

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 15, 2009, in the Village Office.

Present: Deputy Mayor Larry Fresinski; Trustees Julie Baker, Lynn Leopold, John O'Neill and. Clerk/Treasurer Jodi Dake; Attorney David Dubow; Planning Board Chair, Ned Hickey

Deputy Mayor Fresinski called the meeting to order at 7:32 P.M. and opened the public comment period. Ciriaco Arroyo was present from the Community Party. There were no comments.

Motion-To Close the Public Comment Period

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

Trustee Larry Fresinski -Aye	Trustee Julie Baker-Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye

Motion- To Open the Public Hearing for Proposed Local Law C, 2009- Amendment To Village of Lansing Code - Sign Law Local Tourist-Oriented Directional Signs and Human Health Services Identification and Directional Signs

Trustee Baker moved to open the public hearing and Trustee O'Neill seconded the motion.

Trustee Larry Fresinski -Aye	Trustee Julie Baker-Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye

Dubow explained that Proposed Local Law C (2009) regarding amendments to the Village Sign Law was a creation of the Planning Board in response to an issue raised by Homewood Suites regarding tourist-oriented signage it is seeking on the Route 13 exit ramp. The State requirements for this type of signage require additional directional signage on local roads if it is deemed necessary to further guide travelers to the intended site. In the case of Homewood Suites, the NYSDOT has identified a need for such supplemental directional signage on N. Triphammer Rd. and has made that a requirement on the part of Homewood Suites in order to get a sign on the Route 13 exit ramp. Proposed Local Law C will enable such local signage with permit requirements and Planning Board Approval. The second part of this law is to allow for directional signs within designated areas of the Human Health Services District. All of the proposed Sign Law amendments are very specific and limited. The highway superintendent will have the final say as to where signs can be located.

The Notice of Public Hearing has been published in the Ithaca Journal. The Proposed Law was sent to the County Planning Department for their review. Their response was that a 239 review is not necessary for this law.

Dan Veanor asked who would buy the signs. David responded that the business owners would be responsible for purchasing and maintaining the signs. Dan asked if this was part of way-finding. Lynn stated that the Village does not want sign clutter and this is more of a safety issue.

Dubow went on to explain that to have this type of directional sign, a business would have to first come to the Village Board of Trustees for a license agreement to get permission to place such a sign in our road right of way.

Motion- To Close the Public Hearing

Trustee Leopold moved to close the public hearing and Trustee O'Neill seconded the motion.

Trustee Larry Fresinski –Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

The Board completed its review of the SEQR Short EAF and recommended the following resolution:

Resolution #5548-SEQR Review of Proposed Local Law C (2009)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law C (2009), to be designated Local Law 3 (2009) upon its adoption, to:
1. authorize, with a permit and Planning Board approval, local tourist-oriented directional signs within designated areas of the Village of Lansing;
 2. authorize, with a permit, directional signs for human health services facilities within designated areas of the Village of Lansing;
 3. clarify the permitted locations of directional signs within designated areas of the Village of Lansing; and
 4. designate the Superintendent of Public Works of the Village of Lansing, (as opposed to the current designation of the Village Engineer) as the individual responsible for providing certain approvals for the specific location of directional signs permitted within or adjacent to a public or private right-of-way, and clarify such approval process; and

- B. The proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is an involved agency for the purposes of environmental review; and
- C. On June 15, 2009, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review 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 FOLLOWS:

- 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 and Trustee Baker seconded the motion.

Trustee Larry Fresinski –Aye
Trustee John O’Neill-Aye

Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

Larry entertained the following resolution:

Resolution #5549- To Adopt Proposed Local Law C, 2009-Amendment
To Village of Lansing Code - Sign Law Local Tourist-Oriented
Directional Signs and Human Health Services Identification and
Directional Signs as Local Law #3 (2009)

WHEREAS:

- A. This matter involves consideration of the following proposed action:
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Adoption of Proposed Local Law C (2009), to be designated Local Law
3 (2009) upon its adoption, to:
1. authorize, with a permit and Planning Board approval, local tourist-oriented directional signs within designated areas of the Village of Lansing;
 2. authorize, with a permit, directional signs for human health services facilities within designated areas of the Village of Lansing;
 3. Clarify the permitted locations of directional signs within designated areas of the Village of Lansing; and
 4. designate the Superintendent of Public Works of the Village of Lansing, (as opposed to the current designation of the Village Engineer) as the individual responsible for providing certain approvals for the specific location of directional signs permitted within or adjacent to a public or private right-of-way, and clarify such approval process; and;
- A. The Village of Lansing Planning Board has (i) performed a review of the proposed action and (ii) referred such proposed action to the Village of Lansing Board of Trustees with a recommendation for its approval; and
- B. On May 18, 2009, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law C (2009), and thereupon scheduled a public hearing thereon for June 15, 2009; and
- C. On June 15, 2009, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law C (2009), (ii) the Village of Lansing Planning Board's recommendation of the proposed action, (iii) all other information and materials rightfully before the Board, and (iv) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and
- D. On June 15, 2009, the Village of Lansing Board of Trustees determined that the proposed action is an Unlisted Action for which the Board is an involved agency, and thereupon, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with

Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), Part 1, 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), (iii) completed the Short EAF, Part 2; and (iv) made a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required; and

E. On June 15, 2009, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law C (2009), (ii) the Village of Lansing Planning Board’s recommendation of the proposed action, (iii) all other information and materials rightfully before the Board, and (iv) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law C (2009), to be designated Local Law 3 (2009).

Trustee Baker moved to adopt Local Law 3 and Trustee O’Neill seconded the motion.

Trustee Larry Fresinski –Aye Trustee Julie Baker-Aye
Trustee John O’Neill-Aye Trustee Lynn Leopold-Aye

The following is a copy of Local Law 3 (2009):

**AMENDMENT TO VILLAGE OF LANSING CODE - SIGN LAW
LOCAL TOURIST-ORIENTED DIRECTIONAL SIGNS AND
HUMAN HEALTH SERVICES IDENTIFICATION AND
DIRECTIONAL SIGNS**

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

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to amend Chapter 115 (entitled “Signs”) of the Village of Lansing Code so as to:

- a. Authorize, with a permit and Planning Board approval, local

tourist-oriented directional signs within designated areas of the Village of Lansing;

- b. Authorize, with a permit, directional signs for human health services facilities within designated areas of the Village of Lansing;
- c. Clarify the permitted locations of directional signs within designated areas of the Village of Lansing; and
- d. Designate the Superintendent of Public Works of the Village of Lansing, (as opposed to the current designation of the Village Engineer) as the individual responsible for providing certain approvals for the specific location of directional signs permitted within or adjacent to a public or private right-of-way, and clarify such approval process.

SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.

Chapter 115 (entitled “Signs”) of the Village of Lansing Code is hereby amended as follows:

- A. Section 115-3 (entitled “Definitions”) of Chapter 115 (entitled “Signs”) of the Village of Lansing Code is hereby amended so as to add the following additional definitions:

Local tourist-oriented directional sign -- any ground-mounted free-standing directional sign [other than a New York State tourist-oriented directional sign (separately defined in this §115-3) over which the Village has no jurisdiction] to be situated within the Village of Lansing that is (i) to be used to provide local directional guidance (i.e., subsequent turns or critical decision points) to a tourist oriented business within the Village as a supplement to a New York State tourist-oriented directional sign situated at an intersection on a conventional highway or expressway, and (ii) required in accordance with the New York State Supplement to the National Manual of Uniform Traffic Control Devices and as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign; such tourist-oriented businesses within the Village include gas stations, restaurants, hotels, motels, resorts and golf courses.

New York State tourist-oriented directional sign -- any directional sign (i) under the jurisdiction of New York State, (ii) for use to guide traffic from the New York State numbered route system to tourist-oriented businesses not located on the

system, and (iii) provided for in the New York State Supplement to the National Manual of Uniform Traffic Control Devices.

- B. Section 115-7 (entitled “Permitted signs in Commercial and Business and Technology Districts”) of Chapter 115 (entitled “Signs”) of the Village of Lansing Code is hereby amended so as to (i) be re-designated as “Section 115-7.1” and (ii) be renamed “Permitted signs with a permit in Commercial and Business and Technology Districts.”
- C. A new Section 115-7.2 to be entitled “Permitted signs with a permit and Planning Board approval in Commercial and Business and Technology Districts” is hereby added to Chapter 115 (entitled “Signs”) of the Village of Lansing Code reading in its entirety as follows:

§ 115-7.2 Permitted signs with a permit and Planning Board approval in Commercial and Business and Technology Districts.

