

**Village of Lansing
Planning Board Meeting
December 13, 2004**

The meeting of the Village of Lansing Planning Board was called to order at 7:35 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert and Carol Klepack and John Piscopo; Trustee Liaison Lynn Leopold; Attorney David Dubow; Engineer Brent Cross; Code Enforcement Officer Ben Curtis and members of the public.

Hickey opened the meeting and noted for the record that he was designating Alternate Planning Board Member Piscopo to serve as an Acting Member in place of Maria Stycos who could not attend the meeting.

Public Comment:

Hickey opened the Public Comment period.

As there was no one present who wished to speak, Dankert moved to close the Public Comment period. Seconded by Brown. Ayes by Dankert, Hickey, Brown, Klepack and Piscopo. Motion carried.

Public Hearing: Final Plat Approval for Edelman Subdivision:

The next item on the agenda was a Public Hearing for Final Plat Approval of the Edelman Subdivision, a minor subdivision dividing a 12.21 acre lot into one 5.083 acre lot with 20 existing townhouses and one 7.127 acre vacant parcel. The lot to be subdivided fronts on Wood Thrush Hollow Road and is adjacent and west of the Northwood Apartments in the High Density Residential District, Tax Parcel No. 46.1-7-99.2

Hickey noted the name of Coventry Walk on the Plat needs to be changed to Wood Thrush Hollow Road as it has been officially named. Dubow noted that the Plat does indicate in brackets that the road is posted as Wood Thrush Hollow Road.

Hickey opened the Public Hearing. As there was no one present who wished to speak, Klepack moved to close the Public Hearing. Seconded by Piscopo. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion approved.

Dubow noted this is a minor subdivision and an exempt action for SEQRA under local law and therefore a SEQRA review is not required.

Klepack moved the following resolution, seconded by Dankert

WHEREAS:

- A. This matter involves consideration of the following proposed action: Final Plat Approval of the Edelman Subdivision, a minor subdivision dividing a 12.21 acre lot into one 5.083 acre lot with 20 existing townhouse units and one 7.127 acre vacant parcel. The lot to be subdivided fronts on Wood Thrush Hollow Road and is adjacent to and west of the Northwood Apartments in the High Density Residential District, Tax Parcel No. 46.1-7-99.2; and
- B. The Village of Lansing Planning Board, in accordance with Village of Lansing Local Law 3 of 2000, hereby determines that the approval of the proposed minor subdivision is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR); and
- C. On December 13, 2004, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the subdivision plat and accompanying materials and information presented by and on behalf of the applicant in support of this proposed action, including information and materials related to the environmental issues, if any, which

the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Planning Board, based upon all of its foregoing review and action, hereby grants final plat approval of the Edelman Minor Subdivision subject to the following conditions and requirements:

none

2. The Chairperson of the Village of Lansing Planning Board is hereby authorized and directed to sign such final plat in accordance with Sections 303.07 and 312.01 of the Village of Lansing Land Subdivision Regulations.

The vote on the foregoing motion was as follows:

AYES: Dankert, Brown, Hickey, Klepack and Piscopo

NAYS: none

The motion was declared to be carried.

Public Hearing: Special Permit No. 1983, single family residence, Millcroft Sub.:

The next item on the agenda was a Public Hearing for Special Permit No. 1983, Ken Bell, to construct a single family residence on lot 16 of the Millcroft Subdivision in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.2. A Special Permit is required pursuant to Section 304.02 of the Village of Lansing Zoning Law because the single family residence is proposed in a location which is included in the area designated as the Airport Combining District due to its proximity to the airport runway.

Hickey explained that this is a new subdivision off of Bush Lane and the reason for a Special Permit is because some of the lots in the subdivision fall inside the Airport Combining District boundaries. The Airport Combining District is the area within 4000 feet of the airport runway. Within that area noise from airplanes landing and taking off. could possibly constitute an annoyance. This special permit process is intended to alert potential buyers of this potential condition.

Hickey opened the Public Hearing. As there was no one present who wished to speak, Klepack moved to close the Public Hearing. Seconded by Brown. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion approved.

The Board then reviewed the General Conditions for all Special Permits to confirm that General Conditions a-j have been met by the applicant. Moved by Dankert. Seconded by Piscopo. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion carried.

Hickey noted that this action is also exempt under SEQRA because it is a single family residence.

Cross asked for information as to why the maps indicate that the envelope for the buildable area is so far from the back property line. Curtis was unsure of the answer but stated it might possibly be due to the covenants. Cross wondered if it had anything to do with the stream corridor or drainage. Curtis stated this might be the case and suggested a condition could be added stipulating no construction within 50 feet of the stream and silt protection for the stream.

