

Village of Lansing
Planning Board Meeting
Minutes of Tuesday
April 30, 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, Carolyn Greenwald, Jim McCauley; Code Enforcement Officer, Mike Scott; Village Attorney, William Troy and Attorney Natalie French; Village Trustee Liaison, Ronny Hardaway; Planning Board Engineer, Brent Cross; George Turner of Saratoga Associates; John Snyder of John Snyder Architects; Eric Goetzmann of Arrowhead Ventures and Jim Bold of Bold Associates; and approximately 5 additional people.

Absent: Monica Moll and Tony Ingraffea.

Public Comment Period

Schleelein opened the public comment period at 7:02pm.

With no one wishing to speak, Baker moved to close the public comment period. Seconded by Greenwald.

Ayes by: Schleelein, Baker, Greenwald, McCauley.

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

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

Scott stated that they would not be in until the end of May or beginning of June because they need to make sure that the plants that are on the Cornell endangered list are not on their working sight. Schleelein stated that the public hearing would remain open until then.

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

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

44 George Turner of Saratoga Associates; John Snyder of John Snyder Architects were present to
45 represent Maguire Nissan of Ithaca.

46

47 Representatives from Maguire Nissan attended the Board of Zoning Appeals (BZA) meeting on
48 April 10, 2019. At that BZA meeting their variance of 380.5 sq. ft. of signage was approved.
49 Maguire Nissan was to choose between two different signage designs and get that information to
50 Scott. Scott stated that to close it out the Village needs to know which one was chosen. Once the
51 Village gets the final design plan which has been signed by Phil Maguire then the Village can
52 produce a resolution. Snyder agreed to drop those off tomorrow.

53

54 Cross asked about the sidewalk. Scott stated that he and John Courtney, Supt. of Public Works,
55 used the site plan map to look at the area. They measured where the ditch was and where they
56 would place the fire hydrant. Courtney would like to see a 5-ft. sidewalk on the other side of the
57 drainage ditch which would allow the Village room to get the snow off the road and not onto the
58 sidewalk. Between the curb and the sidewalk there would be a 2-3 ft. buffer. Scott and Courtney
59 will draw something up for the Nissan representatives. The sidewalk will be installed starting at
60 the apartments on Uptown Road and continue to the Cinema Drive sidewalk. Schleelein stated
61 that it is one parcel so she would like to see the whole sidewalk go in at once along with this
62 project. Baker stated that would also be his first preference.

63

64 Turner pointed out the sidewalk shown on the site map. He stated that they have no problem
65 installing a sidewalk, however, there is a wide drive isle and currently they don't know what they
66 are doing with that so to put the sidewalk in now doesn't seem logical. With Phase 2 they would
67 implement the sidewalk.

68

69 Greenwald was concerned that the Village could get burnt. Turner suggested that this could be a
70 condition of the approval. There is a lot of infrastructure to go in that area. Schleelein restated
71 that a sidewalk is wanted there.

72

73 Turner stated that they would like to put in the sidewalk in the 2nd phase of the parcel
74 development. Greenwald stated that since this is a special permit, the Village can require that
75 sidewalks be installed. Turner stated that Phase 2 would be in approximately six months.
76 Maguire Nissan would commit to a sidewalk but would hold off on the physical project. They
77 would be happy to have this as a condition. Schleelein would like to set a time limit. Troy
78 reiterated that Turner offered that by the time Maguire completes Phase 1 they would put in the
79 whole sidewalk. The Board was ok with this.

80

81 Cross recommended that we have the usual condition that the Building Permit be approved by
82 the Village Engineer for stormwater.

83

84 Schleelein stated that the Lighting Plan will also need to be submitted to and approved by the
85 Lighting Commission. The landscaping has been addressed.

86

87 The BZA had conditions which will also get rolled into the resolution. Schleelein asked the
88 Board if they were ready to close the public hearing and if everyone was ok with the final
89 conditions.

