

Village of Lansing
Planning Board Meeting
Minutes of Tuesday,
August 31, 2021

The Village of Lansing Planning Board meeting, held at the Village of Lansing offices and via Zoom, was called to order at 7:09 PM

Present at the meeting:

Planning Board Members: Mike Baker, Jim McCauley, Monica Moll, and Lisa Schleelein

Absent: Tony Ingraffea

Alternate Member: None

Village Legal Counsel: Bill Troy

Village Engineer: Brent Cross

Village Trustee Liaison: None

Village CEO: Michael Scott

Public included: Eric Goetzmann and Mayor Hardaway.

Approval of the Minutes

Baker motioned to approve the minutes of August 18, 2021. Moll seconded.

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

Nays: None

Schleelein read the following from the agenda:

Public Hearing for Special Permit #2021-4510

Nickolas Bellisario is proposing to add a second curb cut to his residence located at 15 Millcroft Way (Tax parcel #45.2-1-47.219). As per Village Code 145-20A(1), two curb cuts on 1 residential property may be permitted by Special Permit.

Schleelein said that she drove by the site and noticed that the second curb cut was already there. Schleelein also spoke with Courtney about the extra cut and he had no issue with it except for the location of the existing mailbox which is set in a difficult spot for winter plowing. Courtney had also suggested to Schleelein that in the future it would be beneficial if all of the mailboxes in a subdivision were on the same side of the road.

Scott explained that during the home building process, trucks were having a difficult time maneuvering and turning around because of the dead end on Millcroft. The contractor put in a loop

45 in front of the home to keep deliveries from using the neighbor's driveway to turn around. After the
46 project was completed, the owner liked the loop and wanted to keep it that way.

47

48 Schleelein said that she does not have any issues with the second curb cut and Baker agreed saying
49 as long as Courtney has no problems and it seems he does not.

50

51 Scott said that he has the required mailings and no GML-239 or EAF is required.

52

53 Schleelein said the public hearing will be left open.

54

55 **Other Business**

56 Schleelein said the first item in other business was the discussion of the extension of Amended
57 Special Permit #4123. The prior extension had expired on 8/9/21 and there were conditions attached
58 to that extension. Schleelein then said that the question at hand is whether to again extend the special
59 permit.

60

61 Goetzmann wanted to explain that a lot of the conditions required by 8/9/21 relied on the surveyors
62 who had not finished yet. Schleelein said some of the conditions had nothing to do with a survey.
63 Goetzmann said he believes that all of the conditions are met. Schleelein disagreed stating that the
64 sidewalk escrow still has not been funded and the job just keeps dragging on. Schleelein continued
65 by saying that the escrow backs up promises that have been made and she is afraid that the Planning
66 Board has come to the end of the line with promises made and not fulfilled. At this point, Schleelein
67 believes the Planning Board needs to decide if they want to keep extending this permit.

68

69 Goetzmann explained that his engineers have the calculations needed to design the sidewalk and
70 stormwater runoff. As soon as they are done, the Village can look it over and approve. Goetzmann
71 said that the cost is going to be a fraction of the \$123,000 escrow that the Village is requiring.
72 Goetzmann asked how an escrow amount could be established if there is no design yet? Baker said
73 that the Board of Trustees approved that. Schleelein added that Courtney gave the Board of Trustees
74 an estimate of what it would cost the Village to install and when the escrow amount was established,
75 the escrow should have been funded at that point. Schleelein told Goetzmann that the Planning Board
76 told him that they wanted the escrow paid by August 9 and now is not the time to negotiate it.

77

78 Troy told Goetzmann that his permit has expired and unless the Planning Board extends it, that's it.
79 Scott informed the Planning Board that if the special permit is not extended and no longer exists, the
80 project building permit would have to be suspended because the building permit was issued due to
81 a special permit being in place.

82

83 Moll asked what would happen next if the special permit is not extended? Troy explained that the
84 building permit would be suspended and Goetzmann would need to apply for a new special permit.
85 This would have nothing to do with the PDA.

86

87 Goetzmann said he is willing to pay the escrow but the sidewalk design is not done yet.

88 Cross added that he had a meeting with Goetzmann's engineer at the site to discuss the stormwater
89 issues as it pertained to the SWPPP. Some items were taken care of and Cross feels that that condition
90 of the resolution was effectively met. Cross added that the sewer unit condition has also been met.
91 Goetzmann said he could write the escrow check if he needed to.

92
93 There was continued discussion about the project. It was asked again if any members of the Planning
94 Board wanted to move to extend the special permit. No motion was put forth.

95
96 Troy said being that Amended Special Permit #4123 has not been extended, the Code Officer is
97 instructed to follow through with Village Code Section 145-59D(9) and withhold the building
98 permit. Scott announced that the building permit will be suspended and a Stop Work Order issued.
99 Scott told Goetzmann that he would need to turn in a new special permit application and restart the
100 special permit process which could allow and contain different conditions.

101
102 Goetzmann continued to plead his case.

103
104 Baker finally stated that there is no motion to extend therefore, we should move to the next item.

105
106 Schleelein said that the next item for other business is to review the changes to the proposed Lighting
107 Law. Scott brought the proposed Lighting Law draft with changes up on the screen. Scott reviewed
108 the Planning Board requests from the preview meeting in regard to concerns that a few specialty
109 items were not addressed. Scott said that the enforcement of this proposed law would be handled
110 just like any other Village Law and that the new draft has a section that deals with non-conforming
111 lights.

112
113 Schleelein made some changes to section B. McCauley had a correction in section C. Baker asked
114 about the Mall lighting because they have existing lights over 25'. Scott said that those lights would
115 become non-conforming and if the poles were to be changed, they would have to be replaced with
116 25' lights or apply for a variance which would be reviewed by the Lighting Commission as well.
117 There was discussion about Kelvin, lumens, and footcandles. Scott will ask the Lighting
118 Commission to clarify the 50% rule and to define what a non-essential light is.

119
120 Schleelein started discussion about the East Pointe second exit/entry. Scott reviewed earlier Planning
121 Board conversations and reminded the members that the entry is a private road and the Village did
122 not have a condition in the East Pointe Special Permit restricting the use of that entry/exit.

123
124 Schleelein reminded everyone about the letter submitted by the Beers and as the Planning Board will
125 review that letter with the Beers at the next meeting. Scott reviewed the next meeting.

126 **Trustee Report**

127 Moll gave a summary of the August 16th Board of Trustee meeting. The minutes can be found on
128 the Village website.

129 Scott said that there was a special BOT meeting the night before which approved the changes to
130 the Mall ECCR. Scott hopes to be finalizing that subdivision paperwork soon. Scott complimented
131 the Planning Board on how they handled the Mall subdivision.

132 **Adjournment**

133 Baker asked for a motion to adjourn at 8:06 PM. Moved by Moll. Seconded by McCauley.

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

135 Nays: None

136

137 Minutes taken by: Michael Scott, CEO