

**Village of Lansing  
Planning Board Meeting  
April 29, 2008**

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, and Mario Tomei; Trustee Liaison Lynn Leopold; Village Attorney David Dubow; Code Enforcement Officer Ben Curtis; and Carl Leopold, observing for the Community Party; Martin Rainbow and Michael George from The Hayner Hoyt Corporation; and Dr. Robert Arleo.

**Public Comment:**

Carl Leopold stated that he was attending the meeting on behalf of the Community Party. As there was no one present who wished to speak, Tomei moved to close the Public Comment Period. Seconded by Dankert. Ayes by Hickey, Dankert, Klepack, and Tomei. Motion carried.

**Amendment to Special Permit #1915 – Arleo Eye Institute – Public Hearing:**

The first item on the agenda was a Public Hearing to consider an Amendment to Special Permit No. 1915, Arleo Eye Institute to permit the addition of 22 parking spaces for their medical office at 100 Uptown Road on the northwest corner of Warren Road and Uptown Road in the Human Health Services District, Tax Parcel No. 46.1-6-6.21. Special Permit 1915 was amended and approved on May 14, 2007, and the building constructed, but because the proposed increase in parking spaces constitutes a major amendment to the site plan originally approved a Public Hearing and Planning Board approval is required.

Hickey drew the Board's attention to a report from Brent Cross, the Village Engineer, stating that he had reviewed the calculations for the proposed parking lot expansion and determined that any increase in storm water runoff that would result is within the capacity of the existing storm water management practices. No upgrade of those practices would be required. Hickey then referred the Board's attention to the County's 239 response regarding the proposed improvements which stated that the County had determined that no negative inter-community or county-wide impacts would result from the proposed improvements.

Hickey thanked Hayner Hoyt and the applicant for their revised letter dated April 21, 2008 explaining the requested parking lot expansion. He noted that it was much clearer and easily understood than the previous letter. Hickey asked if the Board had any questions for the applicant. Curtis asked what was meant by "( 1 ) space for layout" as noted in the April 21 letter. Martin Rainbow, Project Manager for Hayner Hoyt, responded that this extra space provided symmetry to the parking lot and was included for aesthetic considerations. Curtis then asked what was proposed with regard to the trees that are currently located where the additional parking spaces are proposed. Rainbow stated that they would be relocated to the north and to the east as required. Curtis asked what was proposed with regard to the drainage swale located along the north edge of the existing parking lot where some of the additional parking spaces are proposed. Rainbow stated that the swale would be relocated north and

regraded as necessary to drain to the retention ponds at the south end of the property. Any trees affected by the relocation of the drainage swale would also be relocated. Leopold asked if Cross had considered the relocation of the swale in his report. Hickey confirmed that Cross had received all of the calculations and drawings from the applicant to consider in preparing the report. Curtis asked if the applicant had any objection to placing two "Fire Lane No Parking Any Time" signs with tow symbols along the access driveway on the west side of the building. Arleo stated that the Fire Chief had said he did not think a fire lane was necessary, but agreed to install the signs if Curtis, as Code Official, was designating the driveway as a fire lane.

Hickey stated that the Board must next do the environmental review. Dubow explained that this action constitutes a change in an action previously reviewed under SEQRA and determined not to have any significant adverse environmental impact. The Board must now consider if this proposed amendment in any way affects that original determination. If not, the Board can simply confirm that its original determination is unchanged by the proposed amendment. Hickey then reviewed the questions included in part 2 of the Short Environmental Assessment Form. Based on that review Dankert moved that the proposed amendment would not alter the original determination, seconded by Klepack, all in favor.

Hickey then led the Board through Section 145-59E of the Village of Lansing Code, General Conditions required for all Special Permits. Tomei moved that the applicant had met all of the General Conditions, seconded by Klepack, all in favor.

