

Village of Lansing
Planning Board Meeting
Minutes of Monday,
October 10, 2022

The meeting of the Village of Lansing Planning Board was called to order at 7:06 PM. A Zoom option was also provided.

Present at the meeting:

Planning Board Members: Mike Baker, Lorraine Capogrossi, Pat Gillespie, Jim McCauley, and Lisa Schleelein.

Absent Members: None

Village Legal Counsel: Natalie French

Village Engineer: Brent Cross (zoom)

Village Trustee Liaison: Carolyn Greenwald

Village CEO: Michael Scott

Public included: Roy Hogben, Ersilia Davis, Carla Marceau, Susan Ainslie, John Courtney, Mayor Ronny Hardaway, David Beer, Ray Schlather, Tim Steed, Chris Wood, and Tom Every.

Approval of the Minutes

Gillespie moved to approve the September 27, 2022 Planning Board minutes. Seconded by McCauley.

Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

Nays: None

Public Comment Period:

Carla Marceau stated she was attending as the observers for the Community Party.

With no one else wishing to speak, Schleelein moved to close the public comment period.

Seconded by McCauley.

Ayes: Baker, Capogrossi, Gillespie, McCauley and Schleelein.

Nays: None

Baker read the following agenda item:

Continue Public Hearing for the Final Plat of Cluster Subdivision Proposal #2021-4464 by Beer Properties, LLC.

Beer Properties, LLC and Hunt Engineers are providing a Final 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 Final Plat, along with details of proposed duplex lots will be reviewed by the Planning Board.

Scott stated that, after speaking with Courtney, a quick engineers meeting may be necessary to correct some minor discrepancies.

47 The Planning Board discussed the Greenway Trail with Beer. Schleelein confirmed that the newer
48 existing trails within the Village are actually 8' wide pavement and stated that maintenance of similar
49 trails would be easy but understands the construction costs would be more. French stated that Beer
50 has proposed a 5' wide trail made of crushed stone. Beer does not intend to dedicate the trails. Baker
51 said if not dedicated, there should be some type of maintenance agreement to ensure the upkeep of
52 the trail. French stated that, although the Greenway Plan has options for the trails, Village
53 Subdivision Code allows for the Planning Board to apply conditions to any agreement.
54 There are some discrepancies about the trail easement width on the provided plans.

55

56 Baker would prefer an 8' asphalt trail. Capogrossi, McCauley, and Gillespie agreed. Schleelein stated
57 that, although blacktop doesn't emphasize nature, it would be best for public accessibility. Schlather
58 described the makeup of the Black Diamond Trail in Ithaca as being stone dust which is, not only
59 economical, but durable. Courtney stated that a lot of the stone trails tend to allow weeds to grow
60 requiring an herbicide to be used. Millcroft phase 1 is such a trail.

61

62 French wanted to clear up any confusion because Schlather had stated that the trail would be 8' wide
63 but, Beer had stated it would be 5' wide. Beer said the trail would be 5' wide. Beer said that, in
64 general, it doesn't seem fair that he provide a trail, at his cost, that is for Village use. Beer feels that
65 the Village should contribute.

66

67 French stated that the intention of the Greenway Trail be built by the developer and dedicated so that
68 the maintenance is the responsibility of the Village. Schlather argued that there should be a
69 compromise.

70

71 Courtney commented that the proposed Greenway trail is not shown to connect to the existing trail
72 to the North. That change will be made.

73

74 French asked Cross what the stormwater implications would be if the trail were to be installed as
75 stone dust and changed to pavement in the future. Cross believes that the initial engineering could
76 be done to include the impact of such an event.

77

78 Schleelein feels that 8' wide is not negotiable. McCauley was concerned about accessibility with the
79 use of stone dust. A maintenance agreement was mentioned again.

80

81 Beer stated that the "Recreational Areas" would be owned and maintained by the HOA.

82

83 Schleelein motioned that the Greenway Trails be 8' wide regardless of surface. Seconded by
84 Gillespie.

85 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

86 Nays: None

87

88 The surface of the Greenway Trail will be discussed further. The Planning Board is agreeable to the
89 overall site plan.

90

91 The public hearing will remain open.

92

93 Baker read the following agenda item:

94

95 **Public Hearing for Preliminary Plat of Subdivision #2022-4621**

96 *VPA Development, LLC, represented by Nick Williams, is proposing to subdivide 9 Dart Drive*
97 *(Tax Parcel # 46.1-4-1.1) into 4 total lots. The Planning Board will be reviewing the Preliminary*
98 *Plat for the major subdivision.*

99

100 Gillespie moved to open the public hearing. Seconded by McCauley

101 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

102 Nays: None

103

104 Scott received the public hearing mailings. The County would like to wait to respond to the GML-
105 239 request until after preliminary plat approval.

