

Village of Lansing

MINUTES of the Joint Meeting with the Board of Trustees and Planning Board held on Monday, January 13, 2025, in person at 2405 N. Triphammer Road and via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees: Susan Ainslie, Wolfgang Bullmer, Carolyn Greenwald, Kathleen Yen; Planning Board members Mike Baker, Lorraine Capogrossi, Patrick Gillespie; Clerk Treasurer Jodi Dake; Code & Zoning Officer Mike Scott; Attorney Natalie French.

Public in attendance at the meeting- Shiobhan Hull, Susan Piliero

Zoom: Planning Board Members James McCauley and Lisa Schleelein, Alternate Planning Board Member Yamila Fournier, Superintendent of Public Works John Courtney

Baker called the Planning Board to order at 7:02pm.

Hardaway called the Board of Trustees to order at 7:02pm.

Baker opened the public comment period. There were no public comments.

Motion - To Close the Public Comment Period

Gillespie made a motion to close the public comment period. Capogrossi seconded the motion. A vote was taken:

Mike Baker-Aye
Lorraine Capogrossi-Aye
Lisa Schleelein-Aye

Patrick Gillespie-Aye
Jim McCauley-Aye

Baker stated that the joint meeting is to discuss some of the things the boards want to accomplish and the priorities. The next joint meeting has already been tentatively scheduled for July 21, 2025. Dake will have the next two joint meetings included in the Organizational Meeting so it will not be necessary to repost a legal ad in the Ithaca Journal. The July joint meeting will be during a regular Board of Trustee meeting and the January joint meeting will be during a regular Planning Board meeting.

Discuss Plan for Updating the Code

The first topic was whether to hire someone to look at our Codification or continue with updating it in house. Greenwald spoke to General Code who put together our Code back in 1999. They also just did Village of Dryden's update. The pros of having them come to represent is to simply know what is out there. The cons are that we are competently updating our code. With General Code they incorporate all the updates. Greenwald likes the fact that the General Code is searchable online (eCode) in a different functionality that what we currently have. Our Codification is pretty small.

It is a subscription service, and our Code would have to get changed to eCode format. To get changed to their format it would be an initial cost of \$10-17,000. Greenwald likes the idea of a professional coming in to update the Code. For now, we are doing a good job of updating our Code. Baker knows there are some inconsistencies just with all the changes that have happened over the years, but they can be fixed. Baker thinks there are some useful features with eCode. Greenwald feels that when we find an inconsistency we should change it right away.

Schleelein has a lot of inconsistencies that she has found over the years but just wasn't sure of the process for correcting them. One example is that when we incorporated the CMT District it did not get updated throughout the whole Code. Greenwald stated that if there is positive support for this, we can include it in the budget. Yen thinks it would be good to have General Code give a presentation. Greenwald will see if they can come to the first February Planning Board meeting.

Scott stated that we have done the work to come up with a list of items that need to be changed. Scott agrees with Greenwald that we just need to get these changes done then in the future when we find changes that need to be made, we do them right away. Scott stated that any time someone needs to know something about the Code they can call him. French stated that a few years ago we did this with the subdivision section. We found some changes that needed to be made, and they did a local law to fix them. Each section would need to be updated by local law. Baker stated that at the next meeting the Planning Board can run through the list of changes needed and have French create a proposed local law to fix them.

McCauley stated that he would like to get information on how it works before General Code does their presentation. Greenwald stated that she got a proposal which she already sent to the Planning Board on December 13th. Baker volunteered to forward it again. Yen added that page 17 has a summary.

Schleelein has a lot of inconsistencies marked and wondered how to go about typographical errors. French will look into how to deal with typographical errors. Schleelein will go over this with French.

Any change to the Code requires a public hearing. If we went with eCode and they redo the whole Code it would only be one public hearing. French stated that if we go with eCode it would be totally reformatted because we must go with their format. Baker stated that we will try and minimize the number of required local laws.

Greenwald stated that she spoke with another company who typically only does zoning changes, and their cost was \$60-70,000.

The second topic was cleaning up our Code language with the goal of updating and verifying consistency (Chart of Uses). Schleelein thinks that a lot of the CMT got left out and we need to confirm what the Village really wants in the Chart of Uses. Baker agreed. The landscape of the Village has changed a lot in recent years and potentially will continue to change.

Fournier feels that we should talk about budget priorities for the Village. The Village should look at how do we want to grow our tax base. Zoning changes are a way to increase our tax base. This

would be a financial discussion as well as a future of the Village discussion. Hardaway would like the Boards to make a list of suggested future changes to be discussed at a later date.

