

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, February 6, 2012, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Patricia O'Rourke, Julie Baker, Lynn Leopold and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow; Planning Board member Mario Tomei.

Mayor Hartill called the meeting to order at 7:31 pm. The Mayor explained that there was a sign up sheet in that back if anyone wished to speak on the consultant issue. He will go down the list on a first come first serve basis and each individual will have two minutes to speak. Time permitting, we will take additional comments after that. Given what we had last Tuesday, the Mayor would appreciate it if we could have a civil conversation.

Mayor Hartill opened the public comment period and requested that this be restricted to comments not involving the planning related proposals that are on the agenda. Nick Vaczek wanted to talk about "civic space" since this seems to be one of the last large parcels in the village. He asked if there was a way for the Board to explore a civic space such as a park. There may be a future need for multiple use civic space. Don stated that we do have several parks in the Village. We also have other areas that are currently inaccessible because of restraints. Hopefully we can change that over time. The idea of a public building is hard to monitor. We will have this meeting room available for public meetings and such once the new office building is completed. Don stated that he appreciated the comments.

Paul Kim stated that he emailed the Board this morning regarding access safety issues. Don asked Paul to hold his comments because this was on the agenda for later in the meeting.

Phil Miller expressed concern with the contention aspects of the recent meeting and public comments. He stated that they noted last week that there were comments by a man they characterized as a casual and confused observer. It was discovered that he was a Village resident that is married to someone on the Board, since they didn't hear him identify himself he would like his name included in the minutes. Jodi assured the public that he did say his name and it was part of the minutes. Julie Baker acknowledged that it was her husband, and for the record, stated that she would marry him again.

Yasamin Miller wanted to clarify for the record that they are not opposing development per se, but they are against our Village supporting subsidization of Corporate America. She also feels that NRP has a series of misstatements in their original funding documents submitted to the State.

Motion-To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye	Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye	

The next item on the agenda was a presentation by Joel Abrams of Audrey Edelman Realtor USA. Joel stated that there is a purchase offer to buy the 1.65 acre parcel on N. Triphammer Rd. located between Ciao! and the Chinese restaurant. (47.1-1-17.15). His clients are interested in building a hotel on that lot. However, the zoning for that area doesn't include "hotels" as a permitted use in The Commercial Low Traffic District (CLT). They are requesting that this use be added to the CLT District Regulations. With Joel was Robert Halpin, the attorney who represents the proposed purchasers of the property in question. Joel distributed letters of support from three different businesses in that area. Robert Halpin explained the zoning proposal that he gave the Board. He explained that the proposed Candlewood Suites project being proposed would have entrances on each of Hickory Hollow Road and Butler Road.

Don stated that the proposed Zoning Law amendment would represent a major change in the way the Village has approached the CLT Zoning area and zoning use issues in the past. This area is currently zoned CLT and a hotel is characterized as a high traffic use. We currently have two other hotels on N. Triphammer Road, but those being in the Commercial High Traffic (CHT) District area. If we were to rezone that particular parcel as CHT we could very likely be accused of spot zoning which is prohibited in New York State. Don further explained that this might be handled as a Planned Development Area proposal depending upon its compliance with those provisions, any such process must include a finding of a strong public benefit to the Village of Lansing. Robert stated that they would like the Board to consider adding "Hotels" as a permitted use in CLT. He feels a hotel would fit nicely there. Don stated that this would have to be carefully considered by the Planning Board. He also indicated that the Village might ask the consultants who have been engaged to study the northeast area of the Village to also provide input on this proposed zoning change. John O'Neill stated that we need to plan very carefully.

A gentleman from the audience added that this would be an extended stay hotel which would create less traffic. Lynn stated that we already have four hotels in the Village and she doesn't understand why they would want to build another here. He stated that in Ithaca there is not an extended stay hotel with a mid-scale price range. They have surveyed the area and there is no other land available in Ithaca for this hotel. Don thanked them for coming and said that we will certainly take this into consideration.

