APPENDIX M

Notice of Availability and Notice of Public Hearing
In accordance the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §4321 et seq., and the Council on Environmental Quality (CEQ) regulations, 40 C.F.R. parts 1500-1508, notice is hereby given that copies of a Draft Environmental Assessment (EA) for the Airport Land Release and Relocation of a New York State Department of Transportation (NYSDOT) Sub-Residency at Ithaca Tompkins Regional Airport are available for public review and comment. Notice is also hereby given that an Open House information session and a Public Hearing will be held at times and at a location listed below. The NYSDOT Project Identification Number (P.I.N) for the relocation of the Sub-Residency is 3M00.18

The Draft EA identifies the proposed action, project alternatives, and presents an evaluation of potential environmental impacts in accordance with Federal Aviation Administration (FAA) Order 5050.4B and 1050.1F, Environmental Impacts: Policies and Procedures and the other applicable laws, rules and regulations.

**Project Description:** Ithaca Tompkins Regional Airport proposes to modify the Airport Layout Plan (ALP) for removal of approximately 15 undeveloped acres of land at the northwest corner of airport property from the ALP for future use for non-aeronautical purposes. FAA approval of a change to Ithaca Tompkins Airport’s Airport Layout Plan is required. The County intends to sell these 15 acres to the New York State Department of Transportation (NYSDOT) for construction of a new maintenance facility. The new maintenance facility will replace an existing Sub-residency located on the north side of Ithaca between Route 13 (N. Meadow St.) and the Cayuga Inlet, and will include a sub-residency maintenance building, a cold storage building, salt storage barn, and hopper building. The site will also contain stockpile areas for pipe, stone and millings, and ancillary site features including a fueling station, parking for 40 vehicles, and storm water management facilities to handle on-site storm water. The project will require construction of an access drive from Warren Road and the extension of utilities. The project includes construction which affects wetlands covered by Executive Order 11990 of the President of the United States dated May 24, 1977, “Protection of Wetlands”.

This Public Hearing also serves as part of the NYSDOT public involvement process for the project to construct a new NYSDOT maintenance facility.

The NYSDOT and FAA encourage parties to review and provide written comments within a period of 30 days from the publication of this notice. The draft EA will be available at the Public Hearing, can be found online at: [https://www.dot.ny.gov/regional-offices/region3/projects/ITH%20DOT%20Draft%20EA_12-28-18%20Submittal%20print.pdf](https://www.dot.ny.gov/regional-offices/region3/projects/ITH%20DOT%20Draft%20EA_12-28-18%20Submittal%20print.pdf)
and will be available for review during business hours at the following locations on or after January 2, 2019:

Lansing Public Library
27 Auburn Road
Lansing, NY 14882

Lansing Town Hall
29 Auburn Road
Lansing, NY 14882

Ithaca Tompkins County Airport Administrative Offices
72 Browning Road
Ithaca, NY 14850

Open House: January 16, 2019 from 4:00 PM – 4:30 PM and 5:30 – 6:00 PM at the Lansing Town Hall, 29 Auburn Road, Lansing NY 14882. Participants will have an opportunity to review and discuss the Project with NYSDOT representatives as well as the opportunity to provide oral statements through a stenographer.

Public Hearing: The Public Hearing to receive public comment on the Draft EA will be held on January 16, 2019 from 4:30 PM – 5:30 PM at the Lansing Town Hall, 29 Auburn Road, Lansing NY 14882.

A sign language interpreter will be available at the hearing. If you require an assistive listening system, or any other accommodation to facilitate your participation in the Public Hearing, please contact Mike Washburn as provided below. The public is invited to submit comments on the Draft EA orally and/or in writing at the public hearing, or by providing written comments by mail, or by email, by the comment deadline date of February 2, 2019 and directed to the contact addresses identified below.

For further information about the Public Hearing, or to provide comments on the Draft EA, please contact NYSDOT via mail or email as identified below:

Mike Washburn, P.E.
333 E. Washington Street, Syracuse, NY 13202. 315-428-4350.
Email: Michael.Washburn@dot.ny.gov
Include in the Subject Line: PIN 3M00.18 or Tompkins County Sub-Residency at Ithaca Tompkins Regional Airport

TDD (Telecommunications Device for the Deaf) Relay Service:
Non-TDD User to TDD User: 1-800-421-1220
TDD to Non-TDD User: 1-800-662-1220

All oral and written comments will be addressed in the Final Environmental Assessment.

Before including your address, phone number, e-mail address or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time.

###
State of New York  
Tompkins County, SS:


being duly sworn, deposes and says she is the Principal Clerk of the Ithaca Journal, a public newspaper printed and published in Ithaca aforesaid and that a notice of which the annexed is a true copy as published in said newspaper:

01/02/19, 01/09/19

Subscribed and sworn to before me this 20 day of February, 2019

Notary Public

[Signature]
ITHACA TOMPKINS REGIONAL AIRPORT

NOTICE OF AVAILABILITY and REQUEST FOR COMMENT and NOTICE OF PUBLIC HEARING

DRAFT ENVIRONMENTAL ASSESSMENT
Airport Land Release and Relocation of New York State Department of Transportation Sub-Residency

In accordance with the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §4321 et seq., and the Council on Environmental Quality (CEQ) regulations, 40 C.F.R. parts 1500-1508, notice is hereby given that copies of a Draft Environmental Assessment (EA) for the Airport Land Release and Relocation of a New York State Department of Transportation (NYSDOT) Sub-Residency at Ithaca Tompkins Regional Airport are available for public review and comment. Notice is also hereby given that an Open House information session and a Public Hearing will be held at times and locations listed below. The NYSDOT Project Identification Number (P.I.N) for the relocation of the Sub-Residency is 3M00.18

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Project Description: Ithaca Tompkins Regional Airport proposes to modify the Airport Layout Plan (ALP) for removal of approximately 15 undeveloped acres of land at the northwest corner of airport property from the ALP for future use for non-aeronautical purposes. FAA approval of a change to Ithaca Tompkins Airport’s Airport Layout Plan is required. The County intends to sell these 15 acres to the New York State Department of Transportation (NYSDOT) for construction of a new maintenance facility. The new maintenance facility will replace an existing Sub-residency located on the north side of Ithaca between Route 13 (N. Meadow St.) and the Cayuga Inlet, and will include a sub-residency maintenance building, a cold storage building, salt storage barn, and hopper building. The site will also contain spoil pile areas for pipe, stone and millings, ancillary site features including a fueling station, parking for 40 vehicles, and storm water management facilities to handle on-site storm water. The project will require construction of an access drive from Warren Road and the extension of utilities. The project includes construction which affects wetlands covered by Executive Order 11990 of the President of the United States dated May 24, 1977, “Protection of Wetlands”.

This Public Hearing also serves as part of the NYSDOT public involvement process for the project to construct a new NYSDOT maintenance facility.

The NYSDOT and FAA encourage parties to review and provide written comments within a period of 30 days from the publication of this notice. The draft EA will be available at the Public Hearing, can be found online at: https://www.dot.ny.gov/regional-offices/region3/projects/ITH%20DOT%20Draft%20EA%2012-28-18%20Submit%20Public%20print.pdf and will be available for review during business hours at the following locations on or after January 2, 2019:

Lansing Public Library
27 Auburn Road
Lansing, NY 14882

Lansing Town Hall
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Mike Washburn, P.E.
333 E. Washington Street, Syracuse, NY 13202. 315-428-4350.
Email: Michael.Washburn@dot.ny.gov
Include in the Subject Line: PIN 3M0018 or Tompkins County Sub-Residency at Ithaca Tompkins Regional Airport

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Before including your address, phone number, e-mail address or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time.

1/2, 1/8/19
Appendix N
Response to Public/Agency Comments
Appendix N. Response to Public/Agency Comments

The Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT) released the Draft Environmental Assessment (Draft EA) for the Tompkins County Sub-Residency at Ithaca Tompkins Regional Airport to the public on January 2, 2019. The end of the public comment period was February 2, 2019. The public was provided opportunities to submit comments on the draft document in several ways throughout the comment period. Written comments could be submitted via email or mail and oral comments could be given through a stenographer at the public hearing. The NYSDOT and FAA have considered the comments received on the Draft EA, including the written and recorded comments provided at the public hearing. This appendix summarizes and provides responses to the substantive written and recorded comments received on the Draft EA. The comments received are provided in Appendix O (Written Comments) and Appendix P (Public Hearing Transcript) of the Draft EA.

The Response to the Public/Agency comments contains summaries of the comments (specific to the content of the Draft EA) received from the public and agencies and the responses to those comments. Comments are organized by subject matter. When more than one commenter provided a similar comment, these comments were grouped and addressed together. This section also includes a table with a list of commenters that identifies the subject matter the comment is grouped with (A through J) and the response numbers associated with the submitted comments.

Responses to Public/Agency Comments
List of Commenters

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## PUBLIC HEARING – January 16, 2019

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<td>Sue Reed</td>
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A. PROJECT DESCRIPTION & GENERAL COMMENTS

1. **Comment:** Sewer District Expansion is required and Town of Lansing, Village of Lansing and Village of Cayuga Heights should be “involved agencies” and must complete their own SEQR review to expand the existing Warren Road Sewer District. The draft EA did not include reference to Village of Lansing approval of the Sewer District. The project proponents have not been coordinating with all the municipalities concerning the Sewer District. (Corr. Number: 1, 11)

   **Response:** NYSDOT has made application to the Town of Lansing Sewer and Water Advisory Board to expand the Warren Road Sewer District to incorporate the proposed NYSDOT Tompkins County sub-residency facility. The Town of Lansing, Village of Lansing and Village of Cayuga Heights are engaged in that process and will follow their procedures to respond to this request to expand the sewer district. This Final EA includes the Village of Lansing in the discussion of the involved agencies in Section 1.3.

2. **Comment:** The residents of Hillcrest Road should be included in the Warren Road Sewer District expansion and sewer lines should be extended to the residences and hook-ups provided. (Corr. Number: 1-b, 1-c, 4, 7)

   **Response:** A portion of the property proposed for the NYSDOT Tompkins County sub-residency site is located within the Warren Road Sewer District. The NYSDOT Tompkins County sub-residency project intends to connect a service to the existing sewer main along Warren Road. Expanding the sewer district to incorporate the entire sub-residency parcel within the district is required by the Town of Lansing, Village of Lansing and Village of Cayuga Heights. Sewer infrastructure is located along Warren Road and there is currently no sewer infrastructure on Hillcrest Road. Any potential to incorporate properties on Hillcrest Road into a new sewer district would need to be initiated by the residents in accordance with the procedures established by the Town of Lansing, Village of Lansing and Village of Cayuga Heights.
3. **Comment:** The sewer system has limited capacity and should be available to the community. The project should incorporate a septic system on-site and avoid using sewer capacity. (Corr. Number: 1-g, 1-h, 8)

**Response:** The Town of Lansing, Village of Lansing and Village of Cayuga Heights are responsible to determine whether sewer system has the capacity to include the flows generated by the proposed NYSDOT Tompkins County sub-residency as part of their review of the Warren Road Sewer District expansion application. The engineering analysis included in the application submitted to the Sewer District indicates that capacity is available to accommodate the NYSDOT sub-residency project within the existing sewer mains and capacity is available to treat the flows from this project at the wastewater treatment plant.

4. **Comment:** There has been no completed subdivision application and survey map for Planning Board review. Additionally, the project is non-compliant with the Town of Lansing Subdivision Ordinance due to limited roadway frontage and potential for a future connecting roadway, as currently drawn. (Corr. Number: 1, 1-f)

**Response:** While the proposed sub-residency facility is a use that is consistent with the Zoned Industrial-Research (IR) District, the use of the land proposed to be purchased from the Ithaca Tompkins Regional Airport by NYSDOT is for governmental purposes and the state is not subject to municipal zoning restrictions in the performance of its government functions. NYSDOT has met with both the Town of Lansing Town Board and Planning Board providing them with, and seeking their input on, the proposed sub-residency project.

Access to the NYSDOT Tompkins County sub-residency facility will be by a new driveway from Warren Road, as depicted on the site layout plan included in Appendix B of the Draft and Final EA.
5. **Comment**: The proposed fueling station at the sub-residency should be removed from this site and relocated to a joint facility at the Ithaca Tompkins Regional Airport. *(Corr. Number: 1, 1-b, 3, 7, 16)*

**Response**: NYSDOT remains committed to developing a project, in coordination with the Ithaca Tompkins Regional Airport, for the construction of a shared fuel facility on airport property that will meet the needs of both the Airport and the sub-residency facilities. The proposed new shared airport fueling facility will require a change to the Airport Layout Plan, and the requirements of the NEPA will be adhered to by the airport and the FAA, including any appropriate public involvement.

6. **Comment**: The project process has lacked transparency and there have been limited opportunities for public input and input from abutting residents. A Freedom of Information Law request was denied. *(Corr. Number: 1, 1-a, 1-h, 3, 5, 8, 9, 10, 12, 13)*

**Response**: Representatives from NYSDOT and Tompkins County have engaged in dialogue with adjoining property owners and elected representatives since the NYSDOT project was initiated and will continue to do so. Input from neighbors and elected officials was received, resulting in changes to the proposed site layout, as well as measures to address visual impacts.

The response to the Freedom of Information request to NYSDOT was in compliance with Article 6 of the Public Officers Law.

**B. ALTERNATE SITES**

1. **Comment**: Are there other alternative sites for this project? *(Corr. Number: 1, 1-i, 2, 6, 7, 7-a, 7-b, 12, 13, 17)*

**Response**: Prior to being offered this site by the County, NYSDOT reviewed other sites.
When reviewing suitable sites for the relocation of the Tompkins County sub-residency, NYSDOT considered factors including:

- State, county or municipally owned land, avoiding the use of eminent domain;
- Close proximity and ease of access to the state highway system;
- Appropriate zoning classification and compatibility with local land use planning;
- Sufficient acreage to house the sub-residency building and the various storage facilities, with good access and good, efficient, safe site circulation, and open space for buffering from neighboring properties;
- Environmental conditions such as minimal site clearing, avoiding designated wetlands, drainage and soil conditions.

All of these factors were taken into consideration during the process of site selection. There is a discussion of other sites considered prior to the identification of this site by Tompkins County in the Draft and Final EA in Section 3.2. The proposed project site offers all the location and site characteristics needed to support a NYSDOT sub-residency.

2. **Comment:** Can the project be relocated within the existing 53-acre County-owned site?  
   *(Corr. Number: 1, 1-a, 1-b, 1-d, 1-I, 2, 3, 4, 9, 13)*

   **Response:** The portion of the County-owned property at the Ithaca Tompkins Regional Airport offered to NYSDOT was located in the north east corner of the site. The location offered to NYSDOT met its criteria for new locations for the Sub-residency (described in Response B-1). Based on publicly available information, including the County's 2016 Feasibility Study for the Ithaca Tompkins Regional Airport Industrial/Business Park (2016 County Feasibility Study), a variety of constraints exist on the other portions of the parcel as described below. These, coupled with the need for direct access to Warren Road and the site acreage needs of the sub-residency, limited the available location to the present site.

Two aeronautical limiting factors include the existing **Runway Protection Zone** (RPZ) and **Departure Surface** (both defined in FAA Advisory Circular 150/5300-13A). The goal is to maintain the greatest buffer between the Airport, RPZ and Departure Surfaces and the proposed structures.
The RPZ is a defined trapezoidal area on the ground that restricts nearly all types of development. The proposed buildings would be prohibited from the RPZ, and even the access drive and auto parking are not recommended within the limits of RPZ. For the Ithaca Tompkins Regional Airport Runway 14, the RPZ begins 200’ from the north end of the runway, and extends for a length of 1,700’ onto the County parcel.

The Departure Surface is an imaginary plane with a slope of 40:1 commencing at the end of the runway and extending outward and upward over the residency site (i.e., for each 40’ outward from the runway end the surface increases 1’ in height above the runway end elevation).

Environmental constraints also exist on the remainder of the 53 acre County-owned property at the Ithaca Tompkins Regional Airport:

- A National Wetland Inventory (NWI) mapped wetland occurs to the west and there may be other wetland constraints to the west and south, associated with Stream A (see Appendix D, Wetland and Stream Delineation Report) that continues in that direction.
  - To the west, lands are entirely forested which would result in significant clearing and tree removal.
  - Relocating to the west and south also results in greater infrastructure and utility construction with more site disturbance for access.
  - Relocating to the west and south limits access to Warren Road, the preferred route for NYSDOT vehicles.

The proposed sub-residency parcel maintains the greatest buffer possible between the RPZ and the maintenance facility, keeps the facility out of the direct path of the runway approach, and balances the environmental constraints. As shown on the Figure 1, relocating the 15.5 acre site southward on the site (allowing for future use by the County on the proposed project site), result in an incursion into the RPZ. The FAA would object to such a move.
3. **Comment:** Can the maintenance facility and salt barn be relocated further from the residences within the existing 15.5 acre parcel? (Corr. Number: 1-I, 6, 7, 8, 13)

**Response:** There have been several iterations of the site design prior to arriving at the current layout. Early drafts of the site layout included the salt barn at the northerly section of the site with the maintenance garage also further north (as shown in Figures 1-4 in B-2 above). After consultation with adjoining property owners and their local elected representatives, the site layout was modified to its current design, placing the salt barn as far south and west as possible and placing the maintenance facility as far south as possible. Relocating the maintenance building further to the south would involve relocating the fueling pump from the east side to the north side of the facility, closer to the existing residences on Hillcrest Road. Relocating the salt barn further to the south would conflict with the stormwater management system. The stormwater management system is located in the southwest corner of the 15.5 acre site to take advantage of...
existing topography and limit the extent of grading necessary to create a system that is in compliance with the State Pollutant Discharge Elimination System (SPDES) Permit Program. Relocation of the stormwater facilities from the downslope area would result in greater overall disturbance based on grading.

Another option considered was to rotate the maintenance facility 90 degrees from the proposed layout (See Figure 5). Although this layout is achievable, it would encroach further to the north towards the existing residences on Hillcrest Road and would preclude the use of solar panels on the roof because of roof orientation. The current layout maximizes the setback from the residences on Hillcrest Road without placing other less desirable site components closer to these residences. Additionally, the south facing roof will allow for the installation of the solar panels, providing a renewable energy source.

The following figures show the progression of site development and the response to concerns raised by the residents to move the sub-residency maintenance building and the salt shed further away from the existing homes.

Figure 2 – Early Layout Concept
Figure 3 – November 2018 Layout with Salt Storage Shed and Maintenance Building Relocated

Figure 4 – December 2018 layout with buffers
4. **Comment**: The County parcel north of the Airport is supposed to provide land for a future runway expansion. It had been represented to the past owners of this portion of the
County land, that this parcel could not be sold or developed because it fell in the "Clear Zone Approach Area" where building could not occur. (Corr. Number: 1, 3, 3-a, 4)

Response: The Ithaca Tompkins Regional Airport has determined that the subject property is no longer needed for airport purposes and has made application to the FAA to release it for non-aviation purposes. The release of the subject property from airport use is the action by the FAA for which this Environmental Assessment is being prepared.

The deed to the proposed 15 acre site conveyed to Tompkins County recorded April 3, 1968 contains no terms, conditions or covenants running with the land restricting the use of the property. Certain uses can be developed within the approach/departure of the runway that do not interfere with the Runway Protection Zone (RPZ) and the Departure Surface, as discussed in the response to Comment B.2 above. The proposed project is designed to maximize the distance of the maintenance facility from the RPZ and to keep it out of direct alignment with the runway. The current aviation activity forecast for the airport does not indicate the need for a runway expansion. This is one reason supporting the County’s decision to sell the airport property.

C. Compatible Land Use

1. Comment: The project will change the character of the neighborhood and was not expected when purchasing homes. Should be compensated for property value loss. (Corr. Number: 1, 3, 4, 5, 10, 16)

Response: The site is recognized by the Town as suitable for industrial development and was zoned Industrial-Research (IR) District, prior to NYSDOT considering it for a sub-residency. As identified in the Draft and Final EA Section 4.3, the Town of Lansing Land Use Ordinance indicates the intent of the Industrial-Research (IR) District is to designate areas where some form of light manufacturing, fabrication, assembly or research, mining and power generation/utilities are appropriate and desired land uses. This project is in keeping with the zoning uses identified.
Any statement of loss in property value is the opinion of the commenter and is beyond the scope of this EA.

2. **Comment:** The project will result in increased traffic on Hillcrest Road. The speed limit on Hillcrest Road should be reduced. Truck traffic should be limited to Warren Road and exclude heavy trucks from Hillcrest Road. (Corr. Number: 1, 1-b, 1-c, 1-e, 7, 8, 17)

**Response:** The site access is located directly off of Warren Road, which is south of the intersection of Hillcrest Road. The analysis performed for the NYSDOT Tompkins County sub-residency assumed that there would be 30 additional vehicles in the peak hour of traffic (i.e. a combination of staff passenger vehicles, pick-up trucks and plow trucks during the snow and ice season at shift changes) accessing the site from the south. Therefore, we do not anticipate increased traffic on Hillcrest Road.

A speed limit reduction on Hillcrest Road, a county owned road, is beyond the scope of this EA.

Hillcrest Road is currently posted with an axle weight limit of 2 tons, which precludes the NYSDOT trucks from using this road.

3. **Comment:** The project site has limited road frontage and as a result the site entrance should be moved further to the south to provide adequate sight distance along Warren Road. (Corr. Number: 1)

**Response:** The proposed NYSDOT sub-residency driveway intersection with Warren Road has been designed to exceed minimum intersection sight distance requirements while maximizing the distance away from the existing Hillcrest Road intersection.

Any vegetation within the intersection sight triangle will be removed to maximize sight distance.

