

**Village of Lansing  
Planning Board Meeting  
November 28, 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, Carol Klepack and Maria Stycos; Alternate Member Mario Tomei; Attorney David Dubow; Engineer Brent Cross; Code Enforcement Officer Ben Curtis and members of the public.

Hickey appointed Mario Tomei to serve as an Acting Member tonight for Planning Board member Phil Dankert who was serving jury duty in the Town of Lansing.

**Public Comment:**

Hickey opened the Public Comment period.

Matt Cooney, 48 Autumn Ridge Circle, spoke first. Cooney stated he appreciated the Village Newsletter. In the latest Newsletter there was nothing about the Crossmore subdivision although there was information in the prior Newsletter. Hickey stated there was no new news regarding this subdivision but information as well as agendas can always be found on the Village website and public hearings are advertised in the Ithaca Journal.

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

**Public Hearing – Preliminary Plat Approval of Bolton Estate Subdivision:**

The first item on the agenda was a Public Hearing for the Preliminary Plat Approval of the Bolton Estate Subdivision, a major subdivision by Edward Crossmore dividing one 128.1 acre lot into 21 building lots for one and two family homes and residual land to be dedicated for recreation and infrastructure. The parcel is located on the west side of East Shore Drive just north of 1510 East Shore Drive in the Low Density Residential District, Tax Parcel No. 42.1-1-37.2.

Hickey stated this is the first of at least two meetings for the Bolton Estate Subdivision and the second meeting will be held on December 11<sup>th</sup> as much of tonight's meeting will focus on the SEQRA review.

Hickey asked the Project Engineer, Andy Sciarabba, of TG Millers to give an overview prior to the Public Hearing. Sciarabba stated Crossmore came in about a year ago with a sketch plat and general layout plan. Since then, they have reviewed the project with regard to slopes, erosion/stormwater management and the other concerns expressed during the sketch plan discussion. They think they have resolved those issues and are now submitting an application for Preliminary Plat approval. The property is located near the Bolton Point access road on East Shore Drive. The site is 128.1 acres. The proposal is to subdivide into 21 residential lots. The loop road is about 4600 feet long. The cul-de-sac to serve lots 13, 16, 17, 18, 19, 20 and 21 will eliminate the need for curb cuts on Route 34. The vertical drop is about 30 feet from Route 34 down to the cul-de-sac. The intersection of the loop road with the Bolton Point pump station access road will also be realigned to be a T intersection.

Sciarabba stated the first issue of concern for the developers was regarding the roadway. The Settlement Agreement with the municipalities comprising Bolton Point water system requires them to construct the loop roadway to Village standards. The developer will be responsible for the cul-de-sac and all utilities. The Settlement Agreement also addresses who is responsible for what and a schedule to be worked out so utilities can be laid prior to road paving.

Sciarabba stated that existing road ROWs and cross sections will be changed from the current 50 ft. to 60 ft. which complies with current Village requirements. Core borings were done and outcroppings of rock located. Some rock was only 2-5 feet below the surface and has necessitated pitching the loop road to the inside to make a swale on the

inside. This will also allow for less rock removal on the outer side of the loop and will allow for the placement of utilities in that location.

Sciarabba stated that the parcel is very steep and lot development and phasing are important. Sciarabba showed a diagram indicating the steepness of the slopes. He acknowledged that lots 4-9 will require special use permits due to the steep slopes and lots 7 – 9 can not be developed until and unless municipal sewer becomes available.

Regarding density, Sciarabba stated that the lot sizes will range from 2.8 to 11.7 acres where the Zoning Law requires lots to be at least 1.38 acres. Sciarabba stated that in an earlier proposal 75 smaller lots were proposed, but this proposal is for 21 larger lots. Crossmore has agreed to put deed restrictions on the lots so there can be no further divisions of these lots.

Regarding the cul-de-sac, Sciarabba showed a layout for the cul-de-sac which has an increased radius of 100 feet to facilitate fire access & snow plowing. There will also be concrete gutters for stormwater runoff. The landscaping plan with show low growing plants in the center of the loop. Sciarabba also stated there would be deed restrictions for the lots on the cul-de-sac that would not allow driveways or exits on Route 34.

Regarding utilities, there is a 10 inch water main along Route 34 with sufficient pressure for the development for both domestic and fire-department use. Currently, there is also a sewer district being proposed for an area in the Town of Lansing that may at some time in the future enable public sewer to serve this proposed subdivision in the Village. The lots will be developed with on-site septic systems except for lots 7, 8 and 9 which will not be developed unless municipal sewer becomes available.

