

**Village of Lansing  
Planning Board Meeting  
September 24, 2013**

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

3              Present at the meeting were Planning Board Members Maria Stycos, Phil Dankert, Lisa  
4     Schleelein, and John Kanter; Alternate Member Deborah Dawson; Code Enforcement Officer  
5     Marty Moseley; Village Trustee Liaison Lynn Leopold; Village Attorney David Dubow; and  
6     Village Engineer Brent Cross.

7

8     **Public Comment Period**

9              Tomei opened the public comment period. John O'Neill, speaking on behalf of the  
10   Lansing Trails I Homeowners Association, presented a proposal requesting five new traffic stop  
11   signs and several new crosswalks for Lansing Trails I. He also suggested reducing the speed  
12   from 30 mph to 25 mph. The proposal was made in anticipation of the completion of an  
13   east/west road connection of Lansing Trails I with Bomax Drive (Lansing Trails II) and  
14   homeowner concerns over possible increased traffic through the neighborhood. Because  
15   installation of traffic control devices must be based on identified safety issues, Cross suggested  
16   an engineering opinion from T. G Miller might be appropriate. After some discussion the  
17   Planning Board decided to make a recommendation to the Board of Trustees based on an  
18   engineering assessment of it is determined there is a traffic safety issue. The recommendation  
19   from the Planning Board to the Board of Trustees included, but is not limited to, stop signs that  
20   may or may not be proposed in locations of the Lansing Trails developments, to provide  
21   increased safety for pedestrians and vehicles. Any traffic warrant would be determined by the  
22   Village Engineer and Highway Superintendent.

23              Kanter moved to close the public comment period. Seconded by Schleelein.  
24

25              *The vote on the foregoing motion was as follows:*

26     AYES: Mario Tomei, Phil Dankert, Lisa Schleelein, Maria Stycos, and Jon Kanter

27     NAYS: None

28              *The motion was declared to be carried.*

29     **Special Permit 2789**

30 Tomei opened the public hearing for the following: *Special Permit # 2789, Dirigo  
31 Hospitality Ventures LLC. (Booker's Backyard restaurant), to ultimately increase the amount of  
32 parking spaces by approximately 50 spaces at 1638 East Shore Drive in the Low Density  
33 Residential District, Tax Parcel No. 42.1-1-28.1. Special Permit is required pursuant to section  
34 145-39(D)1[e] of the Village of Lansing Code.*

35 Reggie Briggs, owner of Bookers' Backyard restaurant at 1638 E. Shore Drive, requested a  
36 special permit to add fifty additional parking spaces. The owner preferred to build fewer than  
37 fifty parking spaces, but fifty is required in order to be compliant with Lansing Village Code.  
38 The restaurant is located in a low-density, residential district. This site is currently a non-  
39 conforming use. The Board reviewed the special permit application documentation and  
40 discussed the proposal and the various issues to be considered.

41 Tomei noted that the required Tompkins County 239 -l and -m response was received  
42 by the Village which recommended that "Due to the fact that this business is located on the  
43 Cayuga Lake Scenic Byway the Village should require a detailed landscaping plan, including  
44 identification of trees and shrubs to be planted for the work mentioned in Phases II and III, prior  
45 to granting approval for the parking expansion." Moseley confirmed that proof of mailing to  
46 adjoining properties has been received as required.

47 During the discussion, landscaping for soil erosion control measures and additional lighting  
48 needs were addressed. The lighting plans will be submitted to the Lighting Committee directly.  
49 The Board also discussed allowing a reduced number of new parking spaces as part of an  
50 approval of the proposed special permit.

51

52 Cross read the Village Engineer's report:

53

54 **VILLAGE OF LANSING**  
55 **ENGINEER'S REPORT**

56

57 **DATE:** September 23, 2013

58

59 **TO:** Planning Board

60

61 **FROM:** Brent Cross, Village Engineer

62

63 **RE:** 1638 East Shore Drive

64

65 *I have visited the site and reviewed the sketch plan that was submitted for the parking/driveways  
66 for the restaurant at the above referenced address, for consideration of a Special Permit  
67 approval. I have the following comments and observations:*

