

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, December 7, 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; Lisa Schleelein, Mike Baker, Tony Ingraffea, Monica Moll and Jim McCauley, Planning Board; Dan Veaner, Lansing Star; Andrew Sullivan; Eric Goetzman and Jim Bold, Arrowood Ventures; Jeremy Thones and Kristin Gutenberg, Cornell Real Estate; additional attendees: Gerry Monaghan, Ken Horowitz, Deborah Dawson, Ron & Anne Furry, Frank Towner, Ryan Beiber, Lynn Leopold, Roy Hogben, Larry Bieri, Tam-Marion Warren, Carla Marceau, Tom O'Rourke, There were 33 total people in attendance on Zoom.

Mayor Hartill called the Board of Trustees meeting to order at 7:32pm and opened the public comment period. Hartill stated that this is for comments on issues other than what is on the agenda. There were no comments.

Motion - To Close the Public Comment Period

Hardaway made a motion to close the public comment period. Moll 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 November 2nd, 12th and 16th.

Motion - To Approve the Minutes of November 2, 12,16, 2020

O'Rourke made a motion to approve minutes. 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

Sewer Rent

Hartill stated that the next item on the agenda is a public hearing on proposed Local Law 3-Sewer Rents (2020)

Motion - To Open the Public Hearing on Proposed Local Law 3-Sewer Rents (2020)

Smith made a motion to open the public hearing. O'Rourke 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

Proposed Local Law 3 is to increase the January 2021 sewer rates. Village of Cayuga Heights is increasing their rate from \$4.35 to \$5.05 per 1000 gal. and the Village of Lansing rate will increase from \$1.35 to \$1.40 based on an increase of the Water Rate being charged by Bolton point from \$5.41 to \$5.60 per 1,000 gal. (We bill 25% of the water rate for sewer charge).

Moll stated that at the last meeting Hartill had mentioned that Borg Warner was adding a gray water recycling system which would significantly cut down their water usage. Moll wondered what kind of impact that would have on our sewer account. Hartill stated that most of the sewer charge is a pass through for Cayuga Heights so it would not have much of an effect on the Village.

Jim Bold asked if I&I in Cayuga Heights would make it so more sewer units would be available. Hartill stated that along with the Village of Lansing, Village of Cayuga Heights and the Ithaca Area Plant are installing some online flow meters. All the data will go to a common data location. This will allow us to identify the main line problems and we can televise lines to find issues. The Village of Lansing is looking into getting a portable measuring device that is laser based which will allow us to monitor our system in various locations. However, it is quite expensive.

Motion - To Close the Public Hearing on Proposed Local Law 3-Sewer Rents (2020)

Smith made a motion to close the public hearing. 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

Resolution #6694- Adopt Proposed Local Law 3-Sewer Rents (2020)

Hardaway made a motion to adopt Local Law 3. Moll 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 following is a copy of the Local Law:

AMENDMENT TO VILLAGE OF LANSING CODE-SEWER RENTS

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE AND INTENT.

As a follow-up to the prior adoption by the Board of Trustees of Local Law 1 of 2020 which relating to the amendment of Section 111-21 (entitled “Rents for property owners connected to the Village of Lansing water system”) and Section 111-22 (entitled “Rents for property owners not connected to the Village of Lansing water system”) of Article II (entitled “Sewer Rents”) of Chapter 111 (entitled “Sewers”) of the Village of Lansing Code, and which provided for the imposition and collection of sewer rents for the use of the Village of Lansing sewer system and the Village of Cayuga Heights sewer system, it is the purpose and intent of this Proposed Local Law 3 of 2020 to provide for further amendments intended to increase the current sewer rents payable to the Village of Lansing for the use of the Village of Cayuga Heights sewer system based upon the concurrent and like increase by the Village of Cayuga Heights Local Law 1 (2020) which increased the sewer rate from \$4.35 to \$5.05/1,000 gallons used for treatment of waste water originating from properties located outside of the Village of Cayuga Heights; and an increase in the Bolton Point water rate resulting in an increase in Village of Lansing charge; and more specifically, to amend accordingly (i) subsection A of Section 111-21 [entitled “Rents for property owners connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code, and (ii) subsection A of Section 111-22 [entitled “Rents for property owners not connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code.

SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.

