

Village of Lansing
Planning Board Meeting
Minutes of Monday,
March 8, 2021

The meeting of the Village of Lansing Planning Board via Zoom was called to order at 7:04 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: Patricia O'Rourke

Village CEO: Michael Scott

Michael Gavin and Ken Farrall representing The Shops at Ithaca Mall; Kristin Gutenberger Grossman and Jeremy Thomas representing Cornell University Real Estate were present.

Approval of the Minutes

Moll moved to approve the minutes of February 8, 2021. Baker seconded.

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

Nays: None

Baker moved to approve the minute of February 23, 2021. Greenwald seconded.

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

Nays: None

Public Comment Period:

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

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 said that he received the final plat and passed it on to John Courtney to verify the Village requests. Unlike most final plats, this one had easements located on it. Courtney believed that not

78 *January 26, 2021, February 8, 2021, February 23, 2021, and March 8, 2021, the Village*
79 *of Lansing Planning Board held a public hearing regarding this proposed action, and*
80 *thereafter thoroughly reviewed and analyzed (i) the proposed preliminary and final*
81 *subdivision plat and accompanying materials and information presented by and on behalf*
82 *of the applicant in support of this proposed action, including information and materials*
83 *related to environmental issues, if any, which the Board deemed necessary or appropriate*
84 *for its review; (ii) all other information and materials rightfully before the Board*
85 *(including, if applicable, comments and recommendations, if any, provided by the*
86 *Tompkins County Department of Planning in accordance with General Municipal Law*
87 *Sections 239-1 and 239-m); and (iii) all issues raised during the public hearing and/or*
88 *otherwise raised in the course of the Board's deliberations.*

89
90 *D. On December 29, 2020, the Village of Lansing Planning Board, in accordance with (i)*
91 *Article 8 of the New York State Environmental Conservation Law - the State Environmental*
92 *Quality Review Act ("SEQR"), and 6 NYCRR Section 617.5; and amended on*
93 *environmental review and adopted a Resolution for SEQR Review in connection with*
94 *Major Subdivision #2020-4402;*

95
96 ***NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:***

97 *1. Based upon all of its foregoing review and action, it is hereby determined by the Village*
98 *of Lansing Planning Board that approval of the proposed Major Subdivision #2020-*
99 *4402 is **GRANTED**, subject to the conditions and requirements set forth below;*

100
101 *Conditions and Requirements:*

102 *A. Implementation of the following:*

- 103 *1. The Mall will continue to follow its then current maintenance program, an*
104 *example of which is attached hereto, that includes:*
105 *a. weekly inspection of the roof drains and parking lot inlets by Mall*
106 *maintenance;*
107 *b. annual roof drain cleaning by third parties;*
108 *c. annual snaking of the mains by third parties; and*
109 *d. bi-annual (twice a year) cleaning of the culverts by third parties.*
110 *2. The Mall will continue to follow its then current Flash Flood Warning -*
111 *Emergency Plan.*
112 *3. Annual spring inspection and maintenance of the stormwater infrastructure by*
113 *third parties.*
114 *4. Removal of the rocks which are inside the 42" storm water pipe which runs*
115 *underneath the southern portion of the Mall by third parties (in the spring based*
116 *on the availability of the crew and equipment certified for confined spaces).*
117 *5. Replacement of the grate (previously replaced in early winter) on the 42" storm*
118 *water pipe which runs underneath the southern portion of the Mall once the*
119 *rock has been removed.*

- 120 6. *Removal of the rip rap from the swale running along the south end of the parcel*
121 *to a depth of approximately 18" from ground level as part of spring*
122 *maintenance.*
123 7. *Removal of the stand pipe from the basin adjacent to the rear access path to the*
124 *subdivision as part of spring maintenance.*
125 8. *The developer of the parcel currently designated as "hotel" will divert an*
126 *appropriate amount of off-site stormwater to the culvert in order to minimize*
127 *the chances of flooding as part of its land development.*
128

129 B. *Per approval of the Village of Lansing Lighting Commission, provide suitable*
130 *lighting for western walkway and stairs leading to residential area.*
131

132 C. *Approval of amended changes to granted variance 2021-01 through 2021-38*
133 *reflecting new tax parcel numbers.*
134

135 D. *Prior to the release of a signed final plat, the applicant/owner will make full*
136 *payment to the Village of all sums required to be placed in escrow in lieu of*
137 *establishing an escrow account. Such fees will be paid in accordance with the terms*
138 *of Village Code Section 125-18.*
139

140 E. *Applicant/owner will provide a Stormwater Maintenance Agreement to the Village*
141 *for approval.*
142

143 F. *Responsibility of the water and sewer systems will remain the same as previously*
144 *established before the subdivision.*
145

146 G. *Subject to the parties agreeing to formal written and executed easements and*
147 *transfer of land as necessary to effect the agreed upon easements and transfer of*
148 *land.*
149

150 H. *Approval of resolution subject to final approval of Village attorney.*
151

152 2. *The Chairperson of the Village of Lansing Planning Board is hereby authorized and*
153 *directed to sign the final plat for the approved major subdivision in accordance with*
154 *subsection G of Section 125-6 and subsection A of Section 125-15 of the Village of*
155 *Lansing Code.*
156

