

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 16, 2000, in the Village Office.

PRESENT: Trustees Lynn Leopold, Larry Fresinski, Frank Moore; Village Attorney Randy Marcus; Ned Hickey, Planning Board Chairman.

Deputy Mayor Larry Fresinski called the meeting to order at 7:30P.M. and led the Pledge of Allegiance. He then opened the public comment period. Mrs. Jesse Ripple read a statement that she had prepared for the Village. She stated that until August 18, 2000, Superintendent of Public Works, Dennis Reinhart, was very valuable. She had many conversations with him. He always made sure the snow was plowed and the brush was picked up. He was always honest and had a straightforward nice voice. On August 18th when the sewer backed up into the Ripple's home, Mrs. Ripple called Ned Hickey. He suggested she call Dennis. When she contacted Dennis he already knew of the situation because the neighbor had already called him. Dennis told her that Drainbrain would be there in 15-20 minutes and gave her our insurance agent's number. Mrs. Ripple stated that when ¼ of your home is destroyed you need moral support. Dennis did this and stated how he felt. Mrs. Ripple was upset because the insurance agent told her to get a lawyer. By August 24th Dennis was a changed individual. She feels he was being forced to be this way. We all should work together. She appreciates our efforts but it is not enough. Something was broke and it had to be fixed. We want honest individuals not those hiding behind dollar signs. Lynn thanked Mrs. Ripple for coming. Larry stated that Dennis hasn't been coached by anyone and the Board appreciates the comments. The Board was heart felt for the Ripples. Mrs. Ripple said thank you but it's two months too late. Larry explained that the public comment period is open to residents to state their mind. She feels that if there is a law that was put into effect by the Board that we have to show negligence then it needs to be changed so a situation like this will be covered. Mrs. Ripple will be coming to the Board meetings to see this change happens.

Larry assured Mrs. Ripple that the Board is personally oriented. Mrs. Ripple strongly disagreed. She stated that someone on the Board stated that she was interested in the environment but she never came to see, there was no letter of apology and only the Mayor came to the house. Frank stated that the point was well taken. The Board should review disaster response and how we deal with it. The monetary support is not there because the law doesn't allow it. Morally we would love to give them money to pay for damages but legally we can't. Mrs. Ripple said she knows that anyone can do anything if they really want to. She stated that she is a very angry person and angry at the system. Larry thanked her for her comments.

Motion- To Close Public Comment Period

Trustee Lynn Leopold moved to close the public comment period.

Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold -Aye

Next on the agenda was the public hearing on Proposed Local Law E. Larry entertained a motion to open the public hearing.

Motion- To Open the Public Hearing on Proposed Local Law E, Amendment of Village of Lansing Zoning Law to Clarify and Improve Parking Space Requirement.

Trustee Frank Moore moved to open the public hearing.

Trustee Lynn Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold –Aye

Larry introduced the law and gave some examples of how it might apply. Randy reminded the Board that this proposed law originated when the Planning Board received an application for expansion from Kionix to add on a large clean room with no additional employees. The Zoning Law didn't contemplate clean room space as a unique specified use. Ned explained further that Kionix was actually adding two buildings, an office building and a clean room. There will be no offices in the clean building. The people working in the clean room would have offices in the other building. Space for parking will be in a land bank for future parking if use changes. If an existing building use changes or there is an alteration that doesn't have an effect on parking then the code & zoning officer wouldn't have to bring it to the Planning Board. If there is a change in parking then it must go to the Planning Board. Frank was concerned that Ben has that decision to make. Randy explained that Ben follows the Zoning Law and it would not be a subjective decision. This avoids the Planning Board wasting time. We are not changing the substance of the law just fixing a problem.

Motion- To Close the Public Hearing on Proposed Local Law E, Amendment of Village of Lansing Zoning Law to Clarify and Improve Parking Space Requirement.

Trustee Lynn Leopold moved to close the public hearing.

Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold –Aye

Larry stated that there was no need for a SEQR.

Motion- The Board of Trustees Has Considered the Need for a SEQR and Has Determined That Adoption of This Law is Exempt Under 617.5(c)(27)

Trustee Frank Moore moved that a SEQR was not required.