The next item on the agenda was regarding access safety issues related the northeast area of the Village. Yasamin Miller stated that she made a request on behalf of Paul Kim for this to be on the agenda. Paul read the following statement:

Dear Mayor Hartill and Village of Lansing Board of Trustees,

We appreciate your willingness to recognize the rights of the Village of Lansing residents to provide input into matters that directly impact the quality of our lives and our neighborhoods. In that context, we would like to follow up on the concern regarding the Village's concern for a "second connection" to Wood Thrush Hollow Rd. We believe there is a way to address the safety issues without having to hire consultants at this juncture.

We propose that an emergency road be created out of the path that currently connects Wood Thrush Hollow Rd. to Churchill Dr. This road would be of a rudimentary nature, with gates at both ends and a width that is not substantially wider than the existing path. While it would be constructed to be more than adequate for emergency vehicle access should the primary route be impassable, it would be less expensive than any of the proposals on the RFP.

If the purpose of putting out an RFP was to gather information on how best to address the road access issue, then this is a more workable solution than the three proposed scenarios in the existing proposal. Please consider, this grassroots solution is superior to any of the three Scenarios which would violate Northwood Apartments' private road use, change the character of Janivar's neighborhood by having a third trunk feeding into a connecting road between Bomax and Craft, and destroy the beauty and ecology of existing walking trail.

We have surveyed many of our neighbors, Northwood and pertinent regulatory authorities to craft this low-cost consensus solution. Please give this inexpensive idea careful consideration prior to unnecessarily spending taxpayer dollars.

Paul stated that the foregoing suggestion is reasonable. Mayor Hartill explained that the Fire Department has very specific standards that they follow. The trucks are heavy and the road must be maintained and built to Village standards to be used. The idea of a gate has been considered previously in Janivar and was rejected by the Fire Department. Wood Thrush Hollow Road goes over a private road and Don wondered if the Village even has a right to maintain Woodthrush Hollow Road. because of this. Don explained that residents of Coventry Walk area have access rights to Northwood Road that are solely dependent upon the fact that they are benefitted by right of way rights that have been granted in the past. Village residents not so benefitted do not have the right to access the wild areas off of this road because it means passing over this private road.

Lynn asked Mr. Kim what "pertinent regulatory authorities" meant in his last paragraph. Bill Shang stated that he called a public official, who doesn't want his or her name mentioned, and that unidentified person thought this was a possible solution. Lynn stated that she would have thought that might be a solution, but she is not a lawyer and we are finding out things that we didn't know. We can't just put a gravel path in between Wood Thrush Hollow and Churchill Dr. and expect a fire truck to go through there.

Yasamin Miller reiterated that she heard the Village made a mistake when they took over Woodthrush Hollow Road and Coventry Walk. The Mayor stated that he is finding a number of mistakes that have happened in this process. Lynn stated that some time back we were making some positive motion to acquire Northwood Road and rectify this situation. The property then changed hands. Yasamin feels we should explore greater options before we make a decision. She also asked that they be included in this process because they have possible solutions as well.

Brian thought that a fire department was allowed to cross any property due to the Good Samaritan Law. He doesn't think that is an issue.

Dubow explained that if a serious incident occurs at the intersection of Northwood Road and Warren Road, there is no other way to access the interior development. The Northwood Apartment owners can control who drives on their road. The Village has a road that is not connected to any other public road. Historically, in the early 1990's, the Kensington Homeowners Association very much wanted road connectivity. We have a lot of materials and written communications that indicate that the connectivity was the long-term plan. Over time, because of the development down turn, the pressure went away for awhile. As a result of the current situation, this issue needs to be readdressed. The big question is if there was an accident at the intersection there would be no other alternate means of access. Northwood can restrict everyone other than those parties benefited by the right-of-way rights from using that private road.

Brian stated that he doesn't see an issue with the fire department crossing private property. Dubow stated that the nature of the emergency access road that is being proposed doesn't permit large equipment. It doesn't solve the problem of a public road that isn't connected to another public road. Just because there hasn't been a major accident doesn't mean the Village can ignore this issue. This has been brewing for 20 years. At one point, the Kensington Homeowners Association wanted 1 or 2 levels of connectivity. Only recently has this shifted to not wanting connectivity. From a legal side, there are certain standards that need to be met. Not having that public road connected to another public road is a significant issue. This is one of the many issues that will be addressed by the planners.

