Final Generic Environmental Impact Statement
Volume I: FGEIS

City of Ithaca
Southwest Area Land Use Plan
Tompkins County, New York

May 25, 2000

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Final Generic Environmental Impact Statement
Southwest Area Land Use Plan
City of Ithaca, Tompkins County, NY

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Executive Summary
Introduction

This is a Final Generic Environmental Impact Statement (FGEIS) for the adoption of the Southwest Area Land Use Plan (SALUP) by the City of Ithaca Common Council, the Lead Agency for the action. The FGEIS represents the next step in the State Environmental Quality Review Act (SEQRA) process which was undertaken to evaluate the generic impacts of the action, the proposed adoption of the Southwest Area Land Use Plan (SALUP). This FGEIS conforms to the requirements of SEQRA 6 NYCRR Parts 617.9, which focuses on Draft and Final Environmental Impact Statements, and 617.10, which focuses particularly on Generic EISs. Specifically, this FGEIS responds to all substantive comments received by the Lead Agency during the public hearings held January 24 and 25, 2000, and during the public comment period which was open between December 20, 1999 and February 17, 2000.

The adoption of the SALUP by the Common Council was determined to be an appropriate action for the preparation of a generic EIS. The purpose of a Generic EIS is to "discuss in general terms the constraints and consequences of any narrowing of future options [and to] present analyze in general terms a few hypothetical scenarios that could and are likely to occur" as a result of the action. The adoption of the SALUP is intended to be implemented by new zoning and design guidelines applicable to the area. The actual intensity and form (i.e. layout) of new development will be dependent on private market decisions operating within the constraints of the new zoning, the design guidelines and the Findings of the GEIS.

The DGEIS examined six hypothetical scenarios and discussed generally the impacts of large scale development in the Southwest Area. The purpose of this analysis was to determine the thresholds or limits of development that could occur without significant, unmitigatable adverse impacts. The DGEIS determined that the Southwest Area could accommodate approximately 1,000,000 square feet of largely retail new development, and that additional development would have significant unmitigatable adverse impacts. The limiting factor is traffic, and the Lead Agency anticipates making a Finding limiting development to the levels analyzed in DGEIS Alternative 5.

SEQRA Process

The DGEIS was accepted as complete by the Lead Agency, the City of Ithaca Common Council, on December 20, 1999. Following this acceptance, a public hearing was duly noticed and held on January 24 and 25, 1999, and a 59 day public comment period, 29 days longer than the 30 day minimum required by SEQRA, ran until February 17, 2000. At the end of the public comment period,
the written comments and public hearing transcripts were analyzed as described below, and this FGEIS, per the requirements of SEQRA 6 NYCRR Parts 617.9 and 617.10, was prepared. It is important to reiterate that the Lead Agency, City staff, and City consultants comprehensively reviewed all written, emailed, and public hearing comments.

The following steps must be followed in order to complete the SEQRA and EIS processes:

1. Lead Agency reviews the FGEIS and adopts it as complete;

2. Upon adoption, the Lead Agency must publish a Notice of Completion and file copies of the FGEIS;

3. The FGEIS is circulated to all involved and interested agencies. The public and agencies have a minimum of 10 days to read and comment on the FGEIS, and the Lead Agency must consider these comments; however, no public hearing or formal response is required;

4. Within 30 days of the acceptance of the FGEIS as complete, the Lead Agency must adopt a Findings Statement. The Findings Statement will contain the Lead Agency's decision on the action, as well as any conditions thereto. The Findings Statement, per SEQRA Part 617.11 (d), must

   (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final [Generic] EIS;

   (2) weigh and balance relevant environmental impacts with social, economic and other considerations;

   (3) provide a rationale for the agency's decision;

   (4) certify that the requirements of this Part have been met;

   (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
5. Adoption of Findings, and a final decision by the Lead Agency on whether to adopt the Southwest Area Land Use Plan, marks the end of the SEQRA process on the action at hand.

6. Following a final decision to approve the SALUP, individual applicants who wish to develop portions of the Southwest Area covered by the SALUP must come before the Planning Board (and other agencies) for site plan approval and must complete SEQRA processes of their own. Therefore, each individual project will be reviewed for the specific potential environmental impacts which may arise due to project specific actions and disturbances. The DGEIS would be used as a starting point, or baseline document, in this review.

Should the Planning Board (or other involved agency) find that there are site specific issues that have not been addressed in the GEIS, or if the project is not in some way in substantial compliance with the Findings of the Southwest Area GEIS, then supplemental study may be required. Such study may take the form of attachments to an Environmental Assessment Form, a more in depth ESA, or a project specific EIS. The costs of any such study would be borne by an individual project applicant. If a project is in substantial compliance with the Findings of the GEIS and no site specific issues are raised, than the project can be issued a Negative Declaration and proceed to site plan review.

Comments and Responses

Comments

The 12 hours of public hearing testimony produced over 500 pages of written transcript. In addition, over 600 pages of written comments were received by the City in letter, facsimile, and email format. A total of 328 commentors were recorded as having spoken at the public hearings and/or submitted written comments (Appendix 1, Index of Commentors).¹

All public hearing transcripts and all written comments were reviewed to determine which comments were substantive, and which were non-substantive. The Lead Agency met on March 24, 2000 to conduct this review. Substantive comments were those which spoke directly to the Draft Environmental Impact Statements alleging oversights, flaws, or omissions. Substantive comments

¹ The numbering system goes to 353 due to repeat public hearing speakers and those who signed in at the hearings but did not speak
clearly statements of opinion, which attacked the Lead Agency or other City representatives, which simply repeated portions of the DGEIS without commenting upon those portions, or did not deal with the proposed action or the SEQR process, were declared non-substantive.

The substantive comments have been reproduced in the body of this Final Generic Environmental Impact Statement. In many cases, the original formatting of the comments has been maintained to preserve the syntax and emphasis of the original comment. The complete set of public hearing transcripts and written comments are available at City Hall and local libraries for the public to review. Comments have been grouped according to major and minor topics. Major topics are those such as "Traffic" or "Economics". Major topics are broken down into minor topics, such as "TCAT/Busses" or "Quality of Life"; in some cases, these topics are further delineated. Each minor topic has a brief summary which highlights the major theme(s) of the topic. The goal was to group all similar comments together to streamline the review and response process. For example, eight comments were received which questioned the timing of the floral and faunal surveys, and these comments were grouped together, and a single response provided.

In general, substantive comments are responded to, except where they are simply statements that direct the Lead Agency's to information that the mentor felt should be considered, in which case the comment is acknowledged. An example is comments that suggested the development plan should be oriented towards waterfront development, which requires consideration by the Lead Agency as part of the Findings process, but no specific response at this time.

Responses

Whenever possible, comments of similar topics were answered with a single response. For example, the comments which questioned the timing of the wildlife surveys have a single response. The reader should assume that a response answers all comments above the response in question and below the previous response.

Revised “Summary of Impacts” Table

Based on comments received and the additional analyses in this FGEIS, revisions have been made to the DGEIS Summary of Impacts table. The following table should be considered a revision of DGEIS Table “Summary of Impacts” found on page ES-2. Revisions were made to this table based a review of the comments received on the DGEIS and a review of the DGEIS itself. Changes to the DGEIS table are underlined.
# Revised Summary of Impacts

<table>
<thead>
<tr>
<th>Element</th>
<th>Positive Impacts</th>
<th>Adverse Impacts</th>
<th>Mitigation</th>
<th>Unavoidable Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Features - Soils</td>
<td>None</td>
<td>Topsoil Removed; Subsidence</td>
<td>Erosion Control Measures, Proper Engineering Practices</td>
<td>None</td>
</tr>
<tr>
<td>Land Use and Zoning</td>
<td>Planned</td>
<td>Change in Current Land Use</td>
<td>Rezoning to Mixed Use; Design Guidelines</td>
<td>None</td>
</tr>
<tr>
<td>Preservation</td>
<td>Development;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Resources - Wetlands</td>
<td>None</td>
<td>Loss of Wetlands and Associated Functions</td>
<td>Compensatory Wetland Mitigation</td>
<td>None</td>
</tr>
<tr>
<td>Water Resources - Surface Water</td>
<td>Flood Mitigation</td>
<td>Increased Stormwater Runoff Volume; Water Quality Degradation</td>
<td>Design Criteria, Proper Engineering Controls (Swales, Water Quality Manholes, etc)</td>
<td></td>
</tr>
<tr>
<td>Water Resources - Ground Water</td>
<td>None</td>
<td>None</td>
<td>Proper Engineering Controls</td>
<td>None</td>
</tr>
<tr>
<td>Fill Areas (Former Dump Site)</td>
<td>Remediation of</td>
<td>Methane Buildup under Structures,</td>
<td>Proper Engineering Controls (Venting, Dust Controls, Erosion Control)</td>
<td>None</td>
</tr>
<tr>
<td>Unusable Lands, Visual</td>
<td>Development of</td>
<td>Removal, Dust Generation, Exposure to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>Unusable Lands,</td>
<td>Buried Wastes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Resources</td>
<td>None</td>
<td>Increased Traffic, Construction</td>
<td>Dust Control Measures</td>
<td>Decrease in Air Quality from Increased Traffic</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Impacts (Dust Generation)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visual Resources</td>
<td>Unity of</td>
<td>Change in Viewshed</td>
<td>Aesthetic Site Designs, Landscaping, Buffering</td>
<td>Change in Viewshed at Keyview Locations</td>
</tr>
<tr>
<td></td>
<td>Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>None</td>
<td>Increased Traffic Volume, Level of</td>
<td>Intersection Improvements, Traffic Calming Measures, New Intersections</td>
<td>Increased Traffic Volume</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service Decrease</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Impacts/Issues</td>
<td>Mitigations</td>
<td>Impacts/Issues</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>Utilities-Sewer</td>
<td>Funding for Improvements Increased Conveyance Costs, Infrastructure Installation</td>
<td>User Fees, Proper Engineering Controls</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Solid Waste</td>
<td>None</td>
<td>Increase Solid Waste Generation</td>
<td>Increased Solid Waste Generation</td>
<td></td>
</tr>
<tr>
<td>Plants and Animals</td>
<td>Preservation of Negundo Woods and other Substitute Parkland</td>
<td>Protection of Substitute Parkland (esp. Negundo Woods), Riparian Buffers; Protection of Wildlife</td>
<td>Destruction of Wildlife Habitat and Displacement of Wildlife</td>
<td></td>
</tr>
<tr>
<td>Cultural Resources</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Community Character-Area</td>
<td>None</td>
<td>Change in Viewshed, Traffic Increase, Construction Related Impacts</td>
<td>Change in Viewshed, Traffic Increase</td>
<td></td>
</tr>
<tr>
<td>Residential Neighborhoods</td>
<td>Tax Revenue Increase, Job Creation</td>
<td>Potential Blighting of Other Commercial Districts</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Community Character-Economic</td>
<td></td>
<td>Develop Business Improvement Districts and Marketing Strategies</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>
Explanation of Changes to Summary of Impacts

Water Resources-Wetlands. The change to "Adverse Impacts" was made to highlight the multiple functions—wildlife habitat, water quality enhancement, flood water control—which wetlands serve and the loss of these functions when a wetland is filled. The change to "Mitigation" merely clarifies the use of wetlands as mitigation.

Fill Areas (Former Dump Site): The change to "Mitigation" highlights the fact that any dump site disturbance or remediation will require a plan approved by New York State Department of Environmental Conservation and/or Tompkins County Department of Health (TCDOH).

Air Resources: An unavoidable impact of increasing traffic volumes is increasing airborne pollutants caused by operation of automobiles, and the change reflects this impact.

Transportation: Traffic volumes in the Southwest Area will increase due to the proposed development which would result from the adoption of the SALUP. Impacts of this increase can be mitigated, but an increase is unavoidable.

Daily Life: Changes reflect the expected increases in traffic and measures to mitigate these impacts.

Utilities-Water: The change offers additional mitigation measures to lessen the impacts on water amounts and pressure.

Solid Waste: The proposed development which results from the adoption of the SALUP will generate solid waste levels above the current levels, and the changes reflect this fact.

Plants and Animals: The change to "Positive Impacts" reflects the fact that the substitute parkland has higher recreational and ecological values than does the current Southwest Park. The change to "Mitigation" both states that the substitute parkland is a mitigation measure for alienating Southwest Park and that the protection of riparian buffers is a tool to preserve habitat corridors and values. Then changes to "Adverse Impacts" and "Unavoidable Impacts" account for the fact that development anywhere destroys habitat and displaces associated wildlife, and an unavoidable consequence of development is the destruction of habitat.
Community Character-Area Residential Neighborhoods: An unavoidable impact of the type and scale of development proposed in the SALUP is an increase in traffic, and a portion of this traffic is expected to use residential neighborhoods near the Southwest Area.

Additional Analyses or Studies

This FGEIS contains several additional or revised analyses or studies required to further assess the impacts of the project or respond to certain comments. These are as follows.

1. The FGEIS contains a revised traffic study that considers several additional intersections and the impacts of relocated access points, as described in the next section of this Executive Summary.

2. The FGEIS contains the results of 50 and 100-year stormwater analyses.

3. The FGEIS contains calculations of stormwater pollutant loading.

4. The FGEIS contains a fiscal impact analysis.

5. The FGEIS contains the results of sound measurements near the so-called Widewaters site and the Buttermilk Falls State Park.

6. The FGEIS contains the results of database and aerial photograph searches pertaining to the former City dump site.

7. The FGEIS contains the results of an additional flora and fauna survey.

Changes to Project Since Acceptance of the DGEIS

As a result of comments made on the DGEIS and the analyses in this FGEIS, several changes or revisions to the project are proposed.

1. The DGEIS discussed potential ways to pay for certain off-site improvements that would benefit both uses in the Study Area as well as other City residents. Examples are certain off-site traffic improvements, the need for which already exists, or will exist in the future, and which will be required sooner as a result of development in the Study Area. The FGEIS sets forth a mitigation fee system in order to appropriate the “fair
share" of such improvements between individual developers and the entire City. This system is described in more detail in the next section of this Executive Summary.

2. The FGEIS proposes that the City construct certain water and sewer improvements, described here as "trunk" improvements, which will provide for overall water and sewer service to the Study Area. All remaining water and sewer improvements would be the responsibility of private developers. The City proposes to issue a bond for such improvements, and to recover the costs from the developers who will benefit by the use of a mitigation fee described in more detail in the next section of this Executive Summary.

3. The FGEIS proposes that the City recover its planning costs associated with the preparation of the GEIS through a mitigation fee. The fee is described in more detail in the next section of this Executive Summary.

4. The northernmost site access on South Meadow Street has been relocated from the existing Wegman's Drive to the southerly Topp's Drive. This relocation avoids several adverse impacts associated with the Wegman's location.

5. The following five additional intersections were analyzed as a result of public comments: Fulton & West Court; South Meadow & West Seneca; South Meadow & West Green; South Meadow Extension and Elmira; Spencer & Stone Quarry.

6. Cost estimates for transportation, water and sewer improvements have been revised.

7. The Lead Agency proposes to preserve a large Burr Oak on the project site.

8. An interior access road between the main project site and the so-called Widewaters site is no longer proposed.

9. The Black Diamond Trail is not proposed to be located on top of the levee.
Mitigation Fees

This FGEIS proposes that the City collect mitigation fees in four areas: 1) Transportation improvements; 2) Water improvements; 3) Sewer improvements; and 4) GEIS costs. These fees are described in more detail as follows.

Transportation Fees

The costs of the recommended transportation improvements were estimated using New York State Department of Transportation Average Weighted Bid Prices. The total estimated cost of transportation mitigation is $6,300,000 in year 2000 dollars. These costs include both off-site mitigation and on-site roads and improvements that will be shared among developments. Right-of-way acquisitions costs are included for off-site improvements as necessary; developers are expected to donate the right-of-way needed for on-site roadways. The transportation improvements will be funded through a combination of public and private sources, including the City of Ithaca, NYSDOT, federal grants, and private developers.

As documented in this Environmental Impact Statement, a direct relationship, or rational nexus, exists between the traffic generated by the proposed development and the need for transportation improvements. The public has invested in the existing transportation network, which carries the existing traffic volumes. Additional traffic added to the network uses a portion of the network capacity, reducing the level of service. When the level of service drops below a threshold value, usually LOS “E” or “D”, improvements are warranted.

Future traffic growth fits into two categories: 1) traffic generated by the proposed Southwest Area development and 2) background traffic growth that will occur regardless of the development. Developers are expected contribute a fair share towards funding transportation mitigation. The fair share should be roughly proportional to their contribution to the need for the mitigation. Developers cannot reasonably be held accountable for background traffic growth.

A fair share formula was developed for the Southwest Area development. When mitigation is warranted at an off-site intersection, developers will make a contribution proportional to the fraction of total traffic growth that is generated by their developments. The public will make a contribution proportional to the fraction of total traffic growth that is background growth. The developers will be fully responsible for all on-site transportation improvements, and for improvements, such as traffic signals at the access drives, that would not be
necessary without the development. Table 1 in Appendix 4.2 shows the estimated cost of transportation mitigation resulting from the Southwest Area development, including the public and private fair shares.

The Southwest Area will be developed as multiple parcels. Each individual development will benefit from the transportation improvements, and the costs must be distributed among all developers. Continuing the fair share methodology, the private contributions will be distributed proportionally to the trips generated by individual developments. As shown in Table 2 in Appendix 4.2, the resulting fair share contribution is $1,954 per adjusted trip in year 2000 dollars.

When a development comes to the Southwest Area, the PM peak hour trips generated by that development will be projected using the most recent version of Institute of Transportation Engineers Trip Generation Manual, or an equivalent method. The same adjustments used in the DGEIS should be applied to the trips for that development. These include a 10% internal capture rate for all developments except the levee parcel, a 7% non-auto mode share for all developments served by transit and bike / pedestrian modes, and a 20% pass-by rate for retail developments. Appropriate reductions may be made if travel demand management (TDM) strategies are implemented. The fair share contribution will be made for each adjusted PM peak hour trip generated by that development. Table 3 in Appendix 4.2 shows examples of various developments that might locate in the Southwest Area, and the amount of their fair share contribution. The fair share contribution must be adjusted for construction cost increases based on when the contribution is made. As an example, a 100,000 square foot shopping center would have a fair share mitigation fee contribution of $610,474.

The access points, on-site roads, and off-site improvements will be constructed in phases as demand warrants and funding allows. If public funding is not available within the development timeframe of any particular parcel, then the follow would apply:

1. The developer would be required to mitigate any traffic impacts directly and solely related to their project.
2. Any improvements made would be required to be consistent with the overall plan of area improvements
3. The developer would deduct the cost of those improvements from the fair share contribution paid to the City.
The fair share contribution, minus the cost of improvements made by the developer, will be paid to the City of Ithaca, which will then be responsible for construction of the improvements. Depending on the relative timing of network improvements in relation to development, the City may need to borrow the cost of improvements, and be reimbursed as contributions are made. Alternately, the City may need to create a transportation improvement fund with the contributions until such time as the improvements are completed. Contributions to the transportation improvement fund would be returned to the contributors if the public share is not obtained and improvements implemented within a reasonable time (ten years).

**Water and Sewer Fees**

In order to provide water and sewer service to the main portion of the site, it will be necessary to extend these utilities to the project site. Note that such extension is not required for the Widewaters parcel, and this parcel is not included in this fee schedule. The required improvements involve connecting water to the existing line in Tops Drive and extending it across the interior of the site to Commercial Avenue.

The proposed sewer improvements involve a connection of both force mains and gravity lines from South Fulton Street to a dead end northeast of Commercial Drive, as well as an associated lift station. A total of 2,440 linear feet of force main and 2,550 linear feet of gravity sewer, as well as associated connections and manholes are associated with this improvement. A total of 4,350 linear feet of water main, as well as associated hydrants and valves are associated with the water improvement. Using the cost estimates developed in Table 5-1 of DGEIS Appendix G, the estimated cost for the water improvements is $324,774 (assuming 39% for mobilization, engineering and contingencies, and $385,586 for sewer (assuming the same 39% for soft costs).

The DGEIS estimated water flow at 0.06 gpd/SF for retail and 0.08 gpd/SF for office uses. Assuming 600,000 SF of retail and 200,000 SF of office, water usage is estimated at 36,000 gpd for retail and 16,000 gpd for office, or 52,000 gpd total. Assuming a 5% bond paid off in 20 years, the total water mitigation fee to be recovered would be $514,407. It is proposed that this fee be assessed per estimated gallon per day of water used. The water mitigation fee will thus be $9.89/gallon/per day. As an example, a 100,000 SF retail store would be assessed a water mitigation fee of $59,340 ((100,000 x 0.06) x $9.89)

With respect to sewer flow, the DGEIS estimated sewer flow at 0.048 gpd/SF for retail and 0.064 gpd/SF for office. Again assuming 600,000 SF of retail and 200,000 SF of office, sewer flow is estimated at 28,800 gpd for retail and 12,800 gpd for office, or 41,600 gpd combined. Assuming a 5% bond paid off over 20 years, the total sewer fee to be recovered would be $610,727. It is proposed that the fee be assessed per estimated gallon of sewage generated.
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SECTION 1.0 STATE ENVIRONMENTAL QUALITY REVIEW ACT

SUMMARY

These comments centered around the DGEIS’s alleged failure to comply with the requirements of the State Environmental Quality Review Act (SEQRA), specifically an inadequate number of involved agencies, DGEIS completeness, and the analysis of “Irreversible and Irretrievable Commitment of Resources” and “Growth-Inducing Impacts”.

1. Karpen (7) and Gallahan (8)\(^1\) POINT NUMBER ONE

The alienation of Southwest Park was an action subject to SEQRA. The alienation process started with a formal resolution by the City of Ithaca Common Council prior to July 1998. The action of passing a resolution requesting that the State Legislature alienate parkland cannot be separated under SEQRA from any subsequent actions.

According to 6 NYCRR 617.2 (b):

"Actions' include:

(1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:

(i) are directly undertaken by an agency; or

(ii) involve funding by an agency; or

(iii) require one or more new or modified approvals from an agency or agencies;

(2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;

---

\(^1\) Karpen (7) and Gallahan (8) spoke at the Public Hearing on January 24, 2000, and both read from the written statement which is included here. Therefore, Gallahan’s public hearing remarks are included with Karpen’s as they are essentially identical. Gallahan also submitted written comments, which are included under his own name.
(3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and

(4) any combinations of the above."

Furthermore, the SEQRA regulations at 6 NYCRR 617.7 (c)(2) provide "For the purpose of determining whether an action may cause one of the consequences listed in paragraph (1) of this subdivision, the lead agency must consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:

(i) included in any long-range plan of which the action under consideration is a part;

(ii) likely to be undertaken as a result thereof; or

(iii) dependent thereon."

