

**Village of Lansing  
Planning Board Meeting  
May 9, 2005**

The meeting of the Village of Lansing Planning Board was called to order at 7:35 P.M. by Chairman Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, 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.

First, Hickey welcomed Mario Tomei, 5 Bush Lane, who was attending the meeting and might be interested in becoming an alternate member of the Board. Tomei introduced himself and gave his background of being a Village resident for 23+ years and having recently retired.

**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, Hickey and Stycos. Motion carried.

**Public Hearing: Final Plat Approval of Zajac Subdivision, 10 Cherry Road:**

The first item on the agenda was a Public Hearing on the Final Plat Approval of the Zajac Subdivision, a minor subdivision dividing a 3.5 acre lot into two lots. The lot to be subdivided is known as 10 Cherry Road and is located in the Medium Density Residential District, Tax Parcel No. 44.1-1-33.2.

Daniel Zajak stated he is interested in selling his house and wants to split the 3½ acre lot into two parcels. A realtor recommended the subdivision and the proposed lot with the house has been sold, pending approval of the subdivision. Hickey stated the Board has previously classified this as a minor subdivision and now needs to consider the subdivision itself. Klepack stated the new parcel would have access from North Triphammer Road and Zajak stated this is correct. The frontage will be 150 ft.

Dubow noted that this minor subdivision is classified under the Village's local regulations as an exempt action under SEQRA and does not require an environmental assessment.

Curtis noted he has received proof of mailing. Curtis also stated his concern that the road ROWs are not shown on the Subdivision Plat but rather property boundaries are shown as the center of the roads. Curtis has spoken to the surveyor Michael Reagan as well as Superintendent of Public Works John Courtney and both indicated that North Triphammer Road and Cherry Road are either three rod roads (49.5 feet ROW) or 50 ft. ROW. Curtis requested that Reagan show the ROW lines on the survey. Reagan has set pins based on a 50 ft. wide ROW. Curtis would like to see the North Triphammer Road and Cherry Road boundaries confirmed and the ROWs shown on the plat. This will be a condition for approval.

Klepack asked if the empty lot would be able to support a septic system. Curtis stated the Village lot size requirement is a minimum 1.5 acres for a single family residence; the Health Department determines size and suitability for the septic system. Even if the Village approves the lot the owner still has to get a septic system construction permit from the Health Department before the Village will issue a building permit for a house. Curtis stated it is possible a lot might meet the size requirements but might not meet other criteria required by the Health Department, but that with current technology it is very unlikely that a septic system could not be designed to serve a single family home on 1.5 acres.

Klepack moved the following resolution, seconded by Stycos:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR FINAL PLAT APPROVAL OF

ZAJAC MINOR SUBDIVISION ADOPTED ON MAY 9, 2005

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Final Plat Approval of the Zajac Subdivision, a minor subdivision dividing a 3.5 acre lot into two lots. The lot to be subdivided is known as 10 Cherry Road and is located in the Medium Density Residential District, Tax Parcel No. 44.1-1-33.2; and
- B. The Village of Lansing Planning Board, in accordance with Village of Lansing Local Law 3 of 2000, hereby determines that the approval of the proposed minor subdivision is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"); and
- C. On May 9, 2005, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the subdivision plat and accompanying 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;

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

1. The Village of Lansing Planning Board, based upon all of its foregoing review and action, hereby grants final plat approval of the Zajac Minor Subdivision subject to the following conditions and requirements:

**The Plat shall be amended to show the right-of-way boundaries of Village Roads contiguous to the property.**

2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat in accordance with Sections 303.07 and 312.01 of the Village of Lansing Land Subdivision Regulations.

The vote on the foregoing motion was as follows:

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

**NAYS: none**

The motion was declared to be carried.