4. **Comment:** Trails/pathways should be incorporated in the site design. (Corr. Number: 1, 1-h, 1-l, 6, 8)
Response: Unrestricted public access is not permitted at NYSDOT maintenance facilities due to safety concerns with site operations. As such, the proposed NYSDOT Tompkins County sub-residency facility will be surrounded by security fence. The amount of open space remaining outside of the proposed security fence and its general location adjacent to privately owned and airport owned property does not support the creation of public pathways on the property. Pathways in the open space would not connect to any other public trails and would not be accessible except through the facility’s driveway or through private property.

D. HAZARDOUS MATERIALS

1. Comment: The barn structure may have asbestos containing materials and will be a health hazard to the community. (Corr. Number: 2)

Response: Draft EA Section 5.9 and associated Appendix K provide the analysis for Asbestos Containing Materials (ACM) in the barn structure. A survey of the barn was conducted in accordance with the requirements of state regulations (12 NYCRR 56) and laboratory analysis confirmed the presence of one ACM in the form of window glazing on the windows on the southeast and southwest sides of the barn. Since demolition of the barn is not proposed as part of the NYSDOT Tompkins County sub-residency project, there will be no disturbance to ACM as a result of the project. Additionally, the proposed NYSDOT property, including the barn structure will not be available for public access. The project will not create any potential for exposure of the community to ACM and no mitigation is required to protect the health of the community.

E. HISTORIC RESOURCES

1. Comment: The discussion of the historic homes at 8 and 16 Hillcrest Road is insufficient to properly address the impact and mitigation. (Corr. Number: 1, 1-a, 1-I, 3, 6)
Response: A complete record of Section 106 Documents and Correspondence is found in Appendix G of this Final EA for the Project.

- The Section 106 Finding Documentation in Appendix G was prepared in accordance with documentation standards described in federal regulation, 36 CFR 800.11(e), for a No Adverse Effect finding. The documentation describes NYSDOT outreach to property owners, and measures to avoid or minimize potential adverse effects, based on coordination with property owners at #8 and #16 Hillcrest Road and the State Historic Preservation Office (SHPO). These measures to reduce ‘negative impacts’ are documented as conditions to the No Adverse Effect finding.

- The Architectural Survey report found in Appendix G provides detailed descriptions of the historic properties at 8 Hillcrest and 16 Hillcrest Road. The report includes a history of the former Bishop farm complex and extensive photographs of the barn, including both exterior and interior views. Photographs document the barn’s advanced state of deterioration. The project will avoid direct effects to contributing features of the National Register Eligible Bishop farm complex, including the barn.

F. LIGHTING & VISUAL IMPACT

1. Comment: The berm to screen 16 Hillcrest Road should be extended if it is determined that the Bishop barn should be removed. *(Corr. Number: 1, 3, 6)*

Response: The barn will remain in place and will not be impacted by this project. The berm is designed to provide screening as intended.

2. Comment: The screening berm should be increased to 15 feet in height, include a solid fence, and densely planted with conifers and deciduous trees. An 8-foot berm was also suggested. *(Corr. Number: 1, 1-c, 1-d, 1-f, 1-g, 1-h, 3, 4, 8, 17)*

Response: The berm was designed to provide adequate screening while maintaining a portion of the field to retain some of the contextual relationship between the house and the former agricultural field. With respect to the Section 106 process, the planted berm is among the measures developed to minimize visual effects on the historic property, and
one of the conditions to a No Adverse Effect finding as determined by the FAA in coordination with the NYSDOT, and in consultation with the State Historic Preservation Office (SHPO). The berm cannot be increased further in height without increasing the grading into the field between the berm and 16 Hillcrest. The berm slopes are 3 on 1, meaning that for every one foot rise in elevation there is a 3-foot horizontal expansion in each direction, for a total widening of the berm width by 6 feet per one foot rise. The current berm height is 5 feet. An additional 3-foot rise would impact the adjacent field. An additional 10-foot rise would extend the toe of slope at or beyond the property line at 16 Hillcrest and would likely extend beyond the property line to the east, resulting in a visual encroachment and impact to the remnant historic barn foundation. Increasing the slope of the berm to allow for increased height without widening is also not good practice since anything beyond 1 on 3 becomes difficult to plant and maintain and much more prone to erosion.

Additionally, the density of plantings on the berm is designed to provide the trees with sufficient room to grow and flourish. Tighter plantings can slow growth and prevent the type of screening intended. A solid fence would further alter the character of the property’s setting and existing landscape.

For these reasons, a higher, densely planted berm with a solid fence would not provide a more effective screen, and would trigger additional visual impacts.

3. **Comment:** Landscaping and visual buffers are required to mitigate the impacts to the neighbors (Corr. Number: 1, 1-b, 1-g, 1-h, 1-i, 3, 6)

**Response:** In addition to the berm provided to screen 16 Hillcrest Road, the project has been redesigned to provide a vegetated buffer between the sub-residency and the properties to the north on Hillcrest Road. Approximately 10 feet of pavement has been eliminated from the storage area at the northern property line. This allows the drainage swale that collects stormwater in that area to be pulled further to the south, providing opportunities for some conifer plantings as shown. These revisions are also reflected in the Visual Impact Assessment, Final EA Appendix L.
4. **Comment:** Reduce lighting impacts through motion detectors so lighting is only on when facility is in use. *(Corr. Number: 1-i, 2)*

**Response:** the facility must have lighting for security but as discussed in the Draft EA, the facility lights will be on a motion detector dimmer that will reduce the lighting by 60% when the facility is not in use. This is a significant reduction in the lighting and will be the normal condition most nights of the year.

5. **Comment:** The I Love NY logo should be removed from the roof of the maintenance facility. *(Corr. Number: 3, 4)*

**Response:** The I Love NY logo was included on a preliminary plan. The logo was removed from the roof of the maintenance facility (as depicted in the photo simulations provided in Appendix L). The roof is gray. The roof color and removal of the logo are included in the Conditions to the Section 106 Finding Document in Appendix G.
G. **Energy**

1. **Comment:** There is a *natural gas moratorium in the Town and the project should use alternate fuel sources. The proposed energy source for building heating is inconsistent with NYS policy. Design an energy efficient facility with reduction in fossil fuels.* (Corr. Number: 1, 1-e, 1-g, 1-h, 1-i, 2, 6, 8, 14, 15)

**Response:** As stated in the EA, the proposed NYSDOT Tompkins County sub-residency maintenance building will incorporate energy saving fixtures, better insulation and more effective and efficient heating and cooling equipment, compared to the existing Ithaca sub-residency maintenance building that was constructed in 1958. As a result, it is anticipated that there will be a net decrease in overall energy usage. The energy source for the maintenance building heating system will include a combination of propane and geothermal.

The maintenance building has been sited to take advantage of a southern exposure that is conducive to the incorporation of solar panels. Approximately 240 photovoltaic modules (panels) will be installed that have the capacity to generate approximately 112 megawatts (MWh) of electricity yearly.

LED lighting will be used for site lighting and will be managed by a motion-detecting dimmer switch that will reduce the lighting levels by 60 percent when the site is not in use.

H. **Noise Impact**

1. **Comment:** *Back-up beepers on trucks will impact residences.* (Corr. Number: 1, 2)

**Response:** To minimize the use of backup alarms required on equipment, the design of the site minimizes the amount of backing operations required to operate the site. Trucks that need to be loaded with sand and salt will be able to pull through the site without backing up. Only the front end loader will back up during loading operations. Noise from the loader’s backup alarm will be intermittent when in use. Backup alarms are required
for worker safety. While the need for their use has been minimized by the design, they are unavoidable and will be noticeable. See Appendix H for further information.

2. **Comment:** The noise impacts are much greater than identified in the Draft EA. There will be 30 trucks per hour using the facility and this could occur over a 24-hour day during winter storms. *(Corr. Number: 1-b, 7, 12, 13)*

**Response:** The expected maximum noise levels from operation of the maintenance facility, both during daytime operations and during nighttime operations for snow and ice removal operations, are below the maximum noise levels that are already occurring at the 16 Hillcrest Road residence due to other noise sources. Based on the analysis done, noise levels are not expected to be greater that those identified in the EA. As described in Section 5.3.2 of the Draft and Final EA, the NYSDOT estimates that the project would result in 30 additional *vehicles in the peak hour* of traffic, i.e. a combination of staff passenger vehicles, pick-up trucks and plow trucks during the snow and ice season at shift changes.

Also, as described in Section 5.13.2.2 of the Draft and Final EA, from April to November the standard hours of operation for a NYSDOT sub-residency facility are 6:00 AM-4:00 PM. During that time, vehicles are typically away from the facility or inside the maintenance building. There is no scheduled nighttime activity during these months. Work vehicles will enter and exit the facility intermittently throughout the day based on the highway maintenance work to be completed.

From November to April, standard hours of operation for a NYSDOT sub-residency facility are from 3:30 AM to 8:30 PM, covered by two shifts. When snowing, those shifts extend to cover 8:30 PM to 3:30 AM (24-hour coverage). The NYSDOT Tompkins County sub-residency operates ten plow trucks during the winter, but these are typically away from the facility or inside the maintenance building. Salt deliveries are made during the day and plow truck activity during snow and ice events would be intermittent. Based on past years’ experience, the NYSDOT Tompkins County sub-residency is estimated to operate on a 24-hour schedule for approximately 35 days a year. Refer to Section 5.13.2.2 and Appendix H for more information on the noise analysis methodology.
3. **Comment:** The noise analysis should have addressed the instantaneous or short term higher noise levels to evaluate impacts. *(Corr. Number: 1-i, 6)*

**Response:** The equivalent noise level, $L_{eq}$, is accepted in noise analysis because of the time varying nature of noise and is included in the NYSDEC Program Policy for Assessing and Mitigating Noise Impacts (Program Policy # DEP-00-1). Maximum noise levels (designated as $L_{max}$) can be important in settings where a high intensity noise source is in close proximity to a sensitive noise receptor. The equipment that will be operating at the maintenance facility, trucks and construction equipment, does generally not produce high intensity noise. Maximum noise levels were recorded at both the existing NYSDOT maintenance facility at Third Street in Ithaca and the property line at 16 Hillcrest Road during the noise measurements. The $L_{max}$ at the maintenance facility was 80 dBA, while the $L_{max}$ at the residence was as 86 dBA. The $L_{max}$ at the Tompkins County sub-residency due to snow and ice removal operations is expected to be 60 dBA at the property line at 16 Hillcrest Road (refer to Draft and Final EA Appendix H). The existing condition $L_{max}$ recorded at the property line of 16 Hillcrest Road during nighttime hours was 70 dBA.

An evaluation of the maximum noise levels provided above shows that the expected maximum noise levels from operation of the maintenance facility, both during daytime operations and during nighttime operations for snow and ice removal operations, are below the maximum noise levels that are already occurring at the 16 Hillcrest Road residence due to other noise sources.

### I. **WATER QUALITY**

1. **Comment:** The stormwater analysis does not take into consideration the impacts of increased precipitation due to global warming. *(Corr. Number: 5, 6, 8, 12)*

**Response:** The stormwater analysis performed for the NYSDOT Tompkins County sub-residency follows the tenets of the NYSDEC Stormwater Management Design Manual. At present, the NYSDEC Stormwater Management Design Manual does not include design-
flow multipliers for future forecast precipitation for designing stormwater management practices.

The NYSDOT Bridge Manual was updated in 2017 to include standards for evaluating storm flows that takes into consideration increased precipitation that is dependent on the location. Specifically, current peak flows shall be increased to account for future projected peak flows. Based on the USGS developed “Future StreamStats” tool, current peak flows in Tompkins Counties are increased by 10%. This was included in the design for the culvert crossings proposed by the NYSDOT Tompkins County sub-residency project. Likewise, the NYSDOT Highway Design Manual was updated in 2018 to reflect this change. The culverts have been sized to accommodate the 50-year storm event using future conditions.

2. **Comment:** Potential for contamination of surface and groundwater from salt storage.  
(Corr. Number: 2, 5, 10, 13, 17)

**Response:** Salt is stored in an enclosed salt storage facility. The minimal quantities of salt that may be tracked from the salt storage facility onto the paved surface at the facility are restricted from entering surface waters by curbing. Vegetation within the stormwater management practices takes up nutrients and chlorides to limit discharges of pollutants to groundwater.

NYSDOT Salt Storage facility best management practices will be employed at the sub-residency including the following:

- Daily, Shop Supervisors inspect the areas near the storage facility opening, truck loading areas, the exit to the facility and the first intersecting highway to identify piles/windrows of salt on the ground. If detected, shop supervisors will immediately direct the cleanup of this salt.
- It is not acceptable to allow salt, even small quantities or incidental spills, to remain exposed to the elements. This includes salt that has been delivered, salt that has been returned after completion of snow and ice control operations, salt that has spilled from trucks or loaders, or salt inadvertently discharged from a plow truck.
• Salt is to be delivered, handled and loaded only on paved surfaces. Pavement must be well maintained to prevent brines from seeping through joints, cracks and breakouts and to prevent salt grains from accumulating in cracks and potholes where they are difficult to remove.
Appendix O
Written Comments
January 30, 2019

Michael Washburn, P.E.
NYS Department of Transportation 333 E. Washington Street
Syracuse, New York 13202

Re: 3M00.18 – Town of Lansing
Tompkins County Subresidency at Ithaca Regional Airport
“Involved Agency Comments”

Dear Mr. Washburn,

The Town of Lansing wishes to make comments on the SEQRA / NEPA documents as prepared for the proposed Tompkins County Subresidency at Ithaca Airport. While this would be beneficial to the entire community, there are several concerns that have been expressed by local residents, neighbors, Town of Lansing Planning Board and Lansing Town Board Members. I will try to highlight the various concerns that have been expressed and possible alternatives for consideration as the proposed project moves forward.

We recognize that the FAA as “Lead Agency” will primarily consider the NEPA / FONSI criteria, the majority of the Town’s questions will be more applicable to the SEQRA review that looks in greater detail at probable impacts and attempts to mitigate these impacts. The graphic materials that we have to make comments and review these impacts are graphic illustrations and not full scale engineering drawings. It is difficult to make complete response based on the level of information that has been provided to date.

- **Location** – The proposed 15 +/- acre parcel is in very close proximity to several residential structures. It has been recommended several times, that the NYS DOT parcel be moved further to the South to reduce the impact on the adjoining neighbors. It has been recommended by the Planning Board members, several community members and residents to move a minimum of 1000 feet further south on Warren Road or possibly south of Cherry Street where more similar uses are located.

- **Alternates sites investigated** – The alternate sites included within the Environmental Record only identify 3 potential sites. The proposed location probably most likely is the best of those, however superior sites locations south on Warren Road and closer to the airport complex should also have been included within the discussion of alternate sites.
Tompkins County / Airport current controls nearly 90 acres in that general vicinity and the 15 acres site selected impacts the neighbors much more that the other land available. Recommend reconsideration OTHER ATERNATE LOCATIONS closer to the airport south of Cherry Road.

- **Future Airport Expansion** -- it has been recommended that in the future, should the airport runway need to be expanded, the only possible location is to expand to the northwest where this proposed site is located. It has also been noted that this area is where the “Aerial Fuel Drop” occurs when a distressed plane needs to make an emergency landing before it hits the runway.

- **Sewer District Expansion** -- The Town of Lansing contracts with the Village of Lansing (transportation) and the Village of Cayuga Heights (transportation and treatment) of the sewer district Waste Water treatment. This three party municipal agreement should also be reflective of the approval of all these municipal governments as “Involved Agencies” as they also must agree to revise the existing sewer agreement. All three agencies will also need to complete a SEQRA review process to expand the existing Warren Road Sewer District and the other organization should also be included within the discussion of this environmental review. As only a portion of the Tompkins County parcel area has limited ability to connect to the existing sewer, the existing sewer agreement must be revised to include the proposed NYS DOT facility.

- **Subdivision** - The proposal includes approximately 15+/- acre parcel taken from two (2) existing tax parcels. To date, we have not receive a proper completed subdivision application and survey map that clearly identifies the extent of the formal parcel and the residual Tompkins County land(s). Based on the conceptual drawings provided to date, this proposal is “not compliance with the Town of Lansing Subdivision Ordinance” due to the limited roadway frontage and potential future connecting roadway as currently drawn. The intent is to plan for the future development of the remaining undeveloped parcel which is a good thing. The Planning Board ultimately required to review and approve the final subdivision map before it is filed. The final subdivision map should wait until the final location of the 15+/- acres to be conveyed is determined. Should the connection to the sewer district not be completed, the site plan footprint will need to change in order to accommodate an “on-site septic engineered septic system”.

- **Limited Road Frontage** – The proposed location is wedged behind a triangular parcel and has limited roadway access. The recommendation is to relocate the entrance driveway to the south to provide adequate visibility along Warren Road with the number to heavy trucks and vehicles that would enter and exit into the proposed DOT complex.

- **Fuel Station** – it is highly recommended that the fueling station be removed from this site and relocated as a “joint facility” with Tompkins County, The Airport Operations and NYS DOT in a central site within the existing campus to the airport. The safety
factor of plans flying overhead and potential emergency landing would have a devastating effect should an accident occur at the DOT site. Mike Hall of the Tompkins County Airport has also recommended this approach which would be a consolidation of services, saving all the participating organizations time and budget in both the short-term and long term.

- **Neighborhood Traffic Concerns** – the Warren Road was constructed for heavier vehicle usage. Hillcrest Road does not have adequate roadway shoulders and is not safe for current residents that may walk or bicycle in the area. The Planning Board’s recommendation is to limit the NYS DOT trucks to Warren Road and exclude heavy truck and vehicles from using Hillcrest Road. This roadway is also a short cut to the airport and the airport business park which has a high volume of residents and currently safety is a growing concern. The location of the NYS DOT facility will impact the local residents with additional traffic on Hillcrest Road. See attached emails, etc.

- **NYS State Historic Preservation Office (SHPO) Issues** – The neighbors at 8 Hillcrest – Warren B. Arnold House (c. 1865) and 16 Hillcrest – Thomas Bishop House (c. 1815) are both considered “Eligible for the National Register of Historic Places”. While the current environmental documents do include very cursory and limited information about these historic sites. There is not enough discussion of the potential impacts and the proposed solutions to reduce the negative impacts. There was very limited discussion with the affected neighbor parties and the buffering as currently proposed.

- **Historic Thomas Bishop Barn** – on the current site plan, there is not any proposed action other than letting it continue to deteriorate and fall down. The SHPO 106 review does declare that this is a ‘National Register of Historic Places Eligible historic structure’, however there is not an adequate description of proposed actions. One option would be to stabilize and restore this barn and area as this is one of the earliest remaining barns in the entire Town of Lansing. The barn was subdivided from the original farm house located at 16 Hillcrest road. Insufficient information was provided.

- **Noise Impacts** – The “back-up beepers” that are required for the trucks and heavy equipment will have an impact on the proximity to neighbors. The 2 dB listed in the environmental document only includes the increase in noise level for the current NYS DOT downtown Ithaca location – and does not indicate the difference between the current readings which would be negligible. The noise impacts are much larger that stated in the environmental reports.

- **Proposed Elevated Berm Area Inadequate** – The current plan indicated a berm and planting area along a portion of the property line to partially shield the historic Thomas Bishop House (c. 1815) from the proposed DOT operation. The options would be to relocate the DOT facility to the south and expand the distance between uses. Should the DOT determine the fate of the related Historic Thomas Bishop Barn – should the barn be...
disassembled and salvaged the historic components (barn beams, siding, etc.), then the Planning Board would highly recommend the continuation of the berm and landscaping area the entire length of the property line to provide adequate visual separation for the entire site.

- **Berm Design Revised** – The Planning Board highly recommends a taller and heavier berm that would be a minimum of 15 feet high of compacted materials (to reduce settlement) that is 20 foot minimum wide across the highest elevations that would be heavily planted with alternating rows of conifers a minimum of 6 feet tall planted – spaced tightly say 10 feet on center. This may also include a solid fence to assist in reducing the sound issues. The berm must also be located the entire property boundary to reduce potential impacts of both the neighboring historic residential structures.

- **Natural Gas** – NYSEG currently has a Natural Gas Moratorium. It would be beneficial to provide adequate natural gas to the Town of Lansing area. We assume that backup electrical generator will be required. What will be the fuel source of Propane or Natural Gas?

- **Pathways** – the Planning Board always includes the consideration of public pathways in the proposed development projects. The Tompkins County balance of lands should also include an overall plan to allow public access to future pathways.

While the Town of Lansing believes that the proposed NYS DOT Facility will be a positive influence to the community, there have been several serious issues that have been identified through this limited public review process. We anticipate that should serious consideration be given to these comments above, there will be changes to the proposed sketch plans currently being reviewed. We have promised to assist in expediting the process to adhere as close as possible to the current timeframe. These recommendations and changes have been submitted for inclusion to make this a better project for everyone involved. We are available to assist with further dialog and input.

Sincerely,

Edward LaVigne,
Lansing Town Supervisor

Attachments: several emails
   cc: Lansing Town Board Members
      Mayor of the Village of Lansing and Mayor of the Village of Cayuga Heights,
      Lansing Town Planning Board Members
      Kathleen Joy, NYS DOT
Dear Board Members,

We understand that you will be submitting comments to the FAA via the DOT addressing the Town's concerns about the prospective DOT move to Lansing. I have spoken with the FAA directly, in particular with Edward Knoesel, Airport Environmental Specialist, (edward.knoesel@faa.gov) who will be involved in the decision making process determining the 'land release' issue within the FAA and can, and probably should, be CC'd along with anything sent to the DOT.

I think we made most of our concerns clear at the public hearing on the 16th; the availability of acreage to the south and the County's, and the DOT's, reluctance to consider it as an alternative location alleviating residential and environmental impact. Also, a flawed EA that seriously downplays the amount of noise, visual and light nuisance that will be generated, as well as, the increase in traffic along Warren Road.

