

**Village of Lansing  
Planning Board Meeting  
March 9, 2015**

1 The meeting of the Village of Lansing Planning Board was called to order at 7:04 P.M. by Chairman  
2 Mario Tomei.

3 Present at the meeting were Planning Board Members: Phil Dankert, Deborah Dawson, Maria  
4 Stycos; Alternate Member, John Gillott; Code Enforcement Officer, Marty Moseley; Village Attorney,  
5 David Dubow; Trustee Liaison, Lynn Leopold; Nick Vaczek; and Marion Hartill.

6 Absent: Lisa Schleelein

7 Tomei appointed Gillott as an acting member for the meeting due to the absence of Planning Board  
8 member Lisa Schleelein.

9

10 **Public Comment Period**

11 Tomei opened the public comment period.

12 Vaczek indicated that he was interested in the topics on the agenda. With no one else wishing to  
13 speak, Stycos moved to close the public comment period. Seconded by Dawson: Ayes by Tomei,  
14 Dankert, Dawson, Stycos, and Gillott.

15

16 **Continued Discussion on Zoning Change: *Proposed change to Commercial Low Traffic District (CLT)***

17 Tomei noted that there were several items in the packet for the Board members to review for this  
18 particular discussion, including a map which indicated the proposed area to be rezoned. Tomei indicated  
19 that the map is also on the projection screens for the public to view. The proposed area to be re-zoned is  
20 on the west side of Triphammer Road from Oakcrest Road to Squeaky Clean Car Wash.

21 Dubow asked what businesses would be affected.

22 Moseley indicated the following businesses: Ciao! restaurant (2 Hickory Hollow Ln.), the Y.M.C.A (20  
23 Graham Rd. West), the former Chinese restaurant (11 Graham Rd. West), the vacant lot (North  
24 Triphammer Rd.), Hickory Hollow Ln., and Butler Rd., Northeast Pediatric doctors' offices (10 Graham  
25 Rd. West), 2 Graham Rd. West, and McDonalds restaurant (2350 North Triphammer Rd.).

26 Tomei noted that McDonalds could be included as part of the Commercial High Traffic District (CHT).  
27 Tomei suggested that the proposed district be re-named Commercial Medium Traffic (CMT) to reduce  
28 confusion. The Board had previously discussed splitting the CLT into two districts renaming them CLT-1  
29 and CLT-2. Tomei noted that the proposed CMT District would not be contiguous to any of the current  
30 residential Districts in the Village, which would allow for the CLT.

31 The goal will continue to be a buffer between residential and higher Commercial Districts. Tomei added  
32 that the only residential District that abuts a higher District would be in the HDR District, which is  
33 contiguous to the CHT District.

34 Dubow and Moseley indicated that the additional conditions in 145-60 provide for McDonalds to  
35 continue to operate as a non-conforming use. However, if they should cease to exist for a specific length  
36 of time, they would not be allowed that non-conforming use any more and would not be able to re-open as  
37 a high traffic food and beverage as it is not allowed in the CLT district. Additionally Section 145-60 also  
38 provides for other specifics that would not allow them to subdivide the parcel that they are currently  
39 housed on. Dubow added that last he was aware, the Village did not want to have a use like McDonalds in  
40 that specific area on Triphammer, but if that has changed then the zoning could be amended.

41 Tomei provided a rough draft of proposed CMT and CLT District uses to the Board members and the  
42 public. Tomei explained the uses in each District.

43 Stycos asked why we would not allow single family or two families residential in the CMT District.

44 Tomei noted that no one would buy a piece of property in the proposed CMT District to have a single  
45 family or two family residential structures.

46 Dawson added that the single family or two family residential would be inappropriate for the District.

47 Tomei asked about temporary non-commercial activities.

48 Moseley indicated that 145-82 provides for an explanation, but it would most likely be uses such as an  
49 employee picnic that is not open to the public or a garage sale. One would also consider a wedding on a  
50 residential lot a temporary non-commercial activity.

51 Dubow asked if Construction Sales and Storage would be a use that the Board would want to see in the  
52 proposed CMT district.

53 After a short discussion it was determined that Commercial Sales and Storage would not be appropriate  
54 for the proposed CMT District as it would not be in character with what is trying to be accomplished, i.e.,  
55 to encourage small retail and service facilities and to preserve protection to residential areas.

56 Moseley added that a business like Builders Best in the Cayuga Mall might be considered to be an  
57 Office/Studio/Service use rather than Commercial Sales and Storage because they are not actually  
58 housing any products on site and has more of an office type atmosphere.

59 Dawson questioned the increase of square footage in the Small Scale Sales explanation to 14,000 square  
60 feet on average for a tenant. Dawson indicated that previously they had discussed allowing 10,000 square  
61 feet per tenant on average.

62 Tomei noted that there was no specific reason but to attempt to have additional options for developers.  
63 Tomei noted that Party City is approximately 14,000 square feet.

