

Village of Cayuga Heights Planning Board  
Meeting #86  
Monday, March 25, 2019  
Marcham Hall – 7:00 pm  
Minutes

Present: Planning Board Members Chair F. Cowett, G. Gillespie, J. Leijonhufvud, E. Quaroni  
R. Segelken  
Code Enforcement Officer B. Cross, Attorney R. Marcus, Deputy Clerk P. Rich, Mayor L.  
Woodard, Trustee M. McMurry, Trustee M. Friend  
K. Michaels, Trowbridge Wolf Michaels Landscape Architects (TWMLA)  
Members of the Public

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:02 pm.

Item 2 – February 28, 2019 Minutes

- The Board reviewed the minutes of the February 28, 2019 meeting.
- Chair F. Cowett stated that the public hearing scheduled for this meeting regarding site plan review for the project at 103 Berkshire Rd will not be held; the applicant has requested more time to make changes to the preliminary site plan, and the Board will consider rescheduling the public hearing at the end of this meeting.

**Motion:** R. Segelken

**Second:** J. Leijonhufvud

**RESOLUTION No. 293**  
**APPROVING MINUTES OF FEBRUARY 28, 2019**

**RESOLVED**, that the written, reviewed and revised minutes of the February 28, 2019 meeting are hereby approved.

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

**Opposed** – None

Item 3 – Public Comment

- No members of the public wished to comment.

#### Item 4 – Site Plan Review – North Campus Residential Expansion (NCRE)

- Chair F. Cowett stated that at its February 28, 2019 meeting, the Board accepted the North Campus Residential Expansion Project for site plan review and scheduled a public hearing for this meeting; the Board will not conduct a SEQRA review of the project due to its August 27, 2018 resolution of concurrence with the City of Ithaca's Planning and Development Board request that the City Board act as lead agency for SEQRA review of the project which precludes the Village Planning Board undertaking its own SEQRA review; on December 18, 2018, the City Board issued a negative declaration of environmental significance for the project which concluded the SEQRA review process.
- Chair F. Cowett further stated that Board member G. Gillespie works for HOLT Architects, Welliver is the construction company associated with this project, HOLT has worked with Welliver, Cornell University, and Trowbridge Wolf Michaels on other projects but not on this project, and there is nothing in G. Gillespie's professional relationship with Welliver, Cornell, or Trowbridge Wolf Michaels that would impair or influence his judgment in reviewing this project; Attorney R. Marcus has also worked with Trowbridge Wolf Michaels, but not on this project and is able to represent and advise the Village on this project; additionally, several members of the Board have worked in the past or are currently working at Cornell, but there is nothing in their past or present employment that constitutes a conflict of interest nor influences their judgment in reviewing this project.
- The public hearing commenced at 7:07 pm.
- P. Baxter, 122 Cambridge Pl, stated concerns about the proposed construction traffic route; it is already difficult making a left turn from Winthrop Dr onto N Triphammer Rd and project construction traffic will make things worse; construction trucks also pose a threat to bicyclists and pedestrians; the crosswalks in the Community Corners area are challenging and pedestrians won't be as safe.
- M. Mogelonsky, 102 Cambridge Pl, stated that traffic volume on N Triphammer Rd is already too high and has increased greatly in recent years, and the new medical office building in Corners Community shopping center hasn't opened yet; traffic conditions are dangerous for pedestrians, the condition of N Triphammer Rd is poor, and she has made requests for either traffic lights or stop signs on N Triphammer Rd.
- M. Shuler, 5 Pleasant Grove Ln, president of the Pleasant Grove Lane Association, stated concerns about increased project traffic on Pleasant Grove Rd; Pleasant Grove Ln is a dead end street and access is only available via Pleasant Grove Rd.
- S. Barnett-Young, 410 Triphammer Rd, stated that traffic on Triphammer Rd is also bad and has increased greatly in recent years; Cornell and the Village need to figure out how to reduce the traffic on Triphammer Rd and slow down vehicles.
- The public hearing closed at 7:13 pm.