A positive declaration should have been issued prior to the resolution to request that the State Legislature alienate Southwest Park. That positive declaration should have included any subsequent actions.

There is plenty of case law to support this thesis. See, for example, Onondaga Landfill Systems, Inc. v. Flacke, 440 N.Y.S.2d 788.(1981). This case has been very frequently cited.

The Environmental Conservation Law at Section 8-0109, subsection 4 states: "As early as possible in the formulation of a proposal for an action, the responsible agency shall make an initial determination whether an environmental impact statement need be prepared for the action. When an action is to be carried out or approved by two or more agencies, such determination shall be made as early as possible after the designation of the lead agency."

In summary, the City of Ithaca Common Council violated the law by failing to follow the statutory and regulatory provisions of Article 8 of the Environmental Conservation Law with regard to the resolution requesting that the State Legislature act to alienate Southwest Park.
Response:

In 1963, the City of Ithaca acquired the current 59 acre Southwest Park using a combination of Federal, State, and local funds. The original intention was to create ball fields at the park site. Following the development of Cass Park, the use of Southwest Park for ball fields was deemed unnecessary as the City now had adequate playing field facilities. The substitute parkland purchased and in contract to purchase by the City is 60 acres, which is approximately equal to the acreage of Southwest Park.

Given that the currently designated, now purchased (and in contract) substitute parkland has significantly higher recreational and ecological value, the City’s focus shifted from improving recreational opportunities at Southwest Park to alienating the Park and using it for economic development, and concomitantly replacing the parklands of low recreational and ecological value with higher value lands.

It is important to highlight the fact that the current Southwest Park was never formally used or developed as a park, and that the DPW has been placing clean fill in the park for some time. The substitute parkland has greater recreational value than the current Southwest Park per an inspection by a representative of New York State Office of Parks, Recreation, and Historic Preservation.

The process of alienation is nearing completion after over 15 years of discussion and implementation. The substitute parkland in the City and the Town was purchased over a period of several years, and the City is nearing closure on the purchase of the final 2 parcels. Following these closings, the City must submit documentation to the State confirming the completion of the alienation process, with the ultimate step being the State’s approval of this documentation.

Funds from the sale of Southwest Park are to be used, per legislation implementing the alienation, “for the acquisition of additional parklands or capital improvements to existing park and recreational facilities.”

2. Karpen (7) and Gallahan (8) POINT NUMBER THREE

2 Letter from NYSOPRHP to Doug Foster, City of Ithaca, December 11, 1998.
The City of Ithaca has been using Southwest Park as an illegal dump for some time.

On May 18, 1999 the Ithaca Journal in a front page news story reported that the NYSDEC found illegal dumping at Southwest Park.

According to 6 NYCRR 617.3:

"(a) No agency involved in an action may undertake, fund or approve the action until it has complied with the provisions of SEQR. A project sponsor may not commence any physical alteration related to an action until the provisions of SEQR have been complied with."

According to 6 NYCRR 617.2:

"(ab) 'Physical alteration' includes, but is not limited to, the following activities: vegetation removal, demolition, stockpiling materials, grading and other forms of earthwork, dumping, filling or depositing, discharges to air or water, excavation or trenching, application of pesticides, herbicides, or other chemicals, application of sewage sludge, dredging, flooding, draining or dewatering, paving, construction of buildings, structures or facilities, and extraction, injection or recharge of resources below ground."

The illegal dumping should have stopped on May 1, 1998, the date that the environmental assessment form was prepared by the City of Ithaca.

Upon information and belief, illegal dumping has been intermittently taking place in Southwest Park since the enactment of SEQR by the State Legislature in the mid 1970's.

The City of Ithaca should look into the alternative of removing all of the illegally dumped material from Southwest Park, and adjacent City land and restoring the floodplain forest on the entire area.

Response: The former dump site in the project area was investigated during a Phase I Environmental Site Assessment which is included in the DGEIS as Appendix D. The DGEIS concluded
that "the site does not present a significant threat to the environment if left undeveloped (p. 2-24)." Further, the DGEIS concluded that "long-term impacts associated with development of the dump site occurring as a result of the [Southwest Area Land Use] Plan's adoption are primarily positive (p. 2-24)" due to filling and regrading over buried waste, and the potential removal of both wastes and above-grade waste piles.

Based on the DGEIS's conclusion that there is no significant threat to the environment if the site is left undeveloped, removal of all of the dumped material from the project area is not recommended as a mitigation measure. Any specific proposal to develop portions of the dump site will require approval from NYSDEC and TCDOH. The Lead Agency anticipates that NYSDEC and TCDOH will require site and project specific investigations at such time as any proposal is made, and will further require mitigation, if necessary, prior to development.

The comment referring to illegal dumping in Southwest Park since the 1970's may be based in part on newspaper accounts of an individual who inappropriately disposed of paint on the property. The dumped paint was cleaned up appropriately. The City is not using the property as a dump, and does not condone such use by others.

3. **Karpen (7) and Gallahan (8)**

**POINT NUMBER FOUR**

The positive declaration is defective in that it failed to include the action of officially delineating the freshwater wetlands by the NYSDEC as part of this project.

The City of Ithaca through the 1994 Stearns and Wheler Wetlands Investigation knew that there was extensive floodplain forest in Southwest Park and in the remainder of the Southwest Area Land Use Plan area. Based on my site inspection in April, 1999, these maps appear to be reasonably accurate.

It is obviously clear that delineation of the wetlands was an action related to the entire project. The NYSDEC should verify, by means of site inspection, the relative accuracy of the 1994 Stearns and Wheeler maps.
The NYSDEC should hold a public hearing before an administrative law judge to formally map the freshwater wetlands and place them on the Freshwater Wetland Maps of the State of New York.

Response:

The wetlands in the study area were, and still are, under the jurisdiction of the Army Corps of Engineers (ACOE). The New York State Department of Environmental Conservation (NYSDEC), prior to the commencement of the Southwest Area Land Use Development SEQRA process, did not have jurisdiction over these wetland resources as demonstrated in the DGEIS (Map 4 Appendix B1). SEQRA requires a hard look at existing environmental conditions during the Environmental Impact Statement (EIS) process, and the DGEIS examined the existing regulatory controls of the onsite wetlands.

NYSDEC was petitioned by Gallahan (8) to take jurisdiction over the wetlands in the study area, and this petition letter was included as part of Gallahan's written comments (Appendix 2). NYSDEC responded to Gallahan, denying the request, and a copy of the NYSDEC response is included as Appendix 2. Therefore, the wetlands in the study area are under the regulatory authority of the ACOE and applicable sections of the Clean Water Act. Note that neither the NYSDEC classification of wetlands (Classes I-IV), nor the NYSDEC regulatory buffer area, apply if NYSDEC does not have regulatory authority over these resources.

4. Gallahan (8) 5. SEQRA Process

According to 6 NYCRR 617.11 (d)(5): "Findings must: certify that ... from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable..."

In this controversial decision, social and economic considerations are able to be arranged to argue persuasively for the no build option as well as for some of the options which allow significant commercial or residential building.

Given this, any scenario which tampers with the wetlands or their adjacent areas must be rejected. These wetlands are clearly at least Class II freshwater wetlands, and according to 6 NYCRR
663.5(f)(5)(iii) "the need for the proposed activity must outweigh the loss of or detriment to the benefits in a way that is beyond serious debate." The public controversy surrounding these plans is clear indication that no scenario which negatively impacts these wetlands can be beyond serious debate. A similar case can be made for not accepting any alternative which disturbs the old growth floodplain forest remnant.

The City has violated SEQRA by taking many actions before the completion of the review process. These have included: alienation of SW Park; ongoing dumping in SW Park; issuing a fill permit to Widewaters; selling land to Widewaters. These illegal City actions have caused serious environmental effects and have predisposed the findings to favor questionable development. The parcel near the RR embankment which the natural community analysis in the DGEIS found "most diverse" has already been covered with fill. The Negundo woods are a unique natural area not suitable for increased public usage, the DGEIS has found they are subject to harm by trampling. Thus the parkland substitution is questionable and needs more study. These are examples of why state law mandates that such segmentation not take place. The City of Ithaca must acknowledge its errors in these illegal actions and address their remediation in the GEIS.

Response: Referring to the third paragraph of the above comment, impacts to wetlands during the development process will fall under the regulatory jurisdiction of the ACOE, and all agencies and developers must comply with the ACOE regulations concerning wetland impact avoidance, minimization, and mitigation.

Issues of alienation of Southwest Park and the NYSDEC wetland classification are addressed in the responses to Comment 1 and 3 above, respectively. Issues of segmentation vis a vis Widewaters, and issues surrounding the Widewaters fill permit, are addressed in Section 3 below.

5.  Wetmore (19A) If this development were constructed, the addition of a postal route would be required. Therefore, the US Postal Service should become an Involved Agency.

Response: The action is the adoption of a plan. The US Postal Service (USPS) does not have regulatory authority over the proposed action, nor does the Postal Service issue permits regarding
development of this nature. The USPS does not meet the
definition of an involved agency, as defined by 6 NYCRR Part
617.3(s).

6. Wetmore (19A)  The Southwest Area Land Use Plan’s Draft in its complete
form for 30 days. At least one page was missing from all
available copies. This page was replaced after January 18,
leaving the public less than 30 days to comment on the report. At
least one page was missing from Appendix J.

Response: The Lead Agency regrets this oversight. The missing page was
However, the Lead Agency feels that the copies available to the
public were sufficiently complete for an adequate review, and
that interested persons were able to obtain and comment on the
matters covered by these pages. The Lead Agency feels that the
public had sufficient time in which to complete its review and
submit comments, especially given the number and locations
DGEIS public review copies.

7. Tompkins County EMC (204) State Environmental Quality Review (SEQR) Act
Inadequacies

Surprisingly and regrettably, the largest store is proposed by all
of the alternatives for the 100-year floodplain (Zone A, Map 9).
This is the so-called Widewaters site, and its segmented
development is contrary to the Intent of SEQR and the assumed
benefits of this dGEIS process. The City of Ithaca has failed to
abide by its own planning procedures. There are good reasons
why 100-year floodplains have been delineated and these have
been demonstrated in or near Zone A: two deaths in a flood
before the flood control dikes were built and the recent flooding of
the Tops’ and Wegmans’ parking lots even beyond the dikes. The
best use of Zone A is not for building, but to control flood water,
to provide a natural viewshed for Buttermilk Falls State Park,
and to provide a beautiful, natural entrance to the city, thereby
enhancing its appeal as a tourist destination while adding to the
enjoyment of area residents passing through the Southwest Area.

In addition, several recent environmental impact statements have
been reviewed by this committee of the Tompkins County
Environmental Management Council relating to proposed actions
on properties within the DGEIS study area. Most notable is that of the Household Hazardous Waste Facility scheduled to be built at the Tompkins County Recycling Center. No mention is made in the dGEIS of this proposed development or others in the area, so there is no discussion of the cumulative effects of having both of these project go forward. This is an glaring oversight in the dGEIS.

Response: Issues surrounding Widewaters and segmentation are addressed in Section 3. The Lead Agency respectfully notes the commentor's opinion with respect to the best use of this property, but it also notes that the property has been zoned and intended for commercial use for many years. With respect to the cumulative impacts of other projects such as the Household Hazardous Waste Facility scheduled to be built by the Tompkins County Recycling Center, the Lead Agency does not believe there are any significant cumulative impacts associated with such construction.

8. Tompkins County Planning (218) Adequacy. Both the 'Irreversible and Irretrievable Commitment of Resources' and 'Growth-Inducing Impacts' sections provide a cursory overview of these topics. Please provide a thorough analysis identifying the committed resources and potential growth-inducing aspects of the dGEIS.

9. Wetmore (19A) The scoping document asked for "irreversible and irretrievable Commitment of Resources: Identify those natural and human resources listed in section IV that will be consumed, converted, or made unavailable for future use." Such identification is utterly absent from the DGEIS.

Response: The Lead Agency believes that the level of detail and analysis contained in the "Irreversible and Irretrievable Commitment of Resources" and "Growth-Inducing Impacts" sections are sufficient to aid in the decision-making process concerning the potential impacts from the proposed Southwest Area Land Use Plan.
SECTION 2.0 PROPOSED WIDEWATERS DEVELOPMENT

SUMMARY

Several commentors had questions concerning the so called "Widewaters Development" and this development's environmental impacts. The comments concerned a wide range of topics from SEQRA issues to flood plain impacts to supposed effects on Buttermilk Falls State Park to issues of segmentation under SEQRA. The reader will also find Widewaters related comments in the Aesthetics and SEQRA sections; however, the Widewaters related comments in other sections of the FGEIS are more general in nature than those included below.

As the comments below are all substantively similar, they have all been replied to in one general response.

10. McDermott (232) SEQRA SEGMENTATION

The handling of this matter to date - on the transparent theory that the Widewaters building/fill/development permit is either unrelated to or justifiably segmented from the related retail development project B is a clear violation of the spirit and letter of the SEQR regulations. The relationship between the building/fill/development permit and Widewaters' retail development meets every test for segmentation set forth in the City Attorney's undated (approximately November 1999) opinion to the Acting Building Commissioner (i.e. completion at about the same time, common geographic location, contribution toward cumulative impacts, common ownership, identifiable overall plan, functionally dependent, and whether approval of the fill permit commits the City to continuing with other phases).

The City Attorney's conclusion that segmentation is justified because the fill permit activity "...has utility independent of further development of the site" does not come even close to passing the well-known "laugh test". And if the City thinks that the fill permit has not fully committed it to the full scope of the Widewaters retail project, then it will learn that fact when threatened by Widewaters with damages flowing from completion of its half-million dollar fill project unless the City does not roll-over on all future Widewaters project permits.
As an example of just how facetious the City’s “justifiable segmentation” posture is, suppose the ultimate project approvals by the City in the future allow only half the 200,000 square foot “big box” development under consideration in the City’s Generic Draft EIS (see attached Exhibit A), which requires the same development pad now under construction pursuant to the “fill permit”. Suppose the ultimate project requires only 40,000 cubic yards of fill, instead of the 80,000 cubic yards now being spread across the Widewaters’ site? Can you then say that the City’s actions have been “no less protective of the environment” than requiring review of the fill activity in the context of the actual 200,000 square foot retail project?

There is a long list of permits and approvals required for the Widewaters retail project, some of which are discussed further below. All of these involve regulations and regulatory agencies which could easily change the scope and direction of the Widewaters project. Ignoring these matters in the future will result in just the kind of illegal, unjustifiable segmentation prohibited by the SEQRA Regulations.

In addition, the City’s hasty permitting activities have resulted in a SEQRA violation of segmentation rules not only within the Widewaters project, but also with respect to the Southwest Park Draft Generic EIS Project. It is impossible to segment this significant component of the Southwest Park development plan without undermining the comprehensive environmental review currently underway. As the Court stated in *Open Space Council, Inc. v. Brookhaven Planning Board* (see attached Exhibit B):

...where an agency chooses to require the preparation of a GEIS pursuant to 6 NYCRR §617.15, a final GEIS must be filed before the agency can approve any action located within the area encompassed by the GEIS.

See, also, 2 Gerrard, et al., *Environmental Review in New York, Section 5.03[3]* (Matthew Bender 1999).

11. McDermott (232) CITY APPROVALS

The activity undertaken by Widewaters on the site requires a special use permit from the Board of Zoning Appeals (City Code
Section 325-9), and cannot occur until “all other permits have been obtained” (City Code Section 186-13). There is a good and logical reason for the “all other permits” rule. Responsible city officials do not want developers drastically altering the landscape until all aspects of a proposed project are found acceptable, environmentally sound, and approvable. Given this legal requirement and rational process, the City’s actions thus far are difficult to understand.

12. McDermott (232) PRIOR DETERMINATION OF SIGNIFICANT ENVIRONMENTAL IMPACT

In October of 1995, the City of Ithaca Planning Board denied site plan approval of a smaller big box retail project (Wal-Mart) on nearly the same site now under development by Widewaters. In a lengthy decision, the Planning Board determined that the Wal-Mart project imposed unacceptable significant impacts on the environment and denied approval for that project.

The action of the Planning Board was challenged in Supreme Court. The Court upheld the Planning Board on the grounds that the environmental impact on the viewshed from Buttermilk Falls State Park was unacceptable. The Court quoted the Planning Board’s decision:

“The proposed total development of an approximately 155,000 square foot building and associated parking lot...will create a substantial impact on the only view station of the main hiking trail in the Park from which a largely unobstructed view over the Cayuga Inlet Valley is available. Alternative SE-1 locates nearly the entire development, including nearly all parking and circulation areas, within the viewshed...the visual impact of this parking lot is not reduced by any significant planting areas. (Emphasis supplied)

East Coast Development Co. v. Kay, (174 Misc.2d 430 at 434 [Tompkins County Supreme Court, 1996]).

The Widewaters project, being nearly 25 percent larger than the Wal-Mart project, obviously will have an even greater impact. As a matter of law, the City is estopped from abandoning this
reasonable, Court-sanctioned determination due solely to the pressures from the Widewaters Development group.

13. McDermott (232) WETLANDS

The Southwest Park Draft Generic EIS includes a “Wetland Delineation Report - Elmira Street Parcel” prepared for the Widewaters Group in May 1999 by Terrestrial Environmental Specialists, Inc. This Wetlands Report appears to identify wetlands subject to federal regulations under the jurisdiction of the Army Corp of Engineers within the area presently being filled by Widewaters pursuant to the City-issued fill permit. Has the City determined whether an individual USACOE wetlands permit should have been required prior to fill being placed in the wetlands? Has the City determined whether Widewaters secured the mandatory Section 404 Water Quality Certification from NYSDEC prior to placing fill in the federal wetlands?

As SEQR lead agency on the City issued fill permit, the Building Inspector had the obligation to coordinate the environmental review of these issues. This obligation must be carried out before any further action is allowed to occur on the Widewaters site.

14. McDermott (232) ARCHEOLOGICAL RESOURCES

The Wetlands Delineation Report for the Widewaters site (see above) advises that the environmental consultants contacted NYS Office of Parks, Recreation, and Historic Preservation regarding the cultural resources in the vicinity of the Project site (see page 2). The report further advises that OPRHP responded, unequivocally, that

...there is a need for an archeological survey and ‘there is an archeological site in or adjacent to’ the project area.

Despite this directive, no Stage I report was prepared on behalf of Widewaters.

Once again, the City, as SEQRA lead agency, was obligated to coordinate its review of these resources with OPRHP prior to making its SEQRA determination and prior to issuing its fill permit. As this obligation was ignored, it would appear that the
City's hasty actions may have resulted in irreparable environmental damage, unless the fill can be removed and archeological analysis completed at this time.

15. McDermott (232) FEMA/FLOODPLAIN

The U.S. Army Corps of Engineers ("ACOE") and the NYSDEC are, at minimum, interested agencies with regard to any project within the floodplain zones as set for the ACOE's letter to the City's acting Building Inspector dated May 12, 1995 ("ACOE Letter"). This interest is based upon potential impacts of development within the floodplain upon the flood control levee and the function of the flood damage control program. As stated in the ACOE Letter, due to the uncertainty as to the design of the project and questions concerning the impacts of development upon the flood damage reduction project, ACOE involvement is also necessary.

The placement of fill within the 100 year floodplain pursuant to the City issued fill permit will impact this areas ability to control flood waters and may cause surrounding properties, such as my client's, to suffer more severe damage. It is apparent that such offsite impacts were beyond the scope of the City's and the developer's concern and were never analyzed. In fact, the City expressly admits that an impact of sufficient magnitude was not analyzed by requesting the developer to do so after the permit was issued. (see attached letter)

In addition, despite FEMA's revision of the firm for this area, the City continues to rely upon the outdated delineation of the 100 year floodplain and floodway areas identified on the new FIRM. Has the City considered whether the base flood elevation has been impermissibly raised? Are further revisions to the FIRM required? At minimum, the FEMA should have been contacted to ascertain these impacts.

16. Blodgett (251) Sehra compliance -

617.3(a) "No agency involved in an action may undertake, fund, or approve the action until it has complied with the provisions of SEQR.' Alienation process was begun before SEQR compliance.
617.3(g) "Actions commonly consist of a set of activities or steps. The entire set of activities or steps must be considered the action, whether the agency decision-making relates to the action as a whole or to only a part of it."

617.3(g)(1) "Considering only a part or segment of an action is contrary to the intent of SEQR. If a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment."

The fill permit for the Widewater site was segmentation that was not protective of the environment, and was not demonstrated by the City of Ithaca Common Council to be so. The use of adjacent land as substitute parkland needs must be reconsidered in light of changes to adjacent land including viewshed, etc.

17. Karpen (7) and Gallahan (8) POINT NUMBER FIVE

The City of Ithaca Common Council in December, 1999 voted to sell a parcel of land, a part of tax map parcel 127-1-1, owned by the City to Widewaters Route 13 II Company, LLC.

This action is a clear violation of the SEQR regulations at 6 NYCRR 617.3(g): "Actions commonly consist of a set of activities or steps. The entire set of activities or steps must be considered the action, whether the agency decision-making relates to the action as a whole or to only a part of it. (1) Considering only a part or segment of an action is contrary to the intent of SEQR. If a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment. Related actions should be identified and discussed to the fullest extent possible."

As this land has been cleared and has been filled (see Point Number Six below), it is obvious that the mandated environmental safeguards that should have been brought to bear on this project before any physical alterations took place were completely sidestepped.
18. Karpen (7) and Gallahan (8)  POINT NUMBER SIX

On November 12, 1999, the City of Ithaca granted a permit to Widewaters Route 13 II Company, LLC for the placement of 80,000 cubic yards of fill on property at 398-400 Elmira Road, located within the Southwest Area Land Use Plan area.

This is a clear violation of the SEQR regulations at 6 NYCRR 617.3(a) and 6 NYCRR 617.2(ab), as cited in Point Number Three above, and at 6 NYCRR 617.3(g), as cited in Point Number Five above.

The Court of Appeals has held that after the fact compliance with the requirements of SEQRA will not cure a failure to comply initially. City of Glens Falls v. Board of Education, 453 N.Y.S.2d 891 (1982).

The DGEIS cannot be used as a subterfuge to justify the illegal action of granting this permit. As mentioned above, the mandated environmental safeguards that should have been brought to bear on this project before any physical alterations took place were completely sidestepped. All of the illegal fill material should be removed.

The citizens of the City of Ithaca should sue the Common Council to stop the violations to SEQRA and to preserve and restore the unusual floodplain forests that are of regional significance.

19. Vogel (318), Carini (263B) 1. When asked "What are the predominant land uses(s) and zoning classifications within a 1/4 mile radius of proposed action?", Widewaters answered "Commercial", despite the presence of Buttermilk Park (and the adjacent substitute City parkland).

