

**Planning Board
April 26, 2018**

Present: John Kiefer, David Weinstein, Joe Wilson, Tom Hatfield, Jim Skaley (alternate)

Absent: Marty Moseley, Marty Hatch, Craig Anderson

Town Staff: Ray Burger, Planning Director
Bambi Avery, Town Clerk

Liaisons: Dan Lamb (Town Board), Peter Davies (Conservation Board)

Vice Chair John Kiefer called the meeting to order 7:00 p.m. and gave Jim Skaley voting member privileges due to the absence of several voting members. Because D Weinstein will leave the meeting early, the Varna zoning presentation was moved up on the agenda.

Public Comment for items not on the agenda

Peter Davies, Chair of the Conservation Board, introduced himself as the liaison from the Conservation Board.

Approval of Minutes

After discussion and correction of a typo in the minutes of February 22, 2018, J Wilson moved to approve them, seconded by D Weinstein.

Yes: J Kiefer, D Weinstein J Wilson, J Skaley

Abstain: T Hatfield (not present on 2/22/18)

Varna Zoning

Dave Weinstein presented a comparison he prepared with respect to whether zoning in Varna is appropriate as it currently stands and whether we are on track to meet the goal the Varna Hamlet Plan envisioned. He distributed the attached information. He asked the board to review this Build-out Analysis (attached) prior to the next meeting and let him know whether there are other materials on the subject he could generate so that everything could be on the table for discussion.

This analysis sets the goal of where the Varna Plan was directed in terms of how many bedrooms were going to be developed under the goal to “help the community grow without compromising the integrity of the landscape or the residents’ values.” The estimate is done as bedrooms because it is a better measure of impact of the development in terms of the pressure on necessary services and the quality of life related to that number of bedrooms created. The units referred in the zoning law were converted to bedrooms using conservative estimates of the average number of bedrooms for each type of unit. The build-out analysis in the Plan said we were looking for growth of about 454 bedrooms to an existing approximately 400 bedrooms not counting the manufactured home park. 454 increases the number of

bedrooms including the manufactured housing by about 70%, or not counting that by 115%, about doubling the community. That's more dense than many thought, but reasonable.

In 2012 there were about 400 bedrooms with a quarter of those in single family housing. The town has already approved 205 of the 454 expected. The plan was intended to reach the next 20-30 years, but we are already halfway there. Almost all the new bedrooms are in apartments, townhouses and duplexes to date. 1061 Dryden Road is included in the build-out because this really is part of Varna though it is not officially in a zone in the Varna Hamlet Plan. The Plan was envisioning a 1.1 apartment related bedroom for every one single family house bedroom, and we have been adding at the rate of 13 apt bedrooms for every single family house. We are not incentivizing single family housing as much as we had hoped. The Tiny Timbers project on Freese Road was included at 1 bedroom each, but they may be two bedrooms.

The calculation adds up how much is available in each zone and what the allowable density is in terms of bedrooms. We are looking at potentially upwards of 2700 bedrooms that could be built if the entire hamlet was redeveloped with a redevelopment bonus to townhouses. That would be 514% of the stated goal. He understands that not all properties will be redeveloped, so there may not be the redevelopment bonus, but that would still get the number to 2600, way beyond the number envisioned. If only half the acreage was developed at the density that is allowed and we don't give any redevelopment bonus, we are still looking at 174% over the stated goal. Current zoning is pushing us past where we wanted to go.

Not every lot will be redeveloped or at such a high density. The bottom line is you want zoning that prevents the density from blasting through the goal set in the plan. D Weinstein would like a discussion at the next meeting about: is this a problem and/or can we make changes to the existing zoning so we can have zoning that doesn't allow this high development. He asked for input and suggestions for a more in depth discussion at next meeting.

Jim Skaley said there is a large developer that is apparently in the process of purchasing all of the Lucente properties in Varna. They primarily develop for student housing.

J Kiefer said he was told by the Acting Facility Director for Campus that they are getting ready to start a project that would add 1,000 freshman beds on North Campus, a roughly 33% increase in enrollment in the university. Those freshmen would be looking for housing for their future years at Cornell and development pressure could be increasing substantially.

D Weinstein said his understanding is that they want to move from housing all freshmen to housing all freshmen and sophomores. He went to the East Hill Village discussions and they are clearly planning to put 600 units for anyone who wants to live there.

T Hatfield would like more detail in how the numbers were put together so everyone understands what is driving the numbers. Pressure is increasing all around and we can't ignore the reality of the market place. Development will happen all around Varna and increase traffic. Developers need a clear picture of what the community wants. It isn't well defined.

D Weinstein will put together some maps. Comments should be sent to him and/or Ray Burger.

