

**Village of Lansing
Planning Board Meeting
June 26, 2001**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Acting Chairman Ned Hickey. Present at the meeting were Planning Board Members Phil Dankert, Carol Klepack, Doris Brown and Janet Waterman; Code Enforcement Officer Ben Curtis; Village Engineer Brent Cross; and Trustee Liaison Lynn Leopold.

Public Comment:

As there was no one present who wished to speak, Dankert moved to close the Public Comment period. Seconded by Brown. All aye.

Special Permit No. 1640 – Robert R. Colbert Jr. – 2353 N. Trip. Rd. Office Building:

The first item on the agenda was Special Permit No. 1640, Robert R. Colbert Jr., to construct an 18,000 SF office building at 2353 N. Triphammer Rd. in the Commercial Low Traffic District, Tax Parcel No. 47.1-3-4.1

Philip Albrecht of Egnor Architectural Associates spoke first on behalf of the developers. He reviewed the plans previously distributed to the Planning Board members. The first depicted an aerial photograph of the site on which he superimposed the property lines, set backs, buffer zone and driveway which exists on the property. Albrecht stated the aerial also shows the heavily treed sides on the south and east, as well as the location of the Christ Chapel Church to the east, the doctor's office to the north, and Lama's Law Office to the south. The next drawing was a topographical survey of the site with the overlay of the setbacks including the 25 ft. build-to line and the location of the existing house. Also on the same map was the tree-lined driveway off N. Triphammer Rd. which they are proposing to keep. The third plan utilizes the new CLT Guidelines for N. Triphammer Rd. The building has been brought to the 25 ft. build-to line with the grass area in front of the sidewalk. The entry driveway was split into 11 ft. lanes to retain the trees and the parking for 45 vehicles with 2 handicapped spaces was placed in the rear. The remaining reserved future area for a total of 72 spaces is also shown on the diagram and is within the setbacks and the 75 ft. buffer zone. The main entry of the building would also be in the rear of the building next to the parking. The proposed building is largely a two-story brick building. Albrecht noted the three remaining outstanding items are site lighting, drainage, and a landscaping plan. The wooded area, especially along the south side, will remain and there will be a double row of pines to provide a buffer on the east side.

Hickey opened the Public Hearing.

Art Ostrander, Chairman of Board of Christ Chapel Church, spoke first. He stated he was notified about the hearing and the church owns the ROW. The ROW is zoned residential and they have concerns because they never envisioned that the ROW would be adapted to a commercial use. Hickey responded that the Board would be addressing that issue later tonight.

Carol McManus, 168 Graham Road resident, spoke next. She stated she lives next to the ROW and was not informed about the proposal until Ostrander called her the previous day. She has concerns about increased traffic load on that side of her residence where her elderly mother's bedroom is located. She is concerned about the ramifications on her quality of life. McManus rents an apartment in the house and uses the ROW for the apartment dweller when there are guests. This is done through an informal arrangement with the church.

Klepack moved to close the Public Hearing, seconded by Brown. All aye. Hickey will allow for limited additional participation by the public if needed.

Hickey discussed the ROW use first. Hickey has spoken with Attorney Marcus and Marcus stated to him that the ROW use can not be approved in a residential district for a commercial use. The alternative for the applicant would be to go before the BZA for a use variance. Hickey stated the driveway would need a favorable decision by the BZA to be utilized for the proposed commercial use, although other aspects of the plan could be approved at the meeting tonight. Hickey stated Christ Church would be notified if it goes before the BZA and Christ Church could present

their case at that time and the Planning Board must abide by the BZA decision.