Bill Shang stated that their suggestion is a shorter road than what is proposed in the RFP and would be cheaper. Bill wants us to take a look at this in the spirit in which it is being presented. He acknowledged that they don't know anything about designing roads.

Dubow stated that one of many practical issues is that the road would have to be plowed and maintained in such a way that emergency access will always be available. David assured them that it is not as simple as we would all like it to be. It simply may become necessary for back-up road connectivity to be accomplished at some point.

John Spence of Better Housing of Tompkins County feels the Board should explore this new option, but doesn't feel it is a reason to not go forward with the planning study.

- Heavy on traffic and light on land use planning
- Mechanicville Housing Authority
- Saratoga Housing Developments-400 unit mixed use
- Townhomes at Yates Farm
- attracted by “trying to make village a comfortable place”
- they aren’t local which is a problem

Barton & Loguidice
290 Elwood Davis Rd.
Box 3107
Syracuse, NY 13220

Hourly not to exceed \$17,900 in 2 months

- done several projects that are similar to ours
- no local projects
- keen on smart growth and thinking outside the box which is good
- multimodal one of their strengths
- overall impression is that it is a good operation

Trowbridge Wolf Michaels
& Fisher Associates
1001 West Seneca St., Suite 101
Ithaca, NY 14850

Hourly not to exceed \$128,226 in 1 year

- is the company that did the engineering and landscape plan for N. Triphammer Rd. Project which we were very pleased with
- very familiar with Village of Lansing-project very expensive and lengthy which was not a strong thing

Don’s overall ranking was

1. Barton & Loguidice
2. SRF
3. Laberge Group
4. C&S
5. Trowbridge Wolf Michaels & Fisher Associates

John O’Neill liked the SRF approach. He also liked Barton & Loguidice. The others he didn’t like so much.

Julie stated that they all focused very heavily on the Board of Trustees and she thinks that we should understand that that this process will also include the Planning Board. Don agreed. Also there will be community input. Julie’s top three picks were:

1. Barton & Loguidice
2. Laberge Group
3. SRF

One of the issues she wanted to have an opportunity to discuss tonight was the various manners of collecting traffic info. Barton & Loguidice said they would not do any new studies; SRF would do traffic analysis by observation; and Laberge Group will use an automated system. Julie asked if one way was preferred over another. Don stated that there have already been several traffic studies done in the Village, one of which involved Warren Rd. Also, there is a recent study by Fisher Associates. Julie questioned whether there was a need for additional traffic information. Don stated that there are computer models that can tell us the traffic that will be generated. Barton & Loguidice had a range of experience that looked like the right mix for this project. All have the approach of talking with residents and those who would be affected.

Pat also wondered how many traffic studies had been done and if more were needed. She thought all the proposals were very detailed. She assured the public that the consultants would also be working with residents. Pat ranked them

1. Laberge Group
2. Barton & Loguidice
3. SRF

C&S and Trowbridge Wolf Michaels & Fisher Associates are very comprehensive but too expensive.

Lynn felt there was a lot of technical depth by all. She was looking for neighborhood construction kinds of jobs, PDA, Planned Unit Development (PUD) or a mixed use development and smart growth principals. Lynn stated that she looked at the proposals last week and then again this week and changed her mind. She was impressed with SRF, Barton & Loguidice and C&S. Lynn called the Cazenovia Supervisor for a reference on C&S and she stated that they were excellent at including community discussion. Lynn feels we can't do the study without talking to the community. B&L did a PUD in the Town of Brutus which Lynn feels is a very good match for us. They use smart growth principals. Lynn feels they were all close. Her rankings were:

1. C&S
2. Barton & Loguidice
3. SRF

However C&S is too expensive and she would be very happy to go with Barton & Loguidice. She likes the idea that it is a woman owned company.

Julie added that SRF talks about one preferred plan and she doesn't feel that is what we are looking for. Don felt that one preferred plan would be after talking with the Trustees and residents working out more details.

Jon Kanter stated that Barton & Loguidice is working with Tompkins County on the Pine Tree Road Bridge Study.

Mayor Hartill opened the discussion to the public.