68

- 69       1. *The existing impervious surfaces (roof/asphalt) account for approximately 21,200 sf.*
- 70
- 71       2. *The new parking areas in phase 1 & 3 account for approximately 14,400 sf.*
- 72
- 73       3. *Although the new parking lots are proposed to be gravel surface, there will be an increase in surface run-off as compared to the existing grass/lawn area. If the parking were to be paved in the future, this increase in surface run-off could be significant.*
- 74
- 75
- 76       4. *The potential run-off from the proposed parking areas will drain directly into the existing pond approximately 15'-20' to the west.*
- 77
- 78
- 80       5. *The proposed parking area(s) creates a disturbed area less than the threshold for requiring a full stormwater pollution prevention plan.*
- 81
- 82
- 83       6. *Even though there is no stormwater quantity measures required, I recommend that a water quality practice be installed between the parking and the pond. It does not need to be engineered to be effective. It could be simply an interceptor swale or berm to divert the run-off from running directly into the pond.*
- 84
- 85
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- 87
- 88       7. *Since the parking is proposed as gravel, I suspect that there will be no painted lines to indicate the layout of the spaces as shown on the plan. Other than graphic depiction of the spaces and aisles, no dimensions are provided to clearly identify the "disturbed area".*
- 89
- 90
- 91
- 92
- 93       8. *The existing "curb cut" is as long as the existing paved/building frontage (approximately 200').*
- 94
- 95
- 96       9. *Phase 2 proposes a "redesign and beautification" of the curb cut. No specific details are provided about dimensions or materials such as curbing or pavement edge. The drawing indicates two curb cuts, which are in close proximity to the curb cut for the adjacent property to the south.*
- 97
- 98
- 99
- 100

101       *Based on the above observations, I recommend that this project be approved with conditions for more site specific details to be provided for review of the Village Engineer prior to commencement of each phase.*

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103

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105

106       Schleelein moved to close the public hearing. Seconded by Dankert, Ayes by: Tomei,  
107       Dankert, Schleelein, Stycos, and Kanter.

108 Tomei read the general Special Permit conditions as set forth in Section 145-59E of the  
109 Village Code.

110 Kanter moved that the all general conditions as set in 145-59E have been satisfied.  
111 Seconded by Schleelein, Ayes by: Tomei, Dankert, Schleelein, Stykos, and Kanter.

112

113 Dankert moved the following special permit resolution; Seconded by Stykos:

114  
115 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO.**  
116 **2789 ADOPTED ON SEPTEMBER 24, 2013**

117

118

119 *Motion made by:* Phil Dankert

120

121 *Motion seconded by:* Maria Stykos

122

123 **WHEREAS:**

124

125 A. *This matter involves consideration of the following proposed action: Special Permit #*  
126 *2789, Dirigo Hospitality Ventures LLC. (Booker's Backyard restaurant), to ultimately*  
127 *increase the amount of parking spaces by approximately 50 spaces at 1638 East*  
128 *Shore Drive in the Low Density Residential District, Tax Parcel No. 42.1-1-28.1.*  
129 *Special Permit is required pursuant to section 145-39.D.(1)(e) of the Village of*  
130 *Lansing Code; and*

131

132 B. *On September 24, 2013, the Village of Lansing Planning Board, in accordance with*  
133 *(i) Article 8 of the New York State Environmental Conservation Law - the State*  
134 *Environmental Quality Review Act ("SEQRA"), and 6 NYCRR Section 617.5; and (ii)*  
135 *Section 123.2 of the Village of Lansing Code, hereby determines that the approval of*  
136 *the proposed special permit is a Type II action, and thus may be processed without*  
137 *further regard to SEQRA; and*

