

**Village of Lansing
Planning Board Meeting
March 5, 2012**

1 The meeting of the Village of Lansing Planning Board was called to order at 4:00 P.M. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members Maria Stycos, Lisa Schleelein, and Richard
4 Durst; and Code Enforcement Officer Marty Moseley.

5

6 **Public Comment Period**

7 Tomei opened the public comment period.

8 With no one wishing to speak, Durst moved to close the public comment period. Seconded by
9 Schleelein; Ayes: Tomei, Stycos, Schleelein, and Durst.
10

11 **Public Hearing to Consider:**

12 Tomei noted that the meeting is a continuation of the Public Hearing to consider:

13 Special Permit #2631, The Shops at Ithaca Mall, to operate a Temporary Outdoor Sale, at 40
14 Catherwood Road in the Commercial High Traffic District, Tax Parcel Number 47.1-1-22.
15 Because the operation of the Temporary Outdoor Sale would occur within the Commercial High
16 Traffic District, Special Permit review is required pursuant to Section 145-58(c) of the Village of
17 Lansing Code

18
19 Tomei noted that the village has received the required Tompkins County Planning Department
20 239 –l and-m review, which indicates that there is no negative inter-community or county-wide impacts.
21

22 Stycos moved to close the public hearing. Seconded by Schleelein; Ayes by Tomei, Stycos,
23 Durst, and Schleelein.
24

25 Tomei read the required special permit general conditions as follows:

26 *(1) It will not be detrimental to or endanger the public health, safety or general welfare.*

27 *(2) It will not be injurious to the use and enjoyment of other property in the vicinity or*
28 *neighborhood.*

29 *(3) It will not impede the orderly development of the vicinity or neighborhood and is*
30 *appropriate in appearance and in harmony with the existing or intended character of the*
31 *vicinity or neighborhood.*

64

65 B. On February 28, 2012, the Village of Lansing Planning Board determined that the proposed action is
66 an Unlisted Action for which the Board is an involved agency, and in performing the lead agency
67 function for its independent and uncoordinated environmental review in accordance with Article 8 of
68 the New York State Environmental Conservation Law - the State Environmental Quality Review Act
69 ("SEQR"), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short
70 EAF"), Part 1, and any and all other documents prepared and submitted with respect to this proposed
71 action and its environmental review (including any Visual Environmental Assessment Form required),
72 (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the
73 proposed action may have a significant adverse impact on the environment, including the criteria
74 identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part 2; and (iv) made a negative
75 determination of environmental significance ("Negative Declaration") in accordance with SEQR for
76 the above referenced proposed action and determined that an Environmental Impact Statement
77 would not be required; and
78

79 C. On February 28, 2012, the Village of Lansing Planning Board held a public hearing regarding this
80 proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information
81 presented by and on behalf of the applicant in support of this proposed action, including information
82 and materials related to the environmental issues, if any, which the Board deemed necessary or
83 appropriate for its review, (ii) all other information and materials rightfully before the Board, and (iii)
84 all issues raised during the public hearing and/or otherwise raised in the course of the Board's
85 deliberations; and
86

87 D. The Village of Lansing Planning Board at its February 28, 2012 meeting acknowledged that the
88 anticipated General Municipal Law Sections 239-l and -m response from the Tompkins County
89 Department of Planning had not been received in time for such February 28, 2012 Planning Board
90 meeting, and therefore the public hearing was adjourned to a special Village of Lansing Planning
91 Board meeting scheduled for March 2, 2012; and
92

93 E. The Village of Lansing Planning Board at its March 2, 2012 special meeting acknowledged again that
94 the anticipated General Municipal Law Sections 239-l and -m response from the Tompkins County
95 Department of Planning had not been received in time for such March 2, 2012 Planning Board
96 meeting, whereupon the public hearing was further adjourned to a special Village of Lansing Planning
97 Board meeting scheduled for March 5, 2012; and
98

99 F. The Village of Lansing Planning Board at its special meeting on March 5, 2012 acknowledged its
100 receipt of the General Municipal Law Sections 239-l and -m response from the Tompkins County
101 Department of Planning, and thereupon sought any further public comment, after which the
102 adjourned public hearing was closed; and
103

104 G. On March 5, 2102, the Village of Lansing Planning Board further reviewed and analyzed (i) the
105 materials and information presented by and on behalf of the applicant in support of this proposed
106 action, (ii) all other information and materials rightfully before the Board (including comments and
107 recommendations, if any, provided by the Tompkins County Department of Planning in accordance
108 with General Municipal Law Sections 239-l and –m), and (iii) all issues raised during the continued
109 public hearing and/or otherwise raised in the course of the Board’s deliberations; and
110

111 H. On March 5, 2012, in accordance with Section 725-b of the Village Law of the State of New York and
112 Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing
113 Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the
114 general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
115 applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-
116 60), (iii) any applicable conditions required for uses within a Combining District (Village of Lansing
117 Code Section 145-61), and (iv) any environmental issues deemed necessary and/or appropriate;
118

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

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121

122 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and
123 requirements, if any, set forth below) that the proposed action meets (i) all general
124 conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
125 applicable conditions required for certain special permit uses (Village of Lansing Code
126 Section 145-60), and (iii) any applicable conditions required for uses within a Combining
127 District (Village of Lansing Code Section 145-61); and
128

129 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.
130 2631 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:
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- 132 A. There shall be no more than 110 vehicles on the premises, for sale or lease, at any
133 one point in time.
- 134 B. There shall be no washing of the vehicles with detergent unless there is a contained
135 area for the washing of vehicles, and the contaminated water is removed from the
136 containment area and disposed of in an approved manner.
- 137 C. The event or sale shall be no more than 10 days in length.
- 138 D. There shall be no more than 2 signs with a maximum of 12 square feet for each sign.
139 The signs shall also be located as described during the February 28th, 2012 Planning
140 Board meeting.
- 141 E. There shall be no vehicle transport trucks left on the premises.
- 142 F. There shall be no additional exterior lighting added during the event or sale.
143
144

145 The vote on the foregoing motion was as follows:

146

147 AYES: Mario Tomei, Maria Stycos, Richard Durst, and Lisa Schleelein.

148

149 NAYS: None

150

151 The motion was declared to be carried.

152

153 **Approval of Minutes**

154 *None*

155 **Reports**

156 *None*

157

158 **Other Business**

159 *None*

160 **Adjournment**

161 Durst moved to adjourn at 4:15PM. Seconded by Schleelein; Ayes: Tomei, Stycos, Schleelein, and Durst.

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