

TOWN OF ITHACA PLANNING BOARD
Shirley A. Raffensperger Board Room, Town Hall
215 North Tioga Street
Ithaca, New York 14850

Tuesday, May 18, 2021

Because of the Novel Coronavirus (COVID-19), the Town of Ithaca Planning Board Meeting scheduled for May 18, 2021 will be held electronically via Zoom, instead of a public meeting open for the public to attend in person. Members of the public may listen to (call in on cell or landline: (929) 436-2866 and enter the Meeting ID: 675 059 3272) or view (by computer go to <https://zoom.us/j/6750593272>) the Board meeting through Zoom.

AGENDA

7:00 P.M. Continuation of SEQR Determination: Research Plot Remediation and Restoration Project, Cornell University Resource Ecology Management Complex, 139 Ecology Drive.

7:00 P.M. **PUBLIC HEARING:** Continuation of consideration of Special Permit for the proposed Research Plot Remediation and Restoration Project at the Cornell University Resource Ecology Management Complex located at 139 Ecology Drive, Town of Ithaca Tax Parcel No. 63.-1-10, Low Density Residential Zone and Planned Development Zone No. 9. The proposal involves excavation of approximately 10,000 square feet of soil, at a depth of 18 inches, to remove Phragmites and rhizomes. Excavated soils will be replaced with a combination of gravel and topsoil to restore the area back to level field soils. Excavated material will be deposited on a field on Game Farm Road in the Town of Dryden (Tax Parcel No. 56.-5-33). Cornell University, Owner/Applicant; Brian Fish, Associate Director for Capital Projects, CALS.

3. Persons to be heard.
4. Approval of Minutes: May 4, 2021
5. Other Business
6. Adjournment

Susan Ritter
Director of Planning
273-1747

**NOTE: IF ANY MEMBER OF THE PLANNING BOARD IS UNABLE TO ATTEND, PLEASE NOTIFY SANDY POLCE AT 273-1747 or SPOLCE@TOWN.ITHACA.NY.US.
(A quorum of four (4) members is necessary to conduct Planning Board business.)**

Accessing Meeting Materials Online
Site Plan and Subdivision applications and associated project materials are accessible electronically on the Town's website under "Planning Board" on the "Meeting Agendas" page (<http://www.town.ithaca.ny.us/meeting-agendas>).

TOWN OF ITHACA PLANNING BOARD
NOTICE OF PUBLIC HEARINGS

Tuesday, May 18, 2021

By direction of the Chairperson of the Planning Board, NOTICE IS HEREBY GIVEN that a Public Hearing will be held electronically by the Planning Board of the Town of Ithaca on Tuesday, May 18, 2021, at the following time and on the following matter:

7:00 P.M. Continuation of consideration of Special Permit for the proposed Research Plot Remediation and Restoration Project at the Cornell University Resource Ecology Management Complex located at 139 Ecology Drive, Town of Ithaca Tax Parcel No. 63.-1-10, Low Density Residential Zone and Planned Development Zone No. 9. The proposal involves excavation of approximately 10,000 square feet of soil, at a depth of 18 inches, to remove Phragmites and rhizomes. Excavated soils will be replaced with a combination of gravel and topsoil to restore the area back to level field soils. Excavated material will be deposited on a field on Game Farm Road in the Town of Dryden (Tax Parcel No. 56.-5-33). Cornell University, Owner/Applicant; Brian Fish, Associate Director for Capital Projects, CALS.

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Said Planning Board will at said time and said place hear all persons in support of such matters or objections thereto. Persons may appear by agent or in person. Individuals with visual impairments, hearing impairments or other special needs, will be provided with assistance as necessary, upon request. Persons desiring assistance must make such a request not less than 48 hours prior to the time of the public hearing.

