

Village of Lansing
Planning Board Meeting
Tuesday, June 30, 2015

The meeting of the Village of Lansing Planning Board was called to order at 7:00PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Deborah Dawson, John Gillott, Lisa Schleelein, and Maria Stycos; Alternate Member, Mike Baker; Code Enforcement Officer, Marty Moseley; Village Trustee Liaison, Gerry Monaghan; Village Attorney, David Dubow; Village Engineer, Brent Cross; residents Chuck and Diane Childs; Chuck Jackson, YMCA; and Eric Goetzmann, Shops at Ithaca Mall and Lansing Meadows PDA.

Absent: None

Public Comment Period

Tomei opened the public comment period. With no one wishing to speak, Dawson moved to close the public comment period. Seconded by Gillott; Ayes by Tomei, Dawson, Gillott, Schleelein, and Stycos.

Millcroft Subdivision

Requested amendment to existing subdivision plat to allow for lot #19 encroaching into the stream setback area by approximately 20 feet.

Chuck Childs presented a proposed design plan which outlined the need for the requested amendment. Lot #19 is a corner lot and the setbacks and lot configuration pose some challenges when combined with the Millcroft Way requirement for a house to be a minimum of 2,450 square feet. The Childs have planned a one-story house still in preliminary design stages but would like to plan for the future possibility of a walk-out basement and/or deck.

The proposed plan requests an increase to the buildable area but maintains a minimum of a 50-foot setback from the center of the stream. The Board discussed how the buildable lot line was originally established. It was noted that the exact history is not clear and at the time the lots were established likely did not take into account the corner lot constraints in light of the stream and house size requirements. There was also discussion about the stream character--size, type of water flow, and impact of weather and season. Other considerations centered around protecting the stream in general and during construction, grade of house in relation to the stream, and possible flooding concerns.

Cross indicated that he cannot recall any concerns with the buffer area and stream, commented it is never a good idea to characterize a stream in a dry state, and reminded the Board that the standard County proposal is to maintain a 50-foot buffer from the stream for water runoff. Childs indicated that the stream area will be kept in a natural state for the most part and he would maintain at least a 50 foot distance from the stream. Moseley indicated that landscaping would be permitted.

There being no other Board input or discussion, Dawson moved that the proposed change be classified as a minor amendment. Seconded by Stycos; Ayes by Tomei, Dawson, Gillott, Schleelein, and Stycos. Nays: none.

Dubow indicated that there will be a need to have an updated plat provided both to the Village and filed with the Tompkins County Clerk, and Tomei also mentioned the requirement for payment of a Village fee of \$100. Both are the responsibility of the Childs.

52 Dawson moved to extend the buildable area for Lot #19 Millcroft Way by reducing the buildable distance
53 from the rear property line by 20 feet, from 90 feet to 70 feet, subject to the following administrative
54 conditions:

- 55 1. Compliance with all required permits, regulations, and approvals and soil erosion control
56 measures and approvals
- 57 2. Filing of an amended plat to the Village of Lansing and Tompkins County Clerk
- 58 3. Payment of a Village fee of \$100

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60 Seconded by Stycos. Ayes by Tomei, Dawson, Gillott, Schleelein, and Stycos. Nays: None.-

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63 **Public Hearing to Consider Special Permit #2998**

64 Tomei opened the public hearing to consider:

65 *Special Permit 2998, the Y.M.C.A. to construct an 800 square foot pavilion, basketball court, and*
66 *other site improvements on Tax Parcel No. 47.1-1-17.9 at 20 Graham Road West, located in the*
67 *Commercial Low Traffic District. Because the proposed construction will occur within 200' of the*
68 *centerline of a stream, included in the Drainageway Conservation Combining District, Special*
69 *Permit review is required by the Village of Lansing Code pursuant to Section 145-48 of the Village of*
70 *Lansing Zoning Law*

71

72 Chuck Jackson from the YMCA presented a proposed design schematic for improvements to the YMCA
73 site. The extent of the improvements is dependent upon funding and includes plantings, play areas, a
74 pavilion, a basketball court, and fencing among others. Tomei asked Jackson to identify the impervious
75 areas that will be added. Jackson indicated that everything proposed will be permeable surfaces except
76 for the concrete walkways and the pavilion roof. He also indicated that at this time the YMCA only has
77 funding for and is looking to install the pavilion. Moseley stated that the special permit is for all of the
78 site improvements, not just the pavilion. Tomei suggested that only the pavilion be considered for this
79 special permit. Moseley suggested the Board could also consider approving the full special permit with
80 the approval of construction of the pavilion at this time and with the condition that subsequent phases of
81 improvement are subject to Planning Board approval. After some discussion the Board felt this was a
82 good option.

83

84 Although no engineering report was required, Cross commented on the percentage increase of the
85 impermeable area which is 1% if permeable surfaces are used, and at most 5-10% if not.