20. Vogel (318), Carini (263B) 2. When asked "Will the project affect views, vistas or the visual character of the neighborhood or community?", the City answered "No". The City Planning Board, in its findings regarding the Walmart proposal, specifically cited the negative impact on the views from Buttermilk and the future Black Diamond greenway trail.
21. Carini (263B) 3. When asked "Will the project affect the quantity or quality of existing or future open spaces or recreational opportunities?", the City answered "No."

Apparently, for this developer and for the officials of the City of Ithaca, Buttermilk Falls State Park is beneath notice. But, as you know, our State Parks are of inestimable value to the people of the State.

Compounding its error, the City of Ithaca intends to move their dumping operations, currently located in the Southwest Area of the City, to a property adjacent to Robert E. Treman State Park, a completely inappropriate landuse.

The viewshed and the character of Buttermilk Falls State Park are in imminent danger of being permanently damaged, and the integrity of Treman State Park is being threatened.

22. Vogel (318)  I was just sent an email circulating around that speaks about the proposed building on Ithaca's southside. In the email, there is also a picture enclosed at the bottom of the page taken from the top of buttermilk falls. I find the picture to be quite despicable evidence of what is going to be in full view to all hikers of buttermilk falls. I urge you to do what is necessary to stop the proposed building and first get public consensus of what is proposed. I do not think I am at all alone in being unaware of just what is in store at the bottom of Buttermilk Falls.

General Response: The Widewaters parcel is and has been zoned commercial B-5/I-1 for many years. Such zoning specifically allows commercial uses, and the Southwest Area Generic EIS process in no way stops or prevents an applicant from applying for a permit for a legally permitted use. The Southwest Area GEIS does not propose a restriction in commercial uses for this parcel.

The Widewaters Route 13 II Company (Widewaters) was granted a permit on November 12, 1999, by the City of Ithaca Acting Building Inspector to fill a portion of their property (parcel F3 in DGEIS Figure 1). On February 16, 2000, the City of Ithaca Board of Zoning Appeals (BZA) (Appeal Number 2446) revoked the Widewaters permit for a number of reasons, including threats to the flood capacity of the parcel and vicinity and violation of permitting requirements. This decision was
overturned by the Court of Appeals in May, 2000. The court found that the permit was properly issued and did not constitute legal segmentation, nor did the issuance of a fill permit require the issuance of a special permit, as had been contended.

The controversy surrounding the Widewaters permit provides an opportunity to clarify how SEQRA reviews will occur for future projects in the Southwest Area. If a project is a Type 1 Action, the applicant will be required to prepare a Long Environmental Assessment Form (LEAF). The LEAF will be used to determine if the project is in conformance with the Findings of the GEIS. If one or more aspects of a project have not been addressed in the GEIS because they are specific to a site, or if the project is not in some way in substantial compliance with the Findings of the Southwest Area GEIS, then supplemental study will be required by the Planning Board as part of site plan review. Such study may take the form of attachments to the EAF, or a project specific EIS could be required. If a project is in substantial compliance with the Findings of the GEIS and no site specific issues are raised, then the project can be issued a Negative Declaration and proceed to site plan review.

With respect to cultural resources, DGEIS Appendix I contains a copy of the Stage I Cultural Resource Survey prepared for WalMart during that company's environmental review process. This survey concluded that no further testing is recommended for the area surveyed and that no modifications to the (WalMart) project to minimize impacts to cultural resources were necessary. It is the Lead Agency's opinion that this survey adequately addresses cultural resources issues associated with the Widewaters site. As discussed in the paragraph above, if the review of the Widewaters development plan were to show development in areas that had not been adequately studied by the report prepared for the Wal-Mart project, than a supplemental site specific study could be required. The OPRHP is the agency responsible for requiring such studies.

With respect to wetlands issues, the Lead Agency believes that the Wetland Delineation report for the subject property contained in the DGEIS adequately identified such wetlands.

With respect to the impact of the Widewaters project on the view from Buttermilk Falls State Park, the Lead Agency believes that
the DGEIS fully disclosed and discussed this impact in Section 2.6 and Appendix E. Mitigating measures were also discussed in Section 2.6 and Appendix E of the DGEIS. See also Section 7, “Aesthetics”, of this FGEIS for a further discussion of visual impacts and mitigation.
SECTION 3.0 SITE PLAN

3.1 Mixed Use Zoning

SUMMARY

The following comments suggested that “mixed use” zoning or proposals be considered as an option for development, and the comments generally posited that the DGEIS did not adequately explore the mixed use option.

23. Town of Ithaca (219) Section 2.2.2 – Mitigation of Impacts (pg. 2-8): Although described generally, it would be helpful to include a full draft of the proposed “Mixed Use” zone, perhaps as an appendix in the dGEIS.

The Draft Design Guidelines (Oct. 15, 1999) that have been developed for the study area are very well done, and appear to provide an excellent basis for mitigating some of the potential impacts of development that would be addressed during the site plan review and approval process.

24. Wetmore (19A) The possibility of mixed use development was not explored, either. Mixed uses, with residential, office, and light industrial spaces interspersed among retail stores, would mean that we could move from 100% of shoppers driving to the area to a much smaller percentage. The token mixed use alternative in the DGEIS was essentially ignored – not seriously considered as an option. Nor was it a real alternative to the City’s proposal. The City has been presented with several viable counter-proposals, which should also be give serious consideration.

25. Romanoff and Arons (214) ....every organization, interim parks commission, citizens planning alliance, conservation advisory council and others, begged the city to view this large and last remaining parcel of open land for a “mixed use plan”...there is no attempt whatsoever to incorporate some of the environmental features into an overall cohesive approach.

26. Hegarty (33) Mixed use definitely should be considered. Alternative two had the most mixed use. I am recommending more. Some retail, I recommend technology, computer companies, light industry. I
am recommending a nature center or something, a water museum or Finger Lakes museum or center or winery info center or museum perhaps in conjunction with ecosystem that's happening on Stewart Park.

27. Tompkins County Planning (218) Attention to Compatibility and Livability. Mixed-use areas and transition zones should be clearly outlined in the fGEIS (dGEIS proposes various alternatives but commits to none; additionally, detail is lacking). The integration of pedestrian/bicycle and residential elements to promote health, safety, and welfare of residents, employees, shoppers, etc. should be defined.

Response: The Southwest Area Land Use Plan, recommends rezoning of portions of the Southwest Area. The purpose of the rezoning is to establish permitted land uses and establish building setback requirements consistent with the goals and objectives of the Southwest Area Land Use Plan and the Design Guidelines.

The proposed Mixed-Use District (MU-1), currently still under development and the name subject to change, is made up of the entire Southwest Park (Parcel A in DGEIS Figure 1), Parcel B, and the undeveloped portions of the MH-1 district (Parcels E-2 and E-3). A sub-district, MU-1a, is proposed for the developed areas along S. Meadow and Elmira Road. The proposed sub-district MU-1a is generally made up of all existing B-5, B-2a (Business), and I-1 (Industrial) districts along South Meadow Street and Elmira Road.

The proposed MU-1 and MU-1a districts would allow any use permitted in B-5 with the exception of mobile homes. Therefore, the MU-1 and MU-1a districts would allow for a mix of land uses such as recreation, retail, office, entertainment, residential of all densities, light industrial and manufacturing. In addition to mobile homes, adult entertainment and heavy industry are also proposed to be prohibited in these new districts.

The proposed MU-1/MU-1a districts and the Design Guidelines will guide and direct development in this sector of the City. The goal of the MU-1/MU-1a districts and the Design Guidelines is to create a more pedestrian, bicycle friendly environment consistent with the urban character of the City. A maximum building setback requirement, which restricts buildings to the
front of the lot accompanied by parking lots in the rear, would help foster such an environment by creating a street wall with sidewalks and tree lawn.

Note that all development and redevelopment projects within the MU-1 district and sub-district MU-1a shall be subject to the guidelines set forth in the Design Guidelines. The design guidelines shall be implemented by the Planning Board during the Site Plan Review process.

Alternatives 1 and 2 proposed a mix of retail, office, light industrial, and (in Alternative 2), residential uses. While other alternatives did not propose such a diverse mix of uses, it must be emphasized that the final plan for the Southwest Area development will be a function of private sector activities within the context of a rezoning, which does in fact allow for mixed uses.

3.2 Limiting Development

SUMMARY

These comments proffered various ways in which the scale of the proposed development should be limited, from zoning changes to design restrictions to incentives (positive and negative) for companies considering locating in the proposed development.

28.  *Wetmore (19A)* If the city were to choose any option other than Option 6, what measures would be implemented to prevent developers from continuing development until the area reaches at least the density of Option 6? This needs to be fixed, so that the City has some way to control the pace of development in the area, especially if Option 6 is not chosen.

29.  *Hoffman (29)* **THE PROBLEM OF IMPLEMENTING THE DEVELOPMENT SCENARIOS**

The DGEIS does not indicate how any of the six different levels (or "scenarios") of commercial development would be "implemented." If, for example, the City were to decide that
Concept 4, with 750,000 square feet of new commercial space, were the preferred level, and that a million square feet of new space was "too much" (i.e., the impacts were unacceptable), how would the City ensure that no more than 750,000 square feet of space were developed? If the approach is entirely market-driven, the City will be unable to do so. Once rezoned, the original Southwest Park parcel and the former City dump can be developed to the limit of the zoning regulations, which, together with full build-out on the levee parcels and the Cherry Street Industrial Park expansion parcel, will result in Concept 6 (with 1,250,000 square feet of new commercial space), which the DGEIS says has unacceptable impacts.

I believe the most effective way to implement a lower-impact level of development (without confiscating private property) is to retain public ownership of selected areas (the southern portions of the original Southwest Park and of the Cherry Street Industrial Park expansion parcel) and leave them in a "natural" state, and to place more restrictive zoning on the "levee parcels," based on their location in the flood plain and their proximity to parkland.

This method, and possibly others, should be included in the final GEIS. Otherwise, the various "alternative scenarios" presented will remain entirely hypothetical, and reality could be quite different from whatever plan is chosen.

30. Thorne (341) I hope that strict and aesthetically coherent guidelines regarding architecture, building placement, signage, and landscaping can be developed that will reduce the jarring visual impact typical of "big box" stores. Guidelines of this type (as are applied e.g., in Santa Fe and many California communities) could help to reduce the severe opposition that any kind of development seems to provoke in our community.

31. Ashdown (349) Asking for a commitment to the community before inviting these developers and retailers is not anti-business, it is pro-Ithaca. If such businesses feel that it is not economically feasible to operate under these conditions then why should we invite them into our community? If they feel this way, it is a clear sign that they are not community minded businesses.
32. Ashdown (349) The most advanced environmentally benign building procedures should be required, including identification and preservation of mature healthy trees where possible, construction of permeable parking areas that eliminate runoff, and effective, well landscaped buffers. The viewshed at Buttermilk Falls should be preserved. This is a precious irreplaceable resource for Ithaca that should not be destroyed. Though these restrictions will increase the costs of building they will also increase the value of the final result, and will insure that the developers are not only interested in squeezing every penny out of the development possible, but in creating a development that is a credit to the community. The city should only be interested in developers and developments designed for long term profitability, not short term profit making.

33. Ashdown (349) Businesses that sell services and products in competition with downtown businesses should not be permitted. This will just drive downtown community owned businesses out, as they must carry higher costs of doing business in the city. The type of retail space in Southwest Park should not include any that directly competes with the sizes that are open and available in downtown. These spaces would have an advantage over downtown because of the easier parking and would therefore contribute to higher vacancy rates downtown. Generally signage and access to downtown should be given the highest priority. Tax revenues from Southwest Park should be earmarked for the support of downtown.

34. Ashdown (349) I know that many would say that these restrictions are anti-business and that, if uncontrolled, market forces will provide the lowest prices and best conditions for everyone. I would ask how it is that we have such a large and growing difference between the richest and poorest in this country and in this community if this is true. Cheap goods are not in the best interest of the poorest in our community if the price to pay is below poverty level jobs and businesses that take money out of the community to make CEO's in other states even more wealthy than they are. The time to put some controls and assurances in place is now, when the developers and businesses can add up the profits and costs and decide if they want to commit to being part of our community for the long term, not just for a quick profit.
35. Kurtz (331)  I'm writing to encourage you to take it a step further by requiring more intensive use of the area - e.g. discouraging single-story construction and encouraging multi-story construction, with multi-story parking garages.

I suggest tax incentives for doing so - i.e. tax multi-story buildings at a reduced rate, large single-story buildings at a higher rate. Such scaling could be determined by formula in terms of costs/benefits to the community - thus appropriately rewarding builders who construct in long-term tax-saving manners while discouraging wasteful configurations (the costs identified in the dGEIS could be used as the basis for such a progressive tax).

Such zoning would allow for new mega-store development - which many people seem to favor - while providing for more efficient use of infrastructure (roads, drainage, mass transit, water, gas and electric service, etc.) - thus reducing the detrimental effects and costs of growth that many people are concerned about.

Of course, such zoning would have to be done in cooperation with all adjacent towns so that development corporations don't simply build their cheap (to them), expensive (to we taxpayers) Big Boxes in Newfield, Ulysses, Dryden, etc.

That could be accomplished if the related towns adopted complementary zoning laws, with appropriate tax-sharing plans - a concept that really should have been put into effect some time ago.

Response:

With respect to the form and appearance of new development, the City is preparing to adopt Design Guidelines which will regulate such form and appearance. The Design Guidelines make recommendations for, among other development and design related issues, architectural treatments, landscaping, and lighting. These Guidelines are being developed in a process separate from, but concurrent with, the SEQRA review for the Southwest Area Land Use Plan.

The primary limitation to development within the study area, as identified by the DGEIS, is provided by road and highway capacity. As discussed in the DGEIS, approximately 1,000,000
square feet of office and retail development is the upper limit that can be accommodated without significant adverse impacts. Therefore, the Lead Agency anticipates making a Finding that limits development to a number of trips equivalent to that generated by DGEIS Alternative 5, and this will be the primary mechanism by which growth in the study area is controlled. The Lead Agency further believes that the DGEIS demonstrates that other areas of the environment can accommodate this level of development.

With respect to multi-story development, the Lead Agency believes that height limitations are necessary in order to limit adverse impacts associated with visual impacts.

With respect to coordinating zoning with adjoining Towns, the Lead Agency noted that New York's home rule provisions and the competing economic objectives of each community make such cooperation difficult, if not impossible, to achieve.

3.3 Mitigation

SUMMARY

This single comment addressed mitigation measures offered by Wal-Mart during that company's EIS process and questioned why these same measures were not offered for the proposed Southwest Area development (and Widewaters).

36. Wetmore (19A) The mitigation measures suggested in the Wal-Mart study for the viewsheds etc. should have been suggested here as well. (See attachment 2) No reason was given in this report for lowering a standard already set.

Attachment 2: Excerpts from Wal Mart document:

5.2 PARKING

The applicant's propose parking lot layout in Alternative SE-1 and 5 utilize parking ratios of approximately 6.6 spaces per 1,000 sf of building (Alternative SE-1 without expansion) to 5.5 per 1,000 sf. This creates paved parking areas of between nearly 6 and 5 acres respectively. None of the site plans presented to the
Planning Board incorporate any significant areas of landscaping within these paved parking areas to reduce its visual impact or offset the microclimatic impact created by such an expanse of paved area on the environment and on the customer.

The Planning Board's Mitigation Model employs a parking ratio of 5.5 spaces per 1,000 sf of building. While this creates a parking area that is approximately 3.5 acres less than the parking area proposed in SE-1 and nearly 2 acres less than Alternative 5, further reductions in the amount of paved area can be achieved by utilizing the Urban Land Institute standard of 4 spaces per 1,000 sf of building area. Therefore, any development occurring on this site will apply the Urban Land Institute parking standard to determine the size of the parking lot.

The parking lot will have landscaped islands incorporated into the design that are at least between ten to twelve feet wide. The planting islands will be parallel to Elmira Road and run the full length of the parking bay. There will be one planting island per parking bay. The parking islands will be planted with trees that at maturity will provide a tall, full canopy that will screen the parking lot from the view stations along the hiking trail on the south rim of the gorge in Buttermilk Falls State Park and provide adequate shade in the parking lot. Significant areas will be devoted to landscaped buffers around the periphery of the parking areas. The Planning Board's Mitigation Model incorporates these features.

5.3 NOISE

The applicant's proposed plans do not include any appreciable landscaping within and around the site to mitigate the effect of noise generated by the proposed use on surrounding land uses, particularly existing and proposed recreational land uses.

The site plan will include sufficient areas around the periphery of the site that will be heavily landscaped with appropriate materials to provide a buffer between the proposed store, parking lot and service area and the adjoining substitute parkland and proposed pedestrian and bicycle trails along the top of the Levee, along the Cayuga Inlet through Negundo Woods and along the top of the abandoned railroad embankment. The Planning Board's proposed Mitigation Model provides such landscaping.
5.4 PEDESTRIAN/BICYCLE ACCESS/CIRCULATION

Neither Alternative SE-1 or 5 make provision for accommodating bicycle and pedestrian access to and within the site. Each of the site plans for the proposed project includes an entrance drive and circulation road around the site sized only for vehicular access. The entrance drive and circulation road will include shoulders of at least four feet on each side for bicycle access. This bicycle lane will be separated from the rest of the roadway by a continuous yellow line and be periodically marked indicating it is a bike lane. Bicycle racks will be provided near the store entrance.

The applicant will provide sidewalks along the Elmira Road frontage of the project site that are at least ten feet back from the edge of the road and extending sufficiently far south to connect with the sidewalk that will be constructed by NYSDOT as part of the Route 13 Improvement project (approximately by Tropical Pets). Pedestrian access from the proposed bus shelter on Elmira Road will also be provided with a sidewalk leading, in as direct a route as possible, from the bus shelter to the front of the store. Pedestrian circulation within the site will be provided in a manner that incorporates the landscaped islands called for in Section 5.2 above. Sidewalks connecting the parking lot to the front of the store should be sited so they take advantage of the shade and more pleasing environment provided by these landscaped islands. This approach will also enhance pedestrian safety by creating designated pedestrian routes rather than have pedestrians randomly walking through the parking lot to the store. As is proposed in the applicants site plans.

5.5 VISUAL

Appendix Four Site Plans 7, 8, 9 and 10 indicates the portion of the site that is fully in view of Buttermilk Falls State Park trails. Nearly all of the building proposed in Alternative SE-1 and a major portion of the building in Alternative 5 is located within the area of the site visible from these trails. This creates substantial, negative visual impacts with related impacts on tourism in the County. All buildings on the project site should be sited so that they are out of the viewed areas shown on 8s site plan. In addition, the parking lot should be designed to include ten to twelve foot wide planting islands in every bay. As discussed above planting islands this wide are necessary to
overcome the unusually harsh microclimate created by the large expanse of asphalt associated with parking lots of this magnitude. The vegetation proposed for these islands require the soil and water volume only planting islands of this size can provide. These islands will run parallel to Elmira Road so that they provide a substantial visual buffer shielding the parking lot from view of the main trail in the Park. The Planning Board's Mitigation Model takes this approach as evidenced by Site Plan 10 in Appendix Four.

The lighting fixtures in the parking lot should be no more than thirty feet high. All light fixtures should be the cutoff fixtures which direct the light downward. Lights that are not essential for safety and security, deliveries or other night time operations shall be limited in their hours of use. A light schedule will be negotiated as part of the site plan review.

The applicant’s proposed site plans make no effort to mitigate the impact of the development on the proposed bicycle and hiking trails that will be located adjacent to the site. These impacts should be mitigated in a manner similar to that proposed in the Planning Board’s Mitigation Model and more fully described in section 5.3 above.

The DEIS submitted by the applicant suggested various alternative store designs to Wal-Mart’s standard three color boxlike design. These alternatives only dealt with the front elevation of the building and still employ a standardized approach to building design that does not take into consideration the unique characteristics of this location and site. The elevations of all four sides of the building will be thoughtfully designed and be sensitive to the unique nature of this site. Unlike most other development along Elmira Road, this development will be viewed on all four sides: three sides from Elmira Road, two sides from the levee, one side- from the proposed Black Diamond Trail as it passes behind the project site and another side from a spur of that trail running along the railroad embankment. This calls for a careful treatment of the building design. The applicant will engage an architect to work with the Planning Board in developing elevations that respond to the special character of the site and surrounding area.

5.6 WETLANDS AND 5.7 WATER QUALITY
The site plan will incorporate appropriate systems to minimize the impact on the surrounding natural area, including the remaining wetlands, of storm water runoff. This will include at least the following:

1. scheduled vacuum sweeping program for the parking lots
2. development of a plan to, as much as possible, use cinders, sand or other materials in lieu of salt
3. utilize sumps in all storm drains to trap sediments
4. incorporate a detention basin with appropriate filters and devices to ensure the discharged water is of the highest quality practical
5. insure storm water is directed to the remaining wetlands at a rate to maintain current wetland function
6. arrange site plan so the development minimizes incursions into wetland areas

5.8 COMMUNITY RESOURCES

The site plan for the proposed project will be prepared in a manner consistent with the site development guidelines adopted by the Planning and Development Board. These guidelines were developed by the Planning Board in response to the impacts the proposed development of this site would have on Ithaca’s land and visual resources. These site development guidelines are as follows:

1. All building and pavement (including parking areas, access lanes and loading docks and maneuvering areas) shall occur entirely on the Elmira Road side of the southern boundary of the substitute parkland defined in Chapter 757 of New York State laws of 1985;

2. The entire building shall be located completely outside of the Buttermilk Falls State Park viewshed as viewed from primary observation points on the main trail;
3. Double loaded parking bays shall be separated by continuous twelve foot wide planting strips parallel to Elmira Road;

4. A planted buffer area shielding the substitute park land from the building and paved area shall exist south of the Chapter 757 line described above.

5.9 PROPOSED SUBSTITUTE PARKLAND

The applicant will dedicate the undeveloped portion of the project site, that is the area beyond the substitute parkland line as shown on the Site Plans 7-10 in Appendix Four, as open space for use by the City as substitute parkland. In addition, the City will be granted an easement that will provide for public access to the proposed substitute parkland; this easement can occur on the parking lot access road.

5.10 ECOLOGICAL RESOURCES

The impact of the proposed development on Negundo Woods can be mitigated by the following: sitting and size of the building and parking lot, design of the light fixtures, and sufficient landscape buffers.

Siting of the building

Alternative SE-1 is the largest and closest of the alternatives to Negundo Woods. The loading dock area of this alternative is approximately 220 feet from Negundo Woods. Resiting the building as proposed in Alternative 5 will increase this distance. However, resiting the building as proposed in the Planning Board's Mitigation Model is most effective at mitigating this impact by increasing the distance between the proposed development and Negundo Woods to approximately 500 feet.

