

**Village of Lansing
Planning Board Meeting
May 14, 2012**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:35 P.M. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members Maria Stycos, Richard Durst, and Phil
4 Dankert (Board member Richard Durst arrived later); Code Enforcement Officer Marty Moseley; Village
5 Attorney David Dubow; Trustee Liaison Lynn Leopold; Jim Salk; Joel Abrams of Audrey Edelman; Eric
6 Goetzmann for the Shops at Ithaca Mall; and Community Party Observer Stu Grinnell.

7

8 **Public Comment Period**

9 Tomei opened the public comment period.

10 With no one wishing to speak Stycos moved to close the public comment period. Seconded by
11 Dankert; Ayes: Tomei, Dankert, and Stycos.

12

13

14 Tomei noted that the public hearing/agenda item for the Cayuga Medical Center has been canceled.

15

16 **Classification of Either a Lot Line Adjustment or a Subdivision:** parcel # 42.1-1-46.31

17 Salk noted that he is representing the current land owner who would like to re-establish
18 the original subdivision line. Salk added that previously the lot was subdivided with the original
19 subdivision for Autumn Ridge, and then the lot was consolidated for the current owner. Salk
20 noted that the current owner will be selling both the vacant parcel and the parcel with the home.
21 Salk added that the majority of the subdivision was located in the Town of Lansing, which has
22 been approved, and they would just like to continue the line into the Village portion. Salk noted
23 that the lot was approximately 45 feet on the northern side and 11 feet on the southern side
24 running approximately 230 feet in length.

25 Dubow noted that he found no record of subdivision approval by the Village when this
26 piece of property was originally subdivided. Dubow noted that this would still be creating two
27 lots from one current lot, but the lots would not be buildable due to their small size. Dubow
28 noted that, and Moseley agreed with, the Village would be allowed to approve a lot line
29 adjustment in this scenario because of the unique situation. Dubow added that the Board could
30 perform this task independent of all of the other procedural requirements that are specified in the
31 Village Subdivision Law.

32

33 Salk noted that the proposed subdivision line is in accordance with the original 1988 subdivision.
34 Salk added that the Village Subdivision Law permits the Planning Board (section 125-32) to approve
35 special lots due to special circumstances as long as the improvements are not a requisite in the interest of

36 the public health, safety, and general welfare or is deemed to be inappropriate.

37

38 (Durst entered the meeting)

39

40 Dubow noted that section 125-34 explains about the enlargement of a lot, and in this particular
41 situation this would be an enlargement of the current town parcels.

42 Moseley noted that there is no road frontage for either of the lots in question.

43 Dubow indicated that when the Autumn Ridge subdivision was created it became somewhat
44 complicated, at some points in time, due to the Village having jurisdiction in certain circumstances.
45 Dubow explained that the original developer of the subdivision wanted access on Burdick Hill Road, but
46 the Village denied the request from the developer.

47 After further discussion, Dankert moved to classify and accept the lot line alteration, as opposed
48 to the full minor subdivision review and approval that was proposed. Seconded by Stycos; Ayes by
49 Tomei, Dankert, Stycos, and Durst.

50

51 **Proposed Plan Sign Area (PSA) Amendment:** Shops at Ithaca Mall.

52 Goetzmann explained that the (PSA) for the mall was amended and expanded when Best Buy,
53 Borders, Dicks Sporting Goods, and Target all were built in place of what used to be JC Penny and
54 Montgomery Ward. Goetzmann added that the most recent change that was approved was when the new
55 Regal Cinema was built. Goetzmann explained that Regal Cinema was approximately 63,000ft² and the
56 Village approved 633 ft² of additional signage. Goetzmann noted that since Borders no longer exists, their
57 signage has reverted back to the overall signage available in reserve for future tenants. Goetzmann noted
58 that currently the mall has a surplus of 676 ft², which then allows the mall to erect other signs like
59 temporary signs. Goetzmann added that the mall has added an additional 87,000 ft² of gross leasable area
60 (BJ's Wholesale Club). Goetzmann explained that BJ's currently has used 444 ft² of the surplus signage
61 from the mall's (PSA), which was approved by the Planning Board. Goetzmann added that he was not
62 sure of how much additional signage would be requested from the mall's (PSA) for the BJ's Gas Station.
63 Goetzmann noted that currently, without calculating the BJ's sign package, the mall has 3200 ft² of
64 signage approved. Goetzmann added that temporary signs and events use some of the extra signage that is
65 currently not being used from the available 3200ft².

