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2 Village of Lansing  
3 Planning Board Meeting  
4 Minutes of Monday,  
5 July 27, 2021  
6

7 Lisa Schleelein was only able to attend via Zoom. Mike Baker was the designated Chair  
8 The meeting of the Village of Lansing Planning Board was called to order at 7:13 PM  
9

10 **Present at the meeting:**

11 **Planning Board Members:** Mike Baker, James McCauley, Monica Moll, (Lisa Schleelein Attended  
12 via Zoom and unable to vote)

13 **Village Legal Counsel:** William Troy

14 **Village Engineer:** Absent

15 **Village Trustee Liaison:** Simon Moll

16 **Village CEO:** Michael Scott  
17

18 Public included: Nick Smith representing Airosmith Development; Eric Goetzmann and Jim Bold  
19 representing Lansing Meadows; Mike Gavin and Ken Farrall representing the Shops at Ithaca Mall;  
20 John Courtney (via zoom).  
21

22 Baker recognized Schleelein as a participating member without the ability to vote.  
23

24 **Approval of the Minutes**

25 McCauley made some grammatical changes.

26 Moll moved to approve the minutes of June 14, 2021 as per amended. McCauley seconded.

27 Ayes: Baker, McCauley, and Moll

28 Nays: None  
29

30 **Public Comment Period:**

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

32 Ayes: Baker, McCauley, and Moll

33 Nays: None  
34

35 Baker changed the order of the agenda because the representatives for Special Permit 2021-4496  
36 were not available yet.  
37

38 Baker read the following from the agenda:  
39

40 **Proposed Addition of a Parcel M to The Shops at Ithaca Subdivision**

41 *The Shops at Ithaca Mall, represented by Michael J. Gavin of Gavin Law, is seeking approval*  
42 *from the Planning Board for a subdivision of Tax Parcel 42.1-1-22. The applicant is proposing to*  
43 *add an additional Parcel M to the proposed subdivision.*  
44

45 Farrall said while trying to finish up the original subdivision request, another potential buyer had  
46 indicated that they wanted to purchase the Bon Ton section of the Mall. Farrall expressed his  
47 appreciation to the Planning Board and indicated that most of the subdivision conditions are nearly  
48 finished and hoped this could be wrapped up by next meeting.

49

50 Scott indicated that the five required variances for Parcel M have been approved by the BZA and  
51 Scott requested that the Planning Board amend the subdivision resolution to indicate that.

52

53 Gavin would like to change the wording on conditions 4,5,7, and 8 to update the current progress.  
54 Troy has spoken with Gavin and Grossman about the possibility of finalizing the easement  
55 language after the signing of the plat if necessary. This would be reflected in the wording of the  
56 final resolution conditions.

57

58 Changes to the resolution will happen at the next meeting.

59

60 Gavin indicated that the newly interested buyer is of a different use than is existing and would  
61 benefit the food court within the main building.

62

63 Baker asked Scott if he had heard from the DISH representatives. Scott said no and said at the last  
64 meeting, the Planning Board wanted to hear from Cross after he reviewed the structural report.

65

66 Cross had sent Nick Smith a memo late that afternoon asking for some information. Cross said the  
67 needed information was not critical and would still recommend to the Planning Board that the  
68 structural analysis be accepted although, Cross would still like the information at some point.

69

70 Baker asked if everyone was comfortable with moving on. McCauley stated that if Cross had no  
71 issues, he was satisfied. Schleelein suggested doing at least the SEQR. Baker indicated that the  
72 Planning Board would move ahead with the process.

73

74 Scott confirmed that the GML-239 came back with no additional recommendations.

75

76 Baker read through Part 1 and 2 of the Short EAF.

77

78 Moll moved to accept the answers indicated on Part 1 and 2. McCauley seconded.

79 Ayes: Baker, McCauley, and Moll

80 Nays: None

81

82 Scott told Baker that Nick Smith was now present via Zoom if there were questions after the  
83 resolution.

84

85 Baker read through the following SEQR resolution:

86

87

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

88

***REVIEW OF SPECIAL PERMIT NO. 2021-4496 ADOPTED ON JULY 27, 2021***

89 Motion made by: Moll

90 Motion seconded by: McCauley

91 **WHEREAS:**

92 A. *This matter involves consideration of the following proposed action: Special Permit No.*  
93 *2021-4496, for DISH Network Corporation to make some proposed changes to the*  
94 *communication tower owned by Diamond Communications, LLC located at 2309 North*  
95 *Triphammer Road (Tax parcel #46.1-5-4.2/99). The proposal includes the installation of a*  
96 *new 3-panel antenna array at 76' along with associated equipment on the ground inside*  
97 *of the existing fenced compound. As per Village Code 145-43D(1)(a) and 145-60J, a*  
98 *special permit is required for any alteration of a telecommunications facility; and*  
99

