

**Village of Lansing  
Planning Board Meeting  
March 12, 2012**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Chairman  
2 Mario Tomei.

3 Present at the meeting were Planning Board Members Maria Stycos, Lisa Schleelein, and Phil  
4 Dankert; Alternate Member Jon Kanter; Code Enforcement Officer Marty Moseley; Village Attorney  
5 David Dubow; Trustee Liaison; Lynn Leopold; Community Party Observer Andrew and Kathleen Yen;  
6 Daniel Hirtler and Joanne Florino representing the Triad Foundation; Joel Abrams representing the Butler  
7 estate; and Robert Halpin, and Andy Patel representing Visions Hotel.

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

10

11 **Public Comment Period**

12 Tomei opened the public comment period.

13 With no one wishing to speak Schleelein moved to close the public comment period. Seconded by  
14 Stycos; Ayes: Tomei, Dankert, Stycos, Schleelein, and Kanter.

15

16 **Public Hearing to Consider:**

17 Tomei opened the public hearing for:

18 Special Permit 2630, The Triad Foundation Inc., to construct an approximate 1744 square foot  
19 addition on an existing office building at 15 Ascot Place in the Commercial Low Traffic District, Tax  
20 Parcel No. 45.2-1-46.16. Because the proposed addition is being constructed in the Commercial Low  
21 Traffic District, and because the proposed use and activity will occur within 200' of the centerline of a  
22 stream included in the Drainageway Conservation Combining District, Special Permit review is required  
23 pursuant to Section 145-42D(1) and 145-48C(1) of the Village of Lansing Code.

24 Hirtler explained that the addition is approximately 1744 sq. ft., which would house four offices.  
25 Hirtler added that they are proposing eight parking spaces to satisfy the Village Code, which would move  
26 parking closer to the entrance and would also shorten the accessible route for handicapped individuals.  
27 Hirtler proposed to have the additional parking made out of permeable paving to allow for stormwater  
28 runoff to absorb into the ground through the permeable paving prior to being directed into the stormwater  
29 facility. Hirtler noted that the rainwater from the proposed roof system on the addition would be directed  
30 to the existing stormwater facility.

31 Tomei asked what the extent of the tree removal would be for the proposed addition.

32 Hirtler indicated that they would only remove trees up to about six feet away from the proposed  
33 addition, which would only be about six or seven trees.

34 Florino noted that some of the trees in question should be removed because they are already dead  
35 and increase the potential of hitting the existing building.

36 Hirtler noted that they would also remove trees around the parking area that could potentially fall  
37 on vehicles.

38 Tomei asked about exterior lights.

39 Hirtler stated that they would be relocating one exterior light and potentially installing one  
40 additional exterior light pole that is a bollard style light with a 100 watt metal halite bulb that would direct  
41 the light towards the ground. Hirtler added that there is a possibility that they might not install the  
42 additional light. Hirtler added that the lights are approximately four to five feet tall. Hirtler added that the  
43 other exterior lighting would be for the exterior landings at the doors and on the exit path. Hirtler  
44 indicated that they are proposing to have accent lighting on a tree to be able to light the walkway and the  
45 exterior landings, which are 21 watt LED lights in three different locations. Hirtler noted that the LED  
46 lights would also be downward facing as well.

47 Leopold, Schleelein, and Dankert noted that if the lights are downward facing they should be ok  
48 to install.

49 Hirtler noted that they are also proposing a motion-sensored flood light that is pointed towards  
50 the basement and also toward the Montessori School.

51 Schleelein asked about the length of time that the lights are on at night.

52 Florino indicated that the lights are on a timer.

53 Moseley indicated that he has received the proof of mailings.

54 Dubow noted that this project does not require a formal SEQRA review due the small size of the  
55 addition. Dubow added that it does require a certain amount of environmental attention due to the  
56 proximity of the addition to the identified drainage way.

57 Kanter asked if the Triad Foundation feels that they need the full eight parking spaces.

58 Florino noted that with meetings and with three to four visitors at one point in time with the  
59 employees, eight spaces could be utilized at times.

