

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 18, 2001, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Janet Beebe, Frank Moore and Lynn Leopold; Ned Hickey, Planning Board Chairman.

Mayor Donald Hartill called the meeting to order at 7:33P.M. He opened the public comment period. Stanley Biskup of 72 Bush Lane brought pictures to the Board showing the 16-inch drop off of the edge of the new pavement which he feels is a hazard. The Village did a true and level course plus overlay on Bush Lane so that the road would be up to Village standards. The Mayor informed Stan that this was discussed at our Wednesday employee meeting and that topsoil was going to be brought in to slope the edges so there will no longer be a 16 inch drop off.

Motion-To Close the Public Comment Period

Trustee Lynn Leopold moved to close the public comment period. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee Frank Moore- Aye Trustee
Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

The next item on the agenda was a public hearing on Proposed Local Law C, Amendment of Zoning Law Sections 203.04(j) and 203.05 Concerning Number of Parking Spaces Required

Motion-To Open the Public Hearing on Proposed Local Law C, Amendment of Zoning Law Sections 203.04(j) and 203.05 Concerning Number of Parking Spaces Required

Trustee Larry Fresinski moved to open the public hearing. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee Frank Moore- Aye Trustee
Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

This law concerns the number of parking spaces required to be built at the time of development for a commercial property. It's in the direction to reduce parking spaces and to allow for more greenspace. The additional greenspace is put aside for future use for parking if need be.

Motion-To Close the Public Hearing

Trustee Larry Fresinski moved to close the public hearing. Trustee Janet Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee Frank Moore- Aye Trustee
Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Randy stated that this law would be exempt from SEQR because it is a change to administrative structure of the statute not the substance. It's giving the Planning Board additional authority to reduce further the number of parking spaces that will be required to pave at the time a commercial lot is developed, and not changing the dimensional requirements

for the number of parking spaces that have to be available on site. It's giving more authority but this in turn is more protective. Randy explained that this law first came about when Kionix came to the Planning Board. They were building a laboratory or clean room, which had no additional office space therefore no additional parking was needed. According to the old law they would have to build unnecessary parking. This law doesn't allow the Planning Board to reduce the number of spaces required just the actual number of parking spaces built at the time of development. Frank was concerned that this was more a BZA issue. Ned explained that this is a good negotiating tool for the Village. The BZA takes a reactive approach to a problem where the Planning Board is more proactive. There have already been two cases this year alone that warrant change. Ned stated that there seems to be a change in the thinking were people want to reduce parking and the amount of asphalt. It may possibly stem from people being more environmentally conscious.

John Bailey from the George B Bailey Insurance Agency was present to give a brief description of our insurance coverage. The Village has \$944,000 of property coverage with Selective Insurance. He handed out a Statement of Values, which shows the items that are insured. He was concerned with some of the values. It was agreed that the value of the garage should go down to \$75,000. John explained that we had blanket coverage and that each item on the statement of values was not limited to its assigned value. The Village's coverage includes property, public official liability, commercial general liability, general liability hazards, business auto, crime coverage, employee dishonesty, inland marine and a \$3 million commercial umbrella policy. Basically for any incident the Village has at least \$4 million coverage. The premium has gone up slightly this year from \$12,618 to \$13,029. This is due to a hard market. The Village is still classified as a low hazard municipality.

The next item on the agenda was to discuss changes to the CLT District Design Guidelines. Carol Klepack had moved all the buildings on the N. Triphammer Rd. map to show what it would look like if the 25-foot build to line was achieved for every lot. At the last meeting Larry Fresinski had stated that he was very visual and this really helped to see the result. The big discussion was in regard to the 50% front façade language in the guidelines and proposed Local Law D. The 25-foot build to line visually reinforces the road line. Don struggled with too many restrictions in the proposed law, especially since he would soon be dealing with NYSDOT on the N. Triphammer Road Project and didn't want to jeopardize that in any way. As the Board discussed how the law would work, Randy proposed some alternative language so that the build to line would remain in, but the language about the front façade would be changed to require "at least 25 feet" of façade rather than "at least 50% of the front façade" on the build-to line. This deleted language would remain in the CLT Guidelines. Ned felt that it was wise to keep this in the guidelines but the 25 foot build to line had to be law to replace the present 75 foot setback that is now law.

