

RESOLUTION 25-106

RESOLUTION REPEALING AND SUPERSEDING RESOLUTION #25-73 AND FURTHER RESOLUTIONS CREATING, CHARGING, ISSUING DIRECTIONS, AND MAKING APPOINTMENTS TO THE TOWN OF LANSING ZONING ADVISORY COMMITTEE, TO BE CLASSIFIED AS AN INDEPENDENT PROJECT COMMITTEE UNDER TOWN CODE CHAPTER 7

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, a requirement of the recently accepted grant from the New York Department of State (“NYSDOS”), which requires that the Town establish a “Zoning Advisory Committee” to assist with and oversee all aspects of the Town’s zoning project in cooperation with municipal officials and the selected project team, and such grant makes further recommendations for participation on such committee by various members of governmental and administrative committees and bodies of the Town, together with recommendations for participation by a wide range of stakeholders, such as residents, civic leaders, business owners, elected officials, environmental experts, and neighborhood association representatives from a range of ethnic, social, and cultural backgrounds; and

WHEREAS, by Resolution 25-73 the Town Board commenced that process by creating a working group envisioned initially as a sub-committee of the existing Operations & Code Revision Committee (“OCRC”), but a review of the grant, NYS law on rules for compatibility in offices and ethics, and the requirements of Town Code Chapter 7, which, among other things, requires certain committee classifications and rules be followed respecting various types of committees and the membership therein by members of designated Governmental and Administrative Bodies (mainly and specifically to avoid conflicts of interest and incompatibility of positions and office issues, see e.g., Town Code § 7-10, such that there is a repeal and replace said prior resolution; and

WHEREAS, to meet New York State (“NYS”) laws and requirements, the rulings of the Attorney General, and the requirements of Town Code Chapter 7, as well as meet the requirements for broad-based participation in the Zoning Advisory Committee (“ZAC”) as required under the grant, formation as a sub-committee of the OCRC is inadvisable as the ZAC must be an advisory body, and also must follow the rules for advisory committees in Town Code Chapter 7, such that the classification and method of appointing participants in the committee’s charges and processes must be amended; and

WHEREAS, this is a Type II SEQRA Action and matter, such that no EAF or other environmental review is required under 6 NYCRR § 617.5, and the Town Board has considered and deliberated upon each and all of the above matters; SO THEREFORE, be it now RESOLVED as follows:

1. Resolution 25-73 be and hereby is repealed.

2. There is hereby formed a new committee of the Town of Lansing to be called the Zoning Advisory Committee (“ZAC”), which committee is hereby classified as: (i) a Project and Working Group under Town Code § 7-13; that is also (ii) an advisory committee under Town Code § 7-10.

3. The following persons are hereby appointed to the ZAC for a term of one year each, with no term limits, and with the term of this initial appointment to last until the later of December 31, 2025, or until any successor members are appointed:

John Zepko, Chair
Lauren Baker
John Duthie
Eric Eisenhut
John Hatfield
Scott Russell
Brandon Siebert
Eileen Stout
David West

4. The following liaisons are appointed to the ZAC:

Thomas Butler, liaison from the Planning Board
Dean Shea, alternate liaison from the Planning Board
Ruth Groff, liaison from the Town Board
Joseph Wetmore, liaison from the Parks, Recreation and Trails Committee
John “Jack” Young, liaison from the Zoning Board of Appeals

5. The ZAC shall be maintained with a minimum of 8 members and a maximum of 15 members. Additional appointments may be made by the Town Board in its discretion. Appointments to vacancies shall be for the remainder of the vacant term, and all other appointments will be for a maximum of one year, or any portion thereof, with terms to generally end at the later of December 31 or the appointment of successor members at the Town Board’s January Organizational Meeting.

