

Village of Lansing
Planning Board Meeting
Minutes of Monday,
June 14, 2021

The meeting of the Village of Lansing Planning Board via Zoom was called to order at 7:00 PM by Chair, Lisa Schleelein.

Present at the meeting:

Planning Board Members: Mike Baker, Anthony Ingraffea, James McCauley, Monica Moll, Lisa Schleelein

Alternate Member: None

Village Legal Counsel: William Troy

Village Engineer: Brent Cross

Village Trustee Liaison: Mayor Ronny Hardaway

Village CEO: Michael Scott

Public included: Steven Beer and David Beer; Roy Hogben; Village DPW, John Courtney; Trustee, Carolyn Greenwald; Dr. Marina Manunts; Chris Wood (Beer engineer); and Randy Marcus (Beer legal representative).

Approval of the Minutes

Baker moved to approve the minutes of May 25, 2021. Ingraffea seconded.

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

Nays: None

Public Comment Period:

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

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

Nays: None

Schleelein opened the public hearing and read the following from the agenda:

Informal Review of an Approved Cluster Subdivision Preliminary Plat Proposal by Beer Properties, LLC.

Beer Properties, LLC and Hunt Engineers are providing a Plat of a cluster subdivision for property Parcel # 45.2-1-47.2 which consists of approximately 40 acres of vacant land located between Craft Road and Bush Lane. The Plat, along with details of proposed duplex lots will be reviewed by the Planning Board.

Marcus gave a brief history of the preliminary plat process for the proposed Beer development stating that there were no stipulations indicated by the Planning Board in the approval of the preliminary plat. Marcus stated that after the preliminary plat approval, the developer then focuses on the code requirements to finalize the plat. Marcus then recited parts of the Village Code regarding Planning Board responsibilities when approving a preliminary plat. In particular, “During the preliminary plat review, the Planning Board is required to study the preliminary plat

47 taking in the requirements....particular attention should be given to the arrangement, location and
48 width of streets.” Marcus continued by saying that after that approval, the developer is then
49 required to supply the Village with evidence that the proposed final plat meets Code and zoning
50 requirements. Marcus understands that the Beers had a meeting with various Village officials that
51 ended with a rather heated moment. Marcus said that Chris Wood is here today and willing to
52 discuss the final plat and reference the various issues that were raised in that meeting.

53

54 Schleelein said that there were changes made by the developer to the approved preliminary plat
55 and that there were also remaining issues that needed to be resolved from the preliminary plat
56 discussions. Schleelein pointed out some of the developer changes such as number of lots being
57 sold, wetland identification, and combining of lots for the Quonset hut. Because of the changes,
58 the Planning Board requested that the Village engineer and head of DPW take another look at the
59 design.

60

61 Wood explained the changes. The lot movement was just a refinement of the lot configurations. A
62 different engineer was hired to evaluate the wetlands better.

63

64 Schleelein asked why the decision to hire a different wetlands engineer was made. Wood said that
65 they found someone who was better qualified and more experienced than the engineer used for the
66 preliminary plat. Wood also added that most of the requested changes that Cross and Courtney had
67 suggested are items that can be addressed but, there are others that are much more difficult and
68 costly to the owner such as the intersection changes. The right-of-way width was another big issue.

69

70 David Beer said that the type of changes being requested would involve a wholesale re-design of
71 the development. Beer considered the layout as a “done” issue after the preliminary plat approval.
72 Beer feels they are now going backwards.

73

74 Schleelein noted that the intersections were raised as a topic of concern since the project was first
75 proposed. Schleelein remembers referring to the intersections on Janivar Drive as similar to the
76 ones proposed by the Beers.

77

78 David Beer said that there certainly was no condition to the preliminary plat about that issue and
79 the intersections were very clear.

