

Village of Lansing
Planning Board Meeting
Minutes of Tuesday
June 10, 2019

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

Present at the meeting: Planning Board Members; Lisa Schleelein, Mike Baker, Carolyn Greenwald, James McCauley, Tony Ingraffea, Monica Moll; Code Enforcement Officer, Mike Scott; Village Attorney, William Troy, Village Trustee Liaison, Patricia O'Rourke; Marty Mosley; Mayor Donald Hartill; Planning Board Engineer, Brent Cross; Dan Veaner of Lansing Star, Katrina Mederios, Attorney from Thaler and Thaler; Jim Bold of Bold Associates and Eric Goetzmann of Arrowhead Ventures, and approximately 4 additional person.

Public Comment Period

Schleelein opened the public comment period at 7:02pm.

Shawn Dollaway of 150 Burdick Hill Road stated that he had to call the police because of a loud graduation party being held at the Event Center next to his house on Saturday night. Dollaway asked if the Village had a noise ordinance or if the Village could implement one. Schleelein stated that it is difficult because of zoning. Greenwald asked Scott if something could be done. Scott stated that there is a certain process that needs to be taken, sending them a letter is the first step in the process.

Mary Hudson of 134 Burdick Hill Road, who lives next door to Dollaway, stated that the owners of 154 Burdick Hill Road rent their house out through Airbnb. There's a lot of traffic and cars in the driveway and down the road. Dollaway asked if that was a violation. Dollaway stated that he had pictures. Scott stated that he would like to look at them.

Ingraffea stated that they are treating it as a commercial business and there are zoning laws for that. Scott stated after the letter is sent, they will have time to respond and then the Village will go from there. Greenwald suggested to the homeowners to talk to the owners of 154 Burdick Hill Road and try to resolve the noise issues.

Schleelein reiterated that Scott will send the letter and will wait to hear the response from the homeowners before moving forward. Schleelein thanked them for coming.

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

AYES: Schleelein, Baker, Moll, Greenwald, McCauley and Ingraffea

Continue Public Hearing for Minor Subdivision

Butler RP3, LLC, representing Thaler & Thaler, PC. is seeking approval from the Planning Board for a minor subdivision. The "minor subdivision" is a basic lot line move and will not create a new lot. The property located at 1583 East Shore Drive (Tax parcel #42.1-1-40.1),

48 currently has 9.47 acres. The neighboring property (Tax parcel #42.1-1-40.2) currently has 22.14
49 acres, which would have 14.6 acres with the lot line change.

50

51 Schleelein read the Butler minor subdivision resolution that had been amended. Schleelein stated
52 that it mentions the lot line move, which does not create a new lot and was classified as a minor
53 change. Schleelein stated it's a type II action and no EAF is required. Schleelein entertained a
54 motion to close the public hearing and asked for a motion to approve the resolution.

55

56

VILLAGE OF LANSING PLANNING BOARD RESOLUTION

57

FOR MINOR SUBDIVISION APPROVAL OF BUTLER RP3, LLC

58

BASIC LOT LINE MOVE FOR SPECIAL PERMIT NO. 4283

59

ADOPTED ON JUNE 10, 2019

60 Motion made by: Monica Moll

61 Motion seconded by: Michael Baker

62 **WHEREAS:**

63 A. This matter involves consideration of the following proposed action: Special Permit No. 4283
64 for Minor Subdivision approval by Butler RP3, LLC, which as owner of the Tax Parcel
65 identified herein, seeks approval to move a basic lot line that will not create a new lot at
66 1583 East Shore Drive (Tax Parcel #42.1-1-40.1), which currently has 9.47 acres, but that lot
67 would contain 16.94 acres if the application is granted, and the neighboring property (Tax
68 Parcel #42.1-1-40.2), which currently has 22.14 acres, and would contain 14.6 acres if the
69 application is granted.

70 B. On June 10, 2019, the Village of Lansing Planning Board, in accordance with Section 125-7 of
71 the Village of Lansing Code, (i) reviewed the sketch plan submitted with respect to this
72 proposed action; and (ii) classified the proposed subdivision as a minor subdivision; and

73 C. The Planning Board finds this to be a Type II action for SEQR purposes; and

74 D. On June 10, 2019, the Village of Lansing Planning Board thoroughly reviewed and analyzed
75 (i) the proposed final subdivision plat and accompanying materials and information
76 presented by and on behalf of the applicant in support of this proposed action, including
77 information and materials related to environmental issues, if any, which the Board deemed
78 necessary or appropriate for its review; (ii) all other information and materials rightfully
79 before the Board; and (iii) all issues raised during the public hearing and/or otherwise raised
80 in the course of the Board's deliberations;

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

82 1. Based upon all of its foregoing review and action, it is hereby determined by the Village
83 of Lansing Planning Board that approval of the proposed Butler RP3, LLC Lot Line
84 Adjustment on is **GRANTED**,

85 2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and
86 directed to sign the Final Plat for the approved subdivision in accordance with the
87 Village of Lansing Code.

