

**Village of Lansing
Planning Board Meeting
April 12, 2004**

The meeting of the Village of Lansing Planning Board was called to order at 7:35 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert and Maria Stycos; Alternate Member John Piscopo; Trustee Liaison Lynn Leopold; Attorney David Dubow; Code Enforcement Officer Ben Curtis; and members of the public.

- Hickey opened the meeting and activated Alternate Member, John Piscopo, to serve as an acting member in the absence of Carol Klepack.

- **Public Comment:**

Hickey then opened the Public Comment period.

As there was no one present who wished to speak, Dankert moved to close the Public Comment period. Seconded by Stycos. All aye.

- **Public Hearing: Special Permit No. 1910 – Construction of Temple:**

The first item on the agenda was a Public Hearing for Special Permit No. 1910, Congregation Tikkun v'Or to construct a 3600 sf temple on the lot on the northwest corner of Burdick Hill Road and North Triphammer Road in the Low Density Residential District, Tax Parcel No. 42.1-1-53.21.

- Bob Libby, Chairman of the Congregation's Building Committee, introduced Peter Trowbridge of Trowbridge and Wolf who would make the presentation. Trowbridge stated the proposed facility is located in both the Medium Density Residential District as well as the Low Density Residential District. Trowbridge stated the religious facility is a permitted use in both zoning districts. The proposed building is 3600 sf. and 30 ft. in height and the lot is approximately 4.31 acres. The building is situated lengthwise parallel to North Triphammer Road with the driveway entrance on Burdick Hill Road. Trowbridge stated there are important views of the lake toward the northwestern corner. The building faces the distant views to the northwest and the southwest. It is a one story building with a gabled roof and a cupola. The building is primarily wood with sky lights on the roof. Trowbridge also depicted a possible building expansion to the south if needed in the future. Trowbridge stated the parking lot grade has been reduced so the elevation would be 9 feet lower than presently which will minimize impact on views for those traveling on N. Triphammer Road. Parking is proposed for 37 cars. Curtis noted that the parking would need to be 25 ft. from the front property line and buffering would be required. Trowbridge stated that although public water is available for the site, a septic system would be required as public sewer is not available for the site. The setbacks for a private system will be met. To meet the requirements, the leach field would be placed on the other side of the creek through a 4 inch line. Storm water retention is also proposed for the site near the parking area. Lighting has also been addressed and light will not trespass off the site; a Lighting Plan will be submitted to the Lighting Commission at a later date. Plants have also been proposed which are non-invasive as well as deer resistant. Evergreen shrubs have been proposed, as well as lilacs and forsythia. Trowbridge stated soil from the parking area will be used as a berm under the plantings or spread over the field near N. Triphammer Road.

Hickey then opened the Public Hearing.

John O'Neill, 53 Janivar Drive, asked about when the exterior lighting would be utilized. Libby responded that the lighting would be on only when the temple was in use. O'Neill felt the two residents in the vicinity would be appreciative of that as well as any future residents in the area. O'Neill also asked about future plans for recreation on the site since it is a 5 acre parcel. Libby responded there might be an educational wing added which is the only proposed addition for the future and the timeframe is unknown.

As there was no one else who wished to speak, Brown moved to close the Public Hearing. Seconded by Dankert. All

aye.

Hickey asked about the Lighting Plan and whether there would be security lights provided since the building is isolated and the Village does not have its own police force. Libby stated they had not planned to have them. Hickey stated it would be wise to consider them at the onset rather than to come back later for an amended lighting plan.

Hickey also reflected on the church built across from his residence which had a small congregation. Parking was provided in two lots on the site but on occasion parking is also required on both sides of the driveway leading up to the building. Hickey wanted to know the size of the congregation for this site and whether additional parking needs had been considered and where would it be located if it was needed. Libby stated there are approximately 110 families in the congregation with seating for 60 people but additional seats may be required for high holidays. Dankert asked about the number of parking spaces. Hickey noted that the Zoning Law requires 1 parking space for 4 seats. Libby stated the need for parking for Friday services is for about 1 person per parking space. Hickey asked if parking could be moved to the north. Trowbridge stated that is not possible without encroaching on the stream setback. Hickey stated additional parking could be provided to the west across the stream. Trowbridge stated the parking is pretty tight to meet all setback requirements from the lot lines as well as the stream.

