

Village of Lansing  
Planning Board Meeting  
Minutes of Monday  
July 8, 2019

The meeting of the Village of Lansing Planning Board was called to order at 7:01 PM by Chair, Lisa Schleelein.

Present at the meeting: Planning Board Members; Mike Baker, Carolyn Greenwald, James McCauley, Monica Moll, and Lisa Schleelein; Code Enforcement Officer, Mike Scott; Village Attorney, William Troy, Village Trustee Liaison, John O'Neill; Planning Board Engineer, Brent Cross; Jim Bold and Eric Goetzmann, Arrowhead Ventures; Reuben Twersky from Brixmor; and approximately 1 additional person.

Absent: Tony Ingraffea

**Public Comment Period**

Schleelein opened the public comment period at 7:02pm.

With no one wishing to speak, Baker moved to close the public comment period. Seconded by Greenwald.

Ayes by: Baker, Greenwald, McCauley, Moll, and Schleelein

**Resolutions for Special Permit #4258 (Amending Special Permit #4123)**

Eric Goetzmann, representing Arrowhead Ventures, is proposing a change to the Residential Units of Area B in the Lansing Meadows PDA located on Oakcrest Road (Tax Parcel #47.1-1-17.21). The Planning Board has reviewed this proposal (Special Permit #4258) and determined it to be a minor change from the approved site plan (Special Permit # 4123).

Schleelein said the change was tabled at the last meeting due to Greenwald being absent. Schleelein asked Greenwald to withdraw her proposed motion of a major change from the June 10<sup>th</sup> Planning Board meeting and Greenwald withdrew her motion.

Schleelein said the meeting can now proceed to determine whether the proposed amendment is a major or minor change. Schleelein read from the submitted draft of permit #4123 and the Planning Board went through the draft.

After discussion everyone agreed the change should be classified as a minor change.

**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR AN  
AMENDED SPECIAL PERMIT NO. 4123 ADOPTED ON JULY 8, 2019**

Motion made by: Michael Baker

Motion seconded by: James McCauley

44 **WHEREAS:**

- 45 A. Arrowhead Ventures, LLC/Triax Management Group planned to develop Area B of the  
46 Lansing Meadows Planned Development Area (PDA), which included 12 single-family, senior  
47 housing units, Tax Parcel Nos. 47.1-1-17.2 and 47.1-1-17.6. This project is directly adjacent to  
48 the stand-alone retail center (BJ's Wholesale Club), Area A and the proposed Commercial  
49 Section A-1 of the PDA, that is adjacent to the Shops at Ithaca Mall, and is also adjacent to the  
50 enhanced wetlands, Area C of the PDA, adapted to provide a bird habitat and buffer between  
51 Areas A and B of the PDA. Annexed hereto as Addendum No. 1 is a four-page document  
52 submitted to the Planning Board by applicant as showing the proposed development.  
53 (Addendum No. 1 is incorporated into this resolution); and
- 54 B. On March 27, 2018 and April 9, 2018, the Village of Lansing Planning Board opened and  
55 continued a public hearing regarding this proposed action, and therein thoroughly reviewed and  
56 analyzed (i) the materials and information presented by and on behalf of the applicant in  
57 support of this proposed action, including information and materials related to the  
58 environmental issues, if any, which the Board deemed necessary or appropriate for its review,  
59 (ii) all other information and materials rightfully before the Board (including, if applicable,  
60 comments and recommendations, if any, provided by the Tompkins County Department of  
61 Planning in accordance with General Municipal Law Sections 239-1 and 239-m), and (iii) all  
62 issues raised during the public hearing and/or otherwise raised in the course of the Board's  
63 deliberations; and
- 64 C. On April 9, 2018, the Village of Lansing Planning Board, in accordance with (i) Article 8 of the  
65 New York State Environmental Conservation Law - the State Environmental Quality Review  
66 Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii) Section 123.2 of the Village of Lansing  
67 Code, and amended an environmental review and adopted a Resolution for SEQR Review in  
68 connection with Special Permit No. 4123; and
- 69 D. On April 9, 2018, in accordance with Section 725-b of the Village Law of the State of New  
70 York and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the  
71 Village of Lansing Planning Board, in the course of its further deliberations, reviewed and took  
72 into consideration (i) the general conditions required for all special permits (Village of Lansing  
73 Code Section 145-59E), (ii) any applicable conditions required for certain special permit uses  
74 (Village of Lansing Code Section 145-60), (iii) any applicable conditions required for uses  
75 within a Combining District (Village of Lansing Code Section 145-61), and (iv) any  
76 environmental issues deemed necessary and/or appropriate.
- 77 E. On July 8, 2019, the Village of Lansing Planning Board reopened the application to consider a  
78 proposed amendment to the plan of development offered by applicant, which would change the  
79 number of units to 18 units instead of 12 units as shown in a drawing submitted by applicant  
80 and annexed hereto; and
- 81 F. The Village of Lansing Planning Board having noted that the proposed change is a minor  
82 change in the plan, pursuant to Village of Lansing Code § 145-59F(2); and

