

**Village of Lansing  
Planning Board Meeting  
November 27, 2007**

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 Phil Dankert, Carol Klepack, Maria Stycos and Mario Tomei; Village Attorney David Dubow; Village Engineer Brent Cross; and Code Enforcement Officer Ben Curtis.

**Public Comment:**

Hickey opened the Public Comment period.

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

**Special Permit No. 2237 – 8 Brentwood Dr. Addition – Public Hearing continuation:**

The first item on the agenda was a Public Hearing for Special Permit No. 2237, Integrated Acquisition and Development to construct a 2000 sf addition on the existing medical office building at 8 Brentwood Drive in the Human Health Services District, Tax Parcel No.45.1-1-57.6.

Hickey stated this Public Hearing is a continuation of the last 3 meetings. Dubow stated that the Board had previously received a 239 non-response from the County citing their position that a variance was required, but subsequently received a response dated Nov. 19, 2007 indicating the County has determined there would be no negative inter-community or county-wide impacts.

Dankert moved to re-open the Public Hearing. Seconded by Stycos. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

As there was no one present who wished to speak, Tomei moved to close the Public Hearing. Seconded by Stycos. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

Hickey stated the Board needed to complete the SEQRA next. Dubow stated the Board would be using the application dated Oct 12, 2007 and signed by Herman Sieverding of Integrated Acquisition and Development. On Part 1, Item 5 will be changed to indicate that this proposed action is an “expansion” rather than “new”. Next, the Board reviewed Part II and responded as follows: A – No; B – No; C1 – None; C2 - No, because the project fits within the district for which it is proposed; C3 - None; C4 – No, it is a more intense use of the land but consistent with that projected for the land C5 – None with a negative impact on the environment; C6 – None; C7 – No; D – No; E – No, as there have been no complaints.

The following resolution was moved by Dankert and seconded by Tomei:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR REVIEW OF SPECIAL PERMIT NO.  
2237 ADOPTED ON NOVEMBER 27, 2007

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Special Permit No. 2237, Integrated Acquisition and Development to construct a 2000sf addition on the existing medical office building at 8 Brentwood Drive in the Human Health Services District, Tax Parcel No. 45.1-1-57.6; and
- B. This proposed action is an Unlisted Action for which the Village of Lansing Planning Board is an involved agency for the purposes of environmental review; and
- C. On November 27, 2007, the Village of Lansing Planning Board, in performing the lead agency function for

its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review (including any Visual Environmental Assessment Form required), (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review (including any Visual Environmental Assessment Form required), (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("**NEGATIVE DECLARATION**") in accordance with SEQR for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and:
2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

The vote on the foregoing motion was as follows:

**AYES: Phil Dankert, Mario Tomei, Maria Stycos, Carol Klepack and Ned Hickey**

**NAYS: none**

The motion was declared to be carried.

Next, the Board reviewed the 10 general conditions for a Special Permit which must be met by the applicant as required by Zoning Law Section 145-59E. Tomei moved that the applicant has met all the general conditions for a Special Permit as listed in Zoning Law Section 145-59E. Seconded by Stycos. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

Dankert then moved the following resolution, second by Klepack:

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 2237 ADOPTED ON  
NOVEMBER 27, 2007**

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Special Permit No. 2237, Integrated Acquisition and Development to construct a 2000sf addition on the existing medical office building at 8 Brentwood Drive in the Human Health Services District, Tax Parcel No. 45.1-1-57.6; and
- B. On October 30, 2007, the Village of Lansing Planning Board initially discussed with the applicant the

proposed action and the materials submitted in support of the application, opened a public hearing regarding this proposed action, and thereafter preliminarily reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant in support of the 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 then rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's initial deliberations, whereupon it was determined that further information and materials (including the General Municipal Law Section 239 -l and -m response from the Tompkins County Department of Planning), public comment and Board deliberation was required and/or would be appropriate, and the public hearing was therefore adjourned to be continued at the Board's next regularly scheduled meeting on November 12, 2007 at 7:30 PM;

