

**Village of Lansing
Planning Board Meeting
August 14, 2006**

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, and Carol Klepack; Alternate Member Mario Tomei; Attorney David Dubow; 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 Dankert, Hickey, and Klepack. Motion carried.

Hickey stated that Tomei would be an Acting Member tonight, sitting in for Maria Stycos who was unable to attend.

Recreation Land - Legal Findings - General Discussion

Hickey stated the Board has been dealing with the issue of requiring the dedication of recreation land in conjunction with subdivision approvals and the legal requirements the Village must meet in doing so. At prior meetings, Dubow has advised the Board of the importance of stating explicitly in the record the findings upon which it based its decisions to require that recreation be dedicated to the Village or not as the case may be. The findings should also support the determinations of how much and which land is being required. Dubow had provided in the members' packets a legal document outlining the responsibilities of the Planning Board with regard to recreation land. Hickey and Klepack are also working with an intern to update the Greenway Plan for which land is commonly acquired as part of subdivision approval. One of the assignments to the intern was to help develop criteria for determining when and how much recreation should be required in any particular subdivision approval. Hickey asked the intern to try applying the criteria to the undeveloped Dart property as a case study. The Board reviewed the document provided by the intern.

Hickey asked if Dubow felt this document would provide a basis which could be used for any other subdivision. In general, Dubow felt the generic concept and criteria provided are useful although they do not address the Village as a whole. Dubow stated the law is clear that the Village can not simply take 6% of any proposed subdivision for recreation land, but must review each proposed subdivision independently to determine the need for recreation land generated in conjunction with that proposed development and how it relates to the Village's long range plans. Dubow stated it might be more effective to locate a park elsewhere in the Village, and take monies or fees instead of land from the subdivision under consideration. This money could be used, for example, to enhance a park that already exists on a nearby parcel. Hickey stated the Board needs to address this issue before another major subdivision comes in for approval.

Hickey then asked the Board to work as pairs to try applying the criteria to the Crossmore subdivision. Part of the land which might be acquired would be Poison Ivy Point which would provide access to the lake for all Village residents. Parking might also be needed as part of the land acquired. Trails might be another part of the recreation land on this parcel. Board members all agreed that there is a need for recreational facilities in this part of the Village and that access to the lake was of key importance for the Village. The Board discussed what sort of facilities would be appropriate for this parcel. Hickey stated there are two trails proposed and possibly a third, but two of them would contend with very steep grades.

Hickey asked what should happen to this document. Dubow stated that in its final form it should be used as a model when reviewing each parcel. Hickey wanted to ensure that this review is done by future Boards when reviewing subdivisions and the process not be lost. Dubow stated that he previously provided materials to guide the Board in their review and all members as well as himself and Curtis have copies of the materials. He also reminded the Board that the Village's current Subdivision provisions are quite specific as to the criteria to be reviewed as to greenway and

recreation land requirements. Klepack reiterated the concern of Hickey that the process not be lost. It was noted that it would also be possible to include it in the Subdivision Law if the Board so desires. Hickey would like to see a set of questions or checklist as an appendix to make it easier for the Board's use.

-
Steep Slopes - Continued Discussion:

Hickey stated the Board has been working on defining steep slopes. The Zoning Law currently defines them as 15% or greater without specifying any minimum horizontal base line. The Board has discussed whether the definition needs to be refined and determined that one approach would be to delineate steep slopes on the Zoning Map. Curtis has since contacted County Planning which has added steep slopes to the map for review by the Board. The reddish dotted western area shows the steep slopes. This makes it easier for Curtis to determine when a building falls within a steep slope area. Hickey noted there are a couple of areas on Sun Downs Farm. Curtis stated the dotted areas are also sprinkled in other areas such as Pyramid Mall. Curtis would recommend the section of the Zoning Law for steep slopes be amended to read "The Steep Slope Conservation Combining Districts includes all lots containing slopes of 15% or greater as delineated on the Zoning Map", and further proposed that Planning Board review be limited to where "the Village Engineer has determined that development as proposed would have significant adverse impacts due to steep slopes." Curtis stated this would allow an applicant to look at the map and find out right away if the lot was in a steep slope area, and if it was, stake out the proposed building and have Cross do a review and see if Planning Board action is needed. Curtis stated there are several lots on Highgate Circle which have steep slopes but none have development on that part of the lot. Dubow stated the Zoning Map should not indicate steep slope until there is a definition of how steep slope has been determined by the County. Curtis will obtain this information from the County. Dubow also noted the Board needs to determine what if any level of review it is comfortable leaving to the Village Engineer's discretion. Hickey stated areas clearly outside those environmentally sensitive areas west of Cayuga Heights Road where such slopes are concentrated should not require the same level of review. Dubow stated the smaller areas could be removed from the map if the Planning Board and Board of Trustees chose to do so. Dubow stated the old Zoning Map used to depict the steep slopes and flood zones. Curtis stated he did not know how those areas were delineated and the map was very difficult to read because there was so much overlaid information. Dubow noted the steep slopes are basically west of Cayuga Heights Road and east of Route 34. Hickey stated he had no problem with language in the regulations to help determine whether there needs to be a Special Permit for the few exceptions.

Curtis will obtain additional information from the County and then the Board will review this again and may recommend the steep slopes be placed on the official Zoning Map. They may suggest the map show the 25% slope lines, as well as the 15% lines.

Curtis also stated that under the current Zoning Law language, steep slopes for Conservation Combining Districts will be granted approval only after SEQR requirements have been met. This section of the Zoning Law must be modified to provide environmental review in those cases where SEQR does not apply. Also the Flood Hazard Combining District is noted in the text of the Zoning Law but is not indicated on the Zoning Map. This would need to be corrected by placing the area on the map, deleting the reference, or referencing the flood insurance map. Curtis will check with the County on this to see how the flood zone area can be included on the map without affecting the readability of the map.

NY Planning Federation Conference:

Hickey stated the material has been provided to members and monies are available for those wishing to attend. Tomei expressed an interest as did audience member John Wisor from the BZA. Curtis also stated he and Board of Zoning Appeals Chair, Mary Sirois may also be interested. Hickey will also check with Stycos.

Approval of Minutes - July 25th:

Tomei moved to approve the minutes of July 25th as revised. Seconded by Brown. Ayes by Brown, Dankert, Hickey, Klepack and Tomei. Motion carried.

-
Reports:

Board of Trustees: Dankert stated there were Public Hearings for proposed Local Laws D and E, as well as the offer of dedication for Bomax Road although there was no one present to speak. Dankert stated Trustee Fresisnki gave

a North Triphammer Road update report on the lowering of Pyramid Drive, the stone wall on the corner of Graham Road, the cross walks at Graham Road and Pyramid Drive, and the left hand turn lane into Cayuga Mall from the north. Dubow stated the Trustees had not received the County 239 reviews for the proposed laws prior to their meeting and further action was deferred to the next Board meeting.

Other Business as Time Permits:

Members were provided with information about combining a Zoning Law and Subdivision Regulations in order to consider a development as a whole. Hickey feels the Village has finally completed codification and he would rather not touch this at this time as the documents are now all in one place.

Hickey stated his concerns about the bicycle lanes on North Triphammer Road. Hickey has seen an increase in the use of sidewalks since installed. Bikers over the age of 12 should be encouraged to use the bike lanes as is required by law rather than the sidewalks.

Regarding the North Triphammer Road reconstruction, Brown stated she has not seen an increase of traffic on Oakcrest Road. Hickey and Dankert stated there has been a big increase on Graham Road and Dart Drive, but this may change when construction is completed.

Adjournment:

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