Stormwater management is addressed through the use of 4 detention facilities which will capture the runoff from the roadways and lots. These will be dry detention areas that will allow the water to percolate out within 48 hours. There will be an area with standing water on Lot 23 which will have plantings, benches and parking nearby. Hickey noted this will be part of the recreation land which will include two trails as well as the park area. Regarding the land dedicated to the Village, Sciarabba stated there would be a gravel path to the lake as well as a gravel turnaround with picnic table nearby. Poison Ivy Point consisting of 2.5 acres will also be dedicated to the Village.

Hickey opened the Public Hearing.

Cooney asked how large the areas are which will be deeded to the Village. Hickey responded that the areas would total five acres and would include trails as well as the park area. Hickey stated this will be the only way Village residents will have public access to the lake. Hickey stated residents would have access to views of the lake from the trails and park, but would not have access across the railroad tracks to Poison Ivy Point at this time. Cooney noted that anyone in a boat would have access to the Point and Hickey stated that was correct.

Edmund Cranch, 142 Burleigh Dr., asked about the access to the areas deeded to the Village. Hickey stated this access is being secured for Village residents, but the general public and non-residents would not be excluded from these areas.

Jean Cottrell, 15 Windjammers Way, asked about access to the lake across the railroad tracks. Hickey stated the railroad tracks are private property and it would be trespassing to cross them without the permission of the owner.

Cranch asked if there would be an effort by the Village to acquire permission to cross the railroad tracks. Dubow responded that there may be an attempt to do so, but such overtures have been unsuccessful in the past. There may be success at some point in time.

Jeff First asked about height restrictions and if there would be street lighting. Curtis responded that the limit for buildings is 35 feet from average grade to the highest point for each building. Hickey stated lighting has not yet been discussed.

Cooney asked about the dollar amount of tax revenues that this development would generate. Hickey stated that the

Mayor may be looking into this but this is premature as nothing has been built yet and there are no improvements to be reviewed and assessed by the County Assessment Department.

Walt Cottrell, 15 Windjammers Way, asked about the proposed sewer line in the Town of Lansing. Dubow responded that the line has been discussed with the Town. Sciarabba felt the line might go near the cul-de-sac. Dubow stated that the sewer line may or may not ever be built, but the developer may use individual on-site septic systems which are approved by the Health Department. Dubow is unsure as to what the developer's position is on putting in dry sewers in anticipation of the municipal sewer. Sciarabba stated there are no plans at this time to install dry sewers.

Cranch asked about timing for the development. Hickey stated that the earliest final approval of the Preliminary Plat might occur would be the December 11<sup>th</sup> meeting, with the Final Plat submission after that and construction possibly in the spring. Sciarabba stated that they are hoping to begin the project in the spring.

Vicky Myers, 11 Wind Jammers Way, asked about other deed restrictions. Hickey stated it is a low density residential district and zoning would dictate what could be built there. Curtis stated one or two family homes could be built there. Dubow stated that other deed restrictions could be imposed by the developer, and these would be subject to review by the Village, but at this time none have been presented.

Hickey stated that since Cooney had notified others who may have been unable to attend tonight's meeting, he would like to adjourn the Public Hearing to Dec. 11<sup>th</sup> and continue it at that time. Stycos made a motion to adjourn the Public Hearing until December 11<sup>th</sup>. Seconded by Tomei. Ayes by Brown, Hickey, Klepack, Stycos and Tomei. Motion carried.

Next, the Board discussed the Engineer's Report. Cross stated Item 1 dealt with cul-de-sacs and has been addressed by Sciarabba. Item 2 about rock levels and road grades noted that in places the road grade was up to 10% which is greater than the 7% allowed by the Village although other municipalities allow up to 10%. Sciarabba stated this would allow for less cut and fill, thereby minimizing disturbance of the site. Cross stated rock level has little or nothing to do with the road grade which is instead dictated by the decision to use the current road ROW which runs perpendicular to the slope. Hickey stated this point will need to be worked out between Cross and Sciarabba. Cross does not feel it is the rock which necessitates the 10% road grade which is above that allowed by Village standards, and would like a more accurate explanation. Crossmore stated initially he wanted to have the road constructed as originally promised with one road to the lake. Crossmore was told that due to slopes such a road could not be a dedicated public road. Crossmore was told the loop road would be fine and there would not be problems with the slope. Further, Crossmore stated he was told that the municipalities did not want to take on the costs associated with changing the existing roadway. Cross stated winter conditions as well as runoff are problems associated with the higher slopes. Cross would like to have a justification which explains exactly why the road grade must be this steep if the Village is going to accept the steeper grade. Hickey stated that the engineers can work this out so the roadway will be acceptable to the Village.

