

Approved 10-14-09

**MINUTES
PLANNING, DEVELOPMENT, AND ENVIRONMENTAL QUALITY COMMITTEE
SEPTEMBER 9, 2009 3:15 P.M. SCOTT HEYMAN CONFERENCE ROOM**

Present: P. Mackesey, Chair; M. Robertson; C. Chock; W. Burbank (arrived 3:20); F. Proto
Staff: E. Marx, J. Jurkowich, J. Lecesse, K. Wilsea, Planning; P. Younger, J. Kippola, K. Sutherland, Administration; K. Fuller, Deputy Clerk
Guests: F. Bonn, Convention and Visitor's Bureau; Stacey Shackford, *The Ithaca Journal*, Jean McPheeters, Tompkins County Chamber of Commerce; Debbie Teeter, Agricultural and Farmland Protection Board; B. Bossard, Community Advisory Panel; A. Risen, Environmental Management Council

Call to Order

Chair Mackesey called the meeting was called to order at 3:15 p.m.

Changes to the Agenda

Ms. Mackesey gave permission to withdraw the Report on the Long Range Transportation Plan.

Ms. Mackesey added a resolution entitled, "In Support of New York State Department of Transportation (NYSDOT) Reasonable Access Highway Regulation.

Mr. Burbank arrived at this time.

Ms. Mackesey added Notice of Funding Award under the Commissioner of Planning and Public Works Report.

Mr. Proto requested that information regarding the Empire Zone credits be provided to the Committee. He noted the 2007 information is easily obtainable but due to form amendments made by the State the 2008 information is incomplete. He also requested that if the Planning Advisory Board is contemplating any work to be undertaken on the Comprehensive Plan the information be made available to the Committee before starting any action.

Ms. Chock requested a discussion regarding staff support for advisory boards.

Approval of Minutes of August 12, 2009

It was MOVED by Mr. Proto, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to approve the minutes of August 12, 2009, as amended. MINUTES APPROVED.

Agricultural and Farmland Protection Board

RESOLUTION NO. - APPROVAL OF AMENDED BYLAWS OF THE TOMPKINS COUNTY AGRICULTURE AND FARMLAND PROTECTION BOARD

Following a brief review of the document with minor amendments, Ms. Chock noted she heard it could be difficult to get quality individuals to serve on the Board.

It was MOVED by Ms. Chock, seconded by Mr. Burbank, to approve the following resolution and submit it to the full Legislature. MOTION APPROVED.

WHEREAS, the Tompkins County Agriculture and Farmland Protection Board was created in accordance with County Resolution 405 adopted November 5, 1992 and Article 25AA, Section 302 of New York State Agriculture and Markets Law and any subsequent amendments to such legislation, and

WHEREAS, the Charter and Code provides that the Agriculture and Farmland Protection Board has the authority to draft bylaws for approval by the County Legislature, and

WHEREAS, the members of the Agriculture and Farmland Protection Board approved bylaw revisions on August 26, 2009, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the Agriculture and Farmland Protection Board Bylaws on file with the Clerk of the Legislature be approved.

SEQR ACTION: TYPE II-20

Environmental Management Council

Ms. Wilsea said Ms. Dixon has been a member of the advisory board as the Town of Danby representative, however, due to moving she is no longer able to retain that seat. The Executive Committee requests the Committee appoint Ms. Dixon to the vacant At-Large #5 seat.

It was MOVED by Ms. Chock, seconded by Ms. Robertson, and unanimously adopted by voice vote, to appoint Roberta Lee Dixon as At-Large #5 representative on the Environmental Management Council, term to expire December 31, 2009.