83 H. The Village of Lansing Planning Board having reviewed the proposed changes under SEQR  
84 and having found no basis for changing the SEQR finding earlier made on April 9, 2018;

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

86 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and  
87 requirements, if any, set forth below and the provisions provided for in paragraph "D" above)  
88 that the proposed action meets (i) all general conditions required for all special permits (Village  
89 of Lansing Code Section 145-59E); (ii) any applicable conditions required for certain special  
90 permit uses (Village of Lansing Code Section 145-60); and (iii) any applicable conditions  
91 required for uses within a Combining District (Village of Lansing Code Section 145-61); and

92 2. It is hereby determined by the Village of Lansing Planning Board that the proposed  
93 **Amendment** to Special Permit No. 4123 is **GRANTED AND APPROVED**, subject to the  
94 following conditions and requirements as set out in the Resolution dated April 9, 2018  
95 (Conditions a-m) and as amended by the conditions now adopted (n-w) which govern if there is  
96 a conflict between conditions (a-m) and conditions (n-w).

97 a. Soil and Erosion control measures and water quality techniques shall be implemented and  
98 coordinated as required and approved by the Village of Lansing Code Enforcement Officer  
99 and/or the Village of Lansing Engineer, and a plan for maintenance and said control  
100 measures and quality techniques over time shall be established with the Village of Lansing  
101 Code Enforcement Officer and/or the Village of Lansing Engineer.

102 b. Prior to a building permit being issued, approval by the Village of Lansing Engineer and  
103 Village of Lansing Storm Water Officer of, but not limited to, site work, storm water  
104 management and infrastructure plans, and implementation thereof. Drainage easements for  
105 potential impact from the stormwater management facilities on neighboring parcels shall be  
106 obtained, provided to the Village for approval by the Village Engineer, Stormwater Officer  
107 and Attorney, and thereafter recorded at the Tompkins County Clerk's Office.

108 c. Prior to a Certificate of Compliance being issued, a maintenance agreement shall be  
109 submitted to and approved by the Village Attorney, Village Engineer and Village  
110 Stormwater Management Officer pertaining to the stormwater facilities.

111 d. Prior to a building permit being issued, a final lighting plan shall be submitted to and  
112 approved by Village of Lansing Lighting Commission prior to the installation.

113 e. A landscaping plan shall be submitted to and approved by the Village of Lansing Planning  
114 Board prior to the installation of any plantings

115 f. Prior to a building permit being issued, approval by the Superintendent of Public Works for  
116 any proposed curb-cut and sidewalk connections shall be obtained.

