

**Village of Lansing
Planning Board Meeting
March 25, 2003**

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

- **Public Comment:**

Hickey opened the Public Comment.

Since there was no one present who wished to speak, Klepack moved to close the Public Comment period. Seconded by Brown. All aye.

- **Special Permit No. 1804, 9 Brown Rd.** – Continued Discussion:

Hickey stated this is a continued discussion for the proposed 48,700 sf building for Advion BioSciences to be located at 9 Brown Rd. Since the last meeting, the Board has received the revised 239 Review from the County Planning Dept. indicating that with modifications as proposed by the developer the proposed development has no negative inter-community or county-wide impacts.

Sieverding stated that at the March 10th meeting, Integrated Acquisition proposed to construct the filtration basin in Phase I as well as half of the sub parking lot detention system. In Phase II they had planned to finalize the sub parking lot detention system. Subsequent to that meeting, Sieverding has met with David Herrick, TG Millers, and they have re-evaluated their plans for stormwater detention. The new proposal which was sent to the County has the entire stormwater management being built in Phase I. Cross needs the calculations for the drainage area before giving his final approval.

Hickey noted that given the change, the County is satisfied with the stormwater detention. Hickey asked for clarification as to why it appears that the detention area is considerably smaller in length in the second submittal and he wanted to know if the capacity has changed. Herrick responded that the geometry of the area has changed and the total area of the underground storage is 2000 sf. The area is now broader rather than longer but the capacity for detention remains the same. There have also been additions for access to the system.

Cross feels his detention concerns have been addressed. Cross' calculations of the footprint show 48% in impervious surfaces which is lower than the 50% maximum allowed. Finally, Cross would still like to review the calculations for stormwater management prior to the issuance of the building permit. Herrick will review the State's generic site permit for mitigating factors regarding design storms. Herrick stated the site will conform to the new DEC regulations for rate of discharge of water runoff.

Hickey and the Board next addressed parking issues. Sieverding stated there would be a maximum of 150 employees plus visitors for Phase I which would then increase to 200 employees when the site is fully developed. Hickey stated the 30% land bank would allow for construction of only 199 parking spaces in Phase I. Sieverding stated that with no reduction the Zoning Law requires 284 parking spaces when both the new building and the existing building are both occupied. The 30% reduction would allow for 199 parking spaces with 85 in a landbank in several locations on the property. The 199 parking spaces would consist of 126 asphalt spaces, temporary gravel parking of 36 spaces and existing spaces of 37 to remain for a total of 199 spaces.

Hickey is favorable to the 30% reduction in parking spaces and feels it will improve the site by preserving existing trees. He noted, however, that the Zoning Law currently only permits a maximum 20% reduction. Unless the law is changed, as has been proposed, to permit a 30% reduction, a variance would be required. Sieverding stated that in Phase 2 when the original building is demolished there will be extra area for parking where that building now stands. There will also be a requirement for only 243 parking spaces in Phase 2 after the first building is demolished. The 199

spaces more than meets that requirement with the 20% reduction now permitted in the Zoning Law. If needed at a later date, the landbanked parking spaces would be developed. Curtis stated this would constitute a site improvement and require a separate building permit.

The Planning Board then completed SEQRA Part II. A- No B – No C1 – Review and approval by Village engineer will be required for erosion control, storm water management and drainage. C2 – None C3 – None C4 – This is consistent with the Comprehensive Plan as well as B & T Park. C5 – None C6 – None D – No.

Dankert moved that this proposed action will have no significant adverse environmental impact. Seconded by Brown. All aye.

The Planning Board then reviewed the General Conditions for all Special Permits in Section 304.05 of the Zoning Law. Hickey noted that the Board approves the 20% reduction in parking space requirements and wants it noted that the Board supports the 30% option if that is approved as either a change in law or a variance. Hickey stated a Landscape Plan and Lighting Plan will require approval at a later date by the Planning Board.

Klepack moved that the applicant has met all the General Conditions for a Special Permit. Seconded by Dankert. All aye.