Brown asked about the chosen vegetation. Trowbridge stated the plants are local and hopefully are deer resistant.

Stycos asked about the viewshed. Trowbridge stated the best views are from the corner of Burdick Hill Road and N. Triphammer Road and part of the roof and the cupola would be in the view. Trowbridge also stated that depressing the site would make the parking area less visible. Trowbridge also stated that building up the berm would also make the elevation from N. Triphammer Rd. about 5-6 feet lower than the line of sight from the road.

Hickey asked about the concern of the Village Engineer regarding the location of a dumpster. Libby stated there would not be a dumpster; garbage would be placed at the curb. Hickey then reviewed other comments by the Engineer who was not present. The Engineer felt the driveway and parking areas were very clean and should work well. The drainage scheme seems to be a reasonable strategy although it has not been fully engineered at this point in time. The Engineer noted he did not see a photo of a site light pole or its location but this will be a condition for approval of a Light Plan. Although the Engineer did not care for the idea of having the sanitary sewer cross the stream, there were limited options due to the 100' required setback from the steam course.

Hickey also noted the County Dept. of Planning has provided a 239 Review dated 4-8-04. The County has reviewed the proposal and has determined it has no negative inter-community or county-wide impacts. Comments offered by the County reference the fact that the parking setback should be at least 25 feet from the front property line. The County is also pleased to see that the impact of this locally recognized view has been minimized due to modifications to the building and parking elevation. The County also supports the decision to locate the entrance driveway on Burdick Hill Road to minimize additional curb cuts on N. Triphammer Road.

Dubow made it a part of the record that his firm represented the Congregation in their acquisition for this property and this has been the extent of their involvement.

Curtis expressed concerns about the parking and wanted to know if the applicant could address overflow parking if needed so that parking would not overflow onto Burdick Hill Road and North Triphammer. Libby felt that this would seldom occur. Hickey stated this would be a big safety concern if parking were to overflow the site near the intersection of Burdick Hill and North Triphammer Roads as this is already a dangerous intersection. A condition for approval would be a plan to accommodate overflow parking on site or off, with valet parking if necessary. Hickey stated the Board needs to be certain that there be no parking on Burdick Hill Road or N. Triphammer Road under any circumstances. Trowbridge stated the detention basin could be moved to accommodate this and will be considered and an amended site plan prepared.

Hickey noted that a SEQRA is not required because this is a Type II exempt action. The Planning Board then reviewed the General Conditions for all Special Permits in Section 304.05 of the Zoning Law. Item D has been addressed through either valet parking or additional on-site parking.

Dankert moved that the applicant has met all the conditions for a Special Permit under Section 304.05 of the Zoning Law. Seconded by Brown. All aye.

Brown moved the following resolution to approve Special Permit 1910:

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT APPROVAL ADOPTED
ON APRIL 12, 2004

WHEREAS:

- A. This matter involves consideration of the following proposed action: Special Permit No. 1910, Congregation Tikken V'Or to construct a 3600 sf temple on the lot on the northwest corner of Burdick Hill Road and North Triphammer Road in the Low Density Residential District, Tax parcel No. 42.1-1-53.21.
- B. The Village of Lansing Planning Board, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR), and 6 NYCRR Section 617.5, hereby determines that the approval of the proposed special permit is a Type II action, constituting under subsection "c (7)" of said 6 NYCRR Section 617.5 "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities," and thus may be processed without further regard to SEQR; and
- C. On April 12, 2004, the Village of Lansing Planning Board held a public hearing regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by and on behalf of the applicant(s) in support of this proposed action, (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and
- D. On April 12, 2004, in accordance with Section 725-b of the Village Law of the State of New York and Sections 304, 305 and 306 of the Village of Lansing Zoning Law, the Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOW:

