

**Village of Lansing  
Planning Board Meeting  
April 26, 2005**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 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; 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 who wished to speak, Klepack moved to close the Public Comment period. Seconded by Dankert. Ayes by Brown, Dankert, Hickey and Stycos. Motion carried.

**Final Plat Approval of Lansing Trails 2 Subdivision:**

The next item on the agenda was Final Plat Approval of the Lansing Trails 2 Subdivision. First, Hickey provided a recap before proceeding. At the last meeting, the developer proposed to construct the 11 units at the west end of Nor Way and connect to Janivar Drive and Ayla Way as Phase 1 of Lansing Trails 2 and then work his way east on Nor Way to Bomax Drive in subsequent phases as the market permitted. This would have effectively increased the number of residents in Lansing Trails 1 which is for all practical purposes one big cul-de-sac without providing a second means of access until sometime in the future when the connection to Bomax Drive was made. The Board talked about an option B to first construct up to 19 units on and around Bomax Circle with access by Bomax Drive to Warren Road. This would create another cul-de-sac without providing access to Lansing Trails 1, but would not make the Lansing Trails 1 situation worse. Phase 2 of Option B would require the developer, Ivar Jonson, to build Nor Way from Bomax to Lansing Trails 1. The Board reiterated that it is a priority to get another access to Lansing Trails 1. Brown subsequently sent an e-mail to Board members with a proposed solution. Since everyone did not receive it, Curtis made copies for all. Hickey summarized the e-mail which recommended that Bomax Circle be developed first but also that a temporary road be constructed from Bomax Circle to Ayla Way suitable for emergency and construction vehicles. Hickey stated the Fire Department approved such a temporary road for Nor Way but required that it be at least twenty feet wide with 12 inches of compacted gravel. Hickey has met with Jonson who stated he could provide the temporary road Brown proposed. Hickey stated this proposal is not currently on the map but would be an extension of Ayla Way to Bomax Circle. Hickey stated this would allow access to the two lots on Ayla Way proposed for Phase 1, as well as remain an emergency vehicle access for Lansing Trails 1 until a permanent connection was made. Cross stated he thought the concept is good and he likes the idea of the connection but was concerned that the temporary road would require the removal of a hedgerow. Jonson stated the hedgerow need not be removed as the road can be routed around it. Cross stated if money is to be spent for a temporary road which will be eventually torn out, why not make Nor Way the temporary road as Jonson originally proposed. Jonson stated the temporary road from Ayla Way to the circle is only 300 feet and the other way would be 1000 feet so it would be better for everyone to do the shorter temporary road. Hickey stated the temporary road must be acceptable to the fire chief and the engineer. Dubow stated the Board would only conditionally approve the Final Plat for the subdivision at this time, but final approval –i.e. signing of the Plat - can not be done until Jonson has met all conditions and posted the Letter of Credit which is one of the requirements for final approval. Jonson can provide the Letter of Credit for just Phase 1 and then as he progresses post the Letter of Credit for subsequent phases. Phase 2 can not begin until the Letter of Credit is in place to assure the Village that the road would be completed to Village specifications. Dubow stated the Board would likely be prepared to accept Phase 1 with normal conditions including a Letter of Credit. The plat would be marked to show all the lots except those in Phase 1 are not yet approved. A plat can not be signed for all 97 units until all the infrastructure is in place or a Letter of Credit for it is in place. Dubow stated Jonson would need to put in place a Letter of Credit for Phase 1 which can be drawn down as the project progresses.

Hickey stated Phase 1 would allow for 19 units and then Jonson could approach the Board of Trustees to approve a Letter of Credit for subsequent phases until the project was complete. With each new phase Hickey would sign a new

plat in which the additional lots would no longer be marked "not approved". Jonson would not need to come back to the Planning Board for approval of each phase so long as the plat remained unchanged.

Hickey asked about the trail system and why the trails would be built in Phase 4. Hickey felt the circular trail around Phase 1 would be more economical to put in at the same time work was being done in the area. LoTurco stated that when Phase 4 is completed, all the trails will be completed though some may be completed before that. Jonson stated he will do the trails as he goes along.

