

Village of Lansing
Planning Board Meeting
June 26, 2018

The meeting of the Village of Lansing Planning Board was called to order at 7:04 PM by Chairperson, Lisa Schleelein.

Present at the meeting were Planning Board Members: Lisa Schleelein, Mike Baker, Carolyn Greenwald and Jim McCauley and Alternate Planning Board Member Monica Moll; Code Enforcement Officer, Adam Robbs; Village Trustee Liaison, Pat O'Rourke; Village Attorney, Bill Troy; Village Engineer, Brent Cross; Nick Williams of VPA Development, Joshua Silver representing NYSEG, Eric Goetzmann, Dan Veanor of the Lansing Star and many people from the public.

Absent; Mario Tomei.

Schleelein appointed Moll as an acting member for the meeting due to the absence of Planning Board member, Mario Tomei.

Public Comment Period

Schleelein opened the public comment period. Brian Goodell of 16 Dart Drive voiced his concerns regarding the safety on Dart Drive due to the lack of sidewalks. Moll supported his concern and suggested a possible reduction to the speed limit in that area. Cross commented on policing and public safety. Schleelein agreed with the concern and suggested Mr. Goodell bring his concerns to the Board of Trustees.

Greenwald moved to close the public comment period. Seconded by Baker; Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.

Public Hearing -VPA Development LLC.

The public hearing was to consider a minor subdivision of the property addressed as 9 Dart Drive, tax parcel # 46.1-4-1, into two parcels. Parcel A consisting of 0.68 acres and parcel B consisting of 3.90 acres.

Nick Williams, of VPA Development, stated that this is a simple subdivision which would divide the property into two parcels. Parcel A would be cleared to be able to build a spec home on with the possibility of an income apartment. Goodell voiced his concerns regarding the new development in the area and was concerned with transient residency /ownership, the lack of care with existing rental housing and he stated that he is against any substandard low-income apartments and thinks that it will lead to higher crime in the area. Williams stated that it is a house with an apartment possibly in the future, not an apartment complex. Schleelein reminded everyone that the subject at hand is about considering a minor subdivision, what goes on the property will be addressed when VPA comes in for a building permit.

Moll asked why he wanted to subdivide the property. Williams stated for the possibility of a house to sell or rent. With no other questions or concerns the Planning Board decided to keep the Public Hearing open until the next meeting on July 9, 2018.

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48 **Public Hearing To Consider Special Permit 4153 For New York State Electric and Gas Corp.**

49 NYSEG would like to erect an approximately 100-foot-tall tower with antenna for communications with
50 their new smart meters and mobile communications for crews at 10 Substation Alley behind the Ithaca
51 Marketplace Mall, Parcel # 46.1-6-3, which consists of approximately 1.12 acres.

52

53 Joshua Silver with Murray Law Group was present to represent NYSEG. Silver explained the need for the
54 tower and the reason for its use to support the smart meter technology options for NYSEG. Silver also
55 explained that the towers would be used for communications from the service trucks to dispatch. Moll
56 asked if the neighbors have had any complaints. Robbs stated that there has been only one concerned
57 neighbor who sent in a letter with his concerns regarding the safety of the fall zone and the build
58 standards for the tower.

59

60 Cross lead a discussion on the design standards and how the tower has been over built and designed to
61 alleviate any concerns on falling over. Cross read some of the upgraded design characteristics of the
62 tower engineering. Goodell asked if the tower will be maintained. Silver stated that yes it will be
63 maintained by NYSEG. McCauley asked about the height of the tower. A discussion ensued over
64 previous drawings and specs for the tower.

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66 Baker moved to close the Public Hearing. Seconded by Greenwald.

67 Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.

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69 Schleelein read the EAF Part 1. The Board members worked through Part 2.