At this point the inconsistencies in the Chart of Uses need to be fixed. Hardaway stated that thanks to Dake we have seven inconsistencies that we can discuss and repair. French stated that she has checked all the references and can easily create a local law to fix the inconsistencies. Then we will want to go back and figure out what we want the Code to say.

Fournier thinks we need to ask how much of a zoning overhaul do we want to make. To do comprehensively it would take a year. Fournier proposed hiring a consultant to guide us through the process. There will be implications for changing the zones if we go that route. Fournier wondered if we should look into getting a pro housing grant.

Yen stated that the Comprehensive Plan update in 2025 will guide the Code changes. She feels it is important for both Boards to look through the current Comprehensive Plan. Schleelein stated that the Comprehensive Plan should drive the Code.

Hardaway went through the Code Chart of Uses changes suggested by Dake. Schleelein noted that she found additional inconsistencies that were not noted. French will review information from Dake and Schleelein before the next Planning Board meeting and clean up the Chart of Uses. After the Planning Board reviews this information, a Proposed Local Law will then go to the Trustees.

The next discussion was about finishing the tree law updates. French stated that she asked Scott to go through the proposed tree law and take every applicant that has been subject to the tree law since it was enacted and see what the outcome would be under the new matrix that we laid out to make sure it is doing what the Village intended it to do.

Capogrossi stated that Dave Fernandez, Cayuga Landscape, has some suggestions for our tree law. They need more time to refine a tree list. Fernandes will be invited to the January 28th Planning Board meeting. Once he gives us a suggested species list, we can also use that to update our tree planting program recommendations.

The next topic was Short-Term Rentals (STR). Baker stated that this topic has been tossed around for years. We have been waiting on some other municipalities in the area to see what they come up with. Dake stated that New York State passed Chapter 672, which subjects short-term rentals to the collection of sales tax and any applicable occupancy tax and creates **county-based registration systems** for such rental properties. Dake asked how controlling we want to be. There are other municipal laws created that range from lots of protection to a middle of the road approach to no protection. Dake stated that one of the Village's main concerns was getting revenue from STR. Baker stated that now that the County is collecting taxes that is no longer an issue.

Greenwald thinks that one approach that may work for our village is allowing humans to make decisions based on the circumstances. We are small and there are so few STR that it would be an easier version to craft the law. Schleelein stated that the things that we discussed in the past were safety, protecting neighbors from noise and being sure that the entire community isn't being bought up as short-term rentals. So far it hasn't happened, but we should protect ourselves.

Bullmer is not against discretion, he is against inconsistency. He does not want to see decisions based on who you know instead of what you do. He wants to know the decision criteria. What he sees is some people get permitted and others don't get permitted and they have exactly the same case.

Ainslie wants neighborhoods to be safe. French does not think that a STR has more or less nuisance than a resident.

Hardaway stated that you cannot enforce noise or loud music.

Greenwald wondered if we could encourage some of the hotels to become short-term stay facilities with kitchens. Homewood Suites is in the village and offers that.

Fournier stated that if we, for instance, change our zoning to allow 6 stories and change out parking we would be able to have more density. Baker stated that the Planning Board has seen this come up a few times. The limit is currently 3 stories. French stated that you can go higher if you do a PDA. Schleelein asked what the vision for the Village is. Is that what we want?

Fournier thinks we should have an expert come in and talk to us about making a pro housing pro development community.

Hardaway stated that the thing we need to avoid with STR is having a company come in and buy property to remove housing stock from the county. He suggested that if you impose a length of time, do what you do for state residency. (Length of time more than 6 months a year for primary residency) Fournier thinks we should look at what the City and Town of Ithaca have done. Baker feels it is different here. Dake previously circulated different laws done by other municipalities.

Scott asked who monitors STR in City? Fournier stated that it is the Building Department. Scott asked how far we want to go with this and do we have enough manpower.

Next the Boards discussed Proposed Local Law A (2025)-A Local Law Amending the Village of Lansing Chapter 125: Subdivision of Land to Include Provisions for Lot Line Adjustment. Scott asked if we are going to charge for this. French stated that currently a minor subdivision applicant has an application fee and an inspection fee. With this proposed law, the Code Officer would be handling this in his office, and it would not need to go to the board. It was decided that the application fee and inspection fee would each be \$100 to match the minor subdivision costs. French will add the fee amount to the proposed law and have it ready for the next Trustee meeting.

Baker stated that the next item is BESS (Battery Energy Storage Systems). There are already a couple of these in the village. (Dairy One and one on Brentwood). The big batteries are more hazardous and need special care. NY has released a model law and Dake previously circulated a couple of laws from other municipalities. The Planning Board will look into this. Baker will provide check points along the way. French stated that the model law has a two-tier system based on size. Yen feels a major factor is we have a volunteer fire department. Scott stated that the State Code is going to start addressing residential storage systems and EV use in the next couple of years.

