

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, July 9, 2001, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Janet Beebe, Frank Moore and Lynn Leopold; Ned Hickey, Planning Board Chairman; Randy Marcus, Attorney; Carol Klepack, Planning Board Member.

Mayor Donald Hartill called the meeting to order at 7:35P.M. He opened the public comment period. There were no comments.

Motion-To Close the Public Comment Period

Trustee Lynn Leopold moved to close the public comment period. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

The next item on the agenda was a public hearing on Proposed Local Law D, Amendment of Zoning Law Sections 202.07, "Commercial Low Traffic District", Subsection (e)(4), To Except From The "Front Yard Setback Minimum" Properties Having Front Yards On North Triphammer Road, and Establish a "Front Yard Build-To Line" For Same.

Motion-To Open the Public Hearing on Proposed Local Law D, Amendment of Zoning Law Sections 202.07, "Commercial Low Traffic District", Subsection (e)(4), To Except From The "Front Yard Setback Minimum" Properties Having Front Yards On North Triphammer Road, and Establish a "Front Yard Build-To Line" For Same.

Trustee Larry Fresinski moved to open the public hearing. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

The Mayor explained that this change to our Zoning Law would help us to reach the goal of what we want the N. Triphammer Road to eventually look like. It would create a visual affect that has been proven to slow down traffic and make a pedestrian friendly Village. Jodi has previously sent a copy of this proposed law to all the property owners that would be effected and informed them of the public hearing. The Board has received a complimentary letter from the first property owner who would be affected by this proposed law. Ned stated that this would force parking to be in the rear or on the side of the building's. No other public comment was presented.

Motion-To Close the Public Hearing on Proposed Local Law D

Trustee Larry Fresinski moved to close the public hearing. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

A short Environmental Assessment form was completed and it was found that this proposed law would not result in any significant adverse environmental impacts.

Resolution #3788-A Short Environmental Assessment Form was Completed and it was Found that Proposed Local Law D would have No Significant Adverse Environmental Impact

Trustee Lynn Leopold moved this resolution. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

Resolution #3789- To Adopt Local Law D, Amendment of Zoning Law Sections 202.07, “Commercial Low Traffic District”, Subsection (e)(4), To Except From The “Front Yard Setback Minimum” Properties Having Front Yards On North Triphammer Road, and Establish a “Front Yard Build-To Line” For Same as Local Law 4 of 2001.

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE AND INTENT.

The purpose of this Local Law is to implement the concept of a “build-to” line for future development in the Commercial Low Traffic District (“CLT”) along North Triphammer Road, as described in the CLT District Design Guidelines anticipated to be finalized by the Village within months of consideration of this Local Law. The design and planning concept intended to be implemented by this Local Law is described in Section 2 of the CLT District Design Guidelines as the recommendation that buildings along North Triphammer Road be located close to the sidewalk to create a pedestrian friendly environment, promote traffic calming and to create more visual interest along the street edge. This recommendation is more specifically described at Section 2.1 thereof with the statement that building facades should be built parallel to the front line of the lot and located twenty-five feet (25') from the front line. In order that this new concept be effected, it is the intent of this Local Law to modify the requirements of Zoning Law Section 202.07(e)(4), as such requirements will be applied to properties with their front yard line along North Triphammer Road in order to eliminate the front yard setback minimum for such properties, and instead require a front yard “build-to” line at a distance of twenty-five feet (25') from the front line of such lots, as such front line is newly established as a result of the Village’s acquisitions of additional rights-of-way in connection with the North Triphammer Road reconstruction project.

SECTION II. AMENDMENT.

