

**Village of Lansing  
Planning Board Meeting  
March 26, 2002**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney Bill Troy; and Code Enforcement Officer Ben Curtis.

**Public Comment:**

Hickey opened the Public Comment. As no one was present who desired to address the Board, Dankert moved to close the Public Comment period. Seconded by Klepack. All aye.

**Public Hearing – Special Permit No. 1715- Upstate Cellular Network:**

The first item on the agenda was a Public hearing for Special Permit No. 1715, Upstate Cellular Network d/b/a Verizon Wireless, to co-locate its equipment on the tower owned by Tompkins County and to use of ground space for equipment at the site of the Public Safety Building at 779 Warren Road, in the Business and Technology District, Tax Parcel No. 45.1-1-53.2.

Dankert informed the Board that his daughter works for Verizon in Rochester and is the operation's manager for systems and he wanted to make sure the Board would be comfortable with this. The Board was fine with this. Troy stated there would be no financial interest associated with this for Dankert so there would not be a conflict of interest. The applicant did not object to Dankert hearing the application.

Robert Burgdorf, attorney with Nixon Peabody of Rochester NY, gave the presentation. Randy Wilson, project manager for this area for Verizon, was also present. Burgdorf explained to the Board how wireless works with overlapping cells to provide service where needed. For the Lansing cell, the primary coverage objectives are Route 13, Village roads and populated areas. Burgdorf used visuals to show the Board the cells in this region and the area the proposed tower would effect in the Village of Lansing. Burgdorf referenced Exhibit I in the packet provided to Board members which showed a photograph of the existing tower upon which a digital image of the antenna was placed to show how it would appear. The antenna consists of three vertical bars and would not extend to the height of the highest antenna currently on the tower. Cable would then run down the tower and underground to a small shelter of approx. 12 x 30 ft. which houses the electronic equipment. The shelter is unmanned and needs be accessed by a vehicle only about once a month after it is built. The site is secure due to its location in the Public Safety complex on Warren Road. Hickey questioned the life expectancy of this antenna since technology is changing so rapidly. Burgdorf stated leases are usually 5 years with four 5-year renewals so typically it is about 25 years. Additional facilities in an area are needed due to coverage problems or capacity due to number of users and he does not foresee this happening in this area in the foreseeable future. Burgdorf stated this action requires a Special Permit from this Board, a 239 Review by the county, which has been done, as well as a SEQR negative declaration. Burgdorf also provided an affidavit of service for the legal notices as requested by Curtis.

Hickey opened the Public Hearing. Joe Hildebrant who works at 777 Warren Road spoke in support of the applicant because he stated cell phones are dead in that area and many calls are lost. Wilson stated he has also received many calls in support of this application.

There being no one else who wished to speak, Klepack moved to close the Public Hearing. Seconded by Brown. All aye.

Brown questioned what would happen to the tower if a new jail is constructed as is being contemplated. Hickey responded that he did not think anyone would be in a position to answer that at this time as the county has not chosen whether to build a new jail or expand the existing jail. Hickey has not heard about another site. Brown has heard the state is not in favor of expanding the current facility due to its condition. In the case of the jail relocating, Burgdorf

stated there is the possibility of the sale of the tower to Verizon who currently owns many towers. Troy feels that tower is central to fire and police communications and would likely remain. Wilson stated that Verizon has located the shelter outside the jail's fenced area for 24-hour access as well as keeping the shelter outside of the conceptual plan area for future jail expansion.

Klepack asked if Burgdorf was aware of other providers desiring to provide seamless cell service within this area. Presently there could be up to 9 licensees although Burgdorf sees a consolidation of providers as there is not enough support for that number and he feels there are only really two – Verizon and Cingular. Other providers can also use the same tower although the tower may need to be strengthened and there would need to be approx. 20 ft. vertical separation between the various antennae.

Curtis asked for a picture of the elevation of the equipment shed. Burgdorf stated it was on page 3 of the site plans. The material for the one-story shelter would be pre-cast concrete with a pebbly stucco finish.

A SEQR was completed. A. No B. No C-1 No, only possible one is existing traffic problem but they have an easement from the County to go into the parking lot. C-2 None, the tower is there and it fits. C-3 None C-4 None, it fits exactly into the Village cellular tower ordinance and Village community plan. C-5 None, although other companies might like to locate on the same tower and that is ok. C-6 None C-7 None, it uses the same energy as a standard house. D No E No

Dankert moved that the Board finds that this proposed action will not result in any significant adverse environmental impacts. Seconded by Klepack. All aye.

