

Village of Lansing
Planning Board Meeting
Minutes of Tuesday,
August 27, 2024

The meeting of the Village of Lansing Planning Board meeting was called to order at 7:04 PM. A Zoom option was also provided.

Present at the meeting:

Planning Board Members: Mike Baker, Lorraine Capogrossi and Pat Gillespie.

Absent Members: Lisa Schleelein and Jim McCauley

Alternate Member: Absent

Village Legal Counsel: Natalie French

Village Engineer: Absent

Village Trustee Liaison: Susan Ainslie (Zoom)

Village CEO: Absent

Public included: Matt Napierala and Mike McKracken representing the Taco Bell project; Ebru Arslan and Nate Cook for the informal request; Brian Crandell (Zoom), Zoe Leonard, Kathleen Yen and Carla Marceau.

Approval of the Minutes

Gillespie moved to approve the May 28, 2024 minutes. Seconded by Capogrossi.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

Capogrossi moved to approve the June 10, 2024 minutes. Seconded by Gillespie.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

Gillespie moved to approve the June 25, 2024 minutes. Seconded by Capogrossi.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

Capogrossi moved to approve the July 8, 2024 minutes. Seconded by Gillespie.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

Public Comment Period:

Susan Ainslie as Trustee liaison. Carla Marceau is observing for the Community Party.

Gillespie moved to close the Public Comment period. Seconded by Capogrossi.

47 Ayes: Baker, Capogrossi and Gillespie.

48 Nays: None

49

50 Baker read the following agenda item:

51

52 **Continue the Public Hearing for Special Permit #2024-4776**

53 *Napierala Consulting Professional are proposing to remove the former Pizza Hut building located*
54 *at 2301 North Triphammer Road (Tax Parcel #46.1-5-4.3) and construct a new 2,400 square foot*
55 *drive through style restaurant. As per Village Code Section 145-43D(1)r, a special permit is*
56 *required for a High Traffic Food and Beverage establishment.*

57

58 Scott stated that Napierala has provided a revised Part 1 of the Short EAF, renderings of the pylon
59 sign from various directions, a final site plan and a letter addressing the County requests from the
60 GML-235.

61 Napierala explained that they have added a sidewalk on the mall side of the building as well as
62 incorporated some DEC best practices such as rain gardens. Napierala has also updated the
63 landscaping plan by changing some of the problematic species as suggested by the Planning Board.
64 Napierala then showed the new renderings of the proposed pylon sign from different directions.

65

66 Scott stated that he sent Cross all of the provided material and did not receive any concerns back.
67 Napierala has also been speaking to Cross about the stormwater.

68

69 French was concerned that part of the building was within the sewer easement and asked Scott if
70 John Courtney was aware.

71

72 Scott and Courtney will work on that subject during the building permit plan review.

73

74 Napierala has sized the facility's grease trap appropriately and will also be reviewed during the
75 plan review.

76

77 Baker reviewed the provided letter stating what green practices the new project would be
78 incorporating.

79

80 Napierala added that the outside open air seating vestibule has been move to the south west side of
81 the building.

82

83 Baker and the Planning Board went through Part 2 of the Short EAF answering the assessment
84 questions referring to the revised Part 1 provided.

85

86 Baker read through the SEQR resolution:

87

VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR

REVIEW OF SPECIAL PERMIT NO. 2024-4776 ADOPTED ON AUGUST 27, 2024

Motion made by: Pat Gillespie

Motion seconded by: Lorraine Capogrossi

WHEREAS:

A. This matter involves consideration of the following proposed action: Special Permit No. 2024-4776, for the proposal by Napierala Consulting Professional to remove the former Pizza Hut building located at 2301 North Triphammer Road (Tax Parcel #46.1-5-4.3) and construct a new 2,400 square foot drive through style restaurant. As per Village Code Section 145-43D(1)r, a special permit is required for a High Traffic Food and Beverage establishment; and

B. On July 30, 2024 and August 27, 2024, the Village of Lansing Planning Board, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is an Unlisted Action in accordance with SEQR; (ii) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed the Short EAF; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF, Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, and comments and

recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and 239-m], (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required; and

2. The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and directed to complete and sign as required the Short EAF, Part III confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

The vote on the foregoing motion was as follows:

AYES: Baker, Capogrossi and Gillespie

NAYS: None

The motion was declared to be carried.

Baker signed the Part 3 of the Short EAF

Capogrossi moved to close the public hearing for Special Permit #2024-4776. Seconded by Gillespie.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

Baker read through the General Conditions for a special permit

Gillespie moved that Special Permit #2024-4776 meets the General Conditions. Seconded by Capogrossi.

Ayes: Baker, Capogrossi and Gillespie.

