

**Village of Lansing
Planning Board Meeting
June 24, 2003**

The meeting of the Village of Lansing Planning Board was called to order at 7:31 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney David Dubow; Engineer Brent Cross; Code Enforcement Officer Ben Curtis; and members of the public.

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Public Comment:

Hickey stated meetings are taped and then transcribed into minutes and published on the Village web page after they are approved. There will be two Public Hearings tonight, one for NYS Gas & Electric and the second for Cornell Real Estate. Comments on those projects are welcome during that time. Then there will be discussion of the Millcroft Subdivision with sketch plan review with a Public Hearing to be held at the July 14th meeting.

Hickey opened the Public Comment period. John O'Neill, 53 Janivar Drive, representing many residents from Lansing Trails, wanted to bring their concerns and opinions to the Planning Board and Board of Trustees. O'Neill provided a DOT handout on traffic calming for Planning Board review. O'Neill also provided a petition from 36 residents of Lansing Trails gathered over the weekend indicating 100% of them were in agreement that more should be done to manage storm water runoff. Secondly, the residents would like to see a street plan designed for Lansing Trails II with no direct connection to Warren Road. As his third point he reported Lansing Trails residents would like to see traffic calming measures included as part of any future road development in their neighborhood whether stop signs or street bumps or any of the other measures discussed in the handout or other traffic design guides. Hickey thanked O'Neill for the survey and noted his three points. Hickey stated documents would be available for the Millcroft Subdivision prior to the July 14th meeting and a Public Hearing would be held at that meeting.

A parent from the Horizon development asked that her young daughter be allowed to speak about her concerns regarding the Millcroft Subdivision. The girl will submit her speech to become a part of the record.

Dankert moved to close the Public Comment period. Seconded by Klepack. All aye.

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Public Hearing – Special Permit No. 1841 – NYS G & E Driveway:

The first item on the agenda was a Public Hearing for Special Permit No. 1841, New York State Electric & Gas to construct an additional driveway for their substation on Substation Alley behind Triphammer Mall in the Commercial High Traffic District, Tax Parcel No. 46.1-6-3.

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Bob Pass, NYSEG Regional Community Outreach & Development Manager, made the presentation after providing proof of mailing. He was accompanied by Barb Rock, Supervisor of Technical Operations in the Ithaca area. Pass stated that Zoning Law Section 104.17(b)(1) regarding curb cuts states that curb cuts must be approved by the Planning Board during a Special Permit review. NYSEG must now upgrade the equipment in their substation and a second driveway is needed. The proposed driveway would be constructed from Substation Alley near the southwest corner of the property along the southern boundary of the property to a gate that would be installed in the southeast corner of the substation enclosure and be partially screened by landscaping currently in place. The existing driveway which is about 30 ft. long is not sufficient to provide adequate access to the substation transformers and equipment. Large cranes and heavy equipment will be needed for installation when 7 transformers are replaced with 5 larger ones. Two driveways will be needed in the future to insure unencumbered access to all of the equipment located in this facility. The facility is important and serves 4,700+ customers which includes the Village of Lansing. Pass noted that many of the neighboring business have more than one driveway and also have many dumpsters on their property which are often unsightly and require cleanup. Pass also noted that during the day vehicles are sometimes parked so as to block their only driveway for the substation. Zoning Law section 104.7C1 states all curb cuts must provide safe access. This is a highly congested commercial area. NYSEG is experiencing 9% load growth at this facility. The upgrade to the facility is planned for the Fall and the road would be built in the summer season.

Hickey opened the Public Hearing. Bob Barnes, representing Triphammer Mall, read a letter from Richard Thaler, owner of Triphammer Development. It stated Thaler has no objection to the new driveway but felt the driveway should not be permanent. Mr. Thaler's letter noted that years ago, he asked NYSEG to move the substation to east of Warren Road and away from this congested commercial area.

Since no one else wished to speak, Klepack moved to close the Public Hearing for Special Permit No. 1841. Seconded by Brown. All aye.

Hickey asked for clarification as to whether the driveway would be temporary or permanent. Pass responded that two permanent driveways would be needed for routine maintenance, system problems during emergencies or storms, planned outages, etc. Rock stated when the new larger equipment is installed, NYSEG will not be able to access all the equipment in the substation from the current driveway.