Klepack asked if the proposed sidewalk would be going from Arleo's west property line to Warren Road. Michael George, Vice President of Operations at Hayner Hoyt, confirmed that it would. He noted, however, that the expense of constructing the sidewalk as well as the parking on top of the recent expense of constructing the building constituted a significant financial burden. He suggested that the applicant may need to complete the sidewalk and parking lot expansion in phases as revenue permitted and asked if that could be done within the terms of the Special Permit approval. Dr. Robert Arleo, the applicant, stated that the sidewalk bids were twice what had been budgeted and the parking which he urgently needs is also expensive, especially when added to the costs he has already incurred constructing the building. He acknowledged that he is obligated to construct the sidewalk as a condition for receiving his Certificate of Compliance in June, but asked if he could phase in the parking as revenue permitted. Curtis said that he would issue a separate permit for the parking lot expansion and that completing that work would not be a condition for issuing the Certificate of Compliance for the building. If the Planning Board approves the amendment, he can issue the building permit anytime over the next three years without further action by the Planning Board. After he issues the permit for the parking, Dr. Arleo would have a year to complete the work and the permit can be extended twice for up to 6 months each time if warranted.

Dankert moved to close the Public Hearing, seconded by Klepack, all in favor.

Klepack moved the following resolution, seconded by Tomei:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION ADOPTED ON  
APRIL 29, 2008 TO FURTHER AMEND THE APPROVAL OF SPECIAL PERMIT  
NO. 1915 AS ORIGINALLY GRANTED BY PRIOR RESOLUTION ADOPTED  
ON JULY 27, 2004 AND SUBSEQUENTLY AMENDED ON MAY 14, 2007

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Amendment to Special Permit No. 1915, Arleo Eye Institute to permit the addition of 22 parking spaces for their medical office at 100 Uptown Road on the northwest corner of Warren Road and Uptown Road in the Human Health Services District, Tax Parcel No. 46.1-6-6.21. Special Permit 1915 was amended and approved on May 14, 2007, and the building constructed, but because the proposed increase in parking spaces constitutes a major amendment to the site plan originally approved a Public Hearing and Planning Board approval is required.; and
- B. On July 12, 2004, after a public hearing and due deliberation, the Village of Lansing Planning Board by separate resolutions (i) made a negative determination of environmental significance (“Negative Declaration”) in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) for the above referenced project based upon the plans, materials and other submissions submitted by the applicant prior thereto and determined that an Environmental Impact Statement would not be required, and (ii) granted and approved Special Permit No. 1915 based upon the plans, materials and other submissions submitted by the applicant prior thereto, subject to certain conditions and requirements set forth in the approval resolution (the “Special Permit Approval”); and
- C. On May 14, 2007, the Village of Lansing Planning Board, after review and deliberation, approved by resolution (The “First Amendment”) an amendment to the previously granted Special Permit Approval, which First Amendment provided for the reduction in the size of the proposed building and other plan modifications, and which resolution reaffirmed its original July 12, 2004 SEQR Negative Declaration for the Special Permit Approval; and
- D. By letter dated April 10, 2008 submitted by the applicant the Village of Lansing Planning Board has been advised that the plans and materials based upon which the Negative Declaration and Special Permit Approval and First Amendment were originally made require further amendment to reflect the currently proposed on-site parking needs and plans of the applicant, and the applicant has submitted additional information and materials incorporating the proposed modifications; and
- E. On April 14, 2008, the Village of Lansing Planning Board initially reviewed the modified on-site parking plans proposed by the applicant and determined that they constitute a

potentially major amendment to the previously granted Special Permit Approval, after which it further determined that the proposed plans required (i) further elaboration, (ii) a new and further public hearing, and (iii) an updated General Municipal Law Section 239 –l and –m review by the Tompkins County Planning Department; and