The order for tackling these issues is:

1. Proposed Local Law A
2. Code clean up
3. Tree Law
4. BESS
5. Short Term Rentals

Comprehensive Plan Update

Greenwald stated that there is a one-year outline schedule for updating the Comprehensive Plan.

Jan-March they will do factual updates

March-May work on policies.

To Boards in early summer

Incorporate everyone's feedback in the fall.

We really haven't discussed what direction we want to go. The needs of the community are changing. Greenwald will share the survey results. Crime is a big new issue. Baker thinks that things are getting interconnected better with our sidewalks, and he would like to see the Village keep going with sidewalks. He does not think we need sidewalks on both sides of the street. Housing is also important.

The following items were important to the board members:

- Street trees
- Smart Growth Principles
- Attractive property
- Mixed land use
- Shade element
- Renewable resources
- Reduced use
- Affordable housing
- Walkable village

One concern was with zombie properties and how to deal with them. Property maintenance needs greater enforcement. If there is a complaint, then Scott has to follow through. The property owner then has 30 days to fix the violation.

Greenwald would like the Boards to send her any policies that they want to see added to the Comprehensive Plan. Greenwald thinks the Village has accomplished a lot of its goals in the last ten years.

Hardaway asked if we want to become a Smart Growth Community. The definition of this is a community that actively plans and prioritizes compact development, mixed land use, walkable neighborhoods, diverse housing options, and open space preservation. We do a lot of this but do we do enough. Yen stated that a lot of these are already in the Comprehensive Plan, but we may

want to add some. Greenwald thinks we are already a smart growth community. Greenwald feels we can be more explicit.

Hardaway asked if the Village wants to achieve Smart Growth Certification. The question was what the long-term staff implications would be. Schleelein asked what the advantage would be compared to what we already have. Hardaway stated that it was to get Federal grants. However, he doesn't know if they are open anymore. Hardaway asked Fournier to research this to see what it takes to get certified. The principals are great even if we don't get certified. Fournier thinks we may want to have a one pager that tells developers what we value in the village. We need to look at the bigger picture. Yen has done some research on this. She will forward the information.

Hardaway also asked about being a Pro Housing Community at the State level rather than at the Federal level. We can get Pro Housing Community Grants. Yen will get information from Scott. Scott will need to know the perimeters. We may potentially be able to help a future developer.

Greenwald stated that she recently heard the philosopher Martha Nussbaum quote that "politicians are public servants that find an equitable solution to balance the diversity of peoples' needs" and so that is what we are doing.

Ainslie stated that the Town of Lansing BZA is looking at a new Verizon tower at The Rink. This may increase the service on Triphammer Road.

Capogrossi stated that more businesses are leaving the Shops at Ithaca Mall. This is sad to see. Cayuga Medical has merged with Arnot Hospital of Elmira. They also bought Dr. Arleo's office. Dake stated that this takes all these properties off the tax roll since they are now tax exempt because they are part of the hospital that is not-for-profit. Capogrossi informed the Boards that Ithaca Coffee is also leaving the Village. There were multiple reasons they are closing, one of which was due to a lack of foot traffic in the Village.

Schleelein stated that she was happy to see that the sidewalk connection between Lansing Trails and East Pointe was filled in. Taco Bell has opened at the old Pizza Hut site.

Fournier received an email from the County about a NYS County Infrastructure Grant Program. She wondered if there was anything in the Village that we could use the funding for.

Dake stated that she finds it interesting that when she started here 26 years ago, as a Village we said we had way too many apartments and we are taking care of that niche, but recently it seems like there's a lot more apartments getting added instead of single-family homes. We should remember that we live here and what we do affects the value of your homes. We should be thinking about everyone in our village and not just the tax dollars. She asked the Boards to think about where you live and what you want your neighborhoods to look like.

French stated that she has been working on easements.

Scott stated that he attended the County Code Meeting. He will give more of an update at the noon meeting.

Adjournment

Motion- To Adjourn

Hardaway motioned to adjourn. Yen seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye

Trustee Susan Ainslie-Aye

Trustee Kathleen Yen-Aye

Trustee Wolfgang Bullmer-Aye

Trustee Carolyn Greenwald-Aye

Baker entertained a motion to close the Planning Board meeting.

Motion - To Adjourn

Gillespie made a motion to adjourn. Capogrossi seconded the motion. A vote was taken:

Mike Baker-Aye

Patrick Gillespie-Aye

Lorraine Capogrossi-Aye

Jim McCauley-Aye

Lisa Schleelein-Aye

The meeting was adjourned at 8:58pm.

Jodi Dake, Clerk/Treasurer