

**Village of Lansing
Planning Board Meeting
May 29, 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 Julie Baker; Dan Veaner from the Lansing Star; Leonard Nissenson and
6 Linda Gasser; Eric Goetzmann from Arrowhead Ventures; and Community Party Representative Larry
7 Bieri.

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 Larry Bieri indicated that he was the Community Party Observer. Bieri added that he was
14 concerned about the CIAO! Restaurant parking on the berm of dirt toward Oakcrest Road. Bieri also
15 indicated that he has discussed this with Moseley previously.

16 Moseley indicated that he will contact the CIAO! Restaurant about the issue when he returns to
17 work from his scheduled time off.

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

20

21 **Public Hearing to Consider:**

22 Tomei opened the public hearing for:

23

24 Special Permit #2656, Leonard Nissenson and Linda Gasser, to construct a 320 ft² addition onto
25 their existing single family house at 804 Cayuga Heights Road, located in the Low Density
26 Residential District, Tax Parcel Number 48.1-2-62 Because the property includes land in the Steep
27 Slope Conservation Combining District and because the proposed construction will occur within
28 200' of the centerline of a stream, included in the Drainageway Conservation Combining District ,
29 Special Permit review is required pursuant to Section 145-48 of the Village of Lansing Code.

30 Nissenson indicated that they would like to construct a 320ft² sunroom addition to their existing
31 house at 804 Cayuga Heights Road. Nissenson indicated that the addition is proposed for the west side of

32 the home and would be approximately 16 feet by 20 feet. Nissenson indicated that the addition would be
33 about 12 feet from the southwest corner of the home and about 90 feet from the creek.

34 Tomei noted that he had made a site visit with Moseley. Tomei indicated that the Village has
35 received confirmation back from the Tompkins County Planning Department, as required by General
36 Municipal Law 239 –l and –m, that there would be no negative county wide or inter-community impact
37 due to the proposed addition. Tomei added that they have also received the Village Engineers report
38 which reads:

39
40 *RE: Special Permit #2656 for Nissenson & Gasser Addition, 804 Cayuga Heights Road*

41 *As required for the Special Permit, I have reviewed the plans for the above reference project to see if*
42 *there are any impacts on the nearby steep slopes or stream course.*

43 *Since the addition is relatively small compared to the existing house/lot, the additional stormwater run-off*
44 *is insignificant and not necessary to collect/treat.*

45 *The only potential impact would be as a result of the excavation/construction process. Therefore, I would*
46 *recommend that the contractor install silt fence on the downhill side of the site, as close to the excavation*
47 *as possible. I recommend that the contractor work with the Code Enforcement Officer on the final*
48 *location and I will be available to make inspections during the construction process.*

49 *Therefore, I recommend that this project be considered for granting of the Special Permit.*

50 Tomei indicated that the swale that is on the downhill side of the proposed excavation would
51 probably catch and redirect the stormwater runoff away from the gorge.

52 Kanter agreed that there is a berm on the edge of the gorge that would not permit runoff to enter
53 into the gorge directly from the excavation. Kanter asked what would happen to the mature maple tree
54 that appeared to be near the southeast corner of the proposed addition.

55 Gasser noted that they would like to keep the tree, but they are not sure if that can happen due to
56 the root system being compromised because of the excavation.

57 Tomei asked if there were any additional trees that would be impacted.

58 Nissenson indicated that there would not be.

59 Stycos asked the distances from to the berm to the proposed addition and from the creek to the
60 proposed addition.

61 Nissenson noted that from the berm to the proposed addition it is approximately 25 feet, and from
62 the creek to the proposed addition it is approximately 46 feet.

63 Kanter asked what the lower level of the addition would be used for.

64 Nissenson indicated that it would be used as storage and not by the apartment.

65 Kanter noted that he was pleased that the Village Engineer has addressed the erosion and
66 sedimentation in the letter submitted to the Planning Board, and agreed with the suggested practices.

67 Dankert moved to close the public comment period; seconded by Schleelein; Ayes by Tomei,
68 Dankert, Stycos, Schleelein, and Kanter.

69
70 Tomei read Section 145-61B of the Village Code, which is the Steep Slopes Conservation
71 Combining District, and indicated that the applicants have complied with the required documentation as
72 indicated in the section.