Klepack moved to grant the 20% reduction in parking with additional land put in a land bank should additional parking spaces be needed in the future. Seconded by Brown. All aye.

A second condition would be that either the Village adopts the codification authorizing the 30% reduction in parking spaces which the Board could then grant to the applicant or the applicant must be granted a variance from the Board of Zoning Appeals (BZA). The Planning Board would send a letter of support or recommendation to the BZA for the 30% reduction should the codification not be adopted.

A third condition would be approval by the Village Engineer of site work, drainage and storm water management. A fourth condition of the approval is removal of the original building by 12/31/06. The fifth condition is submission and approval by the Planning Board of a Landscape Plan and by the Lighting Commission of a Lighting Plan. The last condition is submission and approval of a tree-removal plan.

Dankert moved to approve Special Permit No. 1804, Integrated Acquisition and Development to construct a 48,700 sf building for Advion BioSciences to include office space and testing laboratories at 9 Brown Road, in the Business and Technology District, Tax Parcel No. 45.1-1-55.9, subject to the conditions noted above. Seconded by Klepack. All aye.

911 Center – Update:

Hickey stated the next agenda item pertains to where the tower will be positioned for the 911 project. Mikel Shakarjian, from the County Administrator's Office informed the Board that she would like to update the Board on the progress of the building first. Regarding lighting, she stated that bid documents allow a contractor to propose light fixtures which meet the specifications, and she does not have the actual cut sheets for the Lighting Commission. Hickey recommended the entire package be presented to the Lighting Commission at one time rather than in piecemeal fashion. Leopold asked if there were any specific concerns regarding security lighting and Shakarjian felt there were none. Curtis will send Superintendent of Public Works Dennis Reinhart the materials submitted for his review prior to the meeting of the whole Lighting Commission. Should he have any concerns, he can contact Shakarjian directly.

The second topic Shakarjian wished to discuss was the 25 ft. parking setback. She noted space is constricted on the site and she would like feedback from the Board on how best to satisfy at least the intent of the setback. Due to the swale the parking can only be moved back in part of the site and a small berm installed. Hickey stated that the Board could approve no less than the setback required by law and any lesser setback must go before the BZA for a variance. Hickey stated options are to approach the BZA now or find a solution that met the requirement. There had been some suggestion that Brown Rd. might be re-built and that might provide an opportunity to meet the requirement. Klepack

asked about the possibility of placing the swale and culvert underground. Curtis suggested talking with the County regarding the moving of Brown Rd. and Shakarjian was unaware of this but would check. Curtis stated this would be a strong case for the BZA as the applicant would have done all that is possible to achieve the result without a variance and has proposed to put in a berm to meet the intent of the law and is asking for the smallest variance possible. Hickey stated that the Board would be satisfied with a letter-of-intent stating that the 25 ft. setback will be provided at a later date when Brown Rd. is rebuilt if that is in fact planned.

Moving on to the third topic, Shakarjian stated a determination on the exact siting of the tower is awaiting an engineering study. A proposed location has been chosen so the County could continue to submit applications for FAA and FCC permits. The engineering study will then confirm the site or propose another if there is a better alternative. The spot tentatively chosen is in the front of the building. The tower will be inside two fences – the outer security fencing going around the building and its own fencing. There is no housing structure anticipated as the equipment normally located in such a building will be in the 911 building. The height of the proposed tower is 100 ft. based on what they feel the FAA will approve. Troy asked about the existing tower at the jail and Shakarjian responded that they hoped to remove it. It has come to their attention, however, that there is a 20 or 25 year co-location lease on the existing tower with a commercial entity which is problematic for the County. It is unclear whether the relocation of this company's antennae to the new tower would be feasible. Troy noted the relocation of antennae currently on the existing tower may require that equipment housing be provided at the new tower. Currently, the County is seeking approval for the mono-pole tower to accommodate one commercial carrier which might be Verizon although it might need to be offered to the other company as well. Shakarjian stated there is no room for any outdoor shelter at this site. Hickey would like to know what is the alternate site if the engineering fails to confirm this site. Shakarjian responded that another site would be chosen. The proposed site works in terms of being in sight line with two other critical tower locations – the most important one being the one on Mt. Pleasant.