88 The vote on the foregoing motion was as follows: Monica Moll/Michael Baker

89 AYES: Lisa Schleelein, Michael Baker, Monica Moll, Jim McCauley and Carolyn Greenwald

90 NAYS: None

91 The motion was declared to be carried.

92 **Informal Proposal of a Zoning Change**

93 As requested by the Board of Trustees: Review, consider and submit a recommendation to the
94 Board of Trustees about a proposed zoning change for properties located at 2343 (Tax Parcel
95 #47.1-3-5) and 2329 (Tax parcel# 47.1-3-6) North Triphammer Road. The request would allow
96 for the above parcels to change from commercial Low Traffic (CLT) to Commercial Medium
97 Traffic (CMT).

98 Marty Mosley is requesting to re-zone two properties from CLT to CMT. Moseley stated that the
99 traffic plan presented is in the zoning guidelines and put together the list of uses. He also
100 submitted additional information for the Board and the possible SEQRA if the Planning Board
101 would consider it. Greenwald asked what businesses are in this area. Schleelein stated that the
102 one parcel is a dentist office. Schleelein stated her concern is it is currently zoned for commercial
103 but, in the future, there could be potential for residential and this may not be the right time to
104 rezone this area. Schleelein is not comfortable passing this at this time. Scott stated that the CLT
105 District is for mixed use and CMT District is for business use.

106 Schleelein would like more information regarding this and asked the Planning Board for
107 feedback. Baker agreed with the timing and wondered if the uses could change in the future as
108 well. Everyone agreed the need to look into the zoning.

109 A motion was made to review with the Board of Trustees.

110 Greenwald moved the motion and seconded by Baker.

111 AYES: Schleelein, Moll, Baker, Greenwald, McCauley and Ingraffea

112

113 **Public Hearing for Special Permit #4258**

114 Eric Goetzmann, representing Arrowhead Ventures, is proposing a change to the Residential
115 Units of Area B in the Lansing Meadows PDA located on Oakcrest Road (Tax Parcel #47.1-1-
116 17.21). The Planning Board will review this proposal (Special Permit #4258) to determine
117 whether it is a major or minor change from the approved site plan.

118 Schleelein read from the statement. Bold stated that the packet with which everyone was
119 provided with was the final plan which is 12 units. Bold feels that this will not impact the
120 decision of a major or minor project and the SEQRA has already been done. Bold asked the
121 Board for review and comments. Baker and Greenwald both agreed that there was no need for
122 SEQRA for the plan of 12 units. Bold stated that the plan still includes utility relocation,
123 drainage in the back, a smaller pond area, eight additional parking spaces and now one way road
124 instead of the original two-way road. The 12 units are now triplexes instead of duplexes for
125 which there is a special permit is for.

126

127 Schleelein asked Bold what the blank spaces are on the floor plan. Bold stated that it was the
128 grass area. Greenwald asked Scott if the PDA would allow for more units in the future. Scott
129 stated that more units could be added with a special permit. Bold said the original PDA-A2 was
130 determined residential which is on page 145038. Schleelein asked how far apart the units would
131 be. Bold stated that the units would be fifteen feet apart and facing outward.

132

133 Bold asked if anyone had other questions. Baker asked about giving back the funds to the IDA
134 and what their plan is if that happens. Bold said if these units are completed before the deadline
135 date of July 31, 2020 they don't have to pay back the funds. Schleelein asked for a copy of the
136 IDA.

137

138 Schleelein stated she made a call to the Army Corp of Engineers and the conversation lead to the
139 permit that had expired in March. When Schleelein asked if everything had been completed she
140 was told that Arrowhead had to reapply but this should not prevent construction. Schleelein
141 asked about the wetland areas. Bold assured her it is part of the original wetland area and has
142 been modified and the new boundary is in the plan with negotiations with the Army Corp of
143 Engineers. Schleelein pointed out that the new plan shows the units being cramped and too close
144 together. Schleelein asked why they did not space them out more with the open space. Bold
145 stated that the area could be potential for a few more units in the future. Schleelein wants them
146 spaced out more and all of the infrastructure in.