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

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

75 *(2) It will not be injurious to the use and enjoyment of other property in the vicinity or*
76 *neighborhood.*

77 *(3) It will not impede the orderly development of the vicinity or neighborhood and is*
78 *appropriate in appearance and in harmony with the existing or intended character of the*
79 *vicinity or neighborhood.*

80 *(4) The street system and off-street parking facilities can handle the expected traffic in a*
81 *safe and efficient manner.*

82 *(5) Natural surface water drainageways are not adversely affected.*

83 *(6) Water and sewerage or waste disposal facilities are adequate.*

84 *(7) The general environmental quality of the proposal, in terms of site planning,*
85 *architectural design and landscaping, is compatible with the character of the*
86 *neighborhood.*

87 *(8) Lot area, access, parking and loading facilities are sufficient for the proposed use.*

88 *(9) The requested use or facility conforms in all other respects to the applicable*
89 *regulations of the district in which it is located.*

90 *(10) The applicant has shown that steps will be taken where necessary to meet all*
91 *performance standards and all other applicable general regulations.*

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

94

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

97
98 VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT APPROVAL
99 ADOPTED ON MAY 29, 2012

100

101 Motion made by: Phil Dankert.

102 Motion seconded by: Maria Stycos.

103 **WHEREAS:**

104 A. This matter involves consideration of the following proposed action: Special Permit #2656,
105 Leonard Nissenson and Linda Gasser, to construct a 320 square ft addition onto their existing
106 single family house at 804 Cayuga Heights Road, located in the Low Density Residential
107 District, Tax Parcel Number 48.1-2-62 Because the property includes land in the Steep Slope
108 Conservation Combining District and because the proposed construction will occur within
109 200' of the centerline of a stream, included in the Drainageway Conservation Combining
110 District, Special Permit review is required pursuant to Section 145-48 of the Village of
111 Lansing Code; and
112

113 B. The Village of Lansing Planning Board, in accordance with Article 8 of the New York State
114 Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"),
115 and 6 NYCRR Section 617.5, hereby determines that the approval of the proposed special
116 permit is a Type II action, and thus may be processed without further regard to SEQR; and
117

118 C. The Village Code Enforcement/Zoning Officer has determined that the proposed action is not
119 large-scale and therefore is not subject to a full and extensive environmental review under the
120 Village of Lansing Zoning Law; and
121

122 D. On May 29, 2012, the Village of Lansing Planning Board held a public hearing regarding this
123 proposed action, and thereafter thoroughly reviewed and analyzed (i) the materials and
124 information presented by and on behalf of the applicant in support of this proposed action,
125 including information and materials related to the environmental issues, if any, which the
126 Board deemed necessary or appropriate for its review, (ii) all other information and materials
127 rightfully before the Board, and (iii) all issues raised during the public hearing and/or
128 otherwise raised in the course of the Board's deliberations; and
129

130 E. On May 29, 2012, in accordance with Section 725-b of the Village Law of the State of New
131 York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the
132 Village of Lansing Planning Board, in the course of its further deliberations, reviewed and
133 took into consideration (i) the general conditions required for all special permits (Village of
134 Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special

135 permit uses (Village of Lansing Code Section 145-60), (iii) any applicable conditions
136 required for uses within a Combining District (Village of Lansing Code Section 145-61), and
137 (iv) any environmental issues deemed necessary and/or appropriate;
138

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

140
141 1. The Village of Lansing Planning Board hereby (i) determines that the environmental
142 information and materials submitted by the applicant and the details thereof are reasonably
143 related to the scope of the proposed project; (ii) waives the necessity for any additional
144 environmental information otherwise required; and (iii) finds that the proposed project will
145 not have a significant adverse impact on the environment; and
146

147 2. The Village of Lansing Planning Board hereby finds (subject to the conditions and
148 requirements, if any, set forth below) that the proposed action meets (i) all general conditions
149 required for all special permits (Village of Lansing Code Section 145-59E), (ii) any
150 applicable conditions required for certain special permit uses (Village of Lansing Code
151 Section 145-60), and (iii) any applicable conditions required for uses within a Combining
152 District (Village of Lansing Code Section 145-61); and
153

154 3. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.
155 2656 is **GRANTED AND APPROVED**, subject to the following conditions and
156 requirements:
157

158 a. **Soil and Erosion control measures shall be implemented and coordinated**
159 **with the Village of Lansing Code Enforcement Officer (with participation from**
160 **the Village of Lansing Engineer), and subsequently approved by the Village of**
161 **Lansing Code Enforcement Officer.**
162

