

**Village of Lansing
Planning Board Meeting
June 8, 2009**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by
2 Chairman Ned Hickey. Present at the meeting were Planning Board Members Maria Stycos, Phil
3 Dankert, Mario Tomei and Richard Durst; Village Attorney David Dubow; Village Engineer Brent
4 Cross; Code Enforcement Officer Ben Curtis; Trustee Liaison Lynn Leopold; and Dick Thaler
5 from Triphammer Development, Architect Tom Schickel, and Matt Cozza for Kinney Drugs; and
6 Robert Schleelein observing for the Community Party.

7
8 **Public Comment:**

9 Hickey opened the Public Comment Period. Robert Schleelein introduced himself as the observer
10 for the Community Party. There being no one else who wished to speak, Stycos moved to close
11 the Public Comment Period. Seconded by Tomei. Ayes by Hickey, Dankert, Stycos, Tomei and
12 Durst. Motion carried.

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14 **Special Permit 2377, Kinney Drugs**

15 The next item on the agenda was continued discussion of Special Permit 2377, Triphammer
16 Development Co., Inc., to reconfigure part of the entranceway and parking lot of Triphammer
17 Mall and construct a drive-thru window for an existing retail space being converted to a Kinney
18 Drugs store at 2255 North Triphammer Road in the Commercial High Traffic District, Tax Parcel
19 No. 46.1-6-2.32. Curtis confirmed that he had received proof of mailing of supplementary notice
20 to owners of contiguous property. Hickey opened the Public Hearing. Dick Thaler, representing
21 the owner, Triphammer Development Co., Inc., reported that the traffic study was in progress, but
22 not yet completed. He will submit it when it is complete well before the meeting on June 30. He
23 also directed the Board's attention to a revised site plan showing new island planters along and
24 defining the ring road between the entrance and the time and weather pylon. It is expected that this
25 will reduce cut through traffic in the parking lot and improve safety. Many of the plants displaced
26 by the parking lot reconfiguration will be relocated to the planters. Two displaced trees will be
27 replanted along the outside of the ring road. His Architect, Tom Schickel, explained changes he
28 had made to the plan presented previously as a result of subsequent discussions he had with
29 Village Engineer Brent Cross. He shortened and relocated some of the proposed sidewalks to
30 improve pedestrian safety. He also added striping in the entrance way to alert traffic of the
31 impending necessity to choose either the Mall entrance or the drive-thru.

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33 Hickey asked Schickel to comment on the issues raised in the County 239 review regarding the
34 parking lot configuration. Schickel responded that the net effect of the County's recommendations
35 would be to eliminate 16 of the 43 parking spaces they were creating for Kinney Drugs, which
36 would be a problem, and to preserve the existing entrance way configuration which has been
37 problematic. The striping and island reconfiguration he has proposed for the entryway is intended
38 to better inform and direct traffic and thereby reduce existing problems and confusion. Thaler
39 added that the drug store anticipates a high level of foot traffic from nearby apartments and Kendal
40 at Ithaca, and good and safe pedestrian access is essential. Cross noted that Schickel had
41 maintained 24' wide drive lanes within the parking lot and consequently two way traffic in the
42 parking lot should not be a problem. Tomei noted that pedestrians crossing from the Trust

1 Company to the drug store would have to zigzag a little to use the walks shown on the plans.
2 Schickel replied that that was a good point and due to the fact that they were using some existing
3 walks and curb cuts; Schickel indicated he would take another look at this situation. Durst
4 suggested that a crosswalk should be striped where the sidewalk crosses the proposed entrance
5 drive; Schickel agreed.

6
7 With regard to signage, Thaler stated that Kinney Drugs had agreed that their building-mounted
8 sign would be consistent with the Mall Planned Sign Area and the other businesses in the Mall. On
9 the proposed pylon sign they would like to use their standard colors. Schickel explained the
10 exterior treatment of the building which will incorporate the Kinney Drugs trademark building
11 features and, further, how the columns would be positioned to capture the Kinney Drugs
12 appearance while not conflicting with those of the existing Mall.

13
14 Schickel pointed out the new proposed planter islands Thaler had mentioned earlier and noted that
15 the center line of the ring road would be double striped from the entrance all the way around to the
16 east property line. Schickel will provide a detail of the planter islands with the construction
17 drawings and indicate where the two trees will be transplanted.

18
19 Leopold asked about the light packs indicated in the plans on the south face of the building, noting
20 that the Lighting Commission will need to review any proposed exterior lighting. Curtis added that
21 the applicant will need to provide cut sheets, location and height and photometrics for any such
22 lighting. Matt Cozza, representing Kinney Drugs, replied that the lighting was minimal and down
23 focussed. Stycos asked about the exterior finish and colors. Cozza replied that the exterior is an
24 EIF system, foam with a stucco finish with several textures each with different shades of very light
25 brown colors which will blend together.

26
27 Hickey stated that the Board had gone as far as they could go without the traffic study which must
28 be considered as part of the environmental review, the response to the County's 239 Review, as
29 well as approval of the Special Permit. Stycos moved to adjourn the Public Hearing until the next
30 meeting on June 30, seconded by Durst, all in favor.