Susan Ritter
Director of Planning
273-1747

Dated: Monday, May 10, 2021
Publish: Wednesday, May 12, 2021

Cornell REM Research Plot Remediation & Restoration Project
Special Permit – supplemental information

Town of Ithaca Planning Board
Submitted May 12, 2021

As a follow up to the May 4, 2021 Town of Ithaca Planning Board meeting, additional information was requested as detailed in the following questions. Professor Bernd Bossey of the Department of Natural Resources and the Environment provided the research background and practical experience that is the basis of our proposed disposal method for the Phragmites and soil mixture to be excavated. The Department hosts the New York Invasive Species Research Institute. Professor Bossey has over 20 years of working with Phragmites and the management of invasive plant species.

1. **Planning Board Request:** More specific information on the method of treatment of the excavated materials. Will they be treated pursuant to NYS DEC and/or federal standards? What are the acceptable wind speeds for the disposed material and will the disposal method comply with those speeds?

Response: The ultimate aim of our proposed method is to assure death of the Phragmites stems (growing season has started) and rhizomes. This is all organic material that should not be placed into a landfill, if it can be avoided. Burying it will not result in death if moisture is available as rhizomes can stay alive for extended periods. The resources stored in the rhizomes if they are not severed, may allow the plant to grow below ground for many feet.

Shredding of the material is one beneficial way to result in quick drying and tissue death. Spreading a thin layer of the material in an upland situation will further limit the ability of the rhizomes to stay alive. Repeated mowing will further add to any growth reduction, should a shoot become established. NYS DOT claims that repeat mowing is able to eliminate Phragmites from ROW's, particularly for resprouting plants as they do not have access to below ground resources. The DEC document https://www.dec.ny.gov/docs/lands_forests_pdf/sfinvasivecontrol.pdf states that stems can be disposed in an upland situation (Management Option 1, Disposal), which is what we are proposing to do (plus they will be shredded). In addition, we will visually inspect the site for any potential regrowth and eliminate the sprouts by collecting them (they will not have rooted successfully). If a patch escapes, we will use herbicide to eliminate it, which is very successful in very small infestations.

Wind will be beneficial in drying out the material after spreading on disposal site. As are hot sunny and dry days, which will lead to quicker moisture loss and tissue death. Wind will not affect excavation. The Phragmites material is too heavy to be transported by wind. There is no seedbank, and there are no seeds in the inflorescences at this time of year that could be transported by wind. The disposal site is flat, so there will be no runoff that could transport rhizome or stem fragments off site.

2. **Planning Board Request:** Will the materials be transferred/trucked securely to avoid spreading the invasive material along the truck route?

Response: Excavated material will be transported directly by covered trucks to the disposal site for spreading. The Phragmites material is heavy and won't be impacted by the controlled air movement in a covered truck. There is no seed, and no seedbank associated with the material to be disposed. Distance to the site is minimal and loss of material is avoided by not overfilling the covered trucks used for transport.

3. **Planning Board Request:** Where is the fill that is replacing the excavated material coming from (e.g. a local gravel mine, garden center, CU material storage location, etc.)? And how is it getting to the site at 139 Ecology Drive?

Response: The fill material is coming from Cornell Farms Services complex on Stevenson Road (Town of Dryden). The delivery route would be similar to the trucking route used for disposal (Game Farm Road, Dryden Road and Pine Tree Road).

**PROPOSED RESOLUTION: SEQR
Special Permit
Cornell Research Plot Remediation & Restoration Project
Tax Parcel No. 63.-1-10
Town of Ithaca Planning Board, May 18, 2021**

WHEREAS:

1. This action is the continuation of consideration of Special Permit for the proposed Research Plot Remediation and Restoration Project at the Cornell University Resource Ecology Management Complex located at 139 Ecology Drive, Town of Ithaca Tax Parcel No. 63.-1-10, Low Density Residential Zone and Planned Development Zone No. 9. The proposal involves excavation of approximately 10,000 square feet of soil, at a depth of 18 inches, to remove Phragmites and rhizomes. Excavated soils will be replaced with a combination of gravel and topsoil to restore the area back to level field soils. Excavated material will be deposited on a field on Game Farm Road in the Town of Dryden (Tax Parcel No. 56.-5-33). Cornell University, Owner/Applicant; Brian Fish, Associate Director for Capital Projects, CALS.;
2. This is an Unlisted Action for which the Town of Ithaca Planning Board is acting in an uncoordinated environmental review with respect to Special Permit;
3. The Planning Board, on May 18, 2021, has reviewed and accepted as adequate a Short Environmental Assessment Form (EAF) Part 1, submitted by the applicant, Parts 2 and 3 prepared by Town Planning staff, an aerial location map, a letter to David O'Shea, dated March 30, 2021, and associated packet of Basic SWPPP application materials and maps, a memo to David O'Shea and Marty Moseley, dated April 2, 2021, containing additional materials related to the project; and other application materials; and
4. The Town Planning staff has recommended a negative determination of environmental significance with respect to the proposed Special Permit;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ithaca Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced action as proposed, based on the information in the EAF Part 1 and for the reasons set forth in the EAF Parts 2 and 3, and, therefore, a Draft Environmental Impact Statement will not be required.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Phragmites Research plot remediation and restoration project			
Project Location (describe, and attach a location map): 139 Ecology Dr Ithaca NY 14850 (see attached map)			
Brief Description of Proposed Action: The remediation effort requires excavation of approximately 10,000 square feet of soil and vegetative material to a depth of 18 inches, (555 cu yards), in order to remove Phragmites plants and rhizomes (vegetation will constitute approx. 1/3 of the material to be removed). Excavated soils will be replaced with a combination of gravel and topsoil to completely restore the area back to level field soils. (Soils will be trucked to an upland field location owned by Cornell, off of Game Farm Road in the Town of Dryden). Please see attached memo and basic SWPPP with background, where project approach is described as well as and all steps that will be taken to ensure appropriate site compliance and controls.			
Name of Applicant or Sponsor: Cornell University		Telephone: 607-255-8126 E-Mail: bwf2@cornell.edu	
Address: 451 Pine Tree Road			
City/PO: Ithaca		State: NY	Zip Code: 14850
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
Town of Ithaca Fill Permit		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		16.5 acres	
b. Total acreage to be physically disturbed?		023 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		87 acres	
Staff note: Cornell owns all of the land that surrounds the project. It amounts to more than 310+/- acres.			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? 139 Ecology Dr. borders the East Ithaca Recreation Way	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ N/A	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Please see Part 3	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? Please see Part 3 b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Designated wetland just to south of site. Army Corps of Engineers has been engaged and has reviewed proposed action and deemed it to be no impact to wetland. See attached memo, item #6.	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan? <div style="text-align: right;">Please see Part 3</div>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ol style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Brian Fish</u> Date: <u>4/8/21</u>		
Signature: <u><i>Brian Fish</i></u> Title: <u>CALS Associate Director of Capital Projects</u>		

