

**Village of Lansing  
Planning Board Meeting  
August 8, 2011**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30P.M. by Chairman  
2 Mario Tomei. Present at the meeting were Planning Board Members Phil Dankert, Maria Stycos, Lisa  
3 Schleelein and Richard Durst; Code Enforcement Officer Marty Moseley; Village Attorney David  
4 Dubow; Village Residents Carol Chaplin and Scott Steelman; and Paul Owen and Michael  
5 Rangstrom from Bell Faccia Construction.

6 **Public Comment Period**

7 Tomei opened the public comment period. Larry Bieri introduced himself as the Community  
8 Party observer; with no one else wishing to speak, Durst moved to close the public comment period.  
9 Seconded by Stycos; Ayes: Tomei, Dankert, Stycos, Durst, Schleelein, and Dankert.

10 **Public Hearing to Consider:**

11 Special Permit # 2505, Arrowhead Ventures, LLC/Triax Management Group, to develop Area B  
12 of the Lansing Meadows Planned Development Area, which includes 12 single family senior housing  
13 units, Tax Parcel No. 47.1-1-17.2 & 47.1-1-17.6. This project is directly adjacent to the stand-alone retail  
14 center (BJ's Wholesale club), Area A, that is adjacent to the Shops at Ithaca Mall and is also adjacent to  
15 the enhanced wetlands, Area C, adapted to provide a bird habitat and buffer between Areas A and B.

16 Tomei noted that the above special permit has been removed from the agenda for this Planning  
17 Board meeting. Tomei added that there have been some items in the Village Zoning that needed to be  
18 cleaned up prior to allowing the senior housing to move forward. Dubow added that the language needed  
19 to be clarified within the Planned Development Area district regulations. Moseley added that the current  
20 proposed configuration of the senior housing would not be permitted in accordance with the district  
21 regulations. Moseley added that when the district regulations were originally developed, the proposal did  
22 not include the stand alone senior housing. Moseley noted that a possible new use and definition would be  
23 needed to allow the current configuration that was approved by both the Planning board and Board of  
24 Trustees.  
25

26 Tomei opened the public hearing for special permit #2505; with no one wishing to speak Dankert  
27 moved to close the public hearing. Seconded by Schleelein. Ayes: Tomei, Dankert, Stycos, Durst, and  
28 Schleelein.

29

30 **Public Hearing to Consider:**

31 Special Permit #2580, Carol Chaplin and Scott Steelman, to construct a single family  
32 house at 20 Esty Drive in the Low Density Residential District, Tax Parcel Number 43.1-1-  
33 6. Because the property includes land in the Steep Slope Conservation Combining District,

34 Special Permit review is required pursuant to Section 145-48 of the Village of Lansing  
35 Code.

36 Chaplin explained that she would like to build her two story single family house at 20 Esty Drive. Tomei  
37 asked what type of trees were removed from the site. Owen noted that there were some ash trees, and that  
38 there were trees that were on the ground from nature that were removed. Tomei asked what the corrugated  
39 metal box was that was on the property. Owen indicated that was the old well. Tomei asked if there were  
40 any rock outcroppings on the property. Owen indicated that there were not.

41 Tomei read the report of Brent Cross, the Village Engineer, which is attached to the minutes.  
42 Moseley noted that he had talked with Cross about number 7, and he indicated that a second layer of silt  
43 fence should be installed due to the possibility of a breach in the first layer. Tomei noted that the house  
44 should be built as close to the road as the code permits to stay away from the steepest part of the property.  
45 Durst asked if there were any buried oil tanks. Chaplin indicated that she was not aware of any.

46 Tomei referenced a Tompkins County Planning Department 239- 1 and -m review, which is also  
47 attached to the minutes. The review indicates that there is not a likelihood that this project would have  
48 any negative county-wide or inter-community impacts.

49 Schleelein asked if the re-stabilization of the disturbed soil would take place prior to winter.  
50 Owens indicated that they could re-stabilize before winter.