In addition, information not covered at the public hearing concerning our historic home at 16 Hillcrest Road that is eligible for the National Registry, we believe the Section 106 generated in the EA by the DOT is flawed and misleading. Not only is the DOT's interpretation of direct interactions with us misleading, but the noise assessments and the effectiveness of visual buffers are unrealistic. And, the determination that the facility will have 'no adverse affects' on our property is ludicrous. Apparently, a steep drop in market value which is never likely to recover followed by a lack of incentive for us or any future home owner to commit capital to its rejuvenation and future existence is not considered an 'adverse effect'.

The truth is, we were never included as a consulting party regarding the Section 106 determination and we should have been, and in fact, we would like to seek that now and reopen the Section 106 for re-evaluation, however, while the FAA in large part (including the department responsible for the 'land release' decision) remains open due to alternate funding, nearly 40% of the FAA has been furloughed including the ACHP (Advisory Counsel on Historic Preservation) that advises the FAA and citizens on historic preservation issues has been unavailable since the current government shutdown. Consequently, advise and consultation has been denied to us from this agency since before the time the DOT released their EA.

We thank the Lansing Town and Planning Boards for their involvement on behalf of impacted and concerned members of the community.

Thank you

Bill and Maura Kennedy-Smith
Hello,

My name is Justin Kimball and I am a resident of 50 Hillcrest Road. My home is situated on 4.3 acres and I own the adjacent 10.2 acre lot as well. I am one of the residents who will be most affected by this move of the DOT.

Since the current DOT site has zero residents surrounding the existing downtown facility, how are we to accurately assess the full invasive impact of this new facility on the families in the Hillcrest neighborhood? Noise from the trucks & heavy equipment, as well as the additional traffic, light pollution, air pollution, gas pollution, and salt run-off factors all stand to significantly disturb the healthy, peaceful quality of life currently enjoyed by the families of Hillcrest Road. Considering the fact that there was already one plane crash close to the proposed site of the fuel tanks, it seems legitimate to seriously question the safety of positioning a gas station next to the airport runway. The Environmental Assessment document itself, pp.146-147, suggests that for safety reasons the salt barn & fueling station be moved further to the South of the proposed site. I certainly agree. This concession also provides a slightly wider buffer zone for the current residents of Hillcrest Road to maintain some small margin of privacy in their daily lives. But that is not our only concern.

The EA projects that traffic will increase by 30 trucks per hour. This is a massive increase from the current moderate traffic patterns on the corner of Hillcrest Road. Employees from Borg Warner already fly down Hillcrest Road. Now are we going to add large plow trucks with no sidewalk, no bike paths, and no traffic light? Even with conditions as they are now, the speed limit should be lowered. You have to be one courageous soul to walk down the road, or check your mail with the current traffic patterns that exist. The EA also suggests that 30 trucks per hour will only increase the noise decibel level by .2. Have you ever heard a snow plow truck go by? We currently can hear noise from Borg Warner which is two streets removed from this proposed site. I believe the statistic of .2 decibels is not even close to the actual impact these trucks will have on our local environment. Plow trucks also have flashing lights & beeper alarms that sound when the gears are reversed. I am certain this noise and light pollution has not been taken into consideration. With these trucks operating around the clock, would this activity not severely affect the neighboring family residents’ ability to rest at night? Who among us would welcome this type of disruption to our peaceful, rural neighborhood environment?

Since there are 53 acres of land that currently exist around the airport, why would the DOT choose to position the new facility adjacent to existing family homesteads? Surely there are other sites either further South of the proposed area or West of the airport, or literally anywhere other than the immediate back yard of local residents with established homesteads.
On a purely personal level, I am deeply concerned about how the chemicals associated with the DOT facility will affect the water in my well. The huge increase of traffic servicing the facility as well as salt & gasoline run-off will leach into the ground water affecting my well water, and potentially polluting my drinking water. Well water is the only current option for supply to my house. There are currently no water or sewer lines near my household. For all the above reasons, we, the residents of Hillcrest Road, are earnestly requesting that you select another location for this DOT site. There must be another area where these issues won’t impact the health and the quality of life of neighboring residents. That being said, after attending three meetings, it seems our protests are not being heard. If there is absolutely NO OTHER OPTION for relocation of the DOT, then I ask the following concessions in return.

1] I would like to have municipal water and sewer lines extended to my current residence at 50 Hillcrest Road, as well as to the adjacent land which I also own. This municipal service would provide an alternative source of water to replace my current supply of well water which will surely be polluted.

2] I would request the speed limit on Hillcrest Road be lowered to 30 miles per hour, a sidewalk be built to provide pedestrian safety, and a stop light be considered in lieu of the massive increase of traffic.

3] Finally, I propose that the 2019 increase in the assessments of the properties surrounding the DOT site be reversed to below the number of the 2018 assessments which predates the placement of this DOT facility. The location of the DOT at such close range to our homesteads severely depreciates not only the value of the Hillcrest properties, but also the quality of country life the residents enjoyed prior to the installation of this facility.

To quote Governor Cuomo: he called the move for the DOT an opportunity to access 43 million dollars of lake front land to use for luxury condos. Since the DOT elected to pay $875,000 dollars for the purchase of this piece of property which was assessed at $300,000, an amount 325% over assessed value, it seems reasonable to suggest that the residents’ who are suffering the greatest loss to their privacy and property values be compensated as proposed in the three requests stated above. If our wishes for the DOT to locate elsewhere are to be denied, then grant the neighboring residents some measure of justice by honoring our requests for the above mentioned needs. I bring my comments to a close by leaving you with one thought. Would you appreciate this facility being located in your own back yard? or the backyard of your parents? How would you feel about the potential pollution of the air, water & land, amongst other issues? Please do the right thing and move this facility to another location. You have options to place this facility somewhere else, but we cannot relocate our homes. I thank you for your time and for seriously considering our requests. Please feel free to pass this letter on to anyone else who might be involved in the decisions making process.

Justin Kimball
50 Hillcrest Road
Lansing, New York
(607) 592-2475
From: Sean S <virgilscanlon@gmail.com>
Date: 1/24/19 7:43 PM (GMT-05:00)
To: bill kennedy-smith <bdksmith85@yahoo.com>
Cc: Edward LaVigne <elavigne@lansingtown.com>, Doug Dake <ddake@lansingtown.com>,
Katrina Binkewicz <kbinkevicz@lansingtown.com>, Andra Benson <abenson@lansingtown.com>,
Joe Wetmore <jwetmore@lansingtown.com>,
aforille@tompkins-co.org, nld1@cornell.edu, "Larbear@Juno.com" <Larbear@juno.com>,
deeanshea@sunnybrookbuilders.com, djt2@cornell.edu, tjb2@cornell.edu, Michael Long <mlong@lansingtown.com>, Maura Kennedy-Smith <mauraks3@yahoo.com>
Subject: Re: Lansing Town and Planning Board comments to FAA

Good evening Lansing Town Board,

Thank you again for listening to my concerns last week. I will echo many of the comments that Bill and Justin wrote and add a few more. I am most disappointed that the County did not engage with the town before selling this land. Through our rep, Mike Sigler, I have asked the County to show proof of when they notified the neighbors that they planned to sell this land to the DOT. So far I have not received any proof that they notified us that this was in the works.

I would like to continue to urge to find another location. The sale of the land is not complete and closed. At least we should insist the county investigate other locations before moving forward with this.

If they do move forward, I agree that property values and our equity will take a significant hit. We will lose money because of this, but it will be an economic benefit to all other entities. If the location cannot be changed, then I would like to ask for the following:

1) significant improvement in the berm and soundproofing all around the site - make it much higher, with a fence for visual block, plus a lot more tree and shrub landscaping to give some visual relief to Kennedy-Smith and Kimball’s.

2) An agreement with DOT that when they sell the land on the lakefront, the Town will be paid a percentage of the funds to finance these improvements described below

3) A significant, permanent reduction in taxes and not just when the inevitable reassessment of our properties occurs;

4) Connect us to sewer and water and paid for by DOT

5) Lowering of speed limit to 30 on Hillcrest from the top of the hill to Warren

6) Adding a sidewalk to reinforce safety this area as a residential neighborhood, not a convenient short cut for people to drive 75mph to Borg Warner.
7) An agreement with DOT to not allow these trucks to use Hillcrest when going north in Tompkins - Go Warren north instead.

8) An agreement not to develop any more of this land on the corner between Warren and Cherry for min of 50 years

I will also use this email to formally request that we be added to the sewer district.

Thanks for taking these ideas into consideration.

Sincerely,

Sean Scanlon
51 Hillcrest Road
Lansing, New York
From: Joy, Kathleen (DOT) <Kathleen.Joy@dot.ny.gov>
Sent: Wednesday, January 16, 2019 9:55 AM
To: Sigler, Mike (TOMPKINS Co)
Cc: Sean S; bill kennedy-smith; Mike Hall; Molino, Jason (TOMPKINS Co); Edward LaVigne
Subject: RE: NYSDOT Ithaca Maintenance Facility Relocation

Thank you Mike. The Environmental Assessment process is designed precisely for that kind of public input.

From: Mike Sigler [mailto:msigler@tompkins-co.org]
Sent: Wednesday, January 16, 2019 9:02 AM
To: Joy, Kathleen (DOT) <Kathleen.Joy@dot.ny.gov>
Cc: Sean S <virgilscanlon@gmail.com>; bill kennedy-smith <hdksmith85@yahoo.com>; Mike Hall <mhall@pfconsulting.com>; Molino, Jason (TOMPKINS Co) <jmolino@tompkins-co.org>; elavigne@lansingtown.com
Subject: RE: NYSDOT Ithaca Maintenance Facility Relocation

Hi Kathleen,

I know we've talked about this before and I was hoping that the state would come to some sort of resolution with those on Hillcrest as to the placement of DOT facility in Lansing. I initially thought the facility would be going on the other side of Warren adjacent to the airport when it was first proposed and I brought that up in early August. I went so far as to ask Mike Hall and Cornell University to see if there were other comparable sites up there and asked Senator Pam Helming to get involved which she did.

I still think there are other sites that would be easier, but I lost the vote to hold off on the sale and investigate other sites so I'm now working within those constraints. I'm hoping the state would consider moving the facility south on the site. I understand that would limit development on the site in the future and that the "creek" limits where you can place buildings etc. I know you've done work to increase the buffer between the Smith's home and Hillcrest Road, but I'm wondering if we can do even more. Increase the height of the berm, add in even more trees and vegetation.

I should have brought this up at last night's meeting. I didn't because I thought it was all well covered ground, but I should have despite our past correspondence. I'll bring it up tonight at the Lansing meeting. Sean and Bill are cc'd on this as I thought they brought up solid points and are just looking for answers. I know those answers may not delay their concerns, but they're valid. They've poured a lot of themselves into their homes and feel they're now threatened.

Thanks and I'll see you tonight,

Mike Sigler
Tompkins County Representative (Lansing)
From: Joe Wetmore  
Sent: Monday, January 28, 2019 2:08 PM  
To: Edward LeVigne, Town Supervisor  
Subject: Fw: NYSDOT Ithaca Maintenance Facility Relocation

Ed

I see four major issues coming up here:

1. Truck Traffic on Hillcrest
2. Buffering the neighbor’s property
3. Commitment to Geothermal heating/cooling
4. The sewer

Below is the section from Lansing’s zoning code that describes (bold added) the concerns Lansing has formally recognized as needing consideration when reviewing projects in the IR District:

401.8 Industrial-Research (IR) District. The intent of the IR District is to designate areas where some form of light manufacturing, fabrication, assembly or research, mining and power generation/utilities are appropriate and desired land uses. These areas will become small employment centers that could contain a variety of land use activities. To achieve the type of development that will be compatible with the surroundings, it is appropriate to consider each proposal individually. Site planning concerns relate to accessibility, impact on nearby neighborhoods, parking and safe traffic movement, landscaping, buffers, environmental factors, lighting, size, location and such other elements as may be reasonably related to health, safety, property value and the general welfare of the Town.

I think it is important that we point to the specific language of our law and show how our concerns are directly related to the questions that would have come up if we had conducted a site plan review.

Truck traffic on Hillcrest will have a negative impact on nearby neighborhoods, parking and safe traffic movement. Hillcrest is a two lane residential road with narrow shoulders and is already heavily used a crossroad from Warren Road to Triphammer Road. Additional traffic may require reworking the intersection, adding a traffic light, etc. It will require traffic calming work on Hillcrest.

Further, we need a clear commitment as to whether the proposed roads are being designed for added development of the area. Of so, the Environmental review should include any such expansion.
Operation of a 24-hour a day transportation facility will require landscaping, buffers, ... lighting, size, location and such other elements to minimize the impact on neighbors. The neighbors outline numerous ways that the proposed buffering is insufficient.

**Environmental factors** require that this facility be as energy efficient as possible. The current plans suggest exploring Geothermal heating/cooling, we want a commitment to utilizing this as much as possible. We don't want the state competing for Natural Gas usage. The airport has been able to make Geothermal work access the street, the DOT should have no trouble at their location.

The **health, safety, property value and the general welfare of the Town** require that the sewer issue be resolved. I think we should put in our response any concerns we have about the State land being included in the Sewer District. Metering is one concern I've heard.

Those are my thoughts so far.

thanks

Joe Wetmore
Lansing Town Board Member
From: larbear@juno.com [mailto:larbear@juno.com]
Sent: Friday, January 25, 2019 12:58 PM
To: Edward LaVigne, Lansing Town Supervisor
Subject: Re: Lansing Town and Planning Board comments to FAA

Ed:

Mr. Scanlon’s comments have some validity. I think it would be perfectly reasonable to have the DOT put in a berm (minimum 15 feet high, 20 feet wide at the top, compacted to prevent height loss due to settling) and plant the top with interlocking double rows of evergreen trees, minimum starting height of 6'-0.

I am concerned that none of the folks who are affected were properly informed, and I question whether the DOT’s claim that they were not required to inform the town ahead of the proposal, as well as the claim that they do not need a subdivision (I think Guy's initial take on this was that a subdivision would be required.)

I am also concerned that they will not be receptive of anything offered to mitigate the sound of trucks and backup alarms. As we know from experience with the Rink, people who do not want it there can hear sounds whether they exist or not.

Based on my experience in real estate, I am not convinced that their property values will be influenced more than the airport already influences them, but if they can use this ploy to get a PILOT or their taxes reduced, more power to them.

I firmly reject the idea of a sidewalk on Hillcrest. The Town does not need to have that to maintain.

I could get behind the 30 MPH speed limit on Hillcrest, especially since we seem to be considering options to widen it down the hill. I do not feel that, in order to satisfy 20 property owners on Hillcrest, we have the right to force the same thing on 60 or 80 property owners on Warren, Asbury or Collins Road, especially since Asbury and Collins are not built to take it. Better they should go down 13 to Triphammer and 34.

As far as forcing them to move the project South, Bear in mind we would have the same complaints from folks on Cherry, Bush Lane, and in the Horizons area.

Thanks for listening.

Larry Sharpsteen
Lansing Planning Board Member
Hello Town Board Members:

We all know that there may be little if any impact that we can have on the DOT relocation project. I would highly encourage the board to press for lots and lots of berms and tree screening between the DOT and not just the Hillcrest neighbors, but on all sides to mitigate the noise pollution carrying to Cherry Road and across Warren Rd. to other properties (As Ed suggested). I would also push for no fossil fuel heating as they have stated a plan for geothermal use and we all know natural gas is scarce in our town. The county plan and state plans both call for a fossil free future, so OK, let's ask Barb Lifton to keep the valve closed on this project. Finally, I would advocate to deny the change of the sewer district boundary and I would advocate denying sewer connection so the limited flow available would be reserved for more critical projects that don't necessarily have room for septic. At the very least, use the sewer approval as a lever to get concessions on the first 2 items. The last item may be the only influence we can exert. The DOT is on a short timeline, so hopefully we can use our 1 lever effectively given that circumstance.

--
Dean E. Shea, VP
NAHB Certified Graduate Remodelor, Green Professional & Aging In Place Specialist
BPI Trained Building Analyst and Envelope Professional
Referral Institute Certified Networker
Sunny Brook Builders, 2147 Slaterville Rd, Ithaca, NY 14850
Office 607-539-6286, Fax 607-539-6323, Cell 607-280-3356

Sunny Brook Builders Inspires home owners to design, create and maintain an Exceptional living environment.

A living wage employer.

"If you don't have time to do it right, when will you have time to do it over?"
Debi Disque
Dean E. Shea
416 Asbury Rd
Freeville, NY 13068

January 28, 2019

FAA Review Official

Re: proposed Tompkins County, Warren Road NYSDOT facility near Tompkins Regional Airport:

To Whom it may concern:

As a member of the Lansing Planning Board I first have some comments regarding the siting process and the transparency of the NYSDOT staff during the process. As a State Agency, NYSDOT is exempt from the control of the town for a majority of this process. As stated on their website, they first serve the public of New York State. Even when the public is unhappy with a proposed project, a good neighbor engages with those surrounding the project and gets feedback before plowing ahead. Recently Cargill engaged early and often with their neighbors and really did their homework before bringing a new access shaft project to our town. They chose a practical site that mitigates their impact to the neighbors and the town and were open to improvements to the site to reduce their impact to the neighbors. NYSDOT did just the opposite by avoiding bringing information or direct interaction not only to our town boards, but especially to the neighbors who will be affected by this project. Some of the neighbors even filed a FOIL to get information but were denied by NYSDOT and kept in the dark until very recently. The move of this facility to a new location is based upon a grant and there is a very strict timeline to get this work done in order to receive the grant money. The desire by the NYSDOT to move this project ahead with no changes should be weighed against NYSDOT’s lack of transparency and avoiding interaction with neighbors. This state of affairs (NYSDOT being a bad neighbor) should, in my opinion influence the FAA’s review, especially when it comes to considering both the neighbors’ objections and obvious solutions that are available to the County and NYSDOT with little or no impact upon the projects schedule.

In considering the location of the facility, the neighbors don’t necessarily object to a location on County land on Warren Rd. Given the quantity of land the county owns at that location, there is adequate land to move the facility (specifically the storage, loading and sub-residency areas) further to the South rather than nestled up to the North as close to the neighbors as possible. This should first and foremost be considered to reduce the impact of noise and lighting on the neighbors. Given the equipment and resources of the state, higher berms, additional fencing and larger and denser plantings should be included in the plan to further ameliorate the impacts to the neighbors.

The development in this area and the amount of road frontage available in the County property allows a road frontage that complies with the towns zoning would be appropriate. This town requirement helps reduce traffic issues from curb cuts being too close together and are simply good safety practice regardless of the lack of jurisdiction. NYSDOT should be very aware of safety concerns in getting equipment on and off the roadway. As my town planning board colleague Tom Butler mentioned, upsizing the culvert over the 50 year storm size would be prudent given the large flows from storms experienced in the last several years.
The goals of the County and the State to reduce fossil fuel use in New York State should guide NYSDOT to design the facility without a connect to natural gas, but use electric, geothermal and air source heat pumps for their heating and cooling needs and back this up with solar PV generation.

The request for sewer connections for the facility would remove a limited resource from the town on a parcel where plenty of land is available. The NYSDOT site will generate no tax dollars for the town but would like our services. I would suggest that a septic field at the north end of the project would help with an additional buffer and would preserve this resource for further development in the town where density is desired and land for septic is inadequate at the same time.

Tom Butler mentioned in his comments that the comprehensive plan for our town as well as Tompkins County's comprehensive plan call for public trails to facilitate access to the outdoors. Trails make great buffers and could provide additional benefits to the neighbors, the public and the facilities employees in this situation.

Thank you for taking the time to carefully review this project and consider the comments of the public.

Sincerely,

Dean E. Shea

Lansing Planning Board Member
Comments regarding the proposed Warren Road NYDOT facility:

As a member of the Lansing Planning Board I have some comments regarding the Environmental Assessment (EA) for the proposed Tompkins County sub-residency (NYSDOT) facility near the Tompkins County Airport. I have read the first section and mainly looked at the maps in the Appendices. It is understandable that the DOT would like to move their facilities to a better location, and in the process enhance the Cayuga waterfront for more appropriate waterfront activities. I do not know how thoroughly the DOT has investigated other potential properties, but it is obvious that this site, currently is the preferred location. The land is located in an IR (Industrial/Research) zone, and it is thus an appropriate use. It is also clear that the Lansing Town and Planning Boards are allowed to comment on the process, but their jurisdiction is limited. The County, the State and the FAA are in charge. Local control is centered on such items as water and sewer district modifications. It is my understanding that the only official role that the town has is amending the Warren Road Sewer District to include the DOT facility and any residences nearby that would like to be included. The Village of Cayuga Heights has to approve a sewer connection permit, and the Southern Cayuga Lake Intermunicipal Water Commission must approve a water connection permit.

My comments/concerns regarding the Environmental Assessment (EA) are as follows:

1) Why were only two other land parcels considered as alternative locations for this project? Why isn't some of the acreage, also owned by the county, and south of the 15.5 acre parcel, considered so the salt barn and the sub-residency can be moved farther from the Hillcrest Rd. residences? Many acres of this land are out of the runway protection zone.

2) The residents at the upper end of Hillcrest Rd. are obviously quite upset about the proposed facility and feel that the county and the DOT have not given their concerns a fair hearing. The character of the historic residences and their properties (8 and 16 Hillcrest) will be changed. It is stated that there will be "no adverse effects" to these residences. That seems patently false. There WILL be adverse effects that will depreciate the value of their properties. Both visual impacts and noise levels will certainly affect the quality of life at these residences, and possibly others in the vicinity.

3) Light Emissions and Visuals - The simulated photos in the EA showing what the views will be like with the mitigating effects of a 5 ft (now 8 ft?) tall berm and vegetative screening certainly demonstrates that some of the visual impacts of the project will be reduced, but can more be done (planting more vegetation after construction, a higher berm, adding a fence etc.)? Any further efforts to move the Salt Barn and sub-residency (SR) building as far as possible from the Hillcrest homes would be the neighborly thing to do. Can the lighting of the buildings and general area be less obtrusive (the lower the lighting height, the better). The simulated photos are supposedly at full lighting, which is motion activated. The lighting would be reduced 60% with no activity. Efforts to reduce lighting as much as possible should be pursued. The nighttime view from the 2nd story bedroom of 16 Hillcrest is a problem.

