

**Village of Lansing  
Planning Board Meeting  
December 10, 2001**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Village Engineer Brent Cross; Attorney William Troy; and Code Enforcement Officer Ben Curtis.

**Public Comment:**

John Dennis, 893 Cayuga Heights Rd., Village's representative to the Tompkins County Environmental Management Council for the past 7-8 months, apprised the Board of his membership and requested he be contacted of any concerns the Board would like to see taken to the County level.

Piotr Parasiewicz, 49 Janivar Dr., expressed his safety concerns about the dark area on Craft Road. His recommendation was to place a street light half way between Janivar Drive and Ascot Place.

There being no one else who wished to speak, Klepack moved to close the Public Comment period. Seconded by Brown. All aye.

**Public Hearings: Special Permit No. 1685 & 1686– Home Occupations – Finch:**

The first item on the agenda was a Public Hearing for Special Permit No. 1685, Kenneth B. Finch, to operate a home occupation for writing and computer consulting at the home he rents at 46 Beckett Way in the Shannon Park Planned Development District, Tax Parcel No. 47.1-6-46.

The second Public Hearing was for Special Permit No. 1686, Frances Finch, to operate a home occupation for editing and securities compliance review of written material at the home she rents at 46 Beckett Way in the Shannon Park Planned Development District, Tax Parcel No. 47.1-6-46.

- Dankert moved to conduct both Special Permits processes simultaneously. Seconded by Brown. All aye.

- Hickey noted that these are Type II exempt actions under the Village's list of exempt SEQRA actions (Zoning Law Section 304.06 3).

Curtis requested and received the proof of mailing.

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

Dankert asked for clarification on item no. 11 on the home occupation application by Frances Finch regarding whether the proposed Home Occupation was in conformance with the conditions pertaining to the property. Although it was not indicated on all copies, the answer was yes. Hickey also noted that both applications were signed by the property owner.

Klepack asked the applicants how they became aware of the need for a home occupation permit. Mr. Finch contacted Curtis for the requirements and he was apprised of the procedure.

The Board reviewed the General Conditions for all Special Permits (Zoning Law Section 304.05). Brown moved that the Board finds that the General Conditions have been met by the applicants for both permits. Seconded by Klepack. All aye.

The Board then reviewed the Additional Conditions for the Special Permit for a home occupation (Zoning Law Section 304.06D2). Dankert moved that the Board finds that the Additional Conditions for both Special Permits have

been met. Seconded by Brown. All aye.

Klepack moved to approve Special Permit No. 1685 for Kenneth Finch to operate a home occupation, as well as Special Permit No. 1686 for Frances Finch to operate a home occupation, both to be located at 46 Beckett Way in the Shannon Park Planned Development District, Tax Parcel No. 47.1-6-46. Seconded by Brown. All aye.

**Public Hearing: Preliminary Plat Approval – Bomax Subdivision:**

The next Public Hearing was for Preliminary Plat Approval of a major subdivision by Bomax Properties, LLC to divide one 21.65 acre lot into eight lots from 1.61 to 4 acres (approx.) in size, plus some additional road, on the uncompleted section of Bomax Drive in the Business and Technology District, Tax Parcel No. 45.1-1-51.12

Hickey stated that at the last meeting, the Board requested additional options for road design to see what would be the best for the Deans as well as the Village. The applicants have provided two diagrams for the Board's review.

The first diagram depicts two t-turn dead ends to provide access to all 8 lots. Jason Demarest, the applicant's architect, stated this would allow all 8 lots to be buildable, meeting all setback and parking requirements. Hickey stated he had Dave Putnam, TG Millers engineer, and Dennis Reinhart, Village Superintendent of Public Works, review the plans and both stated they preferred diagram 2, a loop road design, due to snow-plowing concerns.

Cross stated he had not officially reviewed the two plans but has concerns about the length of the cul-de-sac and the dimensions of the legs of the T which are required to be 60 ft. Hickey stated that Demarest would be required to check with Reinhart to discuss the specifications for roadways. Cross also commented on septic systems and their proximity to the property lines and requirements for separation distances. Also, Cross felt the proportions of the septic fields and the requirement for an additional 100% replacement space on the same lot might be difficult to achieve. Hickey stated building on 4 lots and leaving 4 alternate lots would be a possibility until sewer units become available. Hickey stated a condition of the final plat would be approval of the Department of Health. Cross also felt the storm detention pond done by TG Millers a few years ago limited the impervious lot surface at 50% but Cross would need the original document of the first building showing how the detention pond was sized and how this plan will meet the requirements for the pond. Cross would also request the Fire Department review the plan.

Klepack stated she preferred the cul-de-sacs due to the proximity of the stream and any runoff from salt, motor oil, etc. which might enter it. Cross stated the first diagram would provide less impact to the stream. Klepack also noted that the Village is entitled to a 6% exaction of land for recreation or funds in lieu. Hickey stated this would be required and he would offer suggestions after a plan is selected.