- Chair F. Cowett stated that at the Board's February meeting there was discussion about rerouting construction truck traffic via Warren Rd instead of N Triphammer Rd, but Code Enforcement Officer B. Cross was concerned about the left turn turning radius from Hanshaw Rd heading south on Pleasant Grove Rd; K. Michaels was going to use AutoTURN software to analyze whether construction trucks could navigate the left turn turning radius at the Hanshaw/Pleasant Grove intersection.
- K. Michaels replied that survey information isn't available to accurately utilize AutoTURN, but a right turn from Pleasant Grove Rd heading west onto Hanshaw Rd might be more navigable than a left turn from Hanshaw heading south onto Pleasant Grove Rd; trucks could perhaps utilize N Triphammer Rd for incoming trips and utilize Warren Rd for outgoing trips.
- Code Enforcement Officer B. Cross stated similar concern about construction trucks making a right turn onto Hanshaw Rd from Pleasant Grove Rd; a test should be done with a truck to assess whether either turn would be feasible.
- Attorney R. Marcus reminded the Board that at the Board's February meeting there was discussion about a flagman riding with each truck to assist making turns.
- K. Michaels stated that she had spoken with the contractor about rerouting truck traffic via Warren Rd and that the contractor was in favor of utilizing the Warren Rd route; the contractor is also willing to schedule truck deliveries so as to avoid the peak AM traffic hour as much as possible.
- Code Enforcement Officer B. Cross stated that the feasibility of the Warren Rd route still needs to be tested, Town of Ithaca Planning Board Chair F. Wilcox is attending this meeting, and the Town of Ithaca should be informed of any change in routing construction trucks since the Warren Rd route goes through the town.
- Chair F. Cowett asked when construction truck deliveries would begin.
- K. Michaels replied that, should the Board approve at this meeting installation of construction office trailers at the basketball/tennis courts adjacent to Jessup Rd, the first deliveries would happen soon and would consist of office trailers transported on 18 wheel tractor trailers.
- Chair F. Cowett asked about the height of fencing shown in a plan submitted by the project design team which surrounds the construction office trailers and parking.
- K. Michaels replied that the fencing would be 8 feet high.
- Chair F. Cowett stated that it looks from the plan that the fencing and several of the trailers are located within the 25 foot front yard set setbacks on Jessup and Northcross Rds; if so, this does not comply with current zoning and would require a variance from the Village's Zoning Board of Appeals.
- K. Michaels asked if a variance would be required since the trailers and fencing are temporary installations.
- Code Enforcement Officer B. Cross replied that, because the installations are for longer than 18 months, they cannot be regarded as temporary and he is required by the building code to issue a building permit for the trailers; also, Village zoning is

silent on the topic of temporary construction trailers and fencing and does not make an exception for them; the trailers and fencing are therefore subject to current zoning regulations and, in their current configuration, would require a variance.

- K. Michaels stated that the configuration of the trailers could maybe be shifted so as none of the trailers would be located in the front yard setback and asked, if this were done, whether a variance would still be required for the fencing.
- Code Enforcement Officer B. Cross replied that, because the fencing is more than four feet high, a variance would still be required regardless of trailer configuration.
- Chair F. Cowett asked Attorney R. Marcus if the Board is able to approve the installation of the trailers and fencing subject to the condition of a variance being obtained by the applicant from the Village's Zoning Board of Appeals, as was similarly done during site plan review for the Community Corners medical office building.
- Attorney R. Marcus replied that the Board is able to do so.
- E. Quaroni asked why the fencing surrounding the trailers and parking is necessary.
- K. Michaels replied that the fencing is for student safety.
- Code Enforcement Officer B. Cross stated that, prior to this meeting, he notified K. Michaels that the Village's Board of Trustees are considering adoption of a local law to preserve Village roads; this Village law is modeled on a Tompkins County law for road preservation associated with construction truck traffic; the Village law will likely amend the County law's metrics for number of trips and truck weight, and will require an applicant to either obtain a permit from the Village or enter into a road use agreement with the Village; he recommends, as the Board considers site plan approval for this project, that it include as a condition of approval compliance by the applicant with this local law when it is adopted.
- Chair F. Cowett stated his concerns with the proposed plan for construction worker parking on the Frisbee golf course north of the A parking lot; the project estimates the average number of workers to be approximately 140; the plan for construction worker parking on the Frisbee golf course shows 190 parking spaces, in addition to the 40 parking spaces at the construction office trailers; the project's traffic study estimates that 39% of additional vehicle trips associated with the site post-construction will pass through the Pleasant Grove/Hanshaw Rds intersection in the PM peak hour; whether there are 140, 190, or 230 workers on site, there could be a significant increase in vehicle traffic on Village roads if 39% of those workers pass through the Pleasant Grove/Hanshaw Rds intersection after work; additionally, a substantial portion of the spaces at the Frisbee golf course site are either located on slopes in excess of 8% or appear to be within 50 feet of a wetland which does not comply with Village zoning, nor does there look to be sufficient room between parking spaces and fencing to facilitate snow removal; the Village would be better served if the project reverted to its original plan in which construction workers would park at Cornell's designated contractor parking location at Palm Road and then be shuttled to the site.