Hickey stated that NYSEG has existed for some time with just a gravel driveway and asked if the other driveway could be the same. Rock stated the proposed driveway will also be gravel. Pass stated the driveway will be well constructed and there will be wildlife fencing around the substation to prevent animals from getting into the substation. Cross asked why the fencing is not enlarged to the limits of the property. Pass stated it would be costly to do this and the area within the fencing is minimized so that it has less of a visual impact.

Leopold asked about NYSEG relocating. Pass said that would require moving of transmission lines and would be costly. It is also difficult to receive approval from neighbors to place a substation in their neighborhood.

Brown asked how often access is needed. Rock stated there were three times last spring when access was needed. Hopefully, this pattern will not continue.

Hickey recommended NYSEG work with Thaler or his representatives to resolve problems such as illegal parking and rubbish. Hickey stated that the Village has a Code Enforcement Officer and if there is a problem with blocked access, then he should be notified. Also, no parking signs could be erected to alleviate the problem.

Hickey noted this is an exempt action under SEQRA 617.5(c)(7).

The Planning Board then reviewed the General Conditions for all Special Permits in Section 304.05 of the Zoning Law. It was noted that the site is located at the back of a Commercial High Traffic area and is a permitted use there. Klepack noted that a tree would be removed and Pass agreed to plant shrubs in its place. Hickey noted that the Planning Board has not yet obtained a favorable 239 Review from the County.

Klepack moved that the applicant has met all the General Conditions for a Special Permit under Section 304.05 of the Zoning Law. Seconded by Dankert. All aye.

Klepack moved to approve Special Permit No. 1841 for NYSEG to construct an additional driveway for their substation on Substation Alley behind Triphammer Mall in the Commercial High Traffic District, Tax Parcel No. 46.1-6-3 with the following three conditions: 1) shrubs to be planted to replace the removed tree, 2) the Planning Board obtain a favorable 239 Review from the County, and 3) the driveway be of a pervious material such as stone or gravel. Seconded by Brown. All aye.

Public Hearing – Special Permit No. 1842 – CU Food Service at 35 Thornwood Dr.:

The second item on the agenda was a Public Hearing for Special Permit No. 1842, Cornell University Real Estate Department to change the use of approximately 1350 sf of the building currently under construction at 35 Thornwood Drive to accommodate a food service business for the B & T Park, and additionally, to amend the site plan previously approved for the building at 35 Thornwood Drive in the Business & Technology District, Tax Parcel No. 45.1-1-55.21.

Melissa Baldassarre, project manager for Cornell Real Estate, made the presentation. Baldassarre stated a survey was conducted and park employees requested food service for the park area. An additional survey was then completed

which indicated that a deli service was preferred. Cornell is requesting approval to amend the use of the previously approved building to include a deli, and the site plan to provide additional parking spaces. Proof of mailing was provided. The deli is proposed to serve only employees of the park and would be open from 8Am to 2PM Monday through Friday to serve pizza, salads, sandwiches, wraps, etc. There would be previously prepared meals, as well as made to order items, and there would be provision for fax and internet ordering for takeout, delivery and catering services in the park. Baldassarre stated that site plan amendment approval is needed for an additional 10 parking spaces in the northeast corner of the site, as well as a small shaded patio for outdoor dining.

Hickey opened the Public Hearing. Cliff Buck, 39 Janivar Drive, stated that restaurants and hotels already exist in the Village. He wondered if there would soon be a gas station or beauty shop in that area. He wondered if it would continue to go on and on and take away from the current supporters of the Village in the Business District.

John Sherbon, 2 Leifs Way, took the opposite approach and felt this might alleviate some of the traffic problems at noon within the Village.

Since no one else wished to speak, Dankert moved to close the Public Hearing for Special Permit No. 1842. Seconded by Klepack. All aye.

Hickey addressed Buck's concerns. The Business and Technology District was essentially established for research and small manufacturing. Since then, its function has changed to include more office/studio/service type uses. The Board was concerned about the B & T Park drawing away from other businesses in other commercial districts of the Village. There are strict limits on how a deli can operate in the B&T District. Klepack stated that office/studio/service does not allow for take-out and she did not know if the proposed deli meets the criteria of the restaurant use permitted in the B&T District. Hickey stated the Board must carefully review the additional conditions for a restaurant in the B&T District. Curtis stated a restaurant is a permitted use in the B & T Park with specific conditions (Zoning Law Section 304.06(g)(2)[ii]). Hickey noted that the special conditions allow for delivery or on-site dining but do not allow for carry-out. Hickey stated that it appeared that carry-out would require a variance granted by the BZA. Dubow stated the conditions listed in Section 304.06(g)(2)[ii] of the Zoning Law are those which were added in 1990 upon the recommendations of Cornell Real Estate. Stycos asked about the catering operation and Baldassarre responded that it would be for sandwiches, salads, etc. and would not compete with Cornell Catering.

