

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Wednesday, September 10, 2003, in the Village Office.

Present: Mayor Donald Hartill; Trustees Larry Fresinski, Janet Beebe, Lynn Leopold, Frank Moore; Supt. Of Public Works Dennis Reinhart; Clerk/Treasurer Jodi Dake; Clerk P/T Carol Willard.

Donald Hartill called the meeting to order at 12:18P.M.

Carol asked that all newsletter articles be to her by September 26th. She would like to have the newsletters mailed by October 14th so that residents would have two weekends to get their brush out. Brush pick up is scheduled for the week of October 27th.

The original target date for completion of the codification was September however the new target date is January 2004. A section went to Dave Putnam at TG Miller's, then to the attorney's office. When we get it back from Dubow we will start producing the final draft. We are missing the original notes, which Carol had made but we can still reproduce it from the computer.

Carol continues to do fire inspections. Ben was at Pyramid Mall when we had the power outage so he alerted Carol of many stores that were not in compliance. The number of stores not in compliance surprises Carol. TJ Maxx was the first store that Carol inspected that had everything in place and she did not have to return for a follow up inspection.

Carol took two code courses in May & June and one on her own in July. She would like to take the last two code courses, which are \$37, each plus mileage. The courses are 24 hours but Carol proposed that she would only submit it as the 16 hours she is to work in a week.

Resolution #3993-To Authorize Carol Willard to Take the Two Remaining Code Courses, Pay the Fee and Mileage to Attend the Courses with the Stipulation That She Will Submit Her Time as One Weeks Work for Each Course.

Trustee Leopold moved that this resolution be adopted and Trustee Beebe seconded the motion. A vote was taken:

| | | |
|--------------------------|--------------------------|---------------|
| Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee Larry |
| Fresinski-Aye | Trustee Lynn Leopold-Aye | |
| Trustee Janet Beebe-Aye | | |

The Mayor commented that Carol has been doing a good job with the inspections.

Janet had a petition regarding off site betting. She has learned that if this is allowed it would be going in the old cinema building behind Triphammer Plaza. The petition is to get this decision to go to permissive referendum.

The Recreation Partnership has continued support from Tompkins County but unsure what the financial support will be. Janet will be taking a new position at Cornell so she will not be able to attend the Recreation Partnership meetings that take place during the day. The Mayor stated that we would get a sub for her.

Lynn stated that she would not be at the Monday September 15th meeting. Lynn has been attending the Intermunicipal Organization (IO) meetings but they have not been able to vote on anything because they haven't had a quorum in over a year. They want to change the bylaws so that it only requires 6 people instead of 9 to vote. Lynn would like to appoint an alternate to go when she can't. Lynn pointed out the IO Newsletter that was in the Pennysaver, which she helped create.

Lynn reported that the Planning Board is getting a significant amount of neighborhood dissent regarding the Lansing Trails Phase 2 proposal currently under consideration. The Lansing Trails Phase 1 residents have indicated that they do not want an east-west road connection in their neighborhood. It was also acknowledged that they have also suggested to the Board of Trustees that the Planning Board be increased to 7 members so those two additional representatives from their neighborhood could sit on the Board. The Trustees felt that that area already has three representatives. Piscopo, Hickey & Klepack all live in that area. The Lansing Trails residents are frustrated because they can speak during the Planning Board's public comment period, but there is no discussion as part of that public comment process. However, it was pointed out that the residents have had a lot of input during public hearings, special informational sessions of the Planning Board and special meetings with the neighborhood residents. The Planning Board has considered many different road designs as part of the developer conferences and sketch plan review process, and the neighbors' concerns have been discussed and taken into consideration. Process still seems to be a problem for the neighbors. The continuing question is which scenario will work best. It was explained that a development this size needs two ways out which the current residents are against. Frank stated that you can't always get what you want but that doesn't mean you haven't been heard. We are in the business of protecting our residents. Don stated that any increase in the amount of traffic will likely be generated by the residents of the subdivisions, and the amount of others traveling through the neighborhood is probably only going to be 10% at most. Lynn stated that she would not be able to attend the next Planning Board meeting so she asked if another Trustee could attend. The Board agreed that it is very important to always have a Trustee at the Planning Board meetings.

Larry alerted everyone to the computer viruses and worms that are currently going around. The Village is somewhat protected because of the router. He will check the computers to make sure that we are running scans.