- K. Michaels replied that on a typical workday construction workers will arrive prior to 7:30 AM and leave at 3:30 PM and will not impact the AM/PM peak traffic hour; the plan for workers to park at Palm Road and be shuttled to the site were shelved because of concerns by some communities such as Cornell Heights that workers would park in their communities rather than at Palm Road because that would be more convenient; Cornell personnel inspected the Frisbee golf course site and judged the grade navigable for parking; the wetland referenced is not a mapped wetland; the contractor is responsible for snow removal and can fill spaces with snow if needed.
- Chair F. Cowett stated that just because workers won't be arriving or leaving during peak traffic hours doesn't mean there isn't any other traffic on Village roads and asked about the maximum number of construction workers on site at any given time.
- K. Michaels replied that the maximum number of construction workers on site will be 280 due to peak activity, but the average will be 75 to 125.
- Code Enforcement Officer B. Cross stated that an 8% grade should be the maximum grade for parking and asked for the grade of the parking area to be shown on the plan.
- Code Enforcement Officer B. Cross stated further that the Tompkins County GML §239 review noted the presence of mapped wetlands on the parcel of the proposed construction worker parking and suggested the Village require the applicant to delineate all the wetlands on the property and to elaborate how the proposed use will not negatively impact wetland functions.
- P. Baxter stated that there is traffic at 7:30 AM on Village roads including Cornell dining and custodial staff driving to work and school buses and parents with children.
- E. Quaroni asked about the proposed project staging area on Brown Rd.
- K. Michaels replied that the project needs a place along Route 13 to store materials until they are needed at the construction site.
- J. Leijonhufvud stated that she doesn't like the construction worker parking plan; it infringes on wetlands which should be protected; if the average number of workers is 75, then construction worker parking near A lot should be designed for that number and Palm Road parking and shuttles used to provide parking for peak construction activity, rather than designing construction worker parking near A lot for the peak; it also isn't as easy or convenient to park on neighborhood streets as is being assumed.
- Code Enforcement Officer B. Cross informed the Board that the impervious surface associated with construction worker parking will create additional stormwater runoff which ultimately discharges to the Village's storm drainage system; rather than create temporary stormwater facilities to deal with this runoff, he has had discussions with Cornell to build permanent facilities to treat stormwater runoff from the A parking lot which also discharges to the Village's storm drainage system but has hitherto not been treated.
- S. Barnett-Young asked whether the impervious surface for construction worker parking will be removed at the end of the project.

- Chair F. Cowett replied that the contractor is required to remove the impervious surface at the end of the project and restore compacted soil according to NYS DEC guidelines.
- Code Enforcement Officer B. Cross stated that comments made at this meeting that Village traffic has dramatically increased in recent years is not borne out by traffic count data.
- Chair F. Cowett acknowledged the point being made by Code Enforcement Officer B. Cross, but stated that traffic studies have consistently found failing Levels of Service for the intersections in the Community Corners area and therefore any increase in traffic is a cause for concern.
- G. Gillespie suggested that a reduction in construction worker parking lot capacity and size would not only address concerns about parking lot grade and infringement on wetlands, but would also reduce the number of vehicle trips through Community Corners intersections.
- K. Michaels stated that she will speak with the contractor about reducing the capacity of the construction worker parking lot.
- Attorney R. Marcus stated that vans used to shuttle workers to a site typically hold 15 to 20 persons, which would mean making 5 to 10 trips to the site during times of peak activity, which is not a major undertaking.
- J. Leijonhufvud asked whether workers could park at Hasbrouck.
- K. Michaels replied that worker parking at Hasbrouck would not be possible since any excess parking currently at Hasbrouck is dedicated to replacing the parking being lost from eliminating the CC parking lot.
- B. Eden, Tompkins County Environmental Management Council, asked if the Board has the Tompkins County wetlands maps developed by Nick Hollingshead.
- Chair F. Cowett replied that the Planning Board does have these maps.
- Code Enforcement Officer B. Cross suggested, in light of the Tompkins County GML §239 review and suggestion to have the wetlands delineated, that the Board consider requiring the applicant to make a field delineation of the wetlands, if the Board is able to require this.
- Attorney R. Marcus stated that the Board can make such a requirement.
- E. Quaroni stated that a field delineation of the wetlands would be a good idea.
- G. Gillespie agreed with the need for a field delineation of the wetlands and its boundaries as this would help put to rest the questions raised by the Board.
- Chair F. Cowett asked K. Michaels to arrange for a field delineation of the wetlands near the proposed construction worker parking lot.
- K. Michaels agreed to arrange for a wetlands delineation.
- Code Enforcement Officer B. Cross stated that the 50 foot buffer for wetlands that was referenced previously is not an US Army Corps of Engineers requirement, but is a requirement in the Village's Zoning Law and can be amended by the Planning Board.

