

**Village of Lansing**  
**Planning Board Meeting**  
**December 11, 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; Attorney Marcus; Engineer Cross; 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.

**Special Permit No. 1466 – Pyramid Mall Expansion - Amendment:**

The first item on the agenda was a proposed Amendment to the previously approved Special Permit No. 1466 for the Pyramid Mall Expansion. Pyramid Mall has a prospective tenant (H & M Fashion) who would like a 30,000sf retail space, and Pyramid Mall would like to pop out the east wall on the north end of the old Wards space for a 12000sf addition to accommodate this tenant. The additional 12,000sf is part of the 150,000sf already approved by Special Permit No. 1466. Curtis noted the Board must determine if this is a minor amendment falling within the scope of their original approval and if so, no further Board action would be required. Halevy noted that previously there were traffic circulation concerns. Tull noted that parking spaces would be reduced in front of the new space and added to the back of the proposed addition to the Penny's space. Klepack wondered whether the traffic lane going north from the addition should be moved easterly to align better with the other traffic lane. Marcus noted that on the easternmost section of parking, islands might help channel the traffic to flow better and within the intended traffic lanes. Klepack would like to hear from an expert in this area. Hickey requested Tull return this to Pyramid Mall Engineers to see which would be best for the traffic flow. Hickey recommended approving the pop out but not the parking. Cross reminded the Board that the County also had a concern about the parking lot configuration for Home Depot. Waterman moved to classify this as a minor amendment to Special Permit No. 1466 to allow for the construction of 12000 sf at the northeast corner of Pyramid Mall. Seconded by Klepack. Hickey noted that the Planning Board has not approved the parking configuration. All aye.

**Public Hearing – Special Permit No. 1589, Lab of Ornithology:**

The next item on the agenda was a Public Hearing to consider 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

Scott Sutcliff, Associate Director of the Cornell Lab of Ornithology, gave a slide presentation reviewing the history of the site from the time the area was a sheep pasture in the 1950s to the present and into the future with drawings showing the proposed new building. The initial site plan shows the lab to the north of the existing structure. The building is being designed to accommodate all their staff and materials in one building to replace the mish mash of trailers and buildings currently serving that purpose on the site.

Through the use of diagrams, Don Furlough, the team wetlands specialist, spoke about the wetlands and mitigation measures being taken. Brown asked what happens to the wetlands of about 1.4 acres which are being filled in. Furlough responded that runoff from north of the site will work its way through the site to the west. The new plan is designed so that the old roadbed will be a control point to detain the runoff crossing the road allowing the flow to be controlled. There will also be a series of controls between the parking areas and there will be no increased rate of runoff. Overflows will go into the pond and then into a number of basins which are designed for 2.9 acres of watershed control.

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

John Heintz, Consulting Engineer, reviewed the new material given to the Board which included: Corrected Phase I Environmental Assessment; Addendum to 1998 Traffic Study; Lighting Plan; and a new breakdown for the uses within the building which requires an additional 11 spaces and also to request a 5% reduction of the parking requirement to bring the number of spaces actually being constructed back down to the original number with the difference shown as set aside if needed in the future. Hickey noted the applicant has requested a 5% reduction in the number of required parking spaces. He noted 20% is allowable in Section 203.05 of the Zoning Law but the Ornithology lab is only requesting a 5% reduction. Waterman moved to approve the 5% reduction to the number of parking spaces. Seconded by Brown. All aye.

Hickey reported that nothing has been received back from the Town of Dryden, DEC, and DOT. Marcus stated the notices were sent out 12-14 days ago informing the other involved agencies that the Village will proceed as the Lead Agency. Marcus stated the clock will start ticking when the Board determines that they have received the full application. Curtis recommended asking DOT, DEC and Office of Parks & Recreation if they require additional information to complete their review. Marcus confirmed that the Planning Board can begin their review of the application materials already received prior to determining if the application is complete.