66 Goetzmann explained that currently there is 444 ft² of signage that is on the new BJ's Wholesale
67 Club, which was approved by the Planning Board, and the BJ's Fueling Station is requesting an additional
68 141 ft². Goetzmann indicated that the 444 ft² has been subtracted from the current overall authorized
69 3200ft² in the PSA. Goetzmann explained that the total square footage for the BJ's store and the Fueling
70 Station is approximately 586ft².

71 Tomei noted that the mall's current PSA could absorb the full 586ft².

72 Goetzmann agreed. Goetzmann asked if the mall's PSA could be increased by 586 ft² to make it
73 an overall total of 3786 ft². Goetzmann added that the surplus for the PSA is larger, at this point in time,
74 because some tenants have left the mall.

75 Dubow noted that any amendment to the PSA would need to be referred from the Planning Board
76 to the Board of Trustees for final approval.

77 Goetzmann stated that the mall would then be requesting additional signage to be added to the
78 PSA for the purposes of special events or new tenants.

79 Moseley indicated that the Mall would be requesting an amendment to the PSA which would then
80 have to be referred to the Board of Trustees from the Planning Board. Moseley added that, at this point in
81 time, after a sign is in excess of 50 ft², the mall would need to obtain approval from the Planning Board.

82

83 Tomei asked if the "BJ's Gas" sign facing east needed to be installed due to it being blocked by
84 natural features and the YMCA.

85 Goetzmann noted that there would be glimpses of the sign facing east. Goetzmann added that he
86 would look into if the eastern most sign would be needed.

87 Leopold noted that originally BJ's was not going to have a fueling station, so there was not much
88 thought to additional signage being added at that point. Leopold asked if that was the reason that
89 additional signage was now being requested for the mall.

90 Goetzmann noted that he had a lot happening at one point in time and he was just trying to get the
91 store open and then deal with other items like the signage.

92 Tomei noted that he was inclined to not recommend the whole requested amount, but maybe up
93 to 50% of the requested amount of signage.

94 Stycos noted that she would not be opposed to suggesting to the Trustees a majority of the
95 requested amount (approximately 500 ft²).

96 Tomei noted that since the Cinema was granted a larger sign package, by the Village for less
97 building square footage, 500ft² for BJ's would not be out of the question.

98 Dankert noted that if the PSA were to be increased by 500 ft² then the gas station signage would
99 only get approximately 50% of the new square footage that would be recommended for approval.

100 Dubow indicated that Dankert was correct that the other approximately 71ft² would need to be
101 borrowed from the existing, approved, PSA.

102 Dankert indicated that he would be comfortable with the additional 500ft² being recommended to
103 be added to the PSA.

104
105 Durst moved to recommend to the Board of Trustees that the Ithaca Mall PSA be increased from
106 3200 ft² to 3700ft². Seconded by Stycos; Ayes by Tomei, Dankert, Stycos, and Durst.

107
108 Moseley asked if there were any other concerns or comments with respect to the BJ's Fuel Station
109 sign package.

110 Goetzmann noted that he would look at Tomei's concern with respect to the sign facing east.

111 Dubow asked if Goetzmann needed to obtain approval from the Planning Board to be able to
112 install the BJ's Fuel Station signage.

113 Moseley indicated that Goetzmann would need approval because of how the PSA document was
114 written for the Shops at Ithaca Mall.

115 Dubow read section 115-10(F):

116 *Standards of administration in a planned sign area. The Zoning Officer can*
117 *approve new or changed signs that clearly conform to the plan. The Zoning*
118 *Officer must consult the Planning Board on any new or changed signs if a*
119 *judgment is required as to whether they conform to the plan. Any amendments to*
120 *the plan must be approved by the Board of Trustees. A public hearing is required*
121 *for a major amendment.*

122 Dubow noted that a public hearing might be required by the Board of Trustees.

123

124 **Classification of The Proposed Alterations to existing Special Permit 2555 :BJ's Wholesale Club**
125 *proposed alteration to tree plantings, plantings, and sidewalk location.*

126 Tomei noted that Goetzmann was in front of the Board for a request to alter the existing Special
127 Permit. Goetzmann noted that he would like to switch the tree plantings from Arborvitae tree to a Norway
128 Spruce tree due to the Norway being more deer resistant.

129 Leopold noted that the deer will still nibble on the Norway spruce, but not as much as the

130 Arborvitae tree.

131 Goetzmann noted that he would also need to adjust the number of trees due to a larger canopy
132 from the Norway spruce. Goetzmann added that the Village has requested that the trees on the existing
133 approved landscaping plan be moved so as to allow for the Village to maintain the sewer without
134 disturbing the trees in the future. Goetzmann proposed to move the proposed plantings more towards the
135 west property line.

