

Village of Lansing
Planning Board Meeting
January 9, 2017

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

Present at the meeting were Planning Board Members: Mike Baker, Deborah Dawson, John Gillott, and Lisa Schleelein; Carolyn Greenwald Code Enforcement Officer, Marty Moseley; Village Engineer, Brent Cross; Village Trustee Liaison, Gerry Monaghan; Village Attorney, David Dubow; Village Trustee Ronny Hardaway; Mark Chandler and Raymond Lefebvre.

Public Comment Period

Tomei opened the public comment period. Carol Klepack noted that she was the Community Party observer for the evening. With no one else wishing to speak, Dawson moved to close the public comment period.

Seconded by Baker; Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

Informal Presentation for Crossroads Life Center proposed to be located on Graham Road

Lefebvre presented a digital 3d image for the Board and public. Lefebvre indicated that the Crossroads Life Center would hold classes, community gatherings, cooking classes, small events for birthdays, and would like to have an apartment for a caretaker.

Chandler noted that he came to Ithaca 24 years ago, with his family, who were previously in the mission's field in Japan. Chandler added that he and his family developed projects similar to this one in Japan. Currently his organization has been in 9 different spaces, and they are currently operating from the Bethel Grove Bible Church. They have been looking for the past 3 years to find a spot to develop. Chandler noted that they wanted a place next to a bus stop, and they need a place that can grow if necessary. Chandler indicated that the organization helps people understand the American culture during fellowship times.

Dawson asked about plans for the existing house on the site.

Lefebvre indicated that they intend for the house to stay in existence and be utilized. Chandler noted that they would rent the house out to international individuals.

Schleelein noted that the property in questions is close to residential houses and vehicle traffic would be a concern.

Chandler noted that they only have about 20 individuals on average for cooking and English classes. Other than the cooking and English groups, the classes are typically smaller.

Greenwald asked about the Zoning District that this would be located in and the use that this would fall under.

Tomei noted that it is located in the Medium Density Residential District and it would be a mix of a religious use and a school use. Moseley explained the Religious Land Use Act of 2000.

47 Dawson asked about the parking area.

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49 Lefebvre indicated that they were not sure about how much parking they would need, but they would like to
50 place the parking area in a less visible area on the lot. They could also add quick growing trees for additional
51 screening. Lefebvre added that they may also move the building to accommodate a better parking
52 arrangement.

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54 Schleelein asked about the site plan, since it was showing multiple parcels. Moseley explained that the site
55 map is not correct, and no formal subdivision was requested or approved. Moseley added that currently the
56 parcel in question (tax parcel # 46.1-1-2) is all one parcel and is approximately 4 acres.

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58 Monaghan asked if there were Sunday services, if multiple religions would utilize the building, and if Cornell
59 groups could utilize the building.

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61 Chandler noted that they were a non-denominational Christian organization and would be open to working
62 with different groups. Chandler noted that he previously resurrected the Carriage House in Ithaca. Chandler
63 added that they would be selective about groups and that the Cornell International Christian Fellowship
64 group meets currently. Chandler noted that having a place on the map is important.

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66 Lefebvre indicated that they were trying to make the building appear like an Adirondack structure, while also
67 making it look more residential to fit in with the neighborhood. Lefebvre noted that they are showing a
68 timber frame interior.

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70 Tomei noted that the caretaker's apartment would be problematic since "mixed use" is not an allowed use in
71 the Medium Density Residential District.

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73 Chandler indicated that they would have a staff person live there, and not a stranger. Chandler added that the
74 caretaker's area is not absolutely necessary, and they could utilize that area for additional storage and/or an
75 additional meeting space.

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77 Tomei noted that his biggest concern is the potential impact on the residential houses on the contiguous lots.

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79 Cross explained that they would need to incorporate stormwater management techniques.

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81 Lefebvre indicated that they would look to incorporate rain gardens, work with an engineer when it comes to
82 that point, and refer to the DEC stormwater guidelines.

