

**Village of Lansing
Planning Board Meeting
May 30, 2000**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Hickey. Present at the meeting were Planning Board Members Brown, Halevy, Klepack and Waterman; Alternate Member Dankert; Trustee Leopold; Code Enforcement Officer Curtis; Engineer Cross; Attorney Marcus and members of the public.

Public Comment:

There was no one present who wished to speak. Waterman moved to close the Public Comment period, seconded by Halevy. All in favor.

Special Permit #1536, Donald Greenberg:

A Public Hearing was held for Special Permit #1536, Donald Greenberg to construct a 7000 SF house at 45 Twin Glens Road in the Low Density Residential District. A Special permit is required pursuant to Section 202.12 of the Village of Lansing Zoning Law because construction will occur within 200' of the centerline of a stream included in the Conservation Combining District.

Lynn Leopold, 1203 E. Shore Dr., read comments to the Planning Board from her husband and herself as affected property owners. Their concerns are: (1) Furnace fuel oil spill from previous owners which spilled into the gorge and in response to which DEC was involved. This caused odor problems in their neighborhood and was a threat to their domestic water supply which is from a spring below this site. They would like confirmation that DEC had approved the clean up. (2) Runoff from the roof surfaces, paved driveway and cement portion will cause marked increases in storm water runoff during heavy rainfall and sudden snow melt. (3) The location of the septic system is not indicated on the map and could be a threat to their water supply. They would recommend it be placed as far to the east as possible. (4) The loose nature of the underlying rock is a threat to the stability of the cliff face if the basement to be excavated this close to the cliff. They estimate the slope of the stream bank is close to 70%. The basement excavation might cause the cliff side walls to slough off into the creek. (5) Site is part of Conservation District, as well as Twin Glens Natural Area, and deserves to be handled carefully and conservatively.

Don Hartill, 896 Cayuga Heights Rd., spoke as an affected property owner, noting that the current footprint of this residence is considerably closer to stream than the previous residence and this is a concern for him. He is also concerned about the height of the residence facing his property and would like additional time to review the plans. Vince Mulcahey, the project architect, responded that they tried to keep the residence as low as possible which is why the footprint is larger.

Tracy Craig, Twin Glens Rd., is an adjacent owner and has not received the materials and would like time to review them. Mulcahey provided Curtis with notification notices. Curtis stated she is an adjoining owner and it was his oversight she was not notified.

Bob Abrams felt he might be the one most closely affected by the residence. He has reviewed the plans and has no particular problem with Greenberg's proposal.

Leopold also expressed concerns about the lack of a vegetative buffer zone between the residence on the west side and along the creek on the south.

Klepack moved to close the Public Hearing. Seconded by Waterman. All aye.

Cross reviewed the points which were raised. He did not review anything relative to DEC and the oil spill and he was unfamiliar with this concern. Hickey asked if the site is clean. Greenberg responded that the spill was caused by vandals when he and his wife were out of town. He has a letter from DEC stating everything has been taken care of and he will attempt to find it in his records and provide it to the Planning Board.

Cross made some observations after visiting the site. (1) The remnants of the previously developed site remain and the existing footprint is relatively the same size as the previous building site so the quantity of storm water runoff should not be greater than previously. (2) With regard to the proximity of the structure to the ravine it is important to note that bedrock protrudes through the ravine walls. (3) No dry well or piping system for drainage is indicated on the plans. (4) Test borings or excavation to determine bedrock level would be advised as less than 3 ft. require special engineering review for a septic system. An engineer's comment on bedrock stability would also be useful. Septic system has not yet been approved for site by Health Dept. although test holes have been completed years ago. Hickey would like to see the location indicated somewhere on the maps. It will probably be a sand filter to north of the residence. (5) Trees to be removed within footprint of residence have not been noted. (6) Silt fence is appropriate as located and must be maintained by contractor during all phases of construction. Varying plans show it located in two different locations. It was noted that the correct location is the one on the site plan which shows it immediately south and east of the residence. (7) Surface water needs to be directed away from ravine and into a collection system to control runoff and not impact the stream.

Hickey reiterated that additional information is needed regarding the location of the septic field, the runoff collection system, size and number of trees to be removed, the depth of bedrock, and the stability of bedrock.

Waterman is concerned about runoff and precautions need to be taken. Cross stated quantity does not seem to be the issue but how the water is handled is a more important issue. Cross recommended it be directed perpendicularly away from the stream course. Mulcahey stated a lot of consideration has been given to runoff and they are proposing no water be drained from the building towards the gorge but all run off go to the east and north to a dry well or whatever works. Hickey said a detailed grading plan would be needed for the Village Engineer. Greenberg is committed to remedying the situation from what currently exists there to ensure drainage and landscaping is better than at present.

