

**Village of Lansing  
Planning Board Meeting  
February 11, 2013**

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, Lisa Schleelein; Alternate  
4 Member Jon Kanter; Code Enforcement Officer Marty Moseley; Village Attorney David Dubow; Trustee  
5 Liaison Lynn Leopold; Robert Colbert and Jagat Sharma; Jim Knittel from Dalpos Architects; and  
6 Community Observer Stu Grinnell.

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

9

10 **Public Comment Period**

11 Tomei opened the public comment period.

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

14 **Review of Previously Approved and Possible Amendments to Existing Special Permit 2115, with**  
15 **Conditions.**

16 Tomei noted that the special permit was originally approved on April 25, 2006. Tomei noted that  
17 this matter regards phase two of the previously approved special permit and would allow for a second  
18 building to be built next to 2432 North Triphammer Road (Ithaca Cardiology Associates), which was  
19 phase one of the original project. Tomei introduced Colbert and Sharma.

20 Colbert indicated that the Planning Board did grant approval, with conditions, in 2006. Colbert  
21 indicated that there was also a variance granted for the project to allow for the façade of the building to be  
22 placed outside of the build-to area along North Triphammer Road, as required by the Village Zoning.  
23 Colbert indicated that due to the economy phase two has been delayed, but noted that they would now  
24 like to build the new phase-two building. Colbert indicated that the proposal has not changed at all.  
25 Colbert noted that the building and the building's aesthetics have not changed from the original proposed  
26 and approved phase two structure and related development. Colbert added that the use of the building will  
27 comply with the Village Zoning Law requirements. Colbert noted that one of the tenants would be a  
28 medical professional. Colbert added that the stormwater detention facilities have already been installed as  
29 part of phase one. Colbert also noted that subdivision approval has previously been granted.

30 Tomei noted that Moseley provided a letter indicating the following:

31 February 5, 2013

32 *ATTN: Planning Board*

33 *Re: 2430 North Triphammer Road.*

34

35 *Dear Planning Board Members,*

36 *The Timemon Holding Company, owned by Robert Colbert, is requesting a building permit to*  
37 *build an 8147 square foot building next to 2432 North Triphammer Road, which was granted special*  
38 *permit approval on April 25, 2006. I therefore requested Mr. Colbert to discuss this proposed building*  
39 *with the Planning Board due to the length of time that has elapsed from when special permit approval*  
40 *was granted. Also the Village Code (section 145-59 D-6) states that:*

41 *Mandatory review of approved Special Permits. If more than three (3) years have elapsed*  
42 *between the date that the Planning Board approves the issuance of a Special Permit/building permit and*  
43 *the date that the applicant satisfies the conditions for the issuance of the Special Permit/building permit,*  
44 *the Code Enforcement Officer may not issue that Special Permit/building permit until the Planning Board*  
45 *has reviewed that Special Permit/building permit and reaffirmed its approval with any additional*  
46 *conditions or modifications to existing conditions that may be required by changes in circumstances.*

47 *Below are the conditions as set in the special permit approved in 2006:*

48 ***A. The granting by the Village of Lansing Board of Zoning Appeals of the necessary area***  
49 ***variance related to the Commercial Low Traffic District front yard build-to standards***  
50 ***and related requirements provided for in Village of Lansing Code Section 145.42,***  
51 ***subsection E(4)(b), approval of which variance(s) the Village Planning Board***  
52 ***recommends to the Village of Lansing Board of Zoning Appeals.***  
53 ***a. On May 16, 2006 the Board of Zoning Appeals granted a variance for this project.***

54

55 ***B. Confirmation by the Code Enforcement Officer that the offstreet parking provided***  
56 ***complies with the requirements of Article V of the Village of Lansing Code.***  
57 ***a. This would be slightly difficult to confirm that Ben had approved, but I would***  
58 ***assume that it was done and I could confirm that.***

60 ***C. Approval of a lighting plan for all exterior lighting by the Village of Lansing Lighting***  
61 ***Commission.***  
62 ***a. I cannot locate the approval of the Lighting Commission. I have discussed this topic***  
63 ***with John Courtney, Lighting Commissioner, who did not have any record of any***  
64 ***approvals, nor can he remember reviewing or approving such a project.***

65

66 ***D. Approval by the Village Engineer of storm water management, site work and traffic***  
67 ***circulation.***  
68 ***a. I have had some conversations with Brent Cross (Village Engineer)who indicated***  
69 ***that he thought this was approved to the extent that it could be at that time, and that***  
70 ***he would follow up when the project was nearing completion as usual.***

