

Village of Lansing
Planning Board Meeting
Minutes of Tuesday
February 25, 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, James McCauley, Monica Moll, Lisa Schleelein

Alternate Member: Anthony Ingraffea

Village Staff: Code Enforcement Officer, Mike Scott; Village Attorney, William Troy; Village Engineer, Brent Cross

Village Trustee Liaison: John O'Neill

Dan Veaner of the Lansing Star; John Snyder of John Snyder Architects; Brian Wallace, Robert Switala, Mark Rodriguez of Solar Homes; Nick Sedorus, Mike Ward and Noah Denarest; Chris Gruber of Cayuga Landscaping; Jill Stage and 2 other people.

Public Comment Period:

Schleelein opened the public comment period at 7:02pm

With no one wishing to speak. McCauley moved to close the public hearing. Seconded by Moll.

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

Approval of the Minutes

February 10, 2020 - Baker moved to accept the minutes as written for February 10, 2020. Seconded by Greenwald

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

Continue Public Hearing for Subdivision Final Plat

Maguire Nissan of Ithaca, represented by John Snyder Architects, is seeking approval from the Planning Board for a minor subdivision. 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. Schleelein stated that at the previous meeting, the Planning Board determined the subdivision to be a minor subdivision. The proposed subdivision created a need for 2 side parking setback variances which were approved by the Village Board of Zoning Appeals on February 12th.

Schleelein asked if anyone had any comments. With no one wishing to speak, Baker motioned to close the public hearing. Seconded by McCauley.

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

46

47 Schleelein stated there were no conditions and no EAF is required. Schleelein read the resolution.

48

49 VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR FINAL PLAT
50 APPROVAL OF THE MAGUIRE NISSAN/CHEVROLET MINOR SUBDIVISION

51

#4362 ADOPTED ON FEBRUARY 25, 2020

52

53 Motion made by: Mike Baker

54 Motion seconded by: Monica Moll

55

56 **WHEREAS:**

57 A. This matter involves consideration of the following proposed action: Final Plat
58 approval of the Maguire Nissan/Chevrolet Subdivision, a minor subdivision by
59 Maguire Family Limited Partnership to divide one 4 acre lot into one 2.09 acre parcel
60 and one 1.91 acre parcel, known as 35 Cinema drive (Tax Parcel # 46.1-6-5.1), pursuant
61 to the provisions of Section 125-6 of the Village of Lansing Code. The parcel is located
62 in the Commercial High Traffic District; and

63

64 B. On January 13, 2020, the Village of Lansing Planning Board, in accordance with
65 subsection D of Section 125-5 of the Village of Lansing Code, (i) reviewed the sketch
66 plan submitted with respect to this proposed action; and (ii) classified the proposed
67 subdivision as a minor subdivision; and

68

69 C. On January 28, 2020, the Village of Lansing Planning Board, in accordance with
70 Section 123-2 of the Village of Lansing Code, determined that the approval of the
71 proposed minor subdivision is a Type II action, and thus may be processed without
72 further regard to Article 8 of the New York State Environmental Conservation Law -
73 the State Environmental Quality Review Act ("SEQR); and

74

75 D. On January 28, 2020 and February 25, 2020, the Village of Lansing Planning Board
76 held a public hearing regarding this proposed action, and thereafter thoroughly
77 reviewed and analyzed (i) the proposed final subdivision plat and accompanying
78 materials and information presented by and on behalf of the applicant in support of this
79 proposed action, including information and materials related to environmental issues,
80 if any, which the Board deemed necessary or appropriate for its review; (ii) all other
81 information and materials rightfully before the Board; and (iii) all issues raised during
82 the public hearing and/or otherwise raised in the course of the Board's deliberations;

83

84 E. On February 12, 2020, the Village of Lansing Board of Zoning Appeals held a public
85 hearing regarding Appeal #2020-1 and Appeal #2020-2. Both appeals were granted.
86

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

88 1. Based upon all of its foregoing review and action, it is hereby determined by the Village of
89 Lansing Planning Board that approval of the proposed Maguire Nissan/Chevrolet Minor
90 Subdivision is **GRANTED**, subject to the conditions and requirements set forth below;
91