Report from the Commissioner of Planning and Public Works

Mr. Marx reported on the following items:

- Upstate American Planning Association Implementation and Sustainability in Planning Award is being presented to Tompkins County for the portion of the County Comprehensive Plan addressing Energy and Greenhouse Gas Emissions (EGGE). Although there is no monetary award associated with the award it is significant recognition as it is the forum for planning awards in the State outside of New York City.
- There have been meetings and conference calls with AES Cayuga and Cornell Cooperative Extension and Planning regarding the Energy and Greenhouse Gas Emission component of the Comprehensive Plan. There was a grant opportunity requiring a \$2.5 million local match. The conversations were to determine if there would be any advantages for them should the grant be awarded. Unfortunately, the timing was short so it did not work out to submit an application. They are facing challenges complying with the carbon credit issue and discussions took place regarding local offsets to possibly be used versus outside areas. The regulations do not allow them to do much locally at present. They could possibly work to amend the regulations to allow this to occur.
- The County has been contacted by a local developer working on the concept of using biomass for central heating and cooling for housing developments. The interest was inspired by the housing fund and he has put together a team with a Washington, D.C. architect and a gentleman from Denmark where district heating has been used for many years. The interest in bringing the concept to North America is strong and perhaps bringing it to Ithaca.
- There has been a follow-up meeting with local planners from the City of Ithaca, Town of Dryden, and Cornell University regarding the idea of the nodal development concept and how to cooperatively implement the idea. One item being reviewed is the possibility of a local training session for local planners. Further discussions will take place at the Planning Advisory Board.
- Budget Reduction/Advisory Board Staffing – Mr. Marx explained in the late 1990's the Planning Department had fifty percent more staff (12 to 13) and are presently at 8 staff members. During the earlier period a staff member would be assigned to each advisory board depending on the scope of their work being closely aligned with the board. Since that time, the number of staff has been reduced and

the titles of positions modified to Planners and Senior Planners with modified responsibilities. Due to the limitations of staff, support for various programs and boards have had to be limited. They have continued to work closely with all advisory boards, particularly when the work plan aligns with items they boards are interested in. This work should not be confused with administrative support, which is the primary issue discussed during the budget process. Ms. Jurkowich is having discussions with the various advisory boards to determine the nature of what would be the most valuable. The Planning Department is proposing a substantive reduction in some areas, some of which Mr. Marx believes could be better done by the advisory boards themselves such as newsletters, annual report preparation, work program items, etc. He does wish to provide the support to allow advisory boards to function and are working to determine how to allocate hours to provide the work they need. It appears minutes at some level are found to be most valuable, as well as distribution of agendas rather than creation of information, etc. In addition, Planning Department assistance with the appointment process would continue. Mr. Marx stressed the Department cannot do as much as in the past; although they can do minutes they may have a reduced number of meetings per year or have some presentation only meetings. At this time it is an ongoing conversations and he is open to discussions to determine how to best meet the needs of each board.

Ms. Chock thanked Mr. Marx and said it is important to know the full picture to determine how to balance the work of staff. If it is necessary to cut support she would like to be certain a discussion occurs regarding the amount and/or type of support needed.

Amy Risen, Chair of the Environmental Management Council (EMC) itemized the previous budget and the proposed 2010 budget. She has had discussions and made a counter-proposal regarding staff support. While she agrees some advisory board items could be prepared by the board (annual report, newsletters, etc.), it is important to understand that the minute preparation and coordination of speakers takes time and will pull individuals away from research on topics. Ms. Risen is concerned that volunteers may not respond well to a request for additional tasks. The counter-proposal is for 70 of 160 hours is being requested; it will still cause stress but would provide some assistance. Ms. Mackesey suggested she discuss the counter-proposal with Ms. Jurkowich. Ms. Risen said they have but to date have not received response; the EMC felt it was important to bring the matter to the attention of the Committee. Ms. Mackesey noted no decision could be made at this time. Ms. Risen then announced they are seeking new members for the EMC.

