a "Homeownership Association" would be required.*

101 *3. Potential owners would be required to subscribe to exterior maintenance to be provided by the*
102 *developer at nominal cost to ensure uniform exterior maintenance conditions of all residences.*

103 **PROVIDE ENHANCED BUFFERS WITH MILLCROFT SUBDIVISION**

104 *Our Engineer has arranged for Hunt's landscape architects to design planting plans for the buffers with the*
105 *creek and with the border with the Millcroft Subdivision. An estimate of the cost of the materials specified and*
106 *their installation will be provided.*

107

108 **PROVIDE EMERGENCY-ONLY ACCESS TO AND FROM MILLCROFT WAY**

109 *If the Village of Lansing decides that the developer should provide emergency-only access to and from*
110 *Millcroft Way, Beer Properties LLC will consult with the Lansing Fire Department and the Tompkins County*
111 *Sherriff's Department for specific mechanisms to be installed across Millcroft Way at the border of the*
112 *Millcroft Subdivision. Beer Properties would install the specified mechanism.*

113

114

115 **OTHER IMPORTANT POINTS**

116 *The Planning Board Chair, Ms. Lisa Schleelein, reopened the Developer's Conference on October 30 by*
117 *questioning the applicant, "The first thing I look for is why would you not just look at our basic code?" "Why is*
118 *this so different and special that you have to ask for a PDA?" [Quotation from the 11/02/18 on-line version of*
119 *the Lansing Star]. Steven Beer responded in some detail a bit later in the meeting by reading the "Purpose and*
120 *Intent" of Section 1. A. of Chapter 145 Appendix A-2 of the Village of Lansing Code. That Section in the*
121 *developer's opinion succinctly summarizes the purpose of a Planned Development Area, which the Developers*
122 *seek. Again, it should be noted that the LVC PDA is designed to be a rental housing project, with 105 units on a*
123 *single parcel; it is not possible under the Village's Zoning Law to develop such a project other than as a PDA.*

124 *Further consideration suggests that Section 1, parts B., C., and D., and all of Sections 2., subtitled*
125 *"Objectives" and Section 3., subtitled "General Considerations" set forth the information and goals sought in*
126 *PDA applications. We respectfully suggest that our PDA proposal is highly consistent with the "Purpose and*
127 *Intent", "Objectives" and "General Considerations" specified in the Appendix A-2. Therefore, a more*
128 *comprehensive response to the Chair's question should have included the additional portions of the first three*
129 *Sections of Appendix A-2.*

130

131 *Thanks very much for your attention; we look forward to meeting with you on Monday.*

132

133 Steve Beer read through the document and explained the points. He spoke of the concerns regarding
134 buffering and emergency vehicle access and asked if anything had been left out. Schleelein answered no
135 and there being no further questions, the Beers began their presentation.

136

137 David Beer presented a slide-show of pocket neighborhoods from elsewhere in the country developed
138 based on the Ross Chapin concept of small cottage structures spaced close together to foster interaction
139 with neighbors. He stated a portion of the slides had previously been shown to the Board but said there
140 were additions. He explained that the pictures of the houses and neighborhoods are novel and stated their
141 cottages would be similar and attractive and believed they would not be a detriment to the Millcroft
142 Property. Steve Beer pointed out how the prominent front porches facing inward toward the shared green
143 space and stated their porches would face the same.

144

145 David Beer continued through the slide-show and presented pictures of various developments located at
146 Martha's Vineyard; Redmond, WA; Kirkland, WA; Arkansas, and Indiana. He stated the structures
147 shown are substantially smaller than what they are proposing and that the examples shown have a
148 common area for the parking, where their PDA proposal would have their own garages and parking to
149 accommodate seniors and the Ithaca weather. David Beer continued to show pictures of the Boiceville
150 Cottages development in Brooktondale, NY and a development in Jacksonville, NY. He stated the reason
151 they were attracted to the Miller Property is it is rural yet close to commercial activity, medical offices,
152 and Cornell University.

