

Village of Lansing  
Planning Board Meeting  
October 8, 2018

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The meeting of the Village of Lansing Planning Board was called to order at 7:00PM by Chair Lisa Schleelein.

Present at the meeting were Planning Board Members: Mike Baker, Carolyn Greenwald, Monica Moll, Lisa Schleelein; Code Enforcement Officer, Mike Scott; Village Trustee Liaison, John O’Neill; Village Attorney, William Troy; Robert Pass and Mark Kirschbaum of NYSEG; Kieran Siao of Tesla, and 4 additional people.

**Public Comment Period**

Schleelein opened the public comment period. Schleelein congratulated Monica Moll for being appointed as a full acting member of the Planning Board. At their October 1<sup>st</sup> meeting the Board of Trustees appointed Moll to fulfilling the rest of Mario Tomei term and Tony Ingraffea was appointed as the new alternate to the Planning Board.

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

**Continuation of Public Hearing to Consider Special Permit #4212**

NYSEG/Tesla is requesting approval to install an accessory battery energy storage system (BESS) on Brentwood Drive (Tax Parcel 45.1-1-59.2). The acreage disturbances will be 3,400 sq. ft. The BESS projects will be mounted on a concrete slab and enclosed within a board on board concrete fence.

Schleelein stated that this is a continuation of the previously opened public hearing. Troy stated that the original public hearing was for two different permits (Special Permit #4211 and #4212) and that this is only a continuation of the public hearing for Special Permit #4212 which is for the Brentwood Drive location. The Village is still waiting on a 239 Response from Tompkins County for the other permit and that will remain open.

**EAF (Environmental Assessment Form) and SEQR Resolution**

Schleelein stated that the EAF for Special Permit #4212 has been submitted. All the previously discussed changes have been incorporated. The Planning Board completed Part II. Schleelein read each section and the General Conditions. It was determined to be a negative declaration and the following resolution was presented:

37 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQOR**  
38 **REVIEW OF SPECIAL PERMIT NO. 4212 ADOPTED ON OCTOBER 8, 2018**

39 *Motion made by: Monica Moll*

40 *Motion seconded by: Mike Baker*

41 **WHEREAS:**

42

43 *A. This matter involves consideration of the following proposed action: Special Permit No. 4212*  
44 *for application by NYSEG/Tesla proposed installation of accessory battery energy storage system (BESS)*  
45 *on Brentwood Drive (Tax Parcel # 45.1-1-59.2). The BESS project will be mounted on a concrete slab*  
46 *and enclosed within a chain link; and*

47 *B. On October 8, 2018 the Village of Lansing Planning Board, in performing the lead agency*  
48 *function for its independent and uncoordinated environmental review in accordance with Article 8 of the*  
49 *New York State Environmental Conservation Law--the State Environmental Quality Review Act*  
50 *("SEQOR"), (i) determined that the proposed action provided for herein is an Unlisted Action in*  
51 *accordance with SEQOR; (ii) thoroughly reviewed the Full Environmental Assessment Form (the "Short*  
52 *EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed*  
53 *action and its environmental review [including any Visual Environmental Assessment Form deemed*  
54 *required, and comments and recommendations, if any, provided by the Tompkins County Department of*  
55 *Planning in accordance with General Municipal Law Sections 239-1 and —m]; (iii) completed its*  
56 *thorough analysis of the potential relevant areas of environmental concern to determine if the proposed*  
57 *action may have a significant adverse impact on the environment, including the criteria identified in 6*  
58 *NYCRR Section 617.7(c); and (iv) completed the Short EAF, Part II).*

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

60 *1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF,*  
61 *Part I, and any and all other documents prepared and submitted with respect to this proposed*  
62 *action and its environmental review [including any Visual Environmental Assessment Form*  
63 *deemed required, and comments and recommendations, if any, provided by the Tompkins*  
64 *County Department of Planning in accordance with General Municipal Law Sections 239-1*  
65 *and —m], (ii) its thorough review of the potential relevant areas of environmental concern to*  
66 *determine if the proposed action may have a significant adverse impact on the environment,*  
67 *including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the*  
68 *Short EAF, Part II, including the findings noted thereon (which findings are incorporated*  
69 *herein as if set forth at length), hereby makes a negative determination of environmental*  
70 *significance ("NEGATIVE DECLARATION") in accordance with SEQOR for the above*  
71 *referenced proposed action, and determines that an Environmental Impact Statement will not*  
72 *be required; and*

73 2. *The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and*  
74 *directed to complete and sign as required the Short EAF, Part III, confirming the foregoing*  
75 *NEGATIVE DECLARATION, which fully completed and signed Short EAF shall be attached*  
76 *to and made a part of this Resolution.*

77 *The vote on the foregoing motion was as follows:*

78 *AYES: Baker, Greenwald, Moll, Schleelein*

79 *NAYS: none*

80 *The motion was declared to be carried.*

81 Schleelein signed the SEQR form.

82 Troy stated that the Planning Board would like to add additional conditions to the resolution  
83 adopting Special Permit No. 4212. After some discussion, conditions were incorporated into the Special  
84 Permit Resolution as items j, k, l and m.

