

**Village of Lansing
Planning Board Meeting
September 30, 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, and Maria Stycos; Trustee Liaison Lynn Leopold; Village Attorney David Dubow; Village Engineer Brent Cross; Code Enforcement Officer Ben Curtis; and members of the public.

- **Public Comment:**

Hickey opened the Public Comment period.

John O'Neill, 53 Janivar Drive spoke first. He stated that Hickey has spoken with Vice President of their homeowner's association, John Wisor, regarding the future development of the park area in the Lansing Trails Subdivision. A committee has been formed to work on this and they are proposing a small playground area with benches and possibly a pavilion. They were told they would be responsible for fundraising and wanted to know if the Village has monies available or what the process is. Hickey recommended the committee send a letter to the Planning Board requesting the money and the Planning Board would then make a recommendation to the Board of Trustees when the budget process begins in February. Hickey would like to see an overall plan for the Lansing Trails Subdivision and the Millcroft Subdivision park area. The committee will work on this. O'Neill also stated that although some members previously mentioned taking down the hedgerow between the two park lands, many committee members are not in favor of having it removed. Hickey stated there is currently no Village recreation committee so he is pleased to see this committee become active and is sure the Board of Trustees would like to see input from these residents.

There being no one else who wished to speak, Stycos moved to close the Public Comment period. Seconded by Dankert. All aye.

- **Millcroft Subdivision – Final Plat Approval Public Hearing:**

The first item on the agenda was a Public Hearing to consider the final Plat Approval for 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 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 stated the Board is in the final stages of approval of this subdivision. A SEQRA negative declaration has previously been approved and conditions will be set tonight for final approval of the subdivision.

Dan Bower of Hunt Engineers presented an overview of the subdivision. Bower referenced the map of the 50 acre parcel showing Phases 1 and 2 with connecting roads. Phase 1 is the northerly parcel. Phase 1 will connect to Bush Lane and Phase 2 will connect to Janivar Drive. The connection of the roads in Phases 1 & 2 will be provided for in the conditions of final approval. Four detention ponds for storm water control are proposed throughout the subdivision so there will be no increase in the rate of storm water discharge off the property. Bower then indicated the open space/recreation areas on the map.

John O'Neill, 53 Janivar Drive, asked which phase would be started first and when. The developer, Bob Miller, responded that that determination has not been made yet but it is most likely to be Phase 1 connecting to Bush Lane.

As there was no one else wishing to speak, Dankert moved to close the Public Hearing. Seconded by Stycos. All aye.

Hickey stated the Board would review the project. Cross distributed his comments. The new material he has received regarding storm water completes the submittal although he has not had time to review it in depth. The 25 year requirement by the Village and 100 year requirement by the EPA need to be addressed. Secondly, the street system submittal is complete except for small dimensional adjustments and signage. Cross has discussed this with Dennis Reinhart, Superintendent of Public Works. Cross also noted that the plan was prepared using the existing subdivision regulations for asphalt binders and topcoats, but the new and not yet adopted codification contains different specifications. Cross stated the change in requirements were partially based on the experiences with the roads in the Janivar Drive area and he would like to make the developers aware of this. Hickey would recommend the developers discuss this with Reinhart. Cross stated that although the Village may not be able to require compliance with the new specifications, it does require the one year warranty for the road surface. The Lansing Trails Subdivision has experienced drainage problems related to the clay soils and crumbling road edges. Bowers stated the use of concrete gutters may help the problem of crumbling road edges. Hickey stated the developers should be aware of the problem and consider various options. The third point made by Cross concerned the water distribution systems and he stated the Health Department would need to sign off on this. Cross was unsure if Bolton Point has made a final review. The intermunicipal sewer agreement is pending but is not yet completed and there may not be sewer units available. Hickey would require the stamp of the Health Department on the Final Plat before he signs the final plat and the Health Department would consider the availability of municipal sewer service. Finally, Cross stated that new EPA regulations require construction sites to have a sedimentation control plan and permit which needs to be obtained. Cross stated this needs to be addressed and someone must be designated to see the plan is adhered to on a weekly basis.