The Board completed a SEQR for Proposed Local Law C and found that the proposed action will not result in any significant adverse environmental impacts. Therefore, the following resolution was presented

Resolution #3994- SEQR Review of Proposed Local Law C

WHEREAS:

- A. This matter involves consideration of the following proposed action:

Adoption of Proposed Local Law C (2003) to amend the Zoning Law to
clarify and supplement certain permitted uses in certain zoning districts
and requirements related thereto;

at the following location:

Village of Lansing 2405 N. Triphammer Rd. Ithaca, NY; and

- B. This proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is designated as the Lead Agency for environmental review; and
- C. On September 10, 2003, the Village of Lansing Board of Trustees, as Lead Agency, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative

determination of environmental significance ("Negative Declaration") in accordance with SEQR for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and

2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing Negative Declaration, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

Trustee Fresinski moved that this resolution be adopted and Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Fresinski-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore-Aye
Trustee Lynn Leopold-Aye

Trustee Larry

**Resolution #3995- To Adopt Local Law C as Local Law 3 of 2003
to Amend the Zoning Law to Clarify and Supplement Certain
Permitted Uses in Certain Zoning Districts and Requirements
Related**

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE AND INTENT.

The purpose and intent of this Local Law is to amend Sections 202.07, 202.08, 202.09, 203.04, 304.06, 602 and 603 of the Village of Lansing Zoning Law so as to (i) clarify the intent as to permitted uses in the Commercial Low Traffic (CLT) District, (ii) clarify the Office/Studio/Service and Sales/Repair/Maintenance categories of uses by removing from such categories all food and beverage related uses, (iii) create two new categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage), (iv) create a third new category of uses providing for certain low level technology activities (Low Impact Technology), (v) clarify the permitted uses in the High Density Residential (HDR) District so as to eliminate any category of food and beverage services; (vi) clarify the permitted uses in the Business and Technology (BTD) District by adding a certain category of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) (vii) clarify and supplement the permitted uses in the CLT District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), (viii) clarify the permitted uses in the Commercial High Traffic (CHT) District by adding certain categories of uses related to lower impact food and beverage services (Low Traffic Food and Beverage) and higher impact food and beverage services (High Traffic Food and Beverage), (ix) clarify the off-street parking requirements for certain categories of uses, (x) clarify the Additional Conditions applicable to certain Special Permit uses related to a certain category of uses providing for lower impact food and beverage services (Low Traffic Food and Beverage) in the Business and Technology District (BTD), (xi) expand the Chart of Uses to include the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology), and (xii) more particularly describe specific examples and types of activities which are consistent with the descriptive terms associated with certain generally described uses, including the newly created categories of uses providing for two levels of food and beverage services (Low Traffic Food and Beverage and High Traffic Food and Beverage) and lower impact technology activities (Low Impact Technology).

SECTION II. AMENDMENT.

- A. Section 202.07 [entitled "Commercial Low Traffic District (CLT)"] of the Village of Lansing Zoning Law is hereby amended so as to add at the end of the introductory paragraph thereof (entitled "Intent") the following additional sentence:

The further intent of this subsection is to define and establish permitted uses with respect to which traffic generation, site design and architectural design are consistent with (i) the other permitted uses in this district and (ii) all applicable standards and design guidelines, it being understood that all improvements should conform with the applicable CLT District Design Guidelines (to which Guidelines all applicants for permits and approvals are directed).

- B.** Section 202.07 [entitled “Commercial Low Traffic District (CLT)”] of the Village of Lansing Zoning Law is hereby further amended so as to add as a permitted use under subsection ‘c’ thereof (entitled “Permitted Use With Special Permit: General Conditions”) the following additional sublistings 14 and 15:

14. Low Traffic Food and Beverage
15. Low Impact Technology

- C.** Section 202.08 [entitled “Commercial High Traffic District (CHT)”] of the Village of Lansing Zoning Law is hereby amended so as to add as permitted uses under subsection ‘c’ thereof (entitled “Permitted Use With Special Permit: General Conditions”) the following additional sublistings 15 and 16:

15. Low Traffic Food and Beverage
16. High Traffic Food and Beverage

- D.** Section 202.09 [entitled “Business and Technology District (BTD)”] of the Village of Lansing Zoning Law is hereby amended so as to add as a permitted use under subsection ‘d’ thereof (entitled “Permitted Use With Special Permit: General and Additional Conditions”) the following additional sublisting 3:

3. Low Traffic Food and Beverage

- E.** Section 203.04 [entitled “Number of Parking Spaces Required”], subsection e. [entitled “Office/Studio/Service”] of the Village of Lansing Zoning Law is hereby amended so as to delete sublistings 1 and 2 (referring to restaurants with or without bars), such amended subsection 203.04 e. to read in its entirety as follows:

- e. Office/Studio/Service

One parking space for each 200 square feet of Gross Floor Area except for offices of doctors, dentists, physical therapists and veterinarians, which require (i) four spaces for each doctor, dentist, physical therapist and veterinarian, and (ii) one space for each office employee;