1. The Village of Lansing Planning Board hereby finds that the proposed action meets (i) all general conditions required for all special permits (Village of Lansing Zoning Law Section 304.05), (ii) any applicable conditions required for certain special permit uses (Village of Lansing Zoning Law Section 304.06), and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Zoning Law Section 305); and
2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 1910 is hereby granted and approved, subject to the following additional conditions and requirements:
 1. **Approval by the Village Engineer of storm water management plan, erosion control, parking and site work.**
 2. **Approval of exterior lighting plan by the Village of Lansing Lighting Commission.**
 3. **Approval by the Village of Lansing Planning Board of a detailed off street parking plan – on-site, valet, or other.**
 4. **Approval by the Tompkins County Health Department of a septic construction permit.**
 5. **Provision of required parking set back and parking lot buffer.**

Seconded by Piscopo

The vote on the foregoing motion was as follows:

AYES: John Piscopo, Doris Brown, Phil Dankert, Edward Hickey and Maria Stycos

NAYS: none

The motion was declared to be carried.

Amendment to Small Mall PSA for Cooke Cadillac Chevrolet:

Hickey stated the next item on the agenda was a proposed amendment to the Small Mall Planned Sign Area for Cooke Cadillac Chevrolet.

Will Cooke, made the presentation by giving a brief history of the business. The present proposal is to retain one free standing sign and to add four new building mounted signs totaling 349.65 sf. In order to satisfy both entities, Cooke is requesting four signs equaling 250.65 sf and one free standing General Motors sign of 99 sf for a total of 349.65 sf. Previously approved was 243 sf so an additional 106.65 sf is being requested. One of the four building mounted signs would be the light bar discussed at a previous meeting. Cooke stated the light bar would not be located on the eastern and southern sides of the building. Cooke feels this amount of signage including the light bar is necessary to provide visibility for his business, particularly as the trees and bushes along Rt. 13 have grown over the years and there is little prospect that they will be cut back or trimmed.

Dubow stated the Planning Board would be making a recommendation to the Board of Trustees and must determine whether allowing the additional 106.65 sf is a minor or major amendment to the Planned Sign Area. Hickey noted that the PSA covers both Cookes and the Small Mall and the Board has received a letter dated 2-6-04 from I. Stanley Goldberg, President of Bishops of Ithaca, indicating support for the proposed action. Piscopo asked when the lights would go out. Curtis explained that lit signs must either be turned off by 10:00PM or when the business is closed whichever is later and that many businesses have their signs on timers. Cooke stated this sign proposal is being strongly pushed by General Motors and Cooke's ability to provide the required signage impacts the evaluation of his business. Board members were concerned about corporations dictating what the Village allows and about setting precedents. Leopold questioned the banners at Cooke presently and Curtis stated they would come down when the new signs were installed. Stycos felt this was not so much a matter of corporate dictation as that of a small businessman trying to survive.

Hickey felt this would be a minor amendment especially as no one had spoken in opposition to the proposal.

Brown asked for clarification of the PSA. Curtis stated that PSAs vary within the Village. For Pyramid Mall, there is a gross amount of allowable sign area for the entire Mall. For this PSA, there is an allowable amount per business and each is independent of the other. Curtis stated that the Board should classify the light bar as a sign and note that additional approved sign area would apply specifically to the light bar and would not grant the business additional sign area for other types of signs in the future. Piscopo asked if the size of the building has changed. Cooke stated it has remained the same since 1978 although the signage has changed because the name of the business has changed as the brands of cars sold there have changed over the years.

Cooke felt the installation of the light bar would be a 100% improvement for the business as it would be attractive and the banners could be removed.

Dankert moved that this proposal would be a minor amendment to the Planned Sign Area. Seconded by Piscopo. All aye.

Hickey stated the Planning Board has already determined that a light bar is considered a sign. Hickey moved to recommend an additional 106.65 sf of signage to William Cooke for a total of 349.65 sf of which 137.35 sf will accommodate the light bar on the north and west sides of his business. Seconded by Brown. All aye. This will be sent to the Board of Trustees for final action. It was noted that in the future, the additional sign area would only be for

the light bar.