163 The vote on the foregoing motion was as follows:

164
165 AYES: Mario Tomei, Jon Kanter, Maria Stycos, Phil Dankert, and Lisa Schleelein

166 NAYS: None

167 The motion was declared to be carried.

168 **Proposed Alterations to the Lansing Meadows Planned Development Area (PDA) Existing Special**
169 **Permit:**

170 Tomei reminded the Board that at the last meeting the Board determined that the proposed
171 changes would be considered a minor change to the current existing special permit. Tomei added that they

172 also have received the letter from Tompkins County Planning Department for the review of the proposed
173 changes. Tomei read from the County Planning Department letter, which indicated that the pedestrian
174 crossings should be clearly marked so as to facilitate a safe environment, and the County indicated that
175 the proposed plantings (Norway Spruce and Siberian Flowering Crab Apple) are included on the invasive
176 species list as identified by the Tompkins County Environmental Management Council and recommend
177 that the landscaping plans be modified to not include an invasive species (an invasive species list was
178 provided to the Planning Board from Tompkins County Planning Department).

179
180 Goetzmann indicated that he has been working with the Village on the placement of the
181 trees due to the original approved landscaping plan proposing the locations of the tree plantings and the
182 subsequent determination that those locations would potentially impact the Village sewer main if it ever
183 needed to be worked on or replaced. Goetzmann added that he has been working with John Courtney
184 (DPW Superintendent) and Dave Putnam (Village Engineer). Goetzmann proposed to move the trees to
185 the west approximately 10 feet and change the tree species to a more deer resistant type. Goetzmann
186 noted that they have been working on a solution for the handicapped accessible sidewalk and would
187 propose to dedicate a parking space, on the southwest corner of the main parking lot, to enter into the
188 parking lot.

189 Tomei noted that it would be nice to keep the approved plantings along the sidewalk on the north
190 part of the map.

191 Tomei added that they have also received the Village Engineers report which reads:

192 *RE: Alterations to Lansing Meadows PDA Commercial Permit*

193 *It is my understanding that the developer is proposing to modify the originally approved site plan,*
194 *including sidewalks and plantings.*

195 *Although I do not have any comments on the plantings, I suggest the following design features be*
196 *included in the sidewalk plan:*

197 *-there should be line striping on the pavement at all locations where the sidewalk*
198 *discharges/directs pedestrians to cross lanes for vehicle traffic, such as public streets, private driveways*
199 *and parking aisles.*

200 *-any sidewalks located within the Village ROW should be a minimum of 5' wide to accommodate*
201 *the DPW plow.*
202

203 Kanter noted that parking lots should be designed in such a way that keeps the pedestrians safe
204 from possible accidents with vehicles. This parking lot does not really accommodate such ideas.

205 Schleelein and Dankert expressed agreement that it is unlikely that an individual would walk to
206 BJ's and shop due to the bulk items that are being sold.

207 Kanter noted that there are people that shop at BJ's for small items as well, and not just for the
208 large shopping needs. Kanter added that this space might not always be a BJ's Wholesale Club and the
209 Planning Board should also try and plan for future development as much as possible

210 Moseley noted that the BJ's Club also has a café, a Verizon phone kiosk, and an optician which
211 people might traverse to and shop just for those items. Moseley added that this is a multi-purpose
212 wholesale club.

213 Schleelein indicated that it would add more walkability to the Village.

214 After further discussion and recap of some of the details that were discussed during the last
215 Planning Board meeting, Goetzmann indicated that he would continue the sidewalk to the western most
216 entrance/exit and dedicate the first parking space in that vicinity to house a sidewalk ramp. Goetzmann
217 added that he would stripe a pedestrian walkway stretching from the designated parking space north
218 to the next row of parking, and then would stripe from that area west to achieve a safe path for pedestrians
219 to the BJ's Wholesale Club. (This was also drawn on a map dated 5-29-12 which indicates what
220 Goetzmann agreed to, which map will be included in the Village records for this matter.)

221 Kanter noted that the plan that was submitted did not show any plantings next to the sidewalk.

222 Goetzmann noted that the plantings next to the sidewalk would create difficulties for the plows
223 removing snow in the winter time due to the piling of snow on top of the plantings, and also that road salt
224 might kill the plantings. Goetzmann requested that the Planning Board members make a site visit to see
225 where the sidewalk would be placed and determine if it is practical to have plantings next to the sidewalk.