The Board was amenable to these language changes, and there were no further changes proposed at the meeting. Ned will get this information to Kathryn Wolf tomorrow. The Mayor entertained a motion to set a public hearing for proposed Local Law D. It was suggested that we first discuss the days the Board could all meet in July. Don hesitated to set a public hearing during a holiday week and both he and Lynn would not be present for the July 16th meeting.

Resolution #3781-To Cancel the Village of Lansing Board of Trustees Monday July 2, 2001 meeting, and reschedule the regular Monday, July16, 2001 meeting for Monday July 9, 2001 at 7:30 P.M.

Trustee Janet Beebe moved to cancel the July 2 & 16th meetings and schedule a meeting for July 9, 2001. Trustee Larry Fresinski seconded the motion. A vote was taken:

	Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee Lynn
Leopold- Aye	Trustee Larry Fresinski- Aye		
	Trustee Janet Beebe-Aye		

Resolution #3782- To Set a Public Hearing, To Consider Proposed Local Law D, Amendment of Zoning Law Section 202.07,"Commercial Low Traffic District", Subsection (e)(4), To Except from the "Front Yard Setback Minimum" Properties Having Front Yards on North Triphammer Road, and Establish a "Front Yard Build-To Line" for Same on July 9, 2001 at 7:35P.M.

Trustee Lynn Leopold moved to set a public hearing. Trustee Larry Fresinski seconded the motion. A

vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee Lynn
Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

It was suggested that copies of Proposed Local Law D were sent to all the property owners that this pertains to.

Dave Putnam was present to give an engineer's report. He stated that Jim Hanson from the County called him wanting to know where sewer lines ended on Warren Road. The sewer line ends just past end of airport. Dave thinks that the County is looking to develop their land. Don will write a letter to the County reminding them that County land developed for any use other than government use must conform with the Village Zoning Law and come to the Village of Lansing Planning Board for approval. Dave will have a suggested contractor to remove the airport water tank at the July 9th meeting. It will come down this year.

The Board went back to Proposed Local Law C.

Resolution #3783- Acceptance of Proposed Local Law C is an Administrative Action, Therefore is Exempt From SEQR

Trustee Lynn Leopold moved to accept this resolution. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee Lynn
Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

Resolution #3784-To Accept Proposed Local Law C, Amendment of Zoning Law Section 203.04(j) and 203.05 Concerning Number of Parking Spaces Required as Local Law 3,2001

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 provide to the Village greater flexibility in establishing the number of required parking spaces for developments requiring Special Permit review, as well as to provide to the Village Planning Board, or Board of Trustees, whichever has jurisdiction, the authority to better tailor the requirements for parking spaces to the use of the subject property, in the interest of minimizing the area developed as parking and thereby better address runoff, drainage and general environmental concerns with development. It is the intent of this Local Law to modify the text of Zoning Law Section 203.04(j) to provide for a minimum number of parking spaces for the uses covered by this subsection to be set aside for future development, and to modify certain portions of the text of Zoning Law Section 203.05 to eliminate the limit of only a twenty percent (20%) reduction in the required number of parking spaces. The combination of these modifications shall result in increasing the available reduction in required number of parking spaces so that the reduction, in each case, is determined by the Planning Board, or the Board of Trustees, whichever has jurisdiction, in its discretion as part of its evaluation of the proposed development.

SECTION II. AMENDMENT.

A. In Village Zoning Law Section 203.04, "Number of Parking Spaces Required", at subsection (j), "Government Buildings, Museum/Public Buildings, Hospital/Clinics, Construction Sales/Storage, Large Equipment, Automotive Sales/Service/Lots, and Warehousing/Storage", the following text is hereby added at the end of said subsection:

In order to satisfy the requirement for adequate parking on the parcel, the developer must establish to the satisfaction of the Planning Board, and show on the site plan for the development, the location(s) in which up to fifty percent (50%) additional parking spaces can be developed in the event that the number of parking spaces to be currently developed proves inadequate for either the proposed use or a change in use in the future. The terms of Section 203.05, "Reduced Number of Parking Spaces", below shall not be applicable in the case of any use listed in this subsection (j).