- C. On November 12, 2007, the Village of Lansing Planning Board continued the public hearing adjourned at its previous meeting on October 30, 2007, permitted public comment regarding this proposed action, and thereupon further reviewed and analyzed (i) all materials and information presented by and on behalf of the applicant in support of this proposed action (including any supplemental information and materials submitted following the Board's October 30, 2007 meeting, information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, and the correspondence dated November 9, 2007 received from the Tompkins County Department of Planning in response to the General Municipal Law Section 239 -l and -m referral made by the Board), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing (as opened on October 30, 2007 and continued on November 12, 2007) and/or otherwise raised in the course of the Board's deliberations, whereupon it was again determined that further information and materials (including a formal General Municipal Law Section 239 -l and -m response from the Tompkins County Department of Planning), public comment and Board deliberation was required and/or would be appropriate, and the public hearing was therefore further adjourned to be continued at the Board's next regularly scheduled meeting on November 27, 2007 at 7:30 PM;
- D. On November 27, 2007, the Village of Lansing Planning Board continued the public hearing adjourned at its previous meeting on November 12, 2007, permitted further public comment regarding this proposed action, closed the public hearing, and thereupon further reviewed and analyzed (i) all materials and information presented by and on behalf of the applicant in support of this proposed action (including any supplemental information and materials submitted following the Board's November 12, 2007 meeting, information and materials related to the environmental issues, if any, which the Board deemed necessary or appropriate for its review, and the General Municipal Law Section 239 -l and -m "no negative inter-community or county-wide impacts" response dated November 19, 2007 received from the Tompkins County Department of Planning), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing (as opened on October 30, 2007 and continued on November 12, 2007 and November 27, 2007) and/or otherwise raised in the course of the Board's deliberations;
- E. On November 27, 2007, the Village of Lansing Planning Board determined that the proposed action is an Unlisted Action for which the Board is an involved agency, and in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review (including any Visual Environmental Assessment Form required), (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part 2; and (iv) made a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required; and
- F. On November 27, 2007, in accordance with Section 7-725-b of the Village Law of the State of New York

and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, 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 Code Section 145-59E), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code Section 145-61);

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements, if any, set forth below) that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code Section 145-61); and
2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 2237 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:

**none**

The vote on the foregoing motion was as follows:

**AYES: Phil Dankert, Mario Tomei, Maria Stycos, Carol Klepack and Ned Hickey**

**NAYS: none**

The motion was declared to be carried.

**Special Permit No. 2244 – 16 Brentwood Drive Medical Office Building – Public Hearing:**

The next item on the agenda was a Public Hearing for Special Permit No. 2244, Integrated Acquisition and Development, to construct a 17,000 sf medical office building at 16 Brentwood Drive in the Parkview Health Care Campus in the Human Health Services District, Tax Parcel No. 45.1-1-59.

Hickey stated the Village has received a 239 response from the County dated November 27, 2007 which indicates that the proposal has no negative inter-community or county-wide impacts. Dubow noted that the County did comment on the need to continue to review the traffic impact at the intersection of Warren Road and NYS Route 13.

Sieverding made the presentation. Also present to assist were Tom Colbert of Integrated Acquisition & Development, Tom LiVigne of Cornell Real Estate and Tony Votak of Cayuga Medical Associates. Sieverding stated that following up on the last presentation, there were basically five areas to be addressed. The first was the request for an overall plan for the site development to include the other buildings, access and parking. The second pertained to a fitness trail. The third area was about emergency access concerns. The fourth was in regards to signage of the building for better identification, and the final was in reference to the color of the buildings as a means of better identifying them. Sieverding stated he would respond to the first three items and then LiVigne and Votak would respond to the other two items.

Sieverding had a conceptual plan prepared in conjunction with the architects and TG Miller Engineers. The total area of the buildings is roughly the same as originally proposed at 50,000 sf with the first building being 17,000 sf and the other two to be about 15000 sf each. The parking is for 92 vehicles initially and another 140 as the remaining buildings are built, but final parking requirements will be determined as the need of the occupants is determined. Primary access to the site is from Brentwood Drive with a new driveway under the high power transmission lines. This will provide access to the parking lots. There is a secondary means of egress through the Convenient Care

parking lot to Arrowwood Drive and ultimately to Warren Road. Spacing between the buildings is approximately 80 ft. to allow each building its own identity and to provide for nice landscaping. Hickey asked if each building would be on separate tax parcels and Sieverding responded that it has not yet been decided.

