

**Village of Lansing
Planning Board Meeting
June 24, 2014**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:00 P.M. by Chairman
2 Mario Tomei.

3 Present at the meeting were Planning Board Members: Maria Stycos, Phil Dankert, Deborah
4 Dawson; Lisa Schleelein; Alternate Member, John Gillott; Code Enforcement Officer, Marty Moseley;
5 Village Attorney, David Dubow; Trustee Liaison, Gerry Monaghan; Village Resident, John Bishop.

6 Absent: None

7 **Public Comment Period**

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

12 **Continued Discussion on Home Occupation**

13 Tomei read the Home Occupation as defined in section 145-3 of the Village of Lansing Code.
14 Tomei also referenced the handout titled “Will Home Occupations Save the Environment” from the
15 Zoning Practice American Planning Association. Tomei noted that the Village is involved with Home
16 Occupations due to the possibility of having an adverse impact on neighbors and the neighborhood.

17 Dawson indicated that enforcement was a problem because the current definition of a Home
18 Occupation includes situations that do not involve any employees and do not have any commercial
19 vehicles on site, in which case the activity ought not to require a special permit. Dawson suggested adding
20 language to 145-60D for better clarification and possibly add additional conditions if necessary. Dawson
21 noted that she was not in favor of having a list of Home Occupations because the list of conditions in 145-
22 60D provides for each neighborhood to be evaluated separately upon application of a Home Occupation
23 special permit.

24 Schleelein noted that other municipalities have two categories of Home Occupations:. One
25 category provides for permitting requirements, while the other noted that if there are no employees or
26 customers that come to the site then no additional permitting is required.

27 Tomei noted that the Village does not regulate advertisement for Home Occupations, except for
28 signage.

29 Dawson was concerned about the legality of prohibiting the advertisement of a Home
30 Occupation.

31 Schleelein noted that the applicants have rights too. Schleelein noted that off street parking could
32 be problematic as well.

33 Schleelein and Dawson indicated that they did not want the law to be too specific, especially as to
34 listing specific home occupations.

35 Tomei noted that there needs to be adequate off street parking for all traffic generated by the
36 Home Occupation and the residents of the property too.

37 Dawson noted that as long as individuals are not negatively affecting their neighbors, they have a
38 right to enjoy their own home.

39 Gillott indicated that a Home Occupation and a home office are not the same things.

40 Stycos noted the Village could regulate the number of clients that a Home Occupation would
41 permit to visit the property.

42 Schleelein noted that complaints would be registered to the Village Code Officer who would then
43 take action if necessary.

44 Dubow noted that there would be no fully accurate way for the Village to know how many
45 vehicles are on the property associated with the Home Occupation. Dubow added that the general and
46 additional conditions for a Home Occupation are subjective, presumably to give the Planning Board some
47 flexibility in exercising their review and approval/denial authority.

48 Schleelein noted that she would like the applicants to provide vehicle trips per day on their
49 application information.

50 Monaghan indicated that advertising could increase traffic to the Home Occupation.

51 Bishop noted that an online business would not impact traffic, and that the Board should think of
52 all the things an individual can do to make money from home when determining what is or is not a Home
53 Occupation.

54 Schleelein noted that there could be a restriction on the number of Home Occupations in one area
55 or neighborhood.

56 Stycos noted that there could be an end date on the special permit, which would require the
57 applicant to renew the special permit if they wanted to continue to operate.

58 Gillott asked if there was a formal way that the applicant would alter their application.

59 Moseley noted that there is generally interaction between the applicant and the Board which
60 ultimately is reflected in the special permit resolution and the required conditions incorporated in the
61 resolution.

62 Dubow noted that the Village Planning Board has had a somewhat long history of trying to be
63 “user friendly” with applicants and their submissions, and to also be responsive to such applicants.

64 Dawson noted that the current process and Village Code works.

65 After further discussion, the Board determined that they would like to have the applicant provide
66 vehicle trips and hours of operation with Home Occupation application materials. The Board thinks that a
67 home office is different from a Home Occupation and would not need a special permit if there were no
68 additional vehicles, no employees, no deliveries, and no selling of products.

69 Moseley noted that he would put some language together for the next meeting and the Board
70 could continue the discussion then.

71 **Approval of Minutes:**

72 None

73

74 **Trustee Report:**

75 None

76 **Other Business:**

77

78 Schleelein noted that she would not be in attendance for the July 14th and 29th meetings.

79 **Adjournment**

80 Dawson moved to adjourn at 8:35 PM. Seconded by Stycos; Ayes by: Tomei, Dankert, Stycos,
81 Schleelein, and Dawson.

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