117 g. Required permits, approvals, consents and other authorizations from all applicable Federal,  
118 State, County and local governmental and regulatory agencies shall be obtained, maintained

- 119 and complied with for all permitted improvements, operations and activities as authorized  
120 by this special permit approval, and such improvements, operations and activities shall at  
121 all times comply with all applicable Federal, State, County and local laws, codes, rules and  
122 regulations.
- 123 h. Prior to a building permit being issued, water consumption proposed for the occupancy of  
124 the new building(s) shall be provided to the Village of Cayuga Heights and the Village of  
125 Lansing for the issuance of the required sewer permits prior to the issuance of the building  
126 permit.
- 127 i. Review and approval by the Tompkins County Department of Planning in accordance with  
128 General Municipal Law Sections 239-l and 239-m must be received by the Village.
- 129 j. Work contemplated under Amended Special Permit No. 4123 shall be commenced on or  
130 before July 31, 2018, and if not commenced in that period, the Planning Board can require  
131 further Planning Board approval(s) before any further development is done.
- 132 k. Work contemplated under Special Permit No. 4123 shall be completed by July 31, 2020,  
133 and if not completed by that date, the Planning Board can require further Planning Board  
134 approval(s) before any further development is done.
- 135 l. A clean set of final plans shall be approved by the Planning Board and Code Enforcement  
136 Officer prior to construction commencing.
- 137 m. An escrow will be established, in an amount to be determined by the Village of Lansing  
138 Board of Trustees in connection with the building of a sidewalk along Oakcrest Road  
139 within the Village right-of-way where the subject property is located.
- 140 n. The deadline for completion of units 1 through 12 is July 31, 2020.
- 141 o. The deadline for completion of units 13 through 18 is December 31, 2020.
- 142 p. The deadline for completion of all infrastructure of all units is July 31, 2020.
- 143 q. Arrowhead Ventures, LLC/Triax Management Group shall provide a certified copy to the  
144 Village of Lansing of the U.S. Army Corps of Engineers issued permit (Letter of  
145 Permission) allowing construction.
- 146 r. A proposal for all proposed sidewalks, curb-cut and sidewalk connections required to be  
147 installed shall be submitted to the Village of Lansing for approval by the Superintendent of  
148 Public Works, and all are to be completed by July 31, 2020.
- 149 s. Consistent with the PDA requirements, senior housing is the purpose of this development.
- 150 t. The roadway in the proposed planned development shall be a one-way roadway.

- 151 u. All open spaces in the proposed development area shall be graded, landscaped and  
152 maintained by the applicant.
- 153 v. No Certificate of Compliance shall be granted until all infrastructure work has been  
154 completed by applicant.
- 155 w. Only a temporary Certificate of Compliance will be granted for Building 4 (units 10 to 12)  
156 until the completion, inspection and approval of Building 5 and Building 6 along with the  
157 site conditions.

158 Mike Baker moved to approve the amendment with conditions; Seconded by Jim McCauley.  
159 The vote on the foregoing motion was as follows:

160 AYES: Mike Baker, Carolyn Greenwald, Jim McCauley, Monica Moll, and Lisa Schleelein.

161 NAYS: None

162 The motion was declared to be carried.

163 **Public Hearing for Special Permit #4299 Proposal by Brixmor/IA Cayuga Plaza, LLC.** The applicant  
164 is requesting a Special Permit for a new fitness center and Dollar Tree tenant located at 2309 North  
165 Triphammer Road (Tax Parcel # 46.1-5-4.2). In conjunction with this request, the applicant is  
166 proposing new facades for the tenants as well as a facade renovation of the adjacent Big Lots.

167 Schleelein read permit #4299 and Twersky from Brixmor/IA Cayuga Plaza introduced himself.  
168 Twersky said he was requesting Planning Board approval to do renovations to the old T J Maxx  
169 complex for two new tenants- Planet Fitness and Dollar Tree. Twersky presented an overhead of  
170 what the plans would look like when completed. The facade would have a new look and all new  
171 signs and both spaces would be upgraded. Twersky said Planet Fitness would go next to Big Lots  
172 and the Dollar Tree would go next to Planet Fitness.

