

Village of Lansing
Planning Board Meeting
Monday, February 11, 2019

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

Present at the meeting: Planning Board Members; Lisa Schleelein, Mike Baker, Jim McCauley, Monica Moll, and Alternate Member, Anthony Ingraffea; Code Enforcement Officer, Mike Scott; Village Attorney, William Troy; Village Engineer, Brent Cross; Village Trustee Liaison, Ronny Hardaway; and additional people including; Ralph Varn of Starland Builders, LLC; Crystal Fan, Phil Maguire of Maguire Family Limited Partnership; George Turner of Saratoga Associates; and Tom Schickel of Schickel Architecture; BZA Member, Roy Hogben; resident, Sean Dollaway; and Dan Veanor with the Lansing Star,

Absent: Carolyn Greenwald

Schleelein appointed, Anthony Ingraffea, as an acting member for the meeting due to the absence of Planning Board member, Carolyn Greenwald.

Public Comment Period

Schleelein opened the public comment period.

Sean Dollaway, of 150 Burdick Hill Road, expressed concerns about his neighbor located at 154 Burdick Hill Road where that homeowner is running an Airbnb at that location. He said it has hosted large, non-managed weddings, bachelor parties, fraternity parties, and many social events. He said this location is advertised as Ithaca House Event Center. Dollaway said he is not opposed to Airbnbs, however some of the guests they have allowed have been very loud and disrespectful. He is concerned for his own family's privacy and safety. He said he has found debris in his own yard after events and has caught a person urinating in his yard. Dollaway said another neighbor near this property had to extend their fence to block lighting.

Schleelein asked Dollaway if he knew who the owners of the residence are. Dollaway was unsure of the last name but thinks there are three owners. He stated he has called the Sheriff's Department on many occasions to report his complaints and they would come and investigate, however they could do nothing as the guests were not breaking any laws. Schleelein said Airbnbs are a topic that the Planning Board would like to address in the future as possibilities in the Village, however his concerns highlight the negative side of Airbnbs that the Village would not want to allow.

Troy asked Dollaway if the owners of the residence live on site. Dollaway said they did not live there and believes they live in the Elmira, NY area. Cross stated that it would be the Board of Trustees that would have the final authority to approve any regulations regarding Airbnbs. Hardaway said he would address this concern with the Board of Trustees.

With no one else wishing to speak, Ingraffea moved to close the public comment period. Seconded by McCauley.

Ayes by: Schleelein, Baker, Ingraffea, McCauley, and Moll.

Continue Public Hearing for the Preliminary Plat Application for Subdivision #4229 Proposed by Starland Builders, LLC.

51 The applicants are seeking approval for a 3 parcel subdivision on 1510 East Shore Drive (Tax Parcel
52 #42.1-1-46.11) in order to build (2) residential homes with walkout basement apartments. The proposed 2
53 lots will be located on the eastern portion of the existing 11.851 acres. Lot 1 will be 6.986 acres (Existing
54 house), Lot 2 will be 2.103 acres and Lot 3 will be 2.828 acres.

55

56 Schleelein stated this is the submission of the final subdivision and the concerns of Cross have been
57 identified on the plat as requested. Cross said most of the costs for driveways, sewer, and drain-water
58 easements would be passed onto any future individual buyers. Schleelein stated she was unclear about
59 some of the conditions and regulations in that Code regarding a major subdivision and what ones would
60 not apply in this situation. Troy said they would be listed in the resolution. There was continued
61 conversation of the subdivision regulations and costs, and what requirements would need to be met or
62 approved. Cross talked about the utility and public sewer easements on the lots. He asked if the Village
63 could obtain an easement through the property in the case the Village would need access to the property
64 for public sewer. Cross and Ralph Varn continued to discuss the concerns of the plans provided.

65

66 Troy asked Varn to have the map certified for the Village. Cross suggested the map have an area for it to
67 be stamped.

68

69 Ingraffea inquired on the two over-lines shown on the map and asked if they are on the property and the
70 solar panels being off the property line. Troy said this is a matter to be taken up by the property owners.
71 Schleelein asked about the fence and entrance way as it seems narrow for emergency vehicle access..
72 Varn said the fence is 14 feet wide with an automatic opener and would suffice for emergency vehicles.
73 Cross said the new fence should be noted on the map.

