

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, April 19, 2004, in the Village Office.

Present: Mayor Donald Hartill; Trustees Janet Beebe, Frank Moore; Attorney David Dubow; Planning Board Chair, Ned Hickey; Clerk/Treasurer, Jodi Dake.

Mayor Hartill called the meeting to order at 7:38P.M.and opened the public comment period. There were many residents from Lansing Trails present along with high school students. Roger Jagoda of 17 Janivar Drive gave the Board a printed statement from the Lansing Trails Homeowners Association. Roger stated that they feel the neighborhood is good because it is very walkable. The two things that concern them are the clustering concept and the traffic flow through Lansing Trails I Development. He stated that Lynn Leopold has been to their meetings and has reported to the Board of Trustees. Roger stated that there is a difference of opinion with Ned Hickey concerning road issues. Some of the Homeowners Association members were upset because they had e-mailed the Board and had received no response. Don stated that he has not responded personally because the Board has not discussed this issue yet and he did not feel it would be appropriate for him to respond before he knew what the full Board's position might be. If there were specific existing problems, which required attention, he would have replied, but not to debate the issues of the roads and clustering. The Board will move forward by consensus. He assured the crowd that there would be no decision tonight since there was not a full Board present. Frank added that e-mails are appreciated and it helps to understand what people are thinking.

Ned Hickey stated that there is no question as to where he stands on this issue. Residents of Lansing Trails I need to remember that Ned is the spokesman for the Planning Board and he is presenting the end result of extensive discussions. The Planning Board is following the Comprehensive Plan for the Village and must do what is best for the whole Village and not just for Lansing Trails I. The Board members have received copies of the current sketch plan that the Planning Board found acceptable as well as the letter from Ned to Mayor Wixom & the Board of Trustees dated 11/22/93 and two letters from Ivar Jonson dated 3/24/93 and 12/7/93, all relating to the earlier cluster development proposal for Lansing Trails II.

Roger asked to whom the Planning Board members are accountable since they are appointed and not elected. It was explained that they are accountable to the Board of Trustees and act on behalf of all Village residents. The Mayor reminded him that this is only the start of the process and that the Board of Trustees will not be acting on this tonight and that the Planning Board will have further proceedings before any final determinations are made.

Motion-To Close the Public Comment Period

Trustee Beebe moved to close the public comment period. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Janet Beebe-Aye  
Trustee  
Frank Moore-Aye

The next item on the agenda was a public hearing to consider the increase in the sewer rate.

Motion-To Open Public Hearing on Proposed Local Law 1-2004 to Increase the Sewer Surcharge from 33% to 50%

Mayor Donald Hartill-Aye  
Trustee Janet Beebe-Aye  
Trustee  
Frank Moore-Aye

The Mayor explained that the Village would like to increase the surcharge rate from 33% to 50% because the Sewer

rents are not currently covering all operating costs especially in view of our aggressive program of eliminating inflow and infiltration (I&I) into the system. The sewer rate is part of sewer law so a law must be passed to increase it. The water rate has been changed from 33% to 50% by resolution which is the permitted procedure in that case. It is costing the Village more to maintain the sewer system. It is getting older and needs more repairs. By our diligent efforts to repair our system we have been able to obtain more than 70 sewer units. If we hadn't gotten these units, Lansing Trails I wouldn't be here.

Anne Furry asked about the special assessment. It was explained that the surcharge that appears on your water/sewer bill quarterly is the money that is used to maintain our sewer system. The assessment on your taxes pays for funds borrowed to build the system and the Lansing Sewer Rent charge on your taxes goes directly to the Village of Cayuga Heights to pay for treating your waste water since they own the sewer plant.

Motion-To Close the Public Hearing

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

Mayor Donald Hartill-Aye	Trustee Janet Beebe-Aye	Trustee
Frank Moore-Aye		

The Mayor suggested we put off the vote until later in the meeting.

Dave Putnam was present to give an engineer's report. Dave is working on the annual MS4 report that must be completed by June 1,2004. As part of this process the municipality must hold a public comment period. The Mayor entertained a motion to set a public hearing for the second regular meeting in May.

Motion-To Set a Public Hearing to Discuss the MS4 Report for Monday, May 17, 2004 at 7:35pm.

Trustee Beebe moved to set a public hearing. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Janet Beebe-Aye	Trustee
Frank Moore-Aye		

Don asked Dave which letters of permission were still outstanding for the North Triphammer Road Project. The three outstanding are Sloan/Squeaky Clean Car Wash, Mobil and Pyramid. Ned will e-mail Sloan's number to Don so he may contact him directly. The Mobil delay appears to be due to large corporate issues and Pyramid is expected to be resolved very soon. We cannot continue with the N. Triphammer Road Project until we have these three letters. If they are not received in a timely fashion, the final project plans will unfortunately exclude certain of the work related to these properties.