Curtis asked for clarification as to why the T's went to the edge of the buffer strip. Demarest responded it was to maximize the use of the lots and to meet the setback requirements. Curtis stated the cul-de-sac could be shortened and a portion of the T would be utilized to meet the frontage requirements. Curtis would need dimensions to determine how much shorter the T's could be and still meet the frontage requirements. Demarest was concerned about this then requiring additional front yard setbacks. Hickey clarified that Bomax Dr. would be a temporary dead-end street, rather than a long cul-de-sac, until Janivar Dr. was completed and that a barricade at the end of Bomax Dr. would be required.

The Board then reviewed diagram 2. Hickey was concerned about the access for the center lots onto Bomax Dr. Demarest stated he was envisioning an additional curb cut on Bomax Dr.. Hickey stated some of the building lots included the roads within the lots. Hickey felt a single lot could not be divided by a road. Hickey also stated recreational land would need to be accessible by a public roadway. Curtis noted the rear lots would be unbuildable and the Village can not create unbuildable lots due to Zoning requirements. Hickey noted the developers would need to include the back portions of the property near the stream with the rear lots so they were one single parcel. The problem occurs because the road in the middle would create two lots which is not allowed in the Zoning Law where one or both of lots would then be unbuildable. Hickey stated diagram 2 should not be considered as there are unbuildable lots and also because there would be a need to create an additional curb cut onto Bomax Dr. Cross also stated that in diagram 2, the road would make 90 degree turn intersections which are undesirable.

Hickey asked Dean if he would consider shared parking with one entrance into the lots. Demarest stated on design 1, it might be feasible and 4 lots could be accessed. Curtis will review this to see if it would meet zoning requirements. Curtis noted that Parkview has leased spaces rather than subdivided lots so shared parking works in that situation with an internal private roadway. Hickey noted leasing would cut down on road surfacing but the Deans would be responsible for plowing the roads. Since the Planning Board has previously discussed and reviewed the shared parking concept, Hickey stated if the Deans were interested in the shared parking concept, the Planning Board would consider an amendment to the Zoning Law to allow for this even if the lots were sold to individual owners but there would need to be a covenant, approved by the Village attorney, stating how the parking lots would be maintained, plowed, etc. and the parties buying the parcels would have to agree to this covenant. Curtis stated this is similar to the Tops parcel where the Tops Market and the Tops Plaza parcels are tied together with covenants and agreements so that they function as one lot. Hickey stated the Board will not be meeting again until January and then it would take at least a month or two for an amendment to be approved. Klepack stated she felt it would be at least June until this issue could be resolved by the Planning Board and Board of Trustees as there is not much information available from the County on the topic of shared parking.

Hickey asked for objections to diagram 1. Brown desired to see the cul-de-sacs eliminated if possible, but prefers it to diagram 2. Dankert prefers diagram 1 but would have to defer to the fire department officers to hear their concerns. Hickey stated it would be submitted to the Fire Department for review. Stycos and Klepack conceptually approved the design of diagram 1 (preliminary plat) so the developers could proceed with a final plat based on that design, but laid out by a licensed surveyor. Hickey also stated it is possible to amend the final plat with approval of the Planning Board.

Hickey spoke about the requirement in the Zoning Law for subdivisions to provide 6% of their land to the Village for recreational purposes. Hickey has spoken with Curtis, Klepack and Troy and they felt it was not important to have recreational land in this commercial development. Instead, Hickey felt paved shoulders on Bomax Dr. would be beneficial for walkers to Warren Road, the Post Office, Airport, etc. Hickey would recommend that when Dean is discussing this with Reinhart, he discuss a paved shoulder at that time on the property owned by the Deans. Brown stated she would rather see a walkway separated from the road surface. Klepack was in agreement with the separated walkway concept. Hickey reiterated the Board's desire to have a 5 ft. (black-top acceptable) walkway separated by 10 ft. from the roadway on the north side of Bomax Drive.

- Dankert moved to open the Public Hearing. Seconded by Klepack. All aye.

Mr. O'Neil, from the Lansing Trails Subdivision, expressed concerns about the tractor trailers which might be utilizing this road. Hickey stated signs would be placed on the Janivar Drive stating 4 ton trucks are the limit, but the signs would not be placed on Bomax Drive. Hickey stated the Lansing Trails Homeowners' Association has expressed this concern in the past. Hickey stated the businesses would be light manufacturing. Klepack read the list of businesses in the Zoning Law which could possibly be built in this area. Another concern of O'Neil's was that this new road system would become a short cut between Warren Rd. and N. Triphammer Rd. Klepack stated the road has been designed with stop signs and 90 degree turns to lessen the usage by trucks and thru traffic. A third question was in regards to reducing storm water runoff by using permeable asphalt. Hickey stated the Environmental Management Council would be a good resource to look into alternatives to asphalt.

