

**Village of Lansing**

**Planning Board Meeting**

**Tuesday, July 25, 2000**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Hickey. Present at the meeting were Planning Board Members Brown, Halevy and Waterman; Alternate Dankert, Code Enforcement Officer Curtis; Engineer Cross; Trustee Lynn Leopold; Attorney Marcus; and members of the public.

**Public Comment:**

There was no one present who wished speak. A motion to close this segment was moved by Waterman, seconded by Halevy. All in favor.

**Sutton Home Occupation:**

Hickey stated that consideration of this Special Permit is being extended, at Mr. Sutton's request, on a meeting-by-meeting basis subject to evidence of progress and agreement by the Planning Board and Mr. Sutton. The Board reviewed a letter from Mr. Sutton's Attorney, Peter Walsh. Mr. Sutton stated that since the last meeting he has not been able to get from Mr. Hartshorne an asking price for the property and he has requested a response within 2 weeks and they may proceed with a lawsuit. Hickey then stated that prior to the Aug. 14 meeting, the Suttons must either: (a) have a price and be buying the property, (b) have no price and be going before the BZA because they have proceeded as far as they can, or (c) have instituted a lawsuit against the Hartshornes. Marcus stated another alternative may be that the Suttons choose to go to the BZA because they did receive a price but it was not feasible to purchase the property at that price. Sutton also stated he would also contemplate going to the BZA based on feasibility due to the projected cost of a lawsuit.

Waterman was concerned why the Hartshornes were not contacted prior to today's date. Sutton responded that he requested the letter but it was not written until today.

Marcus noted for the record that Sutton is requesting the extension. Halevy moved to extend the Sutton Home Occupation waiting period until Aug. 14 subject to the conditions noted above. Seconded by Brown. Brown, Halevy and Hickey aye. Waterman abstained.

**Amendment to Special Permit #1466, Pyramid Mall:**

The next agenda item was an Amendment to Special Permit #1466, Pyramid Mall for construction of an additional 150,000 SF of gross leasable area at the existing Pyramid Mall at 40 Catherwood Road in the Commercial High Traffic District. Tax Parcel No. 47.1-1-22. This amendment would permit physical reconfiguration of the additional space and would not change the amount of additional space, the amount of required parking or the amount of paved area.

Hickey noted this amendment does not increase the 150,000 SF of additional gross leasable area approved on Dec. 28, 1999. Also, all of the conditions previously approved will apply to this amendment.

Eric Goetzmann from Syracuse Pyramid Companies made a presentation to the Board, stating that the purpose of the amendment to the Special Permit is to allow Pyramid to reconfigure the approved 150,000 sf of additional gross leasable area. Site plans were received by the Board. The proposed expansion (tentatively for a Home Depot) has been relocated from where it is shown on the approved site plan. The amended plan shows a 135,000 SF stand alone building in the NW corner of the site and part of the existing Wards will be demolished. There will be no upward expansion of Wards. The remaining 11,000 SF will be added to the 60,000 sf addition previously approved for the SW corner of the existing mall.

Views were shown of the north and west sides of Home Depot. Hickey stated that landscaping would be important on those sides as they abut or are visible from residential areas.

Hickey moved to open the Public Hearing.

Gary Sloan, 6 Janivar Drive, asked for clarification on the road in the back adjacent to the Butler property. Hickey responded that the 60 FT ROW ditch to the north of the road will be culverted and there will be a walking path connecting from the fire road to the YMCA running west to east over the culvert. The ring road would remain as it currently exists. The fire road for Pyramid will not be used for deliveries and will be gated.

Matt Shulman, Wilson Road, Town of Lansing, asked about access to parking to the west of Sears. Hickey responded that the ring road would continue as is but the big dip in the ring road would be straightened for a more continuous curve.

Mary Sirois, 3 Highgate NE, asked if there was any accommodation for green space in the parking lot. Hickey responded that the landscaping plan, which must be approved by the Planning Board and implemented prior to a Certificate of Occupancy being issued, has not yet been submitted. In the prior approval, the Board has requested squares with grass and small trees within the parking lot similar to Wegman's lot. Hickey does not see any increase in open green space. Sirois stated there appears to be an awful lot of asphalt.