106

107 Scott contacted Williams (the applicant) and asked him to communicate with Cross about a potential
108 stormwater plan. Williams was not present. Baker asked Scott to reach out to Williams and ask him
109 to be present at the next meeting.

110

111 Cross stated that the pond on site has been there for a while. Courtney added that the road runoff
112 also flows into that pond.

113

114 The Planning Board decided not to act on the preliminary plat until receiving additional information
115 and hearing from the County. The public hearing will remain open.

116

117 Baker read the following agenda item:

118

119 **Continue the Public Hearing for Special Permit #2022-4611**

120 *On behalf of T-Mobile Northeast, LLC, Crown Castle USA Inc. is submitting a request to modify*
121 *the existing wireless facility located at 2350 North Triphammer Road (Tax Parcel # 47.1-1-*
122 *17.82/99). The site is located in the Commercial High Traffic District and, as per Village Code*
123 *Section 145-60J(1), no telecommunications facility shall be erected, moved, reconstructed, altered*
124 *or used in any district unless and until the person seeking to do so shall have obtained a Special*
125 *Permit from the Planning Board.*

126

127 Scott provided the Planning Board with the updated short EAF changes that were suggested at the
128 last meeting.

129 Cross gave an engineering report which included the physical condition of the tower.

130 Scott indicated that an updated decommissioning bond was needed for Village records and that a
131 condition should be added if approved. Davis is working on sending one.

132

133 The Planning Board answered the short EAF Part 2.

134

135 Baker read through the following resolution:

136

137 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQOR**

138 **REVIEW OF SPECIAL PERMIT NO. 2022-4611 ADOPTED ON OCTOBER 10, 2022**

139 Motion made by: Lisa Schleelein

140 Motion seconded by: Pat Gillespie

141 **WHEREAS:**

142 *This matter involves consideration of the following proposed action: Special Permit No.*
143 *2022-4611, for the proposal by Crown Castle USA Inc., on behalf of T-Mobile Northeast, LLC, to*
144 *modify the existing wireless facility located at 2350 North Triphammer Road (Tax Parcel # 47.1-*
145 *1-17.82/99). The site is located in the Commercial High Traffic District and, as per Village Code*
146 *Section 145-60J(1), no telecommunications facility shall be erected, moved, reconstructed, altered*
147 *or used in any district unless and until the person seeking to do so shall have obtained a Special*
148 *Permit from the Planning Board.; and*

149

150 A. *On September 27, 2022 and October 10, 2022, the Village of Lansing Planning Board, in*
151 *performing the lead agency function for its independent and uncoordinated environmental*
152 *review in accordance with Article 8 of the New York State Environmental Conservation*
153 *Law - the State Environmental Quality Review Act (“SEQOR”), (i) determined that the*
154 *proposed action provided for herein is an Unlisted Action in accordance with SEQOR; (ii)*
155 *thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), and*
156 *any and all other documents prepared and submitted with respect to this proposed action*
157 *and its environmental review; (iii) completed its thorough analysis of the potential relevant*
158 *areas of environmental concern to determine if the proposed action may have a significant*
159 *adverse impact on the environment, including the criteria identified in 6 NYCRR Section*
160 *617.7(c); and (iv) completed the Short EAF); and*

161

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

163 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the*
164 *Short EAF, Part 1, and any and all other documents prepared and submitted with*
165 *respect to this proposed action and its environmental review [including any Visual*
166 *Environmental Assessment Form deemed required, and comments and*
167 *recommendations, if any, provided by the Tompkins County Department of*

168 *Planning in accordance with General Municipal Law Sections 239-1 and 239-m],*
169 *(ii) its thorough review of the potential relevant areas of environmental concern to*
170 *determine if the proposed action may have a significant adverse impact on the*
171 *environment, including the criteria identified in 6 NYCRR Section 617.7(c), and*
172 *(iii) its completion of the short EAF, Part II, including the findings noted thereon*
173 *(which findings are incorporated herein as if set forth at length), hereby makes a*
174 *negative determination of environmental significance (“**NEGATIVE***
175 ***DECLARATION**”) in accordance with SEQR for the above referenced proposed*
176 *action, and determines that an Environmental Impact Statement will not be*
177 *required; and*