64 Dawson indicated that she thought small shops and buildings were the intended use of this District while  
65 providing a degree of flexibility by allowing retail of some nature.

66 Moseley noted that 2417 North Triphammer Rd. (on the Corner of Triphammer and Craft Road) is  
67 approximately 13,900 square feet.

68 Gillott asked if one could consolidate lots and build a bigger building.

69 Moseley indicated that consolidation of lots and larger buildings area is a possibility. Moseley indicated  
70 that the Village has had some history of having buildings torn down and reconstructed on the existing or  
71 an enlarged lot.

72 After further discussion the Planning Board determined that they would like to decrease the square  
73 footage per tenant to an average size of 10,000 square feet instead of 14,000 square feet.

74 Tomei asked if the CMT District should allow for an accessory drive-thru for some uses, like a pharmacy  
75 but not for restaurants.

76 Leopold noted that a use like a pharmacy likes to have a sea of asphalt around it with a drive thru  
77 attached.

78 Tomei noted that when Kinney's Drug store was being approved by the Village they provided a traffic  
79 analysis, which indicated that they would have 70 prescriptions per day and about 10% of that would be  
80 utilized by the drive-thru.

81 Dubow cautioned about identifying a use and re-defining that use for a different application. Dubow  
82 added that the Village needs to consider the impacts that this has on an existing land owner in the  
83 proposed CMT District.

84 There was a short discussion about the former Chinese restaurant on the corner of Graham Rd. West and  
85 Triphammer Rd, mainly identifying that they had takeout.

86 Dubow noted that that prior case was complicated, which also included some litigation.

87 Gillott noted that he agreed with Tomei that McDonalds should be incorporated with the CHT District.

88 Dubow reiterated what he had expressed previously about the Village not wanting to have a High Traffic  
89 Food and Beverage in that particular area of Triphammer Rd.

90 Vaczek asked if there were going to be height restrictions for this new District and what the parking areas  
91 would be like.

92 Dubow noted that there are planning consultants that could assist the Village with the proposed zoning  
93 change. The consultants could review and propose different scenarios to the Village.

94 Leopold noted that the Village has been stuck with the existing Commercial Districts ever since its  
95 establishment. This is mainly due to the commercial areas already being built before the Village was  
96 formed.

97 Moseley explained the proposed Commercial Medium Traffic district regulations as provided below:

98

99 **§ 145-42.2 Commercial Medium Traffic District (CMT).**

100

101 **A. Intent.** *The legislative intent of this section is to define and establish standard regulations for the*  
102 *Village where service facilities and small retail areas are the desired land use which encourage a*  
103 *more walkable Village; where public utilities to serve such facilities are available; this district is*

104 fully surrounded by commercial districts and is not contiguous to any residential area(LDR, MDR,  
105 HDR), thus preserving the Commercial Low Traffic and its original intent of preserving the  
106 residential environment of the surrounding areas. The further intent of this subsection is to define  
107 and establish permitted uses with respect to which traffic generation, site design and architectural  
108 design are consistent with (I) the other permitted uses in this district and (ii) all applicable standards  
109 and design guidelines, it being understood that all improvement should conform with the applicable  
110 CLT District Design Guidelines (to which Guidelines all applicants for permits and approvals are  
111 directed.)  
112

113 B. Permitted uses. Permitted uses shall be as follows:

- 114 (1) Utility service underground.
- 115 (2) Natural parks.
- 116 (3) Alteration to Building or Improved Site with no Change in Use and no Change in Applicable  
117 Parking Space Requirements
- 118 (4) Temporary Non-Commercial Activities.

119  
120 C. Permitted uses with additional conditions. Uses permitted with additional conditions shall be as  
121 follows:

- 122 (1) Alteration to building or improved site.
- 123 (2) Temporary commercial activities. (see subsection C under §145-58)

124  
125 D. Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:

- 126 (1) General conditions.
  - 127 (a) Utility transmission/storage/plants.
  - 128 (b) Religious facility.
  - 129 (c) Schools.
  - 130 (d) Indoor recreation/club.
  - 131 (e) Office/studio/service.
  - 132 (f) Government buildings.
  - 133 (g) Museums/public buildings.
  - 134 (h) Clinic.
  - 135 (i) Construction sales/storage.
  - 136 (j) Small Scale Sales
  - 137 (k) Medium Traffic Food and Beverage.
  - 138 (l) Alteration to Building or Improved Site that Results in a Change in Use or a Change  
139 in Applicable Parking Space Requirements
  - 140 (m) Low Traffic Food and Beverage
  - 141 (n) Low Impact Technology
- 142  
143 (2) General and additional conditions for certain special permits (see section 145-60).
  - 144 (a) Home occupation.
  - 145 (b) Mixed use.
  - 146 (c) Bank administrative operations.
  - 147 (d) Redevelopment on a larger site of a pre-existing non-conforming use currently in  
148 operation in the CLT Zoning District.(amend and add CMT in that additional  
149 condition)