**Lansing Trails 2 Final Plat Approval** (continued discussion):

Hickey sent Board members a memo summarizing a meeting of Cross, Curtis, Dubow and Hickey to review the conditions for this project. Dubow explained the changes and revisions made to Schedule A. The provision for the Airport Combining District has been removed as the Board of Trustees approved the proposed local law removing that District from the Zoning Law. Subsequently, the County sent a letter to the Village indicating they had concerns about the proposed law eliminating the Airport Combining District and had determined that the proposed local law could

have negative intercommunity or countywide effects. These concerns of the County Planning Department have been previously discussed by the Planning Board. This May 6<sup>th</sup> letter does, however, require the Board of Trustees to consider the concerns and vote again. The revote will require a majority plus one for approval and may occur at either the May 11<sup>th</sup> or May 16<sup>th</sup> Board of Trustees' meeting. Therefore, a new condition number 26 has been added to the Lansing Trails conditions to include provision for the Airport Combining District since it does exist at this time. Jonson has been told not to modify the plat at this time as the Airport Combining District will probably be removed upon a revote by the Board of Trustees.

Dubow stated a number of the conditions have been satisfied. Requirements pertaining to the phasing plan will be discussed tonight. Notes have been placed on the plat to indicate which lots have and have not been given final approval based upon complying with all of the conditions for the signing of the plat by the Board Chairperson. There will be a condition referencing the phasing plan noted on the plat. Hickey stated a construction phasing plan has been received by the Village and, if approved, will be noted on the plat and will become a part of the plat. Dubow noted this project will be done in increments. Upon the completion of one phase, the conditions for the next phase, notably the posting of security, must be satisfied in order for the developer to continue. Dubow stated only the lots receiving final approval as part of each phase will be available for sale.

A third issue is the road on the plat indicated as Road B. Hickey and Jonson are aware that a name is required for the road and one will be forthcoming before the plat is signed.

Dubow stated that condition number 11 refers to drainage and conservation easements for specific lots. Dubow stated the drainage easements permit the Village to ensure drainage across certain privately owned properties to the road ROWs and storm water management areas owned by the Village. Dubow stated the conservation easements will allow the Village to control the removal of trees on certain private property where there are significant trees, particularly the forested area near the NE corner. Cross stated the drainage areas were areas where storm water runoff from one privately owned property had to cross another privately owned property to reach a publicly owned drainage way. In Lansing Trails 1 there were similar situations, but where a public easement was not conveyed and problems resulted.

Klepack asked about a sidewalk on the north side of Bomax Drive to Warren Road as it was not indicated on the plat. She was reassured by Jonson that there will be a sidewalk in that area.

Klepack also asked about a sidewalk on the stub of the road going towards the Millcroft Subdivision. Klepack feels a sidewalk is needed. Cross stated there is one on the south side of the Craft Road Extension and one on the west side of Road B, and one of the trails intersects the Craft Road Extension sidewalk going toward what will become a park in the Millcroft Subdivision. Klepack feels residents should not have to detour on to the trails but should be able to walk on a sidewalk rather than in the streets. Hickey stated the Board has not discussed this previously. Klepack would like to see the sidewalk on the west side of Road B continue across the Craft Road Extension and along the stub of Road B connecting the Millcroft Subdivision. This would require about 7 feet of sidewalk.

Klepack stated where the trail swings west and goes north again, there should be trail on the other side of the street to go up to the Millcroft Subdivision. Hickey stated it should be matched to the Millcroft Subdivision trail and will need to be matched as they are built. Hickey stated a raised crosswalk would also be needed in this area. Cross stated this can be addressed as phases are completed and land is dedicated to the Village.

Klepack also discussed the lack of streams and hedgerows on the plat and the closeness of the houses to the stream. Hickey stated they could not be any closer than 50 feet but the Village Conservation Combining District defines an area 200 feet from the thread of streams where special care must be taken. Dubow stated that based upon the recommendation of Hickey and Curtis and in light of the thorough review of the subdivision there would not be requirements for a Special Permit for these individual lots and the approval of the final plat would so indicate. Dubow stated there are conditions as to what can and can not be done in Conservation Combining Districts. Hickey asked that the center line of the stream be placed on the plat and Engineer LoTurco will do this.

