

**Village of Lansing  
Planning Board Meeting  
December 13, 2010**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:33 P.M. by Chairman Mario  
2 Tomei. Present at the meeting were Planning Board Members, Phil Dankert, Richard Durst, Maria Stycos  
3 and Lisa Schleelein; Trustee Lynn Leopold; Village Attorney David Dubow; Code Enforcement Officer  
4 Marty Moseley; Trustee John O'Neil; Board of Zoning Appeals Member: John Wisor; Village resident  
5 Nick Vaczek; and Community Party Observer Julie Baker.

6  
7 **Public Comment Period**

8 Tomei opened the public comment period. Baker introduced herself as the Community  
9 Party Observer. Vaczek noted that he attended the IDA (Industrial Development Agency) meeting on  
10 December 13, 2010, and didn't realize how much energy and effort the IDA has expended into the  
11 senior housing associated with the Lansing Meadows PDA (Planned Development Area). Vaczek stated  
12 that the Tompkins County Board of Representatives makes their minutes available on their website.  
13 Vaczek noted that he attended the Tuesday Tompkins County Board of Representatives meeting as well.  
14 Vaczek added that a person can also listen to the audio or watch video of the meetings on the website  
15 as well. Leopold noted that the Tompkins County Legislature is the correct name. Vaczek added that in  
16 the January 28, 2010 minutes of the Planning Board, Ned Hickey noted that Ben Curtis suggested that  
17 the Village should look at different ways that sustainable projects could be accomplished. Durst moved  
18 to close the public comment period. Seconded by Stycos. Ayes: Tomei, Dankert, Durst, Stycos, and  
19 Schleelein.

20 **(Business and Technology) B&T Park Sign Discussion**

21 Tomei explained that this discussion is in specific reference to the restaurant that is located in  
22 the B&T Park. Dubow pointed out that there were provisions that both the Planning Board and Board of  
23 Trustees incorporated into the Village Zoning Law in section 145-60 subsection N, which was amended  
24 in 2003. Dubow pointed out that the Low Traffic Food and Beverage use would be allowed with a special  
25 permit with general and additional conditions, the additional conditions being set forth in Section 145-  
26 60, subsection N. Dubow noted that section 145-60 subsection N reads as follows:

27 Low Traffic Food and Beverage in Business and Technology District [**Added 9-10-2003**  
28 **by L.L. No. 3-2003**]

29 Food and beverage services shall be prohibited except:

30 (a) Employee cafeteria food and beverage service within a building (which  
31 building is being used for a permitted use) serving employees at that building  
32 only shall be permitted; and

33 (b) Additional food and beverage service shall be permitted subject to the  
34 following conditions and restrictions:

35 (1) Food and beverage service use shall be provided only to occupants of the  
36 buildings located within the Business and Technology District, including  
37 employees of the businesses located in such district.

38 (2) Such food and beverage service use shall be located within and operated

39 from a building in the Business and Technology District and shall not  
40 occupy more than five (5%) of the gross square foot area of any such  
41 building.

42 (3) Such food and beverage service area may provide limited on-site  
43 seating.

44 (4) No signage of any kind for such food and beverage service area shall be  
45 allowed on the outside of any building or at any other location within the  
46 Business and Technology District for advertising, identification or other  
47 purposes.

48 (5) Interior identification signage shall be permitted only at the  
49 entrance to the space occupied by such food and beverage service  
50 provider, which signage shall conform in all respects to the signage  
51 standards for such building.

52 (6) Such food and beverage service area shall be open for business only  
53 during the regular business hours of those businesses located within the  
54 Business and Technology District, and under no circumstances shall be  
55 open earlier than 8:00 A.M. or later than 6:00 P.M.

56 (7) Any such food and beverage service provider shall be prohibited from  
57 mailing or otherwise disseminating flyers, menus, brochures or any other  
58 advertising outside of the confines of the Business and Technology  
59 District.

60 (8) Any such food and beverage service provider shall be allowed to accept  
61 orders for food and beverages to be picked up by or delivered to  
62 occupants (including employees) of the buildings within the Business  
63 and Technology District, and shall be further allowed to visit buildings  
64 within the Business and Technology District, with food carts and similar  
65 mobile apparatus intended for the delivery of permitted food and  
66 beverage products.

67

68 Dankert noted that some of the zoning restrictions in section 145-60 N were specifically instituted for  
69 the purpose of not allowing a restaurant type operation in the B&T Park to “steal” away business from  
70 other businesses in the Village of Lansing, and to only be open for the workers of the businesses at the  
71 B&T Park. Dubow added that the type of food and beverage business originally permitted to operate in  
72 the B&T District was not originally intended to be a destination restaurant. Dubow stated that some of  
73 the zoning restrictions in 145-60 N could be difficult for the Zoning Officer to enforce without investing a  
74 great deal of time into that specific business. Dubow added that the point of the restrictions were to  
75 minimize the number of people who ate there but were not from the B&T Park businesses. Dankert  
76 asked what type of sign was now being asked for. Moseley stated that either a directional sign or a  
77 permanent sign, in front of 35 Thornwood, similar to the other businesses in the B&T Park. Dubow  
78 pointed out that if the zoning regulations are amended, all current and future Low Traffic Food and  
79 Beverage uses in the B&T Park would follow the revised zoning. Schleelein asked if the new owners were  
80 aware of the zoning restrictions prior to opening their new café. Moseley noted that Ben Curtis had a sit

81 down conversation with the new owner prior to Curtis's retirement, but at that point in time the café  
82 was open for business.