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71 *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR REVIEW OF SPECIAL PERMIT NO. 4153 ADOPTED ON*
72 *JUNE 26, 2018*

73

74 *Motion made by: Carolyn Greenwald*

75 *Motion seconded by: Monica Moll*

76 *WHEREAS:*

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A. *This matter involves consideration of the following proposed action: Special Permit No. 4153, for the proposal by NYSEG to erect an approximately 100-foot tall tower with antenna for communications with new smart meters and mobile communications for crews at 10 Substation Alley behind the Ithaca Marketplace Mall, Parcel #46.1-6-3, which consists of approximately 1.12 acres; and*

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B. *On June 26, 2018, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law-the State Environmental Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, and comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with the General Municipal Law Sections 239-1 and 239-m]; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to*

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94 determine if the proposed action may have a significant adverse impact on the
95 environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv)
96 completed the Short EAF); and
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98 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:
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- 100 1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF, and any
101 and all other documents prepared and submitted with respect to this proposed action and its
102 environmental review [including any Visual Environmental Assessment Form deemed required, and
103 comments and recommendations, if any, provided by the Tompkins County Department of Planning in
104 accordance with General Municipal Law Sections 239-1 and 239-m]; and (ii) its thorough review of the
105 potential relevant areas of environmental concern to determine if the proposed action may have a
106 significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section
107 617.7(c), hereby makes a negative determination of environmental significance ("NEGATIVE
108 DECLARATION) in accordance with SEQR for the above referenced proposed action, and determines
109 that an Environmental Impact Statement will not be required; and
110
- 111 2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and
112 directed to complete and sign as required the Short EAF, confirming the foregoing NEGATIVE
113 DECLARATION, which fully completed and signed Short EAF shall be attached to and made a part of
114 this Resolution.
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116 Greenwald motioned to approve SEQR review. Seconded by Moll

117 Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.
118

119 Schleelein read the 10 general conditions 145.59 E.
120

121 (1) It will not be detrimental to or endanger the public health, safety or general welfare.

122 (2) It will not be injurious to the use and enjoyment of other property in the vicinity or neighborhood.

123 (3) It will not impede the orderly development of the vicinity or neighborhood and is appropriate in appearance and
124 in harmony with the existing or intended character of the vicinity or neighborhood.

125 (4) The street system and off-street parking facilities can handle the expected traffic in a safe and efficient manner.

126 (5) Natural surface water drainage ways are not adversely affected.

127 (6) Water and sewerage or waste disposal facilities are adequate.

128 (7) The general environmental quality of the proposal, in terms of site planning, architectural design and
129 landscaping, is compatible with the character of the neighborhood.

130 (8) Lot area, access, parking and loading facilities are sufficient for the proposed use.

131 (9) The requested use or facility conforms in all other respects to the applicable regulations of the district in which it
132 is located.

133 (10) The applicant has shown that steps will be taken where necessary to meet all performance standards and all
134 other applicable general regulations.
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136 Greenwald moved that all General Conditions had been met. Seconded by Moll

137 Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.
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VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT
NO. 4153 ADOPTED ON JUNE 26, 2018

Motion made by: Carolyn Greenwald

Seconded by: Monica Moll

WHEREAS:

- A. *This matter involves consideration of the following proposed action: Special Permit for the proposal by NYSEG to erect an approximately 100-foot tall tower with antenna for communications with new smart meters and mobile communications for crews at 10 Substation Alley behind the Ithaca Marketplace Mall, Parcel #46.1 6-3, which consists of approximately 1.12 acres; and*
- B. *Prior hereto, preliminary review and preparation was undertaken by both the applicant and the Village regarding the proposed project, related matters and materials, preparation of suggested revisions, preliminary review, review of Planning Board meeting records, preliminary application materials, and environmental review matters in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"); and*
- C. *Prior hereto, additional application materials and SEQR matters for the proposed action were presented by the applicant and its consultants for preliminary review by the Village of Lansing Planning Board, at which time such materials were preliminarily evaluated, questions were posed and responses offered, and public comments were permitted, after which the Board determined that a public hearing thereon should be scheduled, and such public hearing was thereupon properly scheduled for May 14, 2018; and*
- D. *Thereafter, On May 14, 2018, the Village of Lansing Planning Board opened the public hearing for the initial purpose of (i) eliciting public comment on environmental issues regarding this proposed action, and (ii) reviewing and evaluating the materials and information presented by and on behalf of the applicant in support of this proposed action, and such public hearing has remained open until this current date; and*
- E. *On June 26, 2018, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law- the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), any and all other documents prepared and submitted with respect to the proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and 239-m]; and (ii) reviewed any environmental related comments from the public; and*
- F. *On June 26, 2018, the Village of Lansing Planning Board thereafter continued the pending public hearing on the proposed action and further reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant in support of the proposed action, including any additional information and materials related to environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board [including comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and 239-m] (iii) all issues raised during the public*