A. Subsection A of Section 111-21 [entitled “Rents for property owners connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

- A. Each owner of property that is provided with water service by connecting to the Village of Lansing Water System shall be charged for, and shall be obligated to pay, a total annual sewer rent amount comprised of the following:**
- (1) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and forty cents (\$1.40) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven (\$7.00) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and**
 - (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to five dollars and five cents (\$5.05) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of twenty-five dollars and five cents (\$25.05) per each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below).**

The amount charged for use of the Village of Lansing sewer system shall be individually calculated, and thereafter collected by the Village of Lansing for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2021. The amount charged for use of the Village of Cayuga Heights sewer system shall be individually calculated, and thereafter collected by the Village of Lansing (or such other party designated by the Village of Cayuga

Heights), for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2021. Each such amount shall thereafter continue until otherwise modified from time to time by further local law adopted by the Village of Lansing Board of Trustees.

B. Subsection A of Section 111-22 [entitled “Rents for property owners not connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

A. Each owner of property that is not provided with water service by connecting to the Village of Lansing Water System shall be charged for, and shall be obligated to pay, a total annual sewer rent amount comprised of the following:

- (1) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and forty cents (\$1.40) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven dollars (\$7.00) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and
- (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to five dollars and five cents (\$5.05) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of twenty-five dollars and twenty-five cents (\$25.25) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “C” below).

The amount charged for use of the Village of Lansing sewer system shall be individually calculated, and thereafter collected by the Village of Lansing for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2021. The amount charged for use of the Village of Cayuga Heights sewer system shall be individually calculated, and thereafter collected by the Village of Lansing (or such other party designated by the Village of Cayuga Heights) for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2021. Each such amount shall thereafter continue until such amount is otherwise modified from time to time by further local law adopted by the Village of Lansing Board of Trustees.

SECTION III. SUPERSEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon its filing in the office of the Secretary of State.

Lansing Meadows PDA

Hartill explained that the next public hearing has to do with changing the lot size and allow for zero frontage to allow smaller lot sizes. He reminded everyone that this is not about the entire project.

Motion - To Open the Public Hearing on Proposed Local Law 5 (2020) -Change to Lansing Meadows PDA

Smith made a motion to open the public hearing. Moll 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

Prior to the meeting, Tompkins County Planning Department did a 239 Review and had no recommendations or comments on this proposal. The Planning Board had also been asked to review the proposal and after reviewing on November 9, 2020, the Planning Board Chair sent the following recommendation to the Trustees:

Date: November 11, 2020
To: Mayor, Don Hartill
Trustees: Ronny Hardaway, Simon Moll, Pat O' Rourke, Randy Smith
From: Planning Board Chair, Lisa Schleelein
Subject: Planning Board Recommendation Regarding Proposed Changes to Lansing Meadows PDA (LMPDA) Residential Area B

As requested, the Planning Board has reviewed the following two proposed changes to the LMPDA Residential Area B in order to provide the Board of Trustees with our recommendation:

- Minimum lot size from 10,000 sf to 2,400 sf
- Minimum frontage from 75 ft to 0 ft

It is our understanding that these proposed changes are being requested by the developer so that the property can be subdivided and the senior housing units could be sold rather than rented as originally planned when the PDA was first established.

Per Appendix A-2, Section 10. Control of PDA: Major changes such as increased density or reduction of open space are subject to the same review and authorization procedure as applied to the original PDA proposal.

The Planning Board voted unanimously that the proposed changes constitute a major change.

The Planning Board recommendation is to deny the requested changes. All members of the Planning Board, including the alternate, are opposed to the two changes proposed by the developer.

Baker, Ingraffea, McCauley, Moll, and Schleelein might reconsider this stance if certain conditions were attached, such as the preservation of the remaining green space and limitation of any further development in Area B after the approved six (6) triplexes are completed.

Greenwald is currently opposed to subdivision.

The Planning Board is not opposed to the concept of home ownership but rather with the continual changes sought by the developer over the past 10 years that have eroded the original intent of the PDA and led to the gross loss of green space in Area B. There is also concern that granting a subdivision and allowing the sale of the units will make it difficult to ensure that the housing units are reserved for seniors going forward.

In June 2018 a site plan was approved by the Planning Board for ten (10) duplex buildings/20 housing units to be built on Area B, (6) along the outside of the southern part of the loop road, and (4) on the inside of northern side of the loop road along Oakcrest.

In June 2019 the developer wrote to the Planning Board requesting a reduction from the (10) duplex buildings/20 housing units to (4) triplex buildings/12 housing units. (See letter attached.) In an effort to accommodate the County suggestion early in the PDA process that an increase in senior housing units would be desirable, the number of buildings was increased from (4) to (6) triplexes for a total of (18) housing units; this being a 50% increase over the original proposed plans. The Planning Board was concerned, however, with any further future construction on the site and expressed the desire to see the northern part of the site along Oakcrest maintained as open green space. At that time the developer stated they reserved the right to future development and suggested the Planning Board could deny such development through the Special Permit process when and if they exercised that right.