100 B. *On July 27, 2021, the Village of Lansing Planning Board, in performing the lead agency*  
101 *function for its independent and uncoordinated environmental review in accordance with*  
102 *Article 8 of the New York State Environmental Conservation Law - the State Environmental*  
103 *Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein*  
104 *is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short*  
105 *Environmental Assessment Form (the "Short EAF"), and any and all other documents*  
106 *prepared and submitted with respect to this proposed action and its environmental review;*  
107 *(iii) completed its thorough analysis of the potential relevant areas of environmental*  
108 *concern to determine if the proposed action may have a significant adverse impact on the*  
109 *environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv)*  
110 *completed the Short EAF); and*  
111

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

113 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the*  
114 *Short EAF, Part I, and any and all other documents prepared and submitted with*  
115 *respect to this proposed action and its environmental review [including any Visual*  
116 *Environmental Assessment Form deemed required, and comments and*  
117 *recommendations, if any, provided by the Tompkins County Department of*  
118 *Planning in accordance with General Municipal Law Sections 239-1 and 239-m],*  
119 *(ii) its thorough review of the potential relevant areas of environmental concern to*  
120 *determine if the proposed action may have a significant adverse impact on the*  
121 *environment, including the criteria identified in 6 NYCRR Section 617.7(c), and*  
122 *(iii) its completion of the short EAF, Part II, including the findings noted thereon*  
123 *(which findings are incorporated herein as if set forth at length), hereby makes a*  
124 *negative determination of environmental significance ("**NEGATIVE***  
125 ***DECLARATION**") in accordance with SEQR for the above referenced proposed*  
126 *action, and determines that an Environmental Impact Statement will not be*  
127 *required; and*



164 reviewed and analyzed (i) the materials and information presented by and on behalf of the  
 165 applicant in support of this proposed action, including information and materials related  
 166 to the environmental issues, if any, which the Board deemed necessary or appropriate for  
 167 its review, (ii) all other information and materials rightfully before the Board (including,  
 168 if applicable, comments and recommendations, if any, provided by the Tompkins County  
 169 Department of Planning in accordance with General Municipal Law Sections 239-1 and  
 170 239-m), and (iii) all issues raised during the public hearing and/or otherwise raised in the  
 171 course of the Board's deliberations; and  
 172

173 C. On July 27, 2021, the Village of Lansing Planning Board, in accordance with (i) Article 8  
 174 of the New York State Environmental Conservation Law - the State Environmental Quality  
 175 Review Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii) Section 123.2 of the Village  
 176 of Lansing Code, and amended on environmental review and adopted a Resolution for  
 177 SEQR Review in connection with Special Permit No. 2021-4496;  
 178

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

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

187 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit  
 188 No. 2021-4496 is **GRANTED AND APPROVED**, subject to the following conditions  
 189 and requirements:

190 a. Soil and Erosion control measures and water quality techniques shall be  
 191 implemented and coordinated as required and approved by the Village of Lansing  
 192 Code Enforcement Officer and/or the Village of Lansing Engineer, and a plan for  
 193 maintenance and said control measures and quality techniques over time shall be  
 194 established with the Village of Lansing Code Enforcement Officer and/or the  
 195 Village of Lansing Engineer.  
 196

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

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211

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

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

213 *AYES: Baker, McCauley, and Moll*

214 *NAYS: None*

215 *The motion was declared to be carried*

216 Smith indicated that he would get those answers to Cross asap.

217

218 **Other Business**

219 Baker said the discussion was still open for the East Pointe Apartments. Scott reviewed last  
220 meetings discussion and added that the western entry is significantly smaller than the main entry.  
221 Courtney agreed with Scott and added that he was concerned that the blacktop thickness was not  
222 thick enough to handle the extra traffic and load. Courtney recommends that the applicant's  
223 engineer do the research on the entry and verify the stability. Traffic signs and crosswalk markings  
224 would also be needed. McCauley asked about requiring a "No Trucks" sign for that area. Courtney  
225 would be concerned that trucks would then use Jon Stone Circle to turn around in. Schleelein  
226 suggested that East Point produce some type of plan for the use of the proposed entry.

