

**Village of Lansing  
Planning Board Meeting  
July 29, 2014**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:02 P.M. by Chairman  
2 Mario Tomei.

3 Present at the meeting were Planning Board Members: Maria Stycos, Phil Dankert, Deborah  
4 Dawson; Alternate Member, John Gillott; Code Enforcement Officer, Marty Moseley; Village Attorney,  
5 David Dubow; Village Engineer, Brent Cross; Trustee Liaison Lynn Leopold; Dr. Ahmed Ahmed  
6 representing the Al-Huda Islamic Center; Village Residents Rob Swarthout, Jim Lorbeer, and Mike  
7 Aulbach; and Dan Veaner from the Lansing Star.

8 Absent: Lisa Schleelein

9 Tomei appointed Alternate Member John Gillott as Acting Member in place of Lisa Schleelein.

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11 **Public Comment Period**

12 Tomei opened the public comment period. With no one wishing to speak, Dawson moved to  
13 close the public comment period. Seconded by Stycos; Ayes by Tomei, Dankert, Stycos, Dawson, and  
14 Gillott.

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16 **Islamic Religious Facility at 112 Graham Road**

17 Tomei opened the public hearing to consider:

18 Special Permit 2895, Al-Huda Islamic Center of Finger Lakes, to construct approximate 4,828 square foot  
19 Religious Facility building at 112 Graham Road in the High Density Residential District, Tax Parcel No.  
20 46.1-5-2.2. Special Permit review is required pursuant to Section 145-41D(1)(b) of the Village of Lansing  
21 Code.

22 Ahmed provided a digital presentation for the meeting including project plans and related  
23 documentation following up from the informal presentation that was made to the Board at the meeting on  
24 July 14<sup>th</sup>.

25 Ahmed noted that the proposed building would house a maximum of 100 people during an event,  
26 but typically 50 people would be in attendance. Ahmed indicated that the Islamic religion needs a place to  
27 formally provide teachings to their members and children, as well as an outreach to the community. They  
28 have weekly prayer gatherings on Fridays between 1:00 and 2:00 PM, and have yearly evening prayer  
29 gatherings for two Muslim holidays per year. Ahmed added that there are prayers everyday 5 times per  
30 day, which would have about 20 individuals per prayer time. The proposed parking is mostly behind the  
31 building but there is a possibility for expansion in the future if needed, which would be in front of the  
32 building. Ahmed added that they may have some meals at the facility. Ahmed noted that they like the  
33 proposed location because it allows for easy access and for public transportation to and from the mosque.  
34 Ahmed noted that the weekly gatherings on Fridays would house approximately 40-80 individuals and the  
35 yearly gatherings would attract approximately 20-40 individuals. Ahmed pointed out that there is already

36 another religious organization on Graham Road. Ahmed provided a site layout of what trees are currently  
37 on site, and what trees would be removed. Ahmed noted that they have proposed to widen the drivelines  
38 to 24 feet and add bio-retention/ rain gardens and swales to allow for the quality treatment of stormwater  
39 runoff as previously suggested by Cross. Ahmed explained that the basement level would allow for  
40 meetings, activities and classrooms, and the main level would accommodate for open area to pray and  
41 bathroom facilities. Ahmed indicated that a person may stay at the facility.

42 Dawson questioned Ahmed about a person staying at the religious building.

43 Ahmed indicated that the individual would be similar to a pastor, in other religions, and would  
44 teach/preach but would not be staying overnight.

45 Lorbeer indicated that he was concerned with stormwater drainage and the creek that is located on the site  
46 and can become very active with water runoff.

47 Cross indicated that he and Moseley had a meeting with the applicants to discuss stormwater  
48 management. The rain gardens/bi-retention and swales are part of the stormwater management and  
49 although a design has not been submitted yet, one will be required and will need to be approved. Cross  
50 explained that he would also analyze the site for quality and quantity runoff prior to the building permit  
51 being issued, which is a typical condition of the special permit that the Planning Board requires of  
52 applicants in this situation.

53 Tomei noted that the applicant is proposing a conceptual project and will need to have a design  
54 professional to work with Cross and Moseley on various items including stormwater runoff.

