

Village of Lansing
Board of Trustees & Planning Board
Joint Meeting
June 29, 2010

The joint meeting of the Village of Lansing Planning Board and the Village of Lansing Board of Trustees was called to order at 7:33 P.M. by Planning Board Chairman Mario Tomei and Mayor Hartill. Present at the meeting were Planning Board Chairman Mario Tomei; Planning Board Members, Maria Stycos, Phil Dankert, Lisa Schleelein and Alternate Member Ned Hickey who was appointed as an Acting Member; Mayor Don Hartill; Trustees John O'Neill, Larry Fresinski and Julie Baker; Also present were Village Attorney David Dubow; Code Enforcement Officer Ben Curtis, Code Enforcement Officer in training Marty Moseley; Clerk/Treasurer Jodi Dake; Jim Bold, Eric Goetzman and Gina Speno from Triax Management Group; Dan Veaner from the Lansing Star; resident Nick Vascek; Stacy Black; Yong Pei and William Straub; Chris Vitale; and Community Party observer Robert Schleelein.

Since this joint meeting was a regular meeting date for the Planning Board, detailed minutes will be done by the Planning Board. The following is a summary of what happened and the official resolutions by the Board of Trustees.

After the Public Comment Period, Don requested a motion to open the Public Hearing.

Motion-To Open the Public Hearing to Consider a Conditional and final authorization of the proposed Lansing Meadows Planned Development Area (formerly Triax Planned Development Area), to rezone approximately 11.19 acres of land between Oakcrest Road and the Shops at Ithaca Mall in the Commercial Low Traffic District, Tax Parcel Nos. 47.1-1-17.2 & 47.1-1-17.6 to be a planned development area (PDA) in accordance with (i) subsection C [entitled "Planned development area"] of Section 145-33 [entitled "Districts enumerated"] of Article IV [entitled "District Regulations"] of Chapter 145 [entitled "Zoning" and referred to and cited as the "Village of Lansing Zoning Law"] of the Village of Lansing Code and (ii) Appendix A-2 [entitled "Planned Development Area (PDA)"] of said Chapter 145. The PDA will include an approximately 82,000SF retail center, residential buildings providing an anticipated total of 12 senior housing units, and enhanced wetlands adapted to provide a bird habitat. The action includes final authorization of a final development plan by the Village Board of Trustees and adoption by the Board of Trustees of a local law [Proposed Local Law B (2010)] amending the Village Zoning Law and Zoning Map to incorporate the authorized Lansing Meadows Planned Development Area and thereby reclassify such area from its existing Commercial Low Traffic District (CLT) zoning designation on the Village of Lansing Zoning Map to the new Lansing Meadows PDA designation, such area to be subject to the new Lansing Meadows PDA zoning district regulations as set forth in Proposed Local Law B (2010). *

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Details of the Public Hearing are in the Planning Board Minutes. After public comments were solicited and heard regarding environmental matters related to the proposed PDA and Proposed Local Law B (2010), the following resolution was passed:

Resolution #5641-SEQR Review Negative Declaration Related to Lansing Meadows
PDA Authorization and Proposal Local Law B (2010) Adoption

WHEREAS:

- A. This matter involves consideration of the following proposed action: Conditional and final authorization of the proposed Lansing Meadows Planned Development Area (formerly Triax Planned Development Area), to rezone approximately 11.19 acres of land between Oakcrest Road and the Shops at Ithaca Mall in the Commercial Low Traffic District, Tax Parcel Nos. 47.1-1-17.2 & 47.1-1-17.6 to be a planned development area (PDA) in accordance with (i) subsection C [entitled "Planned development area"] of Section 145-33 [entitled "Districts enumerated"] of Article IV [entitled "District Regulations"] of Chapter 145 [entitled "Zoning" and referred to and cited as the "Village of Lansing Zoning Law"] of the Village of Lansing Code and (ii) Appendix A-2 [entitled "Planned Development Area (PDA)"] of said Chapter 145. The PDA will include an approximately 82,000SF retail center, residential buildings providing an anticipated total of 12 senior housing units, and enhanced wetlands adapted to provide a bird habitat. The action includes final authorization of a final development plan by the Village Board of Trustees and adoption by the Board of Trustees of a local law [Proposed Local Law B (2010)] amending the Village Zoning Law and Zoning Map to incorporate the authorized Lansing Meadows Planned Development Area and thereby reclassify such area from its existing Commercial Low Traffic District (CLT) zoning designation on the Village of Lansing Zoning Map to the new Lansing Meadows PDA designation, such area to be subject to the new Lansing Meadows PDA zoning district regulations as set forth in Proposed Local Law B (2010); and
- B. The proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is an involved agency for the purposes of environmental review; and
- C. On June 7, 2010, at a joint meeting of the Village of Lansing Board of Trustees and Village of Lansing Planning Board, the Village Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State

Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), and with the Village of Lansing Planning Board (i) commenced its thorough review of the Full Environmental Assessment Form (the “Full EAF”), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, including the comments, suggestions, conditions and recommendations provided by the Village of Lansing Planning Board, and (ii) commenced its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), whereupon it determined that additional traffic study information and input was necessary from the Village’s traffic consultant to confirm the traffic analysis provided by the PDA developer; and

- D. On June 29, 2010, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), (i) continued and completed its thorough review of the Full Environmental Assessment Form (the “Full EAF”), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, [including traffic study materials and information provided by the Village’s traffic consultant; additional comments, suggestions, conditions and recommendations, if any, provided by the Village of Lansing Planning Board; and comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-l and –m)], and (ii) continued and completed its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Full EAF, Part 2 (and, if applicable, Part 3);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Full EAF, Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Full EAF, Part 2 (and, if applicable, Part 3), including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required; and:

2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Full EAF Determination of Significance confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Full EAF shall be attached to and made a part of this Resolution.

The vote on the foregoing motion was as follows:

Trustee Baker moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Don asked if there were any additional issues or comments from the public as to other than environmental matters related to the proposed PDA and Local Law B (2010). There were none.

Motion- To Close the Public Hearing

Trustee Fresinski moved to close the public hearing. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Dubow explained that at the Planning Board's last meeting they adopted a resolution recommending to the Board of Trustees the conditional and final authorization of the Lansing Meadows PDA and the adoption of Proposed Local Law B (2010). The Planning Board reaffirmed its recommendation to the Board of Trustees.

Resolution #5642- Adopt Proposed Local Law B (2010) as Local Law 4, 2010-
Amendment of the Village of Lansing Zoning Law and Zoning
Map to Incorporate Lansing Meadows Planned Development
Area and District Regulations Therefor

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

SECTION I. PURPOSE AND INTENT.

The purpose and intent of this Local Law is to amend (i) Chapter 145 [entitled "Zoning" and referred to and cited as the "Village of Lansing Zoning Law"] of the Village of Lansing Code and (ii) the Zoning Map of the Village of Lansing [as defined in section 145-3 (entitled "Terms defined") and as provided for in sections 145-34 (entitled "Zoning Map") and 145-35 (entitled "Interpretations of Zoning Map boundaries") of said Chapter 145 of the Village of Lansing Code] so as to reflect the incorporation and

mapping of the Lansing Meadows Planned Development Area [hereinafter referred to as the “Lansing Meadows PDA”] and its specific zoning district regulations, the final authorization for which is hereby legislatively granted by the Board of Trustees of the Village of Lansing in accordance with (i) subsection C [entitled “Planned development area”] of Section 145-33 [entitled “Districts enumerated”] of Article IV [entitled “District Regulations”] of said Chapter 145 and (ii) Section 8 of Appendix A-2 [entitled “Planned Development Area (PDA)”] of said Chapter 145.

More specifically, the purpose and intent of this Local Law is to:

- (i) add a new section 145-42.1 [entitled “Lansing Meadows PDA”] of said Chapter 145 defining and establishing the regulations for the newly authorized Lansing Meadows PDA and the identified Areas A, B and C delineated therein;
- (ii) add a new subsection “O” [entitled “One-unit residential building, two-unit residential building and multiunit residential building in Lansing Meadows PDA Area B”] under section 145-60 [entitled “Additional conditions for certain Special Permit uses”] of said Chapter 145 setting forth the additional conditions required for special permit uses in “Area B” of the newly authorized Lansing Meadows PDA; and
- (iii) provide for a Zoning Map amendment reflecting the newly authorized Lansing Meadows PDA designated area and the identified Areas A, B and C delineated therein.

SECTION II. AMENDMENTS.

Chapter 145 [entitled “Zoning” and referred to and cited as the “Village of Lansing Zoning Law”] of the Village of Lansing Code is hereby amended as follows:

- A. A new section 145-42.1 [entitled “Lansing Meadows PDA”] of said Chapter 145 is hereby added setting forth the legislative intent for the establishment of such Lansing Meadows PDA and the standard regulations therefor, such new section 145-42.1 reading in its entirety as follows:

§ 145-42.1 Lansing Meadows PDA.