Discussion of development of 44 Acres Rebecca Cutter and Alex Colket

Rebecca Cutter said she and Alex Colket have formed Natural Dwellings, LLC and purchased 44 acres next to 1502 Ellis Hollow Road. A map was provided showing a gravel drive, easements and Cascadilla Creek. They displayed sketches of the community they would like to build. It would be a small ecological community with five to six homes (one may be a duplex for rental). They would also like to create opportunities for homes on wheels to be there seasonally. They have had many meetings with Ray Burger and Dave Sprout and are looking for input from the Planning Board on their design ideas.

Comments, questions and answers:

Would there be a homeowners association? Possibly.

The business will hold some of the land, maintain it, and grant homeowners access to it.

There could be a farmstand, a garden area, seasonal cabins.

Land improvements will be done in 2018 but not likely any buildings.

The siting of the buildings on the lot is good.

There will not be an RV park, but it would be more for friends with tiny homes on wheels.

They are trying to create a diverse community of seasonal occupants, renters and homeowners.

The idea of a lot of tiny homes on wheels showing up at one time is not good. It needs to be limited to a small number.

Having more people around in an area than the community is used to can be too big a disturbance for current residents.

There would be one driveway from the road to serve all the homes.

Conservation subdivision could work here.

Neighbors expressed concern with water quantity during discussion of a neighboring development.

Developer is aware of the Health Department requirement of the 150' circle for sewer and are trying to find ways to satisfy that requirement.

They are trying to create a dense community feel and an acre feels like a very large piece of property.

There were water quantity concerns by neighbors with a recent application for a subdivision in the area.

The town has been encouraging cluster development with large parcels in conservation easements.

There are clusters like this in other towns in the county with shared wells and septic tanks that work.

There would need to be a management tool with a common shared ownership situation.

Board had positive comments on the concept.

Developer is trying to create affordable housing.

Some driveway requirements are code driven.

A common sewage system would require formation of a homeowners association and a transportation corporation and is costly.

The County could be petitioned to take a look at their laws regarding this.

Perhaps the town needs to think about its zoning in combination with the County Health Department to accommodate concepts similar to this.

Formation of a homeowners association could possibly solve some of the problems, but is costly and will drive the cost of the homes up.

The developers have investigated a lot of the issues and wondered which of the codes they could work on with the town and which are concrete and must be incorporated into the design.

They are working on a common shared ownership model.

There is a vehicle for this in the town, but the issue is health department regulations.

Compatibility with the nature of the neighborhood is important to the town.
Housing on wheels sounds like a campground and would require a special use permit.
An Ag enterprise is permitted by right.
The town likes this type of development; it's the kind we want to have.
Developers have met with the neighbors and are trying to be considerate of them.
(D Weinstein left at 8:05 p.m.)
There will not be a lot of tree removal.
They may do some forest farming (mushrooms, willow).
It will be a woodland environment with a center garden and a pond.
It was suggested they do a presentation to the County Health Board.
The sewage is an engineering question.
Could do a conservation subdivision and lease instead of sell the plots.
The cost of the driveway is a huge expense and could determine the number of homes there.
Access by fire equipment is necessary and a public safety issue.
Perhaps there could be two road cuts on Ellis Hollow Road.
They could put a couple of houses there now.
There is nothing to preclude phased development.

Planning Department Update

Mineah Road Development – Mr Wawak submitted a sketch plan today for three cottages on the lot (Pine Ridge Cottages). Shirley Lyon objected to the fact that Mr Wawak submitted plans today and it was put on the agenda for tonight. Mr Weinstein, who is heading up the group looking at the rezoning of Mineah Road is not present. This doesn't give anyone time to look it over and ask questions. She'd like to see this tabled until next month. R Burger explained that this is not an action item for tonight. We've been talking about three cottages on the property for a few months and the owner has finally put it down in writing. This is a seven acre lot and a development by right. It is not the maximum buildout on this lot.

S Lyon asked if he could phase in more buildings later. Mineah Road has substantiated that they have water problems, they have a traffic intersection hazard, and he is building again on a 20% slope. She appreciates the other developers that came in. Mr Wawak has never given any courtesy to his neighbors.

R Burger said it is zoned mixed-use commercial now and can be traced back to the property being owned by a single owner. The fact is there are three lots there and the front lot that has a couple of rentals is very appropriately mixed-use commercial. This 6-7 acre lot will have three single family homes on it, and that is appropriate for the lot. It is a use by right in this zoning district and by site plan review in any of the other contemplated zoning districts.

S Lyon pointed out that in the past Mr Wawak has come back to the town for permission to turn a garage into apartments. He is skillful. Now he is seeing resistance and she thinks he will phase it in and the Planning Board will not have any say. This is good for now, but she wants to see what happens next year. She would like to see a moratorium put on Mineah Road because they have established a water problem. Mr Wawak will get some return on his purchase.

