

**Village of Lansing
Planning Board Meeting
March 25, 2008**

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 Phil Dankert, Carol Klepack, Maria Stycos and Mario Tomei; Trustee Liaison Lynn Leopold; Code Enforcement Officer Ben Curtis; John Spence, Executive Director of Better Housing of Tompkins County; and Robert Schleelein, observing for the Community Party

Public Comment:

Hickey opened the Public Comment period.

Tomei noted for the record that the southbound entry ramp onto Rt.13 had deteriorated badly and was now nothing but potholes. Others had noticed the problem as well. It was suggested that the concern be referred to Superintendent of Public Works, John Courtney who is in touch with NYS DOT on a regular basis.

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

Inservice Training

Municipal Role in Affordable Housing , John Spence, Better Housing of Tompkins County

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Hickey introduced Spence and explained that several Board members had recently attended a workshop cosponsored by the Tompkins County Planning Department and Better Housing which seemed to focus more on nodal development than what specifically a municipality might do to encourage affordable housing. In the course of discussing the issue at a subsequent Board meeting, the members realized that they needed more information from someone with expertise in the field.

Spence started his presentation noting that the need for affordable housing had been well established through a study undertaken by the County Planning Department which resulted in a report, *Housing Needs Assessment*, in 2006 which can be accessed on the web. The report projects population growth in the County of 6% over the next ten years with the largest increase being residents 45 years and older. Mike Stamm of Tompkins County Area Development has underscored the results of the study setting as TCAD's top two goals affordable housing and work force training to encourage potential employers to locate or remain in Tompkins County. The County faces a challenge recruiting or retaining workers to replace retiring baby boomers as well as filling new positions anticipated in Cornell's long term plans. Housing is considered affordable if it costs 30% or less of gross household income for rent or mortgage, utilities, insurance and maintenance; many in Tompkins are paying upwards of 50%. There is very little housing stock priced between \$125,000 and 225,000, and

almost no condominiums.

Better Housing has traditionally focussed on housing options for lower income residents, but there is a growing concern about workforce housing as exemplified by their recent ad campaign, Better Housing Better Communities, with the theme “Don’t they deserve a place of their own?” featuring firefighters, teachers, nurses, daycare workers, etc. Cornell has identified affordable work force housing as a key goal of its long term plans and has indicated it will be making \$10 million available for this purpose. The new Director of Cornell Real Estate, Steve Lauzier, was hired in part because he has a successful track record of producing affordable work force housing in his previous position at California State Polytechnic University.

Lack of affordable housing options in Tompkins County impacts transportation as more people have to commute because Tompkins County has jobs, but the workers can not find housing here that they can afford. Studies also indicate that lack of affordable housing contributes to poor performance in school. An unstable housing environment with frequent relocation is comparable in effect to high student teacher ratios. Lack of opportunities for low and moderate income families to achieve homeownership is also a long term impediment to building equity and financial security. In addition, some communities are concerned that without affordable housing options for seniors they will lose that population and the positive contribution they make. Mixed income developments are also a goal to better reflect a cross section of the community. Including a significant percentage of at market units, however, weakens grant applications.

There have been some gains in affordable rental properties with the construction of the Linderman Creek and Overlook Apartments on West Hill. These projects were built with substantial subsidies through a tax credit program designed by the federal government to entice private developers to produce affordable housing. In addition, their property assessment and taxes are based on the revenues so that renting at the lower affordable rates for qualified tenants results in lower property taxes. These programs, however, are only applicable to rental housing and there is still a need to provide opportunities for homeownership for low and moderate income families. Some units rent at close to market rates and others are Section 8 units. Ithaca Neighborhood Housing Services is the not-for-profit partner in the Overlook project. Better Housing partnered with Conifer out of Rochester for the Linderman project. Better Housing has applied for a grant to do 36 units in Newfield. INHS is now proposing 39 rental units on Floral Ave in the City of Ithaca, possibly with an option to buy after 15 years. INHS has also developed programs, loosely called the Housing Trust Model, where it sells a house to a qualified low or medium income buyer, but retains ownership of the land. This allows them to sell the house for less and also enables them to recapture some appreciation so that when the house is sold again it still will be affordable for a qualified low or medium income buyer.

