

## Village of Lansing

MINUTES of a joint meeting of the Board of Trustees and Planning Board of the Village of Lansing held on Monday, December 6, 1999, in the Village Office.

PRESENT: Mayor Don Hartill; Trustees Lynn Leopold, Larry Fresinski and John Bailey; Planning Board Chairman, Edward Hickey, members Janet Waterman, Carol Klepack, Doris Brown, Steve Halevy and Phil Dankert; Village Attorney Randy Marcus and Attorney Ed Hooks

Mayor Don Hartill called the meeting to order at 7:37P.M. Ned called the meeting of the Planning Board to order also. Ned announced that we had a scout troop present to listen to public debate.

### Motion- To Open Public Comment Period

Trustee Larry Fresinski moved to open the public comment period.

Trustee John Bailey seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye Trustee John Bailey- Aye

Trustee Larry Fresinski- Aye Trustee Lynn Leopold –arrived late

Cliff Buck stated that he was in about a month ago to ask if something could be done with the erosion problem on the path in Lansing Trails. The Mayor informed Cliff that this was on the agenda and would be discussed at 9:00pm.

### Motion- To Close Public Comment Period

Trustee John Bailey moved to close the public comment period.

Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye Trustee John Bailey- Aye

Trustee Larry Fresinski- Aye Trustee Lynn Leopold-Aye

Next on the agenda was a public hearing to consider the acceptance of Wakefield Drive. Randy Marcus asked that the public hearing be rescheduled for the December 20<sup>th</sup> at 7:30 meeting since Mr. & Mrs. Goldberg have not yet delivered the signed paperwork. The Board agreed to do so.

Ned presented the Village logo to both Boards. Ned explained that the Art Department would put the image on a disk and give it to us. Ithaca Plastics computer is also compatible with this disk so they could create signs. It was decided that the letters should be green instead of black. Larry commented that green is attractive and says a lot about our greenway. Some commented that the way the "L" was designed made it harder to read but it makes you notice it.

### RESOLUTION #3617-To Accept the Village Logo with the Change From Black to Green Letters

Be it RESOLVED, that the Board of Trustees has accepted the Village Logo as presented with the exception of changing the black letters to green.

Trustee Lynn Leopold moved to accept the logo and Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee John Bailey- Aye

Trustee Larry Fresinski- Aye Trustee Lynn Leopold-Aye

Ned commented that we have made a lot of progress. Last time we tried to approve a logo it went on for two years without resolution.

Next on the agenda was the Kensington discussion. Attorney Ed Hooks was present to represent the Village on the Kensington issue since Randy has a conflict of interest. There were many residents from Coventry Walk present to voice their opinions. The Mayor explained that the Kensington subdivision was a landlocked piece of property in the Village connected to Village road with only a private road. There is a maintenance agreement with the owner. The residents were assured that this road would become a public road. Previous boards have discussed this issue. The logical connecting road is also a private road. After these comments the Mayor opened up the floor for discussion.

Ned Hickey stated that he would like to see the Boards come out of this meeting with a plan of action. In the past there was never a concrete plan to make a road. There was no escrow in the original subdivision approval. We now have Janivar Drive with a stub road running to the south line of the Jonsons' property which is in line with where this proposed road would meet. Ned thinks we should ask for escrow from the owners.

Janet Waterman stated that she and Doris were on the Planning Board when this was originally discussed and she remembers discussing the connection. At that time, Janivar Drive was not there. Janet asked if we could legally go after the escrow deposit now. She also commented that we have put a lot of pressure on IJ Construction to get the connecting road to the border of his property and we have let the Edelms go.

Ned stated that when the preliminary plat was approved only a small part was completed. When a subdivision is approved the law says that a letter of credit is to be established or other security provided by the developer. The Village Engineer determines the dollar amount. This amount was never established because it was unclear as to where the road would go. The Mayor added that this approval was granted at the same time as the sewer moratorium went into affect and normal development did not take place. Steve Halevy brought up that IJ Construction continued to build but the Edelman's did not. The Town of Ithaca sued the Village of Cayuga Heights over the moratorium on permits. Since then, Cayuga Heights has issued several blocks of permits to the Village of Lansing.

A Coventry Walk resident stated that according to the SEQR, approval of Phase I of the subdivision was not conditioned on Phase II being built. Carol Klepack stated that this is a complex legal issue. The Kensington residents are basically looking for help from the Village to resolve this problem.

Don King, a Coventry Walk resident, asked a hypothetical question as to what would happen if the Edelms died what would the residents do? The road does not meet Village standards. The Mayor stated that the property has a value and can be acquired by eminent domain. You have a maintenance agreement. Don King thinks there is Village negligence. Lynn Leopold asked if Road A was the only possible access and if there is a more direct way to get in another private road. Eventually, Janivar Drive will connect Warren Road and a future possibility could be a Dart Drive connection. This solution is a long time off. Ned Hickey stated once again that the simplest thing is to get Road "A" connected. Cliff Buck asked what prohibits this road from closing. The Mayor commented that Northwood residents would have no access if they closed the road. Ned stated that the private road to Kensington is a long cul-de-sac, which violates village law because it is too long. Kensington still needs an alternate outlet. Don King also stated that there was a concern for safety because there are no streetlights. The mayor stated that there are many areas in the Village that don't have streetlights. Ned added that there is a difference of opinion in the Village as to whether we are a rural or urban village. Many residents do not want streetlights. Kensington can petition the lighting commission if they want streetlights.

