

**Village of Lansing  
Planning Board Meeting  
November 14, 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 Richard Durst, Maria Stycos, and Lisa  
4 Schleelein; Alternate Member Jon Kanter; Code Enforcement Officer Marty Moseley; Village Attorney  
5 David Dubow; and Eric Goetzmann from Arrowhead Ventures.

6 Tomei appointed Kanter as an acting member for the meeting due to the absence of Planning  
7 Board member Phil Dankert.

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9 **Public Comment Period**

10 Tomei opened the public comment period.

11 With no one wishing to speak from the public, Durst moved to close the public comment period.  
12 Seconded by Stycos; Ayes: Tomei, Stycos, Kanter, Schleelein, and Durst

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14 **Classification to Proposed Change to Existing Special Permits:** Special Permit #2485 & # 2594 (BJ's  
15 Wholesale Club and BJ's Fueling Station) proposed to alter landscaping for buffering requirements

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17 Tomei indicated that special permit #2485 is for the BJ's Wholesale Club and special permit  
18 #2594 is for the BJ's Fueling Station.

19

20 Goetzmann noted that he has had the sidewalk installed connecting the existing sidewalk on the  
21 Shops at Ithaca Mall property to the new BJ's Club. Goetzmann indicated that he would like to switch the  
22 trees by the new sidewalk to flowering pear trees, which would be the same species that the Village has  
23 along Triphammer Road. Goetzmann added that he would request to plant ornamental grasses on the  
24 west side of the property to satisfy the Village's buffering requirements. Goetzmann added that his  
25 request stems from the Village having a sewer main and NYSEG (New York State Electric and Gas)  
26 having a high pressure gas main in that area, and it would allow for maintenance of these mains if needed  
27 without having to remove trees or fences.

28

29 Tomei noted that Goetzmann proposed to install four spruce trees near the truck exit road and  
30 existing stormwater pond for the Mall.

31

32 Goetzmann noted that the four trees would provide for more screening towards the Residential  
33 District.

34 Tomei noted that Goetzmann is proposing to eliminate the plantings that would be located next to  
35 the BJ's entrance and the existing stormwater pond for the Mall.

36

37 Goetzmann added that the plantings would not be seen or be effective due to the guardrail.

38

39 Tomei noted that two trees would be a nice addition in that particular area.

40 Schleelein noted that visibility could be an issue if trees were planted.

41

42 After further discussion, the Planning Board determined that there should not be any trees or  
43 plantings behind the guardrail.

44

45 Goetzmann noted that he would like to move the special permit condition for the required trees  
46 (about half a dozen) on the north side of the property associated with special permit #2485 (BJ's  
47 Wholesale Club) to special permit #2594 (BJ's Fueling Station).

48

49 Moseley explained that the additional trees and the fence on the north side of the BJ's property  
50 are associated with special permit # 2594 for the BJ's fueling station. Moseley noted that Goetzmann has  
51 13 trees associated with the buffering on the north side of BJ's Wholesale Club property. Moseley  
52 explained that this would not be a granting of an extension but rather a removal of conditions from the  
53 original special permit #2485 and adding conditions to special permit #2594. Moseley added that this  
54 would satisfy the requirements for special permit #2485 and allow Moseley to issue the Certificate of  
55 Compliance for the BJ's Wholesale Club.

56

57 Dubow asked what the total numbers of trees were, for the north side of the property, for both the  
58 fuel station and the Club.

59

60 Moseley indicated that there would be approximately 19 trees and a fence that would be located  
61 in the northeast corner of the BJ's Wholesale Club property prior to crossing over the existing wetland  
62 area. Moseley noted that there are more trees associated with the fueling station, but they are positioned  
63 more on the residential side of the property. Moseley noted that there were approximately 36-40 total  
64 trees associated with the buffering on the north side of the property, but 13 of them would be directly  
65 connected to special permit #2485. Moseley added that the map provided could replace the existing maps  
66 and provide for a "master" map for the landscape/buffering projects. Moseley added that the Army Corps  
67 of Engineers wetland mitigation would also need to be moved to special permit 2594 as well.