Shakarjian envisions having working groups for informal discussions to help the project along. She has spoken with John Majeroni, Cornell development, who would be willing to participate. Hickey stated he and Curtis would meet unofficially in a pre-development conference with the County and discuss the project prior to Board presentation.

Curtis asked about the distance of the pole to the building and the road. Shakarjian responded that it is about 40 ft. from the road and about 50 ft. from the building.

Amendment to Subdivision Regulations: Clustering:

Hickey gave the Board his final draft copy of the amendment to Subdivision Law Section 314 regarding cluster subdivision. Hickey would like to forward this to the Board of Trustees for their approval prior to sending it to the attorney for his review. Klepack recommended a couple of revisions. Hickey stated his goal was to provide additional guidance to developers. Hickey will have Willard make changes and have it given to the Board of Trustees for their agenda.

- **Landscaping Guidelines for CHT Parking Lots** – Klepack:

Hickey stated the next agenda item was to review the Draft Commercial High Traffic Guidelines. Hickey thanked Klepack for her work on this project. Revisions were made and Klepack will give the changed document to Willard for retyping for the Planning Board to review again.

- **Zoning Law Amendments**

Troy will have these to the Planning Board for the next meeting or before he leaves his position as Village Attorney. Hickey stated David Dubow will fill in for an unspecified time.

- **Approval of Minutes** – March 10:

Klepack moved to approve the March 10th minutes as revised. Seconded by Brown. Ayes by Brown, Klepack and Hickey. Abstain by Dankert.

Hickey will request a set of the design guidelines utilized by the Cornell B & T Park for Planning Board use.

Reports:

Hickey stated that he, Curtis and Cross met with Bob Miller today for another developer's conference to speed up the process for the Millcroft Subdivision because he would like to submit a preliminary plat in May. Many issues were resolved, but the issue of the entrance on Bush Lane was not resolved. Miller desired to run all the traffic into Craft Road and Janivar Drive and abandon the entrance on Bush Lane. Hickey was not agreeable to this. Miller will re-do the entranceway and may move it slightly. A winding trail is proposed for the site which they will maintain since it will be on private land. The 90 degree turn was also softened to a curve with a 150 ft. radius. Two roads will enter the site with one above Leifs Way and the other opposite Janivar Dr. The 6% will abut the Janivar Park to double the size of the park and will also include the trail.

Other Business as Time Permits:

Leopold asked about the dumpster area by Hollywood Video and the mess around it. The enclosure will fit one dumpster and there are three in the location. Curtis stated one is for grease and the full-size dumpster that was behind the strip mall had to be re located because it was in a fire lane. Hickey stated there is \$10,000 escrow being held and before it is returned, Curtis will continue to tell them what else needs to be done for compliance. Curtis stated that corporate headquarters is located in Buffalo and this is a slow process.

Hickey has spoken with Katherine Wolf, Trowbridge & Wolf, and the open space proposal should be forthcoming this week and Hickey will ask the Board of Trustees to review it prior to the Planning Board's review.

Hickey has received a phone call from David Putnam regarding Graham Rd. West and Pyramid Mall. Hickey stated the Mayor wants to take over Graham Rd. West as is. Pyramid Mall wants the foot of Catherwood Road and of Pyramid Drive where they cut into the ring road. They would be given those pieces and the Village would take Graham Road West. Subsequently, the Village has learned it does not own Catherwood Road. When Route 13 was built, Mr. Catherwood got the State to acquire that strip of land so his parcel would not be landlocked and as far as anyone knows NYS still owns Catherwood Road.

Adjournment:

Dankert moved to adjourn at 9:20 P.M. Seconded by Klepack. All aye.