1	Planning Board Meeting
2	Minutes of Tuesday
3	July 28, 2020
4	
5 6	The meeting of the Village of Lansing Planning Board via Zoom was called to order at 7:02 PM
7	by Chair, Lisa Schleelein.
8	of chair, 21sa semeerenii
	Present at the meeting:
	Planning Board Members: Mike Baker, Carolyn Greenwald, James McCauley, Monica Moll,
	Lisa Schleelein
12	Alternate Member: Anthony Ingraffea
	Village Legal Counsel: William Troy
	Village Engineer: Brent Cross
	Village Trustee Liaison: Patricia O'Rourke
	Village CEO: Michael Scott
17	
18	John Snyder and Kate Maguire representing Maguire Nissan; Dan Veaner from The Lansing Star;
19	Olga Petrova; Ronny Hardaway; Ronald and Ereign Seacord; Serenna McCloud representing Mary
20	Hudson; Mike Gavin and Ken Farrall representing The Shops at Ithaca Mall; Lynn Leopold, BZA
21	
22	
23	
	Approval of the Minutes July 13, 2020
24	Approval of the Minutes July 13, 2020 Baker moved to accept the minutes as amended. Seconded by Moll.
24 25	
24 25 26	Baker moved to accept the minutes as amended. Seconded by Moll.
26 27	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley
24 25 26 27 28	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period:
224 225 226 227 228 229	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley
224 225 226 227 228 229 330	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison.
224 225 226 227 228 229 330 331	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period.
224 225 226 227 228 229 330 331	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by
224 225 226 227 228 229 330 331 332	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by
24 225 226 227 28 29 30 31 32 33	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley.
24 25 26 27 28 29 30 31 32 33 34	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley.
24 25 26 27 28 29 30 31 32 33 34	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley. Ayes: Baker, Greenwald, McCauley, Moll and Schleelein.
24 25 26 27 28 29 30 31 32 33 34 35	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley. Ayes: Baker, Greenwald, McCauley, Moll and Schleelein. Schleelein read the following agenda item: Review of Change to Special Permit #4242
24 25 26 27 28 29 30 31 32 33 34 35 36 37	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley. Ayes: Baker, Greenwald, McCauley, Moll and Schleelein. Schleelein read the following agenda item: Review of Change to Special Permit #4242 Special Permit # 4242 was a proposal by the Maguire Family Limited Partnership to pursue a
24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley. Ayes: Baker, Greenwald, McCauley, Moll and Schleelein. Schleelein read the following agenda item: Review of Change to Special Permit #4242 Special Permit # 4242 was a proposal by the Maguire Family Limited Partnership to pursue a project which included adding a Nissan dealership to 35 Cinema Drive (Tax Parcel #461-6-5-
24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	Baker moved to accept the minutes as amended. Seconded by Moll. Ayes: Baker, Greenwald, Moll, and Schleelein. Abstain: McCauley Public Comment Period: Schleelein opened the public comment period. Pat O'Rourke was recognized as the Board of Trustee Liaison. With no one else wishing to speak, Baker moved to close the public hearing. Seconded by McCauley. Ayes: Baker, Greenwald, McCauley, Moll and Schleelein. Schleelein read the following agenda item: Review of Change to Special Permit #4242 Special Permit # 4242 was a proposal by the Maguire Family Limited Partnership to pursue a

43 condition(s), requiring the Planning Board to review the requested change(s) to determine if the

44 proposal is a minor or major change to Special Permit # 4242.