4) Noise effects – The EA states that there will be a 2 decibel increase in the noise level from the facility to the nearest neighbor (hard to believe!). I hope that is true, but I am skeptical. The
noise level assessment is based on 1-hr and 12-hr averages. What are the more instantaneous values? An average 2 decibel increase in noise over 12 hours may mean a much higher decibel level over a short time period (e.g. less than a minute). It would seem appropriate to assess the impact of short term noise level increases. Also winter nighttime noise level increases due to snow removal activities are said to only increase inside noise by 5 decibels, but an average increase from 30 to 35 decibels is a 17% increase in inside nighttime noise. Once again, this is an average value. More instantaneous values should also be considered. The 12-hour average decibel values underestimate the noise level impact on residences.

5) Culverts – We can expect to see continued increases in the intensity and possible duration of rainfall events. Culverts proposed in the EA, designed for a 50-year storm, will be inadequate for our changing climate.

6) It would be appropriate for a state facility to be designed in the most energy efficient way possible, with the least amount of fossil fuel used to maintain the facility, if the state is serious about mitigating climate change. Will this facility be using ground or air-source heat pumps for heating and cooling? Will solar panels (preferably roof-mounted) for electric energy production definitely be part of the plan? These up front increased capital costs will pay off economically in the long term, and reduce our reliance on fossil fuels.

7) The Town Comprehensive Plan (and the village of Lansing) both include a desire to develop more non-motorized trails for residents. This project offers the opportunity to establish a trail through this parcel of land (perhaps in the vegetated buffer zone (better yet an enlarged buffer zone) between Hillcrest residents and the proposed facilities), with possible connections to other proposed or future trails. This topic is not discussed in the EA, but should be considered. Trails offer the potential for an improved quality of life for town residents and would help the DOT project a more positive image for this proposed facility.

8) One of the most important actions the DOT could take with respect to mitigating the impact on the Hillcrest neighbors, is to create a larger buffer zone between these neighbors, and the Salt Barn and the sub-residency. I have been to the site and measured the distance from the 16 Hillcrest residence to the proposed location of the sub residency. The distance is less than 350 ft (not 450 ft as stated in the EA). This building and the salt barn certainly feel like they will be in the residents’ back yard. A good neighbor would rectify this situation.

Thank you for considering these comments.

Tom Butler  Lansing Planning Board Member  1-27-19
Warren Road DOT Location Sparks Bitter Response From Neighbors
News | Friday, January 18, 2019 | By Dan Veaner

The New York State Department Of transportation (DOT) held two open houses and a public hearing in Lansing Wednesday to explain a project that will move their current 3rd Street Cayuga Inlet waterfront property to a 15.5 acre parcel on Warren Road immediately south of Hillcrest Road, that is currently owned by Ithaca Tompkins Regional Airport. NYS DOT representative Kathleen Joy presented the Town Planning Board an overview of the project and the process of acquiring the land from Tompkins County at their meeting Monday.

"Because it's airport property owned by the County, the Federal Aviation Administration has to approve of this transfer," she explained. "They go through a 'deed of release' process to make sure it is no longer used for aviation purposes. Related to that, there is an environmental assessment that needs to be done. That has been completed."

The relocation of the DOT facility has been linked to the current $24.7 million airport Improvement project that will not only enlarge the Ithaca-Tompkins Regional Airport, but, with the addition of new customs facilities will transform it to an international airport. While visiting the airport in the Village of Lansing last may Cuomo specified that both projects must be finished by the end of 2019.
Buildings on the site will include a 30,000 square foot 'sub-residency' maintenance building, a 5,000 square foot Cold Storage, a 8,200 square foot Salt Barn, and a 2,500 square foot Hopper Building (covered lean-to). The proposed maintenance building will have vehicle storage for 10 trucks, a loader and tow plow, with one additional double depth mechanical bay and single depth, drive-thru truck washing bay. It also includes an office area (three rooms), lunch/break room (30 people), toilet/shower/locker rooms, storage rooms and mechanical/electrical rooms. The site will also contain stockpile areas for pipe, stone and millings, and ancillary site features including a fueling station, parking for 40 vehicles, and stormwater management facilities. The project will require construction of an access drive from Warren Road and the extension of utilities.

"We have been looking for a new property for the last 15 years to build this new sub-residency," says DOT representative Curtis Jetter. "We have very specific qualifications for a piece of property for such a facility. This is the piece of property that the County made available to us, so we took this one."

Joy and other DOT representatives returned to Lansing Wednesday, when the DOT hosed two 'open houses' to explain the project and answer questions, as well as a public hearing on the 966 page 'Draft Environmental Assessment (EA) Airport Land Deed Release And Relocation Of Tompkins County Sub-Residency At Ithaca Tompkins Regional Airport (ITH)'.

Around 25 people attended the hearing, where nine people spoke. While two of the speakers urged the DOT to use fossil-free alternatives to power the facility, the other seven complained that locating the maintenance facility so close to Hillcrest Road residences would negatively impact homeowners' properties, saying there is no reason why it couldn't be located further south, but not so far south that it would impact residents on Cherry Road.

Lansing Councilman Joseph Wetmore said he is frustrated with DOT communication, noting that even though he explained that three municipalities have to approve DOT's request to slightly enlarge the Warren Road Sewer District to service the facility, the EA only listed the Town of Lansing and the Village of Cayuga Heights. Sewage from the Town must pass through the Village of Lansing sewer system en route to the Cayuga Heights Sewer Treatment Plant. the total sewer bill for Town residents includes fees charged by both villages for transport and treatment of effluent.
Tompkins County Legislator Mike Sigler said he voted against the sale from the County to the DOT on the grounds of negative impact to homeowners, but the sale was approved in a 10-4 vote. Sigler advocated for moving the project to the other side of the airport that are industrial uses and is away from residential properties.

Some of the speakers were highly critical of County, Airport, and DOT officials for shutting neighbors out of the process. One neighbor said they had only found out about the County meeting two hours before it was to take place, and not through official notices. Another neighbor, Sean Scanlon, said that he had never received notices of public meetings or hearings, nor had any of the other three impacted neighbors. Scanlon charged the public hearing was a formality to allow the DOT to say it had conformed to regulations, but that comments would not be considered as the project plows forward.

"On principal this is a joke," he said. "It's allowing us to vent, to get comments in, to say you did it. Nothing will be done with this, and I want that on the record. We would like some questions answers and have some dialog around that, but this is kind of pathetic."

Bill Kennedy Smith (right) reads a statement as DOT representative Kathleen Joy (at end of table) moderates Wednesday's public hearing

Bill Kennedy Smith said that he and his wife Maura submitted a Freedom Of Information Law (FOIL) request last August to obtain what they considered vital information about the project so they could understand what was happening behind their house. Kennedy-Smith said the DOT Records Office stalled their request until mid-November before issuing a blanket denial of all the requested materials. He said the recently released EA has provided some answers, but said it is a "flawed report predominantly downplaying environmental concerns and impact on the residents, while touting the benefits of the DOT relocation."

"The FAA is the lead agency and it is now in their hands," he said. "I do not know how much residential impact will sway their decision, but we can only hope that it is considerable. We really demand answers to this. We will not roll over on this, and we have every intention of holding the County and the DOT responsible for their actions."
When Governor Cuomo announced the project last May, he and County and City of Ithaca officials said a benefit of moving the maintenance facility to the airport would be that it would make up to 7.6 acres of waterfront property available for developers, saying it would drive economic development in the City of Ithaca. But Maura-Kennedy-Smith said the county and city are motivated by money at the Hillcrest neighbors’ expense. She said the project dwarfs her family’s home, and charged that the involved agencies had "utterly shut out" the impacted homeowners from the consideration of the project location.

"We believe it is happening because the money," she argued. "The DOT is purchasing this property at 325% above the assessed value of this parcel. We believe it's because the project is intimately connected with the County's goal to free up valuable waterfront property along the Cayuga Lake inlet for the development of luxury condominiums. The County and rich developers will reap millions while the middle class families on Hillcrest Road are losing our most valuable, and for some of us, our only real assets: our homes."

CHA Consulting, Inc. Project Engineer Brian Bouchard stayed after the open house to brief the Town Board on the project and answer questions. He requested that the Town consider expanding the sewer district to include the entire DOT property, only part of which currently falls within district boundaries. He said nearby residents also want sewer and said the DOT would have no objection if they were also included. Wetmore asked how much of the sewer treatment capacity would be used up by the facility in light of the fact that it will include a truck washing station. Bouchard said that that station is little more
than a residential pressure-washer that will not use inordinate sewer flow, that would use 900 of the requested 2,500 gallons per day of flow. He said that those numbers are quite conservative, adding that most days the facility would not use that amount of flow, and noted that much less would be used in the summer months.

Scanlon was also at the Town Board meeting Wednesday night, and said neighbors had no interest in joining the sewer district. Sigler argued that the Town Board advocate for the neighbors by submitting comments before the February 2 deadline.

"Even though it is outside your purview or the Planning Department's purview, the State has said that they will listen to you, I think even moreso than the County," he urged. "You don't have land use authority in this case, but you normally do."

Town Supervisor Ed LaVigne asked Scanlon what would make the current proposal better for the homeowners. He noted that because the FAA is the lead agency on the EA, the Town Planning Board has little or no influence on its outcome.

"Trying to make a terrible situation a little bit better, one thing we can do is reach out to the DOT and say look, if you have to buffer the living daylights out of this thing, raise the berms higher... do something, maybe move it a little bit south to mitigate that noise. Do something to show that you care about the neighbors next to you. We're trying to be your advocates as best we can."

Scanlon noted the Kennedy-Smiths are most severely impacted. He said that he can hear the rooftop machinery on the Borg-Warner plant, so DOT's assertion that the noise impact would only be two decibels is not realistic.

The Town Board discussed logistics for collating and sending their remarks before the February 2nd deadline for sending public comments, and agreed to individually email comments for collation by Town Attorney Guy Krogh, to be submitted under LaVigne's signature.

v15i2

DOT and Lansing Await FAA Ruling On New Location

News | Friday, January 25, 2019 | By Dan Veaner

Four homeowners at the top of Hillcrest Road are outraged at the relocation of a New York State Department Of Transportation (NYSDOT) maintenance facility that surrounds one of their homes, and that they say will impact all with noise, traffic, and potential consequences to their well water. They say they have been shut out of consideration of the choice of land, that they were not notified about public meetings where the land sale was considered, and that the new facility will negatively impact their property values and quality of life. While they cling to the thread of a hope that the FAA (Federal Aviation Administration) will not approve the sale of the Land from Tompkins County to NYSDOT, to all appearances the federal agency will approve it... and that will make the location a 'done deal'.

"They're looking at it from an FAA point of view, primarily from a safety point of view," says Ithaca-Tompkins Regional Airport Manager Mike Hall. "Planes, airspace... there's a lot of talk about the RPZ (Runway Protection Zone), but that's just the surface plane. There are other planes above that that provide a valley for the arriving aircraft to fly down as they get to the airport."

When the FAA was declared the lead agency it took jurisdiction away from the Town of Lansing. While Town officials have expressed their dismay at the choice of land so close to its residents, there is little it can actually do to impact the decision. Town officials intend to submit comments from the Town and Planning Boards before the February 2 public comment deadline, but such comments, while they are supposed to be considered by NYSDOT, have no authority over what NYSDOT eventually does.

The only jurisdiction remaining to the Town is utilities. NYSDOT has requested that the Warren Road Sewer District, which extends to a portion of the 15 acre plot they intend to build the maintenance facility on, but not all. If the Town denies the request NYSDOT will have to build a septic system. And extending sewer service to the facility has an impact on the sewer capacity allotted to the Town by the Village of Cayuga Heights, which owns the sewage treatment plant Town and Village of Lansing sewers use.

"I have stated this repeatedly that we are the third municipality that you contact about sewer," says Lansing
Hall says the County originally purchased the land to prevent housing from being built near the end of the runway, where noise and safety concerns would impact homeowners. He says the FAA expects airports to develop such land appropriately, for light industry or commercial businesses like the ‘you-store’ facility that is on the corner of Hillcrest and Warren Roads.

As residents wait for the FAA to make its determination, the prospect of getting the location moved seems to be receding. The Town's only leverage is the sewer, but that would not be a deal breaker in terms of actually building the facility. What it will come down to is good will, and NYSDOT's willingness to be a considerate neighbor.

So far the agency has shown some tendency to do that. NYSDOT representatives paid courtesy visits to both the Town and Planning Boards to apprise them of project plans, even though town officials don't have jurisdiction over the project that is within Lansing boundaries. To all appearances NYSDOT looks favorably at the prospect of sharing a fuel facility with Tompkins County. That is not a 'done deal' but it would be a step toward somewhat placating the neighbors while saving the expense and additional environmental impacts two fueling facilities would bring. Even if the maintenance facility location is written in stone, additional buffering is still a possibility.

Those things do not assuage neighbor concerns, but they do chip away at them somewhat. The bottom line seems to be that if the FAA approves the sale, it will be made final.

v15i3
Board Discusses New DOT Facility

By Andrew Sullivan

The Town of Lansing Board of Trustees held a public discussion regarding the Department of Transportation's proposed plan to relocate its facility near Hillcrest Road.

Currently, the facility is located on Cayuga Lake in the West End. The relocation of the facility would place it closer to Ithaca Tompkins Regional Airport as a piece in the airport's expansion project.

Brian Bouchard of CHE Consulting, who is the project engineer working on behalf of the New York State Department of Transportation, spoke in Lansing resident Sean Scandon expressing his concerns about the relocation of the Department of Transportation's facility during a Town Board meeting on Jan. 13.
proposed relocation plan.

Bouchard said the proposed facility will be located on an approximately 15-acre area located within a 33- acre parcel. One driveway would be closed off on Warren Road and constructed to Tompkins County standards so that the facility can be accessed by the driveway, a potential extension of the driveway in the future.

The facility would house enough space for 40 employees. There would be a maintenance facility for servicing trucks. There would also be a salt barn and a storage building as well as space for parking and stormwater management and other necessary infrastructure.

Bouchard said only a portion of the county’s land along Warren Road is included within the sewer district.

“Because our property extends beyond the existing sewer district, we were requesting that the town consider expansion of that sewer district to include the entirety of the proposed New York State DOT property,” Bouchard said.

He also said that some residents along Hillcrest Road requested that they be included in the expansion if it were to take place and said the DOT agreed to do so.

“I believe, perhaps, that later conversations with the county would be required, but I believe the County’s intent is to leave out the remaining land simply to include the New York State DOT property, which has known flows and data that can be associated with the sewer district extension, along with

Steve Smith shares his concerns about the Lansing Rod & Gun Club to the Board of Trustees during a meeting on Jan. 16.

Bouchard said as far as the flows,” Bouchard said. “We have included 300 gallons per day within our overall 2,500 gallons per day for 10 trucks to be washed at 30 minutes each with this pressure washer. Our assumptions are probably very conservative, where I can’t imagine a single spray-on taking 30 minutes to spray down a truck just from the sand and grit from the town, but we’ve used those numbers to be conservative.

Following the discussion between the board and Bouchard, Sean Scanlon, a resident on Hillcrest Road, spoke during the public comment portion of the meeting, expressing his displeasure with the proposed project.

“Having the county to sell the land to the DOT for the exchange to free up the land where the DOT currently is allowing the County to get 48 million dollars worth of property back...This is all being financed and being put on the back of the value of our homes,” he said.

“We’re going to lose tens of thousands of dollars in equity in the biggest assets that we have. We’re going to lose the environment around our houses. We’re going to lose our neighborhood that we really strongly love to live in... We didn’t want the sewer district extended to our house. We don’t want this property put on Warren Road and 100 of our homes.”

coming up to the Lansing Town Zoning Board meeting in a few weeks. I feel like there’s sort of a chilling atmosphere when we talk about people stating their opinions and saying they’re being abrasive. This is a misrepresentation, and it’s important for somebody like myself and others to speak and say that’s not what we’re doing at all.

Burger attempted to address Krogius specifically, but Town Supervisor Edward LaVigne stopped Burger before he could so, and ordered him to only address the trustees because Krogius is not a member of the board.

Burger then suggested to the board that either it or the Zoning Board of Appeals asks Krogius to rejoin himself from the Zoning Board of Appeals.

“I feel like his actions and opinions have been closely aligned with the opinions of Mr. Lynn Day and that opinion is exactly the same as the opinion of the gun club, which has basically been given to us by the Barclay Damon law firm,” he said.

He pointed out to the board that on the website of Michael Oropalo, a lawyer at Barclay Damon, LLP, it says Oropalo “successfully moved to dismiss claims in Clean Water Act Citizen Suit.”

“Our ground that agency was diligently prosecuting cases, compliance with permit and order, and related defenses.” (The Clean Water Act deals with the reclamation of hazardous waste, such as lead or steel, from waters.)

“This is what they do,” Burger said.

“Their bread and butter is stopping citizens from having any control over their lives, and we’ve had this happen for too long.”
Michael Washburn, P.E.
NYS Department of Transportation
333 East Washington Street
Syracuse, NY 13202

Re: 3M00.18 – Town of Lansing
Tomkins County Subresidency at Ithaca Regional Airport

Dear Mr. Washburn: February 1, 2019

The Tomkins County Environmental Management Council is providing these comments based on a site visit, discussions with adjoining property owners, attendance at a Town of Lansing Planning Board Meeting and a review of SEQRA and NEPA documents as prepared for the proposed Tomkins County Subresidency at the Ithaca Regional Airport. We support the Relocation of the NYSDOT facility from its current location near the Cayuga Inlet waterfront in downtown Ithaca. However, there is clearly a better location for the new NYSDOT facility than the location that is currently being proposed. Below are the concerns of our Environmental Review Committee as well as those of some stakeholders in the community that we interviewed.

1. **Relocation further south on the presently-proposed parcel.** Given the proximity of the Borg Warner industrial buildings to the Ithaca Regional Airport’s flight path and the desirability of clustering noisy non-residential land uses away from existing residences, we do not see why a much smaller footprint NYSDOT facility could not be located further south within the 52-acres of County land available north of Cherry Road and west of Warren Road. This 52-acre space consists of the presently proposed 40-acre parcel owned by Tompkins County, tax parcel 44.-1-20.1, and the 12-acre portion of County-owned tax parcel 44.-1-47, that lies west of Warren Road. The present proposal involves crossing the western portion of parcel 44.-1-47 in order to reach tax parcel 44.-1-20.1. (See attached Figure 1, which shows the portion of the County Tax Map that contains these parcels.)

   The more appropriate location further south could be accessed from either Cherry Road to the south or from Warren Road to the east and the NYSDOT facility could reasonably be located on both parcels rather than clustered at the far north end of the 40-acre parcel. Both parcels are virtually undeveloped. Whether future access is from the south or from the east, the facility itself should be buffered from the roads and from nearby residences by a well-thought-out combination of berms and trees.

2. **Rationale for relocation further south.**
a. Present proposed location is too close to both historic residential structures located at 8 & 16 Hillcrest Road and to a wetland area located at the northwest corner of the parcel 44.-1-20.1. Our understanding is that the main NYS DOT structure may be as little as 350 feet from the two historic residences on Hillcrest as presently proposed and that the salt barn may be <200 feet from a designated wetland. The presently proposed location will cause irreparable harm to the value of the two historic properties located on Hillcrest Road, use of berms and vegetation notwithstanding. Locating a salt barn in this area, may result in irreparable salinization harm to the underlying aquifer.

b. Less than 0.8 miles to the east south east of the proposed NYS DOT facility, Cornell University made a substantial error in locating chemical and radioactive disposal sites within wetland areas that were later documented to have artesian connections to underlying aquifers. It would be unacceptable to have the same error made again almost half a century later and yet the NYS DOT is inexplicably proposing to locate the salt barn within 200 feet of a known wetland area.

c. Given the size and configuration of Parcels 44.-1-20.1 and the west of Warren Road portion of parcel 44.-1-47, we see no reason why the DOT facility should be crammed up at the northern most end of two undeveloped County-owned parcels that when viewed together have 0.26 miles of frontage on Cherry Road and the almost 0.23 miles of frontage on Warren Road.

d. Clustering of noisy, polluting land uses. Noise pollution by trucks moving about the NYS DOT facility could be significant, especially if back-up warning alarms are involved with moving salt or gravel into and out of the facility. Engine exhaust pollution would be additional to that originating from traffic on nearby roads and from planes flying into and out of the Ithaca Regional Airport. Salt storage and loading inevitably results in some brine flowing into the watershed. By moving the NYS DOT facility further south, the proposed project would in effect be clustering an industrial facility with its light, noise, air and water pollution further from existing residences and from a wetland area. If the southeast corner of parcel 44.-1-20.1, the facility could remain about 0.15 miles from the nearest house to the west on Cherry Road.

3. Reduction of noise pollution. According to the current proposal, winter night time noise level increases due to snow removal activities are said to only increase inside noise by 5 decibels, but an average increase from 30 to 35 decibels is a 17% increase in inside night time noise. And, this is an average value. More instantaneous values should also be considered. The 12-hour average decibel values underestimate the noise level impact on

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residences. It is recommended that idling of trucks and other vehicles be restricted on the premises of the facility to no more than 5 minutes.

4. Reduction of light pollution.

a. **No 24-7 exterior lighting.** Light pollution should be reduced by using exterior lighting on an as needed basis, with motion detectors or other means used to turn on exterior lighting after dark when the facility is in use. The current plan to reduce night-time lighting intensity by 60% when no motion is detected is not consistent with County and State objectives to reduce energy use or to respect the stated desire of local residents to minimize light pollution in the neighborhood.

b. **Use of LED lighting.** While it has a much lower carbon footprint, some LED lighting is starkly white and bright. EMC member Bill Evans is a national expert on designing LED lighting systems to be human-and eco-friendly.