Cross gave his engineer's report. Drainage diagram appears to show a little less impervious area in the new drawing although there remains a potential significant increase in impervious surface areas. He could not come up with a percentage because the entire parcel was not shown on the drawing. Cross feels it may be up to 50% and he will need the calculations to determine the adequacy of storm water measures, as well as collection system for roof drains. The second item is traffic and his observation is that the divided driveway is not dimensioned. Cross will review the 11 ft. drive but he is accustomed to a 12 ft. drive. Cross stated the islands and aisles were not identified but he sees the new plan shows 18 and 24 feet. Dankert expressed concern that there be enough clearance for fire trucks and emergency vehicles. Cross felt the divider island projects into the Village ROW and sidewalk and he will discuss this with Dennis Reinhart, Superintendent of Public Works if and how that should be designed. Cross questioned the second drive in the rear of the property and it was noted that they would like it to be open and utilized all the time. Cross noted a stop sign would be needed when exiting the property onto a village road. The third issue is siting and screening of a dumpster if one will be used; he did not see one on this plan and needs to have this addressed in the Landscaping Plan. A fourth item needed is an iso-photometric plan for lighting with contours, pole heights, and cut sheets for all exterior lighting fixtures. The last item is utilities and Cross could not read all the utility information on the plans and he would like to review this information, as well as an estimation of water usage to determine sewer units. The property for the proposed office building currently has one sewer unit from when it was used for offices previously and they think this will be sufficient for the new building. Cross will still require documentation.

Hickey reviewed the parking requirements. Albrecht stated the total number of spaces would be 45 rather than 72 because of the 20% reduction in the Zoning Law. Curtis stated that potential for developing up to 90 spaces if needed in the future must be shown. There was confusion on this as it might have been affected by the recent amendment to the parking requirements and the Planning Board will review it.

Klepack requested that Carol McManus be notified as a courtesy for any future discussions of this property including any variance application. Albrecht stated he would do so.

Hickey requested a rendering of the façade which will be facing N. Triphammer Rd. Albrecht showed the Board a diagram of the brick façade, color unknown. It is broken up with columns which project 2 – 4 inches from the face. This will also be on the entry side. No awnings are proposed and entrances have been recessed. There will be machinery on the roof but it will not protrude above the 35 ft. limit. No roof dishes are proposed either.

A SEQRA was completed. A. No B. No C-1. None. Hickey noted there are no emissions or high noise levels for this software company. Drainage and traffic will also be reviewed by the Village Engineer and will be corrected if needed. C-2. Hickey stated this is a commercial low traffic business and it fits in that area. C-3. None C-4. Hickey complimented Colbert for coming in and looking at the plans and taking the initiative to design a building which fits within those guidelines. C-5. None C-6. None. C-7 None. D. Hickey noted that the controversy of the ROW would be decided by the BZA unless the developer withdrew the proposed driveway that sparked the controversy. Dankert moved that the Board finds that this proposed action will not result in any significant adverse environmental impacts. Seconded by Klepack. All aye.

The Board reviewed the General Conditions required for all Special Permits. Klepack moved that the Board finds that the applicant has met the general conditions specified in Section 304.05 of the Zoning Law. Seconded by Dankert. All aye.

Curtis reviewed his notes concerning the Conditions for the Special Permit. (1) Contingent on the implementation of a Landscaping and Buffer Plan approved by the Planning Board. (2) Review and approval by the Village Engineer of site and drainage plans, including the sidewalk issue and the dumpster location. (3) Approval by the Planning Board of a Lighting Plan reviewed by the Lighting Commission. (4) Use or construction of the driveway ROW would be contingent on the granting of a variance by the BZA. (5) Confirmation by Cayuga Heights that the sewer unit is adequate for the proposed use. (6) Contingent upon the approval by the Board of Trustees of the adoption of the necessary amendments to the Zoning Law implementing applicable sections of the CLT Guidelines. (7) Hours of construction will be 7 AM – 7 PM Monday through Saturday.

Klepack moved to approve Special Permit No. 1640 subject to the conditions noted above. Seconded by Brown. All aye.