90

91 Turner was satisfied with all the variances and stated that they are ready to drill down into the
92 engineering.

93

94 Cross stated that the number of sewer units for the project still needs to be determined. This will
95 be based on estimated water consumption. Turner will reach out to the Village of Cayuga
96 Heights regarding the units and then purchase the necessary units from the Village of Lansing.

97

98 Troy asked Turner and George if they would like the public hearing to stay open until the next
99 meeting. They agreed that the public hearing could be closed. A final resolution with conditions
100 will be approved at the next meeting on May 13, 2019. Schleelein entertained a motion to close
101 the public hearing.

102

103 McCauley moved to close the public hearing. Baker seconded the motion.

104 Ayes by: Schleelein, Baker, Greenwald, McCauley.

105

106 Scott will distribute the conditions that the Planning Board has come up with before the next
107 meeting for review.

108

109 Greenwald recommended that the Commercial High Traffic (CHT) Design Guidelines of the
110 Village become a standard especially regarding trees. She would like to have a discussion about
111 turning the guidelines into standards for all the commercial zones. Snyder suggested that when it
112 is not possible to plant trees at a project site that the Village might want to consider the option of
113 the developer planting trees off site elsewhere in the Village, much like the wetlands exchange
114 concept. In the Maguire situation for example it would make sense to plant trees elsewhere
115 because trees and cars don't mix. The Board thanked Maguire Nissan representatives for being
116 so receptive to green standards.

117

118 **Informal Review of Special Permit #4258**

119 Eric Goetzmann, representing Arrowhead Ventures, is proposing a change to the Residential
120 Units of Area B in the Lansing Meadows PDA located on Oakcrest Road (Tax Parcel #47.1-1-

121 17.21). The Planning Board will review this proposal (Special Permit #4258) to determine
122 whether it is a major or minor change from the approved site plan.

123 Eric Goetzmann and Jim Bold were both present to represent Arrowhead Ventures. Goetzmann
124 stated that they had three changes to the special permit which he feels constitutes a minor
125 change.

126 1. The road is now a one way road which allows for on-street parking which they didn't
127 have before.

128 2. Change the townhouses from duplexes to triplex. The buildings are almost the same
129 footprint. It allows for downsizing. Each building would have three two bedroom units.
130 The end units would have two car garages and the center unit would have a one car
131 garage and on street parking available. The units are all on one floor. This change
132 increases the number of dwelling units from 20 to 30.

133 3. The triplexes would be built to a townhouse code so that if it ends up they cannot rent
134 them then they would be able to be sold and have them owner occupied.

135

136 Goetzmann stated that he is looking to amend the site plan with these minor changes.

137

138 Greenwald asked what the typical width of a one way road would be. Cross stated that the travel
139 lane is typically 10-12 feet. Bold stated that they are showing a 12 foot road plus 2 foot gutters.
140 Cross pointed out that on the plans there is now an additional 8 feet for off street parking that is
141 located between the driveways and connects to the driveways. Each section between driveways
142 holds 2.5 parking spots. Bold stated that going to a one way road has allowed the driveways to be
143 extended.

144

145 Greenwald asked how the triplexes are designed for senior housing. Goetzmann stated that the
146 project is for 55 and older, not seniors.

147

148 Goetzmann showed pictures of the floorplan. Cross stated that this was the same detail of units
149 as previously presented that was facing Oakcrest Road but has now been flipped to the inside.
150 The units closest to Oakcrest are now facing the one way road. Cross also pointed out that the
151 buildings at last meeting were also triplexes.

152

153 Bold stated that each end unit would have 1250sq.ft. of living space with a 350sq.ft. double car
154 garage. The center units would have 1100sq.ft. with a 251sq.ft. single car garage. Basically, each
155 unit has the same one story layout with 2 bedrooms.

156

157 Schleelein asked how it would work out with the land if they were to sell. Bold explained that it
158 would be just like the duplexes on Janivar Drive. There would be zero lot lines and each unit
159 would own the land by their unit. The end units would also have a small side yard.