- F.** Section 203.04 [entitled “Number of Parking Spaces Required”], subsection h. [entitled “Sales/Repair/Maintenance”] of the Village of Lansing Zoning Law is hereby amended so as to delete sublisting 1 (referring to bars and taverns) and modify sublisting 2 (for the purpose of removing any reference to restaurants), such amended subsection 203.04 h. to read in its entirety as follows:

- h. Sales/Repair/Maintenance

One parking space for each 300 square feet of Gross Floor Area except for drive-in/drive-through facilities such as ice cream stands, banks, etc. for which parking and driveway areas must be shown to be adequate for the proposed use, such adequacy being of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists;

- G.** Section 203.04 [entitled “Number of Parking Spaces Required”] of the Village of Lansing Zoning Law is hereby further amended so as to add new subsections k., l and m., such new subsections 203.04 k and 203.04 l and 203.04 m to read in their entirety as follows:

k. Low Traffic Food and Beverage

Restaurant without bar: One parking space for each 100 square feet of Gross Floor Area;

Restaurant with bar: two parking spaces for each 100 square feet of Gross Floor Area;

l. High Traffic Food and Beverage

Bar or tavern: two parking spaces for each 100 square feet of Gross Floor;

Restaurant (with or without bar) with drive-in/drive-through and/or carry-out service; bar or tavern with carry-out service; exclusively drive-in/drive-through, carry-out and/or similar services: parking and driveway areas must be shown to be adequate for the proposed use, such adequacy being of primary importance where the possibility of impeded traffic flow on a main thoroughfare exists;

m. Low Impact Technology

One parking space for each 300 square feet of Gross Floor Area.

H. Section 304.06 [entitled “Additional Conditions for Certain Special Permit Uses”], subsection g. (2) [entitled “Office/Studio/Service in BTD: Permitted subject to the following conditions:”] of the Village of Lansing Zoning Law is hereby amended so as to delete subclause (ii) thereunder (referring to restaurant with or without bar), such amended subsection 304.06 g. (2) to read in its entirety as follows:

(2) Office/Studio/Service in BTD: Permitted subject to the following conditions:

(i) Doctor, dentist, physical therapist, veterinarian, barber, beauty shop, tutoring, photographic, tailoring uses shall not be permitted.

I. Section 304.06 [entitled “Additional Conditions for Certain Special Permit Uses”] of the Village of Lansing Zoning Law is hereby further amended so as to add a new subsection n. [to be entitled “Low Traffic Food and Beverage in BTD”], such new subsection 304.06 n. to read in its entirety as follows:

n. Low Traffic Food and Beverage in BTD

Food and beverage services shall be prohibited except:

(a) Employee cafeteria food and beverage service within a building (which building is being used for a permitted use) serving employees at that building only shall be permitted; and

(b) Additional food and beverage service providers shall be permitted subject to the following conditions and restrictions:

1. Food and beverage services shall be provided only to occupants of the buildings located within the Business and Technology District, including employees of the businesses located in such District.
2. Such food and beverage service use shall be located within and operated from a building in the Business and Technology District and shall not occupy more than five (5%) of the gross square foot area of any such building.
3. Such food and beverage service area may provide limited on site seating.

4. No signage of any kind for such food and beverage service area shall be allowed on the outside of any building or at any other location within the Business and Technology District for advertising, identification or other purposes. Interior identification signage shall be permitted only at the entrance to the space occupied by such food and beverage service provider, which signage shall conform in all respect to the signage standards for such building.
5. Such food and beverage service area shall be open for business only during the regular business hours of those businesses located within the Business and Technology District, and under no circumstances shall be open earlier than 8:00 A.M. or later than 6:00 P.M.
6. Any such food and beverage service provider shall be prohibited from mailing or otherwise disseminating flyers, menus, brochures or any other advertising outside of the confines of the Business and Technology District.
7. Any such food and beverage service provider shall be allowed to accept orders for food and beverages to be picked up by or delivered to occupants (including employees) of the buildings within the Business and Technology District, and shall be further allowed to visit buildings within the Business and Technology District with food carts and similar mobile apparatus intended for the delivery of permitted food and beverage products.

J. Section 602 [entitled "Chart of Uses"] of the Village of Lansing Zoning Law is hereby amended so as to add new sublistings 37, 38 and 39, such new sublistings to read in their entirety as follows:

| | | |
|-----|--------------------------------|-----------------|
| 37. | Low Traffic Food and Beverage | CLT* CHT* BTD** |
| 38. | High Traffic Food and Beverage | CHT* |
| 39. | Low Impact Technology | CLT* |

K. Section 603 [entitled "Typical Uses; Categories of Use"], subsections 603.19 [entitled "Office/Studio/Service"] and 603.25 [entitled "Sales/Repair/Maintenance"] of the Village of Lansing Zoning Law, are hereby amended so as to delete all references to restaurants, bars, taverns and other food and beverage establishments from each such subsection and to add physical therapy as a permitted use under subsection 603.19, such amended subsections to read in their entirety as follows:

603.19 Office/Studio/Service

Architect; insurance; lawyer; realtor; doctor; dentist; physical therapy; veterinarian (includes animals under treatment), secretarial; printing; multi-copying; testing lab; administrative office; adult education and training; barber; beauty shop; tutoring; photographic; tailoring.