Dubow reviewed the draft conditions for final plat approval for Millcroft Subdivision Phases 1 and 2. Dubow has taken the conditions and incorporated them into a resolution for adoption. Sections A and B of the "whereas" Section recites the history of what the Board has done thus far. Section C refers to the public hearing and comments received and confirms remedial measures to be undertaken and which will be in the conditions. Section D references the public hearing which had just been held. Next, the resolution follows for the approval of the subdivision final plat dated September 15, 2003 with the 15 conditions set forth, some of which have been discussed by Dubow and the attorney for the Millcroft Subdivision. Condition 1 requires final approval by the Village Engineer. Condition 2 requires final approval by the Village Attorney for documents such as dedication of streets, recreation areas, easements, etc. Condition 3 requires final approval by the Village Attorney for covenants. Condition 4 provides for recreational land requirements. It includes the note that the recreational land deeded to the Village as part of Phases 1 and 2 satisfies this requirement for the whole parcel and will not be required for subsequent phases. Hickey asked about the improvements to the recreational land. Miller stated the gazebo would not be built as part of the subdivision, but could be built by the Village at its sole discretion and expense. Condition 5 deals with the acquisition of a strip of land between Janivar Drive and Leifs Way and the southern boundary of the Millcroft Subdivision which matter Dubow indicated should soon be resolved. Condition 6 addresses the interconnection of Phases 1 & 2 and the conditions requiring construction of this road. The road connection will be required within 18 months of final approval of the additional subdivision phase which includes the interconnection. There is also a limit of 19 building permits which may be issued by the Village for Phases 1 & 2 until the subdivision including the interconnection is submitted and approved. Condition 7 references compliance with letter of credit requirements. Condition 8 requires that sufficient sewer units and capacity be available. Condition 9 refers to approval by the Village Engineer of infrastructure and for stormwater management and erosion controls. Condition 10 requires approvals from all other required governmental agencies, such as the Health Department. Condition 11 references the Airport Combining District and applicable notes. Condition 12 deals with the offer, dedication and conveyance of all open space, park area, drainage area, etc. The Village will own out right rather than retain easements for these areas. All areas will be dedicated as a condition for issuing the initial permit for whichever Phase the developer starts first and prior to the development of later phases. Condition 13 is a standard note from the Subdivision Regulations to be placed on the final subdivision plat regarding streets, easements or other open space. Condition 14 indicates that final approval is granted conditioned upon certain sections of the Subdivision Regulations being met. The note on the final plat will indicate that only one phase is being approved at this time. Condition 15 notes that these conditions will be recorded with the County Clerk's Office. If the subdivision is approved, the Planning Board Chairman will be authorized to sign the final plat once applicable conditions are satisfied.

Brown moved to approve the final plat for the Millcroft Subdivision as follows:

WHEREAS:

- A. This matter involves consideration of the following proposed action: Final Plat Approval of the Millcroft Subdivision, a major subdivision dividing a 50.329 acre parcel into twenty-five building lots (proposed Phases 1 and 2) and two residual parcels which may be subdivided into additional building lots at some time in the future (proposed Phases 3 and 4) (the "Millcroft Subdivision"). The parcel to be subdivided fronts on Bush Lane on the North and Janivar Drive/Leifs Way on the South and is located in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.2; and
- B. This proposed action is an Unlisted Action for which the Village of Lansing Planning Board, as the designated Lead Agency for environmental review and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), on July 29, 2003 (i) thoroughly reviewed 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, (ii) thoroughly analyzed 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), (iii) completed the Full EAF, Part 2 (and, if applicable, Part 3); and (iv) made a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required; and
- C. On July 14, 2003, the Village of Lansing Planning Board held a public hearing on the Millcroft Subdivision preliminary plat, and thereafter (in accordance with one or more extensions of time to which the developer of the Millcroft Subdivision consented), (i) thoroughly reviewed and analyzed the issues raised by the Tompkins County Department of Planning in its New York State General Municipal Law 239 -l, -m and -n response, (ii) thoroughly reviewed and analyzed the issues raised during the public hearing and otherwise raised in the course of its deliberations, (iii) addressed such issues and appropriate remedial measures related thereto, and (iv) on August 8, 2003, unanimously granted conditional preliminary plat approval subject to the conditions and requirements for Phases 1 and 2 enumerated in such preliminary approval; and
- D. On September 30, 2003, the Village of Lansing Planning Board held a public hearing on the Millcroft Subdivision final plat (dated September 15, 2003), and thereafter (i) once again reviewed and analyzed the issues raised by the Tompkins County Department of Planning in its New York State General Municipal Law 239 -l, -m and -n response and appropriate remedial measures related thereto, (ii) reviewed any new issues raised during the foregoing public hearing on the final plat, (iii) reviewed the conditions and requirements previously provided for in its preliminary plat approval; and (iv) reviewed the aforesaid final subdivision plat (dated September 15, 2003) and supporting materials submitted with such final plat;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

