

Village of Lansing
Planning Board Meeting
Minutes of Tuesday
January 13, 2020

The meeting of the Village of Lansing Planning Board was called to order at 7:01 PM by Lisa Schleelein.

Present at the meeting: Planning Board Members; Mike Baker, Carolyn Greenwald; Monica Moll; James McCauley; Lisa Schleelein; Code Enforcement Officer, Mike Scott; Village Attorney, Natalie French; Village Trustee Liaisons, Randy Smith and Ronny Hardaway; Village Engineer, Brent Cross, Mayor Donald Hartill, Dan Veaner of the Lansing Star, Fran and Crystal Mullenix, John Snyder, Kate Maguire, Ken Farrall and 3 additional people.

Absent: Tony Ingraffea, Alternate

Public Comment Period:

Schleelein opened the public comment period at 7:02pm

Ronny Hardaway asked if there were two members from the Planning Board that would like to join the new Community Task Force. Hardaway said anyone that's interested to email or contact him.

Schleelein asked for a motion to close the public comment period. Baker moved to close the public hearing. Seconded by McCauley.

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

Subdivision Sketch Plan

Maguire Nissan of Ithaca, represented by John Snyder Architects, is seeking approval from the Planning Board for a sub-division. The property located at 35 Cinema Drive (Tax Parcel # 46.1-6-5.1), which currently has 4 acres, would be subdivided into 2 lots. Parcel A would contain 2.09 acres and Parcel B would have the remaining 1.91 acres.

Schleelein read from the proposal. John Snyder from John Snyder Architects asked if anyone had questions regarding the sketch plan. Scott said there were no issues with the sizes of the new lots. As it stands, the side setback towards the existing dealership is less than 25' and would need a variance. Schleelein said because of a Bolton Point rule, the existing lot can only have one water meter. Snyder said to connect to the current dealership's meter isn't feasible. This situation would be more efficient by subdividing the parcel.

Schleelein stated the Planning Board needs to decide if this is a major or minor subdivision and that by definition it is classified as minor. Scott said the short EAF is not needed since they already have gone through the process with the original Nissan Special Permit. Schleelein said there are concerns regarding the loading and unloading of the vehicles on Cinema Drive. Cross stated with the subdivision there is no provision for the Nissan site needing a special permit for the Chevy site to load or unload on Cinema Drive but wants to discuss the possible problem it may cause on Uptown Road with the new Dealership. Kate Maguire said she will look into the concerns regarding loading and unloading. Moll asked about an

45 easement agreement with the Nissan dealership for the road between and behind the dealership for
46 access. Maguire said due to zoning she feels it's not needed since there's full access on Uptown road.

47 Schleelein asked if anyone had more questions. Schleelein asked for a motion to classify this as a minor
48 subdivision. Baker motioned to classify the proposal as a minor subdivision. Seconded by Greenwald.

49 Ayes: Baker, Greenwald, McCauley, Moll and Schleelein

50 Snyder said when he originally went to the Planning Board, Maguire wanted a 6-foot fence, but the final
51 agreement was a 10-foot fence. Snyder said a 10-foot fence is very large and asked if they could lower the
52 fence. Schleelein stated the issue for the 10-foot fence was due to the lights and if it was going to encroach
53 on the residential neighbors. Schleelein told Snyder if they could come back and prove the residents are
54 protected from the lights then a lower fence may be considered.

55 **Informal Subdivision Presentation.**

56 Ken Farrall, representing the Shops at Ithaca, will be presenting a possible subdivision of the local Mall.
57 Schleelein stated there was a slight change to the agenda for the informal subdivision and read from the
58 proposal. Farrall said two years ago they were working with the Planning Board on a possible PDA for a
59 Mall subdivision. Today, the consensus is to move forward through the use of variances to help speed the
60 issue along. Farrall said they have made a few changes needed such as LED lighting, storm sewer piping
61 and smoke/fire detectors.

62 Farrall said he know the Village is interested in taking over Graham Road West, which is the portion going
63 from Triphammer to BJ's. Farrall said the Mall owners would like to proceed without a PDA and submit
64 the variance request for zero lot line in order to move forward with the subdivision of the mall parcel and
65 make it faster to market. Farrall asked if anyone had questions. Schleelein asked if Catherwood Road was
66 owned by the Mall and Farrall said yes. Farrall said it would connect to Pyramid Drive and open up the
67 loop from Graham West to Catherwood and would belong to the Village. Schleelein said she has questions
68 regarding who owns what. Schleelein asked if Target owned their building and Farrall said yes.