68

69 Goetzmann also requested for the wetland mitigation to be removed from special permit #2485  
70 and be added to special permit #2594. Goetzmann noted that he has already escrowed money with the  
71 Army Corps of Engineers for the wetland mitigation. Goetzmann added that he also needs to have the  
72 Village Engineer and the Superintendent of Public Works sign off on special permit #2485 prior to  
73 obtaining the final Certificate of Compliance.

74

75 Kanter asked for the amount that Goetzmann escrowed with the Army Corps of Engineers.

76

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

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

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

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

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

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

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

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

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

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

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

96                   Tomei asked for a motion that all general conditions have been met subject to any conditions that  
97                   the Board may impose on the applicant as part of any approval granted for the amended special permits  
98                   involved. Moved by Durst, seconded by Stycos; Ayes by Tomei, Kanter, Stycos, Schleelein, and Durst.

99                   Kanter moved to classify the amendments, to both special permits #2485 and #2594, as minor changes.  
100                   Seconded by Stycos; Ayes by Tomei, Kanter, Stycos, Schleelein, and Durst.

101                   Dubow asked if there has been an application made for the extension of the Temporary  
102                   Certificate of Compliance.

103                   Moseley indicated that there had not been any at this point in time, but an application would need  
104                   to be made in December in order to keep operating until such time that the final Certificate of Compliance  
105                   has been issued for the fuel station.

106                   Dubow asked who will maintain the buffer area if need be.

107                   Moseley noted that it is his understanding that the land owner would maintain the buffer area in  
108                   perpetuity.  
109

110                   After further discussion the Planning Board took the following action.

111                   Kanter moved that all remaining conditions in special permit # 2485 for buffering and/or  
112                   landscaping not previously satisfied are to be transferred to the existing conditions list for special permit  
113                   #2594, subject to the inclusion of the following additional conditions:

- 114 1. The amount of \$8,000 shall be escrowed with the Village to guarantee that the required  
115 buffering and/or landscaping will be installed as required and in a timely manner.
- 116 2. Plans and related materials shall be submitted to, and approved by, the Planning Board to  
117 indicate, but not be limited to, the specific types, numbers and spacing of the ornamental  
118 grasses to be installed on the west side of the property in order to achieve the desired and  
119 required buffer effect in the area.
- 120 3. The deadline to complete the installation of the required buffering and/or landscaping in  
121 accordance with the now combined buffering and/or landscaping conditions in special permit  
122 2594 shall be no later than June 27, 2013, and if the buffering and/or the landscaping is not  
123 installed by such date, the Village shall thereafter have the right to install the landscaping  
124 and/or buffering by using the \$8,000 escrow funds as provided for in condition #1 above.
- 125 4. Written proof and confirmation of the previously made (and required) escrow payment  
126 provided to the Army Corp of Engineers for the authorized wetland mitigations/consolidation  
127 shall be submitted to the Village.
- 128 5. A clean fully revised map/plan incorporating and reflecting the now consolidated and  
129 required buffering and/or landscaping conditions/requirements at the designated locations  
130 shall be submitted to and approved by the Village Code Enforcement and Zoning Officer.  
131 Seconded by Schleelein; Ayes by Tomei, Kanter, Stycos, Schleelein, and Durst.

132 Goetzmann indicated that he would provide a new map for the Board to review and possibly  
133 approve at the November 27<sup>th</sup> meeting.

134 **Other Business:**

135 None

136 **Approval of Minutes**

137 None

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139

140 **Adjournment**

141 Durst moved to adjourn at 9:02 PM. Seconded by Kanter; Ayes: Tomei, Dankert, Kanter, Stycos, and  
142 Durst.

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