Regarding emergency access, Sieverding stated that there are three lanes at the intersection of Arrowwood Drive and Warren Road. Sieverding has discussed options with Colbert for the possibility of extending Arrowwood Road or Brentwood Drive. Also the possibility of a service road to NYS Route 13 was discussed. Plans were submitted to the NYS DOT Office in Cortland who responded that it would be possible but the full DOT permit process would be required and Syracuse DOT would require a review. It would be complicated and costly. Sieverding feels the option of extending Brentwood Drive to Sapsucker Woods Road would be a better long-term option. Klepack still expressed concerns about emergency access. Cross stated consideration must be given to the maintenance of a service road in the winter months and its limited effectiveness then. LiVigne stated that eventually Arrowwood Drive would have another end which probably would connect to one of the streets in the residential area to the south. Another option discussed for an emergency exit would be through the neighboring childcare business (IC3). Colbert stated there is a secondary emergency exit for Village Office Campus which goes to Cayuga Mall but the public is not even aware of its existence as it is screened with a wooden fence and would only be used for an emergency situation. Dankert asked how long Convenient Care has been in that location and have there been any problems about egress in that time. Sieverding responded that Convenient Care has been there over 15 years and have had no problems in the past because of the three lanes coming in. Hickey would like to see someone from an emergency service such as Lee Shurtleff at the 911 Center review the entranceway and give an opinion on whether emergency response would be a problem if the entranceway is blocked. Tomei asked why this is a concern now when there has not been a second exit in the past. Hickey responded that this may be the first time this issue has come up but with the addition of three new buildings with 12 or so doctors in each building the potential for a problem would only become greater. Cross also stated that each of the new buildings would be further and further from the main entranceway and the distance to an intersection increases. Sieverding stated he would contact Shurtleff.

Regarding signage, Sieverding stated the buildings would be labeled and directory signs would be in place. Regarding the lack of a sign at the intersection of Warren Road and Arrowwood Drive for northbound traffic, Votak will raise the issue with the Cayuga Medical Center Board.

Regarding a color scheme for the buildings, Hickey stated that was just a joke and need not be addressed.

Hickey opened the Public Hearing. As there was no one present who wanted to speak, Tomei moved to close the Public Hearing. Seconded by Stycos. Ayes by Dankert, Hickey, Klepack, Stycos and Tomei. Motion carried.

Cross gave his comments. It appears that the location of the driveway onto Brentwood Drive may cause a problem in the future if there is large scale development to the east. Having driveways come off a curve is not a good idea. Cross would recommend combining the two driveways into one curb cut. Sieverding stated that would cause all traffic to go through one point. Cross stated the curve is 50% of what will be the final curve. Cross does not know what the future volume of traffic at that location will be. LiVigne stated future development in the remaining land would probably be like that in the Business Park, although some of the land is now zoned residential. LiVigne would like to discuss changing it from Residential to Business & Technology. Hickey is concerned about approving a project that will bring more traffic onto a road system which may not be adequate even at the present time. Hickey feels the impact of developing the entire area may need to be reviewed. Hickey would like to see an agreement that the driveway to the new building be temporary until the road is continued and then the Board could require that it be relocated if necessary. Colbert and Sieverding were in agreement with this. Cross stated the County's concern about the traffic at Route 13 and Warren Road could be addressed when there is an expansion beyond the three proposed buildings. Klepack asked about the turn-around. Sieverding stated it is currently in place and will continue to be utilized by snowplows. Cross's second concern was about the dimension size of the driveways which is indicated at 22 ft. wide, but he would recommend 24 ft. Cross discussed the stormwater proposal to modify the existing pond to the east to accommodate the runoff from this site; he will require additional information with more details and calculations. Sieverding stated David Herrick of TG Millers is working on this. Regarding utilities, additional information will be required in the future. Cross is concerned about the sewer connection as the area is relatively flat. Sieverding stated Herrick is aware of this problem and is working on a solution. Cross noted that the water main is owned by the

Village. As a final point, Cross will require confirmation of the location and details of the enclosure for the dumpster.

Hickey stated he is reluctant to proceed and would like to meet with LiVigne prior to the next meeting regarding Cornell's plans for the future. Sieverding will also speak with Shurtleff. Klepack stated there are drainage concerns in the Warren Road area which need to be discussed. Curtis stated SurgiCare corrected part of the problem although it still exists to some extent. Cross stated there is a lot of impervious surface in Phase 1. Hickey requested to see the drainage details for the overall project as well as the that for this first building. Hickey stated the December 10<sup>th</sup> agenda is open and will allow plenty of time for discussion. Hickey recommended that Herrick call Cross.

