

Joint Meeting
Village of Lansing

MINUTES of a joint meeting of the Board of Trustees and Planning Board of the Village of Lansing held on Monday, November 2, 2020, via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, Simon Moll, Patricia O'Rourke, and Randy Smith; Clerk/Treasurer, Jodi Dake; Attorney Bill Troy; Code & Zoning Officer, Mike Scott; Supt. Of Public Works, John Courtney; Planning Board Chair Lisa Schleelein, Carolyn Greenwald, Jim McCauley, Monica Moll, Tony Ingraffea, alternate; Dan Veaner, Andrew Sullivan, Eric Goetzman, Jim Bold.

Mayor Hartill called the Board of Trustees meeting to order at 7:36pm and opened the public comment period.

Motion - To Close the Public Comment Period

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

Mayor Donald Hartill-Aye
Trustee Randy Smith-Aye
Trustee Simon Moll-Aye

Trustee Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye

Approval of Minutes

The next item on the agenda was the approval of minutes from October 5th & 15th.

Motion - To Approve the Minutes of October 5 & 15, 2020

Smith made a motion to approve minutes. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Randy Smith-Aye
Trustee Simon Moll-Aye

Trustee Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye

Lansing Meadows PDA

Hartill stated that the next item is the continuing the informal discussion between the Planning Board and the Trustees regarding proposed changes to Lansing Meadows PDA residential section. The Planning Board had a discussion last week. The Mayor went on to say that this has been before us probably almost half of my tenure as Mayor from the time we started the PDA in the first place, which enabled BJ's to be constructed. The other part of that package was the residential section so that the parcel where BJ's is could up zoned, and the parcel where the housing development is going to be was down zoned. Since then, there has been several back and forths. The current status is that there are 18 dwelling units approved for that as rentals for seniors over 55. The thing before us now is to considered changing two things, the lot size, and the setback between each of those

units to make a zero-lot line in one case and change the size of the buildings to 1500 square feet. This has generated a fair amount of discussion. If you look at the plot, there is the possibility of adding four more triplexes of the same design on the parcel that is on the inner of the north side of the roadway. The roadway will be constructed and managed by the developer; it does not meet Village requirements to be a Village road. There has been a fair discussion about the water system for it. There has been back and forth between the developers engineer and the village engineers and our DPW person. Hartill's understanding is that there is an agreement about how to go forward with that in terms of necessary easements, making sure that there is a water connection that could be metered for each parcel. That could then end up with a total of 30 units. These would be either rentals or if this change to the Codification goes through, could be condos. Hartill can see this going forward with a clear agreement that there would be up to 30 units max. If this area is subdivided, there would need to be a Homeowners Association set up. Hartill is prepared to vote yes on these changes. Hartill opened it to other people to state how they feel.

Schleelein stated that the Planning Board was fairly unified in their opinion, which differs from the Mayors. The Planning Board has no objection to a subdivision. However, they feel strongly that 18 units is already about a 50% increase over what was originally sold to the Village as part of the PDA back in March 2010. And since that time, there have been so many concessions made by the Village, but very few made by the developer. Schleelein has gone back and looked at a lot of stuff over the time and feels the Village has wasted an enormous amount of time constantly being approached by the developer for changes. Schleelein stated that she is still not clear why there seems to be this understanding that the developer has a right to put four more buildings in the loop. When this process was started in March 2010 the most that was talked about was 12 units. We ended up with no wetlands, no bird habitat and we carved out about 20% of the residential portion to convert to a commercial parcel, which was not part of the original plan. Goetzmann keeps reducing the green space which is not in line with our Comprehensive Plan. The Planning Board feels like this is a major change. The original intent of the PDA was for flexible creative design and not to cram four more buildings there. Those four buildings have their back to Oakcrest Road which is not appealing. Schleelein stated that 10 years ago Goetzmann stated that prior to receiving a Certificate of Compliance for the commercial, meaning BJ's, the infrastructure for the residential component would have to be in place. That was 10 years ago. This project has been subsidized by the taxpayers in the County.

Hartill stated that any change in the PDA would be a major change.

Ingraffea stated that Schleelein accurately conveyed the Planning Boards strong opinion, suggestion, and information. He would agree to 18 units no more.

Greenwald stated that Schleelein has been very thorough, very thoughtful, very open minded and reasonable. Schleelein has spent a lot of time and was truly accurate. Enough is enough.

McCauley and Moll also agreed with Schleelein's comments.

Schleelein stated that the Planning Board would recommend that the Village allow the subdivision and consider that the end of development. Attorney Troy stated that neither Board can make a particular decision tonight since this is an informal discussion.