Klepack asked about the area between Lot 13 and 14. Cross stated it is a Village easement for the drainage way going to the detention ponds.

Klepack moved the following resolution, seconded by Brown:

WHEREAS:

- A. This matter involves consideration of the following proposed action: Special Permit 1983, Ken Bell, to construct a single family residence on lot 16 of the Millcroft Subdivision in the Medium Density Residential District, Tax Parcel No. 45.1-1-47.2. A Special Permit is required pursuant to Section 304.02 of the Village of Lansing Zoning Law because the single family residence is proposed to be in a location which is included in the area designated as the Airport Combining District due to its proximity to the airport runway; and
- B. The Village of Lansing Planning Board, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and 6 NYCRR Section 617.5, hereby determines that the approval of the proposed special permit is a Type II action, and thus may be processed without further regard to SEQR; and
- C. On December 13, 2004, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant in support of this proposed action, including information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and
- D. On December 13, 2004, in accordance with Section 725-b of the Village Law of the State of New York and Sections 304, 305 and 306 of the Village of Lansing Zoning Law, the Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Planning Board hereby finds that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305); and
2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 1983 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
 - (i) In accordance with Section 305.03 of the Village Zoning Law, before the special permit is issued the Zoning Officer must inform the applicant in writing of the noise and hazard conditions which are possible in the flight path of the Ithaca Tompkins Regional Airport

The vote on the foregoing motion was as follows:

AYES: Dankert, Brown, Hickey, Klepack and Piscopo

NAYS: none

The motion was declared to be carried.

Public Hearing: Special Permit No. 1984, Crystal Spas & Salon, 2416 N. Trip. Rd.:

The next item on the agenda was a Public Hearing for Special Permit No. 1984, Crystal Mullenix, Crystals Spa & Salon, to convert the single family residence at 2416 N. Triphammer Road into a day spa and beauty salon. The

property is located in the Commercial Low Traffic District, Tax Parcel No. 43.1-1-46.

Hickey stated Board members have a letter signed by the prospective owner. Mullenix explained to Board members how she planned to utilize the property. She will be relocating from Hanshaw Road where she currently has a 12 month lease so this is not a rush project. The building will be cleaned up and painted, but otherwise the outside will not change. Cal Warren, agent for Mullenix as well as the current property owners, stated there would be a handicapped ramp added. Hickey stated this is the first case of a single family residence being converted to a commercial establishment on North Triphammer Road since the Commercial Low Traffic Design Guidelines were passed. Hickey stated the parking in the rear meets one of the guidelines.

Hickey opened the Public Hearing. As there was no one present who wished to speak, Klepack moved to close the Public Hearing. Seconded by Piscopo. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion approved.

Next, the engineer's report was reviewed. Cross stated he reviewed traffic and parking. He stated the sight lines for ingress and egress are good. Mullenix also noted that the shrubs would be removed. The parking lot layout is adequate and meets the dimensions for spaces and driveway aisles. Cross noted that the driveway needs to be reduced to 24 feet to meet local law. Cross also recommended that the southwest corner of the parking area be rounded as it is wasted space. Hickey asked about this location for a dumpster and Mullenix stated she creates little garbage and would not require a dumpster.

Cross then discussed stormwater management and stated the EPA stormwater regulations do not apply since the area of disturbance is less than one acre. Cross stated the 200 foot buffer of land behind the parking area, which is also owned by the applicant, would provide for absorption of the runoff. Cross stated the size of the driveway/parking area represents an additional 9% of impervious surface area and this is a relatively small increase and could be considered insignificant. Cross feels comfortable with the project and did not feel a licensed engineer would be required to review the proposal. Hickey stated if a problem develops later then corrective action might be required. Curtis stated a condition of the Special Permit could be that the additional area which currently contains cattails remain undeveloped and if developed, detention for this parking lot could be required at that time. Warren noted that when the Wilhelms signed the agreement for the sale of land to the Village for the North Triphammer Road reconstruction, one of the conditions pertained to the drainage for the lower portion of the property and this may have some impact on this area. Hickey is aware of this issue. Warren stated the problem is water from north of this property. Curtis stated changing the grade on the lot or developing the back portion of the lot may negate the value of this area for the absorption of storm water runoff. Cross stated the impact of this project is minimal but future development might increase it to a level that would be significant. Hickey noted a condition for approval could be that there be no development in the cattail area.

Regarding utilities, Cross questioned whether the property was on sewer or septic and Warren stated it is on sewer. Hickey asked if electricity would be upgraded and Mullenix responded yes.

