

Village of Lansing

MINUTES of a joint meeting of the Board of Trustees and Planning Board of the Village of Lansing held on Monday, October 23, 2017, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O’Neil, Patricia O’Rourke and Gerry Monaghan; Clerk/Treasurer Jodi Dake; Attorney David Dubow, Planning Board Chair Mario Tomei, Planning Board members Mike Baker, Deborah Dawson, Carolyn Greenwald, Lisa Schleelein and Alternate Jim McCauley; 6 additional public were also in attendance at the meeting.

Mario Tomei called the Planning Board meeting to order at 7:02pm and opened the public comment period. Mayor Hartill called the Board of Trustees meeting to order. There were no comments.

Motion - To Close the Public Comment Period for the Planning Board

Planning Board member Dawson made a motion to close the public comment period. Baker seconded the motion. A vote was taken:

Mario Tomei-Aye  
Mike Baker-Aye  
Deborah Dawson-Aye

Carolyn Greenwald- Aye  
Lisa Schleelein-Aye

Motion - To Close the Public Comment Period for the Trustees

Trustee O’Rourke made a motion to close the public comment period. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee John O’Neill-Aye  
Trustee Patricia O’Rourke-Aye

Trustee Ronny Hardaway- Aye  
Trustee Gerry Monaghan-Aye

The main reason for this evening’s special meeting is to discuss the proposed mall Planned Development Area (PDA) and the Declaration of Easements, Covenants, Conditions and Restrictions (ECCR).

Ken Farrall of CMC Engineering was present to represent Namdar Reality. A sample ECCR was sent out and questions were answered. To recap, it was explained that the Shops at Ithaca Mall want to subdivide parcels to revitalize the mall. Selling parcels allows for funding and other revitalization. Ken stated that the goal is to keep the mall going and be as successful as it can be. His clients purchase malls, revitalize and then

move on to the next one. They do it nationally all over the US. This is nothing new to them.

Hartill asked what has been the track record with the malls. Have they been revitalized in all cases or is it a mixed bag? Revitalization can happen in different ways. In Mastic, NY they had a strip mall where they sold a parcel to a bank and did a full facelift. It now has 100% occupancy. We just did one in Malone, NY that was a dark Kmart. They got a Farm and Home store as a chain tenant and people want to be there now. Once you fill the big spaces people get excited and want to be there. At Beaver Valley near Pittsburgh they brought in a Farm and Home store and a big chain restaurant. If you can create capital you can then fund improvements. They find that stores tend to close stores that they lease versus stores they own. There is no set menu. They look at what the needs are and what is available. They would like to subdivide a parcel off for an extended stay hotel. Studies have been done and this area is lacking extended stay options.

Hartill stated that Target is already a separate tax parcel. Ken stated that he thinks it is a leasing parcel. He is unsure if it has been physically deeded to Target but the land was subdivided and has a separate tax parcel number.

Ken stated that they have plans and means to do it here. They felt the PDA process would be the easiest and best thing to do with what they want to do.

Hartill asked what their track record was. Ken stated that he doesn't have a percentage. Due to competition they can't give specific names. He did say that a lot of the malls that they buy are in bankruptcy and none of them have gone dark. All have growth either internally or externally. Additional pad sites are usually created to bring in new tenants. Small stores tend to infill because big stores are staying.

Hartill asked if the internal shops at Beaver Valley were thriving. Ken stated that a Farm & Home store infilled where Sears was and a chain restaurant came in because they went through this process. Internal shops tend to stay if a mall is thriving.

Monaghan asked if they rely on tax credits. Ken didn't know the answer. He has never received an approval that was contingent on tax credits. However, he is the subdivision guy. This is a national group. Monaghan asked if they be open to innovative local solutions such as 30,000 sq. ft. of Health & Human Services. They are open to whatever will work for a community. If we can get a wide enough net of things that meet the PDA it would be good.

Tomei asked if they had approached the four parcels and the out parcel to see if they really want to buy. Ken was not sure, however, there was enough interest to start the subdivision process. Tomei asked if they know their risk with the infrastructure of this whole place. Ken stated that the parcels are willing to take on what is going on with all of the infrastructure.

Schleelein stated that she is trying to understand how this is going to work. Her main concern is that we already have large corner stores that are successful. How do we make this a destination of some nature? What happens when corner stores become their own and the middle doesn't succeed? Ken stated that the donut hole will be there. The mall currently has SPCA, bounce house and laser tag as tenants so they are already thinking outside of the box. It is going to continue.