136 Stycos asked if the trees could be planted in a zigzag pattern, instead of a straight line.

137 Dubow suggested that Goetzmann discuss this matter with Dave Putnam (Village Engineer) as to
138 where the trees could be located to be out of the way, as much as possible, for the Village.

139 Goetzmann indicated that there currently is a sidewalk that traverses from east to west and stops
140 across from Target. Goetzmann added that he would like to continue the sidewalk to the eastern most
141 entrance/exit to the BJ's Wholesale Club.

142 Goetzmann noted that he could not build the side walk as it had been previously approved
143 because it would not be ADA (Americans with Disabilities Act) compliant, due to the steep, western
144 most, entrance/exit. If he built the sidewalk, a person in a wheelchair would slide into the ring road at the
145 mall due to the incline at the west entrance/exit. Goetzmann proposed to have the sidewalk stop at the
146 eastern most entrance/exit, stripe the existing parking space for a landing area, and allow the person to
147 traverse through the parking lot to the BJ's Wholesale Club.

148 Moseley indicated that he had an email from Jon Kanter about the sidewalk issue, which read:

149 *Since I will not be able to attend the May 14th Planning Board meeting, I did a quick review of*
150 *the proposed alterations to the special permit for the Lansing Meadows PDA (i.e., BJ's). I understand*
151 *that the May 14th agenda item is just to classify the proposed alteration, not to consider approval yet.*
152 *However, it appears that part of the proposed revision is to modify the approved sidewalk along Graham*
153 *Rd. W. so that the sidewalk would end before the easternmost entrance to the BJ's parking lot, rather than*
154 *continuing along the edge of the parking lot to the second (western) entrance to the BJ's parking lot. I*
155 *believe that the proposed modification would be an extremely negative change and would adversely affect*
156 *the safety of pedestrians attempting to access BJ's. The goal of the Village should be to enhance*
157 *pedestrian connections and safety where possible. Leaving pedestrians at the farthest (easternmost) edge*
158 *of the parking lot would force them to cross through the parking lot at a very dangerous area. I would be*
159 *very opposed to this proposed modification and would request that the applicant withdraw this part of the*
160 *proposed modification.*

161 Leopold asked if Kanter understands the difficulty with the slope on the western most
162 exit/entrance.

163 Moseley indicated that he and Kanter had a meeting regarding this topic, and Moseley showed
164 Kanter the existing approved sidewalk plan while explaining the reason the applicant requesting the
165 change in location.

166 Goetzmann noted that most people do not shop at BJ's unless they have a vehicle due to the need
167 to take bulk items home.

168 Moseley indicated that there is an abandoned BJ's cart close to the Warren Road and Dart Drive
169 intersection which implies not every BJ's shopper will have a vehicle.

170 Tomei indicated that he and Moseley made a site visit and that the current proposed plan is very
171 dangerous to pedestrians due to the cars having the potential to back into them as they would traverse
172 through the whole parking lot from east to west. Tomei asked if the sidewalk could be continued on the
173 raised island and then cross in a diagonal to the BJ's Store.

174 Dankert asked what the distance was in between the raised island and the BJ's front concrete
175 apron.

176 Moseley indicated that it was in between 50 - 65 feet.

177 Goetzmann noted that he has discussed this with his engineers who indicated that from a
178 pedestrian safety point of view, it is not a good idea to walk diagonally across intersections.

179 Stycos asked if the individuals could be escorted across the intersection.

180 Goetzmann indicated that would not be an option.

181 Moseley indicated that the ring road has a fairly high volume of traffic, and currently people have
182 to cross the ring road to traverse to Target. Moseley added that traversing to Target would, most likely, be
183 more dangerous than crossing the eastern exit/entrance in a diagonal fashion.

184 Goetzmann reinforced the idea that his engineers indicated that the diagonal crossing of an
185 intersection is not a safe way to traverse from the sidewalk to the BJ's store. Goetzmann added that they
186 could possibly dedicate a parking space, on the northwest corner of the main parking lot, to enter into the
187 parking lot.

188 Leopold noted that the plantings might need to wait until the sidewalk issue has been resolved,
189 but the plantings on the north and west of the property could be planted.

190 Tomei noted that the sidewalk and vegetation could be installed.

191 Moseley asked if Goetzmann would be willing to stripe the pedestrian walking areas.

192 Goetzmann indicated that he would prefer not to stripe the walking areas.

193 Leopold asked how one would determine if the amendment to an existing special permit was a
194 major or minor change.