- Chair F. Cowett stated that, after the discussion at the Board's February 28 meeting about Dark Sky compliance, exterior lighting fixtures, and lamp color temperature, he phoned the International Dark Sky Association (IDA) in Arizona, spoke to the person in charge of Dark Sky fixture certification and compliance, and learned that Dark Sky compliance pertains not only to fixture shielding, but also to lamp color temperature, and that Dark Sky fixture compliance requires lamps with a color temperature of 3000 CCT or less; the applicant states that lamps with a color temperature of 3500 CCT are the Cornell standard; however, Village zoning requires exterior lighting fixtures to be Dark Sky compliant which means they should have lamps with a color temperature of 3000 CCT or less; the American Medical Association (AMA) gave guidance in 2016 that all LED exterior lights should have a color temperature of 3000 CCT or less; the issue for him personally is that LED lights in excess of 3000 CCT cause disability glare while driving.
- F. Wilcox asked how many exterior lighting fixtures are located in the Village's portion of the project.
- K. Michaels replied that there look to be 10 such fixtures.
- G. Gillespie asked B. Eden if the Tompkins County Environmental Management Council has taken a position on the lamp color temperature of exterior light fixtures.
- B. Eden replied that the County EMC has studied the issue and recommends limiting the lamp color temperature of exterior light fixtures to 3000 CCT or less.
- Code Enforcement Officer B. Cross stated that the Tompkins County GML §239 review, in addition to noting the presence of mapped wetlands on the parcel of the proposed construction worker parking, noted that the County EMC has studied the exterior lighting issue and developed recommendations so that exterior lighting does not negatively impact the surrounding community.
- J. Leijonhufvud asked about the lighting at the construction worker parking lot.
- K. Michaels replied that she doesn't know whether or how the lot will be lit.
- J. Leijonhufvud asked about the lighting at the A parking lot and the lamp color temperature of its fixtures.
- Code Enforcement Officer B. Cross replied that this question came up two years ago when Cornell retrofitted the lights in the lot, which preceded revision of the Village's Zoning Law and therefore not subject to zoning regulation, and believes the lamp color temperature of those fixtures is 3500 CCT.
- J. Leijonhufvud asked about pedestrian crosswalk improvements on Jessup Rd.
- K. Michaels showed the Board a map with the location of improvements to pedestrian crosswalks and busstops.
- J. Leijonhufvud stated that, in light of the pedestrian fatality that occurred several years go on Jessup Rd, crosswalks should be made highly visible.
- R. Segelken agreed with the need for highly visible crosswalks and stated that such crosswalks would also promote construction worker safety.

- J. Leijonhufvud asked about the timing of the pedestrian crosswalk improvements and suggested they be made as soon as possible.
- K. Michaels replied that the improvements will begin to be made in the spring and fall of 2019 so that student pedestrian flows can continue; these improvements will be sequenced along Jessup Rd as construction progresses.
- J. Leijonhufvud noted that no pedestrian improvements took to be scheduled for the corner of Jessup and Pleasant Grove Rds; she suggested that improvements be made there as well.
- Attorney R. Marcus asked about fire department jurisdiction between the Town and City of Ithaca and whether the Cayuga Heights Fire Department which services the Town of Ithaca has been contacted.
- K. Michaels replied that there is a conversation ongoing between the Town and the City and she will suggest that Cayuga Heights Fire Chief G. Tamborelle be brought into the conversation.
- Code Enforcement Officer B. Cross stated that, in response to a question posed to the project team by E. Quaroni, any ground water encountered in excavations will be pumped to the City's storm drainage system and not to the Village's system.