Trustee Lynn Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold –Aye

Resolution #3719-To Adopt Local Law E, Amendment of Village of Lansing Zoning Law to Clarify and Improve Parking Space Requirements

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE AND INTENT.

The purpose of this Local Law is to add detail to various provisions of the Village of Lansing Zoning Law in order that the Zoning Law covers all uses of property, and changes in use of property, with respect to the determination of parking space requirements for such uses. The purpose of

this Local Law, is, more specifically, (a) to add to the Zoning Law reference to uses of property that are not otherwise distinctly identified as having specific parking space requirements, so that these otherwise unspecified uses shall be required to provide parking spaces in accordance with requirements established by the Planning Board; (b) to add language and specificity to the district regulations of the Zoning Law to provide that alterations to existing improvements or changes in use of property, which could impact the parking requirements for such property, be appropriately addressed through the Special Permit process. It is the intent of this Local Law to amend the text of the regulations for each Zoning District in order to clarify that alterations to existing improvements or changes in use of a property which require change in parking space requirements be required to be reviewed in accordance with the Special Permit process, and to amend the text of Zoning Law Section 203.04(j) in order that uses not otherwise listed in said Section 203.04 shall have parking space requirements as established by the Planning Board.

SECTION II. AMENDMENT.

The following amendments are hereby incorporated into the Village of Lansing Zoning Law:

A. In the regulations for each Zoning District, under the heading "Permitted Uses", a subsection shall hereby be added that shall read:

Alteration to Building or Improved Site or Change in Use that Does
Not Result in Change in Applicable Parking Space Requirements.

This amendment is hereby made to each Zoning District as follows:

Low Density Residential by adding a new Section 202.04(a)(5);

Medium Density Residential by adding a new Section 202.05(a)(5);

High Density Residential by adding a new Section 202.06(a)(6);

Commercial Low Traffic by adding a new Section 202.07(a)(6);

Commercial High Traffic by adding a new Section 202.08(a)(3);

Business and Technology by adding a new Section 202.09(a)(3);

Research by adding a new Section 202.10(a)(3); and

Human Health Services by adding a new Section 202.15(a)(3).

B. In the regulations for each Zoning District, under the heading

"Permitted with Special Permit: General Conditions", a subsection shall hereby be added that shall read:

Alteration to Building or Improved Site or Change in Use that Results in Change in
Applicable Parking Space Requirements.

This amendment is hereby made to the regulations for each Zoning District as follows:

Low Density Residential by adding a new Section 202.04 (c)(5);

Medium Density Residential by adding a new Section 202.05(c)(5);

High Density Residential by adding a new Section 202.06(c)(11);

Commercial Low Traffic by adding a new Section 202.07(c)(13);

Commercial High Traffic by adding a new Section 202.08(c)(14);

Business and Technology by adding a new Section 202.09(c)(11);

Research by adding a new Section 202.10(c)(3); and

Human Health Services by adding a new Section 202.15(c)(7).

C. In the regulations for each Zoning District, under the heading

"Permitted Uses With Additional Conditions", the following subsection shall hereby be deleted:

Alteration to Building or Improved Site.

This amendment is hereby made to the regulations for each Zoning District, as follows:

Low Density Residential by deleting Section 202.04 (b)(2);

Medium Density Residential by deleting Section 202.05(b)(2);

High Density Residential by deleting Section 202.06(b)(2);

Commercial Low Traffic by deleting Section 202.07(b)(2);

Commercial High Traffic by deleting Section 202.08(b)(2);

Business and Technology by deleting Section 202.09(b)(1);

Research by deleting Section 202.10(b)(1); and

Human Health Services by deleting Section 202.15(c)(6).

As a consequence of this amendment, the former Section 202.07(b)(3) is hereby designated as 202.07(b)(2); the former

Section 202.08(b)(2) is hereby

designated as 202.08(b)(1); at Section 202.09(b), the heading shall be

followed by the word, "None"; and at Section 202.10(b), the heading shall be

followed by the word, "None".

