

Village of Lansing
Planning Board Meeting
December 13 , 1999

The meeting of the Village of Lansing Planning Board was called to order at 7:30 p.m. by Chairman Hickey. Present at the meeting were Planning Board Members Brown, Halevy, Klepack, Waterman, alternate member Dankert, Village Attorney Marcus, Code Enforcement Officer Curtis, Village Engineer Cross and Trustee Liaison Leopold.

Public Comment

Klepack moved to close the Public Comment portion of the meeting as there was no one present who wished to speak. Seconded by Waterman. All in favor.

Schmidt - Public Hearing:

Special Permit #1506, Ken Schmidt, to construct a single family residence on the undeveloped lot known as 44 Wedgewood Drive in the Shannon Park Planned Development District, Tax Parcel Number 47.1-6-29. Because construction will occur within 200' of the centerline of a stream included in the Conservation Combining District, Special Permit review is required pursuant to Sections 202.12 of the Village of Lansing Zoning Law.

Hickey opened the Public Hearing. As no one wished to speak Waterman moved to close the Public Hearing. Seconded by Klepack. All in favor.

A letter from Jeff Lang described the scope of the work and proposed measures to protect the stream as they excavate for a basement, dig trenches for utilities and drains, backfill and grade lot, and seed to grass. The Village Engineer had visited the site and discussed it with Mr. Lang and has no problem with what Mr. Lang plans to do to protect the stream. Cross noted in his Engineer's Report that 1) the building area is elevated approximately 10' above the adjacent stream bed area and therefore no construction activity will happen within the stream's high water area; 2) the builder has proposed to use the standard erosion control methods to protect the stream area from run-off sedimentation of the construction area; 3) the amount of water to be added to the stream flow will be insignificant. Based on those observations, Cross feels that this project will have no significant adverse environmental impacts on the stream.

The Board conducted a SEQRA review:

C. The applicant has taken sufficient measures which have been approved by the Village Engineer to mitigate any possible runoff problems.

Brown moved that the Board find that the proposed action will have no significant environmental impact. Seconded by Klepack. All in favor.

The Board conducted a review of the General Conditions Required for all Special Permits:

F. Some stone will be added around the perimeter drains where they discharge toward the stream.

Brown moved that the Board find that the applicant has met the General Conditions Required for all Special Permits. Seconded by Halevy. All in favor.

Waterman moved to approve Special Permit #1506. Klepack seconded. All in favor.

Tops Market Planned Sign Area

A Tops representative presented a slide show of the project as viewed from various points around the site to give the Board an idea of what they planned for the signage as well as some of the landscaping concepts. The Tops front will

face Triphammer Road. For both Tops and the retail building there will be consistency in the signage across the front with the typical red lettering on the facade.

Landscaping in the islands in front of Tops will help screen the building and enhance the site. The light poles are standard 35 foot high poles to get even distribution of light across the parking area. The trees will be 2.5 to 3 inches caliper and close to 10-11 feet tall. When fully grown, these Bradford Pear trees will be around 15-16 feet tall.

Tops proposed the following signage:

Main Tops Market Building:

1. Tops Logo plus Tops sign (front elevation, main canopy): 165 s.f.
2. Tops Logo (left side elevation): 86.67 s.f.
3. Food & Pharmacy lettering (front elevation): 27 s.f.
4. Retail/Bank signage (front elevation): 27 s.f.
5. Blockbuster sign (front elevation): 27 s.f.
6. Play-land sign (front elevation): 27 s.f.

Tenant Retail Out-Building Signage:

1. 5 canopy signs (north, front elevation): 45s.f. each
2. 1 canopy sign (east, left side elevation): 45 s.f.