51 Durst asked if it was necessary to remove trees for the septic system. Owen indicated that was the  
52 main reason for removing extra trees.

53 Dankert moved that the public hearing be closed. Seconded by Stycos. Ayes: Tomei, Dankert,  
54 Stycos, Durst, and Schleelein.

55 Dubow reminded the Board that a single family home is exempt from the SEQRA regulations,  
56 but that the Board must still take the environmental impacts into account due the the regulations in the  
57 Village Code.

58 Tomei read the special permit general conditions as follows:

- 59 *(1) It will not be detrimental to or endanger the public health, safety or general*  
60 *welfare.*  
61 *(2) It will not be injurious to the use and enjoyment of other property in the*  
62 *vicinity or neighborhood.*  
63 *(3) It will not impede the orderly development of the vicinity or neighborhood and*  
64 *is appropriate in appearance and in harmony with the existing or intended*  
65 *character of the vicinity or neighborhood.*  
66 *(4) The street system and off-street parking facilities can handle the expected*  
67 *traffic in a safe and efficient manner.*  
68 *(5) Natural surface water drainageways are not adversely affected.*  
69 *(6) Water and sewerage or waste disposal facilities are adequate.*

- 70                   (7) *The general environmental quality of the proposal, in terms of site planning,*
- 71                   *architectural design and landscaping, is compatible with the character of the*
- 72                   *neighborhood.*
- 73                   (8) *Lot area, access, parking and loading facilities are sufficient for the proposed*
- 74                   *use.*
- 75                   (9) *The requested use or facility conforms in all other respects to the applicable*
- 76                   *regulations of the district in which it is located.*
- 77                   (10) *The applicant has shown that steps will be taken where necessary to meet all*
- 78                   *performance standards and all other applicable general regulations.*
- 79

80 Durst moved that all items in the general conditions for special permit have been satisfied. Seconded by  
81 Schleelein; Ayes: Tomei, Dankert, Stycos, Durst and Schleelein. . Further discussion was had as to the  
82 need for any possible additional conditions of approval. The following proposed special permit approval  
83 resolution was moved by Durst and seconded by Stycos. Ayes: Tomei, Dankert, Stycos, Durst and  
84 Schleelein.

85

86                   **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL**  
87                   **PERMIT APPROVAL ADOPTED ON AUGUST 8, 2011**

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90 Motion made by:           Richard Durst

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92 Motion seconded by: Maria Stycos

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94 **WHEREAS:**

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- 97                   A. This matter involves consideration of the following proposed action: Special Permit
- 98                   #2580, Carol Chaplin and Scott Steelman, to construct a single family house at 20
- 99                   Esty Drive in the Low Density Residential District, Tax Parcel Number 43.1-1-6.
- 100                   Because the property includes land in the Steep Slope Conservation Combining
- 101                   District, Special Permit review is required pursuant to Section 145-48 of the Village
- 102                   of Lansing Code; and
- 103
- 104                   B. The Village of Lansing Planning Board, in accordance with Article 8 of the New
- 105                   York State Environmental Conservation Law - the State Environmental Quality
- 106                   Review Act (“SEQR”), and 6 NYCRR Section 617.5, hereby determines that the
- 107                   approval of the proposed special permit is a Type II action, and thus may be
- 108                   processed without further regard to SEQR; and
- 109