D. Zoning Law Section 203.04(j) is hereby amended to add at the end of the first paragraph thereof the language, "and any other uses not listed in subsections (a) through (i) above", in order that said subsection (j) shall read in its entirety as follows:

Government Buildings, Museum/Public Buildings, Hospital/Clinics,

Construction Sales/Storage, Large Equipment, Automotive Sales/Service/Lots,
Warehousing/Storage, and any other uses not listed in subsections (a) through (i) above.

Parking and driveway areas must be shown to be adequate for the proposed use, as determined by the Village of Lansing Planning Board. Such adequacy must be of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists.

SECTION III. EFFECTIVE DATE.

This Local Law and the amendments of the Village of Lansing Zoning Law

contained herein shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

Next on the agenda was the engineer's report. Dave Putnam informed the Board that a memorandum of understanding between Warrenwood Apartments and Tompkins County to close the current Warrenwood entrance is complete. They added the Village as a party to the agreement and he had Randy review the document. Randy stated that this agreement provided for no more liability or obligations than the Village previously had under its existing agreement with the owner of Warrenwood Apartments. Being sure that the new driveway is open before the new light becomes operational is to our advantage anyway.

Resolution#3721-To Authorize the Deputy Mayor to Sign the Memorandum of Understanding on Behalf of the Village of Lansing

Trustee Lynn Leopold moved to authorize Larry to sign the memorandum of understanding and Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye

Dave Putnam stated that the concrete for the signal poles would be poured tomorrow. There is a problem with a 3-foot flat spot on Uptown Road. United Asphalt is aware of it and will fix it.

There is a problem with the Arrowwood intersection of Warren Rd. 150 feet of curb was forgotten. Since the County Road is now higher, we will also have to pave back 150 feet to cover on Arrowwood.

Finally, Dave announced that the County would have Churchill Dr. turn around graded by Saturday. The Village will do the paving.

Motion-Approval of Minutes for October 2, 2000

Trustee Lynn Leopold moved that the draft meeting notes, as reviewed and revised by the

Board, are hereby adopted as the official minutes. Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye

Next on the agenda was general discussion. Ned Hickey reported that Pyramid has begun leveling off "Mt. Tops". The dirt from the Tops site is being put behind JC Penney's and will be seeded before winter. The Village is doing traffic counts on Burdick Hill, Oakcrest, Northwood Apartments and three other sites. Once this is complete, Ned will be comparing the counts to the ones done a few years ago. The punch list is being done for McDonald's and Tops. Graham Road light will not be in for Thanksgiving, however, the other lights on the bridge and at Pyramid Drive will be in.

Lynn commented that a Burdick Hill resident commented that her road has become a speedway. Ned doesn't know of any effective way to control traffic other than having a police force. He suggested writing a letter to the Sheriff's Department and asking them for coverage. Another possibility would be to get a speed indicator from the Village of Cayuga Heights to put on a few of our roads. Jodi will call the Village of Cayuga Heights and see if they will lend us this piece of equipment.

Frank would like to see each trustee representing a different area of the Village. That way you can follow through in your area so that we don't end up with this Ripple situation again. Randy explained that there's a reason the State does not create areas of responsibility, like Alderman, in municipalities. Basically, it's felt that Villages are of such a small population that any Board member should feel open to address any issue in an area. In this case our problem was one of process, in that, we did not have a refined notification mechanism.

Motion- To Go To Executive Session for Matters that Impact the Village's Acquisition of Property

Trustee Lynn Leopold moved to go to executive session. Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold-Aye

Motion- To Come Out of Executive Session

Trustee Lynn Leopold moved to go to executive session. Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold-Aye

Frank wanted to discuss the Ripple situation a little further. He doesn't feel it should end this way. Frank and Randy had an extensive discussion on why the Village can't create any legislation to allow paying for this that would still comply with the State Constitutional and State law. Even if such payment would comply with the State Constitution and State Law, we would not want to set a precedence. Frank feels we should have a policy & procedure and a notification mechanism for this sort of thing. This will be a good topic to discuss at our Wednesday meeting with the employees.

Motion- To Adjourn

Trustee Lynn Leopold moved adjournment. Trustee Frank Moore seconded the motion.

Trustee Larry Fresinski- Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold-Aye

The meeting adjourned at 9:25 P.M.

Jodi Dake

Village Clerk