When you lease, you have a common area maintenance agreement. Whether they own or lease, they have the same responsibility. All the parking lot and common area is still going to be there is they own or lease.

O'Rourke asked if there will be both leases and owners. Ken stated that Planet Fitness will still be leased along with the small stores. Have the permitted uses of PDA already been worked out? It will not be done until it is decided whether the Village wants to allow this area to be a PDA.

Dawson asked if a major water pipe floods the neighborhood to the west of the mall and they want to sue for negligence, who would they go after? Ken stated that he is not an attorney. All entities carry insurance for stuff like that. Insurance is mandatory whether they own or lease. Dawson sees that the ECCR talks about covering physical harm but the ECCR doesn't talk about liability that would arise from this type of situation.

Greenwald stated that the mall has a current tax value of \$30 million. She asked what the value would be in two years. Ken couldn't tell her that other than it would be higher. Greenwald feels that he must have spoken to owners, they must know. She is concerned with infrastructure.

Robbs stated that he has heard from Namdar Realty and they have done soft marketing to see if this is possible. They haven't given any direct details. NAMDAR are very significant investors. They have 35-37 malls and they own and manage medical centers and clinics. They have a significant portfolio. They have the name to bring in bigger companies where the locals may not be able to. Robbs has researched this and he can't get any financial info on this.

Ken stated that when you own your store you tend to hold onto it versus leasing. Success is based on outside anchor stores drawing stores to the inside. McCauley asked if the mall is going to try to encourage through incentives. Ken stated as an example, if Michaels doesn't want to buy their store then they will go to another investor. Michaels then would send the lease check to the new owners. There are other investors out there. People coming to the mall won't know any difference.

Ken stated that some issues that can be resolved with a PDA are zero lot lines, allowing sign setbacks and not needing a variance.

Greenwald asked if they would still have to get permission for improvements. They would still need to get permits from the Village. Some of the ECCR restrictions can be stricter than the Village but can't over ride us. Ken explained that the ECCR is a canned document. Carolyn asked if this can document will be edited for Ithaca. Her vision is that if you have retail office and living places that would make for a walkable Village. However, there would have to do significant improvement to the infrastructure.

Ken stated that they are going in a direction that is outside the box. They are already at the mall. Some of the uses are other for interior spaces. They are thinking about medical, hardware, daycare, tire and auto to name a few potential uses. These are different uses not currently in the mall.

Tomei confirmed that the ECCR is between the owner of the mall and any store owner. Ken stated that generally the ECCR is signed by all the tenants. The village has no say in the ECCR.

Dawson stated that the fine tuning goes into the PDA and how you define the specific uses. McCauley reiterated that if the village doesn't allow something, it prevails over the ECCR.

Greenwald asked who would maintain the pipes underground. Robbs stated that ultimately, the mall is still responsible for anything that happens on their property. The initial mall was built in early 70's. Stormwater agreements will need to be in place. We can require a stormwater maintenance agreement. The who, how, when and why all need to be determined. Dubow is not sure the owner is willing to do that. Robbs stated that we know there have been two significant events that have happened there. Greenwald feels the best way to proceed is to work it out before the PDA. Monaghan stated that we know there is a problem on the west side of the property so maybe make this part of the PDA. Robbs can't say if the mall is at fault but it was designed in 1970. Brent Cross is in the process of finalizing a stormwater report. Dawson has heard that there is also a sewer issue there. Robbs stated that that would go to Brent Cross at the Village of Cayuga Heights since they own the sewer plant. Robbs reminded the Boards that if we are more restriction then it may not be feasible.

Previously questions were submitted to Robbs which he received answers on late Friday afternoon. He will share those with the Boards.

Robbs stated that the extended stay hotel they want to bring in wants to own their own parcel. From his research, they have been successful. Beaver Valley Mall looks like they have increased slightly but also a significant company came in. Robbs has done extensive research and hasn't found a lot of information on whether the revitalization has worked because it was only bought in the last few years. He has seen some red flags. The new investors may be able to bring in big names where others can't. It's hard to get information.

Dawson stated that we are damned if we do and damned if we don't.

Hardaway asked how much time the owners are willing to invest in this project to make it successful. Ken stated that this business is continually evolving. The goal is to get to 100%. They will find an investor, if not they will hold onto it.

