

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 2, 2003, in the Village Office.

PRESENT: Trustees Larry Fresinski, Lynn Leopold, Janet Beebe and Frank Moore; David Dubow, Village Attorney; Ned Hickey, Planning Board Chairman

Deputy Mayor Larry Fresinski called the meeting to order at 7:34P.M. He opened the public comment period. There were no comments.

Motion-To Close the Public Comment Period

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

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

Fresinski proposed that the Public hearing to consider Proposed Local Law B (2003) be opened.

Motion-To Open the Public Hearing on Proposed Local Law B-To Amend the Subdivision Regulations Section 314 (entitled "Application of Section 7-738 of the Village Law-Cluster Subdivision")

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

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

Ned Hickey explained that the purpose of this law is to strengthen our clustering law in the subdivision regulations. The reason to do clustering is to have houses closer together for the purpose of creating open space. Clustering is not a requirement but an option that a developer may chose. Under the new proposed law, a minimum of 20% open space must be generated. This does not change the number of dwellings that are allowed, just where they are located. One reason a developer might want to cluster would be to save on the cost of installing utilities and roads. This proposed law further deals with who is responsible for taking care of the open space and defines open space. It was questioned as to how this would be affected by sewer unit availability. The Health Department has minimum lot size and related standards that would apply to developments in which either public sewer is not available or sewer units are not available.

Motion- To Close the Public Hearing

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

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

Attorney Dubow stated that the Tompkins County Department of Planning was notified as required of this proposed local law and had submitted a letter stating that they determined that it has no negative inter-community, or county-wide impact. They did suggest that the Village consider specifically excluding undevelopable land such as wetlands, steep slopes, etc. from our definition of "Developable area." They felt this would prevent the situation where the only open space preserved is land that would otherwise be undevelopable anyways. Ned stated that the Planning Board had

discussed this and was comfortable with the way it is written, and that if this additional language was added, it would penalize the developer if his land had wetlands or unique natural areas located on them. The main purpose is to have open space and these areas are open space. The other comment Tompkins County had was that the Village should consider the addition of density requirements to the cluster subdivision regulations. Ned stated that he wasn't sure they looked at our whole law because it already addresses this. The Board decided to come back to Proposed Local Law B during general discussion.

Paul Tunison, General Manager for Bolton Point, gave a presentation on the proposed Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) office and work space addition and renovation project which the Board had started to discuss last meeting. Mr. Tunison handed out the following summary:

Southern Cayuga Lake Intermunicipal Water Commission Office and Work Space Addition and Renovation Project

The original construction plans for the facility included an office wing to the east of the treatment plant. When the low bid came in \$1,000,000 over budget, the office wing was eliminated from the project.

The original office wing was just for plant operators—six at the most.

The Commission's treatment facility has had to accommodate administration and distribution department personnel in addition to plant operators.

Over the years, staff offices have been carved out of space originally designed for water treatment functions. Due to increases in responsibilities and the expansion of the municipalities' water systems, Commission staff now numbers 19, and office and workspace is very cramped.

There is one restroom for 19 employees and the facility is not handicap accessible.

The office addition will help separate office areas from treatment areas and will give space back for treatment functions. New EPA regulations will require the Commission to make changes in treatment and space needs to be freed up for this. It is less costly to build office space than space for treatment functions.

The renovations will include an office for the laboratory and a separate room for microbiological analyses. EPA regulations have increased the amount of laboratory testing required and the office will provide space for the laboratory computers and files that is isolated from the moist environment of the main laboratory.

The addition includes space for an electronic/electrical workshop and a mechanical workshop. Current space for maintenance of plant and water system equipment is almost non-existent.

The addition includes an archive room for storage of the Commission's files and documents. Currently, these files are stored in the distribution department garage along with distribution system materials.

The addition and renovations will bring the office area HVAC systems up to code. The original system has been supplemented with electric baseboard heat for many of the office areas and office air conditioning is accomplished with several through the wall units.

A fire suppression system and alarms will be installed in the office addition and the office areas that will be renovated.

In 1993, the Commission and member municipalities approved flattening the water rate and raised the rate for water to \$2.50/1000 gallons to build up a fund balance to fund capital projects. The office addition was one of the capital projects identified to be funded from this.

The rate was raised to \$2.55/1000 gallons in 1996 and remained there until 1999 when the rate was lowered to \$2.04/1000 gallons. The rate was reduced to \$1.79/1000 gallons in 2000.

In 1996, the Commission's capital projects were put on hold pending negotiations with the City of Ithaca on becoming a partner in the Commission. The thought was to include many of the capital projects, such as the office addition, with the treatment facility expansion that would be required to supply the City of Ithaca with water. The reason the water rates were lowered starting in 1999 was that the fund balance was growing and the capital projects were on hold.

With negotiations with the City being at a standstill for the past two years, the Commission determined that it could no longer delay its capital improvement program. Emergency backup generators were installed at the Commission's raw water pump station and treatment facility in 2002, and the design is nearly complete for a Commission storage tank on East Hill and an associated transmission main extension to the tank.