150 E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking  
151 requirements shall be as follows:

- 152 (1) *Minimum lot size.*  
153 (a) *All Uses: ten thousand (10,000) square feet.*  
154  
155 (2) *Maximum lot coverage: none, except what is required by minimum street frontage, front, side*  
156 *and rear yard setbacks and by front, side and rear parking requirements.*  
157 (3) *Minimum street frontage.*  
158 (a) *All uses: one hundred (100) feet.*  
159 (4) *Front yard setback minimum*  
160 (a) *All uses – seventy-five (75) feet, except lots in the Commercial Medium Traffic*  
161 *District that have a front yard along North Triphammer Road. (Should there be a*  
162 *credit for corner lots like a setback of 40 feet for corner lots that have at least two*  
163 *front yards. This would also allow for more parking to be in the side yard of corner*  
164 *lots instead of possibly having front yard parking and this should be for all*  
165 *commercial districts)*  
166 (b) *All uses for lots having a front yard along North Triphammer Road shall not be*  
167 *subject to front yard setback minimum, but, instead, shall be subject to the*  
168 *requirement that at least twenty-five (25) feet of a façade of all buildings developed*  
169 *on such lots be located within one (1) foot to either side of, and parallel to, a line*  
170 *located a distance of twenty-five (25) feet from the front line. Such front lot line*  
171 *shall be the newly established front lot line for each such lot as a result of the*  
172 *Village’s acquisition of additional road right-of-way along North Triphammer Road*  
173 *Reconstruction Project. No portion of such façade shall be located closer to such*  
174 *front lot line than twenty-four (24) feet.*  
175 (5) *Side yard setback minimum, all uses: twenty-five (25) feet.*  
176  
177 (6) *Rear yard setback minimum:*  
178 (a) *All principal uses: forty (40) feet.*  
179 (b) *All accessory buildings: twenty-five (25) feet.*  
180  
181 (7) *Parking setback standards.*  
182 (a) *Front yard, all uses: twenty-five (25) feet.*  
183 (b) *Side yard, all uses: fifteen (15) feet.*  
184 (c) *Rear yard, all uses: fifteen (15) feet.*  
185 (d) *Parcels Fronting on North Triphammer Road*  
186 *Notwithstanding the foregoing parking setback standards, in the case of a parcel*  
187 *that formerly included some area acquired by the Village of Lansing in connection*  
188 *with the Village’s North Triphammer Road reconstruction project, for the purposes*  
189 *of measuring the front yard parking setback requirement for new development on*  
190 *such parcel, the measurement shall include the width of the area so acquired by the*  
191 *Village of Lansing along North Triphammer Road.*  
192 (8) *Building height maximum.*  
193 (a) *All principal uses: thirty-five (35) feet.*  
194 (b) *All accessory buildings: fifteen (15) feet.*  
195 (9) *Parking requirements: see Article V.*  
196 (10) *Buffer strip width: seventy-five (75) feet; see § 145-24.*

197 Dawson noted that the proposed CMT would need to be incorporated into the Comprehensive Plan update  
198 being undertaken to reflect the proposed zoning change.

199 There was a discussion about the proposed Medium Traffic Food and Beverage use and if it should  
200 remain in the proposed CMT regulations. It was determined that since the Planning Board is proposing to  
201 remove the Low Traffic Food and Beverage from the CLT District, the explanation, in Section 145-82,  
202 would be amended to allow more carry-out and would be placed in the proposed CMT District.

203 Stycos moved to recommend to the Board of Trustees to hire a consultant to assist the Planning Board in  
204 developing the proposed zoning changes, mainly for the proposed CMT District regulations. Seconded by  
205 Gillott. Ayes by Tomei, Dankert, Dawson, Stycos, and Gillott.

206 Moseley explained that he had alphabetized 145-82 and incorporated the proposed changes as follows:

207 **§ 145-82. Typical uses; category of use.**  
208

209 A. *The following subsections illustrate the type of uses consistent with the descriptive term used for*  
210 *permitted and Special Permit uses. These illustrations do not supplant definitions provided in §*  
211 *145-3 or additional conditions specified in §§§ 145-58 and 145-59. Rather, they suggest uses*  
212 *which can be appropriately carried out under the respective use terms. However, some uses are*  
213 *specifically excluded, as noted. In addition, uses which are included in any subsection are*  
214 *excluded from all other subsections unless specifically listed therein.*

