

**Village of Lansing
Planning Board Meeting
January 14, 2013**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:32 P.M. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members, Phil Dankert, Lisa Schleelein, Richard
4 Durst, and Maria Stycos; Alternate Member Jon Kanter; Code Enforcement Officer Marty Moseley;
5 Village Attorney David Dubow; Andy Boerman from Ithaca Agway; and Martin and Joanna Marino.

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7 **Public Comment Period**

8 Tomei opened the public comment period.

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

11 **Proposed Sign for JoAnn Fabrics**

12 Tomei reminded the Board that any tenant in the Cayuga Mall which exceeded 14,500 square feet
13 would be allowed to have a maximum sign size not to exceed 150 square feet. Tomei added that if any
14 sign is larger than 55 square feet, the applicant would need to gain approval from the Planning Board.

15 M. Marino indicated that the JoAnn Fabrics sign would be comprised of individual LED
16 internally illuminated letters (without a raceway).

17 Tomei indicated that the total sign size is 138 square feet.

18 Schleelein asked when the sign would be turned off.

19 M. Marino indicated the sign would most likely be connected to either a time clock or a photo
20 cell. M. Marino indicated that the photo cell would have the sign on from dusk till dawn. M. Marino
21 stated that there could also be a combination of both devices installed. M. Marino noted that he would not
22 be the party installing the photo cell or the timer.

23 Stycos asked if there was a time curfew for signs.

24 Moseley indicated that the signs would need to be turned off by 10:00 PM or when the business
25 closes.

26 Kanter asked about the pylon sign.

27 Moseley indicated that both the Planning Board and Board of Trustees have approved the sign, so
28 there probably will be no need for any additional approvals unless the applicant would like to change the
29 pylon.

30 Schleelein moved to approve the JoAnn Fabrics Sign. Seconded by Dankert: Ayes by Tomei,
31 Stycos, Durst, Schleelein, and Dankert

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33 **Classification of Proposed Change to the Existing Special Permit (#2676) for the Cayuga Mall**
34 **Façade and Outside Storage area.**
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36 Tomei stated that the change to the existing special permit only deals with the outside storage
37 area and that currently there are no other changes proposed. Tomei added that the Village did submit
38 materials for the Tompkins County Planning Department to review on behalf of the change to the outside
39 storage area. Tomei indicated that the County Planning Department determined that there would be no
40 negative intercommunity or county-wide impact with respect to the outside storage area.
41

42 Boerman indicated that the shed size would be larger than what was previously proposed in order
43 to accommodate the storage of a forklift. Boerman noted that they would not have a cash register in the
44 outside storage area and a person would need to purchase the goods inside the store and then pick them up
45 at the outside storage area.
46

47 Tomei noted that the green house was not on the original plan.
48

49 Boerman noted that the greenhouse would house dry-goods stored in it, like bags of soil.
50 Boerman noted that the greenhouse should have been included on the original plan as well. Boerman
51 added that he would have bags of products on pallets, outside for customer access, and refill the pallets
52 when needed from the greenhouse.
53

54 Tomei noted that the Board would need to determine if this change would be a major or minor
55 change to the existing special permit.
56

57 Boerman indicated that he was not proposing to change the size of the fenced in area.
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59 Moseley noted that the plans indicate that Boerman wanted to add a 12' x 30' shed and add a 21'
60 x 42' greenhouse. Moseley added that it would appear that the request was for security purposes.

61 Durst moved that the addition of the greenhouse and the larger shed, as described above, be a
62 minor change. Stycos Seconded; Ayes by Tomei, Stycos, Durst, Schleelein, and Dankert.

63
64 Tomei read section 145-59E providing the required special permit general conditions as follows:

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

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

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

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

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

- 74 (6) *Water and sewerage or waste disposal facilities are adequate.*
- 75 (7) *The general environmental quality of the proposal, in terms of site planning,*
76 *architectural design and landscaping, is compatible with the character of the*
77 *neighborhood.*
- 78 (8) *Lot area, access, parking and loading facilities are sufficient for the proposed use.*
- 79 (9) *The requested use or facility conforms in all other respects to the applicable*
80 *regulations of the district in which it is located.*
- 81 (10) *The applicant has shown that steps will be taken where necessary to meet all*
82 *performance standards and all other applicable general regulations.*

83 Dankert moved that all general conditions have been met and that special permit #2676 be
84 changed to reflect the additional proposed 12' x 30' shed and 21' x 42' greenhouse. Seconded by
85 Schleelein; Ayes by: Tomei, Dankert, Schleelein, Stycos, and Durst.