85

86 Baker motioned to close the Public Hearing. Seconded by Greenwald.

87 *AYES: Baker, Greenwald, Moll, Schleelein*

88 *NAYS: none*

89

90 **General Conditions 145-59E**

91 Having previously read the general conditions, the Planning Board determined that the general conditions  
92 had been met.

93

94 Baker moved that all general conditions, in accordance with Section 145-59E for Special Permit No. 4212  
95 had been met. Seconded by Moll.

96 *AYES: Baker, Greenwald, Moll, Schleelein*

97 *NAYS: none*

98

99 The following resolution was presented to the Board:

100

101 ***VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL***  
102 ***PERMIT NO. 4212 ADOPTED ON OCTOBER 8, 2018***

103 *Motion made by: Mike Baker*

104 *Motion seconded by: Carolyn Greenwald*

105 ***WHEREAS:***

106 A. *Special Permit No. 4212 for the application by NYSEG/Tesla for proposed installation of*  
107 *accessory battery energy storage system (BESS) on Brentwood tax Parcel # 45.1-1-59.2.*  
108 *The BESS project will be mounted on a concrete slab and enclosed within a board on*  
109 *board concrete fence; and*

- 110 B. *The Village of Lansing Planning Board, in accordance with Article 8 of the New York State*  
111 *Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"),*  
112 *and 6 NYCRR Section 617.5, has determined that the approval of the proposed special permit*  
113 *is a Type II action as previously determined by a prior resolution thereon by the Planning*  
114 *Board, and thereby the Planning Board may be processed without further regard to SEQR;*  
115 *and*
- 116 C. *The Village Code Enforcement/Zoning Officer has determined that the proposed action is not*  
117 *large-scale and therefore is not subject to a full and extensive environmental review under*  
118 *the Village of Lansing Zoning Law; and*
- 119 D. *On October 8, 2018, the Village of Lansing Planning Board held a public hearing regarding*  
120 *this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and*  
121 *information presented by and on behalf of the applicant(s) in support of this proposed action,*  
122 *including information and materials related to the environmental issues, if any, which the*  
123 *Board deemed necessary or appropriate for its review, (ii) all other information and*  
124 *materials rightfully before the Board (including, if applicable, comments and*  
125 *recommendations, if any, provided by the Tompkins County Department of Planning in*  
126 *accordance with General Municipal Law Sections 239-1—m and nn), and (iii) all issues*  
127 *raised during the public hearing and/or otherwise raised in the course of the Board's*  
128 *deliberations; and*
- 129 E. *On October 8, 2018, in accordance with Section 725-b of the Village Law of the State of New*  
130 *York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the*  
131 *Village of Lansing Planning Board, in the course of its further deliberations, reviewed and*  
132 *took into consideration (i) the general conditions required for all special permits (Village of*  
133 *Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special*  
134 *permit uses (Village of Lansing Code Section 145-60), (iii) any applicable conditions*  
135 *required for uses within a Combining District (Village of Lansing Code Section 145-61), and*  
136 *(iv) any environmental issues deemed necessary and/or appropriate.*

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

- 138 1. *The Village of Lansing Planning Board hereby (i) determines that the environmental*  
139 *information and materials submitted by the applicant and the details thereof are reasonably*  
140 *related to the scope of the proposed project; (ii) waives the necessity for any additional*  
141 *environmental information otherwise required; and (iii) finds that the proposed project will*  
142 *not have a significant adverse impact on the environment; and*
- 143 2. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*  
144 *requirements, if any, set forth below) that the proposed action meets (i) all general conditions*  
145 *required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*  
146 *applicable conditions required for certain special permit uses (Village of Lansing Code*

147            *Section 145-60), and (iii) any applicable conditions required for uses within a Combining*  
148            *District (Village of Lansing Code Section 145-61); and*

149            3. *It is hereby determined by the Village of Lansing Planning Board that Special Permit No.*  
150            *4212 is GRANTED AND APPROVED, subject to the following conditions and requirements*  
151            *as determined and/or needed:*

152            a. *Soil and Erosion control measures shall be implemented and coordinated as required,*  
153            *and approved by either the Village of Lansing Code Enforcement Officer and/or the*  
154            *Village of Lansing Engineer.*

155            b. *Prior to a building permit being issued, a final lighting plan shall be submitted to and*  
156            *approved by Village of Lansing Lighting Commission prior to installation.*

157            c. *Landscaping plan shall be submitted to and approved by the Planning Board prior to*  
158            *installation.*

