

## **Village of Lansing**

### **Planning Board Meeting**

**November 28, 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 Halevy, Klepack and Waterman; Alternate Member Dankert; Code Enforcement Officer Curtis; Trustee Leopold; Engineer Cross; Attorney Marcus; and members of the public.

#### **Public Comment:**

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

#### **Marriott – Landscape Plan:**

Curtis received the Landscape Plan last week and since that time Halevy and Hickey have toured the site, counted shrubs and inspected the site. They counted 64 trees, shrubs or perennials. Also seasonal beds are planned but are not yet in. Hickey would recommend the Planning Board accept the landscaping plan as submitted by Mr. DelMonte. Hickey was concerned about the screening from Warren Road and he noted that several 6-7 ft. fir trees have been planted along the west end of the property to provide screening for the residents of Dart Dr. Brown moved to accept the Landscaping Plan as submitted by the E.J. DelMonte Corporation. Seconded by Waterman. Leopold expressed concerns about the vegetation being eaten by deer. Mr. DelMonte assured the Board that plants destroyed by deer would be replaced by species less appetizing. All aye.

#### **Sutton Home Occupation – Continued Discussion:**

Hickey noted that this is a continuation of the Home Occupation request by Mr. Sutton for 24 Cedar Lane. Hickey provided background for the public. He noted that the BZA granted a variance in November for the setback deficiency. The Planning Board can now proceed with the Special Permit application for a Home Occupation. Halevy reviewed the minutes of the Public Hearing on Feb. 14 and noted the topics of concern. Hickey then reviewed Halevy's summation and presented the concerns in chart form. The comments fell into three categories. Category 1. increased traffic. This included three areas of increased traffic: (A) clients visiting the business (Mr. Sutton responded at that Public Hearing that it would be 2-3 clients per month. Mr. Sutton now states that it would probably be less but would be no more than 2-3 clients as he travels all over the state visiting his clients.) (B) delivery trucks from UPS (Hickey noted that a member of the Planning Board went to UPS and examined their route reports for deliveries to Cedar Lane over three months. It was noted that during that time there were 33 delivers to Cedar Lane and only 4 of them were to Mr. Sutton's address. (C) employees (Hickey noted that regulations allow for one non-resident employee and Mr. Sutton stated that the one employee not living at that address would be his daughter. Category 2. Road conditions. Several items mentioned previously were the bad curves, slope, ditches, lack of lighting, and lack of sidewalks. Hickey stated Cedar Lane is a rural cul-de-sac road designed to provide access for a few houses overlooking the lake. The Planning Board requested Superintendent of Public Works Reinhart inspect that road and he did so in February and November and felt there were no significant problems. Reinhart also stated there were no immediate plans to provide work in that area other than the intersection with Cayuga Heights Road. Category 3. Negative Impact on neighboring property of a home occupation. Hickey talked to someone in the County Assessment Department and she indicated there is no evidence that a home office or home occupation would provide a negative impact on the market value or the assessment of a home. Hickey also noted that the Village's regulations require a basic level of property maintenance and that a home occupation is a permitted use in all residential districts. Category 4 (added by Hickey). Enforcement. Hickey says special permit violations must be enforced when they are brought to the attention of Code Enforcement Officer Curtis. Hickey referenced an instance of where this has previously worked in the Village in connection with another home occupation.

Waterman stated she felt there was anger on the part of residents in the Cedar Lane area. Hickey stated that would be something Mr. Sutton must address rather than this board.

Hickey noted the Board must review the General Conditions required for all Special Permits, pursuant to Section 304.05 of the Zoning Law. The Board will also need to review the Additional Conditions for Home Occupations (Section 304.06d of Zoning Law). Hickey also noted that a SEQR review is not required for this action (Section 3 of 306.06 of Zoning Law).

Hickey read the General Conditions. Comments: (c) Hickey noted that our law allows for anyone living in a residential district to have a Home Occupation if desired as long as the criteria are met. (d) Hickey noted that all parking must be in Mr. Sutton's driveway and no parking will be allowed in the roadway and that this will be a condition.

