

**Village of Lansing
Planning Board Meeting
November 14, 2011**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30P.M. by Chairman
2 Mario Tomei. Present at the meeting were Planning Board Members Maria Stycos, Lisa Schleelein,
3 Richard Durst and Phil Dankert; Alternate Member Jon Kanter; Trustee Lynn Leopold; Code
4 Enforcement Officer Marty Moseley; Village Attorney David Dubow; Architect Jaget Sharma, Brent
5 Lemberg and Carolee Vink; Joe Giordano from Audrey Edelman Realty; Jeff Walters from the
6 Lansing Fire District; and Community Party Observer Lenny Nissenson

7 **Public Comment Period**

8 Tomei opened the public comment period.

9 Walters wanted to present some preliminary schematic plans to the Planning Board for the
10 proposed new fire station, which would replace the old existing fire station located at 119 Oakcrest Road.
11 Walters noted that the Fire District hired an engineer to assess the existing building, which engineer
12 determined that the building would not be able to adequately support itself and the future snow load.
13 Walters added that they would be demolishing the fire station as soon as possible, and hopefully start
14 building a new station next spring. Walters indicated that the Cayuga Heights Fire Department would help
15 in responding to some of the calls for the Village, since the new station will not be built right away.
16 Walters added they would like to increase the size of the station to accommodate newer larger equipment,
17 and increase the front yard setback to allow for the fire trucks and other equipment to be able to back in
18 easier. Walters indicated that the Fire District plans call for increased overhead doors from 2 to 4 to try
19 and make the station look more residential. Walters added that they have not picked out any colors at this
20 point in time because they wanted to see the color scheme for the BJ's Wholesale Club building and
21 possibly blend in using some similar colors. Walters indicated that they were really trying to make the
22 station more residential because of the residential neighborhood in the area, and thought about
23 incorporating some stone on the bottom of the new station. Walters added that they also decided to have a
24 gable roof system instead of a flat roof. Walters noted that the main part of the building would be metal,
25 but the color of the metal could be an earthy tone to help blend in.

26 Tomei asked how big the new fire station is being proposed as.

27 Walters indicated that the existing fire station is approximately 67 feet wide by 43 feet deep, and
28 the new fire station would be approximately 100 feet wide by 66 feet deep. Walters added that they are
29 intending to incorporate some bunks because the Fire District anticipates that the Village will be busier
30 than the Town. They are hoping to have some individuals reside in the new fire station to increase the
31 respond time.

32 Leopold asked if any decontamination is to be done at the 119 Oakcrest Road site.

33 Walters indicated that all decontamination is done at the main fire station facility. Walters added
34 that they still need to test the existing facility for asbestos materials.

35 Kanter asked if the Fire District had a recent survey done to determine if all metes and bounds
36 were accurate.

37 Walters indicated the T.G. Miller Engineering has performed a field visit for the survey. Walters
38 added that he would be back in to obtain a demolition permit from the Village.

39 With no one else wishing to speak, Durst moved to close the public comment period. Seconded
40 by Dankert; Ayes: Tomei, Dankert, Stycos, Durst and Schleelein.

41 **Public Hearing to Consider:**

42 Special Permit #2602, Brent Lemberg, MD, to convert the building at 2435 North Triphammer Road in the
43 Commercial Low Traffic District, Tax Parcel Number 45.2-1-46.4, into a doctor's office. Because the
44 Change in Use of the building is proposed to be modified, special permit approval is required pursuant to
45 Sections 145-42 C(1) and 145-58 B of the Village of Lansing Zoning Law.

46 Sharma indicated that the building was formally occupied by the Ridley's Book Bindery business. They
47 would be looking to divide the building into two spaces to allow for another tenant who is not known at this point in
48 time. Sharma added that Dr. Lemberg and the other doctors in his medical practice would occupy half of the
49 building (approximately 6658 square feet). Sharma indicated that the building would be remodeled and have an
50 EFIS (Exterior Insulated Finishing System) installed on the exterior of the building. Sharma noted that they would
51 be leaving the driveway curb cuts and parking lots in their original location, and that the existing loading dock
52 would be removed. Sharma stated that there would be a new vestibule at the main entrance. Sharma indicated that
53 there currently is a sufficient amount of parking for Dr. Lemberg's office, and depending on who rents the other half
54 of the building a further determination will need to be made as to whether there will be enough parking spaces for
55 the building as a whole. Currently there are approximately 47-48 parking spaces. Sharma explained the interior
56 layout to the Planning Board. Sharma noted that they are remodeling the exterior of the building to also have "build-
57 outs" that would appear to have multiple pilasters on it. This would create some depth to the exterior. Sharma added
58 that they would also be adding new gable end panels to make the building aesthetically pleasing. They would
59 enhance the look of the building by making it appear to have a new roof line. Sharma noted that there would be a
60 large addition of windows added to the structure.