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

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

183 *AYES: Baker, Capogrossi, Gillespie, McCauley, and Schleelein*

184 *NAYS: None*

185 *The motion was declared to be carried*

186 Baker will sign the short EAF Part 3 after the meeting.

187

188 Gillespie moved to close the public hearing. Seconded by Schleelein.

189 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

190 Nays: None

191

192 Schleelein moved that all of the General Conditions for a special have been met. Seconded by
193 Gillespie.

194 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

195 Nays: None

196

197 Baker read through the following resolution:

198

199 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR**
200 **SPECIAL PERMIT NO. 2022-4611 ADOPTED ON OCTOBER 10, 2022**

201

202 *Motion made by: Pat Gillespie*

203 Motion seconded by: Jim McCauley

204 **WHEREAS:**

205 B. *This matter involves consideration of the following proposed action: Special Permit*
206 *No. 2022-4611, for the proposal by Crown Castle USA Inc., on behalf of T-Mobile*
207 *Northeast, LLC, to modify the existing wireless facility located at 2350 North*
208 *Triphammer Road (Tax Parcel # 47.1-1-17.82/99). The site is located in the*
209 *Commercial High Traffic District and, as per Village Code Section 145-60J(1), no*
210 *telecommunications facility shall be erected, moved, reconstructed, altered or used in*
211 *any district unless and until the person seeking to do so shall have obtained a Special*
212 *Permit from the Planning Board.; and*
213

214 B. *On September 27, 2022 and October 10, 2022 the Village of Lansing Planning Board*
215 *opened and continued a public hearing regarding this proposed action, and therein*
216 *thoroughly reviewed and analyzed (i) the materials and information presented by and*
217 *on behalf of the applicant in support of this proposed action, including information and*
218 *materials related to the environmental issues, if any, which the Board deemed*
219 *necessary or appropriate for its review, (ii) all other information and materials*
220 *rightfully before the Board (including, if applicable, comments and recommendations,*
221 *if any, provided by the Tompkins County Department of Planning in accordance with*
222 *General Municipal Law Sections 239-1 and 239-m), and (iii) all issues raised during*
223 *the public hearing and/or otherwise raised in the course of the Board's deliberations;*
224 *and*

225 C. *On October 10, 2022, the Village of Lansing Planning Board, in accordance with (i)*
226 *Article 8 of the New York State Environmental Conservation Law - the State*
227 *Environmental Quality Review Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii)*
228 *Section 123.2 of the Village of Lansing Code, and amended on environmental review*
229 *and adopted a Resolution for SEQR Review in connection with Special Permit No.*
230 *2022-4611;*

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

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

239 2. *It is hereby determined by the Village of Lansing Planning Board that Special Permit*
240 *No. 2022-4611 is **GRANTED AND APPROVED/ DENIED**, subject to the following*
241 *conditions and requirements:*

242 a. *Soil and Erosion control measures and water quality techniques shall be*
243 *implemented and coordinated as required and approved by the Village of Lansing*
244 *Code Enforcement Officer and/or the Village of Lansing Engineer, and a plan for*
245 *maintenance and said control measures and quality techniques over time shall be*
246 *established with the Village of Lansing Code Enforcement Officer and/or the*
247 *Village of Lansing Engineer.*

249 b. *Prior to a building permit being issued, approval by the Village of Lansing*
250 *Engineer and Village of Lansing Storm Water Officer of, but not limited to, site*
251 *work, storm water management and infrastructure plans, and implementation*
252 *thereof. Drainage easements for potential impact from the stormwater*
253 *management facilities on neighboring parcels shall be obtained, provided to the*
254 *Village for approval by the Village Engineer, Stormwater Officer and Attorney, and*
255 *thereafter recorded at the Tompkins County Clerk's Office.*

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

264 d. *Updated certificate of decommissioning bond.*
265

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

267 *AYES: Baker, Capogrossi, Gillespie, McCauley, and Schleelein*

268 *NAYS: None*

269 *The motion was declared to be carried.*

270 **Other Business**

271 The Planning Board discussed subdivision wording in the Village Code and the proposed Solar
272 Array Law. The Planning Board reviewed some of the Comprehensive Plan. Baker reminded
273 members about continuing education.

274
275 Scott briefly went through the NYS 1203 changes that need to be adopted by the Village of Lansing.
276

277 Schleelein moved to cancel the December 27, 2022 Planning Board meeting. Seconded by Gillespie.

278 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

279 Nays: None

280

281 **Trustee Report**

282 McCauley reported on the October 3rd Board of Trustees meeting including the proposed Tree
283 Conservation Law. The video can be reviewed on YouTube.

284

285 **Adjournment**

286 Gillespie moved to adjourn at 9:14. Seconded by Capogrossi

287 Ayes: Baker, Capogrossi, Gillespie, McCauley, and Schleelein.

288 Nays: None

289

290 Minutes taken by: Michael Scott, CEO