60 Tomei read the Engineers report:

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**VILLAGE OF LANSING**  
**ENGINEER'S REPORT**

DATE: March 12, 2012

68 TO: Planning Board

69

70 FROM: Brent Cross, Village Engineer

71

72 RE: Special Permit for Triad Foundation Addition

73

74 I have reviewed the Site Plans as prepared by Daniel Hirtler, RA, dated 1/16/12, in consideration of  
75 compliance with the Village of Lansing requirements for Special Permit approval. I have the following  
76 comments and observations:

77

78 1. The additional parking area is located such that there is no impact on traffic patterns. I usually  
79 recommend 24' wide aisle for two way traffic, but since this is such a low volume traffic use, I think that  
80 20' wide aisle will be adequate.

81

82 2. Although the site is not large enough to require a full SWPPP by NYSDEC, the additional run-off from  
83 the new impervious surfaces of the roof and parking area should to be addressed for purposes of basic  
84 quantity and quality treatment. As per conversation with Mr. Hirtler, he will have TG Miller take a look  
85 at the stormwater run-off and provide any engineering details to address the new run-off. I told him that it  
86 is general practice to have the Planning Board make the stormwater plan as a condition requirement  
87 before issuance of building permit. The stormwater plan should also indicate the necessary provisions for  
88 erosion and sedimentation control during construction.

89

90 3. The existing building is already provided with all of the necessary utilities, and no new utilities are  
91 needed for the new space.

92

93 4. I do not see any potential negative impacts on the stream course to the south of the existing/new  
94 building.

95

96 I recommend that this project be approved for Special Permit with the condition that a stormwater  
97 management plan be provided to the Village Engineer for review/approval prior to issuing a building  
98 permit.

99

100 Kanter pointed out that Hirtler indicated, in a letter presented to the Board, that there is no record  
101 of any wetlands being identified by either the N.Y.S. Department of Conservation or the Army Corps of  
102 Engineers.

103 Dubow noted that the Planning Board could approve a reduced number of parking spaces (less  
104 than what the Code requires) for an applicant, if desired.

105 Florino noted that she would like to have the eight spots.

106 Tomei asked for a motion to close the public hearing. Moved by Dankert. Seconded by Stycos;  
107 Ayes by Tomei, Dankert, Stycos, Schleelein, and Kanter.

108

109 Tomei read the required special permit general conditions as follows:

110 (1) It will not be detrimental to or endanger the public health, safety or general welfare.

- 111                   (2) *It will not be injurious to the use and enjoyment of other property in the vicinity or*  
112                   *neighborhood.*
- 113                   (3) *It will not impede the orderly development of the vicinity or neighborhood and is*  
114                   *appropriate in appearance and in harmony with the existing or intended character of the*  
115                   *vicinity or neighborhood.*
- 116                   (4) *The street system and off-street parking facilities can handle the expected traffic in a*  
117                   *safe and efficient manner.*
- 118                   (5) *Natural surface water drainageways are not adversely affected.*
- 119                   (6) *Water and sewerage or waste disposal facilities are adequate.*
- 120                   (7) *The general environmental quality of the proposal, in terms of site planning,*  
121                   *architectural design and landscaping, is compatible with the character of the*  
122                   *neighborhood.*
- 123                   (8) *Lot area, access, parking and loading facilities are sufficient for the proposed use.*
- 124                   (9) *The requested use or facility conforms in all other respects to the applicable*  
125                   *regulations of the district in which it is located.*
- 126                   (10) *The applicant has shown that steps will be taken where necessary to meet all*  
127                   *performance standards and all other applicable general regulations.*

128                   Tomei asked for a motion that all general conditions have been met. Moved by Kanter. Seconded  
129                   by Schleelein; Ayes by Tomei, Dankert, Stycos, Schleelein, and Kanter.