173

174 Scott said he had all the mailings for the Public Hearing

175

176 Scott reminded the Planning Board a special permit is needed for increasing parking due to the size  
177 of Planet Fitness. Scott said due to the Square footage 652 spaces are required. Twersky said when  
178 they did the measurements, they came up with 704 spaces. Cross asked Twersky what dimensions  
179 he used and McCauley asked if the spaces were narrower. Twersky didn't know.

180

181 Scott said he used Google maps to calculate what the current spaces were and it came out to 663  
182 and it needs an additional 30 spaces. Scott said there is a clause (145.54) of the Code that allows  
183 for up to a 20% shortfall and with that clause Twersky may have well enough spaces.

184

185 Schleelein asked what the area of parking was and the size of the aisles. Scott said he wanted to  
186 know the size of the sign and square footage. Twersky said he would provide the information.

187

188 Scott said if the facade is part of the structure it will meet code. Twersky said he believes it is 35  
189 feet and Scott said he needs actual numbers. Twersky said he would be in touch with Scott with  
190 all of the information. Baker asked why not make the signs all the same size. Twersky said Big  
191 Lots sign is larger due to them being on the end of the Plaza and it didn't seem necessary to change  
192 it.

193

194 Schleelein asked about the lighting plan for Planet Fitness and making sure the exterior lighting  
195 will be Dark Sky compliant. Scott said he would send Twersky that information.

196

197 Greenwald asked what the expected date of completion and plans are to open. Twersky said he  
198 didn't know yet. Greenwald said she believes there are enough parking spaces and asked if a  
199 special permit is needed.

200

201 Scott said if he receives all of the information by the next Planning Board meeting on July 30th  
202 and all is in order the plans can be approved.

203

204 The Planning Board worked through the Short Environmental Assessment Form (EAF). After  
205 discussion, the Board filled in the appropriate areas prior to determining that the proposed action  
206 will not result in any significant adverse environmental impacts.

207

208 McCauley moved that there will be no negative impact; Seconded by Baker.

209 Ayes: Baker, Greenwald, McCauley, Moll, and Schleelein.

210

211 Scott said the project does require a 239 which was sent but it is not back yet.

212

### 213 **General Planning Session**

214 Schleelein asked everyone if they had done their homework from the last meeting. Schleelein said  
215 she wanted to go over the Walkway Policy that she had discovered that was adopted back in 1995  
216 by resolution #3137 as well as the Walkway Implementation Plan adopted in 2000 that identifies  
217 areas in the Village that should have sidewalks and walkways. Schleelein asked how to best  
218 incorporate these policies into the Village Code so that everyone is aware of their existence. Scott  
219 said by a possible appendix.

220

221 McCauley asked about a noise ordinance and if something could be done with getting zoning for  
222 that.

223

224 Schleelein said she wanted to go over the Chart of Uses to make sure everyone is familiar with  
225 them. Baker said it may be possible to take some of the uses out by reviewing them.

226

227 Schleelein said that when reviewing some back minutes, she realized that some language  
228 previously approved by the Planning Board never went to the Trustees for approval and so has not  
229 been incorporated into the Code. Schleelein said she thought the Special Care Facility and

230 Assisted Living language had been combined and redefined in March 2016 and it never happened.

231 Schleelein said the other was Solar Array language.

232

233 Schleelein asked everyone how they wanted to review the Code and uses. Greenwald said she

234 wanted to review the Walkway Implementation Plan that was adopted and discuss it. Schleelein

235 asked Troy if the Planning Board wanted a change to the Code what needed to be done. Troy said

236 they needed to take the current resolution and amend it.

237

238 Schleelein wanted to focus on the areas that needed walkways the most and areas where the

239 Comprehensive Plan lists the roads. O'Neill suggested talking to the Greenway Committee.

240

241 Greenwald said on the Green Street crossing near the parking garage, the button for the pedestrian

242 walkway is instantly activated when pushed and this makes the walkways more pedestrian

243 friendly. She asked if there is a way to make the buttons on the walkway lights more responsive.