92 Conditions and Requirements: None

93 2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed
94 to sign the final plat for the approved minor subdivision in accordance with subsection F of
95 Section 125-6 and subsection A of Section 125-15 of the Village of Lansing Code.
96

97 The vote on the foregoing motion was as follows:

98 AYES: Mike Baker, Carolyn Greenwald, Jim McCauley, Monica Moll, and Lisa Schleelein

99 NAYS: None

100 The motion was declared to be carried.

101

102 Ingraffea asked about the lighting issues. Schleelein said the lighting plan has to be approved by
103 the Lighting Commission. Scott said the Lighting Commission is due to meet and will look over
104 the Nissan project. John Snyder said he has some revisions to the original lighting plan due to the
105 subdivision. Schleelein asked Snyder about the fence height and if they have come up with a
106 solution to shorten the height yet as it may impact the light trespass onto the adjacent apartments.
107 Snyder said they are still working on it and will bring it to the Planning Board.

108 Schleelein asked for a motion to approve the resolution. Baker moved to accept the resolution with
109 a few edits. Seconded by Moll.

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

111

112 **Continue Public Hearing for Cluster Subdivision Preliminary Plat Presentation by Solar**
113 **Homes Factory.**

114 This is a proposed development of 24.4 acres (Tax parcel #46.-1-1-21.2), zoned Medium Density
115 Residential, into 43v single-family detached homes. The homes are 850sqft to 1550sqft and are
116 projected to be priced from \$275,000 to \$395,000. The homes are connected to municipal utilities
117 but have integrated solar power and are designed for no annual heating or electric costs. The
118 proposed development is clustered to preserve existing forest and wetlands.

119 Schleelein read from the proposal. Schleelein asked Wallace what the legal name of their company
120 was. Wallace said their development company is Solar Village. Brent Cross stated there are several
121 projects going on in the area with the name Solar Village in it.

122 Schleelein said Scott mentioned the GML239 is not back from the County yet. Scott said he spoke
123 with Scott Doyle, from County Planning, regarding what could be on the GML239 report. Doyle
124 indicated the probability of 2 conditions: 1) concern about the lack of a 50ft buffer for the stream
125 running through the project, and 2) the lack of sidewalks and trail connection to the Marian Hartill
126 Park. Doyle also inquired about a recreational area but believed this would not be a condition.
127 Scott reminded the Planning Board they can override the County's conditions with a super majority
128 vote. Switala said the stream is classified as a class C stream and essentially an unregulated stream
129 and therefore would go to the Army Corps of Engineers for requirements.

130 Switala stated the Army Corps regulation for that type stream allows for controlled disturbance up
131 to its banks. However, Switala said they will work with the County to keep as much of the buffer
132 as possible. Cross said Switala categorized the stream accurately, but Tompkins County has always
133 recommended a 50ft buffer and it is their expectation on the GML239. Switala asked if the County
134 has the authority to regulate it. Cross said no they don't have any authority but as Scott mentioned,
135 the Planning Board can override the condition with a super majority vote.

136 Schleelein said due to the stream and sidewalks concerns, the Planning Board can't move forward
137 until the written GML239 is received.

138 Wallace said as for the sidewalk concern, he is trying to create as much density as possible. There
139 may be a possibility of having a lined walkway on the 25-foot wide road for pedestrians or bicycles
140 but, with the amount of wetlands, stormwater management, forever untouched area, detached
141 homes, and an effort to keep a buffer in place for the residents of Dart Drive, sidewalks would
142 need to be sacrificed to keep the required number of building units. Wallace said he is trying to
143 create a natural feel to this development and believes less disturbance would be better. Wallace
144 also added with a 50' stream setback, they would more than likely have to do a total redesign.

145 Greenwald asked how many needed for super majority vote. Scott said 4 out of 5. Wallace said
146 they are not asking for an exemption they are just trying to find a balance. Greenwald said she
147 understands but really wants to see sidewalks. Wallace said unless he deletes 20% of the homes or
148 does a total redesign, Solar Homes wouldn't be able to complete the development with the
149 proposed conditions unless there are some allowances.