45

58

Schleelein recognized John Snyder. Snyder showed photos of the existing growth between Nissan and Gaslight Village along with an image of a potential grey fence with Boston ivy growing on it. The ivy will also be used on the retaining wall separating Nissan from Maguire Chevrolet. Snyder then showed the original line-of-sight diagram developed by George Turner compared to a new image created from actual field measurements by Snyder Architects. It was explained that even the basement tenant at Gaslight would not be able to see the parking lot lamps because of the shield on the light source. The upper floor tenants would theoretically see over the fence but, Snyder reminded the Planning Board of how dense the buffer area was in the very first photo. Snyder reviewed the final site plan and some of the changes made, which he feels are minor. These are changes in curbing and some driveway aprons. Snyder believes there will be enough room in front of the buffer fence to have some plantings and a few trees. This will be to compensate for the removal of an island located at the southeast corner of the building.

Scott asked Snyder if he ever spoke with John Kennedy from Gaslight Village. Scott explained to 59 the Planning Board that he contacted Kennedy and met him at the site to fill him in on the buffering possibilities and encouraged Kennedy to contact Snyder to discuss options. Kate Maguire said she reached out to Kennedy by email explaining the situation, but Kennedy did not respond. Maguire asked Scott if Kennedy had concerns during their meeting. Scott said the meeting was more to provide Kennedy information rather than Kennedy giving feedback. Schleelein asked about the possibility of some of the 16 trees being planted at the southeast corner. Snyder said there is a 65 NYSEG easement in part of that section that would probably restrict tree plantings, but there is some space between that and the Gaslight parking lot. Planting there would not shield any living quarters. Schleelein asked Snyder if Nissan would be open to the idea of committing any unused 68 trees to a tree bank. Maguire respectfully commented that with other municipalities, tree banks are in their local ordinances. The Village of Lansing does not have an ordinance for such a thing. Also, planting in or near the ditch area would not give the trees much of a chance. 71

72

Schleelein asked Snyder if the Lighting Commission had approved the Nissan Lighting Plan. Snyder believed so then asked Scott to jump in. Scott said the lighting was approved but, the Committee needs to approve the 50% reduction plan. Schleelein stated that she noticed some of the pole lights were removed and added to the building. Snyder agreed and added that some of the perimeter lights were removed for the fear of glare problems. Schleelein questioned if the light shields on the pole lamps would prevent glare. Snyder confirmed. Ingraffea liked the fence with the ivy, but had concerns about the very first photo Snyder displayed. The photo shows an angle that is directly down the existing hedge causing it to look denser than it would if one were to look directly through it. Why put ivy on just one side of the fence and not on both. Snyder said the ivy will be planted on both sides of the fence.

83

Schleelein asked about the County GML-239 response. All of the Maguire dealerships have buildings that are very sustainable whether it be lighting design or heating and cooling. This will be in the letter that Snyder is currently working on for the County.

86 87

Schleelein asked if anyone had questions about the sign comparison that Snyder provided. Moll

asked if the new "Nissan" sign was going to be black instead of red. Snyder described the sign as a day-light sign where during the day the letters are black but at night the light behind them appears to turn the letters white. Schleelein's biggest concern is the increase in size of that sign. Baker agreed that the new "Nissan" sign version is quite a bit larger than originally approved and added that there has been a lot of time and effort by both the Planning Board and BZA to finalize this aspect of the special permit. Schleelein does not consider the sign size change itself as minor. Snyder explained that the sign change was a result of the Nissan company changing branding in mid-July. Had the building been built by now, Maguire would have been back in front of the Planning Board asking for the same modification. Maguire added that Nissan actually made their national announcement the day after the Planning Board approved the special permit. Baker asked if the change in the "Maguire" and "service" signs is a Nissan requirement also. Snyder explained the changes. Scott and Baker agreed that the real question was whether the "Maguire" and "service" signs changed as a result of the increasing of the "Nissan" sign. Snyder said yes. Schleelein asked if there was going to be more light transmitted as a result of the larger sign. Snyder said there would be the same or less.