- 215 (1) *Additional residential building on single lot: Includes any unit building permitted in the*  
216 *same district.*
- 217 (2) *Alteration to building or improved site: See § 145-39C(2).<sup>1</sup>*
- 218 (3) *Assisted living facility - A supportive housing facility designed for those who need*  
219 *extra help in their day-to-day lives but who do not require the 24-hour skilled*  
220 *nursing care found in traditional nursing homes. Typically these facilities combine*  
221 *housing, personal care services, and light medical care in an atmosphere of safety*  
222 *and privacy. Based on a monthly fee, basic services typically include meals,*  
223 *laundry, housekeeping, recreation and transportation. Residents typically have*  
224 *private locking rooms and bathrooms and personal care services are available on a*  
225 *24-hour-a-day basis.*
- 226 (4) *Automotive sales/service/lots: New and used car and pickup truck sales and service;*  
227 *fuel station (see definitions, § 145-3); service station; parking lot; public garage; car*  
228 *wash; sales lot. [Amended 9-27-2011 by L.L. No. 6-2011]*
- 229 (5) *Bank administrative operations: Bank administrative and office operations, including*  
230 *loan transactions, and including no more than one (1) teller and one (1) automatic*  
231 *teller machine (ATM). [Added 6-6-1989 by L.L. No. 5-1989]*
- 232 (6) *Clinic- An outpatient health clinic or facility, private or public, which provides for*  
233 *medical, surgical, or psychiatric care and treatment for the sick or the injured. The*  
234 *facility may be a group practice in which several physicians work cooperatively,*  
235 *and the facility would not be open on a 24 hour basis (does not include nursing*  
236 *homes or veterinary clinics). (Place in the following districts with special permit:*  
237 *CHT, [CMT], CLT, HDR, HHS)*
- 238 (7) *Cluster housing: Includes all residential buildings, accessory facilities and residential*  
239 *uses, including gardening and keeping of pets and may include common open and/or*  
240 *recreational spaces.*
- 241 (8) *Commercial assembly soft goods: Jewelry; leather goods; clothing; scientific*  
242 *instruments.*

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<sup>1</sup>Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- 243 (9) *Commercial crop/animal: Production of crops, crop products, livestock and livestock*  
244 *products; production of fiber; keeping, raising or breeding animals whether for*  
245 *commercial sale or for use in commercial activities. Includes kennel, riding academy,*  
246 *plant nursery and on-site sales of products. Does not include uses which are normally*  
247 *part-time or subsistence or recreational which are primarily for use by the household*  
248 *conducting the uses; incidental sales may be conducted on-site if in conformance with*  
249 *sign, yard and parking requirements for the district.*
- 250 (10) *Construction sales/storage (indoor or screened storage): [Amended 5-18-1998 by*  
251 *L.L. No. 3-1998] Offices and indoor screened storage for building or*  
252 *plumbing/heating contractor; sheet metal assembly, “over-the-counter” sales or*  
253 *construction and building material, such as lumber and plumbing, electrical, heating*  
254 *and air conditioning supplies. For the purposes of better describing this use, the term*  
255 *“over-the-counter” sales shall herein mean the arrangement wherein customers must*  
256 *request or order their goods from a salesperson at a counter or other physical barrier*  
257 *that prevents customer access to the businesses’ merchandise, stock or inventory, this*  
258 *term expressly excludes any self-serve arrangement wherein merchandise is directly*  
259 *accessible to customers and customers can themselves physically select their purchases*  
260 *from the floor, shelves, racks, counters, tables or other displays. Notwithstanding the*  
261 *limitations of the foregoing description, an “over-the-counter” construction sales*  
262 *establishment may allow for incidental self-service sales of construction or building*  
263 *related goods or supplies in the area accessible to the general public, provided that (a)*  
264 *such self-service sales are only accessory to the primary business, (b) such area*  
265 *accessible to the general public constitutes less than fifteen percent (15%) of the*  
266 *area of the building in which the construction sales establishment operates (excluding*  
267 *any outdoor storage areas from such calculation), (c) not more than one-half (1/2) of*  
268 *the floor area of the portion of the building accessible to the general public is devoted*  
269 *to floor, shelf, rack, counter, table or other displays of goods for sale, including any*  
270 *area devoted to “showroom” or “set-up” space, and (d) notwithstanding the terms of*  
271 *Section 145-54(J) above, the total number of parking spaces for any “Construction*  
272 *Sales/Storage” use that includes any area for such incidental self-service sales shall be*  
273 *limited to (i) one parking space for each 300 square feet of Gross Floor Area*  
274 *accessible to the general public as described in this sentence, plus (ii) any additional*  
275 *parking spaces the Planning Board, on the recommendation of the Code Enforcement*  
276 *Officer, determines will be adequate for the balance of the “Construction*  
277 *Sales/Storage” use not accessible to the general public.*
- 278 (11) *Employee cafeteria food and beverage service: Food service provided for only the*  
279 *employees (and their guests, clients, customers, etc.) of the building where such service*  
280 *is located (which building is being used for a permitted use). [Added 5-16-2011 by L.L.*  
281 *No. 5-2011].*
- 282 (12) *Government buildings: Office; fire station; police station; post office.*
- 283 (13) *Group Residential -.Club; dormitory; fraternity or sorority house; rooming*  
284 *house; Does not include private or public hospital, motel or hotel*
- 285 (14) *Group residential: Club; dormitory; fraternity or sorority house; rooming house;*  
286 *convalescent, old age or nursing home; adolescent or outpatient housing. Does not*  
287 *include private or public hospital, motel or hotel.*
- 288 (15) *High traffic food and beverage: Restaurant with or without bar which includes drive-*  
289 *in/drive-through, carry-out and/or similar services; exclusively drive-in/drive-through*  
290 *and/or carry-out food and beverage establishment; bar or tavern.*

