

Village of Lansing
Planning Board Meeting
Minutes of Tuesday,
November 28, 2023

The meeting of the Village of Lansing Planning Board meeting was called to order at 7:03 PM. A Zoom option was also provided.

Present at the meeting:

Planning Board Members: Mike Baker, Lorraine Capogrossi, Pat Gillespie, Jim McCauley (Zoom) and Lisa Schleelein (Zoom).

Alternate Member: Yamila Fournier

Village Legal Counsel: Natalie French

Village Engineer: Not available

Village Trustee Liaison: Susan Ainslie

Village CEO: Michael Scott

Public included: David Beer, Ray Schlather (Zoom), Tim Steed (Zoom), Eric Goetzmann and Carla Marceau.

Baker appointed Fournier as an active member to replace McCauley who is present via Zoom but will not be a voting member.

Approval of the Minutes

Gillespie moved to approve the November 13, 2023 minutes. Seconded by Capogrossi.

Ayes: Baker, Capogrossi, Fournier, Gillespie and Schleelein.

Nays: None

Public Comment Period:

Carla Marceau representing the Community Party. Susan Ainslie as Trustee liaison

Schleelein moved to close the Public Comment period. Seconded by Capogrossi.

Ayes: Baker, Capogrossi, Fournier, Gillespie and Schleelein.

Nays: None

Baker read the following agenda item:

Continue Public Hearing for the Final Plat of Cluster Subdivision Proposal #2021-4464 by Beer Properties, LLC.

Beer Properties, LLC and Hunt Engineers are providing a Final Plat of a cluster subdivision for property Parcel # 45.2-1-47.2 which consists of approximately 40 acres of vacant land located between Craft Road and Bush Lane. The Final Plat, along with details of proposed duplex lots will be reviewed by the Planning Board.

Scott stated that when he received the Short EAF there was not enough time to post a legal ad for a public hearing for the SEQR review. Scott added that French included an additional condition to the Subdivision resolution to reflect the SEQR review approval.

Schlather wanted to make clear that condition 1 refers to the ministerial approval of the plan by the Department of Public Works and Village Engineer.

French stated that Courtney and Harner have approved the final plat provided.

Baker read the following resolution:

Schleelein moved to close the public hearing for Cluster Subdivision #2021-4464. Seconded by Gillespie.

Ayes: Baker, Capogrossi, Gillespie, McCauley and Schleelein.

Nays: None

Baker read the following agenda item:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION ADOPTED ON NOVEMBER 28, 2023 FOR FINAL SUBDIVISION PLAT APPROVAL FOR THE LANSING VILLAGE COTTAGES CLUSTER SUBDIVISION #2021-4464

Motion made by: Pat Gillespie

Motion seconded by: Lorraine Capogrossi

WHEREAS:

A. *This matter involves consideration of the following proposed action: Final Plat approval of the Lansing Village Cottages Subdivision #2021-4464, a cluster subdivision for property Parcel # 45.2-1-47.2 which consists of approximately 40 acres of vacant land located between Craft Road and Bush Lane; and*

B. *On October 29, 2019, the Village of Lansing Planning Board commenced a duly noticed public hearing on the Lansing Village Cottages Subdivision preliminary plat and thereafter reviewed and analyzed and thereafter (i) thoroughly reviewed and analyzed the issues raised by the Tompkins County Department of Planning in its New York State General Municipal Law 239 -1, -m and -n response, (ii) thoroughly reviewed and analyzed the issues raised during the public hearing and otherwise raised in the course of its deliberations, (iii) addressed such issues and appropriate remedial measures related thereto, and (iv) on November 11, 2019, unanimously granted preliminary plat approval ; and*

C. On March 30, 2021, the Village of Lansing Planning Board began an informal review of the cluster subdivision final plat proposal for the Lansing Village Cottages subdivision which had been modified by the applicant since its preliminary approval and discussed procedural and related matters associated with its continued review. The informal review continued on June 14, 2021 and October 26, 2021 and specifically addressed concerns raised by the Department of Public Works and Village Engineer. As a result of these deliberations and discussions, the Village of Lansing Planning Board requested modifications to the plat in accordance with the recommendations of Village staff.

D. On December 13, 2021, the Village of Lansing Planning Board commenced a duly noticed public hearing on the modified Lansing Village Cottages Subdivision #2021-4464 final plat and thereafter reviewed and analyzed the issues raised during such public hearing and by the Village Department of Public Works and the Village Engineer. Said public hearing was continued on January 10, 2022, January 25, 2022, February 14, 2022, September 27, 2022, October 10, 2022, October 25, 2022, September 11, 2023, September 26, 2023, and November 13, 2023.