Waterman moved to close the Public Hearing. Seconded by Halevy. All aye.

Hickey asked for square footage of the blank spaces in the new site plan:

Home Depot main bldg. 114,858

Home Depot garden center 18,718

Home Depot vestibules (pick-up) 1,436

Total: 135,011

Other retail:

(behind Penneys) 71,620 (previously 60,000 +11,620 from Wards)

56,631 demolition of Wards

No changes to theaters

Curtis asked for clarification on whether gross leasable floor area includes mall concourses. Tull stated the areas where income is generated such as kiosks are included. Hickey questioned how kiosks are figured within the concourses. Tull stated they are included as 10 ft x 10 ft. areas. Tull clarified that the restaurant stores are included in the gross leasable floor area but the seating area in the Food Court is not included. Curtis and Tull will sit down at some point and refine their numbers.

Hickey brought up the discussion held in the past when Pyramid came in for the 442,000 SF addition. One discussion included putting in a culvert and filling in over it on the north side and Pyramid agreed. Another included putting a trail in over the culvert and Pyramid agreed. The Planning Board is now requesting the trail. Tull responded that there is a sidewalk proposed on the north side of Home Depot which the Depot requires to get from the front to the back of the store. Hickey would still like to see a connection from the fire road to the YMCA. Goetzmann responded that presently the road is over the culvert. Hickey would still like to see a walkway to the north of that. Tull responded that in the old plan, there was a walkway on the north side of the road and he thought the sidewalk along the building would suffice as it is a tight site. Tull responded that there is 29 ft. from the edge of the building to the property line. A 24 ft. road must go within this area. Hickey reiterated that it is important for walkers to be able to go from Oakcrest

Road, up the fire road, and around the north side of the site to the YMCA. Hickey stated that if Home Depot requires a sidewalk to the north of the building that is fine but it does not solve the problem for walkers. Curtis mentioned that in order to accommodate the fire area of the building, 50 ft. of legal open space may be required on all sides, and that if the building were moved to meet this requirement, that might also provide space for the walkway north of the ring road. Goetzmann responded that they are currently working on the design. Hickey stated even a 4 ft. cinder path would be acceptable and a path will be listed as a condition for approval.

Brown would like to see a footprint of the YMCA and surrounding areas in relation to this proposal.

Hickey distributed the conditions placed on the Special Permit on Dec. 28, 1999. There are 7 of them and they all apply.

1. Total parking not to exceed 3,500 spaces.
2. Approval by the Village Engineer of the final drainage plan.
3. Landscaping plan must be reviewed by the Green Space Advisory Committee and approved by the Planning Board. The landscaping design for the site including parking areas will be incorporated with the project and the developer will maintain the level of visual buffers from nearby properties in keeping with the requirements of the Zoning Law.
4. Approval of a lighting plan by the Planning Board after review and recommendation by the Lighting Commission.
5. No Certificate of occupancy will be granted until all the N. Triphammer traffic light improvements are implemented and operational.
6. Completion of sidewalk on the south side of Graham Road west prior to Certificate of Occupancy, design to be reviewed with the Superintendent of Public Works and approved by the Planning Board.
7. Sign package recommended or approved by the Planning Board including replacement of existing pylon signs at Graham Road.

Hickey stated that for No. 2, the covered culvert on the north side needs to be added to the list of items to be reviewed and approved by the Village Engineer. Cross said the circulation road currently goes around the property. Drivers coming to the mall from the north and wishing to go to the stores in the rear of the mall may not take a long narrow alley road which goes along the side of a 20 ft. building as they would not know where it leads and this may change the circulation patterns of traffic and would change service drives. Tull responded that the back is often used by employees and the public will soon find the best methods to get to the rear.

Hickey stated there is a need for buffer enhancement for the addition behind Pennys as well as for west of the proposed new building. Also a grading plan for the fill and roadway along with screening must be reviewed by the Village Engineer. Cross reminded the Board that the expansion retention pond is also in that area.