Now that the first four triplexes have been built, the Planning Board and Villagers can visualize what any further development beyond the six triplexes might look like. We do not believe shoehorning additional buildings in the little green space that is left on Area B is in the best interest of Village and its residents. Any additional development in Area B will not: “(ii) contribute to the quality of the proposed development for the area” or “(iii) lead to the direct or indirect enhancement of the surrounding neighborhood in terms of open space, vehicular and pedestrian traffic

movement, community operating costs, landscaping, preservation of natural features and an improved living environment” . (Appendix A-2, Section 3.B General Conditions).

The current development and layout of 6 triplexes, is a stark departure from the early plans presented to the Village, over 10 years ago, leading to the approval of the PDA. Those early designs fulfilled the intent of the PDA in Area B for creativity in planning concepts and flexibility in land use. The early concepts provided a “more desirable environment than would be possible through the strict application of other sections of this Chapter 145.” (Appendix A-2 H). They included walking trails, enhanced wetland and bird habitat, and either a duplex and 10 bungalows or 4-5 triplexes spread out over the entire Area B, amenities that would appeal to the seniors for which the housing is intended.

However, with the numerous changes as requested in a segmented fashion by the developer and granted to the developer by the Village, (always in good faith by the Village with the goal of having the PDA completed) much of the original intent of the PDA has been lost and still the project remains unfinished.

In addition, two changes impacted the size of Area B and therefore the density: (1) the developer pursued mitigation of the wetlands allowing more buildable area on the parcel ostensibly to address the suggestion by the County to consider additional housing units, and (2) the carve out of 1.4 acres of Area B to create Area A1 for commercial purposes, taking away approximately 20% of the residential parcel.

The mitigation of the wetlands and creation of Area A-1 eliminated a great deal of green space originally intended for the housing locations and the desired amenities. The creation of Area A-1 pushed the residential units to the south end of the parcel and closer to the commercial Area A. Thus, the desired buffer between the BJ’ s commercial building and the residential units was reduced to a single row of trees and/or a fence. With these two changes, the enhanced wetlands bird habitat and several layers of tree buffering were lost, the walkways and paths disappeared, the placement of the buildings was compressed, the interesting lazy loop road was lost, and the objective of “more usable open space and recreation areas”, and the original intent of the PDA per 145-42.1 A. was compromised.

It is the loss of green space that leads to the recommendation that no further development be allowed in Area B. With the completion of the six triplexes and final landscaping, we believe Area B should be considered complete. The six triplexes plus green space along Oakcrest although a departure from the original plan still present a neighborhood feel somewhat in keeping with the other modest homes on Oakcrest which have front doors facing the road, front yards, and landscaping. To cram in 4 additional buildings possibly with their backs to Oakcrest and obscuring the original six buildings, turns Area B into an apartment complex, not a neighborhood.

The developer has stated that the proposed changes will not increase density and that they have the right to further develop Area B per the underlying district sometime in the future if they should so choose. We disagree citing:

Appendix A-2

Section 1. Purpose and Intent

D. Therefore, the planned development concept is deemed appropriate in any basic district within the Village. The set of conventional lands use activities and area specifications set forth elsewhere in this Chapter 145 are hereby replaced by a re-zoning process in which an agreed upon development plan becomes the basis for continuing land use controls within a specifically defined area.

Our understanding of a PDA is that once created, it establishes a new zone/district and essentially the underlying district is replaced. Just as the developer has requested changes, the Village also has the same right to request changes. It is with that understanding that we recommend that the proposed changes to the PDA be denied unless approval is conditioned on the preservation of the remaining green space and no further development will be allowed in the specifically defined area of the LMPDA identified as Area B.

Respectfully,

Mike Baker
Carolyn Greenwald
Tony Ingraffea, Alternate
Jim McCauley
Monica Moll
Lisa Schleelein

CC: William Troy
Michael Scott
Jodi Dake

Frank Towner, CEO of the Ithaca YMCA, stated that he was in favor of senior housing by the YMCA. He would like the opportunity to serve those people that would live in Lansing Meadows. It's been proven over the years that people only travel from within a 10 minute radius to go to the YMCA. He feels it is an opportunity for more people to become owners in the vicinity of the YMCA.

Deborah Dawson stated that she was speaking as a former Planning Board member. She stated that the Lansing Meadows project came to the Village with the promise of creating a neighborhood with green space and a bird sanctuary and walking paths. The idea was it would be a pocket neighborhood with somewhere between 12 and 18 small cottages and a park-like atmosphere. Dawson thought that the dozens of times the developer came to the Planning Board in the last decade, the Planning Board tried to hold on to that original vision they were presented. Dawson does not care if these units are owned by private owners or the developer. She feels that what little

area that is left on the Lansing Meadows parcel should be greenspace. She asked the Board to remember the original vision for that property.