5. **Monitoring of brine pollution on site.** It is recommended that the building permit and any SPDES permit associated with the site require that site management maintain *in situ* conductivity sensors in all waterways within 100 yards of the facility so that any salt impacts of runoff can be detected and managed to maintain stormwater runoff leaving the property below the 250 mg chloride drinking water standard. Ideally, these sensors should relay real-time conductivity data to a publicly-available website with any exceedances resulting in real-time alerts to management.

6. **Possible need to remove or encapsulate an aging structure at the north end of parcel 44.-1-20.1.** Hearsay information suggests that the current project plan to leave a historic structure in place at the north end of parcel 44.-1-20.1 could pose an asbestos contamination risk to the neighborhood. There is apparently some reason to suspect that an asbestos-containing caulk was used on the single-story structure that no longer has a roof and is otherwise in a highly-dilapidated state. Testing is needed to determine whether asbestos-containing materials are present in this structure and, if so, how best healthy risks can be mitigated.

7. **Proposed energy source for building heating is inconsistent with NYS policy.** From my discussion with the facilities engineers at the public information meeting, my impression is that propane will be the main fuel source for heating the building. Governor Cuomo’s Executive Order 88 established the BuildSmart NY program (See attachment). EO 88 mandates a 20-percent improvement in the energy performance of state buildings by April 2020. The Executive Order assigns accountability for program results to the largest state electric utility in the nation, the New York Power Authority (NYP). Further, EO 88 outlines a series of deadlines and minimum requirements for state agency participation. I discussed the suitability of heat pumps for meeting the building’s heating requirements with the engineers. A geothermal energy system would provide a high Coefficient of Performance for heating both the offices and the garage; at least 3-5 times as efficient as propane. When the doors are opened frequently, a supplemental heating unit could be added to address peak load needs. Technical assistance is available from
NYPA and NYSERDA’s New Construction Team and the Office of Renewable Heating and Cooling.

We would appreciate any consideration you might provide to the concerns that we have set forth here. Thanks again.

Sincerely,

Brian Eden
Chair, TCEMC
BILL and MAURA KENNEDY-SMITH
16 Hillcrest Road
Ithaca, New York 14850
(607) 319-5003
mauraks3@yahoo.com
bdksmith85@yahoo.com

February 2, 2019

Michael Washburn, P.E.
NYS Department of Transportation
333 E. Washington Street
Syracuse, New York 13202

Via email: Michael.Washburn@dot.ny.gov

Re: PIN 3M00.18
Tompkins County Sub-Residency at
Ithaca Tompkins Regional Airport

Dear Mr. Washburn:

When you look at the map of this proposed project, you will see a house in the northeast corner that is absolutely dwarfed and enveloped by the project. We are the residents of that home; it is our property that is most impacted: 16 Hillcrest Road. Obviously, we are strenuously opposed to this project being located in our front yard.

Background

We are the third owners of this historic 1830’s farmhouse. Built by Thomas Bishop (a “founding father” of the Town of Lansing), the LaBar family bought our home circa 1890 and it remained in their family until we purchased it in 2013. The land on which the DOT project is to be situated, as well as the 53+ acres from our home south to Cherry Road, was all part of the Bishop/LaBar farm. The land in question had been part of the front yard to our home; our home does not face the road and instead faces the field in which the DOT intends to build the project. Thus, this eyesore will be in our front yard.

Though the Airport now represents that this land was always intended to be developed, statements of the previous owners of our home, and the deed and survey documents belie this misrepresentation. Mr. Keith LaBar reports that his family sold the land to the airport with the understanding that it would only be used as an airport clear zone approach area. His impression is corroborated by the survey of the property, which refers to the parcel as “[Airport] Clear Zone Approach Area.” The Deed also refers to it as such. It had been represented to the prior owners, and to us, that this parcel could not be sold or developed because it fell in the “Clear Zone Approach Area” to the airport, where building could not occur. The obvious and most logical interpretation of that language is that this land was not intended to be developed.
The County either misrepresented its intentions then or it is misrepresenting its past intentions now. Mr. Keith LaBar emphasizes that his parents would NEVER have sold the acreage in question had they ever dreamed it could be developed in this manner. This is consistent with our conversations with the LaBars, who repeatedly expressed their wish that their beloved historic property be purchased and maintained by a family, rather than by developers or industry. But here we are.

Subterfuge

We and our community are appalled at the lack of transparency, indeed, subterfuge, under which these plans transpired. At one point in 2016, we heard rumors that the land adjacent to our home may be developed. We reached out to the Town of Lansing and our county legislature for more information and received no response.

In July 2018, someone from the Town of Lansing government shared an initial site plan (developed in 2016) with an engineer we had been working with on an unrelated issue. That person, who remains anonymous to us, felt that we ought to know of the potential plans for the parcel next to our home. We then again reached out to Tompkins County Legislature (hereinafter “the Legislature”) and were given little information. On September 4, 2018 (the Tuesday after Labor Day), the Legislature held a special meeting to vote on the county’s sale of this parcel to the DOT. We were given NO official notice of the meeting; we found out because our neighbor received an email from our local legislator the Friday before. Needless to say, many interested neighbors were unable to attend due to the holiday, and those that did had little time to prepare.

We were each given a mere three minutes to speak during the meeting. It was obvious that the legislators had little background information about the proposed site, the reasons why it was proposed, and whether alternatives were explored. The county’s vote to sell the land to the DOT was rushed through with no meaningful opportunity for public input. It is thus understandable that we view the DOT and the County Airport as extremely bad neighbors.

In August 2018, we filed a FOIA request with the DOT seeking information about why the State chose this location for the project and to see what reasons prevent the project from being located to the south or across Warren Road, where there are no residential neighbors to disturb. The DOT delayed our request until late November, when it issued a blanket denial. This unwillingness to share information and the clear efforts of the government to shut us out of this process leaves us suspect and makes it very hard for us to accept that the DOT is indeed working in good faith. We are sickened by our government institutions’ lack of concern for their constituents and neighbors.

Location of the Project:

We hope you can appreciate that regardless of any measures the Agency takes, in the currently proposed location, we stand to lose tens of thousands of dollars on our most important investment-our home- due to the inevitable drastic decline our property value will suffer as a result of this project.

There is no compelling reason why the facility needs to be located right next to a residence. The County owns 35 acres to the south that are not adjacent to a residence. The Airport owns
additional acreage across Warren Road that also is not right next to homes. In rural Tompkins County, it is absolutely incredible that the DOT could not have secured a more suitable location that is not right next to residences. If the goal had been to create a nuisance for nearby residences, the County and State literally could not have picked a better spot on the larger 53+ acre county-owned parcel. This facility will literally be in our front yard. Look at the map. This is especially appalling in light of the Environmental Assessment’s recommendation that the site be moved south to avoid this negative impact on the neighbors.

The impact for our family cannot be overstated. Like most middle-class families, our home is our most valuable, and really our only significant asset. The depreciation in value we will experience is absolutely devastating to our family’s financial future.

We ask that the County and the DOT to arrange to locate the new maintenance facility to the south, on a part of the larger 53+-acre county-owned parcel that does not immediately abut our home. We still have not received an explanation as to why the plot must be located at the currently planned site.

If the project were moved south as we had originally advocated, the impact on residents would be lessened, as would the potential for contamination of our precious, protected wetlands. (We believe the real motivation for the DOT to move the project further south on the 15-acre parcel was its discovery that the northern portion is indeed made of wetlands not suitable for building). In fact, the Environmental Assessment suggests that there is no compelling reason why the project could not have been located further south, and recommended that it be moved). Given the RPZ specifications, it shows that there is indeed ample room for the salt barn and truck bays to have been located further south of our home to avoid the main source of the nuisance. A simple examination of a map of the area with the RPZ applied, as well as the insignificant stream in the southeast corner of the 15 acre parcel, clearly demonstrates this. If the FAA allows the DOT to build in the proposed site, we ask that the State and the County be required to compensate us for the loss caused by its haste and unwillingness to afford due process to its citizens most impacted. A compromise would, of course, be preferable to litigation on this matter.

**Historic Significance:**

The Section 106 study is flawed. The NYSDOT misrepresents its interaction with us and its changes in their site plan as a result of our input. We find it bizarre that the SHPO concurs with the DOTs conclusion that ‘No Adverse Effect’ will be had on our household. It is inconceivable that the auditory and visual impact will be as minimal as the report asserts. And, apparently, a steep drop in market value which is never likely to recover followed by a lack of incentive for us or any future home owner to commit capital to its rejuvenation and future existence doesn’t count as an adverse effect. Furthermore, we were NOT included as a consulting party under the Section 106. We have contacted the DOT and are pursuing the necessity of reevaluating the Section 106 entirely. Also, while we understand that the ACHP (Advisory Council on Historic Preservation) was not required by law to be included as a consulting party, we have been denied due consultation because of the recent government shutdown. To date, we have attempted to contact them several times by voicemail and email and received a delayed response only last night (February 1, 2019). Once again
we were denied the opportunity to have meaningful input on this project that will so profoundly affect us.

Noise and Light Pollution:

The original windows on our 1830's farmhouse, are far from sound-proof. The DOT's attorney informs us that regulations prohibit the DOT from making mitigation improvements directly on our property. We understand that the Agency wants to avoid the liability and other hassles of directly improving our property. Thus, we request that the DOT mitigate this nuisance by compensating us for the cost of installing sound-buffering windows and light-blocking window treatments to lessen the impact of this nuisance. We find it hard to believe there is no mechanism to achieve this. Given the cost of the overall project and the immense financial benefits to the stakeholders and developers, the cost of this accommodation is comparatively negligible. It will help our family rest, so that our children may succeed in school.

We will experience noise and light pollution throughout the night right outside our children's bedroom windows. We are told there will be about a dozen salt and plow trucks going in and out through the night beginning at 3:00 a.m. The noise analysis in the study is a farce; currently, one salt truck on the road outside is enough to wake us from our sleep. With over a dozen salt trucks in and out through the night, our children will be deprived of much-needed rest to succeed in school.

Environmental Impact

Not to mention the environmental impact of fuel and salt leakage. We are also concerned about fuel tanks and ground water. Many of our neighbors have wells. Regardless of safety measures, it is inevitable that leakage drips onto pavement will run off into ground water.

Mitigation Efforts:

Should the project be approved, here are our requests of the DOT, County and Town of things that can be done to mitigate this terrible loss to our family:

1) Roof of building

In the last plan we were shown, the roof of the main building is essentially the white, black and red "I love NY" logo. We understand that the State wants to spread its PR message to passengers on approaching planes. However, this is akin to erecting a billboard right across from our home. We ask that the new building have a neutral-colored roof, preferably the color of the surrounding ground.

2) Compensate us for the cost of installing new windows and window treatments

Regardless of how it is downplayed in the Environmental Assessment, this project will cause us to suffer significant noise and light pollution. Throughout the winter (i.e., half the
year), salt trucks will be going in and out of the complex at all hours of the day and night. Though the DOT has represented that the noise level will be akin to a dishwasher in the next room, experience leads us to disagree. (This sentiment is echoed by other public comments which note that the study defies common sense). We can be woken by one salt truck on Hillcrest Road. This pales in comparison to what we will encounter with the maintenance facility in our front yard. The DOT representatives have admitted that there will be at least a dozen trucks in and out throughout the night. This will generate noise and flashing lights right outside our children’s windows, interrupting their sleep and potentially impacting their success in school and life.

3) Financial compensation

We have been wronged by the government. The County and rich developers will reap millions, as our children’s college funds are depleted by the decimation of our only asset. As stated before, this land has NOT always been intended for development. If that is not in fact the case, the County should be remorseful for its misrepresentations to the LaBars (the former owners of the larger parcel of county land and the parcel containing our home) as demonstrated in the attached Deed and survey documents, and the statement of Mr. Keith Labar. (Attached hereto).

The DOT is also standing to benefit from a great loss to us. This is a constructive taking, akin to conversion. The fair thing would be for both the county and the state to compensate us for the loss that this project will cause in our property value, our enjoyment of it, and our family’s financial future, as well as our health and safety.

Which brings us to another question: The money. Why is the DOT spending 325% of the assessed value for this parcel?

It is because this project is intimately connected with the County’s goal to free up valuable waterfront property along the Cayuga Lake inlet (where the current DOT substation is located) for the development of luxury condominiums, most likely to be inhabited by wealthy college students. The County and rich developers will reap millions while the middle-class families on Hillcrest Road lose out most valuable assets, our homes.

This is bad PR for the DOT, the County and the Airport (newspaper articles attached; by information and belief, more are in the works).

4) Berms

Ms. Joy and Mr. Eric Buck had stated that the DOT intends to plant a berm raised at least eight feet from ground level, planted with mature evergreen trees, as a measure to block our view of the facility. While the simulation we were initially shown did not appear to be of scale, berms sufficient to achieve the effect depicted in the initial simulations would be greatly appreciated. The five-foot berms depicted in the final report we were sent more recently provide significantly less coverage, especially from the light pollution.
We ask that the FAA disapprove the plan. In the alternative, we ask that you approve the plan only on the contingency that the site be relocated a significant distance to the south.

Thank you for your consideration.

Very truly yours,

/s

Maura and Bill Kennedy-Smith

Enclosures

cc: Lansing Town Board
    Tompkins County Legislature
To Whom It May Concern,

I grew up in the home at 16 Hillcrest Road. The home was owned by my family from 1874 to 2013, when my parents sold it to the Kennedy-Smith family.

Unfortunately, I was not able to attend the County Legislature meeting that was hastily convened after the long Labor Day weekend on September 4, 2018. Had I been made aware of the expected sale of land and potential transfer of the NYSDOT maintenance facility to the county-owned property adjacent to our old historic family home at 16 Hillcrest Road in Lansing, I would have been in attendance making the most of the 3 minutes allowed speaking time to enlighten some of the Legislature members; perhaps turning them from approving the sale to the state.

It has been stated by current county airport officials that this land was always intended for future development. I and my siblings can say with all confidence that is completely and absolutely false. My father, Albert Labar, reluctantly sold about 40 acres directly adjacent to the house to Tompkins County for county airport runway buffer in 1968. A small portion of land that was tied to the sale went to the Town of Lansing and granted ‘right of way’ for what would become Hillcrest Road. The bulk of the acreage was intended for, and presented as a condition of the sale, a place of “Clear Zone Approach Area.” I was nineteen years old at the time and remember the transaction. At the time, small housing developments were starting to crop up in the area and airport officials began to be worried that the land off the center line of the runway, which was all farm land, might be too closely encroached upon.

My father was hesitant to sell but after pressure from the county, including threats of seizure through eminent domain and wanting to avoid any costly and futile legal battles, agreed to sell the land to the county for $32,500, around $900 an acre. It was never imagined by our family that the transaction would be subject to sly, legal reinterpretation for development and sold to the NYSDOT for a tidy profit of over $800,000.

Around the time the airport and DOT began hatching their plans for expansion and relocation, my mother and father passed away in late 2015, only 59 days apart. If they were here today, I’m sure their sentiments would reflect mine and had they any inkling of what the future would hold they would not have sold the land; certainly not all the way up to the house without sufficient buffer or additional legal language for protection. With the house having been in our family for 139 years, my aging parents sold the house to the Kennedy-Smith family in 2013 glad of the fact that it was being taken over by a family that would continue its upkeep; raising their own children. I am saddened for them and disappointed in our county officials that have chosen this dishonorable course of action.

Sincerely,

Keith Labar
Warren Road DOT Location Sparks Bitter Response From Neighbors

The New York State Department of Transportation (DOT) held two open houses and a public hearing in Lansing Wednesday to explain a project that will move their current 3rd Street Cayuga Inlet waterfront property to a 15.55-acre parcel on Warren Road immediately south of Hillcrest Road, that is currently owned by Ithaca Tompkins Regional Airport. NYS DOT representative Kathleen Joy presented the Town Planning Board an overview of the project and the process of acquiring the land from Tompkins County at their meeting Monday.

"Because it's airport property owned by the county, the Federal Aviation Administration has to approve of this transfer," she explained. "They go through a 'deed of release' process to make sure it is no longer used for aviation purposes. Related to that, there is an environmental assessment that needs to be done. That has been completed."

The relocation of the DOT facility has been linked to the current $24.7 million airport improvement project that will not only enlarge the Ithaca-Tompkins Regional Airport, but, with the addition of new customs facilities will transform it to an international airport. While visiting the airport in the Village of Lansing last May Cuomo specified that both projects must be finished by the end of 2019.

Buildings on the site will include a 30,000 square foot 'sub-residency' maintenance building, a 5,000 square foot Cold Storage, a 9,200 square foot Salt Barn, and a 7,500 square foot Hopper Building (covered lean-to). The proposed maintenance building will have vehicle storage for 10 trucks, a loader and tow plow, with one additional double depth mechanical bay and single depth, drive-thru truck washing bay. It also includes an office area (three rooms), lunchbreak room (20 people), toilet/showroom/locker rooms, storage rooms and mechanical/electrical rooms. The site will also contain spillpits areas for pipe, stone and millings, and auxiliary site features including a fueling station, parking for 40 vehicles, and stormwater management facilities. The project will require construction of...
an access drive from Warren Road and the extension of utilities.

"We have been looking for a new property for the last 15 years to build this new sub-residency," says DOT representative Curtis Jeter. "We have very specific qualifications for a piece of property for such a facility. This is the piece of property that the County made available to us, so we took this one."

Joy and other DOT representatives returned to Lansing Wednesday, when the DOT hosted two "open houses" to explain the project and answer questions, as well as a public hearing on their 905-page "Draft Environmental Assessment (EA) Airport Land Use Release And Relocation Of Tompkins County Sub-Residency At Ithaca Tompkins Regional Airport (ITH)."

Around 25 people attended the hearing, where nine people spoke. While two of the speakers urged the DOT to use fossil-free alternatives to power the facility, the other seven complained that locating the maintenance facility so close to Hillcrest Road residences would negatively impact homeowners' properties, saying there is no reason why it couldn't be located further south, but not so far south that it would impact residents on Cherry Road.

Lansing Councilman Joseph Weisner said he is frustrated with DOT communication, noting that even though he explained that three municipalities have to approve DOT's request to slightly enlarge the Warren Road Sewer District to service the facility, the DA only listed the Town of Lansing and the Village of Cayuga Heights. Sewage from the Town must pass through the Village of Lansing sewer system en route to the Cayuga Heights Sewer Treatment Plant. The total sewer bill for Town residents includes fees charged by both villages for transport and treatment of effluent.

Tompkins County Legislator Mike Sigler said he voted against the sale from the County to the DOT on the grounds of negative impact to homeowners, but the sale was approved in a 10-4 vote. Sigler advocated for moving the project to the other side of the airport that are industrial uses and is away from residential properties.

Some of the speakers were highly critical of County, Airport, and DOT officials for shutting neighbors out of the process. One neighbor said they had only found out about the County meeting two hours before it was to take place, and not through official notices. Another neighbor, Sean Scanlon, said that he had never received notices of public meetings or hearings, nor had any of the other three impacted neighbors. Scanlon charged the public hearing was a formality to allow the DOT to say it had conformed to regulations, but that comments would not be considered as the project plows forward.

"On principal this is a joke," he said. "It's allowing us to vent, to get comments in, to say you did it. Nothing will be done with this, and I want that on the record. We would like some questions answered and have some dialog around that, but this is kind of pathetic."

Bill Kennedy Smith (right) reads a statement as DOT representative Kathleen Joy (at end of table) moderates Wednesday's public hearing.

Bill Kennedy Smith said that he and his wife Maura submitted a Freedom Of Information Law (FOIL) request last August to obtain what they considered vital information about the project so they could understand what was happening behind their house. Kennedy-Smith said the DOT Records Office stalled their request until mid-November before issuing a blanket denial of all the requested materials. He said the recently released EA has provided some answers, but said it is a "flawed report predominantly downplaying environmental concerns and impact on the residents, while touting the benefits of the DOT relocation."

"The FAA is the lead agency and it is now in their hands," he said. "I do not know how much residential impact will away their decision, but we can only hope that it is considerable. We really demand answers to this. We will not roll over on this, and we have every intention of holding the County and the DOT responsible for their actions."
When Governor Cuomo announced the project last May, he and County and City of Ithaca officials said a benefit of moving the maintenance facility to the airport would be that it would make up to 7.6 acres of waterfront property available for developers, saying it would drive economic development in the City of Ithaca. But Maura-Kennedy-Smith said the county and city are motivated by money at the Hillcrest neighbors’ expense. She said the project threatens her family’s home, and charged that the involved agencies had “utterly shut out” the impacted homeowners from the consideration of the project location.

"We believe it is happening because of the money," she argued. "The DOT is purchasing this property at 35% above the assessed value of this parcel. We believe it because the project is intimately connected with the County's goal to free up valuable waterfront property along the Cayuga Lake Inlet for the development of luxury condominiums. The County and rich developers will reap millions while the middle class families on Hillcrest Road are losing our most valuable, and for some of us, our only real assets: our homes.*"

CHA Consulting, Inc. Project Engineer Brian Bouchard stayed after the open house to brief the Town Board on the project and answer questions. He requested that the Town consider expanding the sewer district to include the entire DOT property, only part of which currently falls within district boundaries. He said nearby residents also want sewer, and said the DOT would have no objection if they were also included. Walmore asked how much of the sewer treatment capacity would be used by the facility in light of the fact that it will include a truck washing station. Bouchard said that the station is little more than a residential pressure washer that will not use inordinate sewer flow, and that it would use 900 of the requested 2,500 gallons per day of flow. He said that those numbers are quite conservative, adding that most days the facility would not use that amount of flow, and noted that much less would be used in the summer months.