153

154 David Beer mentioned the size of the Miller property and asked the Board if anyone had actually gone up
155 to look at it. He then showed pictures he had taken panning through various locations of the property and
156 commented on the existing buffering and how it was difficult to see the surrounding structures of the
157 adjacent properties even with most of the leaves off the trees.

158

159 He said Hunt Engineers has followed the Village requirements regarding buffering and presented a
160 tentative planting plan showing examples of the types of trees and landscaping that would be added to
161 enhance buffering as some of the existing would need to be cleared for the purpose of development,
162 however, David stated they would preserve as much natural landscaping as possible as their intent is not
163 to clear-cut the property. Steve Beer stated their intent is to have enhanced buffering therefore the new
164 trees they would plant would be mostly mature trees. He then asked if there were any questions from the
165 Board.

166

167 There being none, Schleelein asked if there were any new materials or information that had not been
168 previously discussed to bring it up.

169

170 Steve Beer questioned Schleelein's concern previously expressed regarding density as there are many
171 ways to look at density. Schleelein answered that for her it was the visual density and the number of
172 structures, but she stated she did not dispute that there are other ways to define density; however, the
173 proposed 105 cottages represents a 25% increase over the right-to-build number of living units for the
174 parcel, so in the case of the proposal it would seem that density is based on the number of living units.

175

176 Steve Beer outlined their proposed options A, B and C, where option B would allow less density but no
177 change in living units or residences. He suggested that in option A one neighborhood of 8 structures
178 across from the proposed Club House could be eliminated reducing the number of living units to 97. This
179 possibility would allow them to have 1 to 2 acres which would be a reasonable location for a vegetable or
180 flower garden, or perhaps a dog park. This option would also reduce the impact on the Millcroft
181 residences.

182

183 Schleelein asked about option B. David Beer explained from a drawing how option B would open up the
184 neighborhoods and allow extra space around the duplexes.

185

186 Steve Beer mentioned the possibility of combining options A & B which would offer a mix of structures
187 that could be one or two bedrooms and suggested substituting 13 duplexes for 26 single structures as a
188 compromise. Schleelein stated what they have shown is very hard to visualize.

189

190 Moll asked how much space would be between the units and the impact on setbacks if the structures are
191 of different sizes.

192

193 David Beer explained what is expected for spacing in close-knit pocket neighborhoods and what they are
194 trying to establish. However, the 15-ft side yard setbacks for the cottages would likely be increased to 20-
195 22 feet for the duplexes.

196

197 Steve Beer spoke of the distances of the front porches of a residence to the front porches of the residences
198 across the way and stated it was more than 100 feet. He envisioned the porches to be a meeting place for
199 the residents, as in pocket neighborhoods regular interactions among the residents is the goal.

200

201 David Beer expressed how there is a demand for this type of housing for seniors and although it might not
202 be for everyone he felt confident there are enough seniors who would welcome this type of senior-
203 oriented accessible housing that does not currently exist elsewhere. He went on to explain what the units
204 in certain areas of the development would look like.

205

206 George Breuhaus commented on the desire for security in the design development of the garages and
207 spoke of the different sizes, placement, and shapes of the units and garages, shared driveways, and visual
208 variety.

209

210 Marcus pointed out that by combining the possibilities of option A and B, by eliminating the 8 units, and
211 by combining 26 cottages into 13 duplexes, the end result would be 97 living units but only 84 structures,
212 no different from the number of structures allowed under the right-to-build under MDR provisions. He
213 further asked the Board to focus on the Planning Board role in the overall process when making its
214 recommendation to the Board of Trustees, ie, that when comparing the PDA proposal to what could be
215 developed as of right, there would be no difference in visual density and number of structures.

216

217 Troy asked about option C. Steve Beer answered that option is not an attractive possibility for them.
218 David Beer stated they are ok with the duplexes and discussed the elimination of certain neighborhoods,
219 some being more attractive to them as others, and how some of that land would be left for green-space.