- A. The Village of Lansing Planning Board, based upon all of its foregoing review and action, hereby grants final approval for the Millcroft Subdivision final plat (dated September 15, 2003), subject to the following conditions and requirements for Phases 1 and 2 thereof:

**CONDITIONS OF FINAL PLAT APPROVAL
FOR
MILLCROFT SUBDIVISION PHASES 1 AND 2**

- 1. Final approval by the Village Engineer of the Final Subdivision Plat and supporting design/specification documents, including, but not limited to, plans and specifications for drainage ways, storm water management/retention areas, erosion control, public utilities, and street and intersection layouts (including street curve radii).

2. Final approval by the Village Attorney of conveyance and/or dedication documents in favor of the Village, including, but not limited to, documents providing for the conveyance and/or dedication of streets, storm water management/retention areas, recreational areas, parklands, trail areas, open space and easements, together with any restrictive covenants or other conditions related thereto.
3. Final approval by the Village Attorney of any restrictive covenants applicable to the subdivided parcels.
4. Compliance with Section 406 of the Village Land Subdivision Regulations (as amended by Local Law No.2 – 1996) as to recreational land requirements. Upon the conveyance to the Village of the recreational land so required as identified in Phases 1 and 2 on the Final Subdivision Plat, the requirements of Section 406 of the Village Land Subdivision Regulations (as amended by Local Law No.2 – 1996) as to the remaining lands of the Millcroft Trust (including those portions of the remaining property to the east of Phases 1 and 2 reserved for future development) shall be deemed fully satisfied, such that any further subdivision approvals granted for such remaining lands shall not include as a condition thereof any further conveyance of recreational lands. Any improvements to the recreational areas, including, but not limited to, trails, signs and other features, will be provided at the sole discretion and sole cost of the Village of Lansing.
5. Conveyance to the Village by the lawful owner(s) of any strips of land between the southerly boundary of the Millcroft Trust property and the northerly right of way lines of Craft Road/Leifs Way (as such street rights-of-way were previously dedicated and conveyed to the Village by the developer of the Lansing Trails subdivision); **provided however**, that no vehicular access shall be permitted from Lots 1, 9, 10, 11 and 12 to Craft Road and/or Leifs Way.
6. Completion of the connection of Croft Place (Phase 2) and Millcroft Drive (Phase 1) pursuant to and subject to the schedule, conditions, requirements and restrictions provided for in the following note to be set forth on the Final Subdivision Plat:

The connection of Croft Place (Phase 2) and Millcroft Drive (Phase 1) is to be completed within eighteen (18) months following the Village Planning Board having granted final approval for the further subdivision of the lands upon which the connection of such roads is to be constructed. Completion of such road connection shall be deemed, for the sole purpose of this condition, to be completion (meeting the approval of the Village Engineer) of the binder coat for the road construction constituting the road connection. Under any and all circumstances, no more than nineteen (19) building permits shall be issued by the Village of Lansing for the approved lots shown in Phases 1 and 2 unless upon application for any such additional permits the Village has prior thereto granted final approval for the further subdivision of the lands upon which the connection of Croft Place (Phase 2) and Millcroft Drive (Phase 1) is to be constructed, which final subdivision approval shall include as a condition thereof the requirement that the binder coat for such road connection be completed within eighteen (18) months following such approval. Once such final subdivision approval has been granted as required, the Village shall provide written confirmation (in a form recordable in the Tompkins County Clerk's Office, if so requested) that the foregoing limitation on building permits no longer applies.