138

- 139 C. On September 24, 2013, the Village of Lansing Planning Board held a public hearing  
140 regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i)  
141 the materials and information presented by and on behalf of the applicant in support  
142 of this proposed action, including information and materials related to the  
143 environmental issues, if any, which the Board deemed necessary or appropriate for  
144 its review, (ii) all other information and materials rightfully before the Board  
145 (including, if applicable, comments and recommendations, if any, provided by the  
146 Tompkins County Department of Planning in accordance with General Municipal  
147 Law Sections 239-l and -m), and (iii) all issues raised during the public hearing  
148 and/or otherwise raised in the course of the Board's deliberations; and  
149
- 150 D. On September 24, 2013, discussion was had by the Board, whereupon it was  
151 determined that (i) the non-conforming use of the property was not being expanded in  
152 any fashion due to the existing low traffic food and beverage use and parking  
153 facilities not being an extension of the existing use in this particular situation; (ii) the  
154 applicant, based on the current use, would be allowed to enact a 20% reduction in  
155 the amount of overall parking requirement pursuant to section 145-55 of the Village  
156 of Lansing Code; (iii) due to the current size of the parking lot, compared to the size  
157 and use of the building and improvements, a 20% reduction in the otherwise required  
158 parking spaces would ultimately have the least amount of impact regarding the  
159 proximity to residential properties in the vicinity; (iv) the applicant would need to  
160 reserve one or more areas on the property for additional future parking in the event  
161 that some or all of the 20% reduction is required to be diminished or entirely revoked  
162 such that the required parking spaces are increased so as to lessen the 20% reduction  
163 and/or conform with the required minimum parking requirements as set forth in  
164 section 145-54 of the Village of Lansing Code; and (v) two phases of the project will  
165 be allowed, with phase one being the increase of the parking area to accommodate  
166 approximately 38 vehicle spaces, and phase two being the implementation of the  
167 landscaping and stormwater runoff; and  
168
- 169 E. On September 24 , 2013, in accordance with Section 725-b of the Village Law of the  
170 State of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village  
171 of Lansing Code, the Village of Lansing Planning Board, in the course of its further  
172 deliberations, reviewed and took into consideration (i) the general conditions  
173 required for all special permits (Village of Lansing Code Section 145-59E), (ii) any  
174 applicable conditions required for certain special permit uses (Village of Lansing  
175 Code Section 145-60), (iii) any applicable conditions required for uses within a  
176 Combining District (Village of Lansing Code Section 145-61), and (iv) any  
177 environmental issues deemed necessary and/or appropriate;
- 178

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

180

- 181     1. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*  
182     *requirements, if any, set forth below and the provisions provided for in paragraph*  
183     *"D" above) that the proposed action meets (i) all general conditions required for all*  
184     *special permits (Village of Lansing Code Section 145-59E); (ii) any applicable*  
185     *conditions required for certain special permit uses (Village of Lansing Code Section*  
186     *145-60); and (iii) any applicable conditions required for uses within a Combining*  
187     *District (Village of Lansing Code Section 145-61); and*
- 188
- 189     2. *It is hereby determined by the Village of Lansing Planning Board that Special Permit*  
190     *No. 2789 is **GRANTED AND APPROVED**, subject to the following conditions and*  
191     *requirements:*
- 192
- 193         A. *Soil and Erosion control measures and water quality techniques shall be*  
194         *implemented and coordinated as required, and approved by either the*  
195         *Village of Lansing Code Enforcement Officer and/or the Village of*  
196         *Lansing Engineer.*
- 197         B. *A detailed plan indicating final site plan, including but not limited to,*  
198         *defined curbing and material to be approved by the Village of Lansing*  
199         *Engineer.*
- 200         C. *Any exterior lighting that will be installed shall be submitted to and*  
201         *require approval from the Village of Lansing Lighting Commission prior*  
202         *to the installation.*
- 203         D. *A landscaping plan shall be submitted to and require approval from the*  
204         *Village of Lansing Planning Board prior to the installation of any*  
205         *plantings prior to the issuance of the Certificate of Compliance.*
- 206         E. *No disturbance of the natural vegetation near the northern property line*  
207         *shall be permitted.*
- 208         F. *Completion of phase two shall be implemented on or before June 1, 2014.*
- 209
- 210

211     The vote on the foregoing motion was as follows:

212     AYES: Mario Tomei, Phil Dankert, Maria Stycos, Jon Kanter, and Lisa Schlelein.

213     NAYS: None

214     The motion was declared to be carried.

215

216 **Special Permit 2790**

217 Tomei opened the public hearing for the following: *Special Permit # 2790, Daniel*  
218 *Martin Hotels Inc., to reduce the amount of parking spaces on premises from approximately 210*  
219 *to 170, install new proposed landscaping, and propose future expansions at 1 Sheraton Drive, in*  
220 *the Commercial High Traffic District, Tax Parcel No. 46.1-6-2.1 Special Permit is required*  
221 *pursuant to section 145-43(D)1[o] of the Village of Lansing Code.*

222 Daniel Homik, owner of the Clarion Hotel at One Sheraton Drive, requested a special  
223 permit to reduce the number of parking spaces and install new landscaping. The objective is to  
224 improve the appearance of the hotel and to provide for anticipated building projects in the future.  
225 Two possible projects are a pool expansion and a drive-thru for the restaurant. Even with the  
226 reconfigured parking lot to include more grassy areas, the hotel exceeds the required number of  
227 parking spaces. The Board reviewed the special permit application documentation and discussed  
228 the proposal and the various issues to be considered.