Regarding the hedgerows, LoTurco stated all trees over 8 inches in diameter are indicated on the plat except in the northern area where the trees are protected by the conservation easement discussed earlier. Hickey stated the only trees to be removed are where residences will be built. Dubow stated condition number 15 deals with the replacement

of trees and the preservation of hedgerows. Stycos stated if trees are removed they must be replaced. Hickey stated that more street trees will be installed than the number removed. Jonson stated landscaping is very important. Stycos asked where the street trees would be placed on each lot. Hickey responded that the type and location of each would be determined as each lot is developed. Hickey further stated that the trees would be of differing species so one disease would not wipe out the entire subdivision.

Additional conditions were then discussed. Hickey noted that condition number 16 requires the submittal of a Street Lighting Plan. Item number 20 requires a written document from the adjacent property owner Robert Dean agreeing to complete Bomax Drive and dedicate it to the Village which must be provided before Hickey signs the plat. Item 22 requires the naming of all roads. LoTurco stated Jonson has a couple of ideas for Road B. Jonson suggested the Village Parkway. Hickey stated there are not many houses on that road and having something to do with the park would be nice. Klepack recommended it be checked with the Fire Department. Hickey stated there is a Parkway in Cayuga Heights so it might be better to go with Park Drive or Park Road. Jonson would recommend putting in the word Village in the name. The final consensus was for Village Park Way. Curtis will check this name with the 911 Center.

Curtis asked about phasing as an amendment to Condition 23. Dubow stated the note required by Condition 23 would be amended to include "see construction phasing plan C27 revised 4-20-05".

Brown moved the following resolution, seconded by Klepack:

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION ADOPTED ON MAY 9, 2005 FOR FINAL  
SUBDIVISION PLAT APPROVAL FOR THE LANSING TRAILS II SUBDIVISION**

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Final Plat approval of the Lansing Trails II Subdivision, a major cluster subdivision dividing three lots totaling 32.78 acres into 97 building lots for zero lot line townhouses and single family homes and residual land owned in common. The lots to be subdivided are east of the Lansing Trails I Subdivision and west of Borg Warner and the Bomax Business Park, and are located in the Medium Density Residential District, Tax Parcel Nos. 45.1-1-50, 51.2 and 113; and
- B. The Village of Lansing Planning Board and applicant undertook a lengthy and extensive sketch plan review process involving this action with significant public participation and input, followed by the grant of approval by the Village Board of Trustees for the proposed cluster development, all of which (i) involved significant review of environmental issues and considerations and (ii) resulted in modifications to the proposed subdivision and the inclusion of mitigating measures deemed necessary and appropriate; and
- C. On June 29, 2004 and September 28, 2004, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) pursued its thorough review of 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, and (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), whereupon at each such time it identified certain revisions and corrections to be made by the applicant and identified certain traffic and other issues to be further addressed, evaluated and supplemented with additional information; and
- D. On October 11, 2004, the Village of Lansing Planning Board, in continuing to perform the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) extended its thorough review of 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 (all as revised, corrected and supplemented), (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), and (iii) completed the Full EAF, Part 2 (and, if applicable, Part 3); and
- E. On October 11, 2004, the Village of Lansing Planning Board, based upon (i) its thorough review of the Full EAF, Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, including traffic study

reports and materials, (ii) its thorough review of 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), and (iii) its completion of the Full EAF, Part 2 (and, if applicable, Part 3), including the findings noted thereon, 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