7. Compliance with Section 306 of the Village Land Subdivision Regulations as to letter of credit and related financial security requirements.
8. Availability for the proposed residential development of (i) sufficient sewer units/permits and (ii) sufficient capacity by all other utility providers (e.g., Southern Cayuga Lake Intermunicipal Water Commission, NYSEG), and the inclusion of the following note to be set forth on the Final Subdivision Plat:

A building permit for an approved lot on this Final Subdivision Plat shall be issued only if the necessary sewer unit/permit is available for the residential improvements proposed for such lot. The approval by the Planning Board of this

Final Subdivision Plat shall not be deemed to constitute or be evidence of the current or future availability of any such required sewer units/permits.

9. Approval by the Village Engineer of infrastructure (e.g., streets, public utilities, etc.) construction plans and schedules, including, but not limited to, ingress and egress of construction vehicles and equipment, signage, scheduling, and the coordination of all work related thereto with the construction of storm water management/retention and erosion controls.
10. Approvals from all other required governmental agencies, including, but not limited to, the Tompkins County Health Department.
11. Prominent identification on the Final Subdivision Plat of the demarcation line marking the westerly boundary of the Airport Combining District (as such District is set forth on the Village Zoning Map) and the inclusion on the Final Subdivision Plat of the following note as to (i) those lots and property which are situated within the Airport Combining District and (ii) the restrictions and conditions applicable to such lots and property, including, but not limited to, those set forth in Sections 202.13, 305.03 and 604 of the Village Zoning Law:

Lots 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, and the remaining property to the east of Phases 1 and 2 reserved for future development, all of which lots and property are identified on this Final Subdivision Plat as being situated, in part or in whole, within the Village of Lansing Airport Combining District (as such District is set forth on the Village of Lansing Zoning Map), shall be subject to the Village of Lansing Zoning Law restrictions and conditions applicable thereto, including, but not limited to, those restrictions and conditions expressly set forth in Sections 202.13, 305.03 and 604 of such Village Zoning Law. Building permits for all such lots shall be issued only in accordance with such Village Zoning Law restrictions and conditions, including the requirement for a special permit approved by the Village Planning Board. A condition of such special permit is the Village Zoning Officer's obligation to inform in writing any applicant therefor of the noise and hazard conditions which are possible in the flight path of the Ithaca Tompkins Regional Airport.

12. Offer, dedication and conveyance of all open space, public space, trail areas, park areas, and drainage areas (together with infrastructure improvements thereon, if any) identified in Phase 1 and Phase 2 on the Final Subdivision Plat pursuant to and in accordance with the schedule, conditions, requirements and restrictions provided for in the following note to be set forth on the Final Subdivision Plat:

All open space, public space, trail areas, park areas, and drainage areas (together with infrastructure improvements thereon, if any) identified in Phase 1 and Phase 2 on this Final Subdivision Plat shall be offered for dedication and conveyance to the Village of Lansing by fee interest (or by easement, if so indicated) prior to or concurrently with the issuance by the Village of Lansing of a site improvement permit for construction of the subdivision improvements and infrastructure related to whichever Phase (i.e., Phase 1 or Phase 2) is developed first; provided, however, that the identification of such open space, public space, trail areas, park areas, and drainage areas and any offer of conveyance and dedication thereof shall not constitute acceptance thereof by the Village of Lansing (see Section 313.02 of the Village of Lansing Land Subdivision Regulations). Such offer of dedication and conveyance shall be completed notwithstanding the fact that the initial signing of this Final Subdivision Plat by the Chairperson of the Village Planning Board to confirm final approval thereof (see section 312.01 of the Village of Lansing Land Subdivision Regulations) may be limited to either Phase 1 or Phase 2, whichever of such Phases is intended to be developed first.

13. Inclusion on the Final Subdivision Plat of the following note:

The approval by the Village of Lansing Planning Board of this Final Subdivision

Plat shall not be deemed to constitute or be evidence of any acceptance by the Village of Lansing of any street, easement or other open space shown on this plat (see Section 313.01 of the Village of Lansing Land Subdivision Regulations).

