

**Village of Lansing
Planning Board Meeting
February 23, 2010**

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, Maria Stycos,
3 Richard Durst and Mario Tomei; Alternate Planning Board Member Lisa Schleelein; Village Attorney
4 David Dubow; Code Enforcement Officer Ben Curtis; Code Enforcement Officer in Training Marty
5 Moseley; Trustee Liaison Lynn Leopold; Joan DeBoer observing for the Community Party;
6 neighborhood residents, Monica and Simon Moll, Yasamin and Phil Miller, Bill and Nora Shang and
7 several others; Russ Maines representing the Solomon Organization, LLC, owners of rental housing in
8 the Village; and Andy Piliero, Property Manager for Better Housing of Tompkins County.
9

10 **Lansing Reserve – Affordable Housing Proposal**

11 Hickey announced that he was rearranging the agenda to address the issue of Lansing Reserve, a
12 proposed affordable housing project, first because there were a number of people in the audience who
13 had come specifically with regard to that issue. He and Curtis will present information they have
14 regarding the project and correct errors that appeared in the Ithaca Journal article about the project, and
15 then he will open the discussion up to the public for questions and comments. He stated that the
16 Village has not received a formal application for a development; that, contrary to statements in the
17 Journal article, an apartment complex is not being considered, and the Village has not approved any
18 street plan for access to the development and certainly not one utilizing the Northwood Apartments'
19 entrance drive which the Village does not own. In any event, a traffic analysis would be required to
20 minimize any potential adverse impacts from increased traffic loads.

21 He noted that it is common for developers contemplating a project in the Village to come in for a
22 preliminary developer's conference with the Planning Board Chair, Code and Zoning Officer and
23 sometimes another Planning Board member in order to determine whether the project is feasible under
24 the Village's laws and regulations. In this case John Spence from Better Housing of Tompkins County
25 and Chris Dirr of NRP Group, an affordable housing development company from Ohio, requested such
26 a meeting to discuss an 80 unit apartment complex on the wooded parcels known as Dart Woods which
27 is surrounded by Dart Drive, Wood Thrush Hollow Lane, Graham Road and Warren Road. They were
28 informed that apartment complexes are not a permitted use in the Medium Density Residential District,
29 but that single family attached townhouses, each on its own lot would be a permitted use as part of an
30 approved cluster subdivision, but that the density of units on the parcel can not exceed that permitted
31 for one or two family detached units in a standard approved subdivision. Dirr indicated that his Group
32 had a model that would be consistent with such an approach, in which residents rented their units and
33 after 15 years those units could be purchased at a discount with the current tenants given preference.
34

35 At a subsequent meeting, Dirr indicated that his Group had secured control of over 30 acres on two
36 adjoining parcels in the Dart Woods and were interested in pursuing a townhouse cluster subdivision
37 as previously discussed. Curtis explained how the cluster subdivision process works. The developer
38 must prepare a plat using conventional subdivision and zoning requirements with provision for roads,
39 stormwater management practices, recreation land, etc. and meeting all zoning regulations such as
40 those for frontage, lot size, setbacks, parking, etc. The number of units the developer can thus
41 demonstrate will fit on the parcel becomes the maximum density or number of lots that will be
42 permitted. The developer can then rearrange the units to be closer together or, in the case of

1 townhouses, actually attached as long as each unit is on its own lot. The remaining land must remain
2 undeveloped as open space, generally owned in common by all of the property owners in the cluster
3 subdivision. In addition to meeting the cluster subdivision requirements, any such development is also
4 subject to environmental review where issues such as traffic, as Hickey previously mentioned, must be
5 considered along with possible impacts on drainage, stormwater management, possible historic or
6 archeological resources, rare flora and fauna, etc.

7

8 At this time there is no formal application and Curtis does not expect one until and unless the
9 developers are successful in securing funding for the project which is anything but certain. In the event
10 they are successful in securing the financing, they will then have to consider whether their project can
11 be designed to comply with the requirements just discussed. When and if a formal application is
12 submitted, the approval process includes opportunity(s) for public comment and the Village
13 encourages residents to share their concerns in that context. Curtis noted further that while he does not
14 have a formal application, he does have some preliminary schematics and some generic plans,
15 elevations and renderings of the general sort of townhouse units NRP builds, and members of the
16 audience are welcome to stop by and look at them. In terms of the Village Comprehensive Plan, the
17 project is not a bad fit as low cost townhouse units fill a void in the spectrum of housing choices the
18 Village offers potential residents and addresses the need for affordable housing, both goals of the
19 Comprehensive Plan. Curtis added that other townhouse units in the Village were priced at \$400,000
20 and up. The Comprehensive Plan also encourages inter-neighborhood road connections, such as those
21 proposed by the developer, that allow traffic to flow within the Village without having to access the
22 primary connectors like North Triphammer and Warren Roads.

