

**Village of Lansing**  
**Planning Board Meeting**

**January 8, 2001**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Hickey. Present at the meeting were Planning Board Members Doris Brown, Steve Halevy, Carol Klepack and Janet Waterman; Code Enforcement Officer Ben Curtis; Trustee Lynn Leopold; Engineer Brent Cross; Attorney Randy Marcus; and members of the public.

**Public Comment:**

Mayor Don Hartill informed the Board of the generous gift to the Village of Lansing from Bill and Audrey Edelman of 16.4 acres of undeveloped property. Hartill will be forming a committee of residents and one member from each Board to recommend how best to utilize this generous gift. There being no one else who wished to speak Waterman moved to close Public Comment, seconded by Klepack. All in favor.

**Special Permit No. 1589, Cornell Univ. Lab of Ornithology** - Continued Discussion

The first agenda item was a continued discussion for Special Permit No. 1589, Cornell University Lab of Ornithology, to construct an 80,000 sf building for use as office space, research, and public exhibition and assembly to replace their existing facility at 159 Sapsucker Woods Road in the Research District, Tax Parcel No. 45.1-1-55.4

Tonight, Hickey stated issues related to transportation must be clarified for both the SEQR and General Conditions Item D. Hopefully, the SEQR can be completed at this meeting. Several issues need to be addressed. First, the status of Sapsucker Woods Road as a public or private road needs to be resolved. John Heintz, Consulting Engineer for Ornithology Lab, said there is no resolution at this time although there have been further discussions with the Town of Dryden and it appears that there may be an agreement reached soon on how to proceed. The site plan may be affected at the turn entering the site from the south side, traveling north on Sapsucker Woods Road, where the second curve is. Mark Costich and the Town of Dryden Engineer for road design are evaluating how to modify or soften the curves. Heintz stated that the change of the road would have no impact on the drainage system. Cross stated there might not be an impact on the functioning of the system but if a larger public ROW is required, the wetland calculations would be affected. Heintz stated the profile of road and width of ROW (52 ft.) as shown on the drawings would remain the same. This ROW would be deeded over to the Town of Dryden.

Hickey stated the Board has received the DOT information it requested. Now, additional information has been received from the Town of Dryden, but Hickey feels this may not be a complete application even with this additional information in view of the questions that have come up related to traffic, level of service, and location of road right-of-way. Marcus stated it is up to the Board to determine if they have received all the information they need. Marcus stated it is possible to sign off on a SEQR and reopen it later if additional information is received but if the Board feels they are still lacking information, they should not complete the SEQR. Heintz stated the Town of Dryden has sent a letter regarding the SEQR process stating that they had no outstanding issues. Regarding the road, he stated the Town of Dryden knew there was no resolution at that time and there remains no resolution so there is no change in the road as shown on the previously submitted materials. Heintz stated the Village still has the authority to grant or withhold a permit for the project after SEQR is complete. SEQR is for environmental impact. Hickey stated Cross pointed out a road ROW change from 52 ft. to 60 ft. might change the impact on drainage or wetland. Hickey feels the application is incomplete until that question is resolved. Marcus has not seen a final statement from the Town of Dryden Superintendent or attorney with their requirements for the road's relocation. Curtis stated that if the project as being reviewed is approved as presented and something changes, then the changes can come back as an amendment to the Special Permit and another separate SEQR might be required and the project could not continue until the separate SEQR for the amendment was approved. Waterman asked Heintz if the Town of Dryden letter would provide the

needed information. Heintz responded that the Town of Dryden has requested additional information which the engineers are working on so there will be a time delay before the letter is forthcoming. He stated Cornell would like the opportunity to allow the other involved agencies (ie., DEC) to proceed with their review and issuance of permits, but they can't until the SEQR is completed. Heintz stated the changes to the site plan for the road are small when compared to the overall project and the impacts are negligible when looked at for the entire project. Hickey asked Marcus for his opinion on completing the SEQR and then doing an amendment later. Marcus responded that is possible but changes would require undertaking the SEQR process again. Marcus felt having other agencies proceed with their work and then having them redo it later if another SEQR needs to be completed, would be counterproductive.

Cross felt that when and if information is received from the Town of Dryden and if the modifications are minor, then there would be no significant impact. At this time though, there is not such a letter in place. He reminded the Board that the Town of Dryden wants a public road, according to that earlier letter. Waterman stated she feels uncomfortable with making a decision when all the information is not in and she would vote against signing off at this time. Heintz stated they might have resolution by the end of the month. Hickey recommended waiting until all the material is received.

