

Village of Cayuga Heights Planning Board
Meeting #69
Monday, January 23, 2017
Village Hall – 7:00 pm
Minutes

Present: Planning Board Members Chair F. Cowett, G. Gillespie, J. Milder, R. Segelken, and Alternate E. Quaroni
Code Enforcement Officer B. Cross, Attorney R. Marcus, Trustee J. Marshall
Members of the Public

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:02 pm.
- Chair F. Cowett appointed Alternate E. Quaroni a full voting member of the Board for the meeting.

Item 2 – November 28, 2016 Minutes

- The Board reviewed the minutes of the November 28, 2016 meeting.

Motion: R. Segelken

Second: G. Gillespie

RESOLUTION No. 207
APPROVING MINUTES OF NOVEMBER 28, 2016

RESOLVED, that the written, reviewed and revised minutes of the November 28, 2016 meeting are hereby approved.

Aye votes – Chair F. Cowett, G. Gillespie, R. Segelken, E. Quaroni

Abstained- J. Milder

Opposed- None

Item 3 – Public Comment

- J. Barr, 4 Triphammer Lane, asked Board members to introduce themselves.
- Board members introduced themselves to the public.

Item 4 –Site Plan Review – 1010 Triphammer Road

- Chair F. Cowett reviewed the status of the project, a proposed minor subdivision at 1010 Triphammer Road in the Village’s Residence zoning district; the applicant received approval from the Planning Board on August 26, 2013 for a minor subdivision at her property, but did not file a map of the subdivision with the Tompkins County clerk’s office in a timely fashion; therefore, Board approval for the subdivision expired and the applicant was required to go through the site plan review process again; at the Board’s May 23, 2016 meeting, the Board accepted the project for site plan review, declared itself lead agency for SEQRA review, categorized the project as an unlisted action under SEQRA, conducted a SEQRA review, and made a negative declaration of adverse environmental impact; the Board then scheduled a public hearing for the project at the Board’s July 25, 2016 meeting, but the public hearing was postponed at the applicant’s request; because of the Board’s subsequent focus on the proposed Corners Community Medical Office Building (CCMOB) project, the applicant agreed to postpone further the public hearing for the project; the Board reached a decision on the CCMOB at its November 28, 2016 meeting and the public hearing for the project was scheduled at that meeting for this meeting.
- J. Barr asked why it was necessary for the Board to hold a public hearing for the proposed subdivision.
- Chair F. Cowett replied that the Village’s current zoning ordinance does not require a public hearing for a minor subdivision in the Village’s Residence zoning district; however, the Board believes that a public hearing has value because it gives the public an opportunity to make the Board aware of concerns about the project that the Board might not have otherwise considered.
- Code Enforcement Officer B. Cross also replied that providing notice of a public hearing is often the way in which the public and owners of properties located within two hundred feet of an applicant’s property become aware of a project.
- The public hearing commenced at 7:15 pm.
- M. Nelson, 1018 Triphammer Road, expressed concern about the impact of construction associated with the proposed minor subdivision on an intermittent stream and small wetland area located in the northern portion of the applicant’s property, both of which are also located in part on his property; he is concerned about any plans for stream channelization, increased drainage onto his property, and the loss of bird and wildlife habitat.
- Code Enforcement Officer B. Cross replied that, notwithstanding symbols contained on the parcel map associated with the Zoning Officer’s Report for the project, the wet area associated with the intermittent stream is not a formally delineated wetland; additionally, the Village’s current zoning ordinance does not make any provision for a streamside buffer for an intermittent stream; however, the Board can impose

conditions associated with project approval to address the impact of building location and construction on the stream, wet area, and drainage.