Mayor Hartill thanked Ken for coming. The next step will be the Planning Board coming back with a recommendation to the Board of Trustees to go to the next step. The Trustees will have a public hearing to amend the Codification once all the details are worked out by the Planning Board. Dubow stated that first we have to figure out if this is going to be a PDA then we have to create that PDA.

The next step is for the Planning Board to discuss this. They will not be talking about it tonight. Tomei stated that now the Planning Board has to do the work. The Planning Board will discuss this at their next meeting on Nov 13<sup>th</sup>. Tomei told Ken he would not need to be there. Adam will contact Ken.

Tomei told Ken that with the holidays there will probably be only one meeting in November and December. Ken understands. On Nov 13<sup>th</sup> we would know whether we think a PDA is a good idea or not. Not defining the PDA just deciding if we will create a PDA. Ken stated that in this time frame they will develop the language before the public hearing.

Dubow stated that part of creating the PDA is coming up with uses. Both boards may want to decide on uses.

Mayor Hartill made a motion to adjourn the Board of Trustees' meeting.

#### Motion to Adjourn

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

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye	

The Board of Trustees meeting was adjourned at 8:25 pm.

The Planning Board took a short break and started again at 8:37.

Mario stated that the next item was the continuation of the public hearing to consider Special Permit #4056. Park Grove Realty, LLC has proposed to construct 14 10-unit townhome buildings for a total of 140 dwelling units with all associated road and utility infrastructure on tax parcel no. 45.1-1-51.12 which is approximately 19.46 acres and

currently undeveloped special permit review is required pursuant to Section 145-41 High Density Residential District of the Village of Lansing Code.

Tomei brought the Board up to date with what they had done so far. The Planning Board asked for a full EAF form. The Board completed this and we made some correction. We then met with Jess, Andy and Tom to start the Part II of the EAF and everything was done except for the traffic section. Park Grove had Passero Associates do a Traffic Impact Study (TIS). Fisher Associates reviewed the TIS that was completed by Passero Associates, dated October 2017. After doing a developmental review of the proposed Bomax Drive Apartment complex development, it was Fisher's opinion that the Traffic Impact Study adequately represents the traffic impacts of the proposed development and that the proposed development will not have a significant impact on traffic operations at study area intersections.

Dawson asked for clarification in wording in the Fisher letter under the Traffic Volumes. The correct values were used in the analysis. The typo in the 3<sup>rd</sup> paragraph was clarified to show that a capacity analysis was done.

Tomei would like to be reassured that the board would encourage the construction vehicles to enter the work site by using Warren Road to Bomax. It will be added as condition L so that construction traffic will not go through the Lansing Trails neighborhood. There were no additional questions on the study.

Tomei went back to #13 on page 8 and answered the question stating there is a no impact. Dubow stated that we had a 3<sup>rd</sup> party review so there would be no concern. It was suggested that the Fisher Associates study be included as part of the SEQR review. Dawson suggested that we add wording that states it is a preliminary review since we are waiting for the final report from Fisher.

Tomei stated the Planning Board has completed EAF Part 1 and 2. The next step is to consider the following resolution:

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR  
REVIEW OF SPECIAL PERMIT NO. 4056 ADOPTED ON OCTOBER 23, 2017**

Motion made by: Deborah Dawson

Motion seconded by: Lisa Schleelein

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Special Permit 4056 for proposal by Park Grove Realty LLC. to construct 14 10-unit townhome buildings for a total of 140 dwelling units with all associated road and utility infrastructure on tax parcel 45.1-1-51.12 which is approximately

19.46 acres and currently undeveloped; and

- B. On October 23, 2017 the Village of Lansing Planning Board, 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) determined that the proposed action provided for herein is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Full Environmental Assessment Form (the “Full EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, and comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and –m]; (iii) completed its thorough analysis 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 (iv) completed the Full EAF, Part II); and

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Full EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, and comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and –m], (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 Full 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 an Environmental Impact Statement will not be required; and
2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and directed to complete and sign as required the Full EAF, Part III, confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Full EAF shall be attached to and made a part of this Resolution.

The vote on the foregoing motion was as follows:

AYES: Baker, Dawson, Greenwald, Tomei, Schleelein

NAYS: none

The motion was declared to be carried. Tomei stated that Part 3 has no adverse effects. He and Robbs will sign.