Project: CU REM Research Project

Date: May 18, 2021

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

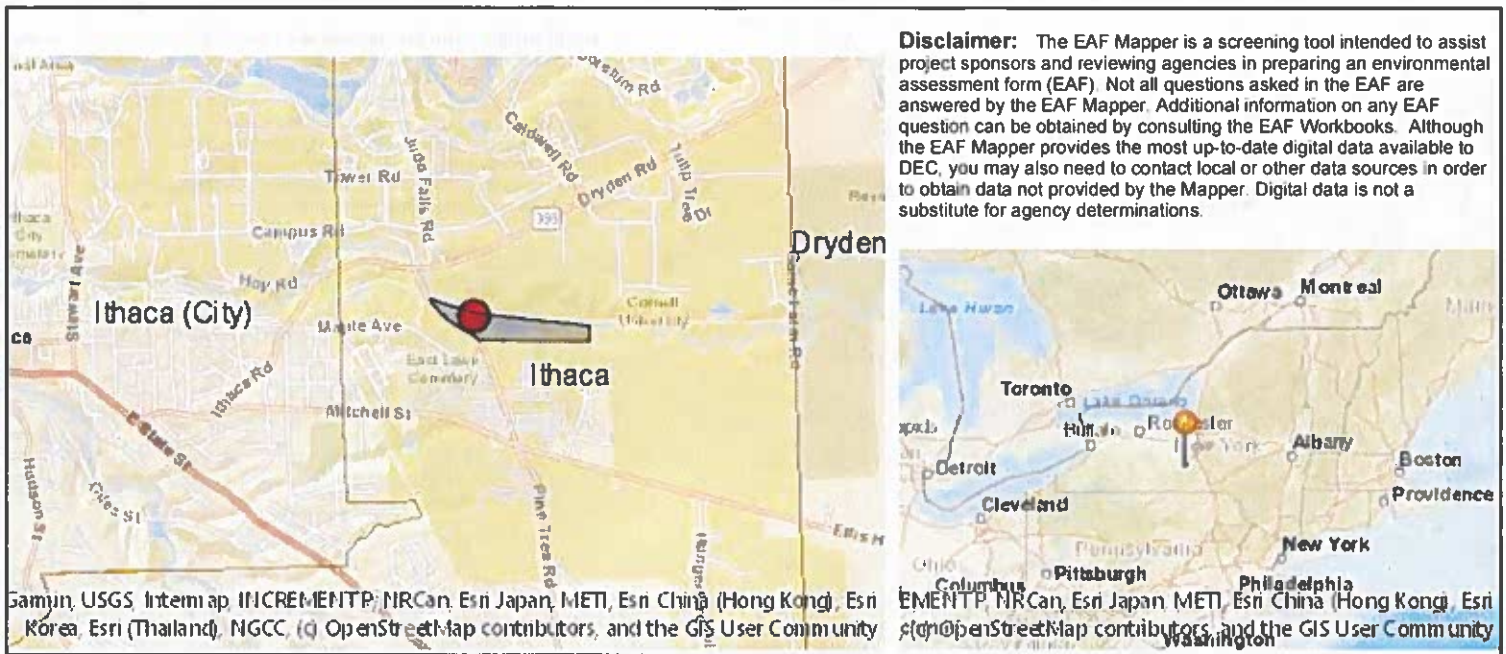
Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

PLEASE SEE ATTACHED

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Ithaca Planning Board	
Name of Lead Agency Liebe Meier Swain	Date Chair
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

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Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Short Environmental Assessment Form Attachment:

Cornell REM Research Plot Remediation Project, 5/18/2021

Part 3- Determination of Significance

The proposal involves Planning Board Special Permit for the excavation of 555+/- cubic yards of fill (10,000s.f.+/-) associated with a Cornell research project on invasive Phragmites, located at 139 Ecology Drive, Tax Parcel No. 63.-1-10. The fill will be trucked to an upland field located on a property owned by Cornell on Game Farm Road in the Town of Dryden. Excavated soils will be replaced with gravel and topsoil to restore the area to level field soils.

The property at 139 Ecology Drive is surrounded by vegetation and by Cornell-owned properties. Additionally, there is a 4ft berm surrounding the research site that is partially mowed and partially vegetated. The East Ithaca Recreation Way borders the site to the north. There is thick vegetation along the trail, which blocks views, so there are no anticipated negative visual or aesthetic impacts related to the project.

Cascadilla Creek traverses the property and is surrounded by vegetation that will remain undisturbed. The proposal is considered an agricultural activity for "educational, research or other purposes," and, as such, is exempt from the Town's Stream Setback Law. Overall site disturbance on Ecology Drive will be limited to the small research plot. The town Public Works Department has reviewed and approved the proposed silt fence and erosion and sedimentation controls, which are intended to prevent negative impacts to Cascadilla Creek and the surrounding area.