14. The Final Subdivision Plat shall be deemed to have received final approval only upon compliance with Section 312.01 of the Village Land Subdivision Regulations. In the event that such final approval is received only for either Phase 1 or Phase 2, but not both such Phases, the following note shall be set forth on the Final Subdivision Plat:

Only Phase ___ [insert "1" or "2"] of this Final Subdivision Plat has received final approval of the Village of Lansing Planning Board. Accordingly, building permits may be issued only for those lots included in such approved Phase ___ [insert same number as above]. In such event, the signing of this Final Subdivision Plat by the Chairperson of the Village Planning Board and the filing thereof shall not be deemed to constitute or be evidence of the final approval of Phase ___ [insert opposite number as above].

In addition to the inclusion of such note, each lot in the unapproved Phase shall be marked as "**NOT APPROVED – SEE NOTE BELOW.**" Upon the subsequent final approval of the second Phase (i.e., compliance with Section 312.01 of the Village Land Subdivision Regulations), an amended Final Subdivision Plat shall be prepared and submitted for the signature of the Chairperson of the Village Planning Board, and thereafter filed as required, which amended Plat shall no longer bear the foregoing note and markings on the affected lots.

15. Recording in the Tompkins County Clerk's Office of a copy of these conditions of final subdivision plat approval, which copy shall be (i) recorded concurrently with the filing of the Final Subdivision Plat, and (ii) indexed to the deed from Viola H. Miller to Millcroft Trust, c/o Robert S. Miller, Trustee, dated December 12, 1990, and recorded in the Tompkins County Clerks Office in Liber 659 of Deeds at Page 236. In addition thereto, the following note shall be set forth on the Final Subdivision Plat:

See Conditions of Final Plat Approval recorded concurrently with the filing of this Final Subdivision Plat in the Tompkins County Clerk's Office.

Proof of the filing of the Final Subdivision Plat and the recording of a copy of these conditions of final subdivision plat approval shall be delivered to the Village Zoning Officer immediately following such filing and recording.

- B. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat, in part or in whole, (i) upon compliance with all of the foregoing conditions and requirements for which compliance is required prior to such signing of the final plat, and (ii) in accordance with Sections 305.07 and 312.01 of the Village of Lansing Land Subdivision Regulations.

Seconded by Dankert. Dubow noted for the record that Ben Curtis has confirmed that he has received the proof of mailing from the applicants. Dubow also noted that approval requires a majority plus one due to the County 239 Review. Stycos asked about the two reserved lots. Hickey responded that the parcel to the east will be subdivided at a later date. Only Phases 1 and 2 are being discussed today. Ayes by Brown, Dankert, Hickey and Stycos.

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Dart Subdivision – Classification:

Hickey stated the next item on the agenda was a classification for the Dart Subdivision. The Dart property is a 37+ acre parcel known as 89 Graham Road which runs up behind the houses on the north side of Dart Drive. The owner is proposing to subdivide off a five acre lot in the northwest corner for her daughter and son-in-law. There is a stream and pond on the 5 acre parcel. Hickey stated any subdivision of less than 2 lots which complies with the Zoning Law and requires no roads or extension of infrastructure is a minor subdivision. Dankert moved to classify the Dart Subdivision as a minor subdivision. Seconded by Stycos. All aye.

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Charter One, Amendment to Tops Planned Sign Area:

The next item on the agenda was Charter One, Amendment to the Tops Planned Sign Area. Ralph Baranes, of Total Identity Group, had previously been to the Board and was returning to the Board regarding his request for a sign for Charter One Bank. Baranes was instructed to get a letter from Tops approving his proposal. Curtis read the letter which indicated that Charter One is approved by Tops to use the sign area approved for both the Playland and the Blockbuster signs (25 sf each). Tops does not plan to use this signage in the future. Hickey stated that Charter One has requested signage of 45.1 sf and there is 50 sf available when the areas of the other two signs are combined. Hickey is concerned about the placement of the sign and would recommend it be placed so it is as close to being over the entranceway as is feasible. Baranes was agreeable to this and this requirement will be included as a condition so Tops is aware of the requirement.

Dubow stated this approval is in fact approval of a recommendation to the Board of Trustees. A public hearing by the Board of Trustees will not be required as this is not a major amendment to the originally approved Sign Area.

Brown moved to approve the recommendation to the Board of Trustees for a minor amendment to the Tops PSA to permit the unused approved sign area for outside signage be used by the Charter One Bank and that the sign be located as close as feasible to the entrance closest to the Bank and that the sign not exceed 45.1 sf. Seconded by Stycos. All aye. Hickey will write the letter communicating the Planning Board's recommendation and have it placed on the Oct. 20th Board of Trustees agenda.