Dave Putnam is working on Graham Road/Dart Drive and will get this to the Mayor as soon as it is completed. Ned will get the map he received from Fisher associates to Dave.

Next item on the agenda was the approval of the minutes for March 10<sup>th</sup> and March 15th, 2004.

Motion-Approval of Minutes for March 10, 2004

Trustee Moore moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Janet Beebe-Aye

Trustee Frank Moore-Aye

Motion-Approval of Minutes for March 15, 2004

Trustee Beebe moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Janet Beebe-Aye

Trustee Frank Moore-Aye

Next Ned Hickey presented the proposed clustering subdivision for Lansing Trails II. He handed out a letter to the Board from Ivar Jonson dated 2/13/04 regarding the revision and addition to the original Votapka Farm Plat. He requested under the Village of Lansing Land Subdivision Regulations for the use of Section 7-738 of the Village Law as part of Sketch Plan review to extend the cluster concept of the existing Votapka Farm Subdivision to the balance of the 75.59 acres he and his wife own. The cluster approval is requested to preserve the aggregate open spaces along the waterways, to facilitate the adequate and economic use of streets and utilities, to preserve natural and scenic qualities of these open lands, to develop a variety of housing choices that are marketable given adjacent high density residential and business and technology zoning and uses to the southeast and east, and to accommodate the skewed angle at which the desired Village east-west collector crosses the heart of the property under consideration.

Ned gave a history on this project. This development started 17 years ago in 1987. The standard subdivision included attached units on 25,000 square foot lots. A main concern back then was the traffic. It was to be a 45mph-road connector from Northwood to Craft. After negotiations and receiving sewer units from the Village of Cayuga Heights, Ivar started building. In 1993 Ivar Jonson came before the Planning Board and wanted to do clustering. To determine density Ivar had to submit a subdivision plan if as if it weren't clustered. The maximum density for this area was established at 194 dwelling units. To cluster under the current Village regulations, there must be 20% open space. The 1993 proposed road system was not much different than the currently proposed plan except the original roads provided for a more straight shot and direct connection between Warren Road and Triphammer Road which would have encouraged higher speeds. The proposed design presented tonight is the result of the Planning Board having considered 6 different designs from the developers' engineers and 4 designs from the Lansing Trails Homeowners Association. Ned displayed the sketch plan design that the Planning Board has accepted. The whole residential area of both Lansing Trails I and II must be considered. The design diffuses Warren Road traffic by three options to get to North Triphammer Road. Ned indicated that through traffic will generally take the route of least resistance. One concern is that the proposed road connection with Craft Road would require the alienation of some parkland that was previously dedicated to the Village as part of the Lansing Trails I approval process. The Planning Board is not totally sold on this road but they are attempting to meet the concerns of Lansing Trails I by diffusing the traffic to this proposed road and thereby reducing traffic that might otherwise pass through the middle sections of Lansing Trails I. Ned also explained that there are two other subdivisions in various stages of approval and pre-development that affect the traffic and road design issues and which must be considered in conjunction with the Lansing Trails II review process. Those two proposed developments, the Millcroft and Spitzberg subdivisions, will involve traffic to be dispersed onto Bush Lane and Lansing Trails I and possibly Lansing Trails II.

Ned advised the Board that a copy of this sketch plan was sent to Fisher Associates since they are traffic specialists familiar with the Village. Their response to the concept was that the Village did a good job of diffusing traffic. Additional suggestions were to have raised intersections in the road and other traffic calming devices so people would slow down. They also recommended trail loops and connections, and were they crossed the road these should also be raised.

It was explained that Ivar Jonson's engineer will be required to do a traffic study as part of the preliminary and final plat approvals. The residents are concerned with people cutting through their neighborhood from Warren to N. Triphammer. There was discussion concerning drivers choosing the route of least resistance and using Graham/Dart Roads, Cherry Road or Route 13. If residents have to go to the post office they might cut through Lansing Trails II subdivision but this will keep them off the other roads.

Shannon Dortch of 3 Leifs Way was upset as they had purchased their house at the corner of Craft Road and Leifs Way because of the nearby parkland and green space, which parkland may be eliminated from its current location to provide for the proposed connection with Craft Road. She is concerned with her child's safety while waiting for the bus in the morning if there are cars racing down the street.