147

148 Cross stated there are three permits needed:

149 1) Army Corp of Engineers

150 2) The Specials Permit from the Planning Board

151 3) The Village Building Permit

152

153 Bold stated if they could get through the minor project condition, you would be able to attach
154 other conditions on the special permit for anything that is jurisdictional like the permit from the
155 Army Corp and limited construction. Schleelein said that is a problem and concerns her.

156

157 Bold stated that there are fingers in the wetland stuck in the back of the three buildings that
158 prevents them from starting construction. Schleelein stated that the whole road needs to go in.
159 Bold feels it is a timing issue. Bold stated that the Army Corp will reissue the same permit. He
160 feels it is an administrative issue and believes it the same conversation Cross had with them.
161 Bold stated that there is nothing that would prohibit the Army Corp from reissuing the permit
162 except Cross and Bold understands that Cross wants to have input. Cross said no one asked for
163 the input or the right questions when the permit was submitted.

164

165 Cross was concerned with the wetland relocation and the quality of the drainage and how it may
166 impact the people living downstream because of no stormwater drainage plan. Schleelein said
167 there was supposed to be a stormwater drainage plan in place last April. Cross stated that there
168 was confusion and a belief that McFarland & Johnson believes they were exempt from getting
169 the approval from the Village. The original stormwater plan issued 10 years ago. At the time it
170 was issued, the Village gave their MS4 certification sign off and there was no design for the
171 residential portion. To move forward within the residential portion they would be doing so
172 without approval. Cross asked how McFarland & Johnson believed that or led Arrowhead to
173 believe that they are covered by a permit or that the notice of intent was filed for the project for
174 that portion. He doesn't know.

175

176 Schleelein stated that in April they adopted Special Permit 4123 and one of the conditions before
177 the Building Permit can be issued was approval by the Village engineer of the stormwater plan.
178 Cross stated that they did not put the request in for him to review the plan.

179

180 Troy read from the PDA and said that nowhere does it state that buying credit somewhere else is
181 an option for removing existing wetland. Bold said there have been many conversations about
182 reducing wetland onsite and relocating them and the Board approved those plans. Schleelein
183 disagreed and said this has been going on for 10 years.

184

185 Cross told Bold if the Army Corp of Engineers wants to they can eliminate the wetland but it
186 does not get rid of the condition on the PDA. Bold apologizes that they were not direct regarding
187 the elimination of the bird habitat and increasing the density for more property to build more
188 buildings. Bold asked how do we find a way to move forward. Schleelein said this is nine or ten
189 times this plan has been changed. She wants to see that all of the infrastructure is installed.
190 Greenwald said a new PDA could be revised and restricted to include these conditions.
191 Schleelein said she wants to get a plan approved so everyone can move on.

192

193 Schleelein asked where the current stormwater drainage plan stands. Cross said he will get with
194 McFarland & Johnson and when it gets to the point of moving forward, he will review and give
195 Scott an opinion about the compliance and sign the DEC MS-4 certification to amend the old
196 permit or obtain a new permit. Cross said once it is approved, the open spaces for future
197 development will have the same conditions and will need to apply for stormwater drainage. Bold
198 said the stormwater needs to drain down away from the residents for any new development and a
199 new permit would have to be submitted. Cross wants a site review for any future development
200 and a new site work permit will have to be submitted. Bold believes a special permit is for

201 building, not site work. Scott told him there is a site work permit that will be needed. Cross said
202 he reached out to DEC and they do not claim jurisdiction to the area.

203

204 Bold asked to move forward with the plan so construction can start as the time is running out to
205 meet the 2020 deadline with the IDA. Schleelein asked Bold what happens if they don't get the
206 permit. Bold said then it will be one building and land. He said the construction could move
207 forward and the developer could pay back the IDA but, he doesn't want to. Bold said they may
208 have to if they don't meet the deadline. Troy told Bold the IDA could sue the developer if the
209 agreement is not met. Baker asked if they could find another way to fund the project. He is
210 concerned that the project would end up being one or two buildings and then open space.

211

212 Greenwald said she is not in favor of any more changes and would like the Planning Board to
213 recommend to the Trustees to make A-1 residential and limit the buildings. Greenwald feels the
214 project is not going in the direction that everyone wants it to go and she cannot support it.