Approximately \$1,000,000 of project funding would come from the fund balance and \$1,000,000 would be bonded for 20 years. Repaying the bond would raise the water rate approximately 6% to 7%. The current rate is \$1.79/1000 gallons. A 7% increase would raise the rate \$0.125/1000 gallons. A rate increase may not be necessary if the Town of Ithaca completes an extension of the Commission's transmission system to Inlet Valley.

David Dubow pointed out that the original intention for tonight's meeting was to set a public hearing, however, the financial terms are not yet set so there is no resolution to consider. Hopefully all the final details will be worked out by our meeting on June 16th.

It was further explained that at their last meeting, the Planning Board approved a special permit for this project conditioned upon certain approvals from Brent Cross, the Village Engineer, and minor landscape changes. The approximate cost for this project is \$125/sq.ft. for new space and \$75/sq.ft. for renovations of existing space.

Next on the agenda was the approval of the May 5th and 19th minutes.

Motion-Approval of Minutes for May 5, 2003

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

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

The minutes for May 19th could not be done because there was not a quorum for that purpose since Leopold and Beebe were not present at that meeting.

Jodi presented the board with a new master signature card for the Tompkins Trust Company bank accounts. Jodi explained that she had met with Sue Updike of the bank a couple of weeks ago to discuss the Village's banking needs, and the Village's accounts are now set up more efficiently and with Internet banking capabilities for all 15 of our Tompkins Trust Company accounts. The signature card was signed as required by all of the Trustees present.

The Board returned to discussion on proposed Local Law B. A short Environmental Assessment Form was completed and, after review and discussion of the required criteria, it was found that the proposed action would not result in any significant adverse environmental impacts. David Dubow has prepared the following formal resolution to set forth the proposed action involved and the location of that action.

Resolution #3973-SEQR for Proposed Local Law B To Amend the Subdivision Regulations Section 314 (entitled "Application of Section 7-738 of the Village Law-Cluster Subdivision")

WHEREAS:

A. This matter involves consideration of the following proposed action:

Adoption of Proposed Local Law B (2003) to amend Section 314 of the Village Land Subdivision Regulations (entitled “Application of Section 7-738 of the Village Law – Cluster Subdivision”). The modifications are intended to clarify and supplement the open space requirements to be applicable to a cluster subdivision and thereby more effectively advance the purpose of said Section 314 of the Land Subdivision Regulations, that being to promote the most appropriate use of land, to facilitate the adequate and economic use of streets and utilities, and to preserve the natural and scenic qualities of open lands;

at the following location:

Village of Lansing;

- B. This proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is designated as the Lead Agency for environmental review; and
- C. On June 2, 2003, the Village of Lansing Board of Trustees, as Lead Agency, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), (i) thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

- 1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and
- 2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing Negative Declaration, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

Trustee Leopold moved this resolution. Trustee Beebe seconded the motion. A vote was taken:

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

A certification of this resolution was completed by Jodi and will remain on file in the Village office. Ned questioned why a SEQR review had to be done for what appeared to be an “administrative” change in the Subdivision Regulations. Attorney Dubow explained that given the nature of the amendment and its application, SEQR review was appropriate and the resolution is to verify and confirm that the Board, as lead agency, has actually completed the required environmental review.

Resolution#3974 –Adopt Proposed Local Law B as Local Law 2 of 2003-Amendment of the Land Subdivision Regulations Section 314 (entitled “Application of Section 7-738 of the Village Law-Cluster

Subdivision”)

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 amend Section 314 of the Village Land Subdivision Regulations (entitled “Application of Section 7-738 of the Village Law – Cluster Subdivision”). The modifications are intended to clarify and supplement the open space requirements to be applicable to a cluster subdivision and thereby more effectively advance the purpose of said Section 314 of the Land Subdivision Regulations, that being to promote the most appropriate use of land, to facilitate the adequate and economic use of streets and utilities, and to preserve the natural and scenic qualities of open lands.

SECTION II. AMENDMENT.

- A. The Village of Lansing Land Subdivision Regulations are hereby amended to add a new Section 314.06 reading in its entirety as follows:

314.06 Open Space

For the purposes of the provisions under this Section 314.06, open space (“Open Space”) shall be defined as follows: Open Space is intended to provide light and air, and is designated for either environmental, scenic or passive recreational purposes. Open Space shall include land within the Conservation Combining District and land that is undevelopable. Open space shall not include driveways, parking areas, streets and/or other surfaces designed for vehicular travel, nor shall it include any land otherwise set aside for parks or other areas intended for active recreational purposes as permitted and/or required under the laws of the State of New York. In no event shall any area of a developable lot or any existing or future road right-of-way be deemed Open Space.

