

Village of Lansing
Planning Board Meeting
Minutes of Monday
December 14, 2020

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

Present at the meeting:

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

Alternate Member: Anthony Ingraffea

Village Legal Counsel: William Troy

Village Engineer: Brent Cross

Village Trustee Liaison: Randy Smith

Village CEO: Michael Scott

Ronny Hardaway, Olga Petrova, and Eric Goetzmann; Drew and Rachel Riedl represented by Joshua Stafford and Shawn Ritchie from Finger Lakes Tram; Mike Gavin and Ken Farrall representing the Shops at Ithaca; David and Steve Beer were present

Approval of the Minutes

Moll moved to approve the minutes of October 27, 2020 as written. Baker seconded.

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

Nays: None

Public Comment Period:

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

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

Nays: None

Schleelein read the following from the agenda:

Continue Public Hearing of Subdivision #2020-4402

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 investors/owners.

Scott reviewed the Mall subdivision along with noting that the County had answered the GML-239 with no further recommendation and declared no negative impact. Scott also suggested that the Planning Board declare lead agency for the SEQR if they were going to review the short EAF provided by Ken Farrall in the near future. There was discussion about whether the BZA should do the SEQR. Schleelein feels that the Planning Board is better suited to be lead agent because of the history and information already provided.

46

47 Greenwald moved to declare the Planning Board as lead agency for the SEQR process. Moll
48 seconded.

49

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

51 Nays: None

52

53 Scott will notify the BZA of this decision when the Mall representatives apply for their needed
54 variances. Scott continued by letting Farrall know that the BZA will be dealing with an issue
55 tomorrow night (12/15/20) and that Scott would set up the next BZA meeting in January to hear the
56 Mall appeals. Scott updated the Planning Board on what was discussed at the last Planning Board
57 meeting about the Mall.

58

59 Troy is currently reviewing ECCR information provided by Mike Gavin with regard to the public
60 water and sewer.

61

62 Cross reviewed the recent history of the stormwater design of the Mall. The performance of the
63 system is not being changed for any construction purpose, rather making sure the system is
64 functioning as per its design. This would be a matter of making sure the system is maintained
65 properly. Cross is satisfied with moving the subdivision process along as long as there is some
66 documentation and/or communication on how to keep the stormwater functioning properly.

67

68 Farrall said, as the video revealed, there were some rocks within the large stormwater piping running
69 east and west under the parking lot near Dick's. These rocks, although not impeding the flow, will
70 be removed.

71

72 Next, the swale running along the southern border of the property, which is used for stormwater
73 overflow, will be cleared out of approximately 18" of rip rap, which was severely slowing the flow
74 of water potentially causing the parking lot to flood.

75

76 Lastly, Farrall agreed to clean out and possibly remove the vertical piping located near the walkway
77 leading to the residential area to the west. While Cross was inspecting that area, he discovered that
78 the (2) 15" pipes transferring water from the north to the south were being choked off by this vertical
79 stand pipe which was full of sediment. If this adjustment does not solve the issue of parking lot and
80 residential flooding, Farrall would be open to installing an additional (2) 15' pipes. Farrall believes
81 that the 3 remedies described will go a long way to resolving any future stormwater issue at The
82 Shops of Ithaca. Farrall also explained that future projects, like the new hotel, would be required to
83 use the swale for their stormwater runoff plan so as to not burden the underground piping with
84 additional volume.

85

86 Scott agreed with Cross about possibly moving forward with the subdivision process. Cross
87 questioned if the BZA could officially take regulatory action on the variance appeals if the Planning
88 Board has not reviewed the SEQR. There was more discussion about this. Scott said that at the last
89 meeting, moving the appeal process forward was fine as long as Farrall and Gavin knew that it was
90 at their own risk. Scott believes that because of the quantity of appeals, the BZA process would not
91 be over until after the Planning Board has reviewed the SEQR. Scott asked Troy if he thought the

92 two could be run simultaneously. Troy said he does not see an issue and asked Gavin and Farrall if
93 they were ready for the BZA. Both said Yes. Troy recommends moving forward with both processes.

94

95 It was noted that many of the variance appeals are redundant.

96

97 Baker moved to close the public hearing for the preliminary plat. McCauley seconded.

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

99 Nays: None

100

101 Schleelein read the following from the agenda:

102

103 **Public Hearing for Special Permit #2020-4438**

104 *Drew and Rachel Riedl, represented by Shawn Richie and Joshua Stafford from Finger Lakes*

105 *Tram, are requesting a special permit to allow a tram/lift to be installed on the cliff overlooking*

106 *Cayuga Lake at 12 Esty Drive (Tax Parcel # 43.1-1-7).*

107 Schleelein introduced Ritchie and Stafford and reminded the Planning Board that these gentlemen

108 presented a similar project a year or so ago.

109

110 Scott said the last project was a tram built for Mr. Wang at 1510 East Shore Drive. Scott

111 complimented Ritchie and Stafford on their product. Scott offered to send Board members the video

112 he took for the Wang project. This proposal requires a special permit hearing because of its location

113 in the Unique Natural Area along with the Steep Slope Area. Scott also said he did receive the

114 mailing notifications and he turned in a GML-239 to the County.