71

72 *I have attached the minutes from the Planning Board Meeting of April 25, 2006 to provide for a*  
73 *background to what was discussed and approved. I have attached the original approved plans and there*

74 will be a presentation on the current drawings of the project at the Board meeting. During the start of my  
75 review of the site plans there seemed to be some minor additions to the drawings, which included a  
76 sidewalk on the south side of the building and some additional parking spaces to the overall parking  
77 area. I would assume that this should also be taken into account and possibly discussed to whether a  
78 change to the existing special permit would be appropriate. I would also assume that if the changes were  
79 significant enough the change might be classified in accordance with section 145-59F (Amendment to  
80 Previously Approved Special Permits).

81 If there are any /comments questions pertaining to this topic or if anyone would like to look at the  
82 property file for either of the proposed projects please contact me prior to the meeting.

83

84 *Thank You,*

85

86 *Marty Moseley*

87 .

88 Dubow indicated that the review of the Board, at tonight's meeting, is a mandatory review under  
89 the Village Code/Zoning Law as explained above in Moseley's letter to the Planning Board.

90 Tomei asked if the condition for the parking referred to a specific number of parking spaces as  
91 well.

92 Moseley indicated that based upon his review of the original document, it appeared that the  
93 Planning Board granted the Code Enforcement Officer the authority to approve the parking with a slight  
94 bit of leniency. Moseley indicated that Colbert originally stated, in April of 2006, that the parking spaces  
95 could be striped in a slightly smaller width to accommodate more parking spaces depending on the  
96 individual tenants.

97 Dubow noted that the parking requirements for the Village must be evaluated because different  
98 uses are required to have a different number of minimum parking spaces based on square footage, except  
99 that the parking for medical professionals is based on doctors and other medical staff for the occupancy.

100 Colbert noted that certain parking spaces located in front of Ithaca Cardiology are also to be  
101 designated.

102 Moseley indicated that there are approximately 7 spaces associated with that area.

103 Kanter noted that there will be additional parking in front of the newly proposed building as well.

104 Dubow indicated that there were several agreements that were required as conditions of the  
105 developer for approval of the original special permit, including cross-access and similar agreements, and

106 also a stormwater maintenance agreement, all of which have already been provided, executed, and  
107 recorded at the County Clerk's Office.

108 Stycos asked if the original variance would need to be reaffirmed.

109 Dubow indicated that it would not be needed as long as the building was built in accordance with  
110 how the variance was granted.

111 Moseley indicated that the building appeared to be in accordance with the original provisions of  
112 the variance that was granted.

113 Tomei noted that the Village engineer is currently out of town and Moseley will continue the  
114 conversations to make sure that phase two will fully comply with the conditions as set in the original  
115 special permit approval.

116 Schleelein noted that she visited the site and noticed a wet area, possibly wetland, where future  
117 pavement would be located. Schleelein asked if that area would be taken care of with the stormwater  
118 management.

119 Kanter noted that the area that Schleelein is referring to has cattails and appears to be some sort of  
120 drainage swale.

121 Colbert noted that the swale is located over an existing drainage pipe that was previously installed  
122 as part of phase one to drain to the current stormwater detention facility. Colbert added that the non-  
123 permeable surfaces are not changing from the original calculations for the stormwater management plan.

124 Kanter asked about the exiting utilities on the site and the proximity to the wet area.

125 Moseley indicated that a Bolton Point Water main does run through the property and under the  
126 current parking lots that are in existence. Moseley added that he has had personal experience dealing with  
127 repairing of the water lines in the existing parking lot and could verify that they do exist.

128 Kanter asked if there was a utility plan for the site. Kanter commented that the wetland type area  
129 is probably not a wetland, but rather a wet area over an existing drainage pipe that has wetland types of  
130 vegetation growing in it.

131 Sharma presented the original plan that represented the utilities on site and which was part of the  
132 approved special permit in 2006.

133 Tomei indicated that one of the original special permit conditions was the need for a lighting plan  
134 to be submitted and approved by the Lighting Commission, and because that condition appears not to  
135 have been satisfied, that condition will carry over to phase two of the project.

136 Leopold indicated that she did not remember seeing a lighting plan for phase two.

137 Colbert noted that they would like to have identical lighting poles in the parking lot and some  
138 lighting on the building.

139 Tomei noted that the Lighting Commission would have to approve the lighting plan.

140 Sharma pointed out the lighting fixtures on the plan and explained that the plan is exactly the  
141 same plan that was presented in 2006.