86

87 There is no exterior lighting proposed. Tomei indicated that prior to installation a landscaping plan will
88 need to be submitted for Planning Board approval.

89

90 There being no further input from the public, Stycos moved to close the public hearing. Seconded by
91 Gillott. Ayes by Tomei, Dawson, Dankert, Gillott, Schleelein, and Stycos. Nays: None.

92

93 Moseley indicated that he has received proof of mailings from the applicant as required by the Village
94 Code.

95

96 **General Conditions 145-59E**

97 Tomei read the general conditions for special permits, section 145-59E. The Board evaluated the special
98 permit application against the required general conditions.

99

100 The Board determined that the general conditions have been met. Schleelein moved that all general
101 conditions, in accordance with section 145-59E, have been met. Seconded by Dawson; Ayes by Tomei,
102 Dawson, Gillott, Schleelein, and Stycos. Nays: none.
103 Dawson moved the following special permit resolution:

104
105 *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL*
106 *PERMIT APPROVAL ADOPTED ON JUNE 30, 2015*
107

108
109 *Motion made by:* _____ *Deborah Dawson* _____

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111 *Motion seconded by:* _____ *Lisa Schleelein* _____

112
113 **WHEREAS:**
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116 *This matter involves consideration of the following proposed action: Special Permit 2998, the Y.M.C.A. to*
117 *construct an 800 square foot pavilion, basketball court, and other site improvements on Tax Parcel No.*
118 *47.1-1-17.9 at 20 Graham Road West, located in the Commercial Low Traffic District. Because the*
119 *proposed construction will occur within 200' of the centerline of a stream, included in the Drainageway*
120 *Conservation Combining District, Special Permit review is required by the Village of Lansing Code*
121 *pursuant to Section 145-48 of the Village of Lansing Zoning Law; and*
122

123 *The Village of Lansing Zoning and Code Enforcement Officer, in accordance with Article 8 of the New*
124 *York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and*
125 *6 NYCRR Section 617.5, hereby determines that the approval of the proposed special permit is a Type II*
126 *action pursuant to: (i) subsection "c (7)" of said 6 NYCRR Section 617.5 "construction or expansion of a*
127 *primary or accessory/appurtenant, non-residential structure or facility involving less than 4000 square*
128 *feet of gross floor area and not involving a change in zoning or a use variance and consistent with local*
129 *land use controls, but not radio communication or microwave transmission facilities," and (ii) subsection*
130 *"c (15)" of said 6 NYCRR Section 617.5 "minor temporary uses of land having negligible or no*
131 *permanent impact on the environment", and thus may be processed without further regard to SEQR; and*
132

133 *The Village of Lansing Code Enforcement/Zoning Officer has determined that the proposed action is not*
134 *large-scale and therefore is not subject to a full and extensive environmental review under the Village of*
135 *Lansing Zoning Law; and*
136

137 *On June 30, 2015, the Village of Lansing Planning Board held a public hearing regarding this proposed*
138 *action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by*
139 *and on behalf of the applicant in support of this proposed action, including information and materials*
140 *related to the environmental issues, if any, which the Board deemed necessary or appropriate for its*
141 *review, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised*
142 *during the public hearing and/or otherwise raised in the course of the Board's deliberations; and*
143

144 *On June 30, 2015, in accordance with Section 725-b of the Village Law of the State of New York and*
145 *Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing*
146 *Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the*
147 *general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*

148 applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60),
149 (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code
150 Section 145-61), and (iv) any environmental issues deemed necessary and/or appropriate;

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

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154 *The Village of Lansing Planning Board hereby (i) determines that the environmental information and*
155 *materials submitted by the applicant and the details thereof are reasonably related to the scope of the*
156 *proposed project; (ii) waives the necessity for any additional environmental information otherwise*
157 *required; and (iii) finds that the proposed project will not have a significant adverse impact on the*
158 *environment; and*

159
160 *The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements, if any,*
161 *set forth below) that the proposed action meets (i) all general conditions required for all special permits*
162 *(Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special*
163 *permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions required for*
164 *uses within a Combining District (Village of Lansing Code Section 145-61); and*

165
166 *It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 2998 is*
167 **GRANTED AND APPROVED**, subject to the following conditions and requirements:

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169 *Required permits, approvals, consents and other authorizations from all applicable Federal, State,*
170 *County and local governmental and regulatory agencies shall be obtained, maintained and complied with*
171 *for all permitted improvements, operations and activities as authorized by this special permit approval,*
172 *and such improvements, operations and activities shall at all times comply with all applicable Federal,*
173 *State, County and local laws, codes, rules and regulations.*

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175 1. *Soil and Erosion control measures shall be implemented, coordinated, and approved by either the*
176 *Village of Lansing Code Enforcement Officer and/or the Village of Lansing Engineer.*
177
178 2. *The pavilion is allowed to be constructed as part of this special permit approval, but subsequent*
179 *phases of improvements/construction are subject to Planning Board approval before construction*
180 *is allowed to commence.*
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182 3. *Prior to installation of the landscaping, a landscaping plan shall be submitted to and approved*
183 *by the Planning Board.*

