

Village of Cayuga Heights Planning Board
Meeting #75
Monday, August 28, 2017
Village Hall – 7:00 pm
Minutes

Present: Planning Board Members Chair F. Cowett, G. Gillespie, J. Leijonhufvud, R. Segelken
Code Enforcement Officer B. Cross, Attorney R. Marcus, Deputy Clerk J. Walker, Trustee M.
McMurry, Alternate E. Quaroni
K. Michaels, Trowbridge Wolf Michaels Landscape Architects (TWLA)
T. Covell, HOLT Architects
T. Votaw, Cayuga Medical Associates (CMA)
T. Ciaschi, Corners Community Shopping Center
D. Herrick, T.G. Miller
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 – July 24, 2017 Minutes

- The Board reviewed the minutes of the July 24, 2017 meeting.

Motion: J. Leijonhufvud

Second: G. Gillespie

RESOLUTION No. 232
APPROVING MINUTES OF JULY 24, 2017

RESOLVED, that the written, reviewed and revised minutes of the July 24, 2017 meeting are hereby approved.

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

Abstained – R. Segelken

Opposed – None

Item 3 – Public Comment

- No members of the public wished to comment.

Item 4 – Site Plan Review – 620 Cayuga Heights Road

- Chair F. Cowett reviewed the status of the proposed subdivision; the Planning Board has held a public hearing, conducted a SEQRA review in which it made a negative declaration of adverse environmental impact, made findings in consideration of Article IX Section 24, III, 2 of the Village's current zoning law, and recommended to the Village's Zoning Board of Appeals that the ZBA grant two area variances sought by the applicant.
- Chair F. Cowett stated that the Village's Zoning Board of Appeals approved at its August 7, 2017 meeting two area variances associated with the proposed subdivision; the first area variance, associated with the proposed 329 North Sunset Drive lot, included the following conditions: that (a) the lot be improved with no more than one primary dwelling unit and that one dwelling unit cannot be occupied by more than two unrelated persons or a single family, and that no development can take place within 75 ft. of southerly lot line and (b) the subdivision occurs in accordance with the plans and to the specifications presented in the application; the second area variance, associated with the proposed 620 Cayuga Heights Road lot, included the following condition: that the lot be improved with no more than one primary dwelling unit and that one dwelling unit cannot be occupied by more than two unrelated persons or a single family, and that the subdivision in accordance with the plans and to the specifications presented in the application.
- Chair F. Cowett further stated that, as part of the findings made by the Planning Board in consideration of Article IX Section 24, III, 2, the Planning Board found that consideration should be given to neighbors' concerns that the subdivision may result in more intensive use and development of the site, and asked Board members whether the conditions associated with the variances were adequate in this regard.
- Board members agreed that the conditions associated with the variances sufficiently addressed neighbors' concerns.
- Chair F. Cowett stated that the Planning Board had previously discussed that, pursuant to the subdivision, an easement would need to be given by the 329 North Sunset Drive lot to the 620 Cayuga Heights Road lot to allow the 620 Cayuga Heights Road sewer pipe to run across the 329 North Sunset Drive lot to connect with the sewer main on North Sunset Drive.
- Attorney R. Marcus confirmed that such an easement would need to be given and should be recorded with the Tompkins County Clerk.
- E. Quaroni asked whether there should be a condition requiring that the 329 North Sunset Drive lot have its own water connection and meter to replace its current water connection and meter shared with the 620 Cayuga Heights Road lot.
- Code Enforcement Officer B. Cross replied that Bolton Point's long-standing policy is that each lot requires its own water connection and meter, and therefore he does not believe that such a condition is necessary.

Motion: R. Segelken
Second: G. Gillespie

RESOLUTION No. 233
TO APPROVE WITH CONDITIONS THE PROPOSED MINOR SUBDIVISION
AT 620 CAYUGA HEIGHTS 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 620 Cayuga Heights Road is hereby approved subject to the following conditions:

- (1) A subdivision plat showing the location of all existing buildings;

- (2) Adoption by the Planning Board of the conditions imposed on this subdivision by the Village's Zoning Board of Appeals at its August 7, 2017 meeting, with these conditions noted on the subdivision plat; and

- (3) The granting of an easement by the 329 North Sunset Drive lot to the 620 Cayuga Heights Road lot for the sewer pipe from 620 Cayuga Heights Road to run across the 329 North Sunset Drive lot for the purpose of connecting to the Village's sewer main on North Sunset Drive, and the recording of this easement with the Tompkins County Clerk.

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

Item 5 – Corners Community Medical Office Building

- G. Gillespie recused himself from review of the project as he is an employee of HOLT Architects.
- The Board reviewed the remaining unsatisfied conditions of its November 28, 2016 site plan approval of the medical office building project.
- Condition (1)(a): Any condition associated with the granting of a variance for this project by the Village's Zoning Board of Appeals must be satisfied.
- K. Michaels stated that, pursuant to the condition imposed by the Village's Zoning Board of Appeals for the granting of a variance, a written agreement between Corners Community Shopping Center and Carriage House Apartments allowing vehicular and pedestrian access between both properties with linked access to Pleasant Grove Road is close to being signed, but the project design team is not requesting the Board to take action on Condition (1)(a) at this time.

