

**Village of Lansing
Planning Board Meeting
March 14, 2011**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:35 P.M. by
2 Chairman Mario Tomei. Present at the meeting were Planning Board Members, Phil Dankert, Maria
3 Stycos, and Lisa Schleelein; Alternate Board Member Jonathan Kanter; Trustee Lynn Leopold; Code
4 Enforcement Officer Marty Moseley; Village Attorney David Dubow; and Community Party Observers
5 Tob and Joan DeBoer.
6

7 Tomei appointed Kanter as an acting member for the meeting due to the absence of Planning
8 Board member Richard Durst.
9

10 **Public Comment Period**

11 Tomei opened the public comment period. Joan and Tob DeBoer introduced themselves as the
12 Community Party Observers. With no one else to speak, Stycos moved to close the public comment
13 period. Seconded by Schleelein. Ayes by Tomei, Stycos, Dankert, Schleelein, and Kanter.
14

15 **Further Discussion of 145-60(N)**

16 Tomei explained that the Planning Board decided to send a recommendation to the Board of
17 Trustees in their last meeting, but held back item #6 which pertained to the hours of operation. Tomei
18 recommended that the hours of operation be 5:30 a.m. to 6:00 p.m., since the Tompkins County Airport
19 restaurant currently opens at 5:30. Schleelein stated that traffic should not be an issue. Kanter added
20 that if the restaurants opened as early as 5:30 a.m., then the other businesses would probably not be
21 open which would allow for more parking. Tomei noted that the provisions that were to be
22 recommended to the Trustees included language prohibiting the sale of alcoholic beverages. Tomei
23 added that the Airport does sell alcoholic beverages. Dankert asked if the Airport had a bar. Moseley
24 indicated that he was not sure if they currently sell alcoholic beverages, but they have in the past.
25 Schleelein asked what the intent was for the Airport to sell the alcoholic beverages. Dankert asked if
26 they would be grandfathered in. Dubow indicated that they might be able to be grandfathered into the
27 zoning depending on when they started the sale of the alcoholic beverages. Dubow added that the
28 Marriott hotel is not considered a Low Traffic Food and Beverage because they had their own special
29 permit which pertained to the hotel and the restaurant. Moseley noted that, based on a discussion with
30 Dubow, the minimum criteria for a Low Traffic Food and Beverage use located within the B&T (Business
31 and Technology) (Park 145-60(N) could not be altered by Planning Board action to accommodate a
32 particular restaurant. Dubow asked if they are under the maximum area of 2000 square feet and the
33 maximum number of seats. Moseley indicated that he was not sure if the restaurant was under the 2000
34 square feet, but that they were in compliance with the maximum seating capacity. Dankert asked if the
35 Airport was in compliance with the maximum seating capacity. Moseley indicated that he was uncertain.
36 Kanter noted that it was his understanding that the original intent of the proposed changes to section
37 145-60(N) was to not allow an establishment to serve alcoholic beverages well into the night. Kanter
38 added that there are hours of operation which would not allow an establishment to serve alcohol past
39 6:00p.m. Dubow added that it his recollection that the Marriott is only allowed to serve breakfast.

40 Tomei noted that he agreed with Kanter about the intent of the proposed amendment. Dubow pointed
41 out that the businesses could serve an alcoholic beverage during the day.

42 Schleelein noted that if the sale of alcoholic beverages became an issue it could be addressed at
43 a later point in time. Dubow explained that if a current business sold alcohol in accordance with the
44 Village's regulations it would be grandfathered in and any future amendments would affect only new
45 businesses wanting to open or current businesses being altered. Schleelein pointed out that the original
46 intent of section 145-60(N) was to maintain the area as a Business District and not to convert it to a
47 Commercial District. Moseley noted that the sale of alcoholic beverages was not an issue under the
48 current Zoning Law provisions and has only now become an issue as a result of the new proposed
49 changes.

50 Dankert moved that under proposed amendment to Section 145-60(N) of the Zoning Law the
51 language pertaining to the sale of alcoholic beverages be removed.