The Board conducted a SEQR Review. Hickey noted that Heintz brought in a revised Part I incorporating the recommendations from the last meeting. Turning to Part II of the Environmental Assessment Form, the Board began its review. Item 1: yes, depth to water table is less than 3 ft. as it is 2.5 ft. Cross stated that there is nothing being done below the water table so he feels any impact will be at the minimal level. The Board agreed it should be marked as small to moderate. Hickey also noted construction will be occurring over a 18-24 month period which is over the 12 months listed on the form; the Board agreed this should be marked as a potentially small to moderate impact. Item 2: no. Item 3: yes, NYS Wet Pond TA13 is in a developable area so the site does contain a protected water body. Hickey noted this is a potentially large impact which can be mitigated. The Board spent considerable time debating whether this is a large or small to moderate impact and how to justify each. The project potentially would have a large impact but the impacts are to be mitigated in the project's design, the actual resulting impacts would now be a small to moderate or none at all. Curtis recommended Section 3 include the discussion held tonight pointing out that because a large amount of land is being changed the project could be considered to produce a large impact, but because the net outcome is that there is more wetland and more water retention, the project's actual impact will be a small to moderate impact or more precisely a beneficial impact. Waterman stated she feels it is a large impact but it is a beneficial impact rather than a negative impact. Marcus agreed with Curtis that it is important to document an explanation of the determination that the project will have a beneficial rather than adverse impact. The proposal will have a large physical impact on the project area but the applicant has provided a plan that will make that large physical impact a beneficial environmental impact. He feels it should be marked as a small to moderate impact and then an explanation should be provided in Part 3 to justify the response stating that the project incorporates mitigation to keep it from having any adverse environmental impact. Curtis felt it was immaterial whether it is checked large or small to moderate impact, as long as Part 3 referencing back to this item explains the Board's reasoning in determining that the net environmental impact is beneficial.

Hickey recommended continuing the review and revisiting this issue at the next meeting. Item 4: no. Hickey is inclined to mark Item 5, surface or ground water as potentially large impact for now. He is considering the expansion of the pond. Regarding surface or ground water, Hickey checked (a) yes because he understood that a discharge permit is required but changed it to no when it was explained that it is the wetlands permit that is required. Cross noted a notice of intent must be filed to regulate the storm water flows during construction. He also said the routing of the surface water is through retention basins which allow it to absorb into the soil and seek natural levels. Brown noted the quantity would also change. The Board decided Item 5 was no. Item 6: yes. Hickey stated more water is being retained on the site after construction and Cross felt runoff would not change. However, because a significant reconfiguration of the drainage area would occur within the site, the Board decided that this item should be marked as a potentially large impact and explained in greater detail in Part 3. Item 7 no. Item 8: no. Item 9: no. Item 10: no. Item 11: no. It is actually an improvement to the overall site. Item 12: no. Hickey noted a report from the State indicates no artifacts in the area. Item 13: no. Item 14: no. Item 15: yes, a small to moderate impact. The Town of Ithaca is requesting a

lowering of speed and signage on Sapsucker Woods Road to reduce any potential adverse impact on residents in this area. Hickey stated Brown Rd. extension off of Route 13 is and will be the primary entry way for reaching the Lab and that additional traffic signs may be needed to indicate it is a private road if in fact it becomes one. Cross noted a cul-de-sac at the end of the public right-of-way (of Sapsucker Woods Road) would be required where it meets private property. A letter from the traffic engineers who did the traffic study indicates the Brown Road/Brown Road Extension/Route 13 interchange is at a B level. Cross feels this is misleading as flow is good on Route 13 but not as good on the other roads. It was noted that the field analysis was done in 1998 and that there has been additional development since then. Cross has personally noticed that platooning does not always occur as indicated by the report. Hickey also noted that on N. Triphammer Road, traffic has increased by 2 ½ percent per year so the report may be somewhat outdated. Signage on Route 13 indicating the road as the entrance to the Ornithology Lab will also improve the impact on Route 13. Concerns will be summarized and explained in Section 3n and DOT comments included. Item 16: no. Item 17: no. Item 18: no. Item 19: no.

Part 3: In order to complete the form, the Board will need to explain their responses for impacts on land, water and traffic. Curtis recommended asking DEC for a response to the wetland question to be sure that their concerns are fully addressed in Part 3. He also recommended asking DOT for their recommendations. Both responses will be requested by the Dec. 19 meeting date and a determination of significance will be made after that date when the Board has determined the application is complete. Also at the December 19 meeting, the general conditions for a Special Permit can be completed. Hickey recommended tabling the discussion until Dec. 19th pending additional information from DEC and DOT. At that meeting, the Board will review Part 3 (Hickey and Curtis will draft language) and the ten general conditions for Special Permit and will complete it then if the Board has everything they need to do so.