Site Signage:

1. Main Pylon sign at corner of N. Triphammer Road and Pyramid Drive which includes
 - A. Tops Logo sign (48 s.f.)
 - B. 7 Tenant signs: 6 s.f. each per side
2. Enter/Exit pylon signs at entry drives (2' w. x 2' h) = 4 s.f. each

Hickey had prepared a chart to compare the Sign Law with what Tops had requested in order to organize the discussion of the proposed signage. Hickey noted for comparison that in 1995 the P&C requested 446 s.f. which included their main sign and a Deli and Bakery sign. However only one sign for 150 s.f. was approved. The Deli and Bakery signs were not approved. Hickey said that the purpose of a Planned Sign Area is to get more uniformity within the signs within a shopping mall and not necessarily to adhere 100% to the Sign Law. Equity with other mall areas has to be considered. For example, the Board did approve a directory sign for Bishops and Hickey felt comfortable with that approval because the Board needs to provide some help for businesses that are off Triphammer Road so that their location is known.

Directional signs: Tops is requesting 2 Exit and 2 Entry signs at 4 s.f. each. Waterman said that for safety purposes these should be large enough so that you can see them in spite of all the distractions. The Board agreed to approve recommendation of two directional signs at each entryway.

Pylon sign: They are allowed one pylon sign per entryway but instead they are requesting one main entry pylon sign on the northeast corner where Pyramid Drive and North Triphammer Road intersect.

Directory signs: Directory signs are not authorized in the Sign Law. Tops is requesting 7 tenant signs to go on the

pylon sign at 6 s.f. each for a total of 42 s.f. Approved.

Retail building: The Sign Law says that each establishment can have 25 s.f. and Tops is requesting 45 s.f. The Board felt that the signs shouldn't be any bigger than what is necessary to see and 45 s.f. is too big. Hickey noted that the pylon directory sign will notify people of what tenants are in the retail building. He said he felt very comfortable going with 25 s.f. on the buildings as long as there will be tenant signs in the directory. The Board approved for the retail outbuilding one sign for each tenant at 25 s.f. with red letters. It is not yet known whether there will be 4, 5 or 6 tenants.

The requested sign facing Triphammer Road on the outbuilding will not be approved for recommendation as the tenant is as yet unknown. Curtis compared that requested sign to the Subway sign that was approved for Lansing Village Place. Hickey added that this situation differs in that people coming down Triphammer Road will see the pylon with all the signs underneath it. The only people that will benefit from a sign on the east side of that building are the people traveling north on Triphammer.

Tops Market and tenant signage: The Retail/Bank and Blockbuster do not have separate entrances. The Sign Law requires separate entrances for tenants for separate signage. Those retail stores are not always located on the perimeter of the Tops building. Sometimes they are in the center or inside portion of the store. If it's on the perimeter it makes sense to have a separate door. Blockbuster has made a commitment and they would prefer to have a sign so the Tops representative said that they will allow them to have a separate entrance. However, Tops could not promise an exterior door for the bank. The Board did not approve a sign for the bank.

The request for the main entry logo sign is 165 s.f. and the logo on the Route 13 side requested is 86 s.f. Hickey said that this Board has historically not permitted signs facing Route 13. He added that Bishops wanted a sign to be read from Rt. 13 and the Board said no. The consensus of the Board was that approving that sign would establish a strong precedent and there was no support for approval. The Board approved 25 s.f. for the Play-land sign, 25. S.f. for the Blockbuster sign, 150 s.f. for the main entry logo, and did not approve the Tops logo on the left side, the Food & Pharmacy sign, and the Retail/Bank sign.

Waterman moved that the Board approve 48s.f. for the multi-tenant pylon sign, 25 s.f. for the Play-land sign, 150 s.f. for the Tops Logo (main entry), 25 s.f. for the Blockbuster sign, and one sign at 25 s.f. per tenant in the retail outbuilding, 4 directional signs (2 enter and 2 exit) at 4 s.f. each, and directory signs for tenants at 6 s.f. each for up to 7 tenants. Seconded by Brown. All in favor

