

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, August 4, 2014, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Lynn Leopold, John O’Neill, Patricia O’Rourke; Attorney David Dubow; Maria Stycos, Planning Board member.

Mayor Hartill called the meeting to order at 7:37 pm and opened the public comment period. There were no public comments.

Motion- To Close the Public Comment Period

Trustee O’Neill 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 Patricia O’Rourke-Aye

The next item on the agenda was to consider the Home Occupation change that has been proposed by the Planning Board. The Planning Board has been trying to tighten up what we really mean by Home Occupation. Dubow has prepared Proposed Local Law 4(2014) -Amendment to Village of Lansing Code-Zoning Law-Home Occupation which the Board previously received. The Proposed Local Law was formally introduced. Dubow stated that there are two sections of the Village Code/Zoning Law that are being revised. The first was the definition of “Home occupation” which wasn’t changed significantly. Cross-references to other sections were also added. The second change is in Section 145.82. Originally this section read:

(15) Home occupation. Includes uses and activities incidental and accessory or secondary to the use of the dwelling unit for residential purposes.

The proposed change now reads as follows:

**(15) Home occupation. Includes uses and activities incidental and accessory or secondary to the use of the dwelling unit for residential purposes; provided, however, that any such use and/or activity shall not be considered a home occupation and therefore shall not be subject to special permit approval under this Zoning Law in the event that (i) there are no employees, customers, clients, students or similar individuals visiting the dwelling unit, (ii) there is no sale of goods and services at the dwelling unit, and (iii) no additional vehicle traffic is produced**

**other than what would be expected for the customary use of the dwelling unit. (See §145-3)**

This was largely driven by the Planning Board and Marty Moseley's efforts to try and distinguish between a Home Occupation which would require special permit review or what is more of an office in one's home which would not require a special permit. This is the language the Planning Board has come up with and is recommending to the Trustees to clarify the "Home occupation" use.

Dubow explained that if the Board wishes to proceed they would need to schedule a public hearing for the September 15<sup>th</sup> meeting. If they so proceed, the Proposed Local Law and SEQR documentation can then be referred to the County Planning Department for 239 review.

Dubow explained the changes in the new SEQR Form related to legislative actions such as the adoption of local laws. The Board reviewed the required SEQR Short EAF. Dubow explained that Part II will need to be completed after the public hearing.

Leopold asked how this will affect the already existing home occupations. The ones that have already been approved by special permit can continue. All special permits are subject to 10 general conditions. There are 10 additional and specific provisions that need to be reviewed for Home Occupations, so it is a pretty extensive review. It was asked how this affects temporary events such as the Art Trail. It's a weekend thing. Dubow stated that this is not addressed in the Village Code/Zoning Law, and it hasn't been discussed. Veanor asked if this is a zero tolerance thing. What if you just decide to have clients come to your house? If this will be happening, one may need to apply for special permit approval. O'Neill explained that for years he had an office in his house, but he never had clients coming to see him there. Dubow stated that what the Code Officer is trying to distinguish is the difference between just working at home and actually having people come to a home.

Lynn thanked the Planning Board for all their hard work on this. The Proposed Local Law 4 was accepted as presented and a public hearing was then set.

Motion- To Set a Public Hearing for Proposed Local Law 4-  
Amendment to Village of Lansing Code –Zoning Law- Home Occupation  
for September 15, 2014 at 7:35pm.

Trustee Leopold moved to set a public hearing. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Patricia O'Rourke-Aye

Trustee John O'Neill-Aye

Trustee Lynn Leopold-Aye

The next item on the agenda is the approval of minutes. Everyone was present for both meetings so the minutes of July 17<sup>th</sup> & 21<sup>st</sup> can be approved together.

Motion- To Approve the Minutes from July 17 & 21, 2014

Trustee Leopold moved to approve the minutes. Trustee O'Neill seconded the motion. A vote was taken:

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

Nicole, who was processing and approving the paperwork at QPK for the new Administrative Building project, is no longer with the company. Vince is trying to get all the paperwork together and has sent two credit change orders which are dated back to May 12, 2014. Hartill stated that we are still dealing with pieces of this building. Lynn questioned what the toilet room accessories were that were deleted. Hartill stated that we still have additional issues to deal with the new building such as cracks in the walls, landscaping, doors sticking, front door not locking, and other issues.

Resolution #6088-To Approve Two Change Orders Submitted By the General Contractor for the Administration Building Project

1. GC-015- Credit Village \$735.00 to delete toilet room and postal accessories as requested by owner
2. GC-016- Credit Village \$1,060.00 to delete sidewalk at entrance as discussed in the field

Trustee O'Neill moved to approve the two change orders. Trustee O'Rourke seconded the motion. A vote was taken:

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

Mayor Hartill signed the two change orders.

Mayor Hartill stated that we had a lot of rain yesterday. There were some minor issues in the Village. The culvert at Oakcrest and Cayuga Heights Roads filled up completely. Hartill went out with his backhoe and cleaned out the entrance the best he could. It still was sheeting across Cayuga Heights Road. Drain Brain was supposed to be there to fix it, but they had some other issues. John and Nolan were cleaning it up this afternoon as best they could with the bigger backhoe. Eventually, that will get blown out with Drain Brain's high pressure washer. He thinks we will have to replace that culvert with a larger one, which may cause downstream issues. It is partly a result of two culverts upstream. The only way to deal with this type of flow is to distribute it. It was asked what drains to that area. Hartill stated that Sundown Farms drains there. We got a heavy rain in a short period of time. The whole Oakcrest Road ditch was flowing over the road. Lynn stated that her friend had a 4 foot deep stream that was flowing over the top. The storm last August reconfigured streams. Fast moving water can move rocks.

We are making good progress on our summer projects. Dart Drive stormwater is effective. Still some topsoil to be done. There are still some paving projects. The Mayor won't be here for the August 14<sup>th</sup> noon meeting and both meetings in September. Pat and Lynn will not be there Aug 18<sup>th</sup>.

Leopold stated that she got an email from Bernd Blossey regarding deer, which she forwarded to all the Trustees. Bernd will be put on the agenda for the Thursday noon meeting to talk about a nuisance permit. Hartill stated that the other thing we need to discuss are revisions to the deer law so that it states that once you agree to have the hunt on your land it is good from year to year until you revoke it. Sundown's property is still a big problem with it being a safe haven for deer.

O'Neill stated that Ivar Jonson will be putting in the road surface sometime in September. O'Neill referred to an Ithaca Journal article on a hogweed that is very serious. We can put this on our web site. Leopold suggested that we make sure the Highway Department knows what this weed looks like so that if they are out there working they can report any sightings of this weed. O'Neill will copy the article and get it to Courtney. Veanor stated that Jack French, Town of Lansing Superintendent, can be a resource because they have spotted it in the Town of Lansing.

Motion- To Adjourn

Trustee O'Rourke moved for adjournment. Trustee Leopold seconded the motion. A vote was taken:

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

Trustee Lynn Leopold-Aye  
Trustee Patricia O'Rourke -Aye

The meeting adjourned at 8:16 pm.

Jodi Dake  
Clerk/Treasurer