

**Village of Lansing
Planning Board Meeting
August 27, 2002**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Carol Klepack. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney Bill Troy; and Code Enforcement Officer Ben Curtis.

Public Comment:

Klepack opened the Public Comment.

Carolyn Kenyon, 1000 Cayuga Heights Road, expressed a desire to speak about CLT Uses. She will save her comments until the agenda item is called.

Mike Ward, 107 Oakcrest Road, spoke about Pyramid Mall and the Target construction. Noise has been a concern during construction as work begins about 7 AM each day but Ward knew this would eventually stop after construction was completed. This past Monday at 6 AM, a tractor trailer was unloading and the back-up beep was very audible. He is concerned about this noise as it may well be a noise that continues after the store opens if it regularly receives deliveries very early in the morning. Ward stated light is also a concern. Prior to Target construction, there was a problem with light from Tops but this was somewhat alleviated by the Target construction as the new store blocked the light from Tops. His concern is about possible problems with light from Target, their parking lot and eventually from the Butler property to the north and east of it.

Curtis stated the lights from the Tops parcel as well as those from Dick's Sporting Goods had caused problems for other residents which are being resolved. Dankert felt that Dennis Reinhart from the Lighting Commission should review the light outfall from the Target store. Curtis will also speak with Target regarding their delivery schedule.

Bing Cady, 1054 Cayuga Heights Road, stated he missed the meeting regarding the Belcher Property Subdivision at 1044 Cayuga Heights Road as he was out of town. His concern was that the drain field for the septic at 1044 Cayuga Heights Road was on the other property and he felt that some consideration should be given to the potential problems that might cause. Troy stated it would be addressed on the agenda later tonight.

Mario Tomei, 5 Bush Lane sent an e-mail to Chairman Hickey that he wanted read into the minutes. Tomei and his neighbors are concerned about the character of their neighborhood and request a one-story height limit for buildings lots on the corner of Bush Lane and N. Triphammer Road. This letter is in response to the residence being built in front of the Horizon's development. The letter is signed by M/M Donald Edwards, M/M David Manual, Ann Caren, and M/M Mario Tomei. Troy stated it is difficult to restrict the use of another person's land. Curtis stated the Zoning Law has a height limit of 35 ft. and the house in Horizons that triggered the discussion is in the Village and is within the 35 ft. height limit. Troy stated a Zoning Law change would be required. Stycos felt possibly talking with the owner of the undeveloped lots regarding covenants could be a solution. Troy stated this concern could be discussed in the future by the Planning Board. Klepack will discuss this with Hickey and decide whether to place it on a future agenda.

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

Special Permit No. 1759 – Buchanan Residence – 88 Burdick Hill – Public Hearing:

The first item on the agenda was a Public Hearing for Special Permit No. 1759, Cynthia and Bradley Buchanan, to construct a single family house at 88 Burdick Hill Road in the Low Density Residential District, Tax Parcel No. 42.1-1-50.282. Because construction will occur within 200' of the centerline of a stream included in the Conservation Combining District, special permit review is required pursuant to Section 202.12 of the Village of Lansing Zoning Law.

Builder Mauro Marinelli, 326 N. Meadow St., spoke about the silt fence meeting DEC requirements. Marinelli stated the property was within both the town and the village and the residence is proposed to be built 137.5 feet from the center of the stream. Klepack noted that a County 239 Review was required because the project is located within 500' of a municipal boundary and the 239 Review from the County Planning Department dated 8/26/02 was received with no negative comments. Curtis also noted that proof of mailings was received. Klepack read Brent Cross Engineer's Report dated 8/27/02.: 1) Site has been cleared back to south embankment. Site is gently sloping from east to west. Proposed location of house is approx. 125 ft. from stream edge. 2) Erosion Control Plan provides details for construction phase and permanent phase of site. Location is indicated for discharge of footing drains. 3) Detail for location of temporary silt fence along south edge of stream is provided. Recommendation by Cross that silt fence detail be included along west side of property as well.