Hickey stated there is also a need for improved security to the west of the parking areas. Discussions between Pyramid Mall, Shannon Park residents and the Code Enforcement Office are underway to find a solution for eliminating hiding areas currently being used by teenagers in this area. Curtis has spoken to Cayuga Landscape for some names of inhospitable shrubs, such as barberry. Lou Gentsch will research other vegetation and get back to Tull. The possibility of additional fencing is also being considered.

Hickey stated resolving the security issue would be added as a new condition. Hickey walks the fire road and there are cables across the road that are easily dismantled; gates should be included as part of the new plan to make the road more secure. Both the entrance at the Home Depot end and at the one at the Oakcrest Road end should be included. Gentsch said crash gates may be a possibility. Hickey feels motion detector lights should also be considered for security reasons.

Curtis stated this Special Permit has been forwarded to the County for 239 review but they were unable to review it in time for this meeting. The Special Permit could be approved conditioned on a negative determination by the County Planning Department. Marcus responded that if the County did not approve of the Special Permit, then this Board would need to have at least four votes in favor of approval to override the County. Hickey stated the County needs the opportunity to review this.

Waterman questioned the height of the building. Tull responded that it is 28 ft. and will be roughly the same as the current mall height. Her concern was to screen the back from the Shannon Park residents.

Sloan questioned the appearance of the existing Pyramid sign at Graham and Triphammer Road. Hickey responded that it is a condition of the original approval that appearance of that sign would be remedied.

Sloan also questioned the sideyard setback between CLT and CHT and Curtis responded that the proposed building exceeds the requirement which is 25 ft.

Marcus asked for clarification on screening. Hickey responded that one of the conditions requires implementation of a landscaping plan, approved by the Planning Board, not only for the building but also for the buffering to west side of building and the area west of the proposed addition. Hickey noted that the 150 ft. buffer strip does not apply as the Pyramid property is a grandfathered lot developed prior to the adoption of the Zoning Law. There will be a requirement though for dense screening to accomplish the purpose of the buffer to protect adjoining residential areas from the impact of commercial development, even if the width of the buffer itself is less than what would be required currently for a newly developed lot.

Cross had questions regarding fire issues and wondered if the fire department had reviewed the plan. Curtis responded that they did review the plan.

Cross felt a sewer analysis is needed and Hickey stated the Village Engineer's approval of the calculations for sanitary sewer units would be required as a condition.

Leopold requested the lighting plan to include security motion detectors.

Halevy asked for a construction schedule. Tull responded that by the end of August construction may begin and Home Depot could open in the spring.

The Board completed the SEQR Review Part 2 for the Home Depot Amendment:

- A. No
- B. No
- C. C1 No

C2 No

C3 No

C4 No

C5 No

C6 impact on adjacent residential land mitigated by buffering and landscaping

C7 No

- D. No

Halevy moved that based on information and analysis, the proposed action for the requested amendment to Special Permit #1466, Pyramid Mall for construction of an additional 150,000 SF of gross leasable area at the existing Pyramid Mall will not result in any significant adverse environmental impacts. Seconded by Waterman. All aye.

Waterman moved to approve the amendment to Special Permit #1466, Pyramid Mall for construction of an additional 150,000 SF of gross leasable area at the existing Pyramid Mall at 40 Catherwood Road in the Commercial High Traffic District to allow reconfiguration of that gross leasable area, with the following conditions added to the 7 conditions of

the original Special Permit approval. The new conditions include: (1) The access road must be secured at both ends and the adjoining residential area secured, subject to approval by the Code Enforcement Officer and the Superintendent of Public Works (2) A walkway must be installed on the north side of the ring road from the fire access road to the YMCA (3) A 239 Determination by County Planning Board of no deleterious impacts (4) Village Engineer's approval of sewer analysis. It is also noted that under the original conditions the one requiring the Village Engineers approval of drainage and site work, special attention should be given to grading for the road and the culvert installation and under the condition requiring an approved landscape plan special attention should be given to screening for residential areas. Seconded by Halevy. All aye.