Design of the Light Fixtures

The applicant has proposed 42 foot high light fixtures. These lights will illuminate more than just the project site. These fixtures should be lowered to approximately 30 feet and utilize the cut off fixture design to minimize light spillage to surrounding properties, including Negundo Woods.
Landscaping and Buffers

Alternative SE-1 does not provide for landscaped buffer areas between the proposed development and Negundo Woods. It is unclear whether Alternative 5 will provide such a buffer area. The rear portion of the proposed development, which includes service and delivery areas, must be appropriately landscaped to create this buffer zone. These buffer areas immediately adjacent to the developed portions of the site should be landscaped with a substantial quantity of deciduous and evergreen tree species at closer spacing to soften the views from this sensitive ecological resource. Earthen berms may also be used to raise the base elevation of vegetative screening.

The site design for the area beyond the developed portions of the site should include planting native floodplain tree species to extend Negundo Woods southward.

Response: The above mitigation measures were specific to the WalMart development, and that development on that site only. Mitigation measures such as those listed in this comment are site specific and project specific in nature. The DGEIS suggested general measures, including the Design Guidelines, to mitigate the potentially adverse impacts of development in the Southwest Area. The property that is the subject of this comment is already zoned for high intensity commercial use, and it was not the intent of the DGEIS to evaluate specific site planning considerations for this parcel, and a formal review can not be conducted at this time as a site plan has not been submitted for site plan review. Rather, the DGEIS identified specific areas of environmental sensitivity or impact with respect to this and other sites. An example is the identification of a potentially sensitive view of the site from Buttermilk Falls State Park. When a project on this or some other site comes before the Planning Board for site plan and SEQRA review, the project sponsors will put forth specific mitigation measures to address the potential impacts from their proposed actions. It will be the Planning Board's job (along with other reviewing agencies) to determine if the proposed impacts can be mitigated, if the mitigation measures proposed are sufficient, and what changes, if any, should be made to the project to lessen the anticipated impacts. The Planning Board will use this GEIS as one tool in this process.
3.4 Wegmans

SUMMARY

Wegmans submitted the following comments which highlight Wegmans’ store location, currently approved expansion plans, and potential impacts that the Southwest Area development may have upon these plans.

37. Wegmans (252) Wegmans has invested significantly in the redevelopment of the new food market and accessory parking and circulation upgrades as well as securing approximately a total of thirty-five thousand (35,000) square feet of additional retail development, all of which were approved by the City of Ithaca through the formal public review process. The proposed rezoning impairs and adversely impacts our existing commercial development.

In addition to the impacts discussed in the attached documents, the plan as proposed would result in a permanent drastic reduction in the value of Wegmans real estate. Alternatives 1, 4, 5, and 6 propose that a new public road be constructed from the existing intersection of South Meadow St. extending to the west then crossing the relief channel and curving in a southwesterly direction to access the proposed new commercial development. The current approved site plan for the Wegmans property granted permission for the construction of a 27,500-sq. ft. retail building in the southwest corner of the site. Wegmans has received proposals from several prominent national retail tenants wishing to lease or purchase the site. The location of the proposed road passes directly through the proposed building thereby eliminating the possibility of developing that building. Any proposal incorporating a road in this location would, therefore, deprive Wegmans of the economic value of a lease or sale of that building location.

In addition to the loss of the proposed retail building, the manner in which the Wegmans property is divided seriously diminishes the value of remaining portions of the property. The road would divide the property into three separate non-contiguous parcels. The main Wegmans parcel would contain the food market and related parking and would be negatively impacted by the changes in access and traffic flow. The access to the parking would
become indirect and limited and might also result in a loss of parking which is required for successful and safe store operations.

The second parcel would consist of a rectangular parcel of land along the frontage of South Meadow Street lying north of the new public road and south of McGuire Ford. The current approved site plan calls for a 5,500-sq. ft. freestanding tenant building to be located on this property. Although the dimensions of this parcel and the size of the proposed building are not necessarily reduced by this proposal, the introduction of a public road and the increased traffic would cause conflicts and congestion at the access points to that parcel making it more difficult and dangerous for potential customers. These factors would reduce the marketability of the parcel and would thereby diminish the economic value of that parcel.

The third parcel created by the new road would consist of a narrow strip of land south of the new road. The narrowness of the parcel coupled with the difficulties in gaining effective access to it caused by the new road would render this parcel undevelopable.

The invasive location and development of a right of way on the parcel assault the economic impact to the property. The study lacks on-site traffic impact analysis with respect to economic implications the new road would have on operations of existing facilities, proposed facilities, and land areas and costs to acquire the private properties affected.

These traffic implications along with drainage concerns over flooding, potential gaseous emissions and other impacts from the dump site, reduced air quality from, the hundreds of additional vehicles on the now road system adjacent to the food market, and the possible physical disruption to the property for future installation across this parcel are examples of the poor assessment of on-site impacts to property as a result of this plan.

The City has the responsibility to thoroughly assess alternatives to determine that the proposed action is the best plan when the environmental factors are considered. A balancing of the positive and negative aspects of the proposed action has to be accomplished for the public need to justify the outcome. There is
no data in the GEIS to substantiate the required amounts of sales and property tax revenues, which would stabilize or increase the City’s revenue. In addition, there is no discussion of the negative economic impacts of this proposal namely the loss in tax-revenue resulting from the elimination of the retail building on the Wegmans site and the substantial lump sum payment that would be due to Wegmans as a result of what amounts to a taking of a portion of its property by eminent domain. Given the absence of this information it cannot be concluded that the alternatives chosen in the GEIS and intensity of proposed new development achieve these revenue goals. The Executive Summary describes the planned benefits of a multi-modal link between West Hill and Route 13, the opportunity for the City to be competitive regionally, to create jobs, and to create parkland but does not substantiate the “need” which is incumbent on the government to be accountable. The level and nature of discussion of need in a government-sponsored action is tantamount in the GEIS process.

There was no discussion on how this project would be phased, and if the development must be on contiguous land to successfully accomplish the goals and objectives of the City. The Alternatives section is deficient in discussion on action at alternative site, alternative scale or magnitude of action, alternative project design, alternative timing or phasing, alternative uses or types of action and “no action” alternative.

38. Wegmans (252) I did not see anywhere in the material provided, reference to future evaluation of the potential impacts to the from “Right-of-Way” through the Wegmans property.

Response: See Section 11, “Traffic”, of this FGEIS. As a result of the above comments from Wegmans, the Lead Agency has determined that the proposed access road should be shifted to the south to Tops Drive. The traffic analysis in Appendix 5.1 of this FGEIS demonstrates that this alignment will work from a traffic flow point of view. It will furthermore avoid the adverse impacts highlighted in the comment above.
3.5 Infrastructure

SUMMARY

These comments deal with the timing and development of infrastructure construction/upgrades and the perceived necessity for developing thresholds and standards for infrastructure improvements and operations.

39. Tompkins County Planning (218) Concurrent Infrastructure and Mitigation, Maintenance and Enforcement. The findings statement and fGEIS should outline at what level of development concurrent mitigation and necessary infrastructure will be required. The findings statement should identify thresholds for concurrent infrastructure, identify responsible parties for construction and maintenance of mitigation projects (i.e. vegetative buffers, manhole reservoirs), provide a mechanism for regulation and enforcement, and outline procedures/fines if there is a failure to comply.

40. Tompkins County EMC (204) Construction of Infrastructure

The dGEIS fails to provide a clear program for the construction and maintenance of the infrastructure needed to protect the environment and support development in the Southwest Area. The economic and legislative models described in the dGEIS do not adequately describe an action plan for construction of new roadways, pedestrian/bike ways, traffic calming and control measures, storm water structures, buffer zones, and natural areas, nor does the dGEIS identify the source of funds for ongoing maintenance of this infrastructure.

41. De Aragon (200) First is the issue of concurrency. This is a term used in the planning profession in some areas to describe the need for services and infrastructure to precede or be provided concurrent with development. The impact of development of the SW should not be aggravated by not having adequate infrastructure in place at the time the land use is opened to the public. This is particularly important with respect to transportation. The City must carefully coordinate road, transit and other transportation
system improvements so that traffic impacts, particularly to southside neighborhoods, are mitigated.

42. De Aragon (200) I suggest that the city implement this project in phases. Each phase should be monitored and evaluated for its fiscal, traffic, and other quality of life impacts on the city and its residents. This suggestion becomes more urgent if the city is proposing to implement the larger development scenarios. Ithaca is a small city and the proposals for the SW should match the infrastructure and service capabilities of the city while addressing market/economic needs and livability concerns. The reality is that no one knows how implementation of the Southwest Area Land Use Plan will affect the city and its residents. The GEIS provides an analysis with projections and predictions, but the “real” impacts need to be assessed as implementation takes place. The assessment process needs to be critical and with enough clout to stop or regulate further development if deemed necessary.

Response: The City intends to require that developers contribute a “fair share” towards certain off-site traffic improvements. The City will collect this contribution in the form of a mitigation fee tied to the number of traffic trips a project generates. The City further intends to construct certain water and sewer improvements that will increase the development potential of the Southwest Area. The City anticipates recovering these costs through a mitigation fee. The City intends to review the need for construction of stormwater drainage systems on a project specific basis. The City may require that developers construct portions of such systems needed to serve more than their project, in which case a cost sharing formula for future projects will be developed. Finally, it is the City’s intention that all other site specific infrastructure costs be borne by individual developers. Costs for regional improvements, such as bridges or bike trails that benefit all City residents will be borne by the City, which intends to seek funding for such improvements.

Please refer to the Executive Summary of this FGEIS, which contains details concerning infrastructure and mitigation improvements and thresholds, as well as a revised table of impacts.
3.6 Community Character

SUMMARY

Several comments questioned the DGEIS's portrayal of impacts on community character from the proposed Southwest Area development. The impacts highlighted in the comments included population changes, land use, and the quality of life of City residents.

43. Wetmore (19A) Appendix F page 9 states "approximately 23% of households in the City of Ithaca did not have access to a vehicle." What will be the change of community character if so many shopping opportunities and jobs move from our mixed business and residential areas to the edge of town?

Response: Every practicable effort will be made to ensure that the Southwest Area development is accessible to those who would visit without a automobile. Please also note that the design guidelines have recommendations for public transit. In addition, as highlighted in Section 2.13.3 and Appendix J of the DGEIS, a significant portion of the existing businesses in the City are not expected to relocate or close due to competition from the proposed Southwest Area development. Therefore, the effect on community character as queried by the commentor is not expected to be significant.

44. Gougakis (34) As for community stability and impacts, don't you think more people will likely leave, as they have the city from...a degradation of quality of life!! Has this been a concern to study?

Response: The Lead Agency does not believe that a significant portion of the City's population would choose to move from the City for reasons related to the adoption of the Southwest Area Land Use Plan.

45. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on the Character of the Existing Community, second paragraph: "The City is in the process of alienating Southwest Park and rezoning it..." Will the changes in the zoning in this area effect the surrounding zoning classifications or land uses?
Response: Changes in zoning connected with the Southwest Area Land Use Plan are not expected to affect surrounding zoning classifications or land uses. In particular, the southern and western portions of the Southwest Area are effectively buffered from the Town of Ithaca and other land uses by the railroad tracks, and the SALUP is largely compatible with the other uses immediately east and north of the proposed development. With the exception of Nates Floral Estates and Spencer Road, there are no residential uses adjacent to the Southwest Area, and appropriate buffers and other measures will help mitigate the aesthetic, noise, lighting, and traffic impacts to the Estates from the proposed development.

46. Wetmore (19A) VALUE OF GREEN SPACE IN AN URBAN SETTING

People need and desire a place where they can get away from the city life. Buttermilk Falls cannot service this purpose if one can hear the roar of constant traffic. If major views are of big box retailers, a large hedge row is not enough to buffer.

The question of methane gas build up is important and should be more carefully considered. The fixes alluded to don’t always work (see attachment 1) and are likely to affect peoples health, both workers and shoppers, before they build to explosive levels.

These are the very quality of life issues that people in Ithaca care about. Just because people at the public hearing didn’t preface each remark with “the proposed project will have the following negative effects on the community character of Ithaca” doesn’t mean they were not speaking to that very issue. The DGEIS did not deal with these issues. These community character issues were probably ignored because there is no way the proposed development can be adjusted to fix them. The proposed project will change the character of Ithaca in major way. The Public hearing should be regarded as a the place where people told Common Council what kind of community they wanted Ithaca to be: independent, not corporate.

Another aspect that is not considered is those aspects of Ithaca hold as valuable. This is especially important given the heavy reliance on tourist trade our economy has.
Attachments 2 and 3 are examples of what aspects of our community others value. If you look at both of these attachments, you will see that the aspects that make Ithaca special have nothing to do with areas of town like the proposed big box development.

The DGEIS does not discuss any of the above aspects of Community Character. This is a major omission, especially so, given the community’s concern on these issues.

Response:

Visual impacts from Buttermilk Falls are addressed in Section 7, “Aesthetics”, and the methane gas in Section 10, “Former Dump Site”. The proposed development also represents a net positive impact on parkland, tourism, and recreational opportunities as it intends to replace an unimproved “park” with ecologically and recreationally more significant Negundo Woods. Attachments 2 and 3 laud intangibles such as community spirit, philosophy, activism, in addition to the regional landscape of the Ithaca area, not just the City itself. The Lead Agency does not believe the ideals expressed in those attachments will erode as a result of development in the Southwest Area, especially given the deeply personal, and intangible nature of those ideals and the concentrated location of the development.

47. Pastel (173) 2) Community Character. The idea of adding up to 600 residential units in the Southwest Park area (Alternative 2) is ludicrous. Several considerations here. (1) Anyone living in these units will complain about the traffic generated by the commercial portion of the land use mix. Why buy trouble that can’t be fixed? (2) Adding residential units will add greatly to the commuter traffic problems that the Southwest area already faces. Look at how the residents of the Rt 13/Elmira Road/Six Mile Creek triangle are already complaining about traffic spillover into their neighborhoods. Adding more residential units to the area will only exacerbate the problem. (3) Adding residential units will change the school district demographics. I don’t believe that the potential adverse impact of a change in the demographics of the school district are adequately or meaningfully addressed in the dGEIS. This is an impact area that needs to be thought out and included in the dGEIS. (4) Who in their right mind would want to live over a dump site, even if adequately capped?
Response: Comment noted. The proposed rezoning would allow a range of uses and the actual uses will be determined by the market. The Lead Agency believes the market’s primary interest in the area will not be for residential use.

3.7 Cumulative and Offsite Impacts

SUMMARY

The following comments raised issues relating to perceived impacts from the proposed development on areas of the City and Town which were not included in the DGEIS study area. The comments also highlighted perceived cumulative impacts which were, allegedly, not considered in the document.

48. Tompkins County Planning (218) Regional Approach. The potential impact of the proposed action outside of the City limits should be evaluated, specifically wildlife, economic impacts, and growth-inducing results.

49. Wetmore (19A) The study says that only 30% of the new residents will be in the City of Ithaca. Why is there no discussion of the 70% who will reside just outside of the city? When considering the impact of the proposed project on Ithaca City Schools, the surrounding towns must be considered as well, because the school district covers them also. Of course, the study should also consider the impact, on the communities outside of Ithaca, of the projected general population increase.

50. Town of Ithaca (219) Section 2.2 – Land Use & Zoning (pp. 2-3, 2-4): The Town of Ithaca borders the project site on two sides, and Buttermilk Falls State Park within the Town of Ithaca is virtually adjacent to the project site on the south/southeast. There is no description of the land uses or zoning in the surrounding areas in the Town of Ithaca, nor is there a reference to the Town of Ithaca Comprehensive Plan recommendations for areas adjacent to the project site. It would be useful for context purposes to include a description and analysis of these items in the dGEIS in this section. As stated above, some areas in the Town are directly adjacent to the study area. Municipal boundaries should not be used as a cut off for determining potential impacts in an analysis.
of large-scale development such as described in this document. The apparent lack of analysis of environmental impacts outside of the City, particularly those impacts on the immediate areas in the Town of Ithaca surrounding the project site, is a serious omission in the dGEIS.

In the Town of Ithaca's Comprehensive Plan (Sept. 1993) the lands surrounding the project site are designated Conservation/Open Space and Recreation. Currently the lands in the Town surrounding the project site are primarily zoned R-30 Residence.


Development impacts do not stop at municipal boundaries. There should be a description of land uses and zoning in the portion of the Town of Ithaca that adjoins the Southwest Area, and acknowledgement of what is intended in the Town's Comprehensive Plan. There should be analysis and discussion of both how activities in the Town could effect the Southwest Area (not too great, considering that the Town calls for conservation/recreation/open space) and, especially, possible impacts of the various Southwest Area development alternatives on the Town.

52. City of Ithaca Natural Areas Commission (230) 1. The DGEIS does not adequately address the potential impacts of the proposed action (adoption of the Southwest Area Land Use Plan, as currently proposed by the City) on existing and planned natural areas and other important natural features in the Southwest area and its proximity. It is problematic that the DGEIS does not gather analysis of natural areas/parks (including existing condition, impacts, and mitigating measures) into a single section. What commentary exists is scattered throughout the document and is difficult to find and consolidate for proper review. In terms of substance, the DGEIS does not discuss (or does not adequately discuss) the following potential impacts:

* The impact of heavy commercial development (apparently involving a structure of up to 200,000 square feet, with associated parking) on the entire site now owned by Widewaters, on two important areas: Buttermilk Falls State Park (located just across
Route 13 and overlooking the site) and the new substitute park/natural area (located immediately behind the site). Particular concerns are the scale of development allowed under the current zoning, the effect on important views from Buttermilk, the suggested proximity of the building to the new park, the impact of runoff and drainage systems and the lack of provision for a suitable, separate entrance and parking area for the park, accessible from Rt. 13.

* The impact (on visual quality, noise, lighting, etc) of heavy commercial development within most or all of the original Southwest Park, on the substitute parkland just across the Cayuga Inlet.

* The impact on the biodiversity of the substitute park/natural area, of eliminating wetlands and young floodplain forest in immediately adjacent areas of the original Southwest Park and the Cherry Street Industrial Park extension parcel.

* The impact of a proposed new roadway, located along the flood control levee, which is shown in each of the six "development concepts" illustrated in the DGEIS. This roadway would be immediately adjacent to a naturalistic pedestrian corridor that is already popular and that may become part of or a spur to the Black Diamond Trail.

* The impact on the Black Diamond Trail and the "greenway" corridor along the Flood Control Channel, of developing the Cherry Street Industrial Park extension parcel as illustrated in the DGEIS (i.e., without providing a substantial vegetative buffer between the Black Diamond Trail and the industrial development/street extension) and of extending the street all the way along the Channel to connect with new development in the original Southwest Park parcel.

* The impact of eliminating the old hedgerow along the eastern boundary of the original Southwest Park, a recognized remnant of old-growth floodplain forest.

Response: Currently, most of the areas of the Town of Ithaca adjacent to the Southwest Area are zoned residential R-30, and are predominantly undeveloped. The Town Comprehensive Plan (1993) and the Town's 1997 Park and Open Space Plan
recommend downzoning those R-30 lands to Conservation District (CD) zoning, and this rezoning effort is currently underway. In general, the Town believes that large scale retail of the type proposed in the Southwest Area should be located in the City, rather than in areas in the Town. To that end, the Town has limited the scale of commercial establishments in the Town to a maximum of 25,000 square feet, preferring to promote small, neighborhood scale retail rather than large scale commercial areas.\(^3\) This downzoning is expected to have a positive impact on the substitute parkland—especially Negundo Woods—in the Southwest Area as habitats and sensitive ecological features will enjoy greater protection.

Impacts from the proposed Southwest Area development on wildlife and natural areas have been discussed in Section 8, “Ecology”. Economic impacts have been considered in the DGEIS Appendix J, and impacts due to Widewaters, and on Buttermilk Falls, and open spaces have been discussed in Sections 3, 7, and 9, respectively, and in the DGEIS. Because of the rezoning of the Town’s R-30 district adjacent to the City, any population increases in the Town are expected to come in the already developed West Hills area, or in areas throughout the Town or in adjacent Towns, though it can not be accurately predicted where new residents would settle or when this influx might take place. Growth inducing impacts are likely to benefit the City as new Town residents are expected to shop in the Southwest Area and existing establishments, and the Town’s limit on the size of retail businesses is also expected to benefit City businesses.

3.8 Buttermilk Falls

SUMMARY

These comments faulted the DGEIS for siting proposed buildings in close proximity to the entrance to Buttermilk Falls State Park and pointed out that there is, theoretically, “plenty of room for a store such as this elsewhere in the City’s Southwest plan, away from the park”. In addition, the comments request additional

\(^3\) Personal conversation between George Franz, Town of Ithaca Planning Department, and Paul Elconin, The Chazen Companies, May 2, 2000.
alternatives which do not locate a store (i.e. Widewaters) in the area near to the Park.

53. Werner (323) All six alternatives in the DGEIS show the superstore building practically on top of the boundary of the city's substitute parkland, which is directly behind the site. How can these be called "alternatives" if there is no true alternative to destroying Buttermilk Falls?

"Ithaca is Gorges" is the Ithaca/Tompkins County Convention and Visitors Center slogan for tourism. This is best represented at Buttermilk Falls State Park, Ithaca's finest park. A survey conducted by the Visitor Center in the mid-1990s showed that State Parks are the number one attraction for visitors to Tompkins County. To degrade the visitor's experience at Buttermilk Falls State Park is to degrade Ithaca's tourism economy.

The Widewaters superstore site is surrounded on three sides by parkland - on the east and south by Buttermilk Falls State Park, on the west and south by the state's Black Diamond Trail route, and on the west by city parklands. A gigantic discount store and its associated parking lots, lights, noise, traffic and undistinguished architecture are grossly incompatible with the parkland around it.

...If it must be built, there is plenty of room for a store such as this elsewhere in the city's Southwest plan, away from the park.

54. Walkinshaw, P and K (124) 3. Finally, because of the previous points and other reasons including protection of the flood plain and the view from Buttermilk Falls, I believe there needs to be a development plan that leaves this site undeveloped or at least developed only right along Rte. 13. Not having this option is ignoring the severe negative consequences of development on this site.

55. Vogel (318), Kenigsberg (263A), Lang (263E) All six alternatives in Ithaca's draft land use plan for the southwest part of the city show a huge "superstore" and parking lot directly across Route 13 from Buttermilk Falls. From the maps in the DGEIS, it appears that the decision was already made (before the DGEIS and before the public hearings) to allow a project much larger than the proposed
WalMart (which the Planning Board rejected in 1995 as being too large for the same site) to be built there. Period. Case closed. No alternative site for the project, no alternate uses for this site, and no plan to design development in keeping with the beauty and fragility of the environment adjacent to it – Buttermilk Falls, the state’s Black Diamond Trail, city parklands and the woods and wetlands with their abundant wildlife.

Should the city approve any of the current "alternatives," it would allow the development for which Widewaters is now preparing the site. Other alternatives are sorely needed, without a superstore and in keeping with the surrounding parklands.

