

**Village of Lansing
Planning Board Meeting
March 14, 2005**

The meeting of the Village of Lansing Planning Board was called to order at 7:31 P.M. by Chairman 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; Code Enforcement Officer Ben Curtis and members of the public.

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Public Comment:

Hickey opened the Public Comment period.

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

Public Hearing: Special Permit No. 1997, Parsons Single-Family Residence in Airport Combining District:

The first item on the agenda was a Public Hearing on Special Permit No. 1997, Mike Parsons to construct a single family residence on Lot 14 of the Millcroft Subdivision in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.214. A Special Permit is required pursuant to Section 304.02 of the Village of Lansing Zoning Law because the single family residence is proposed in a location which is included in the area designated as the Airport Combining District due to its proximity to the airport runway.

Hickey then opened the Public Hearing.

Curtis stated he has received the Proof of Mailings.

Dubow also noted that this action is not subject to SEQRA because it is a single-family residence.

Dankert moved to close the Public Hearing. Seconded by Stycos. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.

Hickey stated a single family residence is permitted in that location. The Board then reviewed the drawings submitted.

Hickey noted the residence faces north and has many windows on that side. The rear will back up to the Phase 2 public space and will be bordered by the drainage area.

The Board then reviewed the General Conditions for all Special Permits to confirm that General Conditions a through j have been met by the applicant. Moved by Klepack. Seconded by Dankert. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion carried.

Dubow noted that Section 305.03 of the Zoning Law states that before a Special Permit is issued for any construction or use in the Airport Combining District, the Zoning Officer must inform the applicant in writing of the noise and hazard conditions which are possible in the flight path of the Tompkins County Airport. Curtis will do so by sending a copy of the resolution to the applicant.

Klepack moved the following resolution; seconded by Stycos:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 1997 ADOPTED ON
MARCH 14, 2005

WHEREAS:

- A. This matter involves consideration of the following proposed action: Special Permit 1997, Mike Parsons, to construct a single family residence on lot 14 of the Millcroft Subdivision in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.214. A Special Permit is required pursuant to Section 304.02 of the Village of Lansing Zoning Law because the single family residence is proposed to be in a location which is included in the area designated as the Airport Combining District due to its proximity to the airport runway; and
- B. The Village of Lansing Planning Board, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and 6 NYCRR Section 617.5, 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 March 14, 2005, 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 in support of this proposed action, including information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, (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 March 14, 2005, 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) all applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) all 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. 1997 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
 - (i) In accordance with Section 305.03 of the Village Zoning Law, before the special permit is issued the Zoning Officer must inform the applicant in writing of the noise and hazard conditions which are possible in the flight path of the Ithaca Tompkins Regional Airport

The vote on the foregoing motion was as follows:

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

NAYS: none

The motion was declared to be carried.

Airport Combining District:

Next, the Board reviewed the proposed local law prepared by Dubow amending the Village Zoning Law regarding the Airport Combining District. Dubow stated the Board has discussed various versions regarding the Airport Combining District. The Board most recently determined it should not be necessary to obtain a Special Permit application for construction within the area described as the Airport Combining District, and that the District itself should be eliminated to simplify the Zoning Law. Changes have been proposed throughout the Zoning Law to make the necessary revisions to reflect the elimination of that District. Dubow then reviewed the purpose and intent of the Local Law, as well as each section that would be amended. The Airport Area Combining District would no longer be on the Zoning Map but there would be a new area called "Airport Area". Curtis stated the locations of the 55, 60, 65 and 70 decibel lines were provided by the County and placed on the Zoning Map. There was a discussion as to where the measurement of airport noise levels should be taken from - the airport boundary, the boundary of the Airport Combining District or the property where such noise is considered a problem. Hickey stated the law does not say who would provide the measurement for noise and what happens if the decibel level is exceeded. Dubow stated there can be legal action taken if the levels established in the Zoning Law are exceeded. Dubow stated that although the Village may not have permitting jurisdiction for the County, the County may still be required to comply with zoning laws. Hickey feels the standards should be included with other standards which the Village has like those for glare and dust. Dubow stated there are two tables in the Zoning Law which address permissible decibel levels and, although they are not often invoked, the Board may decide to continue to use them for this situation. Dubow stated it is important that the law define standards which are consistent with today's reality. Curtis noted the 60 decibel contour line excludes all residential areas and the one for 65 decibels includes only commercial. Curtis stated the current noise limits would provide protection for all residential areas today although they may not in the future if larger or louder airlines come into the airport. Curtis stated it is also easy to locate boundary lines for residential areas. There was a discussion as to whether the noise level readings should be taken on the residential property or at the source of the noise which in this case would be the airport. There was also discussion as to the time duration for which the noise level must not exceed 45 decibels which is presently proposed to be for 30 minutes between 11PM and 7AM. In case of complaints, Curtis would like to see readings taken at the residential properties. The Board agreed that the proposed law should reflect that the measurement be taken on the residential property where the violation may have occurred.