-
Pyramid Mall Expansion – Landscape Plan:

The agenda was revised to make this item next because representatives from Pyramid were present. Landscape architect, Carl Schneider of O'Brien & Gere Engineers distributed material to the Board members regarding the berm which will go along the Route 13 side of the Mall to help screen the parking lot. Hickey stated that approval of the landscaping plan is one of the conditions of the Pyramid Mall Special Permit for their expansion. One requirement was for a visual buffer to screen the south end of the building, and partially the west end, from Route 13. Types and quantities of trees are listed on the site plan. Klepack stated caliper and gallon sizes are listed. Schneider stated the trees would come in a container of the size listed. Hickey noted that over 100 existing trees will be removed in that area because of the expansion of parking. Schneider noted there is also the creation of a 3 – 4 ft. berm with plantings on top which will be above the parking lot level. Hickey stated that the map depicts 100 ft per inch so if five trees are shown, they will be 20 ft. apart. Hickey also noted that 150 shrubs would be planted along the berms with the trees. Curtis noted the berm is approx. 475 – 500 feet long. Leopold was concerned about the species of the low shrubs (junipers) which are deer susceptible. Hickey would recommend David Fernandez, Cayuga Landscaping, be contacted as a consultant and Schneider agreed to contact him. Hickey also pointed out that behind the Home Depot, there will be an additional 15 spruce trees planted to provide a buffer with the residential area to the west. Hickey noted that it is difficult to envision a screen on paper and it may appear different when implemented and the Board may require additional plantings as a condition for approval. One recommendation was to remove the trees and stake where the new ones would be planted. Discussion ensued as to whether a bank of 50 trees for future planting to fill in the holes would fulfill the need of the Planning Board or whether there should be monies placed in an escrow should additional trees be needed for the buffer. Schneider would recommend a bank would be a logical way to go. Planting will be in the fall or spring and there should be a definitive solution. Hickey would like to see a condition of approval to be a bank of trees to be planted where needed.

Brown asked what happens to the trees that die. Hickey stated trees in a buffer must be maintained by the developer but it is difficult to enforce.

Dankert moved to approve the Landscaping Plan submitted by Pyramid Mall dated 6/20/01 with the condition that a bank of 60 trees, similar in size and quality, be established at Pyramid's expense to be used in the Pyramid Mall area as determined by the Planning Board to offset the commercial impact. Seconded by Klepack. All aye.

-
10 Brown Rd. – Landscape Plan:

Hickey visited the site prior to tonight's meeting and noted the small grove of river birches and 9 maples which have been installed. Hickey also noted that the tree line to screen from Warren Road goes to the end of the building and then there is nothing up to Brown Rd. and he feels there should be some screening in that area. Klepack felt the plantings and berms as proposed were sufficient for the front of an office building.

Klepack moved to approve the Landscaping Plan, dated 5/14/01, as submitted for 10 Brown Rd. Seconded by Dankert. All aye.

36 Thornwood Dr. – Landscape Plans:

Klepack moved to approve the Landscaping Plan, dated 5/18/01, as submitted for 36 Thornwood Rd. subject to the condition that tree wrap, wires and stakes be removed after one year. Seconded by Dankert. All aye.

-
Proposed Local Law D(2001) – CLT Front Yard Requirements:

Hickey noted that this revision of proposed Local Law D states that at least 25' of the façade of the building be located parallel to and within 1 foot from the front lot line. The CLT Guidelines have also been changed on page 15, paragraph 2.1. Hickey told Katherine Wolf of the change and the master copy needs to be changed to reflect the correct wording "Facades at a minimum of 25 ft. in length should be built parallel to the frontage line and located along a line 25 ft. from the front lot line."

Klepack moved the Planning Board's recommendation of Local Law D(2001) [Amendment of Zoning Law Section 202.07, "Commercial Low Traffic District", Subsection (e)(4), to Exempt from the "Front Yard Setback Minimum" Properties having Front Yards on N. Triphammer Rd., and Establish a "Front Yard Built-To Line" for Same] to the Board of Trustees. Seconded by Brown. All aye.