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**Proposed Local Law I to Permit "Mixed Use" in the Commercial High Traffic District:**

This proposed Local Law I was developed in part as a result of the discussion of the proposal by Shops at Ithaca Mall to amend their Special Permit in order to construct two stand-alone buildings to include some residential occupancies on the second floor above the retail spaces. This type of use would be classified as "mixed use" which is permitted in the Commercial Low Traffic District with a Special Permit subject to general conditions and additional conditions. It is not, however, permitted in Commercial High Traffic. No one could remember the history and why mixed use was not permitted in Commercial High Traffic. Dubow stated the general sense of Curtis and Board members seemed to be to allow it in either district. Dubow stated Local Law I would modify a subsection under the Commercial High Traffic to include "mixed use". Dubow stated this new law would include residential, but does not distinguish what type of residential, and therefore single family homes could be included. Dubow stated that for mixed use both general and additional conditions would apply and the Board review and approval would be required for any project which included "mixed use".

Hickey will send a memo to the Board of Trustees recommending proposed Local Law I.

**Proposed Local Laws J & K Amending the Definition of "Lot"**

Dubow stated proposed laws J & K are identical, but one applies to the Zoning Law and the other to the Subdivision Law. Curtis submitted slight changes to the definition of lot which would remove reference to leasing and thereby make it clear that tax parcel lines were not lot lines. Dubow stated his concern is that the current definition has been around a long time and has worked, and taking "lease" out may not entirely solve the problem. Dubow left the definition alone but added two provisions. Dubow stated another option would be to do nothing and to allow Curtis to make determinations on a case by case basis and ask the Board or Dubow for additional advice if needed. Dubow stated it is the County which seems to feel clarification is needed. Curtis stated the current definition of lot is unworkable in certain instances. Cross would like to see the municipality having some jurisdiction in making tax parcels. Dubow stated anyone can make a single parcel into two tax parcels, the question is whether they have done it legally. Hickey stated the problem is when the County reviews a project for the 239 Review and comments on lot lines and tax parcels which are not really County concerns. Dubow stated the new proposed law recognizes the creation of tax parcels while noting they are not necessarily separate lots under the Village Code. The proposed law references the special circumstances for tax parcels in campus-like settings. Dubow stated any individual looking up "lot" would be alerted that additional information might be required. These proposed local laws would also address the concerns of the County regarding the Village's interpretation of the law regarding lot lines. Hickey will send a memo to the Board of Trustees recommending proposed Local Laws J & K.

**Proposed Local Law for Stormwater Management:**

Hickey stated the Stormwater Management Law contains much technical data which will not be utilized by the Planning Board but will be utilized by Curtis, Cross and Dubow. Hickey stated this law was based on a copy of the draft developed by the Town of Dryden. Subsequently Hickey, Leopold and Curtis have met and modified the law to apply to the Village and identified changes needed to integrate it with the existing Zoning and Subdivision Laws in the Village of Lansing. Curtis stated that the Town of Dryden did a great job, working with a citizen committee to develop this draft which prescribes stormwater management practices according to the amount of disturbance. Curtis felt the Town of Dryden should receive recognition for the outstanding job they did. Dubow stated there is a deadline for passage of a stormwater management law and Trustee Leopold would like to see this go forward. Hickey would like to see this going forward to the Board of Trustees. Dubow will have it go to the Board of Trustees for their first meeting in December. Dubow stated the Board of Trustees would also rely on the advice of Cross who will review this

draft and compare and contrast it with the document the Village of Cayuga Heights is adopting. Hickey would like to send a big thanks to Curtis for pursuing this with the Town of Dryden and then adapting it to the Village Code.

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**Other Business as Time Permits:**

Hickey provided an article for Board review which stated that the City of Chicago has the most green roofs in the country. Klepack reported that a recent article in the NY Times stated that Chicago also has the most alleys and the alleys will be changed to permeable asphalt.

Cross expressed concerns about sewer issues facing the Village of Cayuga Heights. The Town of Lansing has had difficulties with their project to build the sewer lines as proposed and are now considering building their own plant. This has caused the Village of Cayuga Heights to incur a cost of \$100,000 per year loss of revenue. Cross stated there are current discussions with Town of Ithaca Supervisor Cathy Valentino to address this. Cross stated the Village of Lansing paid for the Kline Rd. bypass which sent 725 units down hill to the Ithaca plant which has subsequently caused the Village of Cayuga Heights to have to pay for the units resulting in their loss of revenue. Dubow stated Mayor Hartill is discussing this with the appropriate parties.

Hickey stated the next meeting of the Board will be on December 10<sup>th</sup> and Integrated Acquisition and Development will be back, and possibly Pyramid as well. Hickey stated that David Fernandez of Cayuga Landscape is busy with his business and could not attend to provide education to the Board, but will be rescheduled for the first meeting in January.

**Adjournment:**

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