226 Tomei noted that the sidewalk is necessary and the plantings would soften the look of the BJ's
227 building.

228 Kanter noted that the plan from last meeting showed mostly low lying plantings near the
229 sidewalk.

230 Goetzmann noted that the plan from the last meeting did not show the proposed sidewalk.

231 Tomei noted, for the record, that the map submitted for this meeting did not include the additional
232 plantings for the fuel station.

233 Kanter suggested only installing 3 or 4 trees of a 3 inch caliper along the side walk instead of the
234 low lying plantings.

235 Schleelein noted that the trees should be placed so as to not impact the visual needs of the
236 vehicles.

237 Goetzmann asked what species of trees he should plant.

238 After a brief discussion, the Planning Board suggested something similar to a flowering crab
239 apple tree.

240 Dubow noted that the Tompkins County's Planning Department 239 review response constitutes
241 a recommendation which can be overruled by a supermajority vote of the Board.

242 Kanter suggested that a mixture of varieties of spruces be listed or planted, like Blue spruce,
243 White Spruce, Green Spruce, etc., instead of the Norway Spruce.

244 Goetzmann added that he would discuss the pedestrian striping with his engineers to make sure
245 there would be no problems with the proposed layout.

246 Moseley suggested that unless Goetzmann's engineers propose to alter what the Planning Board
247 approves on the designated map that was submitted, he would install according to the map.

248 Kanter moved to accept the proposed changes, as discussed and represented on the map titled
249 sidewalk and buffering plan for BJ's Wholesale Club dated May 29, 2012, to the existing special permit
250 for the BJ's Wholesale club. Seconded by Schleelein; Ayes by: Tomei, Dankert, Stycos, Schleelein, and
251 Kanter.
252

253 **Continued Discussion for the Consideration of:** *Overview of the entire Commercial Low Traffic (CLT)*
254 *District uses.*

255 Tomei noted that at the last Planning Board meeting he had asked each of the members to come
256 back with two comments about their feelings, if any, as to whether the CLT District uses should be
257 changed. Tomei noted that in 2001 the Village established a design guideline for the CLT District. Tomei
258 noted that in those specific guidelines, the CLT District is referred to as a transition zone between the
259 Commercial High Traffic District and Residential Districts. Tomei felt that this document should be
260 referred to when thinking about possible changes to the CLT District. Tomei added that there has been
261 talk of dividing the CLT District to accommodate and protect the Residential Districts more from the
262 Commercial High Traffic (CHT) District. Tomei noted that he was not sure if a CLT District division
263 would be necessary.

264 Schleelein noted that she felt that the CLT District should be divided just past Oakcrest Road.
265 Schleelein felt that area should have a different feel.

266 Kanter indicated that the guidelines for the CLT District also reference a Village center idea,
267 which is suggested to be developed at the corner of Oakcrest Road and Triphammer Road on the west
268 side of the road.

269 Goetzmann suggested that the Fire Station be moved to Triphammer Road for ease of use.

270 Schleelein asked what "service" really meant, as identified in the CLT District regulations.
271 Schleelein asked what an "office/studio/service" use is, or a "construction sales and storage" use.

272 Tomei noted that Builders Best is a good example of what a construction sales and storage facility
273 is.

274 Moseley pointed the Board's attention to Section 145-82 of the Village Code, which gives
275 examples of the uses. Moseley noted that the "construction sales and storage" use is very limited and
276 descriptive, and some business like a Home Depot would not be allowed to be built.

277 Kanter noted that just because there is a particular use allowed under the current regulations it
278 does not mean that it needs to stay there.

279 Tomei felt that the hospital/clinic use might produce too much traffic for the CLT District in
280 certain areas.

281 Schleelein noted that ambulances in the middle of the night would probably disrupt the residences
282 nearby. Schleelein asked if a clinic was open all night.

283 Moseley indicated that the Convenient Care Center, located at 10 Arrowwood Drive, would be
284 considered a clinic, which does have closing hours at approximately 11:00 PM, but that does not mean
285 that all employees and patients would be gone by 11:00PM. Moseley noted that the Convenient Care
286 Center is meant for small emergencies, and not something like a heart attack. Moseley reminded the
287 Board that there is a pending matter in the CLT District that would involve a clinic. Moseley felt that a
288 clinic is different from a hospital.

