

Village of Lansing
Planning Board Meeting
March 31, 2015

The meeting of the Village of Lansing Planning Board was called to order at 7:00 PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Phil Dankert, Lisa Schleelein, Deborah Dawson, Maria Stycos; Alternate Member, John Gillott; Code Enforcement Officer, Marty Moseley; Village Attorney, David Dubow; Trustee Liaison, Lynn Leopold; Residents, Nick Vaczek; and Mike Baker.

Absent: none

Public Comment Period

Tomei opened the public comment period.

With no one wishing to speak, Dawson moved to close the public comment period. Seconded by Stycos; Ayes by Tomei, Dankert, Dawson, Schleelein, and Stycos.

Continued Discussion on Zoning Change

Proposed change to Commercial Low Traffic District (CLT)

Tomei opened the continuation of the March 9, 2015 discussion to consider proposed zoning changes to the Commercial Low Traffic District (CLT).

Tomei noted that the map is being displayed again outlining the area that would be affected by the proposed zoning change. Discussion centered around some of the implications of changing part of the current CLT district to a new district—Commercial Medium Traffic District (CMT)--the intent of the change being to ensure that the proposed area will establish a defined buffer between residential and higher commercial districts. The identified area is within the CLT portion along the North Triphammer corridor which does not abut residential areas. The proposed district is surrounded by commercial districts and has a somewhat commercial feel, and, therefore, some additional permitted uses may be appropriate and desired that are not currently allowed in the CLT district.

Tomei added that the McDonalds property will stay in the proposed CMT district to maintain a certain level of control over the non-conforming use. Tomei noted that Moseley has provided the Board with a new Chart of Uses-145.81 to replace the old one located on page number 145101 of the Village Code. The proposed chart is located at the end of the minutes.

Moseley noted that the changes discussed at the 3/9/2015 Planning Board meeting have been incorporated into the uses chart with respect to the proposed zoning change document as indicated below as well as the inclusion of the proposed CMT district. Tomei reminded the Board that the changes being discussed would need to be incorporated into the Comprehensive Plan as well as the Village Code.

The Board reviewed the following:

Proposed Amendments to the Zoning Law:

145-3. Terms Defined

Under Building, residential, move "Two-unit residential building..." from C. to B. and for C. insert "Townhouse unit – one-unit residential building on a single lot attached to one or more one-unit

51 residential buildings with lot lines centered on all shared walls. Permitted only as part of a cluster
52 subdivision (see Section 125-17) or a PDA (see Zoning Appendix A-2).”

53
54 Delete rooming house as a defined term from this Section and as a “typical use” under Group Residential
55 in Subsection 145-82 A (11).

56
57 Add assisted living facility as a defined term as follows:

58 “Assisted living facility - A supportive housing facility designed for those who need extra help in their
59 day-to-day lives but who do not require the 24-hour skilled nursing care found in traditional nursing
60 homes. Typically these facilities combine housing, personal care services, and light medical care in
61 an atmosphere of safety and privacy. Based on a monthly fee, basic services typically include meals,
62 laundry, housekeeping, recreation and transportation. Residents typically have private locking rooms
63 and bathrooms and personal care services are available on a 24-hour-a-day basis.”

64
65 Add Assisted living facility as a use “Permitted with Special Permit, General and Additional Conditions”
66 in LDR, MDR, HDR, CLT, CHT, and HHS.

67
68 Insert at the end of Section 145-60 Additional Conditions for certain Special Permit uses:

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

72
73 Amend 145-82 A

74 Separate Group Residential and insert Special Care Facility define both:

75
76 Group Residential -.Club; dormitory; fraternity or sorority house; rooming house; does not include
77 private or public hospital, motel or hotel (Place in the following districts with special permit: HDR)

78
79 Special Care Facility: Convalescent, progressive care, senior housing, or nursing home, adolescent
80 or outpatient housing (Place in the following districts with special permit: LDR, MDR, HDR, CHT,
81 CLT, HHS)

82
83 Insert at the end of Section 145-60 Additional Conditions for certain Special Permit uses:

84 Special Care Facility: Permitted upon determination by the Planning Board that the design, scale,
85 exterior appearance, projected traffic volume and pattern, lights and noise level are compatible with
86 the character of the neighborhood or immediate area surrounding the proposed development

87
88 Amend the definition of Building, principal as follows:

89 Building, principal – A building or buildings within which is conducted the primary use of the lot on
90 which the building is located, which exceeds four hundred (400) square feet and fifteen(15) feet in
91 height. Delete the remainder.