190 *hearing and/or otherwise raised in the course of the Board's deliberations, and (iv) possible*
191 *modifications and/or conditions that might be imposed in conjunction with any special permit approval to*
192 *be granted, whereupon, the public hearing was closed; and*
193

194 G. *On June 26, 2018 in accordance with Section 7-725-b of the Village Law of the State of New York*
195 *and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing*
196 *Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the*
197 *general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*
198 *applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60,*
199 *and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing*
200 *Code Section 145-61);*
201

202 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

- 203 1. *The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements, if*
204 *any, set forth below) that the proposed action meets (i) all general conditions required for all special*
205 *permits (Village of Lansing Code Section 145- 5913), (ii) any applicable conditions required for certain*
206 *special permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions*
207 *required for uses within a Combining District (Village of Lansing Code Section 145-61); and*
208
- 209 2. *It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 4153 is*
210 **GRANTED AND APPROVED**, *subject to the following conditions and requirements:*
- 211 A. *Soil and Erosion control measures shall be implemented and coordinated as required and*
212 *approved by either the Village of Lansing Code Enforcement Officer and/or the Village of*
213 *Lansing Engineer.*
214
- 215 B. *Prior to a building permit being issued, a final lighting plan shall be submitted to and*
216 *approved by Village of Lansing Lighting Commission prior to installation.*
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- 218 C. *Landscaping plan shall be submitted to and approved by the Planning Board prior to*
219 *installation.*
220
- 221 D. *Prior to a building permit being issued, approval by the Village of Lansing Engineer and*
222 *Village of Lansing Storm Water Officer of, but not limited to, site work, storm water*
223 *management and infrastructure plans, and implementation thereof. Drainage easements*
224 *for potential impact from the stormwater management facilities on neighboring parcels*
225 *shall be obtained, provided to the Village for approval by the Village Engineer, Stormwater*
226 *Officer and Attorney, and thereafter recorded at the Tompkins County Clerk's Office.*
227
- 228 E. *Required permits, approvals, consents and other authorizations from all applicable*
229 *Federal, State, County and local governmental and regulatory agencies shall be*
230 *obtained, maintained and complied with for all permitted improvements, operations*
231 *and activities as authorized by this special permit approval, and such improvements,*
232 *operations and activities shall at all times comply with all applicable Federal, State,*
233 *County and local laws, codes, rules and regulations.*
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- 235 F. *Prior to a building permit being issued, a maintenance agreement shall be submitted*
236 *to and approved by the Village Attorney, Village Engineer, and Village Stormwater*
237 *Management Officer pertaining to the stormwater facilities.*

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G. *Prior to a building permit being issued, water consumption proposed for the occupancy of the new building shall be provided to the Village of Cayuga Heights and the Village of Lansing for the issuance of the required sewer permits prior to the issuance of the building permit.*

H. *A clean set of final plans shall be submitted to be approved by the Planning Board and Code Enforcement Officer.*

Greenwald motioned to approve Special Permit #4153, Seconded by Moll.
Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.

Presentation of Site Plan for Lansing Meadows PDA

Eric Goetzmann presented the site plan for the residential component of Lansing Meadows Planned Development Area located along Oakcrest Road.

Cross presented his response to this site plan and the following engineering report:

***Village of Lansing
ENGINEER'S REPORT***

DATE: *June 26, 2018*

TO: *Planning Board and Board of Trustees*

FROM: *Brent A. Cross, Village Engineer*

RE: *Lansing Meadows Development*

NOTE: *I have reviewed the site improvement plans as prepared by McFarland Johnson Engineers, dated 6/18/18 for the above referenced project. I have the following observations and comments:*

A general description of the project is a 20 unit (10 buildings with 2 dwelling units) and the associated site improvements on approximately 3.67 acres of undeveloped land along Oakcrest Road, with a general slope from east to west. The site improvements include relocation of an existing municipal sewer main, extension of the existing municipal water distribution system, a public road w/ gutters for 2 way traffic, and a stormwater collection/management system.

