

## Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 18, 2002, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Janet Beebe, Larry Fresinski and Frank Moore; Phil Dankert, Planning Board member; Ned Hickey Planning Board Chair, Bill Troy, Village Attorney.

Mayor Donald Hartill called the meeting to order at 7:35P.M. He opened the public comment period. A female member of the public complimented the village on how nice the Cayuga Heights Road looks now.

### Motion-To Close the Public Comment Period

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

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

Dave Putnam was present to give the engineer's report. Dave has a DEC PowerPoint presentation on "The Role of Municipal Governments in Phase II Stormwater Regulations" but unfortunately he left it in his copier at the office. He will get this to the board. The Town of Ithaca is almost done with their stormwater management program and may be willing to share it. Brent Cross is also preparing something for the board regarding our responsibilities for runoff on our roads.

Cayuga Heights Road is waiting on striping. The guard rail installation should be complete by Wednesday. The area in front of Zakakis's home will also be repaired. This was the area used for staging during the construction of Cayuga Heights Road. Don suggested we review signage. Dave commented that there are bumps in Cayuga Heights Road, which are caused by the previous topcoat on the road. 98% of this will go away after the top course is put on.

Ned asked Dave if work was going to be done on St. Joseph Lane. Dave knew nothing about it and suggested asking Dennis.

The next item on the agenda was to continue the public hearing on the cable franchise agreement. However, since no one received a copy of the final document before tonight, no one has had a chance to read it. The public hearing was not opened. The board did discuss some of the concerns that Ben Curtis had brought up. Tom Doney, manager for Time Warner Cable in Ithaca, was present to answer questions.

Larry pointed out that the village still needs to decide on the charge for the franchise fee. Presently it is at 1% but can be a maximum of 5%. The Town of Lansing is currently at 2% but this may change at their public hearing on December 18<sup>th</sup>. Renewal for this franchise agreement is in 10 years but a municipality can change the percentage any time they wish. Of Ben's concerns, sections 6B, 8C, 10C, 19C, section 24 had all been modified. The other areas of concern Bill Troy and the Time Warner Attorney will discuss. Hopefully we will be ready to take this issue off the table at the December 2<sup>nd</sup> meeting.

Tom Doney added that the gross revenues does not include roadrunner but does include pay per view. He wanted to make sure that the board was clear on this point. He also asked that advertising not be included in the definition of gross revenues.

Next on the agenda was the approval of minutes.

### Motion-Approval of Minutes for November 4, 2002

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

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

The next order of business was to set a public hearing for proposed local law to amend the Zoning Law to delete one provision of the uses allowed in a CLT District. Ned explained that what brought this about was a slide show presented by Pyramid showing pictures of allowable uses on the Butler property. The Planning Board feels warehouses should be removed from CLT uses. It is permitted in the CHT District. There is nothing currently in the CLT District that would need to be grandfathered in. The Planning Board is also looking at the changes in technology and uses. The Comprehensive Plan and the Design Guidelines help to state the vision for the village.

Resolution #3917- To Set a Public Hearing for Proposed Local Law to Amend the Zoning Law to Delete One Provision of the Uses Allowed in a CLT District for Monday, December 2, 2002 at 7:35pm in the Village Office Conference Room.

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

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

The Mayor still has not been able to reach the candidate for the County Youth Board but will try to reach him again this week.

Ned Hickey presented the next issue on the agenda regarding open space. The question that the planning board brought up was what will happen to undeveloped land. There is not much left in the village and currently we do not have a plan. We would like to preserve some view sheds. There are approximately 700 undeveloped acres in the village. The process of making plans involves identifying areas.

The existing Legislation that does preserve some open space is the Conservation Combining Districts of the Zoning Law regarding drainageways, steep slope conservation district and unique natural areas. There is also the buffer zone requirement. In the subdivision law there is the recreation land extraction that requires 6% of the acreage that is being developed to be established for passive or active recreation. It also permits or recommends cluster residences in order to establish open space. Two other ways to preserve open space are to purchase development rights or through private trusts.

Viola Miller is going to develop her property. Ned has sat in on a couple of meetings with Bob Miller and he is not interested in open space or cluster housing. Brent Cross thinks that the sewer issue is going to be resolved in the next 18 months so land will develop.

Ned clarified that open space does not mean it is public space. We can buy development rights but the land remains private. There is also a difference between recreational areas and open space. Ned does not think we want to get into maintaining a lot of village properties. Ned feels the key is to have an open space plan. If we do not have a plan then the area that a developer gives the village for set aside is the area that is unusable.

The questions are what open space do we want and do we develop an open space plan or hire someone to do it. Ned will take this back to the planning board and they will give the trustees a recommendation on how to proceed.

Next on the agenda was mayor's comments. Hartill spoke with Rich Brauer of Fisher Associates about the liability issue that Troy raised at the last meeting and he said that the standard is \$1 million. Troy was ok with this part of the contract. The project was also reclassified to be a Type II instead of Type III which gives us a couple of months time. Rich went ahead and did the traffic counts on Friday and Saturday. The Mayor is now ready to sign the design

contract.

The State was here working on the traffic signals. They are short cycling. This is unacceptable and the Mayor will contact them. On Friday the traffic was backed up down the Route 13 ramp to Cayuga Heights Road Exit. Ned suggested we put in some signage to direct drivers to another entrance to the mall. Most drivers do not know and wait at the first entrance by Tops.

Last Thursday Hartill and Farkas met with Mr. Hall, sewer facilitator. They informed him that their patience was at an end and if there was not significant progress in the next month then we are out. The engineers are developing a plan with the Kline Road bypass. The hooker is the forced main from Myers. Hartill feels it is cheaper to put in a new plant than it is to install this main and operate it.

On the good water side there are only a couple of things that the City of Ithaca needs to understand and those are that there will be no preferential rate for the city and there will be a main that has a meter on it as it goes into the city and they will be billed for that amount. If not then it will be a group of 5 instead of 6.

Ned Hickey informed the board that the DEC is doing the SEQR for the 911 building at the airport. If this is favorable then the village will approve a building permit. The other thing that is going on at the airport is that Taughannock Aviation wants to add on. Larry informed the Mayor that at the Wednesday meeting a letter from the Ithaca Tompkins Regional Airport was discussed. Taughannock Aviation is proposing to put a 12,000-sq. ft. 2-story addition on for a general aviation terminal and administrative offices. In keeping with the protocol established in 1996 between Tompkins County and the Village of Lansing, Robert Nicholas, airport manager, has provided Ben Curtis with a set of Taughannock Aviation's building plans. The county has typically processed their own building permits. In the case of the 911 building the county met with the village and we had a chance to voice our concerns. The County is demonstrating a desire to work with the village and Larry has drafted a response, which the mayor should find in his email correspondence. The Mayor agreed to review it and get a letter to Jodi to send out tomorrow.

Motion- To Adjourn

Trustee Fresinski moved adjournment. Trustee Beebe seconded the motion.

Mayor Donald Hartill-Aye  
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

The meeting adjourned at 9:25pm.

Jodi Dake  
Village Clerk