A resident stated that the Village's Offer of Dedication did not include Coventry Walk. The Village has a verbal agreement and all the Edelms have to do is maintain the road. One of the residents had to obtain an affidavit from

the Edelmans regarding the maintenance agreement before the bank would close on their home. The residents have sent numerous letters to the Edelmans regarding the poor condition of the road. Realtors refuse to show properties there because of this. Larry Fresinski asked what maintenance means. It's unclear.

Steve Halevy stated that Coventry Walk residences are looking for relief. The question is how do we get the Edelmans to complete the connecting road and bring Coventry Walk up to Village specifications. Ned suggested we have our engineer do an estimate as to what it would cost and then go talk to the Edelman's.

Resolution #3618- To Authorize the Mayor to Start the Process by Having the Engineer Investigate the Cost to Complete Road "A" of Edelman's Property to it's Northern Boundary so as to Make a Connection with the Existing Road Stub Off of the Extended Janivar Drive. The Completed Investigation Should be Forwarded to the Planning Board for their January 25,2000 Meeting.

Trustee John Bailey moved to accept this resolution and Trustee Larry Fresinski seconded the motion.

The Mayor asked for any further comment. Larry Fresinski stated that if we had escrow we'd use the money to do the right thing. Ten years is an issue, it's a very long time. Steve Halevy asked what would make the Edelmans pay the bill. Ed stated that we need to find out what the cost would be to build Road "A" then the 2<sup>nd</sup> issue is how to pay for the road. Larry asked if we would mandate escrow now. It's a tricky legal situation. The Planning Boards' recommendation to the Board of Trustees did not happen. One of the Kensington residents asked why we don't go ahead and get all the money instead of just for Road "A". Ned stated we need to get a first reaction. The residents wanted a time line set. The Mayor said the procedure is automatic and we are looking at sending a letter to the Edelmans by the end of February. Ned has spoken with the Edelmans and when there is sewer available they will complete the subdivision. The subdivision permit has expired and they will need to come in and get approval again. It was asked if we would ever accept this road. The Mayor stated that there have been mistakes on both sides and we may consider it.

A vote was taken:

Mayor Donald Hartill- Aye Trustee John Bailey- Aye

Trustee Larry Fresinski- Aye Trustee Lynn Leopold-Aye

Ned Hickey distributed copies of the letter he received from Mr. Fernando de Aragonof the Ithaca-Tompkins County Transportation Council (ITCTC) and a draft letter of his response. ITCTC made some recommendations in an executive summary of the NEST Study. Ned pointed out that there were two recommendations that can not be included in the Village's Comprehensive Plan. The first was the recommendation to preserve a right-of-way for the eventual construction of a North-South connector roadway that would run from Route 34 and proceed south to connect with Route 13. This proposal is in conflict with the development scenario in the Village's Comprehensive Plan and with the 1991 Village of Lansing Land Use Impact Analysis prepared by the Tompkins County Planning Department. The NEST recommendation that a limited access connector road be constructed through prime undeveloped as well as developed residential land will have a significant deleterious impact on the community and is not consistent with existing Village plans. The second recommendation addressed was to build a service road connecting Pyramid Mall to Cayuga Heights Road and the existing ramp to Route 13. There is no good reason to do this. The cost of development, as well as the environmental impact, does not justify the construction of the road. Instead, it was suggested to improve the ramps off Route 13. Lynn Leopold commented that that goes right through a neighborhood and there are sensitive environmental areas there. The Mayor approved the draft Ned had drawn up but asked him to add the fact that the Board has a strong support of livability and public transportation. Ben asked if he could fax this letter out to residents that call and are concerned about these situations. The Mayor authorized him to do so. The Mayor stated that there is no way the NYSDOT will get Federal support for this project because they don't solve any problems. John Bailey was on the NEST Policy committee for 18 months. They came up with lots of ideas, some of which were good local recommendations.

Ned also presented the Board with a copy of historical traffic counts, which included new traffic counts done by the Village Department of Public Works during the period of 11/05/99 to 11/15/99. The report gives counts for North Triphammer Road (south of Graham Road), Dart Drive, Graham Road (east of N. Triphammer Road), and mid section of Oakcrest Road for 1995, 1997 & 1999.

There was much discussion on how to slow down the traffic on Dart Drive. It was agreed that we do need to do something on Dart Drive. They had talked about sidewalks and filling in ditches but residents didn't want the sidewalk on their own side.

Next was discussion of greenway maintenance. Ned will call Walter Wietgreffe and set up a joint meeting with the Greenspace Advisory Council and the Planning Board. Maintenance is a problem. Ned feels we need to make a decision as to what kind of surfaces we are going to have on our trails because we have not taken any action. The Mayor sent a note to Dennis to have him come up with a plan for surfaces and to have him check the trail in Lansing Trails.

The Mayor gave the Boards updates on the water and sewer. He did not make the 11/27 meeting with the partners. He stated that three things need to happen. A full Environmental Impact Statement (EIS) will be done. The Partners have agreed to pay the consultant. This process has just begun and will take 3-6 months. Secondly, the partners must have their agreement in place. Finally, there will be planning activities and the mayor will need someone to attend the meetings. The price of the project has gone from approximately \$19 million to \$30 million due to the NYSDEC tightening up on phosphorous regulations. We will only get about 2/3 to 3/4 of the amount of money needed to complete this project. Everything should be in line by Fall 2000.

Water is further along than sewer. At this time the lawyers are getting the documents in line. We should have an agreement in Early 2000. An EIS will be done on water also.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee John Bailey- Aye

Trustee Larry Fresinski- Aye Trustee Lynn Leopold- Aye

The meeting adjourned at 9:55 P.M.

Jodi Dake

Village Clerk