B. In Village Zoning Law Section 203.05, "Reduced Number of Parking Spaces Required", the language at the end of the second sentence which reads, "... may as part of its approval of the Special Permit application reduce the minimum specified number of parking spaces otherwise required pursuant to Section 203.04 by no more than twenty percent (20%)", is hereby deleted and replaced, such that said Section 203.05 shall provide, in full, as follows:

As part of any Special Permit application, the applicant therefor may request a waiver of the minimum specified number of parking spaces as set forth in Section 203.04 of this Law. In such event, if the Planning Board or Board of Trustees, whichever shall have jurisdiction, finds as part of such Special Permit application that due to the special circumstances of such Special Permit application, the minimum specified number of parking spaces required as set forth in Section 203.04 are not required in the interests of public health, safety and general welfare or are inappropriate because of the particular nature of the plans for which such Special Permit is being sought, the Planning Board or Board of Trustees, as the case may be, *may as a part of its approval of the Special Permit application reduce the minimum specified number of parking spaces otherwise required pursuant to Section 203.04 to be constructed currently in connection with the proposed development by such amount as such Board determines, in its discretion, shall be appropriate considering the use intended for the property that is the subject of the Special Permit application, and such other features of the proposed development as such Board deems relevant.* Any such reduction shall be subject to Section 304 of this Law governing the issuance of Special Permits, and any and all subsections contained therein, with respect to the requirement of specific conditions and measures which may be imposed by the Planning Board or the Board of Trustees within their respective jurisdictions. In addition thereto, any such reduction in the minimum specified number of parking spaces may be made subject to additional appropriate conditions, including the reservation of land areas on the site for which Special Permit is being sought for future use as additional parking spaces which parking spaces, when added to the reduced number of parking spaces which may be approved pursuant to this Section 203.05, will equal the minimum specified number of parking spaces required pursuant to Section 203.04. Any such reduction in the minimum specified number of parking spaces shall also include as a condition thereof the procedure for determining the necessity of using some or all of any such reserved land areas for additional parking spaces and any time requirements therefor. Upon any change in use and/or occupancy of the improvements for which such off-street parking spaces are required, the owner of the property upon which such improvements are situated shall notify the Village Zoning Officer, whereupon any previously granted reduction in the minimum specified

number of parking spaces granted under this Section 203.05 shall be subject to further review and revision. Such further review and revision shall follow the procedure set forth in this Law for a Special Permit application. Under all circumstances, the granting of a reduction in the minimum specified number of parking spaces as required pursuant to Section 203.04 shall not be approved if such action has the effect of nullifying the intent and purpose of the Village General Plan or other provisions of this Zoning Law. Any permit and/or certificates of compliance issued by the Village covering the property and/or improvements for which the off-street parking reduction has been granted shall contain a notation to the effect that such premises are subject to the off-street parking waiver granted under this section and any conditions related thereto.

SECTION III. EFFECTIVE DATE.

This Local Law shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of 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.

Trustee Frank Moore moved to adopt this law. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee Lynn
Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

Next on the agenda was the approval of minutes.

Motion-Approval of Minutes for May 7, 2001

Trustee Frank Moore moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Abstain		

Motion-Approval of Minutes for May 16, 2001

Trustee Frank Moore moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain	Trustee Frank Moore-Aye	Trustee Lynn
Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

Motion-Approval of Minutes for June 4, 2001

Trustee Larry Fresinski moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Abstain	Trustee
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Lynn Leopold- Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Next on the agenda was Mayors comments. Don attended the Joint Policy & Planning Committee presentation of TIP for 2001-2006. TIP was accepted. At this meeting there was discussion of repaving Warren road as a County project and Coddington Rd as part of TIP. NYSDOT is buying land to redo Coddington Rd. Many were concerned with the design. Don got a chance to ask Steve Vetter, associate director of NYSDOT, how long the approval process would take for the N. Triphammer Rd. Project. He stated that it should only take 3 weeks since we are in the advance stage of design and at that point would have no further property to acquire.