130                   The Board members discussed what conditions should be attached to any approval of the special permit,  
131                   and Tomei read the following proposed special permit resolution:

132                     
133                   *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT APPROVAL*  
134                   *ADOPTED ON MARCH 12, 2012*

135

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137                   *Motion made by:                   \_\_\_\_\_ Lisa Schleelein \_\_\_\_\_*

138

139                   *Motion seconded by:               \_\_\_\_\_ Maria Stycos \_\_\_\_\_*

140

141                   **WHEREAS:**

142  
143 A. *This matter involves consideration of the following proposed action: Special Permit 2630,*  
144 *The Triad Foundation Inc., to construct an approximate 1744 square foot addition on an*  
145 *existing office building at 15 Ascot Place in the Commercial Low Traffic District, Tax Parcel*  
146 *No. 45.2-1-46.16. Because the proposed addition is being constructed in the Commercial*  
147 *Low Traffic District, and because the proposed use and activity will occur within 200' of the*  
148 *centerline of a stream included in the Drainageway Conservation Combining District,*  
149 *Special Permit review is required pursuant to Section 145-42D(1) and 145-48C(1) of the*  
150 *Village of Lansing Code; and.*  
151

152 B. *The Village of Lansing Planning Board, in accordance with Article 8 of the New York State*  
153 *Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR),*  
154 *and 6 NYCRR Section 617.5, hereby determines that the approval of the proposed special*  
155 *permit is a Type II action, constituting under subsection "c (7)" of said 6 NYCRR Section*  
156 *617.5 "construction or expansion of a primary or accessory/appurtenant, non-residential*  
157 *structure or facility involving less than 4000 square feet of gross floor area and not involving*  
158 *a change in zoning or a use variance and consistent with local land use controls, but not*  
159 *radio communication or microwave transmission facilities," and thus may be processed*  
160 *without further regard to SEQR; and*  
161

162 C. *The Village Code Enforcement/Zoning Officer has determined that the proposed action is not*  
163 *large-scale and therefore is not subject to a full and extensive environmental review under*  
164 *the Village of Lansing Zoning Law; and*  
165

166 D. *On March 12, 2012, the Village of Lansing Planning Board held a public hearing regarding*  
167 *this proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and*  
168 *information presented by and on behalf of the applicant in support of this proposed action,*  
169 *including information and materials related to the environmental issues, if any, which the*  
170 *Board deemed necessary or appropriate for its review, (ii) all other information and*  
171 *materials rightfully before the Board, and (iii) all issues raised during the public hearing*  
172 *and/or otherwise raised in the course of the Board's deliberations; and*  
173

174 E. *On March 12, 2012, in accordance with Section 725-b of the Village Law of the State of New*  
175 *York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the*  
176 *Village of Lansing Planning Board, in the course of its further deliberations, reviewed and*  
177 *took into consideration (i) the general conditions required for all special permits (Village of*  
178 *Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special*  
179 *permit uses (Village of Lansing Code Section 145-60), (iii) any applicable conditions*  
180 *required for uses within a Combining District (Village of Lansing Code Section 145-61), and*  
181 *(iv) any environmental issues deemed necessary and/or appropriate;*  
182

183 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

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186 1. *The Village of Lansing Planning Board hereby (i) determines that the environmental*  
187 *information and materials submitted by the applicant and the details thereof are reasonably*  
188 *related to the scope of the proposed project; (ii) waives the necessity for any additional*  
189 *environmental information otherwise required; and (iii) finds that the proposed project will*  
190 *not have a significant adverse impact on the environment; and*

191

192 2. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*  
193 *requirements, if any, set forth below) that the proposed action meets (i) all general conditions*  
194 *required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*  
195 *applicable conditions required for certain special permit uses (Village of Lansing Code*  
196 *Section 145-60), and (iii) any applicable conditions required for uses within a Combining*  
197 *District (Village of Lansing Code Section 145-61); and*

198

199 3. *It is hereby determined by the Village of Lansing Planning Board that Special Permit No.*  
200 *2630 is **GRANTED AND APPROVED**, subject to the following conditions and*  
201 *requirements:*

