

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, August 3, 2020, via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O’Neill, Patricia O’Rourke and Randy Smith; Clerk/Treasurer, Jodi Dake; Code & Zoning Officer, Mike Scott; Attorney Bill Troy; BZA Member, Simon Moll; Planning Board Members Tony Ingraffea and Lisa Schleelein; Eric Goetzman, Jim Bolt, Dan Veaner, Roy Hogben, Andrew Sullivan

Mayor Hartill called the Board of Trustees meeting to order at 7:33pm and opened the public comment period. There were no public comments.

Motion - To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Randy Smith-Aye	Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Aye	

Approval of Minutes

The next item on the agenda was the approval of minutes from July 16, 2020.

Motion - To Approve the Minutes of July 16, 2020

O’Rourke made a motion to approve minutes. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Randy Smith-Aye	Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Abstain	

The next item on the agenda was to discuss Arrowhead Ventures request to subdivide Lansing Meadows Senior Housing. Eric Goetzman and Jim Bold were present for this. Goetzman showed a copy of the Village Code on his screen and a picture of the current job site. Goetzman asked the Board to look at the Village Code. Goetzman is requesting that the Trustees modify two of the district regulations in section 145-42.1 Lansing Meadows PDA Section E (1) Minimum lot size and Section E (3) Minimum Street Frontage. The current minimum lot size is 10,000 square feet and Goetzman would like that reduced to 2,600 square feet. He would also like the minimum street frontage reduced from 75 feet to 11 feet. These two changes are necessary for the Planning Board to entertain their subdivision. Goetzman stated that what they are asking of the Board of Trustees is to take

the same street frontage on a private street in the residential area and modify it from 75 feet down to 11 feet. Lot 2 is the smallest lot and they are looking for a minimum of 2,600 feet. Lot 3 is the smallest frontage out of all the lots. That would be 11 feet. This is all onto a private road.

Scott pointed out that the site plan that Goetzman was showing was not the approved site plan. The plan Goetzman presented should have the three units shifted to the left a little bit because in Phase 2 there was to be two additional units built, one on either side of those three units. It looks as if what is being built is different than what was approved by the Planning Board back in July 2019.

Scott added that since there will be party walls with zero lot lines, they will also need side yard setbacks. E(5) deals with side yard set back minimums. Scott pointed out that there is a side yard setback on all the site plans, and it does not distinguish that it is just completely on the outside lot line. Scott also pointed out that they are actually creating new lot lines and the side yard setbacks would now have to be zero, so that would also need to be changed. If Goetzman plans to section these buildings off to subdivide he will then have different lot lines. To make this clean, Scott suggested that the Village Code be changed to distinguish that it is a zero lot line for Phase 3 or Phase 4 or whatever else is going to happen after this.

Hardaway stated that the original plan was for 12 units and not 18 units. He is concerned because the setbacks are not normal within the Village. Hardaway was also concerned because there is not much distance between the fronts of the buildings and the private street. He thinks the area looks very congested and if we make these individual lots it just complicates the matter. Hardaway stated that we had a long discussion with the Beer Developments properties within the last couple of years where there was a lot of concern about the distance between each of the cluster development buildings. It was not considered to be in the Village's best interest to make a development with buildings that are that close and here we are doing it.

Hardaway feels that we are moving towards something that was totally opposite the original intent of this property. It was supposed to have a residential feel, but it was supposed to have open space, green space and was supposed to have areas for the residents to move around. This is getting closer and closer to nothing but building stacks side by side.

Goetzman stated that what they are trying to do is create a subdivision so they can get a water meter for each one of these units. Bolton Point regulations only allow for one water meter per parcel. Hardaway questioned why Bolton Point only allowed one water meter per parcel. Hartill explained that it is our regulations with Bolton Point. The alternative would be to install a master meter with backflow prevention and all the other stuff as though it were a large commercial enterprise. Hardaway feels it is a large commercial enterprise. Hartill stated that this is the same as Lansing Trails. Hardaway feels that the changes from the original intent are going to make it less attractive to potential renters or owners.

Hardaway voiced his frustration with Goetzman coming back to the Boards multiple times asking for changes. Hardaway stated that we have customized our Code to alleviate problems that Goetzman has created by not properly designing this project and implementing it on time. Hardaway feels that this project does not do anything for the Village, but make it look like the Village will allow a developer to do as poor a job as he can on a project and still get it done. Hardaway wanted it on record that the Planning Board, the Board of Trustees, the Board of Zoning Appeals have bent over backwards to try to make this project work.