61 Tomei asked if the existing exterior lighting would be altered or if new exterior lighting would be added.

62 Sharma indicated that they did not anticipate any new lighting being installed.

63 Lemberg added that his office hours end at approximately 4:30 PM., so there would be no need for extensive
64 exterior lighting to be on after hours.

65 Tomei asked if the handicap accessible ramp would be altered in any way.

66 Kanter asked if the existing metal railing along the accessible ramp still meets the Building Code
67 requirements.

68 Moseley indicated that as long as the railing is in sound condition and is not being altered, then
69 the New York State Building Code cannot require the railing to be brought into compliance.

70 Dankert expressed concern with the potential increase in traffic on Craft Road.

71 Tomei noted that there already is a lot of traffic from other businesses on Craft Road and Ascot
72 Place, at or around 8 A.M and 5 P.M.

73 Stycos asked if there was any way to calculate the amount of traffic increase with regard to the
74 doctors, staff and patients.

75 Lemberg noted that on a typical day there are 4 physicians and 1 nurse practitioner, but the
76 staffing is not all at the office at the same time. During the morning hours 3 physicians are off site
77 performing procedures leaving 1 physician and 1 nurse practitioner seeing patients. This would generate
78 approximately 4, 5 or 6 patients per hour.

79 Tomei indicated that based on the traffic, as explained by Lemberg, there probably would not be
80 much of a traffic impact.

81 Kanter noted that the traffic would only account for Lemberg's practice and not the other side of
82 the building.

83 Vink indicated that, if they obtain the tenant that they are currently negotiating with, the other
84 tenant would be closing at or around 2:30 P.M.

85 Kanter asked what type of tenant they were marketing for.

86 Vink indicated that they would like to have paralegal, doctors' offices, or professional services
87 located in the second section of the building.

88 Kanter noted that the traffic would be similar in nature. Kanter asked what types of deliveries are
89 made to the offices.

90 Lemberg explained that office supplies are delivered once a week and the medical supplies are
91 delivered via the traditional mail.

92 Kanter asked if the existing storage shed would remain.

93 Leopold asked about trash removal and a dumpster location.

94 Lemberg indicated that they have not thought about the garbage disposal service yet, and they
95 probably would remove the shed from the property.

96 Tomei asked for a motion to close the public hearing for special permit #2602. Moved by Stycos,
97 Seconded by Durst. Ayes: Tomei, Dankert, Stycos, Durst and Schleelein.

98
99 Tomei read the required special permit general conditions as follows:

- 100 *(1) It will not be detrimental to or endanger the public health, safety or general welfare.*
- 101 *(2) It will not be injurious to the use and enjoyment of other property in the vicinity or*
102 *neighborhood.*
- 103 *(3) It will not impede the orderly development of the vicinity or neighborhood and is*
104 *appropriate in appearance and in harmony with the existing or intended character of the*
105 *vicinity or neighborhood.*
- 106 *(4) The street system and off-street parking facilities can handle the expected traffic in a*
107 *safe and efficient manner.*

144 D. On November 14, 2011, the Village of Lansing Planning Board held a public hearing regarding this
145 proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information
146 presented by and on behalf of the applicant in support of this proposed action, including information
147 and materials related to the environmental issues, if any, which the Board deemed necessary or
148 appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii)
149 all issues raised during the public hearing and/or otherwise raised in the course of the Board's
150 deliberations; and
151

152 E. On November 14, 2011, in accordance with Section 725-b of the Village Law of the State of New York
153 and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of
154 Lansing Planning Board, in the course of its further deliberations, reviewed and took into
155 consideration (i) the general conditions required for all special permits (Village of Lansing Code
156 Section 145-59E), (ii) any applicable conditions required for certain special permit uses (Village of
157 Lansing Code Section 145-60), (iii) any applicable conditions required for uses within a Combining
158 District (Village of Lansing Code Section 145-61), and (iv) any environmental issues deemed
159 necessary and/or appropriate;
160

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

162

163 1. The Village of Lansing Planning Board hereby (i) determines that the environmental
164 information and materials submitted by the applicant and the details thereof are reasonably
165 related to the scope of the proposed project; (ii) waives the necessity for any additional
166 environmental information otherwise required; and (iii) finds that the proposed project will
167 not have a significant adverse impact on the environment; and
168

169 2. The Village of Lansing Planning Board hereby finds (subject to the conditions and
170 requirements, if any, set forth below) that the proposed action meets (i) all general conditions
171 required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
172 applicable conditions required for certain special permit uses (Village of Lansing Code
173 Section 145-60), and (iii) any applicable conditions required for uses within a Combining
174 District (Village of Lansing Code Section 145-61); and
175

176 3. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.
177 2602 is **GRANTED AND APPROVED**, subject to the following conditions and
178 requirements:
179

180 a. A Lighting plan shall be submitted and approved by the Village of Lansing Lighting
181 Commission.