Thursday there was a meeting of the group of 6 to discuss how to deal with the Village of Cayuga Heights that afternoon. They decided to be quiet. At that afternoon meeting Brent Cross gave a history and analysis of how you count capacity. The Board of Cayuga Heights has a copy of the draft agreement but there was not a word about the EIS. Don hopes that the repairs in the Town of Ithaca are completed soon so that he may go to the Village of Cayuga Heights and press hard for more sewer units. Randy has not heard from the Village of Cayuga Heights lawyer.

Don stated that Barbara Nosanchuk has agreed to be a member of the County Youth Commission. Don asked Jodi to find out how many representatives we were allowed to have on the Commission because if it was more than one he had another interested candidate.

Resolution #3785- To Appoint Barbara Nosanchuk as a Village of Lansing Member of the County Youth Commission

Trustee Lynn Leopold moved to appoint Barbara. Trustee Larry Fresinski seconded the motion.

Mayor Donald Hartill-Aye Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Randy reminded the Board that they had previously passed a resolution to take over a portion of the future relocated Sapsucker Wood Road as a public road conditional on Randy's review and Cornell University paying the Village a one time \$30,000 for maintenance. Randy had the paperwork and asked the Board to pass a resolution allowing the Mayor to sign the agreement.

Resolution #3786- To Authorize the Mayor to Sign an Agreement with Cornell University to Give the Village Of Lansing \$30,000 in connection with the Future Acceptance of Sapsucker Woods Road as a Village Road.

Trustee Larry Fresinski moved to accept this resolution. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye

Randy informed the Board that the only outstanding contracts for the N. Triphammer Rd. Project were Irv Lewis, Joyce Rendano & Mobil. He expects the first two to be no problem however Mobil is a problem. Mobil has agreed to sign if we increase the payment. The Mobil property is at the southern end of the project and it would be possible to do the project without this small piece of property. Don will speak with Dave Herrick about redesigning that portion of the project. Don ask Larry to draft a letter to Mobil pointing out the benefits. Ned will get a name of the district manager from Mobil tomorrow.

Randy presented Local Law E, Second Amendment of Village of Lansing Land Subdivision Regulations Concerning Definition of "Municipal Subdivision". After much discussion with Ben Curtis they've come up with an amendment to Local Law 1, 2001. The purpose of this Proposed Local Law is to modify the procedure for review of a municipal

subdivision established in accordance with the terms of Local Law 1 of 2001 in order that this process can be accomplished in a timely fashion, at reasonable cost to the Village, and result in the acquisition of property by the Village for public road purposes (as defined in said Local Law 1) via a process more closely analogous to a municipality's acquisition of property via eminent domain. The intent of this Local Law is to amend the terms of subsection (b) of the definition of the term "municipal subdivision" added to the Village of Lansing Land Subdivision Regulations Article 200 in accordance with Local Law 1 of 2001.

Resolution #3787-To Set a Public Hearing, To Consider Proposed Local Law E, Second Amendment of Village of Lansing Land Subdivision Regulations Concerning Definition of "Municipal Subdivision" on July 9, 2001 at 7:40pm

Trustee Larry Fresinski moved to set a public hearing. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Frank Moore-Aye	Trustee Lynn Leopold- Aye
Trustee Larry Fresinski- Aye		
Trustee Janet Beebe-Aye		

Frank attended the Cayuga Waterfront Trail meeting last week. It's a proposed 12-foot wide asphalt trail from the Visitors Center to Cass Park. The Chamber of Commerce has received funding for the project however the plans aren't firm. Ned stated that they proposed to but up a 12-foot fence by the golf course so that people didn't get hit with golf balls but the golfers sent around a petition against this because it would block their view of the inlet. It's unclear how this issue will be resolved.

Frank also once again voiced his concern for pedestrians and bikers on Cayuga Heights Road. Don feels we should at least have signs on the road cautioning drivers of pedestrians and bikers. Don will speak with Dennis. Frank wants wider shoulders. Don recognized the problem but one must also be concerned with the increased speed, which would occur if the road were wider. The Mayor suggested that Frank participate in the planning the redesign of our section of Cayuga Heights Road.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye	Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye	Trustee Larry Fresinski- Aye
Trustee Janet Beebe-Aye	

The meeting adjourned at 10:25 P.M.

Jodi Dake
Village Clerk