

1 Planning Board Meeting
2 Minutes of Tuesday
3 May 26, 2020
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6 The meeting of the Village of Lansing Planning Board via Zoom was called to order at 7:00 PM
7 by Chair, Lisa Schleelein.
8

9 **Present at the meeting:**

10 **Planning Board Members:** Mike Baker, Carolyn Greenwald, James McCauley, Monica Moll,
11 Lisa Schleelein

12 **Village Legal Council:** William Troy

13 **Alternate Member:** Anthony Ingraffea

14 **Village Engineer:** Brent Cross

15 **Village Trustee Liaison:** Pat O'Rourke
16

17 Gary Bush and Matt Haney representing the Reidl family.
18

19 **Approval of the Minutes March 9, 2020**

20 Schleelein corrected the spelling of Rock Whitlow Grass. Baker moved to accept the minutes as
21 amended. Seconded by Greenwald.

22 Ayes: Baker, McCauley, Greenwald, Moll, and Schleelein
23

24 **Public Comment Period:**

25 Schleelein opened the public comment period.

26 Pat O'Rourke identified herself as the Village Trustee liaison.

27 With no one else wishing to speak, McCauley moved to close the public hearing. Seconded by
28 Moll.
29

30 Ayes: Baker, Greenwald, Moll, McCauley and Schleelein.
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32

33 **Public Hearing for Special Permit #4370 for 12 Esty Drive**

34 Drew and Rachel Reidl, represented by Gary Bush of SPEC Consulting, are proposing to
35 build a new home at 12 Esty Drive (Tax Parcel 43.1-1-7). The Property is located within the
36 Unique Natural Area Combining District as well as the Steep Slope Conservation
37 Combining District. As per Village Zoning Section 145-48, all uses within these Districts
38 require a Special Permit and are subject to an environmental review.
39

40 Scott said as per Village Code, he had proof of mailings.
41

42 Schleelein read from the proposal. Scott said he recently emailed the botanist report to the
43 Planning Board members that Gary Bush had just sent to him. Scott also stated that Brent
44 Cross and Gary Bush were working together on the site erosion plan.

45

46 Schleelein asked Gary Bush if he had anything to add. Bush commented that Scott had spoken
47 with him about a possible problem with the existing driveway after having discussions with
48 the local Fire Chief Scott Purcell. Mike Scott explained about the requirements of a fire
49 apparatus access road as per IFC Code. Basically, fire equipment needs to be able to get within
50 150' of a building and have at least a 20' wide roadway to get to that point. The proposed
51 driveway is longer than that 150 which concerns Chief Purcell. Bush shared a document
52 describing widths of driveways for fire apparatus access roads. Scott and Bush had a
53 discussion about Bush's document versus IFC Section 503.

54

55 Schleelein asked if there was a gate involved here. The answer was no.

56

57 Greenwald asked Scott if the two documents came from different years of the Code. Scott
58 said Section 503 of the 2015 IFC and the new 2020 version are basically worded the same
59 and quoted a subsection from 503. Bush asked about the exception for one- and two-family
60 homes as far as extending the 150' rule. Scott was not comfortable with the extension as long
61 as it was a matter of concern for Chief Purcell. Schleelein asked who was in charge of making
62 the final decision. Scott answered that he was and added that he would not make a decision
63 without Chief Purcell's input. Bush and Scott agreed to look into this more at a later date.

64

65 Bush shared the site plan with the Planning Board and pointed out the location of the
66 driveway, house, and garage. Bush pointed out that a fire truck could back down the flattest
67 part of the driveway and be within 150' of the home. Bill Troy asked why the truck would
68 back down and Bush replied they could drive straight in also. Scott still had an issue with the
69 proposed 12' wide driveway and a large fire engine.

70

71 Bush continued to describe the site layout, topography, and how the finished landscape will
72 handle storm water runoff. Bush also pointed out the potential location of the Rock Whitlow
73 Grass and the water benefits it could receive from the site runoff.

74

75 With no further questions on the site plan, Bush brought up the botanist's report and briefly
76 went through it. Schleelein expressed her concern that the botanist said he would not be able
77 to completely identify the existence or location of any endangered species until the weather
78 got warmer. The County has asked for specifics in the GML-239 review and Schleelein is not
79 sure that the current botanist report will satisfy the County's request. Schleelein recommended
80 a condition be attached to the special permit resolution requiring the County to acknowledge
81 that the current botanist report satisfies their requirement. Scott said he would send the report
82 to Scott Doyle of the County.

