

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, August 4, 2003, in the Village Office.

PRESENT: Trustees Larry Fresinski, Janet Beebe and Frank Moore; David Dubow, Village Attorney

Deputy Mayor Fresinski called the meeting to order at 7:38 P.M. He opened the public comment period. There were no comments.

Motion-To Close the Public Comment Period

Trustee Moore moved to close the public comment period. Trustee Beebe seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye	Trustee Janet Beebe-Aye	Trustee
Frank Moore- Aye		

Motion-To Open the Public Hearing on Proposed Local Law C- Amendment to Zoning Law to Clarify and Supplement Certain Permitted Uses In Certain Zoning Districts and Requirements Related Thereto

Trustee Moore moved to open the public comment period. Trustee Beebe seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye	Trustee Janet Beebe-Aye	Trustee
Frank Moore- Aye		

David Dubow stated that this amendment to the Zoning Law was to include new uses and to clarify others. The purpose and intent of this Local Law is to amend Sections 202.07, 202.08, 202.09, 203.04, 304.06, 602 and 603 of the Village of Lansing Zoning Law so as to (i) clarify the intent as to permitted uses in the Commercial Low Traffic (CLT) District, (ii) clarify the Office/Studio/Service and Sales/Repair/Maintenance categories of uses by removing from such categories all food and beverage related uses, (iii) create two new categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage), (iv) create a third new category of uses providing for certain low level technology activities (Low Impact Technology), (v) clarify the permitted uses in the High Density Residential (HDR) District so as to eliminate any category of food and beverage services; (vi) clarify the permitted uses in the Business and Technology (BTD) District by adding a certain category of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) (vii) clarify and supplement the permitted uses in the CLT District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), (viii) clarify the permitted uses in the Commercial High Traffic (CHT) District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and higher impact food and beverage services (High Traffic Food and Beverage), (ix) clarify the off-street parking requirements for certain categories of uses, (x) clarify the Additional Conditions applicable to certain Special Permit uses related to a certain category of uses providing for lower impact food and beverage services (Low Traffic Food and Beverage) in the Business and Technology District (BTD), (xi) expand the Chart of Uses to include the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), and (xii) more particularly describe specific examples and types of activities which are consistent with the descriptive terms associated with certain generally described uses, including the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology).

Jennifer Lightman from Cornell Real Estate was present to ask for the Board's continued support of the Food & Beverage uses currently authorized in the Business and Technology Park (in the Business and Technology District) and a minor change to the language regarding these uses currently set forth in Proposed Local Law C. She indicated that Cornell Real Estate would like to have a small deli facility to serve this district. David went on to explain that there is presently a special permit application before the Planning Board to create such deli operation, which proposal includes orders being accepted for pick up and/or delivery.

The Board asked Jennifer why they would like a café in the B&T Park. Jennifer stated that they did a survey of the 800 B&T employees asking what they thought of the Park and what they would like to see. She indicated that 3 out of 4 respondents (of which there were approximately 300) wanted food service, and therefore this would be another amenity they would offer their tenants. Primarily take out was requested. Cornell Dining would provide the service. Jennifer feels this would also reduce traffic in the Village at lunchtime since people felt they would use this on-premises service 2-3 times a week.

David stated that the current Zoning Law provisions (which have been incorporated in Proposed Local Law C under consideration) provide for the following seven conditions that must be complied with for this type of food and beverage service in the Business and Technology District:

1. Food and beverage services shall be provided only to occupants of the buildings located within the Business and Technology District, including employees of the businesses located in such District.
2. Such food and beverage service use shall be located within and operated from a building in the Business and Technology District and shall not occupy more than five (5%) of the gross square foot area of any such building.
3. Such food and beverage service area may provide limited on site seating.
4. No signage of any kind for such food and beverage service area shall be allowed on the outside of any building or at any other location within the Business and Technology District for advertising, identification or other purposes. Interior identification signage shall be permitted only at the entrance to the space occupied by such food and beverage service provider, which signage shall conform in all respect to the signage standards for such building.
5. Such food and beverage service area shall be open for business only during the regular business hours of those businesses located within the Business and Technology District, and under no circumstances shall be open earlier than 8:00 A.M. or later than 6:00 P.M.
6. Any such food and beverage service provider shall be prohibited from mailing or otherwise disseminating flyers, menus, brochures or any other advertising outside of the confines of the Business and Technology District.
7. Any such food and beverage service provider shall be allowed to deliver food to occupants (including employees) of the buildings within the Business and Technology District and shall be further allowed to visit buildings within the Business and Technology District with food carts and similar mobile apparatus intended for the delivery of permitted food products.

David advised the Board that the Planning Board, in conjunction with its pending review of Cornell Real Estate's Special Permit application, has proposed a small change to paragraph 7 of the above conditions as set forth in Proposed Local Law C so that orders can be accepted for pick up. Frank questioned how they would restrict the service only to those in the B&T Park. Jennifer explained that there would be no signage or advertising. It would only be known of by the tenants and would have to be on the honor system. She indicated further that this is not intended as a

money making venture. Cornell Real Estate would have to subsidize Cornell Dining for the service. They would serve soups, sandwiches and individual pizzas.

John O'Neill was concerned with the parking issue. He felt if take out was added this would promote more traffic. Jennifer indicated that she believed there have been 10 parking spaces reserved for this proposed facility as required in the Zoning Law. David indicated that the Special Permit is still subject to further review and evaluation (it has been held in abeyance pending action on Proposed Local Law C) and that the Planning Board will very likely review this parking issue and all other Special Permit General Conditions in the Special Permit approval process. John acknowledged that those further proceedings would offer a good opportunity for him to voice his concerns.