104

Schleelein asked Troy if the Nissan project needs to go back to the BZA for approval of this sign 105 modification. Troy believes that the BZA did not just agree to a maximum square footage, they approved a few versions of that footage. The option that was selected by the Planning Board was then signed by Phil Maguire. As a result, Troy recommends that the BZA be asked if they would like to reconsider their decision. Troy then added, what if next year Nissan decides they want the signs to be even bigger. Is every municipality required to adjust themselves to accommodate 111 Nissan? Maguire said absolutely not, Nissan would have to take local ordinances into consideration. Troy continued by asking, this is an extreme example, but what if Nissan was granted the 380.5 square feet of signage and decided to use it all in one big sign? My point is there 113 114 has got to be some limit to it. Snyder said Nissan has a certain size and placement consistent with every one of their dealerships and that is what is being requested. Troy asked if Snyder had spoken to Nissan about a possible problem with changing the signage at this point. Snyder had contacted Nissan and this modified version of the signs was required. Moll prefers the new black, thinner 118 lettering versus the bright red and likes the fact that there is one less sign. Speaking for herself and not the BZA as a whole, Leopold believes as long as the size has not changed but just the esthetics, she feels the BZA does not need to weigh in. Schleelein pointed out that the Nissan sign is larger 120 but the total aggregate amount is less. Ingraffea agrees with Moll and feels as long as the total square footage is under the amount approved by the BZA, it should be the Planning Boards decision to approve the esthetics. 123

124

Schleelein told the Planning Board members that they need to take all that was discussed tonight and decide if that is a minor or major change to the original special permit. Scott recommended that the curbing and sanitation changes, which are really part of the building process, not be part of the criteria when deciding minor or major.

129

130 Baker moved that the proposed changes are minor. Seconded by Moll

131

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

133 Nays: None

134

- Moll moved to accept the sign package dated 7/21/20 and the total of 377.3 square feet. Seconded
- 136 by Baker

137

- 138 Ayes: Baker, Greenwald, McCauley, Moll and Schleelein.
- 139 Nays: None

140

- 141 Scott said the only thing left for Snyder would be to complete all of the conditions listed in Special
- 142 Permit #4242. Schleelein added that the trees need to be decided at some point.

143

144 Schleelein read the following agenda item:

145

146 Informal Discussion of a Subdivision

147 Ronald and Ereign Seacord would like to discuss a proposed subdivision of their property located 148 at 1437/1439 East Shore Drive (Tax Parcel # 43.1-1-17.22).

149

Moll asked a question about when on Zoom and not everyone is shown on the screen how to be recognized when you have a question. Baker said that the best practice would be to politely interrupt because it would then be recorded for the official record.

153

Ron Seacord introduced himself and his wife. They have been at 1437 East Shore Drive for years and his family has grown and expanded. Seacord's brother passed away last year and his sister-in-law would like to move on to the property. Seacord was interested in applying for a variance to build a third home on the property, but was advised by Scott that a use variance is difficult to get unless the applicant can show hardship. Seacord has enough land to subdivide the southern section of the existing lot and build.

160

161 Schleelein asked how far away the existing driveway is from the intersection of East Shore Drive and Cayuga Heights Road. Scott showed a photo of that intersection. Schleelein then asked where 162 the new entrance would be for the subdivided lot. Seacord believes it would be just on the Cayuga 164 Height Road side of the existing driveway, but would also consider sharing the existing driveway until the lot was sold someday. Schleelein expressed her concern about that dangerous intersection and the possibility of a modified road configuration. Seacord understood and added that he just signed the easement that would allow the new sewer line to be run along the front of the property, 167 so construction is more than likely for that area. Cross advised Seacord to contact NYSDOT because they would be the one to issue a driveway permit on a State road. Schleelein suggested a shared driveway as the best solution. Cross said NYSDOT looks at criteria like number of vehicles 171 using a common driveway and line-of-sight. Cross does not sense that a third residence would 172 have much of an impact. Once again, it is not so much a Village issue as it is a State issue. 173 Greenwald asked when someone subdivides, do they have to have access to a road. Scott said not to subdivide but, it is required to build. Scott continued by agreeing with Cross' evaluation and suggested an easement for a certain distance up the shared driveway and then branch off to the 175 new plat. This was just a suggestion. Cross agreed. Although there are not any exact numbers, Scott informed the Planning Board that the new plat does look to meet all of the criteria for a building lot as per Village Code. The next step for the Seacords would be a public hearing for a preliminary plat.

