

Village of Lansing
Board of Trustees & Planning Board
Joint Meeting
Monday, June 7, 2010

MINUTES of a joint meeting of the Board of Trustees and Planning Board of the Village of Lansing held on Monday, June 7, 2010, in the Village Office.

Present: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold, John O'Neill, and Julie Baker; Planning Board Chair Mario Tomei; Planning Board Members Phil Dankert, Richard Durst, Maria Stycos, Lisa Schleelein and Alternate Ned Hickey; Clerk/Treasurer, Jodi Dake; Code/Zoning Officers Benjamin Curtis and Marty Moseley; Attorney David Dubow.

Planning Board Chair Mario Tomei called the Planning Board to order. Mayor Hartill also called the Board of Trustees meeting to order at 7:35 pm and opened the public comment period. Gerry Monahan from Beckett Way stated that he was concerned with safety on the path that goes from the Shops at Ithaca Mall to Beckett Way. On three different occasions he felt it was not safe to use the path. Once there was a man going through a duffle bag that looked like it contained stolen merchandise. Gerry contacted the mall security and they stated that they had been watching that man for hours. The Cayuga Heights Police and the State Police both responded. Another time there was a group there smoking and it was not cigarettes. It also looks like people have been vandalizing the utility boxes in that area. Gerry has also had bikes stolen out of his garage. Don stated that he would write a letter to the Sheriff's Department informing them of the situation and the need for additional patrolling. Gina Speno, manager at the Shops at Ithaca Mall, stated that mall security is patrolling that area of the mall parking lot, but the path is not mall property. Don will talk to John Courtney about thinning out the brush through that area and have him look into some lighting for that area. David Robertshaw was also present as a community party observer.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye
Trustee John O'Neill -Aye
Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye
Trustee Julie Baker-Aye

The next item on the agenda was to discuss and review the proposed Lansing Meadows PDA (formerly the Triax PDA) and related matters and documents. Present on behalf of the PDA proponents were Gina Speno, Jim Bold and Eric Goetzmann. Last week. Ben Curtis put a packet of information regarding the PDA in each of the Trustees' folders. These packets included the draft Long Environmental Assessment Form with the

Planning Board's recommended findings. It was explained that these were only recommended findings and ultimately the responsibility for completing the Assessment Form falls on the Mayor and Trustees as the lead agency.

At a meeting back in March, the Board of Trustees approved going forward with the preliminary PDA proposal and authorized having the Planning Board proceed further with consideration of the proposed PDA. The Planning Board did an in depth review and is providing the Board of Trustees with their input and recommendations. The Board of Trustees had been asked to familiarize themselves with the information in their packets prior to the meeting. The following is a copy of the recommendation from the Planning Board:

To: Mayor Donald Hartill and the Board of Trustees
From: Mario Tomei, Planning Board Chair
Subject: Lansing Meadows PDA Recommendation
Date: May 28, 2010

At its regular meeting on May 25, 2010, the Planning Board voted unanimously to recommend to the Board of Trustees (i) to proceed further with consideration of the proposed Lansing Meadows PDA in accordance with the developer's statement of intent and (ii) to consider such legislative/zoning action as the Board of Trustees may deem appropriate to establish the proposed PDA. I should note that the Planning Board suggested that the name of the PDA be changed from Triax PDA to something more generic and the developers agreed that Lansing Meadows PDA would be acceptable.

In developing this recommendation, the Planning Board determined that the proposed PDA would benefit the Village because areas that border on Oakcrest Road are reserved for residential uses, thereby preserving the residential environment of the surrounding areas; residential uses are reserved for senior housing thereby providing an appropriate housing option for senior citizens within walking distance of commercial and recreational services; vehicular access to the commercial development in the PDA is solely from the adjacent commercial property, thereby minimizing traffic impact on Oakcrest Road and surrounding residential areas; and existing wetlands are preserved and enhanced as a bird habitat and will provide a buffer between the residential and commercial development in the PDA and further buffer the commercial development in the PDA from Oakcrest Road. These outcomes are clearly consistent with the Comprehensive Plan, this Chapter 145 and in keeping with the character of the neighborhood.

Attached are the conditions and specifications for approval which the Planning Board proposed to the developer along with the developer's statement of intent to comply with those conditions and specifications. Please note that in his April 30 letter to the developer, then Chairman Hickey informed the developer "that as discussions continue and the Boards consider, among other things, the LEAF, additional conditions and specifications may be added to those in this list." Condition 18 regarding an easement between the commercial portion of the property across Shops at Ithaca Mall property to a public street is such an additional condition. Other conditions may be added as the approval process proceeds.