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84 Tomei noted that they would need to have some information provided on the anticipated traffic impact.

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86 Chandler noted that the highest occupancy would be for their usual Christmas party, which is about 100
87 individuals. Chandler noted that they would also talk to Christ Chapel Church at 160 Graham Road about the
88 use of their parking lot in the event that more parking was needed.

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90 Lefebvre asked about the parking requirements for the Village. Moseley indicated that they would need to
91 prove to the Village that the parking they will be providing will be adequate for the proposed use.

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93 Cross noted that there is a natural gas moratorium for this area.

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95 Chandler indicated that they would be looking at a self-sustaining approach for the building.

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97 Schleelein asked about signage. Moseley indicated that 9 square feet is the maximum that would be allowed.

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99 Chandler noted that they may be back in about 6 months to continue this discussion and possibly start the
100 process of formal approvals.

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102 **Classification and Possible Consideration for Alteration to an Existing Special Permit #2895 for the**
103 *Al-Huda Islamic Center proposed for 112 Graham Road*

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105 Moseley noted that the topic about the Al-Huda Islamic Center is going to be placed on the next agenda and
106 they intend to be in attendance for that meeting. Tomei noted that they would consider the classification at
107 the next Planning Board meeting.

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109 The Planning Board discussed the project and decided that the most recent proposed design was not
110 appealing. The idea of the parking lot in front of the building is not desired and will not fit with the
111 surrounding buildings. The plan that was originally approved had the parking in the rear of the lot and was
112 much more aesthetically appealing. The Planning Board would like the building to be built closer to the road
113 to accommodate the parking in the rear, and possibly ask if the applicants have thought about obtaining a
114 variance. There was discussion about whether the proposed changes would be classified as minor or major,
115 but it was determined the Board would classify the change at the next meeting.

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117 **Continued Discussion on uses of undeveloped properties:**

118 Moseley indicated that he had a discussion with Cornell Real Estate about up-zoning parcels (at the end of
119 Arrowwood Drive and next to Dankert Park and the Ithaca Swim Club) from a Medium Density Residential
120 Zoning District to a High Density Residential District. Mosley added that Cornell was not opposed to the
121 zoning change for the parcels.

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123 Cross noted that Arrowwood Drive only has one ingress and egress, which may be problematic.

124 Dawson noted that the Comprehensive Plan indicates that the Village would review zoning changes and then
125 change the zoning to what is determined to be acceptable.

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127 Dubow indicated that the identified lots in question may or may not be developed in the near future, and the
128 Village should not to be surprised if they are not.

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130 Schleelein noted that the Planning Board is attempting to be proactive about potential zoning changes in the
131 future.

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133 After further discussion from the Board, nothing was officially decided and this topic will be discussed at a
134 future meeting.

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136 **Discussion on the Definition of Household:**

137 Moseley presented the following:

138 *Attached is the first draft of the proposed amendment to the term "household" in chapter 145-3 of the Village*
139 *Zoning. One of the ways to strengthen the definition of "household" is to adopt this discretionary review technique to allow for the*
140 *BZA to make a ruling on what a household is or is not on a case by case basis. The Zoning Officer would still make a*
141 *determination in accordance with the definition as provided, but this technique would allow for a determination to be made by the*
142 *BZA if the individuals could be considered a "household or family". Of course, the BZA would be involved after the Zoning*
143 *Officer determined that the individuals did not fit the definition of "household".*

144 *Based on this technique, multiple NYS municipalities have utilized this discretionary review technique, which has been tested and*
145 *found to be favorable in the court system. Additionally, the NYS General Council has issued legal memorandum LU05 titled*
146 *"Definition of "Family" in Zoning Law and Building Codes, which has provided the basis to the proposed language.*