Mr. Proto said is not aware of any other Board coming forward to the Committee. He is reluctant to discuss the matter further today since the other boards have not had the opportunity to come to the Committee. He said the Water Resources Council (WRC) Executive Committee spoke with Ms. Jurkowich to discuss the reduction of staff support. The Executive Committee appointed a special committee to review the matter; they have had a second meeting regarding the topic. Another meeting is planned to speak to Ms. Jurkowich further. At this time the WRC is not ready to come to this Committee to discuss the matter. He also said the Agricultural and Farmland Protection Board is very different than the other advisory boards; Cooperative Extension has been very involved with that board.

Ms. Mackesey noted that if the advisory boards are in the process of discussions with the Planning Department to determine how to best provide assistance in light of the staff the reduction it would be better to have further discussions at a later time.

Mr. Proto said it would also be good to hear what the Planning Advisory Board discussions are as well.

Mr. Burbank inquired what created the problem and what is the total staff time for advisory board staff support. Ms. Jurkowich said staff assistance is approximately the same for all boards.

Mr. Marx said his staff time has been cut by ten percent. The Department is making cuts in other areas as well. There is a list of programs that have proposals of changes or cuts. The department is having to look at responsibilities and the Charter to prioritize and adjust what doing in a manner to maintain important functions. If the budget situation were different there would have been over-target requests for all the items. He believes the next three years will not have a positive financial outlook and he cannot justify requesting funding in these areas when there are potential layoffs.

Ms. Robertson noted that two administrative assistants are down to 1.83 FTE, a Project Assistant of .37 FTE is eliminated, and Planners go from 4 FTE to 3.75 FTE. She would like to ask if affected boards could sit and discuss the situation with the Planning Department and create a package that all could agree with and then present the Legislature with an OTR that could be acted upon. Mr. Marx suggested the Legislature hear from all departments before a decision to do the work is made. Ms. Robertson said it seems that it could be a small financial expense that could have a large impact.

Ms. Chock said the Strategic Tourism Planning Board has also asked for Planning Department support for many years. She does not believe they should be excluded from discussions. She is not suggesting the department come in with an OTR but would like to know the decisions. She stressed the need to jointly bear the responsibility of cuts in the Department.

Mr. Proto agreed with Mr. Marx that no request should be made until all departments have had an opportunity to discuss reductions. With regard to new initiatives included within the Planning Department budget he stressed it would need to show it is important enough to undertake. Ms. Jurkovich said if an OTR is done for advisory boards there should also be OTR's for other cuts within the department; she noted all the cuts are part of the whole picture and it should be a situation that shows the entire picture. Mr. Marx said the budget presentation would include everything involved.

- Housing Affordability/Housing Trust Program – Mr. Marx provided a revised NOFA point system for the Housing Affordability/Housing Trust Program. This document would be used to assist in determining eligibility of applicants to the program. The amendments made by the oversight committee present the highest priority on financial feasibility for projects proposed. He said if the Committee believes the amendments do not change the program intent it is good; he did not want to proceed without informing the Committee of the changes.

Ms. Mackesey spoke of her conversation with Ms. Kiefer who had wanted more weight with smart growth and green practices. Ms. Mackesey will speak to Ms. Kiefer about the amendments.

Ms. Robertson said the revisions tighten up the NOFA and will assist in letting people trying to undertake the projects know what to expect. The parties have spent a great deal of time on the project and these amendments are a tool expressing the intent of the Legislature.

Mr. Proto said the amendments are just refinements and the document may change after several months of experience. If the group reviewing agrees with the amendments he does not see the need for further action.

Ms. Chock asked if the change in the broad range of the households would affect affordability. Mr. Marx said it would not affect affordability. The emphasis is toward financial feasibility. It was also clarified there are not specific point levels required.

**RESOLUTION NO. - IN SUPPORT OF NEW YORK STATE DEPARTMENT OF
TRANSPORTATION (NYSDOT) REASONABLE ACCESS HIGHWAY
REGULATION**

It was MOVED by Ms. Mackesey, seconded by Ms. Chock, approve the following resolution and submit it to the full Legislature.