55 Cross presented the following engineer report to the Planning Board:

Comment [d1]: Need to insert Brent's Report.

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57 **VILLAGE OF LANSING**  
58 **ENGINEER'S REPORT**

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60 *DATE: July 29, 2014*

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62 *TO: Planning Board*

63  
64 *FROM : Brent Cross PE, Village Engineer*

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66 *RE: Al-Huda Islamic Center*

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68 *I have inspected the site and reviewed the concept plans, dated 6/30/14 and 7/28/14,*  
69 *submitted for the above referenced project. I have the following observations:*

- 70  
71 1. *The general layout of the site has the building in the center of the lot and the parking*  
72 *area located at the back of the site. There is a single driveway on Graham Road. The*  
73 *overall layout of the driveways/parking/aisles should be acceptable. The concept plans*  
74 *show a 22' wide driveway and aisle width for two-way traffic. I normally recommend 24'*  
75 *wide driveway and aisles for non-residential facilities, but to reduce impervious surfaces,*  
76 *the 22' wide driveway should be adequate for the low volume/passenger car use. For*  
77 *safety reasons, I still recommend that the parking aisle be 24' wide to allow for better*  
78 *maneuvering space.*

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2. *Since the total parcel area is just under 1 acre, a full stormwater pollution prevention plan is required. In all previous special permit applications, I have recommended that the Planning Board require the owner/developer to provide "best management practices" to address stormwater run-off from the new site. After meeting with the applicants, they have provided a conceptual stormwater plan that will provide bioretention basins to treat run-off from the roof and parking areas. In general, the proposed drainage layout should provide a good level of stormwater management for the site. The applicant will need to provide calculations and details of the stormwater practice(s) that I will review for comparison to the NYSDEC's recommended design standards. One of the significant features of the property is a stream course that runs across the northwest corner of the site, which is also in the location of the parking area. The applicant is proposing to install a culvert pipe to allow the water flow to pass through the parking/site independently of the run-off from the new impervious surfaces. I will need to evaluate the size of this pipe to handle the current stormwater flow through the site.*
  3. *A Site Utility Plan has been provided which shows the water and sewer to be served by the Village's ROW in Graham Road. The water supply should not be a problem, but the sewer lateral may need to be pumped since the floor of the building is lower than road level. These service connections will need to be coordinated with the Village DPW. Also, the applicant will need to provide an estimated water consumption to the Village of Cayuga Heights for assignment of the appropriate number of sewer unit(s).*
  4. *The applicant has indicated that no dumpster is planned.*
  5. *The concept plans do not indicate whether or not site lighting will be installed. A planting plan has been provided.*
- Based on the above observations, I recommend that the Planning Board grant Special Permit approval for this application with a condition that the applicant will submit detailed stormwater plans for review by the Village Engineer prior to issue of a building permit.*

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111 Swarthout indicated that his business is across the road from the proposed project and if parking was  
112 allowed on the street then that may cause problems for his bus drivers.

113 Lorbeer agreed with Swarthout, that parking on Graham Road and Dart Drive is dangerous and should not  
114 be allowed.

115 Aulbach noted that he too is concerned with parking on Dart Drive and Graham Road. Aulbach noted that  
116 it is an unsafe situation for pedestrians, and also vehicles. Aulbach added that he lives on Graham Road  
117 (on the sharp corner) and personally has witnessed accidents on his own property. Aulbach noted that  
118 although the congregation is not very large for the proposed Islamic Religion facility at this point in time,  
119 it will grow and the Board should keep that in mind when considering this special permit.

120 Moseley noted that the Planning Board could make a recommendation to the Trustees about parking  
121 restrictions on Graham Road and Dart Drive, but ultimately the Board of Trustees decides if the law  
122 should be amended to prohibit parking on the roads in question. Moseley added that the Tompkins  
123 County Sheriff's Department is the enforcing entity.