Cross asked about site lighting. Mullenix stated that lighting for the parking area will be installed on the building. Hickey recommended Mullenix speak with Dennis Reinhart and the Lighting Commission as the Village is concerned about light trespass off the property.

Hickey discussed sidewalks which will be installed on the west side of N. Triphammer Road, but will stop at Oakcrest Road. Sidewalks to go north of Oakcrest Road would be required to be installed by property owners in the future as development occurs. Hickey will ask the Mayor on how to proceed as there are no plans to install sidewalks to the north of this property or in the area between Oakcrest Road and this property. If Mullenix were required to install a sidewalk, it would connect to nothing.

Klepack asked about the shed or barn. Warren stated this has been addressed in an addendum to the sale of the property to the Village. Hickey stated the Mullenix would probably need to sit down with the Mayor and Board of Trustees and discuss the shed as well as sidewalks.

Dubow asked when the sale of the property was likely to occur so the Village could determine whether to deal with the

Wilhelms or the new owners. Warren stated the sale of the property would probably happen about when construction of N. Triphammer Road begins. Dubow stated issues need to be resolved with the Wilhelms as well as the new owners. Dubow would encourage a resolution of outstanding issues be facilitated between all parties. Hickey stated the Planning Board is dealing with the operation of the property and not the sale of the property.

Klepack asked about the requirements for parking as the parking lot appears large. Curtis stated he estimated the size of the building to be between 3000 and 4000 sf. Warren stated the County Assessment Department has it closer to 1500 sf. Curtis stated the law allows for one parking space for every 200 sf of building plus an additional 20 percent. Mullenix states she has about 7 employees and will need 7 additional spaces for clients. Warren stated that based on 2000 sf, there would be allowance for about 10 parking spaces and the additional 2 for a total of 12 parking spaces. The original proposal for the parking spaces was based on an assumed floor area and the actual footage will determine the number allowed. Curtis stated if additional parking is required beyond that, the applicant could come in and request a variance for additional spaces. Mullenix stated she currently has 6 full-time employees as well as one part-time employee and their hours are split throughout the day. Curtis stated the construction drawings will determine how many spaces are allowed. Hickey summarized that parking would be limited to one space per 200 sf of the building plus the additional 20% which will limit the size of the parking area.

The Board then reviewed the General Conditions for all Special Permits to confirm that General Conditions a-j have been met by the applicant. Moved by Klepack. Seconded by Brown. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion carried.

Hickey stated the Village will be removing the shrubs in the area acquired by the Village for the North Triphammer Road project, and a Landscape Plan will be required. Mullenix stated she would not be able to afford landscaping the first year. Warren stated the Village is already proposing to add two new trees to the property. Hickey stated this might influence the landscaping. Curtis stated the Landscape Plan is reviewed and approved by the Planning Board and its implementation is a requirement for the issuance of a Certificate of Occupancy. Hickey stated the Board could accept a Landscape Plan with a proposed schedule for planting which could span a few years. Curtis stated a temporary CO could be issued for up to six months with the possibility of one six month extension. This would allow the business to open and operate for up to a year before the landscaping had to be in.

Curtis then summarized the conditions for approval. Conditions include submission of a Lighting Plan; the submission of a Landscape Plan; the curb cut be coordinated with Dave Putnam of TG Millers in conjunction with the N. Triphammer Road project; the driveway width limited to 24 feet; parking limited to that allowed by the Zoning Law; detention area remain undeveloped. Hickey is concerned about any fill being placed in the sw corner of the property and its effect on drainage. Dubow recommended drainage be subject to approval of the Village Engineer.

Dankert moved the following resolution, seconded by Klepack:

WHEREAS:

- A. This matter involves consideration of the following proposed action: Special Permit 1984, Crystal Mullenix, Crystals Spa and Salon, to convert the single family residence at 2416 North Triphammer Road into a spa and beauty salon. The property is located in the Commercial Low Traffic District, Tax Parcel No. 43.1-1-46; and
- B. The Village of Lansing Planning Board, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and 6 NYCRR Section 617.5, hereby determines that the approval of the proposed special permit is a Type II action, and thus may be processed without further regard to SEQR; and
- C. On December 13, 2004, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant in support of this proposed action, including information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and

- D. On December 13, 2004, in accordance with Section 725-b of the Village Law of the State of New York and Sections 304, 305 and 306 of the Village of Lansing Zoning Law, the Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Planning Board hereby finds that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305); and
2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 1984 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
 1. **Approval by the Village Engineer of storm water management plan.**
 2. **Approval of exterior lighting plan by the Village of Lansing Lighting Commission.**
 3. **Approval by the Village of Lansing Planning Board of a landscape plan.**
 4. **Approval by the North Triphammer Road Reconstruction Project Engineer of curb cut.**
 5. **Driveway width shall be limited to 24'.**
 6. **The total number of parking spaces shall not exceed 1.2 for each 200 square feet of gross floor area of the business.**

The vote on the foregoing motion was as follows:

AYES: Dankert, Brown, Hickey, Klepack and Piscopo

NAYS: none

The motion was declared to be carried.