182 b. If any extensive landscape improvements are made, a landscape plan shall be submitted
183 to and approved by the Village of Lansing Planning Board prior to the installation of
184 said improvements.
185

186 Tomei asked for a motion on the foregoing resolution, and the resolution was moved by Schleelein and
187 seconded by Dankert.

188 The vote on the foregoing motion was as follows:

189 AYES: Mario Tomei, Phil Dankert, Lisa Schleelein, Maria Stycos, and Richard Durst

190 NAYS: None

191 The motion was declared to be carried.

192 Dubow asked if Moseley had received the proof of mailings. Moseley indicated that he had.

193 Kanter asked if there would be landscaping improvements made to the property.

194 Lemberg indicated that, at this point in time, they would not be making substantial improvements
195 to the landscaping.

196 Leopold noted that the Lighting Commission would like to see cut sheets on the photo metrics,
197 and it was agreed that those materials would be provided.

198 **Subdivision Classification for 150 Burdick Hill Road**

199 Tomei explained that Giordano is representing Mary Gillett, the current property owner, and is
200 asking for a subdivision classification of the 150 Burdick Hill Road property. Tomei noted that the
201 Planning Board would be referencing section 125-5(D), of the Village Code, in order to classify the
202 subdivision. Tomei indicated that the new lot, not the “L” shaped lot, is only large enough for a single
203 family residence as defined by the Village Code.

204 Kanter noted that the “L” shaped parcel is ultimately connected to the portion of the property that
205 is located in the Town of Lansing, and the “L” shaped parcel would be the only access point for the
206 property located in the Town. Kanter added that the “L” shaped piece should probably not be allowed to
207 be a buildable lot.

208 Dubow indicated that the Planning Board could require some language that would be
209 incorporated on the final plat indicating that the “L” shaped lot is not allowed to be built on.

210 Durst moved that this subdivision be classified as a minor subdivision. Seconded by Dankert,
211 Ayes by: Tomei, Dankert, Stycos, Durst and Schleelein.

212 Giordano added that Gillett does not want the “L” shaped lot to be a buildable lot, which
213 language will also be incorporated in the deed.

214 Dubow indicated that he would like to see the language that will be incorporated in the deed.

215 **Approval of Minutes**

216 Stycos moved to accept the July 25th minutes as amended. Seconded by Durst. Ayes: Tomei,
217 Durst, Dankert, and Stycos. Abstention by Schleelein

218 Schleelein moved to accept the August 30th minutes amended. Seconded by Stycos Ayes: Tomei,
219 Dankert, Stycos and Schleelein.

220

221 **Reports**

222 *Trustees- Please refer to the minutes for the Trustees November 7th meeting for a full report.*

223

224 **Other Business**

225 Tomei indicated that the language in Section 145-82 (38) of the Village Code, Commercial Low
226 Traffic Food and Beverage, might need to be amended. Tomei added that the Commercial low Traffic
227 District (CLT) regulations are somewhat contra dictating. The CLT district regulations require a special
228 permit for a change in category of use, but it also allows a change in category of use as long as the
229 designated parking does not need to be expanded. Tomei asked what the Board thought about the CLT
230 Low Traffic Food and Beverage, more specifically the take-out portion of the regulation. Tomei read the
231 interpretation that was originally issued by the Planning Board on 4-12-10.

232 Upon further discussion, the Planning Board determined that they would continue to use the
233 original language that was discussed in the original interpretation, on 4-12-10, without modifications.

234 Tomei asked the Planning Board if they would like to require a special permit, within the CLT
235 District, when there is a change in category of use or only require a special permit when the change in
236 category expands the designated parking spaces for the property or use.

237 Upon further discussion the Planning Board determined that the CLT district regulations should
238 require a special permit for all changes in category of uses and not only when the change in use would
239 expand the designated parking requirements.

240 Moseley proposed a change to the Planning Board with respect to special permits. Moseley added
241 that currently there is no way that an applicant can come in and alter their special permit for a project.
242 Moseley proposed that there be a procedure that would allow the Planning Board to classify the proposed
243 change to the special permit. Moseley added that there could be a classification of a minor change or a
244 major change, which would be similar to the classification in both the PDA (Planned Development Area)
245 Regulations and the Subdivision Regulations. Moseley indicated that the Village could essentially mirror
246 the procedures that are already outlined in the PDA Regulations and the Subdivision Regulations. This
247 would mean that for a minor change to a special permit no public hearing would be required, but the
248 applicant would need to work through the traditional special permit procedures for a major change.

249 The Planning Board agreed that some language similar to what Moseley had proposed should be
250 included in the special permit procedures as long as the Trustees did not oppose the change in the Code.

251 Tomei asked if there would be enough members to attend the Planning Board meeting on 12-27-
252 11 or if that meeting should be canceled. The Planning Board determined that the Planning Board meeting
253 for 12-27-11 would be canceled.

254 **Adjournment**

255 Dankert moved to adjourn at 8:53PM. Seconded by Durst, Ayes by: Tomei, Dankert, Stycos,
256 Durst and Schleelein.