- F. The foregoing sketch plan review, Board of Trustees approval of the clustering plan, and environmental review included approval of the alienation (and application therefor to the New York State Legislature as required) of the northerly portion of the park land situated in the Lansing Trails I Subdivision to the east of the current end of Craft Road so as to provide for the extension of such Craft Road to the east for purposes of connecting to the street system in the Lansing Trails II Subdivision, which park land was previously conveyed to the Village of Lansing in conjunction with the Lansing Trails I Subdivision approval (such alienated park land being replaced with additional park land as provided for in the Preliminary Plat and accompanying subdivision application materials submitted by the applicant for this Lansing Trails II Subdivision); and
- G. On January 25, 2005, the Village of Lansing Planning Board reviewed the Preliminary Plat and accompanying subdivision application materials submitted by the applicant and determined that subject to certain minor revisions and additions, all of which were made as required, the preliminary plat application was complete and a public hearing could be held as required; and
- H. On February 15, 2005, the Village of Lansing Planning Board held a public hearing on the Lansing Trails II Subdivision preliminary plat, and thereafter (i) thoroughly reviewed and analyzed the issues raised during the public hearing and otherwise raised in the course of its deliberations, (ii) addressed such issues and appropriate remedial measures related thereto, including possible conditions that might be imposed in conjunction with any preliminary approval to be granted for such plat, and (iii) unanimously granted conditional preliminary plat approval subject to the conditions and requirements for enumerated in such preliminary approval; and;
- I. On April 11, 2005, the Village of Lansing Planning Board held a public hearing on the Lansing Trails II Subdivision final plat (dated February 3, 2005, revised April 4, 2005), and thereafter (i) reviewed any new issues raised during the foregoing public hearing on the final plat, (ii) reviewed the conditions and requirements previously provided for in its preliminary plat approval, (iii) reviewed the aforesaid final subdivision plat and supporting materials submitted with such final plat, and (iv) reviewed and discussed various conditions to be attached to the approval of the final plat, and (v) determined that additional revisions to the final plat and supporting materials were required; and
- J. On April 26, 2005, the Village of Lansing Planning Board (i) further reviewed the Lansing Trails II Subdivision final plat (dated April 25, 2005) and the supporting materials submitted with such final plat, (ii) further reviewed the conditions and requirements to be attached to the approval of the final plat, and (iii) determined once again that additional revisions to the final plat and supporting materials were required; and
- K. On May 9, 2005, the Village of Lansing Planning Board (i) once again further reviewed the Lansing Trails II Subdivision final plat (dated April 25, 2005, revised May 3, 2005, and further revised May 5, 2005) and the supporting materials submitted with such final plat, (ii) further reviewed the conditions and requirements to be attached to the approval of the final plat, and (iii) confirmed the various conditions to be attached to the approval of the final plat;

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

1. The Village of Lansing Planning Board, based upon all of its foregoing review and action, hereby grants approval of the final plat (dated April 25, 2005, revised May 3, 2005, and further revised May 5, 2005) for the Lansing Trails II Subdivision, subject to the conditions and requirements set forth on the attached Schedule A;
2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat (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;
3. The Village of Lansing Planning Board, based upon all of its foregoing review and action, and conditioned upon its foregoing approval of the Final Subdivision Plat for the Lansing Trails II Subdivision, hereby also grants approval of the necessary amendment to the previously approved and revised Lansing Trails I Subdivision Final Plat to reflect the alienation of the northerly portion of the park land (as set forth on the

Lansing Trails II Final Subdivision Plat) situated in the Lansing Trails I Subdivision to the east of the current end of Craft Road so as to provide for the extension of such Craft Road to the east for purposes of connecting to the street system in the Lansing Trails II Subdivision, such amendment to be deemed effective upon the actual alienation of the aforesaid Lansing Trails I parkland;

4. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign an amended Lansing Trails I final plat upon the completion of alienation process for the aforesaid Lansing Trails I parkland; and
5. Based upon the full and extensive environmental review and overall subdivision review conducted and completed by the Village of Lansing Planning Board in conjunction with the approval of this clustered subdivision, the Village of Lansing Planning Board hereby finds that the proposed development and improvements, including the development and improvements in that portion of the clustered subdivision that is situated within a Conservation Combining District, meet (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 therefore no further special permit applications and approvals shall be required for the proposed residential development, cluster housing and related improvements made in accordance with and consistent with the Final Subdivision Plat for the Lansing Trails II Subdivision as approved.