New York State did show a concern about the traffic and the intersection does not have a good line of sight. Mr Weinstein has done his own study. The state has not put down counters. They did not want to know and even knocked off Kirk Road on the other side so that doesn't show on the counters.

If Mr Wawak gets this, they want a moratorium on Mineah Road until the results start coming in. She asked what the odds of that happening are. (The Town Board would do the moratorium and it is typically six months to do a study.) S Lyon stated there is information presented by Rural Water on several wells in the Mineah Road area (some things were inaccurate).

Members reviewed the plan presented by Mr Wawak. R Burger brought it to the board because they had dealt with the Pine Ridge Cottages project and it is proper for the board to stay apprised of what is happening since the original proposal is no longer being executed. S Lyon is concerned that this could be a first phase and that Mr Wawak may apply for future building permits for this parcel. R Burger explained a stormwater plan has to be done for the entire lot regardless of any phasing. Because the first project approved was abandoned, any development now starts over again. S Lyon asked if Wawak did a stormwater plan now could he come back without appearing before the Planning Board and get an approval for three more cottages. R Burger said three more would put six on the lot and probably over the threshold for stormwater, so he'd have to get a stormwater plan. The parking issue was why he originally came to the board. The water issue is his ultimate limitation.

S Lyon asked about the town using home rule. She and her neighbors have real concerns. It was explained that home rule refers to special legislation enacted by municipalities that is not prohibited. It allows municipalities to enact laws as long as it doesn't go against the State Constitution. Dan Lamb said it's a rather broad term to be using in this situation. Do they want a special law passed regarding this? S Lyon said they were referring to denying something even though all the laws fit because it would endanger someone or natural resource. Could the board deny and require more testing of the applicant because some legitimate agencies have said there is a problem? J Skaley said in this instance it may be a taking issue because approval has already been given. It was pointed out that this application is a matter of right. It can't be retroactive. Courts are available to settle issues like this between neighbors.

Mr Wawak will not have to go through SEQR review for the current plan or do a stormwater plan because he has not crossed the threshold with the three homesites. Adding more homes next year would trigger a stormwater plan.

1756 Hanshaw Road – This is an application for a contractor yard across from the Guthrie Clinic and will come before the Planning Board next month for sketch plan review.

SUP for 63 Hammond Hill Road, Camp Earth Connection – is a town board action scheduled for a hearing on May 17th. This is expansion of a pre-existing use. Materials were provided to this board and members can personally convey any concerns to the Town Board.

5 Freese Road – Tiny Timbers – The adjoining lot has accumulated a lot of cement as its been filled over the years. Nick Bellasario would like to process (crush) that cement and reuse it in the infrastructure for the Tiny Timbers project. It could be done under an operating permit with fixed a period, dust control, and specific hours. That would likely have less impact than if it were trucked offsite to a crusher operation and brought back. The operating permit is issued by the Planning Department. R Burger will proceed unless there are concerns.

Monday, May 14, at the Varna Community Center there will be an open house for Trinitas Development to get input from the community. They have a purchase offer on Lucente's properties off of Mt Pleasant.

The Planning Department's update to the Town Board included an update on the 802 Dryden Road townhomes. They have a connection issue with the water supply and have to go under the road to connect. Normally DOT would require a private permit to the developer which is a long process. The town is exploring an agreement between the developer and the town so that it becomes town infrastructure because the town already has a use and occupancy permit with DOT and it would be a smoother path. The contractor would do the work and be responsible for any future maintenance. The Town of Ithaca and Town of Dryden are working on agreement for transfer of the Cornell apple orchard PRV.

The sketch plan conference for offices at 1495 Dryden Road for the UAW was not held because no representatives from the UAW were present.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Bambi L. Avery



BUILD-OUT ANALYSIS

The purpose of the build-out analysis is to explore possible future development options when all the land is developed under the proposed zoning amendment and the master plan. The build-out analysis and zoning amendment will help the community grow without compromising the integrity of the landscape or the residents' values.