147 *By amending the definition this would strengthen the basis for what a "household or family" would be considered and would*
148 *require the individuals, of the dwelling unit, to prove to the Village that they would be considered a "household or family".*

149 *Currently it would be the Villages responsibility to prove that the individuals would not constitute a "household or family" as*
150 *defined. This may provide for a better basis to protect the one and two family households in the Village.*

151 *Household --*

152 *A. An individual, or*

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154 *B. Two or more persons of recognized family relationship, occupying a single dwelling unit, related by blood,*
155 *marriage, or legal adoption, living and cooking together as a single housekeeping unit, or*

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157 *C. Two unrelated persons (with or without children), occupying a single dwelling unit, living and cooking together as*
158 *a single housekeeping unit.*

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160 *D. Notwithstanding the provisions of Subsection C of this definition, a group of unrelated persons numbering more*
161 *than four (4) shall be considered a family upon a determination by the Board of Zoning Appeals that the group*
162 *is a functional equivalent of a family pursuant to the standards enumerated in Subsection E herein.*

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164 *E. Before making a determination whether a group of more than four (4) unrelated persons constitutes a family for*
165 *the purpose of occupying a dwelling unit, as provided for in Subsection D of this definition, the Board of Zoning*
166 *Appeals shall hold a public hearing, after public notice, as is normally required for the obtaining of a variance.*
167 *The fee for such an application shall be the same as is required for an application for a variance. Said application*
168 *shall be on a form provided by the Board of Zoning Appeals or Zoning Enforcement Officer.*

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170 *F. In making a determination under Subsection D the Board of Zoning Appeals shall find:*

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172 *a. The group is one which in theory, size, appearance and structure resembles a traditional family unit;*
173 *and*

174 *b. The group is one which will live and cook together as a single housekeeping unit; and*

175 *c. The group is of a permanent nature and is neither merely a framework for transient or seasonal*
176 *(including as "seasonal" a period of an academic year or less) living, nor merely an association or*
177 *relationship which is transient or seasonal in nature. In making this finding, the Board of Zoning*
178 *Appeals may consider, among other factors, the following:*

179 *i. Whether expenses for preparing of food, rent or ownership costs, utilities, and other household*
180 *expenses are shared and whether the preparation, storage and consumption of food is shared.*

181 *ii. Whether or not different members of the household have the same address for the purposes of:*

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1. *Voter registration.*
 2. *Driver's license.*
 3. *Motor vehicle registration.*
 4. *Summer or other residences.*
 5. *Filing of taxes.*
- iii. *Whether or not any children are enrolled in local schools.*
 - iv. *Whether or not householders are employed in the local area.*
 - v. *Whether or not the group has been living together as a unit for an extended period of time, whether in the current dwelling unit or other dwelling units.*
 - vi. *Any other factor reasonably related to whether or not the group of persons is the functional equivalent of a traditional family.*
- d. *In making determinations under this definition, the Board of Zoning Appeals shall not be required to consider the matters set forth in Article VIII of this chapter.*

196 There was a discussion about changing wording that included “cooking together”, but the Board decided to
197 keep the terms in the definition. Tomei noted that this language strengthens and clarifies the Village’s Code
198 provisions and provides a backbone for the definition. After further discussion, Dawson moved to propose
199 amending the definition of household in Chapter 145-3, as presented, to the Board of Trustees. Seconded by
200 Schleelein Ayes by: Tomei, Baker, Dawson, Gillott, and Schleelein.

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202 **Approval of Minutes**

203 Dawson moved to accept the minutes, as amended, for October 25, 2016. Seconded by Gillott. Ayes by:
204 Tomei, Baker, Dawson, Gillott, and Schleelein.

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206 **Trustee Report**

207 None

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209 **Other Business**

210 None

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212 **Adjournment**

213 Baker moved to adjourn at 8:56 PM. Seconded by Schleelein; Ayes by: Tomei, Baker, Dawson, Gillott, and
214 Schleelein.