244 Brent said it may be like that due to the number of cars versus pedestrians in the area. Cross said

245 moving signs or changing light controls may be impossible due to DOT, intersections and lighting

246 regulations.

247

248 Schleelein said she would like everyone to take a section of uses and look them over and have

249 suggestions or changes by the September 9<sup>th</sup> Planning Board meeting. Scott asked why they were

250 looking at the uses to change them. Schleelein said it has been almost 10 years since the last

251 review of the Zoning Code and it's time to look them over to see if any of them need to be changed

252 in some way or are still relevant today.

253

254 Scott asked if they are looking to review the uses in each category or the category. Schleelein said

255 review the district and the uses in that district. Scott asked are they looking to change the uses in

256 each district or change the district. Baker said its time to review them to make sure the use should

257 still be in that district and if they still meet Code. Scott said he is just concerned with a lot of

258 change that may impact zoning. Cross said that is a good thought because it may impact more than

259 what they expect to do in the long run if the change is done.

260

261 Schleelein said one of the uses she was asked about was low traffic food and beverage such as

262 drive-thru and carryout and the other was small scale sales. Greenwald asked why drive-thru's are

263 not desirable and Troy said it is a traffic issue.

264

265 Schleelein said for example in the Chart of Uses such as LDR, would she consider changing

266 anything such as allowing a clinic. Baker and Moll said no, they don't see anything they would

267 want added there. Baker said he can see why Cornell Nursery School and churches are in LDR.

268 Scott said schools and churches can go anywhere they want.

269 Troy asked why they want to change the Code if it's not "broken". Baker said it's an opportune  
270 time to review the allowed uses in each district and have these discussions. Schleelein said it is to  
271 be sure they are up to date and take a comprehensive look at zoning. Cross said this is one of the  
272 opportunities to change something due to aging out. Schleelein said it is also time to look at the  
273 guidelines such as lighting, signs, etc. and make sure they meet Code.

274

275 Greenwald sees an issue of fairness with variances since only certain individuals seek allowances  
276 beyond the Code. Troy said they need to think about how to address the demands of the people  
277 versus just changing zoning.

278

279 Scott said he thinks the Village has done an excellent job with the signs in the Village. Schleelein  
280 asked does everyone want to discuss or change Zoning regarding signs. Cross said compared to  
281 other villages or towns the Village Sign Law is comparable to them.

282

283 Schleelein asked everyone to take the first three uses in the chart Low, Medium and High Density  
284 and look them over and bring their changes or input to the September meeting.

285

286 Scott reminded everyone about the criteria on the special permit he handed out to everyone and to  
287 please look it over and get back to him asap so he can finalize it. He needs information twelve  
288 days before for a special permit.

289

290 Greenwald said she would like to have a packet or guidelines that need to be handed out when  
291 builders want to build.

292

### 293 **Approval of Board Minutes**

294 Schleelein said until all of the resolutions are incorporated into the minutes the Planning Board  
295 will not consider them for approval.

296

297 Greenwald moved to accept the amended minutes of May 28, 2019. Seconded by Baker.

298 Ayes: Baker, Greenwald, Moll, and Schleelein,

299 Abstained: McCauley

300

### 301 **Trustee Report:**

302 Schleelein said due to the sewer being installed on Cayuga Heights Road the Trustees will be  
303 proposing a change to the lot size from 38,000sq. ft. to 48,000 sq. ft. For a complete report of the  
304 meeting see the Trustees minutes.

305

### 306 **Adjournment:**

307 Baker moved to adjourn at 9:07 PM. Seconded by Moll.

308 Ayes by: Baker, Greenwald, McCauley, Moll, and Schleelein.

309

310 Minutes taken by: Tina Frelove, PT Clerk