

Village of Cayuga Heights Planning Board
Meeting #117
Monday, October 23, 2023
Marcham Hall – 7:00 pm
Minutes

Present: Planning Board Members Chair F. Cowett, M. McMurry, E. Quaroni, R. Segelken
Code Enforcement Officer B. Cross, Deputy Clerk A. Jacot, Alternate Member M. Johnston,
Mayor L. Woodard

R. Kawecki, Bousquet Holstein PLLC

D. King, 102 North Sunset Drive

L. King, 102 North Sunset Drive

K. Gebhart, Warren Real Estate

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:00 pm.
- Chair F. Cowett stated that J. Leijonhufvud is absent and appointed Alternate Member M. Johnston a full voting member for this meeting.
- Chair F. Cowett further stated that Attorney R. Marcus is absent and R. Kawecki, Bousquet Holstein PLLC, is attending the meeting via Zoom.

Item 2 – September 18, 2023 Minutes

- The Board reviewed the minutes of the September 18, 2023 meeting.

Motion: R. Segelken

Second: E. Quaroni

RESOLUTION No. 399
APPROVING MINUTES OF SEPTEMBER 18, 2023

RESOLVED, that the written, reviewed and revised minutes of the September 18, 2023 meeting are hereby approved.

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

Opposed – None

Item 3 – Public Comment

- No members of the public wished to speak.

Item 4 – December 2023 Planning Board Meeting

- Chair F. Cowett stated that Planning Board meetings are scheduled for the fourth Monday of the month which in December would fall on Christmas Day.
- The Board discussed rescheduling the Board’s December 2023 meeting and agreed to reschedule it to Monday December 18, 2023 at 7:00 pm at Marcham.

Motion: M. Johnston

Second: M. McMurry

RESOLUTION No. 400

TO RESCHEDULE THE DECEMBER 25, 2023 MEETING OF THE PLANNING BOARD

RESOLVED, that the Planning Board reschedule the December 25, 2023 meeting to Monday December 18, 2023 at 7:00 pm at Marcham Hall.

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

Opposed – None

Item 5 – Subdivision Review – 102 North Sunset Drive

- Chair F. Cowett stated that an application has been submitted to subdivide the property at 102 North Sunset Drive and asked Code Enforcement Officer B. Cross to discuss the application.
- Code Enforcement Officer B. Cross stated that the property was previously subdivided into two parcels, but was consolidated into one parcel by the current owner; if the property was subdivided along the old property line, the two parcels would likely comply with minimum lot size, road frontage, and lot width and depth requirements of the Village’s Zoning Law.
- Code Enforcement Officer B. Cross further stated that he has informed the applicant that an updated survey map needs to be provided to the Board showing the proposed subdivision; due to the site’s topography and setting, the map should also identify the existence of features potentially associated with the property such as steep slopes, riparian buffers, and a Tompkins County Unique Natural Area; these features need to be identified so that the Planning Board can judge whether the subdivided lot would contain a buildable envelope and permit further development consistent with the Village’s Zoning Law.
- E. Quaroni asked if the updated survey map would need to show topo lines.
- Chair F. Cowett stated that topo lines are needed in order to identify slopes on site.
- K. Gebhart, Warren Real Estate, stated that he represents the property at 102 North Sunset Drive on behalf of the property’s owner, E. King, whose son, D. King, and daughter, L. King, are attending the meeting via Zoom.

- D. King asked for additional clarification as to what information should be included on an updated survey map.
- Chair F. Cowett stated that, pursuant to the Village's Zoning Law, the map should include topo lines at 2 foot contour intervals; it should also show areas with slopes between 15% and 25% and areas with slopes greater than 25%; areas with slopes between 15% and 25% require Planning Board approval for development and the Village's Zoning Law prohibits development of areas with slopes greater than 25%; the map should also show intermittent streams and riparian buffers of 20 feet either side of any stream perpendicular to the top of the stream bank; development within a riparian buffer is regulated by the Village's Zoning Law; the map should also show the Unique Natural Area's location onsite; Tompkins County doesn't officially map UNAs, but the UNA at this site is approximately 120 feet west of the property line adjacent to North Sunset Drive; he can provide a GIS shapefile of this UNA if needed.
- Chair F. Cowett further stated that the survey map should show the general location where a residence could be built as well as the driveway leading from the street to it; the Village's Zoning Law prohibits driveway grades greater than 15% and requires Planning Board approval for driveway grades between 10% and 15%; the Village's Zoning Law also prohibits the clearing of trees to identify prospective building locations and the survey map should show trees with a trunk diameter of 6 inches or greater in the vicinity where a residence could be built; Village street trees located in the Village's right-of-way along North Sunset, including two large oaks, were mapped in a 2019 street tree inventory and may not be removed without the permission of the Village Forester; the Board requests that the survey map show all this information so that it can best determine whether a property can be subdivided.
- K. Gebhart asked for confirmation that Tompkins County does not regulate development in a Unique Natural Area.
- Chair F. Cowett confirmed that this is true; a Unique Natural Area provides guidance to a municipal board with regard to environmental features; the Planning Board considers a UNA when weighing the environmental impact of proposed site improvements.
- R. Segelken stated the UNA should be regarded by the applicant as an asset rather than a liability since it denotes an area of high environmental value.
- E. Quaroni asked if there is a description of the UNA at this site.
- Chair F. Cowett stated that he has a description of the UNA and can forward it to Board members.
- K. Gebhart asked about right-of-way and setback distances.
- Chair F. Cowett stated that the Village's right-of-way on North Sunset Drive is 25 feet either side of the road centerline; the front yard setback is 25 feet from the property line adjacent to this right-of-way.
- K. Gebhart stated that, if there is a 25 foot front yard setback and the UNA is located approximately 120 feet west of the property line along North Sunset Drive, he thinks

there is sufficient area with moderate slope for locating a residence that would not impinge upon the UNA.