If the Village found a developer who was willing to include some affordable units in a proposed development they could partner with a not-for-profit like Better Housing to ensure the units remained affordable. Better Housing has strong relevant experience which is important in securing grant funding,

and also has experience in keeping up with the paperwork which is a challenge with any project where public funds are involved. Better Housing now manages 121 units.

The Board discussed possible incentives for developers to enter into such a partnership to provide affordable housing. Density bonuses was one possibility where the Village might permit a developer to construct additional units on a parcel if some percentage of the additional units was set aside as affordable units. Maybe a not-for-profit like Better Housing would be given the underlying land and the houses sold to a qualified low or medium income buyer. If that buyer sold the unit the not-for-profit could limit the appreciation and/or exercise a right of first refusal and ensure the house was sold to another qualified low or medium income buyer. There might also be some opportunities associated with mixed use housing in commercial districts. These ideas would entail more discussion, careful consideration, the political will to pursue the goal and ultimately the adoption of enabling legislation. Spence said he might be able to sketch out a proposal for how such a partnership might work to help the Board with its discussion.

Hickey thanked Spence for a thought provoking presentation.

Approval of the Bolton Estate Subdivision Staging Plan

Hickey informed the Board that he needed to add an item to the agenda and referred them to a plan Curtis distributed showing the Staging Plan for the Bolton Estates Subdivision along with comments from Village Engineer Brent Cross. One of the 21 Conditions of Approval for the Subdivision was approval by the Planning Board of a Staging Plan. Cross has reviewed the plan and recommended approval. The developer is required to meet certain deadlines with regard to the construction of the loop road stemming from an agreement with Bolton Point settling a long standing legal issue. It was therefore important that the Planning Board act on the Staging Plan approval at this meeting if they are satisfied that the Plan meets their concerns. Hickey was concerned that there is no mention of trail construction in the Plan. Curtis suggested that such a requirement might be included in one of the other conditions perhaps with regard to dedication. Discussion ensued with regard to whether construction of the trails was required. Hickey will contact Village Attorney David Dubow, noting that the requirement could be included as part of Condition 19. Klepack moved to approve the Staging Plan dated 1/25/08, seconded by Tomei, all in favor.

Goals 2008 – Landscape Guidelines

Hickey referred Board members to two documents he had retrieved from his files, a *Landscape Policy* adopted 1/21/02 and *Commercial High Traffic Design Guidelines* dated September 2001. He recalled that Klepack had done the heavy lifting in putting these documents together. Klepack noted that much of the content was borrowed from the City of Ithaca pursuant to City Planner Joanne Cornish's presentation to the Board. Hickey stated that they were very good documents, especially the Landscape Evaluation Check List. The only problem was that they were sitting on the shelf and the Planning Board was not using them. Hickey noted that the *Landscape Policy* is consistent with Landscaper David

Fernandez's recent presentation to the Board. He suggested that the Board keep as a 2008 goal the review of the Landscape Guidelines, but to do so by using the existing documents and, if changes or improvements are warranted, making those changes as they become apparent. Curtis noted that the Village is putting more and more resources on the web and that it is very helpful to be able to refer people looking for information or forms to the web page. It would be a valuable addition to include Guidelines for Development so that anyone contemplating a project in the Village can easily determine what the Village's goals and expectations are. Once the Board is satisfied that these documents express its intentions the documents could be posted on the web under the Guidelines for Development. Hickey suggested that they might also incorporate material from the check list Fernandez provided for his presentation. Responding to Tomei, Curtis explained that he can not enforce guidelines, but that the Board could use the guidelines to develop conditions for approval of a Special Permit and that Curtis could then enforce the conditions. Hickey reported that he had attended the Trustee meeting on March 3 and requested that as a condition of approval of a Temporary Certificate of Compliance for Dr. Bonniwell's new practice at 2377 North Triphammer Road, they require a landscaping plan approved by the Code Enforcement Officer as being consistent with the intent of the Village Zoning Law with regard to screening.