92
93 Amend the definition of Building, accessory as follows:

94 Building, accessory -- A subordinate building clearly incidental to the principal building on the same lot
95 and used for purposes customarily incidental to those of the principal building, such as a tool shed,
96 gazebo, screen house, storage or animal shelter, and which does not exceed four hundred (400) square
97 feet in area nor fifteen (15) feet in height..

98

99 Amend the definition of swimming pool by deleting the last sentence.

100 Swimming Pool any structure, basin, chamber, or tank which is intended for swimming, diving,
101 recreational bathing or wading and which is designed to contain, or is capable of containing water
102 more than 24 inches deep at any point. This includes in-ground, above-ground, and on-ground pools.
103 (For the purposes of yard setbacks swimming pools would subject to building accessory setbacks)

104

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

106 The above subsections A & B notwithstanding, in all cases the minimum yard dimensions for
107 swimming pools shall be the same as that for minor buildings. (This would provide for swimming
108 pools to have yard setbacks in accordance with accessory buildings.)

109

110

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

112 "...at least twelve (12) days prior to a regular or special meeting of the Board..."

113

114 Add a second paragraph as follows:

115 "The Code Enforcement Officer may, at his or her sole discretion, waive the twelve day requirement
116 stated above if the Code Enforcement Officer determines that all other legal requirements such as
117 those for public and supplementary notice will be satisfied."

118

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

120 Change "...twenty (20)..." to "...twenty-four (24)..." and add "..., and a driveway intended for one
121 way traffic shall not be less than twelve (12) feet wide."

122

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

124

125 Amend 145-51 as follows:

126 Off-street parking and loading must be provided as specified in this section and must be paved or
127 graveled, drained, maintained and provided with necessary access driveways. All parking space is
128 required on the lot on which it is located, unless otherwise stated, and must not therefore be
129 encroached upon in any manner by non-parking uses. Open parking areas for five (5) cars or more
130 must be landscaped and screened from adjoining streets, subject to approval by the Code
131 Enforcement Officer.

132

133 An off-street parking space shall be at least nine (9) feet wide and eighteen (18) feet long. Drive lanes
134 within or accessing parking lots shall be at least twenty-four (24) wide where intended for two way
135 traffic and twelve (12) feet wide where intended for one way traffic.

136

137 Amend 145-54 B as follows:

138 Residential Buildings: parking spaces for each dwelling unit shall be adequate for the number of
139 vehicles using that dwelling unit.

140

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

142 Additional Residential Building on a Single Lot

143

144 Amend 145-16 as follows:

145 145-16. Proposed future roads.

146

147 *Where a lot has frontage on a proposed future road as shown on the Official Village of Lansing*
148 *Zoning Map or on a final subdivision plat approved by the Village of Lansing Planning Board and*
149 *filed with the Tompkins County Clerk , the required front yard depth must be measured from the*
150 *proposed future right-of-way line.*

151
152 *Amend 145-82 A (10), second sentence as follows:*

153 *A dwelling unit housing more than three (3) dogs, over six (6) months old, is considered a kennel.*
154

155 *Delete 145-82 A (14) Cluster housing. Also delete 145-60 C Cluster housing; the definition of cluster*
156 *housing area in 145-3; and “cluster housing” as a use “Permitted with Special Permit: General and*
157 *Additional Conditions” in 145-39 D (2) (c), 145-39.1 D (2), 145-40 D (2) (b) and 145-41 D (2) (b). (The*
158 *only way that this use is allowed is by way of chapter 125 which is required to be approved by the*
159 *Trustees and the Planning Board. This is referred to as a cluster subdivision. I support the idea of*
160 *removing this use from the various districts)*

161
162 *Amend 145-82 A (40) Low impact technology, fourth line, as follows:*

163 *“...trailer traffic and no loading dock;...”*

164
165 *Amend 145-82 A Clinic/Hospital*

166 *Separate clinic/hospital uses and define.*

167
168 *Clinic- An outpatient health clinic or facility, private or public, which provides for medical, surgical,*
169 *or psychiatric care and treatment for the sick or the injured. The facility may be a group practice in*
170 *which several physicians work cooperatively, and the facility would not be open on a 24 hour basis*
171 *(does not include nursing homes or veterinary clinics). (Place in the following districts with special*
172 *permit: CHT, CMT, CLT, HDR, HHS)*

173
174 *Hospital- an institution, private or public, that provides medical, surgical, or psychiatric care and*
175 *treatment for the sick or the injured, which is typically open on a 24 hour basis and patients are*
176 *allowed to stay for an extended period of time if needed (does not include nursing homes or*
177 *veterinary hospital). (Place in the following districts with special permit: CHT, HHS).*