As the lead agency, the Board completed a Visual EAF Addendum. Item I - All bullets except the last three were marked No with the following comments made: Regarding visibility from public use land, Hickey noted the trail system at the B & T Park but Klepack felt it would not be visible from there. Regarding national wildlife refuges, the Ornithology Lab was noted, but it is private. Regarding the last three bullets, Warren Road is 0-1/4 miles away; State Route 13 is 1/2-3 miles; Dart Drive is 1/2-3 miles. Item 2 – No Item 3 – Yes. Item 4 – Industrial and Commercial were checked to be within 1/4 mile. Item 5 – all checked No. Item 6 – unknown Item 7 – Travel to and from work, Routine travel by residents and at work site all checked Daily.

Next, the Board reviewed the special conditions for telecommunication facilities within the Village of Lansing ( Exhibit D of material provided by applicant). Item 1 Verizon Wireless has requested a special use permit from the Planning Board. Item 2 (1) Verizon Wireless submitted oversized propagation studies to demonstrate the need for the proposed antenna co-location. Hickey noted that the propagation studies have shown the need to fill the voids in the telecommunication network within the Village. Curtis requested copies be left for Village records and Burgdorf agreed. (2) The proposed co-location will conform with all applicable FCC and FAA regulations. (3) The proposed co-location on an existing tower and Verizon's Wireless use of flush mounted panel antennas, will minimize visual impact to the maximum extent practical. Hickey noted a visual EAF was just completed. (4) The proposed co-location complies with all applicable requirements of the Zoning Law and general conditions will be considered next. (5) The co-location of antennas on an existing facility is the optimum solution available, as it avoids the need to construct a new tower. (6) Klepack moved that this item refers to tower construction and it can be omitted as a tower is not being constructed. Seconded by Dankert. All aye. (7) Not applicable. Item 3 (1) Not applicable. Item 4 (1) Dankert moved to grant relief to the applicant because a tower is not being constructed and the facility is co-located on a tower. Seconded by Brown. All aye. (2)The existing facility complies with this requirement. (3) The existing facility complies with these requirements. (4) Not applicable to co-location. Item 5 (1) The existing tower has FAA marking but not FAA lighting. No additional marking or lighting is proposed or required by the FAA. (2) No response is necessary. Item 6 (1) No signage is proposed. (2) (A) Not applicable to this co-location application. (B) Not applicable to co-location. (3) Hickey noted the jail is brown and the proposed Verizon Wireless equipment shelter will utilize a sunset pebbled aggregate finish to blend with the natural surroundings. (4) Because this project is merely a co-location, only a short EAF was completed. (5) The Planning Board determined that they are not interested in landscaping for this project as the jail is on one side and the airport on the other. (6) Any existing on-site vegetation will be preserved to the maximum extent practicable. (7) No additional information is required beyond Exhibit I of the applicant's proposal. (8) Verizon Wireless will comply with this requirement. Item 7 (1) Access to the facility will be

over the existing asphalt parking lot. (2) Access to the facility will be over the existing asphalt parking lot. (3) As shown on the site plan, adequate parking exists at the site to accommodate the limited number of vehicular visits to the site. A small amount of additional parking will be added near the county-owned building. (4) As shown on the site plan, adequate vehicular turn-around exists at the site as the driveway is being widened. Item 8 (1) The existing tower is located inside the jail compound and surrounded by a 8 ft. fence with barbed wire on top. The proposed equipment shelter is located at the end of the existing parking lot and surrounded, on three sides, by a twelve ft. fence with barbed wire. Bollards are proposed at the end of the parking lot to ensure vehicles do not come in contact with the shelter. (2) No lighting is proposed. (3) No additions, other than the antenna's and associated cabling, are proposed for the tower. No climbing pegs will be installed. (4) Access to the County Jail property is limited to authorized vehicles only. A 24-hour camera will monitor vehicles entering the jail area so there will be no fence around the shelter. Item 9 (1) The site plan has the seal and signature of a licensed engineer and there is also a letter from a Texas engineer (Exhibit H). (2) No response necessary. (3) Again, see Exhibit H. (4) No response necessary. Item 10 (1) Verizon will be responsible for removing all equipment that they own. This is the agreement with the County and they will also provide an agreement for the Village. (2 & 3) Troy noted that, pending an amendment to the law permitting a waiver, the amount of the bond would have to be the minimum \$50,000. Item 11 Hickey has checked with Curtis and all requirements have been met.

Klepack moved that the applicant has met the special conditions required for co-location of a telecommunications facility as required by 304.06k of Zoning Law except as noted in Section 10 (1) which will be submitted at time of request for a building permit. Seconded by Brown. All aye.