John Wisor of 9 Leifs Way asked why the Village was not following the Comprehensive Plan Map as to the exact location of the east – west road connecting Triphammer Road and Warren Road. Ned explained that it was a conceptual road plan, not an official map of the Village. The proposed roads meet the concepts intended by the Comprehensive Plan. Recommendations cited from the Comprehensive Plan are intended as guidelines and local conditions and requirements are what we must follow. Ned further explained that the Planning Board is in the process of updating the Comprehensive Plan since we have received the 2000 census information.

Ivar Jonson, developer, stated that there are 105 dwelling units proposed on approximately 34 acres. That's a lot of land for the 105 clustered dwelling units of Lansing Trails II. The total density for Lansing Trails I & II is proposed as 175 units on approximately 75 acres. The benefit of clustering is open space. The parkland is centrally located.

Wisor ask about the Millcroft Subdivision parkland and its integration with the Lansing Trails parkland. When asked about the width of each dwelling unit Ivar responded that each is approximately 28-32 feet wide with backyards. He explained that one must build houses for everyone. There is a market for this type of housing.

It was questioned why the original Landing Trails I park was placed where it is. It was acknowledged that it was intended to be connected to the Millcroft parkland. This would create a bigger park for the whole community. Ned explained that the proposed road connection to go through this parkland was a last resort change to address the Lansing Trails I residents' concerns about traffic going through the middle of that neighborhood. Frank felt a road would spoil the viability of this larger park.

Anne Furry of 143 Brook Way asked what the potential number of dwelling units is for the Millcroft Subdivision. It will be 49 units on approximately 45 acres. There will be 7 dwelling units in the Spitzberg Development and 175 between Lansing Trails I & II. Anne is concerned with level of density. Bush Lane will need to be rebuilt to handle the traffic. She feels Bush Lane is in for more trouble than Lansing Trails. Dart Drive has also been a concern since back when she was Mayor. Anne stated that she wasn't lucky enough to have a park in her neighborhood like the new subdivisions will have.

Ned advised the Board that Millcroft Phases I & II have been approved but Phases III & IV have not. There is no guarantee that the road connection to Lansing Trails II incorporated in the preliminary plans for Millcroft Phases III and IV will in fact be completed. The concern in all of these subdivisions is that for safety reasons more than one means of access be provided. It was pointed out that Lansing Trails I has had only one means of ingress and egress for some 17 years pending the further development of the surrounding properties that is now taking place. Ned explained that we've been very fortunate that we haven't had a problem with only one access. Frank asked if this additional access was for fire and safety reasons. It was explained that the subdivision regulations state there must be 2 access points. All of the new road designs are submitted to the Fire Department for their approval. There are certain requirements that must be met.

John Wisor stated that Janivar Drive doesn't want additional traffic that would occur from Warren being connected to N. Triphammer. He feels Lansing Trails II residents are going to cut through Lansing Trails I to get to the Mall. Don stated that one must keep in mind that the original plans for Lansing Trails I and II had the same number of units and the road connectivity now being proposed. Ivar added that originally the dwelling units were all supposed to be duplexes, but then the market changed and one family homes were built. He added that everyone has a good home for a good price. Ivar asked how they could say I have my house now and I don't want one combined Lansing Trails I and II community.

John Wisor advised the Board that the Lansing Trails I Homeowners Association voted on the proposed park alienation and no one wants it moved and no one wants a connecting road. Ned stated that the Planning Board has no strong opinion for this road through the park. It doesn't make any difference to them if it is not done. However, the

Planning Board was unanimous on making the connection at Bomax Drive and having road connections between Warren Road and Triphammer Road. Another option talked about in the past was to connect to Kensington.

Cliff Buck, 39 Janivar Drive, asked if two family units had the same density. In 1993 the proposed plan was for 173 units. Now there will be 3-6 attached units totaling approximately 100 dwelling units. Cliff asked if an emergency only access road between Lansing Trails I & II was ever considered. He did not understand why the Village was so bent on having traffic from Warren to N. Triphammer Rd. Ned stated that the Comprehensive Plan has certain obligations that must be considered and which guide the Planning Board's determinations. Not having a connection would be inconsistent with the Comprehensive Plan and would make no sense at all. Why send residents from this development down Graham/Dart Dr. It makes more sense to diffuse the traffic through the development and control the speed. It will also make sense to spread east – west traffic among various routes as opposed to just one or two.

Anne Furry stated that the General Plan of the Village envisions serious concerns as to Graham/Dart Dr. traffic. The Village needs more ways to get back and forth. Bush Lane is also a concern. Ned stated that once this development is completed the Medium Density areas will have been built out and the only area left will be the remaining undeveloped property on Dart Drive. We have to look at the whole Village. When Dart Drive is developed where will we send that traffic? The only way to prevent building is to buy developers' land.