80

81 Cross gave an explanation of why he thought there was an issue at this point such as the long length
82 of time between preliminary plat approval and the final plat presentation as well as a change in
83 Hunt Engineering personnel. Cross also pointed out that with this final plat, there are changes to
84 the wetlands that now scatter part of it within many different lots. That is not the best practice.
85 Marcus did not agree. There was discussion. Cross then re-emphasized his displeasure that the
86 developer went ahead and filed the final plat layout with the wetlands changed from the
87 preliminary plat with the Army Corps of Engineers without consulting the Village. If the Army
88 Corps approves this layout, it will be almost impossible to make any changes. Cross also
89 commented that the Village requires a 60’ right-of-way and that he does not know of a 70’ right-
90 of-way anywhere in the Village. Cross pointed out other issues such as drainage easements on top
91 of utilities and the stormwater areas on various properties causing the requirement of having

92 several stormwater maintenance agreements. The trail/sidewalk system also still needs some
93 interpretation.

94

95 Courtney said that his main concerns are the existing intersections and pedestrian walkways. With
96 the “T” intersections, one stop sign would be enough but, in the past, residents have petitioned for
97 more stop signs due to the speed of the vehicles. More stop signs would increase the carbon
98 footprint along with drivers tending to do rolling stops. That situation gives the pedestrians a false
99 sense that a vehicle will actually allow them to cross safely. There is a history of this on Janivar
100 Drive. Courtney would also like to see the utilities moved from under the asphalt.

101

102 Wood justified why they decided to use a 70’ right-of-way using Village Code Section 125
103 Appendix D.

104

105 There was some discussion about lot size and where some adjustments could be made to
106 accommodate the recommended changes. A Cluster Subdivision does not have a minimum lot size
107 restriction but it does not allow for more dwelling units than would be allowed per Village Code
108 within that District.

109

110 Schleelein asked if there was a decrease in the original number of 8 lots to be set aside for sale.
111 David Beer said there are still 8 but 4 of them were moved to phase II.

112

113 Schleelein reminded the Beers that if this project is phased, the Planning Board needs to see the
114 phasing plan details.

115

116 Marcus asked for clarification of why the right-of-way (ROW) needed to be 60’. Cross and
117 Courtney explained that the ditch was part of the ROW but the back slope of the ditch was not.
118 The 70’ is allowable by the Village for unusual situations such as steep slope areas. Wood wanted
119 more clarity.

120

121 Ingraffea suggested that all of this discussion is what should have been done in the type of meeting
122 that was set up last week between the developer and Village representatives. This discussion
123 should be continued in the near future with the applicants and the Village specialists.

124

125 Cross asked the Beers to make contact with the Army Corps of Engineers to put their application
126 on hold.

127

128 Scott will set up a meeting with Courtney, Cross, Wood, and the Beers.

129

130 Schleelein ask how the Quonset hut was going. David Beer said the project is moving slowly but
131 steady.

132

133 Schleelein read the following from the agenda:

134 **Continue Public Hearing for Special Permit #2021-4472**

135 *Northeast Family Dental, represented by Spencer Paving, is proposing to increase the size of the*
136 *parking lot located at 2329 North Triphammer Road (Tax parcel #47.1-3-6). The parcel is located*

137 *within the Commercial Medium Traffic District and, as per Village Code 145-42.2D(1)(k), the*
138 *proposed increase in parking requires a Special Permit and review.*

139 Scott reviewed the proposed parking lot addition and the changes that have been made over the
140 last few weeks. The original proposal was to add parking spaces to the northwest portion of the
141 lot. That proposal would have basically taken the remaining green area and turned it into
142 impervious surface causing the project to be regulated by a basic SWPPP. Since that time, Cross
143 has been working with Dr. Manunts and Spencer Paving to revise the original plan and possibly
144 add a few parking spaces to the northeast corner. This proposal would have little effect on
145 stormwater runoff and would therefore, not require a simple SWPPP. Scott commended Cross on
146 his extra time taken to work with the applicant to come up with a feasible solution for both the
147 owner and the Village.

148 Scott was provided a layout of the newly proposed parking area but, was concerned about the
149 encroachment of the project to the parking setback of 15'. Without an actual survey, the parking
150 setback for the proposed new parking area cannot be determined.

151 Cross agreed with Scott and added that if the parking setback is an issue, that the Planning Board
152 allow Scott to grant a parking width of 8'6". Cross also added that the original plan would have
153 eliminated almost all of the green area and possibly a tree or two. The new proposed plan has much
154 less impact on stormwater runoff which can be handled by the existing infrastructure.

