

Village of Lansing  
Planning Board Meeting  
Minutes of  
September 11, 2017

The meeting of the Village of Lansing Planning Board was called to order at 7:05PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Mike Baker, Deborah Dawson, and Carolyn Greenwald; Marty Moseley; Village Attorney, David Dubow; Village Engineer, Brent Cross; Tom LaVigne and Jess Sudol of Park Grove Realty; Matt Moore of Passero Associates; Citizen Observer, Marian Hartill. Resident, Jim McCauley.

Absent: Lisa Schleelein and Adam Robbs

**Public Comment Period**

Tomei opened the public comment period. With no one wishing to speak, Dawson moved to close the public comment period. Seconded by Baker. Ayes by Tomei, Baker, Dawson, and Greenwald.

**Continuation of Public Hearing to consider:**

Special Permit #4056 Park Grove Realty LLC Proposal to construct 14 10-unit townhome buildings for a total of 140 dwelling units with all associated road and utility infrastructure on tax parcel no. 45.1-1-51.12 which is approximately 19.46 acres and currently undeveloped special permit review is required pursuant to section 145-41 High Density Residential district of the Village of Lansing Code

Tomei explained that the Planning Board completed the review at the last meeting of *Full Environmental Assessment Form (EAF) Part 1- Project and Setting* submitted by the developer for the Bomax Apartments and that the Board is now charged with discussion and completion of *Part 2 – Identification of Potential Project Impacts*.

As the Board answers the questions, if there is a need for explanation as to how the board arrived at the answers or the Board wishes to make clarifications, the comments will be added to Part 3 prior to approval. Tomei noted that although many of the topics may not be relevant to the proposed project, they bring up concerns that should be discussed.

Prior to going through Part 2, there was some general discussion and questions posed to the developer.

Cross asked about the process used to evaluate the wetland areas. He also commented that he has not looked at the traffic study provided and that usually the Planning Board obtains a traffic report from a third party.

Sudol noted that the Passero Associates traffic study shows peak trips at 82, below the 100 Peak Hour Trip Thresholds indicated in the SEQRA EAF workbook based on the number of housing units. He also noted that Warren Road has additional capacity.

Cross explained that the EAF workbook indicates that projects that have less than 100 peak trips per hour will likely not result in a substantial increase in or impact on traffic.

Tomei said it would be best to have a third party consult on traffic.

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Dawson agreed that a third party should be involved to review the proposed traffic analysis.

The Board told Park Grove that it wants a third party traffic analysis from Fisher Associates—both to review and analyze the Passero Associates traffic report as well as to assess what impact there will be on the level of service for existing intersections.

Moseley mentioned that typically the applicant pays for a third party analysis. Tomei said Robbs will be in touch with the applicant with respect to the cost.

Tomei brought up the fact that the litigation regarding the Bomax property is still pending.

Dubow stated that he had just received information that the appeal could possibly be heard in November.

Because Robbs could not be present, he had sent the Board a memo with some points for consideration regarding the Bomax property:

- *Please think of any conditions that you may want considered for this property.*
- *Consider an independent traffic study to be done.*
- *Consider an engineer's review of existing storm water system prior to construction (even though it is proposed not to be touched during construction)*
- *Official delineation of any wetlands.*
- *Archeological survey.*
- *Once again think about sidewalks as many people use the road currently to walk on.*

Cross said that he will take care of the review and analysis of the Stormwater system. He noted that the developer could have taken credit for the existing system, but they are now proposing an additional system that in effect will create a double system.

Tomei said that the Board should be thinking about conditions for the project. Tomei for one would like a sidewalk along Bomax to be a condition. Moseley mentioned this is historically something the Board requires.

Dubow indicated he has a list of possible conditions for the future which are usually recommended.

The Board worked through Full EAF, Part 2.

After completing Part 2, the Board asked that the following language be added for clarification to *Part 3, Reasons Supporting This Determination*:

*1e. The proposed project will be more than one year, but this would still be a small impact due to location and having a minor impact on neighbors.*

*1f. Due to the current project having a SWPPP, mitigation effects will be made to not have an impact for erosion control.*

*3b. The runoff will not increase because of post construction Stormwater facilities.*

- 101 *3d. The stream would not be considered a water body. The only wetlands that will not be impacted are*  
102 *outside of the proposed construction area.*  
103  
104 *3h. No due to a full SWPPP provided and utilized for construction and post construction activities.*  
105  
106 *5. No due to this project not being located in a flood prone area or on any flood maps.*  
107  
108 *7g. No due to the proposed list provided in Part 1 E.2.m. They have other areas that they can relocate to.*  
109 *7h. It has been determined that it is 19 acres of regionally non important habitat.*  
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111 *9. This project is obviously different from the current use, is visible from public vantage points but is not*  
112 *designated as scenic or aesthetic resource in municipality.*  
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114 *10. The mapper as used by the applicant indicated that it was not part of a historical or archaeological*  
115 *resource as determined by SHPO.*  
116  
117 *14a. This would be a small impact based on the project compliant with NYS Energy Code.*  
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119 *15a. No or small impact because they are working during normal business hours.*  
120  
121 *15d & 15e. Are mitigated due to the applicant being required to gain approval from the Village of*  
122 *Lansing Lighting Commission.*