52 Stycos pointed out that it might not be a good idea to allow a person to have an alcoholic
53 beverage in the middle of the day and then return to work. Dubow explained that an argument could
54 be made that a person could also drive to a restaurant that serves alcohol and then drive back to work,
55 in which case the Village would have no jurisdiction over that activity. Dubow noted that if the sale of
56 alcoholic beverages was to be prohibited, then the Village would very likely have to take the position
57 that the Airport and the Marriott would be grandfathered. Leopold asked if the Park Grill Café owners
58 have expressed interest in selling any alcoholic beverages. Dubow pointed out that the provisions that
59 are currently in the Village Code under Section 145-60(N) were enacted in 2003. Dubow added that,
60 thus far, there has not been an issue with the sale of alcoholic beverage with any of the entities. Stycos
61 noted that Cornell has owned and managed the café until recently, and now it is owned and operated by
62 private individuals. Dankert asked if Cornell has their own set of restrictions that are imposed on their
63 tenants. Leopold noted that Cornell has a party every year at which alcohol is served. Tomei explained
64 that the original intent of the proposed language was aimed at the entities not being permitted to serve
65 alcoholic beverages late into the night, but, based on the operating hours that are established, it would
66 be very difficult for a business to turn into something like a bar. Schleelein agreed with Tomei and
67 Kanter on the proposed intent. Leopold added that the location is not appealing for the sale of alcoholic
68 beverages. Dubow noted that the language used in the hours of operation specifically deals with the
69 normal hours of operation for the businesses within the B&T Park. (A motion had been previously made
70 by Dankert in line 50) Seconded by Schleelein. Ayes by Tomei, Dankert, Schleelein, and Kanter.
71 Abstention by Stycos.

72 Dubow noted that there should be some language governing a Low Traffic Food and Beverage
73 use located outside of the B&T Park, but still within the confines of the B&T District. Moseley explained
74 that if the Planning Board approved a special permit for a Low Traffic Food and Beverage use that
75 included additional signage, it would be allowed. Dubow indicated that he agreed. Schleelein noted that
76 signs along Warren road should not be allowed for restaurants. Tomei explained that the Marriott Hotel

77 had installed some signs along Warren Road, but there is a difference between a restaurant with limited
78 hours of operation and a hotel that is open 24 hours a day. Tomei added that if an individual were to be
79 looking for a hotel at night, they might have a tough time finding it unless there were signs installed.
80 Dubow pointed out that the Planning Board's recommendation would still permit the signs that are
81 currently installed along Brown Road. Dubow noted that at the February 22nd meeting there seemed to
82 be a discrepancy on whether or not some sort of signage would be allowed on Warren Road, which
83 could possibly be located at the intersection of Brown Road and Warren Road. Dubow asked the
84 Planning Board for clarification on whether additional signage would or would not be permitted along
85 Warren Road. Schleelein asked if the three signs that have been installed would be allowed to stay
86 under the proposed language for the B&T Park PSA (Planned Sign Area). (The first sign is located at the
87 intersection of Thornwood Drive and Brown Road, and is located on Brown Road facing north if heading
88 towards the intersection of Brown Road and Route 13. The second sign is located on Brown Road after
89 the Tompkins County Airport facing east if headed toward the intersection of Brown Road and Warren
90 Road. The third sign is located on Brown Road headed east in between the intersection of
91 Warren/Brown Road and the intersection of Brown/ Thornwood Road, and is facing west.) Schleelein
92 added that the Park Grill Café also has an "open" sign located in front of their establishment, and they
93 also have some interior identification signage. Tomei noted that Levon Brewer had asked the Village to
94 investigate the Marriot Hotel signs and see if they are allowed to have them. Schleelein explained that
95 two signs for the Marriott might be too many, but maybe the two signs help for the night drivers.
96 Schleelein added that the hotel is a different type of use that could have different needs associated with
97 it. Dubow noted that he was unsure if the Village could require the Marriott signs to be removed due to
98 the fact that they have been in use for several years, and one could argue that either affirmatively or by
99 default the signs were approved or authorized at some point in the past. Leopold added that she agreed
100 that the Marriott signs are justified because of the night time arrivals. Stycos added that people who
101 generally stay at hotels are from out of the area, and the people who would be eating at the Low Traffic
102 Food and Beverage uses in the B&T District would be local individuals. Dubow stated that the sign for
103 the Marriott is not much different from the directional sign for the Homewood Suites hotel that was
104 installed along Triphammer Road. Dubow added that it is a use that people do need direction to when it
105 is not obvious how to get to a hotel. Dubow noted that if at a later point in time the Planning Board feels
106 that a Low Traffic Food and Beverage use deserves a sign on Warren Road, the Planning Board can
107 always revisit the topic and recommend changes to the Board of Trustees. Tomei asked for a motion to
108 recommend changing the hours of operation in section 145-60(N) as indicated above; i.e., from 5:30
109 a.m. to 6:00 p.m.) Moved by Schleelein. Seconded by Kanter. Ayes by Tomei, Dankert, Schleelein, Stycos,
110 and Kanter.