74

75 Schleelein said the public hearing would be kept open and would continue at the next meeting on
76 February 26th. Varn asked if the public hearing could be closed at this meeting with all outstanding issues
77 identified for the map. It was explained that keeping the public hearing open would not slow down the
78 process and would be kept open in case any other issues needed to be addressed. There was discussion
79 regarding the fence and sewer extension language. Troy said he would get the sewer language to Varn.

80

81 **Continue Public Hearing for Special Permit #4233 Proposed by Finger Lakes Tram LLC.**

82 The applicants are seeking approval for installing an approximately 200 ft. long Tram system which
83 includes a hoist drum/frame and cabin to hold up to 4 people. The Tram, located at 1510 East Shore Drive
84 (Tax Parcel #42.1-1-46.11), will run from the existing home down to the shore level of Cayuga Lake.

85

86 Schleelein asked if there was anything new that needed to be discussed. Crystal Fan said the deed to
87 their property shows they have the right-of-way to cross the railroad tracks. Troy asked if she could
88 provide him a copy of the deed. Fan said they are open to build the tram 30 feet from the center line of
89 the railroad tracks. Cross reminded Fan that he asked for a scale drawing of the tram installation. Scott
90 stated he has been communicating with the people from the tram company.

91

92 Schleelein said a new EAF Form for the project needs to be submitted as there have been updates to the
93 form effective January 1st.

94

95 Schleelein stated the public hearing will stay open.

96

97 **Continue Public Hearing for Special Permit #4242 Proposed by Maguire Nissan of Ithaca.**

98 The proposed project will include development of 35 Cinema Drive (Tax Parcel # 46.-1-6-5.1) which is a
99 4-acre commercial property consisting of an existing Chevrolet Cadillac dealership, and a presented new
100 Nissan dealership. The proposed action includes: construction of a two story, 25,235 Sq.Ft. (Gross Floor
101 Area) sales and service building with associated parking; public water, sewer and electrical services;
102 pedestrian and vehicular circulation; site lighting and signage; retaining wall; fence screening;
103 landscaping; and improvements to existing curb cuts along Cinema Drive and Uptown Road.

104

105 George Turner thanked the Board for the opportunity to have them back to present more information and
106 he addressed the 150 foot buffer to the Gaslight Village. He distributed a pictured example of the
107 Chevy/Cadillac Dealership location and the empty lot where the new development would be built to show
108 what the area looked like at night with the lights on, and also during the daytime hours. In addition, he
109 provided a diagram of a line-of-sight profile that is in existence versus the proposed line-of-sight profile.

110

111 Schleelein said there will be additional variances that will be needed and that the Board of Zoning and
112 Appeals would be meeting on March 13th.

113

114 Turner talked about the SWPPP and the gravel driveways and the impervious areas for the stormwater.
115 Schleelein mentioned the 15/25 re-development and that a full SWPPP would be requested. Cross said
116 they would account for the full 100% runoff.

117

118 Schleelein said she drove to the location and noticed the gravel location where the vehicles were parked
119 looked nice. She expressed the main concern is protecting the residents in Gaslight Village and the
120 buffering and that after construction the current trees buffering Gaslight could be impacted and die,
121 therefore there would need to be an agreement to have the buffering maintained. Turner stated the
122 Village has the easement. Cross asked if 95% of the existing buffering is on the Gaslight Village
123 property. Turner answered yes and explained that the holes for the fence would be drilled or bored,
124 therefore there should not be an issue with hurting the roots of the existing greenery. He stated they
125 would plant taller vegetation due to the size of the fence they install. There was continued discussion
126 regarding the views from Gaslight Village and the buffering. Turner explained the grades and the visual
127 profile of Gaslight Village. He said any vehicles that come in would be mitigated from the fence,
128 however, they are reviewing their lighting plans. Schleelein said the Lighting Commission would desire
129 less lights, and the lower the lights the better.

130

131 Scott asked if it would make sense to have the fence be as high as 10-12 feet to help block the commercial
132 property and possibly have the lights be mounted to the fence. Turner explained their plan for the lighting
133 and the property line. Schleelein said there have been complaints on the lighting that comes from the
134 Chevy/Cadillac Dealership that face Route 13.

135

136 Schleelein read suggestions received from the County regarding their review of the 239. Scott indicated
137 that the 239 had been shared with the Maguire Nissan.