- 110 C. The Village Code Enforcement/Zoning Officer has determined that the proposed  
111 action is not large-scale and therefore is not subject to a full and extensive  
112 environmental review under the Village of Lansing Zoning Law; and  
113
- 114 D. On August 8, 2011, the Village of Lansing Planning Board held a public hearing  
115 regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i)  
116 the materials and information presented by and on behalf of the applicant in support  
117 of this proposed action, including information and materials related to the  
118 environmental issues, if any, which the Board deemed necessary or appropriate for its  
119 review, (ii) all other information and materials rightfully before the Board, and (iii)  
120 all issues raised during the public hearing and/or otherwise raised in the course of the  
121 Board's deliberations; and  
122
- 123 E. On August 8, 2011, in accordance with Section 725-b of the Village Law of the State  
124 of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of  
125 Lansing Code, the Village of Lansing Planning Board, in the course of its further  
126 deliberations, reviewed and took into consideration (i) the general conditions required  
127 for all special permits (Village of Lansing Code Section 145-59E), (ii) any applicable  
128 conditions required for certain special permit uses (Village of Lansing Code Section  
129 145-60), (iii) any applicable conditions required for uses within a Combining District  
130 (Village of Lansing Code Section 145-61), and (iv) any environmental issues deemed  
131 necessary and/or appropriate;  
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133 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**  
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- 136 1. The Village of Lansing Planning Board hereby (i) determines that the environmental  
137 information and materials submitted by the applicant and the details thereof are  
138 reasonably related to the scope of the proposed project; (ii) waives the necessity for  
139 any additional environmental information otherwise required; and (iii) finds that the  
140 proposed project will not have a significant adverse impact on the environment; and  
141
- 142 2. The Village of Lansing Planning Board hereby finds (subject to the conditions and  
143 requirements, if any, set forth below) that the proposed action meets (i) all general  
144 conditions required for all special permits (Village of Lansing Code Section 145-  
145 59E), (ii) any applicable conditions required for certain special permit uses (Village  
146 of Lansing Code Section 145-60), and (iii) any applicable conditions required for uses  
147 within a Combining District (Village of Lansing Code Section 145-61); and  
148
- 149 3. It is hereby determined by the Village of Lansing Planning Board that Special Permit  
150 No. 2580 is **GRANTED AND APPROVED**, subject to the following conditions and  
151 requirements:  
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- 153 A. The installation of a second silt fence approximately six feet behind the proposed  
154 silt fence noted on the "SESC and Site Layout Plan" dated 7/27/11 is required due  
155 to the steep slope.

- 156 B. The Engineers note number 4 under the heading “Soil Erosion and Sediment  
157 Control Sequence” on the “SESC and Site Layout Plan” dated 7/27/11 shall be  
158 amended to give the authority for removal of the temporary soil and erosion  
159 control measures to the Village of Lansing as opposed to the Owner.  
160 C. The site shall be stabilized, with seeding and mulching, prior to the winter months  
161 to minimize soil erosion.

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167 The vote on the foregoing motion was as follows:

168

169 AYES: Mario Tomei, Maria Stycos, Richard Durst, Lisa Schleelein and Phil Dankert

170

171 NAYS: None

172

173 The motion was declared to be carried.

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176 **Temporary Commercial Activity (TCA) Continued Discussion.**

177

178 Dubow suggested that the Lansing Meadows PDA (Planned Development Area), area A,  
179 should be added to the TCA matrix as an allowable district. After a brief discussion the Planning  
180 Board suggested that all categories include the Lansing Meadows PDA area A district.  
181 Schleelein asked for the abbreviated district regulations to be written in full form under the  
182 matrix.

182

183 Tomei suggested that the Temporary Outdoor Sales category be extended to 120 days  
184 instead of the current 90 that is being proposed. After a brief discussion the Planning Board  
185 agreed that the Temporary Outdoor Sales category be proposed to have a maximum of 120 days  
186 per year. Tomei reviewed the corrections that were requested at the last Planning Board meeting.

186

187 Dubow noted that he would draft a proposed local law with the changes that were discussed at  
188 this meeting.

188

189 **Approval of Minutes**

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191 Stycos moved to accept the June 28<sup>th</sup> minutes as amended. Seconded by Schleelein. Ayes:  
192 Tomei, Dankert, Stycos, Durst and Schleelein.