Stycos asked how close this property would be to a UNA. Curtis stated the closest is in Esty's Glen on the opposite side of the road and a considerable distance to the west. Leopold asked about the stream and Marinelli responded that it is currently dry even after the latest rainfall.

The Board reviewed the questions in the SEQRA SEAF Part II although SEQRA is not required since as a single-family residence, this project is an exempt action. C1 - No, erosion has been addressed by the Village of Engineer's requirements. A silt fence will be installed and approved by Village Engineer and the house is situated some distance from the stream. C2 - No, this is a single family home in a residential district C3 - No, this is not part of a UNA. C4 - No, this is a residence in a residential district C5 No, this is a part of the orderly development of the Village. C6 - No Curtis stated that stone placed at the discharge would alleviate erosion.

The Board then reviewed the General Conditions for all Special Permits in Zoning Law Section 304.05. Dankert moved that the applicant has met the General Conditions of Section 304.05 of the Zoning Law. Seconded by Brown. All aye.

Belcher Subdivision & Convenient Care Addition:

Klepack noted that the Board needed to clean up some procedural matters regarding the approvals for the Belcher Subdivision as well as the Office and Laboratory Building at 35 Thornwood Drive.

First, the Board dealt with Special Permit No. 1750, JSW Realty to build an Office and Laboratory Building at 35 Thornwood Drive in the B & T Park. Brown moved the approval of Special Permit No. 1750, JWS Realty to construct a 35,350 sf Office and Laboratory Building Building at 35 Thornwood Drive in the B & T Park, Tax Parcel No. 45.1-1-55.2. Seconded by Dankert. Ayes by Brown, Dankert and Stycos. Abstain by Klepack.

Next, the Belcher Subdivision was discussed as a final vote was needed for the approval of the final plat. Cady stated that the existing drainage field for the Belcher residence septic is no longer on that property but is now located on Parcel B. Curtis stated the drainage field is located west of Belcher house and needs to be shown on the plat. Attorney Crossmore, representing Belcher, gave the Board a map showing the existing drainage field as of 1990. Troy stated the two lots could be combined or an easement could be given. Curtis stated a notation could be placed on the plat to provide a record of the drainage field. Troy stated a condition of approval could be either the consolidation of the two lots or to have the plat map reflect where the drainage field lies. Curtis noted that the drainage field has to be a certain distance from a lot line and unless it is located on the plat, the Board can not confirm that the plat complies with Health Department requirements. Crossmore felt the subdivision could be approved with a condition that a licensed engineer certify the apparent location of the drainage field on the final plat subject to the approval of the Village Attorney.

Dankert moved to approve the final plat for the Belcher Subdivision with the following conditions: 1) Parcel A is combined with the Durst parcel subject to the Village Attorney's approval, and 2) a licensed engineer determine where the drainage field is for the Belcher property and certify its proximity to the lot lines, subject to the Village Attorney's approval. Seconded by Stycos. All aye.

CLT Uses:

Klepack distributed information or concerns she wanted included in the discussion of uses in the CLT District. Her first concern included the fact that access to the proposed CLT2 area is through CHT. She feels a public road access to the businesses in the area is needed and wondered if there was thought of having Pyramid deed part of their ring road to the Village. Brown did not feel there was any consideration of Pyramid deeding the ring road but rather this was simply an attempt to prevent more curb cuts on N. Triphammer Road or Oakcrest Road. Curtis felt this would be a situation similar to Pizza Hut and Econolodge which are accessed from the Cayuga Mall ring road. Klepack also personally feels that having a curb cut onto Oakcrest Road is not a bad thing and might alleviate some of the traffic on N. Triphammer Road. Klepack also feels the buffer between the two districts could be handled like that for CFCU on Sheraton Drive with berms rather than requiring only vegetative growth along Oakcrest Road. Regarding the expansion of CLT uses, Klepack feels retail uses are hard to regulate so she does not currently favor expanding to include them. Troy recommended that the Board decide what they would not like to see in the CLT rather than to try to decide all the uses they would like to see permitted. The Board agreed they would not like to see warehouse or storage units as currently permitted in CLT. Klepack will request Hickey proceed to the Board of Trustees with this recommendation. Klepack also stated she prefers local businesses along Oakcrest Road rather than chain stores. Discussion continued as to whether Pyramid currently owns the land under discussion. Mike Ward stated he had a call from Eric Goetzmann from Pyramid to bring him up to date on the property adjoining his property. Ward also noted that gas service has been run down the access road next to the Fire Station. Klepack also expressed concern about the buffer strip on the west side of the CLT and felt the Board needed to be more sensitive to that than the northern side of Oakcrest Road. Curtis noted that the CLT parcel being discussed does not actually border residential land on the west side but instead borders the access road which in turn borders residential property. Ward stated he would be concerned if the access road were enlarged in the future.