138

139 *Review Pursuant to §239-1,-m and -n of the New York State General Municipal Law*
140 *Special Use Permit for proposed automotive sales expansion located at 35 Cinema Drive, Village*
141 *of Lansing Tax Parcel #46.1-6-5.1, Maguire Family Limited Partnership, Owners/Applicants;*
142 *Saratoga Associates, Agent.*

143

144 *Dear Mr. Scott:*

145

146 *This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins*
147 *County Department of Planning & Sustainability pursuant to §239-l, -m and -n of the New York State General*
148 *Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have*
149 *negative inter-community or county-wide impacts as described below. We recommend modification of the*
150 *proposal. If the Board does not incorporate the recommendations, such approval will require a vote of a*
151 *supermajority (meaning a majority plus one) of all members of the decision-making body.*

152

153 ***Recommended Modifications:***

154

155 *To help meet our County's goal of reducing greenhouse gas emissions, we recommend the Village*
156 *require the applicant to document that they have considered the four energy elements for new*
157 *construction projects outlined in the attached Tompkins County Energy Recommendations for New*
158 *Construction (2018). The County's Business Energy Advisors program offers free energy evaluation and*
159 *assistance to help business owners save energy in new construction and renovation projects. Please*
160 *contact County Planning & Sustainability if such assistance is desired.*

161

162 *The Department offers the following comments regarding the proposed project, which is not a formal*
163 *recommendation under General Municipal Law §239-l, -m and -n:*

164

165 *We note that the proposal includes significant lighting of the site. The County's Environmental*
166 *Management Council has studied this issue and developed the attached, "Environmental Alert:*
167 *Important Recommendations for Indoor and Outdoor Lighting (2017)." This resource may be helpful to*
168 *ensure this project does not negatively impact the surrounding community.*

169

170 *Please inform us of your decision so that we can make it a part of the record.*

171

172 *Schleelein supported the suggestion by the County of keeping the lighting levels down. Turner said they*
173 *would follow the light standards. Schleelein asked how the Nissan sign would project. Turner said the*
174 *light for that sign would be softer. He also asked if there were height restrictions on fences. Scott said*
175 *anything over 8 feet would be incorporated in the building permit. Schleelein asked the Board if they*
176 *thought a higher fence should be considered. The Board agreed. Turner asked if the fence would have to*
177 *be added to the plans. Scott said the building portion could be incorporated into the building permit.*

178

179 *Turner inquired about the battery storage station located at Dairy One and if they could visit the site.*
180 *Scott said he could take them to look at the solar stations or get them contact information to set up a visit.*

181

182 *Schleelein asked about the window-to-wall ratio mentioned in the 239. Turner said the County's*
183 *requirements should be something they could stride towards, however some could be a challenge.*

184

185 Ingraffea asked if the Maguire team has ever built buildings by scratch. Phil Maguire said they usually
186 have purchased businesses with existing buildings that they would remodel or update. Maguire continued
187 to explain their intent with this new location. Ingraffea talked about the County's recommendations on
188 the window and wall areas, however, he expressed his concerns for their own benefit as they are
189 constructing a new building. Tom Schickel spoke of the type of glass they have used when they
190 remodeled other locations and explained their intent for this location. There was continued conversation
191 regarding different types of windows available and the "R" values.

192

193 Cross spoke of the restrictions of the Building Codes for Local Laws. Schickel said they go above and
194 beyond what is required by the County but they may need to modify their plans some. Schleelein asked if
195 the glass they use would help prevent reflective glare since the location is close to Route 13 and facing
196 north. Schickel explained they would use glass that is non-reflective but it would still allow you to see
197 into the showroom.

198

199 Schleelein asked them to advise the percentage of windows to walls. Conversation continued regarding
200 the County recommendations for the windows. Cross expressed his concerns to make sure the
201 recommendations of the 239 are met for the site plan approval. There were questions regarding the site
202 plan approval process.

203

204 Schleelein said that she got in touch with NYSEG regarding the natural gas moratorium on that side of
205 Route 13 and Scott shared that information with them. Turner said he thought they are just outside the
206 moratorium boundaries. Ingraffea expressed they would not want to heat the building with natural gas
207 and he would like to see it all be electric and solar power. Maguire explained their plans of heating and
208 the Leadership in Energy and Environmental (LEED) Certification program. He explained his interest
209 with the battery storage system and being environmentally friendly. He said they do not want to have the
210 lights on all night and agreed electric would be the right way to go with this project.