215

216 Moll asked if the construction could continue. Bold said not until the Army Corp permit is in
217 place. Moll said she is concerned that this is just Phase I and they will continue with changes.
218 She feels this is not a minor change.

219

220 Bold stated that there is no difference between the triplex and duplexes. It's all the same density.
221 Bold asked the Board if they feel it is a minor or major change and where do they go from here?

222

223 Greenwald passed a motion that it a major change and Moll seconded it. Schleelein said a 40 %
224 change is a major change. Schleelein stated she is concerned because the expiration from the
225 Army Corp of Engineers is running out. Bold said the Army Corp does not know why they
226 wouldn't reissue the permit that was already issued. Cross said it was because they have no
227 interest in the Village. Cross told Bold we have no control over what the Army Corp of
228 Engineers demands and *vice versa*. Arrowhead has an obligation to the Village. Cross said that if
229 there were revisions and other conversations on the Trustee level that the Planning Board was
230 unaware. Cross asked Bold to please clarify that.

231

232 Goetzmann said in 2012 a proposal for 12 units was submitted. He then came back to the
233 Trustees to get more houses on the property. Cross asked if there has been a modification to the
234 PDA. Goetzmann said he made the property smaller by taking part of the wetland off the
235 property and yes, several plans have been submitted. Goetzman is working with the Trustees and
236 the Army Corp of Engineers for the 12 units and wants to move forward.

237

238 Schleelein wants to table this until after the IDA meeting. If Arrowhead does not want to wait
239 then maybe the Planning Board should have a performance bond with no concessions. Schleelein
240 said she will keep the public hearing open until after the IDA meeting. There were no objections.
241 Bold stated that he would submit a copy of the IDA to the Planning Board.

242

243 Cross stated that whatever the plan is that will be approved he needs to sign off on the
244 stormwater drainage plan in order for the permit to be issued. Cross will work with the Army
245 Corp regarding the stormwater and Scott for the permits.

246

247 Schleelein stated that the public hearing would remain open.

248

249 **Continue Public Hearing for Special Permit #4233 Proposed by Finger Lakes Tram LLC.**

250 The applicants are seeking approval for installing an approximately 200 ft. long tram system
251 which includes a hoist drum/frame and cabin to hold up to 4 people. The tram, located at 1510
252 East Shore Drive (Tax Parcel #42.1-1-46.11), will run from the existing home down to the shore
253 level of Cayuga Lake.

254

255 Schleelein stated that the Planning Board will be doing the short EAF and resolution for the tram
256 proposal. Cross asked Yadong Wang what the slope for the side elevation and rail is. He said 19
257 feet off the ground and he handed out a picture of what it will look like. It is very safe and the
258 code has been met. Schleelein asked if we needed to wait for the Engineers. Scott said
259 discussions were done on what color it would be so that it's disguised and blends in and
260 everyone said they would like to see it black. Scott stated that the 239 has been satisfied.

261

262 Schleelein went over the short EAF dated June 6, 2019.

263 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR**
264 **REVIEW OF SPECIAL PERMIT NO. 4233 ADOPTED ON JUNE 10, 2019**

265 Motion made by: Michael Baker

266 Motion seconded by: Jim McCauley

267 **WHEREAS:**

268 A. This matter involves consideration of the following proposed action: Special Permit No.
269 4233, for the proposal by Yadong Wang to install a 200' tram system, which includes a hoist
270 drum, cabin (for 1-4 passengers), carriage and track with pilings every 10' horizontal distance
271 to transport passengers from upper backyard to bottom of hill with uploading stations at top
272 and bottom as well as an egress stair system installed on the side of the tram tracks, utilizing
273 the same sub-structure (pilings and cross bars) that support the tram by Yadong Wang, who is
274 the owner, at 1510 East Shore Drive, Ithaca, New York (Tax Parcel #42.1-1-46.112); and

275 B. On June 10, 2019, the Village of Lansing Planning Board, in performing the lead agency
276 function for its independent and uncoordinated environmental review in accordance with
277 Article 8 of the New York State Environmental Conservation Law - the State Environmental
278 Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is
279 an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short

280 Environmental Assessment Form (the "Short EAF"), and any and all other documents
281 prepared and submitted with respect to this proposed action and its environmental review;
282 (iii) completed its thorough analysis of the potential relevant areas of environmental
283 concern to determine if the proposed action may have a significant adverse impact on the
284 environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv)
285 completed the Short EAF); and

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

- 287 1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short
288 EAF, and any and all other documents prepared and submitted with respect to this
289 proposed action and its environmental review; and (ii) its thorough review of the
290 potential relevant areas of environmental concern to determine if the proposed action may
291 have a significant adverse impact on the environment, including the criteria identified in
292 6 NYCRR Section 617.7(c), hereby makes a negative determination of environmental
293 significance ("**NEGATIVE DECLARATION**") in accordance with SEQR for the above
294 referenced proposed action, and determines that an Environmental Impact Statement will
295 not be required; and
- 296 2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized
297 and directed to complete and sign as required the Short EAF, confirming the foregoing
298 **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be
299 attached to and made a part of this Resolution.