178
179 *Amend 145-82 A- insert Small Scale Sales*

180 *Small Scale Sales–All Retail of soft and hard goods with a maximum average size of 10,000 ft² per*
181 *tenant; jewelry; clothing; pet store; pharmacy; book store; Laundromat (Place in the following*
182 *districts with special permit: CHT, CMT).*

183
184
185 *Low traffic food and beverage: Sit-down restaurant with or without a bar where food is consumed on*
186 *premises, which may include carry-out or similar service such as, bakery or café; where there is no drive-*
187 *in/drive-through or separate entrance for carry-out service. (Place in the following districts with special*
188 *permit: CHT, CMT, and remove from CLT use with special permit)*

189
190
191 *Change the following wording in sections: 145-39, 145-39.1, 145-40, 145-41, 145-42, 145-42.1-145-43,*
192 *145-44, 145-45, 145-46, 145-47, & 145-48*

193 *“Permitted uses with additional conditions” should read as follows: “Permitted uses with additional*
194 *conditions (see section 145-58)”*

195
196 *“General and additional conditions” should read as follows: “General and additional conditions for*
197 *certain special permits (see section 145-60)”*

198
199 *Remove Undertaking as a use in CLT districts, but continue to remain in HDR districts.*

200
201 Proposed language for 145-42.2 Commercial Medium Traffic district (CMT) was next discussed.
202 | Moseley indicated that the minor modifications that were discussed at the last Planning Board meeting
203 have been incorporated into the CMT district regulations language below.

204
205 **§ 145-42.2 Commercial Medium Traffic District (CMT).**

206 *A. Intent. The legislative intent of this section is to define and establish standard regulations for the Village*
207 *where service facilities and small retail areas are the desired land use which encourage a more walkable*
208 *Village; where public utilities to serve such facilities are available; this district is fully surrounded by*
209 *commercial districts and is not contiguous to any residential area (LDR, MDR, HDR), thus preserving the*
210 *Commercial Low Traffic and its original intent of preserving the residential environment of the surrounding*
211 *areas. The further intent of this subsection is to define and establish permitted uses with respect to which*
212 *traffic generation, site design and architectural design are consistent with (i) the other permitted uses in this*
213 *district and (ii) all applicable standards and design guidelines, it being understood that all improvement*
214 *should conform with the applicable CLT District Design Guidelines (to which Guidelines all applicants for*
215 *permits and approvals are directed.)*

216
217 *B. Permitted uses. Permitted uses shall be as follows:*

218 *Utility service underground.*

219 *Natural parks.*

220 *Alteration to Building or Improved Site with no Change in Use and no Change in Applicable Parking Space*
221 *Requirements*

222 *Temporary Non-Commercial Activities.*

223
224 *C. Permitted uses with additional conditions. Uses permitted with additional conditions shall*
225 *be as follows:*

226 *(1) Alteration to building or improved site.*

227 *(2) Temporary commercial activities. (see subsection C under §145-58)*

228
229 *D. Permitted with Special Permit. Uses permitted with a Special Permit shall be as follows:*

230 *(1) General conditions.*

231 *Utility transmission/storage/plants.*

232 *Religious facility.*

233 *Schools.*

234 *Indoor recreation/club.*

235 *Office/studio/service.*

236 *Government buildings.*

237 *Museums/public buildings.*

238 *Clinic.*

239 *Small Scale Sales*

240 *Low Traffic Food and Beverage.*

241 *Alteration to Building or Improved Site that Results in a Change in Use or a Change in Applicable Parking*
242 *Space Requirements*

243 *Low Impact Technology*

244
245 (2) *General and additional conditions for certain special permits (see section 145-60).*

246 *Home occupation.*

247 *Mixed use.*

248 *Bank administrative operations.*

249 *Redevelopment on a larger site of a pre-existing non-conforming use currently in operation in the CLT*

250 *Zoning District.(amend and add CMT in that additional condition)*

251 *E. Dimensions: lot, yard, building and parking requirements. Lot, yard, building and parking*
252 *requirements shall be as follows:*

253 (1) *Minimum lot size.*

254 (a) *All Uses: ten thousand (10,000) square feet.*

255
256 *Maximum lot coverage: none, except what is required by minimum street frontage, front, side and rear yard*
257 *setbacks and by front, side and rear parking requirements.*