- A. **Intent.** The legislative intent of this subsection is to define and establish standard regulations for this Planned Development Area called Lansing Meadows PDA containing a commercial area (Area A), a residential area (Area B) and a protected wetland/bird habitat (Area C) [see Zoning Map amendment]; where public utilities to serve such facilities are available; where areas that border on Oakcrest Road are reserved for residential uses, thereby preserving the residential environment of the surrounding areas; where residential uses in Area B are reserved for senior housing thereby providing an appropriate housing option for senior citizens within walking distance of commercial and recreational services; where vehicular access to the commercial development in the PDA is solely from the

adjacent commercial property, thereby minimizing traffic impact on Oakcrest Road and surrounding residential areas; and where existing wetlands are preserved and enhanced as a bird habitat and to provide a buffer between the residential and commercial development in the PDA and further buffer the commercial development in the PDA from Oakcrest Road.

B. Permitted uses. Permitted uses shall be as follows:

Areas A & B

- (1) Utility service underground.**
- (2) Natural parks.**
- (3) Alteration to Building or Improved Site or Change in Use that Does Not Result in Change in Applicable Parking Space Requirements.**

Area C

- (1) Utility service underground.**
- (2) Natural parks.**

C. Permitted uses with additional conditions. Uses permitted with additional conditions shall be as follows:

Area A

- (1) Temporary commercial activities. (see subsection C under § 145-58)**

D. Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:

Area A

- (1) General conditions.**
 - (a) Utility transmission/storage/plants.**
 - (b) Indoor recreation/club.**
 - (c) Office/studio/service.**
 - (d) Government buildings.**
 - (e) Motel/hotel.**
 - (f) Sales/Repair/Maintenance.**
 - (g) Theater/nightclub/discotheque.**
 - (h) Alteration to Building or improved Site or Change in Use that Results in Change in Applicable Parking Space Requirements.**
 - (i) Museums/public buildings.**
 - (j) Low Traffic Food and Beverage.**
 - (k) High Traffic Food and Beverage.**
- (2) General and additional conditions.**

Area A

- (a) Mixed Use. (see subsection F under § 145-60)**

Area B

- (a) **One-unit residential building.** (see subsection O under § 145-60)
- (b) **Two-unit residential building.** (see subsection O under § 145-60)
- (c) **Multiunit residential building.** (see subsection O under § 145-60)
- (d) **Home occupation.** (see subsection D under § 145-60)

E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking requirements shall be as follows:

- (1) **Minimum lot size.**
 - (a) **All Uses: ten thousand (10,000) square feet.**
- (2) **Maximum lot coverage: none, except what is required by minimum street frontage, front, side and rear yard setbacks and by front, side and rear parking requirements.**
- (3) **Minimum street frontage.**
 - (a) **All uses: seventy-five (75) feet.**
- (4) **Front yard setback minimum**
 - (a) **One and two-unit residential and multiunit residential buildings: forty (40) feet.**
 - (b) **All other principal uses: seventy-five (75) feet.**
- (5) **Side yard setback minimum, all uses: twenty-five (25) feet.**
- (6) **Rear yard setback minimum:**
 - (a) **All principal uses: forty (40) feet.**
 - (b) **All accessory buildings: twenty-five (25) feet.**
- (7) **Parking setback standards.**
 - (a) **Front yard, all uses: twenty-five (25) feet.**
 - (b) **Side yard, all uses: fifteen (15) feet.**
 - (c) **Rear yard, all uses: fifteen (15) feet.**
- (8) **Building/structure height maximum.**
 - (a) **All principal uses: thirty-five (35) feet.**
 - (b) **All accessory buildings: fifteen (15) feet.**
 - (c) **Exterior lights: Thirty (30) feet.**
- (9) **Parking requirements: see Article V.**
- (10) **Buffer strip width: seventy-five (75) feet. (see § 145-24)**

B. A new subsection “O” [entitled “One-unit residential building, two-unit residential building and multiunit residential building in Lansing Meadows PDA

Area B”] under section 145-60 of said Chapter 145 is hereby added setting forth the additional conditions required for special permit uses in “Area B” of the newly authorized Lansing Meadows PDA, such new subsection O under section 145-60 reading in its entirety as follows:

O. One-unit residential building, two-unit residential building and multiunit residential building in Lansing Meadows PDA Area B.