Mr. Proto expressed concern regarding the regulation, noting the restrictions would also apply to trucks other than garbage haulers. Ms. Mackesey said the regulation is to stop the practice of trucks getting off State highways and using local roads. The New York State Department of Transportation reviewed mileage and what impact it may have. The review focused on trucks going north of the Finger Lakes. Mr. Proto's concern is how the regulation would affect other areas of commerce and would prefer to wait on any action until the Farm Bureau has its meeting and could provide input. He said the regulations could be detrimental to local farmers shipping their goods, as they have for the past thirty years; sometimes the routes involved would require local highway use. Ms. Mackesey noted the State Farm Bureau has already stated it is against the regulation. Mr. Burbank noted the County could make its own statement and he then asked what the State Farm Bureau's stance is; Ms. Mackesey explained she believes the State is looking at a very specific "point A to point B" aspect, which would not include those making local pick-ups of garbage.

Ms. Chock expressed her gratitude for the work done by Ms. Mackesey regarding the excessive garbage traffic on local highways. Ms. Mackesey said she hopes in the future garbage will be transported by another method such as trains.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. MOTION CARRIED.

WHEREAS, the Tompkins County Legislature recognizes the need of large transport trucks to supply our communities and farms, and

WHEREAS, increasing numbers of large transport trucks are using highways through our region not to deliver local goods within the region but as an alternative to Interstate highways, and

WHEREAS, the large number of non-local transport trucks is causing deterioration in the fabric and infrastructure of our communities by disturbing rural and urban residents alike with noisy jake brakes, tearing up pavement because of their weight, threatening the safety of young and old pedestrians and bicyclists, and

WHEREAS, the economic impact of the continued presence on our highways night and day of and sizeable numbers of transport trucks will negatively affect the growing tourism industry which currently brings \$ 160 million into Tompkins County, and

WHEREAS, the New York State Department of Transportation (NYSDOT) has promulgated regulations that will provide relief for Tompkins County residents and make our roads safer by limiting truck traffic on Routes 96, 89, and 79 to local delivery, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature urges Governor Paterson and the New York State Department of Transportation to implement the proposed regulations as quickly as possible.

SEQR ACTION: TYPE II-20

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Strategic Tourism Planning Committee

The Committee reviewed the budget presented. The budget reflects previous discussions to have the 60%/40% split and the placement of rent on its own budget line. It was noted the changes in the budget went to established programs. Ms. Robertson inquired about the cut in the TC3 customer service educational program and the lack of an increase to Festivals. Ms. Kippola explained they were attempting to support well-established programs that have proven to be effective; Festivals are not yet in that position. She said the Ithaca Downtown Alliance is working on writing a "How To" guide for Festivals. The TC3 Customer Service staff member is working on the program; it is expected to have a third-quarter report on the program to determine what is occurring. In addition, it was noted there are 7 FTE and 2.5 Seasonal FTE staff members at the Convention and Visitor's Bureau (CVB). The staff at the CVB will be receiving between a one and two percent wage increase in 2010.

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Ms. Chock inquired about slow food, noting it is a big draw in other communities. Mr. Bonn said the culinary aspect is dealt with by Cooperative Extension who looks at the farm-to-table initiatives. The initiative is brought in at a local level of appreciation for what is raised locally. Ms. Chock asked about the motor coach tour promotion and to what extent is the County is attempting to attract them. Mr. Bonn said it was a hotel partner's request and is a target market they would like to have the STPB develop a strategy for.

Ms. Robertson spoke of Rochester Orchestra, the Finger Lakes Museum, and NPO Tom Hartman from national radio WNYW coming to the area in November and December. She thought it might be a possible attraction for the area.

Mr. Proto asked if it was known whether the motor coach tours would require hybrid buses. Mr. Bonn said no, but other groups would.

Adjournment

On motion the meeting adjourned at 4:45 p.m.

Respectfully submitted – Karen Fuller, Deputy Clerk