

**Village of Lansing  
Planning Board Meeting  
July 14, 2003**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney David Dubow; Associate Attorney Kevin A. Jones; Engineer Brent Cross; Code Enforcement Officer Ben Curtis; and members of the public.

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**Public Comment:**

Manesh Mewar of (Address) spoke about his complaints about items which were not properly enforced when his residence was built. His complaint is that water from neighboring properties goes onto his lot. On the north and east sides of his lot, water runs into his lot and the resulting flooding has caused him to replace 9 or 10 trees. He quoted Section 125-27 Subsection 3 of the draft Village Codes (Section 407.08( c ) of the current Subdivision Regulations) which states all areas shall be graded so water from higher elevations does not cause a nuisance to lower lots. He feels this was never enforced and at his own expense he put in a swale. He wants to know why the laws were not enforced and what can be done about the damages he has had. Hickey responded that the Planning Board can not take action at this time and would recommend that any damages be brought to the attention of the Mayor.

As no one else present wished to speak, Dankert moved to close the Public Comment period. Seconded by Klepack. All aye.

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**Public Hearing – Preliminary Plat Approval – Millcroft Subdivision:**

The first item on the agenda was a Public Hearing to consider the Preliminary Plat Approval of the Millcroft Subdivision, a major subdivision dividing a 50.329 acre lot into twenty-five building lots and two residual parcels which may be subdivided into additional building lots at some time in the future. The lot to be subdivided fronts on Bush Lane on the North and is proposed to have access to Janivar Drive/Leifs Way on the South and is located in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.2.

Hickey opened the Public Hearing.

Cliff Buck, 39 Janivar Drive, asked to see the plan. Dan Bowers, Hunt Engineers, put up a copy of the plat plan and gave a brief overview of the project and Phases I & II of the 4-Phase Project. Phase I would have an entrance at the intersection of Craft Road, Janivar Drive and Leifs Way and would connect to utilities there. Future road plans and additional lots were also depicted on the plan. The through connection was depicted as well as the trail system to be connected with the Village trails. Woods will remain as much as possible. The stream corridor from BorgWarner will remain as a buffer between the homes along with additional landscaping. Water will be detained through streams and ponds so that rate of storm water discharge off the property will remain unchanged. Recreational space will be added near the Lansing Trails park and trails will also traverse the drainage areas. The amount of land for recreational space is larger than the amount required by the Village regulations.

Buck now asked to continue with his comments. He is representing residents of his neighborhood and sees two problems with the plan. First, is the park. His impression was that the Lansing Trail Subdivision Park would connect to a park in the adjoining subdivision if and when that area was developed so there would be one large park. The new plan shows a hedgerow remaining between the two parks so there would not be one nice big park which might accommodate football or soccer. As the second issue, Buck sees the road which appears to hook up with Lansing Trails being long, going too near the park, and will have lots of traffic from Millcroft to Warren Road once that connection is made. Buck is adamantly opposed to having two exits from the Millcroft Subdivision into Lansing Trails. There will be two access roads for the Millcroft Subdivision, one to Bush Lane and the other to Craft Road, which would satisfy the safety issues and Buck feels there is no need to have a third access into Lansing Trails. Buck would recommend the entrance into Lansing Trails which is located east of the park be removed.

Siu Chu, principal owner of a lot north and west of the Millcroft Subdivision, questioned the effect of traffic and drainage on his lot from the Millcroft Subdivision. Hickey stated a traffic study was completed by Hunt Engineers and determined that the level of service on Bush Lane would not be affected. Hickey stated the drainage would be handled so there is no increase in the rate of storm water runoff after development. Hickey stated there will be 5 ponds dug to retain water. Chu asked if he developed his property, could he have his water go into those ponds. Hickey stated that it appears that he is downstream of the Millcroft Subdivision so he would need to pump uphill. Hickey stated the drainage plan will be inspected prior to construction, during construction and upon completion of the project.

John Piscopo, 62 Janivar Drive, asked why the cul-de-sacs could not be connected at this time as it would be more feasible and economical. Bowers responded that the developers do not feel this is the case and will make the connection at a later time.

Since no one else wished to speak, Klepack moved to close the Public Hearing. Seconded by Stycos. All aye.

Hickey stated the Preliminary Plat approval would not be completed tonight.

Klepack asked if sewer permits are available. Bowers indicated that he is not involved in that. Bob Miller, Millcroft Subdivision developer, responded that they are not currently available but he is hopeful more will be forthcoming. They are not planning to put in any septic systems.