155 The proposal would put 3 spaces on one side and one or two on the other side.

156 Dr. Manunts said the added spaces were for her staff.

157 Scott recommended that if the Planning Board approved this special permit, there be some
158 condition to verify the setback such as a survey.

159 Schleelein complimented Dr. Manunts on the upkeep and landscaping of her property.

160 Schleelein and the Planning Board reviewed the Short EAF provided by the applicant.

161 A GML-239 was not need.

162 Schleelein and the Planning Board answered the Short EAF Part II questions.

163 Schleelein read the following resolution:

164 ***VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQ***

165 ***REVIEW OF SPECIAL PERMIT NO. 2021-4472 ADOPTED ON JUNE 14, 2021***

166 *Motion made by:* *Tony Ingraffea*

167 *Motion seconded by:* *Mike Baker*

168 **WHEREAS**

169 A. *This matter involves consideration of the following proposed action: Special Permit No.*
170 *2021-4472, Northeast Family Dental, represented by Spencer Paving, is proposing to*
171 *increase the size of the parking lot located at 2329 North Triphammer Road (Tax parcel*
172 *#47.1-3-6). The parcel is located within the Commercial Medium Traffic District and, as*
173 *per Village Code 145-42.2D(1)(k), the proposed increase in parking requires a Special*
174 *Permit and review; and*
175

176 B. *On June 14, 2021, the Village of Lansing Planning Board, in performing the lead agency*
177 *function for its independent and uncoordinated environmental review in accordance with*
178 *Article 8 of the New York State Environmental Conservation Law - the State Environmental*
179 *Quality Review Act (“SEQR”), (i) determined that the proposed action provided for herein*
180 *is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short*
181 *Environmental Assessment Form (the “Short EAF”), and any and all other documents*
182 *prepared and submitted with respect to this proposed action and its environmental review;*
183 *(iii) completed its thorough analysis of the potential relevant areas of environmental*
184 *concern to determine if the proposed action may have a significant adverse impact on the*
185 *environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv)*
186 *completed the Short EAF); and*
187

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

189 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the*
190 *Short EAF, Part I, and any and all other documents prepared and submitted with*
191 *respect to this proposed action and its environmental review; and (ii) its thorough*
192 *review of the potential relevant areas of environmental concern to determine if the*
193 *proposed action may have a significant adverse impact on the environment,*
194 *including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its*
195 *completion of the short EAF, Part II, including the findings noted thereon (which*
196 *findings are incorporated herein as if set forth at length), hereby makes a negative*
197 *determination of environmental significance (“NEGATIVE DECLARATION”) in*
198 *accordance with SEQR for the above referenced proposed action, and determines*
199 *that an Environmental Impact Statement will not be required; and*

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

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

205 *AYES: Baker, Ingraffea, McCauley, Moll, and Schleelein*

206 *NAYS: None*

207 *The motion was declared to be carried*

208 Schleelein asked for a motion to close the public hearing. Moll moved to close the public hearing.
209 McCauley seconded.

210 Ayes: Baker, Ingraffea, McCauley, Moll, and Schleelein.

211 Nays: None

212

213 Schleelein read through the general conditions for a special permit.

214 Baker moved that all of the general conditions have been met. Ingraffea seconded.

215 Ayes: Baker, Ingraffea, McCauley, Moll, and Schleelein.

216 Nays: None

217 Schleelein read the following resolution:

218 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR**
219 **SPECIAL PERMIT NO. 2021-4472 ADOPTED ON JUNE 14, 2021**