Town of Ithaca Moratorium on Development in the Northeast Corner of the Town

Hickey drew the Board's attention to a notice in their packets from the Town of Ithaca alerting neighboring municipalities of its intention to extend the moratorium on development in the northeast corner of the Town through December 20, 2008. Hickey noted that some of the affected land is adjacent to the land in the Village owned by Cornell east of Parkview Health Care Campus. The land in the Village had recently figured in discussion of alternate access to the Parkview Healthcare Campus. Cornell has also indicated it might be considering a request to rezone part of the land to allow expansion of the Business and Technology Park. Tomei asked why they were extending the moratorium 270 days. Curtis stated that he understood they wanted the study of the ecology of the area to include a complete range of seasons. Klepack noted that the land in the Village was probably very similar and subject to the same concerns as the land being studied in the Town. Hickey stated the Board should keep abreast of the outcomes of the Town's study to be better informed in the event the Village was approached with a proposal to develop that land. He did not think it was necessary to join in the moratorium. Klepack suggested the Village might want to join in the study asking the Town's consultants to consider the land in the Village at the same time they studied the land in the Town. Hickey thought David Herrick at TG Miller may be studying the land already as part of the work they were doing for Cornell. Hickey will contact Tom LiVigne at Cornell Real Estate and find out what they are doing and let him know the Board would like to review the results of their study when they are available. He will also ask Li Vigne what if anything they are considering with regard to affordable housing, following up on Spence's comments. He could also contact the Mayor and suggest the Village may want to join in the Town of Ithaca's effort to better understand the ecology of this area. Klepack stated that she thought the notice from the Town included a very good discussion of their concerns which probably apply equally to the land in the Village.

State Training Classes in Cortland

Hickey asked who would be attending the State sponsored training workshops in Cortland on April 9 and 10. Hickey, Tomei and Stycos will attend Wednesday night for workshops on signage and PUDs; Dankert will attend Thursday for the discussion of inter-municipal planning and maybe one of the other workshops.

Other Business as Time Permits:

Hickey directed the Board's attention to excerpts from the Village Code that Curtis had distributed and asked Curtis to explain the issue. Curtis stated that recently he had been approached by two different applicants proposing to do minor alterations to their homes in Conservation Combining Districts, one for steep slopes, the other for proximity to a stream. In both cases they were proposing very little, if any, ground disturbance. Section 145-48 of the Village Code, however, requires a Special Permit for "all uses" in these Districts. Curtis noted that the purpose of the Special Permit requirement was to ensure that ground disturbance was minimized and managed so as not to adversely affect the streams or steep slopes. The way the Law is currently written Special Permit approval would be required even if the proposed improvements were entirely inside the existing structures and involved no ground disturbance at all. This really does not make sense. Curtis noted that with the adoption of the new Storm Water Management Law, the Village now requires any Building Permit application to be accompanied by a Notice of Ground Disturbance / Area Tally Form which specifically states the amount of ground surface that will be disturbed. He suggested the Board consider recommending an amendment to the Zoning Law which would establish a minimum area of disturbance below which no Special Permit approval would be required. This would eliminate nuisance cases such as those which are pending. Hickey suggested the Board give the matter some thought and consider amending the Law.

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Approval of Minutes

Stycos moved to approve the minutes of March 10th as revised. Seconded by Dankert. Ayes by Hickey, Klepack, Dankert, Stycos and Tomei. Motion carried.

Reports:

Board of Trustees: None

Adjournment:

Klepack moved to adjourn at 9:20 P.M. Seconded by Stycos. Ayes by Hickey, Klepack, Dankert, Stycos and Tomei. Motion carried.