E. On November 13, 2023 the Village of Lansing Planning Board closed the public hearing and (i) reviewed any new issues raised during the foregoing public hearing on the final plat, (ii) reviewed the conditions and requirements previously provided for in its preliminary plat approval; and (iii) reviewed the aforesaid final subdivision plat (dated November 7, 2003[sic]) and supporting materials submitted with such final plat verbally approved the aforementioned final subdivision plat and conditions thereto.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Based upon all of its foregoing review and action, it is hereby determined by the Village of Lansing Planning Board that approval of the Lansing Village Cottages #2021-4464 final plat submission dated November 7, 2023 is **GRANTED**, subject to the conditions and requirements set forth on Schedule A attached hereto.
2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat (i) upon compliance with all of the foregoing conditions and requirements for which compliance is required prior to such signing of the final plat, and (ii) in accordance with subsection G of Section 125-8 and subsection A of Section 125-15 of the Village of Lansing Code.

The vote on the foregoing motion was as follows:

AYES: Baker, Capogrossi, Fournier, Gillespie and Schleelein

125 NAYS: None

126 *The motion was declared to be carried.*

127 Conditions of Resolution #2021-4464 will be provided with the official approved minutes kept at
128 the Village Office.

129

130 Baker read the following agenda item:

131

132 **Continue Public Hearing for Requested Amendment to Special Permit #2021-4516**

133 *Eric Goetzmann has requested an amendment to the conditions of the approved resolution for*
134 *Special Permit #2021-4516. The Planning Board has determined the request to be a major change,*
135 *therefore, requiring a Public Hearing.*

136

137 Baker stated that at the last meeting this agenda item was tabled because Goetzmann could not attend
138 the meeting. Since then, French, Baker, Schleelein and Scott have had a meeting to discuss the
139 options to move forward with Goetzmann's extension request and provide the whole Planning Board
140 with a recommendation.

141

142 Baker explained the following recommendation:

143

144 *The proposed 1-year extension of the Phase II buildings will be granted as long as the following*
145 *conditions and deadlines are met. If any of the following conditions and the assigned deadlines*
146 *are not met, Goetzmann will have failed to meet the requirements of his Special Permit and I [Code*
147 *Enforcement Officer Michael Scott] will be obligated (by Village Code Section 145-59D9) to*
148 *suspend the Temporary Certificate of Compliances (C of C's) for Buildings on Buildings 2, 20, 26*
149 *and 32 resulting in the issuance of a violation notice. Furthermore, because of the failure to comply*
150 *with the Special Permit conditions, the Planning Board may revoke the Special Permit after a*
151 *public hearing to do so. (Village Code Section 145-59D11) At the time of this agreement, the*
152 *existing Temp C of C's will be extended to December 15th, 2023.*

153

154 1) *By December 15th, 2023, the area known as Phase II will be cleaned up and graded for*
155 *public safety. By "cleaned up", we mean any material not to be used for the Phase II*
156 *process needs to be removed from the site. Any material being used needs to be out of sight*
157 *and secured from possible public harm. (All of this will need the approval of the CEO). If*
158 *completed on time, the Temporary C of C's for all 4 buildings will be extended to May 1st,*
159 *2024.*

160 2) *By May 1st, 2024, the following items will be completed:*

161

- a) *All items needed for John Courtney including but not limited to moving of sewer line, fixing manhole and repairing the sidewalk.*
- b) *Sewer and sidewalk easements*
- c) *“one-way” sign on private road*
- d) *Finish Phase I tree planting*

If these items are completed on time, the Temp C of C’s for buildings 2, 20, 26 and 32 will be extended to first deadline date of proposed 1- year extension of Phase 2

French reported that Goetzmann’s lawsuit with the IDA is still in the discovery phase which should be completed at the end of January 2024.

Schleelein asked if the tenants of Lansing Meadows will be affected if Goetzmann does not meet the conditions.

Scott stated that any violations issued by the Code Office does not directly affect the tenants.

McCauley indicated he approves of the conditions.

Fournier asked about the easements. French stated that the Village should not accept the sewer and sidewalk easements until the repairs are made.

Fournier would like the “one-way” signage and the tree planting to be a part of the December 15th deadline. Because the area is not well lit, the lack of signage is a safety issue.

Baker stated that he agrees with the signage but is fine with leaving the plantings until spring.

There was discussion about placement of the signs and best practice for planting trees. Fournier would like the trees planted as soon as the ground is workable. Goetzmann is concerned about trees getting damaged during construction.