115

116 Schleelein said that the Planning Board has the flora and fauna report and a short EAF which they

117 would review next meeting. Schleelein asked Ritchie and Stafford to provide a view or picture of

118 the finished product from the lake perspective.

119

120 Ritchie thanked the Planning Board for having them back and said their tram product is pretty

121 consistent as far as looks go. The Tram is not invisible but does blend in with the surroundings.

122 Ritchie said that this proposed tram will be much easier to install than the one at the Wang residence.

123 A picture of a typical tram was viewed on the screen. Schleelein was concerned about the erosion of

124 the sediment under the tram because there is no ground cover. Ritchie said that during installation

125 they generally disturb very little ground cover. Most of the slope at the proposed project is

126 approximately 55 degrees.

127

128 Ingraffea asked about the right-of-way at the base of the tram with regard to the railroad. Ritchie

129 explained that there is a 30' ROW that they will stay away from.

130

131 Troy advised the Riedls to look into the railroad ROW and that this special permit does not have

132 anything to do with permission to cross the tracks.

133

134 Schleelein asked if anyone had any other questions.

135

136 Scott said if he heard from the County before the next meeting, he would pass any information on.

137 Schleelein said that the Planning Board would review the EAF at the next meeting on 12/29.

138

139 Schleelein read the following from the agenda:

140

141 **Public Hearing for Special Permit # 2020-4439**

142 *David Beer, from Beer Properties, LLC, is requesting a special permit to allow for a private*
143 *garage to be built on a lot (Tax Parcel # 45.2-1-47.201) located between Millcroft Way and Craft*
144 *Road.*

145 Scott said that the project is located in the Medium Density Residential District and is not classified
146 as a residential building as per the definition. The proposed project requires a special permit because
147 it is classified as a site improvement that results in a change in applicable parking. The application
148 does not require County input.

149

150 Ingraffea asked Beer why he was building the garage. David Beer stated that he needs the building
151 to store equipment used to maintain the 40+ acres of land there. Ingraffea asked what the building
152 had to do in relation to the proposed future cluster subdivision of that property. Beer said when the
153 future development happens, that building would be used for maintenance and storage of lawn
154 mowers, excavation equipment, and materials.

155

156 Schleelein asked if the building is temporary. Beer stated that the building could be temporary but
157 that is not the intent. Schleelein then said the building looks to be a Quonset Hut. Beer said it is.
158 Schleelein believes the building is unattractive for a residential area and, although she understands
159 the need, she feels it will not be received well. Baker agreed.

160

161 McCauley asked if there have been other major projects within the Village where the developer
162 essentially built a commercial garage while they were implementing a project. McCauley also agreed
163 that the building is unattractive. Scott said that the Bomax Drive project used a temporary structure
164 to store equipment but that development had already been approved. Schleelein was concerned
165 where this building was located with respect to the proposed subdivision and the residential homes.
166 Ingraffea agreed and added that he remembered seeing a subdivision plan showing a clubhouse but
167 does not remember it being in that area. Also, how does Beer know if the proposed building is not
168 being built between 2 future lots. Beer stated that the building is currently laid out on an existing
169 parcel with all of the proper setbacks. The garage is sited so as to overlay onto one of the proposed
170 future subdivision lots that was approved on the preliminary plat. Beer is looking to use the same lot
171 to build a greeting center for the subdivision development. That lot is ideal because it is close to the
172 entry at Craft Road. The proposed building would also have evergreens planted around it. Beer
173 continued to defend the esthetics of the steel building. Beer also pointed out other similar buildings
174 within the Village.

175

176 Schleelein would like to see how this building is going to work with the subdivision. Beer stated that
177 Hunt Engineering is currently working on the final subdivision plat but won't have anything ready
178 until at least January. Beer would like to install this building before the ground freezes and said if
179 the building goes in and somehow it does not fit in with the final approved plat, then we can talk
180 about removing it.

181 McCauley asked Scott if the temporary structure for the Bomax project was erected at the time the
182 project construction started. Scott said yes. Schleelein asked about the storage of fuel and/or
183 chemicals. Beer said just everyday products for a tractor or lawn mower. Ingraffea asked why this
184 structure is necessary now when it was absent from the preliminary plat. Beer stated that from the
185 beginning, there was a structure presented that would be used for the purpose we are now asking for.
186 Baker said he hopes that this structure is not characteristic of the type of rental buildings being
187 proposed for the subdivision. If it is not, then Baker does not feel that this type of structure belongs
188 there. He hopes that whatever buildings are within this development, they will complement each
189 other.

190

191 This structure will be 15' high and remain the galvanized color.

192

193 Schleelein said that given the landscaping and the first parcel in the proposed development if the
194 garage will be buffered from Lansing Trails. Beer said yes.