Attached also is a letter from the developer regarding financing and securing completion of all aspects of the PDA, in response to condition #1. This letter follows from several in depth discussions between Planning Board members and the developer regarding the difficult financial environment in which they and other developers must now operate. It is anticipated that more specific documentation will be provided as the approval process proceeds and their project thereby meets today's higher standards for financing.

Also attached to this recommendation are: 1) A Long Form Environmental Assessment Form with Part 1 completed by the developer and Part 2 which the Planning Board has reviewed, and based on their discussions with the developer and their review of supporting documentation, made recommendations for specific findings under each question in the LEAF. A single copy of the supporting documentation accompanies the recommendation. Please note that the Planning Board's recommended findings with regard to traffic impacts is contingent upon confirmation by Fisher Associates of the data and conclusions of the developer's traffic study. Fisher Associate's review is currently underway and we expect the results prior to the joint meeting of the Planning Board and the Trustees on June 29; and 2) Proposed District Regulations for the PDA. Note that other permitted uses are proposed beyond the multiunit residential buildings and the retail center cited in the original PDA proposal. The Planning Board's intention in including these additional uses is to provide some flexibility now and in the future to accommodate unforeseen circumstances or opportunities while at the same time securing the basic character, intent and benefits of the proposed PDA. One such potential change has already emerged as the developer is now considering a mixture of stand alone single family residential units along with a multiunit residential building, a proposal which the Village may find preferable to the original plan with four multiunit residential buildings. (Copies of the renderings for the second alternatives are attached to this recommendation.) Note that all new construction in the PDA, both residential and commercial, require Special Permit approval (with general or general and additional conditions) by the Planning Board, and these Special Permit approvals are exercised subsequently to and independently of the final PDA authorization which will be granted by the Board of Trustees.

If you have any questions or additional information you would like prior to our joint meeting on June 7, please do not hesitate to contact Ben or myself.

The following is a list of 17 conditions which the developer has signed off on:

Conditions For The Proposed Lansing Meadows PDA

1. Confirmation from funding source(s) in a form approved by the Village Board of Trustees and Village Attorney, ensuring that financing is committed for the construction of the senior housing units and associated infrastructure.
2. Phasing plan indicating approximate start and completion dates for each of the proposed four phases and any dependencies for each phase, together with financial and/or other security in favor of and acceptable (in form and substance)

- to the Village Board of Trustees and Village Attorney in the event of default in completing all phases properly and timely.
3. Full planting list for the wetland/bird habitat and surrounding buffer, including grass list, and indicating general locations of the plantings.
 4. Letters from utility companies including NYSEG, Bolton Point, and the Village of Cayuga Heights confirming that sufficient capacity exists to allow connection and that no publicly funded improvements will be necessary to allow such connection.
 5. Landscape plan and buffer location for the west side of the property where it abuts a Residential Zoning District.
 6. Lighting plan approved by the Village of Lansing Lighting Commission.
 7. Exact delineation of the wetland/bird habitat and surrounding buffer which will serve as a screen between the residential and commercial components.
 8. Approval by the Village of Lansing Engineer of site work, stormwater management and infrastructure plans; in the case of stormwater management facilities that are not dedicated to the Village, a stormwater management maintenance agreement will be required. Upon final construction having been completed, four (4) sets of as-built/record drawings and plans are to be prepared and submitted to the Village Engineer together with a certification by the developer's engineer (s) confirming that all construction has been completed as required.
 9. Approval by the Army Corps of Engineers of plans pertaining to the preservation, replacement and enhancement of delineated wetlands.
 10. Approval of the traffic study by Fischer Associates, the Village's traffic consultants.
 11. Approval by the Village of Lansing Superintendent of Public Works of design details related to Village infrastructure including, but not limited to, proposed road connections to Oakcrest Road and alterations to the existing mall emergency access road which includes a Village sewer easement.
 12. Satisfactory completion by the Village of Lansing Planning Board of (i) its review of the SEQR LEAF and (ii) its recommendations to the Village Board of Trustees related thereto.
 13. Plan showing the locations and design of pedestrian connections between the YMCA, the senior housing units and the retail center.
 14. Document describing the exact criteria that residents of the senior housing units must meet, and an agreement and other supporting documentation ensuring that the senior housing units will be reserved for that use only.
 15. Maintenance agreement to ensure that the wetland/bird habitat and surrounding buffer will be maintained per the plan approved by the Village of Lansing and the

Army Corps of Engineers, including, but not limited to, replacement of plants, trash removal and deer protection.