Area	Type of Building	Dimensions per Building	Number of Buildings	Total Square Feet	Number of Bedrooms per 1,000 sqft	Total Number of Bedrooms
Forest Home Drive	Townhouse	125' x 40' = 5,000 sqft	x 7	= 35,000	/1,000 x 1.5	= 52
	Townhouse	125' x 40' = 5,000 sqft	x 11	= 55,000	/1,000 x 1.5	= 82
Varna Hollow	Mixed-Use	70' x 40' = 2,800 sqft	x 3	= 8,400	/1,000 x 1.5	= 12.
	Mixed-Use	70' x 40' = 2,800 sqft	x 3	= 8,400	/1,000 x 1.5	= 12.
	Single-Family	30' x 40' = 1,200 sqft	x 24	= 28,800	/1,000 x 1.5	= 43
Trailside	Townhouse	100' x 40' = 4,000 sqft	x 4	= 16,000	/1,000 x 1.5	= 24
	Single-Family	40' x 30' = 1,200 sqft	x 95	= 114,000	/1,000 x 1.5	= 171
Gateway Plaza	Mixed-Use	200' x 50' = 10,000 sqft	x 1	= 10,000	/1,000 x 1.5	= 15
	Mixed-Use	170' x 50' = 8,500 sqft	x 1	= 8,500	/1,000 x 1.5	= 12
	Mixed-Use	50' x 90' = 4,500 sqft	x 1	= 4,500	/1,000 x 1.5	= 6
	Mixed-Use	100' x 40' = 4,400 sqft	x 1	= 4,400	/1,000 x 1.5	= 6
	Townhouse	120' x 40' = 4,800 sqft	x 1	= 4,800	/1,000 x 1.5	= 7
	Townhouse	40' x 100' = 8,00 sqft	x 1	= 8,000	/1,000 x 1.5	= 12
TOTAL NUMBER OF BEDROOMS =						454

If development in Varna is allowed to proceed according to the current zoning, we will end up with a density that is extremely greater than the Varna Plan envisioned.

- The 1.1 to 1 mix of added apartment/townhouse bedrooms to single-family-house bedrooms has instead been 13 to 1.

	Bedrooms in 2012	Additional Bedrooms approved 2013-2018	Goal for additional intended bedrooms	% of goal for additional already approved	Maximum potential under the present zoning	% of intended + current (planned buildout)
Single-family houses	96	15	214	7%	2897	935%
Apartments, Townhouses, Duplexes	300	190	240	79%	2774	514%
Total	396	205	454	45%	2897	341%

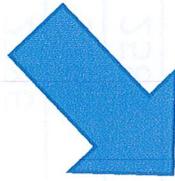
	Mixed Use	Residential	Traditional
Acreage	25.6	35.2	22.3
Total potential # units	Mixed Use	Residential	Traditional
Single Family Home	11	15	7
Duplex (Rental)	4	6	2
Townhouse	14	15	10
Condominium	12	12	8
Rental Apartments	14	12	11
Senior Housing	14	15	
Residential over Commercial			
Multi Family Rental- Detached Units	8	6	4



MULTIPLY THE ZONE ACREAGE BY THE TOTAL POTENTIAL # UNITS TO GET THE

MAXIMUM POTENTIAL BUILDOUT, UNITS, SHOWN BELOW:

Maximum potential buildout, units	Mixed Use	Residential	Traditional
Single Family Home	282	528	156
Duplex (Rental)	102	211	45
Townhouse	358	528	223
Condominium	307	422	178
Rental Apartments	358	422	245
Senior Housing	358	528	0



MULTIPLY THE MAXIMUM POTENTIAL BUILDOUT, UNITS, BY THE # OF BEDROOMS

TO GET THE MAXIMUM POTENTIAL BUILDOUT, BEDROOMS, SHOWN BELOW:

# Bedrooms per unit	Maximum potential buildout, bedrooms	Mixed Use	Residential	Traditional	Sum of Mixed, Residential, and Traditional
3	Single Family Home (@ 3 bedrooms per unit)	845	1584	468	2897
4	Duplex (Rental) (@ 4 bedrooms per unit)	410	845	178	1433
2.5	Townhouse (@ 2.5 bedrooms per unit)	896	1320	558	2774
2.5	Condominium (@ 2.5 bedrooms per unit)	768	1056	446	2270
2	Rental Apartments (@ 2 bedrooms per unit)	717	845	491	2052
2	Senior Housing	717	1056	0	1773

THE "SUM" IN THE LAST COLUMN IS THE NUMBER OF BEDROOMS IF THE ENTIRE HAMLET WAS BUILT WITH THIS ONE DEVELOPMENT TYPE

Total Varna potential # Bedrooms	Current	Total potential minus current
2897	111	2786
1433	64	1369
2774	186	2588
2270		2270
2052	236	1816
1773		1773

Varna Hamlet Districts

Conservation

Neighborhood residential



- Rural Agriculture District
- Rural Residential District
- Varna Hamlet Mixed Use District
- Varna Hamlet Residential District
- Varna Hamlet Traditional District
- Village



PEDESTRIAN
PATHWAYS
SIDEWALKS

TOWNHOUSE

GREEN BUFFER

SINGLE-
FAMILY
HOMES

GARDEN
CAYEBO
AREA

STORMWATER
RETENTION

VARNA
TRAIL

VARNA
TRAIL
ACCESS
POINT