Anne Furry, The Village's second Mayor, was quite dismayed by the amount of multiple housing that has accumulated in Village. When the Village was formed they talked about wanting a balance between private homes and multiple residences. She does not see multiple housing as beneficial and feels that was not the intent when the Village was formed. Furry questioned what was happening with the zoning and the planning that allows the Village to be overtaken by apartment complexes. She also would like some kind of plaque recognizing that Rita and Sy Smidt were the founders of the Village.

Roy Hogben of 35 Janivar Drive stated that he has been following this for the last 10 years and his concern is that the condos will eventually drop the stipulation of having owners 55+.

Lynn Leopold of East Shore Drive and a former Village Board member stated that she has followed this project for a decade. Now as a member of the Greenway Committee she is dismayed at the rate we are losing habitat to development in the Village. She feels we need to think seriously about preserving as much green space as possible, particularly on Oakcrest Road. The idea was for that little community to act as a buffer between the heavy development of BJ's and Oakcrest residents. The only way it can act as a buffer is if it actually maintains some greenspace itself. If this area goes to zero lot lines and become condominiums, she is not happy with the idea of trying to maximize every inch of the available parcel. Leopold asked that whatever changes are done that they keep the green space.

Jim Bold stated that these are not condominiums, it is a "Fee Simple Homeowners Association Development". Larry Bieri of Oakcrest Road asked about the "Fee Simple Homeowners Association". Bold stated that the way it is set up, all maintenance would be taken care of by the Homeowners Association (HOA) which would be established by the Attorney General. That agreement would also designate this community as a 55+ which by definition is 80% of the units have to be occupied by someone in ownership of 55 years or older. Maintenance will be done by the HOA. These buildings are design to be maintenance-free buildings except for the roofs. Goetzmann added that the HOA can only happen if it is a subdivision by law.

Dawson asked who was going to be maintaining that road. Bold stated that that is the responsibility of the HOA.

Larry Bieri thinks the main concern is that the subdivision seems to be a ploy or a way to increase the number of units past the current number. Bieri feels the current number is good. Bieri does canvassing and people on Oakcrest would not be happy to see the number increase.

Bold stated that they are currently asking for the district regulations be modified so the Planning Board can review an application for a subdivision. Bold stated that the overall development of the property is completely in the control of the Planning Board. This public hearing is about simply allowing the Board of Trustees to change the law that would allow the Planning Board to be able to review a subdivision. It does not limit the development on the property. It only allows the developer to sell the units.

Goetzmann wanted to say a few things for new people on this call. He explained that the plans have changed and gave a history of what is going on here. He stated that what they were trying to accomplish was keeping commercial traffic off Oakcrest and provide much needed senior housing. Goetzmann went on to say that he contacted the Army Corp of Engineers to get the wetland designation removed to give them more area for the residential portion. In 2014 they received approval from the Army Corp of Engineers to not move the wetlands onto this property and make it bigger. Final approval to remove the designated wetlands off the property was received from the Army Corp in 2018. Goetzmann claimed that the Boards supported them putting more residents on the parcel. Goetzmann stated that they have talked about multiple plans throughout the process. In 2018 they came back with another plan that was 10 duplexes around a ring road. Then they came back and realized the buildings were too large and costly to rent or sell. So they came back to the Planning Board again for another modification. Goetzmann stated that the site plan virtually stayed the same except now the units were triplexes instead of duplexes. They went from a two-way road to a one way road because there was not enough road to put in a two lane road to Village standards. Goetzman stated that they want to subdivide and to do that they need the two changes that they are requesting which are the size of a lot being reduced and the frontage being reduced.

Jim Bold requested that the emails received by the Village of Lansing from individuals that could not attend the meeting be read into the minutes. The following are the letters received:

December 6, 2020

To the Village of Lansing Trustees:

I have followed the Lansing Meadows projects since it was first proposed and have seen the many ways it has tried to blend in with the design of the village as well as comply with its Codes. Just as in life, we must always be open to change, this project has had to adapt to current and changing needs of the community.

Communities designed specifically for the 55+ population are in high demand. There are folks who prefer to own their own homes. They do not want to rent. We realtors are constantly being asked to find them single-story homes that are close to services, shopping, and public transportation and we rarely, almost never, have any for sale. These folks do not want to be out in the country. They like the security of having near neighbors and they like being in close proximity to the police and fire department. This segment of the population wants to be independent and secure.

The Lansing Meadows development is ideally situated to meet all these concerns. And I hope you will allow it to move forward.

