

**Village of Lansing
Planning Board Meeting
September 8, 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: Phil Dankert, Deborah Dawson, Lisa
4 Schleelein; Alternate Member, John Gillott; Code Enforcement Officer, Marty Moseley; Village
5 Attorney, David Dubow; Village Engineer, Brent Cross; Village Resident,; Herman Sieverding from
6 Integrated Acquisition and Development; Eric Goetzmann, from the Shops at Ithaca Mall; and Larry
7 Fabbroni representing Lansing Trails II.

8 Absent: Maria Stycos

9 Tomei appointed Alternate Member John Gillott as Acting Member in place of Maria Stycos.

10 **Public Comment Period**

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

14

15 **Approval of Ulta Beauty signs for the Shops at Ithaca Mall**

16 Goetzmann provided a new packet of information with all updated and correct information with respect to
17 the sign area. Goetzmann explained that there would be approximately 469.67 sq.ft. of sign area left over
18 after deductions from the proposed Ulta sign.

19 Moseley explained that the blade sign can only be allowed to extend 18” past the façade of the building in
20 accordance with the Village Sign Law.

21 Dankert moved to approve the proposed sign package for the Ulta Store. Seconded by Dawson; Ayes by
22 Tomei, Dankert, Schleelein, Dawson, and Gillott.

23 Goetzmann discussed the temporary signage request that was previously in front of the Board.
24 Goetzmann indicated that the mall would need approximately 144 sq. ft. typically for 90 days and not 100
25 sq.ft. as previously requested.

26 Schleelein moved to recommend, to the Board of Trustees, to allow the Shops at Ithaca Mall
27 (Planned Sign Area) PSA to be altered to allow the mall to have temporary signs not exceeding 144
28 square feet administratively approved, and that the temporary signs shall not exceed 90 days for the entire
29 PSA. In the event that the temporary signs would exceed 144 square feet, the mall would need to be
30 granted Planning Board approval for the sign before installation. Seconded by Dawson; Ayes by Tomei,
31 Dankert, Schleelein, Dawson, and Gillott.

32

33 **Consideration/ Classification of Proposed Amendment to Lansing Trials II Subdivision**

34 **Plat**

35 Fabbroni explained a brief history of the Lansing Trials II subdivision. Fabbroni requested that Mike
36 Baker would like to have driveway access onto the parking area for the proposed park. Fabbroni indicated
37 that the driveway was originally supposed to have been connected to Nor Way.

38 Tomei noted that he is recusing himself due to knowing Mike Baker.

39 Baker indicated that by having a driveway connection on the designated park parking lot it would allow
40 for a safer environment for children. It would also allow for a different house orientation that Baker is
41 trying to achieve.

42 John Courtney (Village of Lansing Superintendent of Public Works) submitted the following letter to the
43 Board:

44 *I'm a little uncomfortable allowing the driveway connection to lot 9 off of Village Parkway. Currently the*
45 *parking at the end of the Parkway allows the Village no place to pile or push the snow. In the future, if the*
46 *need to adjust or increase the parking spaces to the east and west sides of the road and delete the north*
47 *side parking, the driveway could hinder the Villages ability to do so. I feel that if there were no other*
48 *options or a dangerous situation, I would entertain the request for the driveway to be relocated.*

49 *My recommendation is to leave it where it's located on the original plan. If they provide more reason of*
50 *why it would be beneficial to relocate, please provide that information.*

51 *John W. Courtney*

52 *Village of Lansing Superintendent of Public Works*

53

54 After further discussion it was determined that the Board would need to have further communication with
55 John Courtney and Larry Fabbroni before making a decision.

56

57 **Special Permit to Consider: (9 Brown Road Addition)**

58 Tomei opened the public hearing for

59 Special Permit 2911 Integrated Acquisition and Development, to construct two additions totaling
60 approximately 2860 square feet at 9 Brown Road located in the Business & Technology District,
61 Tax Parcel Number 45.1-1-55.9. Special Permit review is required per section 145-44D.(j) of the
62 Village of Lansing Code.

63 Tomei noted that during the last meeting Sieverding agreed to install three additional trees along Warren
64 Rd. and work with David Fernandez from Cayuga Landscape to determine the best locations. Tomei
65 added that Sieverding now was not going to re-stripe the parking lot.

66 Tomei noted that the Village has received the required review in accordance with NYS General
67 Municipal law 239-l and -m from the Tompkins County Planning Department, which indicated that there
68 were no negative intercommunity or county-wide impacts.