**Motion:** R. Segelken

**Second:** G. Gillespie

#### **RESOLUTION No. 294**

#### **TO APPROVE WITH CONDITIONS THE INSTALLATION OF CONSTRUCTION OFFICE TRAILERS AND ASSOCIATED PARKING AND FENCING FOR THE CORNELL RESIDENTIAL EXPANSION PROJECT**

**RESOLVED**, that the Village of Cayuga Heights Planning Board approves the installation of construction office trailers and associated parking and fencing for the North Campus Residential Expansion Project at the northwest intersection of Jessup and Northcross Roads pending confirmation of zoning compliance either by satisfying setback requirements or obtaining a variance from the Village's Zoning Board of Appeals.

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

**Opposed** – None

- Code Enforcement Officer B. Cross asked Attorney R. Marcus about when he will be able to issue a building permit for the construction office trailers.
- Attorney R. Marcus replied that a building permit can only be issued if either the setbacks are satisfied or a variance is granted.
- Attorney R. Marcus asked who will be parking at the construction offices.

- K. Michaels replied that parking will be utilized by construction superintendants and other personnel working in the trailers.
- Attorney R. Marcus asked whether the construction personnel in the offices are included in the average estimate of 75 to 125 workers on site.
- K. Michaels replied that they might be included, but will find out to be sure.
- Attorney R. Marcus asked if the delivery of the construction trailers would be a good test of the turning radii in the Community Corners intersections.
- K. Michaels replied that construction trailer delivery would not be a good test since the trailers will be wide loads.
- Attorney R. Marcus explained in greater detail the Village's road preservation law; if a volume of high impact trucks is expected to be associated with a construction project, Code Enforcement Officer B. Cross can identify roads to be closed unless a permit is obtained or a road use agreement entered into; prior to construction, the applicant would provide an evaluation of the roads to be impacted and financial security.
- Code Enforcement Officer B. Cross stated that, for the NCRE project, a road use agreement probably makes better sense than a permit; the Village law will likely cite a smaller number of trips and less weight per truck than the County law it is modeled on; he does not foresee any immediate impact on the NCRE project.

Item 5 – New Business

- The Board discussed rescheduling the public hearing for site plan review of the project at 103 Berkshire Rd.
- Code Enforcement Officer B. Cross stated that he expects the applicant to be ready to proceed with site plan review and recommended rescheduling the public hearing for the Board's April 22nd meeting.

**Motion:** J. Leijonhufvud

**Second:** E. Quaroni

**RESOLUTION No. 295  
TO HOLD A PUBLIC HEARING ON THE PROPOSED PROJECT AT  
103 BERKSHIRE ROAD**

**RESOLVED**, that a public hearing will be held on April 22, 2019 at 7:10 pm regarding site plan review for the proposed project at 103 Berkshire Road.

**Aye votes** – Chair F. Cowett, G. Gillespie, J. Leijonhufvud, E. Quaroni, R. Segelken  
**Opposed** – None

- The Board discussed revisions being made by the Village's Board of Trustees to the section of the Village Zoning Law dealing with Planned Development Zones (PDZs).

- Attorney R. Marcus stated that the revision to the PDZ section of the Zoning Law is intended to provide greater clarity and ease of understanding to an applicant and the Board of Trustees; the changes are not monumental but make the law easier to apply.
- Code Enforcement Officer B. Cross stated that that he expects to receive in the near future a completed application for a PDZ.
- Attorney R. Marcus stated that the changes being made to the PDZ section of the Zoning Law do not limit or interfere with any PDZ proposal; they are not intended to rein in an applicant or the Village's Board of Trustees; they are meant to make clearer what an applicant needs to do in proposing a PDZ and what the Board of Trustees and the Planning Board need to do in approving and reviewing a PDZ proposal.
- The next meeting of the Planning Board is scheduled for April 22, 2019.
- Attorney R. Marcus informed the Board that he will be unable to attend the Board's scheduled May and June meetings.
- Chair F. Cowett noted that the Board's May meeting date falls on Memorial Day and will explore changing the May meeting date to Thursday May 23rd.

#### Item 6 – Adjourn

- Meeting adjourned at 9:14 pm.