- 291 (16) *Home occupation: Includes uses an activities incidental and accessory or secondary*  
292 *to the use of the dwelling unit for residential purposes; provided, however, that any*  
293 *such use and/or activity shall not be considered a home occupation and therefore*  
294 *shall not be subject to special permit approval under this Zoning Law in the event*  
295 *that (i) there are no employees, 50Editor's Note: Amended at time of adoption of*  
296 *Code; see Ch. 1, General Provisions, Art. I. ZONING December 2014 145103*  
297 *customers, clients, students or similar individuals visiting the dwelling, (ii) there is*  
298 *no sale of goods and services at the dwelling unit, and (iii) no additional vehicle*  
299 *traffic is produced other than what would be expected for the customary use of the*  
300 *dwelling unit. (See §145-3)*
- 301 (17) *Hospital/clinic: Health clinics and hospitals, private or public. Does not include*  
302 *nursing home.*
- 303 (18) *Hospital- an institution, private or public, that provides medical, surgical, or*  
304 *psychiatric care and treatment for the sick or the injured, which is typically open on*  
305 *a 24 hour basis and patients are allowed to stay for an extended period of time if*  
306 *needed (does not include nursing homes or veterinary hospital). (Place in the*  
307 *following districts with special permit: CHT, HHS)*
- 308 (19) *Indoor recreation/club: Public or private service club; social club; commercial indoor*  
309 *recreation; bowling; tennis; swimming pool; billiards; arcades; etc.*
- 310 (20) *Large equipment: Marine, agricultural and business and technological sales and*  
311 *services; trucking firm; snowmobile, travel trailer, camper sale and services. Excludes*  
312 *mobile home park and sales.*
- 313 (21) *Light industry/manufacturing: Manufacturing typically having few if any nuisance*  
314 *characteristics such as electrical equipment manufacture, welding and small metal*  
315 *products manufacture, soft drink bottling, clothing manufacture and pharmaceutical*  
316 *manufacture.*
- 317 (22) *Low impact technology: Small scale manufacturing and technology having few if any*  
318 *nuisance characteristics; the scale of operations utilizes primarily services such as*  
319 *UPS, Postal Service, Federal Express with little or no tractor trailer traffic and no*  
320 *loading docks; examples are: data processing; computer centers; laser technology*  
321 *applications; communications equipment service and repair; medical laboratories;*  
322 *research, testing design and training applications; custom small industry (production,*  
323 *assembly and packaging)*
- 324 (23) *Low traffic food and beverage: Sit-down restaurant with or without bar where food is*  
325 *consumed on premises and where there is no drive-in/drive-through or similar service;*  
326 *where there is no carry-out service except such limited carry-out as may be clearly*  
327 *incidental to the primary business of on-premises dining; employee cafeteria [food*  
328 *service within a building (which building is being used for a permitted use0 serving*  
329 *employees at that building only). [Added 9-10-2003 by L.L. No. 3-2003]*
- 330 (24) *Medium Traffic Food and Beverage – Sit-down restaurant with or without bar*  
331 *which may include carry-out or similar service, such as a restaurant, bakery, eatery,*  
332 *or cafe, but does not include drive up/drive-thru services. (Place in the following*  
333 *districts with special permit: CHT, [CMT],)*
- 334 (25) *Members only Fuel Station: Fueling facilities for vehicles, including gasoline, diesel,*  
335 *ethanol, methanol, liquid petroleum gas, compressed natural gas, electric charging*  
336 *and similar fuel products, which facilities are (i) associated with a specific shopping*  
337 *club (e.g., BJ's Wholesale, Sam's Club, Costco, etc.); (ii) available only to the*  
338 *members of such specific shopping club; and (iii) located on the same premises as*