Lisa Schleelein of 975 Cayuga Heights Road wanted to refer back to a comment made earlier in the meeting in reference to kids waiting for the bus and the traffic. She used to stand out with her kids when they got on the bus because Cayuga Heights Road is very busy. She suggested if you are concerned with your kid's safety you should be with them at all times.

Mayor Hartill stated that he was very sensitive to traffic and we must do what is fair to all Village residents and that the Board of Trustees and Planning Board are trying to do the right thing. He repeated that there will be no decision this evening, and that it is the start of the process. He thanked everyone for coming. Cliff Buck thanked the Mayor for opening this up to public participation. Most of the public left at this time.

Next on the agenda was to consider a minor amendment to the Small Mall Planned Sign Area for Bill Cooke Chevrolet Oldsmobile Cadillac. Ned stated that Bill Cooke came before the Planning Board to see if light tubes were considered signage. General Motors is requiring him to install blue light tubes around the fascia of the showroom area. It will run on the north & west side of the building. The light tube is 7 7/8 inches wide. The Planning Board has determined that it is an identity item and should count as signage. It will be 205 running feet. The lights will be illuminated until 10pm or closing time whichever is later. The banners in the windows will also come down which will be much more appealing.

David Dubow stated that this affects the original Planned Sign Area approval granted by the Board of Trustees. Since they are looking for more signage, they came to the Planning Board which is now bringing the matter to the Board of Trustees for approval as an amendment to the original approval. The Board of Trustees now needs to make a determination if this will be a major or minor amendment. The Planning Board feels it is a minor amendment.

Ned explained that a Planned Sign Area is separate from sign law. Pyramid, Triphammer Mall, Tops, Small Mall and Cayuga Mall all have sign plans. This allows a total signage and different size signs for different businesses within the area.

Resolution #4041-To Accept the Minor Amendment to the Small Mall Planned Sign Area

Trustee Beebe moved this resolution. Trustee Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Janet Beebe-Aye

Trustee Frank Moore-Aye

The Mayor reported the wastewater treatment project has made steady progress. He hopes to have the Kline Road Bypass completed this summer. He and Steve Farkas are still trying to reach Steve Eidt of the DEC. He reiterated that there are three Letters of Permission that are still needed for N. Triphammer Road Project. We will design around them if we have to get this project out to bid.

This is Janet's last Trustees meeting. Don presented her with flowers and thanked her for all she had done. He feels she was a good Trustee who helped us with our personnel issues and the youth program. Janet thanked him and stated that it has been very interesting.

Lastly the Board decided to vote on the sewer surcharge increase. The Mayor entertained the following resolution:

Resolution #4042- To Accept Proposed Local Law #1-2004 to Increase the Sewer Surcharge from 33% to 50%

### Section I.

The purpose of this Local Law is to amend so much of the Village of Lansing Sewer Rent Law (Local Law No. 3 (1982), as amended by Local Law No. 4 (1990), Local Law No. 9 (1993), Local Law No. 14 (1993), Local Law No. 1 (1994), Local Law No. 2 (1994), Local Law No. 3 (1994), Local Law No. 3 (1995)) and Local Law No.1 (2002) so as to increase the sewer rents chargeable to owners of property that are provided with water service by the Village of Lansing Water System, as well as owners of property that are not provided with water service by the Village of Lansing Water System.

### Section II.

Article 4, Section 4.1 of the Village of Lansing Sewer Rent Law is hereby amended to read in its entirety as follows:

#### Section 4.1.

Each owner of property that is provided with water service by connecting to the Village of Lansing Water System shall be charged, and shall be obligated to pay, an annual sewer rent charge equal to fifty (50%) percent of the amount charged to said property owner by the Village for water consumption. Such charge shall be calculated for all quarterly billings from the first quarterly Bolton Point water billing after April 1, 2004 forward.

### Section III

This Local Law and the amendments to the Village of Lansing Sewer Rent Law contained herein shall be effective immediately upon adoption by the Board of Trustees of the Village of Lansing and following publication and posting thereof, as required by law.

Trustee Beebe moved the resolution and Trustee Moore seconded the resolution. A vote was taken:

Mayor Donald Hartill – Aye  
Trustee Frank Moore - Aye

Trustee Beebe – Aye

Motion- To Adjourn

Trustee Moore moved for adjournment. Trustee Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Janet Beebe-Aye

Trustee Frank Moore-Aye

The meeting adjourned at 9:20pm.

Jodi Dake  
Clerk/treasurer