157 *The vote on the foregoing motion was as follows:*

158 *AYES: Baker, Greenwald, McCauley, Moll, and Schleelein*

159 *NAYS: None*

160 *The motion was declared to be carried.*

161 Scott reviewed the remaining items left to finalize the subdivision.

162 Schleelein read the following agenda item:

163 **Discussion and Recommendation of Proposed Local Law A (2021)**

164 *The purpose and intent of this Local Law is to amend the Village of Lansing Zoning Law and*
165 *Zoning Map so as to re-zone a Medium Density Residential District (MDR), containing tax parcel*
166 *#46.1-6-6.3 (Village of Lansing) and tax parcel 46.1-6-6.22 (Cornell University) into the High*
167 *Density Residential District (HDR). The MDR District in question borders Uptown Road, tax parcel*
168 *46.1-6-6.11, and tax parcel 46.1-6-6.23 to the south, Uptown Road to the west, Route 13 to the north,*
169 *and Warren Road, tax parcel #46.1-6-6.11, and tax parcel #46.1-6-6.23 to the east. The re-zoning of*
170 *this MDR District is intended to allow for a favorable transition to a contiguous HDR District west*
171 *of Uptown Road. The proposed re-zoning action is intended to be consistent with the Village*
172 *Comprehensive Plan.*

173

174 Scott explained that the Board of Trustees have asked the Planning Board for their input about the
175 upgrade from MDR to HDR and include any concerns that the Planning Board has that may need
176 more in-depth analysis. The SEQR is the Board of Trustees responsibility. Scott reminded the
177 Planning Board that this proposed upgrade's impacts are to be compared between the allowable uses
178 of an MDR District to a HDR District, not what is physically existing to a HDR District.

179

180 Schleelein said the Planning Board discussed this parcel a few years back and a possible change to a
181 HDR District. Schleelein added that the HDR District allows more commercial uses which are not
182 incompatible with the nearby apartments and the Health and Human Resources District.

183

184 Thomas gave a short presentation on the history of the parcel in question and possible advantages to
185 upgrading to HDR.

186

187 Schleelein asked what the benefits of the change would be for the Village such as Village and Lansing
188 School tax revenue. Schleelein also believes that the Ithaca Swimming Club (ISC) parcel should be a
189 part of the proposed zoning change.

190

191 Greenwald said that she knows some of the ISC Board Members and will invite them to the Board of
192 Trustees meeting when this subject is discussed next. Greenwald believes that the ISC would be
193 concerned about the possible tax implications and esthetics of the zoning upgrade. It was noted that
194 there would be no tax increase due to a zoning change. Scott said the only response he received from
195 the ISC indicated a concern about the buffering between a new development and their facility to
196 maintain privacy. Scott added that whatever development that would be proposed on the vacant
197 Cornell property would be subject to a special permit and the buffering would then be addressed.
198 Thomas said at that point, there would be a mutual interest in a buffer.

199

200 Ingraffea was concerned about the potential for clearcutting one of the largest remaining greenspaces

201 left in the Village. The Board of Trustees should take this into consideration. McCauley shares the
202 same view.

203

204 Schleelein pointed out that it is difficult to evaluate the impacts of this proposal and the relationship
205 to the Village Comprehensive Plan without an actual development project in mind. Thomas believes
206 that what they are proposing does coincide with the Comprehensive Plan and allows Cornell the
207 opportunity to offer more uses to potential buyers.

208

209 Cross said that HDR may allow for a developer to utilize the NYS Cluster Subdivision rules and
210 possibly provide for more natural space and prevent clearcutting. Scott pointed out that whether
211 the zoning remains the same or is upgraded, the owner/developer has the right to remove
212 trees/vegetation from that property. The need for a special permit would allow some say from the
213 Village in this case.

214 Cross suggested the possibility that the Village adopt regulations regarding brush and tree removal
215 or as a condition on future subdivisions and/or zoning change.

216 Schleelein reviewed the possible points that could be included in the recommendation to the Board
217 of Trustees.

218 The Planning Board reviewed and discussed the Village Comprehensive Plan and the connection
219 to this zoning upgrade proposal.

220 Schleelein reminded the Planning Board that there are many more options in the HDR other than
221 residential.

222 McCauley recommended that the Board of Trustees not upgrade the proposed area to HDR.

223 Ingraffea would recommend that the Village and Cornell discuss creative ideas for the Cornell
224 lands within the Village. McCauley said that the Cornell owned Business and Technology District
225 on Brown Road is one of the more appealing properties in the Village and would certainly be in
226 favor of the proposed upgraded area to remain in Cornell's hand when developed.

227 Schleelein will pull all of the comments and concerns together and send a recommendation to the
228 Trustees.

229 **Other Business to Report**

230 Greenwald reviewed the updates and changes to the Sidewalk Code proposal.

231 McCauley asked who was responsible for clearing and maintaining the sidewalks. The Village
232 DPW is.

233 Troy had concerns about how to figure the escrow and keeping consistent with waivers. It was
234 suggested that a linear footage rate be established.

235 Cross suggested that wording be added for corner lots.

236 Scott will move the proposal on to the Board of Trustees.

237 **Trustee Report**

238 McCauley went over the highlights of the meeting and referred everyone to the minutes of the March
239 1, 2021 Board of Trustee meeting.

240

241 Scott noted that the Beers will be coming back to the Planning Board at the next meeting.

242

243 Moll will send PB members a copy of the proposed tree regulation amendment.

244

245 Cross recommended Eric Goetzmann present something resembling a Gantt Chart for his next
246 Lansing Meadows PDA progress report due in April. There was more discussion on that subject.

247

248 **Adjournment:**

249 Schleelein asked for a motion to adjourn at 9:12 PM. Moved by Baker. Seconded by McCauley.

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

251 Nays: None

252

253 Minutes taken by: Michael Scott, CEO