83

84 Monica Moll asked what would happen if the endangered species were found on the site.
85 Schleelein commented that she would hope that the County would then have a
86 recommendation on how to proceed. Bush suggested the possibility of using the supermajority

87 rule. Scott explained that this isn't a case of over ruling the County recommendation but rather
88 an added condition to confirm that the County is satisfied. Bush was concerned that if the
89 County wasn't satisfied with the report, that he would be back in front of the Planning Board
90 again. If that were the case, Schleelein would be interested in why the County rejected the
91 report.

92

93 There was continued discussion about the report. Troy summed up the discussion saying that
94 this condition isn't intended to hold up the special permit. This is a matter of the Planning
95 Board being thorough.

96

97 With no further question, Schleelein asked Brent Cross to explain his report.

98

99

ENGINEER'S REPORT

100

101 *DATE: May 26, 2020*

102

103 *TO: Village of Lansing Planning Board*

104

105 *FROM: Brent A. Cross, PE*

106

107 *RE: New Residence, 12 Esty Drive*

108

109 *As required for the approval of the Special Permit for the above referenced project, I have*
110 *reviewed the Site Plan(s) as prepared by Gary Bush, PE dated 5/20/20 for general conditions*
111 *that are needed for a development on a site with steep slopes. I have the following observations*
112 *and comments:*

113

114 1. *Vehicle Access: Since the topography for this site drops off immediately from the edge of*
115 *the road ROW, the driveway will need to have both vertical and horizontal curvature that*
116 *would not normally be the case for more conventional sites without steep slopes. The*
117 *driveway slope is proposed to be 15% average (20% maximum). This is much greater*
118 *than the "normal" slope that would be recommended at 8% average with a 10%*
119 *maximum preferred for traffic other than from a single-family residence. Since Esty Drive*
120 *is running north/south, the grade/slope of the centerline is relatively flat (parallel with the*
121 *slope). Therefore, site distance at the top of the driveway will be good in both directions*
122 *for vehicles that are coming out of this property. Since this driveway is for private access*
123 *only, no special work is recommended unless otherwise required for/by the Fire Chief for*
124 *access of fire equipment.*

125

126 2. *Stormwater Management: The drainage run-off from this site will remain relatively east*
127 *to west with 2 significant "gorges" (one on the north side and one on the south side) that*
128 *handle upstream flows. The drainage plan, only required to be a "simple SWPPP",*
129 *proposes to collect run-off from impervious surfaces (driveway and roofs) and direct the*
130 *flow to the existing gorge/swales on the site. The driveway run-off will be collected into*
131 *an adjacent drainage ditch on each side. These ditches will be lined with rip-rap stone to*
132 *help control velocity and deter the effects of erosion and scour from run-off that will be*
133 *flowing down the 15% (average) slopes. Each ditch line will be directed to one of the*
134 *existing gorges/swales on the site. During construction, temporary check dams will be*

135 *used to slow the flow, as well as silt fence is specified for sedimentation control. Since*
136 *this site has steep slopes, extra attention will be needed during the construction phase to*
137 *keep erosion and sedimentation control measures in good maintenance. In*
138 *consideration of the impervious surfaces that will be developed during this project, there*
139 *will be a couple of significant trees to be removed, but since there is already a full*
140 *canopy over this site, the “floor” of this site has little or no vegetative ground cover. As*
141 *this site will include some lawn areas, these grassed surfaces will improve upon the*
142 *erosion resistance of the existing ground. The roof/footer drains will be piped to the*
143 *“gorge” to the north, which is significant enough to handle the relative minor increase in*
144 *impervious run-off.*

145
146 3. *Utilities: Access to public water is available from an existing water service tap at the site.*
147 *No public sewer is available in this area of the village, so an onsite waste system (septic*
148 *system) will need to be submitted and approved by Tompkins County Health*
149 *Department. As we know about limited natural gas supply, no connection is available at*
150 *this time. Access to electric and other communications are available at this site.*