In Village Zoning Law Section 202.07, “Commercial Low Traffic District (“CLT”)”, at subsection (e), “Dimensions: Lot, Yard, Building, and Parking Requirements”, sub-subsection (4) is hereby deleted in its entirety and replaced with the following text:

- 4. Front Yard Setback Minimum
 - (i) All uses - seventy-five feet (75'), except lots in the Commercial Low Traffic District that have a front yard along North Triphammer Road.
 - (ii) All uses for lots having a front yard along North Triphammer Road shall not be subject to front yard setback minimum, but, instead, shall be subject to the requirement that at least twenty-five feet (25') of a facade of all buildings developed on such lots be

accordance with the terms of Local Law 1 of 2001 in order that this process can be accomplished in a timely fashion, at reasonable cost to the Village, and result in the acquisition of property by the Village for public road purposes (as defined in said Local Law 1) via a process more closely analogous to a municipality's acquisition of property via eminent domain. The intent of this Local Law is to amend the terms of subsection (b) of the definition of the term "municipal subdivision" added to the Village of Lansing Land Subdivision Regulations Article 200 in accordance with Local Law 1 of 2001.

SECTION II. AMENDMENT.

The following definition is hereby substituted in the Village of Lansing Land Subdivision Regulations Article 200, Definitions, in place of the text added to such section in accordance with Local Law 1 of 2001; the following text varies from the text of said Local Law 1 of 2001 only at subsection (b) thereof:

Municipal Subdivision is the subdivision of any lot into not more than two (2) lots (initial lot plus one (1) new lot), which subdivision is to be made at the request of or as a requirement of the Village of Lansing, in which case the Village of Lansing is to acquire the new lot for use as a public road right-of-way, or as part of a public road right-of-way, including for the purposes of extension, reconstruction, realignment, widening or reconfiguration of existing public roads, creation of new public roads, and addition to public roads of bicycle lanes, pedestrian lanes, sidewalks and landscaping (collectively, "public road purposes"), and in which case the remaining lot substantially retains its character prior to such subdivision as a developed or an undeveloped lot.

- (a) The authority for review and approval of municipal subdivisions shall be retained by the Village Board of Trustees, and therefore a municipal subdivision shall be exempt from the application of these Land Subdivision Regulations, and shall not require the review, recommendation or approval of the Village of Lansing Planning Board. The Board of Trustees shall conduct its review of the municipal subdivision in conjunction with the Board of Trustees' consideration of acceptance of the new lot for public road purposes (as defined above). The Board of Trustees' review of a municipal subdivision shall not require submission of an application from the lot owner or from the Village itself, nor payment of an application fee. The Board shall conduct a public hearing, in accordance with the requirements of New York State Village Law applicable to consideration of acceptance of a public road. A municipal subdivision, approved by the Board, shall become effective upon filing in the Tompkins County Clerk's Office of a survey map defining the municipal subdivision, which map includes approval of the Board, signed by the mayor, together with a deed conveying the new lot from the lot owner to the Village. This review shall be deemed to satisfy the provisions of New York State Village Law concerning subdivision of land as applicable to municipal subdivisions. Municipal subdivisions shall be deemed to be Type II actions under the State Environmental Quality Review Act, and therefore exempt from review thereunder.
- (b)
 - (i) In the case of a lot containing a building (as such terms is defined in the Village of Lansing Zoning Law) at the time of approval of the municipal subdivision, if the remaining lot after conveyance to the Village would contain a nonconforming structure as a result of the diminishment in front yard setback, as a result of diminishment in lot size or as a result of increase in lot coverage, under applicable Village of Lansing Zoning Law District Regulations, then for the purposes of measuring the front yard building setback, for the purposes of measuring lot size and for the

Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Resolution #3792-To Adopt the Commercial Low Traffic Design Guidelines as an appendix to the Comprehensive Plan of the Village of Lansing

Trustee Lynn Leopold moved this resolution. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee Frank Moore- Aye Trustee
Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Dave Putnam was present to give an engineer’s report. Both the Mayor and Dave met with the Bonding company and material suppliers of the Uptown Road Project. The preliminary thinking is that most of the problem is with the contractor. The key element in dealing with the material United Asphalt used is the roller operator. Microsurfacing was a suggested solution for Uptown Road. The Bond Company wants a take over agreement. Dave will investigate microsurfacing further.