Cross asked about an existing large hard paved (100 x 100) surface. Mulcahey noted that it is proposed to be removed. Also the driveway will be crushed gravel as opposed to a hard paved surface.

Klepack wanted clarification on Unique Natural Area. Leopold stated that the Twin Glens area is a Unique Natural Area and this would be within that area. Hartill said the Twin Glens Natural Area is a non-profit owned area which has been subdivided. Previously it was 60 acres and it is now approx. 16 acres. Klepack feels this is an important site and it might require careful consideration. Hickey referenced the special lots within the Beck Subdivision which required additional steps to see they were looked at carefully prior to and during development.

The Board requested to see a landscaping plan so when the silt fences come down, the Board would have some knowledge as to what will remain.

In summary, Hickey said copy of DEC letter is needed, drainage collection plan to show dry well and where water will go, landscape plan for along gorge, and Board of Health location of septic fields. The Greenbergs would like to begin ASAP so they can have the structure enclosed by Thanksgiving. Hickey asked to table the Special Permit to allow two residents to review the site and plans and the Greenbergs were in agreement. Greenbergs will also attempt to have the letter from his civil engineer regarding the stability of the bedrock before the next meeting.

Waterman moved to table this Special Permit until June 12th. Seconded by Klepack. All aye.

Amendment to the Cornell Business & Technology Park Planned Sign Area:

The next agenda item was an amendment to Cornell B & T Park for Planned Sign Area for the Marriott Hotel proposed by the E.J. Del Monte Corporation. Hickey was unclear as to what signs are authorized without the amendment as he only knows what additional signs are requested. Klepack stated Sign 1, the free standing sign, Sign 2, the building mounted sign, and the directional signs are what are allowed under Cornell B & T Planned Sign Area. Sign C is also building mounted. Hickey has a problem with Sign A. Currently only the concrete monument sign is allowed for the corner of Warren and Brown Roads. Melissa Dietrich of Cornell Real Estate stated it is needed there because of the unusual location of the hotel for visibility and access. Hickey stated the hotel is an integral part of the

B& T Park and all the other park businesses fit the same criteria. Hickey feels it is superfluous to have a sign there. Waterman also stated that maps are usually provided for conferences and it is also visible from the road.

Hickey questioned sign B as the need for a full mounted sign when a directory will show how to get to all the buildings. John Majeroni, from Cornell Real Estate, stated they prefer a directory and this temporary sign would be removed.

Sign 1 in front of the Marriott is already permitted and Marriott is also requesting Sign C to be building mounted on the front. Hickey questioned if this a duplication. Marriott is also requesting a building mounted sign on the Rt. 13 side of the building. Hickey feels the additional signs are superfluous because everyone quickly learns where the B & T Park is located.

Curtis stated that Sign 1 & 2 would almost meet the current sign area as 100 sf total sign area is allowed for both the freestanding and the building mounted signs, and they are proposing 105 sf. Depending upon how one calculated the area, they would actually comply with the requirements.

Hickey stated if Sign C is permitted then Sign 1 would not be required. Hickey can not see the rationale for both signs. Majeroni felt the developer would prefer Sign 1 to Sign C. Curtis stated Signs 1 and 2 would be consistent with the Sign Law, but Sign C and Sign 2 together would significantly exceed the sign area permitted under the Sign Law as the total area would be 190 sf.

Hickey feels uncomfortable with Signs A & C; Sign B is ok since it is temporary and the Marriott will be placed on directory, but he has difficulty with placing additional signage on Warren Road. Hickey also stated Sign C puts the signage way over the allotted amount. In Summary, Sign A is out, Sign B is temporary directory sign, Sign C is out, Signs 1 & 2 are satisfactory as submitted. Entrance sign will not be used and there will be no signage at Brown Road and Route 13. The Board was in agreement. Curtis asked the Board if it was agreement with his calculation of the sign area which resulted in the signs meeting the 100 sf requirement. Hickey stated Signs 1 & 2 conform, allowance of temporary Sign B is ok on Brown Rd.

Waterman moved to recommend to the Zoning Officer that Signs 1 & 2 are acceptable in the Planned Sign Area and Sign B is acceptable as a temporary directory sign. Seconded by Klepack. All aye.