202

203

204 a. *The stormwater management plan shall be provided to and approved by the*  
205 *Village of Lansing Engineer prior to issuing the Building Permit.*

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210 *The vote on the foregoing motion was as follows:*

211

212 *AYES: Mario Tomei, Lisa Schleelein, Jon Kanter, Maria Stycos, and Phil Dankert*

213

214 *NAYS: None*

215

216 The motion was declared to be carried.

217 **Potential Zoning Amendment:** *Consideration of allowing motel/hotel use to be added to the*  
218 *Commercial Low Traffic (CLT) district regulations.*

219 Abrams explained that the specific piece of property that he would like to see a hotel on is in  
220 between the CIAO! Restaurant and the Imperial Buffet. This piece of property is currently owned by the  
221 Butler estate.

222 Dubow noted that the individuals that are presenting to the Planning Board have also presented  
223 this idea to the Board of Trustees, who then decided to ask for Planning Board input. Dubow explained  
224 that this would ultimately be the Board of Trustees decision to possibly amend the Village Code since a  
225 hotel use in this zoning district is currently not permitted.

226 Halpin stated that the Trustees expressed concern with the increased traffic for this particular use.  
227 Halpin noted that the material that they have provided to the Board indicates that the traffic would  
228 actually be a decrease in comparison to a restaurant. Halpin added that the specific proposal is for an 83-  
229 room, moderate grade, extended-stay hotel.

230 Patel noted that this would be similar to the Homewood Suites hotel, but it would not have the  
231 swimming pool or the conference rooms and would be less expensive. The price point of the hotel would  
232 be between 70 and 90 dollars depending on how many nights a person stays. Patel indicated that there is  
233 also a full kitchen in the rooms.

234 Schleelein asked who typically would stay at this type of hotel.

235 Patel indicated that business-oriented people and professionals would occupy the premises most  
236 of the time.

237 Kanter asked if a person could rent for only one night.

238 Patel indicated that would be possible.

239 Dubow noted that this hotel proposal is not project specific and would require the entire CLT  
240 district being amended to permit a hotel use unless a use variance is requested and granted.

241 Leopold noted that the Village intended to have the buildings built closer to Triphammer Road  
242 and try to make it feel more like a village rather than have large parking lots along the Triphammer Road  
243 corridor. Leopold added that it seemed that the configuration that has been submitted is not in  
244 conformance with those regulations.

245 Patel noted that they could alter the building location if needed. Patel added that landscaping is a  
246 key component to the hotel.

247 Kanter noted that a building of that height would be the tallest building on Triphammer Road.

248 Dubow noted that the entire CLT district maximum height is 35 feet.

249 Patel suggested that an "L" shaped building might be a better fit for the area.

250 Abrams indicated that he thought that they would be able to meet the height restrictions for the  
251 Village Zoning. Abrams added that the hotel would work with the YMCA. Abrams also added that there  
252 would be no visible parking on Triphammer Road. Abrams pointed out that a restaurant would produce

253 about four to five times more traffic than an extended-stay hotel. Abrams noted that an extended -stay  
254 hotel produces less traffic than an ordinary hotel.

255 Tomei questioned the traffic comments since people still traverse at various points of the day to  
256 and from their destinations.

257 Patel noted that “we just don’t have the traffic that a restaurant does,” especially with the  
258 extended-stay hotel.

259 Halpin indicated that there is not a concentrated point in time that all of the traffic would be  
260 exiting the hotel, and the traffic would be spread out over the day instead.

261 Patel indicated that they would expect that a hotel in this area would be about 60-70 percent  
262 occupancy on average and with that there would probably only be 40-50 cars associated with those  
263 occupied rooms, which is still less than a restaurant.

264 Leopold noted that if a hotel is allowed in this proposed location in the CLT area, then a hotel  
265 would be able to be built any place in the CLT zone. Leopold was concerned about the impact on the  
266 residential neighborhoods.

267 Patel noted that if a hotel did not have a restaurant or conference center it would lessen the impact  
268 on traffic. Patel asked if the Village would possibly approve a hotel without a conference center and  
269 restaurant.

