

**Village of Lansing
Planning Board Meeting
May 28, 2013**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members Phil Dankert, Lisa Schleelein; Alternate
4 Member Deborah Dawson; Village Attorney David Dubow; Code Enforcement Officer Marty Moseley;
5 Village Trustee Liaison Lynn Leopold; Phil Bacheller on behalf of Amy Friend; and Kevin Alford from
6 GMY Associates.

7 Tomei appointed Dawson as an acting member for the meeting due to the absence of Planning
8 Board member Jon Kanter.

9

10 **Public Comment Period**

11 Tomei opened the public comment period.

12 With no one wishing to speak from the public, Dankert moved to close the public comment
13 period. Seconded by Schleelein; Ayes: Tomei, Dankert, Schleelein, and Dawson.

14

15 **Requested changes to the Previously Approved Cayuga Mall Planting Plan**

16 Tomei indicated that John Courtney, Superintendent of Public Works, emailed all Board members
17 about the Cayuga Mall landscaping plan. Moseley indicated that Courtney expressed concern about the
18 plantings due to potential impact on the Village's snowplow equipment. Courtney indicated that any
19 planting would negatively impact his department.

20 Tomei noted that the area in discussion faces the north and seems to not be as visible to the
21 public.

22 Dubow suggested that the plans be submitted to Courtney for review and comment.

23 Moseley indicated that he currently does submit the plans to Courtney for comments, but he was
24 not sure if the original plans included a landscaping plan that Courtney could comment on.

25 The Board determined that the stone veneer fabric would be acceptable for the True Value
26 outside storage area. The fabric will be located on the north and west faces of the fencing.

27 Schleelein moved to alter the landscaping plan to allow for a stone veneer fabric to be placed on
28 the north and west sides of the fence for the True Value outside storage area in place of the previously
29 approved plantings that were proposed on the west and north side of the fencing. The screening shall be
30 maintained in perpetuity. Seconded by Dawson; ayes by Tomei, Dankert, Schleelein, and Dawson.

31 Alford indicated that he would still plant the trees in between Friendly's and the True Value
32 outside storage area. Alford noted that it would provide screening for the existing dumpsters. Alford
33 added that there would be about 2 – 3 trees, but he would like to change the plantings to a blue or Norway
34 spruce. The Austrian pines are more vulnerable to disease and infestation.

35 The Board agreed to allow for the plantings to be changed to either a blue or Norway spruce.

36 **Proposed Sign for Rite Aid**

37 Mike from Allied Sign Company was at the meeting to discuss any signs for Rite Aid.

38 Tomei noted that the sign would need to be measured differently, but it would still conform to the
39 required Planned Sign Area requirements. Tomei asked what the hours of operation are for the store.

40 Mike noted that he thought the store was not open past 9 PM. Mike added that they could set a
41 time clock to have the signs turn off at 10 PM.

42 Dawson moved to accept the Rite Aid sign. Seconded by Schleelein, Ayes: Tomei, Dankert,
43 Schleelein, and Dawson.

44

45 **Amy Friend Single Family House Special Permit**

46 Tomei opened the public hearing for:

47 Special Permit 2764, Amy Friend to construct a 2336 square foot single family house on Tax
48 Parcel No. 42.1-1-53.41 Burdick Hill Road, located in the Low Density Residential District.
49 Because the proposed construction will occur within 200' of the centerline of a stream, included
50 in the Drainageway Conservation Combining District, Special Permit review is required by the
51 Village of Lansing Code pursuant to Section 145-48 of the Village of Lansing Zoning Law.

52 Moseley noted that he received the proof of mailings.

53 Tomei noted that the project received a Tompkins County Planning Department GML 239 review
54 and response indicating that it would not create a negative intercommunity or county-wide effect.

55 Tomei asked about the Village Engineers report.

56 Moseley indicated that Brent Cross (Village of Lansing Engineer) did not provide the Board with
57 an official engineers report, but he did indicate (per a phone conversation with Moseley) that he had no
58 concerns due to there being a silt fence proposed for the project to protect the stream from potential storm
59 water runoff on disturbed soil.