83 Baker stated that having a place to eat in the B&T Park is a nice asset to have; instead of having  
84 to drive to another business in order to obtain food. Baker was amazed that the Village would  
85 implement restrictions on a business that would not allow them to possibly be successful. Baker added  
86 that some people in the B&T Park are still not aware of the café. Baker asked if there was a particular  
87 concern about the specific use in the B&T Park. Dubow explained that there was originally a concern  
88 about traffic at the time, and that the current issue is not only about signage, but also some or all of the  
89 other current restrictions. Leopold noted that before the new airport was completed, there was a  
90 restaurant located on the Tompkins County Airport grounds called Brian's Landing that was a  
91 destination place. Baker was not sure if there is enough business for the café to sustain itself on the B&T  
92 Park alone. Tomei noted that the sign in question would be located at 35 Thornwood Road only, which is  
93 the only Low Traffic Food and Beverage use in the B&T Park at this point in time. Dubow added that  
94 both Triphammer Road and Warren Road have been reconstructed since the zoning restrictions were  
95 implemented, which presumably should be taken into consideration as to the current discussion  
96 because the Village was concerned, at the time, about the traffic.

97 **Sign Law Discussion**

98 Tomei explained that Dankert brought this topic up due to the recent amendments that the  
99 Planning Board had been working on in the current Sign Law. Leopold noted that LED lighting will  
100 eventually be the main lighting source that people and or businesses use. Schleelein liked that the article  
101 that was provided to the Planning Board members suggested that there be some regulation on the  
102 brightness of the LED lights. Moseley noted that, under the Village's current Sign Law, there is a  
103 regulation that prohibits lighting from projecting more than 18 inches from a lighted sign. Dubow asked  
104 the Planning Board if LED lights specifically are currently precluded in the Sign Law. The Board's  
105 determination was that they are not prohibited.

106 Dankert moved that Proposed Local B (2011), which Dubow prepared and provided to the Board  
107 members for the purpose of incorporating the Sign Law amendments that the Board had agreed upon,  
108 be recommended to the Board of Trustees. Seconded by Stycos. Ayes: Tomei, Dankert, Durst, Stycos,  
109 and Schleelein.

110 **Lansing Trails II Land Swap Discussion**

111 Tomei noted that Ivar Jonson has asked if the Village would allow the land located directly  
112 behind each of Lots 3 and 4 on Jon Stone Circle to be incorporated into the respective lot, thus making  
113 each such lot size larger. Tomei explained that the lots would then border on the walkway. The land that  
114 is being suggested to become incorporated into the lots is, based upon and in accordance with the  
115 approved final plat of the Lansing Trails II Subdivision, both park land and open space. Tomei added that  
116 Jonson suggested this lot enlargement proposal because the area involved would be difficult for the  
117 Village to maintain due to the location. Tomei noted that if Jonson would like to make a land swap, he

118 would need to give the same amount of land that he is proposing to become incorporated into the two  
119 lots back to the Village in the form of open space and park land. Tomei stated that some calculations  
120 need to be presented to the Planning Board, which he was hoping would have been done prior to this  
121 Planning Board meeting. Tomei explained that the proposed land that Jonson would like to swap in  
122 favor of the Village is located between Lansing Trails I and Lansing Trails II which would be turned into  
123 park land. Dubow noted that if the developer proposed to decrease the open space, that would  
124 constitute a significant modification requiring that a public hearing be held.

125 **Approval of Minutes**

126 None

127 **Reports**

128 *Trustees-* Schleelein reported on the December 6<sup>th</sup> Trustees meeting (and for a more in depth  
129 report, please see the minutes of that meeting). Schleelein reported on the Board's discussion regarding  
130 the proposed Bolton Point water rate increase and the Village's consideration with respect to any  
131 approval to be granted. Dankert asked if and when the water increase is approved by all town and  
132 villages involved in Bolton Point, when it would take effect. Dubow noted that it would take effect for  
133 the Village of Lansing in April. Schleelein explained that the Trustees approved a resolution to support  
134 the IDA (Tompkins County Industrial Development Agency) PIF (PILOT increment Financing) for the  
135 senior housing associated with the Lansing Meadows PDA (Planned Development Area).

136 **Other Business**

137 Leopold gave an update on the December 13<sup>th</sup> Tompkins County IDA meeting. Leopold added  
138 that the IDA voted 4-3 in opposition of the Lansing Meadows PDA senior housing. Durst asked if  
139 Arrowhead Ventures might want the Village to lift the condition that the senior housing be built at the  
140 same time as the BJ's store. Dubow noted that the developer could ask for such an amendment and the  
141 Village Boards could take action if they would like. Leopold explained that Arrowhead Ventures was not  
142 willing, at this point in time, to decouple the senior housing and the BJ's store for financial reasons.  
143 Schleelein asked if the property that the Lansing Meadows PDA was to be built on would continue to be  
144 zoned residential along Oakcrest Road. Dubow indicated that the zoning change that occurred when the  
145 PDA was first developed along with the permitted uses in chapter 145-42.1 would continue to be  
146 implemented. Vaczek asked if Arrowhead Ventures had presented the PIF to any of the Boards in the  
147 Village prior to the IDA hearings. Dubow noted that they approached the Village informally about the  
148 topic, but not in great depth.

149 **Adjournment:**

150 Durst moved to adjourn at 8:55 P.M. Seconded by Schleelein. Ayes: Tomei, Dankert, Durst, Stycos, and  
151 Schleelein