The following features have been evaluated for compliance with the Villages Design Standards that are found in the Appendix D of the Subdivision Regulations:

- 1. The road is proposed to be a 2 lane (two way traffic) configuration with 2 access/intersections on Oakcrest Road approximately 500' apart. Since the road is proposed to become dedicated to the Village upon completion, the access would be considered part of the village's infrastructure and not curb-cuts to a private development.*
- 2. The layout of the road will be "off-line" from the adjacent through street (Oakcrest), and therefore the anticipate traffic volume is expected to be very low (less than 100 trips/day) due to the maximum of 20 residential dwellings and the associated visits by others (friends, family, support services). Such*

- 278 *a low volume roadway would be considered to a “dead end or road not defined elsewhere”, which is*
279 *the lowest classification recognized by the Village design standards.*
- 280 3. *The road would be posted for 30 mph (a village wide standard), which becomes the basis for most of*
281 *the following technical specifications that are derived from engineer practices that incorporate*
282 *roadway geometry for safe driving conditions.*
- 283 4. *The road Right of Way is proposed to be 50’ wide, which is less than 60’ required in table 1 for such a*
284 *public street that includes gutters. The ability for the Village to accept such a lessor width would be*
285 *based on the practical ability for all of the normal public services to be contained in the space, such*
286 *as road, water/sewer mains.*
- 287 5. *The minimum horizontal radius of the road curves is proposed to be 42’, which is significantly less*
288 *than the 125’ required. This design element is directly related to the prevailing speed limit, and is not*
289 *recommended to be lessened without alternate safety features such as modification of the speed*
290 *limit (minimum allowed by NYS Law is 25 mph) or other physical “traffic calming” measures. Such*
291 *measures may not be desirable for the maintenance/service of the Village DPW.*
- 292 6. *Sight distance at the inside of the horizontal curves is limited to approximately 120’ by the corners of*
293 *the proposed adjacent buildings. This is less than the design standard of 150’. This is another feature*
294 *that is based on the prevailing speed of the traffic.*
- 295 7. *The roadway cross section shows that the curb detail is located within the 12’ lane width. The village*
296 *design standard would have the gutter function to the outside of the 12’ lane/shoulder.*
- 297 8. *The site has access to the existing village owned public water supply*
- 298 9. *The existing village owned public sewer collection system will need to be relocated to allow for the*
299 *construction of the proposed roadway and buildings*
- 300 10. *The plans have a provision for a stormwater management system that will have any outlet at the*
301 *southwest corner of the property, into the adjacent wetland.*

302 Extensive discussion regarding the road which Goetzmann has indicated he would like to dedicate to the
303 Village. As designed, the road does not meet Village standards for a public road. John Courtney had
304 previously indicated to Robbs that the road design is unacceptable and cannot be dedicated to the Village.
305

306 McCauley asked Robbs to comment on the site design taking the road out of the equation. Robbs
307 indicated that the rest of the site plan is acceptable with the usual DPW approvals, a storm water
308 maintenance agreement, escrow for the sidewalk, and a security deposit.
309

310 Cross then noted that the roadways of other residential developments of this size usually do not even
311 come to the attention of the Planning Board because they are considered a private roadway serving only
312 the residents of the development. It was generally agreed that the site plan could be approved as
313 presented with the provision that the road would remain private and would not be eligible to be dedicated
314 to the Village unless the design is changed to come into compliance with Village standards. Schleelein

315 said she would send a memo to the Board of Trustees recommending the road remain private in
316 perpetuity.

317

318 The final site plan was approved with all outstanding conditions.

319

320 The plan was approved with a 3-2 vote with all outstanding conditions.

321

322 Ayes: Schleelein, McCauley, and Moll

323 Nays: Baker and Greenwald

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325

326 **Approval of Minutes:**

327 Baker moved to accept the minutes of March 12, 2018, as amended. Seconded by Greenwald;

328 Ayes by: Schleelein, Baker, Greenwald, and McCauley.

329 Abstention: Moll

330

331 **Trustee Report:**

332 Schleelein reported on the Trustee meeting of June 18, 2018. For a complete report of the meeting please
333 see the Trustee minutes.

334

335 **Adjournment**

336 Baker moved to adjourn at 10:06 PM. Seconded by Greenwald;

337 Ayes by: Schleelein, Baker, Greenwald, McCauley, and Moll.