- Condition (1)(b)(i): The applicant shall submit to the Planning Board for its approval final construction drawings, including, but not limited to, a Construction Staging Plan stating hours of construction and any other drawings or documents requested by the Village's Code Enforcement Officer, including, but not limited to, estimated water consumption, the purchase of sewer units, an NYSDEC construction stormwater notice of intent, and an MS4 SWPPP acceptance form.
- The Board discussed the Construction Staging Plan submitted by the project design team.
- Chair F. Cowett asked if Phase 1 keeps access open between the shopping center and Carriage House Apartments via East Upland and Hanshaw Roads and restricts access from Carriage House Apartments via the shopping center to Pleasant Grove Road, while Phase 2 keeps access open from Carriage House Apartments via the shopping center to Pleasant Grove Road and restricts access from Carriage House Apartments via the shopping center to East Upland and Hanshaw Roads.
- K. Michaels stated that this is accurate, but that Phase 2 will be much shorter in duration than Phase 1.
- J. Leijonhufvud asked about the overall duration of construction.
- T. Covell replied that, per the contractor, the construction will last about one year, but the start date has not been set; Phase 2 will last approximately one month to six weeks.
- Chair F. Cowett asked if Phase 2 will block access to Island Fitness.
- K. Michaels replied that Phase 2 will happen in stages and access to Island Fitness will be maintained; there will be one or two days when cross-parcel access between the shopping center and Carriage House Apartments will be closed.
- Code Enforcement Officer B. Cross asked about hours of construction.
- K. Michaels replied that hours of construction will be between 7 am and 5 pm.
- Chair F. Cowett asked if the site will be accessed by construction vehicles via East Upland Road for both Phase 1 and Phase 2.
- K. Michaels replied that construction vehicles will access the site via Route 13 to North Triphammer Road and then to East Upland Road.
- Code Enforcement Officer B. Cross stated that East Upland is a weight restricted road and does not know the reasons for this restriction, but he does not believe the Village police will ticket construction trucks for accessing the site via East Upland Road.
- Attorney R. Marcus stated that the Board, if it wished, could impose as a condition a preferred route for construction traffic.
- T. Covell requested that the Board not impose such a condition; construction vehicles will be told to not drive through residential neighborhoods and will likely approach East Upland Road from North Triphammer Road and Route 13, but some vehicles may approach East Upland from Hanshaw Road.
- R. Segelken asked about the amount of excavation required as compared to the development and expansion of Kendal.

- K. Michaels replied that Kendal’s footprint is much larger than the medical office building and the shopping center site is much flatter than the Kendal site; therefore the amount of excavation at the shopping center will be much less than at Kendal.
- T. Covell stated that there is no basement at the medical office building and the building foundation is only five feet deep which reduces the amount of excavation, which is not to say that there won’t be excavated soil trucked off site, but the amount of excavation will be much less than that at Kendal.
- E. Quaroni asked about the statement made in the Elwyn & Palmer Subsurface Investigation Report that “somewhat of an artesian condition” was encountered in boring hole number three (B3) located in the southeastern corner of the building.
- D. Herrick replied that this statement likely reflects ground water filling the boring hole after drilling down past foundation depth and does not imply that the building is sitting atop an aquifer.
- T. Covell stated that B3 was drilled to a thirteen foot depth before encountering water; no pile driving is associated with the building and therefore he does not think the B3 findings pose a problem, but will check with Elwyn & Palmer to confirm.
- E. Quaroni stated that she was satisfied with this explanation and that the design team is aware of the B3 findings.
- The Board discussed whether to specify permitted construction hours as a condition for the project.
- Code Enforcement Officer B. Cross stated that, if limiting noise is the driving factor for specifying construction hours, the Village’s existing noise ordinance should be adequate for limiting noise.
- T. Covell stated that the lack of pile driving will mean less construction noise than might otherwise be the case.
- J. Leijonhufvud stated that specifying permitted construction hours could reduce flexibility in mitigating the impact of construction vehicles on rush hour traffic on adjacent intersections and streets and therefore does not recommend doing so.
- The Board agreed to not specify permitted construction hours.
- Chair F. Cowett asked Code Enforcement Officer B. Cross if he had signed off on the project SWPPP.
- Code Enforcement Officer B. Cross replied that he had not done so yet, but will likely do so soon.
- The Board agreed that Condition (1)(b)(i) has been satisfied pending approval of the remainder of the construction documents by the Village’s Code Enforcement Officer.
- Condition (1)(b)(ii): A management plan for parking including a contingency parking plan should parking demand prove greater than estimated and additional shopping center parking be required.
- The Board discussed the Parking Management Plan submitted by the project design team.