Cross further noted that the roadway would have 10 ft. lanes with 5 ft. paved shoulders with open ditches. Cross feels there needs to be discussion with the developer about the 3 stormwater detention sites which are not designated for dedication to the Village and there should be a legal instrument so the Village can obtain access to them for maintenance purposes if needed. Dubow stated there could be a grant of title or easement to allow the Village to have access to maintenance of these lots. Curtis stated that given the Village's history with property owners having detention ponds in their back yards, it may be easier for the Village to own the facilities. Dubow stated the developer may need to modify the map to convey these small areas to the Village. Sciarabba was in agreement with this and will work with Cross regarding the size and access of these cut-outs for dedication to the Village.

Cross noted the deed restrictions will not allow for re-subdivision of the lots in the future. Cross stated the stormwater calculations are based upon a limited amount of impervious surfaces so it is good this restriction is built in.

Cross stated the sewer line is a big unknown, but the worse case scenario would be that the development gets approved and in three years or so the Town states they are ready to proceed with the sewer and newly constructed homes in this

project are in the way. Cross would like to see some effort to identify a potential corridor for the sewer line. Cross stated Phase II will be on hold until the sewer comes and it may be infeasible to pump sewer from these lots up to the sewer line anyway. Hickey stated someone may buy a lot and in the foreseeable future it may not be feasible to connect up to the sewer lines. Dubow stated that the plat should indicate that the three lots that are required to hook up to municipal sewer will not be approved for development until public sewer is available.

Cross noted the County Planning Department comments recommend that the roads be parallel to the drainage courses and include a request for a 100 ft. buffer from the cliffs. Cross stated that the design of the stormwater management system as explained by Sciarabba will address this concern to some extent.

Klepack asked about the open drainage ditches. Cross stated only the inside of the tilted roadway will have open ditches. Sciarabba stated both sides of the cul-de-sac will have open ditches with concrete gutters.

Next, the Board reviewed the SEQRA Part 1. On Page 3 of 21, Item A1, Dubow wondered if forest or rural should be checked. It was decided that both should be checked. On Item 2, Sciarabba noted that forested area after completion should be 39.2 rather than 39.9 acres. Item 3b should be "NA" for non-applicable as soils have not been tested. Item 4 should list depth of bedrock at 0-5 feet. On Page 4, Item 11, may need additional information added at the next meeting. Item 14, The answer should be "yes" as there are scenic views or UNAs already identified for this area. On Page 5, Item 17 should include this area as being non-sewered. Also there will be a requirement for confirmation that utilities are sufficient for this site with regard to water, gas and electricity. Item B, 1h lists all residences will be one-family and it should be noted that some may be two-family. Item B, 1f should have parking spaces changed to 52. On Page 6, Item 6 lists the project as a single phase 12 month project. Sciarabba stated this was for roads and utilities, but not houses. Item 7 should list 2 phases and Item 6 should not be marked. For Item 7, 7b April 2007 should be listed as the date of commencement and 7c completion date should be August 2008. Item 7d should be "no". Item 15, should be "yes" as this is the only parcel in the Village within the flood plain. On Page 8, Item 25 "Other Regional Agencies" needs to be checked "no". On Page 9 and 10, there are no changes.

Hickey noted that the Board will take up SEQRA Part 2 at the December 11<sup>th</sup> meeting.

Hickey stated that members will need to establish findings for the recreation land exaction. Hickey proposed six questions which the Board will use to determine if land for recreation should be exacted and, if so, how much. Dubow stated these questions were from the summaries of past discussions.

Hickey also asked Board members to review the 239 prior to the next meeting. Also the Board will need to review the Visual Impact statement submitted by the developer.

### **Public Information Meeting – Sketch Plat Review of Ross Subdivision:**

The next item on the agenda was the continuation of the previously adjourned Public Information Meeting for Sketch Plat Review of the Ross Subdivision, a major subdivision by Jim and Nancy Ross to divide one 4.56 acre parcel (Tax Parcel Number 46.1-4-1) into six or eight residential building lots, and to divide one 10.14 acre parcel (proposed Tax Parcel Number 46.1-1-6.24) into one residential building lot and the residual land. The parcels are located near the intersection of Graham Road and Dart Drive in the Medium Density Residential District.

Hickey asked the Rosses' representative, Jay Downs, if he has heard back from the Army Corps of Engineers regarding filling in of the pond. Downs responded that he was told to just go ahead. DEC also has no problems with the pond being filled in. Curtis requested he provide written confirmation from the Corps for Village records.