Cross gave his report to the Board. (1) His concerns about traffic and parking indicate some of the abandoned road is in the Town of Dryden and part is in the Village of Lansing. Marcus explained that the portion in the Village might be a deeded road which can be abandoned by resolution of the Board of Trustees. If the Town of Dryden can not, by law, abandon their part of the road, then Cross has 5 issues of further concern. He recommended that if the Town of Dryden retains it a public road, then the Village also retain their part as a public road. Marcus will review Cornell's correspondence with the Town concerning this issue. (2) Cross's second concern was the need for a turn-around which has already been discussed and is still being discussed with the Town of Dryden. He stated there could not be a stop sign at the end of a public road unless there was a traffic based need to warrant it and a turn-around was provided. The Ornithology Lab will research whether a public road can simply flow into a private road. (3) Signage along the private road would not be enforceable through municipal law except through a special resolution and the consent of Cornell. (4) Fire Department emergency access should be confirmed to be adequate. Curtis reported that he had discussed the project with the fire department and changes have been made to meet their needs. Cross was concerned about access through a private road. Discussions with TCAT include bus connections during construction and after it is complete. (5) Part of the proposed driveway along Route 13 is owned by DOT and an agreement with DOT regarding this piece will be necessary to implement the plan. (6) There is also an avigation easement and the Ornithology Lab should confirm to the Board that this easement does not interfere with the implementation of the plan as presented. (7) A new main will need to be installed down Sapsucker Woods Road in the Town of Ithaca and engineering drawing details will need to be approved by them and Bolton Point. A small portion of the existing building is in the Town of Ithaca, connects to the Town of Ithaca sewer system and 2 units are currently billed to them. The new building requires 4 units and will now be entirely in the Village of Lansing. The Ornithology Lab has purchased two units from the Village of Lansing and now the Town of Ithaca must relinquish the two units currently being used back to Cayuga Heights so the total of 4 units can be reissued through the Village of Lansing. (8) For drainage, additional information is being requested for the technical review. (9) The Lighting Plan is not complete as it needs to be connected with contour lines. Halevy is requesting height of poles and cut sheets for luminaires and will also get Reinhart going on this. Curtis also noted that all exterior site and building lighting must be shown on the Plan and he provided the guidelines to the Ornithology Lab indicating what is needed for a Lighting Plan. (10) Dumpster location and details of the enclosure should be shown on the plans.

Hickey thanked the Ornithology Lab for their presentation.

**Approval of Minutes:**

Waterman moved to approve the Nov. 13 minutes as presented. Seconded by Brown. All aye. Waterman moved to approve the Nov. 20 minutes as revised. Seconded by Halevy. Aye by Brown, Halevy, Hickey and Waterman. Abstain by Klepack.

**Reports:**

Hickey reported on the Trustees meeting. There were two issues. First, the Kensington Homeowners Assoc. was present and spoke on resolving the road situation and Mayor Hartill acknowledged a breakdown in communication with them. The second issue was Cliff Buck speaking about the Town of Lansing Library which hopefully will open in the spring. They are requesting funding from the Village for operating expenses. It will be discussed during the budgeting process. The Town of Lansing has committed \$6000 to support this Library.

Also the Board of Trustees has appointed a new Trustee. Her name is Janet Beebe and she lives at Chateau Claire Apts.

**Edelman Subdivision:**

Marcus explained that because he represents the Edelms in this matter he could not also represent the Board in any capacity. He should be viewed as sitting on the other side of the table.

Hickey stated he received a call in November from Audrey Edelman indicating she and her husband would like to donate the undeveloped portion of their land in the Kensington development to Cornell University. Hickey then met with Curtis and they decided this would be a transfer just like a property sale and would not require any Board approvals. Nothing further was heard until last week when Cornell indicated they would like the land but did not want that part of it which is the existing road. This would necessitate a subdivision into two parcels: the road, and the remaining undeveloped land. Curtis reviewed the regulations and determined this should be classified a major subdivision. Today, Hickey learned the Edelms are withdrawing the offer to Cornell if Cornell refuses to take the entire package. Marcus stated that if Cornell accepted the land Cornell may or may not develop it themselves as they may take it as a gift and then sell it. Hickey told Marcus that Cornell must agree to take the entire parcel, including the existing road. The obligation to complete the road remains that of the owner of the entire development parcel until the road has been constructed to Village standards, offered for dedication, and accepted by the Village. The Board is not willing to subdivide the existing improved road from the rest of the undeveloped parcel. Curtis noted that to do so, the Village would have to require security for the road to bring it to the Village standards and connect it to Janivar Drive. Currently Janivar Drive has been dedicated up to the Edelman property line but the road has not actually been completed up to the line due to a drainage issue. Hickey also suggested to the Edelms that the property could be donated to the Village of Lansing.

Marcus asked the Board, for the record, to confirm that the Subdivision Plat approved in 1987 separates the Kensington Townhouses parcel from the remainder of the parcel. The Assessment Dept. never caught the fact that there was a separation of these parcels created by the the approved 1987 subdivision plat and does not have them listed or mapped as separate tax parcels. Waterman moved to confirm that the easterly portion of the Kensington Subdivision known as the Kensington Townhouses is, according to the Village of Lansing Planning Board, a separate previously subdivided parcel from the remaining portions of the Kensington Subdivison. Seconded by Halevy. Ayes by Brown, Halevy, Hickey and Waterman. Abstain by Klepack. Marcus noted this resolution simply confirms that the Townhouses are on a separate parcel; the 7 residences are separated from the remaining land by previous action of the Board and are shown to be so on the Assessment tax maps.

**Adjournment:**

Waterman moved to adjourn the meeting at 9:50 P.M. Seconded by Halevy. All aye.