Carolyn Kenyon, in the audience, stated she has a strong objection to placing retail stores in a CLT District. Her understanding is the CLT District was created to provide a buffer between residential and shopping districts.

Ward is opposed to curb cuts on Oakcrest Road and would definitely not want to see the access road extended through to Pyramid Mall. He is also concerned about traffic speeds on Oakcrest Road, as well as the traffic which will be generated by additional retail stores in the CLT District. Ward also stated that at some time he thought he saw that the access road from Oakcrest to Pyramid Mall was zoned as CHT. Curtis stated it is owned by Pyramid Mall but is zoned as CLT. Curtis stated there are also agreements with Pyramid Mall regarding this access road.

Stycos thought the CLT would only really be for local businesses. She would not like to see additional uses added to the CLT District but would like to see construction sales and storage removed from the list.

Discussion will continue at a future meeting.

New York State Planning Federation Conferences:

Curtis and Brown are unable to attend. Dankert would like to attend Monday's sessions. Stycos will check her calendar but would like to attend Monday's session or one at another time. Klepack would like to attend Monday and Tuesday. Hickey would also like to attend.

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Visual Impact Assessment – Garner Parcel:

Klepack stated that Hickey asked Board members to review the Garner parcel utilizing the Visual Impact Assessment Form to see if it would be a useful tool. Dankert commented that the form helped to solidify his thoughts. Klepack felt it was very useful to help her remember all aspects needed for review. Stycos felt the form is useful and additional categories could be added if needed in the future.

Approval of Minutes - June 25, July 30 and Aug. 12:

Curtis noted that there was not a quorum present for the approval of the June 25 minutes so no action would be taken tonight.

The Board reviewed the July 30th minutes. Brown moved to accept the minutes as revised. Seconded by Dankert. All

aye.

The Board reviewed the August 12th minutes. Dankert moved to accept the minutes as revised. Seconded by Stycos. All aye.

Reports:

Trustees: Klepack stated that Hickey wrote a report about the Trustees' meeting. His report stated that during the Public Comment period, a resident complained about the runoff from neighboring property onto his property on Leifs Way. No action was taken but sympathy was shown by the Board of Trustees. Another item was that there has been an increase in sewer surcharge from 22% to 33%. Cayuga Heights construction is scheduled for Sept. 2-Oct. 24. N. Triphammer Road has had 10 water main breaks this year. There will be an additional 14 sewer units forthcoming due to I & I repair. The N. Triphammer Design Consultant will be chosen soon.

Other Business as Time Permits:

Stycos has spoken with members of the Community Party and they would like to see the minutes on the web as soon as possible. Troy felt it is better to wait until they are approved.

Stycos stated it would be ideal to have an architect look at plans to help advise the Board. Troy stated Cross looks over plans. Stycos struggles with being pro-active versus awaiting the submission of projects. Discussion ensued as to municipalities within New York State and how they deal with development.

Adjournment:

Brown moved to adjourn at 10:00 P.M. Seconded by Dankert. All aye.