The Village of Lansing has more than its share of rental units. Fee simple ownership gives the village more stability, more long-term commitment, not to mention a larger tax base, which is necessary for the village to continue to serve the community and move forward and adapt forever changing world.

Sincerely,

Linda Hirvonen

NYS Lic. Real State Associate Broker

CBD, CRS, GRI, Green, SRES, Notary Public

Warren Real Estate of Ithaca

830 Hanshaw Rd.

Ithaca NY 14850

Mobile: 607-592-3665

Lahirvonen1969@gmail.com

On 12/6/2020 12:18 PM, deborah hogue wrote:

I am writing as a home owner in the Village of Lansing to express my support for making the property salable for home ownership. This has several benefits. Home owners tend to keep up their property and yard. Also it makes for a more stable population which will care about the village and be willing to take an interest in it.

Deborah Hogue

I am in favor of putting more units on the property. At the moment it looks unfinished with one building by itself. More units with an interior road would make a pleasing community look. Also there is a great demand for that kind of property and so the tax rolls could be increased.

Deb Hogue
607-273-8175

Dear Village of Lansing Trustees—

I am writing to support the modification of the district regulations for the Lansing Meadows PDA.

- I support selling the units as owner occupied vs. being a rental community. We need more home owners in our Village—a village that is currently primarily a rental community.
- I support building additional units (which would require a decrease in lot size modification). More owner occupied units means more tax revenue for the Village. What would be bad about that?

Thank you.

Reneta H. McCarthy
41 Janivar Drive
Ithaca, NY 14850
Cell 607-351-0775

Archive: Opinions

☆ Letters - Lansing Meadows and Cornell Reopening

Opinions | Friday, August 14, 2020 | By Richard Durst 



As a member of the Village Planning Board when the Lansing Meadows project was first proposed almost 10 years ago, I am amazed and very disappointed that this project has still not reached fruition. I can understand and share Ronny Hardaway's frustration at the lack of progress and the continual revisions of the plans, and I fully support his refusal to accept more changes to the plan.

The current plan is unrecognizable from the original plan that we approved a decade ago, and in my opinion, not an improvement. Eric Goetzmann's excuse that, "The market has dramatically changed since the time that we started the construction of this project..." is unacceptable because, if they hadn't delayed construction, they would have beaten the market change and would have been on the crest of the housing wave. Now, because of their procrastination, they are using this reason as an excuse for once again revising the plan. I hope the planning board supports Hardaway's position.

In reference to another topic reported in the Star, the Cornell reopening with in-person classes and their justification that it exposes Ithaca to less of a threat by the coronavirus than if they taught only online classes, I find this premise to be less than counterintuitive as they claim. Granted, their student testing plan is impressive, but I would expect that the absence of the majority of students in Ithaca would be more effective in preventing a second wave of infections. The only students that would have any justifiable reason to be in Ithaca would be graduate students who need the lab facilities to carry out their research. I assume that this decision is a fair accompli at this point and hope that Ithaca does not suffer from this decision.

Sincerely,

Richard Durst
Koefering, Germany

v16i33

Dear Jodi,

We are in support of the changes to the Lansing zone regulations that would allow the Lansing Meadows to become a 55 plus owner occupied community as opposed to another rental community. We support:

- 1-the decrease in lot size and road frontage thus allowing he subdivision.

- 2-for the buildout of the entire project (30 units)

Living in close proximity to 3 large rental communities and within 5 minutes drive to 4 more large rental communities, non of which are fully occupied, we feel the Village of Lansing needs more owner occupied facilities, especially for 55 plus residents. At this time, Village residents are seeking ownership homes, especially town homes faster than they can be built. Lansing Heights is an

example, with all units having been sold before completion and interest in the next building that is in the early stages of construction.

Please consider these proposals favorably tonight during the public meeting.

Sincerely,
George and Kay Ross
54 Nor Way
Heights of Lansing

Not read at the meeting but was forwarded to the Trustees:

Hello,

As a resident of the Village of Lansing I am writing to express my support for the modification of the Lansing Meadows PDA that will allow for homeownership as opposed to this becoming yet another rental complex in our Village. Both my mother and my sister would love to live in the Village but there are such limited opportunities to purchase single level living homes, everything we look at is for rent.

I also support allowing for the complete build out of this project so there are more than just a few units to purchase.

Regards,
Tari Salotti Black
49 Nor Way

Motion - To Close the Public Hearing on Proposed Local Law 5-Change to Lansing Meadows PDA (2020)

Smith made a motion to close the public hearing. Moll 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

Hartill asked if any of the Board wanted to comment on Proposed Local Law 5-Change to Lansing Meadows PDA.