The following signs are permitted with a permit and Planning Board approval:

- A. **Local tourist-oriented directional sign (see definition in §115-3 of this chapter 115) no greater in size than two and one-half (2.5) square feet and the top of which being no higher than nine (9) feet above the ground.**
 - 1. **Prior to the issuance of the required permit for a local tourist-oriented directional sign, the proposed sign must be approved by the Planning Board of the Village of Lansing.**
 - 2. **Upon receipt of a completed permit application for a tourist-oriented directional sign, such application shall be referred by the Zoning Officer to the Planning Board Chairperson, whereupon (i) the application shall be scheduled for review by the Planning Board within thirty-one (31) days following the receipt of the application by the Planning Board Chairperson (or such subsequent meeting date to which the Planning Board Chairperson and applicant may agree); and (ii) the applicant shall be notified by the Zoning Officer of such scheduled meeting date. No public hearing shall be required. The Planning Board’s determination shall be made within thirty-one (31) days following the meeting at which the application is reviewed by the Planning Board; provided, however, that the time within which the Planning Board must render its**

decision may be extended by mutual consent of the applicant and the Board.

3. No approval of a local tourist-oriented directional sign will be granted by the Planning Board unless the proposed sign meets all of the following requirements:
 - (a) such local tourist-oriented directional sign will not obstruct or impair vision or traffic, or in any way create a nuisance, hazard or otherwise be detrimental to or endanger the public health, safety or general welfare;
 - (b) such local tourist-oriented directional sign will not be injurious to the use and enjoyment of other property in the vicinity or neighborhood;
 - (c) such local tourist-oriented directional sign is appropriate in appearance and in harmony with the design and color of the New York State tourist-oriented directional sign (see definition in §115-3 of this chapter 115) giving rise to the necessity for such local tourist-oriented directional sign;
 - (d) the specific location of such local tourist-oriented directional sign is approved by the Village Superintendant of Public Works; and
 - (e) all other applicable provisions of the Village Sign Law have been complied with, including, but not limited to, those provided for in §115-9 of this chapter 115.
4. Any previously approved local tourist-oriented directional sign shall be removed in the event that (i) it is no longer required in accordance with the New York State Supplement to the National Manual of Uniform Traffic Control Devices as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign, or (ii) it is no longer required because the York State tourist-oriented directional sign originally necessitating the local tourist-oriented directional sign has been removed. In the event that the Zoning Officer determines that removal of the local tourist-oriented directional sign so required, he or she shall so notify the record owner of the sign at the owner's last known address by registered or certified mail, (return receipt requested), such notice to provide a period of thirty (30) days from the date of such written notice for the sign to be removed. If the sign is not removed within the required thirty (30) day period, the Zoning Officer may remove the sign and thereafter

assess all costs and expenses incurred in such removal against the record owner of such sign.

- D. A new Section 115-7.3 to be entitled “Permitted signs with a permit in Human Health Services District” is hereby added to Chapter 115 (entitled “Signs”) of the Village of Lansing Code reading in its entirety as follows:

§ 115-7.3 Permitted signs with a permit in Human Health Services District.

The following signs are permitted with a permit:

- A. Identification signs (i) that if ground mounted, the top of which must not be over twenty-five (25) feet above the ground; (ii) that if building-mounted, must be flush-mounted; and (iii) all of which must comply with the requirements and restrictions set forth in subsection “C” of §115-7.1 of this Chapter 115; and**
 - B. Directional signs located within a medical/health care campus or similar collection of medical/health care facilities, the purpose of such signs being to more effectively guide patients and other parties to their intended destinations; each such sign shall be no greater in size than two and one-half (2.5) square feet with the top being no higher than nine (9) feet above the ground, and the content, number and location(s) of each such sign shall be approved by the Village Superintendant of Public Works.**
- E. Subsection “A” of Section 115-9 (entitled “Sign Setbacks”) of Chapter 115 (entitled “Signs”) of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

§ 115-9. Sign setbacks. [Amended 3-19-1991 by L.L. No. 5-1991]

- A. No freestanding sign may be erected or maintained in such a manner so as to project over or above any street, public highway or waterway. Signs must be set back at least fifteen (15) feet from the existing pavement edge of any public highway or street. Directional signs [i.e., entrance/exit signs (see §115-6, subsection A4), tourist-oriented directional signs (see §115-7.2) and Human Health Services guidance signs (see §115-7.3, subsection B)] may be closer than fifteen (15) feet with the approval of the Village Superintendant of Public Works. Signs may not be erected or maintained within a public or private right-of-way without the written approval of the owner of**

such right-of-way and any authority having jurisdiction over such right-of-way, if any.

SECTION III. SUPERCEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superceded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however 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.

Next on the agenda was to consider the approval of the minutes for June 1, 2009.

Motion - To Approve the Minutes from June 1, 2009.