23 Hickey opened the floor for comments and questions. Phil Miller asked why the project appeared on
24 the front page of the Ithaca Journal if it was at such a preliminary stage. Hickey replied that the article
25 originated with Better Housing and that the Village was as surprised to see the article at this point in
26 the process. Monica Moll asked what income level the townhouses were intended for. Curtis replied
27 that they were targeted to low income families which are defined as families earning 60% or less of the
28 Tompkins County median income which is currently around \$70,000 for a family of four. Yasamin
29 Miller noted that the median household income for Tompkins County is \$48,573, and that if you use
30 the average size of household and do the math you will find that the low income level is around
31 \$15/hour. Curtis noted that if the developer is successful in getting funding and decides to move ahead
32 with an application, these are the sorts of details that will have to be documented. Monica Moll asked
33 how the residents would be selected. Hickey replied that this is not information the Village has at this
34 stage, but that Better Housing could probably respond. Hickey noted that over 2,000 people a day
35 commute to the Village which has a lot of low paying jobs, and the resulting traffic is a problem that
36 will only get worse. Yasamin Miller responded with statistics for commuting times and suggested that
37 problems with commuting traffic are overstated for Tompkins County. Bill Shang asked if the
38 developers owned the lots proposed for the project or had simply acquired options. Curtis replied that
39 they had stated that they “controlled” the lots which he assumed meant that they had options. Shang
40 asked where the lot in question is located. Curtis responded that the Dart Woods was divided into three
41 lots with 23 acres fronting on Warren Road which are not being developed, 23 acres west of that which
42 is the parcel in question and roughly 10 acres west of that fronting on Graham Road which the
43 developer has indicated it also controls. Shang then asked about road access to the proposed
44 development. Curtis responded that two means of access would be required because the development
45 includes more than 20 units, and there are various options including Dart Drive, Graham Road and

1 Wood Thrush Hollow Lane, all of which have advantages and disadvantages and some are more
2 problematic than others. There being no one else with comments or questions, Hickey thanked the
3 audience for their participation, noting that it helps the Planning Board to know the concerns of
4 residents who might be affected by a development in their neighborhood. Russ Maines introduced
5 himself as an attorney representing the Solomon Group which owns the Northwood Apartments,
6 proximate to the proposed development, and he was there to learn what is being proposed and the
7 status of the proposal and to keep his client apprised. Hickey noted that it would probably be August
8 before the developers learn if their funding applications are successful and he did not expect a formal
9 application to the Village before then.

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11 After a short break, Hickey called the meeting back to order.

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13 **Public Comment:**

14 Hickey opened the Public Comment Period. Joan DeBoer introduced herself as the Observer for the
15 Community Party. There being no one else who wished to speak, Dankert moved to close the Public
16 Comment Period. Seconded by Stycos. Ayes by Hickey, Dankert, Tomei, Durst and Stycos. Motion
17 carried.

18
19 **Parcels 5 Acres or More**

20 Hickey directed the Board's attention to a map in their packets, noting that a larger copy is posted on
21 one of the Boards in the meeting room which is easier to read. He pointed out that at least one parcel
22 over 5 acres – the Cornell parcel adjacent to the Swim Club – is not marked as such. Curtis will review
23 the map and contact Tompkins County Planning Department, which prepared the map, to make any
24 necessary corrections. Curtis explained that if there is a building on a lot the lot is marked as a
25 developed lot even if it is a single house on a 300 acre lot. Hickey noted that the maps will be useful in
26 determining where a PDA might be proposed, adding that, for all practical purposes, only lots 5 acres
27 or more with municipal water and sewer were likely to be proposed for PDAs. Discussion ensued of
28 various parcels over 5 acres and their potential for future development.

29
30 **Tompkins County Planning Department 239 Review of the Proposed PDA Law**

31 Hickey directed the Board's attention to a 239 letter from the Tompkins County Planning Department
32 stating that it had determined that Proposed Local Law A: Village of Lansing Zoning Law on Planned
33 Development Areas may have negative inter-community, or county-wide impacts unless modified to
34 incorporate two recommendations by the Department. The first would require as a condition of
35 approval for a proposed PDA that there be a finding that the PDA is in conformance with the Village
36 Comprehensive Plan. The second would require that the predominant land use in a PDA conform to
37 the uses permitted in the original zoning district.

38
39 With regard to the first recommendation, Dubow noted that the proposed law as currently written states
40 explicitly in a number of places that a PDA must be consistent with the Village's Comprehensive Plan.
41 With regard to the second, he noted that the purpose of the PDA is to provide the Trustees and the
42 Planning Board the flexibility to consider proposed development that does not conform to the uses
43 permitted in the original zoning district, but which nonetheless may be beneficial to the Village due to
44 special circumstances associated with that particular proposed development. Some would argue

1 therefore that the County's second recommendation is inconsistent with the basic purpose of the
2 proposed law.

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4 Dubow indicated that the Trustees will have to consider the County's recommendations in determining
5 how to proceed with the proposed law and, given the work the Planning Board has expended on this
6 proposed law, would very likely benefit from the Planning Board's thoughts regarding the County
7 Planning Department recommendations.