- 339                    *the building housing the specific shopping club. [Added 9-27-2011 by L.L. No. 6-*  
340                    *2011]*
- 341                    (26) *Mixed use: see definitions, § 145-3.*
- 342                    (27) *Mobile home: Includes only those constructed after 1973 and conforming to the New*  
343                    *York State Uniform Fire Prevention and Building Code. See § 145-60B.*
- 344                    (28) *Motel/hotel: Provision of living accommodations on a primarily transient basis.*
- 345                    (29) *Multiunit residential building: Includes accessory facilities and residential activities,*  
346                    *including gardening and keeping of pets. A dwelling unit housing with more than*  
347                    *three (3) dogs, over six (6) months old, is considered a kennel. [Amended 10-17-2011*  
348                    *by L.L. No. 7-2011]*
- 349                    (30) *Museum/public buildings: Museum; art gallery; observatory; library.*
- 350                    (31) *Natural parks: Undeveloped land without site improvements or facilities.*
- 351                    (32) *Office/studio/service: Architect; insurance; lawyer; realtor; doctor; dentist; physical*  
352                    *therapy; veterinarian (includes animals under treatment); secretarial; printing;*  
353                    *multicopying; testing lab; administrative office; adult education and training;*  
354                    *photography; tailoring; barber; beauty shop; spa; tutoring. [Amended 6-6-1989 by*  
355                    *L.L. No. 5-1989; 9-10-2003 by L.L. No. 3-2003; 2-6-2006 by L.L. No. 2-2006]*
- 356                    (33) *One-unit residential building: Includes accessory facilities and residential activities,*  
357                    *including gardening or farming and keeping of pets. More than three (3) dogs, over six*  
358                    *(6) months old, is considered a kennel. [Amended 10-17-2011 by L.L. No. 7-2011]*
- 359                    (34) *Outdoor recreation/club: Public or private developed park; golf; tennis; rod and gun;*  
360                    *boating; swimming; and commercial recreational uses. Excludes stadiums, sports*  
361                    *arenas, snowmobile and motorbike trails, amusement parks and drive-in theaters.*
- 362                    (35) *Planned Development Area clustered housing: Multiple residential buildings for rental*  
363                    *occupancy grouped on a single un-subdivided parcel which is incorporated as part*  
364                    *of an authorized Planned Development Area and owned and controlled by a single*  
365                    *entity; subject to Special Permit additional condition set forth in subsection O of §*  
366                    *145-60; the density (including the number of buildings and residential units),*  
367                    *dimensions, setbacks and related requirements are to be determined and established*  
368                    *as part of required Special Permit review and action; such density, dimensions,*  
369                    *setbacks and related requirements so authorized will supersede any inconsistent*  
370                    *district regulations and requirements otherwise applicable. [Added 9-27-2011 by*  
371                    *L.L. No. 6-2011]*
- 372                    (36) *Religious facility: see definitions, § 145-3.*
- 373                    (37) *Research/design/prototype production: See § 145-45.*
- 374                    (38) **Reserved 9-15-2008 by L.L. No. 4-2008**
- 375                    (39) *Sales/repair/maintenance: All retail soft and hard goods; laundromat; cleaners; bank;*  
376                    *bar or tavern; drive-in restaurant; carry-out service.*
- 377                    (40) *Schools: see definitions, § 145-3*
- 378                    (41) *Small Scale Sales—All Retail of soft and hard goods with a maximum average size*  
379                    *of 14,000 ft<sup>2</sup> per tenant; jewelry; clothing; pet store; pharmacy; book store;*  
380                    *Laundromat (Place in the following districts with special permit: CHT, [CMT],)*
- 381                    (42) *Special Care Facility: Convalescent, old age or nursing home, adolescent or*  
382                    *outpatient housing*
- 383                    (43) *Theater/nightclub/discotheque: Does not include drive-in theater.*
- 384                    (44) *Temporary Commercial Activities and Temporary Non-Commercial Activities.*  
385                    **[Amended 10-17-2011 by L.L. No. 7-2011]**
- 386                    (a) *Temporary Commercial Activities: (see subsection C under §145-58)*

387 (b) *Temporary Non-Commercial Activities: Private activities or gatherings*  
388 *related to the principal uses permitted in a particular district where no*  
389 *required entry or participation fee is charged, the primary purpose of which*  
390 *is not sale of goods or services; including events conducted by and for the*  
391 *employees and invitees associated with the uses permitted in that particular*  
392 *district. Temporary Commercial Activities.*

393  
394 (45)*Transportation services: Bus companies; taxi services; car rental agencies.*

395 (46)*Two-unit residential building: Includes accessory facilities and residential activities,*  
396 *including gardening or farming and keeping of pets. More than three (3) dogs, over six*  
397 *(6) months old, is considered a kennel.*

398 (47)*Undertaking: Funeral home; mortuary.*

399 (48)*Utility service underground: Electric; communications; and gas, sewer and water lines*  
400 *providing essential services to normal land use activities.*

401 (49)*Utility transmission/storage/plants: Electric; communications; gas, sewer and water*  
402 *transmission lines; and service including stations, substations, treatment plants,*  
403 *pumping stations and storage tanks.*

404 (50)*Warehousing/storage/distribution: Moving firm; temporary storage; distribution and*  
405 *delivery systems and facilities (including overnight and similar distribution and*  
406 *delivery services). [Amended 6-6-1989 by L.L. No. 5-1989]*