111 Kanter asked about the B&T Park PSA amendment. Dubow indicated that the Planning Board
112 should discuss that topic and possibly make a recommendation to the Trustees since the PSA can only
113 be amended by the Board of Trustees. Stycos asked if the three directional-way finding signs would fall
114 under the B&T Park PSA requirements. Dubow indicated that the three directional signs did fall under
115 the B&T Park PSA, but only to the B&T Park and not the B&T District. Dubow added that the B&T Park is
116 a subset of the B&T District. Mr. DeBoer asked what was written on the street signs that have been

117 included in the discussion. Schleelein indicated that the words "Park Grill Café and Catering" are on the
118 signs. Dubow read the language that was proposed for the B&T Park PSA, which reads:

119 **B&T Park PSA**

120 (1) *No signage of any kind for such food and beverage service area shall be allowed along*
121 *Warren Road or New York State Route 13. Such food and beverage service use shall be*
122 *allowed three (3) directional signs within the Business and Technology Park with*
123 *approval from both the Cornell Business and Technology Park and the Village of*
124 *Lansing Board of Trustees. One parcel number and name sign shall be permitted near*
125 *the driveway exit/entrance for the building in which such food and beverage service*
126 *use business is to be located.*

127
128 Stycos noted that if another café opened in the B&T Park, they too would be allowed to have three
129 directional signs. Kanter asked if all the members had the slightly revised version of the B&T Park PSA
130 language. Moseley indicated that he had incorporated some language directly from the B&T Park PSA.
131 Moseley added that the reason for this was that the B&T Park PSA defined a parcel number and name sign.
132 Tomei asked for a motion to recommend the proposed B&T Park PSA amendments to the Board of
133 Trustees. Moved by Kanter. Seconded by Stycos. Ayes by Tomei, Dankert, Schleelein, Stycos, and Kanter.

134 **Approval of Minutes**

135 Dankert moved to accept the minutes, as corrected, of January 25, 2011. Seconded by Stycos. Ayes
136 by Tomei, Dankert, Schleelein, Stycos, and Kanter.

137 **Reports**

138 *Trustees- Dankert reported on the March 7th meeting (for a more in depth report, please see the*
139 *minutes of that meeting).* Dankert noted that there was a public hearing for a shift of operations, for
140 Silicon Solar, from a non-empire zone to an empire zone. Dubow gave a brief explanation for the reason
141 Silicon Solar needed the Board of Trustees approval prior to moving their operations outside of the
142 Village. Dankert noted that all the Trustees and Planning Board members will be receiving pay increases
143 as part of the proposed 2011-2012 budget. Dankert stated that most of the meeting was consumed with
144 the proposed Lansing Reserve proposal. Dankert noted that there were some very interesting and
145 important questions raised at the meeting. Dubow added that some of the questions that were asked of
146 the Trustees would be difficult to answer at this time since sufficient information may not have been
147 provided and the project is at a very early stage of review. Dankert noted that traffic ingress and egress
148 was one of the major concerns voiced by the residents. Dubow explained that the PDA (Planned
149 Development Area) review process is a very long and comprehensive process. Schleelein asked who the
150 new owner is of the Dart parcel that is closest to Warren Road. Schleelein commented that the old Dart
151 parcel of land closest to Warren Road could also be developed. Dubow noted that both the Trustees and
152 the Planning Board should look at the overall development scheme for all three of the Dart parcels.
153 Dankert stated that the western Dart parcel could be the most challenging to develop. Leopold noted
154 that there could be a substantial amount of traffic associated with the build out of all three parcels.
155 Dubow explained that there should be a traffic analysis performed, which analysis should presumably