6. The ZAC is hereby charged with the following tasks, duties, and responsibilities:

A. Overseeing all aspects of the update of the Town of Lansing’s Zoning Code update, including: (i) recommending a preferred third party planner, landscape architect, or other qualified contractor for assistance, mapping, advisory, and drafting services; (ii) directing, advising, and assisting the selected contractor in their work; (iii) scheduling and participating in public forums to gather town-wide and public input, as well as to periodically provide updates for the public and others on the zoning changes and matters under consideration; (iv) keeping and delivering minutes, reports, progress, and recommendations as directed by the Town Board; (v) following, adhering to, implementing, and documenting compliance with the terms of the NYSDOS Environmental Protection Fund Smart Growth Community Planning and Zoning Program 2024 Grant; (vi) implementing recommendations and approvals in accordance with the

Town's Comprehensive Plan, its master plans, and directives and policies issued by the Town Board; (vii) generating regulatory and zoning ideas, and cooperatively working to build consensus within the ZAC; (viii) providing constructive feedback to contractors, the Town, the public, and others concerning committee operations and the ZAC; and (ix) when authorized, to issue advisory opinions, recommendations, reports, analyses, and like reports to designated officers and employees of the Town of Lansing.

B. The ZAC shall undertake the above noted duties, as well as related matters referred to it by the Town Board, Planning Board, the Zoning Board of Appeals, the Conservation Advisory Council, and designated Town employees and officers as approved by resolution of the Town Board. The additionally designated employees and officers that may refer matters directly to the ZAC include the Director of Parks, the Town Planner, and the Town Director of Planning. The ZAC may consider, and is required to consider, input from others and the general public as respects its charges and tasks, but the ZAC shall not issue advisory opinions other than to the Town employees, officers, and boards as are specifically designated by resolution of the Town Board. All matters referred to the ZAC for an advisory opinion shall be responded to in writing, with a brief explanation of the facts and reasons supporting the recommendation, advice, or response provided.

C. As an advisory body, the ZAC shall not be subject to the Open Meetings Law. However, the ZAC may elect to open any one or more meetings to the public in their own discretion.

D. The work of the ZAC, for purposes of FOIL and FOIL disclosures, shall be considered advisory and of an inter-agency character, including the use and development of inter-agency materials intended only for review by others in the process of making or adopting final Town policies. The ZAC has no authority to make policy, expend funds on municipal projects (other than *de minimus* amounts for its own operations), or to adopt any zoning codes, approve contracts, or exercise any legislative or administrative authority of the Town of Lansing.

E. The ZAC shall meet at least once per month, or more often as needed or decided. The ZAC may invite such other persons, public officers, or employees to any of their meetings as they shall elect, including whenever input, experience, or expertise is desired respecting any agenda item or matter. The ZAC shall keep minutes of its meetings and, upon a quarterly basis, submit and file copies of all minutes, advisory requests received, and any replies provided, with the OCRC, Town Board, and Town Clerk.

F. The Town Board may appoint one or more liaisons to the ZAC, including in addition to the appointments noted in these Resolutions, and the ZAC shall have no subcommittees or working groups except upon the express approval thereof by the Town Board.

G. The ZAC shall select from among their members a Vice Chairperson and report the same to the Town Board within 60 days of this resolution and annually on or before December 31 for the next following calendar year. In the event of any failure to appoint,

or timely report the appointment, of, a Vice Chair, the Town Board shall appoint a Vice Chair in consultation with the Chair.

H. The ZAC may adopt such parliamentary procedures or operational bylaws as they deem sufficient and advisable to govern meetings and operations. In all cases: (i) a quorum must be present, and the ZAC must determine by majority vote any approvals or recommendations to be issued, determined, or made; (ii) the vote upon all matters that are not unanimous or decided by a consensus call shall be recorded in ZAC minutes; and (iii) such procedures or bylaws shall not be binding or valid until reviewed and approved by the Town Board.

I. The ZAC shall develop a reasonable working budget and submit annually, or upon request of the Town, a budget for operational needs, photocopies, event and public meeting costs, and similar proper expenses. The ZAC shall keep an account of the funds received and expended and shall provide an accounting thereof upon request of the Town, whether or not related to a budgetary appropriation, vouchers, the Town's budget or budget process, or an audit of any Town operations or expenses.

J. The ZAC shall not authorize or enter into any contracts, agreements, or other arrangements for the acquisition of any rights, for any services, or to make or receive any payments of money or other consideration, whether in its own name or directly or indirectly for or in the name of the Town. All contracts and agreements shall be referred to the Town Board for review and approval under Town Law § 64, or other applicable provisions of NYS law.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Joseph Wetmore duly seconded by Councilperson Laurie Hemmings, and put to a roll call vote with the following results:

Councilperson Laurie Hemmings – Aye	Councilperson Christine Montague – Aye
Councilperson Joseph Wetmore – Aye	Supervisor Ruth Groff – Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 20, 2025.