

**Village of Lansing
Planning Board Meeting
November 24, 2009**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman
2 Ned Hickey. Present at the meeting were Planning Board Members Phil Dankert and Richard Durst;
3 Village Attorney David Dubow; and Code Enforcement Officer Ben Curtis.

4
5 **Public Comment:**

6 Hickey opened the Public Comment Period. There being no one who wished to speak, Dankert moved
7 to close the Public Comment Period. Seconded by Durst. Ayes by Hickey, Dankert and Durst. Motion
8 carried.

9
10 **Kinney Drugs Landscape Plan**

11 Hickey directed the Board's attention to the site plan for Triphammer Mall submitted as part of the
12 Kinney Drugs Special Permit approval and noted that four planter islands are shown, but only three
13 were constructed. A letter submitted with the landscape plan stated that the southernmost island was
14 not constructed because a gas line runs under the proposed location for that island. Curtis noted that
15 Kinney Drugs had installed significant landscaping at the south end of the Mall which more than offset
16 the small planter island that was deleted. Durst moved to amend the site plan to accept the three islands
17 that were constructed and delete the southernmost island which was not constructed, and accept in its
18 place the additional plantings at the south end of the Mall; seconded by Dankert; ayes by Hickey,
19 Dankert and Durst. Motion carried. Hickey then directed the Board's attention to the Landscape Plan,
20 noting that it showed an abundance of plants packed into a relatively small area. Curtis added that Ken
21 Riemer who prepared the Plan and installed the plants also maintains the landscaping at the Mall so
22 that the chances of the plants surviving and doing well are good. Dankert moved to approve the
23 Landscape Plan; seconded by Durst; ayes by Hickey, Dankert and Durst. Motion carried.

24
25 **Generic PDA – Preliminary Review**

26 Dubow passed out a working draft of proposed PDA provisions for the Zoning Law which would
27 enable the Trustees and the Planning Board to consider a proposed PDA, and would establish the
28 procedure by which they would do so. He tentatively labeled it "Appendix B" to distinguish it from
29 "Appendix A" which pertains to the original PDA provisions which govern the Shannon Park PDA. He
30 explained that he had attempted to address issues raised in previous Planning Board discussions both
31 by members of the Board and members of the public, as well as in discussions with Hickey Tomei and
32 Curtis regarding procedural matters.

33
34 Hickey stated that he would prefer to delay discussion of the proposed PDA provisions until the other
35 members of the Board were present to participate. He asked the members to read the proposed PDA
36 provisions and to be prepared to discuss them at the December 14 meeting. Curtis will get copies to the
37 members who are not at this meeting. Hickey is concerned that the PDA provisions include
38 requirements that will ensure that components of a proposed PDA that will benefit the Village as a
39 whole are completed along with those that benefit primarily the developer. Dubow responded that the
40 provisions require that in order to proceed the developer and the Planning Board must finalize an
41 agreement on conditions and specifications, and one or more of those conditions will almost certainly
42 address this issue. This might involve financial security, or interlocking staging where a Certificate of
43 Compliance for one part of the development is contingent on the completion of another, or some other

1 method. The particular approach will probably vary from one proposed PDA to another depending on
2 the circumstances presented by each. The Planning Board might ask the developer to propose a method
3 for ensuring completion of all phases of the PDA and negotiate, if necessary, to meet standards
4 acceptable to the Village.

5
6 Hickey stated that he would like to send a working draft forward to the Board of Trustees before the
7 end of the year to get their input. Dubow suggested that if members identify concerns or have
8 suggestions regarding the working draft he passed out tonight that they forward those suggestions or
9 comments to him as soon as possible so that he can develop proposed language and thereby expedite
10 the review process at the December 14 meeting. Dubow also noted that the Trustees will have only one
11 meeting in January and one in February due to Martin Luther King Day and Presidents' Day. Hickey
12 suggested that a joint meeting between the Planning Board and the Trustees might be productive.

13
14 **Bolton Estate Subdivision Conservation Easement – Update**

15 Dubow passed out draft copies of a revised Conservation Easement for the Bolton Estate Subdivision
16 incorporating language he had referenced at the preceding meeting and from the Fingerlakes Land
17 Trust Easement. Again Hickey stated that he would prefer to delay discussion of the proposed
18 Conservation Easement until the other members of the Board were present to participate. He asked the
19 members to read the proposed Conservation Easement and to be prepared to discuss it at the December
20 14 meeting. Curtis will get copies to the members who are not at this meeting.

21
22 Dubow reported that the developers had raised the issue of the proposed trails and whether the Village
23 intended to provide the trails for use by the public as it had been previously noted that the trails as
24 shown on the Plat might be more difficult and dangerous than is generally the case for trails open to
25 the public. Use of the unpaved road from Blackchin Boulevard to the Bolton Point pump house for
26 pedestrian access is at issue as well. There are a few issues to resolve to finalize the Clearing Policy
27 and then it looks like they might be incorporated into the Conditions of Approval for the Final Plat and
28 recorded therewith. This will make it easier to fine tune it in the future should that be deemed desirable
29 by all concerned.

30
31 **Approval of Minutes**

32 Durst moved the minutes of November 9 as submitted, seconded by Dankert; Durst, Hickey and
33 Dankert in favor.

34
35 **Reports**

36 *Trustees* – Durst reported that a Village resident, Lowell Garner, had spoken about gas drilling in the
37 Marcellus Shale and the potential threat to the environment. He wanted the Village to be proactive
38 and promote more stringent environmental review. The Trustees are inclined to wait for objective
39 scientific information to be forthcoming. The Trustees also considered the Cima offer to convey the
40 detention pond for the Horizons Subdivision to the Village. They have asked Village Engineer Brent
41 Cross to assess the condition of the pond.

42
43 **Adjournment:**

44 Dankert moved to adjourn at 8:30 P.M. Seconded by Durst. Ayes by Hickey, Dankert and Durst.
45 Motion carried.