124 Cross noted that the Sherriff's Department should be contacted if there is a dangerous situation.

125 Ahmed indicated that they would only be parking in their parking lot and not on the road.

126 Dankert agreed with Lorbeer, that parking on Dart Drive and Graham Road is dangerous.

127 Dubow asked if the applicant meets the Village off-street parking requirements.

128 Moseley indicated that to his knowledge, the applicant's proposal does meet the Village parking  
129 regulations.

130 Moseley added that he has received the proof of mailings as required by the village Code.

131 The Planning Board worked through the Short Environmental Assessment Form (EAF). After discussion,  
132 the Board filled in the appropriate areas and made some minor modifications to the form, prior to  
133 determining that the proposed action will not result in any significant adverse environmental impacts.  
134 Ahmed agreed to the minor amendments to the Short EAF.

135 Dawson moved the following SEQR resolution

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137 *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR REVIEW OF SPECIAL*  
138 *PERMIT NO. 2895 ADOPTED ON JULY 29, 2014*

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140 *Motion made by:* \_\_\_\_\_ *Deborah Dawson* \_\_\_\_\_

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142 *Motion seconded by:* \_\_\_\_\_ *Phil Dankert* \_\_\_\_\_

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144 **WHEREAS:**

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146 A. *This matter involves consideration of the following proposed action: Special Permit 2895, Al-*  
147 *Huda Islamic Center of Finger Lakes, to construct approximate 4,828 square foot Religious*  
148 *Facility building at 112 Graham Road in the High Density Residential District, Tax Parcel*  
149 *No. 46.1-5-2.2. Special Permit review is required pursuant to Section 145-41D(1)(b) of the*  
150 *Village of Lansing Code; and*  
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152 B. On July 29, 2014, the Village of Lansing Planning Board, in performing the lead agency  
153 function for its independent and uncoordinated environmental review in accordance with  
154 Article 8 of the New York State Environmental Conservation Law - the State Environmental  
155 Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is  
156 an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short  
157 Environmental Assessment Form (the "Short EAF"), Part 1, and any and all other documents  
158 prepared and submitted with respect to this proposed action and its environmental review  
159 [including any Visual Environmental Assessment Form deemed required, and comments and  
160 recommendations, if any, provided by the Tompkins County Department of Planning in  
161 accordance with General Municipal Law Sections 239-l and -m]; (iii) completed its thorough  
162 analysis of the potential relevant areas of environmental concern to determine if the proposed  
163 action may have a significant adverse impact on the environment, including the criteria  
164 identified in 6 NYCRR Section 617.7(c); and (iv) completed the Short EAF, Part 2);  
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166 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

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169 1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF,  
170 Part 1, and any and all other documents prepared and submitted with respect to this  
171 proposed action and its environmental review [including any Visual Environmental  
172 Assessment Form deemed required, and comments and recommendations, if any, provided by  
173 the Tompkins County Department of Planning in accordance with General Municipal Law  
174 Sections 239-l and -m], (ii) its thorough review of the potential relevant areas of  
175 environmental concern to determine if the proposed action may have a significant adverse  
176 impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c),  
177 and (iii) its completion of the Short EAF, Part 2, including the findings noted thereon (which  
178 findings are incorporated herein as if set forth at length), hereby makes a negative  
179 determination of environmental significance ("**NEGATIVE DECLARATION**") in  
180 accordance with SEQR for the above referenced proposed action, and determines that an  
181 Environmental Impact Statement will not be required; and

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183 2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and  
184 directed to complete and sign as required the Short EAF, Part 3, confirming the foregoing  
185 **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be  
186 attached to and made a part of this Resolution.

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188 The vote on the foregoing motion was as follows:

189 **AYES:** Mario Tomei, Phil Dankert, Maria Stycos, John Gillott, Deborah Dawson

190 NAYS: None

191 The motion was declared to be carried.

192 There being no further input from the public, Dawson moved to close the public hearing. Seconded by  
193 Stycos; Ayes by Tomei, Dankert, Stycos, Dawson, and Gillott.

194 Tomei read the general conditions for special permits, section 145-59E.

195 Gillott moved that all general conditions, in accordance with section 145-59E, have been met.  
196 Seconded by Stycos; Ayes by Tomei, Dankert, Stycos, Dawson, and Gillott.