In a subdivision for which application has been made and approval granted under the provisions of this Section 314.06, no less than 20% of the “developable area” of the subdivision plat shall be designated as Open Space. For the purposes of these provisions, “developable area” shall be the gross area of the subdivision less (i) streets and/or other surfaces designated on the subdivision plat for vehicular travel and (ii) any land designated on the subdivision plat as being set aside for parks or other areas intended for active recreational purposes as permitted and/or required under the laws of the State of New York. The Open Space so created must be clearly labeled and noted on the subdivision plat so as to confirm (i) the use and rights in the Open Space of the property owners in the subdivision, (ii) the entity to which the Open Space is to be dedicated (e.g., a homeowners’ association), and (iii) the conditions of such dedication, all of which shall be approved by the Planning Board. The details as to the use and ownership of the Open Space are to be further set out in a declaration or other written instrument, approved by the Planning Board and recorded by the subdivider in the Office of the County Clerk concurrently with the filing of the approved subdivision plat. Such Open Space, or a portion thereof (not less than the minimum 20% provided for above) designated by the Planning Board, shall be preserved in perpetuity, and the Planning Board, as a condition of its approval, may require an Open Space easement or other written instrument running in favor of the Village in such form and substance as is required and approved by the Planning Board. Any such easement or other written instrument running in favor of the Village shall also be subject to the approval of the Village Board of Trustees.

Prior to or simultaneously with the filing of the approved subdivision plat in the Office of the County Clerk, and prior to the sale of any lots within the subdivision, the subdivider shall form and organize the approved entity to which the Open Space is to be dedicated (e.g., a

homeowners' association), which entity and its organizational documents shall (i) include all owners of property within the subdivision, (ii) provide for adequate contributions from all property owners to cover ongoing maintenance, insurance, tax and other common expenses for the Open Space, and (iii) otherwise satisfy the Planning Board as to all other matters associated with the ownership and upkeep of the Open Space and the governance of such entity. In addition thereto, such entity and its governance shall at all times be in compliance with all laws and regulations of the State of New York, including, but not limited to, all rules and regulations of the New York State Attorney General's Office.

Notwithstanding anything to the contrary set forth in this Section 314.06, all Village zoning requirements relating specifically to setbacks shall apply to those portions of the subdivision plat bordering adjacent parcels that are not part of such plat.

B. The Village of Lansing Land Subdivision Regulations are hereby amended such that (i) the existing Section 314.06 (entitled "Plat Submission") is re-designated as Section 314-07, and (ii) the existing Section 314.07 (entitled "Filing, Notation on Zoning Map") is re-designated as Section 314.08.

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 Fresinski moved we adopt this law. Trustee Moore seconded the motion. A vote was taken:

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

Ned Hickey requested copies of this new law for each of the Planning Board members.

Next on the agenda was general discussion. The Board was advised that June 20 is the next meeting with Fisher Development regarding the N. Triphammer Road Project.

Lynn reported that she had spoken with a Highgate resident who wants leaf collection. Lynn then spoke with Brent Cross and he stated that leaf collection is very expensive and staff intensive. What the Village of Cayuga Heights does is go around with their vacuum truck and collect leaves that have been left by the road. Lynn feels that borrowing the equipment and manpower from the Village of Cayuga Heights is not feasible because of the amount of time that it takes. Lynn felt this would be a nice service if we were a densely populated community. Composting on site is an option for residents. It was discussed that Lynn will do an article on composting for the fall newsletter. Tompkins County has a home-composting program and they are willing to give help.

It was reported that Squeaky Clean Car Wash will be at the Board of Zoning Appeals meeting tomorrow night, June 3. Gary Sloan would like to add on four self wash units on the back of his building. He would also be installing a retention wall that would clean up the area behind his building. There is some controversy over the visibility for Lansing Village Place located behind the car wash, however, but it was explained that the height would equal the existing ground level. Ned stated that visibility is an issue when you plant trees and that one trade off could be signage.

Frank Moore reported that he had hoped that the trail from Wakefield to Kensington would be done, but it hasn't due to lack of a third estimate. Since Dennis has only requested bids from three companies the Board felt that he should ask other companies to bid the project. Lack of an estimate should not be a reason for not completing a project. Another concern was that the Boy Scouts are supposed to do the trail bridge project but no one seems to know what's going on. Moore will continue to follow up with Dennis.

Janet Beebe reported that she attended the Recreation Partnership meeting last week. With everyone's funding being cut, the City of Ithaca now wants additional money from outside municipalities to cover costs associated with the use of its buildings (as opposed to programming costs for which contributions are already being made). Originally, the City's proposal meant a 37% increase in cost to outside municipalities, but the City subsequently proposed a 10% increase which would increase the Village's payment to around \$13,000. It was explained that Tompkins County does not want to be in the recreation business any longer. It was also reported that there are 300 - 400 kids from the Village of Lansing who participate each year in City programs.

Lynn showed the Board a sign that Tompkins County had sent to be displayed with the beautification project. The Village received \$500 grant money through the Tompkins County Beautification Program, which is funded by the TC Room Tax Fund. New flower boxes need to be built at our entrance signs. The Board decided to place this sign in the garden by the Tompkins Trust Company.

Motion-To Adjourn

Trustee Beebe moved adjournment. Trustee Moore seconded the motion.

Mayor Janet Beebe-Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 9:00pm.

Jodi Dake
Village Clerk/Treasurer