The Board reviewed the General Conditions required for all Special Permits. Dankert moved that the Board finds that the applicant has met the general conditions specified in Section 304.05 of the Zoning Law. Seconded by Klepack. All aye.

Klepack moved to approve Special Permit No. 1715, Upstate Cellular Network d/b/a Verizon Wireless, to co-locate its equipment on the tower owned by Tompkins County and to use of ground space for equipment at the site of the Public Safety Building at 779 Warren Road, in the Business and Technology District, Tax Parcel No. 45.1-53.2. Seconded by Dankert. All aye.

### **Land Protection Strategies for UNA's:**

Hickey provided members with a pamphlet he received from the Environmental Management Council done about 2 years ago and stated he was most interested in the land protection strategies, scenic views, and buffering the UNAs. Hickey also circulated a map showing the cliffs in the Village. Presently there is an overlay district in the village but the only protection afforded is through the Special Permit process. Hickey wants the Board to think about setbacks from the cliffs and what distance members think should be maintained based on a standard minimum distance or percentage of slope. Leopold stated water sources such as lakes have recommended setbacks. Hickey stated the setback could increase the density on another part of the lot if the owner could not build on a sensitive part of his property. Another possibility might be to provide tax relief for property which is deemed unbuildable. Klepack felt an engineer is needed to provide assistance in this area. Leopold recommended geologists or someone with technical knowledge. Stycos would like to know why the cliffs are such a unique natural area. Curtis felt that if the Board was contemplating redoing the Conservation Combining District requirements, it should note that a one or two-family residence is classified as an exempt action and cannot be reclassified to require an environmental review (SEQR) under State law. Curtis stated it might be able to be done in a different manner as part of the Village's review process. Troy stated the smaller the parcel, the harder it will be to justify requiring a portion of it remain undeveloped. Hickey stated that for subdivisions the 6% land exaction could be taken along the bluff in whole or in part. The Board would like to continue discussion of this topic. Leopold has the name of someone in USGS who might be able to assist the Board and will discuss this with him and get back to Hickey.

### **Village Survey – Discussion:**

Hickey stated Stycos has been interested in a Village survey. Stycos attended a planning conference where she learned that planning and new regulations should be based on the desires of village residents and what they are willing to pay as well as technical information such as might be derived from census data. This would be important when discussing such items as the Village cliffs, the Village Center concept, future Village parks, the viewshed along N.

Triphammer Rd., etc. Stycos' husband would be willing to assist with a questionnaire if the Board thought that would be helpful. Her husband recommended working with Cornell's ILR to conduct the survey and analyze the results. Cross tabulation is costly but could be worthwhile. Stycos works at Cornell and has seen information about students possibly taking this sort of project as part of a class. Stycos also stated that mailed surveys typically receive the lowest number of responses; phone and personal contact produce better results. Hickey wondered if random sample surveys through the homeowner's associations would provide the desired information. Hickey also has had recent contact with Village Meadows and thought that the management there and possibly at other apartment complexes might be helpful.

**Comprehensive Plan – Update:**

Hickey stated the Comprehensive Plan is due for review in 2004 and a survey could elicit useful information for updating the plan. Hickey has begun gathering information for revising the plan based on the latest census.

**Urban Forestry Video:**

Hickey was impressed with the information circulated by Brown regarding park and street trees and the shade tree inventory. Klepack spoke with Steve Horn and was told to speak with Andy Hillman of the City Forestry from whom she learned that the inventory information should be placed on a computer base where it can be cross referenced with other pertinent information. Software is available to do this and Hillman will be sending Klepack information regarding this. Lee Oplinger, who works with Hillman, does city inventory work and would be willing to work with the Village of Lansing on this project. He has done this for the Village of Spencer at a cost of \$625 and will provide a disk with the data base as well as a hard copy. Klepack noted that he charges \$125 per day. Klepack will set up a meeting for Oplinger, Klepack and Hickey to discuss this project prior to April 15. Curtis recommended talking with Greg Potter regarding a proposal for higher resolution fly over maps for urban areas in the County. The scale of these maps might help the Village to identify and evaluate its trees. Klepack also noted that the national conference on urban forestry will be held in Ithaca next October.

Brown noted she is done with her research on viewsheds as she has exhausted many possibilities and there is very little information on the subject, not even a definition of the term.

**Approval of Minutes – Feb. 26:**

The Board reviewed the minutes for February 26<sup>th</sup>. Klepack moved to approve the February 26<sup>th</sup> minutes as revised. Seconded by Dankert. All aye.

**Adjournment:**

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