220

221 Steve Beer mentioned phase 4 and the possibilities that are 8 years from now and they do not want to
222 eliminate any options for now. If they are successful they would like to complete this to the extent
223 envisioned and proposed and expressed that the possibilities of options A and B were the most favorable.
224 He continued to discuss the density and senior housing where he thought this will attract many.

225

226 At this point the discussion turned to the topic of possible ownership of the units.

227

228 Steve Beer discussed the possibility expressed by Board members for providing ownership versus rental.
229 Steve Beer said that if in phase 1 there is expressed interest of people wanting to buy, they would consider
230 that in phase 2 and plan to make adjustments to subdivide. He stated that right now they are committed to
231 rental property and said if any were sold to individuals the owners would have to subscribe to their
232 exterior maintenance plan. Schleelein again confirmed their initial proposal is for rentals. Steve Beer
233 answered yes.

234

235 Schleelein asked about the road design and what was previously approved. Steve Beer understood the
236 future development would be through Millcroft Way but has heard concerns so he said it would be up to
237 the Village if they would want to enforce the original agreement with Mr. Miller or not and he provided
238 some alternatives.

239

240 Schleelein asked Scott and Moseley to provide some explanation regarding ingress and egress for
241 developments and asked how that worked. Moseley explained the subdivision provisions and regulations
242 of ingress and egress. Continued conversation regarding the roadways and emergency vehicle access and
243 how the previous Millcroft would or would not impact this project.

244

245 Schleelein asked if there were any additional questions. Baker replied that in previous meetings he felt all
246 questions had been answered.

247

248 Chuck Childs asked to speak. Schleelein advised him that this meeting is not for public comment.

249

250 Steve Beer spoke of the PDA description and how he feels their proposal so nicely fits the description.

251

252 As there were no further questions from the Planning Board members, Schleelein asked for a motion to
253 close the Developers Conference after which time no further information or comments would be taken
254 into consideration.

255

256 Greenwald motioned to close the Developers Conference. Seconded by Baker.

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

258

259 Schleelein stated the November 27, 2018 Planning Board Meeting is canceled as two Board members will
260 not be able to attend and she does not want to take further action on the PDA proposal without a full
261 Board; further deliberation would be at the next meeting on December 10, 2018. Steve Beer asked if
262 there would be a vote at that time. Schleelein explained the next step of the Planning Board is to make a
263 recommendation to the Board of Trustees. Troy reminded the Beers that the Board of Trustees has the
264 final say in this matter and further explained the recommendation process and advised that after a vote the
265 Planning Board would have 30 days to present their vote to the Board of Trustees in writing.

266

267 David Beer asked what the recommendation would be. Schleelein stated it would be if the Planning
268 Board thought this parcel should be rezoned as a PDA.

269

270 Continued conversation regarding the next steps. Marcus talked about the deliberations and Village
271 Code, Appendix A-2, Section 6, and asked what would be requested of the developers if it is
272 recommended to go forward. Troy explained the process and the 30-day notification requirement.

273

274 Steve Beer felt they have provided considerable information over the past months and that they could still
275 put together what the Board would be in favor of.

276

277 Moseley stated that the Board could make provisions and conditions of the PDA regarding density.
278 Marcus stated he would hope after deliberations they would give the thumbs up to the Trustees of a PDA
279 and the developer would be in agreement with the conditions.

280

281 Steve Beer asked if the Board came up with other concerns between now and the next meeting if they
282 could let him know. Troy stated any discussion would have to be at a public meeting.

283

284 Schleelein dismissed everyone at 8:45pm to allow the Board to meet with the Village Attorney.

285

286 Baker motioned to go into an attorney/client meeting. Seconded by Moll.

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

288

289 Moll moved to come out of the attorney meeting at 9:08pm. Seconded by McCauley.

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

291

292 **Minutes for Approval**

293 September 25, 2018

294 Minutes of September 25, 2018 were not approved as the Board had no time to review.

295

296 **Adjournment**

297 Baker moved to adjourn at 9:10 PM. Seconded by McCauley.

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

299

300 Minutes taken by: Tammy Milliman, PT Clerk