300 The vote on the foregoing motion was as follows:

301 AYES: Lisa Schleelein, Monica Moll, Carolyn Greenwald, Jim McCauley and Michael Baker

302 NAYS: None

303 The motion was declared to be carried.

304 Schleelein asked for a motion to close the public hearing. Moll motioned and McCauley
305 seconded.

306 AYES: Schleelein, Baker, Greenwald, Moll, McCauley and Ingraffea.

307

308 Schleelein read the general conditions and asked for a motion in favor that all the conditions are
309 approved.

310 Baker motioned and Moll seconded

311 AYES: Schleelein, Greenwald, McCauley, Baker, Moll and Ingraffea.

312

313 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR TRAM INSTALLATION**
314 **APPROVAL OF YADONG WANG FOR SPECIAL**

315 PERMIT NO. 4233 ADOPTED ON JUNE 10, 2019

316 Motion made by: Michael Baker

317 Motion seconded by: Monica Moll

318 **WHEREAS:**

319 A. This matter involves consideration of the following proposed action: installation of a 200'
320 tram system, which includes a hoist drum, cabin (for 1-4 passengers), carriage and track with
321 pilings every 10' horizontal distance to transport passengers from upper backyard to bottom
322 of hill with uploading stations at top and bottom as well as an egress stair system installed on
323 the side of the tram tracks, utilizing the same sub-structure (pilings and cross bars) that
324 support the tram by Yadong Wang, who is the owner, at 1510 East Shore Drive, Ithaca, New
325 York (Tax Parcel #42.1-1-46.112).

326 B. The proposed action is deemed by the Village of Lansing Planning Board to be an unlisted
327 action on June 10, 2019, a Short Environmental Assessment Form has been submitted by
328 applicant and reviewed by the Village of Lansing Planning Board which made a negative
329 decision of environmental significance ("Negative Declaration") for the proposed action, and
330 determined that an Environmental Impact Statement will not be required.

331 C. On June 10, 2019, the Village of Lansing Planning Board has thoroughly reviewed and
332 analyzed (i) the proposed construction and accompanying materials and information
333 presented by and on behalf of the applicant in support of this proposed action, including
334 information and materials related to environmental issues, if any, which the Board deemed
335 necessary or appropriate for its review; (ii) all other information and materials rightfully
336 before the Board; and (iii) all issues raised during the public hearing and/or otherwise raised
337 in the course of the Board's deliberations;

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

339 1. Based upon all of its foregoing review and action, it is hereby determined by the Village
340 of Lansing Planning Board that approval of the proposed Yadong Wang tram installation
341 is **GRANTED** with the condition that the color of the equipment will be black or brown,

342 The vote on the foregoing motion was as follows:

343 AYES: Lisa Schleelein, Monica Moll, Carolyn Greenwald, Jim McCauley and Michael Baker

344 NAYS: None

345 The motion was declared to be carried.

346

347 **General Planning Session**

348 Greenwald wanted to discuss the noise ordinance issue. Cross stated it is a zoning issue and
349 proof has to be made if they are treated like commercial instead of residential. Scott stated again,
350 that there is a process that needs to take place and he will send the letter to them regarding the
351 issue and if there were any violations.

352

353 **Trustee Report:**

354 McCauley stated that the Mayor was not present for the meeting. McCauley reported that they
355 talked about trying to contact the owner of West Graham Road for a response and no response
356 has been received. They will be sending a second letter if they do not receive a response after
357 that they will pursue eminent domain to take over the road. For a complete report of the meeting
358 please see the Trustee minutes.

359

360 **Approval of the minutes:**

361 None

362

363 **Adjournment:**

364 Greenwald moved to adjourn at 9:34pm. Seconded by Baker.

365 AYES: Schleelein, Baker, Greenwald, Moll, McCauley and Ingraffea.

366

367 Minutes taken by: Tina Freelove, PT Clerk