Cross stated there are also two other impacts to be considered regarding the road. First, the Town of Dryden would need to issue a zoning variance for parking. Secondly, there is a question of the public road continuing to Brown Rd. Extension and whether there would then be a private road or as recommended by the Town of Dryden Engineer that the remainder also become public. Marcus stated that in order for the section in the Village to become public, it would need to be presented as an offer for dedication to the Board of Trustees for their approval, upon recommendation of the Planning Board. Shirley Egan, Attorney for Cornell University, stated the options of a public versus private road have been discussed by the Town of Dryden and Cornell. Marcus stated he does not recall an instance where the Board has accepted a road as a public road which did not conform to the Village's basic specifications for a road. He also does not recollect the Board ever accepting a road ROW without the road having been completed by the grantor. He further noted that over the past ten years, the Village has only acquired roads by dedication which have been completed roads. In this instance if the road were to become Village property, the Village would require an engineering review by the Village Engineer to determine the current condition of the road, the costs associated with bringing it up to standards, etc. Hickey noted that the location of road and public/private issues need to be resolved prior to the Board finalizing the SEQR.

Next, the Board reviewed the Traffic Report from DOT (dated 1/2/01) and the response from Bryant Associates who did the original traffic study for the Ornithology Lab. Heintz was asked to summarize the response from Bryant Associates (dated 1/8/01). Heintz stated Bryant Associates addressed the three comments. Heintz feels the platooning effect is of particular interest. Although DOT has stated it is not appropriate unless it is within ¼ mile of a traffic light, Bryant Assoc. has stated the use of the platooning effect is valid as it is based on actual data taken in the field. This information was used in the model to arrive at the level of service stated in the report. Hickey questioned whether the conditions from 1998 to now could be different. Klepack also noted that the cycling of the light on Hanshaw Rd./Route 13 is triggered by Hanshaw Rd. traffic. Hickey noted all were based on peak traffic periods of 4-6 PM. Halevy noted the new construction since 1998. Cross feels the data is flawed and can not agree with the Bryant Report. Cross, Klepack and Waterman expressed concerns about that stretch of Route 13 based on their own experience.

Heintz stated he found the DOT response confusing as the last paragraph rates Level of Service of Route 13 at the intersection as an A and DOT further states that the proposed Lab of Ornithology is not expected to have a significant traffic impact and it will not require the traffic study be revised. Hickey felt DOT was washing their hands of this project. Heintz has spoken with William Egloff of DOT who prepared the letter. Heintz said Egloff stated the bottom line is that platooning under a strict interpretation of HCM can not be used. Heintz told Egloff the report was based on actual field data not projections based on the HCM guidelines and Egloff stated he did not realize this. Bottom line, Egloff stated the Level of Service at that intersection, not just Route 13, is an A and no improvements need to be made either now or in the future based on the numbers generated by this project. Cross felt the DOT letter stated the Level of Service of Route 13 is A and the Level of Service of the side roads are not their concern. Hickey felt the DOT was stating they would not spend any monies on Route 13. Hickey summed up the discussion. The Village's concern is Brown Rd. Extension onto Route 13. Hickey stated Level of Service is concerned with congestion at intersections: Level F is gridlock and Level E is acceptable but soon to become unacceptable. To resolve the issue, mitigation from

the Ornithology Lab may be required. Hickey noted one measure of mitigation can be signage, ie. signage to indicate dangerous intersection ahead. Hickey felt another possibility is to require mass transit use by Ornithology Lab whenever possible. Hickey also noted a third possibility of requiring a turning lane for right-hand traffic which would reduce the number of cars waiting and thereby reduce driver anxiety. Hickey asked if the Ornithology Lab could put in another lane. Heintz could not answer at this time but stated currently there are no plans to work within the Route 13 ROW. This right-hand turn lane could be a condition for Special Permit approval. Waterman also requested signage of dangerous intersection be a condition. Marcus stated the letter also mentioned no left-hand turns. Another condition might be to make the intersection no left-hand turn during peak hours for Route 13. Discussion of conditions will be tabled until the Sapsucker Woods Rd. issue is clarified.

Cross expressed concerns about Item 2b under Drainage in the DOT letter which is unresolved. It deals with land owned by DOT and the direction of the road. Hickey stated Heintz must address this and resolve it. Cross does not want to see it dropped as DOT is stating it must be resolved.

Next, the Board reviewed the letter from Attorney Shirley Egan (dated 12/22/00). Her concern was about the language of the conditions for the Special Permit. Curtis recommended the condition state that all required permits from DOT (if any) be issued prior to issuance of the Village permit. Marcus also stated Egan requested that when the SEQR is complete, there be a reaffirmation of compliance with the General Conditions.