### **Planning Board Resolution:**

Hickey stated that he recently had a meeting with the Town of Lansing Planning Board Chairman Brad Griffin. They both agreed that as a first step for intermunicipal cooperation they would ask both boards to pass a resolution to exchange their agendas. Waterman moved that in the interest of municipal cooperation between the Village of Lansing and Town of Lansing that Planning Board agendas be exchanged beginning in August 2000. Seconded by Halevy. Marcus stated that within the Zoning Ordinance for the Town there is a site plan review procedure which is performed by the Town Board rather than the Planning Board and it might be useful to also receive the Town Board's agenda. Hickey will request from Griffin and Steve Farkas that both boards send agendas. All aye.

### **McDonalds:**

Planning Board members received a letter from McDonalds prior to the meeting. McDonalds is requesting relief from the condition to Special Permit #1501 which stated that they not be allowed to operate the new facility prior to the installation of the new traffic device which is to be fully operational before a Certificate of Occupancy can be issued. McDonalds also would like assurance that they can begin operation of the new McDonalds prior to de-arching the old site.

Board members Hickey and Waterman felt their request was reasonable because Tops, who is to install the traffic lights, is behind schedule. Brown feels even before the traffic light is operational the move across the street will help with the traffic situation. Hickey informed the Board that they may need to make a recommendation in September to the Board of Trustees to approve the temporary CO.

As agreed upon, McDonalds would shut the old facility as soon as the new one opened. One condition states that the first McDonalds must be de-arched prior to the CO being given to the second McDonalds. Obviously some time will be required, if only a day or two, to de-arch the old site and it would not be unreasonable for McDonalds to want to operate out of the new facility during the brief time required to accomplish the de-arching, rather than suspending operation during this time.

### **Commercial Low Traffic Guidelines:**

Klepak has contacted Kathryn Wolf who is interested. They will have a meeting in the next week or two. Hickey will show Wolf the area and he will apprise her of the situation.

### **Reports (Board of Trustees):**

Hickey attended the last Trustee's meeting and Greg Bronson made a presentation on audio/visual enhancements for the meeting room including 2 voice activated cameras. He has submitted a proposal with estimates for several different packages of improvements which the Trustees are now considering.

Hickey stated the Board also passed a resolution recommending the County drop the sales tax for clothing and shoes under \$110.

Hickey noted the Village is also looking at long-term disability insurance for employees.

### **County Planning Federation:**

Curtis stated the County Planning Federation is holding a SEQR Training in November. Should anyone have topics they would like to see covered, they can be given to Hickey.

**Cornell Federal Credit Union:**

Marcus questioned whether the CFCU will be coming in to the BZA in August. Curtis understands that they will although he does not have the actual application in hand. Marcus will not be present but someone else from his firm will attend.

**Pembrook Lane:**

Leopold asked for clarification for Dr. Greene's house on Pembrook Lane regarding construction on slopes in excess of 15%. Hickey stated that the Board looked at conditions as required for other Cayuga Hills sites. They reviewed the Special Permit process for drainage, landscape, erosion, septic, etc. Marcus stated his house was being built on what is now classified as a single lot and the construction will take place on the part of the lot which has milder slopes, considerably less than 15%.

**Kensington:**

Hickey stated Mayor Hartill has approached the Colberts about taking over the Northwood Blvd. and explained the reasons for this. They are supportive but are concerned about the increased traffic that would come up from Janivar Dr. or would use this as a shortcut to N. Triphammer Road. Hickey and Hartill will be working on this. Hickey prepared a report using the NE Study Area. Hickey also requested Reinhart to place traffic counters on Northwood Blvd. If this information is favorable, the Colberts may be willing to dedicate this driveway to the Village as a public road.

Hickey also stated that there may be some progress on the sewer moratorium which if resolved could open the way for the Edelmans continue with their subdivision.

**NYS Planning Federation Meeting:**

Halevy stated there is an October meeting of NYS Planning Federation and he would like to see a group go. Hickey will put it on the agenda for Aug. 14 and will see how many are interested in attending.

**Adjournment:**

Waterman moved to adjourn. Seconded by Brown. All aye.