180

Schleelein asked if there were any other questions. McCauley had concerns about the trees blocking the line-of-sight next to the driveway. Seacord believes those trees will be removed when the sewer line goes through and asked Scott what date he needed the survey by to be on a future Planning Board agenda. Scott said if Seacord could send a survey by August 14th, he could be on the August 25th agenda.

186

187 Schleelein read the following from the agenda:

188

189 Subdivision #2020-4403 Preliminary Plat Public Hearing

190 Mary Hudson, represented by Serenna McCloud of Coughlin & Gerhart, LLP, is seeking approval 191 from the Planning Board for a subdivision of a parcel located at 134 Burdick Hill Road. The 5.53 192 acre lot, which contains land located within the Town of Lansing (Tax Parcel # 42-1-53.6) and the 193 Village of Lansing (Tax Parcel 42.1-1-53.6), would be subdivided into 2 parcels. Parcel A would 194 contain 2 acres and Parcel B would be the remaining 3.53 acres.

195

Scott gave background information about that lot and the approved special permit for the additional house built on it. The proposed subdivision that would separate the two buildings contains land within both the Town and Village of Lansing. Approval from both municipalities is required Scott asked McCloud if the subdivision process had been started with the Town of Lansing yet. McCloud said she will be submitting on Friday. Scott added that both lots meet the criteria for a building lot as per Village Code. Schleelein asked if the Village needed to wait for a Town decision. Scott said the Village could approve the subdivision with a condition that it gets approved by the Town. Troy added that the Village could have a joint meeting with the Town also. Greenwald and Schleelein liked the joint meeting idea. Scott was concerned that the Town's criteria for subdivisions may be different than that of the Village causing more of a headache than necessary. McCloud got an indication from C.J. Randall that the subdivision approval should not be an issue. Schleelein asked Scott what he thought about the joint meeting. Scott said if the Planning Board finds no problems with the preliminary plat presented tonight, then there should not be an issue with finishing the subdivision up next meeting and our obligation is over. Schleelein agreed.

210

211 Cross asked if there was any intention of building on the front portion of lot B. McCloud was 212 unaware of any. Schleelein added that if someone wanted to build another house on parcel B, they 213 would have to apply for a special permit anyway. Scott agreed.

214

Schleelein asked if anyone had any more questions. Being none, McCloud would be expected back on August 10th with a final plat. The public hearing will be held over until then.

217

218 Schleelein read the following from the agenda:

219

220 Subdivision #2020-4402 Preliminary Plat Public Hearing

221 The Shops at Ithaca Mall, represented by Michael J. Gavin of Gavin Law, is seeking approval

from the Planning Board for a subdivision of Tax Parcel 42.1-1-22. The applicant is proposing to subdivide tenant spaces in order to offer them for sale to existing and perspective tenants/affiliated

224 investors/owners.

225

Scott said Ken Farrall has been very good about sending any requested information. Schleelein introduced Mike Gavin. Gavin said he was here today to give a little background on what has been happening to the local mall and others like it. There was a lighting situation at the Shops at Ithaca Mall that has since been resolved. The prospective extended-stay hotel user has gotten all the permits necessary to proceed from their franchise and are ready to move forward. Gavin has also been working with the Village to dedicate a portion of the ring road that serves BJ's and the YMCA. That dedicated portion is indicated on the subdivision plat. Gavin indicated that talks have picked up with the tenants, especially with the anchor stores, about purchasing property. Gavin explained that monies once allocated for retail budgets for city locations have been reallocated to suburban locations because of the recent protests. The Shops at Ithaca Mall is considered suburban. The result is that several tenants now have money available for 3rd quarter and 4th quarter

237 alosings. This is why there is a sense of property to subdivide at this point

237 closings. This is why there is a sense of urgency to subdivide at this point.