Piotr Parasiewicz, 49 Janivar Dr., stated that one benefit of combining parking lots would be to concentrate the drainage from the lots.

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

Cross stated the concern of Troy in that between the buildings in diagram 1, there is an area inaccessible by a ROW for firefighting purposes. Dankert felt the Fire Department could address this issue. Curtis also stated this would be addressed in the Building Code.

Hickey also recommended that the Deans check with public transportation to see if they want bus stops and if so, where. Curtis asked the Board if they were concerned about pedestrian access between the buildings and then noted it

would be discussed during the special permit process for individual buildings.

Dankert moved to approve the preliminary plat plan (diagram 1) with the following conditions: (1) Installation of a 5 ft. sidewalk on the north side of Bomax Drive with a 10 ft. separation between it and the roadway (2) Review by the Fire Chief (3) Review by the Superintendent of Public Works (4) Review by the Village Engineer (5) Review by Board of Health (6) Review by Code Enforcement Officer and (7) Placement of a barricade after the westernmost road (at the end of building rather than end of road). Seconded by Brown. All aye.

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**Approval of Minutes – Oct. 30 and Nov. 12 & 29:**

The Board reviewed the minutes for October 30<sup>th</sup>. Klepack moved to approve the October 30<sup>th</sup> minutes as revised. Seconded by Brown. All aye.

The Board reviewed the minutes for November 12<sup>th</sup>. Klepack moved to approve the November 12<sup>th</sup> as revised. Seconded by Dankert. All aye.

The Board reviewed the minutes for November 29<sup>th</sup>. Klepack moved to approve the November 29<sup>th</sup> minutes as revised. Seconded by Dankert. All aye.

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**Reports:**

Hickey circulated a memo to the Board regarding the rezoning of the Butler property. Klepack liked seeing it in writing and stated that, in her opinion, the overriding benefit to the Village is to keep the zoning as it is presently. Klepack feels more importance needs to be given to maintaining current zoning. Klepack would also like to see Sy Smidt's letter and Curtis made copies for the Board. Secondly, Klepack felt there might be traffic jams within Pyramid Mall and that might not be a benefit. Klepack also stated she did not agree with Pyramid's position with regard to the transition zone concept. Klepack felt the taxation issue was not a strong point and was unsure whether a large store or more smaller businesses would provide the bigger benefit. Klepack likes to see Pyramid Mall maintain a mix of stores but there comes a point where the Village may not be able to accommodate what Pyramid thinks it needs. Klepack stated she was unaware of any requirement to remove the firehouse and residential building as she never heard this mentioned publicly at a meeting.

Hickey asked other Board members to write down their position on this issue. To date, the Village has not received an actual site plan and Pyramid Mall has asked for a postponement.

Stycos felt the 150 ft. buffer was attractive until she toured the site and looked at the YMCA and tried to visualize how another building that large or larger would look near Oakcrest Rd. She felt such a building would drastically change the Oakcrest area. She came to the realization that smaller buildings along Oakcrest Road might be better. Upon talking to Smidt and reading his letter, she felt that rezoning might encourage additional commercial sprawl as others would also request rezoning changes. Hickey stated that the Village's Zoning Law has stood tests and could withstand additional requests for rezoning changes. Hickey also stated that Stycos' concerns about noise, lighting and architectural designs would be relevant whether there is one large building or a few smaller businesses.

Cross wanted to know if Pyramid Mall was aware of the lack of sewer units and Hickey stated the zoning issue is what is being dealt with at this time. Hickey stated Home Depot was told in the past that sewer units would be available under the Special Permit previously approved by the Planning Board if it is within the 150,000 sf.

Hickey stated that to approve the rezoning request, the Planning Board must be able to identify significant benefit to the Village and not the property owner. If such benefit can not be clearly demonstrated, then the rezoning request should be denied.

Hickey spoke about the Dec. 6 meeting he attended with presentations by the Dept. of Planning and Architecture students who looked at growth in Tompkins County in the next 50 years. One scenario they presented showed growth going to the urban center, the second showed it in Lansing, and the third showed it dispersed to the outlying areas. Hickey felt many questions remained unanswered. One speaker stated that there has been a 14% increase in minority population in the last 10 years. Hickey checked the census data and provided statistics for the Village showing great

changes in the past 10 years.

Klepack stated the Board of Trustees has set a Public Hearing for Dec. 17 on the Landscape Policy although the Trustees would also like to see guidelines for Commercial High Traffic parking lots. Hickey has asked Dankert to work on this area and he has agreed to do so. Hickey has also sent for publications on parking lots.

Hickey stated Klepack and himself met with Jim Napolean, traffic engineer, and they walked through Napolean's map of N. Triphammer Road and identified where signs should go for streets and businesses. Napolean has agreed to have his report completed for the Jan. 14<sup>th</sup> meeting. Klepack stated the map shows very few required signs.

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**Adjournment:**

Klepack moved to adjourn the meeting at 9:52 P.M. Seconded by Dankert. All aye.