CLT Guidelines:

Brown moved to strongly recommend the Board of Trustees adopt the Village of Lansing Commercial Low Traffic District Guidelines and include it as an Appendix in the Comprehensive Plan for the Village. Seconded by Klepack. All aye.

-
10 Brown Rd. & 36 Thornwood Dr. – Lighting Plans:

Dankert moved to approve the Lighting Plans as submitted for 10 Brown Rd. and 36 Thornwood Dr., drawing to the attention of the applicants the comments on wall grazer lights as noted on the recommendation from Dennis Reinhart and the Lighting Commission. Seconded by Brown. All aye.

-
Proposed Local Law E(2001) – Municipal Subdivisions:

Curtis noted that this revised proposed Local Law E has taken the municipal subdivision out of the Planning Board Subdivision approval process and his review as well.

Klepack moved the Planning Board's recommendation of proposed Local Law E(2001) [Second Amendment of Village of Lansing Land Subdivision Regulations Concerning Definition of "Municipal Subdivision"] to the Board of Trustees. Seconded by Brown. All aye.

-
July Meeting Date:

Hickey noted that the Planning Board is meeting on July 10th rather than the 9th.

New Planning Board Members Selection Process:

Hickey stated John McLain, Suzan Schatz, Lisa Schleelein, Maria Stycos and Martha Eller are possibilities for Planning Board members and Hickey would like a member and alternate who can begin in the fall. Hickey would recommend individual interviews and asked Board members to contemplate what and how they would proceed with this process. Thoughts were given to advertise in the Village Newsletter. Hickey and Klepack will contact the names mentioned to see if they are interested in becoming a Planning Board member.

Approval of Minutes – March 27, May 14 & 29:

The Board reviewed the minutes for March 27th. Klepack moved to approve the March 27th minutes as revised. Seconded by Dankert. Ayes by Brown, Dankert and Klepack. Abstain by Hickey.

-
The Board reviewed the minutes for May 14th. Dankert moved to approve the May 14th minutes as revised. Seconded by Klepack. All aye.

-
The Board reviewed the minutes for May 29th. Klepack moved to approve the May 29th minutes as revised. Seconded by Brown. Ayes by Brown, Dankert and Hickey. Abstain by Klepack.

Reports:

Hickey has asked Brown to become a member of the Kensington Road group as she would be the most objective member from the Planning Board and she has agreed. Dankert moved the recommendation of Doris Brown to the Kensington Road Traffic/Park Committee. Seconded by Klepack. Ayes by Dankert, Klepack and Hickey. Abstain by Brown. Hickey will notify Mayor Hartill of the recommendation.

Hickey stated that included in the packets were the 2001-2001 Planning Board Goals and he has the third goal almost completed and he will get it together for the Board's review. He has gathered information from the census with block by block residents, traffic counts, and the NE Neighborhood Study information to assist the committee.

Hickey stated another goal needs to be added. Curtis stated that where Dr. Greene is developing his lot in the McLain Subdivision, he has contracted a forester to remove many of the hardwoods in that area. Curtis has asked him not to remove two large trees as they may damage property owned by the Village. Currently, as the law reads, a homeowner may remove trees or clear cut their property. Hickey will review his files for information gathered when this issue arose in connection with the Park property. A policy, law or guidelines may be needed. Currently, Curtis cannot stop anyone unless there is some threshold as to the number of trees which may be removed on an individual lot in a year before a permit is required.

Hickey noted that Klepack has devised a landscaping policy which he is currently reviewing. Klepack stated she used it when reviewing the landscaping plans tonight and it proved useful to her. Hickey will attempt to have it available for the July 10th meeting.

-
Adjournment:

Klepack moved to adjourn the meeting at 10:00. Seconded by Dankert. All aye.