Adler Landscape Plan:

The Board reviewed a landscape plan for 17 Cayuga Hills Road prepared by Cayuga Landscape and submitted by Kraig and Dolores Adler. Hickey stated the Board would need a listing from Cayuga Landscaping of the trees and shrubs by species and size when the final planting occurs. Hickey stated he has lost viburnum recently and recommended the Adlers contact Cornell for their report from the entomology department which lists species which are very susceptible to damage from various threats. Dankert stated that the deer would also destroy rhododendron. Leopold stated netting would help but dogwood is also being eaten by the deer. Klepack noted holly is also eaten by deer. Hickey stated trial and error will determine what remains after a year but that the plan appears acceptable. Hickey stated the plan is required because the residence is in a unique natural area and one with steep slopes. The Village is concerned with the lawn areas and the maintenance of ground cover on the lot. Hickey stated this plan is very detailed and the Board needs to know the list of trees and shrubs that will stabilize the stream area and the western area of the property. Klepack stated David Fernandez has worked well in Village and will be a great help to the Adlers.

Cross stated the raised area behind the house, between the house and the railroad bed, is the proposed location of the sand filter and he would like the Board to be aware of this. Adler stated the two rock walls have already been installed. The detailed planting list will be submitted after the plants are planted. Dubow stated tonight the Board

would be approving the location and general layout of the plantings. Klepack moved to accept the Landscape Plan as submitted with the condition that a summary listing be submitted to include the species, and sizes of the final plantings. Seconded by Piscopo. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion carried.

Sewer Committee:

Hickey stated the Mayor has initiated a Sewer Committee to work with the Town of Lansing on the extension of a sewage transmission line through the Town and Village to the Village of Cayuga Heights plant. Hickey stated Dankert has volunteered to be on the committee.

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Village Comprehensive Plan – Public Hearing Process:

Hickey stated the final draft has been completed. Hickey will meet with Willard tomorrow to finalize the draft copy. Copies will then be made for Trustees, Planning Board members, Web site, the Community Party, Village Office, and Homeowner's Associations (Lansing Trails, Shannon Parks, Twin Glens, Kensington). Maps will all be in black and white. Dubow stated it also must be referred to the County for review at the time the Board of Trustees takes action on it, so it might be helpful to send it now, well in advance. Hickey would like to see the copies distributed by January 3rd and the Public Hearing held on Jan. 25th. Dubow recommended it be advertised on the Village's website so the public is aware of the timeframe for review of the plan. Comments could be either e-mailed or sent by regular mail to Willard. The number of copies sent out will be limited since the entire document will be available on the Village website and copies will also be available for review in the Village Office. Curtis also recommended that John Majeroni at Cornell and some of the other major developers in the Village receive a copies for review and comment.

Reports:

Board of Trustees: Hickey reported previously on the Sewer Committee. Also responses are needed by Dec. 20th for the Holiday Party at Mayor Hartill's home on Dec. 22nd. Hickey also stated the Trustees held a Public Hearing to consider a resolution to discontinue of a portion of Sapsucker Woods Road which is now under the new building. Hickey stated minutes were also approved and the Board approved the payment of retirement early at the discounted rate. Hickey stated the Board also discussed the Tompkins County Comprehensive Plan and agreed to endorse it and send a resolution to the County. Hickey stated the sewer connection between the Town of Lansing and the Cayuga Heights Plant is crucial and the Town is anxious to meet with the Village's representatives. Hickey sees this as a step in the right direction as the location of the transmission line will clearly impact the Village. Hickey thanked Dankert for his willingness to serve on the committee.

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Approval of Minutes – Nov. 30th:

Piscopo moved to approve the minutes of November 30th as revised. Seconded by Brown. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Minutes approved.

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Lansing Trails 2:

Hickey stated he has heard nothing from Lansing Trails 2. Dubow stated a letter was sent indicating the Board can not proceed further until the revised documents are submitted making the application complete.

Adjournment:

Klepack moved to adjourn at 9:10 P.M. Seconded by Dankert. Ayes by Brown, Dankert, Hickey, Klepack and Piscopo. Motion carried.