Hardaway stated that he went back and read Rita Smidt's book. The Village was formed because of resident's concern that building in the Village was potentially going to make the density of the business areas too much. The PDA in this case is the entire property, BJ's, BJ's fuel station, residential and A-1 commercial area. The subdivision would only be to the senior housing section. The Lansing Meadows PDA sets aside code for flexibility for both the Village and the developer because of its unusual size. For 10 years we have always said yes as Trustees. The Planning Board has said no to things that did not meet the intent. This senior area was to have trees, wetlands, a bird sanctuary and natural greenspace area built in. It was not to be filled from edge to edge with buildings. If we allow them to fill the property with 30 units within 2/3 of the original size it is not the original intent. There is no recreational area on that property. With Covid-19 it has become apparent that people need recreational space. Hardaway agrees that the 18 units should be the end of the development on that property. We have the right to say no more development on that property.

Schleelein added that some of the original needs from 10 years ago have gone away. We have other fair market rentals. We welcome ownership but are against any further development of Area B.

Simon Moll agrees with Hardaway and Planning Board. He does not oppose subdivision. Moll is opposed to further development. Originally it was only 12, now it is 18 and then maybe 30?

O'Rourke stated that she wanted to do whatever would be for the common good for the Village and its residents. There will be 18 units and she cannot visualize 4 more units. She feels 18 is good and that was what was agreed to. She is ok with a subdivision.

Smith feels that this area must be a Homeowners Association. The Village needs to protect the residents and they need to know what they are getting. No future Planning Board or Trustees should have to deal with this issue again. We need to finalize this. Smith thinks the Village should stay with the 18 units originally approved with this additional change for subdivision.

Eric Goetzmann brought up the Tompkins County 2017 housing strategy, because the Village is part of Tompkins County, which endorsed 2000 new rental units by 2025. He also tried to relate his request back to the Village Comprehensive Plan. He feels his request to have 30 senior units helps to meet the needs of seniors and making ownership more accessible. Goetzmann said they were approved for 18 units. Goetzmann claimed that the Trustees asked him what else could go on the other side of the loop road. Goetzman shared a drawing of the first plan that was approved for 10 buildings.

Goetzmann claimed that in April 2019 the Planning Board approved to have 10 triplexes. He stated that the only change that was made at that meeting was a sidewalk was placed along Oakcrest Road and privacy fencing. Last summer when they went to pull their first permit, they found that they could only have 1 meter for water per parcel. Goetzmann claimed that when he was building at the mall he could just get a water meter for each business. *(This in fact is true he could get a water meter for each individual business but the whole mall property only has one master meter*

for the property and receives one water/sewer bill. The Village Clerk/Treasurer use to create individual water bills to each business from the water reading book that the mall brought to the Village each month. All excess water was then billed to the Mall. The Mall had one master meter for that tax parcel. - Information from Clerk/Treasurer)

Goetzmann stated that by the time they priced out a private water system, they found that it would be cheaper to do a public system. It would cost more than \$100,000 for a private water system. Goetzmann has been working in the last week to make this residential area a public water system.

Goetzmann stated that their parcel is the only parcel in the Village that does not have a density cap on it. Their property has a build to line. When they first started this, all you could build was 12 units. Goetzmann would agree to capping the number of units to 30.

Greenwald stated that she is not 100% onboard with the rest of the Planning Board in that they do not care if these units are for sale or for rent. Greenwald is concerned that the units will not stay senior housing. She feels the best way to control that is with one owner. She does not see it staying as senior housing if it is subdivided. She also picked up on Eric's pocket neighborhood comment, which goes to what Pat was saying and some other people were saying about the green space. Greenwald thinks the purpose of a pocket neighborhood is that people want to live in a not so big houses surrounding a green area so that they can both enjoy the comradery and the surrounding green space. And as this project is currently conceived, it's just dense building. It is not a pocket neighborhood. The Planning Board would never have thought of this.

Bold pointed out that only one person that is the purchaser or rental has to be 55 years old, not both people. He also pointed out that under New York State, a 55 and older community only 80% must be 55 years old plus. It is not a 100% thing. Bold told Troy that he could confirm that.

Monica Moll stated that in her 3 years on the Board she has seen 4 different plans. Does not want to see too many units. She stated that the Planning Boards concerns throughout were we would like the whole property used but not a whole lot of density. The last thing before this current iteration was for 20 units in 10 duplexes. When it came to changing the 10 duplexes to triplexes, she was never for that. Monica Moll feels that going from 20 units to 30 units is a major change. Then phasing came in. She things it should stop at 18units. She did not understand why we need to cram 12 more units in there. Monica Moll went on to say that every time Goetzmann came in with a different plan the Planning Board shot it down until the 20 duplexes using the entire lot. When Goetzmann came to the Planning Board requesting triplexes, the Planning Board was comfortable for 20 units but not with 30 units, so they compromised at 18 units and 6 buildings. She thinks we should stick with 18 units.

Simon Moll stated that he has been looking through Planning Board minutes. In January 2018 there was concern that they were leaving a lot of open for future development. At that meeting the developer stated that they only wanted and intended to build 12 units. Going further into that meeting the developer stated that they had no plan for future development.