142 Moseley indicated that if the plan is the same as it was, it is in fact identical to what was in the  
143 Village files, meaning that the slight differences he noted in his letter would not be an issue because they  
144 did exist in the original proposal.

145 Colbert indicated that he would not be changing any of the total parking area or sidewalks.

146 Tomei asked for the tenant proportions to clarify that the parking would be sufficient.

147 Kanter asked if the sign would be co-located with the sign at 2432 North Triphammer Road.

148 Colbert noted that since the second phase will be on a separate property he would need to have a  
149 separate sign that he will apply for.

150 Kanter asked if there was a landscaping plan with the original submittal, and if there would be  
151 some type of buffer installed for adjoining parcels.

152 Colbert indicated that the original buffering plan mainly had pine trees and willow trees that were  
153 planted all the way around the stormwater detention facility mainly towards the west side of the property.

154 Schleelein noted that Kanter was referring to the potential buffering of the south side.

155 Kanter asked if a strip of trees, towards the south, could be preserved.

156 Colbert indicated that they will try to preserve as many trees as they can for the project.

157 Moseley provided the original landscaping plan to the Planning Board.

158 Tomei noted that there are no changes to the project, as presented.

159 Kanter moved to reaffirm the special permit subject to the conditions as discussed and set forth in  
160 the original special permit approval. Seconded by Schleelein; Ayes by Tomei, Stycos, Kanter, and  
161 Schleelein.

162 **Classification of Proposed Change to the Existing Special Permit (#2676) for the Cayuga Mall Façade**  
163 **and Outside Storage area**

164 Knittel indicated that the Planning Board has already approved a façade elevation, but would  
165 request to change the façade elevation for the Rite Aid store. Knittel indicated that the exiting façade  
166 elevation is similar to how they would like the final product to turn out. Knittel indicated that there are  
167 also some existing structural columns that the owners are requesting to keep in place and which are  
168 located in front of the new entrances to the tenants. Knittel indicated that they would wrap the existing  
169 structural posts to attempt to blend them in with the updated façade.

170 Tomei noted that the current façade elevations would not change, and asked if this change was  
171 due to economic reasons.

172 Knittel indicated that they are still trying to produce a consistent façade with the different  
173 elevations.

174 Schleelein asked if the Rite Aid storefront would remain the same.

175 Knittel stated that Rite Aid would have a new façade but the store front would stay the same as it  
176 currently appears.

177 Moseley noted that in prior drawings the Rite Aid façade appeared as brick.

178 Knittel noted that the Rite Aid façade would not be brick, but would be E.I.F.S (Exterior  
179 Insulated Finish System), but the color of the façade would be similar to brick.

180 Dubow noted that the special permit provisions, section 149-59(C)[2], provides for exemptions,  
181 one of which states: *Any minor alteration to the facade of a proposed or existing building (e.g., the*  
182 *elimination of an exterior window or door) which does not result in an increase in the gross floor area*  
183 *square footage of such building, provided that all construction associated with such minor alteration*  
184 *conforms to the requirements of this chapter and all applicable Building and Fire Codes.* Dubow added  
185 that the Board could take the position that this section would be applicable to this particular situation,  
186 which then would not require the Board to work through the full special permit alteration section  
187 requirements.

188 After further discussion, Schleelein moved that section 149-59(C)[2] would be applicable to this  
189 situation, which will allow the façade to be changed without requesting a change to the existing special  
190 permit. Seconded by Stycos; Ayes by Tomei, Kanter, Schleelein, and Stycos.

191  
192  
193 **Reports**  
194 None

195 **Approval of Minutes**  
196 None

197 **Other Business**

198 Tomei asked if there any of the Planning Board members who knew of any individuals that would  
199 be interested to serve on the Planning Board due to Durst leaving the Board.

200  
201 Tomei noted that it could be possible that Debra Dawson, who served on the Northeast Advisory  
202 Group, might be interested in serving on the Planning Board. Tomei asked for the Board members to  
203 submit other names of individuals that might be interested as well. Tomei noted that they will probably  
204 talk to Dawson in the future.

205  
206 Moseley indicated that SEQRA forms might be updated on April 1<sup>st</sup> of 2013.

207  
208 Kanter indicated that the New York Planning Federation Conference will be on April 21-23.  
209 Kanter noted that individuals might think about whether they would be interested in attending.

210  
211 **Adjournment**

212 Schleelein moved to adjourn at 8:26 PM. Seconded by Stycos; Ayes: Tomei, Stycos, Schleelein, and  
213 Kanter.

214