Scanton was also at the Town Board meeting Wednesday night, and said neighbors had no interest in joining the sewer district. Sigler argued that the Town Board advocate for the neighbors by submitting comments before the February 2 deadline.

"Even though it is outside your purview or the Planning Department’s purview, the State has said that they will listen to you, I think even more so than the County," he urged. "You don’t have land use authority in this case, but you normally do."

Town Supervisor Ed Lavigne asked Scanton what would make the current proposal better for the homeowners. He noted that because the FAA is the lead agency on the EA, the Town Planning Board has little or no influence on its outcome.

"Trying to make a terrible situation a little bit better, one thing we can do is reach out to the DOT and try to do something, maybe move it a little bit south to mitigate that noise. Do something to show that you care about the neighbors next to you. We're trying to be your advocates as best we can."

Scanton noted the Kennedy-Smiths are most severely impacted. He said that he can hear the rooftop machinery on the Borg-Warner plant, so DOT’s assertion that the noise impact would only be two decibels is not realistic.

*The Town Board discussed logistics for collating and sending their remarks before the February 2nd deadline for sending public comments, and agreed to individually email comments for collation by
Town Attorney Guy Krogh, to be submitted under LaVigna's signature.
that will be generated from trucks coming through the new facility to collect salt for snowy days. During a public hearing, many residents from Hillcrest Road area as well as Lansing in general came forward to speak out against the new site.

Several comments pertained to residents feeling that the project was rushed through the Tompkins County Legislature, and how the town didn't seem to have much say in the matter (it doesn't, since this is a move by New York State). One of the major concerns from Hillcrest Road residents is the added noise from trucks coming through the facility during the winter months to collect salt for the streets.

Residents were told that the DOT would not be purchasing soundproof windows for their homes. One aspect of the project is to create a visual barrier between the residents on Hillcrest Road and the new facility. But the residents want more: a higher visual barrier that blocks the project and will preserve some semblance of aesthetic pleasure in their neighborhood.

Hillcrest Road residents in attendance also made comments about their concerns with possible environmental hazards that could come from putting a diesel fuel station and a salt barn near their homes. They are concerned that regardless of the precautions the DOT takes, there will be some form of chemical seepage into the ground. Since many of the homes in that area are dependent on wells for water, they argued the salt barn could cause problems with their drinking water.

Some residents pointed out that this project may be outside of the Runway Protection Zone, which, according to the FAA (Federal Aviation Administration), is a trapezoidal-shaped area off the end of the runway end that serves to enhance the protection of people and property on the ground in the event an aircraft lands or crashes beyond the runway end. All the comments that were generated from both the Tompkins County Legislature meeting, as well as the public hearing held on the project in Lansing, will be taken under consideration by the DOT for how they proceed in the development of the new site.

Maura Kennedy-Smith, a Lansing resident, argued this was an egregious move on the part of the DOT as well as Tompkins County.

"The residents affected by this are appalled at the manner in which the county handled this process (as it was) was clearly designed to shut out public input until it was too late for us to do anything about it," Kennedy-Smith said. "This is all tied in with freeing up the waterfront for multi-million-dollar development, yet us middle-class residents of Hillcrest Road stand to lose tens of thousands in the value of our homes in the service of lining the pockets of rich developers. The county has offered us no compensation for our loss and has made every effort to shut us out of the process."

Kennedy-Smith continued that the county owns 55 acres of land south of the proposed site which she said could have been used for the relocation.

Her husband, Bill, also attended the public hearing about the project, stating most of his concerns were about how the noise from all of the trucks is going to disrupt their sleep and interrupt the peace and tranquility of their own home. However, after taking a look at the finances of this project, he found that it seems to work in their favor.

"Freeing up the inlet will provide an estimated 45 million dollars in potential land deals," Kennedy-Smith said. "Mike Hall, director of the airport, referred to the DOT moving adjacent to the airport (next to impacted residents) as the cherry on top in a recent interview [...] Meanwhile, to date, residents are being offered nothing in compensation for what will certainly result in both home and land devaluations."

-Edwin J. Viera

HUD Money
Continued from Page 3

less population not being served, a larger homeless shelters and special needs affordable housing. Less direct solutions included fair housing education, plus ancillary services like landlord/tenant counseling, source-of-income protection legislation (currently being examined by the Tompkins County Legislature) and ways to avoid and prevent anti-gentrification. That list of needs was formulated through input over the previous months from housing providers as well as those dealing directly with homelessness crisis.

Mendizabal identified certain criteria that would indicate a strong proposal, such as feasibility, addressing a national objective along with a local need, coordination with partners and, for Ithaca particularly, facilitating fair housing.

Last year, Mendizabal said they received 24 proposals asking for a total of over $2 million. The city was able to distribute about $1.4 million total to applicants.

-Matt Butler
DOT relocation plans angering nearby residents

For the last 25 years, according to several city and county officials, the Department of Transportation (DOT) has been looking to move their facility located on the waterfront in downtown Ithaca.

Talks stalled several times but were finally back in the works in 2015, and soon a new location was secured. The relocation appeared imminent once the Ithaca Tompkins Regional Airport expansion was announced in May last year. Now, residents are demanding another new site be found because they don't want the facility to be their next-door neighbor.

The proposed new site is located near Hillcrest Road, and many residents have concerns regarding some of the safety precautions being taken to ensure that this facility won't be an environmental hazard. As it is, many residents are concerned about the noise.
BILL and MAURA KENNEDY-SMITH
16 Hillcrest Road
Ithaca, New York 14850
(607) 319-5003
maurak3@yahoo.com
bdksmith85@yahoo.com

January 11, 2019

Kathleen Joy, Esq., Assistant Counsel
NYS Dept. of Transportation/Legal Services
333 E. Washington Street
Syracuse, New York 13202

Via email: Kathleen.joy@dot.ny.gov

Dear Kathleen:

Since we did not get the opportunity to meet last week, we wanted to apprise you of some issues of concern.

We appreciate the DOT’s pledge to mitigate the impact on our property as much as feasible; however, we hope you can appreciate that regardless of any measures the Agency takes, we stand to lose tens of thousands of dollars on our most important investment—our home—due to the inevitable drastic decline our property value will suffer as a result of the DOT relocation.

The impact for our family cannot be overstated; though Maura is an attorney, she has spent her career working in public service—earning only a fraction of her peers in the private sector. Bill makes a modest living as a woodworker. Like most middle-class families, our home is our most valuable, and really our only significant asset. The depreciation in value we will experience is absolutely devastating to our family’s financial future.

Obviously, our first wish would be for the County and the DOT to arrange to locate the new maintenance facility on a part of the larger 50+-acre county-owned parcel that does not immediately abut our home. We still have not received an explanation as to why the plot must be located at the currently planned site. Perhaps our August 2018 FOIL request, that the DOT recently ‘blanket’ denied, would have shed some light on this burning question.

Nevertheless, here are our requests of the DOT, County and Town of things that can be done to mitigate this terrible loss to our family:

1) Roof of building

In the last plan we were shown, the roof of the main building is essentially the white, black and red “I love NY” logo. We understand that the State wants to spread its PR message to passengers on approaching planes. However, this is akin to erecting a billboard right across
proposed site indeed are wetlands not suitable for building. If the project were moved south as we had originally advocated, the impact on residents would be lessened, as would the potential for contamination of our precious, protected wetlands. As discussed below, the Environmental Assessment suggests that there is no compelling reason why the substation could not have been located further south.

5) Berms

You and Mr. Buck had stated that the DOT intends to plant a berm raised at least eight feet from ground level, planted with mature evergreen trees, as a measure to block our view of the facility. While the simulation we were initially shown did not appear to be of scale, berms sufficient to achieve the effect depicted in the initial simulations would be greatly appreciated. The five-foot berms depicted in the final report we were sent last week provide significantly less coverage, especially from the light pollution.

6) Sewer

It is our understanding that the DOT has applied to the Town of Lansing for sewer service. As our property is so close to the proposed site, we request that we also be provided Town sewer service at no installment cost to us.

**Background:**

Though the Airport represents that this land was always intended to be developed, the previous owners of our home and the deed and survey documents belie this misrepresentation. Keith Labar reports that his family sold the land to the airport with the understanding that it would only be used as an airport clear zone approach area. His impression is corroborated by the survey of the property, which refers to the parcel as “[Airport] Clear Zone Approach Area,” and the Deed also refers to it as such. It had been represented to the prior owners, and to us, that this parcel could not be sold or developed because it fell in the “Clear Zone Approach Area” where building could not occur. Mr. Keith Labar emphasizes that his parents would NEVER have sold the acreage in question had they ever dreamed it could be developed in this manner. This is consistent with our conversations with the Labars (rest their souls) who repeatedly expressed their wish that their beloved property be used by a family, rather than by developers or industry.

Now, on the eve of the sale, in the newly released EA (Environmental Assessment) we have finally received the information that reveals their dimensions of the RPZ (Runway Protection Zone). All along we have asked for the RPZ specifications and why they could not build more south on the property. We received no clear answers about the specifications and were only told that they “preferred to build” on the north side of the property. Given the RPZ specifications, it shows that there is indeed ample room for the salt barn and truck bays to have been located further south of our home to avoid the main source of the nuisance. A simple examination of a map of the area with the RPZ applied, as well as the insignificant stream in the southeast corner of the 15 acre parcel, clearly
To Whom It May Concern,

I grew up in the home at 16 Hillcrest Road. The home was owned by my family from 1874 to 2013, when my parents sold it to the Kennedy-Smith family.

Unfortunately, I was not able to attend the County Legislature meeting that was hastily convened after the long Labor Day weekend on September 4, 2018. Had I been made aware of the expected sale of land and potential transfer of the NYS DOT maintenance facility to the county-owned property adjacent to our old historic family home at 16 Hillcrest Road in Lansing, I would have been in attendance making the most of the 3 minutes allowed speaking time to enlighten some of the Legislature members; perhaps turning them from approving the sale to the state.

It has been stated by current county airport officials that this land was always intended for future development. I and my siblings can say with all confidence that is completely and absolutely false. My father, Albert Labar, reluctantly sold about 40 acres directly adjacent to the house to Tompkins County for county airport runway buffer in 1968. A small portion of land that was tied to the sale went to the Town of Lansing and granted ‘right of way’ for what would become Hillcrest Road. The bulk of the acreage was intended for, and presented as a condition of the sale, a place of “Clear Zone Approach Area.” I was nineteen years old at the time and remember the transaction. At the time, small housing developments were starting to crop up in the area and airport officials began to be worried that the land off the center line of the runway, which was all farm land, might be too closely encroached upon.

My father was hesitant to sell but after pressure from the county, including threats of seizure through eminent domain and wanting to avoid any costly and futile legal battles, agreed to sell the land to the county for $32,500, around $900 an acre. It was never imagined by our family that the transaction would be subject to sly, legal reinterpretation for development and sold to the NYS DOT for a tidy profit of over $800,000.

Around the time the airport and DOT began hatching their plans for expansion and relocation, my mother and father passed away in late 2015, only 59 days apart. If they were here today, I’m sure their sentiments would reflect mine and had they any inkling of what the future would hold they would not have sold the land; certainly not all the way up to the house without sufficient buffer or additional legal language for protection. With the house having been in our family for 139 years, my aging parents sold the house to the Kennedy-Smith family in 2013 glad of the fact that it was being taken over by a family that would continue its upkeep; raising their own children. I am saddened for them and disappointed in our county officials that have chosen this dishonorable course of action.

Sincerely,

Keith Labar
Dear Mr. Washburn,

We are writing to you because we are residents on Hillcrest Road (39) and are extremely concerned about the relocation of the NYSDOT maintenance facility to our area. We have attended meetings and found that our concerns are basically ignored.

PROCESS: We have lived in New York only 6½ years and are appalled at the process by which this decision was made. When we attended the meeting on September 4th, we basically had a matter of hours notification about it. Our County Representative, Mike Sigler, did not contact us beforehand or since. Consequently, we had no time to organize any kind of input from neighbors. It was clear at that meeting that the decision to sell the land had already been determined, and what we had to say didn't matter. I'm sure it was the intention to railroad this through before anyone could organize resistance to it. Apparently, that's the way things are done in New York. It was also discouraging at the legislative meeting when Ms. Joy stated that there was no change possible about where this facility would be located. Why are we here?

EA REPORT: We have not read the whole report and are not experts in assessing environmental issues. However, we have received input that has been helpful:

1. The report does not really address the issues of water quality as we understand the changes that are occurring due to climate change. Both surface and subsurface water will be impacted by these changes.
2. The report also fails to take into account the noise levels we will be encountering. Due to weather conditions, this week we have been awakened several mornings due to the plow going by. Imagine there being 30 plows per hour! Obviously during the winter this could be a 24-hour experience. Stating it would be 2 decibels is ridiculous. Do you not consider the impact this will have on neighbors?
3. The City of Ithaca wants the facility moved because it is inconsistent with the desired mixed used development. Then the report says it will have no impact on the existing residential development at the new site. That is completely contradictory and again ignores the impact on our area!
4. There is also the issue of traffic patterns on Warren Road. During peak periods, the Warren Road/13 intersection is filled with commuters sending lots of traffic going north on Warren
Road, past where this facility will be also dumping large vehicles. It will make a difficult situation much worse.

NEIGHBORHOOD: This decision has forever changed the character of this neighborhood from rural residential to heavy industry. We purchased our home knowing we were near the airport and there would be the noise from planes taking off and landing. We had no problem with this. However, we certainly did not purchase with any notion that the government would swoop in and change the entire culture of our neighborhood without giving us any chance to respond. We were asked to give comments, but it seemed like a meaningless process. We feel totally let down by our legislators who we know are making decisions based on economic expediency with no regard for the citizens they are supposed to represent. No wonder people are moving out of New York.

EXPECTED COMPENSATION: Due to the deterioration of our area as a result of this political decision, we believe we should be compensated by your purchase of our property at market value plus and all relocation expenses.
Mr. Washburn,
In regard to our previous message, we neglected to identify ourselves. We are:

John H. Reid
Susan L. Reid
Please forgive the omission.
Dear Mr. Washburn and Ms. Joy,

These are my personal comments regarding the proposed Warren Road NYDOT facility:

As a member of the Lansing Planning Board and a resident of the Town, I have some comments regarding the Environmental Assessment (EA) for the proposed Tompkins County sub-residency (NYSDOT) facility near the Tompkins County Airport. I have read the first section and mainly looked at the maps in the Appendices. It is understandable that the DOT would like to move their facilities to a better location, and in the process enhance the Cayuga waterfront for more appropriate waterfront activities. I do not know how thoroughly the DOT has investigated other potential properties, but it is obvious that this site, currently the preferred location. The land is located in an IR (Industrial/Research) zone, and it is thus an appropriate use. It is also clear that the Lansing Town and Planning Boards are allowed to comment on the process, but their jurisdiction is limited. The County, the State and the FAA are in charge. Local control is centered on such items as water and sewer district modifications. It is my understanding that the only official role that the town has is amending the Warren Road Sewer District to include the DOT facility and any residences nearby that would like to be included. The Village of Cayuga Heights has to approve a sewer connection permit, and the Southern Cayuga Lake Intermunicipal Water Commission must approve a water connection permit.

My comments/concerns regarding the Environmental Assessment (EA) are as follows:

1) Why were only two other land parcels considered as alternative locations for this project? Why isn’t some of the acreage, also owned by the county, and south of the 15.5 acre parcel, considered so the salt barn and the sub-residency can be moved farther from the Hillcrest Rd. residences? Many acres of this land are out of the runway protection zone.

2) The residents at the upper end of Hillcrest Rd. are obviously quite upset about the proposed facility and feel that the county and the DOT have not given their concerns a fair hearing. The character of the historic residences and their properties (8 and 16 Hillcrest) will be changed. It is stated that there will be “no adverse effects” to these residences. That seems patently false. There WILL be adverse effects that will depreciate the value of their properties. Both visual impacts and noise levels will certainly affect the quality of life at these residences, and possibly others in the vicinity.

3) Light Emissions and Visuals - The simulated photos in the EA showing what the views will be like with the mitigating effects of a 5 ft (now 8 ft?) tall berm and vegetative screening certainly demonstrates that some of the visual impacts of the project will be reduced, but can more be done (planting more vegetation after construction, a higher berm, adding a fence etc.)? Any further efforts to move the Salt Barn and sub-residency (SR) building as far as possible from the Hillcrest homes would be the neighborly thing to do. Can the lighting of the buildings and general area be less obtrusive (the lower the lighting height, the better). The simulated photos are supposedly at full lighting, which is motion activated. The lighting would be reduced 60% with no activity. Efforts to reduce lighting as much as possible should be pursued. The night time view from the 2nd story bedroom of 16 Hillcrest is a problem.
4) Noise effects – The EA states that there will be a 2 decibel increase in the noise level from the facility to the nearest neighbor (hard to believe!). I hope that is true, but I am skeptical. The noise level assessment is based on 1-hr and 12-hr averages. What are the more instantaneous values? An average 2 decibel increase in noise over 12 hours may mean a much higher decibel level over a short time period (e.g., less than a minute). It would seem appropriate to assess the impact of short term noise level increases. Also winter nighttime noise level increases due to snow removal activities are said to only increase inside noise by 5 decibels, but an average increase from 30 to 35 decibels is a 17% increase in inside nighttime noise. Once again, this is an average value. More instantaneous values should also be considered. The 12-hour average decibel values underestimate the noise level impact on residences.

5) Culverts – We can expect to see continued increases in the intensity and possible duration of rainfall events. Culverts proposed in the EA, designed for a 50-year storm, will be inadequate for our changing climate.

6) It would be appropriate for a state facility to be designed in the most energy efficient way possible, with the least amount of fossil fuel used to maintain the facility, if the state is serious about mitigating climate change. Will this facility be using ground or air-source heat pumps for heating and cooling? Will solar panels (preferably roof-mounted) for electric energy production definitely be part of the plan? These up front increased capital costs will pay off economically in the long term, and reduce our reliance on fossil fuels.

7) The Town Comprehensive Plan (and the village of Lansing) both include a desire to develop more non-motorized trails for residents. This project offers the opportunity to establish a trail through this parcel of land (perhaps in the vegetated buffer zone (better yet an enlarged buffer zone) between Hillcrest residents and the proposed facilities), with possible connections to other proposed or future trails. This topic is not discussed in the EA, but should be considered. Trails offer the potential for an improved quality of life for town residents and would help the DOT project a more positive image for this proposed facility.

8) One of the most important actions the DOT could take with respect to mitigating the impact on the Hillcrest neighbors, is to create a larger buffer zone between these neighbors, and the Salt Barn and the sub-residency. I have been to the site and measured the distance from the 16 Hillcrest residence to the proposed location of the sub-residency. The distance is less than 350 ft (not 450 ft as stated in the EA). This building and the salt barn certainly feel like they will be in the residents’ back yard. A good neighbor would rectify this situation.

Thank you for considering these comments.

Tom Butler
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Thank you for considering these comments.

Tom Butler
Hello,

My name is Justin Kimball and I am a resident of 50 Hillcrest Road. My home is situated on 4.3 acres and I own the adjacent 10.2 acre lot as well. I am one of the residents who will be most affected by this move of the DOT.

Since the current DOT site has zero residents surrounding the existing downtown facility, how are we to accurately assess the full invasive impact of this new facility on the families in the Hillcrest neighborhood? Noise from the trucks & heavy equipment, as well as the additional traffic, light pollution, air pollution, gas pollution, and salt run-off factors all stand to significantly disturb the healthy, peaceful quality of life currently enjoyed by the families of Hillcrest Road. Considering the fact that there was already one plane crash close to the proposed site of the fuel tanks, it seems legitimate to seriously question the safety of positioning a gas station next to the airport runway. The Environmental Assessment document itself, pp. 146-147, suggests that for safety reasons the salt barn & fueling station be moved further to the South of the proposed site. I certainly agree. This concession also provides a slightly wider buffer zone for the current residents of Hillcrest Road to maintain some small margin of privacy in their daily lives. But that is not our only concern.

The EA projects that traffic will increase by 30 trucks per hour. This is a massive increase from the current moderate traffic patterns on the corner of Hillcrest Road. Employees from Borg Warner already fly down Hillcrest Road. Now are we going to add large plow trucks with no sidewalk, no bike paths, and no traffic light? Even with conditions as they are now, the speed limit should be lowered. You have to be one courageous soul to walk down the road, or check your mail with the current traffic patterns that exist. The EA also suggests that 30 trucks per hour will only increase the noise decibel level by .2. Have you ever heard a snow plow truck go by? We currently can hear noise from Borg Warner which is two streets removed from this proposed sight. I believe the statistic of .2 decibels is not even close to the actual impact these trucks will have on our local environment. Plow trucks also have flashing lights & beeper alarms that sound when the gears are reversed. I am certain this noise and light pollution has not been taken into consideration. With these trucks operating around the clock, would this activity not severely affect the neighboring family residents’ ability to rest at night? Who among us would welcome this type of disruption to our peaceful, rural neighborhood environment?
Since there are 53 acres of land that currently exist around the airport, why would the DOT choose to position the new facility adjacent to existing family homesteads? Surely there are other sites either further South of the proposed area or West of the airport, or literally anywhere other than the immediate back yard of local residents with established homesteads.

On a purely personal level, I am deeply concerned about how the chemicals associated with the DOT facility will affect the water in my well. The huge increase of traffic servicing the facility as well as salt & gasoline run-off will leach into the ground water affecting my well water, and potentially polluting my drinking water. Well water is the only current option for supply to my house. There are currently no water or sewer lines near my household.

For all the above reasons, we, the residents of Hillcrest Road, are earnestly requesting that you select another location for this DOT site. There must be another area where these issues won’t impact the health and the quality of life of neighboring residents. That being said, after attending three meetings, it seems our protests are not being heard. If there is absolutely NO OTHER OPTION for relocation of the DOT, then I ask the following concessions in return.

