

**Village of Lansing
Planning Board Meeting
March 10, 2003**

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, Carol Klepack and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney Bill Troy; Engineer Brent Cross; and Code Enforcement Officer Ben Curtis.

Public Comment:

Hickey opened the Public Comment.

Cliff Buck, 39 Janivar Drive, addressed the Board first. He is representing Lansing Trails Homeowner's Association.

He has previously spoken to Mayor Hartill, as well as chairman Ned Hickey, and he now wishes to make his concerns known to the entire Board. Buck stated that historically about twelve to fourteen years ago the Board struggled with an east west passageway through Lansing Trails to connect N. Triphammer Rd. and Warren Road.. The plan approved then has since been modified and Phase II depicts connecting Janivar Drive to Bomax Drive. There is currently one egress from Lansing Trails to N. Triphammer Road. The Millcroft Subdivision proposal has 2 roads which will enter onto the Lansing Trail Subdivision. There is also a connection proposed between Lansing Trails and the Kensington Subdivision when the issues of that project are resolved. Bomax Drive will also provide another means of traffic flow through Lansing Trails when the roads are connected. This makes for a total of 5 roads connecting to Lansing Trails where there is currently only one. Buck would like to recommend the Board abandon the idea of a road through Lansing Trails to Bomax Drive. Hickey thanked Buck for his concerns and stated the Board would address them at the appropriate time when the Lansing Trails Phase II is submitted. Buck would like the whole picture reviewed rather than each individual subdivision.

John O'Neill, 53 Janivar Drive, stated when he was canvassing the Lansing Trails residents for the Village elections, he distributed the Millcroft Subdivision plans to the residents. Many stated that the connection to Bomax Drive would not be needed because there would be connections from Lansing Trails through the Millcroft Subdivision. He again stated his support for the statements made by Buck.

Roger Jagoda, 17 Janivar Dr., also expressed his concerns about traffic and stated his friends on Cherry Road and Dart Dr. currently bear much of the east west traffic. For this reason, he does not want to see Bomax Drive opened through their neighborhood and feels it is a disaster waiting to happen.

When everyone who wished to speak had spoken, Klepack moved to close the Public Comment period. Seconded by Brown. All aye.

Public Hearing: Special Permit No. 1804 – Advion, 9 Brown Road:

The next item on the agenda was a public hearing for Special Permit No. 1804, Integrated Acquisition and Development to construct a 48,700 sf building for Advion BioSciences to include office space and testing laboratories at 9 Brown Road, in the Business and Technology District, Tax Parcel No. 45.1-1-55.9.

Hickey stated the Board has received the 239 Review from the County which stated the project could have a negative impact. Integrated Acquisition is being asked to provide additional information to the County so they can resolve their concerns. Hickey stated the SEQR and Special Permit approval should be delayed until the County and Integrated Acquisition have had an opportunity to resolve these concerns. Troy stated he would advise trying to resolve the concerns in the 239 Review prior to bringing approval of the project to a vote. The applicants agreed to work with the County to resolve the issues and return to the Planning Board at a later date for approval; they were prepared, however, to proceed with the Public Hearing and to present the project to the Board at this meeting.

Herman Sieverding, speaking for Integrated Acquisition, gave a brief presentation with regards to site layout, access,

parking and building elevations. Sieverding stated that David Herrick, of TG Millers Engineers, will address the grading and storm water management plans.

Sieverding gave Curtis the proof of mailings.

Sieverding began by noting that Advion BioSciences is now on Catherwood Rd. and has outgrown its space and needs a larger facility. They would like to be in the B & T Park and need 48,700 sf of building space with 28,000 sf of office space, 14,500 of laboratory space and 6,200 sf of support space (fitness and cafeteria space). Phase I would be an interim phase with 150-160 parking spaces and Phase II would have approximately 200 parking spaces.

The site which Advion BioSciences would like is on the corner of Brown Rd. and Warren Rd. at the entrance to the park on the right hand side. Currently there is a 8,000 sf building on the site occupied by BinOptics. The new building will be situated east of the BinOptics building to accomodate the curb cut on Brown Road and other site conditions such as grading and vegetation. The new building will have two front yards, one on Warren Rd. and one on Brown Rd., and will easily meet the front yard requirements. The front yard setback from Warren Road is 315 feet and the front yard setback from Brown road is 127 feet, where as 75 feet is required. The side yard setback is 125 feet from the south property line and 55 feet from the Thornwood Drive side which also exceed the required 25 ft. yard setback. Lot coverage allows for 25% lot coverage and with both buildings on the lot, there will be 22% lot coverage. In two years time, the BinOptics building will be removed. Curb cuts are proposed on Brown Road as well as Thornwood Dr.