160

161 It was asked if they switched at a later date to owner occupied would it have to be a subdivision.
162 Bold stated that it would then be a Home Owners Association and they would take care of the
163 private road. Cross pointed out if you found someone who wanted to buy a unit then Arrowhead
164 Ventures could still be a primary owner of the units because they still own the other units.
165 Goetzmann stated that with all the rentals in the area it may be necessary to sell in the future.
166 They won't know until they start to rent these units.

167

168 Greenwald asked if they had a landscape plan. Bold stated that the landscape plan is close to
169 what they had before. The previous plan had a planting plan and they will have to review that to
170 see if it still makes sense with the minor changes.

171

172 Schleelein questioned doing the project in phases. Bold stated that they would start and continue
173 to build until it is done. The plan is to start with the first 12 units as a package and then they
174 would continue with the remaining 18 units.

175

176 Schleelein stated that she would like to see them start with the buildings closes to BJ's. These
177 buildings face Oakcrest and in case the project gets stalled at least we aren't looking at the back
178 of townhouses. Bold understands her concern but that is not how they are approaching this.
179 There will be a huge investment in infrastructure and all units will get built out by someone and
180 he doesn't feel it is a valid concern. Greenwald thinks it is a valid concern. McCauley asked if it
181 is ultimately going to get built then what is the harm in doing the area closes to BJ's first. If you
182 are bound by the road you have a construction zone everywhere. From an aesthetics point of
183 view it doesn't make sense.

184

185 Schleelein stated that the landscaping needs to take into account the back of the houses are now
186 to Oakcrest Road.

187

188 Bold asked if the Board had a copy of the landscape plan. Greenwald did. Greenwald stated that
189 we need to make sure the landscaping plan is reviewed and updated with the buildings being
190 turned.

191

192 Goetzmann reiterated that the only change to the previously approved site plan is narrowing the
193 road and having additional garages because of the change from duplexes to triplexes.

194

195 Cross stated that these changes to the road would not make it Village compliant so the road could
196 never be dedicated to the Village. Under the conditions it should be stated that the one way road
197 would always be a private road. Narrowing the road gains space on the corner and is an
198 improvement from the two way design. Cross feels that the one way road design is an
199 improvement from the previous two way design in terms of its functionality. Greenwald agrees
200 that the one way road is better.

201

202 Schleelein asked Scott if he agreed that it made more sense to start building on the Oakcrest side.
203 Scott stated that if you start on the lower side you are risking the second section and would create
204 run off issues. Scott feels that construction in the proposed order is wise.

205

206 Greenwald was concerned that the second phase would not be built. She asked if only one phase
207 is most likely to happen would that area basically be leveled off. If so, you would be better off
208 doing the townhouses on the south side of the road closer to BJ's.

209

210 Schleelein is also concerned that we will never see this project being completed. She asked
211 Goetzmann if he was completely committed to the proposed number of 10 buildings. Goetzmann
212 stated that the road infrastructure is going in and the only way to get your money out is to do all
213 the units.

214

215 Greenwald suggested that something be stated in the conditions that there would be no
216 Certificate of Occupancy issued for buildings 1-3 until buildings 4-6 are built. People will be
217 living there with all construction is happening.

218

219 Schleelein stated that the Boards concerns are based on the history of the project. We started
220 with twelve units and now we are at 30. It has been a long nine years. She wants everyone to
221 come up with protections we can build into the resolution so we are certain that the whole project
222 will be completed.

223

224 Schleelein feels strongly about there being room for a sidewalk on Oakcrest Road.

225

226 Goetzmann reminded the Board that a sidewalk to nowhere was installed on Pyramid by TOPS
227 that lead to the Shops at Ithaca Mall and just ended. Schleelein recalled that it was determined
228 back at a meeting on June 25, 2018 that if a sidewalk was not built that money would be placed
229 into escrow to build a sidewalk in the future. Goetzmann does not want to change that.