**MOTION- TO CLOSE THE PUBLIC HEARING**

Moved by Mike Baker, seconded by: Carolyn Greenwald

The vote on the foregoing motion was as follows:

AYES: Baker, Dawson, Greenwald, Tomei, Schleelein

NAYS: none

Tomei read the required special permit general conditions as follows:

- (1) It will not be detrimental to or endanger the public health, safety or general welfare.*
- (2) It will not be injurious to the use and enjoyment of other property in the vicinity or neighborhood.*
- (3) It will not impede the orderly development of the vicinity or neighborhood and is appropriate in appearance and in harmony with the existing or intended character of the vicinity or neighborhood.*
- (4) The street system and off-street parking facilities can handle the expected traffic in a safe and efficient manner.*
- (5) Natural surface water drainage ways are not adversely affected.*
- (6) Water and sewerage or waste disposal facilities are adequate.*
- (7) The general environmental quality of the proposal, in terms of site planning, architectural design and landscaping, is compatible with the character of the neighborhood.*
- (8) Lot area, access, parking and loading facilities are sufficient for the proposed use.*
- (9) The requested use or facility conforms in all other respects to the applicable regulations of the district in which it is located.*
- (10) The applicant has shown that steps will be taken where necessary to meet all performance standards and all other applicable general regulations.*

**MOTION- THAT ALL GENERAL CONDITIONS STATED ABOVE  
HAVE BEEN MET SUBJECT TO ANY CONDITIONS THAT THE  
BOARD MAY IMPOSE ON THEAPPLICANT AS PART OF ANY  
APPROVAL GRANTED**

Moved by Schleelein, seconded by Dawson;

The vote on the foregoing motion was as follows:

AYES: Baker, Dawson, Greenwald, Tomei, Schleelein

NAYS: none

The motion was declared to be carried.

Dubow stated that there is not a stay so we can proceed with a resolution to accept Special Permit #4056. Dawson recommended it say received preliminary independent report from Fisher. The final independent report will come by mail. The resolution reflects an amended to condition G. and adding condition L.

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 4056 ADOPTED ON OCTOBER 23, 2017**

Motion made by: Lisa Schleelein

Motion seconded by: Deborah Dawson

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Special Permit 4056 Park Grove Realty for proposal by Park Grove Realty LLC. to construct 14 10-unit townhome buildings for a total of 140 dwelling units with all associated road and utility infrastructure on tax parcel 45.1-1-51.12 which is approximately 19.46 acres and currently undeveloped; and
- B. Prior hereto, preliminary review and preparation was undertaken by both the applicant and the Village regarding the proposed project, related matters and materials, preparation of suggested revisions, preliminary review, review of Planning Board meeting records, preliminary application materials, and environmental review matters in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"); and
- C. Prior hereto, additional application materials and SEQR matters for the proposed action were presented by the applicant and its consultants for preliminary review by the Village of Lansing Planning Board, at which time such materials were preliminarily evaluated, questions were posed and responses offered, and public comments were permitted, after which the Board determined that a public hearing thereon should be scheduled,

and such public hearing was thereupon properly scheduled for July 25 2017; and

- D. Thereafter, On July 25, 2017, the Village of Lansing Planning Board opened the public hearing for the initial purpose of (i) eliciting public comment on environmental issues regarding this proposed action, and (ii) reviewing and evaluating the materials and information presented by and on behalf of the applicant in support of this proposed action, and such public hearing has remained open until this current date; and
  
- E. On August 29, 2017, the Village of Lansing Planning Board, 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 Full Environmental Assessment Form (the “Full EAF”), Part I, any and all other information documents prepared and submitted with respect to the proposed action and its intended environmental review, and thereupon completed its fully reviewed the Part 1, including corrections and recommendation from the Village of Lansing Planning Board for the completion of Part 1; and
  
- F. On September 11, 2017, the Village of Lansing Planning Board, again 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 Full Environmental Assessment Form (the “Full EAF”), Parts 2 and 3, any and all other documents prepared and submitted with respect to the proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-l and -m]; (ii) reviewed environmental related comments from the public; (iii) agreed to obtain an additional third party (Fisher Associates) to further review, evaluate, and provide independent input and recommendations regarding traffic matters; and
  
- G. On October 23, 2017, the Village of Lansing Planning Board (i) formally received the independent report from Fisher Associates, and thereafter reviewed and completed the supplemental traffic study and its continuing thorough analysis 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 (ii) completed the Full EAF, Part 2 and Part 3; and (iii) made a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the proposed action and determined that an Environmental Impact Statement would not be required; whereupon, having completed the SEQR review and having made its SEQR determination, it was established that the special permit application could be completed; and