Klepack had a question on the traffic study and noted that the N. Triphammer/Craft Road intersection was not included. Hickey stated that the Village requested there be a traffic study done for Bush Lane. Klepack noted that Phase I would have 12 dwelling units accessing that intersection for approx. 96 trips per day. Hickey noted a traffic light would not be installed at that intersection until warranted. Bowers stated that when N. Triphammer Road is rebuilt some of the traffic concerns might be alleviated. Klepack noted that after the four Phases are completed, 22 of the 49 dwellings will contribute traffic to Bush Lane. Bowers stated this was based on phasing and build-out projections after analysis.

Leopold asked about the park. Hickey responded that the Lansing Trails I park area was designated with the plan of it being joined with a similar piece of land when the Millcroft Subdivision was developed, forming one large park. Hickey wants to see land set aside and later it will be determined what type of park it is to become. Dankert asked if the hedgerow could be removed and Hickey said that would be possible. Stycos asked who would pay for this and Hickey responded that if it is a Village park, the Village would be responsible for the costs.

Referencing the Hunt document, Klepack asked about ponds having 4 bays and micro-pools. Finnegan responded that they are part of the new storm water regulations. There are five types of ponds and they felt the 4-bay was best for the site.

Klepack noted the plans call for a graded emergency outflow to be installed. Klepack pointed out that there is one near her house and it is dangerous to animals as well as humans when walking. Finnegan stated Klepack's point is well taken but the design must include a backup for excess water in case of failure.

Klepack asked about the underground conduit location and Bowers explained its location. The purpose is to mitigate the amount of land required for the two pool areas and allow the stream to run underground for a short distance and thus allow the bays to be closer. Bowers stated the new EPA Phase II Storm Water Regulations require 2.5 times of storage of the previous regulation.

Stycos would like to see a plan showing the whole area with roads and trails for both Lansing Trails I and II and Millcroft to see how they worked together. Hickey stated this would be part of the review of Lansing Trails Phase 2.

Next, Cross gave his presentation about drainage. Cross noted there was no hydrological data provided but has since located it in the SEQRA document. Cross is requesting actual flow runs. Cross stated there are various storm water features in the different phases. Pond numbers 4 and 5 are adjacent to the stream flowing through the middle of the subdivision which lands will be dedicated to the Village as part of the recreation land. Cross also noted that ponds

numbered 6 and 8 are in lots to be sold and he is concerned with this concept as it makes it more difficult for the Village to insure that these drainage ways will be properly maintained. Cross stated the EPA Regulations require the Village to adopt regulations and procedures for project reviews. Cross stated TG Millers is assisting in this project to develop regulations consistent with EPA. Cross stated the Village will be obligated to regulate the quality of out-fall from the ponds and he feels this will be compromised if the Village does not have full control of the ponds. Cross will be work on other concerns directly with Hunt Engineers. Cross stated the fifth pond to be developed later is to be within the heartland of the project and this would be in the recreation area and he felt the Board should be aware of its location.

Cross stated the plans do not have cross-sections but he believes the roads are set at 55 feet and this does not meet Village regulations. There are plans for two 10-foot lanes with gutters and without shoulders but Cross suspects this will also not meet Village regulations. Cross has not seen the specifics but will be given them for review.

Cross noted that the projected curve radii of the proposed streets are tighter than Village regulations allow and Cross feels some locations within the Village with tight curve radii are not successful. Cross feels the two curves near the stop signs would work in this project but he does have concerns about the curve in Phase II near lots 19, 21 and 22 as the future connection would make for a long run through the development and this could be a safety factor. One possibility might be to have a 3-way stop sign at the t-intersection and another possibility might be to change the intersection layout when the roads are connected at a later phase. Cross will work with the engineers on this topic.

Cross noted that the cross-section details do not show traditional sidewalks. Hickey felt the trails throughout the project were in place of sidewalks and the Board previously agreed to this concept.

Cross noted that the Traffic Report shows little impact on level of service and time delays.

Hickey stated there are two issues for Cross. One is the intersection of Croft Place and Millcroft Roads as to when it will be developed and in what configuration and with what traffic measures. The second issue is about the drainage with the ponds along Leifs Way. This needs to be worked out with the developers and Cross. Dubow stated the Village needs the ability to access the drainage areas as needed so land dedicated to the Village is preferable. With easements it can be more difficult to gain access and particularly when such access is needed on an immediate basis. Bob Miller stated he has spent time and monies to address the access issues in the easements he is proposing to grant the Village. Miller has provided a list of restrictive covenants which should be a comfort to the Village. Miller feels the easements and covenants should address the Engineer's concerns. They are to be filed and remain with the property and can be enforced as the Village would be an interested party. Hickey stated the lawyer would review the covenants and easements and that the discussion on drainage needs to continue between the engineers. Dubow stated the decision regarding dedicated lands versus easements will be driven by the engineering decisions as to the final design of the drainage plan. Dubow stated that restrictive covenants limit what can be done but often are not as effective in requiring what is to be done, and that leaves the Village responsible for policing.