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

Trustee Larry Fresinski -Aye
Trustee John O'Neill-Aye

Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

Karen Veanor and Ed LaVigne were present to give an update on the Lansing Community Council. Karen explained that the Council came into existence in the 1950's to channel monies from the United Way to the Town and eventually the Village. Lansing was in danger of losing the \$11,000 a year they were then receiving because the Council hadn't been active for 10 years. The Council supports older adults (LOAP), Lansing Youth Services and the Drop-in Center. The Council wanted to do more than this and they wanted to see some kind of community celebration event that would bring people together. This was how the Harbor Fest came about. This year will mark the third year for this event which is held at Meyers Park. A 10x10 booth for not-for-profit groups can be set up for a \$25 fee and local businesses can have the same size booth for \$50 to promote their projects. Their hope is to bring tourists to the area.

The first year approximately 3,000 people attended and they were able to give \$3,000

back into the community. Last year it was not as well attended because they were competing with the NY State Fair and the Trumansburg Fair. This year the Harbor Fest will be on August 15th.

In addition to the vendor booths there will be music, a youth pavilion, and a teen pavilion. There will also be a 5K run in the morning and the Floating Classroom will be operating. The Holiday Inn Downtown will be providing breakfast for all the runners. They are also working on an antique car show and reunion pavilion. This year they will honor our EMT's and fire fighters. Rob Sharpless will also be creating glass molds for each year with a different landmark on them.

To raise money they are selling ads, t-shirts and grocery bags. The Harbor Fest has some corporate sponsors but this year it is more difficult to get cash sponsorships. Sponsorship levels are from \$500 to \$2,500. Ads are sold for \$25 for a business card size up to a full page ad for \$140. Jodi asked how much the Town of Lansing was contributing. Karen stated that in the past they had given \$2,500, but this year they will not be making a cash contribution but contributing instead in other in-kind ways such as use of facilities, staff assistance and copying. The Mayor had asked Jodi to relay to Karen that he is available again this year to help with opening ceremonies and any other way that is needed. More information on the Lansing Harbor Fest can be found online at www.lansingharborfest.org.

Ed asked if we had a list of Village businesses. Jodi stated that we do and she has them in address label form which she would be happy to share with them. The Village can also help by getting the word out via our webpage, newsletter and by sending information to our yahoo group.

Ed also spoke about the North Log Cabin project he is working on. There will be multiple Chicken BBQ's to help raise money to restore the log cabin. They are also looking for donations. For more information on this you may go to www.northlogcabin.com.

The Village Board thanked Karen and Ed for attending the meeting and making their presentation, and Karen and Ed thanked the Board for making the opportunity available.

Jodi advised the Board that the Planning Board has requested that their last Tuesday meeting of each month be changed to be the 4th Tuesday of the month. It only affects two months each year.

Resolution #5450- To Change the Planning Board Meeting Date From the Last Tuesday of Each Month to the 4th Tuesday of Each Month

Trustee Leopold moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Trustee Larry Fresinski –Aye
Trustee Lynn Leopold-Aye

Trustee John O’Neill-Aye
Trustee Julie Baker-Aye

During general discussion it was pointed out that the Janivar Trail has been completed and is very nice. It was suggested that we add some benches along the trail in the future. It was also reported that the Sheriff’s Department has been very active on N. Triphammer Rd. Many speeding tickets have been issued.

Jodi informed the Board that Mayor Hartill had drafted a letter to the City of Ithaca and Mayor Peterson thanking them for their help with our sewer main break. She also brought up the issue of giving our support for the Grant for a Tompkins County-wide Evaluation and Planning Study of Water & Sewer. This was discussed at a previous meeting and it was unclear whether this was a duplicate of the Intermunicipal Sewer EIS that was previously done. Jodi emailed Martha Armstrong and she sent a summary of the purpose of the study which Jodi distributed to the Board. John O’Neill did not agree with supporting this because he thought it was a waste of money to duplicate what has already been done. The point is why use money for an unnecessary study when the money could be used elsewhere for needed services. Larry questioned where this would put us politically if we didn’t approve this as it is required to be passed by all municipalities in Tompkins County in order to receive the grant money. The Board decided to wait until the Mayor was present to make any decisions.

Jodi also brought up the proposed resolution that would authorize the Village to enter into an agreement with the Greater Tompkins County Health Care Consortium for NYS Shared Municipal Services Program. Larry stated that Don had previously looked at this and determined that it is not economically in our best interest. The Board decided to table the issue until the Mayor was present to discuss it further.

Motion- To Adjourn

Trustee O’Neill moved for adjournment. Trustee Baker seconded the motion to adjourn. A vote was taken:

Trustee Larry Fresinski –Aye
Trustee Lynn Leopold-Aye

Trustee John O’Neill-Aye
Trustee Julie Baker-Aye

The meeting adjourned at 8:53pm.

Jodi Dake
Clerk/Treasure