Cross stated for the record that he does not recommend the approval of the plan as proposed from an engineering perspective because it subjects roads the Village will be accepting to heavy construction traffic for which they are not designed. Cross would prefer to see the connection from the end of Janivar Drive and Ayla Way be paved going east as units are constructed on Nor Way and no temporary road built to Bomax Circle. Dubow stated once the 19 lots are built on and around Bomax Circle, the developer must then post a Letter of Credit to construct a permanent road, Nor Way, connecting Bomax to Lansing Trails 1 and offer it in dedication to the Village before subsequent lots can be developed. Jonson stated he would prefer to build a temporary 320 foot gravel road and tear it up later. Cross again still expressed concerns about the wear and tear caused by construction vehicles. Jonson stated he originally requested to build 11 residences and bring temporary traffic in on the gravel base for Ayla Way. Jonson stated the Fire Chief wanted a 20 foot road with 12 inches of compacted gravel which was more of a temporary road than he had in mind. Jonson would now like to build the 19 homes with the shorter temporary road from Bomax Circle to Ayla Way and upon their completion, build the section of Nor Way needed to connect Lansing Trails 1 to Bomax Drive and continue with Phase 2 housing. Cross stated construction traffic will adversely impact a final road surface. LoTurco stated according to the Subdivision Regulations, a top coat binder is placed a year after the road has been completed. LoTurco stated that construction vehicles would not be driving on the top course pavement. Curtis stated a binder coat is required across the full frontage of the property before a Certificate of Occupancy is issued. Dubow stated there is to be no construction until there is an agreement with neighboring property owner Bob Dean that Bomax Drive will be built and offered for dedication.

Jonson again stated he would like to build the 11 homes on Nor Way as originally proposed and continue the project as the market permits and the connection to Bomax could happen within a year or two. He prefers not to incur the cost of building a temporary road which must be torn back up. Jonson would be agreeable, however, to either his original proposal for 11 houses or the new proposal for 19 houses.

Hickey asked for Board input. Dubow stated that whether or not Jonson agreed should not be the basis for a decision made by the Board. Rather, the Board should do what it believes best from a planning perspective.

Klepack stated she does not want to see further expansion eastward using the Lansing Trails 1 road system. Klepack feels if the option to come off of Bomax is acceptable she would prefer to see this option with the temporary road avoiding the hedgerow. Dankert stated he was in agreement with this also. Stycos was in agreement that sending more traffic to North Triphammer Road would compound the existing problem so she feels the Bomax proposal with the emergency connection would be a better alternative. Hickey stated the Board would support developing Bomax Circle first and constructing a temporary roadway to Ayla Way for emergency vehicles. This would be Phase 1, permitting Jonson to construct 19 units on or around Bomax Circle and the two on Ayla Way while providing a temporary road constructed to meet the requirements of the Village Engineer and the Fire Chief..

Cross asked if the Board wished to impose additional conditions to protect the roads constructed in the earlier phases from damage by construction vehicles during later phases. There will still be an additional 80 residences entailing heavy construction vehicles during Phases 2, 3 and beyond. Cross wanted to know if the road could be accepted with just a binder coat and security for the final coat which would not be applied until Phase 2 or 3 is completed. Dubow stated normally the binder is in place for a year before the top coat is applied, but this is a decision which could be made by the Board. Cross asked that there be an agreement with the developer that the developer be responsible for repairing the road if the top coat is applied before all phases are completed. Dubow stated this is possible, but it might need to be worded to account for the fact that there is no guarantee as to when the project will be completed. The Board can expect that if the project has not been completed to Village standards when Certificates of Occupancy are issued and properties sold, Jonson will be obligated for some period of time to provide a Letter of Credit or other legal