31 **Meeting Dates**

32 Hickey raised for discussion an issue Curtis had brought to his attention. The Board currently
33 meets on the second Monday and the last Tuesday of each month. Generally the last Tuesday is
34 the fourth Tuesday, but two months out of the year there is a fifth Tuesday. When that happens,
35 there can be a short turn around time for the next meeting. Curtis suggested that the Board
36 simplify the meeting schedule to be the second Monday and fourth Tuesday of each month.
37 Members had no problem with making the change. Stycos moved to adopt the change starting in
38 July, seconded by Dankert, all in favor. Curtis will confer with Village Clerk Jodi Dake about
39 making the change. Hickey asked Schleelein to inform the Observers.

40 **Walkway Design Standards**

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42 Curtis reported that an issue had come up recently concerning design standards for walkways and
43 sidewalks. A driveway was installed over the Village's right-of-way and the walkway in that right-
44 of-way. As a general policy, the Village adheres to ADA standards for sidewalks to the extent
45

1 feasible. ADA standards, for example, limit the cross slope of a sidewalk to 1" in 48". As a
2 practical matter, it is more difficult to use a wheel chair as the cross slope exceeds this limit. In the
3 case of a driveway crossing a sidewalk, the ADA standards can conflict with the resident's
4 preferred slope of the driveway. In such a case, it is useful to be able to cite the provision of
5 Village Law or policy that gives priority to the ADA standard.

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7 Appendix D, Section 6(J) of the Village Subdivision Regulations states that, where required,
8 sidewalks shall be a minimum 5' wide and constructed of concrete. Appendix E provides
9 specifications for concrete sidewalks, but makes no reference to ADA. Elsewhere in the
10 regulations the Village Walkway Policy is referenced which policy provides for other surfaces. As
11 a practical matter, other than hard surfaces can be difficult for wheel chairs to traverse. Discussion
12 ensued regarding stone dust walkways recently approved. Hickey noted that any walkway
13 intended for public use year round will require a hard surface so that the Village Highway crew
14 can clear the snow. He added that the Village crew recently completed a new blacktop trail
15 through the Edelman property connecting Lansing trails to the Kensington Wakefield Trail and it
16 is very nice. Leopold noted that stone dust walkways wash out and require ongoing maintenance.

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18 Summing up, Curtis suggested that it might be useful to review the sidewalk standards and
19 requirements and consider how they might be integrated with ADA standards and requirements so
20 that Village staff will have a clear basis for decisions regarding sidewalk design.

21 22 Zoning Review

23 Hickey reminded the Board that tonight they were to review Sections 145-42 and 43, Commercial
24 Low Traffic and Commercial High Traffic Districts, respectively. Before starting the review he
25 directed the Board's attention to a document from his files entitled *Village of Lansing Commercial*
26 *Low Traffic District Guidelines*. He stated that the document was adopted in 2001 to direct
27 development in the central part of the Village along North Triphammer Road and to establish in a
28 formal sense, a Village center. A key component was a shift in set backs which required new
29 buildings in this area to be constructed along a build-to line 25' from their front property lines
30 instead of being set back a minimum of 75', parking was moved out of the front and to the rear
31 and to the side of new buildings. Over time, bringing buildings closer to the road and sidewalk and
32 aligning them a uniform distance from the road will create a more formal and pedestrian friendly
33 environment associated with traditional Village centers. Curtis will make copies for the other
34 Board members. Curtis noted that three new buildings had been constructed under the Guidelines
35 – Moldflow, Colonial Vet and Cardiology Associates. Hickey added that the Guidelines are
36 incorporated into the Commercial Low Traffic District regulations the Board is reviewing tonight.

37
38 Tomei asked for an explanation of permitted uses in the Commercial Low Traffic District such as
39 *One and Two Unit Residential Buildings* which did not seem commercial in nature. Dubow
40 explained that it is common in establishing zoning districts that less intense uses be included with
41 more intense uses unless there is some inherent incompatibility. Hence, residential uses are
42 permitted in the Low Traffic District, but not in the High Traffic District. Curtis noted that *Mixed*
43 *Use* entailed a mix of business and residential uses in a single building and was recently added to
44 the High Traffic District in anticipation of boutique type stores with apartments above being
45 developed in one of the malls. Dubow added that it is a valid function of a Planning Board to

1 review from time to time uses permitted with or without special permits and conditions to
2 determine if they are still appropriate and consistent with the Comprehensive Plan.