- K. Michaels stated that overflow parking availability at the Country Club of Ithaca has increased from ten to fifteen spaces.
- J. Leijonhufvud stated that the letter from the Country Club confirming overflow parking indicates availability only in December.
- Chair F. Cowett asked T. Ciaschi if overflow parking would be made available at the Country Club in November if needed.
- T. Ciaschi replied that, based on his past practices and his relationship with the Country Club, he believed that it would be.
- Chair F. Cowett stated that, in addition to the overflow parking increase, medical office building parking demand has decreased due to the change from cardiology to neurology practices.
- T. Votah explained how the change from cardiology to neurology practices at the medical office building and the current deficit in recruiting doctors for the neurology and internal medicine practices has reduced the estimated demand for parking both overall and in the next few years.
- R. Segelken asked if Chair F. Cowett is satisfied with the parking management plan given his past concern with the amount of parking provided by the project.
- Chair F. Cowett stated that, even if the neurology and internal medicine practices reach full capacity in a few years, the overall demand for parking has been reduced, the applicant has made arrangements with the Country Club of Ithaca for overflow parking, and additional measures have been taken or could be taken to address both parking supply and demand; therefore, in his opinion, the Board's condition for a parking management plan has been satisfied.
- The Board agreed that Condition (1)(b)(ii) has been satisfied.

Motion: J. Leijonhufvud

Second: R. Segelken

RESOLUTION No. 234

CONFIRMING THAT CONDITIONS (1)(b)(i) AND (1)(b)(ii) HAVE BEEN SATISFIED

RESOLVED, that the Board confirms that Conditions (1)(b)(i) and (1)(b)(ii) of site plan approval for the proposed Medical Office Building Project at Corners Community Shopping Center have been satisfied by the applicant subject to the approval of the remainder of the construction documents by the Village's Code Enforcement Officer.

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

Opposed – None

- Code Enforcement Officer B. Cross stated that once he reviews construction documents from the project design team, he will review them prior to issuing a building permit for the medical office building.

- Chair F. Cowett asked Code Enforcement Officer B. Cross if his review of construction documents will be completed prior to the Board’s next scheduled meeting in September.
- Code Enforcement Officer B. Cross replied that he does not know when his review will be completed, but, prior to completing his review, he may grant a building permit for excavation and foundation work so that season-critical work can begin; upon completing his review of the construction documents, he would grant a building permit for the balance of the construction work.
- Chair F. Cowett stated that the Village’s Zoning Board of Appeals had given the Village Attorney the authority to approve on its behalf the written agreement between Corners Community Shopping Center and Carriage House Apartments allowing vehicular and pedestrian access between both properties with linked access to Pleasant Grove Road which was required by the ZBA to satisfy its variance condition; he asked Attorney R. Marcus if the Planning Board could provisionally confirm satisfaction of Condition (1)(a) predicated on the Village Attorney’s approval of this same agreement.
- Attorney R. Marcus stated that the Planning Board could provisionally confirm satisfaction of Condition (1)(a) if it chose to do so.
- The Board discussed Condition (1)(a) and decided to provisionally confirm satisfaction of this condition upon the Village Attorney’s approval of the document required by Village’s Zoning Board of Appeals to satisfy the ZBA’s variance condition.

Motion: E. Quaroni
Second: R. Segelken

RESOLUTION No. 235
CONFIRMING THAT CONDITION (1)(a) WOULD BE SATISFIED BY VILLAGE
ATTORNEY APPROVAL OF THE DOCUMENT REQUIRED BY THE ZBA’S
VARIANCE CONDITION

RESOLVED, that the Board confirms that Condition (1)(a) of site plan approval for the proposed Medical Office Building Project at Corners Community Shopping Center would be satisfied by the applicant by virtue of the Village Attorney approving the written agreement between Corners Community Shopping Center and Carriage House Apartments allowing vehicular and pedestrian access between both properties with linked access to Pleasant Grove Road required by Village’s Zoning Board of Appeals to satisfy the ZBA’s variance condition.

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

Item 6 – Other Business

- G. Gillespie rejoined the Board.

Motion: E. Quaroni

Second: G. Gillespie

RESOLUTION No. 236

TO ENTER INTO A PRIVATE ATTORNEY/CLIENT DISCUSSION

RESOLVED, that the Village of Cayuga Heights Planning Board enter into a private attorney/client discussion at 8:16 pm.

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

Opposed – None

Motion: J. Leijonhufvud

Second: E. Quaroni

RESOLUTION No. 237

TO EXIT ATTORNEY/CLIENT DISCUSSION

RESOLVED, that the Village of Cayuga Heights Planning Board exit attorney/client discussion at 8:26 pm.

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

Opposed – None

- R. Segelken stated that the Village should provide residents with regular updates on the status of major construction projects such as the medical office building via the Village's website.
- Chair F. Cowett agreed and stated that he would coordinate construction project updates with the Village.
- The next meeting of the Planning Board is scheduled for September 25, 2017.

Item 7 – Adjourn

- Meeting adjourned at 8:28 pm.