The Board also decided that there is no need to have the "Airport Area" designation on the Zoning Map. The decibel lines will remain on the Zoning Map for informational purposes.

Tompkins County Water Resources:

Hickey directed the Board's attention to the letter dated Nov. 5, 2004 from Todd Schmit, Chair of the Tompkins County Water Resources Council. The letter stated that protection of isolated wetlands smaller than 12.4 acres is now primarily the responsibility of local government.

Hickey and Curtis have discussed this and Hickey subsequently called Kate Hackett from County Planning and she stated the Village is not required to protect these areas. Hackett stated the State DEC is responsible for areas over 12.4 acres and they will not address those areas which are smaller. Hickey stated the Village has several wetland areas in Sun Downs Farms and the Borg Warner property. The Board also discussed the wet area on the Louise Dart property. Curtis stated he has been approached by someone who wants to fill in a wetland area on the north side of Oakcrest Road because it was thought this would make the property more marketable. Curtis stated it would be good for him to have guidelines in such cases. Hickey asked Board members if they wanted to bring in a consultant. Leopold would recommend someone from Soil & Water Conservation. Hickey stated there might also be maps available from the Water Resources Council Council. This will be placed on the agenda for the April 26th meeting.

Senior Housing Needs: Discussion

Hickey has spoken to the Ithaca Office of the Aging. David Stoyell stated there has been a survey completed and he forwarded it to the Village. There is a section on older people planning to move which confirmed some plan to move out of the area but most of the respondents plan to remain in Tompkins County. The section on housing costs was also interesting. Brown stated she was on a committee which considered shared housing and other possibilities but people were not interested in these options, preferring instead to remain in their own homes. Hickey will email the address of the Office of the Aging to those who are interested in reviewing the entire study. Brown stated most people prefer to remain in their own homes but do need assistance with small projects and home repairs.

Approval of Minutes – Feb. 15 & 22:

Stycos moved to approve the minutes of February 15th as submitted. Seconded by Brown. Ayes by Brown, Dankert, Hickey and Stycos. Minutes approved.

Dankert moved to approve the minutes of February 22nd as submitted. Seconded by Stycos. Ayes by Brown, Dankert, Hickey and Stycos. Minutes approved.

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Other Business as Time Permits:

Hickey brought the Board's attention to a handout from the American Planning Association regarding the development process.

Klepack attended the informational meeting on the Warren Road reconstruction. Klepack stated most of the discussion focussed on the northern end of the road in the Town of Lansing. Participants were divided into three groups for discussions. There was no preliminary plan in place to discuss. It sounded like there was money available so the County submitted the Warren Road Project for funding. Klepack told the group the Bomax Drive and Dart Drive intersections with Warren Road should be addressed. There was also discussion about creating biking paths along the roadway but many residents were very opposed to it. Hickey has spoken to John Lampman about an access road from the the Dart property onto Warren Road. Klepack also stated Jack French, Town of Lansing Highway Superintendent, spoke about the dispersed and complex design of the interior roads for the Lansing Trails 2 Subdivision connecting Warren Road with North Triphammer Road, saying he did not think the average person would choose that route as a short cut..

Hickey stated the Village has received a letter from Jeffery Chalk of Homescapes Nursery dated Feb. 10, 2005 regarding the Cardamone Subdivision. They are recommending a substitution of Pinus Strobus instead of Columnar White Pines. The substitution will fill in much faster and create a better buffer.

Stycos asked if the Board has read the letter from George Gesslein and the Lansing Fire Department. Leopold stated the Board of Trustees has not discussed it yet. Hickey stated the Town might consider selling its 10 acres and then buy land which would be more appropriate for a fire house on North Triphammer Road. Dankert stated the fire department receives about half of their calls from the Village and they are concerned about response time from the central fire station on Ridge Road. The Fire Department would like to have bunkers and more volunteers in the Village. Leopold stated the letter also stated more equipment would be housed there. It was decided that this is really a Board of Trustees decision rather than a Planning Board issue.

Airport Combining District:

Dubow asked about moving ahead with the proposed law for the Airport Combining District. Dubow can provide a draft copy of the proposed law to the Board of Trustees incorporating the points raised at this meeting. Stycos moved that the proposed law regarding the Airport Combining District so amended be forwarded to the Board of Trustees along with a recommendation for approval. Seconded by Klepack. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.

Reports:

Board of Trustees: Leopold stated most of the discussion was budget and executive session.

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Adjournment:

Dankert moved to adjourn at 9:04 P.M. Seconded by Stycos. Ayes by Brown, Dankert, Hickey and Stycos. Motion carried.