There are otherwise no proposed buildings, structures, or roads associated with the project. The application includes a truck routing plan, with all materials routed to a 45-acre Cornell property on Game Farm Road via NYS Route 366 in the Town of Dryden. The property is large and consists of only agricultural fields and some vegetation that screens the fields from adjacent homes. Cornell agricultural lands and veterinary buildings are located along the route. There are no residences or residential neighborhoods near the site where the excavation will occur and only a handful of properties that face Game Farm Road are in the area where the fill will be deposited. The impacts to the surrounding area are expected to be minimal and temporary.

According to the applicant's materials, the excavated phragmites will be loaded onto trucks that will be covered to prevent escape. They will then be taken to the disposal site, where they will be loaded into a compost spreader, shredded, and spread onto the field on Game Farm Road. The project will be monitored by Bernd Blossey and members of his research group (Mr. Blossey is a Cornell professor and expert on invasive species and conservation biology who operates the Blossey lab at Cornell: <http://invasiveplants.net/>). The site will be repeatedly mowed to prevent regrowth of the phragmites, and any discovery of growth will be eliminated via pulling and herbicide.

Regarding Part 1, Number 12b: The specific project site on Ecology Drive has been disturbed by decades of agricultural research. The portion of Game Farm Road where the fill will be placed has also been disturbed by agricultural research. Therefore, it is presumed that any potential archaeologically sensitive resources on the project sites would have been discovered with prior disturbances.

Regarding Part 1, Number 13a: 139 Ecology Drive contains a wetland that is listed on the National Wetlands Inventory, which is within the Army Corps of Engineers jurisdiction. However, the wetland is noted with an "x" modifier on the Inventory, which indicates that the wetland was excavated by humans, and not created by natural means. The wetland does not exist on the Tompkins County or NYSDEC designation lists and is not part of an overall wetland ecosystem. Nevertheless, the erosion control plans submitted with the application materials have been designed to mitigate negative impacts to the wetland.

The EAF Mapper indicates that there may be a waterbody or wetland on the Game Farm Road property. However, the Tompkins County Planning Department GIS database does not show any wetlands, streams, or other waterbodies. The nearest water body is Fall Creek, located on the Cornell Plantations property approximately 750+/- feet north of the property on Game Farm Road. The Creek will be unaffected by the proposal.

Regarding Part 1, Number 16: A portion of the property on Ecology Drive is located within the 100-year floodplain. It is also located in a Tompkins County Unique Natural Area (UNA # 128 -Cascadilla Woods and Fish Ponds). The proposal is not expected to negatively impact the UNA or the floodplain. The erosion control plans submitted with the application materials have been designed to mitigate any negative impacts that might occur.

**PROPOSED RESOLUTION: Special Permit
Cornell Research Plot Remediation & Restoration Project
Tax Parcel No. 63.-1-10
Town of Ithaca Planning Board, May 18, 2021**

