

**Village of Lansing**  
**Planning Board Meeting**

**October 9, 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 Klepack; Alternate Member Phil Dankert; Trustee Lynn Leopold; Code Enforcement Officer Curtis; and members of the public.

**Public Comment:**

There was no one present who wished speak. Brown moved to close the public comment period, seconded by Halevy. All in favor.

**Public Hearing – Special Permit # 1559, Deibert, 75 Burdick Hill Rd., One-unit Residence Converted**

The first item on the agenda was a Public Hearing for Special Permit No. 1559, Susan Deibert to convert her single family home at 75 Burdick Hill Road in the Low Density Residential District into a single-family residence converted, Tax Parcel No. 43.1-1-21. Deibert provided mailing notifications to Curtis.

Hickey noted that general conditions for a Special Permit must be met and then additional conditions must be considered. The Board reviewed Section 304.05 of General Conditions Required for all Special Permits in the Zoning Law. Condition (d ) deals with off-street parking and Hickey asked for clarification on the driveway configuration and whether there will be 4 parking spaces as required. Mrs. Deibert stated she has a 2-car garage and also has room for two or three cars in the driveway. Hickey stated that roadside parking would not be allowed and there needs to be room to park 4 cars on site such that they are not blocking each other. Mrs. Deibert stated there would be room. Condition (f ) deals with adequate sewage disposal facilities and Curtis responded that Mrs. Deibert would be required to have a certificate from the Health Dept. stating that there is sufficient septic capacity before he could issue a building permit. She may have already turned this in but, if not, will do so. Hickey opened the Public Hearing and asked if anyone wanted to speak. Mrs. Lester Eastman, neighbor of the Deiberts, asked to speak. She stated that Burdick Hill Rd. has changed greatly since she has moved in in 1964. She has seen dramatic changes in noise and traffic and she does not want to see even this small increase in density glossed over. Brown asked if there were any measures Mrs. Eastman would like to see implemented that she could put in writing for the Board's consideration. Halevy moved to close the Public Hearing. Seconded by Brown. All aye. Brown moved the applicant has met the general conditions required for a Special Permit (Section 304.05 of Zoning Law). Seconded by Halevy. All aye. Hickey stated two additional conditions need to be met. First, he asked Mrs. Deibert how long she had lived at that residence and she stated 17 years. He also asked if she intended to continue to reside at that address and she responded yes. Brown asked how many people would occupy the second residence and Mrs. Deibert stated two at most. Halevy noted that when the applicant has met the general conditions and additional conditions for a Special Permit, then the Planning Board has no choice but to grant the request. Curtis stated this is not a two-family residence which would not be allowed because of the lot size but rather it is a single-family residence converted which must be owner- occupied and that requirement will appear on the Certificate of Occupancy. Brown moved the applicant has met the additional conditions required for the Special Permit (Section 304.06 a of the Zoning Law). Seconded by Halevy. All aye.

Curtis stated this would be exempt from SEQR list of exempt actions under Section 617.25 (c ) 9.

Halevy moved to approve the Special Permit for Mrs. Deibert to convert her-single family residence at 75 Burdick Hill Road in the Low Density Residential District into a single-family residence converted. Seconded by Brown. Ayes by Brown, Halevy and Hickey. Abstain by Klepack. Motion was passed.

**Public Hearing – Amend. To Special Permit # 1385, Integrated Acquisition & Dev.**

The second item on the agenda was a Public Hearing for an amendment to Special Permit No. 1385, Integrated Acquisition and Development to construct an additional 10,000 sf of floor area in the 30,000 sf office building at 10 Brown Road in the Cornell Business and Technology park in the Business and Technology District, Tax parcel No. 45.1-1-52.2. The building was originally approved by the Planning Board on August 10, 1998, but has not been constructed. The amendment would increase the total floor area of the building to 40,000 sf and increase the amount of required parking. Planning Board members were provided with the 8/10/98 minutes indicating what conditions were approved.