Lansing Trails 2 Subdivision Trustees Authorization:

Hickey stated the next item on the agenda was authorization from the Planning Board to allow Chairman Hickey to send a recommendation to the Board of Trustees to request authorization for clustering.

First, the Board reviewed the sketch plan SK-2R dated 02/04. Hickey noted the corrections requested by the Planning Board have been made by Clough, Harbour & Associate engineers. Hickey noted that the lots on Ayla Way remain incorrect and should depict 4 lots rather than 3 lots; this will be corrected on the preliminary plat. The connection to Craft Road through the previously dedicated parkland for Lansing Trails I is also shown as well the delineated open space. The site data is located on the plat and shows the gross area and then the breakdown. Total units allowable are 194 with 75 units in Lansing Trails I and the remainder of 119 units in Lansing Trails II. The Planning Board and developer have agreed to lower the density to 100 units in Lansing Trails II. This now equates to a total density of 175 units rather than the 194 units.

Stycos was concerned about traffic. Hickey provided a copy of the letter he sent to Fisher Associates asking them about traffic impacts for the development. Hickey is awaiting their response. Hickey is also awaiting a traffic analysis to be done by Ivar Johnson's engineers.

Hickey stated that in order to continue the approval process for this subdivision proposal, the Board would need approval from the Board of Trustees to proceed with clustering. Dubow stated the SEQRA review would be one of the next things done by the Board and there will be a formal review at that time.

Dankert moved to authorize Hickey to forward a request to the Board of Trustees to authorize the Planning Board to proceed with Ivar Johnson's application for a cluster subdivision in Phase II of Lansing Trails Subdivision. The Planning Board is also requesting the Board of Trustees direct the Village Attorney to initiate the necessary legal action that will allow the Village to alienate the existing parkland in Lansing Trails and relocate it to a more central location so that a road can be constructed between Leifs Way and Lansing Trails II along the northern boundary of the subdivision. Seconded by Brown. Hickey stated he has written a draft explaining the history of the project since 1993. Hickey would also like to add another paragraph to his draft letter identifying the current density of Lansing Trails and pointing out the 88 multi-family attached residences. A vote was taken. All aye. This will be placed on the Trustees' agenda for April 19.

Other Business as Time Permits:

Brown wanted to discuss the parking on Bush Lane in front of the Bergman home occupation. Hickey stated Curtis must be notified when there is a violation and then he can proceed. Curtis stated he has spoken with the Sheriff's Office and they can ticket vehicles on Bush lane where the "no Parking" signs are. Curtis stated the issue is more complicated, however, because it turned out that at least one of the cars that the neighbors were complaining about was actually parking on Brook Way where there are no signs. In fact, when Bergman tried to get a variance to provide parking on his property, the BZA suggested he have his clients park on Brook Way.

Curtis has been working on the drainage problems on Ayla Way. Curtis stated the water draining across the field has impacted the resident on the corner of Leifs Way and Janivar Drive. Curtis has told the contractors that this must be remedied. Curtis is under the impression that Ivar Johnson will be installing a ditch with a 10 inch pipe as well as a catch basin at the bottom of the hill to resolve the problem. Village Engineer Cross will be required to sign off on this. Curtis stated he was told that the resident at 38 Janivar Drive granted approval for this remedy.

Dankert was interested in the workshop in Rochester entitled Creating Walkable Communities scheduled for June 16 and 17. Dankert will contact them for an agenda.

Reports:

Trustees: Hickey stated the meeting was about budget. Hickey stated the N. Triphammer Road project will be spread over two year with utilities this year and paving next year. This was necessitated by a last minute requirement by the State for a second lane for the Route 13 southbound off ramp for those traveling north on N. Triphammer Road.

Hickey also mentioned that Dart Drive will be resurfaced this year and he will be pushing for traffic calming measures.

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Adjournment:

Stycos moved to adjourn at 9:05 P.M. Seconded by Dankert. All aye.