69 Schleelein said there have been several issues regarding flooding, fire issues, and stormwater. Farrall said
70 if they are allowed to move forward with the subdivision, they can resolve all of the issues in conjunction
71 with releasing the hotel lot for the land development plans for the new hotel. Greenwald said her memory
72 of previous conversation wasn't focused so much on the road but more related to flooding and who's
73 going to take responsibility. Greenwald also had concerns with the empty spaces inside the Mall. Farrall
74 said when the subdivision is completed the outside aesthetics will not change. Farrall said when the new
75 parcels are sold, they will need to sign an ECCR (an easement covenant agreement), which is a document
76 that basically states all of the parts are responsible for the whole. Farrall said they would have to continue
77 to pay the Mall for ongoing maintenance fees. Farrall said the owners are trying to revitalize the Mall.
78 Greenwald said the Village also wants to see a change.

79 Greenwald stated Namdar previously tried to revitalize the Mall and asked if there are any other Mall
80 renovations Namdar has undertaken elsewhere that the Planning Board could look at. Baker asked what

81 happens if the Zoning Board of Appeals approves the zero- lot line and then tenants don't sign the ECCR.
82 Farrall said if tenants don't sign the ECCR, they can't purchase the lot and someone else could. Moll asked
83 in terms of general maintenance who will manage that the Mall. Farrall said it would be the same
84 organization who is currently maintaining it. Farrall said the goal it to ultimately put life back into the Mall.

85 Moll asked where Target's lot line is and if they are onboard with the new sketch plan. Baker asked the
86 Trustees in attendance if they are interested in adding more costs to maintain the roads. Hartill said yes,
87 since they already maintain the Mall.

88 Schleelein agreed that the variance approach is a better way to proceed versus the PDA and asked Farrall
89 in terms of the sketch plan whether some of the stores are already committed. Farrall said he doesn't
90 know but they have a group of investors interested. Cross asked how soon the stormwater inventory will
91 be completed and the timing between that inventory and finalizing the subdivision. Farrall said as soon as
92 he can sit with Scott to discuss what is needed.

93 Cross wants to have an agreement to establish that the Village is not responsible if there are pipe problems
94 and flooding. A certain level of expectation was built previously when they had no regulations in place.
95 Cross stated the building was built over 25 years ago on top of the stormwater infrastructure when there
96 were no regulations in place. Cross said he would look at and inspect it for any potential risk to confirm
97 regulations are in place. Farrall stated it will be taken care of in a timely manner.

98 Scott said the next step is to bring a new sketch plan breaking down the parcels to find out what variances
99 are needed so he can relay that information to the Board of Zoning Appeals. Cross asked about the
100 application process. Scott said an application would need to be done for each variance. Schleelein asked
101 about the water meters for each parcel.

102 Schleelein stated she wants to see the Mall revitalized but also asked about the parking and if some of the
103 space could be opened up to some green space. Farrall said the Mall needs to keep up with parking space.
104 Cross stated this may be the opportunity to take the 20% reduction for green space and Schleelein said
105 they may need to look at the code. Farrall said if they can get everything done in a timely manner, he
106 hopes to bring the subdivision plat to the February 10th meeting.

107 **General Planning Session**

108 **Short Term Rentals (STR):** Schleelein stated she wanted to have further discussions on short-term
109 rentals and wanted to go over Scott's STR handout. Schleelein said one of the concerns is "B" on the
110 handout, i.e., having the property be the homeowner's principal residence. Greenwald said for
111 individuals who are landlords it's a good way to rent out the property and continue income in-
112 between tenants. Schleelein stated she is concerned with people building or buying homes with the
113 sole purpose to run short-term rentals. Scott said with short-term rentals it brings in visitors to the
114 area and outside money to the Village.

115 Schleelein said she prefers to take out or change item” B “on the handout. Baker stated he wants to
116 take out hosted versus non-hosted. Baker said this will be the first attempt in looking into short-term
117 rentals and changes can be made going forward.

118 McCauley said he wanted to take a step back because he felt the Village wants residential housing.
119 McCauley said he prefers short-term rentals be hosted. Moll said apartments have the option to rent
120 short term with management on premises and is considered hosted. McCauley said apartments are
121 not considered residential areas. Schleelein asked if they should list what areas are considered low
122 residential or medium residential. McCauley said he feels residential areas want to be homeowners
123 not short-term rentals. Baker said he feels homeowners are the ones considering short-term rentals.

124 Schleelein stated one of the main reasons to get a STR regulation in place was due to complaints
125 from neighbors. Schleelein said there should be repercussions regarding any violations and the
126 renewal application should be able to be declined. Schleelein said there should be possible changes
127 to the parking limits and occupancy maximums. Scott said the occupancy limit is dependent on the
128 size of the bedroom square footage. Schleelein said she wants everyone that applies for an
129 application for a short-term rental that it is very clear to the applicant what is required, such as the
130 Special Permit and Public Hearing process.