Sieverding spoke about two parking options. Sieverding stated that the Zoning Law requires one space for every 200 sf of office space with the possibility of a 20% reduction in the number of spaces required. Sieverding stated that he had also prepared an option with a 30% reduction in the number of parking spaces. The required number of parking spaces for the building is 284. For the 20% reduction of 57 spaces, there would need to be 227 parking spaces provided. Subtracting the existing parking of 37 spaces which would remain would require 190 new parking spaces and the proposal provides 126 new paved parking spaces and 64 temporary (gravel) spaces with the additional 57 parking spaces being held in a land bank. The 64 temporary spaces would be returned to vegetation when permanent paved spaces were provided on the site of the BinOptics building when it is demolished in Phase II. The 30% option would allow more opportunities to preserve vegetation in the southwest corner of the site. Again, there would be 284 required spaces and the 30% reduction would allow for 85 parking spaces to be landbanked. This proposal would require 162 new parking spaces to be provided rather than the 190 parking spaces under the 20% reduction plan. This would allow for the same number of permanent spaces but would only require 36 temporary spaces.

Sieverding stated that the number of parking spaces required in the zoning law and the demand for parking spaces are often very different. He stated that the zoning law bases the number of spaces on office space and this building has a significant amount of laboratory and research space which generate a lower parking demand per square foot of floor area. Sieverding also noted that reducing the number of parking spaces would preserve vegetative areas on the site. His third reason to support the 30% reduction, is because reducing the amount of parking would have less of an environmental impact in terms of storm water runoff because of the reduction in impervious surfaces.

Next, David Herrick, TG Millers, spoke about grading and drainage. External drainage issues affect the site. There is water discharge off of Brown Road which is apparent on the site. Farther into the woods, there is an outlet from the County's detention area for the airport. There is a four inch outflow pipe in the NE corner of the parcel which drains into the center of the parcel. With the new 2003 regulation for the NYS SPDES General Permit for stormwater discharge effective this year, there are more stringent requirements which must be met. The new formula for water quality criteria goes beyond the first flush runoff treatment previously required. Now, developers must also meet requirements for two year, ten year and one hundred year storms. Herrick stated that an interim dry swale vegetative filtered system is being proposed for the first flush runoff treatment. To meet the demands for the 2, 10 and 100 year storms, there is an underground system being proposed with large volume pipes connected by manifold on the ends to be placed under the parking areas. The pipes will serve as an underground detention pond and maintain the rate of storm water discharge from the site at its predevelopment levels. Herrick stated with modifications it might be possible to construct all the underground storage in Phase I. Curtis asked about the maintenance of an underground water detention system. Herrick responded that the sedimentation is largely removed in the filtration swale so there is

little material deposited within the pipes. The pipes can be accessed through the manifolds if required.

Sieverding spoke again about the elevations and final site plan. Integrated has retained the services of QPK Design for architectural services. The Board looked at designs for the elevations from three sides with the main entrance facing Warren Rd. The proposed building will be masonry with blue-gray reflective glass windows with metal panels.

Hickey opened the public hearing. Since there was no one present who indicated a desire to speak, Klepack moved to close the public hearing. Seconded by Brown. All aye.

Brent Cross gave his engineering report. He has spoken with Herrick today regarding the underground storage system. It is an acceptable system and they will probably be more utilized in the future due to the new stormwater regulations. Cross feels silting is an unknown at this time and maintenance may be required. He will look at the stormwater calculations when they are submitted as part of his final approval. Cross is also requesting to see the information which will be provided to the County. Although Cross did not mention it in his report, he recollects something in the Subdivision Law about a limitation of 50% impervious surfaces on a given lot. Hickey requested that this will be researched and noted that where there are mitigating factors such requirements can be waived by the Planning Board. Cross stated from an engineering perspective he wondered if there was any consideration about calculating a floating point for these pipes.

Hickey is concerned about the runoff and wants to know how it is calculated or measured – whether before or after the project is built.

Cross continued his report questioning if there would be a requirement for a sewer unit for each building with two being required until the existing building is demolished in Phase II. Cross would like to see documentation for the existing building and also the proposed water consumption for the new building. Cross has also spoken to Herrick about the connections for utilities across the site for the two buildings and whether the new building would connect to the existing building which in turn connects to the main.

Klepack commended Integrated Acquisitions for saving trees and considering the 30% option for required parking spaces. Hickey stated that Integrated Acquisition has given some recommendations in their March 6 letter indicating how this can be resolved. The Village is currently undergoing a codification process and the final version has not been adopted. Hickey stated he likes Integrated Acquisition's first recommendation which would approve the site plan showing the 20% reduction with the understanding that when the Village formally adopts the revision allowing a 30% reduction, Integrated Acquisition will come back with a request to approve the site plan based on this reduction in the number of parking spaces provided. Hickey would also like to add that in the case the codification is not passed, the Planning Board would recommend to the BZA a variance to permit the 30% reduction.

Hickey would like to know the number of trees which will be removed and what is the ratio of that number to the number to be put back. Integrated Acquisition will provide these numbers. Hickey stated this can be part of the Landscape Plan.

Hickey spoke about a bus stop on the south side of Brown Road near Thornwood Dr. Should this become a possibility, there would need to be an easement. Integrated Acquisition was in agreement.

Klepack asked about sidewalks. Sieverding stated a sidewalk from Thornwood Dr. and Brown Rd. intersection to the curb cut and then a trail is being proposed to tie into the existing trail.