- F. On April 29, 2008, 2007, based upon the scope and nature of the additional plans, information and materials incorporating the proposed modifications to the previously granted Special Permit Approval and First Amendment, the Village of Lansing Planning Board held a new public hearing regarding this proposed action, and thereupon reviewed and analyzed (i) the original Special Permit Approval and First Amendment; (ii) the additional information and materials submitted by the applicant incorporating the on-site parking plans currently proposed; (iii) its original July 12, 2004 SEQR Negative Declaration, its findings related thereto, and the new and updated environmental information submitted by the applicant so as to determine whether further environmental review of and/or action on the modified plans is required; (iv) the updated General Municipal Law Section 239 –l and –m review response from the Tompkins County Planning Department; (v) all other relevant issues raised in the course of the Board’s deliberations; and (vi) possible new and/or additional modifications, conditions and requirements to be attached to any amended Special Permit Approval granted for the proposed modified plans, or, in the alternative, possible findings or reasons to be attached to any denial of the proposed amended Special Permit Approval for the modified plans; and
- G. On April 29, 2008, 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 review of the modified plans of the applicant as currently proposed and its further deliberations thereon, 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 reaffirms its original July 12, 2004 SEQR Negative Declaration, having reviewed the newly submitted environmental information and materials for the modified plans as proposed, and having further determined and confirmed that subject to the conditions to which such original Special Permit Approval was modified by the First Amendment and the additional conditions and/or requirements set forth below, the modified on-site parking plans as submitted by the applicant will not have a significant adverse impact on the environment; and

2. The Village of Lansing Planning Board hereby reaffirms its July 27, 2004 Special Permit Approval for Special Permit No. 1915 and the May 14, 2007 First Amendment thereof, subject to the same conditions and requirements upon which such Approval and First Amendment were made except as modified below, and subject further to the additional conditions and/or requirements set forth below, it having been determined that with all such modifications, conditions and/or requirements 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
3. It is hereby determined by the Village of Lansing Planning Board that the currently proposed amendment (the “Second Amendment”) of Special Permit Approval for Special Permit No. 1915 is **GRANTED AND APPROVED**, subject to the following additional modifications, conditions and requirements:
  1. **Two “Fire Lane No Parking Anytime” signs with tow emblem shall be installed along the driveway on the west side of the property at locations approved by the Code Enforcement Officer.**
  2. **Trees within the area to be improved shall be relocated to the north or east respectively and maintained as part of the approved landscape plan. Any trees which can not be relocated or which die as a result of being relocated shall be replaced in kind.**
  3. **Approval by the Village Engineer of all work affecting the storm water management practices.**

The vote on the foregoing motion was as follows:

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

**NAYS: none**

The motion was declared to be carried.

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**Cornell’s Long Term Plans for the B&T Park**

Hickey announced that he had added to the agenda for tonight's meeting his report on the meeting he and Curtis had with Tom LiVigne of Cornell Real Estate regarding Cornell's long term plans for the Business and Technology Park. He displayed a sketch plan that LiVigne had given him showing a preliminary plan for the development of Cornell property south of Rt. 13, east of the Human Health Services District and west of the Ornithology Lab property. Most of the property is currently zoned Business and Technology with a strip on the south side bordering the Town of Ithaca zoned Medium Density Residential. Hickey expects Cornell will be approaching the Village in the next few months with a request to rezone the Residential zoned strip to Business and Technology. The plan projects 10 buildings similar in scale to those in the Park north of Rt. 13 being constructed between 10 and 25 years in the future. The plan includes a sizeable storm water management pond similar to the one in the Park north of Rt. 13. This is a long term plan which anticipates the remaining land north of Rt. 13 being fully developed in the next 10 to 15 years. There are currently 8 lots to develop north of Rt. 13 and the possibility of adding a few lots in that area.