238 Schleelein pointed out that the subdivision application listed the owner as PIM NEWCO when it

should be PMI NEWCO. Gavin agreed that it was a typo. Schleelein added that there have been

240 issues in the past about the infrastructure and specifically the stormwater causing flooding. Are

241 there plans to rectify these problems?

242 Cross believes there are two separate concerns. The first being the past documented issues about the flooding and the dispute over who is responsible and the second being the management of the various stormwater facilities around the existing property that will be chopped up with the subdivision and given to various shop owners. Schleelein believed that there was supposed to have been an engineering study on the stormwater at one time. Gavin confirmed that there was and it had been sent. Cross will review that again but would like to have all the stormwater documents together. Previously, there were documents for each different facility but not for the property as a

249 whole.

Gavin said the tenants would make a payment to their bank for the mortgage and also make a payment to the Common Area Maintenance (CAM). Under the Declaration of Easements, Covenants, Conditions and Restrictions (ECCR), common areas are defined as parking, access, stormwater and those types of areas. Gavin said stormwater today is our responsibility and stormwater tomorrow is our responsibility. Schleelein asked what would happen if one of the tenants did not pay into the CAM. Gavin said the ECCR contract works for both entities and we would sue them. Troy is concerned about what would happen if the company handling the CAM was to go under. What would happen to all of the maintenance then? Gavin said the tenants would do the work and then lien the center portion of the mall. Schleelein asked if the dedicated center section was Parcel H. Gavin confirmed and added that both the mall and Target own it now.

Schleelein then asked about all of the excess parking areas and if the parking lots were being subdivided with each parcel, and if so, how did Gavin determine the number for each parcel? Gavin explained that the parking is all part of the common area and the tenants understand that people 262 263 may park on one end of the mall and go to a shop on the other end. The calculation for number of 264 spaces were based on the Village ordinance and logical layout. The mall, as a whole, is over-parked by 300 spaces. Because of this excess, Schleelein was hoping some of the blacktop area could be 265 converted to green area and possibly help with the stormwater issues. Scott went through the 266 267 parking lot calculations for each parcel and pointed out the excess and deficiencies for each. Some parcels would require a special permit because of the Village parking regulation. Gavin said the 268 tenants want to own the parking lot but, it would not change the price of the parcel if they did not. 269

Moll could not see how a subdivision would benefit the Village other than receiving a road, Parcel 270 H, which needs substantial repair work. Gavin replied that the Village wants a viable mall and in this market as an employer and a Village tax payer, tenants can get a mortgage at a lesser rate with less of a payment than a 10-year rental term. Moll asked Gavin what would stop the owners from 273 selling all of the parcels and then pack up and leave this area looking like the Finger Lakes Mall? 275 What, if any, are the plans to revitalize the center of the Shops at Ithaca? Gavin responded that these owners are the largest buyers in the country. The business model is based on the revitalization of the interior. Ownership of the anchor stores prevents tenants from coming and going more often thus stabilizing the mall itself. Gavin continued by using the Hamilton Mall in Hamilton, NJ as an 278 example and described the process. Schleelein asked what the average length of time was that this 279 ownership would hold on to a mall before selling. Gavin was not aware of the ownership ever selling completely, just joint partnerships. Gavin described one of these joint ventures in Florida.