159            d. *Prior to a building permit being issued, approval by the Village of Lansing Engineer and*  
160            *Village of Lansing Storm Water Officer of, but not limited to, site work, storm water*  
161            *management and infrastructure plans, and implementation thereof. Drainage easements*  
162            *for potential impact from the stormwater management facilities on neighboring parcels*  
163            *shall be obtained, provided to the Village for approval by the Village Engineer,*  
164            *Stormwater Officer and Attorney, and thereafter recorded at the Tompkins County*  
165            *Clerk's Office.*

166            e. *Prior to a building permit being issued, approval by the Superintendent of Public Works*  
167            *for any required curb-cut and/or sidewalk connection(s) as determined.*

168            f. *Required permits, approvals, consents and other authorizations from all applicable*  
169            *Federal, State, County and local governmental and regulatory agencies shall be*  
170            *obtained, maintained and complied with for all permitted improvements, operations and*  
171            *activities as authorized by this special permit approval, and such improvements,*  
172            *operations and activities shall at all times comply with all applicable Federal, State,*  
173            *County and local laws, codes, rules and regulations.*

174            g. *Prior to a building permit being issued, a maintenance agreement shall be submitted to*  
175            *and approved by the Village Attorney, Village Engineer, and Village Stormwater*  
176            *Management Officer pertaining to the stormwater facilities.*

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

- 181           i. *A clean set of final plans shall be submitted to an approved by the Planning Board and*  
182                     *Code Enforcement Officer.*  
183
- 184           j. *Training will be offered by NYSEG/Tesla to the Lansing Fire Department and Village of*  
185                     *Cayuga Heights Fire Department first responders.*
- 186           k. *A Safety Training Document will be sent to the Lansing Fire Department, Village of*  
187                     *Cayuga Heights Fire Department, police agencies and a copy to the Village of Lansing*  
188                     *Code Officer.*
- 189           l. *NYSEG/Tesla will report to the Village of Lansing in one year to inform how the project*  
190                     *is progressing.*
- 191           m. *Upon permanent decommission, NYSEG/Tesla will remove the installation and the site*  
192                     *will be returned to its original condition within six months.*

193 *The vote on the foregoing motion was as follows:*

194 *AYES: Baker, Greenwald, Moll, Schleelein*

195 *NAYS: none*

196 The motion was declared to be carried.

197 The Planning Board hopes to have a response from the County on the 239 Review so that the public  
198 hearing can be continued for Special Permit No. 4211 at the October 30<sup>th</sup> meeting.

199

200 All but one person left the meeting.

201

202 **Minutes for Approval**

203

204 **May 14, 2018**

205 Moll moved to accept the minutes of May 14, 2018. Seconded by Baker;

206 AYES: Baker, Greenwald, Moll, and Schleelein.

207 Nays: None

208 Abstention(s): None

209

210 **September 10, 2018**

211 Greenwald moved to accept the minutes of September 10, 2018. Seconded by Moll;

212 AYES: Baker, Greenwald, Moll, and Schleelein.

213 NAYS: None

214 Abstention(s): None

215

216 **Trustee Report**

217 Schleelein reported on the October 1, 2018 Trustee meeting. For a complete report please see the Trustee  
218 minutes on the Village website.

219

220

221 **Other Business**

222 The Board would like to start talking about sidewalk, transportation and traffic plans. Schleelein felt the  
223 Village may need to hire an engineer to look at the whole picture. She would like a more comprehensive  
224 traffic plan for the entire Village instead of just looking at each individual development. Baker suggested  
225 also getting input from the residents. Each resident will have a different prospective for their  
226 neighborhood.

227

228 The sewer capacity situation also needs to be looked at. Schleelein would like to have a better  
229 understanding of how the allocation of sewer units works--Who gets the connections? What are the  
230 guidelines? Scott stated that the way it was explained to him by Brent Cross is that the Village of Cayuga  
231 Heights allows the Village a certain number of units over a 10 year span. The Board of Trustees has been  
232 exceptional in keeping up with Inflow & Infiltration (I&I). Troy stated that the Town of Dryden is dealing  
233 with the same situation. Dryden will be doing a smoke test to see who is illegally hooked into the sewer  
234 system.

235

236 Other items that the Planning Board would like to address or have more clarity about are the accessory  
237 buildings definition, propane tanks and buffering. Schleelein would like to start with propane tanks. Scott  
238 stated that he has contacted other Code Officers regarding propane tank but hasn't heard back from  
239 anyone. He will reach out again.

240

241 Greenwald would like to see legislation developed on sidewalks. She volunteered to research this subject.

242

243 Scott stated that he has nothing to go by when it comes to the clearing of lots. He has given his  
244 recommendation but there is nothing in the Code to back him up. He would like the Board to look at  
245 possibly establishing a lot clearing plan or guidelines. Troy reminded the Board that the Village cannot  
246 control every aspect of a person's life when it comes to developing the property that they own.

247

248 Baker reported that he was at the Marian Hartill Park today and there was a ton of people there.

249

250 **Adjournment**

251 Greenwald moved to adjourn at 8:20 PM. Seconded by Moll.

252 AYES: Baker, Greenwald, Moll and Schleelein.