Lisa Schleelein asked if the change applies to food and beverage service in the whole Village. David indicated that there are certain revised and clarified food and beverage use provisions provided for in Local Law C that will be applicable in the Low Traffic and High Traffic Commercial Districts, but that the more limited use proposed by Cornell Real Estate and under consideration by the Planning Board is specific to the Business and Technology District.

#### Motion-To Close the Public Hearing

Trustee Beebe moved to close the public comment period. Trustee Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski- Aye	Trustee Janet Beebe-Aye	Trustee
Frank Moore- Aye		

Next on the agenda was the approval of the July 7<sup>th</sup> & 16<sup>th</sup> minutes. The July 16<sup>th</sup> minutes could not be approved because Janet was not present at that meeting, and therefore there were not the required three members of the Board of Trustees in attendance at this meeting to vote for approval. Jodi handed out a sheet with minor proposed changes to the budget transfers authorized at the July 7<sup>th</sup> meeting and incorporated in the draft minutes of that meeting. She explained that these changes were necessary to close out the budget year for 2002-03.

#### Motion-Approval of Minutes for July 7, 2003

Trustee Beebe moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee Moore seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye	Trustee Frank Moore-Aye
Trustee Janet Beebe-Aye	

Next on the agenda was general discussion. Larry stated that a resident had inquired as to whether a single bill could be provided by Time Warner Cable for both his cable and RoadRunner services. Larry indicated that he called Time Warner and spoke with Tom Dooley, manager, who advised him that such single billing could be done, and that anyone who would like the two bills combined can call customer service and make that request. Larry advised the Board that he will send this information out via e-mail and will also do an article for the October Village Newsletter.

Larry next explained that the Village is moving along with the N. Triphammer Road Project, and that last Friday he, Ned and Dave Putnam met with our design engineers. He indicated further that presently we are scheduled to start the project April 1, 2004 and have it completed by December 2004. It was acknowledged that this project has been seven years in the works. Larry reported the following additional information: The Village has negotiated with the State to modify the ramps at Route 13 and to include those modifications as part of the previously approved project. The traffic flow will be significantly enhanced with this modification. The archeological study for this area has been completed. To complete this additional work it will cost several hundred thousand dollars more than the original budget, but the Village should eventually be paid back 80% from the Federal government and 15% Marchiselli Funds are potentially available from the State.

Larry explained that there is a time concern as follows: The design engineers have suggested we move ahead and do the ramp design at the same time as the original design continues to be performed so that all of the design work can be completed in a timely fashion. The recommendation from our North Triphammer Project Committee is to authorize Fisher Associates to move forward with the design for the second phase of the project, which includes the ramps. Frank asked if the Federal Government could renig on the project. Larry responded that he did not believe that was possible, but they may control when the Village receives the money. The ramps represent ~\$1 million of additional cost. The Federal Government has agreed to include this in our project. If we wait on doing this second phase design until the first phase design is completed, we may miss our proposed start date.

It was explained that the Village still has to hire the firm that will actually complete the work. Larry indicated that the Phase 2 design cost is ~\$100,000, the total project is ~\$4million, and that the cost goes up as we add amenities such as trees, places to sit and signage. These things can be done in stages over the years. In the future there may be grant monies for this.

Resolution #3988- To Authorize Fisher Associates to Move Forward with the  
Design of the Second Phase of the N. Triphammer Road Project Which Includes Ramps.

Trustee Moore moved this resolution. Trustee Beebe seconded the motion.

Trustee Frank Moore- Aye     Trustee Larry Fresinski- Aye  
Trustee Janet Beebe-Aye

Frank stated that the sewer project public hearing on July 31 was very interesting. Many people expressed their opinions that the Environmental Impact Statement had nothing to do with the impact the project might have on Cayuga Lake. August 11<sup>th</sup> is the deadline for comments.

Frank handed out a disk that contained pictures of our Greenway from Votapka to Lief's Way and Wakefield Drive to Coventry Trail and asked the Board to draw their own conclusions. Frank posed the question as to what the Village's responsibility is as to maintenance of the Greenway and what it is going to do about it. He explained his concerns as follows: Our trails are not properly maintained. They require constant attention. There are two possibilities, 1. Add a position to the staff or 2. Contract it out. If it is too big of a job for the Public Works Department it should be subbed out. There are people that want to volunteer and we need a plan so we can direct them on how they can help. Larry stated that the Board has allocated monies for the Greenway and that we need to do maintenance after it is built. Frank indicated that he is looking for that follow-through regarding maintenance. Larry feels the trails are not looked at on a regular basis like roads are. Someone needs to take the time and be responsible for this so that the appropriate parties can be responsive to what we are aware of. It was also generally agreed that the Board would like the Public Works Department to be more proactive, and not just reactive, and take responsibility for trail maintenance; i.e., see what has to be done, prioritize and follow through.

Janet reported a follows: The Recreation Partnership voted to allow the County to decrease the amount they give by \$9,000. The County will meet on Wednesday. Recreation is facing some tough times. The County doesn't know if it can even contribute next year.

Motion-To Adjourn

Trustee Moore moved adjournment. Trustee Beebe seconded the motion.

Trustee Frank Moore- Aye     Trustee Larry Fresinski- Aye  
Trustee Janet Beebe-Aye

The meeting adjourned at 8:45pm.

Jodi Dake  
Village Clerk/Treasurer