56. Vogel (318), Kenigsberg (263A), Lang (263E) f. There is plenty of room to put the store away from the state park in other areas in the city's plan.

57. Maxwell (164)...if you must build please set aside a large area across from Buttermilk Park and along Route 13 to buffer the park from this unnatural invasion.

Response: The reader is referred to Section 3.0 and the responses to comments pertaining to the proposed Widewaters development. Additionally, the Widewaters proposal is in conformance with the existing zoning of the parcels in question, and this zoning permits the type of large scale building as proposed by Widewaters. As the project is subject to a SEQRA review, the developers may be requested to modify the site plan, provide landscaped buffers, or implement other mitigation measures at the request of the reviewing agencies. Comments related to visual impacts are addressed in Section 7 of this FGEIS.

3.9 Buffers

SUMMARY

These comments requested that there be vegetative buffers in various areas of the development.
58. Wetmore (19A) Why are buffers presented as being on City owned land rather than on the land of the developer responsible for the eyesore requiring buffering? This is a city subsidy and should not be tolerated. Buffers belong on the developer's land. The City has precious little park land and it should all be available for the public's enjoyment, not given to special interests to allow them to build bigger buildings.

59. LaBrecque (261) A barrier (open space and vegetative barrier) should be provided on the southern border of Nate's Floral Estates Mobile Home Park, as a beneficial buffer for Nate's Floral Estates and the park residents.

60. Mudrak (236) Proper Use of Buffers. Buffers should be used to protect the natural corridors, visually, in audio terms and especially in terms of the purity of water flowing into them. As buffers are defined now in the DGEIS, "Vegetative or structural buffers should be provided for existing residential areas and parks." (p. 2-9). The concept that is lacking in all of this "planning" so far is that the Unique Waterways & Natural Corridors should be buffered from the effects of development.

61. Phelps (216) I am writing to ask that there be a buffer of trees, preferably non-deciduous, along the Route 13 edge of any S. W. Park big box development that could help preserve an "au naturelle" look to the Buttermilk State Park lower entrance.

62. Natural Areas Commission (230) 4. There should be a wide, opaque vegetative buffer between the substitute parkland and any commercial development on the adjacent Route 13 site. The Design Guidelines applicable to this site should specify a minimum buffer bordering the park or the Black Diamond Trail of 150 feet. All of this buffer should be within the commercial site (although planting could continue within the park).

63. Natural Areas Commission (230) 6. In any event, the GEIS and the SWALP should call for a very wide, densely vegetated buffer (200 feet or more) between any developed area in the original Southwest Park and the flood control levee, in order to preserve an effective visual and noise barrier between the development and the substitute parkland (which lies just across the Inlet from the levee).
64. Natural Areas Commission (230) 8. The DGEIS provides little guidance for the extension of Cherry Street Industrial Park. The GEIS and the SWALP should call for any new buildings to be situated to the east of the extension of Cherry Street, and for there to be a wide, vegetated buffer between the street and the mowed strip along the Flood Control Channel (where the Black Diamond Trail will be located).

65. Natural Areas Commission (230) 9. The GEIS and the SALUP should specify that plantings in or near natural areas (including, the substitute parkland) should not include non-native, invasive species.

Response: Comments noted. The type, configuration, extent, location, and components of buffers will be ultimately decided during the site plan review process for individual projects. The location of major buffer areas will be determined as part of the Lead Agency Findings Statement when the Southwest Area Land Use Plan is adopted. The Design Guidelines contain recommendations for landscaping, site, design, and other tools to mitigate visual and noise related impacts. The design guidelines also contain details on buffers such as species, size and arrangement of trees and shrubs.

3.10 Consideration of Other Sites

SUMMARY

The following comments suggested that the City consider development in other areas, rather than concentrate on the Southwest Area. Some of these comments also question the viability of development in the Southwest Area.

66. Fudeman (353) Might the G.E.I.S. suggest revitalization of downtown as an alternative to development of Southwest Park?

67. Wetmore (19A) The possibility of taking action in other areas of the city to encourage development has not been explored. The major reason advanced for proceeding with this project is the anticipated revenue increase from the new development. The city should have determined whether committing equal amounts of money to downtown Ithaca and our other already-established business
districts would result in a similar increase in city revenues, without the detrimental effects of the SW Area project.

68. Wegmans (252) The study did not take into account other locations or properties. There is a recreational field along route 13 in the north part of the city that would have much better visibility than this site. At the same time that could make this property into new recreation facilities.

69. Ithaca Housing Authority (314) 1. If the consensus is so very intent on development, has it considered other sites rather than the flood plain? What about the Biggs Building Site? Isn't infrastructure already mostly in place there? Or, expand some of the vacant sites already established on route 13.

70. Ithaca Housing Authority (314) 2. Does the planning board really feel confident that sufficient market research has occurred? Currently on route 13, we have 3 pharmacies adjacent and across the street from one another. We have two office supply stores across the street from one another. We have two mega-markets side by side. Is this duplication filling a market niche? Is it a plan for longevity of usage?

71. Wegmans (252) The proposal foresees a development that is somewhat off the beaten path and behind many developments that front along the major arterials, South Meadow and Elmira Road. This begs the question as to whether or not that this proposal is really feasible for retail/commercial development.

Response: The underlying premise of the Southwest Area Land Use Plan is to design and implement a large scale development. There are no other large areas in the City which are suitable for the scale and intensity of the proposed development. The purpose of the DGEIS was to investigate the potential impacts which may arise due to the proposed action, adoption of the Southwest Area Land Use Plan. Revitalization of downtown would be considered an action completely separate from implementation of the SALUP, requiring different studies, zoning, funding, strategies, and SEQRA review. It is a possibility, but one that is not a practical alternative given the goals of large scale development inherent in the SALUP.
DGEIS Sections 2.13.3 and Appendix J have demonstrated there are significant indications that a market for the type of development proposed in the DGEIS exists. The ultimate decision on whether a particular project is truly investment-worthy, though, lies with the developers and companies they represent.

3.11 Incorporating Water Features

SUMMARY

These comments encourage the development to incorporate the water features of the Southwest Area into plans and view the features as positive and appealing design elements.

72. Kolva (181) Many cities have done great things with their waterfronts, but this plan basically uses [the Flood Relief channel and another creek] as drainage ditches and parking lot edging...What would I suggest? A much smaller, much more upscale “mixed” development, with about 50% of the land kept in green space or new water features (ponds).

Put parking in the least obtrusive place, and have buildings facing the water and greenery.

73. Mudrak (236) Where's the Imagination? Where's the Vision? Where's the Planning Context? By ignoring these issues, the continued health and existence of these waterways and the fishery are being taken for granted. Trout need water clear water free of sediment, pollutants and toxins. The City of Ithaca needs to take the lead and make a political commitment and subsequent local government planning to ensure the integrity and long term vitality of the corridors.

I think the Southwest Park proposals should have been defined first within the context of the network of waterways that link Buttermilk Falls Park, the creek flowing from it; the Flood Relief Channel (existing and proposed extensions and feeder swales) and the Inlet itself as it flows all of the way to Cayuga Lake. This network of waterways (including Six Mile Creek, Fall Creek
etc.) are the arteries, the beauty givers, the life source and habitat providers. A planning context should give them primacy. They should be designated as the unique natural resources, which they in fact, really are.

74. Mudrak (236) Designating "Ithaca Waterways and Natural Corridors," within a planning context is a necessary step to their continued purity, health and survival. They are whole, living systems. They should be highlighted as identifying features of Ithaca and given legal standing. If their management is left to piecemeal permitting processes by different state and local agencies, as seems to have been done in the case of the Southwest Park proposals, no one is given the legal responsibility for thinking on behalf of the waterway as a whole.

Management becomes fractionated and residual and standards slip drastically. It basically becomes "ok" to filter some of the surface water some of the time, to mitigate away the cleansing capacities of existing wetlands in exchange for getting floodwaters off of the site more quickly, to ruin a large portion of a viewshed because some other portion is left intact, to leave out fish considerations because they got "scoped out" early in the process and so on.

Developments near the Waterways and Corridors should be designed to ensure their water quality, sustainability & vitality as a prime goal. Accessibility of the Waterways and Corridors to residents (and tourists) should be thoughtfully designed and planned and Ithaca develops through the years to come.

75. Steuteville (52) You have some waterfront there and what do you have, you have the back of some office buildings and a parking lot on the water. You have some open space parcels that are behind K-Mart and bordered by parking lots. Who is going to use that open space? Maybe somebody to walk their dog. The plazas are going to be dead zones because they are designed poorly.

It doesn't, the plan to me doesn't show any good connection to Route 13, doesn't show any good connection to the existing development. The way the streets are, the buildings are lined up, I mean it doesn't seem to create any streetscape or any sense of place. The intersections don't seem to make any sense to me.
Beyond that, it's, you know, it's not a mixed use and it just doesn't create a place.

Response: Comments noted. The Common Council will consider the water features and other design elements during discussions prior to voting on whether or not to adopt the Southwest Area Land Use Plan. It must be noted that an emphasis on development around water features may negatively impact the ability of these features to serve as wildlife habitat. Furthermore, it is not the intent of the SALUP to create a waterfront dependent development.

3.12 Ideas for Development

SUMMARY

Many ideas were put forth for design elements in the Southwest Area, and these comments highlight those. The ideas range from a winter sports theme park to an “ecoindustrial” park.

76. Walker (65) 2...With this depth and breadth of heritage, Ithaca is best served with a development proposal that honors each of these aspects of local tradition. I cannot pretend that the SW Park project makes no recognition of some of these traditions. I will, however, contend that the SW Park proposal, as it stands now, falls short on these counts:

1) to draw fully upon the possibility of progressive, active and visionary leadership;

2) to put enough value on Ithaca's neighborhood character to prevent incursion by more retail development, with the street-widening and enormous increase in traffic that this implies;

3) to draw upon the tremendous resources at Cornell that could be harnessed for eco-industrial development that makes best use of the SW Park site, making use of social accounting matrix analysis, participatory planning, and the other methods that would mark the holistic development plan from a short/medium-term pursuit of tax base.
77. Arthur (332) The Department of Planning and Development should consider the Southwest Land Use Committee's guidelines and recommendations for this area. This committee was charged by the City to come up with a comprehensive recommendations for the development of the Southwest Park area. Let's pay attention to its report and heed its recommendations.

78. Murray (234) Retail development in urban areas is more compact, thus less open space is developed.

Retail development outside of the urban core will lead to additional housing subdivision development. Look at the historical example of Pyramid Mall trying to locate in the city, and after locating in Lansing, catalyzing an explosion of housing development in that area. Developing open space in the city will end up protecting a greater amount of open space outside of the city.

The Town of Ithaca is being aggressive in its programs to protect open space. It is acquiring development rights to agricultural lands and creating conservation easement districts. Their program is based, in part, on the town's designation of the city as its (the town's) commercial center, thus freeing up the town to protect more open space.

The land to be developed is not farmland and is not located on Much of the land has already been substantially altered, having been used as a dump site or a fill site.

Housing is not appropriate for this area. Two different focus groups convened five years apart came up with this same conclusion. There are also other locations where new housing could be developed. A quick look at the city's GIS web site shows over one hundred acres of vacant land throughout the city that is conducive to residential development.

Ithaca does not need another new large park. If anything, it needs more small neighborhood parks. Ithaca already has more than twice the statewide average of parkland as a percentage of total lands (11% vs 5%).

There are other opportunities for new parkland in the city that is not prime commercial property.
The new commercial area should not be built in a New Urbanist manner. This type of development recreates the downtown environment, thus creating a competing area to the existing downtown. The new commercial development should be focused on large and medium boxes that will most likely not directly compete with downtown.

79. Sholeen (158) I am also a person who walks along the dike and enjoys the view and solitude of the area. If the dike will be left for walking, then the shopping and walking can cohabitate.

80. Walker (65) 3. SOUTHWEST PARK AS ECOINDUSTRIAL PARK AND PEOPLE TO MAKE IT HAPPEN

Under the current Southwest Park proposal, the 50 acres of the old landfill site, which operated for 20 years, is understood as a liability, a source of additional complications and costs. In particular, the dGEIS contemplates porous paving for accommodating slow methane release well into the future.

Ironically, however, those 50 acres of landfill methane may be a tremendous resource for local power production. An ecoinustrial park, drawing its energy resources from locally harnessed methane could take the place of the proposed retail complex. One 30-acre landfill site, with one million tons of waste in Barre, Massachusetts generates 800 KW of electricity for the local community; it is expected to supply energy for 20 years (BioCycle 1998)4. The SW Park site likely has similar potential. Methane-to-energy projects reduce greenhouse emissions, provide a low-cost of energy, "enhances...[a city's] image as an innovative community", reduces odors, provides for a safer landfill and reduces legal liabilities (Public Management 19985, Valenti 19926, American City & Country 19977)....

81. Byard (347) Other alternatives which were not considered are to develop a greenway/park/natural area to encourage tourism and increase

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the quality of life here, or very small scale development on a limited portion of the land that are not owned by the city.

82. Bauman (102) The dGEIS also doesn't show an alternative in which that same site is turned into a city park, contiguous with the city parkland behind it. Possibilities such as ball fields, picnic areas, and open spaces for enjoyment of the natural area should be included in the dGEIS.

83. Bobrow and Rodgers (311) The City could turn portions of the Southwest into an innovative new neighborhood, or it could create a high-tech/research park intended to help locally-owned enterprises get started or grow, and to produce jobs with better pay/benefits and more promise than the minimum-wage, no-benefit positions that typically accompany large-scale retail.

84. Kolva (181) What would I suggest? A much smaller, much more upscale "mixed" development, with about 50% of the land kept in green space or new water features (ponds).

Put parking in the least obtrusive place, and have buildings facing the water and greenery. I have seen this approach in many waterfronts in other cities, and it is much better than the "big box slum" shown in the DGEIS.

It would probably produce greater net tax revenues, have less infrastructure cost, and would increase the value of the city instead of adding an eyesore.

85. Bem (180) LOST OPPORTUNITIES FOR GOOD JOBS & HOUSING....The City could turn portions of the Southwest into an innovative new neighborhood, or it could create a high-tech or research park intended to help locally-owned enterprises get started or grow, and to produce jobs with better pay/benefits and more promise than the minimum-wage, no-benefit positions that typically accompany large-scale retail.

86. Seitz (59) Retail space is absolutely the last thing that should be considered for the Southwest area. There is already much empty retail space in the City and encouraging retail development in Southwest could kill an already troubled downtown.
...If this area is developed, it should only be used for low and middle income housing along with offices, light industry and parkland. This way people can live near where they work and can afford to live in a pleasant, scenic environment with open space filled with many recreational possibilities, including bicycle and pedestrian trails.

Let's bring back the days of open space. Residents of Ithaca and Tompkins County could enjoy the meadows and fairgrounds of the Southwest. Let's bring back some affordable housing to make up the more than 30 houses demolished and 185 parcels of land taken to make way for the flood control channel. Old trees should be saved, wetlands and wildlife should be preserved. Inevitable flooding should be accommodated, not pushed onto other businesses and neighborhoods.

And finally what should be done with the Widewaters site? If removing the newly placed fill is impractical, then let's use this site for ballfields in the new Southwest Park. Kids and adults can safely ride their bikes on the new scenic Black Diamond Trail to Buttermilk Falls and to the new Widewaters ballpark and playground.

87. Flood (87) I see that on your proposals that you have some new access roads in mind. If you were to develop it, you should close all of the entrances to all of the businesses, particularly on the west side of Route 13, and make them all accessible from those access roads. It would be safer for everyone.

88. Papatonis (55) We should call it the Southwest recreation area and we should build a recreation area there. We should put some bike trails in there, playground in there. We should put a winter sports park in there. I think a winter sports park would attract a lot of people to Ithaca for the -- little ice-skating rink. I know we already have one, but we could put a toboggan shoot in there. That would be a perfect area in the wintertime. It's snowing outside right now. You know, we could put like a toboggan shoot in and during the wintertime utilize it as a winter sports park area.

During the summer we could have tennis courts there. We could also add some small additional parking like towards Route 13,
turn all of that empty space there across from Buttermilk Falls into like a small parking area....

We should aim this recreation park and gear it towards all ages and put all different kinds of things in there. You could even put a little nature center over there where people could check out birds and owls and all different animals that live in the area of the park.

Another good use for that area would be to put an information booth in. People who are coming to Ithaca for the first time -- I don't know if you've ever traveled on roads, but when you go into different towns people have little tourist centers, kiosk-type small booths where people can stop in, get information about tourism, where they can go to launch their boats, hotels that they can stay in. We could man the booth, you know, with somebody working in it so that people could just go in and find out information about what there is to do in the area.

89. Gaerhart (89) I think it's a good idea to expand it as a recreational area drawing in tourism and making it more enjoyable for everyone in the community.

90. Peterson (96) Not long ago Susan and I stayed for several days at Hilton Head Island in South Carolina. The area, many of you may be familiar with it, is famed for its scenic beauty, bird sanctuaries, beaches and parks. And of course large numbers of tourists go there, enjoy themselves and spend lots of money.

One of the first things I noticed when we arrived was that all the chain stores looked more like hunting lodges or buildings in a state park than their counterparts in most of America. Extensive buffers of trees separated their parking lots from the roads. The typical garish neon colors with which they usually like to paint their stores had been replaced by muted browns and greens which blended into the environment. Except for the small, carved wood sign which let me know very clearly that I was approaching say Burger King, I might have thought I was driving past a park ranger's headquarters.

Elsewhere on the island large areas of important wetlands, beaches and forests are permanently off limit to development.
Are these people nuts? Or is there a reason, wisdom, and above all, profit in their plan for the development of Hilton Head? There certainly seemed to be large numbers of well-to-do people around spending lots of money.

91. Ritchie (268) A mixture of small-scale retail, small enterprise, office, and a limited number of large-scale retail establishments should be promoted in the developed portion of Southwest Park.

These recommendations would allow a major increase in the City's tax base and yet restrict the increase in traffic volume and distribution impact so that only access roads and internal circulation roads would need to be built (according to Alternative 3). New "connector" or "extension" or "through" roads and bridges will not be needed, and the specter of re-creating octopus-like conditions in the West End web of roads will be avoided. Proposed mitigation measures would be more effective for not having to control as much additional traffic. In addition, the initial outlay for the roads and utilities infrastructure would be reduced, attracting developers and allowing the City the best chance to negotiate for those costs to be borne by the developers. Promoting a mixture of establishment types, rather than strictly retail, would push up the possibility that good-paying jobs will be included along with the minimum-wage jobs that retail stores provide.

92. Ritchie (268) (C) All large-scale retail stores should be located in the central Southwest Park area behind the existing Route 13 corridor development which extends from the K-Mart plaza south to Wickes and Commercial Ave. No large-scale store or large mall-like structure with its accompanying acres of parking spaces should be built opposite Buttermilk Falls State Park, on the current Widewaters plot. If any development is located there, it should be buffered, individually-sited buildings supporting offices and small enterprises, with correspondingly small parking lots.

93. Ritchie (268) (D) The flood-plain forest along the Flood Control Channel should be preserved and integrated into the undeveloped part of Southwest Park and the proposed Black Diamond trail.
The advantages from concentrating the large-scale retail stores near the two proposed access roads from Route 13 (indicated in Alternative 3) are immediate traffic access and circulation efficiency with minimum road-building. Not allowing large structures and large paved areas on the Widewaters plot will maintain the views both toward Buttermilk Falls State Park and from within that Park. The Widewaters plot would then include a park-like corridor for the Black Diamond trail, and could be connected to the state park across the highway by using the former railroad embankment and abutments for a pedestrian and bicycle bridge. Retaining the existing flood-plain forest will provide visual shielding and noise abatement west of the intensively developed area of Southwest Park, and is a cited feature in the draft GEIS. Retaining the few amenities that now exist there is important.

Response: Comments noted. The Common Council will consider the above ideas and others during discussions prior to voting on whether or not to adopt the Southwest Area Land Use Plan and what types of uses should be encouraged and/or excluded.

3.13 General Site Plan

SUMMARY

A wide range of topics, from solid waste to rezoning issues, are contained in the following comments.

94. Tompkins County Planning (218) Identification of Thresholds and Adequacy of Mitigation. The dGEIS identifies proposed mitigation for various impacts. However, it does not outline when impact thresholds are exceeded, mitigation is considered not sufficient, or when another SEQQR action can be triggered. In addition, the dGEIS does not identify to what degree the measures will mitigate the identified impacts.

95. Tompkins County Planning (218) Summary of Impacts Table – Page ES-2. Unavoidable impacts related to this project should be identified. For example, this plan will result in the permanent loss of existing plant and animal habitat and is unavoidable. The
Executive Summary is a critical portion of this document and will serve to inform the majority of dGEIS readers. Therefore, it should outline all identified impacts, the proposed mitigation and the unavoidable and irretrievable commitment of resources.

Response: Please refer to Section 1, “Executive Summary” of this FGEIS for responses to the two above comments. The Executive Summary contains details concerning infrastructure and mitigation improvements and thresholds, as well as a revised table of impacts.

96. Tompkins County Planning (218) Signage. In an effort to encourage multimodal access to the proposed project area, signage should appeal to pedestrians and bicyclists, rather than just automobile drivers.

Response: Comment noted. The Design Guidelines include signage related recommendations, as does the City of Ithaca Sign Ordinance.

97. Town of Ithaca (219) Section 2.12 - Cultural Resources (pp. 2-63, 2-64): The house at 112 W. Buttermilk Falls Road, just inside the Town of Ithaca boundary, and immediately adjacent to the Levee parcels F4 and F5 on GEIS Study Area Location Map, may be eligible for listing in the National Register of Historic Places. According to preliminary research conducted for the Town, this house was constructed in or around 1850 and typifies a nineteenth-century house designed in the Greek Revival Style. No mention has been made in the dGEIS of this potentially significant resource immediately adjacent to the project site. The cultural resource study section of the dGEIS should be amended to include a reference to this house.

Response: Note response in Section 3, “Proposed Widewaters Development” concerning the cultural resources surveys performed on those parcels and in the Southwest Area. The house in question is not proposed to be affected by adoption of the SALUP or subsequent activities.

98. Wegmans (252) Page ES-3, second paragraph: “Rezoning of the area to a mixed use classification would have primarily positive impacts to the land use and zoning.” Please clarify how the rezoning would have a positive impact on zoning.
Response: The DGEIS states that "under existing zoning regulations, incremental development may lack consistent design and layout characteristics that may create a less visually unified landscape." Incremental development may also result in parking, access, and other (transportation) issues which are not coordinated, shared, or compatible. The adoption of the Southwest Area Land Use Plan and subsequent rezoning will help ensure that development proceeds along a pre-determined course and that project elements are coordinated and shared where feasible. In particular, infrastructure and transportation improvements can be coordinated and consistent design guidelines enforced.