Schleelein said that this area is within the Commercial High Traffic area. Have you thought about 282 283 a mixed use? Gavin replied yes. There are 3 models for this type of center. First would be a retail area that would work with a group like Amazon where someone would come to see a product and then order online. Next, there is a residential model with 55 or older combined with shops and 285 activities that cater to that demographic. Lastly, there is a scholastic model, where a school is taking one anchor position and something like a YMCA takes the other end leaving the middle as a food court with other activities and shops. Greenwald asked if one of those models has been chosen for the Shops at Ithaca Mall. Gavin responded that the demographics in this area are excellent for either the retail or the residential models. The scholastic model would not seem to fit. Ronny Hardaway asked if there is a document that would be given to potential owners that would list out the future plans or monies to be committed to the rest of the mall for revitalization. Gavin 293 said no and referred to the ECCR. Greenwald wondered why the ownership would not just revitalizes the middle of the mall first. This would attract tenants or possible owners to the anchor 294 295 buildings. The way it is being proposed now makes Greenwald skeptical. Gavin replied that the 296 loss of tenants is based on the market shift and the reluctance of tenants to sign long term leases, but they will purchase. Solidifying the anchor stores is the top priority. Schleelein asked Gavin if he had confidence that the current tenants are on board with this plan of ownership. Gavin replied yes.

Schleelein then asked about the prospective hotel. Gavin said it is an extended-stay concept and the Village of Lansing Mayor has been in contact with the operator. Moll asked everyone if they know of a local model like the one that has been presented. Moll would be more comfortable if there was an actual revitalization plan. Moll is not looking for specific numbers or names of potential new tenants, but would like to know what the total vision is. Gavin said that if there was a theoretical area similar to Lansing, one would look at the basics. An extended-stay hotel would draw professionals with generally an above average income. The area already has fitness centers but could use more sit-down eating. In theory, retail stores with higher end products. That was all in theory.

In Cross' opinion, the stormwater tunnel under the mall building has failed and a few years ago there was a flooding issue during a storm. How does the Village take into account the fact that the mall owners put responsibility on the Village for the flooding. Cross did not expect Gavin to answer at this time, but how does the Village know that this issue won't happen again. Gavin responded by saying that it was his understanding that the issue was the water jumping the bank in the Village owned right-of-way and not the stormwater piping under the mall. Cross said there was a lot more to it than that and is concerned it will happen again if something is not resolved. Troy feels this proposed subdivision request should be held over to the next Planning Board meeting, giving Troy, Cross, and Scott a chance to discuss the stormwater situation.

Leopold commented about reducing the impermeable pavement surface so as to help slow the 318 stormwater and allow it to infiltrate the ground and not just run off quickly to the lake. There are so many ways to do this like rain gardens, retention basins, planted swales and rooftop gardens. Leopold would like to see some creative thinking. Schleelein agreed and believes this would also 322 make the mall more appealing. Gavin responded by saying it would be impossible to determine what tenants would want in their parking lots. At this point, all the owners of the mall can do is 323 324 offer the amount of space necessary for each tenant. As parcels are being sold, each new owner could design what benefits them the most, like an outside green sitting area which would have to 325 come back to the Village for approval. Fortunately, the hotel is at the highest point of the property and would be able to install factors that would help the stormwater situation. 327

Schleelein asked the Planning Board to think hard about this proposal and to come back next meeting with any questions. Until then, Schleelein is looking forward to whatever information the meeting between Troy, Cross and Scott uncovers. The public hearing will be held over until the August 10th Planning Board meeting.

334 Moll moved to accept the corrected resolution. Seconded by Baker 335 Ayes: Baker, Greenwald, McCauley, Moll and Schleelein. 336 Nays: None 337 Motion carried 338 Other Business to report 339 At this point, the Nissan landscaping plan cannot be approved until finalization of the trees 340 A short discussion about the tree bank occurred.

341 Trustee Report

342 No Meeting

343

344 Adjournment:

- 345 Schleelein asked for a motion to adjourn at 9:49 PM. Moved by Baker. Seconded by McCauley
- 346 Ayes: Baker, Greenwald, McCauley, Moll, and Schleelein.

Amendment of Nissan Special Permit #4242

347

348 Minutes taken by: Michael Scott, CEO