16. District regulations (use and dimensional) consistent in format with those of other Zoning Districts in the Village of Lansing, including, but not limited to, possible special permit approval requirements.
17. Written approvals, as required, from all other federal, state and local governmental agencies.

We, Arrowhead Ventures, intend to comply with the above stated conditions.

Eric Goetzmann, Manager

Date

The following is an additional condition that has been established by the Planning Board and agreed to by the developers:

Additional Conditions For The Proposed Lansing Meadows PDA

18. An easement, approved by the Village Attorney and filed at the County Clerk's Office, conveying rights of access and egress across the property of the Shops at Ithaca Mall connecting the commercial portion of the PDA known as Area A to a public street.

David Dubow brought everyone up to speed on where we are now in terms of the PDA procedural framework for the review and possible authorization of the proposed project. He explained in some detail what has been accomplished thus far and what actions remain to complete the process. David stated that a local law is needed to provide for the Board of Trustees' final authorization of a PDA and for the necessary Zoning Law and Zoning Map amendments. This is a work in progress and the Board of Trustees can agree at this point to proceed further or not to proceed further. The Board of Trustees is favorable to proceeding further and advised the Planning Board to continue to go forward.

David Dubow explained that the Planning Board had worked on Part 1 of the SEQR Full Environmental Assessment Form (Long Form) with the developer establishing the factual information for the environmental review, and thereafter reviewed Part 2 with the developer to provide recommended findings to the Board of Trustees. It was explained that the Planning Board completed its review and recommendations in Part 2 of the Long Form with the exception of the traffic analysis which cannot be completed until the Village's traffic consultant, Fisher Associates, provides its comments and response to the developer's traffic study.

The two Boards went over the Long Form. Julie asked for clarification on Page 5, #20,B,1,c. It states that .8 acres of project acreage would remain undeveloped and she asked what area that would be. Jim Bold stated that it is a portion of the wetlands that is

not being disturbed. She also questioned the answers to F&G since it was both commercial and residential. Jim stated that it was only for the commercial portion and that a separate one would be done for the residential area on Oakcrest Road. Lynn also questioned #20 on page 5 where they answered “no” to the question of whether the site has ever been used for the disposal of solid or hazardous waste. Lynn recalls asphalt and other construction materials have been put there. Jim stated that that material is considered hard fill and not solid or hazardous waste.

Dubow explained how “Part 2-Project Impacts and Their Magnitude” needed to be completed. If any question is answered as “yes” and then column #1 (“Small to Moderate Impact”) for any such question is checked, there would be no need for further information; however, if columns #2 (“Potential Large Impact”) is checked, column #3 must be completed by the Board as to “Yes” or “No” to the question “Can Impact Be Mitigated by Project Change”, and additional information maybe needed to determine if the impact will be significant. David explained that additional explanations and/or information can be provided as part of Part 2. By way of example, it was suggested under question number 5 in Part 2 on page 13 that some clarity could be added to the ninth bullet down explaining that the item in question was propane.

Ned Hickey stated that when the Planning Board had its meetings and reviewed and worked on its environmental review recommendations to the Board of Trustees there were no negative comments from the public.

The following is a copy of proposed language prepared by Ben for the new Zoning Law section that will be needed as part of any final authorization for the proposed PDA and the amendments to the Village Code:

§ 145-42.1 Lansing Meadows PDA.

A. Intent. The legislative intent of this subsection is to define and establish standard regulations for this Planned Development Area called Triax PDA containing a commercial area (Area A), a residential area (Area B) and a protected wetland/bird habitat (Area C) [see Zoning Map Addendum 1]; where public utilities to serve such facilities are available; where areas that border on Oakcrest Road are reserved for residential uses, thereby preserving the residential environment of the surrounding areas; where residential uses in Area B are reserved for senior housing thereby providing an appropriate housing option for senior citizens within walking distance of commercial and recreational services; where vehicular access to the commercial development in the PDA is solely from the adjacent commercial property, thereby minimizing traffic impact on Oakcrest Road and surrounding residential areas; and where existing wetlands are preserved and enhanced as a bird habitat and to provide a buffer between the residential and commercial development in the PDA and further buffer the commercial development in the PDA from Oakcrest Road.