150 Greenwald said originally the plan was to have the homes connected what happened with that.
151 Schleelein said due to the Dart Drive covenants the proposed subdivision had to be single family
152 homes which has now created new design issues. Schleelein said the County also inquired about a
153 recreation area. With Hartill Park being next door, it doesn't seem to be an issue. Schleelein asked
154 about trails. Wallace said due to the wetland area there is no room. Schleelein asked if there was

155 any new information about the Northwoods Road dedication and the ability to have egress access
156 to it. Wallace said they haven't received information back from their attorney yet.

157 Ingraffea asked because of a 25- foot road will parking be allowed on the street. Wallace said no
158 each home has individual parking spaces. Cross said in regard to what Ingraffea was asking about
159 the 25-foot road, are Solar Home talking about the actual pavement or from property line to
160 property line. Switala said the width of the pavement. Cross said a 25-foot road is a generous size
161 for a local street and it wouldn't be outside of engineering standards to see stripping for
162 pedestrians. Travel lanes could be as little as 9 feet wide and that would leave approximately three
163 feet to designate a walking area. Schleelein asked if it's possible to have it on both sides of the
164 roadway. Cross said it's usually offset in order to do that. Schleelein said it's not a drive thru road
165 like Dart Drive so a roadway walking lane would seem safer.

166 Scott said after talking with John Courtney from the Village DPW about the sanitation going down
167 Dart Drive, the Village would like to see the proposed subdivision's domestic water to connect to
168 Dart Drive also. Switala said it would be easier to connect to Northwoods road the way the water
169 is laid out now. Connecting to Dart Drive would be an additional cost and Switala understands the
170 Village's desire not to cut through the newly repaved Northwoods Road. Scott asked Switala to
171 look into the cost factor. The Village spent a lot of time and material on Northwoods Road for the
172 sidewalks, median, and asphalt. Courtney will require a generous area of pavement to be replaced.
173 Greenwald asked if the subdivision road was private. Schleelein said yes, because it does not meet
174 Village regulations.

175 Cross said regarding the GML239 recommendation from the County, it would be helpful for Solar
176 Village to create a drawing showing the closes pinch point between the property lines and the
177 stream. Cross said it would be in Solar Homes favor because it may look worse on this site plan
178 than it actually may be in reality.

179 Cross said as previously discussed, there is a requirement for stormwater management. Solar
180 Village will need a stormwater pollution prevention plan (SWPPP). Switala explained a brief
181 analysis of the stormwater practices he intends to use for the proposed subdivision. Switala stated
182 they have met all of the DEC requirements. Cross said he would like to see that on that next set of
183 plans.

184 Cross said NYSDOT can help distinguish the size of any walking or bike lanes. Wallace said by
185 bringing the homes closer to the road, anyone driving on that street will realize it is not a through
186 road and naturally slow down.

187 Schleelein said they will see Solar Village at the next meeting on March 9th.

188 Schleelein asked if anyone had any further questions.

189 **Public Hearing for Special Permit #4367 for 1051 Craft Road**

190 The Dermatology Associates of Ithaca, located at 1051 Craft Road (Tax Parcel 45.2-1-46.14), are
191 applying for a Special Permit to install a paved dumpster pad with surrounding wooden fence and
192 plantings. The proposed pad encroaches on a buffer strip required by the Village of Lansing for a
193 commercial low traffic (CLT) property and a neighboring residential district.

194 Scott said as per Village Code, he had proof of mailings.

195 Schleelein read from the proposal. Chris Gruber from Cayuga Landscaping presented a sketch
196 plan of the proposed project. Gruber said they would like to keep the existing parking and put
197 the dumpster farthest away from the entrance. There is an added turnaround, but it stops short
198 of the residential buffer. Cayuga Landscaping is proposing to extend the turn around and add
199 an asphalt pad for the dumpster. Gruber said they will be screening the dumpster with a 6ft
200 cedar fence along with some bushes and a few evergreen trees. Gruber said the buffer area
201 currently has Norway spruce and white pine trees. Schleelein said she drove by the space and
202 stated Norway spruce are not on the County approved list and are considered an invasive
203 species. Gruber said if Norway spruce is unacceptable then they can use white spruce.

204 Scott explained the reason for the special permit is the proposed action encroaches on the 75'
205 buffer required by the Village between the Commercial Low Traffic District and an abutting
206 residential district. Scott said the GML239 stated no conditions but recommended an
207 alternative to the Norway spruce because it is an invasive species.