Smith asked if Goetzman was asking for a variance so they could sell these homes instead of owning and renting them out. Goetzman stated that they are not asking for a variance, they are asking for a subdivision so that down the road, if at some point in time they decide to sell them individually they could.

Scott stated that to subdivide what has to happen is the PDA has to change the lot size and frontage and the side lot has to change to zero for the party walls. They all have to be changed in order for the Planning Board to approve a subdivision. To put it simply, Scott stated that what they would be doing is turning the 3 unit rentals into townhouses.

Troy asked Goetzman why he has not been up front with the Village in telling them from the start that they wanted to sell the units. Bold claimed that the market has dramatically changed since the time they started the construction of this project. The rental market is now flooded and there is a shortage of homes for sale. Troy also asked if they had submitted to the County their plans to sell instead of rent. Bold stated that their agreement with the IDA has nothing to do with rental or sale.

Some members of the Board asked for a tour of the job site before voting on anything. Hartill also suggested they go up and look at Lansing Trails. Bold and Goetzman will meet them at the property on Thursday, August 6th at 9:30am. No decision will be made until the Trustees have more time to review the situation.

Mayor's Comments

Hartill stated that we seem to be in a more stable situation with respect to COVID-19. We have seen about one or two cases a day. The positivity rate in the Southern Tier ranges from a half percent to nine tenths of a percent. The trigger for going backwards is 6% positivity rate. A good fraction of the country is in that category. There are 34 states that require a two-week quarantine when they arrive in New York.

In the next couple of days, it looks like we will be getting a couple of inches of rain which will let us know how our stormwater system is working.

It is still a challenge to collect the necessary easements for the sewer main project. We are still awaiting 6 of 15 easements for the sewer extension along Route 34 and East Shore Drive. We must have all the easements before the project can go out to bid, which means we are really pushing the envelope on this construction season. Hardaway asked if there was a timing issue with the easements that were signed. Hartill stated that the easements

have no conditions on time. Hartill stated that the problems we are having with getting the easements are people that are deceased and have PO Boxes and people out of town. Troy stated that the Village could do eminent domain. Hartill prefers to use that as a last resort. Troy added that it is an option and could be done pretty quickly.

The benches have been installed in Marian Hartill Park. The Highway Department is working on installing the benches in the two parks on the other side of Route 13. They should also have the park signs up in the next couple of weeks. O'Rourke asked if there had been any more vandalization of the benches. Hartill stated that it was the concrete that the benches sit on that had been written on. It has all been taken care of.

General Discussion

Smith stated that that he has not been on the Board that long and is used to running businesses and not government, but during there last few months with COVID, he is very impressed with how the Village is working without a lot of micromanaging. He thinks we are fortunate to have employees that know how to do what they are doing, and they have been doing it a long time. Everything seems to be running smoothly in our small village.

Hartill agreed. The Village of Lansing is a very good organization in terms of people that work well together and keep an eye on the ball and do not get off on tangents like some of our fellow municipalities. In the good times other municipalities expanded their staff and are now facing layoffs and terminations. We are not anything like that. We have tried very hard to outsource where we can, engineering, things like that. That way we have the flexibility to not have a big marching army. Smith added that we are fortunate that we can also share with the Town of Lansing.

Scott stated that he had not seen any updates on the Open Meetings Law about extending the option of online meetings after August 5, 2020. Dake will email NYCOM to see if they have heard anything. Hartill stated that we may have to have our next meeting face to face. Troy stated that he will be looking at the governor's executive orders so he will let us know if he sees anything. Scott stated that the two Boards he deals with would rather continue zoom meetings. Zoom meetings seem to function quite well. Hartill pointed out that we have had more participation on zoom meetings then we had in person. Hardaway stated that the County had the same concerns that we do, that zoom meetings are not the most favorite, but when you have a pandemic going on, it beats everyone getting sick and not being able to meet at all. Hardaway hopes the State sees this and extends this. Schleelein pointed out that ventilation and proximity are the most important. Now we can open windows and doors, but she is concerned about the fall. She is concerned about the age of some of our members of our various Boards. If we are required to hold in person meetings, we may need to look into a difference facility to hold them in so that social distance can be maintained.

Motion- To Adjourn

Smith motioned to adjourn. O'Rourke seconded the motion. A vote was taken:

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

Trustee Randy Smith-Aye
Trustee Ronny Hardaway-Aye

The meeting was adjourned at 8:42pm.

Jodi Dake, Clerk/Treasurer