Klepack moved that the Board find that all the General Conditions by the applicant, Mr. Sutton, for Special Permit No. 1515 have been met for a Home Occupation. Seconded by Halevy. Brown, Halevy, Hickey and Klepack aye. Waterman abstained.

Hickey read the opening paragraph regarding Additional Special Conditions for Home Occupations. Comments: (e) Regarding signage, Mr. Sutton will be allowed a small directional sign indicating office only. (h) Hickey noted that UPS trucks should be encouraged to come onto the property rather than remain in the roadway. Sutton also indicated that there is sufficient room on his property at the roadway for trucks to pull off, especially in the winter months. Klepack moved that Mr. Sutton has met the Additional Conditions for Home Occupation (Section 304.06d of Zoning Law). Seconded by Halevy. Brown, Halevy, Hickey and Klepack aye. Waterman abstained.

Klepack moved to approve Special Permit No. 1515 as Mr. Sutton has met all the General Conditions as well as the Additional Special Conditions for a Special Permit for a Home Occupation. Seconded by Halevy. Brown, Halevy, Hickey and Klepack aye. Waterman abstained.

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**Special Permit No. 1589, Cornell Univ. Lab of Ornithology:**

The next item on the agenda was a preliminary discussion and review of the application for Special permit No. 1589, Cornell University Lab of Ornithology, to construct an 80,000 sf building for use as office space, research, and public exhibition and assembly to replace their existing facility at 159 Sapsucker Woods Road in the Research District, Tax Parcel No. 45.1-1-55.4

The first speaker was Eric Dickey, Director of Planning at Cornell University and also project manager for this specific project. Introductions were made to include Scott Sutcliffe (Associate Director of the Lab of Ornithology); Antonia Bianca (Landscape Architect); John Heintz (Consulting Engineer); Mark Costich (Civil Engineer); and John Roga and Don Furlough (Engineers dealing with wetland mitigation).

First, Sutcliffe gave an overview of the history of the project through a slide presentation beginning in 1940 when Doc Allen was seeking a place to retire in the 1950s. The cinder block lab was built in 1956 including the man made wetland. The lab has been integral to Cornell but has always been run independently. Programs have been expanded over the years and there is now a complex of outbuildings to accommodate the 100 staff members. Plans are now to incorporate everything into one facility with wildlife wetland areas around it. Sutcliff stated they have been working hard to keep the building low at the tree top level with the road coming from the south and going behind it. The building is proposed to be two stories. The first floor will be accessed from the south. The Fuerte's room will be expandable. Public functions such as the store will also be in that part. Behind it will be offices and labs. The eastern portion of the building will be specimen collections and will be accessible to staff only. The second floor is accessible to the public but also includes office space, library, future storage and labs. Also the mechanical functions are included within the building and are not visible from outside. A wooden fence will also separate the parking from the pond area.

Bianca gave a presentation of the landscaping and lighting. Their goals were to integrate the building with the site and to manage the site while under construction. Various schemes were presented to arrive at the current design. Lighting is used moderately in parking areas. Halevy noted that a Lighting Plan needs to be submitted showing details of all the lights. Hickey expressed his concerns about having safe walkway and parking lots through the use of lighting and recommended they review this. Truck turn-around is from Brown Rd. Extension off of Route 13. Hickey noted this would not be the most direct route from Cayuga Heights Fire Station. Bianca also showed a sampling of the various plantings around the site to attract various types of birds (birdscaping). Hickey noted that he reviewed the Unique Natural Areas Map and there were no rare or scarce animals or plants listed for that area possibly because it was a sheep pasture until 1950. Leopold expressed concerns about the planting of reed canary grass as it is a very aggressive plant and they might want to reconsider whether to actually plant it here.

