

## **Minutes of the EMC General Meeting July 8, 2009**

**Voting Members Present (15):** Kenny Christianson, Roberta Dixon, Dan Lamb, Kariann Mackie-Cunningham, Katie Kelly, Stan Marcus, Jim McGarry, Michael Miles, Steve Nicholson, Amy Risen, Larry Sharpsteen, Gary Stewart, Andrea Turner, Marissa Weiss

**Voting Members Excused (4):** Martha Ferger, Tony Nekut, Roger Segelken, Kristine Shaw

**Voting Members Absent (5):** Spring Buck, Joanne Trutko, Lucia Tyler, Mark Whitmore, Roger Yonkin

**Non-Voting Members Present (4):** Carol Chock, Joyce Gerbasi, Peter Harriott, Dooley Kiefer

**Guests Present:** Ed Marx

**Staff Present:** Scott Doyle

**Call to Order** – The meeting was called to order by Chair Amy Risen at approximately 7:10 p.m.

**Privilege of the Floor** – No guests present to speak under privilege of floor.

**Changes to the Agenda** – There were no proposed changes to the agenda.

### **Comprehensive Planning and the County Planning Department's Role in Development Reviews**

-- Ed Marx, Tompkins County Commissioner of Planning & Public Works, presented to the group on the role that the County Planning Department plays in local planning efforts. Specifically, he spoke of New York State General Municipal Law 239 (GML 239), which gives local governments the authority to develop and adopt comprehensive plans and outlines the process for County review of certain municipal planning actions. Ed briefly discussed the County Comprehensive Plan (<http://www.tompkins-co.org/planning/compplan/index.htm>) which was developed in 2004 and is currently being reviewed for update. The County Comprehensive Plan was a broad inter-municipal planning effort that examined Housing, Transportation and Jobs, The Environment as well as Neighborhoods and Communities. The plan outlines 61 action items, about a half of which list the County Planning Department as the agency responsible for implementation. The Planning Department's annual workplan is largely based from these actions. He further discussed GML 239 sections –l, -m, and –n which are subject to county-wide planning review of zoning, site plans and subdivisions that may have county-wide impacts. Local municipalities are responsible for submitting proposals for County review on properties within 500 feet of municipal boundaries, the boundary of any County or State Park, or any County/State right-of-way. These reviews also include local comprehensive plans and zoning ordinances, as they would likely have impacts on these same areas. The County review includes looking at things like recommending stream buffers of at least 100 feet be incorporated into projects adjacent to perennial streams. Ed went on to say that the County statutorily has 30 days to review proposals and at the end of the review provides a letter indicating that the project either does or does not have county-wide impact, and which may or may not include comments, recommends its approval, or recommends approval with modifications. If modifications are recommended the local municipality must incorporate those changes or approve without modifications with a majority plus one of its board. Gary Stewart asked if any communities ever fail to submit proposals for review and if there are any high-profile projects reviewed by the County that could serve as an example to the group of the types of reviews. Ed said that some communities do fail to submit materials, and are reminded of that and used the examples of the Collegetown Plan submitted by the City of Ithaca and Bolton Estates submitted by the Village of Lansing as two high-profile projects where the County has recommended more formalized riparian buffers along Cascadilla Creek and Cayuga Lake respectively. He also reminded the group that in New York State all the land use authority rests with the local municipality and the County has more of a persuasive authority. Peter Harriott asked how many full time staff the Planning Department has. Ed responded that the entire staff is full time and at an equivalent of 8.5 FTE. Michael Miles asked if local comprehensive plans require a supermajority vote to not accept any County recommendations. Ed indicated that is the case and that the County works as best as it can to coordinate with the local municipalities early in the process to avoid late differences. Amy Risen asked what the EMC's Environmental Review Committee may want to consider in its development reviews. Ed indicated that the EMC's use and knowledge of the UNAs has been and should continue to be a big piece of what is examined. EMC's role should also include examining other natural features using the County's Natural Resources Inventory (NRI). The group discussed the interest in setting up training for ERC members on how to best utilize the publically available NRI. Steve Nicholson asked about nodal development and clarification on if Carrowmoor should be considered a node. Ed said that