Herman Sieverding of Integrated Acquisition and Development gave a presentation to the Board. He stated that when the original request was made for 30,000 sf, Integrated was working with two prospective tenants. This has now changed and they are working with other tenants and one of them requires more space, thus the requested change. The original proposal had a two story atrium with two one story modules on each side. The new building will retain the existing footprint and orientation but will all be two story. The lot coverage would remain the same at 12%. Also the setback would remain at 100 ft. for the building. The only change would be the parking. The requirement for a 40,000 sf building is 200 spaces which could be reduced to 160 using Section 203.05 of the Village" Zoning Law which allows a 20% reduction with Planning Board approval. The original parking requirement for the 30,000 sf building was 150 spaces (120 with the 20% reduction). Integrated is proposing to build the 160 spaces using the area that was formerly set aside for a future parking land bank area as required under Section 203.05. The new land bank area would be along the main entry drive (31 spaces) and on the west side of the main parking lot (9 spaces). The setbacks to these parking areas has also remained the same, 80 ft. in the front and 40 ft. in side and rear yards. Additionally, the plan incorporates a sidewalk from Brown Road to the main entry of the building. Sieverding stated sufficient land has been set aside to allow for future parking. Also there are more opportunities for landscaping due to the reduction of impervious surface area and this reduction will reduce the amount of runoff, thus reducing the potential environmental impact of this project. Hickey opened the Public Hearing. No one chose to speak. Halevy moved to close the Public Hearing. Seconded by Klepack. All aye.

Halevy mentioned to Sieverding that a landscaping plan and a detailed lighting plan would be required. Hickey stated his concern about the parking areas near the entranceway causing congestion during peak hours. His suggestion was to have the development of the land bank parcels done in a piece meal fashion with those in the back (9 spaces) being developed first and if that still does not fulfill their needs, then to do the east side of the entrance drive (10 and 11 spaces), and lastly doing those on the west side of the drive (10 spaces). Sieverding was in agreement with the phasing-in proposal as a condition.

Leopold asked about the drainage for this parcel. Hickey stated that Cross did the calculations for the adjacent building in 1998. He did not see any problem with drainage at that time but Cross will need to review it again. Majeroni stated that storm water retention has been addressed for this and other sites nearby. Since it was a condition of the previous permit, it will need to be reviewed to see if it has been met for the revised proposal.

The Board conducted a SEQR Review (Part II of the Environmental Assessment Form). Drainage will be approved by the Village Engineer and will be coordinated to fit into the drainage scheme for the entire B & T Park. Halevy moved that the Board find that the application for development will not have any significant adverse environmental impacts. Seconded by Klepack. All aye.

Hickey stated that the Board did not need to go through all the general conditions required for a Special Permit as it has already been granted. Klepack moved to approve the amendment to increase the size of the building from 30,000 sf to 40,000 sf. Seconded by Halevy. All aye.

Halevy moved to approve the reduction in the number of parking spaces from 200 to 160, with the provision that land be set aside in the event that additional parking is needed in the future. This is a reduction of 20% which is authorized under Section 203.5 of the Zoning Law. Seconded by Brown. All aye.

Hickey noted the following additional Conditions that the original Special Permit did not include: (1) the addition of the proposed walkway on the eastside of the entrance road continuing to the entrance to the building, and (2) any future conversion of the land bank parcels be developed on an as-needed basis with those in the rear being developed

first and that on the west side of the road being developed last. Brown moved the Special Permit No. 1385 with the two additional conditions be approved. Seconded by Halevy. All aye.