192

193 Stycos moved to accept the July 1<sup>st</sup> minutes as amended. Seconded by Schleelein. Ayes:  
194 Tomei, Dankert, Stycos, Durst and Schleelein.

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196 **Reports**

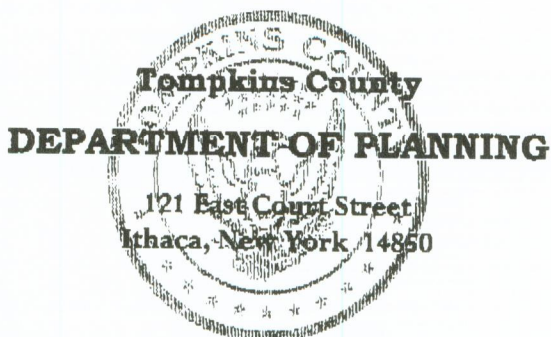
197 *Trustees- None*  
198

199 **Adjournment**

200 Durst moved to adjourn at 8:40.PM. Seconded by Stycos. Ayes by Tomei, Dankert,  
201 Schleelein, Stycos and Durst.  
202

08/08/2011 13:53 FAX 607 274 5578

Tompkins Co Planning/MPO → LANSING VILLAGE 001



Edward C. Marx, AICP  
Commissioner of Planning  
and Community Sustainability

Telephone (607) 274-5  
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August 8, 2011

Mr. Marty Moseley  
Code Enforcement Officer and Zoning Administrator  
Village of Lansing  
2405 North Triphammer Road  
Ithaca, NY 14850

Re: **Review Pursuant to §239 -l and -m of the New York State General Municipal Law**  
Action: **Special Permit for Single Family Home in the Steep Slope Conservation Combing District at 20 Esty Drive, Village of Lansing Tax Parcel # 43.1-1-6, Scott Steel and Carol Chaplin, Owner/Applicants.**

Dear Mr. Moseley:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative impacts on the community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

Edward C. Marx, AICP  
Commissioner of Planning  
and Community Sustainability

**VILLAGE OF LANSING**  
**ENGINEER'S REPORT**

DATE: August 8, 2011  
TO: Planning Board  
FROM: Brent Cross, Village Engineer  
RE: 20 Esty Drive

Since construction of a single family house on this property is located within the Steep Slope Conservation Combining District, I have reviewed the Soil Erosion and Sediment Control Plan prepared by Jason Bellis, PE (Engineer), as required for a Special Permit. I have the following comments/observations:

1. The drawing notes indicate that the house is "to be located as far away from the steep slope as possible", and the "steep slope is located on the western side of the property", and "the dwelling to be approximately 60' from the start of the steep slope..."
2. The contours provided on the drawing converts into a slope of about 23% where the house is to be located. Although I would agree that this is the "least steep" part of the lot, I would not say that the house is not on a steep slope. It just is not on the steepest part of the lot.
3. The proposed location is as good as any within the "least steep" part of the lot.
4. The Engineer has indicated that the new construction on this lot will not be significantly greater than the previous construction on this lot. Although I did not observe the previous structures, I would agree that the new impervious area will have a negligible impact on the quantity of the run-off.
5. Since quantity of run-off is not of concern on this project, the quality of the run-off during the construction phase is the main issue.
6. Run-off from this site will flow primarily to the west south west. To protect the adjacent drainage way to the south and the steeper slopes to the west, the Engineer has proposed a standard silt fence along the south and west perimeter of the cleared area.
7. The standard silt fence detail should be adequate to control the erosion from this site, but needs to be given extra attention to maintenance during construction because a breach could cause water to concentrate at the point of failure and allow sedimentation to flow down slope.
8. The Engineer's note number 4 about SESC sequence gives the "owner" authority to approve removal of SESC measures. I recommend that this note be revised to give approval authority to the Village of Lansing.

Based on the above observations, I recommend that this plan is adequate to control soil erosion and sediment run-off from this site.