Nays: None

155

156

157 Baker read through the following resolution:

158

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**VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR
SPECIAL PERMIT NO. 2024-4776 ADOPTED ON AUGUST 27, 2024**

161 Motion made by: Lorraine Capogrossi

162 Motion seconded by: Pat Gillespie

163 **WHEREAS:**

164

165 A. This matter involves consideration of the following proposed action: Napierala Consulting
166 Professionals are proposing to remove the former Pizza Hut building located at 2301 North
167 Triphammer Road (Tax Parcel #46.1-5-4.3) and construct a new 2,400 square foot drive
168 through style restaurant. As per Village Code Section 145-43D(1)r, a special permit is
169 required for a High Traffic Food and Beverage establishment.; and
170

171 B. On August 27, 2024, the Village of Lansing Planning Board, in accordance with (i) Article
172 8 of the New York State Environmental Conservation Law - the State Environmental
173 Quality Review Act ("SEQR"), and 6 NYCRR Section 617.5; and (ii) Section 123.2 of the
174 Village of Lansing Code, and amended on environmental review and adopted a Resolution
175 for SEQR Review in connection with Special Permit No. 2024-4776; and
176

177 C. On July 30, 2024 and August 27, 2024, the Village of Lansing Planning Board opened and
178 continued a public hearing regarding this proposed action, and therein thoroughly
179 reviewed and analyzed (i) the materials and information presented by and on behalf of the
180 applicant in support of this proposed action, including information and materials related
181 to the environmental issues, if any, which the Board deemed necessary or appropriate for
182 its review, (ii) all other information and materials rightfully before the Board (including,
183 if applicable, comments and recommendations, if any, provided by the Tompkins County
184 Department of Planning in accordance with General Municipal Law Sections 239-1 and
185 239-m), and (iii) all issues raised during the public hearing and/or otherwise raised in the
186 course of the Board's deliberations. The public hearing was closed on August 27, 2024.
187

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

189 1. The Village of Lansing Planning Board hereby finds (subject to the conditions and
190 requirements, if any, set forth below and the provisions provided for in paragraph "B"
191 above) that the proposed action meets (i) all general conditions required for all special

permits (Village of Lansing Code Section 145-59E); (ii) any applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60); and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code Section 14561); and

2. It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 2024-4776 is **GRANTED AND APPROVED**, subject to the following conditions and requirements:

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

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

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

d. Approval by the Planning Board of a parking lot tree planting plan before the issuance of a Building Permit.

e. Approval of an Exterior Lighting Plan by the Village Code Officer.

f. Applicant shall choose and implement at least 2 of the Green Design Practices to the satisfaction and approval of the Village of Lansing Engineer and Stormwater Officer.

231

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

233 *AYES: Baker, Capogrossi and Gillespie*

234 *NAYS: None*

235 *The motion was declared to be carried.*

236

237 Baker read the next agenda item:

238

239 **Informal Discussion of Possible Housing Development**

240 *Ebru Arslan would like to discuss and receive input about a possible housing development for 680*

241 *Warren Road (Tax parcel # 46.1-1-21.2)*

242

243 Scott gave a brief explanation of the past applicants who applied for a cluster subdivision of the
244 680 Warren Road in 2020. That applicant went through a wetland delineation and a site plan
245 review before terminating the project. Scott explained that the site can be tricky because of the
246 wetlands and the protected stream flowing through the north end of the parcel. Scott also stated
247 that the Planning Board, at the time of the previous applicant presented, wanted a vegetation buffer
248 between the residents on the north side of Dart Drive and the potential cluster subdivision and a
249 fire road access to use from Dart Drive.

250

251 Arslan said that she has reviewed all of the information from the previous Board Meetings
252 pertaining to the 2020 submittal and wanted to see if this Planning Board had other suggestion for
253 her potential project.

254

255 Scott said that the Sidewalk and Tree Laws have been added since the previous applicant was
256 there.

257

258 Arslan would be building houses for sale and plans to construct the shells of the buildings and the
259 infrastructure in one phase so as to not disturb the neighborhood for a long period of time.

260

261 Scott had spoken to Brent Cross about the potential sewer units needed for a project like this.
262 Cross had said that he is less concerned about a development of this size as opposed to a large 140-
263 unit type development.

264

265 There was some discussion about a possible covenant in the Dart Drive deed having to do with the
266 type of homes allowed to be built.

267

268 The Planning Board made it clear that they have nothing to do with covenants on properties.

269

270 **Trustee Report**

271 Kathleen Yen summed up the August 19th Board of Trustee meeting. The meeting can be viewed
272 on YouTube.

273

274 **Other Business**

275 The Planning Board discussed the Solar Law Draft changes recommended by The Board of
276 Trustees.

277 Capogrossi and Schleelein will continue working on the Tree Law modifications.

278

279 Scott said that the GML-239 for the Solar Law recommended we look into a possible BESS
280 (Battery Energy Storage System) Law.

281

282 **Adjournment**

283

284 Capogrossi moved to adjourn at 8:07. Seconded by Gillespie.

285 Ayes: Baker, Capogrossi and Gillespie.

286 Nays: None

287

288 Minutes taken by: Michael Scott, CEO