Hickey stated there are two other issues which need to be addressed. First, the Village needs to know where the access to Lot 1A will be. Will it be off of Dart Drive or Graham Road? Second, the Village needs to know where the drainage area will go. Downs stated the Dart sisters are not in agreement. Downs had spoken with Curtis originally about joint consideration of parcels 1 and 2, hoping the sisters would agree on a plan to develop both parcels. Since there is no agreement, however, Downs is not asking that anything be done with Parcel 2 which belongs to Nancy's sister, Joanne Williamson. Hickey stated he is reluctant to approve a subdivision when the sisters can not agree on

what will happen to the other parcel. Dubow stated the Board could still discuss the application and act upon it. Hickey stated there will be 6-8 lots on Dart Drive and there may be a very crowded intersection where the new houses are being proposed. Dubow stated these lots are all on the parcel being considered for subdivision. Downs stated he would understand if the Board determined that it could not act until it had more information on how drainage, roads, recreation land, etc were going to be addressed. Hickey stated that the Board would find it difficult to reach a decision until at least the road and drainage issues on Lot 1A are resolved. Hickey stated that he has spoken with Superintendent of Public Works John Courtney who feels a road accessing Parcel 1A would be preferable on Graham as traffic is already going slower at that location to make the curve on Dart Drive. Cross stated that the section of land south of Dart Drive is isolated by Route 13 on the south and Dart Drive on the north, and would need a separate drainage plan. Hickey stated that the drainage can not go directly into the Route 13 drainage ditch and may need to be collected on site even if that meant fewer lots could be developed.

**Setbacks for Irregular Lots** – Discussion:

Hickey stated that Curtis has a problem regarding yard setbacks and definitions as applied to irregular shaped lots. Curtis had provided the Board with an explanation and diagram in their packets. Klepack suggested that Dubow be authorized to draft a proposed local law to modify the Village Code's Zoning Law provisions for yard setbacks to allow the Zoning Officer to determine the appropriate setback for lot lines of irregular lots where it is otherwise indeterminate. The Board agreed; Dubow will draft a proposed law for its review at a future meeting.

**Greenway Plan Addendum** – Update:

Hickey provided a draft Greenway Plan Up-Date to Board members. Hickey will have 3 or 4 items for the Greenway addendum and this will be one of them. These should be done for the December 11<sup>th</sup> meeting or early January and will then be published as an addendum to the Greenway Plan.

**Other Business as Time Permits:**

Hickey stated he walked from the Janivar Drive stub to Woodthrush Hollow Road and he and John Courtney marked out a trail which Courtney will begin in the spring. The trail will weave and will not cross any major streams. Courtney will get a survey to make sure the trail is on Village property.

Hickey advised Board members to study the 239 Review for the Crossmore Subdivision. He noted that here could be as many as 75 units if there is clustering. Klepack stated she would like to do the calculations herself. Curtis stated that calculations would be based on maximum possible build out which would mean using two-family houses. Hickey again stated that there may be lots sold in the subdivision which will never be buildable. Dubow also requested Board members to look over the 239 Review.

Board members discussed the process for completing SEQRA Part 2. If potential large impact is checked, then it must be determined whether the impact can be mitigated or not. When Board members return on December 11<sup>th</sup> they should have gone through Part 2 and decided how they would answer each question, and then the Board as a whole will hash over each item. Dubow stated the Public Hearing will be continued after the SEQRA has been completed at the next meeting. First the Board could hear any environmental concerns, then complete the SEQRA, and then continue the Public Hearing for other concerns. Board members then discussed the sewer which may eventually go through this area and whether there should be an easement designated at this time. Hickey stated this should be mentioned at the next meeting. Dubow stated he is working on a set of possible conditions which will be sent out for the Board to review. Board members decided that the adjournment of the Public Hearing to December 11 need not be placed in the paper as it is a continuation of a hearing which was advertised, and word of mouth will get the information to those who may be interested. Hickey also noted that he will place an article in the next Newsletter stating that agendas and minutes are on the website.

**Approval of Minutes** – November 13th:

Klepack moved to approve the minutes of November 13th as revised. Seconded by Tomei. Ayes by Brown, Klepack, Stycos and Tomei. Abstain by Hickey. Motion carried.

**Other Business As Time Permits:**

Hickey noted that the Bolton Estate Subdivision will be on the next agenda but the Ross Subdivision will not. Curtis will pass this information along to Downs.

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**Adjournment:**

Stycos moved to adjourn at 9:35 P.M. Seconded by Klepack. Ayes by Brown, Hickey, Klepack, Stycos and Tomei. Motion carried.