

Minutes

Planning, Development & Environmental Quality Committee Tompkins County Legislature

Regular Meeting

October 18, 2007 3:30 PM Old Jail Conference Room

Members Present: Martha Robertson (Chair), Pam Mackesey, Frank Proto, Tyke Randall

Member Excused: Jim Dennis

Staff: Katie Borgella, T C Planning Dept.
Scott Doyle, TCPD
Joan Jurkowich, TCPD
Jackie Kippola, T C Administration
Ed Marx, Commissioner of Planning & PW
Kathy Wilsea, TCPD

Visitors: Fred Bonn, Convention & Visitors Bureau
Dan Burdick, Family & Children's Service
Kenny Christianson, Environmental Management Council
Jim Johnston, F&CS
Steve Nicholson, EMC
George Schuler, F&CS
Craig Schutt, SWCD
Michael Stamm, Industrial Development Agency
Debbie Teeter, Cooperative Extension

1 Call to Order & Agenda Changes -- The meeting was called to order at 3:35 PM by the Chair, Martha Robertson, with Pam Mackesey and Tyke Randall present. Jackie Kippola has requested addition of a budget adjustment for STPB. Agenda items will be taken out of order.

2 Agriculture & Farmland Protection Board

a) **Resolution:** Changing Annual Review Period When Landowner Proposals for Inclusion of Viable Agricultural Lands Within Existing Certified Agricultural Districts Will be Reviewed and Acted Upon by the Tompkins County Legislature -- Resolution moved by Pam, seconded by Tyke. First Whereas clause amended to read, “. . .as the *annual* beginning of the 30-day period ~~for the annual addition~~ when landowners may request to have their land added . . .” [Frank Proto arrived at 3:33.] Resolution passed 4:0.

3 Industrial Development Agency

a) **Resolution:** Approving the Issuance by the Tompkins County IDA of up to \$4,500,000 Principal Amount Civic Facility Revenue Bonds (Family and Children's Service of Ithaca Project), Series 2007 – George Schuler, Dan Burdick and Jim Johnston were present for F&CS. Martha Armstrong distributed minutes of the public meeting, where no one commented on the project. These bonds are for purchase of property and building (former Greenstate Building), and F&CS will consolidate their programs at the site and sell off their other properties, which may return to the tax rolls as a result. The main building will be about 67% tax exempt initially; the tenant businesses represent taxable space. The complete transition will take several years. Resolution moved by Tyke, seconded by Frank. Martha Robertson proposed an amendment on page 2, third Whereas to “issuer *has held* a public hearing on October 15”. Regarding the table on page 7 of the application, Martha Robertson said it shows four new jobs, but on the next page there is mention of six new home health aides. Jim Johnston said HHAs are not full time. The jobs will be created in the 2008 budget and new hires will receive a livable wage. Resolution passed 4:0.

7 Committee Administration

a) Approval of Minutes from 9/10/2007 – Moved by Pam, seconded by Tyke. Dooley Kiefer had contacted Martha and Kathy Wilsea to request a change. Amended minutes passed by 4:0 vote.

5 Tompkins County Planning Department

a) **Resolution:** Making a Negative Declaration of Environmental Significance in Relation to Resolution No. ___ of 2007 – Adoption of the Tompkins County Forest Management Plan and Authorization to Implement the 2007 and 2008 Work Schedule – Katie Borgella reported on comments received recently and the resulting changes to the Management Plan. Negative Dec resolution moved by Frank, seconded by Tyke and passed 4:0.