258 *Minimum street frontage.*

259 (a) *All uses: one hundred (100) feet.*

260 (4) *Front yard setback minimum*

261 (a) *All uses – seventy-five (25) feet, except lots in the Commercial Medium*
262 *Traffic District that have a front yard along North Triphammer Road. (b) All uses*
263 *for lots having a front yard along North Triphammer Road shall not be subject to front yard setback*
264 *minimum, but, instead, shall be subject to the requirement that at least twenty-five (25) feet of a façade of all*
265 *buildings developed on such lots be located within one (1) foot to either side of, and parallel to, a line located*
266 *a distance of twenty-five (25) feet from the front line. Such front lot line shall be the newly established front*
267 *lot line for each such lot as a result of the Village’s acquisition of additional road right-of-way along North*
268 *Triphammer Road Reconstruction Project. No portion of such façade shall be located closer to such front lot*
269 *line than twenty-four (24) feet.*

270 (5) *Side yard setback minimum, all uses: twenty-five (25) feet.*

271

272 (6) *Rear yard setback minimum:*

273 (a) *All principal uses: forty (40) feet.*

274 (b) *All accessory buildings: twenty-five (25) feet.*

275

276 (7) *Parking setback standards.*

277 (a) *Front yard, all uses: twenty-five (25) feet.*

278 (b) *Side yard, all uses: fifteen (15) feet.*

279 (c) *Rear yard, all uses: fifteen (15) feet.*

280 (d) *Parcels Fronting on North Triphammer Road*

281 *Notwithstanding the foregoing parking setback standards, in the*
282 *case of a parcel that formerly included some area acquired by the Village of Lansing in connection with the*
283 *Village’s North Triphammer Road reconstruction project, for the purposes of measuring the front yard*
284 *parking setback requirement for new development on such parcel, the measurement shall include the width of*
285 *the area so acquired by the Village of Lansing along North Triphammer Road.*

286 (8) *Building height maximum.*

287 (a) *All principal uses: thirty-five (35) feet.*

288 (b) *All accessory buildings: fifteen (15) feet.*

289 (9) *Parking requirements: see Article V.*

290 *Buffer strip width: seventy-five (75) feet; see § 145-24.*

291
292 | Dawson suggested some minor revisions to the *Intent* section of the CMT ~~D~~istrict regulations 145-42.2.
293 Moseley asked if clarification was needed when there was an alteration to an improved site or building.
294 Moseley also asked if clarification was needed for a change in occupancy that does not result in a change
295 in applicable parking spaces. Moseley noted that currently the Village does receive a change in occupancy
296 permit, but a special permit is only required when the parking spaces are altered on the site.
297

298 The Board decided to keep the language the same with respect to the alteration to the improved site and
299 the change in occupancy that does or does not result in a change in applicable parking spaces.
300 Tomei noted that Moseley had a discussion with the Tompkins County Planning Department and the
301 | County Planning Department offered to review the Village's proposed changes to the Comprehensive
302 plan and the proposed zoning changes on an informal basis before the required public hearings are
303 conducted.
304

305 The Planning Board would like to utilize the County Planning Department and have them informally
306 review the proposed changes to the Comprehensive Plan and the proposed changes to the zoning.
307 |

308 Schleelein moved to recommend 145.42.2 CMT district regulations to the Board of Trustees, with the
309 amendments that were discussed, for their consideration. Seconded by Dankert; Ayes by Tomei, Dankert,
310 Dawson, Schleelein, and Stycos.
311

312 | Dubow noted that all proposed changes may require several ~~will be~~ separate local laws.
313

314 The Board worked through proposed changes to *145-82 Typical uses; category of use*. Moseley noted
315 there were some minor changes to 145-82, such as a slightly revised explanation for low traffic food and
316 beverage and reducing the total average tenant square footage in small scale sales to 10,000 square feet.
317 All of the proposed changes are identified below.
318

319 § 145-82. *Typical uses; category of use.*
320

321 *A. The following subsections illustrate the type of uses consistent with the descriptive term used for permitted*
322 *and Special Permit uses. These illustrations do not supplant definitions provided in § 145-3 or additional*
323 *conditions specified in §§ 145-58 and 145-59. Rather, they suggest uses which can be appropriately carried*
324 *out under the respective use terms. However, some uses are specifically excluded, as noted. In addition, uses*
325 *which are included in any subsection are excluded from all other subsections unless specifically listed*
326 *therein.*
327

328 ***Additional residential building on single lot:*** *Includes any unit building permitted in the same district.*

329 ***Alteration to building or improved site:*** *See § 145-39C(2).¹*

330 ***Assisted living facility - A supportive housing facility designed for those who need extra help in their day-***
331 ***to-day lives but who do not require the 24-hour skilled nursing care found in traditional nursing homes.***
332 ***Typically these facilities combine housing, personal care services, and light medical care in an***
333 ***atmosphere of safety and privacy. Based on a monthly fee, basic services typically include meals, laundry,***
334 ***housekeeping, recreation and transportation. Residents typically have private locking rooms and***
335 ***bathrooms and personal care services are available on a 24-hour-a-day basis.***