156 include and address the anticipated traffic generation from the fully developed three parcels. Dubow
157 added that certain Village regulations address the interconnection of neighborhoods. In anticipation of
158 any review of the proposed Lansing Reserve project, Dubow suggested the Planning Board look over the
159 Village's Comprehensive Plan, and specifically pages #22 - #30. Dankert explained that another concern
160 raised at the Board of Trustees meeting was management of the development. Tomei indicated that
161 Hartill stated that affordable housing does not mean section eight housing. Dubow suggested that all of
162 the Planning Board members look over the Lansing Reserve preliminary proposal recently submitted.
163 Leopold asked if Conifer Reality was proposing to develop some housing on the western portion of the
164 Dart properties. Moseley indicated that he has not received any type of documentation at this point in
165 time and it is all hearsay at this point in time. Kanter noted that he had worked through the proposed
166 Full EAF (Environmental Assessment Form) submitted as part of the Lansing Reserve preliminary
167 proposal and there were some corrections that need to be made. Dubow stated that if the Trustees
168 allow this to PDA proposal to make it to the Planning Board then the Planning Board members can
169 weigh in on it. Schleelein asked for a clarification on the difference between items #16 and #17 on the
170 Full EAF. Kanter noted that #16 is asking the amount of trash the development will produce, but not
171 during the construction period. Kanter added that #17 is asking if the development will be used for a
172 landfill site or for a similar purpose.

173
174 **Other Business**

175 Tomei noted that Moseley handed out some simple lighting guidelines, noting that the Village
176 does not have any formal lighting regulations at this point in time, only guidelines. Leopold asked Kanter
177 if the Town of Ithaca had adopted a lighting ordinance. Kanter indicated that they did, and that the
178 Planning Board members should look over that document for a reference point. Dubow suggested that
179 the Board could arrange for someone to attend a Planning Board meeting and discuss lighting
180 regulations, which session could also be considered a continuing educational seminar for which the
181 Planning Board members could receive training credits. Kanter noted that he would talk to some people
182 that he knew to see if they would be willing to talk about lighting at a future meeting. Leopold asked if
183 the Village's lighting regulations could be constructed in a way that would allow the malls in the Village
184 to become compliant if any changes were to occur. Moseley indicated that it would be similar to the
185 building codes, where if a certain amount of work is being performed then it would need to be brought
186 into compliance. Tomei noted that the Village has a Lighting Commission, which includes John Courtney
187 (Superintendent for the Village of Lansing Department of Public Works), Lynn Leopold (Village of Lansing
188 Trustee), and Phil Dankert (Village of Lansing Planning Board Member). Leopold added that anyone
189 could join the Lighting Commission if interested. Schleelein indicated that she would like to join.

190 Schleelein asked if the Village had heard anything about the status of the Lansing Meadows
191 project or if there were any timelines associated with the Lansing Meadows PDA that the Planning Board
192 needed to be aware of. Dubow indicated that the PDA shall be reviewed on an annual basis. Dubow read
193 from Village Code Appendix A-2, the Planned Development Area, which states:

194 *The PDA shall be subject to annual review by the Planning Board and action by the Board of*
195 *Trustees as to the level of progress made toward completion of the project in accordance with*
196 *the final development plan or an authorized modification of said final development plan.*
197

198 **Adjournment:**

199 Dankert moved to adjourn at 9:00P.M. Seconded by Kanter. Ayes by Tomei, Dankert, Schleelein,
200 Stycos, and Kanter.