Cross noted that the sewer line layouts in Phase II require additional non-regular conveyances of right of ways or easements to the Village, but Cross feels it can and should be handled in the regular manner. Cross also stated that on Lot 13 there is an easement and Cross would prefer a deeded right-of-way.

The Board then began the environmental review starting with SEQRA Part I. On page 3, item 2, Hickey asked why "after completion acreage" is not filled in. Hickey would like it filled in. On page 4, Klepack asked why it said "unconfirmed at this time" when asked if the site contains any threatened or endangered plant or animal life. Bower stated there has been no response from DEC at this time and no biologist has been employed. On page 5, project description, Hickey asked how the applicant had calculated there would be a maximum of 60 trips generated per hour when the development was complete. Bower stated that the information came from a Trip Generation Table. Curtis asked for clarification of the road frontage numbers. The 1700 linear footage was figured along Bush Lane as well as Craft Road. Dubow pointed out that there is in fact no frontage along Craft Road. On page 6, item 5, it states mature trees over 100 years will be removed and Hickey would like to know how many acres are involved. Viola Miller stated there are no 100 year old trees on the property. Cross referenced Item 15 regarding location of the project in a flood plain and noted that while the answer is probably no at this time construction of the detention ponds might result in

some part of the development falling within the 100 year flood plain. Hickey noted this item seemed to refer to the situation as it is today and that drainage review would cover it later. Cross stated that with the new EPA Phase II Storm Water Regulations, there are important implications for such things as basements which are in or near flood plains. On page 7, item 20, regarding noise, hours of operation need to be established for construction activities before construction begins. Hickey also asked for the basis of computation for item 23 for water usage in gallons. Leopold stated it is in the engineering report based on average number of gallons per household per day. On page 8, Klepack asked what Town approval is needed. Curtis stated they are notified because of their location relative to the project, but their approval is not required. Hickey stated the Village has received a 239 Review from the County which discusses the noise issues from aircraft as well as the connection between Millcroft Drive and Croft Road, and that a super majority will be required for approval based upon the County's determination that the proposed project may have negative inter-community or county-wide impacts. Again, Curtis noted that the County's action did not actually constitute an approval process, but was rather a recommendation which could be superceded. This is significant because it means the County is an interested rather than an involved party for purposes of SEQRA review. Curtis asked about "(Chautauqua Institute)" which appeared next to C1; this is an error which needs to be removed. On page 9, question 7 regarding proximate land uses, Hickey felt the CLT District on Craft Road should be added. Item 11a regarding demands on community services was never answered and needs to be completed. 12a regarding traffic impact needs to be more fully answered. Hickey asked Bower to provide the Board with completed corrected copies of the document for the July 29<sup>th</sup> Board meeting so they could continue with Part II. Hickey stated the drainage issue should also be resolved by that time.

### **Lansing Trails Phase 2:**

Hickey stated Board members have received three sketch proposals for road designs from Larry Fabbroni. Hickey had Board members number the proposed plans and list the advantages and disadvantages of each. Plan No. 2: Disadvantages: 4 cul-de-sacs which are excessive in length; no connection to Warren Road. Plan No. 3: Advantages: major roadway through it to separate the through traffic from the neighborhood traffic; traffic would move quickly from east to west; all multiple attached units are in the northeast corner. Disadvantages: some lots exiting onto that roadway may experience problems if traffic is moving fast; isolates Janivar Drive from any connection to the east; Janivar Drive as a lengthy cul-de-sac; there is a high-speed connector road through a neighborhood.; splits the parkland; no road near parks for safety. Cross stated there is a need to have a connector between Warren and N. Triphammer Roads and feels it might be better to have it done at the initial phase of a project rather than 10 years later. Hickey feels it is an efficient way to handle traffic but he would rather not consider a high-speed connector road at this point. Plan No. 1: Advantages: isolates multi-unit traffic and gives them a direct connection to Warren Road; has an eastern connection to Millcroft Subdivision; preserves park and does not divide it. Disadvantages: Janivar Drive is a long roadway; Ayla Way is a long cul-de-sac. Cross stated there could be two roads coming in from either side to make the cul-de-sac portion of Ayla Way shorter.

Hickey stated his preference would be for a road system in which the multi-unit buildings were moved where they would all be in one location. Hickey would also like to see a roundabout (traffic circle) where Bomax Drive meets the road system in the development to slow people down. Hickey would also turn the north connector from Janivar Drive into a hammerhead dead-end. Hickey would go west off the traffic circle and go south to a road connecting with Janivar Drive. Hickey would then make Ayla Way a dead-end road as was originally planned and would again have Lance Way as a north-south road. Hickey will provide his overlay of this proposal to Fabbroni. Hickey feels the advantages are: traffic circle slows traffic down and it breaks up the long Janivar Drive by taking one connection and making it dead-end and placing two turns in the connection before the traffic circle. Hickey stated all construction traffic should be required to enter from Warren Road and the multi-units be built first so there is no Traffic on N. Triphammer Road and construction traffic does not go through Lansing Trails I.