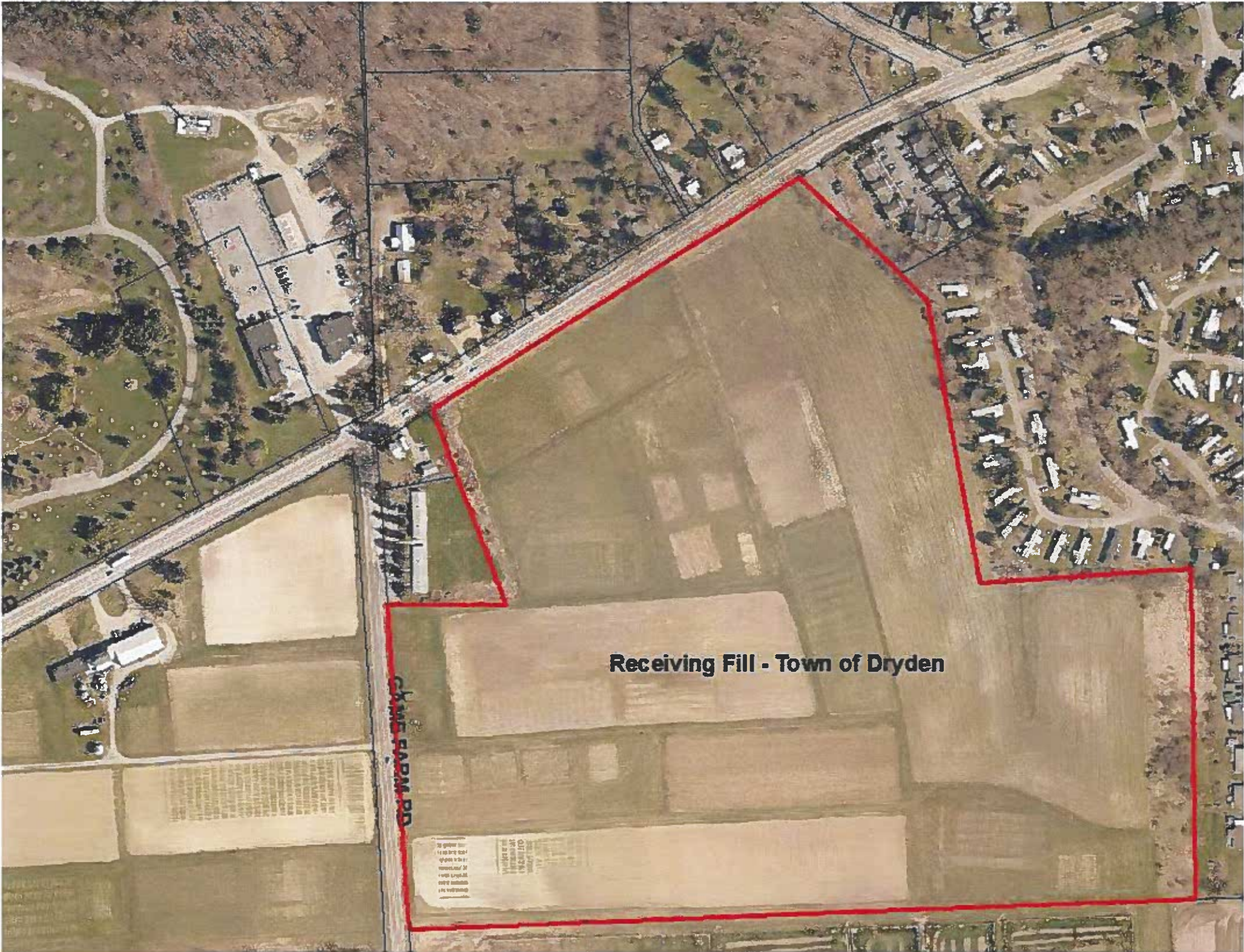
WHEREAS:

1. This action is continuation of consideration of Special Permit for the proposed Research Plot Remediation and Restoration Project at the Cornell University Resource Ecology Management Complex located at 139 Ecology Drive, Town of Ithaca Tax Parcel No. 63.-1-10, Low Density Residential Zone and Planned Development Zone No. 9. The proposal involves excavation of approximately 10,000 square feet of soil, at a depth of 18 inches, to remove Phragmites and rhizomes. Excavated soils will be replaced with a combination of gravel and topsoil to restore the area back to level field soils. Excavated material will be deposited on a field on Game Farm Road in the Town of Dryden (Tax Parcel No. 56.-5-33). Cornell University, Owner/Applicant; Brian Fish, Associate Director for Capital Projects, CALS.;
2. This is an Unlisted Action for which the Town of Ithaca Planning Board, acting in an uncoordinated environmental review with respect to the project, has, on May 18, 2021, made a negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Town Planning staff; and
3. The Planning Board, at a Public Hearing held on May 18, 2021, reviewed and accepted as adequate an aerial location map, a letter to David O'Shea, dated March 30, 2021, and associated packet of Basic SWPPP application materials and maps, a memo to David O'Shea and Marty Moseley, dated April 2, 2021, containing additional materials related to the project; and other application materials;