229 Tomei noted that the required Tompkins County 239 -l and -m response was received by the  
230 Village, which indicated that there would be no negative inter-community or county wide  
231 impacts. Moseley confirmed that proof of mailing to adjoining properties has been received as  
232 required.

233 Cross read the Village Engineer's report:

234

235 **VILLAGE OF LANSING**  
236 **ENGINEER'S REPORT**

237

238 DATE: *September 24, 2013*

239

240 TO: *Planning Board*

241

242 FROM: *Brent Cross, Village Engineer*

243

244 RE: *1 Sheraton Drive*

245

246 *I have visited the site and reviewed the sketch plan that was submitted for the proposed*  
247 *parking/driveway improvements at the above referenced address, for consideration of a Special*  
248 *Permit approval. I have the following comments and observations:*

- 249
- 250 1. *The new parking layout appears to provide adequate access traffic flow.*
- 251
- 252 2. *There are 3 existing curb cuts on Sheraton drive, and access from one or more adjacent*  
253 *properties through easements. I have not attempted to verify the easements.*
- 254

255        3. *The parking to the north of the building requires a one-way traffic pattern. I do not see  
256                  any notation of signage to indicate one-way traffic. I assume that the arrows shown on  
257                  the plan would be painted on the pavement as well as the line striping.*

258

259 4. *There is a note for new curbing, but no detail as to the type or dimensions to be used.*

260

261        5. *The proposed project will slightly reduce the impervious surface on the site, and*  
262        *potentially reduce the stormwater run-off from the site.*

263

264       6. *No information has been provided as to the location of existing storm sewer system.*  
265           *Therefore, I was not able to verify if the run-off (although slightly reduced) will be*  
266           *controlled “onsite”.*

267

Based on the above observations, I recommend that the this project be approved with conditions for more site specific details to be provide for review of the Village Engineer prior to commencement of work.

271 Stycos moved to close the public hearing. Seconded by Kanter, Ayes by: Tomei, Dankert,  
272 Schleelein, Stycos, and Kanter.

273 Tomei read the general conditions as set in 145-59E of the Village Code.

274 Stycos moved that the all general conditions as set in 145-59E have been satisfied.  
275 Seconded by Kanter, Ayes by: Tomei, Dankert, Schleelein, Stycos, and Kanter

276 Schleelein moved the following Special Permit 2790 subject to the following conditions,  
277 seconded by Stycos:

278

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO.  
2790 ADOPTED ON SEPTEMBER 24, 2013**

283 Motion made by: \_\_\_\_\_ *Lisa Schlelein*

284

285 Motion seconded by: Maria Stykos

286

287 WHEREAS:

288

289       F. This matter involves consideration of the following proposed action: Special Permit #  
290       2790, Daniel Martin Hotels Inc., to reduce the amount of parking spaces on premises  
291       from approximately 210 to 170, install new proposed landscaping, and propose  
292       future expansions at 1 Sheraton Drive, in the Commercial High Traffic District, Tax  
293       Parcel No. 46.1-6-2.1 Special Permit is required pursuant to section 145-43.D.(1)(o)  
294       of the Village of Lansing Code; and  
295

296       G. On September 24, 2013, the Village of Lansing Planning Board, in accordance with  
297       (i) Article 8 of the New York State Environmental Conservation Law - the State  
298       Environmental Quality Review Act (“SEQR”), and 6 NYCRR Section 617.5; and (ii)  
299       Section 123.2 of the Village of Lansing Code, hereby determines that the approval of  
300       the proposed special permit is a Type II action, and thus may be processed without  
301       further regard to SEQR; and  
302