Cornell is aware of the Village's concern about traffic and emergency access. They plan to reconfigure the Arrowwood Drive entrance to be a boulevard much like the Brown Road entrance to the Park north of Rt.13. This will further reduce the risk of access to and from the park being blocked by some sort of mishap. There is also a possibility that access could be provided going south from the parcel into the Town of Ithaca and connecting eventually to Hanshaw Road. Cornell's land south of the Village, however, is currently affected by the moratorium imposed by the Town of Ithaca to permit it to study the area. Cornell is awaiting the results of that study and any subsequent action by the Town of Ithaca to better understand what may be feasible on their land.

Hickey noted that when and if this zoning amendment proposal comes to the Planning Board, the Planning Board will review it in detail and forward a recommendation to the Board of Trustees who have the ultimate authority to approve or reject the zoning change. Klepack expressed concern that the proposed change would result in more traffic, and that there may still be only one means of access into and out of the Park. Hickey responded that he had made clear to LiVigne that before any of the buildings in the B&T Park south of Rt. 13 would be approved, Cornell would need to resolve the issue of alternate access. This does not affect the three buildings proposed for the Parkview Health Care Campus; the reinforced sidewalk for emergency vehicles approved for the new CMA Building is intended to act as an interim solution for all three buildings.

Dubow noted that at some point the Village would need to coordinate its consideration of this zoning change issue with the Town of Ithaca which has already expressed concern about development in the areas within their boundaries. Hickey suggested that Cornell should probably approach the Town of Ithaca and that they may be waiting to see what the Town determines as a result of the study of this area currently underway.

Klepack pointed out that there was land on Bomax Drive zoned Business and Technology and that the owner might prefer the development to go there rather than creating opportunities elsewhere. Hickey stated that he thought that the Bomax land was included in the long term plan. The Business & Technology Park has been very successful and Cornell intends to pursue aggressively opportunities to spin off the products of its research into the types of businesses that have been so successful to date. This long term plan is an effort on Cornell's part to be prepared to accommodate this sort of investment in the future.

### **“The Seasons on Cayuga” - Bolton Estate Subdivision**

Hickey drew the Board's attention to an advertisement he had included in the packet which included a map of the Bolton Estate Subdivision with prices for the various lots. Prices range from \$200,000 up to \$850,000. All lots with lake frontage are \$500,000 or more. It was pointed out that while a number of the lots had frontage on the lake, access to that frontage was difficult, particularly as the railroad appeared to be resistant to granting permission to cross its property. Public use of the road to the Bolton Point Pump Station may be limited for security reasons; there is currently a locked gate to discourage unauthorized vehicles from accessing the station.

### **Other Business as Time Permits:**

Dankert reported that he had read the article in *Planning News* on “walkability”. It included a web address, [www.walkscore.com](http://www.walkscore.com). He tried the website for his address and got a score of 48 out of 100 which translates to not very walkable. It was an interesting article nonetheless and underscores the Planning Board's efforts to support pedestrian amenities in the Village. There is a workshop on lighting coming up down town and he and Superintendent of Public Works, John Courtney, will be attending.

Klepack reminded the Board that, following up on her report at the last meeting on stewardship of land owned by the Village, that the Village should have some marker/signs made with which to delineate the land it owns so that it can be monitored and enjoyed by residents. She noted that one of the stumbling blocks is knowing exactly where the boundaries of the land are. In the case of the Bolton Estate Subdivision, however, the pins and monuments will be placed soon and it will be much easier to work off of those reference points to mark the land which the public can access. Klepack suggested that she could invite the person from the Fingerlakes Land Trust who oversees the stewardship program to speak to the Planning Board about how they implement their program. Hickey asked that she do so, possibly at the next meeting, noting that it could count as training and that there is not a lot of business before the Board at this time.

### **Approval of Minutes**

Curtis reported that the minutes for the April 14 meeting were done, but not in time to include in the packets and therefore their approval will be carried over to the next meeting.

### **Adjournment:**

Klepack moved to adjourn at 8:25 P.M. Seconded by Tomei. Ayes by Hickey, Klepack, Dankert

and Tomei. Motion carried.