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

336 **Automotive sales/service/lots:** *New and used car and pickup truck sales and service; fuel station (see*
337 *definitions, § 145-3); service station; parking lot; public garage; car wash; sales lot. [Amended 9-27-2011 by*
338 *L.L. No. 6-2011].*

339 **Bank administrative operations:** *Bank administrative and office operations, including loan transactions, and*
340 *including no more than one (1) teller and one (1) automatic teller machine (ATM). [Added 6-6-1989 by L.L.*
341 *No. 5-1989].*

342 **Clinic:** *An outpatient health clinic or facility, private or public, which provides for medical, surgical, or*
343 *psychiatric care and treatment for the sick or the injured. The facility may be a group practice in which*
344 *several physicians work cooperatively, and the facility would not be open on a 24 hour basis (does not*
345 *include nursing homes or veterinary clinics).*

346 **Cluster housing:** *Includes all residential buildings, accessory facilities and residential uses, including*
347 *gardening and keeping of pets and may include common open and/or recreational spaces. (Remove)*

348 **Commercial assembly soft goods:** *Jewelry; leather goods; clothing; scientific instruments.*

349 **Commercial crop/animal:** *Production of crops, crop products, livestock and livestock products; production*
350 *of fiber; keeping, raising or breeding animals whether for commercial sale or for use in commercial*
351 *activities. Includes kennel, riding academy, plant nursery and on-site sales of products. Does not include uses*
352 *which are normally part-time or subsistence or recreational which are primarily for use by the household*
353 *conducting the uses; incidental sales may be conducted on-site if in conformance with sign, yard and parking*
354 *requirements for the district.*

355 **Construction sales/storage (indoor or screened storage):** *[Amended 5-18-1998 by L.L. No. 3-1998] Offices*
356 *and indoor screened storage for building or plumbing/heating contractor; sheet metal assembly, “over-the-*
357 *counter” sales or construction and building material, such as lumber and plumbing, electrical, heating and*
358 *air conditioning supplies. For the purposes of better describing this use, the term “over-the-counter” sales*
359 *shall herein mean the arrangement wherein customers must request or order their goods from a salesperson*
360 *at a counter or other physical barrier that prevents customer access to the businesses’ merchandise, stock or*
361 *inventory, this term expressly excludes any self-serve arrangement wherein merchandise is directly*
362 *accessible to customers and customers can themselves physically select their purchases from the floor,*
363 *shelves, racks, counters, tables or other displays. Notwithstanding the limitations of the foregoing*
364 *description, an “over-the-counter” construction sales establishment may allow for incidental self-service*
365 *sales of construction or building related goods or supplies in the area accessible to the general public,*
366 *provided that (a) such self-service sales are only accessory to the primary business, (b) such area accessible*
367 *to the general public constitutes less than fifteen percent (15%) of the area of the building in which the*
368 *construction sales establishment operates (excluding any outdoor storage areas from such calculation), (c)*
369 *not more than one-half (1/2) of the floor area of the portion of the building accessible to the general public is*
370 *devoted to floor, shelf, rack, counter, table or other displays of goods for sale, including any area devoted to*
371 *“showroom” or “set-up” space, and (d) notwithstanding the terms of Section 145-54(J) above, the total*
372 *number of parking spaces for any “Construction Sales/Storage” use that includes any area for such*
373 *incidental self-service sales shall be limited to (i) one parking space for each 300 square feet of Gross Floor*
374 *Area accessible to the general public as described in this sentence, plus (ii) any additional parking spaces the*
375 *Planning Board, on the recommendation of the Code Enforcement Officer, determines will be adequate for*
376 *the balance of the “Construction Sales/Storage” use not accessible to the general public.*

377 **Employee cafeteria food and beverage service:** *Food service provided for only the employees (and their*
378 *guests, clients, customers, etc.) of the building where such service is located (which building is being used for*
379 *a permitted use). [Added 5-16-2011 by L.L. No. 5-2011].*

380 **Government buildings:** *Office; fire station; police station; post office.*

381 **Group Residential:** *Club; dormitory; fraternity or sorority house; rooming house; Does not include*
382 *private or public hospital, motel or hotel*

383 **High traffic food and beverage:** Restaurant with or without bar which includes drive-in/drive-through,
384 carry-out and/or similar services; exclusively drive-in/drive-through and/or carry-out food and beverage
385 establishment; bar or tavern.