- H. On October 23, 2017, the Village of Lansing Planning Board thereafter continued the pending public hearing on the proposed action and further reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant in support of the proposed action, including any additional information and materials related to environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board [including comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and –m], (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations, and (iv) possible modifications and/or conditions that might be imposed in conjunction with any special permit approval to be granted, whereupon, the public hearing was closed; and
- I. On October 23, 2017, in accordance with Section 7-725-b of the Village Law of the State of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60, and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code Section 145-61);

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

- 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements, if any, set forth below) that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code Section 145-61); and

2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 4056 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
  - A. Soil and Erosion control measures shall be implemented and coordinated as required, and approved by either the Village of Lansing Code Enforcement Officer and/or the Village of Lansing Engineer.
  - B. Prior to a building permit being issued, a final lighting plan shall be submitted to and approved by Village of Lansing Lighting Commission prior to installation.
  - C. Landscaping plan shall be submitted to and approved by the Planning Board prior to installation.
  - D. Prior to a building permit being issued, approval by the Village of Lansing Engineer and Village of Lansing Storm Water Officer of, but not limited to, site work, storm water management and infrastructure plans, and implementation thereof. Drainage easements for potential impact from the stormwater management facilities on neighboring parcels shall be obtained, provided to the Village for approval by the Village Engineer, Stormwater Officer and Attorney, and thereafter recorded at the Tompkins County Clerk's Office.
  - E. Prior to a building permit being issued, approval by the Superintendent of Public Works for the proposed curb-cut and sidewalk connections on Bomax Drive.
  - F. Required permits, approvals, consents and other authorizations from all applicable Federal, State, County and local governmental and regulatory agencies shall be obtained, maintained and complied with for all permitted improvements, operations and activities as authorized by this special permit approval, and such improvements, operations and activities shall at all times comply with all

applicable Federal, State, County and local laws, codes, rules and regulations.

- G. Prior to a building permit being issued, a maintenance agreement shall be submitted to and approved by the Village Attorney, Village Engineer, and Village Stormwater Management Officer pertaining to the stormwater facilities.
- H. Prior to a building permit being issued, water consumption proposed for the occupancy of the new building shall be provided to the Village of Cayuga Heights and the Village of Lansing for the issuance of the required sewer permits prior to the issuance of the building permit.
- I. A Clean set of final plans shall be submitted to and approved by the Planning Board and Code Enforcement Officer.
- J. Prior to a building permit being issued approval from the Superintendent of Public Works, Village Engineer and the Code Enforcement Officer. Plans for the construction of all roadways to be built to Village specifications.
- K. Prior to a building permit being issued approval from the Superintendent of Public Works the Village Engineer and Code Enforcement Officer. Plans for a sidewalk to be added along Bomax Drive.
- L. Prior to a building permit being issued Park Grove Reality will make agreement with all contractors and subcontractors to utilize Bomax road to Warren road for all construction traffic. (No construction traffic is to travel westerly through Lansing Trails Development.)

The vote on the foregoing motion was as follows:

AYES: Baker, Dawson, Greenwald, Tomei, Schleelein

NAYS: none

The contractor stated that they will now start construction drawings and work on the conditions.

Mario canceled the October 31<sup>st</sup> Planning Board Meeting due to a lack of a quorum. Tomei stated that he would also be gone for the November 13, 2017 meeting.

Dubow explained that a PDA is basically outside of zoning. You have the authority to include other conditions. It's something unique so provisions can be different. Greenwald would like issues such as light and noise pollution, water and sewer to be addressed. A main concern is the infrastructure under the property. The Village also needs to make sure they can take over Graham Rd West to resolve that long standing issue. Dubow stated that specifics will be done after it is decided that a PDA is a good idea. Then there will be a document stating what the PDA is intending to do.

At their November 13<sup>th</sup> meeting, the Planning Board will decide if the PDA is a good idea. Then they will recommend to the Board of Trustees to change to a PDA with a draft of what this PDA is going to look like. The Trustees are the lead agency. There needs to be a justification and a purpose. The Planning Board will work on a list of conditions and uses for the PDA.

Mario suggested that the Planning Board look at the two PDA's that we already have and review them.

Motion - To Adjourn the Planning Board Meeting

Moved by Dawson, seconded by Baker;

The vote on the foregoing motion was as follows:

AYES: Baker, Dawson, Greenwald, Tomei, Schleelein

NAYS: none

The Planning Board adjourned at 9:35pm.

Jodi Dake

Clerk/Treasurer