195 Moseley indicated that during the process of drafting this law with Dubow and the Planning
196 Board, he used some of these examples as explanations (change in plantings, location of plantings, etc.) of
197 what could be considered a minor change, but ultimately the determination would be left up to the
198 Planning Board. Moseley added that although the applicant would be changing the species of trees, there
199 would still be a continuation of the buffer.

200 Dubow pointed out that even though there are multiple changes within this specific plan, this plan
201 only dealt with amending one of the various conditions of the original special permit approval.

202 Moseley reminded the Board and Goetzmann that the Village Engineer, Brent Cross, had made
203 some remarks about widening the sidewalk to at least 5 feet if it were to be owned or maintained by the
204 Village or placed in the Village right of way.

205 Tomei suggested that these changes, changing the location of the trees up to 10 feet from the
206 sewer line, changing the location of the sidewalk, and change the species of the trees, would be
207 considered a minor change.

208 Dankert moved that the change be classified as a minor change. Seconded by Durst; Ayes by
209 Tomei, Stycos, Dankert, and Durst.

210 Dankert asked when the residence at 119 Oakcrest Road was scheduled to be demolished.

211 Goetzmann noted that he is not sure of the exact timeframe but sometime in the near future.
212 Goetzmann added that he needs to have an asbestos abatement on the structure prior to demolishing.

213

214 **Continued Discussion of Commercial Low Traffic (CLT)**

215 Tomei noted that there would not be an extensive discussion on the potential changes of the CLT
216 District regulations, but he would rather have the Board look over the need for changes within the CLT
217 District regulations and report their findings at the next Board meeting. Tomei noted that he would like to
218 discuss this when there is a full Board. Tomei added that he would contact the absent Board members and
219 ask them to do the same thing. Tomei noted that, typically, zoning changes or alterations are not a quick
220 procedure and this would probably be no exception.

221 Leopold noted that the Board should think of what the intended consequences might be if there
222 were to be alterations to the use categories in the CLT District.

223 Abrams indicated that he attended the meeting in anticipation of the current agenda item, in hopes that it
224 might be discussed further. Abrams noted that they are continuing to hold a purchase offer for the site on
225 the corner of Triphammer and Hickory Hollow Lane. Abrams noted that his clients still would like to
226 pursue building a limited use extended stay hotel on that lot. Abrams indicated that he was hoping that
227 since the Planning Board has had approximately 3 months, they would come to a decision as to whether
228 or not the zoning might be changed in the near future. Abrams noted that he would like to not lose his
229 potential developer for that particular site and use, because the developer has a good reputation in the
230 hotel building industry.

231 Tomei noted that the Planning Board is addressing the topic, but that does not mean that the
232 zoning will or will not change. Tomei noted that the Planning Board is not just discussing whether or not
233 to add a hotel/motel use to the CLT District regulations, but they are looking at all uses that are allowed in
234 the CLT District to see if the uses should continue to be in that particular section or if some uses should
235 be added or deleted.

236 **Update on New York Planning Federation**

237 Tomei indicated that he and Moseley attended the annual New York State Planning Federation
238 conference held in Saratoga Springs. Tomei added that Kanter was also at the conference. Tomei and
239 Moseley gave a brief overview of the training classes that they attended and found to be helpful or
240 interesting. Tomei indicated that they would be presenting some training opportunities to the Board
241 members at future Planning Board meetings.

242 Tomei noted that he would plan to present topics such as: sign regulations and updating the
243 comprehensive plan. Tomei noted that he, Moseley, and Kanter attended the training for making
244 government transparent, which included when boards are allowed to have closed door sessions.

245 Moseley added that Bob Freeman presented the government transparency training, and one of the
246 interesting tidbits that Freeman explained was that planning boards are allowed to meet on site to view a
247 site in relation to an agenda item, but the board should announce when and where they will be meeting,
248 for what specific reason they are visiting the site, and that they will only talk about the agenda item at the
249 open meeting.

250 Moseley noted that he attended a natural gas training seminar that was helpful, and he would plan
251 to present topics such as: complete streets-context sensitive design, zoning for a vibrant down town, and
252 possibly touch on SEQRA-State Environmental Quality Review Act.

253
254 **Other Business**

255 None

256 **Approval of Minutes**

257 None

258 **Reports**

259 *Stycos reported on the April 16th Trustee meeting. Please see the minutes of that meeting for a*
260 *report.*

261 *Durst reported on the May 7th Trustee meeting. Please see the minutes of that meeting for a*
262 *report.*

263
264

265 **Adjournment**

266 Durst moved to adjourn at 9:35PM. Seconded by Dankert; Ayes: Tomei, Dankert, Stycos, and
267 Durst.

268
269
270