3
4 With regard to *Alteration to Building*, Curtis explained that the intent is to permit routine changes
5 in tenants and building layouts to proceed without Planning Board review, but to bring to the
6 Board for Special Permit approval alterations which changed the foot print of the building or
7 affected intensity of use and traffic patterns. Hence, the Board did not participate when the Reuse
8 Center occupied a vacant store front at Triphammer Mall, but is involved in the Kinney Drugs
9 conversion which involves changes in parking, traffic flow and intensity of use. Curtis noted,
10 however, that there is an error in the Code in that *Alterations to Buildings* is either a permitted use
11 under Subsection B as with the Reuse Center or a use permitted with a Special Permit under
12 Subsection D as is the case with Kinney Drugs, but was intended to be deleted from Subsection C,
13 Permitted Uses with Additional Conditions. Section 145-58(B) describing the no longer applicable
14 conditions was also intended to be deleted. Hickey suggested that where the District regulations
15 refer to General or Additional Conditions, the reader should be referred to the section where those
16 conditions are spelled out. Section 145-58 lists Additional Conditions required for some uses
17 where no Special Permit is required; Section 145-59 lists General Conditions for all Special
18 Permits; and Section 145-60 lists Additional Conditions for some uses where Special Permits are
19 also required. The Board agreed that this would be an improvement. Dubow noted that this had
20 already been done for parts of Section 145-43 Commercial High Traffic District, probably because
21 those parts had been more recently updated. Members remarked that their copies did not have
22 those recent updates. Curtis will ask Dake to provide updated Code sections for the Board
23 members.

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25 Stycos asked about the use, *construction sales/storage*. Curtis replied that this use had originally
26 been crafted to accommodate small businesses like Wheatons Sheet Metal which existed in the
27 Commercial Low Traffic District when the Village was formed and which seemed compatible
28 with other uses in the District. The business primarily involves fabrication, but also includes some
29 peripheral retail. At one point Home Depot considered locating in the Low Traffic District under
30 that use classification, and at that time the Village amended the definition of *construction*
31 *sales/storage* [Section 145-82(A)(28)] to clearly limit it to small low impact operations like
32 Wheatons and exclude larger high intensity retail uses like Home Depot. Discussion ensued of
33 deleting the use from the Low Traffic District. Dubow suggested the Board review Section 145-
34 82(A)(28) carefully as it is intended to address their current concerns and seems to have done so
35 for over ten years. Dubow noted that the section is very restrictive and there is very little, if any,
36 chance that an objectionable use could meet the requirements. Hickey suggested possibly
37 changing the name of the category of use to one that did not seem to include uses that would not
38 be permitted under the restrictions. Hickey asked the members to read over these sections so that
39 the Board can discuss the matter further at the next meeting. Hickey also assigned Sections 145-
40 44, 45 and 46, Business and Technology, Research and Human Health Services Districts,
41 respectively, to review for the next meeting.

42 Hickey directed the Board's attention to Section 145-42(E)(4), noting that it was one of the
43 sections that was amended to incorporate the *Village of Lansing Commercial Low Traffic District*
44 *Guidelines*. He suggested that the members review the Guidelines and see how they are reflected
45 in the District regulations.

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2 Hickey moved on to Section 145-43, Commercial High Traffic District. Stycos noted that
3 *construction sales/storage* is permitted in this district as well. Discussion ensued of the various
4 uses permitted in this district and what sorts of businesses each included. Hickey again noted that
5 an important value of the review is learning what is in the Law and what it means. Remarking on
6 the annotations, he added that when the Village determines there is a problem in the Zoning Law,
7 they change that section and that is probably why the Board is finding so few real problems in
8 their current review.

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10 Stycos asked about sewerred and non-sewerred areas and how one would know whether an area was
11 sewerred. Curtis responded that there is no sewer map in the Zoning Law, but there is a sewer map
12 in his office. As a practical matter, however, with the exception of a little Medium Density
13 Residential along North Triphammer Road, all of the non-sewerred areas are in the Low Density
14 Residential District, all of which, with the exception of the Shannon Park and Cedar Lane areas,
15 is non-sewerred.

16 17 **Approval of Minutes**

18 Stycos moved that the minutes for the May 26 meeting be approved as amended, seconded by
19 Tomei, all in favor.

20 21 **Reports**

22 *Trustees* – Durst reported that Dan Veaner, from the Lansing Star, had spoken about the North
23 Log Cabin which is the oldest log cabin in Tompkins and Cayuga Counties. Originally built in
24 1791 in Lansing, New York, a group of volunteers is now working to restore the cabin on a new
25 site on Salt Point. More information can be found at www.lansinghistory.com.

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27 Tony Nekut reported from the Tompkins County Environmental Management Council and
28 Leopold reported from the Storm Water Coalition. The Trustees also discussed and approved
29 certain revisions to the Village's Procurement Policy and set the public hearing for the Sign Law
30 amendment for their next meeting.

31
32 *Alternate* – Hickey stated that he had asked Stycos to look for someone to fill the Alternate
33 Planning Board Member position. Stycos reported that she had spoken to several people. One
34 had asked if they accepted the position of Alternate, would they be expected to move up to Full
35 Member if a vacancy occurred. After some discussion the Board determined that the Alternate
36 could continue as the Alternate in that situation if they chose to do so. If anyone knows someone
37 who might be interested they should let Stycos know.

38 39 **Adjournment:**

40 Stycos moved to adjourn at 9:23 P.M. Seconded by Dankert. Ayes by Hickey, Dankert, Tomei,
41 Durst, and Stycos. Motion carried.