208 Cross said there is a minor amount of impervious surface that's added for the pad itself and
209 another minor amount in another two spots. Gruber said they are proposing pervious pavers.
210 Cross said there are one or two spaces along the southern parking boarder area that used to be
211 a green peninsula and asked Gruber to explain where it went. Gruber said it was removed and
212 received a variance to put crushed stone parking there. Cross asked a variance from whom.
213 Scott said he allowed Gruber to add 3-4 more parking spots figuring that amount of
214 impervious surface would have little effect on existing stormwater. Cross said it's not
215 problematic, but it should all be listed and officially stated in order for the Planning Board to
216 approve the plan. Schleelein asked if it has already happened. Gruber said yes. Schleelein
217 asked Gruber whether due to the property being a medical facility, if any of the trash would
218 be hazardous waste and would like to know when the dumpster pick up will be. There was a
219 concern this would disturb the residential area. Baker said it comes through at 6:30 am and
220 Cross stated it's very noisy during the pick-up. Schleelein stated this is a concern the Planning
221 Board needs to keep in mind.

222 Greenwald stated buffer maintenance and replacement is something to think about and
223 consider as a general topic when the Planning Board does special permits. Schleelein said a
224 couple meetings ago language mentioned in regard to buffer maintenance was "continually

225 effective buffering”. Schleelein asked who is responsible for that. Scott said the commercial
226 owners are responsible for maintaining the buffer because it is on their land. Schleelein stated
227 she wants to be sure there is a provision to maintain the buffering or possible replacement.

228 Schleelein said they will keep the public hearing open until the next meeting on March 9th.
229 Scott said the short EAF needs to be done then as well.

230 Schleelein asked if anyone from the public wished to speak. Jill Stage from 5 Janivar Drive
231 said her property is on the other side of the buffer and her concern is the dumpster being on
232 the residential side of the Dermatology parking lot. Stage is concerned about the possible
233 odors or rodents and no amount of fencing will negate that. Stage said she would like to see
234 the dumpster moved to the other side away from the residential area. Baker asked if there was
235 a dumpster on the site now. Stage said no.

236 Cross said he observed a septic field on the survey map and asked if it was active. Gruber
237 said he doesn’t believe so. Cross said due to the property being in the Village, he believes that
238 building would be connected to the Village sewer. This needs to be verified.

239 Baker said he agrees with Stage regarding the turn around and moving the dumpster away
240 from the residents. Schleelein agreed. Baker asked if the dumpster could be moved to the
241 west side of the parking lot. Scott said yes, as long as it doesn’t cause setback issues. If it
242 does, then the property owner would need a variance.

243 McCauley asked about the rectangle spot on the plans and Gruber said it’s additional parking
244 spots. Schleelein said she would like clarification on the number of spaces. Scott said when
245 the building permit for the Dermatology office was applied for, adequate parking was one of
246 the first things he checked. Rough calculations showed enough spaces were available. Scott
247 said before the next meeting he will recalculate and have actual numbers. Gruber said his
248 understanding was they needed more parking spaces which is why Cayuga Landscaping was
249 asked to put more parking spots in place. Scott said they were required to have more parking
250 spaces due to it being a doctor’s office compared to a real estate office, but the requirements
251 were met. Schleelein said she would like to see other options be considered and Scott asked
252 Gruber to send some alternative options.

253 Stage thanked the Planning Board for keeping the residents up to date with what is going on
254 in the Village and said the buffering is very important to the residents. Schleelein thanked
255 Stage and said the Village Board is very mindful of the Village residents and thanked everyone
256 for coming and speaking.

257

258 **Public Hearing for Special Permit #4368 for Lot #8 (20 Blackchin Blvd)**

259 Roberts-Sedorus Construction is proposing to build a 5,867 square foot two-story single-
260 family residence with an attached 3-car garage on Lot 8 (Tax Parcel #42.1-1-37.208) of the
261 Bolton Estates Subdivision. As per Village Code Section 145-48, the applicant is required to
262 apply for a Special Permit because the lot is within 50 feet of a designated steep slope area.