B. Permitted uses. Permitted uses shall be as follows:

Areas A & B

- (1) Utility service underground.
- (2) Natural parks.
- (3) Alteration to Building or Improved Site or Change in Use that Does Not Result in Change in Applicable Parking Space Requirements

Area C

- (1) Utility service underground.
- (2) Natural parks.

- C. Permitted uses with additional conditions. Uses permitted with additional conditions shall be as follows:

Area A

- (1) Temporary commercial activities.

- D. Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:

Area A

- (1) General conditions.
 - (a) Utility transmission/storage/plants.
 - (b) Indoor recreation/club.
 - (c) Office/studio/service.
 - (d) Government buildings.
 - (e) Motel/hotel.
 - (f) Sales/Repair/Maintenance.
 - (g) Theater/nightclub/discotheque.
 - (h) Alteration to Building or improved Site or Change in Use that Results in Change in Applicable Parking Space Requirements.
 - (i) Museums/public buildings.
 - (j) Low Traffic Food and Beverage
 - (k) High Traffic Food and Beverage

- (2) General and additional conditions.

Area A

- (a) Mixed Use

Area B

- (a) One-unit residential building.*
- (b) Two-unit residential building.*
- (c) Multiunit residential building.*
- (d) Home occupation.

*[Insert a new subsection O under 145-60 as follows:

- O. One-unit residential building, two-unit residential building and multiunit residential building in Triax PDA Area B.
 - (1) Housing units in the Triax PDA Area B shall meet Fair Housing Act definition of “housing for older persons”.]

- E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking requirements shall be as follows:
- (1) Minimum lot size.
 - (a) All Uses: ten thousand (10,000) square feet.
 - (2) Maximum lot coverage: none, except what is required by minimum street frontage, front, side and rear yard setbacks and by front, side and rear parking requirements.
 - (3) Minimum street frontage.
 - (a) All uses: seventy-five (75) feet.
 - (4) Front yard setback minimum
 - (a) One and two-unit residential and multiunit residential buildings: forty (40) feet.
 - (b) All other principal uses: seventy-five (75) feet.
 - (4) Side yard setback minimum, all uses: twenty-five (25) feet.
 - (6) Rear yard setback minimum:
 - (a) All principal uses: forty (40) feet.
 - (b) All accessory buildings: twenty-five (25) feet.
 - (7) Parking setback standards.
 - (a) Front yard, all uses: twenty-five (25) feet.
 - (b) Side yard, all uses: fifteen (15) feet.
 - (c) Rear yard, all uses: fifteen (15) feet.
 - (8) Building height maximum.
 - (a) All principal uses: thirty-five (35) feet.
 - (c) All accessory buildings: fifteen (15) feet.
 - (9) Parking requirements: see Article V.

Buffer strip width: seventy-five (75) feet; see § 145-24.

Dubow indicated that he will continue to work on the proposed district regulations to incorporate them into local law form. It was suggested that limitations on exterior lighting height be added to the district regulations consistent with the 30' height that the developers have proposed and agreed to. It was also agreed that all references to "Triax PDA" will be changed to "Lansing Meadows PDA".

The Boards discussed timing and scheduling for further review, possible action and meetings of the two Boards. Ben will send General Municipal Law 239 information to the Tompkins County Planning Department tomorrow. It was acknowledged that the Board of Trustees must complete the SEQR review, however they first need the traffic study response from Fisher Associates. Pending the completion of the SEQR review, Dubow will continue his efforts to complete the proposed local law which requires that the developers provide a map and legal description for the proposed PDA property. Once the proposed local law is completed, the Board of Trustees can set a public hearing. David explained that the public hearing must be advertised in the legal section of the paper 10 days prior to the public hearing. Ideally, Fisher Associates will have the traffic study completed shortly so that the SEQR can be completed. Ben, Don and Jim will all push Fisher to complete its work as soon as possible. Assuming that all of the necessary

matters are properly addressed, a public hearing can be set at the Board of Trustees' regularly scheduled noon meeting on June 17th for June 29th at a special meeting of the Board of Trustees jointly with the Village Planning Board.

Mayor Hartill stated that he would not be at the June 17th meeting. Lynn will not be at the June 29th meeting. Larry's last meeting will be June 29th since he will be closing on his house on June 30th and moving out of the Village.

Resolution #5634-To Cancel the June 21st Board of Trustees Meeting and Reschedule a Joint Meeting with Planning Board on June 29th at 7:30pm.