386 **Home occupation:** Includes uses an activities incidental and accessory or secondary to the use of the
387 dwelling unit for residential purposes; provided, however, that any such use and/or activity shall not be
388 considered a home occupation and therefore shall not be subject to special permit approval under this
389 Zoning Law in the event that (i) there are no employees, 50Editor's Note: Amended at time of adoption of
390 Code; see Ch. 1, General Provisions, Art. I. ZONING December 2014 145103 customers, clients, students
391 or similar individuals visiting the dwelling, (ii) there is no sale of goods and services at the dwelling unit,
392 and (iii) no additional vehicle traffic is produced other than what would be expected for the customary
393 use of the dwelling unit. (See §145-3)

394 **Hospital:** an institution, private or public, that provides medical, surgical, or psychiatric care and
395 treatment for the sick or the injured, which is typically open on a 24 hour basis and patients are allowed
396 to stay for an extended period of time if needed (does not include nursing homes or veterinary hospital).

397 **Indoor recreation/club:** Public or private service club; social club; commercial indoor recreation; bowling;
398 tennis; swimming pool; billiards; arcades; etc.

399 **Large equipment:** Marine, agricultural and business and technological sales and services; trucking firm;
400 snowmobile, travel trailer, camper sale and services. Excludes mobile home park and sales.

401 **Light industry/manufacturing:** Manufacturing typically having few if any nuisance characteristics such as
402 electrical equipment manufacture, welding and small metal products manufacture, soft drink bottling,
403 clothing manufacture and pharmaceutical manufacture.

404 **Low impact technology:** Small scale manufacturing and technology having few if any nuisance
405 characteristics; the scale of operations utilizes primarily services such as UPS, Postal Service, Federal
406 Express with little or no tractor trailer traffic and no loading docks; examples are: data processing;
407 computer centers; laser technology applications; communications equipment service and repair; medical
408 laboratories; research, testing design and training applications; custom small industry (production, assembly
409 and packaging)

410 **Low traffic food and beverage:** Sit-down restaurant with or without a bar where food is consumed on
411 premises, which may include carry-out or similar service such as, bakery or café; where there is no drive-
412 in/drive-through or separate entrance for carry-out service.

413 **Members only Fuel Station:** Fueling facilities for vehicles, including gasoline, diesel, ethanol, methanol,
414 liquid petroleum gas, compressed natural gas, electric charging and similar fuel products, which
415 facilities are (i) associated with a specific shopping club (e.g., BJ's Wholesale, Sam's Club, Costco, etc.);
416 (ii) available only to the members of such specific shopping club; and (iii) located on the same premises
417 as the building housing the specific shopping club. [Added 9-27-2011 by L.L. No. 6-2011]

418 **Mixed use:** see definitions, § 145-3.

419 **Mobile home:** Includes only those constructed after 1973 and conforming to the New York State Uniform
420 Fire Prevention and Building Code. See § 145-60B.

421 **Motel/hotel:** Provision of living accommodations on a primarily transient basis.

422 **Multiunit residential building:** Includes accessory facilities and residential activities, including gardening
423 and keeping of pets. A dwelling unit housing with more than three (3) dogs, over six (6) months old, is
424 considered a kennel. [Amended 10-17-2011 by L.L. No. 7-2011]

425 **Museum/public buildings:** Museum; art gallery; observatory; library.

426 **Natural parks:** Undeveloped land without site improvements or facilities.

427 **Office/studio/service:** Architect; insurance; lawyer; realtor; doctor; dentist; physical therapy; veterinarian
428 (includes animals under treatment); secretarial; printing; multicopying; testing lab; administrative office;
429 adult education and training; photography; tailoring; barber; beauty shop; spa; tutoring. [Amended 6-6-
430 1989 by L.L. No. 5-1989; 9-10-2003 by L.L. No. 3-2003; 2-6-2006 by L.L. No. 2-2006].