(1) Housing units in the Lansing Meadows PDA Area B shall meet Fair Housing Act definition of “housing for older persons”.

C. The Zoning Map of the Village of Lansing [as defined in section 145-3 (entitled “Terms defined”) and as provided for in sections 145-34 (entitled “Zoning Map”) and 145-35 (entitled “Interpretations of Zoning Map boundaries”) of said Chapter 145 of the Village of Lansing Code] is hereby amended so as to reflect (i) the newly authorized Lansing Meadows PDA and its designated area [being tax parcel numbers 47.1-1-17.2 and 47.1-1-17.6], and (ii) the identified Areas A, B and C delineated therein, the boundaries of such Lansing Meadows PDA and the identified Areas A, B and C delineated therein being more specifically depicted on a certain Plan entitled “Lansing Meadows PDA,” File No. 14729.44890-Fig.1, dated June 2010, prepared by O’Brien & Gere Engineers, Inc., a copy of which is on file with the Village of Lansing. A portion of such area [being tax parcel number 47.1-1-17.6] is also more specifically depicted on a certain survey entitled “Survey Map – Lands of Joseph M. and Martha C. Ballantyne, Military Lot 98, Village and Town of Lansing, County of Tompkins – State of New York,” a copy of which is also on file with the Village of Lansing. The above referenced and depicted PDA area is hereby reclassified from its existing Commercial Low Traffic District (CLT) zoning designation on the Village of Lansing Zoning Map to the new Lansing Meadows PDA designation, such area and the identified Areas A, B and C delineated therein being subject to the new Lansing Meadows PDA zoning district regulations as provided for herein and as set forth in the new section 145-42.1 [entitled “Lansing Meadows PDA”] of Chapter 145 of the Village of Lansing Code.

SECTION III. SUPERSEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

Trustee Fresinski moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

After the in-service IDA Training presented to the Planning Board and the Board of Trustees, the Board of Trustees separated from the Planning Board and continued with their meeting.

Jodi requested that the Board approve minutes before Larry moves away and leaves the Board.

Motion - To Approve the Minutes from May 13, 2010

Trustee Baker 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 O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain
Trustee John O'Neill -Aye

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

Motion - To Approve the Minutes from May 17 & June 7, 2010

Trustee Fresinski 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 O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill -Aye

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

Motion - To Approve the Minutes from June 17, 2010

Trustee Baker 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 O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain
Trustee John O'Neill -Aye

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

Marty Moseley had recommended that the Trustees approve the issuance of a Temporary Certificate of Occupancy for the Cottrell residence at 2 Rockcross Lane. Issuance of the

Temporary Certificate will be contingent upon satisfaction of all building code and life safety issues. Existing storm water management practices will remain in place until ground cover is established.

Resolution # 5643- To Approve a Temporary Certificate of Occupancy for 2 Rockcross Lane with a \$400 Security Deposit and an Expiration Date of September 30, 2010.

Trustee O'Neill moved this resolution. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Jodi stated that the employees have an interest in reinstating the Dental Insurance. Many years ago this benefit was dropped because there were not enough employees interested in having the coverage. Jodi has gotten some quotes from Geoff Wright and has found a plan that is pretty good. The four employees that currently have health coverage through the Village are all interested in receiving DBOE-18E-19/23-Pass Tier 2 Dental Blue Option. John Courtney is currently on his wife's plan so he would not need coverage through the Village.

Resolution #5644-To Reinststate the Employee's Dental Insurance as Part of The Insurance Benefit Package and Update the Employee Handbook to Reflect This.

Trustee O'Neill moved this resolution. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Mayor Hartill explained that we have a situation that was brought about because of the Village having done their own snowplowing this past year. John Courtney has accumulated more than the 50 hours of allowable comp time that is listed in the Employee Manual. Don is unsure how to deal with the situation because if John took any more time off it would negatively affect the Village. The Mayor suggested increasing the 50 hours to 75 hours. Don stated that this will be a hard upper limit in the future. Don asked the Board to think about this and he would also talk to John before making a decision.

Resolution # 5645-To Update the Employee Handbook to Increase the Allowable Comp Time for Salaried Employees from 50 hours to 75 hours.

Trustee Fresinski moved this resolution. Trustee Baker seconded the motion to adjourn. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Motion- To Adjourn

Trustee Fresinski moved for adjournment. Trustee Baker seconded the motion to adjourn. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

The Board of Trustees adjourned at 10:10 pm.

Jodi Dake
Clerk/Treasurer