Moll stated that he echoes a lot of the comments that were heard tonight. He supports owner occupied units and subdivision of the property. He does not support any further development past the 18 approved units. He would support the subdivision if there was a contingency that if it goes through there would be no further development on that property.

Smith feels that we let the market decide whether the units can be sold or rented and it could go both ways. He pointed out that the Code requirements are different for rental units verses sellable

units along with different requirements for water and metering of each unit versus a 100% rental unit. He thinks you allow the build out so it can be either of these. Smith was unsure if the Village is able to throw a contingency plan in there as Moll has suggested. He would like to let the Planning Board deal with the developer. He noted that this should be in line with the July 2019 approved plan by the Planning Board which includes sidewalks and an HOA. Smith thinks that there absolutely has to be an HOA.

Moll does not want to take the approach of “let’s just see what happens down the track”. He feels it has taken a disproportionate amount of Village time and he does not want to see this continue. Moll wants to do the subdivision and end any further development on the residential parcel. Moll thinks the Village has given a lot of concessions to this project over the last 10 years. When the project started it was 10 detached bungalow style houses with a bird sanctuary. The Village has added 6 units to that on 80% of the original land with a commercial area being added and now a subdivision. He does not want to give any further concessions. Over the last 10 years he feels that what’s actually happened and what was originally approved has gotten lost. To vote yes on the subdivision there needs to be a contingency that there will be no further development.

Hartill pointed out that we are only voting on the lot size and the lot line. It is up to the Planning Board to execute how the project goes forward. They are already approved for 18 units. It is up to the Planning Board to determine the subdivision.

Hardaway stated that he concurs with Moll. He has no preference if they are rented or sold. The research that he did was half of people want to rent and half want to own. His main concern is that if a subdivision was approved it would allow the developer to do the same type of housing on the rest of the property and we would lose a significant portion of the green space that the Village thought they were approving when they first started negotiating with the developer. The earlier pictures showed a wonderful neighborhood with trees, paths, roads, wetlands and a bird sanctuary. If this parcel is built out to 10 building or 30 units it will be edge to edge buildings with a one way road in the middle and a little strip of wetlands in the back.

Hartill again pointed out that it is up to the Planning Board to decide all that, not the Trustees. All we are deciding is whether we permit a lot size reduction and zero lot line.

Hardaway stated that he would like to bring a subsidiary motion that we protect the greenspace within Lot B Area. Hartill stated that we could discuss it but it could not be voted on this evening.

O’Rourke stated that she also agrees with the three Trustees and certainly with the Planning Board in that she has no objection to the subdivision or whether they rent or own. O’Rourke also thinks that 30 units is too much. The developer needs to keep it at 18 units which the Planning Board has already approved. O’Rourke asked if that can be put into the law. Hartill stated that it is the Planning Board responsibility to approve the subdivision and recommend it. The Planning Board also has to approve any further development on that property.

Troy stated that if you amend the law you have to have a public hearing. Troy suggested tabling the motion on this proposed law and amend the law to add the subsidiary motion to it. It can be

presented to the Trustees at the next meeting, December 21st, and a public hearing would then need to be set for the amended proposed local law.

Hardaway, Moll and O'Rourke all stating that they would vote no on changes that would allow a subdivision unless a subsidiary motion was made that limited the number of units built on the parcel to protect greenspace. The Board decided to not vote and amend Proposed Local Law 5-Change to Lansing Meadows PDA (2020). Troy will draft an amended proposed law and get it to the Trustees.

Consider Proposed Local Law 4

The next item on the agenda was to consider Proposed Local Law 4 -Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing Portion of the Medium Density Residential (MDR) District Located on Uptown Road to High Density Residential (HDR) District. Cornell Real Estate came to the Village requesting to have their tax parcel 46.1-6-6.22 changed to HDR. The Code officer is suggesting that whole MDR area be changed to HDR. This includes the Village Park and Ithaca Swim Club so that it would not be considered spot zoning.

Moll stated that he has been looking at the Village of Lansing Zoning map in detail over the past few weeks and he feels that if there is one parcel within the Village that does support HDR and an apartment complex it would be this one because it is surrounded by HDR and right next to Route 13. It's close to the Business & Technology Park and the corridor to Cornell. There are bus routes there and the infrastructure is there. So in some ways Moll supports going from MDR to HDR for the Cornell Property. Moll has concerns about upzoning the swim club as part of this. Dake had previously contacted Tompkins County Assessment and confirmed that changing the swim club to HDR would not affect their assessed value. However, Moll feels it will affect their market value and will make it more attractive for them to sell. Moll feels we run a risk of losing the swim club which is a great asset to the Village. Moll is not opposed to the upzoning but he is opposed to the process that we are going about upzoning. He feels we should look at the all the zoning in the Village as a whole. Moll would like to see a committee put together to review the zoning in the Village.