#### 407 **Revisit 2010 Zoning Change Proposal**

408 Tomei read through the following proposed changes from 2010:

#### 409 410 **Proposed Amendments to the Zoning Law**

#### 411 412 413 **145-3. Terms Defined**

414  
415 *Under Building, residential, move “Two-unit residential building...” from C. to B. and for C. insert*  
416 *“Townhouse unit – one-unit residential building on a single lot attached to one or more one-unit*  
417 *residential buildings with lot lines centered on all shared walls. Permitted only as part of a cluster*  
418 *subdivision (see Section 125-17) or a PDA (see Zoning Appendix A-2).”*

419  
420  
421 *Delete rooming house as a defined term from this Section and as a “typical use” under Group*  
422 *Residential in Subsection 145-82 A (11).*

423  
424 *Add assisted living facility as a defined term as follows:*

425  
426 *“Assisted living facility - A supportive housing facility designed for those who need extra help in*  
427 *their day-to-day lives but who do not require the 24-hour skilled nursing care found in traditional*  
428 *nursing homes. Typically these facilities combine housing, personal care services, and light*  
429 *medical care in an atmosphere of safety and privacy. Based on a monthly fee, basic services*  
430 *typically include meals, laundry, housekeeping, recreation and transportation. Residents typically*

431 have private locking rooms and bathrooms and personal care services are available on a 24-  
432 hour-a-day basis.”

433  
434  
435 Add Assisted living facility as a use “Permitted with Special Permit, General and Additional  
436 Conditions” in LDR, MDR, HDR, CLT and HHS.

437  
438  
439 Insert at the end of Section 145-60 Additional Conditions for certain Special Permit uses:  
440

441 O. Assisted Living Facility. Permitted upon determination by the Planning Board that the  
442 design, scale, exterior appearance, projected traffic volume and pattern, lights and  
443 noise level are compatible with the character of the neighborhood or immediate area  
444 surrounding the proposed development.

445  
446 Amend 145-82 A

447 Separate Group Residential and insert Special Care Facility define both...

448  
449 Group Residential -.Club; dormitory; fraternity or sorority house; rooming house; Does not  
450 include private or public hospital, motel or hotel

451  
452 Special Care Facility: Convalescent, old age or nursing home, adolescent or outpatient housing  
453

454 Amend the definition of Building, accessory as follows:

455  
456 BuildingFacility, accessory – A subordinate building or structure clearly incidental to the  
457 principal building on the same lot, such as a tool shed, gazebo, screen house, storage or animal  
458 shelter. **Delete the remainder. I think that this should stay the same**

459  
460 Amend the definition of Building, principal as follows:

461  
462 Building, principal – A building or buildings within which is conducted the primary ~~and~~  
463 ~~associated~~ use~~s~~ of the lot on which the building is located. **Delete the remainder.**

464  
465  
466 Insert a new definition for Building, minor as follows:

467  
468 Building, minor – a building with a footprint less than 400sf and height less than 15’.

469  
470 Amend the yard setback regulations for all districts replacing accessory building with minor  
471 building.

472  
473 Amend the definition of swimming pool by deleting the last sentence.

474  
475 Amend 145-15 to add a new subsection C as follows:

476  
477 The above subsections A & B notwithstanding, in all cases the minimum yard dimensions for  
478 swimming pools shall be the same as that for minor buildings.

479  
480 Change the lettering of the existing subsections C and D to D and E respectively.

481  
482 Amend Section 145-59 D (2) as follows:

483  
484 “...at least twelve (12) days prior to ~~the a~~ regular or special ~~monthly business~~ meeting of the  
485 Board...”

486  
487 Add a second paragraph as follows:

488  
489 “ The Code Enforcement Officer may, at his or her sole discretion, waive the twelve day  
490 requirement stated above if the Code Enforcement Officer determines that all other legal  
491 requirements such as those for public and supplementary notice will be satisfied.”

492  
493 Amend Section 145-20 B (2) b as follows:

494  
495 Change “...twenty (20)...” to “...twenty-four (24)” and add “..., and a driveway intended for one  
496 way traffic shall not be less than twelve (12) feet wide.”

497  
498 Delete the definition of Parking space, off-street from 145-3.

499  
500 Amend 145-51 as follows:

501  
502 Off-street parking and loading must be provided as specified in this section and must be paved or  
503 graveled, drained, maintained and provided with necessary access driveways. All parking space  
504 is required on the lot on which it is located, unless otherwise stated, and must not therefore be  
505 encroached upon in any manner by non-parking uses, ~~nor be in any required front, side or rear~~  
506 ~~yard~~. Open parking areas for five (5) cars or more must be landscaped and screened from  
507 adjoining streets, subject to approval by the Code Enforcement Officer.

508  
509 An off-street parking space shall be at least nine (8) feet wide and eighteen (18) feet long. Drive  
510 lanes within or accessing parking lots shall be at least twenty-four (24) wide where intended for  
511 two way traffic and twelve (12) feet wide where intended for one way traffic. The minimum size  
512 for an accessible parking space is 8’ without providing for an access isle.

