

Village of Cayuga Heights Planning Board
Meeting #107
Monday, January 23, 2023
Marcham Hall – 7:00 pm
Minutes

Present: Planning Board Members Chair F. Cowett, J. Leijonhufvud, E. Quaroni, M. McMurry, R. Segelken
Code Enforcement Officer B. Cross, Attorney R. Marcus, Deputy Clerk A. Jacot, Mayor L. Woodard
L. Schill, Cornell University Planner
J. Taliento, LaBella Associates
R. Kawecki, Bousquet Holstein PLLC

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:01 pm.
- Chair F. Cowett stated that R. Kawecki, an attorney at Bousquet Holstein PLLC, will be observing the meeting via Zoom.

Item 2 – November 28, 2022 Minutes

- The Board reviewed the minutes of the December 19, 2022 meeting.

Motion: E. Quaroni

Second: M. McMurry

**RESOLUTION No. 365
APPROVING MINUTES OF DECEMBER 19 2022**

RESOLVED, that the written, reviewed and revised minutes of the December 19, 2022 meeting are hereby approved.

Aye votes – Chair F. Cowett, M. McMurry, E. Quaroni

Abstained – J. Leijonhufvud, R. Segelken

Opposed – None

Item 3 – Public Comment

No members of the public wished to speak.

Item 4 – Cornell Child Care Center – Site Plan Review

- Chair F. Cowett stated that at its December 19 meeting the Planning Board accepted for site plan review the proposed project at the Cornell Child Care Center, located at 150 Pleasant Grove Road; the project proposes to install a geothermal ground-source heat pump system which includes a .01 acre field containing 21 geothermal wells to provide both heating and cooling for the Center; the project also includes construction of a 20' x 35' building addition to contain the mechanical equipment associated with the wells and pumps.
- Chair F. Cowett stated further that, since the Board's December 19 meeting, the Tompkins County Planning Department has provided written acknowledgement stating that the County has no concerns pursuant to the GML §239 referral pertaining to this project; also, at the December 19 meeting the Planning Board declared itself lead agency for SEQRA review of the project contingent upon the Town of Ithaca's concurrence; since the Board's December 19 meeting, the Town of Ithaca Planning Department has provided written acknowledgment stating its concurrence with the Cayuga Heights Planning Board serving as lead agency for SEQRA review of the project.
- Chair F. Cowett stated further that at its December 19 meeting the Planning Board Board scheduled a public hearing for the project at this meeting; the public notice which the Village published in the Ithaca Journal lacked project specific information; Attorney R. Marcus has advised that this public notice may be considered a deficient notice; Attorney R. Marcus has therefore recommended that the Board conduct tonight's public hearing as scheduled, and then adjourn the public hearing until the Board's next meeting.
- Chair F. Cowett asked L. Schill, Cornell University Planner, whether Cornell wished to wait until the Board's next scheduled meeting on February 27 or for the Board to schedule a special meeting sooner than February 27.
- L. Schill replied that Cornell requests that the Board schedule a special meeting sooner than February 27 in order to keep the project on schedule.
- Chair F. Cowett stated that the Village needs to publish a public notice containing project specific information at least 10 calendar days in advance of a special meeting and proposed that a special meeting be scheduled for Monday February 6, 2023 at 7:00 pm.
- The Board agreed to schedule a special meeting on Monday February 6, 2023 at 7:00 pm at Marcham Hall.
- Code Enforcement Officer B. Cross asked Attorney R. Marcus if a letter containing project specific information needed to be mailed out again to all owners of property contiguous with and within 200 feet of the Child Care Center parcel at least 10 calendar days before the date of the special meeting.
- Attorney R. Marcus replied that it did.

Motion: R. Segelken
Second: J. Leijonhufvud

RESOLUTION No. 366
TO SCHEDULE A SPECIAL MEETING OF THE PLANNING BOARD

RESOLVED, that the Planning Board schedule a special meeting on
Monday, February 6, 2023, at 7:00 pm at Marcham Hall.

Aye votes – Chair F. Cowett, J. Leijonhufvud, M. McMurry, E. Quaroni, R. Segelken
Opposed – None

- The public hearing scheduled for this meeting commenced at 7:08 pm.
- No members of the public wished to speak.

Motion: J. Leijonhufvud
Second: M. McMurry

RESOLUTION No. 367
TO ADJOURN THE PUBLIC HEARING

RESOLVED, that the public hearing regarding the site plan for the proposed project at the
Cornell Child Care Center, 150 Pleasant Grove Road, be adjourned until February 6, 2023 at
7:10 p.m

Aye votes – Chair F. Cowett, J. Leijonhufvud, M. McMurry, E. Quaroni, R. Segelken
Opposed – None

- The public hearing adjourned at 7:09 pm.
- Chair F. Cowett stated that at the December 19 meeting the Planning Board categorized the project as a Type II action under SEQRA, meaning that no further review of adverse environmental impact is required under SEQRA, pursuant to § 617.5.C.3 and § 617.5.C.9 of the Codes, Rules, and Regulations of the State of New York; subsequent to the December 19 meeting, E. Quaroni learned from the NYS DOS that, with regard to § 617.5.C.3 which pertains to a project's incorporation of green infrastructure, a geothermal system is not typically included in a definition of green infrastructure for a project of this size; therefore, § 617.5.C.3 should not have been relied upon to categorize the project as a Type II action; however, § 617.5.C.9, which pertains to the construction of a non-residential structure or facility less than 4,000 square feet in gross floor area, does still apply and the project can still be

categorized as a Type II action; Attorney R. Marcus has advised that, on that basis, there is no need for the Board to correct its SEQRA review resolution from the December 19 meeting unless it wishes to do so.

- The Board agreed that there is no need to correct the SEQRA review resolution from the December 19 meeting.

Item 5 – New Business

- Code Enforcement Officer B. Cross stated that in 2022 the Planning Board conducted site plan review for a project at 211 North Sunset Drive; the project's site plan for a one family residence was approved subject to several conditions, including an average driveway slope equal to or less than 15 percent; the project's contractor R. Varn was having difficulty meeting this condition, but is no longer associated with the project; the new contractor is exploring relocating the private sanitary sewer lateral bisecting the lot, thereby facilitating the reconfiguration of the driveway in order to reduce its slope.
- E. Quaroni asked how many residences are connected to the private sanitary sewer lateral.
- Code Enforcement Officer B. Cross replied that there are two residences on Cayuga Heights Road connected to the lateral; when relocating the lateral had previously been discussed, one residence owner was receptive but the other owner was opposed; the opposed owner no longer owns the property and the new owner is more receptive to relocating the lateral.
- E. Quaroni asked how relocating the lateral would reduce the driveway slope.
- Chair F. Cowett replied that parcel's grade is less steep to the south and relocating the driveway or the residence footprint further south could reduce the driveway slope.
- Code Enforcement Officer B. Cross stated that, pursuant to § 305-118.I of the Village's Zoning Law, he will review any proposed changes to the site plan and consider in consultation with Attorney R. Marcus and Chair F. Cowett whether such changes warrant reconsideration by the Planning Board of the approved site plan.
- Code Enforcement Officer B. Cross stated that the RaNic project design team is re-evaluating the project's design and may appear before the Board of Trustees with an updated design at the Trustees' February meeting.
- The Planning Board's next meeting is the special meeting scheduled for Monday, February 6, 2023 at 7:00 pm; its next regularly scheduled meeting is Monday, February 27, 2023 at 7:00 pm.

Item 6 – Adjourn

- Meeting adjourned at 7:23 pm.