

**Village of Lansing  
Planning Board Meeting  
August 9, 2004**

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; Engineer Brent Cross; Code Enforcement Officer Ben Curtis; and members of the public.

- **Public Comment:**

Hickey opened the Public Comment period.

As there was no one present who wished to speak, Dankert moved to close the Public Comment period. Seconded by Stycos. All aye.

- **Public Hearing – Special Permit No. 1947 – Ross Home Occupation:**

The next item on the agenda was a Public Hearing for Special Permit No. 1947, Nancy Ross, to operate a home occupation consisting of providing daycare for up to 7 children in her home at 95 Graham Road in the Medium Density Residential District, Tax Parcel No. 46.1-1-6.2.

Hickey opened the Public Hearing.

As there was no one present who wished to speak, Stycos moved to close the Public Hearing. Seconded by Klepack. Ayes by Brown, Dankert, Hickey, Klepack, and Piscopo. Motion carried.

Curtis stated he has received proof of mailing.

Hickey stated this is a transfer of a Home Occupation from Ross' current residence to her new residence on Graham Road.

The Board then reviewed the application. The proposal is for one person, Ross, to provide daycare for up to 7 children. There will be no signage. There is sufficient parking on site and traffic will not pose a problem. The children will be in the basement which is a walkout basement.

The Board then reviewed the Additional Conditions for Home Occupations (Zoning Law Section 304.06d) and the General Conditions for all Special Permits (Zoning Law Section 304.05). Dankert moved that the Board finds that the General Conditions a-j, as well as the Additional Conditions for a Special Permit for a Home Occupation, have been met by the applicant. Seconded by Stycos. All aye.

Dubow noted this is a Type II action under the Village's list of exempt SEQRA actions because it is a home occupation.

Brown moved the following resolution, seconded by Klepack:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT APPROVAL ADOPTED  
ON AUGUST 9, 2004

**WHEREAS:**

A. This matter involves consideration of the following proposed action: Special Permit No. 1947, Nancy

Ross, to operate a home occupation consisting of providing daycare for up to 7 children in her home at 95 Graham Road in the Medium Density Residential District, Tax Parcel No. 46.1-1-6.2.

- B. The Village of Lansing Planning Board, in accordance with (i) Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and 6 NYCRR Section 617.5, (ii) Section 304.06, subsection d.3, of the Village of Lansing Zoning Law, and (iii) Village of Lansing Local Law 3 of 2000, hereby determines that the approval of the proposed special permit is a Type II action, and thus may be processed without further regard to SEQR; and
- C. On August 9, 2004, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant(s) in support of this proposed action, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and
- D. On August 9, 2004, in accordance with Section 725-b of the Village Law of the State of New York and Sections 304, 305 and 306 of the Village of Lansing Zoning Law, the Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305);

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:**

- 1. The Village of Lansing Planning Board hereby finds that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305); and
- 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 1947 is granted and approved, subject to the following additional conditions and requirements:

**None.**

The vote on the foregoing motion was as follows:

**AYES: Phil Dankert, Doris Brown, Ned Hickey, Carol Klepack and Maria Stycos**

**NAYS: none**

The motion carried.

**Millcroft Subdivision:**

Dubow stated the Millcroft Subdivision was approved some time ago with conditions. The Health Department approval was one of the conditions. Since the Kline Road by-pass has been approved, the County Health Department has now given their approval and signed the plat. Other issues have also been resolved, such as the security agreement and escrow of funds. An agreement has been signed by developer, Bob Miller, and Mayor Hartill and escrow funds deposited into a Village account. Miller has also made an offer for dedication of parklands and open space. An agreement has been signed by Miller and will be signed by Mayor Hartill that provides and explains that although the parkland was not depicted on the final plat for Phases I & II as being included in Phases I & II, it was always intended

to be offered for dedication in conjunction with Phase I. A deed description was prepared with metes and bounds of the lands being offered in dedication so this issue has been resolved. Dubow stated the only remaining issue is Item #9 requiring Engineer Cross' approval of scheduling, staging, drainage and stormwater issues associated with construction. After Cross signs off on this item, Hickey will be able to sign the final plat and Miller can proceed with the project. Cross stated Condition #1 was for construction plans and this has been met. Cross stated Condition #9 required review of scheduling, ingress/egress of construction vehicles, signage, stormwater management and erosion. The schedule provided seemed reasonable for the scope of work involved although the paving window seems late in the schedule and asphalt plants may be closing. Cross has worked with Jim Finnegan of Hunt Engineers and the time-frame for water and sewer installation will be condensed by a week to allow more time for the paving. Cross was also concerned because the contractor, Ottenshot Construction, which worked on Lansing Trails projects, sometimes works with a skeleton crew and can not meet deadlines. Cross has been told by Finnegan there would be 3-6 men working on this contract. Given these 2 concerns, Cross is recommending the contractor provide an updated schedule half way through the project. This does not affect the Village as a 12 month window for final completion was given, but it will affect the development of the project.