McDonalds Relocation

Shelly Johnson from Creighton Manning Engineers was present to discuss the traffic issue and Francis Essien presented the revised site plan which incorporated the Board's previous comments. In the revised plan, the building has been moved to the north which will allowed the stacking lane to be extended approximately 120 feet to accommodate a total of roughly 20 vehicles. McDonalds historically has designed the drive-thru window to accommodate stacking of 6 vehicles. Essien said that McDonalds's new cooking system will reduce waiting time in the drive-thru lane as well. The facility for handicap parking was relocated away from drive-thru lane area which allowed for increased space for parking buses and trucks on the site. They have indicated the sidewalk along Triphammer Road and also indicated access from that sidewalk into the facility. They also included the detail of what the retaining wall would look like. It will still have to be engineered and redesigned but they intend that the highest point of the retaining wall will be at least 10 feet. The moving of the building to the north improves the problem with the visibility of Sciarabba's mall. The site plan now shows space for outdoor seating and McDonalds would like to retain the option of exploring that possibility further. Cross noted that the storm retention area will have to be redesigned. There appears to be a fair amount of driveway over the drainage easement area. Hickey said that one of the conditions of approval will be the inspection by the Public Works Supervisor of the culvert to see what kind of condition it is in and whether it is safe to extend pavement over that easement .

Shelly Johnson said that based on the last meeting one of the issues noted was driveway location. When Graham Road gets the new traffic signal that Tops is putting in, based on signal timing and the signal phasing, the queue of vehicles will be about 7 vehicles mass mode during peak hour or about 175 feet extending south along N. Triphammer Road

from Graham Road. There will be about 200 feet from the back of that queue to the site driveway when there is a traffic signal at Graham so that driveway will not be blocked and will not impede traffic coming out of the site. One of the existing driveways for the existing McDonalds will be closed.

Marcus verified that the site plan now includes an indication of the approximate location of the proposed edge of roadway after the Triphammer Road reconstruction.

Hickey said that one of the items that has stood out is the fact that in the report from Creighton Manning, the traffic exiting McDonalds onto N. Triphammer Road making a left turn had a level of service of F and it was difficult to approve any kind of turning movement that was at a failure rate. The Board asked Sear Brown to address that and received the report which says this is not a problem. Johnson said that there are two issues. One is the comparison to the existing condition and another is understanding what an F level of service means. The F level of service for the left turn lane exiting a site is not an indication of the volume of traffic on the driveway itself but more an indication of how long those vehicles are going to have to wait to turn onto N. Triphammer Road. It doesn't say that the driveway cannot handle that volume of traffic. Vehicles that want to turn left during the highest peak hour at noon will have to wait about 50 seconds before they can take a left onto N. Triphammer Road. When you look at both the left and right turn lanes together out of the driveway itself you get a level of service D, which is a delay of 23.9 seconds. It will work better than it does today at the existing site. Johnson said that there will be delays, but the signal improvements that will be made both north and south of the driveway should facilitate movement into and out of the site driveway. The extra benefit received by moving the driveway assuming the light is installed at Graham Road would be a decrease in average delay by about 10 seconds.

Klepach was concerned about people passing on the right. Hickey said that he has spoken to Reinhart about that and he proposes a cutback in front of the existing McDonalds or further south toward Village Office Campus with a sign saying "right lane through traffic" so that people approaching from south will keep to the right. This would be an interim solution until the road is widened and a turning lane added. It will be an official bypass lane designed for the sole purpose of moving traffic around those vehicles turning left into McDonalds. Hickey added that there will be no Certificate of Occupancy issued to either Tops or McDonalds until the Graham Road light is installed and operational.

Hickey said that there will have to be a condition of approval that if the traffic backs up and gets out in the road, the Code Enforcement Officer will be authorized to shut the window down until it's mitigated. Marcus clarified that the Code Enforcement Officer's withdrawal of the operation of the window would only result from stacking of the drive-thru line backing up to impede traffic on North Triphammer Road. It would not have anything to do with the sequencing or timing of the traffic lights; it would be entirely an internal circulation matter. Marcus added that there was in fact a condition placed on the existing drive-thru window that if the traffic ever backed up to the extent that it created a problem on Triphammer Road, McDonalds would be responsible for introducing some kind of traffic control that would eliminate that problem. This has been happening for years and the Village has been trying to get them to do something that would alleviate the problem. So what Hickey is suggesting is a more direct link between the problem coming up and the Board's ability to do something about it, and it is just with regard to internal circulation and stacking out into the road. It needs to be clearly defined.