## **SCHEDULE A**

### **CONDITIONS OF FINAL PLAT APPROVAL FOR LANSING TRAILS II SUBDIVISION**

1. 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, street and intersection layouts (including the cul-de-sac design), traffic calming devices, sidewalks, street lighting, emergency access and snow removal.
2. 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, to the extent required in accordance with the approval of the Final Subdivision Plat, of streets, storm water management/retention areas (and easements or rights-of-way thereto), utilities, recreational areas, parklands, trail areas, open space and easements, together with any restrictive covenants or other conditions related thereto.
3. Approval by the Village Attorney of (i) any Offering Plan submitted to the State of New York for approval, (ii) any restrictive covenants applicable to the subdivided parcels, (iii) any documents and/or agreements applicable to any homeowners association or similar entity to be formed, and (iv) any provisions applicable to such association or entity as to its obligations to properly maintain all commonly owned areas (including, but not limited to utilities, open space, and storm water management facilities), and in the case of its default with respect to such obligations, the rights of the Village to perform such duties (and gain access for such purpose) and impose the costs thereof upon such association or entity.
4. Compliance with the Village Land Subdivision Regulations and New York Statutes as to requirements for the dedication of parklands and recreational areas.
5. Compliance, to the extent applicable, with the general requirements and design standards and other conditions of Article 300 and Article 400 of the Village Land Subdivision Regulations.
6. Compliance with Section 306 of the Village Land Subdivision Regulations as to letter of credit and related financial security requirements.

7. Availability for the proposed residential development of (i) sufficient sewer units/permits and (ii) sufficient capacity and infrastructure 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.**

8. Approval by the Village Engineer of infrastructure (e.g., streets, public utilities, etc.) construction schedules and procedures, including, but not limited to, ingress and egress of construction vehicles and equipment (which shall be limited to ingress and egress to and from Warren Road over the existing Bomax Drive and the extension of Bomax Drive to the west and connecting to the Lansing Trails II Subdivision – see Condition 20 below), signage, scheduling, and coordination of all required work with the construction of storm water management/retention and erosion controls, including internal drainage plans to minimize adverse impact of storm water run off from one lot onto another and from developed lots and areas onto undeveloped lots and areas.
9. Approval by the Village Planning Board of a staging plan indicating the intended phased order of subdivision development and construction, which plan shall minimize construction traffic and activity in already developed areas of the subdivision.
10. Approvals from all other required governmental agencies, including, but not limited to, the Tompkins County Health Department.
11. Approval by the Village Engineer and Village Attorney of drainage and conservation easement documents for the rear yard areas of Lots P1-A to P1-F, P2-A to P2-F, P3-A to P3-E, M-1, P7-A to P7-F, P9-A to P9-D, P16-A to P16-C and 10.
12. 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).**

13. 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.
14. Submission of the Final Subdivision Plat for review by the Lansing Fire Chief and implementation on the Final Subdivision Plat of all modifications required as a result of such review.
15. Approval of the Village Planning Board of a Landscape Plan (i) indicating the replacement of all trees greater than 8" in diameter at breast height to be removed and (ii) new trees and plants to be installed; or, in the alternative, approval by the Village Planning Board and Village Attorney of covenants and restrictions running with the land providing for protective measures where reasonably possible to preserve hedgerows and undeveloped land in its natural state.
16. Approval as required of Street Lighting Plan.
17. Establishment by the Village Zoning and Code Enforcement Officer of permitted construction work schedules, including the days of the week and the hours of the day during which construction work will be permitted.
18. Final construction of all roads and infrastructure in compliance with standards and specifications provided for in the Village of Lansing Subdivision Regulations at the time of such construction.
19. Filing of a notice with the NYSDEC of a sedimentation, erosion and pollution prevention and control plan,

including the name of a specific person designated to perform inspections related thereto and provide weekly reports to the Village.