195

196 Moll does not have a problem with the structure and feels it would disappear behind that buffer.
197 Moll also thinks it is beneficial that the owner is maintaining the property and is more apt to keep it
198 picked up rather than an outside company. Schleelein said that the building is not that big and could
199 be taken down if necessary.

200

201 The proposal will need a short EAF because it is an unlisted action.

202

203 Before a cluster subdivision can be approved, the existing parcels would have to be consolidated.
204 After the new subdivision, the proposed building would be on a parcel that would be maintained by
205 the newly formed HOA. Beer indicated that there would still be 42 available building lots.

206

207 Cross asked about the amount of land that would be disturbed during construction if this special
208 permit were to be approved. Cross also recommended that this information be required before the
209 issuance of a building permit. Scott agreed and said he would require a "Notice of Ground
210 Disturbance" to be filled out at the time of the building permit application which would include the
211 proper information for a SWPPP determination.

212

213 The proposed building would have water and sewer. Scott reminded the Planning Board that
214 incorporating this proposed garage into the future cluster subdivision is not the Village's problem;
215 that responsibility is on the owner. Also, if the subdivision does not happen and the existing lots are
216 sold separately, there may be a need for some future easements.

217

218 Greenwald stated that she does not want an "industrial" look in that area or have the local residents
219 drive by and wonder why this building is in our neighborhood.

220

221 Schleelein would like to see some pictures of similar buildings.

222

223 There was a question about the building placement as related to the future subdivision infrastructure.
224 Beer stated that water, sewer, and electric for the subdivision certainly won't be put in this year and
225 possibly not for a couple of years. There has been a culvert pipe installed for an entrance from Craft
226 Road.

227

228 Schleelein read the following from the agenda:

229

230 **Informal Discussion about Lansing Meadows Amended Special Permit #2019-4123**

231 *Eric Goetzmann, from Arrowhead Ventures, LLC, will be updating the Planning Board on the*
232 *progress of the residential area B of the Lansing Meadows Planned Development Area (PDA)*
233 *located on Oakcrest Road (Tax Parcel Nos. 47.1-1-17.2 and 47.1-1-17.6).*

234 Goetzmann reviewed the history of the project. Building has been delayed significantly because of
235 the Covid-19 issues. Sewer is mainly done and the public water is being worked on. Goetzmann is
236 hoping to finish underground work and install the base of the road system before the ground freezes.
237 Schleelein asked Scott if the amended special permit needed to be renewed because of the deadlines
238 not being met in the conditions. Scott said that a special permit does not need to be renewed for 3
239 years. Scott recommends that the Planning Board establish new deadlines with some type of
240 repercussions if not met this time. Schleelein asked the Planning Board for some suggestions for
241 extending the deadline.

242

243 The Planning Board reviewed the conditions of Amended Special Permit #2019-4123. Moll asked
244 Goetzmann what he thought was a reasonable deadline at this point. Goetzmann said that they are
245 working as fast as possible and intend on having people move in late June or July of 2021 if not
246 sooner. Schleelein suggested a one-year extension and asked Goetzmann where the IDA stands on
247 this. Goetzmann has been in touch with the chairman of the IDA and they are in tune with whatever
248 the Planning Board decides.

249

250 Greenwald asked what options the Village has for penalizing this project if the new deadlines are
251 not met. Greenwald suggested that there be a monetary penalty.

252

253 Schleelein said she drives by the site often and even in the good weather months, she did not see
254 much activity. Schleelein suggested Goetzmann come back to the Planning Board every other month
255 (February and April) for a progress update. Moll asked about the sidewalk escrow. The amount of
256 the escrow has already been decided by the Board of Trustees. Goetzmann believes the escrow for
257 the sidewalk would need to be established before any Certificate of Compliance could be issued.
258 Some Planning Board members believe the money should be in the escrow now.

259

260 Scott suggested that a condition be added voiding the existing special permit if the new deadlines
261 are not met. This would require the owner to start the special permit process over. Schleelein and
262 Troy agree. Scott will work on revising the language of the conditions for Amended Special Permit
263 #2019-4123 for the next meeting.

264

265 **Other Business to Report**

266 Schleelein recognized Dan Veaner of the Lansing Star for his long-time service of excellence. Dan
267 will be retiring at the end of the month.

268

269 The BZA will be meeting tomorrow night to hear the appeals from The Council.

270

271 Moll feels that a committee should be establish to look through the Village zoning code. It was
272 suggested that the sub-committee consist of members from each Village Board. Troy suggested
273 looking into codes from other municipalities of the same size. Schleelein added that she will look
274 into the Planning Federation.

275

276 **Trustee Report**

277 Most Planning Board members attended the December 7 Trustee meeting. Baker thanked Hardaway
278 for highlighting the concerns the Planning Board had on the local law for Lansing Meadows. Baker
279 also complimented the Board of Trustees for their thorough work on the matter.

280

281 **Adjournment:**

282 Schleelein asked for a motion to adjourn at 9:24 PM. Moved by Baker. Seconded by Moll.

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

284 Nays: None

285 Minutes taken by: Michael Scott, CEO

286

287

288