Hickey stated Integrated Acquisition will be placed on the agenda for the next meeting assuming the Village has heard back from the County. Copies of the information requested by the County will be given to Curtis to distribute to Cross, County and Curtis' files.

Public Hearing: Special Permit No. 1805 – John Purcell – 111 Burdick Hill Rd.

The second item on the agenda was a public hearing for Special Permit No. 1805, John Purcell to convert a single family residence to a two family residence at 111 Burdick hill Road, in the Low Density Residential District, Tax Parcel No. 43.1-1-26.45.

Hickey opened the public hearing. Since there was no one present who wished to speak, Klepack moved to close the public hearing. Seconded by Stycos. All aye.

Mr. Purcell stated he has lived 25 years in the home and over time has converted the basement to a one bedroom apartment. He now wishes to sell the residence and needs confirmation that it meets code. Purcell has met with the Health Department and the septic system is fine for a four bedroom residence. Purcell has also had Bolton Point perform an inspection and everything is fine. The electrical underwriters have performed an inspection and changes have been made. It seems to be pretty much in compliance except for fireproof sheet rock which is needed on the ceiling and two walls. If the Board approves this Special Permit, Curtis will issue a building permit and confirm that it meets requirements.

Hickey stated this action falls under Section 304.06, Additional Conditions for Special Permits for one family residence converted. The residence must be owner occupied for a minimum of three years prior to the conversion and after the conversion the owner of the residence must occupy at least one of the dwelling units. Hickey stated that both of these conditions apply.

Curtis noted this is an exempt action under SEQR.

The Planning Board then reviewed the General Conditions for all Special Permits in Section 304.05 of the Zoning Law.

Klepack moved that the applicant has met all the general conditions, as well as additional conditions, for a Special Permit and to approve Special Permit No. 1805, John Purcell to convert a single family residence to a two family residence at 111 Burdick Hill Road. Seconded by Brown. All aye.

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35 Thornwood Drive Landscaping Plan:

The Board reviewed the Landscape Plan for 35 Thornwood Drive. Hickey stated that when approval was given for 35 Thornwood Dr. there was the condition that 12 of the 21 significant trees be replaced. Hickey asked John Majeroni, of Cornell Real Estate, for clarification and Majeroni explained that the vegetation numbered on the plan indicates all new plants. Hickey was impressed with the plan which indicates 71 new trees and 116 new shrubs.

Klepack moved to approve the Landscape Plan for 35 Thornwood Drive as submitted. Seconded by Brown. All aye.

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Landscaping Guidelines for CHT Parking Lots:

Klepack is continuing to work on this project. Klepack will include the guidelines that all facades of a building be treated as a front façade. Klepack will give the information to Willard for final revisions. Hickey will request a set of the guidelines utilized by the Cornell B & T Park for Planning Board use.

Zoning Law Amendments:

Hickey stated the amendments are about CLT Uses as well as changes for CLT Guidelines which were never incorporated into the Zoning Law. Troy is still working on this project.

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Other Business as Time Permits:

The Board discussed the Codification progress. Hickey is hopeful it will be completed this year. The section regarding highway specifications is being worked on by TG Millers who are also busy working on the new storm water management regulations at this time. Curtis noted that there will be a meeting on April 3rd at the Ramada Inn where Donald Lake, from the New York State Soil and Water Conservation Committee, will speak the new regulations and permit requirements.

Open Space Proposal – Continued Discussion:

Hickey has spoken with Kathryn Wolf, Trowbridge & Wolf, and she indicated her interest in assisting with this project. She will have a proposal available to the Board for the March 25th meeting.

Hickey distributed the draft of changes for clustering. Section 7-738 of NYS Village Law applies to the Subdivision Law. Hickey feels a definition of open space is required and should be added to the law. Curtis stated that leverage to encourage open space may be limited by saying it should not include detention or retention ponds. Curtis feels they might be good to include for a parcel such as the Sun Downs parcel. Hickey was thinking new detention ponds. The Board removed the restriction from the draft. They also added to the definition of open space that it does not include the 6% recreation exaction. After much discussion, the Board agreed that no less than 20% of the gross area shall be designated as common open space for clustering.

Troy discussed the ownership of open space and noted that a requirement that an easement be granted to a municipality as a condition of approval has been challenged in the past.

Hickey has a section on Homeowner's Associations which he will have the Attorney review. The next segment pertaining to zoning requirements applying to the land bordering neighboring parcels of land will become a part of this proposed amendment to the Subdivision Law.

Pursuant to the discussion at this meeting Hickey will revise the clustering proposal and bring it to the Board for the March 25th meeting for another review.

Approval of Minutes – Feb. 10 & 25:

Klepack moved to approve the February 10 minutes as revised. Seconded by Brown. All aye. Klepack moved to approve the February 25 minutes as revised. Seconded by Brown. All aye.

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Reports:

Trustees: Troy reported a preliminary budget was discussed.

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Adjournment:

Klepack moved to adjourn the meeting at 9:40 P.M. Seconded by Brown. All aye.