211

212 There was conversation regarding the building and parking lot setbacks, and sidewalks.

213

214 Schleelein asked how they would maintain quality control for any pervious blacktop they might install.
215 Turner said they would vacuum that area every 1 to 2 years and it is a 2-step process to rejuvenate the
216 area. Cross explained the process used at other locations where the results can be measured over the next
217 ten years. Turner said it has been tested for decades and the SWPPP advised how to maintain. He said it
218 is a continuous process and they agree to meet the request for 100% quality for any runoff.

219

220 Schleelein said at this point there is nothing more that needed to be done until they meet with the Board of
221 Zoning and Appeals (BZA). Turner said that Maguire has reached out to the neighborhood to present the
222 project plans. Schickel asked if they could have the site plan approval before they met with the BZA.
223 Cross said they could possibly get their SEQR but not a site plan and he would like to do that at the next
224 Planning Board meeting on February 26th.

225

226 Turner stated they are very motivated and would like feedback to present to the BZA. Schleelein said that
227 both Boards are generally in agreement as to impact concerns and the desire for more environmentally
228 friendly development, less lighting, and unnecessary signage.

229

230 Turner asked if the Board had any recommendations how to present information to the BZA, SWPPP,
231 utilities, and the Village Lighting Commission. Schleelein suggested they should identify how their
232 proposed plan varies from Village Code especially for setbacks and signage and how they plan to mitigate
233 the impact on Gaslight Village. There was continued discussion of what would need to be submitted.

234

235 Cross suggested that water consumption estimates should be submitted to the Village of Cayuga Heights.
236 Turner said they have architectural designs and would like to know if they have a viable proposal to go
237 forward. There was continued conversation regarding recommendations and the Planning Board's
238 concerns.

239

240 Turner thanked the Board for their time and distributed a flyer invitation to the Planning Board to a public
241 "information session" being held at the dealership at 35 Cinema Drive on February, 12th, where he hopes
242 some of the Board members would attend and report back their thoughts. Schleelein applauded them for
243 their effort to bring this awareness to the public.

244

245 **Approval of Minutes:**

246

247 **January 14, 2019**

248 Baker moved to accept the minutes of January 14, 2019, 2019. Seconded by Moll;

249 Ayes by; Schleelein, Baker, Ingraffea, McCauley, and Moll.

250 Nays: None:

251

252 **January 29, 2019**

253 McCauley moved to accept the minutes of January 29, 2019, 2019, as amended. Seconded by Baker;

254 Ayes by; Schleelein, Baker, Ingraffea, McCauley, and Moll.

255 Nays: None:

256

257 **Trustee Report:**

258 Schleelein reported on the Trustee meetings of February 4, 2019. For a complete report of the meeting
259 please see the Trustee minutes.

260

261 **Other Business:**

262 There was continued conversation regarding Airbnbs amongst the Board members. Moll stated she feels
263 that the concerns that go with Airbnbs are due to the lack of laws. She does not want to see Airbnbs shut
264 down, however she would like to see them be held to requirements and asked if it could be explored for
265 the Village to pass ordinances, such as noise ordinances, and have penalties for the homeowners that are
266 not in compliance. Scott suggested a way where homeowners would be required to register to become an
267 Airbnb and where he could annually inspect the property for safety regulations. Conversation continued
268 regarding Airbnb regulations. It was suggested that there could be a mandate that would require the
269 Airbnb to have a manager within a certain distance of that location; since they are considered short-term
270 rentals, there is a concern about transients. Hardaway liked the idea of having the property registered, in
271 addition, passing inspection to help prove that the owners are responsible and it is a safe place. He asked

272 about the nuisance regulations and, since the owners of 154 Burdick Hill Road advertise the property as
273 an event center, would it then be considered commercial. Troy explained the law. There was continued
274 conversation on what recourse the Village has to respond to Dollaway's complaint and the property being
275 in a Low Density Residential (LDR) area.

276

277 Schleelein talked about the need for guidelines regarding rentals as she said there will be more inquires in
278 the future. Moll asked if there is a way to have the Village require more homeowners versus rentals.
279 Troy said the Zoning Law would need to be re-written. There was conversation regarding zoning and
280 infrastructure.

281

282 Schleelein and McCauley said they intend to go to the presentation for the new Nissan Dealership.

283

284 **Adjournment:**

285 Ingraffea moved to adjourn at 9:33PM. Seconded by McCauley.

286 Ayes by: Schleelein, Baker, Ingraffea, McCauley, and Moll.

287

288 Minutes taken by: Tammy Milliman, PT Clerk

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291