Next, ingress/egress of construction vehicles was discussed. Cross stated the options are limited to N. Triphammer Road or Warren Road onto Bush Lane. There will not be access through Craft Road.

With regard to signage, there is an agreement to comply with NYS DOT Manual of Uniform Traffic Control Devices. Cross would recommend signs be in place before construction begins. Hickey was concerned about whether vehicles heading east on Bush Lane over the crest of the hill would have adequate warning of the construction. Miller stated he would make sure signage was located to provide sufficient warning to motorists. Hickey also mentioned that Bush Lane must be kept clean even if nightly maintenance was required. Cross stated this item is addressed in the last item. The plan prepared by Hunt Engineers requires the site developer to stabilize the construction entrance so mud is washed down before the equipment moves from the site onto the roadway.

Cross is satisfied that all the conditions under his review have been met. Hickey will meet with Miller in the morning to sign the plat.

### **Housing Section – Comprehensive Plan:**

Hickey stated that as part of the review of the Comprehensive Plan, the Board has a guest speaker, Heather Filiberto. Filiberto is a Senior Planner with the Tompkins County Planning Department.

Filiberto has been working with Curtis on the Housing Section of the Comprehensive Plan. Filiberto stated that housing has a regional impact and goes beyond the boundary of each local municipality. Much of the data from the Board of Realtors is provided by school district or county. The census lists the Village as an urbanized area of the county with good public transportation opportunities and water and sewer infrastructures in place. The Comprehensive Plan for the Village will preserve the character of the community. To assess the needs within the community for different types of housing, the Village can look at their vacancy rates. The Village vacancy rate is around 2% which is very, very low. A healthy vacancy rate should be around 5%. At 2%, there is not a lot of choice because there is not enough supply of different types of housing to meet demand. In this situation prices go up. Rental vacancy is 2.02% in the Village and 2.60% in the City of Ithaca, and increases to 10% and 12% as you move further away from the urban core. Another area to consider would be home ownership. The Village has a low home ownership rate of about 25-27%. There are many students in the Village and when they are removed from the calculations, the Village home ownership rate is around 55% which is still lower than the 64% for the County without students. Tompkins County is low relative to the surrounding counties which average from 66-79%. The Village should also look at the cost burden or affordability which is the percentage of their income people are paying for homeownership or rent. It is high for the Village where about 25% of households are paying more than the 30% of their income on housing. Homeowners pay 9-10% more than the 30% of their income on housing. The Village should also project into the future what the Village will look like ten or twenty years from now. Ten years ago, the Village projected that the student population would decline. In reality, it did not but instead remained stagnant so it may be fair to assume it will remain the same for another ten years. As the population ages, seniors will need housing for a greater number of years. This may necessitate smaller homes, one-story homes, less affordable housing, etc.

Filiberto stated it appears the Zoning boundaries were drawn around what existed when the Zoning was adopted, and there is no room for additional multi-unit buildings. Hickey stated the boundaries for zoning districts were based on what existed in the Village when it became incorporated in 1974. Curtis noted that there is room for additional multi-unit housing in both the HDR District and the CLT District and there have been requests for multi-unit housing as well as senior housing, but the sewer moratorium for the past 20 years has hampered approval of such construction. Filiberto stated affordable housing must meet the needs of the current population and that of the future. It does not necessarily mean multi-unit buildings or rental properties. Affordable housing can derive from smaller lots and clustering which can be encouraged through incentives. Federal monies can also be utilized for affordable housing.

Curtis stated the Board has been pro-active in their support for manufactured housing. The Board has also taken the initiative and made the elder cottage housing option (ECHO) viable in the Village by changing its Zoning.

Hickey expressed concern that while there is little room in the High Density Residential District and there is undeveloped land in the Medium Density Residential District, if the Board were to up-zone from Medium to High Density Residential, residents would be justly concerned about the change. Filiberto responded that there has to be a balance between housing and commercial interests. Filiberto drove through the area prior to the meeting and noted a mix of various size homes and businesses, bus stops and shelters throughout the Village, bike riders as well as pedestrians and vehicles, to make up a community with choices. Filiberto stated the Village could encourage the building of more dense housing options, such as condos, which are lacking in Tompkins County. Filiberto stated that development increases property values regardless of what type of development it is. Curtis stated that multi-residential housing is permitted in the Commercial Low Traffic District and there has been interest in Kendall type housing in the past. Klepack feels the market dictates what is built in an area. Filiberto stated developers choose what will get them the biggest gain. Filiberto feels a role of the government could be to advocate for what is not available and federal monies are available to provide incentives for developers. Curtis stated some lots of less than .50 acre in the Village sell for about \$70,000 and this has a big impact on affordability of housing. Curtis stated the number of dwelling units in structures with over 5 units in the Village was 71% in 1980. Currently the percentage for the City of Ithaca is 38% and the Village is still at 55%. Filiberto stated that the Village has shown a 4% rate of building increase of new development over the last 10 years and the City of Ithaca has shown 6%. Board members stated this is in large part due to the sewer moratorium in the Village over the last 20 years.