513  
514 Amend 145-54 B as follows:

515  
516 Residential Buildings: ~~two (2) parking spaces per~~ for each dwelling unit shall be adequate for the  
517 number of vehicles using that dwelling unit.

518  
519 Amend 145-39.1 D to add a subsection (5) as follows:

520  
521 (5) Additional Residential Building on a Single Lot

522  
523 Amend 145-16 as follows:

524  
525 145-16. ~~Right-of-way widening~~ Proposed future roads.

526

527 | Where a lot has frontage on a street which is proposed for right-of-way widening proposed future  
528 | road as shown on the Official ~~Map of the~~ Village of Lansing Zoning Map, if and when adopted or  
529 | on a final subdivision plat approved by the Village of Lansing Planning Board and filed with the  
530 | Tompkins County Clerk, the required front yard depth must be measured from the proposed  
531 | future right-of-way line.

532 |  
533 | Amend 145-82 A (10), second sentence as follows:

534 |  
535 | More A dwelling unit housing more than three (3) dogs, over six (6) months old, is considered a  
536 | kennel.

537 |  
538 | Delete 145-82 A (14) Cluster housing. Also delete 145-60 C Cluster housing; the definition of cluster  
539 | housing area in 145-3; and “cluster housing” as a use “Permitted with Special Permit: General  
540 | and Additional Conditions” in 145-39 D (2) (c), 145-39.1 D (2), 145-40 D (2) (b) and 145-41 D  
541 | (2) (b).

542 |  
543 | Amend 145-82 A (40) Low impact technology, fourth line, as follows:

544 |  
545 | “...trailer traffic and no leading-loading dock;...”

546 |  
547 |  
548 | Amend 145-82 A Clinic/Hospital

549 | Separate clinic/hospital uses and define...

550 | Clinic- An outpatient health clinic or facility, private or public, which provides for medical,  
551 | surgical, or psychiatric care and treatment for the sick or the injured. The facility may be a group  
552 | practice in which several physicians work cooperatively, and the facility would not be open on a  
553 | 24 hour basis (does not include nursing homes or veterinary clinics). (Place in the following  
554 | districts with special permit: CHT, [CMT], CLT, HDR, HHS)

555 | Hospital- an institution, private or public, that provides medical, surgical, or psychiatric care  
556 | and treatment for the sick or the injured, which is typically open on a 24 hour basis and patients  
557 | are allowed to stay for an extended period of time if needed (does not include nursing homes or  
558 | veterinary hospital). (Place in the following districts with special permit: CHT, HHS)

559 |  
560 | Amend 145-82 A- insert Small Scale Sales

561 | Small Scale Sales–All Retail of soft and hard goods with a maximum average size of 14,000 ft<sup>2</sup>  
562 | per tenant; jewelry; clothing; pet store; pharmacy; book store; Laundromat (Place in the  
563 | following districts with special permit: CHT, [CMT],)

564 |  
565 |  
566 | Medium Traffic Food and Beverage – Sit-down restaurant with or without bar which may include  
567 | carry-out or similar service, such as a restaurant, bakery, eatery, or cafe, but does not include  
568 | drive up/drive-thru services. (Place in the following districts with special permit: CHT, [CMT],)  
569 |

570  
571 *Change the following wording in sections: 145-39, 145-39.1, 145-40, 145-41, 145-42, 145-42.1-*  
572 *145-43, 145-44, 145-45, 145-46, 145-47, & 145-48*  
573  
574 1. *“Permitted uses with additional conditions”*  
575 *Should read as follows: “Permitted uses with additional conditions (see section 145-58)”*  
576 2. *“General and additional conditions”*  
577 *Should read as follows: “General and additional conditions for certain special permits (see*  
578 *section 145-60)”*

579 The Planning Board discussed possible and additional changes to the previous various proposed zoning  
580 changes. Moseley indicated that he would amend the proposed zoning changes as discussed and present it  
581 on March 31<sup>st</sup>.

582 **Other Business:**

583 None

584 **Approval of Minutes:**

585 Minutes of October 14, 2013. Motion to accept as modified by Dankert. Seconded by Dawson.  
586 Ayes by Tomei, Dankert, and Dawson. Abstentions by Gillott and Stycos

587  
588 Minutes of October 29, 2013. Motion to accept as modified by Dawson. Seconded by Stycos. Ayes by  
589 Tomei, Stycos, and Dawson. Abstentions by Gillott and Dankert

590  
591 **Trustee Report:**

592 Dawson reported on the March 2<sup>nd</sup> Trustee meeting. Please see the minutes of that meeting for a complete  
593 report.

594 **Adjournment**

595 Dawson moved to adjourn at 9:27 PM. Seconded by Stycos; Ayes by Tomei, Dankert, Stycos,  
596 Dawson, and Gillott.

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