NOW THEREFORE BE IT RESOLVED:

1. That the Planning Board hereby finds that the standards of Article XXVI Section 270-217, Subsection E, of the Town of Ithaca Code, have been met, specifically that the distance of the operation is located far enough from neighboring property and public ways that the possible detriment of such use to the future development of the land in question will not pose significant nuisance or detriment of the operation to neighboring landowners and to the community as a whole; and
2. That the Planning Board hereby finds that the special permit standards of Article XXIV Section 270-200, Subsections A – H, of the Town of Ithaca Code, have been met, specifically that:
 - A. The project will be suitable for the property on which it is proposed, considering the property's size, location, and physical site characteristics.
 - The Phragmites research project has existed on the property for many years. The property's physical site characteristics, size, and location adjacent to NYS Route 366 and near Cornell campus are purposely intended to accommodate agricultural research that includes planting/depositing research materials, studying the materials, and, upon completion of research, excavating and removing materials.

- B. The proposed structure design and site layout are compatible with the surrounding area.
- There are no proposed new structures, but the site layout includes a 4-foot berm around the research area, surrounded by vegetation that screens the project from adjacent uses.
- C. Operations in connection with the proposed use do not create any more noise, fumes, vibration, illumination, or other potential nuisances than the operation of any permitted use in the particular zone.
- The proposed use is in a Planned Development Zone, which permits a variety of agricultural and educational uses. The project will create temporary noise, but nothing that would be out of character with noise associated with an agricultural use (farm uses include tractors, combines, chainsaws, and other loud farm equipment when a farm is in operation).
- D. Community infrastructure and services, such as police, fire and other protective services, roadways, schools, and water and sewer facilities are currently, or will be, of adequate capacity to accommodate the proposed use.
- There are no changes to existing infrastructure and services. All infrastructure to accommodate the use is in place and is of adequate capacity.
- E. The proposed use, structure design, and site layout will comply with all the provisions of the Town Code and with the Town of Ithaca Comprehensive Plan.
- F. The site layout, with proposed vehicular, bicycle and pedestrian access, traffic circulation, and parking and loading facilities, is sufficient for the proposed use and is safely designed for emergency vehicles.
- There is an existing paved entrance and parking area to access the site that is also safely designed for emergency vehicles. The layout is adequate for the anticipated truck traffic associated with the excavation. The East Ithaca Recreation Way borders the property and offers opportunities for bicycle and pedestrian access to the site for researchers and university staff. The property is not a public property, so there is no need to provide access to the public.
- G. The project includes sufficient landscaping and/or other forms of buffering to protect surrounding land uses. Existing vegetation is preserved to the extent possible.
- There are no changes to existing vegetation, other than the removal of the phragmites plot and vegetation immediately around the plot. The site includes a 4-foot berm surrounded by vegetation that screens the property from surrounding land uses.
- H. To the extent deemed relevant by the Planning Board, the proposed use or structure complies with all the criteria applicable to site plan review set forth in Chapter 270, Zoning.
- Site Plan approval is not required with Special Permit when associated with a fill permit. This criterion is not applicable to the project.
3. That the Planning Board hereby grants Special Permit for the proposed Research Plot Remediation and Restoration Project at the Cornell University Resource Ecology Management Complex, with the following conditions:
- a. Revision of the Basic Stormwater Pollution Prevention Plan to include the notes in the memo written by Joe Slater, Director of Public Works and Justin McNeal, Civil Engineer, dated 4/20/2021;
 - b. Submission to the Town Public Works Department of a copy of the Highway Work Permit (if required) from the Tompkins County Highway Department for trucking materials on Pine Tree Road.



Receiving Fill - Town of Dryden

CHINESE FARM RD