69 Sieverding noted that the total square feet of the additions is approximately 2959.

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

73 Moseley noted that he has received the proof of mailings from the applicant as required by the Village
74 Code.

75 Dawson moved the following SEQR resolution:

76 *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR REVIEW OF SPECIAL PERMIT NO. 2911*
77 *ADOPTED ON SEPTEMBER 8, 2014*

78

79 *Motion made by:* _____ *Deborah Dawson*

80

81 *Motion seconded by:* _____ *John Gillott*

82

83 **WHEREAS:**

84

85 A. *This matter involves consideration of the following proposed action: Special Permit No. 2911,*
86 *Integrated Acquisition and Development, to construct two additions totaling approximately*
87 *2860 square feet at 9 Brown Road located in the Business & Technology District, Tax Parcel*
88 *Number 45.1-1-55.9; Special Permit review is required per Section 145-44D.(j) of the Village*
89 *of Lansing Code; and*

90

91 B. *On September 8, 2014, the Village of Lansing Planning Board, in performing the lead agency*
92 *function for its independent and uncoordinated environmental review in accordance with*
93 *Article 8 of the New York State Environmental Conservation Law - the State Environmental*
94 *Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is*
95 *an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short*
96 *Environmental Assessment Form (the "Short EAF"), Part 1, and any and all other documents*
97 *prepared and submitted with respect to this proposed action and its environmental review*
98 *[including any Visual Environmental Assessment Form deemed required, and comments and*
99 *recommendations, if any, provided by the Tompkins County Department of Planning in*

100 *accordance with General Municipal Law Sections 239-l and -m]; (iii) completed its thorough*
101 *analysis of the potential relevant areas of environmental concern to determine if the*
102 *proposed action may have a significant adverse impact on the environment, including the*
103 *criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed the Short EAF, Part 2);*
104

105 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

- 106 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF,*
107 *Part 1, and any and all other documents prepared and submitted with respect to this*
108 *proposed action and its environmental review [including any Visual Environmental*
109 *Assessment Form deemed required, and comments and recommendations, if any, provided*
110 *by the Tompkins County Department of Planning in accordance with General Municipal Law*
111 *Sections 239-l and -m], (ii) its thorough review of the potential relevant areas of*
112 *environmental concern to determine if the proposed action may have a significant adverse*
113 *impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and*
114 *(iii) its completion of the Short EAF, Part 2, including the findings noted thereon (which*
115 *findings are incorporated herein as if set forth at length), hereby makes a negative*
116 *determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance*
117 *with SEQR for the above referenced proposed action, and determines that an Environmental*
118 *Impact Statement will not be required; and*
- 119 2. *The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and*
120 *directed to complete and sign as required the Short EAF, Part 3, confirming the foregoing*
121 **NEGATIVE DECLARATION**, *which fully completed and signed Short EAF shall be attached to*
122 *and made a part of this Resolution.*

123

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

125 *AYES: Mario Tomei, Deborah Dawson, John Gillott, Phil Dankert, and Lisa Schleelein*

126 *NAYS: None*

127 *The motion was declared to be carried.*

128 There being no further input from the public, Dankert moved to close the public hearing. Seconded by
129 Schleelein; Ayes by Tomei, Dankert, Schleelein, Dawson, and Gillott.

130 Village Engineer Brent Cross submitted the following report:

131 *I have reviewed the site plans for the above referenced addition project. Due to the footprint of the*
132 *building being constructed over an existing paved (impervious surface), there should be no significant*
133 *change in stormwater run-off.*

134 *I recommend that the Special Permit be granted subject to review of final plans by the Village Engineer.*

135 *Thanks,*

136 *Brent*

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

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

140 Dankert moved the following special permit resolution with conditions:

141 *VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 2911 ADOPTED ON*
142 *SEPTEMBER 8, 2014*

143

144 *Motion made by:* _____ *Phil Dankert*

145

146 *Motion seconded by:* _____ *Lisa Schleelein*

147

148 **WHEREAS:**

149

150 *A. This matter involves consideration of the following proposed action: Special*
151 *Permit No. 2911, Integrated Acquisition and Development, to construct two*
152 *additions totaling approximately 2860 square feet at 9 Brown Road located in the*
153 *Business & Technology District, Tax Parcel Number 45.1-1-55.9; Special Permit*
154 *review is required per Section 145-44D.(j) of the Village of Lansing Code; and*
155

156 *B. On August 26, 2014, the special permit application and additional information*
157 *and materials for the proposed action were presented for preliminary review by*
158 *the Village of Lansing Planning Board, at which time such application,*
159 *information and materials were preliminarily evaluated, questions were posed*
160 *and responses offered, and any public comments were permitted, after which the*
161 *Planning Board determined that a formal public hearing thereon be scheduled for*
162 *September 8, 2014; and*
163

164 C. *On September 8, 2014, the Village Lansing Planning Board opened a public*
165 *hearing for the initial purpose of (i) eliciting public comment on environmental*
166 *issues regarding this proposed action, and (ii) reviewing and evaluating the*
167 *materials and information presented by and on behalf of the applicant in support*
168 *of this proposed action; and*
169