- 431 **One-unit residential building:** Includes accessory facilities and residential activities, including gardening or
432 farming and keeping of pets. More than three (3) dogs, over six (6) months old, is considered a kennel.
433 [Amended 10-17-2011 by L.L. No. 7-2011].
- 434 **Outdoor recreation/club:** Public or private developed park; golf; tennis; rod and gun; boating; swimming;
435 and commercial recreational uses. Excludes stadiums, sports arenas, snowmobile and motorbike trails,
436 amusement parks and drive-in theaters.
- 437 **Planned Development Area clustered housing:** Multiple residential buildings for rental occupancy grouped
438 on a single un-subdivided parcel which is incorporated as part of an authorized Planned Development
439 Area and owned and controlled by a single entity; subject to Special Permit additional condition set forth
440 in subsection O of § 145-60; the density (including the number of buildings and residential units),
441 dimensions, setbacks and related requirements are to be determined and established as part of required
442 Special Permit review and action; such density, dimensions, setbacks and related requirements so
443 authorized will supersede any inconsistent district regulations and requirements otherwise applicable.
444 [Added 9-27-2011 by L.L. No. 6-2011].
- 445 **Religious facility:** see definitions, § 145-3.
- 446 **Research/design/prototype production:** See § 145-45.
447 Reserved 9-15-2008 by L.L. No. 4-2008
- 448 **Sales/repair/maintenance:** All retail soft and hard goods; laundromat; cleaners; bank; bar or tavern; drive-
449 in restaurant; carry-out service.
- 450 **Schools:** see definitions, § 145-3
- 451 **Small Scale Sales:** All Retail of soft and hard goods with a maximum average size of 10,000 ft² per
452 tenant; jewelry; clothing; pet store; pharmacy; book store; laundromat.
- 453 **Special Care Facility:** Convalescent, progressive care, senior housing, or nursing home, adolescent or
454 outpatient housing.
- 455 **Theater/nightclub/discotheque:** Does not include drive-in theater.
- 456 **Temporary Commercial Activities and Temporary Non-Commercial Activities.** [Amended 10-17-2011 by
457 L.L. No. 7-2011].
- 458 **Temporary Commercial Activities:** (see subsection C under §145-58).
- 459 **Temporary Non-Commercial Activities:** Private activities or gatherings related to the principal uses
460 permitted in a particular district where no required entry or participation fee is charged, the primary
461 purpose of which is not sale of goods or services; including events conducted by and for the employees and
462 invitees associated with the uses permitted in that particular district. Temporary Commercial Activities.
- 463 **Transportation services:** Bus companies; taxi services; car rental agencies.
- 464 **Two-unit residential building:** Includes accessory facilities and residential activities, including gardening or
465 farming and keeping of pets. More than three (3) dogs, over six (6) months old, is considered a kennel.
- 466 **Undertaking:** Funeral home; mortuary.
- 467 **Utility service underground:** Electric; communications; and gas, sewer and water lines providing essential
468 services to normal land use activities.
- 469 **Utility transmission/storage/plants:** Electric; communications; gas, sewer and water transmission lines; and
470 service including stations, substations, treatment plants, pumping stations and storage tanks.
- 471 **Warehousing/storage/distribution:** Moving firm; temporary storage; distribution and delivery systems and
472 facilities (including overnight and similar distribution and delivery services). [Amended 6-6-1989 by L.L. No.
473 5-1989].
- 474
- 475 Dawson moved to recommend section 145-82 with amendments to the Board of Trustees. Seconded by
476 | Stycos; Ayes by Tomei, Dankert, Dawson, Schleelein, and Stycos.
- 477
- 478 Dubow asked if there would be a presentation to the Board of Trustees about all of the zoning changes.

479 Moseley indicated that he could attend and present the proposed changes. Tomei indicated that he and
 480 Moseley would present the changes together to the Board of Trustees at the April 20th meeting if there is
 481 room on the agenda. Moseley ~~said-noted~~ that he would make the additional changes to all of the
 482 documents as indicated during the meeting, and provide clean copies back to the Planning Board at the
 483 April 13th meeting. This would provide for one more opportunity for the Board to review the proposed
 484 changes before presenting them to the Trustees.
 485

486 Vaczek asked if a large building could be built on the vacant parcel of land adjacent to CIAO! and
 487 expressed concerns about parking. Moseley indicated that the building would need to conform to the
 488 Village Code for parking requirements and stormwater requirements, adding that building size would be
 489 limited by the parking and stormwater requirements.
 490

491 Vaczek suggested looking at the walkability of the Village. Dawson noted that one goal of the
 492 Comprehensive Plan is to update the Greenway Plan, which addresses the walkability of the Village.
 493 Dawson encouraged Vaczek to volunteer to help with the update.
 494

495 **Other Business**

496 Schleelein asked the status of the proposed abandoned Cart Law. Moseley explained that based on the
 497 legality of the proposed law it would have to be modified to a point where it would not be effective so it
 498 was never passed.
 499

500 The April 28, 2015 Planning Board meeting is canceled because of Village Elections.
 501

502 **Approval of Minutes**

503 Minutes of November 11, 2013. Motion by Dawson to accept as modified. Seconded by Dankert; Ayes by
 504 Tomei, Dankert, Dawson, and Stycos. Abstentions by Schleelein
 505