197 Dawson moved the following special permit resolution with conditions:

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199 VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 2895  
200 ADOPTED ON JULY 29, 2014

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203 Motion made by: Deborah Dawson

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205 Motion seconded by: John Gillott

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- WHEREAS:
- A. This matter involves consideration of the following proposed action: Special Permit 2895, Al-Huda Islamic Center of Finger Lakes, to construct approximate 4,828 square foot Religious Facility building at 112 Graham Road in the High Density Residential District, Tax Parcel No. 46.1-5-2.2. Special Permit review is required pursuant to Section 145-41D(1)(b) of the Village of Lansing Code; and
  - B. On July 14, 2014, the special permit application and additional information and materials for the proposed action were presented for preliminary review by the Village of Lansing Planning Board, at which time such application, information and materials were preliminarily evaluated, questions were posed and responses offered, and any public comments were permitted, after which the Planning Board determined that a formal public hearing thereon be scheduled for July 29, 2014; and
  - C. On July 29, 2014, the Village Lansing Planning Board opened a public hearing for the initial purpose of (i) eliciting public comment on environmental issues regarding this proposed action, and (ii) reviewing and evaluating the materials and information presented by and on behalf of the applicant in support of this proposed action; and
  - D. On July 29, 2014, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part 1, any and all other documents

232 prepared and submitted with respect to the proposed action and its environmental review  
233 [including any Visual Environmental Assessment Form deemed required, comments and  
234 recommendations, if any, provided by the Tompkins County Department of Planning in  
235 accordance with General Municipal Law Sections 239-l and -m]; (ii) reviewed  
236 environmental related comments from the public; (iii) completed its thorough analysis of  
237 the potential relevant areas of environmental concern to determine if the proposed action  
238 may have a significant adverse impact on the environment, including the criteria  
239 identified in 6 NYCRR Section 617.7(c); (iv) completed the Short EAF, Part 2; and (v)  
240 made a negative determination of environmental significance (“Negative Declaration”)  
241 in accordance with SEQOR for the proposed action and determined that an Environmental  
242 Impact Statement would not be required; whereupon, having completed the SEQOR review  
243 and having made its SEQOR determination, it was established that the special permit  
244 application was complete; and  
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246 E. On July 29, 2014, the Village of Lansing Planning Board thereafter continued the public  
247 hearing on the proposed action and further reviewed and analyzed (i) the materials and  
248 information presented by and on behalf of the applicant in support of the proposed  
249 action, including any additional information and materials related to environmental  
250 issues, if any, which the Board deemed necessary or appropriate for its review, (ii) all  
251 other information and materials rightfully before the Board [including comments and  
252 recommendations, if any, provided by the Tompkins County Department of Planning in  
253 accordance with General Municipal Law Sections 239-l and -m], (iii) all issues raised  
254 during the public hearing and/or otherwise raised in the course of the Board’s  
255 deliberations, and (iv) possible modifications and/or conditions that might be imposed in  
256 conjunction with any special permit approval to be granted, whereupon, the public  
257 hearing was closed; and  
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259 F. On July 29, 2014, in accordance with Section 7-725-b of the Village Law of the State of  
260 New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing  
261 Code, the Village of Lansing Planning Board, in the course of its further deliberations,  
262 reviewed and took into consideration (i) the general conditions required for all special  
263 permits (Village of Lansing Code Section 145-59E), (ii) any applicable conditions  
264 required for certain special permit uses (Village of Lansing Code Section 145-60, and  
265 (iii) any applicable conditions required for uses within a Combining District (Village of  
266 Lansing Code Section 145-61);  
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268 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:  
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271 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and  
272 requirements, if any, set forth below) that the proposed action meets (i) all general conditions  
273 required for all special permits (Village of Lansing Code Section 145-59E), (ii) any  
274 applicable conditions required for certain special permit uses (Village of Lansing Code  
275 Section 145-60), and (iii) any applicable conditions required for uses within a Combining  
276 District (Village of Lansing Code Section 145-61); and  
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278 2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No.  
279 2895 is GRANTED AND APPROVED, subject to the following conditions and requirements:

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- a. *Required permits, approvals, consents and other authorizations from all applicable Federal, State, County and local governmental and regulatory agencies shall be obtained, maintained and complied with for all permitted improvements, operations and activities as authorized by this special permit approval, and such improvements, operations and activities shall at all times comply with all applicable Federal, State, County and local laws, codes, rules and regulations.*
  - b. *Soil and Erosion control measures shall be implemented and coordinated as required, and approved by either the Village of Lansing Code Enforcement Officer and/or the Village of Lansing Engineer.*
  - c. *Maintenance agreement, approved by the Village Attorney, pertaining to the stormwater facilities.*
  - d. *All detailed documentation for stormwater plans and facilities shall be submitted and approved by the Village of Lansing Engineer prior to the issuance of the building permit.*
  - e. *A lighting plan shall be submitted to and approved by the Village of Lansing Lighting Commission prior to the installation of any exterior light fixtures*
  - f. *A landscaping plan shall be submitted to and approved by the Planning Board prior to the issuance of the building permit.*
  - g. *Water consumption proposed for the occupancy of the new building shall be provided to the Village of Cayuga Heights and the Village of Lansing for the issuance of the required sewer permit prior to the issuance of the building permit.*

314 *The vote on the foregoing motion was as follows:*

316 *AYES: Mario Tomei, Maria Stycos, Phil Dankert, Deborah Dawson, and John Gillott.*

318 *NAYS: None*

320 *The motion was declared to be carried.*

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322 **Continued Discussion on Home Occupation Use Language:**

323 Tomei read the current explanation in section 145-82. After a short discussion, Dawson proposed to  
324 recommend the following language as previously discussed by the Board and as prepared by Dubow to



325 the Board of Trustees to amend the home occupation language in the Village Code in sections 145-3 and  
326 145-82.  
327

328 **145-3. Terms defined.**

329 *Home occupation – An occupation, profession, use and/or activity which is carried on by a person*  
330 *residing in the dwelling unit, and is clearly incidental and accessory or secondary to the use of the*  
331 *dwelling unit for residential purposes. (See §145-60D for special permit requirements, and §145-*  
332 *82.A.(15) for Typical uses; category of use.)*

333 **145-82 Typical uses; category of use.**

334 *Home occupation. Includes uses and activities incidental and accessory or secondary to the use*  
335 *of the dwelling unit for residential purposes; provided, however, that any such use and/or activity*  
336 *shall not be considered a home occupation and therefore shall not be subject to special permit*  
337 *approval under this Zoning Law in the event that (i) there are no employees, customers, clients,*  
338 *students or similar individuals visiting the dwelling unit, (ii) there is no sale of goods and*  
339 *services at the dwelling unit, and (iii) no additional vehicle traffic is produced other than what*  
340 *would be expected for the customary use of the dwelling unit. (See §145-3)*

341 Seconded by Stycos; Ayes by: Ayes by Tomei, Dankert, Stycos, Dawson, and Gillott.

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343 **Approval of Minutes:**

344 Stycos moved to accept the April 29<sup>th</sup> minutes as amended. Seconded by Dankert; Tomei,  
345 Dankert, and Gillott. Abstention by Dawson.

346 Dankert moved to accept the May 6<sup>th</sup> minutes as amended. Seconded by Stycos; Ayes by Tomei,  
347 Dankert, Stycos, and Gillott. Abstention by Dawson

348 Dawson moved to accept the May 27<sup>th</sup> minutes as amended. Seconded by Stycos; Ayes by Tomei,  
349 Dankert, Stycos, Dawson, and Gillott.

350 Dankert moved to accept the June 24<sup>th</sup> minutes as amended. Seconded by Stycos; Ayes by Tomei,  
351 Dankert, Stycos, Dawson, and Gillott.

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353 **Trustee Report:**

354 Dawson reported on the July 21<sup>st</sup> Trustee meeting. For a report of the meeting please see the Trustee  
355 minutes.

356

357 **Other Business:**

358

None

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360 **Adjournment**

361 Dawson moved to adjourn at 9:14 PM. Seconded by Stycos; Ayes by: Ayes by Tomei, Dankert,

362 Stycos, Dawson, and Gillott.