b) **Resolution:** Adoption of the Tompkins County Forest Management Plan and Authorization to Enter into an Agreement with a Forestry Consultant to Implement the Work Schedule Through 2012 – Moved by Tyke, seconded by Pam. Amended in title and first Resolved clause to insert date of 10/10/2007, and amended in third Resolved clause to state the County Administrator *or his designee* may sign contracts. In discussion, Katie noted that this is a 30-year plan that will be reviewed every five years, with notification to the towns about the reviews. Katie responded to questions by saying deer population is considered to be “rebounding” because it peaked in the 1990s, then declined, and is now increasing again. While the tulip and walnut trees mentioned in Dooley Kiefer’s note are indigenous, we will not be planting, but will allow natural regeneration through seed distribution by wind and birds. Language was added for the foresters to look for invasives during five-year updates and while conducting other work. Although Dooley is still concerned about buffer zones for riparian areas, the zones were carefully researched and the decision was made not to change the recommendations. There will be monitoring by the Forest Stewardship Council, and Bevan Forestry’s certification rides on working in compliance with our plan on our property. *Katie and other staff will work out a tight contract to include the scope of reports and attention to liability issues for the manager’s actions with respect to invasive species.* Resolution passed 4:0.

4 Environmental Management Council

a) **Primer on Wind Energy** – Steve Nicholson, Chair of EMC, had distributed “Wind Power Myths vs. Facts” from the American Wind Energy Association prior to the meeting. He said although the agency is pro-wind, the information is factual. Steve feels the Enfield community favors the Rancich proposal, but the few opponents are very vocal. Steve met yesterday with Mr. Rancich and TREEA; Mr. Rancich projects that a successful installation would mean the town could eliminate all town property taxes. The opponents have brought up noise as an issue. Steve finds the turbines to be very quiet and said any noise blends in with background noises of the environment. Pam said nevertheless it would be objectionable to someone who treasures silence. Steve said the technology of siting towers has improved, and it is easy to predict where flicker would occur. Ed Marx said where flicker and noise problems exist, they are legitimate concerns that need to be addressed.

Ed said there need to be guarantees re: timely maintenance. Frank said the County has made a major investment in the Public Safety Communication System and conducted a very extensive siting process. We need to ensure wind turbines don’t interfere with PSCS. It was also raised that interference with cell phone use and broadband should be investigated. Martha said there is need for more than zoning, as what is good for one neighbor could create problems for others. Someone needs to be responsible for mitigation of any problems. Frank spoke of high-profile proposals that have met public opposition and asked what is known about installations similar to the Rancich proposal. Steve said the Fenner installation has been reviewed and is considered successful, although it is not even in the windiest site originally examined. Fenner is now looking at adding 20 more turbines. Steve had a discussion with one of the developers of the Cape Wind project, who said it is difficult to say in environmental reviews that there is “no impact”, because that means no change, and the proposals typically anticipate beneficial impacts (e.g., barnacles attaching to the structures can improve the habitat for fish).

Joan Jurkovich said the bird kill chart is misleading because of the sheer number of windows compared to the number of wind turbines, and others concurred. Steve said the bat mortality is actually more of a concern than bird impacts, and this issue is being actively studied. He said what is missing from the chart is if we don’t build wind energy, we are committing to coal, with the major impacts of pollution and global warming. Pam agreed, but said there is still need for full discussion on environmental impacts.

Martha said this was a good start for discussion. Committee members also want to learn about economic impacts of wind energy in general and predictions for the Rancich proposal. Steve provided a CD from NYSERDA and New York Energy Smart: Wind Energy Tool Kit. The CD will be available through the Planning Department library. Frank feels it is an appropriate time to examine AES Cayuga, too.

5 Tompkins County Planning Department (cont.)

c) **Flood Hazard Mitigation Program Project Update** – Craig Schutt provided a handout and reviewed status of projects that were planned for this fall. All photos are of the Salmon Creek bank failure. A meeting is scheduled next week with the owner of the self-storage in Caroline, and a DEC representative might be present. The Six Mile Creek divided channel underwent a dramatic natural change, and that project has been dropped from the list. Town of Caroline is doing some repairs at the Barrile site, and 60 RPM shrubs and trees will be planted next week. 50 RPM products were planted in the spring, with maybe one lost. For the Salmon Creek road encroachment project, they couldn't use the excavator, so need to re-examine the area. The Salmon Creek bank failure was shown in the photos, with the first being taken prior to the restoration and others taken this week to show work and hydroseeding that have been completed. Railroad bridges in Freeville are an important concern that needs further study. Craig is working with the Town of Dryden on the Virgil Creek site, and plantings are anticipated in the spring of 2008. He has met with the Town of Danby highway department to work together on solutions to problems along Brown Road. *Frank suggested a report on the Speedsville project, and Martha requested an update on the FHMP budget.*

d) **Resolution:** Authorizing Agreement for Route 96 Corridor Management Plan – An amended version was distributed, which had been changed to allow execution of any “*multi-year contracts*” in the final Resolved clause. Moved by Frank, seconded by Pam, and passed by vote of 4:0.