86
87 **Reports**

88 Schleelein reported on the January 7th Board of Trustees meeting. For a report of the meeting
89 please see the Trustee minutes.

90 **Approval of Minutes**

91 Stycos moved to accept the November 14th minutes as amended. Seconded by Durst. Ayes:
92 Tomei, Dankert, Schleelein, and Stycos. Abstention by Durst.

93 Durst moved to accept the November 27th minutes as amended. Seconded by Stycos. Ayes:
94 Tomei, Dankert, Stycos, and Durst. Abstention by Schleelein.

95
96 Stycos moved to accept the December 10th minutes as amended. Seconded by Schleelein. Ayes:
97 Tomei, Dankert, Stycos, and Schleelein. Abstention by Durst.

98
99 **Other Business**

100 Tomei noted that the Tompkins County Planning Department has provided the 239 -l and -m
101 review which was inadvertently not provided previously and which was required for the CU Suites
102 special permit. Tomei added that the review indicated the project would have no negative intercommunity
103 or county-wide impact.

104
105 Tomei read the following proposed special permit reaffirmation resolution which was approved
106 as follows:

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108 **VILLAGE OF LANSING PLANNING BOARD REAFFIRMATION**
109 **APPROVAL RESOLUTION ADOPTED ON JANUARY 14, 2013 FOR PRIOR**
110 **APPROVAL RESOLUTION FOR SPECIAL PERMIT NO. 2689 ADOPTED**
111 **ON OCTOBER 23, 2012**
112

158 *action may have a significant adverse impact on the environment, including the*
159 *criteria identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part*
160 *II; and (iv) made a negative determination of environmental significance (“Negative*
161 *Declaration”)* in accordance with SEQR for the above referenced proposed action
162 *and determined that an Environmental Impact Statement would not be required,*
163 *whereupon the special permit application was determined to be complete; and*
164

165 *F. On October 23, 2012, the Village of Lansing Planning Board held a public hearing*
166 *regarding this proposed action, and thereafter thoroughly reviewed and analyzed (i)*
167 *the materials and information presented by and on behalf of the applicant in support*
168 *of this proposed action, including information and materials related to the*
169 *environmental issues, if any, which the Board deemed necessary or appropriate for*
170 *its review, (ii) all other information and materials rightfully before the Board*
171 *(including, if applicable, comments and recommendations, if any, provided by the*
172 *Tompkins County Department of Planning in accordance with General Municipal*
173 *Law Sections 239-l and –m), and (iii) all issues raised during the public hearing*
174 *and/or otherwise raised in the course of the Board’s deliberations; and*
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176 *G. On October 23, 2012, in accordance with Section 725-b of the Village Law of the*
177 *State of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village*
178 *of Lansing Code, the Village of Lansing Planning Board, in the course of its further*
179 *deliberations, reviewed and took into consideration (i) the general conditions*
180 *required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*
181 *applicable conditions required for certain special permit uses (Village of Lansing*
182 *Code Section 145-60), and (iii) any applicable conditions required for uses within a*
183 *Combining District (Village of Lansing Code Section 145-61); and*
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185 *H. On October 23, 2012, the Village of Lansing Planning Board found (subject to the*
186 *conditions and requirements, if any, set forth below) that the proposed action meets*
187 *(i) all general conditions required for all special permits (Village of Lansing Code*
188 *Section 145-59E), (ii) any applicable conditions required for certain special permit*
189 *uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions*
190 *required for uses within a Combining District (Village of Lansing Code Section 145-*
191 *61), and thereupon determined that Special Permit No. 2689 was **GRANTED AND***
192 ***APPROVED**, subject to the following conditions and requirements:*
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194 *A. Approvals for the height of the structure, buffering of the project to*
195 *adjacent residential district, and parking for the project are subject to the*
196 *Village of Lansing Board of Zoning Appeals granting the required area*
197 *variances as applied for by the applicant.*

198 *B. There shall be no type of drive-thru or similar amenity allowed as part of*
199 *any mixed use/commercial components of the project.*

200 *C. A final lighting plan shall be submitted to and approved by Village of*
201 *Lansing Lighting Commission prior to installation.*