99. Wegmans (252) Page 1-2, third paragraph: "The public purpose of planning efforts such as the Plan..." Why is the city leading the effort to rezone and develop this particular area? Wouldn't this be a benefit to the present owners?

Response: Given that the site is a significant portion of the City's remaining vacant land area, that the City owns some of the land, and that an alienation process is required and underway, the City believes that it is the most appropriate body to lead this rezoning effort. Furthermore, the City is the only agency with the authority to carry out the rezoning.

100. Wegmans (252) Page ES-2, Summary of Impacts: Under the Solid Waste Element there is no mention of any positive or adverse impacts. One can assume that solid waste would increase under any development alternative.

101. Wegmans (252) Page ES-4, fifth paragraph: "Adoption and implementation of the plan is not expected to have any substantial adverse impacts on solid waste resources." The amount of solid waste would increase under the Plan.

Response: It is a realistic observation that the amount of solid waste generated in the City would increase under any development alternative approved in the SALUP. An estimate of the amount was not provided in the DGEIS as it depends directly on the uses which ultimately are constructed. The Lead Agency believes that there are adequate solid waste disposal resources
to handle any volume of waste reasonably foreseeable as a result of the project.

102. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on land, second paragraph: There is no mention of the previous reports or applications and why they were rejected. Wouldn’t the same reasons for rejection still be valid today?

103. Wegmans (252) Long Environmental Assessment Form – Part III: Public Controversy Concerning the Project, first paragraph: “There have been concerns expressed regarding the potential large-scale development...” The previous applications and the controversy and ultimate denial by the City has not addressed in this statement.

Response: The commenter is assumed to be speaking of the former proposed Wal-Mart development on the Widewaters site. As has been detailed in Section 3, Widewaters is subject to both SEQRA and site plan reviews. While Wal-Mart’s application was ultimately rejected, the Widewaters project is markedly different. The Planning Board and other reviewing agencies are free to consider the records from the Wal-Mart reviews, but the Widewaters project, and indeed all other projects which may come before the Planning Board as part of the proposed Southwest Area development, will be judged on their own merits and whether their impacts can be satisfactorily mitigated.

104. Tompkins County Planning (218) Design Guidelines. The approval of the fGEIS and the proposed action must be consistent with and contingent upon approval of the proposed Draft Design Guidelines. If the Draft Design Guidelines are modified after the completion of the fGEIS then another review is warranted. Will variances to the Design Guidelines be permitted? Please outline any known deviations from the Guidelines presented in the dGEIS.

105. Tompkins County Planning (218) Density. The dGEIS indicates a maximum two-story building height, to follow the horizontal lines of the surrounding landscape, rather than a four-story height as recommended in the Draft Design Guidelines. By limiting the building height, the dGEIS promotes sprawl development and reduces the amount of area available for open space and
environmental mitigation. Please resolve this conflict between the proposed Plan and the Draft Design Guidelines.

106. Tompkins County Planning (218) Community Plazas. The Draft Design Guidelines describe 'community plazas' that should exist within the project area, however these are not included in any of the DGEIS alternatives or addressed in the text. Please provide more information on the intended placement of community plazas.

Response: Community plazas are shown in DGEIS Figures 2-6; the confusion may lie in the fact that the hatching of the plazas does not match the hatching in the legends for the figures. The Design Guidelines are being drafted and modified in a parallel, but separate, process from the SEQRA review for the Southwest Area Land Use Plan. While the Design Guidelines are intended to be recommendations for development and are not part of the SALUP, the reviewing agencies will insist that projects conform to the Guidelines to the greatest extent feasible. It should be noted that the guidelines will be modified to reflect the recommendations of the GEIS, and not vice versa.

The DGEIS does recommend a maximum building height of two stories to minimize visual impacts, and the Design Guidelines should be changed to recommend the same. The number, location, and size of the community plazas are design elements similar to walkways and landscaping, and as such their locations are subject to change depending on individual project characteristics.

SECTION 4.0 DESIGN GUIDELINES

SUMMARY

Numerous comments on the draft version of the Design Guidelines were received as part of comments on the DGEIS.

107. Nutter (151) The Design Guidelines have some positive items, some which need changing, and some which need adding in order to ensure good bicycle and pedestrian accommodation, and which we know from recent local experience tend to be omitted by road designers.
There are serious questions as to how we can be assured that the guidelines will be followed, in light of the recent Planning Board action which allowed a sidewalk gap to remain beside Maguire Ford on the SW corner of Meadow and Clinton. Specific bike/ped issues in the design guidelines mentioned below apply to the Elmira Road – Meadow Street Corridor as well as the Southwest Area Land Use Plan:

bike/ped items worth supporting:
* 2-lane roads as standard (except Route 13);
* standard (2 each): 11’ (10’ min) motor lanes, 5’ bike lanes, 10’ tree lawns, and 8’ walkways;
* 3-lane option adds 10’ in center for left turn, otherwise to be tree lawn;
* bike, ped, and bus routes link to existing and proposed routes;
* traffic calming techniques used;
* sufficient off-street parking so on-street parking not required;
* bikeways extend to building entrances;
* adequate, convenient, secure bike parking;
* trails linked to SW Area;
* sidewalks continue across driveways;
* curbs to separate parking from pedestrian traffic;
* minimum 50’ vegetative buffers to parklands and trails from development (note: this may not be sufficient considering the scale of some development);

bike/ped items needing changes:
* the bike plan was incorrectly described as to streets and priorities;
* re-striping of Route 13 for bike lanes throughout the Southwest area is in Phase One of the Ithaca Bicycle Plan passed in October, 1998. This should be done when the road is next re-striped, and should be stated in the Guidelines;
* be upfront about minimum widths for motor lanes, walkways, and tree lawns (not just hidden in a caption);
* minimum width of 6’ instead of 5’ for sidewalks, including Route 13;
* sidewalks are more important than tree lawns if a choice must be made;
* photo of hard-to-use, bike-damaging bike rack should be identified as such or replaced;
* the wide shoulders on the 200 block of Elmira Road should be striped and stenciled for pedestrian and bicycle use until better
facilities on this block are available, and to aid traffic calming; long-term b/p accommodation there should be outlined;
* acknowledge that the Southwest Area is a legitimate pedestrian and bicycle destination, including the commercial sites (even car-related ones, which are not the majority);
* acknowledge that bike lanes and sidewalks will help bike and ped travel overcome the deterrents of motor traffic volume and speed;

bike/ped items to add:
* separate wheelchair ramps for each direction at intersections, not a combined diagonal;
* permanently marked crosswalks across all arms of all intersections;
* pedestrian-activated "walk" signals which promptly stop all traffic across the crosswalk at all signalized intersections;
* no two-way left turn lanes;
* pedestrian crossing refuges in the middle of long blocks;
* drainage systems not in bike lane, and not of design which interferes with bicycling;
* metal surfaces not placed in bike lanes;
* bike lanes dashed at approaches to intersections and driveways, indicating possible conflicting movements and the need for drivers and riders to merge before making them rather than cutting each other off;
* bus stop pull-offs to the right of bike lanes;
* marked sensors which detect bicycles at all intersections with signals not on timers;
* signal timing to allow bicycles in line to proceed through green light;
* specified clearances and dimensions for bike rack areas;
* convenient taxi pick-up/drop off areas at all commercial areas, which do not conflict with pedestrian or motor traffic.
* W.Clinton St/Malone Drive to have continuous sidewalks on both sides for its entire length (to resolve any ambiguity or loophole as to coverage);

108. Nutter (151) 6) p1-2 "The 1998 Addendum also included expanded guidelines so that potential development encouraged by the Plan would be:

* buffered from existing and proposed residential and recreational uses;
*subject to design guidelines covering... provision of safe pedestrian, bicycle and vehicle circulation, and building design..."

The 1998 Addendum says (p8), "As the plan's recommended land uses involve areas where parkland, the Black Diamond recreation trail and existing residential areas abut commercial uses, screening and buffering are endorsed to mitigate negative impacts of commercial development. In particular...

*Between new buildings and parking lots in an expanded Cherry Street Industrial Park and the Black Diamond Trail."

The dGEIS should also include screening and buffering between any development on the levee parcels and the spur of the Black Diamond Trail being built by the City of Ithaca on the railroad grade along the City line and crossing over Route 13 on a new bridge to connect with Buttermilk Falls State Park. This railroad grade was purchased by State Parks for this purpose in the 1980s.

The dGEIS should specify that screening and buffering width should come from the lands on which commercial or industrial uses occur, not be solely taken from the land on which residential and recreational uses occur, but if necessary, additional screening along trail right-of-ways should be paid for by the commercial/industrial development.

The 1998 Addendum (p10) specifies: "Design Guidelines and Criteria...Circulation: Each development shall provide adequate and safe pedestrian bicycle and vehicular access...Parking: Each development shall provide parking areas for vehicles and bicycles in conjunction with landscaping and retention of natural areas." This is good.

Regarding the October 15, 1999, Draft Design Guidelines:

A major concern is how well the "Guidelines" will ensure that actual projects reflect their intent. Experience suggests that, in order for bicycle and pedestrian accommodation be included in the face of pleas by landowners or others not to add expenses or change plans, or claims that there is insufficient demand for bicycle or pedestrian facilities, these "guidelines" need to be more...
firm and mandatory than mere "guidelines", which are too easily overridden or dismissed.

In recent years there have been a number of design elements missing from projects in our area which have greatly affected how usable the roads and developments have been for pedestrians and bicycle users. Ithaca can learn from this experience and make the Southwest Area/ Elmira - Meadow Corridor pedestrian- and bicycle-friendly, whether the development being considered is new or old. The items suggested below are neither novel, nor expensive, nor difficult to include. They all are standard in various locales. By making the changes to the "guidelines" listed below, and making the described design elements standard in Ithaca, travel by these previously poorly served modes can be made more comfortable and convenient, and their usage can be greatly increased while also becoming safer. This will allow the Southwest Area/ Elmira - Meadow Corridor to become better tied to the community and be a less alienating developed environment.

109. Nutter (151) 1) Regarding the "Draft Design Guidelines for the Southwest Area Land Use Plan and Elmira Road - Meadow Street Corridor" of October 15, 1999, the following elements should be supported for bicycle and pedestrian travel:

Southwest Area:

a) p3: "Typical collector street rights-of-way include two (2) 11' vehicular lanes, 5' bikeways on both sides, 10' treelauns and 8' walkways on both sides...In addition, boulevards should have a 10' central turning lane and when not a turning lane, a reciprocal 10' tree lawn."

b) p3: "Sidewalks, bikeways and transit routes should link into existing and proposed systems wherever possible."

c) p13: "Traffic calming techniques should be used where appropriate throughout the street system."

d) p8: "All parking, loading, and unloading areas must be sufficient to serve the retail, office, light industrial or residential land uses without using adjacent streets. This appears to mean there will be no parking on streets, which is good because bike lanes and sightlines between all modes will not be blocked."

e) p13: "on-road bicycle network should extend to and through development parcels in a safe and logical manner, terminating
near building entrances. Adequate bike parking should be provided in all cases. The proposed Black Diamond and Cayuga Inlet trails will be linked to the Southwest Area Land Use Plan through coordinated design efforts with the Finger Lakes Region of the New York State Office of Parks and Recreation and Historic Preservation (OPRHP). ...[see 2a below]...However, bikeways in the study area should be constructed with any new roadway installation project. All commercial businesses, places of employment and residential areas should provide bicycle parking that is convenient and secure. The illustration below is an example of a proposed bicycle parking detail, referred to in the Ithaca Bicycle Plan as a Class III bicycle parking facility or "inverted U" rack. Illustration G - inverted "U" bicycle rack, direct buried into pavement."

f) p15 "No curb cuts are allowed from streets. Drop curbs only are acceptable for off-street driveways to allow for a continuous uninterrupted sidewalk parallel to the street curbs." This indicates that driveways clearly cross sidewalks, instead of sidewalks having a gap, and indicates that motor vehicles should slow when entering driveways and must yield to pedestrians.

g) p29: "Development adjacent to parklands, greenways or public trails to require vegetative buffers of not less than 50'-0".

Elmira - Meadow Corridor:

h) p55 "Elmira Road and Meadow Street should have a 10'-0" tree lawn adjacent to the existing curb for all new and rehabilitation construction."

i) p55 "No curb cuts will be allowed from streets. Drop curbs only are acceptable from Elmira Road or Meadow Street to allow for a continuous uninterrupted sidewalk parallel to the street curbs."

j) p61 "Parking areas will be constructed with curbs to separate vehicular and pedestrian traffic...

k) p66 "All commercial businesses and offices should provide adequate bicycle parking that is convenient and secure."

110. Nutter (151) 2) The following elements of the Draft Design Guidelines for the Southwest Area Land Use Plan should be changed in order to support bicycle and pedestrian transportation:

Southwest Area:
a) "Bikeway linkage along Meadow Street is identified as part of the long-term bikeway route network." This sentence snipped from p13 above is incorrect. In the Ithaca Bicycle Plan approved in October 1998 Meadow Street, Elmira Road, and Spencer Road are in the Phase One Bikeway Route Network. In addition, South Titus Avenue and West Clinton Street (soon to be renamed Malone Drive) are in the Long-Term Bikeway Route Network. The Phase One routes are high priority and may be implemented with existing funding. Long-term routes should be implemented when funding is available or opportunities arise such as with street work (including repaving and restriping).

b) Clarify/specify that the boulevard center strip is not to be a two-way left turn lane (TWLTL). TWLTLs have been shown to be dangerous to traffic on the street and to pedestrians crossing the street. TWLTLs which are narrower than those on Route 13 are somewhat less dangerous. Still, the existing TWLTLs on Route 13 should be remade into a 10' wide strip to serve as green space, one way left turn lane, and pedestrian crossing refuges in long blocks.

c) p6 In small print below illustration: "Note: Travel lanes may be reduced only as required to 10' 0"." This 10' minimum should be stated more clearly on p3 and should apply to the Elmira - Meadow corridor as well.

d) Sidewalks should be at least 6' wide (This contrasts with the Guidelines which call for a standard of 8' walkways, but notes on p6 sidewalks "may be reduced as required to" 5'). The minimum should be stated more clearly on p3.

e) Curb lawns of 10' are desirable but a lesser minimum may be acceptable, for instance, if necessary in order to provide room for a minimum width walkway.

f) On p14 "Illustration G1 - Example of existing bicycle rack in a landscape area related to commercial development." This picture, which might be mistaken for another example of proposed bicycle parking as in Illustration G, should either be replaced or clearly identified as a bike rack of poor design. It is neither secure nor easily used and can easily damage the bicycle. This type of rack is easily removed instead of set into the pavement. If used as designed it can bend bicycle wheels and be extremely difficult to lock to a bike frame, especially with a U-lock. In order to lock the bike frame securely, such racks are often used "improperly" (which is unsightly): either the front wheel of the bike must be hoisted awkwardly over the rack to rest the bike frame on the crossbar and likely damage the paint on the
bike, or the bike is put along the end of the rack, or the bike is rested parallel to the rack along the center, which blocks the design space for numerous other bikes.

g) Descriptions are given for "collector streets" (p3, p6) with sidewalks, tree lawns and bike lanes. This should be clarified to apply to:

* any extension southward of Taughannock Blvd;
* W. Clinton/Malone all the way between Meadow and Cherry Streets to connect to the Black Diamond Trail where it is to cross the Flood Control Channel;
* any new road in the Southwest Area, including possible roads to the Widewaters site, but with the possible exception of short residential streets which are traffic calmed and serve only local traffic.

Elmira Meadow Corridor:
h) p55 "Separate pedestrian system and bikeways, where practicable, should occur on all streets." This is ambiguous. Does it mean that the pedestrian system and bikeways should be separate from each other or separate from the street? It does not appear practical to install a bikeways separate from both the sidewalk and the street along Route 13 to serve the many destinations there or to serve through travel. Certainly the "pedestrian system and bikeways... should occur on all streets". On Route 13 in the Southwest Area the pedestrian system should be separated from the street by a curb lawn and there should be bike lanes and stencils in the street. Currently many bicycle users ride in the pedestrian way (including sidewalks and "goatpaths"). This should be reduced and made safer by marking on-street bicycle facilities. However, the current City ordinance prohibiting riding on sidewalks by anyone over the age of ten "except cripples who cannot walk" is overly restrictive and in need of revision, and some amount of sidewalk bicycle riding is to be expected, which must be done in a manner respectful of pedestrians.

i) p56 "Old Elmira Road does not conform to continuous curbline considerations." This should be clarified as to whether the 100 and 200 block of Elmira Road should conform in the future to the curb and sidewalks rules in the document. If not, the document should say what guidelines would accommodate bicycle and pedestrian travel on these two blocks. Meanwhile, the existing wide shoulders be striped and stenciled now signifying and helping protect both bicycle and pedestrian use, and this should
also be specified. 

j) p66 "The current Ithaca Bicycle Plan provides for a long-term bicycle route via the road network, specifically Clinton and Meadow Streets. Informal bicycle use would occur on cross streets to the corridor such as Wood and Plain Streets. The long-term future bicycle route on Elmira Road, Meadow Street, and potentially Old Elmira Road may not generate a great amount of bicycle traffic due to the volume and speed of vehicular traffic and land use types such as automotive-related facilities. The number of bicycle parking spaces should be proposed as related to development types. Each site should have provisions for one parking space." See 2a, above for correction regarding "long-term future" status of bicycle routes on relevant streets in the approved bicycle plan. "Informal" is a confusing descriptor and should be discarded. Bicycle use is legal and to be expected on all streets, but bike lanes are not proposed on lower volume streets, and bicycles are planned to be further accommodated by traffic calming on Wood Street.

With good facilities, bicycle use, as well as pedestrian use, is to be expected in commercial areas by customers and employees and by through travelers on the corridor. Even automotive-related facilities can expect bicycle, as well as pedestrian travel, by customers picking up car parts or completing a round-trip to pick up or drop off a car for repair or rent. But while automotive businesses are prominent, most businesses in the Elmira-Meadow corridor are not car-related. The negative effect of traffic volume and speed on bicycle use will be greatly offset by marked bike lanes. The speed limit is 30mph. Actual speeds are currently closer to 35mph at many times, but bike lanes can have a traffic calming effect which will aid in enforcement. The minimum bike parking should be a single inverted U bike rack which would accommodate 2 bicycles.

k) p67 "All walkways within the public right-of-ways should be 5'-0" in width and constructed of reinforced concrete. Sidewalks outside the right-of-way may be concrete or decorative concrete pavers." The minimum sidewalk width, where there are constraints, should be 5'. Sidewalks of 6' or greater width are preferable.

l) p61 "Parking shall be designed to provide easy, safe access to buildings." This should be clarified to include bicycle parking, safety and access; pedestrian safety and access between buildings
and parked cars; and pedestrian safety and access past parking areas while traveling between buildings and roads.

111. Nutter (151) 3) The following additions to the Draft Design Guidelines for the Southwest Area Land Use Plan are needed in order to ensure good accommodation of bicycle and pedestrian travel:

Southwest Area and Elmira - Meadow Corridor:

a) There should be separate wheelchair/stroller ramps for each direction at corners (instead of one diagonal ramp which sends wheeled people into the middle of the intersection and invites or allows motor vehicles to cut corners.
b) There should be crosswalks across all arms of all intersections.
c) Crosswalks should be boldly and permanently marked, such as which contrasting colored pavement or pavers, and should be textured to add emphasis to their importance to drivers.
d) There should be pedestrian-activated "walk" signals which promptly stop all traffic across the crosswalk at all signalized intersections.
e) There should be pedestrian refuges for crossing boulevards and Route 13 in long blocks (see 2b, above).
f) There should be good sightlines between sidewalks/crosswalks/pedestrian refuges and roadways (i.e., not blocked by vegetation in tree lawn, signage, etc.).
g) Drainage systems should not interfere with bicycling in width, material, or surface texture (i.e. should not extend out into bike lane or have grooved texture as in many grates in Octopus).
h) Metal surfaces (e.g. utility access covers) should not be placed in bike lanes.
i) Bike lanes should be dashed at approaches to intersections and driveways, indicating potential conflicting movements and the need for drivers and riders to merge before making such movements rather than cutting each other off.
j) Bus stops should have pull-offs large enough and to the right of bike lanes so that a stopped bus does not block bicycle travel.
k) Signalized intersections should have marked sensors which detect bicycles.
l) Clearances and dimensions of paved areas for bike racks should be specified.
m) There should be convenient pick-up/drop-off zones for motor vehicles, including taxis, which do not conflict with traffic flow in the parking lot, including pedestrians.
n) Clinton St/Malone Drive should have continuous sidewalks on both sides for its entire length including the bridge over the relief channel. Note that this street serves Wegmans, Nate's Floral Estates mobile home park, the Eagles Club, a church, and several businesses and will be a major connection to the Black Diamond Trail.

o) In the Elmira - Meadow corridor bike lanes should be painted and stenciled when the road is next re-striped. Programs should be started immediately to make the larger parking lots safer for pedestrians traveling between buildings and roads, and to install sidewalks (5' minimum) on all properties which currently lack them, so as to create a complete sidewalk system on both sides of the road. Tree lawns should not be required for these initial sidewalks, but later changes which require site plan review should require sidewalk setbacks. These complete pedestrian and bicycle systems have been needed for years but they should certainly be a prerequisite to any action, including development in the Southwest Area, which would increase traffic (motor, bicycle, or pedestrian) in this corridor.

112. Nutter (151) 8) p2-8 "The guidelines require 11-foot vehicular travel lanes, 5-foot bikeways, 10-foot tree lawn buffers and 8-foot pedestrian paths. Figure 14 presents a cross section....The...sidewalks, bikeways, and transit routes would link into existing and proposed City systems. A boulevard cross section would be similar except that a 10-foot planted island would separate the travel lanes." -See #6 above.

Response: Comments noted. The Design Guidelines propose measures to mitigate visual, lighting, and other impacts. Draft Guidelines have been developed and are being revised concurrently with the DGEIS. The Guidelines are a document separate from the DGEIS, have a separate review and adoption process, and will be adopted as changes to the City's Comprehensive Plan. Comments from the public concerning the Design Guidelines, including those above, were received as part of the DGEIS process; however, the bulk of the comments occurred in connection with public meetings held on the Design Guidelines themselves. The suggestions in the comments will be considered during the final drafting of the Guidelines rather than as part of this EIS.
SECTION 5.0 ALTERNATIVES

5.1 Site Plan Alternatives

SUMMARY

Several comments challenged the consideration of alternatives in the DGEIS. Some comments also suggested other development alternatives which should be considered, and others offer specific proposals.

113. NYSDEC (222) Alternatives: The DGEIS purports to discuss a range of alternatives. In reality, all these alternatives are a variation of the same theme.