Hartill stated that the next step is for the Planning Board to make a recommend to the Trustees what we should do. This is a major change, so it has to go through this process. In the meantime,

Hartill asked Troy to draft a Local Law that would amend the Codification to allow a zero-lot line and the size changed from 10,000 down to 2,600 sq. ft. At the Trustee meeting on November 16th the Trustees can then set a public hearing for this proposed law. At the public hearing we can discuss both the resolution and the recommendation from the Planning Board.

Goetzmann stated that one of the things that came into play last week was Brent Cross raised the question about the federal wetlands. Goetzmann then had his engineers redraw the plat sizes to keep everything off the federal wetlands.

Scott will put this on the Planning Board agenda for November 9th. Schleelein will draft something in advance.

Troy stated that he will draft a resolution saying that the Planning Board has given their opinion. Troy will draft two resolutions, one for the Planning Board and one for the Trustees.

At the last Tompkins County Health Consortium Board meeting they voted on both the 2021 Premium Equivalent Rates and a Premium Holiday for December 2020. Jessica Hobart is currently preparing the December Health Insurance invoices for each municipality. The usual invoice and supporting material will be on the invoice, but our premiums for December will be reversed. The Village of Lansing invoice will be zero. It was the intention of the premium holiday resolution that these savings would be passed on to the employees. Dake asked for a resolution to remove the insurance deduction that comes out of the employees checks for the two December paychecks.

Resolution #6685- To Authorize the Premium Holiday for December 2020 By Removing the Insurance Deduction Taken Out on December 4th and 18th, 2020.

Hardaway made a motion to approve this resolution. Smith seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Randy Smith-Aye
Trustee Simon Moll-Aye

Trustee Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye

The 2021 Premium Equivalent Rates have been posted on the Consortium website.

The Consortium has provided a resolution to facilitate approval of the 2020 and 2021 Municipal Cooperative Agreement. The sample resolution was previously emailed to the Trustees.

Resolution #6686- Approval of the 2020 and 2021 Amendments to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

WHEREAS, the Village of Lansing (municipality) is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2020 and 2021 Amendments that provide for the operation and governance of the Consortium, and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary date and upon acceptance of any new Participant hereafter, and

WHEREAS, by motion nos. 005-2020 and 008 of 2020 the Consortium's Board of Directors recommends approval of the 2020 and 2021 amended agreements based on review of the document by the Governance Structure/MCA Review Committee, the New York State Department of Financial Services, and the Consortium's legal counsel, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Village of Lansing (municipality) is in receipt of the proposed amended Agreement(s) and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2020 and 2021 Amended Municipal Cooperative Agreements, now therefore be it

RESOLVED, that the Village of Lansing (municipality) approves and authorizes the Chief Executive Officer to sign the 2020 and 2021 Amendments to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Village of Lansing (municipality) is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Hardaway moved this resolution. Smith seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Patricia O'Rourke-Aye
Trust Simon Moll-Aye

Trustee Randy Smith-Aye
Trustee Ronny Hardaway-Aye

Resolution #6687- To Waive October 2020 Penalties for Water/Sewer Account N1766

Moll moved this resolution. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Patricia O'Rourke-Aye
Trust Simon Moll-Aye

Trustee Randy Smith-Aye
Trustee Ronny Hardaway-Aye

Mayor's Comments

Hartill stated that we had snow this morning. Grass is growing at parks. He warned everyone to be very careful with this COVID-19 situation. Avoid large parties and please wear masks. Vote tomorrow!

General Discussion

Scott asked if the Trustees wanted him to come up with a proposed agreement for a zoning change for Cornell Real Estate or do the Trustees want to look at the zoning in general for the whole village. Hartill stated that it is a significant larger job to look at all the zoning of the Village and suggested that Scott put together something to talk about that one area.

O'Rourke stated that she went to early voting and while in line they heard loud noises. The noise was the airport setting off firecrackers to scare the geese off at the airport property that was right next door. This was alarming to many in line waiting to vote. O'Rourke called the airport to voice her concern. The person she spoke with stated that they would let Mike Hall, Airport Manager, know. Hardaway stated that he would also contact the Board of Elections and have them put that in their process.

Motion- To Adjourn the Board of Trustees

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

Mayor Donald Hartill-Aye
Trustee Patricia O'Rourke-Aye
Trust Simon Moll-Aye

Trustee Randy Smith-Aye
Trustee Ronny Hardaway-Aye

Motion- To Adjourn the Planning Board

McCauley motioned to adjourn. Ingraffea seconded the motion. A vote was taken:

Lisa Schleelein-Aye
James McCauley-Aye
Monica Moll-Aye

Carolyn Greenwald-Aye
Tony Ingraffea-Aye

Hartill thanked everyone for spending the time to finally have a discussion to try and get this thing resolved after 10 years. The meeting was adjourned at 9:00pm.

Jodi Dake, Clerk/Treasurer