20. Written documentation, in form and substance satisfactory to the Village Engineer and the Village Attorney, from the owner of the property adjoining to the east confirming (i) the commitment and obligation of such party to extend Bomax Drive westerly to the east boundary of the Lansing Trails II Subdivision (connecting to Bomax Drive and Bomax Circle as set forth on the Lansing Trails II Final Subdivision Plat) providing access to and from Warren Road, (ii) the consent of such party to the temporary use of the currently laid out and not fully improved road bed for the Bomax Drive extension for ingress and egress to and from the Lansing Trails II Subdivision for construction and related equipment, machinery and traffic, (iii) the commitment and obligation of such party to complete construction of the Bomax Drive extension to applicable Village of Lansing specifications (including sidewalks as required) and (iv) the commitment and obligation of such party to offer dedication of such completed road to the Village of Lansing.
21. Alienation (with approval thereof as required by the New York State Legislature) of the northerly portion of the park land (as set forth on the Lansing Trails II Final Subdivision Plat) situated in the Lansing Trails I Subdivision to the east of the current end of Craft Road so as to provide for the extension of such Craft Road to the east for purposes of connecting to the street system in the Lansing Trails II Subdivision, which park land was previously conveyed to the Village of Lansing in conjunction with the Lansing Trails I Subdivision approval, and the filing of a revised Final Subdivision Plat for the Lansing Trails I Subdivision reflecting the alienation of such parkland, the extension of Craft Road and all other related modifications.

**[NOTE: THIS CONDITION WILL BE DEEMED VOID AND OF NO FURTHER EFFECT IN THE EVENT THAT THE INTENDED ALIENATION OF PARKLAND IS NOT APPROVED BY THE STATE OF NEW YORK AS REQUIRED, WHEREUPON (i) THE EXTENSION OF CRAFT ROAD IN LANSING TRAILS I EXTENDING THROUGH WHAT WAS INTENDED TO BE THE ALIENATED PARKLAND WILL NO LONGER BE REQUIRED (ii) THE AMENDMENT TO THE LANSING TRAILS I FINAL PLAT HEREBY APPROVED SHALL NO LONGER BE REQUIRED, (iii) THE PORTION OF THE CONNECTING STREET ON THE LANSING TRAILS II FINAL PLAT EXTENDING WESTERLY BEYOND THE EASTERLY BOUNDARY LINE OF LOT 1 TO THE EASTERLY EXTENSION OF CRAFT ROAD IN LANSING TRAILS I THROUGH WHAT WAS INTENDED TO BE THE ALIENATED PARKLAND WILL NO LONGER BE REQUIRED, AND (iv) THE LANSING TRAILS II FINAL PLAT HEREBY APPROVED WILL BE AMENDED ACCORDINGLY TO ELIMINATE THE EXTENSION OF THE LANSING TRAILS II STREET SYSTEM FOR PURPOSES OF CONNECTING DIRECTLY TO CRAFT ROAD IN LANSING TRAILS I.]**

22. Inclusion on the Lansing Trails II Final Subdivision Plat of the names of all newly proposed streets and approval thereof by the Village Planning Board.
23. The Final Subdivision Plat shall be deemed to have received final approval only upon compliance Section 312.01 of the Village Land Subdivision Regulations. In the event that such final approval is received only for one or more of the four identified Phases on the Final Subdivision Plat, but not all four Phases, the following note shall be set forth on the Final Subdivision Plat:

**Only Phase(s) \_\_\_ [insert number or numbers of Phases] of this Final Subdivision Plat has/have 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(s) \_\_\_ [insert same number(s) 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 those Phases not indicated above. (See Construction Phasing Plan C-27 dated**



**February 3, 2005, revised April 20, 2005)**

In addition to the inclusion of such note, all lots in the unapproved Phases shall be prominently marked as “**NOT APPROVED – SEE NOTE BELOW.**” Upon the subsequent final approval of any subsequent Phase(s) (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 “**NOT APPROVED – SEE NOTE BELOW**” markings on the affected lots in the newly approved Phase(s).