Leopold stated that just because more multi-unit dwellings are built in the Village, that is no guarantee that the cost would go down. Filiberto responded that with the increase in supply, the price usually goes down although there is no guarantee this would occur. Curtis noted that Village Meadows which used to be cooperative apartments, an inexpensive form of homeownership, has just been sold out and has become a rental complex. Sevanna Park also has many units which are rental now and owned by some of the larger landlords from downtown. Filiberto stated one of the first actions the County wants to tackle next year on their Comprehensive Plan is to do a housing needs assessment for the entire county which would include the costs of rent in each. The County would also like to do a sample survey of commuters into the county and determine how many commute and why.

Hickey thanked Filiberto for sharing her insights and expertise with the Board.

Curtis stated that some of Filiberto's comments have already been incorporated into the Comprehensive Plan and Board members should read them over and suggest changes as they think appropriate for their vision of the Village.

Regarding the Comprehensive Plan, Hickey provided Board members with the revised Summary and Implications (Chapter 1, Page 9). Dankert stated he is not pleased with one segment of his Chapter and is working on it. Hickey stated the Board will tackle this again in September.

### **The Hamlet – Landscape Plan:**

Hickey stated the Board has had difficulty in matching the symbols and numbers when reviewing the site planting plan, but he has checked the revised plan and the numbers and types of trees seem to be correct. Klepack wondered how the remaining trees would be protected. Fencing was recommended as one possibility which could be made a condition of approval. Hickey noted that if the trees are not protected and do not survive, they would have to be replaced by the developer or successors. Klepack felt the Board could have a speaker or landscape person educate the

Board about how to protect trees. Possible speakers could be David Fernandez or Peter Trowbridge. Hickey recommend the Board allow the developer to tell the Board how the existing trees would be protected and then this could be reviewed and approved. Cross can then verify that the protective measures are in place. Curtis stated there is an escrow held by the Village to cover the cost of review and site inspection. Klepack moved approval of the Landscaping Plan for the Cardamone Subdivision as submitted with the condition that existing trees be protected and preserved by a method as approved by the Village Engineer. Seconded by Stycos. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.

**Approval of Minutes** – July 12 & 27:

Klepack moved to approve the minutes of July 12<sup>th</sup> as revised. Seconded by Dankert. Ayes by Brown, Dankert, Hickey, Klepack, and Stycos. Minutes approved.

Klepack moved to approve the minutes of July 27<sup>th</sup> as revised. Seconded by Stycos. Ayes by Brown, Dankert, Hickey, Klepack, and Stycos. Minutes approved.

**Reports:**

*Trustees:* Brown stated the N. Triphammer Road Reconstruction process is continuing and bids were opened Friday and were within the projected range. Suit-Kote was lowest and will be awarded the bid. Brown stated that Trustee John O’Neill talked about drainage on Janivar Drive and the progress being made to resolve the issues. Brown reported that there was also a discussion by the Board of Trustees on the little triangle of land of about a 25 ft. wide sliver along part of the southern boundary of Lansing Trails 1 that might be acquired for drainage purposes. Brown has also spoken with Bob Aronson and others who attend meetings as observers and are often unfamiliar with agenda items as they do not attend meetings on a regular basis. A suggestion was made that observers be advised to review past minutes prior to attendance at a meeting. Brown also noted that the Planning Board agendas are more detailed than the Board of Trustees’ agendas as to what will be discussed at a meeting and she also appreciates the agenda notes prepared by Hickey. Leopold stated the issues are very different between the two Boards. Dubow stated that when the items “General Discussion” and “Mayor’s Comments” are identified on the Board of Trustee’s agenda, they know what that means as the same topics are discussed from one meeting to the next, such as “good and bad water” and N. Triphammer Road updates. Hickey feels having microphones in the Board room would be helpful.

**Executive Session:**

Hickey moved to adjourn into Executive Session at 8:57 P.M. to discuss potential litigation. Seconded by Klepack. Ayes by Brown, Dankert, Hickey, Klepack, and Stycos. Motion carried.

Klepack moved to come out of Executive Session at 9:25 P.M. Seconded by Stycos. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.

**Adjournment:**

Klepack moved to adjourn at 9:26 P.M. Seconded by Dankert. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.