270 Dubow noted that if the Village felt compelled to do so, they could define an extended-stay hotel  
271 specifically for the purposes of being used in the CLT district.

272 Stycos asked how many parking spaces are required for a restaurant about the size of CIAO!

273 Moseley indicated that it would be approximately 84 parking spaces.

274 Stycos noted that the hotel would need a certain number of parking spaces per room, and unlike a  
275 restaurant the parking spaces would not be used by multiple people during a short period of time. Stycos  
276 added that the Planning Board should also take that into consideration when thinking of traffic impact.

277 Patel indicated that he thought they would be able to accommodate the required parking spaces  
278 on the site.

279 Halpin noted that this drawing that is in front of the Planning Board is just a conceptual drawing.

280 Dubow pointed out that the Village Code provides for 1 1/4 parking space per rented room.

281 Stycos asked if Patel would consider a smaller hotel.

282 Patel indicated that could be a possibility but to a limited extent.

283 Leopold asked if all of Patel hotels were built in locations that had the appropriate zoning.

284 Patel indicated that they are currently working through a zoning change in the Town of Erwin so  
285 they can build a hotel. Patel added that if the Village were to allow a limited services hotel it would



286 probably have less of traffic impact than some of the other uses that are allowed in the CLT District. (no  
287 pool, no restaurant, no conference areas, etc.)

288 Schleelein noted that she was concerned about the rest of the CLT area and not specifically this  
289 site.

290 Stycos indicated that she was worried about the potential impact of increased traffic on Dart Dr.  
291 from people coming from the airport to stay at a hotel in this particular area.

292 Dankert noted that Dart Dr. already sees a lot of traffic and the amount of traffic this hotel would  
293 generate would probably have a little impact on the road, due to the extensive traffic that already travels  
294 the road.

295 Halpin noted that all of the concerns are valid, but the item to think about is how to make the  
296 change. If the description of the hotel were to reflect something similar to a limited services hotel  
297 (extended stay), then it might fit in better to the CLT District than other permitted uses.

298 Stycos noted that if the Village felt that they should allow a hotel in the CLT, there should be a  
299 room limit for the hotel. Stycos added that something around a 50 room maximum might be appropriate.

300 Patel indicated that 50 rooms would not be enough and they probably would not build here if that  
301 were to be the case because the franchise would not approve them to build it. Patel added that they are  
302 spending 950,000 dollars on the land and if they were to shrink the size of the hotel too much they would  
303 not be able to build and make money. Patel indicated that he could reduce the number of rooms to 76, but  
304 that would probably be the minimum.

305 Kanter asked if a two story building could be built instead of a traditional three story.

306 Patel indicated that the franchises don't like the look of the two story hotels. Patel didn't think a  
307 franchise would approve a two story hotel.

308 Kanter noted that this is a similar issue to what the Town of Ithaca dealt with regarding the  
309 Country Inn and Suites past Ithaca College. That particular building started out larger and was ultimately  
310 reduced in size. Kanter noted that a company sometimes indicates that they will not build a certain style  
311 or size, but ultimately they will accept a different design, size, or style. Kanter posed the question to the  
312 Planning Board of what does the Village want North Triphammer Road to look like? Kanter added that he  
313 felt that this would be out of character with North Triphammer Road due to the height. Kanter noted that  
314 if the Village were to allow a hotel in the CLT District, the hotel might be a shorter building. Kanter  
315 added that the Planning Board might also take a look at the CLT District permitted uses and height  
316 requirements to determine if they are all acceptable.

317 Stycos noted that a two story "L" shaped hotel would be much more manageable.

318 Patel indicated that the franchise would work with the Village to fall within the current height  
319 requirements or the looks of the building.

320 Kanter noted that the Village could allow a height variation for a hotel if they felt it appropriate.  
321 It would not have to be only a two story.

322 Abrams noted that this location is a desirable location for a hotel because everything is accessible  
323 by walking (shopping, eating, and other business).