Klepack moved to table the Special Permit for the Ornithology Lab until Jan 30. Seconded by Waterman. All aye.

### **Village Property: - Edelman's Property**

The Board reviewed the property and possible uses in order to make a recommendation to the Board of Trustees. Halevy went through the Zoning Regulations and made a list of possible uses. Marcus noted discrepancies between the tax map (copies of which had been distributed to Board members) and the actual title boundaries of the property given to the Village. The area highlighted as the land that was conveyed to the Village should not include the 20 ft. wide trail which extends to the center of the parcel as it is already owned by the Village. Marcus also noted the jogged parcel connecting to Wakefield Dr. on the western side of the parcel is subject to title questions, which do not affect the property given to the Village. The Board should assume the property line on the western side to be approximately a straight line without the jog. The jog is a ROW which the Village had acquired from Talandis. The jog went up for tax sale and is now owned by Bruno and Cathlene Shickel.

Halevy stated this is a MDR District and permitted uses include: natural parks, one & two-unit residential buildings, utility transmission/storage/plants, religious facilities, schools, outdoor recreation/club, cluster housing, and commercial crop/animal as defined in the Zoning Law. Klepack stated she would like to see medium density residential as originally proposed by the Edelmanns. Leopold questioned the tax implications if the land remains undeveloped rather than residential. Marcus stated Hartill did an analysis of the numbers and there would be a small adjustment as the Tax Assessment in the past was based on this property being part of the Kensington townhouse property. County Assessment has apportioned it at 11% of the assessed value and the result of this property coming off the tax rolls would be that Village taxes would decline by under \$2000 per year. Leopold would like to see some of it as housing and some as open land. Brown is in favor of a mixture. Hickey stated there will be a road to connect with Ivar Jonson's development. Klepack stated the trail is currently overgrown and worthless. Hickey stated the trails might need to be revisited when Jonson comes in for Lansing Trails II. Marcus stated the trail could be moved to a more suitable location since the Village owns all the property but the original trail must continue to be dedicated as recreation land. Klepack recommended hiring a consultant. Hickey stated that would be up to the Mayor's committee to decide. Marcus also recommended someone with real estate development expertise. Curtis said cluster housing might also be another option. Halevy moved the Planning Board recommend to the Board of Trustees that the land given to the Village by the Edelmanns be developed as open land as well as medium density residential. Seconded by Hickey. All aye. Halevy will draft a letter for the Clerk to type for distribution to the Board of Trustees with the Planning Board recommendation.

Klepack stated she would like to see the Village name the road. Hickey stated it would be done when the subdivision is done. Marcus stated the Village placed one condition on the gift of the land which is that the Edelmanns also give the

Village the southerly 70 ft. of their remaining property. This is the existing roadway and the Village would control that roadway. Papers have been drawn up and a map is being made. This conveyance of the southerly 70 ft. would require subdivision approval. This will be coming in for classification at the end of January and a road name can be done at that time. Klepack will ask her neighbors for their suggestions. Marcus stated the closing was on Dec. 22, 2000 and the Village is now responsible for plowing Coventry Walk although it can not drop its blades on Northwood property.

A member of the public questioned the availability of sewer units. Hickey stated nothing could be done until sewer units become available as they are required in that area. Curtis pointed out that larger lots could be developed, temporarily until sewer permits are available, with septic systems, as Ivar Jonson has done in a few cases.

### **Approval of Minutes:**

Halevy began the review of minutes. Leopold recommended that first names of individuals in minutes be included the first time they appear. Hickey also thanked Clerk part-time Carol Willard for transcribing the video tapes into minutes. Klepack moved to approve the October 24, 2000 minutes as revised. Seconded by Waterman. All aye.

Waterman moved to approve the November 28, 2000 minutes as revised. Seconded by Klepack. All aye.

Waterman moved to approve the December 11, 2000 minutes as revised. Seconded by Halevy. All aye.

Waterman moved to approve the December 19, 2000 minutes as revised. Seconded by Klepack. All aye.

### **Village Web Page:**

Curtis noted that someone from Home Depot requested to review records for the Home Depot approvals. That person had already reviewed the Planning Board minutes on the Internet so the Web Page is proving to be a very useful tool.

### **Landscaping Clinic:**

Hickey has been chatting with David Fernandez, Cayuga Landscape owner, on a landscaping class for the Board. He has written him a letter and would like to recommend a class be held in the near future. Curtis stated having Halevy and Hickey review the landscaping upon completion has been very helpful.

### **Adjournment:**

Waterman moved to adjourn at 9:05 P.M. Seconded by Klepack. All aye.