60 Leopold noted that the disturbance of the project is less than 1 acre.

61 Schleelein asked about the start date of construction.

62 Bacheller indicated that they would like to begin construction as soon as possible.

63 Dubow reminded the Board that a formal Environmental Assessment Form is not applicable for a
64 single family residential house, but an environmental review is required as part of the special permit
65 approval process.

66
67 Leopold noted that any potential stormwater runoff could end up in the road side ditch if not
68 protected.

69 Tomei asked for a motion to close the public hearing. Moved by Dankert. Seconded by
70 Schleelein, Ayes by Tomei, Schleelein, Dankert, and Dawson.

71
72 Tomei read Section 145-59E of the Village of Lansing Code, General Conditions required for all
73 Special Permits.

74
75 Dawson moved that the special permit as presented meets all of the conditions in 145-59E,
76 seconded by Schleelein; Ayes by Tomei, Schleelein, Dankert, and Dawson.

77
78 Discussion ensued with regard to what, if any, conditions of approval should be required. Dankert
79 then moved the following resolution, seconded by Schleelein; Ayes by Tomei, Schleelein, Dankert, and
80 Dawson.

81
82 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT**
83 **APPROVAL ADOPTED ON MAY 28, 2013**

84
85
86 *Motion made by:* _____ *Phil Dankert* _____

87
88 *Motion seconded by:* _____ *Lisa Schleelein* _____

89
90 **WHEREAS:**

- 91
92
93 A. *This matter involves consideration of the following proposed action: Special Permit 2764,*
94 *Amy Friend to construct a 2336 square foot single family house on Tax Parcel No. 42.1-1-*
95 *53.41 Burdick Hill Road, located in the Low Density Residential District. Because the*
96 *proposed construction will occur within 200' of the centerline of a stream, included in the*
97 *Drainageway Conservation Combining District, Special Permit review is required by the*
98 *Village of Lansing Code pursuant to Section 145-48 of the Village of Lansing Zoning Law;*
99 *and*
100
101 B. *The Village Code Enforcement/Zoning Officer has determined that the proposed action is not*
102 *large-scale and therefore is not subject to a full and extensive environmental review under*
103 *the Village of Lansing Zoning Law; and*
104
105 C. *On May 28, 2013, the Village of Lansing Planning Board held a public hearing regarding*
106 *this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and*
107 *information presented by and on behalf of the applicant in support of this proposed action,*
108 *including information and materials related to the environmental issues, if any, which the*
109 *Board deemed necessary or appropriate for its review, (ii) all other information and*

110 *materials rightfully before the Board, and (iii) all issues raised during the public hearing*
111 *and/or otherwise raised in the course of the Board's deliberations; and*
112

113 *D. On May 28, 2013, in accordance with Section 725-b of the Village Law of the State of New*
114 *York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the*
115 *Village of Lansing Planning Board, in the course of its further deliberations, reviewed and*
116 *took into consideration (i) the general conditions required for all special permits (Village of*
117 *Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special*
118 *permit uses (Village of Lansing Code Section 145-60), (iii) any applicable conditions*
119 *required for uses within a Combining District (Village of Lansing Code Section 145-61), and*
120 *(iv) any environmental issues deemed necessary and/or appropriate;*
121

122 ***NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:***
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124
125 *1. The Village of Lansing Planning Board hereby (i) determines that the environmental*
126 *information and materials submitted by the applicant and the details thereof are reasonably*
127 *related to the scope of the proposed project; (ii) waives the necessity for any additional*
128 *environmental information otherwise required; and (iii) finds that the proposed project will*
129 *not have a significant adverse impact on the environment; and*
130

131 *2. The Village of Lansing Planning Board hereby finds (subject to the conditions and*
132 *requirements, if any, set forth below) that the proposed action meets (i) all general conditions*
133 *required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*
134 *applicable conditions required for certain special permit uses (Village of Lansing Code*
135 *Section 145-60), and (iii) any applicable conditions required for uses within a Combining*
136 *District (Village of Lansing Code Section 145-61); and*
137