114. Tompkins County Planning (218) Adequacy of Alternatives. Alternatives 1-6 vary in proposed land use however, the layout of development and its potential impact on existing conditions, do not appear to vary significantly (i.e. similar in loss of habitat, placement of major roads and development). This may be a result of the drainage (Alt. 4 and 6) and traffic patterns (Alt. 5) dictating future development, however these scenarios may not be the most appropriate designs if one of the other alternatives (Alt. 1, 2, or 3) are chosen. This supports our earlier statement that a separate evaluation of each proposed alternative is necessary for comparative purposes. Also, development illustrated for "A" does not change in any of the alternatives presented.

115. Tompkins County Planning (218) No Action Alternative. The Draft GEIS should include a no action alternative that evaluates the adverse effects or benefits on the environment, in the absence of the proposed action. The no action alternative also serves to characterize existing environmental conditions.

116. Tompkins County Planning (218) Preferred Alternative. It is unclear which alternative is considered the preferred alternative. Although this may not be required, the dGEIS should clearly state that all alternatives could occur if the Plan is adopted.

117. Tompkins County Planning (218) Evaluation of Each Proposed Alternative. The dGEIS must describe and evaluate the potential impact of each alternative separately, to allow for a comparative assessment among the alternatives. If any alternatives were
considered not feasible due to exceeding an impact threshold, it should be identified as non-viable and an explanation provided.

118. Town of Ithaca (219)  Section 2.2.1 – Land Use Impacts (pp. 2-6, 2-7): The dGEIS describes six alternative development scenarios. It would be helpful to also include another scenario describing current development potential under existing zoning. This would include a build-out analysis based on current zoning, which would provide a base-level comparison to help assess the relative impacts of the six possible development scenarios. [Note: The traffic analysis appears to factor in approximately 200,000 square feet of retail/commercial development under existing zoning. This may be relevant to the build-out analysis described above.]

119. Kiefer (267)  I. SEQR concerns.

Although six alternatives are described, and although possible environmental impacts are described, the DGEIS fails to analyze/discuss all of the impacts for each of the alternatives. Thus the full impact of any individual alternative is not addressed, which is, I believe, what is intended/required by the State Environmental Quality Review (SEQR) Act regulations. The draft should be revised to take care of this omission.

Although the "Widewaters site" is definitely part of the Southwest Area, this large development proposal is not scrutinized as part of this DGEIS, although its potential impacts are inextricably tied into those of any other development in this area. Segmentation of this sort is contrary to the intent of SEQR. A revised draft should remedy this omission.

120. Kiefer (267)  II. Consideration of Alternatives.

Among the development alternatives presented, one should be based on present zoning, which would provide a basis for comparison (as well as an understanding of how/why other nearby building projects have been allowed). A revised draft should include such an alternative.

Other than a "no development" option, it is possible to construct an environmentally sensitive option that would restrict
development from encroaching on existing wetlands, major vegetation, and the 100-year floodplain, and that would preserve the most important viewsheds. Although such more limited development would not immediately add so much to the tax base, it would provide a better way to analyze trade-offs. A revised draft should include analysis of such an option.

The five development alternative presented in this draft are insufficiently different to present a real choice of alternatives; I believe at least the two additional alternatives described above should be evaluated to help decision makers make use of the GEIS.

121. Natural Areas Commission (230) 2. The so-called "alternatives" to the proposed action should include an option that does not involve potential large-scale commercial development (as permitted under the current B-5 zone) on the entire site between the substitute parkland and Route 13. This alternative proposal could include a new commercial zoning designation intended to protect the view from trails at Buttermilk Falls State Park and to restrict the scale and scope of commercial development that could occur adjacent to the substitute parkland. Maximum height and size of buildings, and amount of impermeable surfaces, should be strictly regulated to reduce potential impacts on nearby parkland and natural areas. Drainage mitigation should be required on-site, wherever possible (i.e., not within the park).

122. Wegmans (252) Page 1-4, third paragraph: "Land Use and Scale Alternatives" Were other Land Use types (heavy industrial, manufacturing, warehousing, educational, institutional, governmental, recreational, multifamily, medical, etc.) investigated? Is the intent to specify one particular alternative for approval and recommendation? How do the present owners feel about this Plan?

123. Wegmans (252) Page 11-Scope, fourth paragraph: "Identify and examine the six development scenarios described..." Why weren't other development alternatives and land uses investigated?

124. Citizens’ Planning Alliance (CPA) (231) 1 The so-called "alternatives" to the proposed plan, as presented in the DGEIS, are incompletely and inadequately defined and evaluated (and, as such, do not satisfy
the requirements or spirit of City or State environmental review laws). There should be at least one alternative - such as the one we present here and call the "middle-ground alternative" - that coherently addresses repeated community concerns about the scale and nature of new development in the Southwest and about the need to preserve important natural features and resources in the area, while providing for new housing and for the expansion of retail opportunities and higher-quality jobs.

2. In our proposed "middle-ground alternative," most of the (privately-owned) former City dump parcel is rezoned for mixed uses - preferably retail, light industrial and research. On the attached conceptual site plan, up to 600,000 square feet of such space has been provided in one- and two-story buildings. (See the area labeled "A!" on attached black-and-white map.) The buildings are brought close to the roads, with parking behind, to create a pleasing urban environment appropriate for a City (as opposed to the suburban models presented in the DGEIS). Road corridors would link this area to Route 13 and Malone Blvd., such that the development here would be functionally independent from that on the original Southwest Park (and also buffered from it by the remnant floodplain hedgerow, which would remain undisturbed)....

Note that the general scale of commercial development proposed here in this "middle-ground alternative" resembles that shown in Alternative 3 in the DGEIS, though the proposed commercial development is moved further north and east from where it is shown on the DGEIS map. ...

7. All six "alternatives" illustrated in the DGEIS show exactly the same treatment of the so-called "Widewaters parcels" (between the flood control levee and the former railroad embankment along the City/Town boundary). In each of the DGEIS designs, the entire site remains zoned B-5 and is shown occupied by a very large retail structure (next to the substitute park boundary) with a large surrounding parking area.

However, this site is probably the most controversial one in the entire Southwest area, because of its proximity to Buttermilk Falls State Park, the substitute parklands, and the proposed bike route linking the Black Diamond Trail to South Hill (via the old railroad embankment at the City line and a future
bike/pedestrian bridge over Route 13). On the basis of a previous EIS (less than five years ago), the City determined that a 125,000 square-foot store on this site would have impacts that could not be mitigated.

The "middle-ground alternative" calls for more protective zoning intended to limit the scale of new development here, to reduce visual impacts on Buttermilk Falls State Park as well as visual and other impacts on the adjacent substitute parkland, and to provide for an appropriate public entrance to the new park/natural area from Route 13...

8. The 'middle-ground alternative" would reduce the following impacts identified in the DGEIS (compared to what could be expected with the DGEIS alternatives):

a. Effect of increased traffic on safety and functionality of existing streets and intersections;

b. Effect of increased traffic on quality of life in residential neighborhoods;

c. Effect on existing businesses (downtown and elsewhere);

d. Visual impacts (due to loss of vegetation and construction of large buildings and parking lots), including views from Buttermilk Falls State Park;

e. Loss of wetlands and woodland, plant and animal habitats;

f. Impact on existing (or planned) recreational resources and natural assets (Black Diamond Trail, substitute parkland, etc.);

g. Loss of permeable surfaces (and increase in runoff).

h. Public costs of infrastructure and maintenance.

125. Citizens Planning Alliance (231) 9. Assuming that because of the impacts associated with the scale of development envisioned in the proposed Southwest plan, the City will want to identify the limit of acceptable new development, the DGEIS does not offer sufficient guidance as to how the City could implement such a limit. The rezoning recommended in the DGEIS would, for
example, allow more new commercial space than Alternative 5 envisions.

The "middle-ground alternative," however, would do so by explicitly precluding development in certain environmentally sensitive areas, by crafting new zoning designations and by retaining City control over selection of an overall development plan for City-owned land (the original Southwest Park and adjacent parcel, and the Cherry Street Industrial Park extension).

126. Tompkins County EMC (204) Intensity of Proposed Development

The committee strongly recommends the selection of a development alternative which avoids, rather than mitigates, potential environmental impacts. While the alternatives mentioned in the DGEIS provide for varying levels of development, even the least intensive proposal requires destruction of existing vegetative buffers and construction in the 100-year floodplain. The committee feels that this is undesirable, and we encourage the City of Ithaca to restrict development away from existing vegetation and out of the 100-year floodplain. Furthermore, development can and should be avoided on or near existing wetlands or where viewsheds would be distinctly compromised. Ultimately, by developing those parcels which are most appropriate for commercial use, the City will provide a safe and healthy setting for businesses, residents and visitors.

127. Tompkins County EMC (204) Discussion of Alternatives

Although the DGEIS covers a good deal of information, it fails to directly relate the environmental impacts to each proposed alternative. Consequently, the cumulative impact of any one of the alternatives is not known or described, as is requested by the State Environmental Quality Review (SEQR) Act regulations. For example, while Section 2.3, Water Resources, evaluates the impacts of Alternatives 4 and 6, no alternatives are evaluated in the Fill Areas or Air Resources sections of the dGEIS.

128. Gougakis (34) Something I find very crucial to this study is the lack of comparisons with the lesser impact models like 3 + 4 designs. It
uses mostly 6 or 5. I feel (5 & 6) and (3 & 4) should of been compared. I feel these differences were very important.

129. CAC (220) According to State and City environmental review law, the dGEIS must consider a reasonable range of alternatives to the "action" being considered (adoption of the Southwest Area Land Use Plan, as currently proposed by the City). The dGEIS is grossly inadequate in meeting this requirement.

The only alternative listed in the "Alternatives" section of the dGEIS is the "no action" option. While in most cases, "no action" is a legitimate option, in this case, where the question is whether to adopt a comprehensive plan, it is not a reasonable one....

The GEIS should include at least one alternative that would provide for significant commercial expansion in the overall Southwest area, but would also result in much less intensive use of the Widdwaters site, and would preserve some or all of the existing wetlands and woods in the unfilled portions of the original Southwest Park and Cherry Street Industrial Park expansion parcel. Among the six concepts illustrated in the dGEIS, Concept 3 comes closest to accomplishing this balance, but it is not a sufficiently comprehensive or coherent alternative, as currently drawn; it is missing several of the important components mentioned above.

Since the City currently owns a significant amount of "developable" land in the Southwest area, it is in a position to consider development options that would allow for a more planned approach (such as Planned Unit Development for the northeasterly, filled portion of the original Southwest Park). By retaining ownership of this area (along the lines of the Cherry Street Industrial Park model), the City could solicit proposals for overall development of the site or manage future development consistent with an overall plan for the site that incorporates environmental protection and the most beneficial socio-economic options.

130. Hoffman (29) The key here is careful creative zoning and land use planning. If we can agree, for example, that 700,000 square feet of new development is enough, then the middle ground becomes visible.
If it's proven to be safe, we can rezone the entire former city dump area for commercial development and we can have new development in that area. But instead of rezoning all of the original Southwest Park, we can leave the southern half which is filled with wetlands and woodlands as a natural area. We can do the same with the property the City has just built for the extension of Cherry Street Industrial Park, the southern part of which includes wetlands and woodlands that could be preserved.

Essentially what I have described is a reconfigured version of alternative three. And the GEIS provides ample justification for restricting the scope of the new development as I have described. I hope that Common Council will be, will approach this issue very carefully and will look for the middle ground that I have described.

131. Hoffman (29) Perhaps the most serious flaw is [the DGEIS's] failure to include reasonable alternatives to the land use and development plan proposed by the City.

The DGEIS for the Southwest Area Land Use Plan includes neither the required range of genuine alternatives nor the depth of analysis (or "hard look") needed to evaluate such options in relation to the proposed action.

THE INADEQUACY OF THE "ALTERNATIVES" SECTION OF THE DGEIS

The "Alternatives" section of the DGEIS presents only the "no action" alternative (ie., no adoption of a comprehensive land use plan for the area). The entire section consists of only five short paragraphs and includes only broad, unsupported statements critical of this alternative, including misleading points. For example, the DGEIS says that without adoption of the SALUP as proposed, the City will not implement a comprehensive traffic calming program. In fact, City officials have repeatedly emphasized the City's unequivocal commitment to such an effort.

Although the DGEIS calls the "no action" alternative "reasonable," in fact, as described it is not, and there is no groundswell of public clamoring for "no action." The "no action" alternative makes for a very convenient "straw man," easy to knock over. This is far from the spirit of SEQRA or the City's
Environmental Quality Review ordinance, and it is not in the interest of arriving at a long-range plan that represents a true community consensus, through a careful, open-minded process.

132. Hoffman (29) WHY THE 6 "CONCEPT PLANS" ARE NOT REAL ALTERNATIVES

Even if the six "hypothetical concept plans" illustrated in the DGEIS were considered to be 11 alternatives to the proposed action," as that term is intended in State and City environmental quality review law, they do not provide serious alternatives to the major land use decisions called for in the SALUP, they do not address in a coherent manner the legitimate concerns that have been raised repeatedly in the community, and it is not clear from the DGEIS how the City could ensure that the development limits they represent would actually be adhered to.

1. In what I have called area I (THE LEVEE PARCELS), each of the six "concepts" calls for heavy commercial development of the entire site. In fact, exactly the same "hypothetical" store or mall (up to 200,000 square feet) and parking lot layout is shown in every design. There is no alternative that responds to the community request to protect the character and the "viewshed" of Buttermilk Falls State Park, immediately across the road (and uphill) from the site.

Nor is there an alternative that responds to community concern about the integrity of the new, substitute parkland, and the potentially damaging impacts of large-scale commercial development immediately adjacent to it. Each of the six designs assumes that any buffer intended to soften the impact of the commercial development must be located only within the park (ie., that none of it would be required to be located on the commercial property). None of the six concepts includes a separate entrance for the park from Route 13.

Finally, each of the six concepts includes a new roadway running along the north edge of the flood control levee and finally crossing it to enter the parking lot of the development shown on the Widewaters property. This roadway was not part of the Southwest Area Land Use Plan as proposed in 1998. It should not be added to the plan, due to its impact on the nearby substitute parkland and the fact that it will spoil the levee as a
highly attractive bicycle/pedestrian path connecting to the Black Diamond Trail. At the least, there should be one or more reasonable alternatives without this new road.

2. In area 2 (the proposed EXTENSION OF THE CHERRY STREET INDUSTRIAL PARK), the same development scheme is apparently used in each of the six concepts, calling for development of the entire site, with no effective buffer between the new development and the Black Diamond Trail or the mowed greenway along the Flood Control Channel. There is no alternative that preserves the existing, designated wetlands in the southern, unfilled portion of the site.

3. In area 3 (the ORIGINAL SOUTHWEST PARK), each of the six concepts involves elimination of most or all of the existing wetlands and emerging floodplain forest in the southern, unfilled portion of the original Southwest Park. Also, each of the six designs involves the destruction of an old hedgerow containing remnants of old-growth floodplain forest, along the eastern boundary of the original Southwest Park.

While Concept 3 involves only about half the total amount of new development that is called for in Concept 5, the development is located in such a way as to require serious disruption of the natural assets in the southern portion of the original Southwest Park. In addition, this Concept calls for a major new roadway (an extension of Cherry Street) to cut directly through the existing woods and wetlands. (I believe that Concept 3 could be modified without great difficulty such that the new development it calls for could be accommodated entirely within the former City dump area, without affecting the original Southwest Park parcel or requiring elimination of the old hedgerow.)

Furthermore, each of the six concepts assumes a market-driven development agenda for the original Southwest Park parcel, even though current public ownership allows for a substantially different and potentially more productive approach. The City expects that a market-driven approach will emphasize large-scale, absentee-owned retail and will likely exclude housing. A "planned unit development" or similar approach would allow the City to solicit and choose from proposals for development/use of the entire parcel according to a coherent plan intended to incorporate features important to the community. Many have
identified high-tech or information-based industry as desirable, because it offers higher-paying jobs with more promise than retail. Many want new development to maximize opportunities for expansion of locally-owned business or industry. Many support the creation of a new, innovative, mixed-use neighborhood (along "new urbanist" lines) that could expand housing options and reduce the most common type of sprawl in Tompkins County - low-density residential development in rural or suburban areas.

4. In area 4 (the FORMER CITY DUMP), each of the six concepts calls for heavy commercial development on the majority of the site. (While there is legitimate community concern about the contamination of this site and the long-overdue need for a comprehensive analysis and cleanup, I don't believe there is strong opposition to development per se on this site.)

133. Hoffman (29) WHAT A REAL, "MIDDLE-GROUND" ALTERNATIVE WOULD INCLUDE

The GEIS process should involve the consideration of real alternatives for at least three of the major development areas in the Southwest (with the possible exception of the former dump area). These alternatives should provide choices consistent with the concerns expressed by many citizens during the public comment period (and earlier), namely, opportunities for expanded retail and other desirable commercial and job-producing activities, but on a more moderate overall scale (accompanied by lesser impacts), incorporation of socially desirable development components that may not be addressed by a purely market-driven process, and protection of certain important natural assets in the areas.

These assets can be defined as follows:

*The integrity of the substitute parkland, which requires substantial buffering and distance from heavy commercial development (on the levee parcels or in the original Southwest Park).

*The character of and views from Buttermilk Falls State Park, which would be significantly impacted by large-scale commercial development on the nearby levee parcels.
*Existing wetlands and emerging floodplain forest in the southern, unfilled portions of the original Southwest Park and the Cherry Street Industrial Park expansion parcel, and the habitat they provide for wildlife.

*The existing hedgerow that includes remnants of old-growth flood plain forest, along the eastern boundary of the original Southwest Park.

*The existing, naturalistic character of the greenway corridor along the Flood Control Channel (intended to include the long-awaited Black Diamond Trail), which is framed by a substantial vegetative buffer to the east and the waterway to the west.

*The existing, naturalistic character of the planned routes of the Black Diamond Trail and its spurs through the Southwest area, including the path along the flood control levee.

134. Damiani (126) The DGEIS shows six alternatives -- so-called alternative plans for the big box development. But each of the six show the Widewaters big box in exactly the same location on all six maps. Right smack across from Buttermilk Falls State Park. Practically on top of the boundary of the substitute park land. The DGEIS is seriously lacking in not including any alternatives without a big box store.

From the maps in the DGEIS it appears that the decision was already made to allow Widewaters to build there, period. Case closed. No alternative site and no plan to design development in keeping with the substitute park land or the fragility and uniqueness of the environment adjacent to it, namely Buttermilk Falls State Park, the wetlands.

Optimally land use in the Widewaters area would be municipal park land or other uses that would emphasize open space or vegetation in character with the surrounding park settings.

This is a serious omission in the DGEIS. What surprises me, knowing the prolific artistic talent and artistry in Ithaca, is the total absence of a site design that weaves together the human and the natural. A human being is not just a consumer.
135. Crawford (147) In the DGEIS what I saw was mostly guidelines for alternative 6. I don't see a lot of discussion, a lot of explanation of or details in the other alternatives, which makes me -- leaves me with the uneasy feeling that we're going for the full stop development here. And I would like to see a little bit more attention paid to the other alternatives in the draft.

136. Bauman (102) The DGEIS needs to have alternatives for leaving the land undeveloped and for turning it into a city park, and show a comparison of costs with developing the land.

137. Bauman (102) The DGEIS has no alternative plan for leaving the land across from Buttermilk Falls State Park as natural, undeveloped land. All six alternatives show a large store and parking lot on that site. There should be an alternative that leaves the land natural, with the concomitant reduction in new costs, because an undeveloped parcel wouldn't need a new road to connect that area to the rest of Southwest Park, water or sewer lines, nor require additional police or fire services.

Response: Under current zoning, the maximum allowable buildout is shown in Table 5.1-1 (Parcel designations per DGEIS Figure 1). This buildout analysis assumed that parcels would be developed with maximum lot coverage (all impervious surfaces, including buildings) and maximum building square footage allowed under current zoning. Note that the table below corrects errors in DGEIS Table 2-2, "Study Area Zoning", which incorrectly recorded the zoning for Parcel E-1 and omitted Parcel D4:
Table 5.1-1: Buildout Analysis Under Current Zoning

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Size (acres/square feet)</th>
<th>Zone</th>
<th>Max. Sq. Ft. of Coverage (impervious surfaces) Under Current Zoning</th>
<th>Max. Sq. Ft. of Buildings Under Current Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>F1</td>
<td>4.87 (212,137 s.f.)</td>
<td>B-5</td>
<td>106,069 s.f.</td>
<td>80,035 s.f.</td>
</tr>
<tr>
<td>F2</td>
<td>17.96 (782,338 s.f.)</td>
<td>FW-1</td>
<td>Buildings not allowed.</td>
<td>Buildings not allowed.</td>
</tr>
<tr>
<td>F3</td>
<td>15.59 (679,100 s.f.)</td>
<td>FW-1</td>
<td>Buildings not allowed.</td>
<td>Buildings not allowed.</td>
</tr>
<tr>
<td>F4</td>
<td>0.32 (13,939 s.f.)</td>
<td>B-5</td>
<td>6,970 s.f.</td>
<td>3,485 s.f.</td>
</tr>
<tr>
<td>F5</td>
<td>4.23 (184,259 s.f.)</td>
<td>I-1</td>
<td>92,130 s.f.</td>
<td>46,065 s.f.</td>
</tr>
<tr>
<td>F6</td>
<td>16.16 (703,929 s.f.)</td>
<td>I-1</td>
<td>351,965 s.f.</td>
<td>175,983 s.f.</td>
</tr>
<tr>
<td>A</td>
<td>60 (2,613,600 s.f.)</td>
<td>P-1</td>
<td>914,760 s.f.</td>
<td>457,380 s.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(Note—max coverage permitted for park related uses, but would likely be far less than this figure)</td>
<td>(Note—max building s.f. permitted for park related uses, but would likely be far less than this figure)</td>
</tr>
<tr>
<td>B</td>
<td>6.62 (288,367 s.f.)</td>
<td>P-1</td>
<td>100,928 s.f.</td>
<td>50,464 s.f.</td>
</tr>
<tr>
<td>C</td>
<td>10.27 (447,361 s.f.)</td>
<td>I-1</td>
<td>223,681 s.f.</td>
<td>111,841 s.f.</td>
</tr>
<tr>
<td>D4</td>
<td>8.0 (348,480 s.f.)</td>
<td>I-1</td>
<td>174,240 s.f.</td>
<td>87,120 s.f.</td>
</tr>
<tr>
<td>E1</td>
<td>21.55 (938,718 s.f.)</td>
<td>B-5</td>
<td>469,359 s.f.</td>
<td>234,680 s.f.</td>
</tr>
<tr>
<td>E2</td>
<td>1.49 (64,904 s.f.)</td>
<td>MH-1</td>
<td>32,452 s.f.</td>
<td>16,226 s.f.</td>
</tr>
<tr>
<td>E3</td>
<td>36.07 (1,571,209 s.f.)</td>
<td>MH-1</td>
<td>785,605 s.f.</td>
<td>392,803 s.f.</td>
</tr>
<tr>
<td>Total Build Out Under Current Zoning</td>
<td></td>
<td></td>
<td>2,343,399 s.f.</td>
<td>1,198,702 s.f.</td>
</tr>
</tbody>
</table>

The adoption of the Southwest Area Land Use Plan will result in less development than would result under existing zoning. The
plan provides for a number of mitigation measures to ensure that development occurs in a coordinated fashion, therefore resulting in fewer impacts than would occur if development occurred in an uncoordinated fashion under existing zoning.