227 Scott informed the Planning Board that closing that entry for emergency vehicles only was not a  
228 condition of the approved special permit. It was, however, discussed often. Troy would like to look  
229 through the minutes and resolution for that special permit.

230 **Lansing Meadows**

231 Baker moved on to discuss the Lansing Meadows Amended Special Permit #4123 which had  
232 conditions that were required to be done by July 31, 2021. Baker said it appears that that deadline  
233 won't be met and the Planning Board has a planned direction to help this project move along. The  
234 Planning Board is not willing to extend the special permit indefinitely but, they are willing to  
235 extend it on a meeting-to-meeting basis as long as certain conditions are met.

236 Scott incorporated the conditions into a resolution and gave out copies. Everyone took a few  
237 minutes to read through the conditions.

238 Goetzmann described the status of the buildings and provided photos. The progress ranged from  
239 flooring installation to hanging of kitchen cabinets. Goetzmann reminded the Board the effects of  
240 Covid-19 had on labor and supplies. Goetzmann added that the project would be substantially  
241 completed if certain items would have been delivered on time. Bold said the building construction  
242 will be complete by the end of September based on projected delivery times. Bold said he made a  
243 request to Scott and Courtney to move the sidewalk for safety purposes because there was only a  
244 50' easement on Oakcrest Road. Bold continued by saying Courtney said no to the request but  
245 would refer it to the Board of Trustees. Bold then asked the Planning Board for approval to move  
246 the sidewalk south and grant the Village an easement. This would save the developer from piping  
247 the ditch which the developer has no intention of doing. Goetzmann realized they needed to go to  
248 the Board of Trustees for that approval. Bold believes the Board of Trustees will have no problem  
249 granting this change because he is "sure it is like that in other parts of the Village".

250 Scott said that he understands the labor and material situation but, the conditions the Planning  
251 Board are stating in this resolution have nothing to do with that but rather are obligations that the  
252 developer has to the Village. Bold said they dispute the requirement to remove the sewer laterals  
253 and that they have the right to install them. If the developer is required to dig them up to verify  
254 them and they are not damaged, Bold said that the Village would be responsible for the cost. Bold  
255 said that they are not willing to take out all 12 sewer laterals. Bold said they have the legal right to  
256 build on the inner loop of Area B and they reserve that right.

257 Courtney said that the 12 extra laterals were not approved on the original site plan. They were part  
258 of the proposal when the developer went before the Board of Trustees and Planning Board to  
259 subdivide but, the change to the PDA was declared a major change and the developer did not  
260 pursue any farther. Courtney continued by saying that the last site plan he received did not have  
261 those laterals on it. The Village generally does not approve the installation of extra sewer laterals  
262 unless there is a building that has been approved. Courtney also has documentation of the excavator  
263 digging under the existing laterals causing possible damage.

264 There was a heated discussion between Courtney and Bold about what and when this  
265 documentation was known.

266 Baker ended their discussion and re-emphasized that the conditions are there and wanted to know  
267 from Goetzmann and Bold if they agreed to these conditions or if they wanted the special permit  
268 to expire on July 31.

269 Goetzmann wanted to look over the conditions and discuss it at the next meeting.

270 Troy asked Goetzmann what they disputed. Bold said they dispute item "d" because they are trying  
271 to install the sidewalk but they need approval from the Trustees to move it. Bold said that they  
272 have no desire to give the Village the need for the escrow. Both Goetzmann and Bold said they  
273 can produce the as-builts in "b".

274 Scott said the ability to put the sidewalk in has been there all summer with no funding of the escrow  
275 either. Scott said either start putting the sidewalk in or fund the escrow. Moll said that it is not like  
276 you are “giving” the money to the Village, as you build it, the money comes back to you.

277 Bold said the amount of the escrow is unreasonable and that they plan on installing the sidewalk.

278 Troy emphasized to Goetzmann and Bold that everything in the new conditions is what you agreed  
279 upon when you started this project.

280 Scott asked when the water meter was going in so the water system could be up and running. Bold  
281 said he didn’t know. Scott then asked how they plan to finish the project; Scott continued by saying  
282 that there is an approved system that could be installed. Bold said that they are in the process of  
283 making some changes to the approved system. Scott asked what was wrong with it? Bold claimed  
284 the approved system was bigger than needed.