1) I would like to have municipal water and sewer lines extended to my current residence at 50 Hillcrest Road, as well as to the adjacent land which I also own. This municipal service would provide an alternative source of water to replace my current supply of well water which will surely be polluted.

2) I would request the speed limit on Hillcrest Road be lowered to 30 miles per hour, a sidewalk be built to provide pedestrian safety, and a stop light be considered in lieu of the massive increase of traffic.

3) Finally, I propose that the 2019 increase in the assessments of the properties surrounding the DOT site be reversed to below the number of the 2018 assessments which predates the placement of this DOT facility. The location of the DOT at such close range to our homesteads severely depreciates not only the value of the Hillcrest properties, but also the quality of country life the residents enjoyed prior to the installation of this facility.

To quote govern Cuomo: he called the move for the DOT an opportunity to access 43 million dollars of lake front land to use for luxury condos. Since the DOT elected to pay $875,000 dollars for the purchase of this piece of property which was assessed at $300,000, an amount 325% over assessed value, it seems reasonable to suggest that the residents' who are suffering the greatest loss to their privacy and property values be compensated as proposed in the three requests stated above. If our wishes for the DOT to locate elsewhere are to be denied, then grant the neighboring residents some measure of justice by honoring our requests for the above mentioned needs. I bring my comments to a close by leaving you with one thought. Would you appreciate this facility being located in your own back yard? or the backyard of your parents? How would you feel about the potential pollution of the air, water & land, amongst other issues? Please do the right thing and move this facility to another location. You have options to place this facility somewhere else, but we cannot relocate our homes. I thank you for your time and for seriously considering our requests. Please feel free to pass this letter on to anyone else who might be involved in the decisions making process.
Sincerely,

Justin Kimball
50 Hillcrest Road
(607)592-2475

On Wednesday, January 16, 2019, 1:12:15 PM EST, Sean S <virgilscanlon@gmail.com> wrote:

Mike,
Thanks for writing an email today. Speaking out loud to the County Legislature with DOT and Mike Hall present would have been a little more convincing.

Joy,
Your non-response is exactly what is so disappointing about you, Mike, Ed, Mike Hall, the County, the Town and the whole group. Deflect, delay, deny, use your lawyers, its only a few disgruntled non-wealthy homeowners who lose their neighborhood and their investment in their homes. You never answered where else this could be located aside from a 15 acre parcel in our neighborhood. When I asked Mike Hall this question last night, he condescendingly told me "Its complicated." I bet I could understand the process if it was described. Just speak slowly to me...

You'll "win" of course, our property values will drop, our wells will get screwed up, you'll provide sewer to the DOT, not to us, the Town of Ithaca will get Hall's "Cherry on Top", the $43 million lakefront property. Lansing ends up converting open space to a loud, noxious, dangerous eyesore across from a chemical and radiological site under a consent decree. Cheers.

Sean

On Wed, Jan 16, 2019 at 9:55 AM Joy, Kathleen (DOT) <Kathleen.Joy@dot.ny.gov> wrote:

Thank you Mike. The Environmental Assessment process is designed precisely for that kind of public input.

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From: Mike Sigler [mailto:msigler@tompkins-co.org]
Sent: Wednesday, January 16, 2019 9:02 AM
To: Joy, Kathleen (DOT) <Kathleen.Joy@dot.ny.gov>
Cc: Sean S <virgilscanlon@gmail.com>; bill kennedy-smith <bdksmith85@yahoo.com>; Mike Hall <mhall@pfaconsulting.com>; Molino, Jason (TOMPKINS Co) <jmolino@tompkins-co.org>; elavigne@lansingtown.com
Subject: RE: NYSDOT Ithaca Maintenance Facility Relocation

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Kathleen,
I know we’ve talked about this before and I was hoping that the state would come to some sort of resolution with those on Hillcrest as to the placement of DOT facility in Lansing. I initially thought the facility would be going on the other side of Warren adjacent to the airport when it was first proposed and I brought that up in early August. I went so far as to ask Mike Hall and Cornell University to see if there were other comparable sites up there and asked Senator Pam Helming to get involved which she did.

I still think there are other sites that would be easier, but I lost the vote to hold off on the sale and investigate other sites so I’m now working within those constraints. I’m hoping the state would consider moving the facility south on the site. I understand that would limit development on the site in the future and that the “creek” limits where you can place buildings etc. I know you’ve done work to increase the buffer between the Smith’s home and Hillcrest Road, but I’m wondering if we can do even more. Increase the height of the berm, add in even more trees and vegetation.

I should have brought this up at last night’s meeting. I didn’t because I thought it was all well covered ground, but I should have despite our past correspondence. I’ll bring it up tonight at the Lansing meeting. Sean and Bill are cc’d on this as I thought they brought up solid points and are just looking for answers. I know those answers may not delay their concerns, but they’re valid. They’ve poured a lot of themselves into their homes and feel they’re now threatened.

Thanks and I’ll see you tonight,

Mike Sigler
Tomkins County Representative (Lansing)
I know we've talked about this before and I was hoping that the state would come to some sort of resolution with those on Hillcrest as to the placement of DOT facility in Lansing. I initially thought the facility would be going on the other side of Warren adjacent to the airport when it was first proposed and I brought that up in early August. I went so far as to ask Mike Hall and Cornell University to see if there were other comparable sites up there and asked Senator Pam Helming to get involved which she did.

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Thanks and I'll see you tonight,

Mike Sigler
Tompkins County Representative (Lansing)
Dean E. Shea  
416 Asbury Rd  
Freeville, NY 13068

January 28, 2019

FAA Review Official

Re: proposed Tompkins County, Warren Road NYSDOT facility near Tompkins Regional Airport:

To Whom it may concern:

As a member of the Lansing Planning Board I first have some comments regarding the siting process and the transparency of the NYSDOT staff during the process. As a State Agency, NYSDOT is exempt from the control of the town for a majority of this process. As stated on their website, they first serve the public of New York State. Even when the public is unhappy with a proposed project, a good neighbor engages with those surrounding the project and gets feedback before plowing ahead. Recently Cargill engaged early and often with their neighbors and really did their homework before bringing a new access shaft project to our town. They chose a practical site that mitigates their impact to our neighbor and the town and were open to improvements to the site to reduce their impact to the neighbors. NYSDOT did just the opposite by avoiding bringing information or direct interaction not only to our town boards, but especially to the neighbors who will be affected by this project. Some of the neighbors even filed a FOIL to get information but were denied by NYSDOT and kept in the dark until very recently. The move of this facility to a new location is based upon a grant and there is a very strict timeline to get this work done in order to receive the grant money. The desire by the NYSDOT to move this project ahead with no changes should be weighed against NYSDOT’s lack of transparency and avoiding interaction with neighbors. This state of affairs (NYSDOT being a bad neighbor) should, in my opinion influence the FAA’s review, especially when it comes to considering both the neighbors’ objections and obvious solutions that are available to the County and NYSDOT with little or no impact upon the projects schedule.

In considering the location of the facility, the neighbors don’t necessarily object to a location on County land on Warren Rd. Given the quantity of land the county owns at that location, there is adequate land to move the facility (specifically the storage, loading and sub-residency areas) further to the South rather than nestled up to the North as close to the neighbors as possible. This should first and foremost be considered to reduce the impact of noise and lighting on the neighbors. Given the equipment and resources of the state, higher berms, additional fencing and larger and denser plantings should be included in the plan to further ameliorate the impacts to the neighbors.

The development in this area and the amount of road frontage available in the County property allows a road frontage that complies with the towns zoning would be appropriate. This town requirement helps reduce traffic issues from curb cuts being too close together and are simply good safety practice regardless of the lack of jurisdiction. NYSDOT should be very aware of safety concerns in getting equipment on and off the roadway. As my town planning board colleague Tom Butler mentioned, upsizing the culvert over the 50 year storm size would be prudent given the large flows from storms experienced in the last several years.
The goals of the County and the State to reduce fossil fuel use in New York State should guide NYSDOT to design the facility without a connect to natural gas, but use electric, geothermal and air source heat pumps for their heating and cooling needs and back this up with solar PV generation.

The request for sewer connections for the facility would remove a limited resource from the town on a parcel where plenty of land is available. The NYSDOT site will generate no tax dollars for the town but would like our services. I would suggest that a septic field at the north end of the project would help with an additional buffer and would preserve this resource for further development in the town where density is desired and land for septic is inadequate at the same time.

Tom Butler mentioned in his comments that the comprehensive plan for our town as well as Tompkins County’s comprehensive plan call for public trails to facilitate access to the outdoors. Trails make great buffers and could provide additional benefits to the neighbors, the public and the facilities employees in this situation.

Thank you for taking the time to carefully review this project and consider the comments of the public.

Sincerely,

Dean E. Shea

Lansing Planning Board Member
We first heard about this scheme of moving the DOT to the 15 acres directly adjacent to our home at 16 Hillcrest Road in August of 2018 accidentally through the result of a Lansing Planning Board meeting; not, I should point out, through the good faith of the county, the airport, or the DOT. After initiating contact, and having professed a desire to “hear our concerns”, we have met with the DOT on several occasions. We have made our concerns abundantly clear; the depletion of our home value, the destruction of our quality of life, and negative impact on the surrounding environment. In turn, they have offered relatively insignificant changes that will have little to no impact to our concerns.

From our first meeting with Mike Hall, airport director, the DOT, and their attorney I’ve been asking one important question...why here? Why not locate the facility more south and west in the middle of the 53 acres owned by the county? Recently at a meeting, I asked this question of the DOT while providing compelling evidence that a move to the south was entirely possible, the answer was “I don’t know...it’s the land they offered us.” I suspect the DOT didn’t want to ‘look a gift horse in the mouth’ and were prepared to deal with confrontational residents; which would be nothing new to them. To date, we have never received a straight, direct, or complete answer to that question. Incomplete answers from the airport and county have included: 1) a preference to move it away from the runway centerline and RPZ (runway protection zone) as much as possible (I would note that this is a ‘preference’ and a not specific violation of FAA safety regulations), 2) it’s an undesirable location (it’s possible the DOT might have to construct a small amount of additional roadway), 3) it’s too small (there are at least 16 acres in the western and mid-southern portion of the county property that would still be isolated from residents north at Hillcrest Rd and residents south at Cherry St., 4) the terrain provides difficulties (I’ve not seen reports nor am I aware of any studies conducted of the western or mid-to-southern territory that would conclude that the terrain would be any more difficult to develop than the 15 acres being purchased to the north), 5) there are wetlands on the county property to the west (this is false; there are designated wetlands on an adjacent property to the northwest that is not owned by the county), 6) FAA regulations and building elevation heights would prohibit a move to the south (this is also false; given the airports current runway status, the main building and the salt barn could quite feasibly move much further south and west and still be in compliance with FAA regulations and out of the RPZ, and finally, 7) “it’s complicated”. I would also note there is a ‘stream’ that runs in a southwest direction from the proposed DOT entrance from Warren Rd. This stream is intermittent and could be easily culverted as they are proposing to do with a stream to the north.

We submitted a FOIL request to the DOT in August of 2018 to obtain what could be vital information concerning the project; thereby expanding our understanding of what exactly was happening. The DOT records office stalled the request until mid-November when they finally issued a ‘blanket’ denial of all materials. Only recently, with the release of the EA (Environmental Assessment) do we have some answers. As informative as it is, it is a flawed report; predominately downplaying environmental concerns and impact on residents while touting the benefits of the DOT relocation. However, of interest, in the EA is the aeronautical site report completed by a company called Santech (pp.245-261 of the .PDF). Aside from their conclusion that the proposed building site would not violate FAA air space; they make two recommendations as a result of their study: 1) Opportunity to shift the site south, away from the residential property may help to minimize impacts to the surrounding community and neighboring
property. 2) There are two existing communications towers at the airport which could offer an opportunity to ‘piggyback’ the NYSDOT communications tower, permitting even greater clearance to the protected surfaces from the proposed facility. This report was issued in March of 2018. Assuming this information was also available to the county, it is inconceivable, with that latitude, why they would chose the most northern part of the property causing such damage to residents. This report, to my knowledge, was never made public to any residents nor the county legislature prior to their vote on September 4, 2018 deciding to sell the land from the county to the DOT.

At last night’s county legislator meeting, January 15, 2019, one concerned member of the legislature asked Kathleen Joy, attorney for the DOT, if they would still consider moving the site south. Her answer was a definitive “No.”. I believe, because of a combination of bad planning, callousness, and constrained time tables for completion, we are at an impasse. Although not entirely. The DOT, their attorneys, and their hired consultants know their jobs well. They have dotted all their ‘i’s’ and crossed all their ‘t’s’ in regards to their EA. They almost certainly will qualify for all necessary permits. For instance, all they had to do to potentially earn a ‘national permit’ from USACE was move the salt barn back a few feet barely out of the wetland area and their jurisdiction (not the 100ft. stream buffer local Lansing law would enforce).

The FAA is the lead agency and it is now in their hands. I do not know how much residential impact will sway their decision. We can only hope it is considerable.

Bill Kennedy-Smith 1-16-19
Appendix P
Public Hearing Transcript
Public Hearing - Lansing, NY - 1-16-2019

PUBLIC HEARING

ENVIRONMENTAL ASSESSMENT FOR THE

DEED OF RELEASE

FROM THE FEDERAL AVIATION ADMINISTRATION TO TOMPKINS COUNTY

DATE: January 16, 2019

LOCATION: Lansing, New York
Public Hearing - Lansing, NY - 1-16-2019

THE MODERATOR: Welcome everybody.

This is a public hearing for the Tompkins County Subresidency at the Ithaca Tompkins Regional Airport, regarding the Environmental Assessment for the Deed of Release to Tompkins County.

We've just had our open house from four to four thirty. We will again have another open house after the public hearing from five thirty to six o'clock.

My name is Kathleen Joy. I'm with New York State D.O.T. and we welcome everybody here this evening for this portion of the public hearing for the environmental assessment. I will call this public hearing to order. It is hereby open. I'll be the moderator tonight for tonight's hearing. I'm here with other members of D.O.T. and our consulting staff, as well and during the open house, they're available to answer any questions that you might have.

For the record, I'd like to read the public notice into the record. It's quite long but I'll do my best.

Notice of availability and request for comment and notice of public hearing; draft
Environmental Assessment, airport land release and relocation of New York State Department of Transportation Sub-residency.

In accordance with the National Environmental Policy Act of 1969, NEPA, Forty-two U.S.C. Section Forty-three Twenty-one and the Council on Environmental Quality, S.E.Q., Regulations Forty C.F.R. Parts Fifteen Hundred to Fifteen o Eight, notice is hereby given that copies of a draft Environmental Assessment for the airport land release and relocation of a New York State Department of Transportation Sub-residency at the Ithaca Tompkins Regional Airport, are available for public review and comment.

Notice is also hereby given that an open house information session and a public hearing will be held at times and at a location listed below and I'll read those at the end of the notice. New York State D.O.T. Project Identification Number for the Relocation of the Sub-residency is Three M Zero Zero point One Eight.

The draft E.A. identifies the proposed action, project alternatives and presents an evaluation of potential environmental impacts in
accordance with Federal Aviation Administration Order Fifty Fifty point Four B and Ten Fifty point One F, Environmental Impacts Policy and Procedures and the other applicable laws, rules and regulations.

Here's the project description for the record. The Ithaca Tompkins Regional Airport proposes to modify the airport layout plan or the A.L.P. for removal of approximately fifteen undeveloped acres of land at the northwest corner of airport property from the A.L.P. for future use for non-aeronautical purposes. F.A.A. approval of the change to Ithaca Tompkins Airport layout plan is required. The County intends to sell these fifteen acres to the New York State Department of Transportation for construction of a new maintenance facility.

The new maintenance facility will replace an existing Sub-residency located on the north side of Ithaca between Route 13 North Meadow Street and the Cayuga Inlet and will include a Sub-residency maintenance building, a cold storage building, salt storage barn and hopper building.

The site will also contain stock pile
areas for pipe, stone and milling and ancillary site features, including a fuel station, parking for forty vehicles and storm water management facilities to handle on-site storm water.

The project will require construction of an access drive from Warren Road and the extension of utilities.

The project includes construction, which affects wetlands covering by -- covered by Executive Order One One Nine Nine Zero of the President of the United States, dated May 24, 1977 called Protection of Wetlands.

This public hearing also serves as part of the New York State D.O.T. public involvement process for the project to construct a new D.O.T. maintenance facility.

New York State D.O.T. and F.A.A. encourages parties to review and provide written comments, within a period of thirty days from the publication of the notice. The draft E.A. will be available at a public hearing and can be found online and the website is listed on the board, there, at the end of all of those boards. It is also available at the Lansing Public Library, which is 27 Auburn Road
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in Lansing, Lansing Town Hall here at 29 Auburn Road, Lansing, New York, the Ithaca Tompkins County Airport Administrative Offices, 72 Browning Road, Ithaca and for purposes of the notice, the open house, January 16th, 2019 from four to four thirty p.m. and five-thirty to six p.m. at the Landing Town Hall, 29 Auburn Road, Lansing, New York 14882.

Participants will have an opportunity to review and discuss the project with New York State D.O.T. representatives, as well as the opportunity to provide oral statements through the stenographer.

The public hearing to receive public comments on the draft E.A. will be held on January 16th, 2019 from four thirty to five thirty p.m. at Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882.

Sign language interpreters will be available at the hearing. If you require an assisted living -- assistive listening system or any other accommodation to facilitate your participation in the public hearing, please contact Mike Washburn as provided below. His address and contact information is 333 Washington Street, Syracuse, New York; phone three one five four two eight four three five zero.
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and his email is Micheal.Washburn@dot.ny.gov.

Include in the subject line, PIN Three M Zero Zero point One Eight or Tompkins County Sub-residency at Ithaca Tompkins Regional Airport.

All oral and written comments will be addressed in the final Environmental Assessment. If you are writing a comment, include your address, phone number, e-mail address or other personal identifying information and please be advised that your entire comment, including your personal identification, may be made publicly available at any time.

So, with that, the first couple of orders of business, if you haven't already -- I'll put my glasses back on, please sign-in at the front desk. If you would like to speak, please fill out a three by five card, so I can call your name and then you can -- I will call you in the order that I receive the cards.

We also have comment sheets in the back, if you would have -- like to write a comment. Those will also be part of the public record. If you're uncomfortable with that, during the public open house if you'd like to speak with the
steno\textit{grapher}, you can do that, as well.

We’ll give you -- since there’s just a handful of people wishing to speak, we’ll give you five minutes each to speak. Don’t feel compelled to use all five minutes if you don’t need it. Thank you.

When I call your name, please come up to the front. You will be recorded, as it -- it is part of the stenographer’s presentation, as well. If you have a written statement, you can give that to us and that will be included as a public record. You can hand it to me, you can put it in the box in the back or give it to the stenographer.

As I said earlier, the hearing will end at five thirty tonight and staff will be available until six to answer any additional questions that you might have.

The written comments will be received by mail or e-mail or in-person tonight, until February 2nd, 2019 and details are on the board in the back here of the room, so that you can see all the various places where the assessment documents are available and how to submit your comments.

So, with that, we will start with the
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public testimony. The first person is Justin Kimball followed by Sean Scanlon.

Justine you can come up -- come up and use the microphone please.

MR. KIMBALL: Hello, my name’s Justin Kimball. I live at 50 Hillcrest Road, right actually behind where some of the proposed salt buildings, storm water drainage, everything’s going to take place. I guess I have a lot of questions. I will, you know, voice those here and a written comment, as well. I have major concerns. Number one, I know the E.A. had a lot of -- mentioned noise pollution, light pollution at a very, very minimal access. It seems like we cannot move our homes anywhere away from this. It seems like this is -- this light pollution, this noise pollution, this -- these salt trucks going, you know, constant trucks, people coming through, a lot of traffic on a road that is already overused and a speed limit that is above, you know, people speed down that road all the time from BorgWarner.

You know, I plan on building a family at my house. Am I going to let my kids on that road coming through there? There’s no shoulder. There’s
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a speed limit that I would like to be maybe lowered
to enforce that, as far as safety. You know, being
on well water, what's the leaching going to affect?
You're talking about putting in gas stations. You're
talking about putting in, you know, more salt
traffic; everything from there that leaches into the
ground. You know, I -- I have concerns. It seems
like, to me personally, there is a lot of other
spaces that the D.O.T. could use, where it's not so
close to residents.

We can't move our houses. You guys
can kind of propose different areas of where you
might like to, you know, have this thing drawn. I
mean, I don't know exactly why somebody chose this
area but it seems like they're coming right on top of
the residences. Where the current D.O.T. operates,
there's no residences -- there's no residential
houses whatsoever.

I guess -- it seems like our voices
really haven't been heard throughout this process.
We went to a couple of meetings at the Town of
Lansing. We've made complaints. It seems like they
say well, we can't help you. We've gone to Tompkins
County -- or, I'm sorry, the Ithaca meeting. I'm not
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exactly sure what you want to call it but we were not really heard there. I guess it just seems like we kind of have been brushed under the rug. Nobody’s really heard our voices; heard our complaints. I mean, I understand people are listening to them but they say oh, well we can’t do anything to this. It’s just frustrating, other than, you know, anything else I guess, you know. That’s really -- that’s really all I have to say.

THE MODERATOR: All right.

MR. KIMBALL: I appreciate your time and thanks for the answer.

THE MODERATOR: Thanks very much.

MR. KIMBALL: All right.

THE MODERATOR: Sean Scanlon followed by Joseph Wetmore.

MR. SCANLON: Thank you. My name is Sean Scanlon. I live at 51 Hillcrest Road, directly across from Justin’s home, as well.

First and foremost, I’d like to just disagree with this whole format. I mean, it’s ridiculous for us, as homeowners, to sit here and do one-way statements to nobody with the constituents here. This needs to be a discussion and a dialogue,
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which was never hosted with us, as well. So, on
principal, this is a joke. It’s allowing us to vent
to get these comments and to say you did it. Nothing
will be done with this and I want that on the record.