506 Minutes of December 9, 2013. Motion by Schleelein to accept as modified. Seconded by Dawson; Ayes
 507 by Tomei, Dankert, Dawson, Schleelein, and Stycos.
 508

509 Minutes of September 30, 2014. Motion by Dawson to accept as modified. Seconded by Gillott; Ayes by
 510 Tomei, Dawson, Dankert, Gillott, and Stycos.
 511

512 Minutes of March 9, 2015. Motion by Dawson to accept as modified. Seconded by Stycos; Ayes by
 513 Tomei, Dankert, Dawson, Gillott, and Stycos. Abstention by Schleelein..
 514

516 **Trustee Report**

517 Dankert reported on the Trustee meeting of March 16, 2015. See the minutes of that meeting for a
 518 complete report.
 519

520 **Adjournment**

521 Dawson moved to adjourn at 9:16 PM. Seconded by Dankert; Ayes by Tomei, Dankert, Dawson,
 522 Schleelein, and Stycos.
 523
 524
 525

Chart of Uses 145.81 Revised

Use	District								
Additional residential building	LDR ¹	MDR ¹	HDR ¹	CLT ¹					

On single lot									
Alteration to building or Improved site	LDR ¹	MDR ¹	HDR ¹	CLT ¹	CMT*	CHT ¹	BTD ¹	RSH ¹	HHS ¹
Assisted Living Facility	LDR**	MDR**	HDR**	CLT**		CHT**			HHS**
Automotive sales/services/lots						CHT*			
Bank administrative operations				CLT**	CMT**		BTD*		
Clinic			HDR*	CLT*	CMT*	CHT*			HHS*
Commercial assembly soft goods						CHT*	BTD*		
Commercial crop/animal	LDR**	MDR**							
Construction sales/storage						CHT*			
Employee Cafeteria food and Beverage				CLT	CMT	CHT	BTD	RSH	HHS
Government buildings			HDR*	CLT*	CMT*	CHT*	BTD*		
Group residential building			HDR*						
High Traffic Food and Beverage						CHT*			
Home occupation	LDR**	MDR**	HDR**	CLT**	CMT**	CHT*			
Hospital						CHT*			HHS*
Human health care office			HDR*	CLT*		CHT*			HHS*
Indoor recreation/club			HDR*	CLT*	CMT*	CHT*	BTD*		
Large equipment						CHT*			
Light industry/manufacturing							BTD*		
Low Impact Technology				CLT*	CMT*				
Low Traffic Food and Beverage					CMT*	CHT*	BTD**		
Medical laboratory			HDR*	CLT*		CHT*			HHS*
Members only fuel station									
Mixed use				CLT**	CMT**	CHT**			
Mobile home	LDR**								
Motel/hotel						CHT*	BTD**		
Multiunit residential building (only in sewer areas)			HDR	CLT					
Museums/public buildings			HDR*	CLT*		CHT*			
Natural Parks	LDR	MDR	HDR	CLT	CMT	CHT	BTD	RSH	HHS
Office/studio/service			HDR**	CLT*	CMT*	CHT*	BTD**		
One-unit residential building	LDR	MDR	HDR	CLT					
Outdoor recreation/club	LDR*	MDR*	HDR*	CLT*			BTD*		
Pharmacy						CHT*			HHS*
Redevelopment on larger pre-existing non-conforming use currently in operation in CLT zoning				CLT**	CMT**				
Religious facility	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*	?	?	?
Research/design/prototype Production							BTD*	RSH*	
Sales/repair/maintenance						CHT*			
Schools	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*	BTD*		
Small Scale Sales					CMT*	CHT*			
Special Care Facility	LDR**	MDR**	HDR**	CLT**		CHT**			HHS**
Temporary commercial activities	See section 145-58-C								
Temporary non-commercial activities				CLT	CMT	CHT	BTD	RSH	HHS
Theater/nightclub/discotheque						CHT*			
Transportation services						CHT*	BTD*		
Two-unit residential building	LDR	MDR	HDR	CLT					
Undertaking			HDR*						
Utility service underground	LDR	MDR	HDR	CLT	CMT*	CHT	BTD	RSH	HHS
Utility transmission/Storage/plants	LDR*	MDR*	HDR*	CLT*	CMT*	CHT*	BTD*	RSH*	

Warehousing/storage/distribution						CHT**	BTD**		
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526 NOTES:

527 * Indicates use is permitted with Special Permit: general conditions.

528 ** Indicates use is permitted with Special Permit: general and additional conditions for certain special permit (145-60).

529 1 Indicates use is permitted with additional conditions.(145-58).

530 Uses within Planned Development Areas should be referred to in their respective district regulations.

531