170 D. *On September 8, 2014, the Village of Lansing Planning Board, in performing the*
171 *lead agency function for its independent and uncoordinated environmental review*
172 *in accordance with Article 8 of the New York State Environmental Conservation*
173 *Law - the State Environmental Quality Review Act (“SEQR”), (i) thoroughly*
174 *reviewed the Short Environmental Assessment Form (the “Short EAF”), Part 1,*
175 *any and all other documents prepared and submitted with respect to the proposed*
176 *action and its environmental review [including any Visual Environmental*
177 *Assessment Form deemed required, comments and recommendations, if any,*
178 *provided by the Tompkins County Department of Planning in accordance with*
179 *General Municipal Law Sections 239-l and –m]; (ii) reviewed environmental*
180 *related comments from the public; (iii) completed its thorough analysis of the*
181 *potential relevant areas of environmental concern to determine if the proposed*
182 *action may have a significant adverse impact on the environment, including the*
183 *criteria identified in 6 NYCRR Section 617.7(c); (iv) completed the Short EAF,*
184 *Part 2; and (v) made a negative determination of environmental significance*
185 *(“Negative Declaration”) in accordance with SEQR for the proposed action and*
186 *determined that an Environmental Impact Statement would not be required;*
187 *whereupon, having completed the SEQR review and having made its SEQR*
188 *determination, it was established that the special permit application was*
189 *complete; and*
190

191 E. *On September 8, 2014, the Village of Lansing Planning Board thereafter*
192 *continued the public hearing on the proposed action and further reviewed and*
193 *analyzed (i) the materials and information presented by and on behalf of the*
194 *applicant in support of the proposed action, including any additional information*
195 *and materials related to environmental issues, if any, which the Board deemed*
196 *necessary or appropriate for its review, (ii) all other information and materials*
197 *rightfully before the Board [including comments and recommendations, if any,*
198 *provided by the Tompkins County Department of Planning in accordance with*
199 *General Municipal Law Sections 239-l and –m], (iii) all issues raised during the*
200 *public hearing and/or otherwise raised in the course of the Board’s deliberations,*
201 *and (iv) possible modifications and/or conditions that might be imposed in*
202 *conjunction with any special permit approval to be granted, whereupon, the*
203 *public hearing was closed; and*
204

205 F. *On September 8, 2014, in accordance with Section 7-725-b of the Village Law of*
206 *the State of New York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the*

207 *Village of Lansing Code, the Village of Lansing Planning Board, in the course of*
208 *its further deliberations, reviewed and took into consideration (i) the general*
209 *conditions required for all special permits (Village of Lansing Code Section 145-*
210 *59E), (ii) any applicable conditions required for certain special permit uses*
211 *(Village of Lansing Code Section 145-60, and (iii) any applicable conditions*
212 *required for uses within a Combining District (Village of Lansing Code Section*
213 *145-61);*
214

215 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

216

217 1. *The Village of Lansing Planning Board hereby finds (subject to the conditions and*
218 *requirements, if any, set forth below) that the proposed action meets (i) all general*
219 *conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*
220 *applicable conditions required for certain special permit uses (Village of Lansing Code Section*
221 *145-60), and (iii) any applicable conditions required for uses within a Combining District*
222 *(Village of Lansing Code Section 145-61); and*

223

224 2. *It is hereby determined by the Village of Lansing Planning Board that Special Permit No.*
225 *2911 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:*
226

227 A. *Required permits, approvals, consents and other authorizations from all*
228 *applicable Federal, State, County and local governmental and regulatory*
229 *agencies shall be obtained, maintained and complied with for all permitted*
230 *improvements, operations and activities as authorized by this special permit*
231 *approval, and such improvements, operations and activities shall at all times*
232 *comply with all applicable Federal, State, County and local laws, codes, rules and*
233 *regulations.*
234

235 B. *Soil and Erosion control measures shall be implemented and coordinated as*
236 *required, and approved by either the Village of Lansing Stormwater*
237 *Management Officer and/or the Village of Lansing Engineer.*
238

239 C. *Final Plans shall be submitted to and approved by the Village Engineer.*
240

241 D. *Three 2" deciduous trees shall be planted on the site in place of existing trees*
242 *that will be compromised.*
243

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

245 *AYES: Mario Tomei, Phil Dankert, Deborah Dawson, Lisa Schleelein, and John Gillott*

246 *NAYS: None*

247 *The motion was declared to be carried.*

248 **Other Business:**

249 Leopold noted that the Village does have lighting guidelines that are incorporated into the Village's
250 Comprehensive Plan.

251 Dubow noted that a code provision, as opposed to a guideline, would allow for enforcement and
252 guidelines. Dubow added that the two different mechanisms may be considered for different purposes.

253 Leopold noted that good clear guidelines are adequate for the Village at this time. Leopold added that the
254 guidelines should be updated and have performance standards incorporated with them to reflect dark sky
255 fixtures.

256 **Approval of Minutes:**

257 None

258

259 **Trustee Report:**

260 None

261 **Adjournment**

262 Dawson moved to adjourn at 8:45 PM. Seconded by Gillott; Ayes by Tomei, Dankert, Stycos,
263 Schleelein, and Dawson.

264