289 Schleelein felt that a hospital use should be removed from the CLT regulations and be separate
290 from a clinic use

291 Goetzmann noted that there are very few parcels in the Village that would be able to sustain a
292 hospital.

293 Dubow noted that one could conceivably come in, buy up multiple parcels, tear down existing
294 structures, and build a hospital or any other use.

295 Schleelein noted that most of her changes dealt with the impact of noise or traffic on residential
296 property owners. Schleelein asked about the religious facilities in all areas.

297 Moseley noted that there is a federal religious land use act of 2000 which does not allow for the
298 Village to tell a religious facility where they cannot build.

299 Tomei asked what a "group residential building" is.

300 Dubow noted, based upon Section 145-82 of the Village Code, that a "group residential building"
301 is a club, dormitory, fraternity, rooming house, old age or nursing home, etc.

302 Kanter suggested that "undertaking" use be taken out of the uses for the CLT regulations.

303 Schleelein noted that most of the time the "undertaking" use would not generate a lot of traffic.

304 Kanter pointed out that at the times of the events for "undertaking" activities, the traffic could be
305 overwhelming. Kanter asked if there was an undertaker in the Village.

306 Moseley indicated that he did not believe so.

307 Dubow asked if a funeral home were to be located in the Craft Road area within the CLT District,
308 would the Board discourage that. Dubow added that it may not be the best idea to have one located on
309 Triphammer Road, but it may be appropriate in the Craft Road area.

310 Tomei suggested that the building height be changed to the height of the highest existing building
311 in the CLT District, so that no building would be in non-conformance.

312 Dubow noted that throughout the Village, except in the Business and Technology District, the
313 maximum height is 35 feet.

314 Schleelein suggested that if the commercial building were to be located next to residential
315 properties, then the height should be lowered.

316 Tomei referenced Trustee Leopold's comment on trying to not make the Triphammer Road
317 corridor appear as a canyon.

318 Schleelein noted that the taller buildings would block light for other buildings.

319 Dubow noted that the height restrictions would impact the entire CLT District and not just part of
320 the Triphammer corridor.

321 Kanter noted that it seems like multiple districts might be needed to accommodate the concerns of
322 the Board members. Kanter added that the Triphammer Road corridor is very important to the Village,
323 and that possibly the CLT District could be divided with different use provisions applicable to the divided
324 areas. Kanter suggested that the current CLT District area south of Oakcrest Road could be one district
325 and the area north of Oakcrest Road could be considered a separate district.

326 Tomei asked how others felt about his proposal to shorten the structures.

327 Kanter noted that maybe the building heights along Triphammer Road could be reduced, but it
328 could be tricky in that not allowing 35 feet might discourage certain businesses from locating on
329 Triphammer Road.

330 Dubow indicated that a 35 feet height restriction is not an unusual height limitation, and added
331 that the restriction in the Low Density Residential District is 35 feet as well.

332 Baker noted that it seems that the combination of height and close proximity to the road are what
333 some are concerned with.

334 Kanter noted that Triphammer Road is a pretty wide road.

335 Stycos noted that there also might be a difference between the east and west sides of Triphammer
336 Road, mainly because the east side of the road would have a view overlooking the lake and the west side
337 of the road could block that view.

338 Schleelein did not think that one could see the lake from Triphammer Road.

339 Dankert noted that he too was concerned with the potential impact of the view shed.

340 Kanter noted that if a more restrictive height restriction was implemented it might restrict a use
341 like “mixed use.”

342 Moseley indicated that he thought that the New York State Building Code would not allow a
343 building to be built close to Triphammer Road and continuing up in height creating the canyon effect, but
344 he would need to look further into that topic to give a more solid answer.

345 Kanter noted that a multi-tiered building, as Moseley had described, might be more desirable for
346 the Triphammer Road area.

347 Schleelein asked if there was a need for the “utility/transmission /storage plant” use to be in
348 certain districts.

349 Moseley indicated that that use would specifically affect Bolton Point and other public utilities
350 which are located in the Low Density Residential District, and specifically the water system pump house
351 next to the Village Office building and NYSEG utility areas.