184
185 *The vote on the foregoing motion was as follows:*

186
187 *AYES: Mario Tomei, Lisa Schleelein, Maria Stycos, Deborah Dawson, and John Gillott*

188
189 *NAYS: None*

190
191 *The motion was declared to be carried.*

192
193 *STATE OF NEW YORK)*
194 *COUNTY OF TOMPKINS) SS:*
195 *VILLAGE OF LANSING)*

196 **Lansing Meadows PDA (Planned Development Area)**

197 *Requested change to allow for extension for buffering that was originally required to be planted by,*
198 *in accordance with special permit #2485 and 2594, on or before July 1, 2015.*

199 Tomei opened the discussion regarding a requested extension for landscaping the Lansing Meadows
200 PDA. Goetzmann updated the Board on the complicated wetlands issue and interaction with the U S
201 Army Corps of Engineers which has continued to delay the timeline for the PDA and in turn impacted
202 timely completion of the landscaping for the PDA. Goetzmann requested an additional extension to the
203 July 1, 2015 for completing the landscape buffering on the PDA. Goetzmann reiterated that there remains
204 \$35,000 in escrow that could be used by the Village to complete the landscaping work if necessary.
205

206 Goetzmann gave a brief history of the wetland situation on the PDA and indicated that good progress has
207 been made in the past six months in creating a land trust and identifying wetland exchange possibilities
208 that will hopefully allow mitigation of some of the wetland on the PDA. There is now a complete
209 package in front of the Army Corps and it is hoped that by fall of 2015 the Army Corps will make a
210 determination as to whether the PDA can proceed with a more densely designed project than the 12 units
211 originally planned. Even with a fall 2015 approval by the US Army Corps for the wetland mitigation,
212 construction could not begin until spring of 2016.
213

214 Schleelein asked how much of an extension Goetzmann was requesting based on a spring 2016 build start
215 date, as it does not make sense to landscape before construction is completed. Tomei indicated that
216 although initially partial landscape buffering seemed desirable, that it is probably not wise. Brent asked if
217 there are any DEC regulations involved and if so asked Goetzmann to provide evidence of compliance.
218 He also noted that based on a 2016 start date, realistically trees could not be planted for at least a year
219 from now. Dubow explained some of the past history of the resolutions. Tomei expressed the need for
220 Goetzmann to provide more regular updates to the Planning Board regarding the status of the PDA and
221 the actions of the Army Corps and, therefore, suggested a six-month landscaping extension. The Board
222 discussed the fact that clearly an extension to January 2016 does not allow for any landscape planting but
223 does ensure that Goetzmann will return to the Board with updates on the status of the PDA.
224

225 Dawson moved to extend the use of funds and the buffering requirements of special permits #2584 and
226 #2594 from July 1, 2015 to on or before January 12, 2016. Seconded by Schleelein. Ayes by Tomei,
227 Dawson, Gillott, Schleelein, and Stycos. Nays: none.
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229 **Landscaping for South End of The Shops at Ithaca Mall – Preliminary Discussion**

230 Goetzmann said he wanted to begin a discussion about changes to landscaping at the south end of The
231 Shops at Ithaca Mall in order to increase visibility from Route 13. In 2001 the Mall was required to add
232 buffering plantings to shield the mall from the highway. Goetzmann is now suggesting to create a
233 “window” to the mall by trimming and raising the canopy and installing lower plantings. He cited the
234 goal of recruiting restaurants to the mall for attracting more shoppers. In the past national restaurant
235 chains have told him that the mall is not visible enough from the main highway and so have chosen to
236 locate elsewhere. There was general discussion about replacing any trees removed to other spots in the
237 mall, possible pylon signage on Route 13 rather than tree cutting, and the continued overall need for
238 attractive landscaping for the mall shoppers. Moseley mentioned that the City of Ithaca is moving to
239 become more business friendly and thus increasingly competes with the Village malls. Dubow noted that
240 restaurants increase traffic more than shops.
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242 The Planning Board requested that Goetzmann provide a 3-dimensional rendering of the landscaping
243 changes he is suggesting for a future discussion.

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Approval of Minutes:

None

Trustee Report:

Dawson reported on the Trustee meeting of June 15, 2015. For a complete report of the meeting please see the Trustee minutes.

Other Business

Tomei gave an update on the resolution to the boundary issue at Squeaky Clean. Moseley said he will be sending out information to the Board regarding LED signage regulations for possible consideration in the future.

Adjournment

Dawson moved to adjourn at 9:40 PM. Seconded by Gillott; Ayes by Tomei, Dawson, Gillott, Schleelein, and Stycos. Nays: None.