Next on the agenda was to consider abandoning part of Votapka Road. The owners of 2 St. Joseph Lane have applied for a building permit to construct a garage. The proposed setback for this garage would be 20-feet. The required setback for such a structure is 40 feet which would need a variance or the possibility that the Village might want to abandon this short road, that is a dead end, and borders the proposed garage. Dennis sees no problem with abandoning the road. The Mayor prefers that Ralph Varn go to the BZA to get a variance. The Board agreed with the Mayor. We may need that road at some point and would prefer to keep it. Don will convey the Board’s view to Mary Sirois, BZA Chairperson.

Pyramid mall has requested that the Village refund \$10,360, which they originally paid for a 442,000 square foot expansion. The project has been approved at only 150,000 square feet therefore only costing \$2,728 instead of the \$13,088 originally paid. The Board felt it was an appropriate request to refund this out of the General Fund. This didn’t take into account that Pyramid wanted the Village to subtract out monies for Linens and Things. Ben preferred that they deal with this separately.

Resolution #3793- To Refund Pyramid Mall \$10,360 for Overpayment on Original Building Permit.

Trustee Janet Beebe moved to accept this resolution. Trustee Larry Fresinski seconded the motion.

Mayor Donald Hartill-Aye Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Larry stated that Peter Novelli has recommended Timothy C. Buhl to do a proposal on how much it will cost to put the utilities along N. Triphammer Rd. underground verses above ground. The Board discussed Timothy’s proposal letter and decided to have Larry get some more clarification before Wednesday’s meeting. Larry also stated that he was in contact with Dave Herrick and he said he would have been interested in doing that proposal also. The Board was favorable to spend the \$1,950 but wanted some clarification first. This issue will be discussed again on Wednesday.

Next on the agenda was Mayor’s comments. The sewer contract for the reconstruction of the Town of Ithaca sewer line from Warren Road to the border of Cayuga Heights has been awarded. This should be completed by 8/15. There has been adequate documentation of the flow. Once this is completed the mayor will go to the Village of Cayuga Heights to request more sewer units. With regards to the proposed intermunicipal sewer project, DEC will be the lead agency for scoping. This process will begin after Labor Day and take approximately 9 months to complete.

The Mayor has heard very positive comments regarding the traffic light at Warren and Uptown Roads. Don is working with Dave Putnam to come up with a solution for Northwood Blvd.

Randy suggested the Board schedule a public hearing for consideration of municipal subdivision approval for all of the lots that are being acquired by the Village along N. Triphammer Rd. and the gift from the Edelmans as required under new Local Law 5. The contracts for Joyce Rendano are back. The only outstanding contracts for the N. Triphammer Rd. Project are Irv Lewis & Mobil. Randy gave Jodi a list of property owners and attorneys, which needed to be paid for property acquisition.

Resolution #3794- To Set A Public Hearing for the Municipal Subdivision of Properties to be Acquired Along N. Triphammer Rd. for 7:30pm and for the Edelman/Kensington Subdivision at 7:35pm on August 6, 2001.

Trustee Lynn Leopold moved to accept this resolution. Trustee Frank Moore seconded the motion.

Mayor Donald Hartill-Aye	Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye	Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye	

Randy informed the Board that Joyce Rendano’s lawyer has requested a copy of the resolution allowing the Mayor to sign the N. Triphammer Rd. contracts and requested that we pass another resolution so we don’t have to waste time looking for that resolution.

Resolution #3795- To Authorize the Mayor to Sign an Agreement with Joyce Rendano for Property Acquisition

Trustee Larry Fresinski moved to accept this resolution. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye	Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye	Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye	

Awhile ago the Board had discussed changing the amount for recording property cards. It presently is \$100 but it was suggested that it be raised to \$500 or \$1,000. A decision was never made on this and as Jodi is doing year-end she would like to know what the Board would like to do.

Resolution #3796- To Change the Value for Recording Property Cards from \$100 to \$500.

Trustee Larry Fresinski moved to accept this resolution. Trustee Janet Beebe seconded the motion.

Mayor Donald Hartill-Aye	Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye	Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye	

Lynn announced that it now possible to take your old computers to the recycle center.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye	Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye	Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye	

The meeting adjourned at 9:55 P.M.

Jodi Dake
Village Clerk