230

231 Schleelein asked Goetzmann when he planned to start construction if the proposed changes are
232 classified as minor. Bold stated that July 20, 2020 was their deadline where they will have to
233 have twelve units definitely completed but shells of other buildings will also be done. This

234 means that they will have the exterior completed on the remaining buildings which would
235 include foundation, roof, siding and garage doors. One building will be enclosed then the next
236 one would be started. From the outside it will look like the unit is complete.

237

238 Greenwald suggested that we also have a schedule for plantings. Schleelein asked if they would
239 be planting as they go along. Bold stated that the drainage swale would get installed and
240 retention pond would be complete with the first twelve units. Grading plan for units towards BJ
241 grades water to the swale and not to the wetland.

242

243 Schleelein asked when the perimeter of trees could be planted. Bold stated that along BJ's
244 property there are some trees on BJ's side of swale that can go in anytime because there is no
245 grading for that area. The ones on the one side would be tricky because of the grading. Bold
246 added that the trees along Oakcrest Road would be done with the first four units. There is a
247 planting schedule on the original landscape plan. The only thing that would be different is the
248 changes due to there now being three entrances instead of two. There will need to be some
249 balance with the front door plantings.

250

251 Schleelein restated that the proposed changes if classified as minor would be an amendment to
252 an existing special permit; if classified as major a new special permit process would need to be
253 initiated.

254

255 Greenwald would like to see the conditions of a sidewalk added and a more specified planting
256 schedule. She felt it is a little vague now. She would also like to have conditions on the timing of
257 the construction.

258

259 Schleelein would like to have in writing that there will not be a foundation without a shell on it.
260 Troy stated that this can be a condition.

261

262 Schleelein wants to see the buildings in Area B completed before commercial parcel A1 is
263 allowed to be developed. She wants this as a condition if we approve this as a minor change.

264

265 Schleelein stated that she would like fewer units but understands that more units help defray the
266 cost of the road.

267

268 Greenwald liked the idea that the units will be built so they can be sold.

269

270 Cross felt the one-way road is a slight improvement as long as it is stated in the conditions that it
271 will always stay private. This plan could potentially have a minor change for storm water
272 management.

273

274 Schleelein asked if we need to worry about additional sewer units. Cross stated that currently it is
275 not a threat.

276

277 Goetzmann stated that they would apply for all 30 sewer units. He needs to know that they can
278 build all 30 units. Cross stated that as of now it wouldn't be a problem to get units.

279

280 Greenwald wanted timing also stated.

281

282 Cross stated that there needs to be documentation of all the changes. All infrastructure changes
283 need to be identified.

284

285 Troy stated that the Planning Board needs to have a formal meeting to decide if the proposed
286 changes are major or minor changes. Today is only an informal presentation so there will be no
287 vote tonight. An official resolution will be created with conditions for a public hearing at the
288 next meeting. A vote can then be taken at the next meeting. Troy and Scott will meet to talk
289 about the procedures.

290

291 Cross noted that the resolution would negate any building and stormwater permits currently
292 open. The new resolution or amendment would supersede all previous permits. Cross explained
293 that the building permit and stormwater permit need to be withdrawn if the special permit is
294 being amended.

295

296 Scott stated that he will also research the sidewalk issue. Schleelein thinks it is in the special
297 conditions when the site plan was approved.

298

299 **Approval of Minutes:**

300

301 **April 8, 2019**

302 McCauley moved to accept the minutes of April 8, 2019. Seconded by Greenwald.

303 Ayes by; Baker, Greenwald and McCauley.

304 Abstention by: Schleelein

305 Nays: None:

306

307 **Trustee Report:**

308 Greenwald did not attend the last Trustee meeting. Hardaway was present at the meeting and
309 gave a brief overview. The Trustees approved the 2019-20 Budget. Gerry Monaghan resigned as
310 Trustee so it was his last meeting. A public hearing was set for May 6, 2019 to change the way
311 building fees are calculated. The plan is to go to a flat fee for one and two unit dwellings and no

312 longer have it based on square footage. For a complete report of the meeting please see the April
313 15th Trustee minutes.