603.25 Sales/Repair/Maintenance

All retail soft and hard goods; Laundromat; cleaners; bank.

L. Section 603 [entitled "Typical Uses; Categories of Use"] of the Village of Lansing Zoning Law is hereby further amended so as to add new subsections 603.37, 603.38 and 603.39, such new subsections to read in their entirety as follows:

603.37 Low Traffic Food and Beverage

Sit-down restaurant with or without bar where food is consumed on premises and where there is no drive-in/drive-through or similar service and where there is no carry-out service except such

limited carry-out as may be clearly incidental to the primary business of on-premises dining; employee cafeteria [food service within a building (which building is being used for a permitted use) serving employees at that building only].

603.38 High Traffic Food and Beverage

Restaurant with or without bar which includes drive-in/drive-through, carry-out and/or similar services; exclusively drive-in/drive-through and/or carry-out food and beverage establishment; bar or tavern.

603.39 Low Impact Technology

Small scale manufacturing and technology having few if any nuisance characteristics; the scale of operations utilizes primarily services such as UPS, Postal Service, Federal Express with little or no tractor trailer traffic and no loading docks; examples are: data processing/computer centers; laser technology applications; communications equipment service and repair; medical laboratories; research, testing design and training applications; custom small industry (production, assembly and packaging).

SECTION III. EFFECTIVE DATE.

This Local Law shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

Trustee Leopold moved that this resolution be adopted and Trustee Fresinski seconded the motion. A vote was taken:

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|--------------------------|--------------------------|---------------|
| Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee Larry |
| Fresinski-Aye | Trustee Lynn Leopold-Aye | |
| Trustee Janet Beebe-Aye | | |

Donald Hartill introduced the following:

Resolution #3996- Abstracts of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 4 for the General Fund, in the amount of \$370,026.07, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 4 for the Water Fund, in the amount of \$1,647.40, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 4 for the Sewer Fund, in the amount of \$342,182.86, is hereby approved for payment

Trustee Beebe moved that this resolution be adopted and Trustee Fresinski seconded the motion. A vote was taken:

| | | |
|--------------------------|--------------------------|---------------|
| Mayor Donald Hartill-Aye | Trustee Frank Moore-Aye | Trustee Larry |
| Fresinski-Aye | Trustee Lynn Leopold-Aye | |
| Trustee Janet Beebe-Aye | | |

Mayor Hartill informed the Board that there is another meeting Friday with Rich of Fisher Associates to discuss the N.

Triphammer Road Project. Fernando de Aragon, MPO Director, has accepted the expansion project (South intersection of Pyramid & N. Triphammer Rd.). We are on schedule and should be ready to go out to bid in February. Don wrote to Albert Vetter, Regional Planning & Program Manager for NYSDOT, regarding an increase in the federal fund allocation for the N. Triphammer Rd. Project and he concurs that this increase in the project should be undertaken. Fernando will be processing a TIP amendment through ITCTC to increase the approved cost of the project.

Don has a sewer meeting with Dave Herrick & Dave Putnam to resolve the final EIS stuff.

Don asked Dennis when the road striping would be done. Dennis stated that it was on County contract and that we were on the list. With all the rain they are behind schedule but it will be done. Lynn stated that Burdick Hill also needed striping. Vestal will be doing the crack sealing once it gets cooler. N. Triphammer Road will be slurry sealed. The bad spots on Sheraton Dr. have been repaired and Grant Street Construction will raise the manholes so that Suite-Kote can repave at the end of September. We lost another flow meter to lightning. The meters are grounded and show no sign of this but that is what the company is saying. Don believes the company has an electrical problem. The company has agreed to replace the meter and provide surge protectors at $\frac{1}{2}$ price. Don suggested ordering a spare flow meter at that price also.

Mayor Hartill left the meeting.

Dennis reported that the Eagle Scouts have completed the footbridge. The bridge still needs to be stained. Frank asked if whoever was staining the bridge would be wearing respirators. Dennis will supply them. The Eagle Scouts have also volunteered to clean out the pond. Dennis would like to see water lilies planted up there. Kirksway was supposed to start on the trail Monday but got hung up and will start next Monday.

Motion- To Adjourn

Trustee Leopold moved for adjournment. Trustee Beebe seconded the motion. A vote was taken:

Trustee Frank Moore-Aye
Trustee Janet Beebe-Aye

Trustee Larry Fresinski-Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 1:20pm.

Jodi Dake
Village Clerk