263 Schleelein read from the proposal. Schleelein asked who was there to speak. Nick Sedorus
264 from Roberts-Sedorus Construction, Mike Ward and Noah Denarest. Scott said Ward
265 contacted him a about year ago regarding a permit to clear some of the lot. The clearing at
266 the time was less than an acre. Scott stated they recently had a buyer that wanted to build a
267 home on the lot and Ward wanted to clear more than allowed by the original subdivision.
268 Those lots on Blackchin Boulevard were part of the original Bolton Estates subdivision in
269 which each lot had a required buffer area abutting the neighboring lot. Scott said the new
270 owners of lot 8 want to clear brush within the agreed buffer area. Ward also presented Scott
271 with a proposed site planting schedule. Scott said he met with Ward on the property to discuss
272 what could be done. Scott told Ward one of the conditions was to get a signed document from
273 Ed Crossmore, who owns the surrounding property and the original subdivision, to sign off
274 on the buffer encroachment. Scott also told Ward that he would be recommending to the
275 Planning Board that a condition for the special permit would require the proposed planting
276 plan be completed before a Certificate of Completion be issued. Most of the clearing was
277 scrub brush but there were a few large trees taken down because of the Tompkins County
278 Health Department's placement of the septic system. Scott said most of the brush and trees
279 that were taken down were already dead and he felt they did a good job.

280 Scott stated with the special permit application and process, Brent Cross can take a look at the
281 site and recommend a solution for controlling stormwater runoff during construction. There
282 is also an intermittent stream on the lot that will need to be protected as well. Ward said the
283 stream is an ephemeral stream and they put some waddles in it to protect the catch basin at
284 the bottom. They also ran some silt fence along the edges of the stream as well. Scott said the
285 GML239 he received back from the County had a no negative impact finding.

286 Cross said some of silt fence isn't properly installed and it needs to be addressed. Cross said
287 he will need to know what the entire disturbed area is for the permit which could impact the
288 SWPPP. Cross said there is a DEC law requirement for the stormwater management that needs
289 to be prepared in order for the permit. Cross said in reference to the public hearing regarding
290 the steep slope a map needs to be provided that identifies the percentage of the slope on the
291 property. Ward said the steepest slope is outside of the proposed disturbance area and Cross
292 said it still needs to be identified on the plan.

293 Cross stated he would like them to invest at least two of the green practices on the lot.
294 Schleelein asked Denarest if they would redo the short EAF before the next meeting because

295 of some changes discussed. Denarest said yes. Scott asked Denarest to provide a Notice of
296 Ground Disturbance as well.

297 Denarest asked about the content of the stormwater practice that was put in place from the
298 original subdivision plan and how it impacts this acreage. Cross said he has no doubt the
299 original subdivision accounted for any the runoff on the lot but there's no way to predict where
300 a future house would go and what features may need to be improved on the site. Cross told
301 them to be conscious of the green practices. Denarest said they just want to make sure they
302 meet all of the requirements.

303 There being no further questions Schleelein asked the Sedorus group to return for the next
304 meeting on March 9th.

305 **Trustee Report:**

306 No meeting due to Presidents' Day Holiday

307 **Other Business to report:**

308 Greenwald stated regarding the short-term rentals (STRs), she had received emails from a few
309 people she wanted to share. She will email them to everyone. Greenwald said she looked around
310 the Village to find how many Airbnbs were listed on the website and she found thirty-seven and
311 believes this number is only a small portion of the actual total number. Greenwald said she didn't
312 want the Village to have to issue thirty-seven permits every year and Schleelein said she didn't
313 want to have a public hearing for every application and permit but wants to be sure neighborhoods
314 are protected in some way.

315 Greenwald suggested having a special permit application for individuals renting from May 15-
316 May30 during graduation weekend and another permit for year-round renting. Scott said he wants
317 to keep it simple and the same for everyone. Schleelein asked everyone to write down their ideas
318 and suggestions regarding STRs and send them to Scott.

319

320 **Adjournment:**

321 Schleelein asked for a motion to adjourn at 8:40PM. Moved by Greenwald. Seconded by Baker
322 Ayes by: Baker, Greenwald, McCauley, Moll and Schleelein.

323

324 Minutes taken by: Tina Freelove, Pt Clerk