8
9 With regard to the second recommendation, Schleelein stated that she is not clear what exactly
10 "predominant" means. Curtis agreed, noting that as a person who might need to apply the law, the term
11 "predominant" strikes him as subjective and indeterminate. The language in Section 3 and Section
12 4A(5) of the proposed Local Law, for the most part, address the same concern, but with more specific
13 criteria. The existing language in the proposed law would be more effective and easier to apply than
14 that proposed by the County.

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16 Dubow reiterated that the decision as to how to respond to the County Planning Department's
17 recommendations rested with the Trustees, but he thought that given the collaborative relationship the
18 Planning Board had with the Trustees, particularly with regard to this proposed law, the Trustees
19 would want to have a recommendation from the Planning Board. Discussion ensued on how to advise
20 the Trustees resulting in a consensus that for the reasons stated above, the Planning Board recommends
21 that the Trustees approve the proposed law as currently drafted without incorporating the
22 recommendations of the County Planning Department. Stycos will be representing the Planning Board
23 at the March 1 Trustee meeting and will convey the Planning Board recommendation to the Trustees;
24 Leopold and Dubow will also be at that meeting; Hickey as Chair will send a memo summarizing the
25 Planning Board's position.

26
27 **Goals for 2010 - Update**

28 With regard to the goal of "developing standards that encourage sustainability and green building
29 practices", Hickey directed the Board's attention to an article in their packets entitled *Local Green*
30 *Building Laws in New York: Issues and Opportunities* by John and Jennie Nolon. He stated that he
31 found it very readable and informative, and it highlighted the complexity of the undertaking. It
32 reinforced his view that the Planning Board should proceed carefully and bring in speakers to help
33 them understand the issues and alternatives. He would like to hear from someone in the Homebuilders
34 and Remodelers Association about what sort of provisions would be most helpful and what effect they
35 might have on the cost of development. Curtis noted that there are a number of LEED (Leadership in
36 Energy and Environmental Design) certified architects and engineers who might be willing to explain
37 the LEED system to the Board, and there is a very active green building Alliance in Tompkins County
38 as well. Curtis added that Ian Shapiro from Taitem Engineering has been recommended as someone
39 familiar with the LEED system and also the process of integrating those standards into municipal
40 policy. Curtis suggested that the most effective method to encourage green building and development
41 practices may be through incentives of some sort. Leopold noted that the Village should also review
42 opportunities it might have to lead by example before encouraging others to do so. Dankert added that
43 the Town of Caroline was recently in the news for sustainable practices, including geothermal heat and
44 photovoltaic panels it had incorporated into its new Town Hall.

45

1 **Other Business as Time Permits**

2 Hickey noted that the New York Planning Federation Annual Conference is traditionally held in
3 September or October and he strongly recommended that as relatively new members, Schleelein and
4 Durst plan to attend along with Mosely. He has put money in the budget for that purpose.
5

6 He also reported that Rolf Pendall will be coming to the March 8 meeting along with some of his
7 students from the Cornell City and Regional Planning class that recently prepared a visioning project
8 to project possible commercial trends and outcomes that might affect the Village. Depending on what
9 action is taken by the Trustees at their March 1 meeting with regard to the PDA law, the Planning
10 Board may begin considering the process for reviewing the proposed Triax PDA.
11

12 Hickey stated that he thought the discussion of the proposed Lansing Reserve development at tonight's
13 meeting was productive. The public comment was constructive and it gave the Planning Board the
14 opportunity to share what information it had with the neighbors up front and to hear their concerns
15 before the proposal progressed any further. He hopes that any future discussion will temper the
16 concern about income with recognition of the importance of good management of the housing
17 development in addressing the neighbors' concerns. The apartments on Graham Road were a problem
18 at one time, but the owner stepped in and made changes in the way they were managed and resolved
19 those problems for the most part. With careful consideration it should be possible to address the need
20 for affordable housing identified in the Comprehensive Plan and respond constructively to the
21 legitimate concerns of the neighbors.
22

23 **Approval of Minutes**

24 Tomei moved the minutes of January 26 as corrected, seconded by Dankert; Hickey, Dankert, and
25 Tomei in favor. Stycos and Durst abstained because they were not present at the January 26 meeting.
26 Motion carried.
27

28 **Reports**

29 *Trustees* – Hickey reported that there was no Trustee meeting on February 15 because that was
30 Presidents Day. On February 1, the Trustees set a public hearing for March 1 for the PDA Local
31 Law. They also approved conditional acceptance of the roads in the Bolton Estate Subdivision, and
32 accepted an easement for a water line to 55 Brown Road, the County's new Public Health Building.
33 The Mayor also reviewed the Public Works Plan for the coming year which includes the Dart Drive
34 improvements, demolishing the water tank behind the Village Office and hopefully resolving
35 outstanding issues to acquire the Northwood entrance drive. Budget requests have been received.
36

37 **Adjournment:**

38 Stycos moved to adjourn at 8:50 P.M. Seconded by Durst. Ayes by Hickey, Dankert, Stycos, Durst
39 and Tomei. Motion carried.