The Board discussed the project in general terms. Hickey noted there are about 1600 employees in the park. Dubow stated it would be difficult to get a use variance for carry-out as in order to do so the applicant would have to demonstrate economic hardship. Hickey stated that the project could be approved with a delivery type rather than carry-out operation. Baldassarre stated Cornell would still like to continue with the project and would even consider trying to make it work with no take-out. The current proposal is seating for 14 people inside and some outside and parking is needed to accommodate them. The proposal is for a 1350 sf operation and a floor plan was shown for the small kitchen. Klepack suggested Cornell might want to re-think their project and floor plan if carry-out is no longer allowed.

Hickey also has comments from the engineer regarding driveways and parking which need to be reviewed. Hickey would like to see more information on the outside eating area. Hickey suggested the Board table Special Permit 1842 so that Baldassarre and John Majeroni of Cornell Real Estate can explore their options. Klepack moved to table Special Permit No. 1842 until the first meeting in July. Seconded by Stycos. All aye.

Millcroft Subdivision – Sketch Plan:

The next item on the agenda was a modified sketch plan for the Millcroft Subdivision. Hickey stated the total sketch plan would be reviewed for Phases I and II.

Dan Bower, Hunt Engineers & manager of this project, gave the presentation. Bower is also working with Jim Finnigan, project engineer. Bower stated that Bob Miller and Viola Miller were also available to answer questions if need be. Bower stated the sketch plan has been modified to address concerns raised at the earlier meetings and to comply with EPA Phase II requirements. Among the things changed was the road layout. The major change is the elimination of the cross route directly through the development and a substantial amount of roadway was eliminated. Other features remained largely the same. The intersection with Bush Lane was moved further to the west. A future

connection with Lansing Trails is also proposed. The developers explored eliminating the connection to Bush Lane but discarded this option in response to concerns expressed by the Planning Board. The roadway will include curves and stop signs to calm traffic and maintain a neighborhood feeling while also meeting the planning goals of the Village.

Bower stated much has been done since the last meeting. There has been a survey and the site and boundary lines have been established. There has also been a survey map drawn with contours to show elevation levels. Bower has met with Curtis, Hickey and Cross to review the project changes. Bower has also met with Superintendent of Public Works Dennis Reinhart and gathered data and they did a field site review looking at drainage controls (ponds) which are already in place. Bower has reviewed data with Curtis and met with BorgWarner to gather data on their pond.

Phase I and Phase II are stand-alone projects. The first two phases will be for 25 residences with an ultimate build-out of 49 lots with a remaining lot which will not be subdivided at this time.

Bower provided an engineer's report which included a traffic analysis for traffic on Bush Lane. At the request of the Board traffic analysis for Craft Road and N. Triphammer Road as well as Brook Way will be added. Curve radii are tighter than the 300 ft required by the Subdivision Regulations. Those proposed are at 150 ft. based on a review of the curves at Horizons, Janivar and Shannon Park. Bower feels this will slow traffic in the area. Pedestrian connections though the trail system will connect with Leifs Way. There will also be another path for north/south travel which will be constructed of crushed stone or some other permeable surface as specified by Reinhart.

Bower referenced a letter dated June 24th which contained specifics about the subdivision and noted that the proposal provides for a recreation area of 2.3 acres and a trail system, as well as public spaces which are parts of the trail and drainage system, which in total will exceed the amount of recreation space required. Bower stated there would be 25 ft. easements along the shallow detention swales on the south side of the parcel. Hickey asked who would own the detention ponds. Bower stated they would be owned by the Village and could be accessed by widening the path to them to 30 ft. This is still being reviewed. Hickey stated that drainage plan must meet the approval of Engineer Cross. Cross is concerned that the detention swales are not owned by the Village. Hickey asked if there could be deed restrictions to require the homeowners maintain the drainage areas. Hickey stated the Board would also want to see landscaping for those areas. Bower stated the developers would be installing the plantings.