Troy stated that park property, once it is dedicated, is protected by the State Constitution. There is zero chance you can develop anything on park property. Therefore, he feels that should be removed from the upzoning.

Smith asked Schleelein if the Planning Board was already looking at the zoning. Schleelein stated that with Covid-19 it went by the wayside. When Mario Tomei was the chair of the Planning Board they did look at the open parcels and what made sense and at that time they agreed that there was no need to change zoning. Schleelein has thought about reaching out to Tompkins County Planning to see if they could be of assistance. Currently, the Planning Board has plenty of other projects they are dealing with. She agrees with Moll in that we need to be about the process. It would be very hard to take this on now, especially working remotely.

Moll was also interested in Mike Scott's opinion since he is the Code & Zoning Officer that deals with this on a daily basis. Hardaway asked Scott if the winter would slow down and allow more

time to deal with this. Scott stated that in general he would say yes but this year has been a little bit different. Maybe in February before it starts to amp back up for spring. There is no guarantee.

Jeremy Thone, Cornell Real Estate, stated that he definitely understands the rezoning process and why Mike Scott has included the swim club but they were not promoting that and would certainly be supportive of moving forward without the inclusion of the other parcels. Jeremy also stated that they do not have a pending development but feel like the market is favorable right now. A zoning change would allow them to market this parcel and define a development partner that may be able to move this forward and provide a beneficial development to the Village. He fears that if they have to wait due to a much bigger process they might lose some of the opportunity.

Hardaway asked Bill if removing Dankert Park and the swim club starts to take on the characteristics of spot zoning? Troy would argue no particularly because Dankert Park should not be in there. Also, he feels he can argue credibly that the swim club just doesn't fit in, that this has been there a long time, and they have never made an effort to sell their land. Troy made a disclosure that Kristin Gutenberg is his partner, Peter Grossman's husband. He assured the Board that it does not affect the advice he gives the Village.

Scott stated that it was his responsibility to try and transition the MDR into an HDR and it had nothing to do with Cornell. There have been other situations where spot zoning has been brought up and that was the bases for his recommendation to change the whole district from MDR to HDR.

Moll stated that if Troy thought it was not spot zoning then he would like to schedule a public hearing to get the opinion of others.

Scott stated that the only difference between MDR and HDR is multiunit family. If anything did come in to be developed there it would have to go to the Planning Board for approval, so the Village does have some control.

The Board did not set a public hearing for Proposed Local Law 4-Zoning Change to Cornell Property (2020). They decided to rewrite the proposed law and remove Dankert Park and the swim club.

Computer/Cell Phone Use Policy

All the changes that were sent to Dake were incorporated into the draft that was sent to the Trustees. The only thing that was not in there was the statement about antivirus on cell phones. It was decided that a statement would be added to the policy that said "When the need arises, the Village will adopt the same strategy for our cell phones." The Board agreed to that addition.

Resolution #6695-To Adopt the Computer/Cell Phone Use Policy

Hardaway motioned to adjourn. Moll 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

The following is a copy of the Adopted Policy:

Cell Phone/Tablet/Computer Usage Policy

In the modern world that we live in, cell phones serve a variety of functions. They are telephones with lots of convenient features. They are computers in the sense that you can access websites to find information that you need to carry out your job. They are cameras that can photograph work sites, mechanical problems, accidents, animal damage, etc. They can read your email and send email and they can receive and send text messages. Developing a policy for the use of cell phones that are provided to our employees that takes advantage of all these capabilities while not being overly restrictive is the goal.

Computers, tablets and cell phones (devices) may be essential for Village of Lansing staff to carry out their duties and will be issued and upgraded by the Village of Lansing as needed. Because the devices will be used to conduct Village business, they are subject to Freedom of Information Law (FOIL). As a result, staff members are encouraged to keep this in mind when using them. Common sense should be the guide when the phone is being used for calls and other uses not related to Village business.

Issuance of Devices

A Village of Lansing-owned cell phone, tablet or computer will be issued to an eligible Village employee when required by that person's job duties and as determined by the Board of Trustees. Staff will also be issued a Village of Lansing email.

Security

Employees are required to maintain the physical security of any Village device they use. Any device that is owned by the Village and can be transported out of the office for use, must be protected from theft or unauthorized usage to the best of the employee's ability.

All computers and tablets must be protected by a login name and strong password. Village guidance for a strong password are at least 10 characters in length, contain a capital letter, number, and a special character. Cell phones will have a 6-digit password.