The next presentation was given by Heintz. He noted that construction is planned to begin in March of 2001 and will continue until September of 2002. Sapsucker Woods Road will be closed to all but construction traffic and lab traffic during that timeframe. Emergency services will always be provided though and access will always be maintained. One section of Sapsucker Woods Road will also be closed permanently and they are currently pursuing abandonment procedures through the Town of Dryden and will also pursue this issue with the Village of Lansing. Although one section of the road will be closed, access for the public, bus service and emergency service providers will be maintained. This will be provided through a private road from the facility to Route 13. Marcus mentioned that this needs to be worked out as Town Law may not allow for this public road to become a private road. The Village Law is different and it could be feasible for the Village. This issue needs to be resolved and if it is not feasible, then another approach may need to be explored after working with the Town of Dryden Engineer and Highway Superintendent.

Fire and emergency access to the building will be provided along the paved grass area and across the causeway. A fire hydrant is proposed for the mid point. A traffic study has been completed at the Brown Road Extension and Route 13 intersection as well as the Sapsucker Woods Road and Hanshaw Road intersection. It indicated that the level of service should not change at each intersection. An expanded analysis is also being done at the Brown Road intersection including the new development proposed for the B & T Park to determine whether this will affect the level of service at that intersection. Also NYS DOT will be looking at the same site. An addendum will hopefully be provided by Dec. 8.

The lab currently has 65 off-street parking spaces. In calculating the number of spaces required for the new site, they used Section 203.04 of the Zoning Law. They divided the building into sections, determined the uses, and calculated those areas. Using those formulas, they came up with the requirement for 189 parking spaces for the building and are currently proposing 190 parking spaces. In addition, for special events, they have access for parking at the B & T Park and will provide shuttle bus service. Hickey asked if the planned facility could accommodate a tour bus on site. Dickey indicated on the site plan where the bus could be accommodated. The parking will all be located in the Town of Dryden but is based on the Village of Lansing regulations for the building site. Klepack asked if they would be applying for the 20% reduction and Hines responded no. Calculations for the parking spaces are provided with the attachments.

Heintz indicated a Stage 1 Cultural Resource Survey was conducted for this site to determine any historical significance to the site. Test pits were done in the building area and a literature search was completed. Both indicated there was no cultural significance to the site or artifacts found and the recommendation from the project archeologist is that no further study is needed.

Klepack asked for clarification on the drawing of what looked like a road to the northeast. Heintz stated it is a proposed maintenance road required to access the avigation easement. Water will be provided through the Town of Ithaca by the Bolton Point system.

Costich spoke on stormwater management. Details have been provided to the Board. Three approaches were utilized for this site design. The existing drainage was first reviewed. The 240 acre watershed will be changed somewhat by this development. The next drawing showed the three areas of the existing watershed. Under normal approaches, normal run-off is reviewed. The large watershed is controlled by the existing roadway and water backs up in this area. When the roadway is removed, considerably more water would be discharged downstream. The next diagram showed

the lower drainage area is enlarged. The central watershed is maintained and the berm is increased and discharge pipe raised to decrease the rate of water discharge. Costich stated that the maximum capacity of the retention areas is based on analyzing the events from the 2 – 100 year event and then decreasing the peak runoff rate for all events. The final area near Brown Road Extension and Route 13 will provide for additional water storage. In summary, the amount of retention area has increased and the rate of discharge has decreased.

During construction, sedimentation and erosion control measures will surround the wetlands including earth dikes, silt fencing and an orange safety fence to keep construction out of that area. For sediment control, filter fabric will be installed early on and diversion swales will be implemented. All water entering and exiting the site will go through a filter. Hickey expressed concerns about the main pond drainage with regards to the west side or the Health Services District in case of failure on this site. Costich felt that the proposed remediation would result in an improvement to what currently exists. Cross stated that the largest area has a designed control outlet in the center which meets subdivision regulations. Hickey noted that the Board is requesting a letter outlining the schedule and hours of construction and the engineers said it would be provided.