- M. Johnston asked about the property's acreage.
- K. Gebhart replied that the property is 2.97 acres.
- M. Johnston asked if proposals for development already exist.
- K. Gebhart stated that there are no development proposals yet; the applicant is simply exploring at present whether the property can be subdivided.
- M. Johnston asked if the subdivision would follow the property boundary line which existed when the property consisted of two lots.
- K. Gebhart replied that the subdivision would not necessarily follow the old boundary line; the existing residence is located approximately 35 feet from that old line which exceeds the current side yard setback of 15 feet; a new boundary line could be located closer to the residence depending on subdivision dimension requirements.
- K. Gebhart asked if the driveway can be curved.
- Chair F. Cowett replied that the driveway can be curved which could be helpful in taking up the existing slope and meeting the zoning requirements for driveway grade.
- K. Gebhart asked about the Board's subdivision review process.
- Chair F. Cowett replied that there would ordinarily be two more meetings needed to review the proposed subdivision subject to the applicant's provision of an updated survey map and any additional information requested by the Board; the Board's next meeting is November 27 at which it would accept the subdivision for further review, declare itself lead agency for SEQRA, and schedule a public hearing; at its December 18 meeting, the Board would make findings regarding the project and then either approve, approve with conditions, or disapprove the subdivision.
- K. Gebhart asked when the Board would need to receive the updated survey map.
- Chair F. Cowett replied that the Board requires that materials for review be submitted by the end of the business day on the Wednesday prior to the Monday meeting, which in this case would be November 22 for the November 27 meeting.

Item 5 – Comprehensive Plan Discussion

- The Board resumed its discussion as to whether the Village's Comprehensive Plan should be updated.
- R. Segelken discussed the Housing section; the goal statement of the Housing section should be revised from pertaining to "persons wishing to reside in the community" to simply "residents;" the Village should make housing options available while also preserving a quality residential community; another question is whether the Village should facilitate affordable housing; is affordable housing even possible given the limited availability of land to build it; the current Comprehensive Plan avoids using terminology such as density or affordable housing.
- E. Quaroni asked how the Village can ensure high quality housing.

- R. Segelken replied that the Village has structurally good houses; they tend to be built as well as the building code requires.
- Code Enforcement Officer B. Cross stated that the building code generally determines building quality, not zoning, although zoning can stipulate that building materials are consistent with neighborhood character.
- M. Johnston stated that terminology choice is important in discussing housing; the wrong choice can create controversy; terminology such as “full spectrum housing” is sufficiently ambiguous that it covers many bases and avoids stirring things up.
- Chair F. Cowett asked if R. Segelken is comfortable with the current housing options available in the Village.
- R. Segelken replied that he is comfortable with housing options apart from those available in the Community Corners area.
- E. Quaroni stated that mixed use housing in the Community Corners area would be a good idea.
- M. McMurry agreed and stated that the Village should be doing better to encourage mixed use development and a more pedestrian friendly environment; this is a goal of the Comprehensive Plan that hasn’t been achieved.
- M. Johnston stated that there is no language in the current Comprehensive Plan to address the type of housing development proposed by RaNic.
- E. Quaroni stated that the current Comprehensive Plan also does not address the potential conversion of sororities and fraternities to apartments; roughly half of Village residents are already renters.
- R. Segelken stated that a 50/50 split between renters and homeowners is a desirable mixture.
- M. McMurry stated that housing options in the Village are very limited; more diversity of housing types should be encouraged; given the housing crisis, the Village has an obligation to contribute to the production of additional housing units; an updated plan needs stronger language encouraging additional housing options.
- Chair F. Cowett stated one additional housing option could be an apartment over a detached garage; the Village currently doesn’t allow this which seems too restrictive.
- R. Segelken stated that accessory apartments should be encouraged and so should greater density in order to reduce the costs associated with sewer and water.
- M. Johnston stated that accessory dwelling units are a sticky wicket and have the potential to change neighborhood character.
- M. McMurry stated that there is room to modernize our conception of housing.
- M. Johnston stated that the Village’s Residence Zone could include other housing typologies besides the single family home.
- M. McMurry stated that backyard cottages could be an option; if set back sufficiently, they would not dramatically change neighborhood character.
- R. Segelken asked if condominiums could be a housing option.
- M. McMurry replied that condos could be an option, but only if owner occupied.

Item 6 – New Business

- The next scheduled meeting of the Board is Monday November 27, 2023.

Item 7 – Adjourn

- Meeting adjourned at 8:34 pm.