obligation that the work will be completed and the roads turned over to the Village in good condition. Dubow also noted that the Village can not control the neighboring property owned by Dean. Cross stated the Board will not want to get stuck with a road which might get beat up by construction traffic. Hickey stated the problem is figuring out how long it may take to complete this project. Hickey stated the Board might need to impose an end date by which all infrastructure must be in place. Jonson stated he had to spend \$50,000 and provide a Letter of Credit for Ayla Way. Hickey stated this project may take 10 years or more to complete and Letters of Credit must be in place to ensure satisfactory completion. Dubow stated additional security can be required as additional phases are built. Hickey recommended Cross and Dubow meet to determine how many years it should take for the project to be completed and what protection of the road would be reasonable, but the Board would like to proceed. Dubow noted that Jonson has been developing Lansing Trails 1 since 1987 and all the construction vehicles have gone over Craft Road. Cross thinks Craft Road was rebuilt to higher specifications. Hickey stated there might need to be higher specifications for Bomax Drive as well and this should be considered. Cross stated upgraded specifications are pending as part of the codification and Dean may need to be asked to meet the newer specifications.

Dubow noted Condition 18 states that construction of all roads and infrastructure shall be in compliance with standards and specifications provided for in the Subdivision Regulations at the time of such construction.

Hickey asked Dubow to review Schedule A which lists the Conditions for Final Plat Approval for Lansing Trails 2 Subdivision. Dubow stated he has added Conditions 23-25 to those reviewed by the Board at the previous meeting. Since this project will be approved in phases, Condition 23 requires notations to be added to the plat indicating the subdivision will be completed in phases and that lots in phases not yet approved will be labeled "not approved" on the plat. Condition 24 provides that roadways, utility improvements, and the extension of Bomax Drive will be offered for dedication prior to the issuance of any Certificates of Occupancy. This will apply to Phase 1 and Phase 2 and Phase 2 will require the completion of Nor Way from Bomax to Lansing Trails 1. Pending the completion and dedication of Phase 1 and 2 roadway and utility improvements, a temporary emergency access road shall be constructed and maintained to provide access from Warren Road and extend to Ayla Way. Cross asked about snowplowing and Dubow responded that this needs to be included in the arrangements made by the Fire Chief and Engineer. Jonson stated the temporary road would be built right after the sewer line is put in. Curtis stated that this condition notes that roads need to be completed and often roads are not completed when he issues Certificates of Occupancy as only a binder coat is generally considered necessary. Dubow stated this requirement for completion of the roads came from LoTurco's letter and will need to be further defined. Hickey summarized that completion means binder coat and Letter of Credit for a specified number of years to be determined. Hickey stated something needs to be written about removal of the access road by the developer when it is no longer needed. Condition 25 is about park areas and drainage areas being offered for dedication prior to site work being done.

LoTurco asked if Schedule A was the same as the last meeting other than the addition of 23-25. Hickey asked to see the plan with trees indicated. LoTurco stated he has the plat with him. Dubow also noted that he has not seen the surveyed lot lines with metes and bounds. LoTurco stated he has the plat with him. Hickey stated the Board would need to clear up these items prior to approving anything.

LoTurco provided copies of the plat to members for review. Hickey stated there is some missing information from the plat and Dubow recommended not to approve it tonight. There are also corrections to the conditions which must be made. Final approval will be placed on the agenda for May 9<sup>th</sup>. Hickey stated the Board will be going with Option B and the Bomax Circle with 19 units plus the two on Ayla Way and an emergency road from Bomax circle to Ayla Way approved by the Village Engineer and the Fire Chief.

#### **Approval of Minutes** – April 11

Klepack moved to approve the minutes of April 11<sup>th</sup> as revised. Seconded by Brown. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Minutes approved.

#### **Other Business as Time Permits:**

Hickey stated he has not taken action about the Alternate Member but an interested prospect will be attending the meeting on May 9<sup>th</sup>.

**Adjournment:**

Klepack moved to adjourn the meeting at 9:00PM. Seconded by Dankert. Ayes by Brown, Dankert, Hickey, Klepack and Stycos. Motion carried.

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