Klepack stated she is concerned about the road going north into the Millcroft Subdivision because it may be some time before Phase III is built. Klepack would rather see it head south to Ayla Way. Hickey responded that there would be a road south and it would be Lance Way. Hickey stated Board members need to review the Subdivision Regulations about connecting roads between contiguous subdivisions.

It was agreed that Fabronni will generate another drawing depicting Hickey's suggestions and the entire Lansing Trails

Subdivision. Fabbroni will meet with Cross regarding detention ponds on Village property rather than in backyards.

**B & T Park Restaurant Use – Proposed Amendment:**

Dubow stated there is a proposed Local Law C with proposed changes to the Village Zoning Law and a Public Hearing is scheduled for the Board of Trustees' first meeting in August. Based upon the Special Permit application (No. 1842) pending before the Board, Dubow would also recommend that a change regarding restaurant use in the B&T District be considered at that time as it would likely not be considered a substantial change. The new proposal is for the B & T District only and refers to food and beverage take-out or pick-up. Hickey stated such a business can not be advertised either on the building or at the road or outside the District and there is limited seating. The area of the deli including seating can not exceed 5% of the building area. Hickey feels the outside eating area is just part of the 5%. The deli would be open Monday through Friday from 8 AM to 2 PM. Hickey stated the Village has received the 239 Review from the County and gave a copy to John Majeroni, Cornell Real Estate. Both the County and Cross have recommended one driveway only and Majeroni is agreeable to this. Dubow recommended that Cornell have a representative present at the Board of Trustees' 1<sup>st</sup> meeting in August for the Public Hearing. In summary, the Board is supportive of the project and the additional modification to Proposed Local Law C unless compelling reasons are presented in opposition at the public hearing.

**N. Triphammer Road Traffic Counts:**

Hickey stated Board members have received copies of Fisher Associates Traffic Volume Comparison Report dated 8/18/03. This is provided for information only. Hickey noted the total volume of traffic has not changed significantly since Target has opened but the amount of traffic using Graham Road West has changed.

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**Approval of Minutes – May 27:**

Dankert moved to approve the minutes of May 27<sup>th</sup> as revised. Seconded by Stycos. All aye.

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**Other Business as Time Permits:**

Hickey provided Board members with a flyer regarding a Stormwater Resource Fair and Conference scheduled for July 26<sup>th</sup> at the Dept. of Social Services. Cross may attend.

Hickey also provided a flyer on Traffic Calming by NYS DOT scheduled for Syracuse in August. Dankert will attend. Brown and Leopold will check their calendars.

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Hickey has met with Ken Horowitz thanks to arrangements made by Dubow. Hickey indicated that he believes Horowitz is dedicated to the Sun Downs Farm property and will eventually settle here. Hickey stated Horowitz is amenable to working with the Planning Board in the future. Dubow advised the Board (as he has been doing previously) he has represented Horowitz in the past, he and his firm will not be able to represent either Horowitz or the Village with respect to any matters before the Village. Hickey stated Horowitz and his wife are interested in preserving the area. Hickey stated Horowitz is not interested in a land trust at this time.

Hickey will be gone for a week so Klepack will assist Curtis with the next agenda. Dubow would also like to meet with Curtis, Klepack and Cross on the Millcroft Subdivision prior to the next meeting. Dubow recommended Board members review the Subdivision Regulation and Preliminary Plat Regulations prior to the meeting with particular attention to conditions which might need to be attached. Hickey also recommended Board members complete Part II of the SEQRA LEAF in pencil prior to the next meeting.

Dankert will not be able to attend the meeting on July 29<sup>th</sup>. Since there was a determination of adverse impacts from the County on the 239 Review, there will need to be a super majority vote to approve the Preliminary Plat for the Millcroft Subdivision. There was discussion of having alternate John Piscopo fill-in for Dankert. Curtis and Dubow will review the procedures for activating an alternate to be an active member. Brown moved to have alternate John Piscopo take the place of Phil Dankert for the meeting scheduled for July 29<sup>th</sup>. Seconded by Stycos. All aye.

Curtis gave out copies of SEQR Section 617.7( c)(1), Criteria for Determining Significance, to be used for future

meetings.

**Adjournment:**

Klepack moved to adjourn at 10:00 P.M. Seconded by Dankert. All aye