Comprehensive Plan Update Vision Statement and Goals:

Hickey stated Willard is getting the Newsletter ready for October. Hickey would like to announce the Board's intention to review the vision statement and goals of the Comprehensive Plan to allow for public participation. Hickey is unsure how to proceed – whether to have copies on the Internet, have copies available at the office, have a Public Hearing, or do a combination. Hickey will place a notice in the Newsletter about the info being on the Internet and will also have an informational meeting. Public input will also be requested. O'Neill recommended it be advertised as a Village meeting.

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Lab of Ornithology:

Hickey noted the Ornithology Lab is hosting a reception for the Planning Board, Board of Trustees, and staff. The reception will include dessert and a tour. It is scheduled for October 14th from 7 to 9 PM. Curtis has sent a memo to the Board of Trustees requesting an extension to their temporary Certificate of Occupancy until Dec. 31st. Curtis noted the landscaping still needs to be approved.

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Approval of Minutes – Sept. 8:

Stycos moved to approve the minutes of September 8th as revised. Seconded by Dankert. All aye.

Other Business as Time Permits:

Hickey stated the Board needs to schedule a meeting for the open space presentation. It will be scheduled for October 13th. Curtis also has a Special Permit scheduled for that night. Curtis stated that the Rosses may also need time on that agenda for final plat approval of the Dart Subdivision.

Reports:

Trustees: Hickey presented the Northeast Study information which he had provided to the Board of Trustees at their last meeting. There was participation from Lansing Trails residents but there was not feedback from the Board of Trustees. Dankert reported that the BZA has a new member, Pat Gillespie of Lansing Trails, who replaces Bob Batterman. Dankert reported that the North Triphammer Rd. Reconstruction is on target to go to bid next year. There is approval to improve the ramps and traffic lanes from the Route 13 bridge to Pyramid Mall.

Planning Federation: Curtis stated it was a good conference. The new director, Bob Elliot, seems open to ideas to make the conferences better and non-repetitive and would welcome suggestions. Curtis has received much information on Open Space and has provided materials as well as a copy of the 1994 Saratoga Springs Open Space

Plan to Stycos, Leopold and the Board. Curtis also stated that Canandaigua is working on an Open Space Plan. Randall Arendt, the author of Rural by Design, will be in Canandaigua on October 30th for a presentation. NYS has a 70 page document entitled Local Open Space Planning Guide which Curtis has requested and the Village will receive in the future. The three approaches to open space discussed were regulatory (zoning; lot size; intensity guidelines per acre; subdivision regulations; clustering; stonewalls and hedgerows preservations), planning (developing an open space plan; pro-active inventories; policy statements)and community development approach (public policy by Village to include parks; urban forestry; streetscapes; opportunities for non-motorized equipment; private not-for-profits; purchase of development rights; habitat protection).

Curtis also discussed use variances and learned that if an applicant has purchased property since the Zoning Law was adopted, that applicant can not be granted a use variance because the difficulty is self-created. If the property was owned prior to the Zoning Law, then they may be granted a variance if all other conditions are satisfied. Dubow stated there are varying interpretations of what constitutes self-created and economic hardship in these cases. Hickey stated many municipalities do not have an attorney, as well as an engineer, in attendance at Planning Board meetings and the Village of Lansing is fortunate in this respect.

Other information Curtis gained included the fact that in an Article 78 proceeding, the Village is responsible for providing a verbatim transcript if requested. Special Permits can be denied but denial must be based on specific criteria such as those listed in the Village Law. In cases where there is controversy or split decisions, members should explain the reasons for their vote for the record.

Other Business as Time Permits:

Hickey expressed thanks to Dubow for providing the resolution for tonight's subdivision approval to make it easy, clear and thorough.

Hickey stated he has discussed the Subdivision Law with Dubow. Dubow would encourage Board members to read the procedural parts of the Subdivision Law as to how the Board operates and whether changes are deemed appropriate.

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Adjournment:

Dankert moved to adjourn at 9:30 P.M. Seconded by Stycos. All aye.