352 Schleelein noted that they would probably need to keep that use.

353 Moseley noted that some of the uses that are listed for certain districts are attributable to the fact
354 that certain facilities were already being used prior to the Village being formed. This would allow for
355 those uses to expand if needed, but if it were to be considered a non-conforming use, that would not
356 typically be able to be expanded. Moseley added that there would need to be some specific justifications
357 to take a use, such as “utility/transmission/storage plant,” out of the CLT District and not the Low Density
358 Residential District.

359 Goetzmann noted that the lists of examples for the uses are quite extensive for all districts, and to
360 build a hotel one would need to have 3 stories and possibly 4. Goetzmann added that for someone to build
361 a mixed use structure along Triphammer Road, it would also need to be 3 stories in order for someone to
362 make a profit.

363 Kanter noted that if the Village ultimately wanted the Triphammer Road corridor to truly evolve
364 into a Village center, one might think about adding small scale retail as a permitted use on the ground
365 floor of a mixed use building. Kanter added that one building could house small retail on the first floor,
366 offices on the second floor, and apartments on the third floor. Kanter noted that this would possibly
367 promote a more walkable community. Kanter asked if others felt this might be a good idea.

368 Schleelein felt that mixed use has been a goal of the Village, and also wondered if the Village
369 should allow some sort of small retail.

370 Kanter suggested that if the CLT District were to be divided up into two districts, he feels that the
371 undertaking use should be removed from the Triphammer Road corridor area. Kanter added that maybe

372 the “construction sales and storage” use should also be removed from the Triphammer Road corridor
373 district.

374 Schleelein felt that the “hospital” use should be removed from the use category for the CLT
375 District.

376 Dubow noted that certain uses could be allowed under a different and more controlled category
377 within the CLT regulations, such as permitted uses being subject to special permit approval with both
378 general conditions and additional conditions specific to that use.

379 Stycos asked about the re-development on a larger lot for a pre-existing non-conforming use in
380 the CLT District.

381 Moseley indicated that the section Stycos is referring to was put in place for McDonalds due to
382 the traffic issues that they were causing on Triphammer Road. The Village offered McDonalds the option
383 to move and continue to operate in the Village as long as they engineered a traffic pattern that would not
384 impact Triphammer Road. Moseley noted that they are a non-conforming use because they are not a CLT
385 use. Moseley indicated that if the facility were to stop functioning for 12 months, then that use would not
386 be allowed to continue and would no longer be able to be located in the CLT District.

387 Dubow noted that in the section for general and additional conditions for certain special permits,
388 there is a description that explains in detail the re-development on a larger lot for a pre-existing use in the
389 CLT District.

390 Tomei noted that the next step in this process is for the Board to discuss the option of moving
391 certain uses to be applicable to additional conditions with a special permit. Tomei noted that they will also
392 continue to talk about the possible need to divide the CLT District.

393 Stycos suggested discussing the mixed use as well.

394
395 **Approval of Minutes**

396 Durst moved to accept the January 9th minutes as altered. Seconded by Stycos; Ayes by Tomei,
397 Dankert, Stycos, Schleelein, and Durst.

398 Schleelein moved to accept the February 13th minutes as altered. Seconded by Stycos; Ayes by
399 Tomei, Dankert, Stycos, and Schleelein. Abstention by Durst

400 **Reports**

401 *Dankert reported on the May 21st Trustee meeting. Please see the minutes of that meeting for a*
402 *report.*

403
404 **Other Business**

405 Moseley noted that the Federal Government has enacted a jobs creation act, which includes
406 language for alterations to a telecommunications facility. The language in the act would permit an

407 alteration to be done to an existing telecommunications facility without the need to obtain Board
408 approvals. Moseley noted that there would still be an administrative review for the proposed work.

409 Dubow added that if the telecommunications facility is owned by another municipal entity (i.e.
410 Tompkins County) then they might be allowed to self-regulate according to New York State case law.
411 Dubow noted that the court indicated that there needs to be a balancing effort between both the proposed
412 public project and the municipality in which the proposed project is to be located. Dubow added that if a
413 private company (i.e. Verizon) wanted to install an antenna on a County owned facility in the Village,
414 Verizon would most likely be able to co-locate on that County facility without the need for special permit
415 review by the Village. Dubow noted that there are federal regulations that need to be met.

416 **Adjournment**

417 Kanter moved to adjourn at 9:43 PM. Seconded by Schleelein; Ayes: Tomei, Dankert, Stycos,
418 Schleelein, and Kanter.

419
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421