We would like to have questions
answered and have some dialogue around that and
that’s not what’s being offered to us. We’re being
offered to kind of, you know, vent in a couple
different formats. So, this is kind of pathetic but
it’s good to try at least.

So, the first thing I’d like to put on
the record and ask everyone to consider is please
tell us the full story about the consideration of
other sites around the County because we have no
idea. In the Environmental Assessment, it mentions
two with the one down by Home Depot, which was a much
larger site and the one in Dryden, which is not
specified.

This clearly points to the
Environmental Assessment and the process and this
land being given by the F.A.A. as a very structured
deal that has a lot more implications that are not
being talked about. And, we’re getting the ones --
literally our four homes are being the ones that are
screwed over by this because you know you won’t get enough resistance to push back on it. And, that is that the deal is the F.A.A. is allowed to free up this land, the County’s allowed to sell it, the D.O.T. is allowed to buy it, the D.O.T. will be selling the land on the lakefront. And, as Mr. Hall said in his press release related to this, what it really comes down to, for me, is we are being the ones to screw up our homes, our wells, our quality of life for a forty-three million dollar development on the waterfront. And, no one’s admitting that. No one’s talking about these connections and I’d like to really know what’s actually happening with this.

To the specifics about the environmental impact, I said this in the other formats; I’ll say it again tonight, common sense -- just common sense. We don’t have to get into the mathematical formulas of the sound pollution but they actually have a -- a statement in the thing, which I could cite chapter and verse if you want me to because I looked it up last night again, that the increase in sound at midnight in our neighborhood for the eleven snow trucks in full operation, is two
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decibels. Two decibels is below the threshold of hearing. In the -- in the Environmental Assessment it states that, as well.

I just ask people to think for a second about common sense. With common sense also, we're building a gas station -- a diesel gas station at the end of a runway and we're also building it -- I'm also on well water. One of the things the Town's going to need to approve, is the extension of sewer to accommodate all of this salt in our back yard. We don't have sewer going down Hillcrest.

So, I'd just like to point out, the inequities and the insult that's going on with this, as well. In addition, we were not contacted about when this was originally discussed and described about what other places this could possibly be.

So, fundamentally I think this whole thing is flawed. It feels like it was very well structured to make sure you got a spot where you're going to get very little resistance. But, the fact that you couldn't find a spot that was not against residential neighborhood, is just astounding to me and really, really disappointing.

We've received no representation; I
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mean, literally no representation from the people elected to represent us on this issue and it’s incredibly disappointing to all of us.

I’ll also say that directly across the street, Cornell owns an immense amount of property, just north and east of the airport and when I asked Mr. Hall last night at the County Legislature meeting, the only answer I got was, you know, why not there where there’s no residential building; where there’s already radiological and chemical contamination that can’t be removed. Why have to disturb a relatively pristine opened space next to our home? And, the answer I got was, it’s complicated.

And, so fundamentally the way that this is being handled, the deflection, the distractions, these public settings, no answers, no dialogue, is just meant to pacify to get it through, to get it into the lawyer-up process because you know you’re going to win.

Thank you.

THE MODERATOR: Thank you for your comment.

Joseph Wetmore followed by Brian Eden.
MR. WETMORE: I’d like to express some of my frustration with the communication. I was part of a group of officials who met with D.O.T. about a month ago. We explained to you that you needed to have three municipalities approve the sewer agreement. Then I look at your document over there and on page three, you only have two municipalities as having to agree to the sewer agreement.

So, it doesn’t feel like we’re be listened to. You don’t have the Village of Lansing. They’re a part of the sewer agreement and they have to agree to it. And, you know, when this has been explained once, very carefully, very clearly and then we don’t see it in the document, you haven’t been contacting any of the municipalities to start that discussion, it feels like we aren’t really being listened to. Thank you.

THE MODERATOR: Thank you. Brian Eden followed by Mike Sigler.

MR. EDEN: Hi, I’m Brian Eden, 147 North Sunset Drive, Ithaca, New York. I’m the Chair of the Heat Smart Tompkins Board that we try to encourage people to convert from fossil fuels to air source or ground source heat pumps. They’re both
technologically feasible and cost effective and we've been having a lot of success, here locally, over three years. We're about to enter our fourth year of this program.

I just want to bring your attention to the Governor stated a State message last night -- or, yesterday. This is in the written remarks, which were more extensive than what he said in person but because buildings are one of the most significant sources of greenhouse gas emissions, Governor Cuomo is announcing a comprehensive strategy, as part of the -- his work this year to move New York's building stock to carbon neutrality.

And, one of the bulleted points was, directing State agencies to ensure that their facilities lead by example, through energy master planning, net zero carbon construction, L.E.D. retrofits, annual benchmarking and by meeting their electricity needs through clean and renewable sources of energy, specifically including their exploration of clean energy technologies. And, so there's a lot of money available to State agencies that convert or build new buildings to a higher specification.

There's the Build Smart Program that
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was a result of Executive Order Eighty-eight in 2012. It's managed by NYPA. The NYSERDA has the new construction program and O.G.S. has an Office of Energy Planning and Procurement. And, not directly related to this but the Dormitory Authority just decided recently, that all new construction and retrofits would be constructed to a net zero standard.

So, I understand, I've talked to the principals here. I understand there's some questions or there is a likelihood to be -- use some geothermal in the offices but there's also the -- the garage and there's some problems. So, I've been working with people both in New York State and nationally that are vary expert. I'm -- I'm -- I'm a policy person not a technology person. So, I -- I will not submit a written comment, at this time.

Hopefully, I will contact them and they'll have some suggestions. I know there are a couple other people that are planning on doing that, also. So, I hope the -- by the time that you reach the deadline for comments, I will have something more technically proficient, so here just the thing from the Governor's -- Governor's State of the State.
Thank you very much.

THE MODERATOR: Thank you. Mike Sigler followed by Bill Kennedy-Smith then followed by Maura Kennedy-Smith.

MR. SIGLER: Hi Kathleen. Thanks for having us. So, my name is Mike Sigler. I'm the County Legislature for the Town of Lansing and I do represent this area of the County. I'll just start by saying it's -- you know, growing up I knew a lot of guys in bands and some of them got famous. And, it was always funny when they wrote that up later they said, you know, yeah we were an overnight success. It took us twenty years and then we were this overnight success and I kind of look at this project as the same way.

It's kind of like the thing that we wanted to do for twenty years and then finally, when the chance came to do it, people kind of seized on it and then it moved very quickly from there on.

And, that's not necessarily a bad thing, I mean, that happens and that -- that's good. We want progress to move pretty quickly. But, when it came up to my attention in July that we were moving towards this site and this is kind of the
direction we were going, you know, I did reach out to the powers that be. I reached out to Cornell and said, you know, are there any other sites available that we could fit this -- this parcel on? And, I did approach the other -- you know, the other County Legislators about that to see if there was another site because frankly, I -- I looked -- liked the 84 Lumber site that's been abandoned for years now and that's right on Route 13. And, frankly, when -- when we say something was going to go in up at the airport, I thought it was kind of going to go up at the airport. This to me really isn't at the airport. It's -- it's adjacent, in a way but -- but I was kind of thinking it would go up on the west side of the airport where there is a lot of room and there is industrial and there is other -- other things that kind of fit in with this better.

With all that said, it went to a vote. I lost the vote. I mean, I -- I voted against the project going forward; against the land sale. Ten other people said no, this is where we want it. This is what we're going to do and so, okay. That's where we are today.

How do I make this better for the four
families that are going to be affected by this? And, I’ve reached out to them and said, you know, kind of what are we looking for? You know, what -- what would be your best/worst case scenario, basically.

And, I -- some of the things Sean has said are -- are consistent and some of the things that I’ve talked to the Kennedy-Smiths about, you know. My daughter, she wanted to ski when she was young and we would go up and she was part of the school program. The bus would take the shortcut up Hillcrest. It is not a minor road, really, in -- in Lansing. A lot of people use that road to get up to the airport or to get out to Cortland or to get to -- to Virgil to ski. I mean, it -- it’s not a major road but it’s a fast road and it’s a traveled road.

And -- and, I can understand their concern that yeah, you know, you put more salt trucks on the road, that’s going to be a more used road and I -- and I can see their concern there. I can see their -- their environmental concern. I also understand that, you know, the D.O.T. does have to put it somewhere. They have to be somewhere and it’s better to be, you know, up by the airport then down on the lakeshore but it does seem like there is a lot
of land up by the airport that could have been more suitable; that wouldn’t have been in the flight line.

But, since we’re working with this site, it’s a decent size site. So, I’m -- I’m hoping that maybe the D.O.T. will move the -- the site further south. Does it mean that the plan will have to change? Sure. It does mean that but there is room to move it further south. Is the site going to be a little more challenging? Yes, I think it will. Will it be a little more expensive to build? Yes, it probably will. But, with the -- and, further down the road, does it mean that we won’t be able to develop more of the site? Yes, I think that might be a -- a tradeoff too but I think that tradeoff will probably be worth it. I -- I look at the -- the four families there and yes, it was zoned industrial next to them. I get that, as well. But, you know, BorgWarner was there. That was part of the reason it was zoned that way.

Lansing right now is going through a whole rezoning. It just seems to me that we could push it further south. And, frankly, I know that we’re putting in a lot of trees. I -- I know that the D.O.T. has been responsive to that and -- and
responsive to -- to some of the issues. It’s not going to be able to address them all but maybe we can make the berm even a little higher and maybe we can put even more trees between Hillcrest and -- and this facility. And, maybe we can turn some of the buildings around, so the sound impact will be less. So, you know, thank you for listening. I -- I hope that we do address all of those issues and thank you very much. That’s about it.

THE MODERATOR: Thank you very much. Bill Kennedy-Smith followed by Maura Kennedy-Smith.

MR. KENNEDY-SMITH: All right. I’m going to read a statement and also address the -- the land to the south of the proposed facility. We first heard about the scheme of moving the D.O.T. to the fifteen acres directly adjacent to our home, at 16 Hillcrest Road in August of 2018, accidentally through a result of the Lansing Planning Board meeting, nor -- not I -- I should put out -- should point out, through the good faith of the County, the airport or the D.O.T.

After initiating contact and having professed a desire to hear our concerns, we have met with the D.O.T. on several occasions. We have made
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our concerns abundantly clear, the depletion of our home value, the destruction of our quality of life and the negative impact on the surrounding environment. In turn, they have offered relatively insignificant changes that will have little to no impact to our real concerns.

From our first meeting with my call to the airport director, the D.O.T. and their attorney, I have been asking one important question, why here? Why not locate the facility more south and west to the middle of the fifty-three acres, owned by the County? Recently at a meeting, I asked this question of the D.O.T. while providing compelling evidence that a move to the south was entirely possible. The answer was, I don't know. It's the land they offered us. I suspect the D.O.T. didn't want to look a gift horse in the mouth and be prepared to deal with confrontational residents, which would be nothing new to them.

To date, we have never received a straight, direct or complete answer to that question. Incomplete answers from the airport and County have included one, a preference to move it away from the runway center line in R.P.Z., Runway Protection Zone,
as much as possible. I would note that this is a preference and not a specific violation of F.A.A. safety regulations.

Number two, it is an undesirable location. It is possible the D.O.T. might have to construct a small amount of additional roadway.

Number three, it’s too small. There are at least sixteen acres in the western to mid-southern portion of that County property, that would still be isolated from residents north of Hillcrest Road and residents south to Cherry -- at Cherry Street.

Number four, the terrain provides difficulties. I have not seen reports nor I am -- am I aware of any studies conducted of the western or mid to southern territory that would conclude that the terrain would be any more difficult to develop than the fifteen acres being purchased to the north. There are wetlands --.

Number five, there are wetlands on the County property to the west. This is false. There are designated wetlands on an adjacent property to the northwest that is not owned by the County. The only wetlands are right off of our property onto the
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-- the -- the proposed site.

Number six, F.A.A. regulations and building elevation heights would prohibit a move to the south. This is also false. Given the airport’s current runway status, the main building and salt barn could quite feasibly move much further south and west and still be in compliance with F.A.A. regulations and out of the R.P.Z. zone.

And, finally number seven, it’s complicated. I would also note there is a stream that runs in a southwest direction from a proposed D.O.T. entrance from Warren Road. This stream is intermittent and could be easily culverted, as they are proposing to do with a stream, that is always constantly running with water, in the north.

We submitted a FOIL request, Freedom of Information Request, to the D.O.T. in August of 2018 to obtain what could be vital information concerning the project, thereby expanding our understanding of what exactly was happening. The D.O.T. Records Office stalled the request until mid-November, when they finally issued a blanket denial of all materials.

Only recently with the release of the
E.A., the Environmental Assessment, do we have some answers. As informative as it is, it is a flawed report, predominately downplaying environmental concerns and impact on residents, while touting the benefits of the D.O.T. relocation.

However, of interest in the E.A. is the Aeronautical Site Report completed by a company called Sand Tech. Pages two hundred and forty-five to two hundred and sixty-one of the P.D.F. that they released. Aside from their conclusion that the proposed building site would not violate F.A.A.’s airspace, they make two recommendations as a result of the study.

Number one, an opportunity to shift the site south away from the residential property, may help to minimize the impacts to the surrounding community and neighborhood property.

Number two, there are two existing communication towers at the airport, which can offer an opportunity to piggy back the -- the D.O.T. communications tower, permitting even greater clearance to the protective services from the proposed facility. I've talked about this with Eric Buck. Apparently, towers are not even an issue with
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This report was issued in March of 2018. Assuming this information was also available to the County, it is inconceivable with that latitude, why they would choose the most northern part of the property, causing such damage to residents. This report, to my knowledge, was never made public to any residents nor the County legislature, prior to their vote on September 4th, 2018, deciding to sell the land from the County to the D.O.T.

At last night's County Legislature meeting, one -- January 15th, 2019, one concerned member of the Legislature -- Legislature asked Kathleen Joy, Attorney for the D.O.T., if they would still consider moving the site south? Her answer was a definitive no. I believe because of a combination of bad planning, callousness and constrained time tables for completion, we are at an impasse, although not entirely.

The D.O.T., their attorneys, their hired consultants know their jobs well. They have dotted all their I's, crossed all their T's in regards to their E.A. They almost certainly will
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qualify for all necessary permits.

For instance, all they had to do to potentially earn a national permit from the United States Army Corps of Engineers, was move their salt barn back a few feet, barely out of the wetland area and out of their jurisdiction not -- I will include the one hundred feet -- not -- the one hundred foot stream buffer local Lansing law would enforce.

The F.A.A. is the lead agency and is now -- and it is now in their hands. I do not know how much residential impact will sway their decision but we can only hope that it is considerable. I will put this on the record and I will say as a final, we really demand answers to this. And, we will not roll over on this and we have every intention of holding the County and the D.O.T. responsible for their actions.

Thank you.

THE MODERATOR: Thank you. Maura Kennedy-Smith followed by Irene Wiezer.

MS. KENNEDY-SMITH: Thank you for the opportunity to speak. If you look at the maps of this development, you’ll see a home that’s dwarfed by this project. That home is 16 Hillcrest Road.
That's my home. The manner in which this project has evolved, thus far, with its utter lack of due process and consideration for the residents most impacted, frankly sickens us.

It's extremely difficult for us to believe that the agencies involved are acting in good faith, when we've been utterly shut out of the process, thus far. Good faith really means little to us, in light of the way that this process has thus far evolved.

The airport falsely represents that development has always been a goal of -- for this parcel -- the larger fifty-three acre parcel. We've submitted more detailed written comments, including the comments of the home owners who had the house that we live in before us, which had been in their family since the nineteenth century. Both the statement of the Labars who owned that home, as well as the deed to our home and the survey that outlines this fifty-three acre parcel, made clear that it was always represented to that family, as it was to us, that this parcel was intended as a clear zone approach area for the airport, that was not meant to be developed.
So, it appears that the County either is misrepresenting its intentions then or its misrepresenting its past intentions now, which brings us to the question of why is this happening?

Well, we believe it is because of the money. The D.O.T. is purchasing this property at three hundred twenty-five percent above the assessed value of this parcel. We believe it's because the project is intimately connected with the County’s goal to free up valuable waterfront property along the Cayuga Lake Inlet for the development of luxury condominiums. The County and rich developers will reap millions, while the middle class families on Hillcrest Road, are losing our most valuable and for some of us, our only real assets, our homes.

It's especially appalling when you look at the Environmental Assessment and see that this loss to the residents, is completely unnecessary. As other people have commented, it absolutely strains creditability to think that this was the most suitable location, right next to a residence, for this large industrial project. It really feels like if it had been the goal to maximize the negative impact on the neighbors, they could not
have picked a better spot.

We’re going to experience significant -- as other people have commented, we’re going to experience significant noise and light pollution throughout the night, right outside of our children’s bedroom windows. I agree with what Mr. Scanlon said about the study. I think it’s a farce. We were woken up the other night, just with one salt truck outside our window on Hillcrest Road. We are told to expect over a dozen salt trucks going in and out throughout the night beginning at three a.m. We live in an 1830s farmhouse with its original windows. With over a dozen salt trucks in and out throughout the night, our children are going to be deprived of much needed sleep and rest and it’s going to be difficult for them to succeed in school.

No amount of mitigation, putting up berms, etcetera is -- is going to take away the loss to our family and our neighborhood. We’re told that the -- the Department of Transportation is unwillingness -- is unwilling to mitigate the noise and light pollution by compensating us for installing noise reducing windows and window treatments. We find this insulting and it’s unacceptable, not to
mention, the environmental impact of the fuel and salt leakage. It’s inevitable on a fuel station, that there’s going to be some leakage when -- even just when trucks are filling up, fuel drops to the ground, it gets run off by rain, it goes into the groundwater and many of our neighbors have -- have wells, not to mention the eyesore.

The value of our most important investment, our home, will be decimated. People are not going to want to buy a home next to a large D.O.T. facility. We feel completely used in the service of the rich developers that are going to reap enormous profits from the development on the waterfront and us middle class families here, on Hillcrest Road, are the ones who are going to feel the brunt of all of this.

Another concern we have, is once the sale and development takes place, who’s going to regulate what happens on that site? My husband and I looked at the current D.O.T. site. We took pictures, which we will submit. There’s enormous piles of trash; discarded road signs. It looks awful. Who’s going to regulate that?

We feel that this is akin to taking.
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It's akin to eminent domain but without any offer of compensation for the residents who are hurt by this. It's been an -- it's taken an incredible emotional toll on our family. I can't overstate how devastating it has been for us. So far, even before a build has taken place, just the thought of it, has really been incredibly emotionally devastating for our family. So, we ask that you disapprove this plan. In the alternative, we ask that you approve the plan, only on the contingency that the site be relocated to a significant distance to the south. The study itself recommends that and if it has to stay on the current site, there's fifty-three acres there, plenty of them have been found suitable for this and those acres are not right next to people's homes.

Thank you for the opportunity for us to provide input at these late stages of the proceedings.

THE MODERATOR: Thank you. Irene Wiezer followed by Sue Reed.

MS. WIEZER: Hi, I'm Irene Wiezer. I live at 334 Brooktondale Road in Brooktondale, New York. I'm the coordinator of a group in town called
Fossil Free Tompkins. We, as Mr. Eden who spoke before, have similar concerns about the energy use at the facility and the urge that rather than using fossil fuels, that absolutely every attempt be made to use renewable energy heating sources. Geothermal is one option. There are some other options that have been explored through the Governor Seventy-six West contest and there are some very promising technologies and I hope that -- that this project will be open to exploring the use of those technologies to help lead the State and show what can be done and to make this facility a showcase for the kind of reforms that I know the Governor would like to see throughout the State. Thank you.

THE MODERATOR: Thank you very much. Last speaker is Sue Reed. If anybody would like to speak, we have about fifteen minutes left in the hearing. You can fill out a card and bring it forward.

MS. REED: Thank you. My name is Sue Reed. I live at 39 Hillcrest Road. And, I have three different things that I basically would like to say.

First of all, I did not know -- I did
not know, at all, that any of this was happening until two hours before the meeting on September 2nd. I did attend that meeting and I did speak at that meeting. I have not heard from anybody who represents me and I have not talked to anybody who represents me.

The second thing I would like to say is in the Environmental Assessment document, it states that it is not appropriate to have this facility in the mixed use land in Ithaca; that -- that it -- it doesn't meet those needs. But, yet it turns around in that same document and says that it will not impact the area that is being proposed to occupy. How can it say the same and contradict itself? I'd like to know.

Also, I would like to ask that the water assessment that has been done, reflect the global warming that has happened and the rains that we have consistently had the last two years. The document, as I found out tonight, takes into account a five-year span of -- of water, rain and environment and I do not think that that's probably what's going to continue to happen, as we all live with global environment.
I would like to be a support to finding a way to live with this. I am saddened and frustrated that this all is happening with -- last night, at the meeting with the County, it said -- somebody there stated that this has been going on for -- since 2016. If this study has been going since 2016 and I lived here and I didn't find out about it until 2018, two hours before it was approved, that this land would be considered, I -- I question the process.

Thank you for your time.

THE MODERATOR: Thank you. Is there anyone else that wishes to speak? Going once, going twice, then with this hearing is hereby closed. We'll continue now with the open house portion and -- and be able to answer any questions that you might have. Thank you all for participating and coming tonight.
STATE OF NEW YORK

I, CYNTHIA TORNATORE, do hereby certify that the foregoing was reported by me, in the cause, at the time and place, as stated in the caption hereto, at Page 1 hereof; that the foregoing typewritten transcription consisting of pages 1 through 37, is a true record of all proceedings had at the hearing.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 25th day of January 2019.

CYNTHIA TORNATORE, Reporter
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The Environmental Assessment with Appendices A-C and Appendices D-L can be accessed via:
https://www.dot.ny.gov/regional-offices/region3/projects/Tab