314

315 **Other Business:**

316 Schleelein and Greenwald reported on their NY Planning Federation Conference. At the
317 conference the Village of Lansing Article 78 for Lansing trails was brought up on case law.
318 There was a session on revitalization and mixed use. Schleelein found it interesting that the
319 suggested language for sidewalks was using words such as are, shall and will. We want standards
320 and not guidelines.

321

322 Greenwald wants planning sessions scheduled into future meetings.

323

324 Scott was concerned that we have quite a bit to do so we need to make time for a planning
325 session. The Board agreed that they need to block off time for planning. The areas that they feel
326 currently need to be focus on are landscaping, sidewalks and a more definitive code.

327

328 Schleelein stated that we just need to schedule the planning sessions on a regular basis.

329

330 Troy made a suggestion to have an education session from 6-7pm and then have the regular
331 meeting. The Board felt it would be too difficult to get here that early.

332

333 Greenwald brought up an issue from the Planning Federation to have established procedures for
334 Public Hearings to ensure civility at all Planning Board meetings. Although this has not been a
335 serious problem in the past it was suggested to have the rules printed on the back of the agenda,
336 especially if there is a controversial issue being discussed.

337

338 There was continued discussion as to how to streamline the meeting process to make it more
339 efficient. Cross, who is also the engineer for the Village of Cayuga Heights, stated that of 100
340 cases that he has been through; most projects are completed in two meetings. There is a
341 preliminary presentation and if it is deemed to be sufficient then a public hearing is set for next
342 meeting and it is decided if a short or long SEQRA form is needed. After the public hearing is
343 closed the SEQR is done and a decision is done that night. Troy asked how complex those cases
344 are compared to our projects. Cross feels it is a question of expectations. Let the presenter know
345 what you expect in advance. Cross feels that it is a difference in approach. If no one speaks at a
346 public hearing then the hearing is closed and not carried from meeting to meeting. You advertise
347 and if the public chooses not to come then it is closed.

348

349 McCauley thought the time allocated should depend on the issue. Some proposals take more time
350 and are more involved. Presenters should be able to fully present their project. McCauley asked
351 how many presentations the Board thought were too long. Schleelein felt some can get repetitive.

352

353 McCauley felt that if presenters are given lots of time to present they would be less likely to file
354 an Article 78.

355

356 The Board agreed that they need to start to encourage people to be more consistent with their
357 presentations. The following things were suggested that the Planning Board may want to
358 implement to help the meetings run more efficiently:

- 359 - Stress to presenters that they must have information to the Code Officer by the
360 Wednesday before the meeting so it can be distributed to the Planning Board to
361 review before the meeting.
- 362 - Invite people to provide a brief written overview of the project before the meeting.
363 Troy stated that putting in writing forces the presenters to tell you what they want so
364 you can review it before the meeting.
- 365 - Don't allow presenters to hand out additional information at the meeting. Let them
366 know that we must have the information in our packets so as to have the weekend to
367 look at it.
- 368 - Cross suggested writing a Code/Zoning Officer's report summarizing the case and
369 what is being considered. Notice could say see online for case summary. The Village
370 of Cayuga Heights does this and posts it on their website.
- 371 - State a start and finish time of a presentation so the presenter is aware of their time
372 limit.
- 373 - Have a written outline of the presenters' agenda.
- 374 - Have presenters come in and have a discussion with the Code/Zoning Officer in
375 advance.

376
377 Troy will work with Scott to prepare special guidelines.

378
379 The Board decided that they will designate at least an hour every 4th meeting for a planning
380 session. Scott will also let the Board know if there is a light agenda so they may also add in
381 additional planning sessions. The first planning session will be May 28th from 8-9pm.

382
383 McCauley reminded the board that he would not be at either May meetings.

384
385 **Adjournment:**

386 Baker moved to adjourn at 9:02 PM. Seconded by Greenwald.

387 Ayes by: Schleelein, Baker, Greenwald, McCauley.

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389 Minutes taken by: Jodi Dake, Clerk/Treasure

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