24. All required roadway and utility improvements for Phase 1 on the Final Subdivision Plat, including, but not limited to, the extension of Bomax Drive from Warren Road connecting with Bomax Circle shall be completed and offered for dedication to the Village of Lansing for public use prior to the issuance of any Certificates of Occupancy for Phase 1. All required roadway and utility improvements for Phase 2 on the Final Subdivision Plat, including, but not limited to, the connection of Nor Way westerly and southerly from Bomax Drive (in Phase 1) to Janivar Drive (in Lansing Trails I) shall be completed and offered for dedication to the Village for public use prior to the issuance of any Certificates of Occupancy for Phase 2. Under any and all circumstances, pending the completion and dedication of all of the Phase 1 and Phase 2 roadway and utility improvements connecting Janivar Drive (in Lansing Trails I) to Warren Road, (i) no more than nineteen (19) building permits (plus two additional permits for Lots 11 and 12) shall be issued by the Village of Lansing for the approved lots shown in Phase 1, and (ii) a temporary emergency access road shall be constructed and maintained as approved and required by the Village Engineer and Lansing Fire Chief so as to provide access westerly from Warren Road over Bomax Drive and Bomax Circle and extending to Ayla Way (in Lansing Trails I). Such temporary emergency access road shall be removed upon completion and dedication of all of the Phase 1 and Phase 2 roadway and utility improvements connecting Janivar Drive (in Lansing Trails I) to Warren Road. 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.
25. All park areas, trail areas and drainage areas (together with infrastructure improvements thereon, if any) identified in Phase 1 and Phase 2 on the Final Subdivision Plat, including, but not limited to, Lots 17, 18 and 19 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 Phase 1; provided, however, that the identification of such park areas, trail 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 Phase 1 only.
26. 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 as currently provided and as such restrictions and conditions may be amended from time to time:

**Those lots, parcels or areas which 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 as currently provided and as such restrictions and conditions may be amended from time to time. Building permits for all such lots, parcels or areas shall be issued only in accordance with such Village Zoning Law restrictions and conditions, including the current 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 thereof of the noise and hazard conditions which are possible in the flight path of the Ithaca Tompkins Regional Airport.**

**[NOTE: THIS CONDITION WILL BE DEEMED VOID AND OF NO FURTHER EFFECT IN THE EVENT THAT THE VILLAGE BOARD OF TRUSTEES ADOPTS PROPOSED LOCAL LAW B (2005) PROVIDING FOR THE AMENDMENT OF THE VILLAGE ZONING LAW AND ZONING MAP SO AS TO ELIMINATE THE AIRPORT COMBINING DISTRICT AND ALL REQUIREMENTS RELATED THERETO. IN SUCH EVENT, THIS CONDITION WILL BE DELETED.]**

27. Recording in the Tompkins County Clerk's Office of a copy of all 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(s) to the subdivided property recorded in the Tompkins County Clerks Office. 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 the conditions of final subdivision plat approval shall be delivered to the Village Zoning Officer immediately following such filing and recording.

The vote on the foregoing motion was as follows:

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

**NAYS: none**

The motion was declared to be carried.

Jonson thanked the Board for approval of the project.

**Airport Combining District:**

Dubow stated the next item for the Board was to make a recommendation to the Board of Trustees about the letter from Edward Marx regarding Proposed Local Law B(2005) eliminating the Airport Combining District. Dubow stated the Board has discussed this proposed local law at length over many meetings and he has provided a proposed resolution for the Board's consideration summarizing the Board's previous discussions particularly as regards the concerns expressed in the County's letter. Dubow stated the Board of Trustees must have a vote of majority plus one to override the County's recommendation and must then respond to the County on why they are over-riding the recommendation. Curtis and Hickey will work on the response to the County.