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124 An independent traffic study will be obtained before final consideration and approval of Part 3.  
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126 **Heights of Lansing Development LLC.**

127 Consideration of amending Schedule A agreement and resolution #6239 Items #16 and item #25.  
128 Consideration of request for building permits for a new 6 unit townhouse grouping.  
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130 This was a continuation of a discussion begun at the August 29, 2017 Planning Board meeting.  
131 Robbs memo to the Board asked that they consider the following in their review of this agenda item:  
132 *Lansing trails II*

- 133 • *I have drafted item # 16 as verbally agreed upon at the 8-29-17 planning board meeting if*  
134 *agreeable as soon as it is signed I will be able to move forward with permits requested for*  
135 *construction.*
- 136 • *Consider unlimited permits if needed to not hinder construction.*
- 137 • *Due to the nature of not having sidewalks consider a plan to expedite a couple of pathways to*  
138 *facilitate guiding pedestrians off the roadways.*
- 139 • *If an agreement can't be reached then leave schedule(A) as is.*
- 140 • *Take item # 25 off the table for now and possibly amend this at a later date with a clear plan on*  
141 *pathways and base materials along with a possible structured time for dedication.*
- 142 • *Consider a maintenance agreement with developer to mow and maintain road sides and*  
143 *pathways until they are dedicated to village.*

144  
145 Tomei presented the language proposed from Robbs to amend Schedule A Item #16 based on the verbal  
146 agreement of both parties at the 8/29 meeting. Tomei indicated that the developer said they are willing to  
147 negotiate in the future on other things previously asked for.  
148

149 The proposed amendment language to Schedule A, Item #16 is in bolded italics below:  
150

151 16. Approval as required of Street Lighting Plan. In addition, by resolution (resolution #6239) of the  
152 Board of Trustees at its meeting on March 7, 2016, the Board has agreed to have seven thousand  
153 dollars (\$7,000) deposited into an escrow account (held by the Village) to ensure the installation of  
154 the street lighting along Nor Way (south) in accordance with the Lighting Commission's previous  
155 requirements and any supplemental revisions thereto *The developer/sub divider shall be allowed to*  
156 *obtain building permits for the proposed six plex with the agreement that they will obtain a new*  
157 *photometrics plan and an approved light fixture for the lighting commissions consideration. The*  
158 *developer/sub divider also agrees to install the lighting along Nor Way (south) within 18 months*  
159 *from the acceptance of this agreement or prior to obtaining any C of O's. Notwithstanding the*  
160 *above requirements, and in addition thereto, the sub divider/developer shall, under all*  
161 *circumstances, be obligated to install the street lighting in accordance with the approved Street*  
162 *Lighting Plan, along Nor Way (south), on or before March, 2019.* In the event that the sub  
163 divider/developer fails to meet its foregoing obligations on or before the March, 2019 deadline  
164 indicated above, the Village shall thereupon be authorized to withdraw the escrow funds for the  
165 intended purpose of using such funds for the installation of the street lighting along Nor Way (south)  
166 in accordance with the Lighting Commission's previous approval as set forth in this Condition 16 of  
167 the Lansing Trails II Subdivision.  
168

169 There was brief discussion about possibly linking building permits to Certificates of Occupancy as well as  
170 thoughts on Item #25, about trail, park, and drainage areas. The Board agreed that per Robbs'  
171 recommendation, #25 will not be changed at this time but will wait until the trails can be safely developed  
172 as construction progresses.  
173

174 It was agreed, however, that the Village will ask the developer to mow along Nor Way (south) to  
175 approximately 25 feet from the shoulder to ensure safety for walkers. This was discussed with the  
176 developer on 8/29 at which time they tentatively agreed to this maintenance.  
177

178 The Board agreed not to make any final determinations until the next meeting when the developer is  
179 present.  
180

181 **Approval of Minutes:**

182 None  
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184 **Trustee Report:**

185 None  
186

187 **Other Business**

188 Tomei reintroduced Jim McCauley to the Planning Board as a prospective Alternate board member.  
189 McCauley said he is interested but he needs to review the PB meeting schedule and see how it fits with  
190 his work schedule, and take a bit more time before making a final decision.  
191

192 **Adjournment**

193 Baker moved to adjourn at 9:01PM. Seconded by Dawson; Ayes by Tomei, Baker, Dawson, and  
194 Greenwald.