Brian Goodell of 16 Dart Drive stated that he also went through the proposals. He came to the office and bought a copy to scan and distributed it to a lot of people. He supports Village involvement. He passed out a copy of the Village's Vision Statement:

The Vision of Lansing was formed in 1974 to preserve the integrity of residential areas in the face of commercial expansion. This original purpose for the formation of the Village continues to provide the foundation for its current and future development.

Through its zoning laws, the Greenway Plan, and the actions of the Board of Trustees and the Planning Board during the past two decades, Village residents have striven to sustain this delicate balance between residential and commercial interests.

Participation from all sectors of the community has been essential in the process. Continued efforts will be made to involve the community in decision making. The Village will maintain its cooperative relationships with neighboring communities on intermunicipal issues.

This vision will guide the decisions of present and future boards in keeping the Village of Lansing a desirable place to live while sustaining its strong economic base.

Brian agrees with Barton & Loguidice. He made comments on the fine print in the proposals in reference to time and money. He stated that Laberge Group didn't talk about involving the public. He felt that Trowbridge was way off scale. Brian is in favor of creating a committee to go over this information and not hire a consultant.

Yuan Zhon of 95 Graham Road is against the proposal. She would like to see the Village get the neighborhood involved before spending money.

John Spence is in favor of a comprehensive study. He applauded the efforts. If access is entirely the issue then we have access to Dart Drive if that is what you want done we can do that. He feels the group approach is a good idea.

Bill Shang of 6 Coventry Walk thinks it's too premature. He is concerned with three scenarios that show roads on three parcels of land. Legality with access is a concern. Access is the primary problem and it doesn't state that. He feels the RFP needs to be rewritten since it was put together without community input.

Nora Shang of 6 Coventry Walk was frustrated because she doesn't feel they the area residents were being heard. Now that she sees that a Citizens Advisory Board is being included she sees that they were heard and thanked the Board for including them.

Yasamin Miller of 3 Coventry Walk applauded the Board for considering a committee. She pointed out that in the RFP it refers to looking at the Village's Comprehensive Plan which is outdated. She urged the Board to update that first. The data is from a dozen years ago and we have current data. This would be a huge undertaking.

Mayor Hartill pointed out that the property is going to be developed. We need to understand our scenarios. The goal is to try and understand what would be best for the entire area and figure out what would make sense for the large parcels. Tompkins County has sketched some proposed roads but they are not specifically tied to any particular

development scenario. If this area is developed to maximum density, Don indicated that we would end up doubling the number of dwelling units. We are talking about a factor of two. This would be distributed over a period of probably ten years. Currently, Northwood has 172 units, Kensington has 20 units and there are 9 private homes.

Yasamin asked if they were going to do a total inventory of the whole Village. Don stated that this information is already known. Housing units are on the tax roll. If 65 units were to go in on that middle Dart property, that would be 1/3 of Northwood.

Anders Ryd of 5 Coventry Walk asked if the traffic study would be of existing or arbitrary roads. Mayor Hartill stated that both would be looked at. The purpose of this exercise is to provide guidance to the Planning Board and Board of Trustees on how to best suggest to developers potential road connections. With Warren Road, in the future, it has been suggested that Dart Drive become a cul-de-sac. There is a history of how things get put on maps. If one looks at the proposals, all involve multi-nodal, sidewalks and walking paths. The Mayor indicated that the planning effort is to provide guidance!

Brian Goodell sees a problem with this. He asked if we were going to spend taxpayer money for all areas to develop in the Village. Lynn stated that other areas have easy access. She recalls Lansing Trails I had problems with getting in and out of Craft Rd. Millcroft subdivision is moving slowly. We hoped that the development of Lansing Trails and Millcroft would be further along and the park land set aside by each would become one park. Other developments haven't been this complicated. The road issue is still there. Brian asked if the three Dart parcels were not there, how would we get a road to them? Don stated that the Village owns a large parcel which could serve as an area for the necessary connections.

Mario Tomei stated that it is possible to access the western most parcel from Dart & Graham Rd. It should also be understood that access may be available through the eastern most Dart parcel to Warren Road. The middle parcel is an island.

Bill Shang feels that we shouldn't worry about solving that access problem. Let whoever buys it take care of the problem. Don stated that we are trying to provide guidance to the Planning Board.