Scott said there are a couple trees missing by Building 2. Goetzmann stated that all of those trees are in.

Schleelein definitely wants the signage moved to the December 15th deadline as the signage is long overdue.

Scott showed the final planting plan. Scott stated that he believes there are a couple trees at Building 2 that are missing. Goetzmann said all of those trees are in. Scott will physically verify the next day.

Scott stated that the Planning Board may need to determine where the signs are located because he believes that the State DOT does not have jurisdiction over private roads.

Goetzmann will seek out the advice of Courtney on best practice locations of the signs.

206 French suggested getting confirmation that the signs have be ordered by December 15th.

207

208 Board members suggested ordering a single “Do Not Enter” and a single “One-Way” sign.

209

210 Goetzmann showed a picture of the tree plantings for Phase I.

211

212 Baker reviewed the conditions of the 1-year extension of Phase II as changed:

213

214 1)By December 15th, 2023:

215 a. *The area known as Phase II will be cleaned up and graded for public safety. By*
216 *“cleaned up”, we mean any material not to be used for the Phase II process needs*
217 *to be removed from the site. Any material being used for Phase 2 needs to be out of*
218 *sight and secured from possible public harm. This shall be subject to the approval*
219 *of the Code Enforcement Officer.*

220

221 b. *A receipt will be provided showing the purchase of one “Do Not Enter” sign and*
222 *one “One Way” sign. Signs shall be installed within two weeks of receipt of the*
223 *signs by Applicant. Placement of the signs shall be subject to the approval of the*
224 *Code Enforcement Officer.*

225

226 c. *If conditions a and b above are timely met, the Temporary C of C’s for buildings 2,*
227 *20, 26 and 32 will be extended to May 1st, 2024.*

228

229 2)By May 1st, 2024, the following items will be completed:

230

231 e) *All items needed for John Courtney including but not limited to moving of sewer*
232 *line, fixing manhole and repairing the sidewalk.*

233 f) *Sewer and sidewalk easements shall be approved by counsel for Village and*
234 *Applicant.*

235 g) *Finish Phase I tree planting*

236 h) *If conditions a, b and c above are timely met, the Temp C of C’s for buildings 2, 20,*
237 *26 and 32 will be extended to first deadline date of proposed 1- year extension of*
238 *Phase 2 (July 30, 2024).*

239

240 *Failure to meet any of the above conditions or timelines will result in a default under the Special*
241 *Permit, subject to action under Village Code Section 145-59(D)(9) and 145-59(D)(11) and the*
242 *Temporary C of C’s for buildings 2, 20, 26 and 32 will be suspended.*

243

244 Gillespie moved to approve the extension with the changed conditions. Seconded by Fournier.

245 Ayes: Baker, Capogrossi, Fournier, Gillespie and Schleelein.

246 Nays: None

247

248 Scott will send the revised conditions over to Goetzmann.

249

250 Baker stressed the importance of meeting the deadlines to Goetzmann.

251

252 Schleelein moved to close the public hearing. Seconded by Capogrossi.

253 Ayes: Baker, Capogrossi, Fournier, Gillespie and Schleelein.

254 Nays: None

255

256 Baker read the following agenda item:

257

258 **Discussion of Solar Array Draft Law**

259 *The Planning Board will be reviewing and discussing a draft of the proposed Solar Array Law.*

260 Baker will incorporate the latest edits into a new draft and email Board members.

261 Gillespie has updated the Village Solar Application.

262 Baker will reach out to the other Board members for their input or changes.

263

264 **Trustee Report**

265 No Trustee Meeting

266

267 **Other Business**

268 The Planning Board discussed possible upcoming agenda items such as Short-Term Rentals,
269 amending the Tree Law and Village Code review.

270

271 Baker reminded everyone to make sure they take the annual required course before the end of the
272 year.

273

274 Scott will provide a list for all of the multi-unit apartments in the Village for next meeting. Scott has
275 arranged for a tour of the new Cayuga Medical Facility in the Shops at Ithaca Mall.

276

277 Board members would prefer December 13th or 14th.

278

279 Scott informed the Planning Board that Brian Quadrozzi was leaving the Village and commended
280 him on what a great asset he was to the Village.

281

282 **Adjournment**

283 Fournier moved to adjourn at 8:08. Seconded by Gillespie.

284 Ayes: Baker, Capogrossi, Gillespie, McCauley and Schleelein.

285 Nays: None

286

287 Minutes taken by: Michael Scott, CEO