138 *3. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.*
139 *2764 is **GRANTED AND APPROVED**, subject to the following conditions and*
140 *requirements:*
141

142
143 *A. Soil and Erosion control measures shall be implemented, coordinated, and approved*
144 *by either the Village of Lansing Code Enforcement Officer and/or the Village of*
145 *Lansing Engineer.*
146

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148
149
150 *The vote on the foregoing motion was as follows:*

151
152 *AYES: Mario Tomei, Lisa Schleelein, Phil Dankert, and Deborah Dawson*

153
154 *NAYS: None*

155
156 *The motion was declared to be carried.*

157

158 **Continued Discussion on the CLT (Commercial Low Traffic) Changes**

159 Tomei noted that there will be a joint Trustee and Planning Board meeting on June 10th to discuss
160 the proposed CLT changes.

161 Moseley indicated that it is not necessary to include the proposed Bed and Breakfast use due to
162 the use being included as a home occupation. Moseley added that the home occupation use is allowed
163 under a special permit with additional conditions for certain special permits.

164 Tomei asked if the additional residential building on a single lot would mean that an additional
165 residential building would only be allowed on a residential lot or if it would be any lot in the Village.

166 Schleelein indicated that she would interpret the section to indicate that an additional residential
167 would be allowed on any single lot and not just a residential lot.

168 Moseley thought that the additional residential building on a single lot should be placed under
169 permitted uses with additional conditions. Moseley added that he could not find a reference to the above
170 use in 145-60.

171 Dubow asked what a Group Residential Facility would be defined as.

172 Moseley indicated that the Group Residential Facility would be the old age/nursing home, convalescent,
173 assisted living facility, adolescent, or outpatient housing.

174 Dawson noted that they were not proposing the Group Residential Building use in either of the
175 CLT zones.

176 Dubow suggested that the Group Residential use be changed to a different name as to not add to
177 any confusion in the future.

178 Dubow asked what the reasoning was for eliminating the Group Residential Building.

179 Tomei indicated that the use would and has been incorporated in Commercial High Traffic.

180 Tomei noted that the Undertaking use would be eliminated from the CLT districts.

181 Schleelein indicated that removing the Undertaking use was due to concerns about unpredictable
182 traffic congestion.

183 Moseley indicated that the High Density Residential District is the only other district that would
184 allow the Undertaking use.

185 Tomei noted that the Board would like to add the "Small Scale Sales" use in CLT-1.

186 Moseley indicated that Small Scale Sales would need to be incorporated with Section 145-60 to
187 indicate that it would only be allowed with mixed use and the total accumulative area per small scale sales
188 would be 10,000 square feet per tenant.

189 Tomei pointed out that the mixed use is only for commercial and residential use. Tomei added
190 that the mixed use would not allow for sales and office space.

191 Dubow noted that the CLT-1 district would allow the Low Traffic Food and Beverage use, but
192 not in the CLT-2 district.

193
194 **Approval of Minutes**

195 None

196
197 **Reports**

198 Tomei reported on the Trustees minutes of May 20th. Please see the minutes of that meeting for a
199 report.

200
201 **Other Business**

202 Dawson indicated that some of the signs at the Triphammer Marketplace do not have a yellow
203 background.

204
205 Moseley indicated that the Planned Sign Area allows for the signs to stay blue until such time that
206 the sign is replaced.

207
208 Dawson added that there are some signs that are still erected, but the business does not exist in
209 the Marketplace.

210
211 Moseley indicated that he would look into the situation.

212
213 Tomei noted that Ralph Varn would not be pursuing the subdivision on Dart Drive.

214 **Adjournment**

215 Schleelein moved to adjourn at 8:55 PM. Seconded by Dawson; Ayes: Tomei, Schleelein, Dankert, and
216 Dawson.

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