e) **Report on the Conservation Plan** – Ed Marx reported that this was a stated goal in the Comprehensive Plan. Hard copies will be sent to committee members. This provides a long-term protection framework, and opportunities are already presenting themselves for conservation. Action steps from this conservation plan will lead to protection of habitat. This is a working guide for conservation efforts, will be coordinated with other agencies, and is subject to updates. Next year the Agriculture Resources Focus Areas Plan will be completed, and the two have overlapping relationships. This is not a plan that requires adoption by the Legislature.

f) **Commissioner's Report** – Ed reported that for several months we haven't received 239 review information from the City for all of their development/appeal projects. He sent a letter to Joann Cornish and has spoken with Thys VanCort. TCPD has a responsibility to review development proposals under NYS law, and has not seen advance plans for Goodyear, Starbucks, and perhaps others. TCPD received a proposal on transfer of City property on Aurora St. to the Ithaca Urban Renewal Agency, which would then sell it for commercial use. This property has a TCAT stop, and Ed would like to see retention of that stop specified prior to the sale. A copy of his letter to the City went to TCAT. [Tyke Randall left at 5:02.] Ed will speak at the Town of Dryden Planning Board tonight about the Route 13/366 Corridor Study. TCPD has begun discussions with the Town of Caroline about providing technical assistance for implementation of the Town's Comprehensive Plan. Ed attended a meeting with Ithaca Neighborhood Housing Service and Better Housing for Tompkins County on establishing a housing trust. He may bring a proposal to PDEQ to use program income from the homeownership program to capitalize the trust. The first closing for new construction in the homeownership program is coming up within a week. Construction was \$100/square foot, and could provide a model for the program. The property is not on a transit line, but is affordable and new. Cornell's Survey Research Institute has provided a quote for \$18,000 to conduct the renters survey. TCPD has \$10,000 budgeted in 2008, so they are looking for partners.

6 Strategic Tourism Planning Board

Addition: Budget Adjustment – Moved by Pam, seconded by Frank and passed 3:0

a) **Resolution:** Funding of Tourism Project Grants – Pam asked about total of the grants to Light in Winter since they started. Jackie recalled it was \$25,000 in year one, \$25,000 in year two, \$15,000 in year three, plus \$5,000 for marketing and advertising in year three. Current resolutions could provide \$5,000 as a

project grant and \$3,000 for marketing and advertising. Project Grants resolution moved by Frank, seconded by Pam and passed by vote of 3:0.

b) **Resolution:** Funding of Tourism Marketing and Advertising Grants – Moved by Pam, seconded by Frank and passed by vote of 3:0. Frank asked about funds in reserve, and Jackie estimated \$120,000 remain in reserve.

c) **Convention & Visitors Bureau Quarterly Report** – Fred Bonn had provided a written report with the agenda. He commented that the room tax program is working, and we had a record-breaking summer.

d) **Funding for County Historian** – The Legislature’s Expanded Budget Committee voted to pay this \$5,000 from room tax. Jackie said STPB had been agreeable in discussions, but she is trying to contact the Executive Committee members for confirmation. The historian is chair of the Heritage grants committee, and Jackie has reviewed the job functions list and felt all could fall under tourism.

7 Committee Administration (continued)

b) **Committee Goals and Calendar** – This item was not addressed due to lack of time. Martha will discuss goals with Ed Marx and send an update to PDEQ members. Martha will be out of town on the 11/15 meeting date, and Pam will chair the meeting.

8 Adjournment -- The meeting was adjourned at 5:34 PM.

Respectfully submitted,

Kathy Wilsea, Secretary
Tompkins County Planning Dept.