220 *Motion made by: Monica Moll*

221 *Motion seconded by: Mike Baker*

222 **WHEREAS:**

- 223 A. *This matter involves consideration of the following proposed action: Special Permit*
224 *No. 2021-4472, Northeast Family Dental, represented by Spencer Paving, is proposing*
225 *to increase the size of the parking lot located at 2329 North Triphammer Road (Tax*
226 *parcel #47.1-3-6). The parcel is located within the Commercial Medium Traffic*
227 *District and, as per Village Code 145-42.2D(1)(k), the proposed increase in parking*
228 *requires a Special Permit and review; and*
229 B. *On May 27, 2021 and June 14, 2021, the Village of Lansing Planning Board opened*
230 *and continued a public hearing regarding this proposed action, and therein thoroughly*
231 *reviewed and analyzed (i) the materials and information presented by and on behalf of*
232 *the applicant in support of this proposed action, including information and materials*
233 *related to the environmental issues, if any, which the Board deemed necessary or*
234 *appropriate for its review, (ii) all other information and materials rightfully before the*
235 *Board (including, if applicable, comments and recommendations, if any, provided by*
236 *the Tompkins County Department of Planning in accordance with General Municipal*
237 *Law Sections 239-1 and 239-m), and (iii) all issues raised during the public hearing*
238 *and/or otherwise raised in the course of the Board's deliberations; and*

239 C. On June 14, 2021, the Village of Lansing Planning Board, in accordance with (i)
 240 Article 8 of the New York State Environmental Conservation Law - the State
 241 Environmental Quality Review Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii)
 242 Section 123.2 of the Village of Lansing Code, and amended on environmental review
 243 and adopted a Resolution for SEQR Review in connection with Special Permit No.
 244 2021-4472;

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

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

253 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit
 254 No. 2021-4472 is **GRANTED AND APPROVED**, subject to the following conditions
 255 and requirements:

256 a. Soil and Erosion control measures and water quality techniques shall be
 257 implemented and coordinated as required and approved by the Village of Lansing
 258 Code Enforcement Officer and/or the Village of Lansing Engineer, and a plan for
 259 maintenance and said control measures and quality techniques over time shall be
 260 established with the Village of Lansing Code Enforcement Officer and/or the
 261 Village of Lansing Engineer.

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

269 c. Required permits, approvals, consents and other authorizations from all applicable
 270 Federal, State, County and local governmental and regulatory agencies shall be
 271 obtained, maintained and complied with for all permitted improvements,
 272 operations and activities as authorized by this special permit approval, and such
 273 improvements, operations and activities shall at all times comply with all
 274 applicable Federal, State, County and local laws, codes, rules and regulations.

275 d. Survey verification of side yard setbacks must be received prior to the issuance of
 276 a building permit.

277 e. Parking width will be allowed to be a minimum of 8'6" if necessary to meet setback
 278 requirements.

279 The vote on the foregoing motion was as follows:

280 *AYES: Baker, Ingraffea, McCauley, Moll, and Schleelein*

281 *NAYS: None*

282 *The motion was declared to be carried*

283 **Other Business**

284 Schleelein asked if the sidewalk proposal was ready to go to the Board of Trustees.

285 Scott showed the sidewalk proposal and explained about the elimination of Section G.

286 Schleelein wanted to make sure the attachments were also sent to the Trustees.

287 Ingraffea moved that the sidewalk proposed law and the attachments be sent to the Board of
288 Trustees for review. Baker seconded.

289 Ayes: Baker, Ingraffea, McCauley, Moll, and Schleelein.

290 Nays: None

291

292 Scott introduced a draft of a proposed lighting law created by the Lighting Commission. At this
293 point, the Village and the Lighting Commission have been working off of lighting guidelines. With
294 this proposed law, both parties would now have hard numbers and rules to refer back to, making
295 decisions much more consistent.

296

297 Schleelein and Leopold had worked on a proposal in 2013 but it never moved forward. Schleelein
298 suggested adding language to address canopy lighting, special/recreational events, and existing non-
299 conforming lighting. Schleelein will send Scott some additional information and language for the
300 Lighting Commission to review. Hardaway suggested adding temporary commercial activity
301 lighting. It was suggested that this new information be sent back to the Lighting Commission for
302 review.

303

304 Schleelein suggested looking into possible Short Term Rental regulations again.

305

306 **Trustee Report**

307 Ingraffea gave his report. Refer to the June 7, 2021 Board of Trustee minutes for an update.

308 **Adjournment**

309 Schleelein asked for a motion to adjourn at 9:22 PM. Moved by Baker. Seconded by McCauley.

310 Ayes: Baker, Ingraffea, McCauley, Moll, and Schleelein.

311 Nays: None

312

313 Minutes taken by: Michael Scott, CEO