**Public Hearing – Special Permit # 1567 – Integrated Acquisition & Dev.**

The next item on the agenda was a Public hearing for Special Permit # 1567, Integrated Acquisition & Development, to construct a 92,000 sf office building at 41 Thornwood Drive in the Cornell Business and Technology Park in the Business and Technology District, Tax Parcel No. 45.1-1-55.2

Herman Sieverding, Integrated Acquisition and Development, gave a presentation to the Board. The 12.1 acre lot for the 92,000 sf two-story building is on the corner of Brown Road and the new Thornwood Drive Extension with the main entranceway on Thornwood Dr. The lot coverage is 9% and the building setback is 100 ft. from Thornwood Dr. and parking setbacks are 80 ft. from Thornwood and Brown Rd. Integrated is also requesting the 20% parking reduction to reduce the number of parking spaces from 460 to 368 with space for the other 92 spaces reserved in the land bank area.

Next, David McNeil, of QPK Design, the architects for the project, talked to the Board and stated a landscaping plan and lighting plan would be provided in more detail at a later date. Natural vegetation will be retained on the Route 13 side as a buffer although the second story will be visible from Rt. 13. The site development provides two access roads to allow for ingress/egress of employees, fire fighting apparatus, service vehicles and bus service. The proposed building façade is tinted glass (rather than reflective glass), aluminum panels, and concrete masonry. The smokestack appearing on the elevation design will not be part of the building.

Hickey opened the Public Hearing. No one chose to speak. Klepack moved to close the Public Hearing. Seconded by Halevy. All aye.

Klepack asked for the sf of Langmuir Lab for a comparison. Majeroni stated Langmuir is close to the same size.

Halevy asked who the tenant might be. Tim Colbert, Integrated Acquisition and Design, stated it would be office space but he could not identify the tenant at this time due to negotiations.

Hickey had concerns regarding parking. He felt that Brown Rd. rather than Thornwood Rd. might be the traffic route for employees and he suggested that the row of parking be relocated and a boulevard or split drive be placed at the Brown Road entranceway to connect with the roadway parallel to Route 13. This would split the large parking area and would provide for better access for delivery trucks. Curtis noted this would also help with buses. Hickey asked that Integrated develop an alternate parking plan that addressed this concern.

There will also be walkways along Thornwood which are not indicated on the site map as they are not part of this project. Hickey requested that Majeroni provide the Village with a copy of the walkway plan for the entire B & T Park upon completion so the Village can incorporate it with their Walkway Plan.

Hickey asked if the developers had considered potential traffic ten years down the road with traffic at Brown Rd./Sapsucker Rd./Rt. 13 intersection after the Ornithology Lab is complete. Majeroni felt there was a clear view at that intersection. Dankert stated he feels it will be a problem in the future. Majeroni felt it might need to be a right-turn only in the future when exiting Brown Rd. as he does not feel the state would agree to a light at that location and it should be addressed when it becomes a problem. Signage at Route 13 would be the responsibility of the county as Brown Rd. is a county road. Colbert stated the number of employees working at various times throughout the day will be about 100 but it is expected to double over time. The nature of the proposed use, however, would not result in all employees coming and going at certain times, but rather coming in and out at different times during the day.

Regarding drainage, Cross will review the site. McNeil said the pond was sized to handle the entire development and it will easily collect the water from this portion of the Park. Hopefully, the impervious parts of the site will maintain the water level of this pond as it is not fed by a stream or spring.

The Board conducted a SEQR Review (Part II of the Environmental Assessment Form). The drainage plans will be

approved by the Village Engineer. Klepack moved that the Board find that this proposed action will not have any significant adverse environmental impacts. Seconded by Brown. All aye.

The Board then reviewed the General Conditions required for all Special Permits. Hickey stated an alternate design for parking will be required as an additional condition. He also noted that sewage disposal must be met by obtaining the necessary permits. Halevy moved that the Board find that the application has met the conditions specified in Section 304.05 of the Zoning Law subject to the condition that the applicants provide an alternate parking plan as noted above. Seconded by Klepack. All aye.

The Planning Board agreed upon the following conditions: (1) approval by the Village Engineer of site work and drainage plans (2) approval by the Planning Board for landscaping and lighting plans (3) submission of an alternate design for parking lot design to be reviewed by the Planning Board (4) determination of no adverse impact from the County Planning Dept., 239 Review and (5) obtaining of required sewer permits.