Sutton Home Occupation:

Marcus stated the Suttons have gone before the BZA and the Zoning Board had 4 rather than 5 members present and the vote was 2 for granting the variance and 2 against granting the variance so no action was taken by the Board as there was no majority in favor of granting the variance. Those in opposition felt the Suttons should make further attempts to acquire the property from the Hartshornes although Marcus explained the Suttons and their attorney thought they had pursued this as far as would be productive.

Discussion ensued about the Home Occupation Special Permit which has been extended until July 10. Marcus stated the applicant can reappear before the Board of Zoning Appeals with additional information to try for the third vote. At present, the Suttons have no variance and have not indicated they will return. Presently, there is an illegal structure on the property which is not approved and the Village could opt to take action to have the deficiency remedied. The Village is aware of this violation and it is up to the Village to determine if they want to take action or not and, if so, when. First, the Code Officer would notify the owners of the violation and would set a reasonable time to remedy the situation. If the deficiency was not remedied in the prescribed time, legal action could be taken to have the building removed. Marcus stated that additional information from the Suttons may prove it is not feasible to purchase the property that would be necessary to correct the deficiency in that way.

Waterman wants to see this issue pursued as the Suttons are not in conformance with the Zoning Law and this will set a precedent. Hickey felt that if there were no progress by July 10, then Curtis will issue an order to conform. There may not be another extension granted. The Planning Board could deny the Special Permit for Home Occupation and then Curtis would then follow-up with the paperwork.

Commercial Low Traffic Study:

- The Board reviewed the May 9 letter from Klepack to EDR stating that by May 25, EDR should have submitted a draft report and on May 30 the Board was to review it and EDR would attend and discuss it. Curtis has been attempting to get the requested information and has been unsuccessful and today's response is all that has been received. It was also noted that EDR was to mail information to Waterman in Florida and this never happened.

The contract was signed at the last meeting. Marcus stated legally the Village can take any steps they desire. No monies have been paid thus far as Stage 1 (\$5,000) is still incomplete.

Hickey stated David Crandall is the principal in this and he signed the contract. Hickey does not know if he is aware of the situation and feels it should be discussed with him. Also, the Board must determine how to proceed from here. Halevy and Waterman recommended taking the information that has been developed and giving it to a local planner, perhaps Sieverding or Neiderkorn, to complete project on a consultant basis. All Board members were in agreement with this. Brown made a motion to discontinue with EDR. Seconded by Waterman. No statement will be made regarding payment. Marcus will write a basic letter discontinuing their services and Hickey will sign the letter. All aye.

Planning Board Goals:

- Hickey distributed a draft form of goals for discussion.

- No. 1 Complete CLT Guidelines Project.
- No. 2 Complete Road Shoulder Specifications for the Subdivision Regulations (Presently in Reinhart's hands).
- No. 3 Develop a Walkway Feeder Plan for N. Trip. Rd. Reconstruction (refer to Reis 1997 Sidewalk Study)
- No. 4 Hold a joint meeting with the Town of Lansing Planning Board.
- No. 5 Identify areas in village suitable for open space (bird sanctuary) (Shannon Park)

The need for a fill site has been discussed with Reinhart by Cross. Cayuga Heights is also out of space so a joint site may be desirable.

Reports:

- **Trustees** - Hickey has been attending the Trustee's meetings for May. There will be a Public Hearing on May 15 for eminent domain proceedings to acquire a parcel for the North Triphammer Road Reconstruction. Also two long meetings have been held on a Patch N Seal problem in which someone has tires which were ruined as a result of some road repairs undertaken by the Village.

Approval of Minutes:

Regarding the minutes of March 13, Hickey, Waterman and Klepack were absent. Klepack moved to approve the March 13 minutes with revisions. Seconded by Waterman. All aye.

Klepack moved to approve the March 28 minutes with revisions. Seconded by Waterman. All aye.

McDonalds Update:

- Hickey reported that the Special Permit for the old McDonalds allowed the Village a method of closing the drive-thru if a traffic problem existed. The Planning Board desired to transfer this stipulation to the new McDonalds. McDonalds was not receptive to this so they are proposing an alternate process and remedy. Hickey, Curtis and Marcus have again responded to McDonald's proposal and McDonald's is drafting a version incorporating those comments. This appears to be the last hold up.

Regarding their sewer units of which 7 have been reserved, 5 will be transferred across to the new McDonalds and either 1 or 2 will remain with the old site.

Arrowwood Walkway:

- Hickey will be checking with Cornell to see what is happening with the proposed walkway.

Adjournment:

- Waterman moved to adjourn at 9:45. Seconded by Klepack. All aye.