Klepach felt that the Board should reserve the right to make some pedestrian connections which may be suggested by the consultants. Hickey added that they are trying to get more pedestrian circulation in this area from the YMCA and Village Office Campus and Francis agreed that this would be to the benefit of their business and they would be willing to work with the Board on planning sidewalks and pathways.

Cross stated that McDonalds currently has 4 sewer permits and they will need to document in writing that they won't need any more.

The Board conducted a SEQRA review:

There will be no cooking smells, and loud speakers will be at or below 70 decibels at 2 feet from the speaker. Mitigating factors on traffic will be the location of the driveways, the interim right lane for northbound bypass, the implementation of traffic light improvements included in the Tops proposal, and the eventual reconstruction of N.

Triphammer Road. Potential for erosion and drainage problems will be resolved by the Village engineer as a condition for approving the drainage plan. Halevy moved that the Board find that the action will create no significant adverse environmental impact. Second by Waterman. All in favor.

The Board reviewed the General Conditions Required for all Special Permits:

The relocation as well as the design of driveways and the addition of a traffic light will improve the handling of traffic.

Hickey noted that the Green Space Advisory Council recommends that they not use crab apple trees and suggested Bradford pears instead. Brown moved that the Board find that the applicant has met the General Conditions Required for All Special Permits. Seconded by Halevy. All in favor.

Hickey reviewed the Special Conditions which would apply to this Special Permit:

1. Village Engineer's approval of the drainage plan;
2. Approval of the lighting plan after review by the Lighting Commission.
3. Approval of a sign plan.
 4. The existing site must revert back to low traffic commercial use, all McDonalds markings must be removed and one of the curb cuts will be eliminated, and McDonald's will construct a right hand bypass lane, approved by the Village Superintendent of Public Works, for north bound traffic in front of the existing McDonald's site.
5. Approval of a landscaping plan.
 6. Letter from McDonalds agreeing to participate in developing connecting pathways and sidewalks;
 7. Approval by Supervisor of Public Works of existing drainage culvert which would be covered by part of the McDonald's parking lot;
 8. Code Enforcement Officer authorized to shut down operation of drive-thru window if stacking becomes a problem.
9. Implementation of traffic signal improvements included in the Tops proposal.

Waterman moved that the Special Permit be approved with the Special Conditions as stated by Hickey; Halevy seconded; all in favor.

Pyramid Mall Expansion

Eric Goetzmann asked to address the Board in response to Sear-Brown's recent review of their revised traffic study. Sear-Brown had recommended that the Expansion not be approved until improvements were offered which would mitigate the adverse traffic impacts or until the proposed expansion was scaled back to a point where the increase in traffic will pose no serious traffic operation or safety problems. Goetzmann emphasized the importance to Pyramid Mall of being able to gain approval of an expansion prior to the end of the year in order to confirm leases that they had been negotiating. He proposed that Pyramid would scale back the project initially to 150,000 s.f. of additional gross leasable area in order to move forward with the lease plans they had been working on. Hickey responded that the Board would need to submit the amended proposal and traffic study to Sear-Brown and NYS DOT for review and comment prior to the Board taking any action. He further noted that the Board generally did not meet twice in December due to the holidays. He polled the Board and determined that four members would be able to meet on December 28 if Pyramid were able to provide the proposal and supporting information to the Board with enough time for Sear-Brown and NYSDOT to review it and comment. He reminded Goetzmann and Tull that due to the County 239 determination of adverse impact, four votes would be required to approve any expansion.

Adjourn

The hour being late Waterman moved to adjourn at 10:25, seconded by Klepack; all in favor.