131 Greenwald said there will be several individuals who will want to rent short-term during graduation
132 weekends and will look for 5 -10-day rentals. They are not going to want to go through the application
133 process. Scott suggests every STR follow the same process. Moll asked if it was a onetime application
134 and Scott said they will have to renew it on a yearly basis. Moll asked if there could be a simplified
135 application process for individuals looking to rent on a short term 5 -10-day rental.

136 Cross said the rules are good to have but the Planning Board needs to decide if this is being put
137 together for compliance or because of complaints that arise. Cross said having the words on paper is
138 a good way to force people to comply but, is not sure what Scott can do to monitor or enforce them.
139 Cross said Cayuga Heights has an outside service that monitors STR listings. Schleelein stated she
140 wants to ensure that any neighbor who feels a short-term rental is violating the rules, the Village has
141 the authority to step in and remedy the situation.

142 Cross said a zoning violation takes a minimum 30 days to process. Greenwald asked about noise
143 ordinance violations. Moll asked if something could be put in place for a possible fine for any
144 violations. Cross stated if you have a fine in place, the Village can add additional fees for anything
145 past 30days. Moll asked for clarification on penalties for zoning violations. Cross said you don’t want
146 your Zoning Officer being the same person enforcing the fine; let the legal system take care of that.

147 Scott recommended he draft up something for Planning Board approval and then send it to the
148 Trustees. McCauley suggested putting this on the Village website or an ad in the Lansing Star. Scott
149 said he wants to set a date for the final draft. Cross said in the event applicants for STR can’t work
150 with the rules, they cannot appeal to the Village Zoning Board of Appeals. Schleelein said she wants

151 to keep the rules as general as possible. Cross asked what happens if all property owners decide they
152 want to switch to short term rental. Cross said they may need to change rules for LDR and MDR.

153 Schleelein said if time permits, she would like to aim for the Feb 10th meeting to invite the public to
154 share their experience on STR.

155 **CLT and CMT Uses:** Schleelein said she wants to continue the discussion on CLT and CMT uses in
156 light of the Planning Board recommendation to the Board of Trustees to change five parcels from CLT
157 to CMT along N Tripphammer Road. Schleelein suggested the things to look at as the Planning Board
158 considers the list of uses, are to incorporate some of the principles of form-based zoning and consider
159 what you want to see in that area going forward. Schleelein said there are more gaps going from CLT
160 to CMT than vice-versa. Greenwald stated the general feeling is to allow more residential uses in
161 more places and asked if there is any place residential is not allowed. Schleelein asked everyone to
162 go down the list of uses and discuss the differences and see if there are suggested changes.

163 Schleelein stated back in 2016 the Planning Board voted to recommend some new definitions to add
164 to the Code, but the changes never made it to the Board of Trustees.

165 Cross said where it said “trailers” needs to be changed to “manufactured homes”. Scott suggested
166 amending the definition of outdoor recreation/club. Schleelein stated a lot of the uses depends on
167 traffic. Scott said he would like to see the food truck vendors be expanded to more areas. Schleelein
168 stated changes should not be taken lightly. There were sound reasons for the current list of uses and
169 the Planning Board needs to be very careful with considering changes.

170 **Approval of the Minutes**

171 December 9, 2019 - Schleelein wanted to correct the wording of Solar Farms to Solar Homes. Greenwald
172 moved to accept the minutes of December 9, 2019. Seconded by Moll.

173 Ayes by: Baker, Greenwald, McCauley, Moll and Schleelein

174 Abstentions: None

175 **Trustee Report**

176 Schleelein reported on the meeting of January 8, 2020. Lansing Meadows Planned Development Area
177 (PDA) wants to subdivide the Area B parcel and sell the first four buildings in the PDA. Scott said they
178 want to change the wording of the setback and frontage for the residential units of the PDA to meet the
179 existing site plan. Schleelein said there was a lot of talk about enforcing the age 55 and over. Jim Bold also
180 said that only 12 (of the 18 total) housing units need to be 55+. Schleelein stated she believes it is part of
181 the approved LMPDA Special Permit conditions and the original intent of the PDA that the Area B
182 residential parcel is to be dedicated to senior housing regardless of number of housing units. Scott said he
183 would look it up.

184

185 **Other Business to report:**

186 There was a short discussion on the Subdivision at the Shops at Ithaca Mall. Everyone hopes to see
187 something good happen at the Mall. Lisa asked if anyone was interested in participating in the Community
188 Task Force.

189

190 **Adjournment:**

191 Schleelein asked for a motion to adjourn at 9:45PM. Moved by Greenwald. Seconded by Baker

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

193

194 Minutes taken by: Tina Freelove, PT Clerk

195