Hickey asked about Bush Lane and the concern about traffic at the rise in the road. Bower stated the distance from the entrance of the subdivision and the intersection with Brook Way is approximately 1000 ft. Dankert asked about the cul-de-sacs and Bower responded that Reinhart favored the hammerhead turn-arounds at the ends. Dankert recommended that Bower talk to the fire chief for his opinion. Cross though Reinhart favored the off-tee turn-around. Hickey stated fire department approval would be required regardless.

Cross would like to discuss drainage further with the developers.

Brown asked why the two proposed roads could not be connected at this time. Bower said it is due to financial restraints. Leopold suggested that once some lots are sold it might be possible to connect the roads at that time rather than waiting for Phase III. Klepack would like to see the roads connected now rather than to have two dead-ends.

Hickey stated that there will need to be further meetings with Cross regarding drainage as well as with the fire chief regarding the dead-ends. Bob Miller stated it is not a simple matter to just put a road through because to do so requires full engineering which is expensive. Although Klepack has not yet had time to review the numbers, she questioned why acreage for drainage is included into the 6% required to be given to the Village for recreation. Bower stated the trails and recreation space equates almost to the amount required and that the detention ponds are in addition to that required amount. Bower stated the developers have designed the lots and required setbacks more stringent than those of the Village so as to maintain the stream corridors. The stream corridors will be owned by the homeowners and there will be deed restrictions placed on those lots.

Curtis stated the Millcroft Subdivision will be placed on the July 14th agenda. Bob Miller stated Phase I and Phase II will be done sequentially.

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CLT Zoning Amendments (2003 Proposed Local Law C):

Hickey stated the Board needs to review proposed Local Law C. This law deals with food and beverage establishments for the CLT, CHT, B & T Districts. The law also deals with office/studio/service and sales/repair/maintenance categories. There is also a new category entitled Low Impact Technology.

Hickey began with the proposed Zoning Law Section 603.39 for Low Impact Technology. Brown questioned why there needed to be any tractor trailer traffic and Hickey responded that it states little or no tractor trailer traffic because some businesses need occasional deliveries from that might be carried on tractor trailer trucks. The prohibition on loading docks will eliminate businesses that rely heavily on bulk shipping and receiving.

Hickey then reviewed the low traffic versus high traffic food and beverage categories.

Dankert then moved that the Planning Board recommend to the Board of Trustees approval of Proposed Local Law C to clarify and supplement certain permitted uses in certain zoning districts and requirements thereof. Seconded by Klepack. Leopold ascertained that Proposed Zoning Law Section 603.25 for sales/repair/maintenance be only in CHT District. All aye.

Lansing Trails:

Hickey stated the Board had not received material prior to the meeting for their review. Larry Fabbroni reviewed with the Board a set of 3 different draft plans. There will be 115 units and the open space would be owned by the persons residing on the properties. There would be no commonly held property as preferred by the Village. Fabbroni wants to hear the recommendations of Cross for roads and drainage. Fabbroni also wants to hear the recommendations of the Board. Hickey recommended that copies of the 3 options remain with the Board for their review and this be placed on the July 14th agenda. Cross recommended the two basic concepts – that of keeping through traffic out of the neighborhood or that of deterring through traffic with a zig-zag traffic pattern be determined first. Hickey stated that he liked Cross' basic analogy for either a concentrated traffic system or a dispersed traffic system or something in between. Klepack also stated the Mayor has spoken about a committee to discuss the road from the former Edelman property to Warren Road, but did not feel the committee will be formed any time soon and did not think anything should hinge on a decision regarding the former Edelman property.

Codification:

Hickey stated that the segment of the Codification dealing with road specifications has been completed and it has been given to Clerk part-time, Carol Willard for incorporation. Hickey stated there will be another appendix to the Codification called traffic calming and he requested Brown gather her information on this and give it to him for incorporation.

Approval of Minutes – May 12:

Brown moved to approve the minutes of May 12th as revised. Seconded by Stycos. All aye.

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Road Name:

Hickey stated the resident's of Coventry Walk have suggested the road at the end of Northwood Apartments down to where Coventry Walk turns off be named Wood Thrush Hollow or Wood Thrush Hollow Trail. After some discussion, Dankert moved to recommend that the road at the end of Northwood Apartments down to Coventry Walk be named Wood Thrush Hollow Lane. Seconded by Stycos. All aye.

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Adjournment:

Klepack moved to adjourn at 10:00 P.M. Seconded by Brown. Brown stated she has photos of the Lansing Trails Tour and will save them for later use. All aye.