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The Board then considered the resolution to reaffirm their recommendation to the Board of Trustees regarding the adoption of proposed Local Law B. Motion made by Klepack. Seconded by Brown.

**WHEREAS:**

- A. The Village of Lansing Planning Board prior hereto (i) performed a thorough review of the Village's Airport Combining District as provided for in the Village of Lansing Zoning Law, and the question of its continuing need; (ii) determined that the Airport Combining District and the requirements and conditions applicable thereto are no longer necessary, (iii) reviewed Proposed Local Law B (2005) providing for the amendment of the Village of Lansing Zoning Law and Zoning Map so as to eliminate the Airport Combining District and the requirements and conditions applicable thereto, and (iv) referred such Proposed Local Law B (2005) to the Village of Lansing Board of Trustees with a recommendation for its approval; and

- B. On May 2, 2005, the Village of Lansing Board of Trustees (i) held a duly noticed public hearing regarding Proposed Local Law B (2005) as recommended by the Village Planning Board, at which hearing no members of the public spoke, (ii) thereafter discussed and reviewed Proposed Local Law B (2005), all other information and materials rightfully before the Board, and all issues raised in the course of the Board's deliberations; and
- C. On or about May 9, 2005, a letter dated May 6, 2005 was received by the Village Zoning and Code Enforcement Officer from the Tompkins County Department of Planning advising the Village of that Department's comments, recommendations and findings following its review of Proposed Local Law B (2005) pursuant to Section 239 l and m of the New York General Municipal Law, which findings included a determination that the adoption of Proposed Local Law B (2005) may have negative inter-community or county-wide impacts; and
- D. At its meeting on May 9, 2005, the Village of Lansing Planning Board reviewed the aforesaid May 6, 2005 letter from the Tompkins County Department of Planning and determined that the comments and recommendations set forth therein were fully considered and evaluated by the Board during its lengthy and thorough review of the Airport Combining District, which review resulted in (i) its prior determination that the Airport Combining District and the requirements and conditions applicable thereto are no longer necessary, and (ii) its recommendation to the Village of Lansing Board of Trustees that Proposed Local Law B (2005) providing for the amendment of the Village of Lansing Zoning Law and Zoning Map so as to eliminate the Airport Combining District and the requirements and conditions applicable thereto be adopted; and
- E. The Village of Lansing Planning Board wishes to reaffirm its previous determination and recommendation to the Board of Trustees in favor of adoption of Proposed Local Law B (2005);

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

- 1. The Village of Lansing Planning Board hereby reaffirms its prior recommendation to the Board of Trustees in favor of adoption of Proposed Local Law B (2005) as such Local Law was previously drafted and presented; and;
- 2. Directs that a copy of this resolution be delivered to the Board of Trustees.

A vote was taken. Ayes by Brown, Hickey, Klepack and Stycos. Motion carried.

**Neighborhood Connectivity:**

Hickey distributed an article on connectivity from the Planning Commissioners Journal. Klepack stated she has also read an article like this and feels the ideas are good. Hickey stated this article was well written and provides alternatives to the use of an automobile.

Brown stated cities are attempting to reduce the amount of time spent in vehicles. Hickey would like to see articles like this placed in a folder for new members.

**Reports:**

*Board of Trustees:* Brown stated this was the organizational meeting. Dubow stated the Board also adopted a proposed local law regarding sewer rents for sewer users not connected to the water system, and approved the proposed local laws regarding the Human Health Services District and the Airport Combining District.

**Other Business as Time Permits:**

Klepack made a motion to go into Executive Session to discuss personnel and not reconvene into regular session. Seconded by Stycos. Ayes by Brown, Hickey, Klepack and Stycos. Motion carried.

**Adjournment:**

Klepack moved to adjourn at 9:00 P.M. Seconded by Stycos. Ayes by Brown, Hickey, Klepack and Stycos. Motion carried.