285 There were several people talking at once.

286 Bold left the building.

287 Baker said these are conditions and the direction the Planning Board will head.

288 Goetzmann stated he will work on it to the best of his ability.

289 Troy was not interested in what Goetzmann thought he could do; it will be left to the Planning  
290 Board to decide at the next meeting based on what progress is made.

291 Baker read through the following resolution:

292 ***THE VILLAGE OF LANSING PLANNING BOARD RESOLUTION ON JULY 27, 2021***  
293 ***FOR THE EXTENSION OF***  
294 ***AMENDED SPECIAL PERMIT NO. 4123 ADOPTED ON JANUARY 11, 2021***

295 *Motion made by:* Monica Moll

296 *Motion seconded by:* Jim McCauley

297 ***WHEREAS:***

298 A. *Arrowhead Ventures, LLC/Triax Management Group planned to develop Area B of the*  
299 *Lansing Meadows Planned Development Area (PDA), which included 12 single-family,*  
300 *senior housing units, Tax Parcel Nos. 47.1-1-17.2 and 47.1-1-17.6. This project is directly*  
301 *adjacent to the stand-alone retail center (BJ's Wholesale Club), Area A and the proposed*  
302 *Commercial Section A-1 of the PDA, that is adjacent to the Shops at Ithaca Mall, and is*  
303 *also adjacent to the enhanced wetlands, Area C of the PDA, adapted to provide a bird*  
304 *habitat and buffer between Areas A and B of the PDA. Annexed hereto as Addendum No.*  
305 *I is a four-page document submitted to the Planning Board by applicant as showing the*

306 *proposed development. (Addendum No. 1 is incorporated into this resolution); and*  
307

308 *B. On July 27, 2021, the Village of Lansing Planning Board reviewed Amended Special*  
309 *Permit No. 4123 because condition “n” and “p” will not be met and made the following*  
310 *changes to the conditions.*  
311

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

313 *1. It is hereby determined by the Village of Lansing Planning Board that the proposed*  
314 *extension of Amended Special Permit No. 4123 is **GRANTED AND APPROVED in***  
315 ***part**, subject to the following conditions which must be met no later than August 9,*  
316 *2021:*

317 *a. There must be a filing of easements with the Village of Lansing Planning Board per*  
318 *attached utility plan.*

319 *b. There must be full completion of sanitary sewer and required as-builts to satisfy*  
320 *the DEC permit with the applicant being the Village of Lansing.*

321 *c. There must be completion of the private water main per the plumbing permit issued*  
322 *by Bolton Point, or applicant must provide proof of purchase of any said devices*  
323 *that could delay installation beyond the August 9, 2021 deadline.*

324 *d. The applicant must provide full funding of an escrow account in the amount of*  
325 *\$123,212 as determined by the Village of Lansing Board of Trustees at their*  
326 *October 5, 2020 meeting, Resolution #6683, in connection with the building of a*  
327 *sidewalk along Oakcrest Road within the Village right-of-way where the subject*  
328 *property is located.*

329 *e. The completion and verification of soil and erosion control measures and water*  
330 *quality techniques must be approved by Village Engineer Brent Cross on or before*  
331 *August 9, 2021.*

332 *f. Applicant must provide accurate as-built drawings on the approved site plan*  
333 *depicting all 6 approved buildings on or before August 9, 2021.*

334 *g. The applicant must verify all sewer units/permits that have been issued for the*  
335 *project by both the Village of Cayuga Heights and the Village of Lansing.*

336 *2. Upon the applicant’s compliance with the requirements and conditions set forth in*  
337 *paragraph 1, supra, the Village of Lansing Planning Board will consider future*  
338 *extensions of amended special permit #4123 upon such conditions as the Board*  
339 *requires.*

340

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

342 *AYES: Baker, McCauley, and Moll*

343 *NAYS: None*

344 *The motion was declared to be carried*

345 **Trustee Report**

346 No report as the Trustee meeting was cancelled.

347 Mayor Hardaway said that there was a petition of residents from East Pointe Apartments about the  
348 traffic within the complex that started the request for opening the other entry/exit.

349 Troy went on the record that East Pointe had asked to retain him for other matters and Troy said  
350 that would be a conflict of interest.

351 Hardaway reviewed the possible A/V system for the Village meeting area.

352 **Adjournment**

353 Baker asked for a motion to adjourn at 8:27 PM. Moved by Moll. Seconded by McCauley.

354 Ayes: Baker, McCauley, and Moll

355 Nays: None

356

357 Minutes taken by: Michael Scott, CEO