Trustee Leopold moved this resolution. Trustee Fresinski seconded the motion to reschedule the meeting. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Richard Durst moved to adjourn the Planning Board meeting. Second by Lisa Schleelein. Ayes by Tomei, Dankert, Stycos, Durst and Schleelein. The Planning Board adjourned at 9:05pm.

The next item on the agenda was Retiree Health Insurance. The Board had previously discussed this and gave Jodi suggestions which have been incorporated into the following proposed Employee Handbook changes.

Retiree Health Benefit

Eligibility

To be eligible for Retiree Health Insurance coverage from the Village of Lansing, the employee must be 55 or older, must have at least 20 years of continuous full-time service with the Village of Lansing, and must have applied for and been granted a bona-fide retirement benefit from the New York State Employees Retirement System.

Coverage

Ages: 55-65

From the date of retirement until the eligible retiree reaches the age of 65 or attains Medicare eligibility, the retiree who is on the Village of Lansing insurance at the time of retirement can continue to participate under the Village's standard health insurance policy. For as long as the Retired Employee participates in a Village sponsored plan, the Village will contribute 60% of the monthly premium for individual coverage in and amount not to exceed \$2,400 annually. Coverage must be paid by the retiree to the Village of Lansing quarterly in advance. If payment is not received coverage will be dropped.

If an employee is currently on a spouse's insurance; per the current Village policy, the employee may continue on the same terms. The Village will contribute 60% of the cost of single coverage. As is currently the case, the Village would never pay more for the spousal option than the cost of providing the benefit directly, but might pay less. Reimbursement will be done on an annual basis in an amount not to exceed \$2,400 annually. Request for payment must be made by the retiree by May 1st each year. To receive payment one must submit a voucher with a copy of the paid bills or a letter from the spouse's employer stating how much was paid.

Ages: 65 +

Retirees are required to get Medicare Part A & B at age 65 and those costs are the responsibility of the retiree. When a retired employee reaches age 65, or otherwise attains Medicare eligibility, the retired employee shall be reimbursed annually for 100% of their individual Medicare Supplemental Plan (Medigap) or another Supplemental Plan in an amount not to exceed \$2,400. To receive payment the retired employee must submit a voucher and proof that the bill was paid by May 1st each year.

Once the retired employee has come off of the Village's insurance plan s/he cannot rejoin. (Example: retire at age 55, get insurance through another job for 10 years, then s/he cannot come back to Village to obtain coverage.)

Amendments:

The Village may, in and at its discretion, change these plans and benefits at any time, including, but not limited to, revocations or curtailment of coverage, changing the type or amounts of coverage, changing retiree contributions, changing eligibility for dependents and spousal participation, and changing the type of carrier. No coverage, rights or benefits issued, described, or granted hereunder are guaranteed.

Resolution #5635- To Add Retiree Health Benefit to the Village
of Lansing Employee Handbook

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye

Trustee Julie Baker-Aye
Trustee Larry Fresinski-Aye

Mayor Hartill stated that he met with the new Mayor of the Village of Cayuga Heights and Brent Cross to normalize our sewer relationship. Brent claims that they are losing revenue because of the Kline Road Bypass and they would like to adjust fees to accommodate this. Don would like to see them switch from charging per units to charging for water consumption. Don's goal is to get a long term contract in place.

Don informed the Board that Paul Tunison, head of Bolton Point, has taken time off following the recent death of the Production Manager at Bolton Point, Ken, who suffered a stroke. Paul and Ken worked very closely together for many years and Paul has taken his death very hard. This

unfortunately may result in some delay in the timing of taking over the road in the Bolton Estates Subdivision.

John O'Neill handed out some articles on gas drilling. Julie stated that she and John have been working on a draft of the revised Emergency Plan which she will circulate soon.

Motion-To Go into Executive session for Personnel Issues

Trustee Fresinski moved to go into executive session. Trustee Baker seconded the motion. A vote was taken:

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

The Board went into executive session at 9:25pm.

Motion-To Come Out of Executive Session

Trustee Leopold moved to come out of executive session. Trustee Fresinski seconded the motion. A vote was taken:

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

The Board came out of executive session at 9:30pm.

Motion- To Adjourn

Trustee Fresinski moved for adjournment. Trustee Leopold seconded the motion to adjourn. A vote was taken:

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

The Board of Trustees adjourned at 9:30 pm.

Jodi Dake
Clerk/Treasurer