151
152 4. *Dumpster: NA*

153
154 5. *Lighting: NA*

155
156 Cross said he and Gary Bush met last Friday at the site. They reviewed the Simple SWPPP and
157 the efforts to stabilize the site during and after the construction by using the natural features of the
158 site. Cross stated that the amount of water that could be added due to impervious services to this
159 site is relatively small in relation to what it could handle. Cross feels the amount of disturbance to
160 the site such as tree removal is minimal and could benefit the area by reducing the canopy allowing
161 for ground growth which would help slow the erosion process. Cross added that he and Bush
162 discussed some methods to slow the erosion process during the construction such as hay bales.
163 Bush showed the positioning of the hay bales to the Planning Board on the site plan. Cross and
164 Bush discussed the location of the septic system in relationship to the impervious water runoff.
165 Cross concluded by reminding everyone that because this is a residential project, it is not required
166 to have a Full SWPPP which would involve an outside party to do weekly inspections of the site.
167 However, between Cross, Scott, and Bush, there should be enough qualified eyes to observe any
168 issues in the early construction phase and Cross recommended more attention to be paid to a steep
169 slope site like this than a normal job site. Bush stated that he would be on site once a week.

170
171 There is an existing public water tap on site but would need to be tested if used. Bush will be
172 providing a septic approval from the Tompkins County Health Department and is aware of the
173 natural gas moratorium. The home will be heated/cooled by geothermal or air source heat pumps.
174 Bush added that there is the future possibility of solar roof panels being installed on the garage.
175 Schleelein asked about dark-sky lighting. Bush confirmed the use. Schleelein asked Scott if the
176 Lighting Commission dealt with residential. Scott said not normally.
177 Schleelein asked if there were any other questions.

178
179 Being none, the Short EAF was discussed and Part 2 was completed.

180

181 Schleelein read the SEQR Resolution for Special Permit #4370:

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183

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR

184

REVIEW OF SPECIAL PERMIT NO. 4370 ADOPTED ON MAY 26, 2020

185 **WHEREAS:**

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A. This matter involves consideration of the following proposed action: Special Permit #4370, for a proposal by Drew and Rachel Riedl, represented by Gary Bush of SPEC Consulting, to build a new home at 12 Esty Drive (Tax Parcel 43.1-1-7). The property is located within the Unique Natural Area Conservation Combining District as well as the Steep Slope Conservation Combining District. As per Village Zoning Section 145-48, all uses within these Districts require a Special Permit and are subject to an environmental review; and

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B. On May 26, 2020, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed the Short EAF); and

204

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

206 **OPTION 1**

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1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; and (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), hereby makes a negative determination of environmental significance ("NEGATIVE DECLARATION") in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required; and

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

220

221 Baker moved to select option 1 and confirm that it is a negative declaration. Seconded by Moll.

222

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

224 Motion Carried

225

226 Schleelein said she would be back in town to officially sign Part 3.

227

228 Moll moved to close the Public Hearing. Seconded by McCauley.

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

230 Public Hearing Closed

231

232 Schleelein read through the General Conditions

233

234 Baker moved that the General Conditions had been met. Seconded by Moll.

235

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

237 Motion Carried

238

239 Schleelein read the Resolution for Special permit #4370 with added conditions:

240

241 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR**

242 **SPECIAL PERMIT NO. 4370 ADOPTED ON MAY 26, 2020**

243 **WHEREAS:**

244 A. *This matter involves consideration of the following proposed action: Special Permit #4370, for*
245 *a proposal by Drew and Rachel Riedl, represented by Gary Bush of SPEC Consulting, to build*
246 *a new home at 12 Esty Drive (Tax Parcel 43.1-1-7). The property is located within the Unique*
247 *Natural Area Conservation Combining District as well as the Steep Slope Conservation*
248 *Combining District. As per Village Zoning Section 145-48, all uses within these Districts*
249 *require a Special Permit and are subject to an environmental review; and*
250

251 B. *On March 9, 2020 and May 26, 2020 the Village of Lansing Planning Board opened and*
252 *continued a public hearing regarding this proposed action, and therein thoroughly reviewed*
253 *and analyzed (i) the materials and information presented by and on behalf of the applicant in*
254 *support of this proposed action, including information and materials related to the*
255 *environmental issues, if any, which the Board deemed necessary or appropriate for its review,*
256 *(ii) all other information and materials rightfully before the Board (including, if applicable,*
257 *comments and recommendations, if any, provided by the Tompkins County Department of*