Dubow emphasized the discussion from last week. All of the various issues will very likely be the subject of environmental review. When the Dart property was divided into the existing three lots, the Planning Board was disappointed in that it was recognized that planning as to future developments would be more difficult. They knew if it was divided it would be harder to integrate. We don't control that process. So any development will very likely involve some level of a more expansive view and so as to avoid segmentation as much as possible. The Village has to address that area as a whole as part of any review of individual projects. The Village is trying to anticipate problems. We don't want to wait and react. The Village has always tried to be proactive to some level. They would be criticized if they weren't. There has been concern over whether we should wait for each project to come forward or whether we should begin to address how this area will be

developed. A reactive approach, as opposed to being proactive, is generally the better way to approach planning.

Yasamin questioned whether the Board was proactive with the Dart Subdivision. Dubow stated that the Village always anticipated that this area was very likely to be developed once the Dart estate proceedings were started. When it was subdivided it clearly became more difficult due to the division of the property.

Brian Goodell stated that a consultant will give you what you want. Don stated that we will tell them what to think about. Dubow stated that we must plan connectivity.

Yuan Zhon feels the Village created the problem when the parcel was divided into three. Dubow stated that the Village does not have unilateral control on the subdivision of parcels and that we didn't know what was going to be built on the three parcels. It could have been one house on each. We didn't know.

Dubow stated that it is quite likely that any study will not solve all questions. The Village does not have an extensive Planning Department with significant planning personnel. Planning efforts are pursued at a modest level with planning consultants engaged as deemed appropriate and necessary. Don added that one planner would cost the Village \$75,000 a year. The reason our taxes are so low for the services we receive is because we run on a lean staff in all areas.

Bill took issue with that. He feels we can dissolve the Village. Don asked Bill if he knew why the Village was formed. It was formed to control development.

Brian Goodell wants a committee. Mayor Hartill stated that he has offered that. Don will work out a mechanism to do that in the next week. It will then be posted on the webpage. He thinks that the committee will probably consist of 2 residents, 2 owners of parcels in question, 2 Trustees and 2 Planning Board members.

Don thinks it will be three or four weeks before we have a consultant on board and ready to proceed. The initial meeting will be with the Trustees to discuss time and money. Next will be a scoping session. Mayor Hartill thanked everyone for their thoughts. Based on the outcome the Mayor proposed the following resolution:

Resolution #5817 -To Hire Barton & Loguidice as Consultants and Accept Their Proposal for Engineering Services for Potential Development Opportunities and Area Traffic Impacts Study at a Rate Not to Exceed \$17,900.

Trustee Baker moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye

The next item on the agenda was to consider a request for a water extension to 150 Burdick Hill Rd. in the Town of Lansing. The property involved is that Gillett property that recently received minor subdivision approval. A prior similar water extension was approved back in 2005 with respect to Mary Hudson's property also on Burdick Hill Road. Dubow stated that the Board can make an initial determination if it is willing to permit this additional water connection to a home located outside of the Village and to enter into an agreement for that purpose. Dubow suggested that we should confer with the Town of Lansing and get a resolution from them stating that they approve of the water extension to a Town resident. It appears that the Town will have no objections because they can't supply water to them.

Motion-To Work with the Town of Lansing to Provide Water to 150 Burdick Hill Road.

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

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye

The Mayor stated that he has a meeting on Wednesday with Brent Cross of Cayuga Heights and Kathy Miller of the Town of Lansing to talk about a possible new sewer extension into the Town of Lansing. He is unsure where they are proposing this but assumes it is probably off Warren Road.

Don stated that this has been an interesting couple of sessions and he hopes everyone is satisfied with the direction we are going. Don will be circulating an email to get input from the Board and then he will put something on the website. He will wait for volunteers.

Jodi will be sending out budget requests. We should easily satisfy the 2% cap. He plans to use money from the General Capital Reserve to build the new office. Our first budget discussion will be at the March 5th meeting. The Mayor will not be present so Jodi will present the budget.

Lynn asked about the hotel proposal. Dubow stated that the Board can send it to the Planning Board or just think about it for awhile first. Lynn would like to think about it.

Motion- To Adjourn

Trustee Baker moved for adjournment. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye

The meeting adjourned at 9:20 pm.

Jodi Dake
Clerk/Treasurer