303       H. On September 24, 2013, the Village of Lansing Planning Board held a public hearing  
304       regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i)  
305       the materials and information presented by and on behalf of the applicant in support  
306       of this proposed action, including information and materials related to the  
307       environmental issues, if any, which the Board deemed necessary or appropriate for  
308       its review, (ii) all other information and materials rightfully before the Board  
309       (including, if applicable, comments and recommendations, if any, provided by the  
310       Tompkins County Department of Planning in accordance with General Municipal  
311       Law Sections 239-l and -m), and (iii) all issues raised during the public hearing  
312       and/or otherwise raised in the course of the Board’s deliberations; and  
313

314       I. On September 24 , 2013, in accordance with Section 725-b of the Village Law of the  
315       State of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village  
316       of Lansing Code, the Village of Lansing Planning Board, in the course of its further  
317       deliberations, reviewed and took into consideration (i) the general conditions  
318       required for all special permits (Village of Lansing Code Section 145-59E), (ii) any  
319       applicable conditions required for certain special permit uses (Village of Lansing  
320       Code Section 145-60), (iii) any applicable conditions required for uses within a  
321       Combining District (Village of Lansing Code Section 145-61), and (iv) any  
322       environmental issues deemed necessary and/or appropriate;

323  
324       **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**  
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327       3. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*  
328       *requirements, if any, set forth below) that the proposed action meets (i) all general*  
329       *conditions required for all special permits (Village of Lansing Code Section 145-*  
330       *59E); (ii) any applicable conditions required for certain special permit uses (Village*  
331       *of Lansing Code Section 145-60); and (iii) any applicable conditions required for*  
332       *uses within a Combining District (Village of Lansing Code Section 145-61); and*

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334       4. *It is hereby determined by the Village of Lansing Planning Board that Special Permit*  
335       *No. 2790 is GRANTED AND APPROVED, subject to the following conditions and*  
336       *requirements:*

337

338       A. *Soil and Erosion control measures shall be implemented and coordinated*  
339       *as required, and approved by either the Village of Lansing Code*  
340       *Enforcement Officer and/or the Village of Lansing Engineer.*

341       B. *A Landscaping plan shall be submitted and approved by the Planning*  
342       *Board.*

343       C. *If there is a change to the exterior lighting of the site, a photometric plan*  
344       *shall be submitted to and approved by the Village of Lansing Lighting*  
345       *Commission.*

346       D. *Any future expansion of the proposed pool or proposed restaurant, as*  
347       *indicated on the presented site drawings, shall be required to gain*  
348       *approval from the Planning Board prior to commencement of work and*  
349       *issuance of the building permit.*

350       E. *A design shall re-submitted to and approved by the Village Engineer and*  
351       *Village Code Official eliminating the drive-thru (on the west side of the*  
352       *existing building) replacing it with a green space (plantings or grass) and*  
353       *a providing a redesign of the northeast parking lot island allowing traffic*  
354       *to facilitate around the island without requiring traffic to enter on to the*  
355       *adjoining property*

356

357

358       The vote on the foregoing motion was as follows:

359       AYES: Mario Tomei, Phil Dankert, Lisa Schlelein, Maria Stycos, and Jon Kanter

360       NAYS: None

361       The motion was declared to be carried.

362

363

364

365 **Other Business**

366 Dankert reported on the Board of Trustees meetings.

367 Village Deer Hunt. Cornell and the Department of Natural Resources have used bow-  
368 hunters to manage the deer population. Last year sixty-seven deer were taken through the hunt.  
369 The program appears to be working well. However, there is still some tree damage, and there are  
370 approximately a hundred deer congregating on lands where landowners have not given  
371 permission for hunting.

372

373 A parcel of land has been purchased by the Village of Lansing. The details of the  
374 purchase may be found in the Village of Lansing Trustee minutes.

375 The DEC is offering continuing education classes on storm water regulation. The classes  
376 are being held December 7, 2013. Stycos, Schleelein, Dawson, and Tomei have signed up for  
377 the classes.

378

379 Marty Moseley and Julie Baker have written a new code to deal with abandoned  
380 shopping carts. The new code will be addressed at the October 14 meeting.

381

382

383 **Adjournment**

384 Stycos moved to adjourn at 9:55 PM. Seconded by Schleelein. Ayes by: Tomei, Dankert,  
385 Schleelein, Stycos, and Kanter.