258 *Planning in accordance with General Municipal Law Sections 239-1 and 239-m), and (iii) all*
259 *issues raised during the public hearing and/or otherwise raised in the course of the Board's*
260 *deliberations; and*

261 C. *On May 26, 2020, the Village of Lansing Planning Board, in accordance with (i) Article 8 of*
262 *the New York State Environmental Conservation Law - the State Environmental Quality Review*
263 *Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii) Section 123.2 of the Village of Lansing*
264 *Code, and amended on environmental review and adopted a Resolution for SEQR Review in*
265 *connection with Special Permit No. 4370;*

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

267 1. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*
268 *requirements, if any, set forth below and the provisions provided for in paragraph "B" above)*
269 *that the proposed action meets (i) all general conditions required for all special permits*
270 *(Village of Lansing Code Section 145-59E); (ii) any applicable conditions required for certain*
271 *special permit uses (Village of Lansing Code Section 145-60); and (iii) any applicable*
272 *conditions required for uses within a Combining District (Village of Lansing Code Section*
273 *14561); and*

274 2. *It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 4370*
275 *is **GRANTED AND APPROVED**, subject to the following conditions and requirements:*

276 a. *Soil and Erosion control measures and water quality techniques shall be implemented and*
277 *coordinated as required and approved by the Village of Lansing Code Enforcement Officer*
278 *and/or the Village of Lansing Engineer, and a plan for maintenance and said control*
279 *measures and quality techniques over time shall be established with the Village of Lansing*
280 *Code Enforcement Officer and/or the Village of Lansing Engineer.*

282 b. *Prior to a building permit being issued, approval by the Village of Lansing Engineer and*
283 *Village of Lansing Storm Water Officer of, but not limited to, site work, storm water*
284 *management and infrastructure plans, and implementation thereof. Drainage easements*
285 *for potential impact from the stormwater management facilities on neighboring parcels*
286 *shall be obtained, provided to the Village for approval by the Village Engineer, Stormwater*
287 *Officer and Attorney, and thereafter recorded at the Tompkins County Clerk's Office.*

289 c. *Required permits, approvals, consents and other authorizations from all applicable*
290 *Federal, State, County and local governmental and regulatory agencies shall be obtained,*
291 *maintained and complied with for all permitted improvements, operations and activities as*
292 *authorized by this special permit approval, and such improvements, operations and*
293 *activities shall at all times comply with all applicable Federal, State, County and local*
294 *laws, codes, rules and regulations.*

296 d. *Prior to a building permit being issued, acceptance by the County Planning Board of the*
297 *botanist report regarding their concerns about threatened plant species noted in their*
298 *Section 239 review letter.*

299

300 e. *Prior to a building permit being issued, approval by the Village of Lansing Engineer,*
301 *Village of Lansing Code Enforcement Officer and the Chief of the Lansing Fire Department*
302 *must be granted as to the dimensions of the driveway / fire access road consistent with the*
303 *relevant codes.*
304

305 The Planning Board discussed the wording of “d” and “e” of the conditions. Greenwald asked
306 what the difference was between a driveway and a fire apparatus access road. Scott explained.
307

308 Moll moved to pass the resolution with reworded conditions. Seconded by Greenwald.
309

310 Ayes: Baker, Greenwald, Moll, McCauley and Schleelein.
311

312 Motion Carried
313

314 Gary Bush thanked the Planning Board and expressed how useful using Zoom for meetings in
315 general.
316

317 **Trustee Report**

318 McCauley said Cornell is looking to reopen with students coming back in the fall but with
319 limited breaks. This is still being worked out. The Trustees discussed the Village’s Return to
320 Work Plan.
321

322 **Other Business to report**

323 Schleelein confirmed with Scott that the next Planning Board meeting would be June 8. The
324 Blackchin special permit would be back on the agenda but Scott had not heard from the Solar
325 Homes representatives. This will also be a Zoom meeting.
326

327 **Adjournment:**

328 Schleelein asked for a motion to adjourn at 8:33PM. Moved by McCauley. Seconded by
329 Greenwald
330

331 Ayes: Baker, Greenwald, McCauley, Moll, and Schleelein.
332

333 Minutes taken by: Michael Scott, CEO