Klepack moved that the Board authorize the reduction of parking spaces from 460 to 368 spaces, with the provision that land be set aside in the event that additional parking is needed in the future. This is a reduction of 20% which is authorized under Section 203.5 of the Zoning Law. Seconded by Halevy. All aye.

Halevy moved that Special Permit # 1567 be approved subject to the conditions already mentioned. Seconded by Brown. All aye.

Hickey said he would entertain a motion to take a short recess. Klepack moved it. Seconded by Halevy. All aye.

### **Proposed Local Law E-2000, Parking**

The next item on the agenda was proposed Local Law E drafted by Attorney Marcus. Curtis stated the reason this law is being proposed is because the intention of the Zoning Law was to allow for minor alterations to buildings in any district without a Special Permit provided it did not affect the amount of required parking spaces. For a large addition such as that tonight, a Special Permit would be required. This proposed local law will now make part of the law what the Planning Board has been in effect doing for the past 8 years and will insert the necessary language into the applicable sections of the Zoning Law. The amendment would also add a catch all phrase that would authorize the planning board to determine required parking based on documented need for uses for which no requirement was currently specified in the Law. Hickey stated the Trustees have already seen the proposed law and have set the Public Hearing date. Marcus informed the Trustees at their meeting that this will tighten up our existing laws. Halevy moved to recommend the approval of proposed Local Law E (2000), Amendment to the Village of Lansing Zoning law to Clarify and Improve Parking Space Requirements. Seconded by Klepack. All aye. Hickey will write a memo to the Trustees stating their approval of the amendment.

### **Second Meeting Date in October**

The second meeting of October conflicts with Halloween on the regular meeting date. There was concern about the Wolf presentation falling behind due to scheduling conflicts. Klepack will contact Wolf and will report back in October to schedule a special meeting for her presentation. Halevy moved to approve the change the next meeting date from Oct. 31 to October 24. Seconded by Klepack. All aye.

### **Tops Temporary Certificate of Occupancy**

Curtis stated that Tops will be coming in for a temporary Certificate of Occupancy because their light will not be in at Graham Rd. The difficulty was in the Village securing the easement for the property where the pole is to be located. That the light be operational is a Special Permit condition and that is why Curtis is consulting the Planning Board prior to sending a recommendation to the Trustees. Planning Board members were concerned as to the number of lights which would not be installed and the time frame as to when they would be installed. Curtis reviewed the letter and it referenced only the Graham Rd. intersection light not being installed as 45 days is needed from the time the Village

obtains the easement. The Board has already recommended a temporary Certificate of Occupancy for McDonalds. Halevy moved the Board recommend a temporary Certificate of Occupancy for Tops based on only the Graham Rd. light not yet being installed. Seconded by Brown. All aye.

### **Reports**

Hickey attended the Trustee's meeting. Hickey reported that Putnam discussed the emergency sewer connection needed for Lake Source Cooling in case of problems with the LSC system; it was approved. Uptown Rd. is being paved and a new entrance will be put into the Warrenwood Apts. There is also a need for ditching across from the Swim Club and the traffic light onto Warren Rd. should be operational by Christmas. Approval was also given by the Trustees to allow for hunting of deer on Murray Estates. Joint application by the sewer consortium for the second round of funding of the Clean Water/Air Bond Act was supported by the Village. Hickey also reported that Hartill stated there may be resolution on sewer although it may be a year away. Hickey and Curtis have met with two men regarding cellular towers and although the intersection of Warren Rd. and Route 13 was mentioned as a desirable location, the Village would not be receptive to that location. Curtis has recommended the site behind the airport to them. Hickey has spoken to Cliff Buck regarding signage on the Greenway and four people have expressed an interest in helping. Hickey will pursue this with them and will ask for recommendations for Planning Board review. Halevy would like to see the Village logo utilized on these signs.

### **Adjournment**

Brown moved to adjourn the meeting at 9:58 P.M. Seconded by Halevy. All aye.