- 202 D. Landscaping plan shall be submitted to and approved by the Planning
203 Board prior to installation.
- 204 E. Approval by the Village of Lansing Engineer and Village of Lansing Storm
205 Water Officer of, but not limited to, site work, storm water management
206 and infrastructure plans, and implementation thereof. Drainage easements
207 for potential impact from the stormwater management facilities on
208 neighboring parcels shall be obtained, provided to the Village for
209 approval by the Village Engineer, Stormwater Officer and Attorney, and
210 thereafter recorded at the Tompkins County Clerk's Office.
- 211 F. Approval by the Superintendent of Public Works for the proposed curb-cut
212 on Cinema Drive;
- 213 I. Following such special permit approval (with conditions) granted by the Planning
214 Board on October 23, 2012, it was discovered that the proposed action was
215 inadvertently not submitted for review pursuant to General Municipal Law Section
216 239 –l and –m review as was required, whereupon the proposed action was submitted
217 for such review; and
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- 219 J. Following review of the proposed action pursuant to General Municipal Law Section
220 239 –l and –m, the Tompkins County Planning Department, by letter dated December
221 13, 2012, provided its recommendation for approval of the proposed action and its
222 report that the proposed action will have no significant county-wide or inter-
223 community impact; and
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- 225 K. On January 14, 2013, at the Planning Board meeting on such date, the Board
226 reviewed the recommendation and report provided by the Tompkins County Planning
227 Department for the purpose of reaffirming the special permit approval previously
228 granted on October 23, 2012;
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230 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

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- 232 1. The Village of Lansing Planning Board hereby reaffirms its prior October 23, 2012
233 special permit approval of the proposed action, and further reaffirms its finding
234 (subject to the conditions and requirements set forth below) that the proposed action
235 meets (i) all general conditions required for all special permits (Village of Lansing
236 Code Section 145-59E), (ii) any applicable conditions required for certain special
237 permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable
238 conditions required for uses within a Combining District (Village of Lansing Code
239 Section 145-61); and
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- 241 2. It is hereby determined by the Village of Lansing Planning Board that the October
242 23, 2012 **GRANT AND APPROVAL** of Special Permit No. 2689 (with the
243 accompanying conditions below as included in such October 23, 2012 Special Permit
244 approval) is reaffirmed in all respects:
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- 246 a. Approvals for the height of the structure, buffering of the project to adjacent
247 residential district, and parking for the project are subject to the Village of
248 Lansing Board of Zoning Appeals granting the required area variances as
249 applied for by the applicant.
- 250 b. There shall be no type of drive-thru or similar amenity allowed as part of any
251 mixed use/commercial components of the project.
- 252 c. A final lighting plan shall be submitted to and approved by Village of Lansing
253 Lighting Commission prior to installation.
- 254 d. Landscaping plan shall be submitted to and approved by the Planning Board
255 prior to installation.
- 256 e. Approval by the Village of Lansing Engineer and Village of Lansing Storm
257 Water Officer of, but not limited to, site work, storm water management and
258 infrastructure plans, and implementation thereof. Drainage easements for
259 potential impact from the stormwater management facilities on neighboring
260 parcels shall be obtained, provided to the Village for approval by the Village
261 Engineer, Stormwater Officer and Attorney, and thereafter recorded at the
262 Tompkins County Clerk's Office.
- 263 f. Approval by the Superintendent of Public Works for the proposed curb-cut on
264 Cinema Drive.
- 265
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267 *The vote on the foregoing motion was as follows:*

268 *AYES: Mario Tomei, Phil Dankert, Maria Stycos, Richard Durst, and Lisa Schleelein.*

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271 *NAYS: None*

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273 *The motion was declared to be carried.*

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Moseley showed a power point image of the Cayuga Mall and explained what could potentially be coming in front of the Board for a request to slightly change some of the Mall's façade.

Stycos asked about the senior housing for the Lansing Meadows Planned Development Area.

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Moseley indicated that there has been no progress on the residential portion, and that the project was supposed to start in the fall of 2012. Moseley added that there was no specific requirement to require the developer to build the residential portion of the project, but it was his understanding that the minimum intent of the PDA was to obtain the Oakcrest side as residential to protect the existing residential properties on Oakcrest road, thus not allowing any commercial development to directly impact the residential properties on Oakcrest Road. Moseley noted that he was not sure if the developer was intending to start construction this year.

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Stycos asked about the progress on the wetland/bird habitat area of the PDA.

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Moseley indicated that the condition for the bird habitat/wetland has been moved to the special permit for the BJ's Fuel Station, which was approved by the Planning Board. Moseley added that the Army Corps of Engineers has jurisdiction over that particular piece of development, but the developer still has a nationwide permit through the Army Corps of Engineers to re-develop the wetland/bird habitat. Moseley added that the developer will have until approximately June 27th of 2013 to complete that wetland/bird habitat re-development.

297 **Adjournment**

298 Durst moved to adjourn at 8:23 PM. Seconded by Stycos; Ayes: Tomei, Dankert, Schleelein, Stycos, and
299 Durst.