Roga discussed the wetland mitigation plan. Working in conjunction with the Army Corp of Engineers and DEC, they are creating about 3 acres of wetland to mitigate the 1.5 acres which filled as part of this project. In the 1950s the pond was created and with it the wetlands. Existing wetlands to be filled are being replaced with in-kind wetlands. Based on the development plan, a number of wetlands required mitigation. They evaluated the habitats in the area. Water table measurements were made in the area and there will be a series of basins created to form the various types of required wetlands. Shrubs, plants, grasses and trees will then be planted to form the habitats. Hickey requested a letter from DEC showing their approval of the project. Two permits are required from the Corp of Engineers and DEC. Separate applications have been given to them. The permits can not be issued until the Environmental Review is completed. Marcus stated DEC will want the Village to evaluate the project with the mitigation measure in place. Roga offered to facilitate communication between the Board and DEC.

Furlough spoke about the second control system for water. There are a series of four interconnecting basins of varying depths to create an open water habitat. The wetlands would be constructed in the fall and before the snow gets too deep. Then, nature will make it function and in the spring, the plants will be introduced. The Army Corp and DEC require five years of monitoring. Brown asked what happens to the old wetlands. Furrow stated that those near the building will be filled and 9000 sf will be lost due to a road and another 12000 for another road. This equates to 1.4 acres of lost wetland which will be replaced in another location.

Dickey was the last to speak. He asked for further questions and clarification from Curtis on the next steps to be taken. Klepack asked about walkway connections to the west. Sutcliff stated there is currently a fence with gates to Winston Court Apartments. The Lab. of Ornithology is meeting with Cornell regarding the 200 ft. buffer. Hickey noted the Village would encourage gates. Cross asked if the present building would continue to be used throughout construction. Sutcliff said the northern section would need to be removed and workers relocated to an off-site location. The lab, shop and parking areas would remain open throughout the process.

Hickey thanked the Lab. of Ornithology for their presentation.

Hickey asked the Board to review Part I of the EAF to see if the information was complete. Page 2, Part A: Halevy stated the approximate acreage of meadow lost and then gained does not add up. Heintz stated there is a typo and he will correct it and give the Board a new copy. Item 17: Marcus asked if additional sewer permits would be required and the answer was yes, and therefore, technically, item (b) should be marked yes although the sewer units may have already been purchased. Heintz will change this as well. Item 11: Hickey stated UNA6 says that there are no endangered species, but when earth is moved nothing should be disturbed so care should be taken. Item 20: Curtis asked if this had been confirmed by a survey and Heintz said he did not know of any but by looking at records, there is no indication of hazardous waste disposal on the site. Hickey feels some type of cursory check should be made and a Phase 1 Survey completed. Marcus was concerned as to whether it may have been used for a dump site. Part B, Question 6: Hickey questioned whether it is 18 months or 24 months? Heintz stated it is 24 months. Question 18: Halevy asked why pesticides would be used. Sutcliff stated Cornell responds with yes as there is an integrated pest management plan on campus. The answer will be changed to no as none are contemplated for this project. Question

23: Cross stated it says 2000 gallons per day are anticipated which is contrary to what has been provided for sewer units or consumption. Sutcliff responded that Cornell has been grandfathered in for 2 units and another 2 have been purchased. Cross stated this would equate to less than half of the amount. Heintz will bring the new data to the next meeting. C, Question 3 & 5: Hickey noted Question 3 was left blank. Question 5 should possibly be non-applicable. The Board will review these two and make a decision. Question 12: Hickey noted it should be undetermined rather than nothing at this point in time. Heintz recommended not changing this until after the analysis indicates there would be a change.

Hickey noted that the Public Hearing will be on Dec. 11 and an abbreviated presentation would be desirable. Then the second half of the LEAF will be completed. Cross noted that the County has received the materials and is conducting the 239 Review but the Board has not heard back yet. Curtis reported he has received confirmation from all the agencies that the Village may become the Lead Agency.

**Adjournment:**

Waterman moved to adjourn at 9:55 P.M. Seconded by Klepack. All aye.