nodes, or development focus areas, have been identified in areas with existing services and minimal conflict with natural/other features such as the City of Ithaca and all of the Villages. The other areas that are close to employment centers include East Hill Plaza, South Hill near East King Road, the area near NYSEG and Routes 13/366 as well as near the hospital. Carrowmoor is not one of these considered development focus areas. Michael Miles asked if Lindermann would be considered a node based on density. Ed said that just because it exists as a dense area does not automatically make it a node. There additionally needs to be enough population to support services and that these development focus areas have been identified largely because a need for housing exists (approximately 4,000 new units in the next 10 years), including affordable housing options. Roberta Dixon asked what role the County can play in assisting small municipalities like Danby. Ed said that technical assistance can be provided on a contractual basis. Roberta also asked about a current smart growth mixed use development proposal. Ed replied that the Route 96 corridor study has examined these issues to a degree, so has East Hill Plaza through the Cornell Master Planning effort, and currently the City of Ithaca has examined some of these issues in its Southwest Park study. Carol Chock stated her support for the positive, professional and comprehensive work the Planning Department is involved with.

**Approval of Minutes** -- The minutes of June 10, 2009 were accepted unanimously with no changes. Larry Sharpsteen abstained from the vote.

**Committee Reports** – Consumer Products - Amy Risen’s report on the Consumer Products committee indicated that the BPA resolution was successful, though we need to address issues with enforcement before advancing further. They are watching actions of other counties closely before moving forward. She went on to discuss the group’s interest in the problems associated with pharmaceuticals in wastewater and take back campaigns including a collection organized for October with Linda Wagenet. Amy has been contacted by Don Hassig of Cancer Action NY about his interest in discussing emissions from vehicles and the burning of agricultural plastics with the EMC in the future. Transportation – Michael Miles discussed the Committee’s plans for the first annual Transportation Initiative of the Year Award. Nominations will be accepted through July 31<sup>st</sup>, will be voted on by the committee and announced at the September meeting. Press coverage will include mention of all nominees.

**Liaison Report: Cayuga Sustainability Council** – Michael Miles discussed his attendance at last quarter’s council meeting. Their effort is to help better coordinate the efforts of local sustainability groups. They meet quarterly and are working at coordinating a Fall Bioneers conference to occur the third weekend of October.

**Chair’s Report** – Amy Risen reported she and Steve Nicholson attended the DEC annual meeting. Topics covered included: climate change, firewood transport, regulation of protected waters, pharmaceuticals in wastewater, drilling for oil and gas in Marcellus Shale, open burning including agricultural plastics, pollution prevention, Mohawk Valley initiative, and marine fisheries licensing. She invited any member who had particular interest in any topic to follow up with her for more information.

**Municipal Report** – Town of Dryden - Stan Marcus discussed the Town’s active development of a zoning ordinance update, the approved Verizon cellular tower, the development of a riparian buffer ordinance and the Village/Town well development. Town of Ulysses – Lucia Tyler was not in attendance so no report was given.

**Staff Report** – Scott Doyle distributed the Tompkins County Planning Department Annual Report, made note of the Route 96 study presentation at the July 21 ITCTC meeting, and discussed a late year training opportunity related to stream buffer protection tools (more details forthcoming).

**Legislature Liaison’s Report** – Carol Chock reported on resolutions passed by the Legislature recently including the support of a single-payer health care system, a ban on texting while driving, the development of an airport master plan (which would be developed as the first “green airport plan” in the nation) and also a law enforcement technology sharing agreement. Carol further discussed PDEQ’s support of the continued aquifer studies with United States Geological Survey (USGS). The USGS, County and Department of Environmental Conservation (DEC) will support an aquifer study of Pony Hollow in Newfield for their next study.

**Member Items** – There were no member items presented

**Adjournment** – The meeting was adjourned at approximately 9:10 p.m.

Respectfully submitted, Scott D. Doyle, Tompkins County Planning Department  
Approved by Council on September 9, 2009