Village computers and tablets are required to have Village-approved antivirus software installed, running, and maintained. Antivirus programs are provided at the expense of the Village. The antivirus must be running the software's latest version appropriate for the computer model and its operating system. The antivirus software's virus-definition library must be updated to the latest version for maximum security of the computer's programs and data. When the need arises, the Village will adopt the same antivirus strategy for our cell phones.

For security reasons, Village employees are not allowed to turn off the antivirus software.

Restricted Communications

Employees should use discretion in relaying confidential information via their devices. Devices may not be used to defame, harass, intimidate, or threaten any person. Employees are prohibited from using their devices in any illegal, illicit, or offensive manner.

Freedom of Information Law (FOIL)

All information on your cell phone, tablet or computers are subject to the Freedom of Information Law.

Loss or damage of Village Cell Phones, Tablets or Computers

In the event any cell phone, tablet or computer is damaged in the course of business under reasonable circumstances, the item should be brought to the attention of the Village Clerk/Treasurer for instructions on how to contact the vendor or manufacturer for repair or replacement.

Lost or stolen cell phones shall be immediately reported to the Clerk/Treasurer so that the service can be cancelled; if necessary, a timely police report should also be filed by the employee.

The Mayor must authorize a device replacement request. This could be accomplished by annually budgeting for an upgrade or replacement.

Employees may be financially responsible for the Village-owned device replacement if:

1. Equipment is lost or damaged while in the care of an employee as a result of the employee's gross negligence.
2. Equipment is not returned by an employee within 5 business days of a return request or is damaged upon its return.
3. Equipment is damaged due to failure to adhere to maintenance or operational policies.

When an employee receives a new device, the old device should be completely deleted after transferring all data to your new device. Computers can be certified that they have been completely cleared for disposal. Trading devices in will be a credit to the purchase of a new device. If the old device is not being traded in it should be securely locked up at the Village.

Use of Cellular phones

The following rules shall apply regarding use of a Village-owned cell phone:

- Cell-phone base plans and permissible charges will be determined by the Board of Trustees.
- The cell phone is to be used for the conduct of Village business. Personal use should be as brief as possible and limited to local calls without long-distance or other additional charges.

- No calls shall be authorized to international numbers, 900 numbers or other numbers not covered by the cell phone's approved base plan.
- Any charges incurred above the approved base plan coverage will be the responsibility of the individual issued the cell phone.
- The use of any hand-held cellular phone while driving is prohibited on any New York road. Anyone who is issued a violation will be responsible for paying their own fines.
- Cell phone accessories that the Village will provide to employees include chargers, both in-car and traditional outlet units, and holsters or clips for ease of carrying phones. Protective cases are required. Employees shall be free to purchase and provide their own accessories at their own cost, without reimbursement, should the Village not provide a desired accessory.

Internet Usage

Village employees are expected to use the Internet responsibly and productively. Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role. The Village allows limited personal use following Village guidelines.

All sites and downloads may be monitored and/or blocked by the Village if they are deemed to be harmful and/or not productive to business.

Unacceptable use of the internet by employees includes, but is not limited to:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via the Village's email service.
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy
- Stealing, using, or disclosing someone else's password without authorization.
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization.
- Sharing confidential material outside of the Village.
- Hacking into unauthorized websites.
- Sending or posting information that is defamatory to the Village, its services, colleagues and/or Village residents.
- Introducing malicious software onto the Village network and/or jeopardizing the security of the organization's electronic communications systems.
- Sending or posting chain letters, solicitations, or advertisements not related to Village-business purposes or activities.
- Passing off personal views as representing those of the Village.

If an employee is unsure about what constitutes acceptable computer, email or Internet usage, then he/she should ask his/her supervisor for further guidance and clarification.

Mayor's Comments

Hartill stated that we had a nasty water break in the Village and there were three or four breaks in the Town of Lansing. He is concerned because our pumping system is over pressuring things which

changes the way the pumps operate. Hartill will follow up with Bolton Point to see if we can understand that situation. We have had some snow already.

Locally the number of new Covid-19 cases are increasing. We have seen about 30 a day. The Southern Tier area has the lowest positivity rate in the State. If we get a case in our staff or our DPW we could be in serious trouble. Municipalities will help each other out. The Town of Ithaca has had a significant number of cases and their DPW was shut down. Ditto for the Town and Village of Dryden. Hartill urged everyone to be very careful and wear your mask. Currently, New York has a 50% capacity limit, and the Mayor would not be surprised if the Governor lowered it to 25% in parts of the State.

Motion- To Adjourn

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

The meeting was adjourned at 9:03 pm.

Jodi Dake, Clerk/Treasurer