324 Patel noted that he would talk to the franchise to discuss the possibility of having a variation of  
325 two- and three-story building.

326 Kanter asked if Patel could come back with other images or designs of the mixed two- and three-  
327 story hotel that was discussed.

328 Abrams indicated that the proposed hotel would be blocking the proposed and existing parking  
329 lots in that area. Abrams added that with the proper landscaping, it would be an improvement to the area.

330 Patel invited the Planning board to visit his other hotels.

331 Kanter noted that in 20 to 30 years the malls might not be in business any more, which would  
332 provide very nice opportunities for redevelopment.

333 Tomei indicated that the Planning Board would discuss this further at future meetings.

334 Kanter noted that there are sections in the Comprehensive Plan that are relevant to this discussion  
335 and should be looked at.

336 Dubow suggested that all Board members look at all of the permitted uses in the CLT District  
337 regulations and possibly evaluate in the future whether changes might be appropriate. Dubow noted that  
338 there are various ways that zoning could be changed or altered if the Village deems it appropriate.

339 Leopold noted that there are numerous hotels that already exist in the Village.

340 Dankert indicated that this proposed hotel is somewhat reasonable for cost per night.

341 Leopold noted that they did not owe that to the Village residents since they don't stay at the  
342 hotels in the area.

343 Schleelein noted that there are some instances that a resident might stay in a hotel, like if one  
344 were to remodel their house or if there is fire or flood damage.

345 Stycos noted that Triphammer Road is a main road in the Village that can handle the traffic to the  
346 various businesses, but the side roads like Craft Road are not built to take the abuse of heavy traffic use.

347 Schleelein noted that she would like to see the commercial district stop around the Oakcrest Road  
348 area.

349 Dubow noted that all of the items and concerns that have been discussed during this meeting need  
350 to be taken into consideration when making a decision on this topic.

351 Stycos noted that Construction sales/ storage possibly should be removed from the CLT District  
352 regulations.

353 Leopold asked if that use came about when Home Depot wanted to build in the Village.

354 Dubow directed everyone to read section 145-82 (28) which specifically defines what the Village  
355 intended to have for that use. Dubow added that the definition is approximately ¾ of a page in length.

356 Kanter indicated that a mixed use is an interesting concept for the CLT zone along the  
357 Triphammer corridor.

358 Tomei noted that they could discuss this issue at their upcoming meetings.

359  
360 Approval of Minutes

361 Dankert moved to accept the November 29<sup>th</sup> minutes as altered. Seconded by Kanter; Ayes by  
362 Tomei, Dankert, Stycos, Schleelein, and Kanter.

363 Kanter moved to accept the December 12<sup>th</sup> minutes as altered. Seconded by Schleelein; Ayes by  
364 Tomei, Dankert, Stycos, Schleelein, and Kanter.

365 Reports

366 *Schleelein reported on the March 5<sup>th</sup> Trustee meeting. Please see the minutes of that meeting for*  
367 *a report.*

368  
369 Other Business

370 Tomei indicated that there is a correction to the Gillett subdivision (150 Burdick Hill Rd.). Tomei  
371 noted that Moseley had contacted the surveyor for the property who gave his best guess due to the Village  
372 and Town line not being staked. Dubow suggested a resolution adopting the understanding that the  
373 numbers provided during the December 12<sup>th</sup> meeting for the Gillett subdivision were the incorrect  
374 numbers. Dubow noted that the overall lot size of 3.039 is now 2.93 acres and the parcel formally known  
375 to be 2.01 is now 1.55 acres. Dubow added that the other lot acreage has not changed, and part of the  
376 change was due to the fact that the Town/Village jurisdictional line is not officially delineated. Stycos  
377 moved the corrected lot areas. Seconded by Schleelein; Ayes by Tomei, Dankert, Stycos, Schleelein, and  
378 Kanter.

379 Adjournment

380 Dankert moved to adjourn at 9:49PM. Seconded by Kanter; Ayes by: Tomei, Dankert, Stycos, Durst, and  
381 Kanter.

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