- The applicant, W. Kimble-Dugan, stated that she has no intention to build in the wet area or to channelize the intermittent stream and offered not to build a house within seventy-five feet of the parcel's northern boundary.
- E. Quaroni stated that a setback from the wet area would make sense and suggested that a fifty foot setback would not interfere with the building of a house.
- J. Milder stated that allowing the stream to meander without impediment and not building in the wet area would be good practices to avoid flooding; he suggested as a possible conditions of project approval delineation of the wet area and a buffer and avoidance of construction in both.
- Code Enforcement Officer B. Cross stated his concern about the cost to the applicant of hiring a wetland scientist to delineate the wet area and a buffer; he believes the offer made by the applicant to not build within seventy-five feet of the parcel's northern boundary would be sufficient to avoid impacting the wet area and stream.
- J. Milder stated that imposing a condition to not build a house within seventy-five feet of the parcel's northern boundary might unnecessarily restrict building location and might not lead to the best building placement.
- Chair F. Cowett stated as a possible condition of project approval that, prior to the issuance of a building permit, the location of any building would need to be staked on site and the Board would need to inspect and approve its location.
- J. Milder stated agreement with such a condition, but suggested that the limit of work and construction should be staked in the field as well.
- Chair F. Cowett read into the record an email received from K. Hopkins, 107 Midway Road:

“We are currently out of town and will be unable to attend the Public Hearing meeting Jan 23rd. As owners of 107 Midway Road, Carl and Kathryn Hopkins have no objection to this subdivision as it conforms to current lot size.”

Motion: G. Gillespie

Second: R. Segelken

RESOLUTION No. 208

TO CLOSE THE PUBLIC HEARING

RESOLVED, that the public hearing regarding the site plan review for the proposed minor subdivision at 1010 Triphammer Road be closed.

Aye votes – Chair F. Cowett, G. Gillespie, J. Milder, R. Segelken, E. Quaroni

Opposed- None

- The Board discussed Article IX Section 24, III, 2, factors to be considered by the Board in Site Plan Review for minor subdivisions in the Village’s Residence Zoning District, and found the following:
 - a. *Effect of the proposed subdivision on traffic and so traffic safety.*
Increased car trip generation is likely to be slight due to the limited impact of adding one single family home on overall traffic counts. Existing sight lines on Triphammer Road are adequate for the safe addition of a driveway at the new lot. Therefore, the effect of the proposed subdivision on traffic and traffic safety can be expected to be minor.
 - b. *Effect of the proposed subdivision on the environment.*
There will likely be some loss of trees and an increase in impervious surface and stormwater runoff due to future construction. There is also a small wet area and an intermittent stream in the parcel’s northwest corner. This area supports existing drainage and flora and fauna. Construction associated with the proposed subdivision has the potential to negatively affect drainage and stormwater management in this area. The Board believes that conditions imposed by the Board can mitigate the potential for negative impact.
 - c. *Any other factors reasonably related to the health, safety and general welfare of the community.*
The new lot created by the proposed action will increase population density and intensity of land use in the neighborhood, but these increases will be minor. Additionally, the new lot created by the subdivision complies with existing zoning requirements and is of sufficient size to permit the building of a single family home in character with the neighborhood.

Motion: G. Gillespie

Second: R. Segelken

**RESOLUTION No. 209
TO APPROVE WITH CONDITIONS THE PROPOSED MINOR SUBDIVISION
AT 1010 TRIPHAMMER ROAD**

RESOLVED, that, based upon the findings made by the Planning Board in consideration Article IX Section 24, III, 2, the proposed minor subdivision at 1010 Triphammer Road is hereby approved subject to the conditions for Board approval of (1) a site plan showing the locations of any improvements on the new lot and (2) physical delineation of these improvements on site, for the purpose of protecting the intermittent stream and wet area located in the parcel’s northwest corner and their environmental values, prior to the issuance of a building permit.

Aye votes – Chair F. Cowett, G. Gillespie, J. Milder, R. Segelken, E. Quaroni

Opposed- None

- W. Kimble-Dugan stated concern about the cost of the site plan required by the Board as a condition of approval.
- Code Enforcement Officer B. Cross replied that T.G. Miller should be able for a very small cost to add to the existing parcel map the locations of any improvements; he further stated that once the parcel map showing the proposed subdivision and listing the conditions imposed by the Board is signed by the Board's Chair, the map must be filed with the Tompkins County clerk's office in a timely fashion.

Item 5 – Other Business

- The next meeting of the Planning Board is scheduled for February 27, 2017.

Item 6 – Adjourn

- Meeting adjourned at 8:29 pm.