It is important to note that the action under consideration is the rezoning of the Southwest Area parcels from their existing zoning designations to a proposed Mixed-Use District (MU-1) zoning district, currently still under development and the name subject to change. The MU-1 district would be made up of the entire Southwest Park (Parcel A in DGEIS Figure 1), Parcel B, and the undeveloped portions of the MH-1 district (Parcels E-2 and E-3). A sub-district, MU-1a, is proposed for the developed areas along S. Meadow and Elmira Road. The proposed sub-district MU-1a is generally made up of all existing B-5, B-2a (Business), and I-1 (Industrial) districts along South Meadow Street and Elmira Road.

The proposed MU-1 and MU-1a districts would allow any use permitted in B-5 with the exception of Mobile homes. Therefore, the MU-1 and MU-1a districts would allow for a mix of land uses such as recreation, retail, office, entertainment, residential of all densities, light industrial and manufacturing. In addition to mobile homes, adult entertainment and heavy industry are also proposed to be prohibited in these new districts.

Per SEQRA 6 NYCRR Part 617.10, Generic EISs may present and analyze in general terms hypothetical scenarios that could and are likely to occur. In so doing, the intent of SEQRA is not to require analysis of every possible development option. Rather, the alternatives should be consistent with the sponsor's goals and objectives. In this action, the City's primary goals are to expand the tax base and provide employment and economic development opportunities without causing significant adverse environmental impacts. The range of alternatives considered by the DGEIS accomplished these objectives.

The DGEIS examined the impacts of a total of six hypothetical development scenarios which could occur in the Southwest Area under the current B-5 zoning, and the "No Action" alternative. The DGEIS also highlighted the impacts from Alternatives 5 and 6, which are the alternatives with the most intense uses. The purpose of the development scenarios was to identify the
levels of development that could be accommodated without significant adverse impacts. Alternatives 5 and 6, therefore, represented the “worst case” scenarios, and the DGEIS appropriately studied the potential impacts and possible mitigation measures for the worst cases.

The DGEIS identified that Alternative 5 represented the maximum level of development that can be accommodated without significant, unmitigatable adverse impact. The Lead Agency therefore anticipates finding that the development levels analyzed in Alternative 5 will represent the maximum permissible development level. The DGEIS and this FGEIS further identify required mitigation measures and the phasing or thresholds under which such measures will be required.

The final scope, components, and design of the Southwest Area development will be a function of private sector activities within the context of the rezoning, and the proposed MU-1/MU-1a zones permit a wide range of retail, light industrial, office, and residential uses. The specific layout of buildings, roads, parking areas, etc. will be a function of such private sector activities, and may vary from the severe layouts shown in the DGEIS.

Responses to comments regarding the Widewaters development can be found in Section 3, and responses to Open Space concerns can be found in Section 9, “Open Space and Recreation”.

5.2 Visual Analysis Alternatives

SUMMARY

The comments stated that the alternative plans presented in the DGEIS do not vary significantly and that a preferred alternative is not clearly stated. These two perceived deficiencies were felt to make evaluation of potential visual impacts difficult.

138. Tompkins County Planning (218) Adequacy of Alternatives. The lack of a preferred alternative makes any evaluation of visual impacts very difficult.
139. Tompkins County Planning (218) Adequacy of Alternatives. As mentioned earlier in this comment, the alternatives presented in dGEIS do not vary significantly in proposed land use. Therefore, the visual impact of the alternatives does not vary significantly. Alternatives that consider the preservation of existing natural features could provide a substantial improvement in the visual impacts expected from the proposed development.

Response: The six development alternatives detailed in the DGEIS vary in the number, size, type, and location of buildings in the Southwest Area. The visual analysis appropriately analyzed the impacts of Alternatives 5 and 6, which are the most intensive alternatives, and therefore effectively developed a “worst case” analysis. Should development occur which is less intensive than alternatives 5 or 6, then the visual impacts are expected to be less than those detailed in Section 2.6 and Appendix E.

5.3 Natural Resources Alternatives

SUMMARY

These comments suggested different ways of developing the Southwest Area to lessen the perceived impacts on the natural resources of the project site. Generally, the comments suggested scaling back the scope of the development and designing around the natural features like forested areas, wetlands, floodplains, and hedgerows.

140. CAC (220) ...the dGEIS fails to provide and evaluate real alternatives to filling most of the undeveloped areas in the Southwest Area with new roads, large buildings and large parking lots, with the resulting substantial loss of woods, wetlands and wildlife, and subsequent foreclosure of significant future recreational uses.

Keep the woods and wetlands in and around the original SW Park, and build new businesses on the areas that have already been filled by the DPW, in areas that are currently developed but could support more intense development (e.g. multi-stories), and--if safe to do so--in the old City dump area....
4. If the area is rezoned as proposed, any of the six alternatives described in the dGEIS could be implemented, if not soon, then sometime in the future. The CAC finds that Alternatives 1, 2, 4, 5, and 6, as described in the dGEIS, are unacceptable in terms of their impact on plants and animals and other natural assets. Even Alternative 3, which is of a more appropriate scale, would eliminate the significant remnant old-growth flood plain forest that borders the east side of the original SW Park.

Therefore, the CAC recommends that any rezoning exclude existing woodlands and wetlands (primarily in the unfulfilled portions of the original SW Park, the old-growth floodplain remnant, and the southern, unfulfilled portion of the proposed Cherry St. Industrial Park extension) so that these can have the protection they need, and to prevent the isolation of Negundo Woods. These areas should be in the P-1 (public) zone, and considered part of the new Southwest Natural Area. The GEIS should include such an alternative plan.

5. Seek a mix of development in the remaining Southwest area, not exclusively large-scale retail. Some other development types tend to have less impact and to allow for retention of more natural features.

The DGEIS conclusions are puzzling and do not jibe with anything that is known about wildlife or plants. The CAC would like to propose a more balanced vision for the City.

The CAC recommends excluding existing woodlands and wetlands (primarily in unfulfilled portions of the original Southwest Park, the old-growth flood plain remnant, and southern, unfulfilled portion of the proposed Cherry Street Industrial Park Extension) from rezoning and development. Add these areas to the new Southwest Natural Area.

Three, seek a mix of development in the remaining Southwest area, not exclusively large-scale retail. Some other development types tend to have less impact and to allow for retention of more natural features.
Four, capitalize on tourism and especially birding in the City's Southwest area, in light of proximity to the State Park, the Black Diamond Trail, and the new city park/natural area.

Six, re-establish a fine flood plain forest, as another draw for tourists (as well as wildlife).

Seven, enhance the area as a draw for birds and other visitors, and bring in businesses that cater to them.

Eight, build new businesses on the areas that have already been filled by the DPW, in areas that are currently developed, but could support more intense development, for example, multi-stories, and, if safe to do so, in the old city dump area. From Judy Jones's analysis, it may be totally unsafe to do so, however.

Response: Comments with respect to alternative development plans are noted. It is important to point out that the physical form of development illustrated in the DGEIS is but one possibility. Other layouts and mixes of uses are possible, depending on the goals of individual developers. The GEIS is intended to inventory the physical and natural resources of the Study Area and areas affected by the project; to determine whether such resources can support the development without significant adverse impact; to identify and propose mitigation for significant adverse impacts; and to identify areas or impacts that should be avoided because they are unmitigatable or of such significance as to warrant avoiding entirely. The Lead Agency believes that the GEIS accomplishes these objectives to a level of detail sufficient for it to make informed Findings concerning the action.
SECTION 6.0 AESTHETICS

6.1 Visual Analysis

SUMMARY

The comments below took issue with the Visual Analysis (Section 2.6 and Appendix E). Primarily, the comments suggested that the Analysis understated the potential visual impacts from a combination of factors: a limited number of views analyzed, the presentation of the simulated buildings, and a lack of site amenities such as roads and cars in the simulations. Several alternative views were requested to be analyzed.

144. NYSOPRHP (221) New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has long been a partner with the City of Ithaca in fulfilling its potential as an eco-tourism destination. We recognize the importance of economic stability, yet we must protect through appropriate mitigation our unique resources at Buttermilk Falls State Park. This Office, therefore, provides the following comments on the aforementioned plan. The comments relate to the impacts the development scenario proposed for parcels F1, F5, and portions of F2, F3 and F6, west of the flood control levee, will have on Buttermilk Falls State Park's patrons' quality of experience related to viewshed and noise. We present our concern related to the development as proposed in the DGEIS and follow with possible mitigation options.

Concerns

Viewsed

Development of parcels F5, F3 and F1 has long been a concern of the OPRHP. Historically, the scale of development that has taken place in the area has not been of a magnitude that has degraded the quality of the visual experience of Buttermilk Falls park patrons. Large-scale box-store type development of the area will have a significant impact on the viewsed of Buttermilk Falls State Park. Key vantage points on the gorge and rim trails focus trail users views toward the area proposed for the development of a 180,000 square foot retail structure. As the DGEIS confirms on page 3-1, development of the parcels will
forever change the visual quality of the area and thus eliminate the view experience of the trail user.

The visual impact assessment prepared by McCord Landscape Architecture falls short in portraying the level of impact that the development will have on the park patron's experience on the trails. Only one vantage point in the park was considered in the assessment when in fact there are other points on park trails from which the levee parcels are visible. Consultation with OPRHP regional staff would have provided a more complete and accurate assessment of the visual impacts of development on the park.

View VI presented in the simulation photo in the McCord study is taken from a spot on the gorge trail that is a significant destination point for trail users. This overlook area is a natural place for people hiking the trail to stop to catch their breath after climbing the first long set of stairs and to orient themselves after the climb that starts at the base of the falls. The climb, for many trail users, results in more than a brief stop at the top of the stairway as stated in the McCord study. For these same reasons, this overlook is a key location for our nature interpreter to stop with patrons on the gorge tour and discuss the geologic history of the Ithaca/Cayuga Lake area. The site of the open floodplain in the near viewshed provides the opportunity to explain the appearance of the area centuries ago. The Finger Lakes Region's interpretive staff routinely hear from our park patrons how unique and diverse the landscape of the park is with the city right next door. They still experience a sense of isolation because they cannot see the high-density development along N.Y.S. Route 13.

The study also underestimates the length of the season when trail use is high. The park trails experience steady use from their opening in early May to closing in November. During fall leaf season, the trails can experience as heavy use as in the summer months. The study did not provide a visual simulation during the spring and fall seasons when foliage is not in full bloom and the development site is more exposed in the viewshed.

Lastly, the viewshed impact simulation photo depicting potential development should be completed more realistically. While the DGEIS recommends that design guidelines should be adopted by
the City of Ithaca to direct development components that mitigate impact and the City has indicated that such guidelines will be adopted, the guidelines will only be suggestions. There is no guarantee that developers will follow the suggestions. Therefore, the OPRHP would like to see the visual impact assessment simulation photo of potential development be redone to depict the color scheme scenario of a WalMart or Target store with typical HVAC equipment on the roof.

145. Town of Ithaca (219)  Section 2.6 – Visual Resources (beginning on pg. 2-28 and Appendix E): The dGEIS study of the impact on the viewshed by the proposed development plans should be revised in two respects. First, the “before” photographs - those which depict existing views - do not accurately represent the views of the development area from the Town of Ithaca. For example, the viewshed study states that the view from Buttermilk Falls State Park is minimal and fleeting, as depicted in one lone photograph from the Park in which only a small portion of the development area is visible. In fact, the development area forms a constant visual backdrop to the views from the Park’s north-western heights. Any development in the proposed area will have a strong impact on this viewshed.

In addition, the viewshed visual impact analysis focuses primarily on the view from the BFSP area. Though this area is closest to the dGEIS study area, it is by no means the only part of the Town with a view of the area. Also of importance to the Town are those residential and natural areas of the Town from which the study area can be seen. These areas include portions of West and South Hills (e.g., the Coy Glen Natural Area on West Hill); the actual areas that would be visually impacted can be identified by standing at a few selected points in the study area and looking out to the overlooking hills, where Town residents live. These areas, which will receive the strongest and most lasting visual impacts from study area development, should receive more attention in the FEIS’ analysis of the development’s visual effects.

Second, the study’s “after” photographs, which insert computer generated graphics into the “before” photographs, are unrealistic and unreliable as depictions of how the viewshed would appear with the proposed development in place. The “after” photographs make use of computer generated buildings that are bland and
featureless; the beige buildings do not include any signs, lights, poles, roof-vents, chimneys, dumpsters, or the like. Further, no vehicles or roads are ever depicted in these “after” photographs. The result is that the impact on the viewshed is drastically understated. The “after” shots also include computer generated trees and shrubs as examples of mitigation features. These graphics are similarly unrealistic. They depict plantings which are so numerous, dense, and mature as to screen out any sight of the development. The actual plantings are likely to be much fewer and less mature. In any event, the view of the development from the Town’s highlands on West Hill and Buttermilk Falls State Park will not be obstructed by a buffer planted on the perimeter of the development area. In addition, since the sizes and locations of buildings in the dGEIS analysis are conceptual, supplemental, detailed visual analysis must be required by the City in conjunction with any specific development proposals.

146. Hagedorn (350) There are several other views of the south end of the SW Park Plan (i.e. the Widewaters site) that are visible from Buttermilk Falls State Park that are not mentioned in the DGEIS. One lookout is on the North Rim (there is a small path that cuts up to it from the main “Rim Trail”) This is a special spot where people sit to watch the sunset. The proposed big block development and parking lot in Alternative 5, for example, are directly in the viewshed of this lookout. Another area that looks down on the site is on the South rim of Buttermilk Gorge. This is an area that is popular with bow hunters and hikers who use a deer trail up on the rim that is parallel to the gorge trail (Bow Hunters are not allowed on the official trails.) You can see this view of the Widewaters site by going up the gorge trail to the little shelter that is about half way up the gorge, and cut in up behind it to a rim trail. A third view of the site, not mentioned in the DGEIS, is from the service road that goes from W. King Road to the campground road. This service road is a popular hiking, bird watching, and cc ski trail. Even though the above mentioned views are not from official trails they are areas of the park that are used by park visitors and local residents, and the view is part of their experience and should be included in development impacts.

147. Nutter (151) Impacted views should include proposed trail areas along the railroad right-of-way on the City line between Stone Quarry
Road and Cayuga Inlet, purchased for this purpose in the 1980s by State Parks, and the proposed new bike/ped bridge over Route 13 associated with it.

148. Gallahan (8) 1. Visual Resources

Visual resources will indeed be adversely impacted. However the DGEIS does not assess them adequately and leaves out some important key view locations. Basically it admits an adverse impact to the view from Buttermilk, but implies that that's all (unless the scenic overlook at West Village is considered). Because they are lowlands behind the route 13 strip with no roads, Southwest Park and adjacent areas are unfamiliar to most Ithacans. However this land is a part of our bigger view of Ithaca—it is a large reason why our City looks so green from the surrounding hills. Important view locations to be added include-at least-the famous views from Cornell's Uris library overlook site and from Sunset Park in Cayuga Heights.

149. Tompkins County EMC (204) Visual Resources

- The viewsheds study provided unrealistic "after" views, using generic and unornamented buildings without signage or lighting or parking lots or dumpsters. This creates the mistaken impression that the mitigation measures, namely the site design guidelines, will prove useful. While the two-story buildings suggested in the dGEIS are an appropriate design response to the viewshed issue, with the high costs of site development businesses may find it hard to justify the economics of such construction.

- Semi-mature vegetation is also used in the "after" views to obscure development and the Section 2.6.2, Mitigation measures, includes a discussion of the retention of mature vegetation. "Ms is in stark contrast to the removal of vegetation proposed by the development alternatives. The dGEIS cannot have it both ways. New plantings will take decades to grow to maturity a-ad, as noted under the Water Resources section, the positive visual resource of a natural area at the entrance to the City should be more carefully considered.
150. Gougakis (34) In appendix 2 of pg 36. Why was the simulation of development with the Buttermilk Falls site done only with the leaves on the trees and not also without?

151. Gougakis (34) Page 47: Appendix 2 of 2: Why has little emphasis been on a total view of the impacts? Also, photos of development show a continuous of flat box surfaces...

152. Jones (12) ...I would like to comment on are impacts on visual resource section 2.6 and Appendix E. There are a number of weaknesses in the visual resources study which leads CAC to conclude that the visual impacts are understated in the graphic projection and conclusion. The projections are based upon the retention of some of the existing vegetations, large trees and parking lots instead of new plantings, no rooftop utilities or penthouses appear in the photographs. There are no conspicuous signs that building heights are uniform and regularized contrary to the recommendations in the guidelines for varying roof lines.

Further, the study states that the major mitigation to visual impact would be to retain as much of existing vegetations as possible especially the large trees. The study was completed and photographs taken before work began on the Widewater site where all trees and shrubs were removed, thus impacts on key view, one at Buttermilk Falls State Park are certainly understated. Major opportunity for mitigation has already been lost through allowing live water site development before site plan review.

CAC recommends that vegetation removal and especially large trees should be strictly minimized in the Southwest Area Land Use Plan and through the site plan review process.

153. CAC (220) The inclusion of a visual impact assessment in the dGEIS is laudable. CAC's comments concern weaknesses in the Key View projections as well as in the recommendations for mitigation of impacts. It is notable that this study was conducted before the current activity on the Widewaters Site, which must have considerable impact on Key Views 1-3.

154. CAC (220) The projected impact of development alternatives on key views assumes mitigating factors (presumably incorporated into the
design guidelines) that may not occur: retention of some of the existing vegetation, large trees on parking lots, no rooftop utilities or penthouses, strictly controlled signage (see esp. V5 simulation), uniformity of building height and rooftop in contrast to guidelines which recommend varying roof lines. As a result, the simulations indicate less impact than the development may well have.

155. Rapaport (85)

I am a computer professional, not an engineer or scientist, so I looked at the dGEIS with an eye to how the document represented the Plans. The most obvious area where technology was used in this document is in the photographs of the site and view shed and the use of technology to represent how this project will look. This is one of the most basic part of the assessment. How will the project look is at the core of the assessment.

Sad to say this representation is obviously a pack of lies. To start with, the view from Buttermilk Falls is ALREADY wrong. The work (that has now been determined to be illegal) that was done at the Widewaters parts of the site already has destroyed areas that are projected to still be there.

In addition, none of the projected views have any signage, there is no street or parking lot lighting, all the building are practically windowless, the colors of the building are specifically hued and shaded to blend in to the foreground and background, and they are shaded and hues differently depending on the foreground and background of the picture. In short the buildings in these images are designed to not be seen. Real commercial retail locations cry out "I AM HERE" "BUY HERE".

This is obviously not a true and accurate representation of how the project will looks and as such this dGEIS is flawed and must be scrapped...

156. CPA (231)

Analysis of Visual Impacts

The projected impact of development alternatives on key views assumes various mitigating factors that are either likely not to occur or that are even in direct conflict with the rest of the

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8 Rapaport's (85) public hearing comments of January 25, 2000 are consistent with his written comments, and therefore the public hearing testimony is not duplicated here.
DGEIS and the draft design guidelines. In particular, the view simulations incorporate: retention of significant existing vegetation, large trees in parking lots, no rooftop utilities or penthouses, strictly controlled signage, and uniformity of building height and rooftops. These assumptions are all unrealistic. They are not provided for in the DGEIS "alternatives" or in the draft design guidelines. The final GEIS should include view simulations which do not incorporate these assumptions.

The views considered in the DGEIS are limited to nearby sites. This ignores some of the area's most valuable visual resources (such as from West and East Hill) that may be adversely impacted. Important view locations to be added include Cornell's Uris library overlook site and Sunset Park in Cayuga Heights, as well as areas such as West Village, and Coy Glen or Glenside Road.

157. Walkinshaw, P and K (124) 2. On the issue of the impact on viewsheds, I believe an important one is left out. The view from Rte 13 looking across the site mentioned in Point 1 gives the traveler at present an uninterrupted view across the valley to West Hill. This will be irrevocably altered with the placement of a large store in the floodplain, leaving them with no opportunity to get their bearings in the natural landscape.

158. Blodgett (77) View number six is from Spencer Road, but it's a very low view. Maybe it's even from someone's back yard, I'm not sure. And it really didn't represent the view from Spencer Road.

...I think in fairness to homeowners on Spencer Road an additional view needs to be added there. That's a typical situation on that side of the street that everyone's yard goes almost that high, with a few exceptions.

Response: The Summary of Impacts in the DGEIS Executive Summary highlights the unavoidable impacts to the viewshed due to the proposed Southwest Area Land Use Plan. Impacts to the viewshed are detailed in DGEIS Section 2.6 and Appendix E. The inescapable conclusion is that the buildings and landscaping associated with the proposed development will be visible from several of the viewpoints. Notwithstanding
opinions that the building simulations did not include, to paraphrase the comments, “realistic” building colors, shapes, sizes, or roof treatments, the DGEIS did clearly detail the impacts to the visual landscape.

With respect to the impact to views from Buttermilk Falls State Park, on March 24, 2000, members of the Lead Agency, Park personnel, City staff and consultants hiked the major trails in the Park to determine whether the DGEIS accurately depicted the areas of the park from which the Study Area is visible. This field visit confirmed the findings of the DGEIS, which accurately determined the areas of visual impact from the park. The proposed development area is visible from two short segments of trail, estimated at less than 100 feet in length of the over 1 mile long lower section of the gorge trail. The Lead Agency further notes that the gorge trail is most heavily utilized during the season of the year when full foliage is present. The park trails are generally closed during periods when foliage is absent. Inspection of the trail in late March, with no leaves or buds exposed, indicated that the main area of visibility toward the valley is still limited to the area analyzed in the DGEIS. Even at this time of year, when the trail is still closed, the view is obscured by evergreen vegetation and the presence of dense tree branches.

It is also noted that a previous use of the parcel in question was for an oil storage and distribution facility. This included large and permanent aboveground petroleum storage tanks, numerous industrial style structures, and the storage of delivery trucks. It is certainly questionable whether the proposed commercial use of the property has a greater visual impact than the previous use.

The NYSOPRHP brochure describes Buttermilk Falls State Park and gives vivid descriptions of the many park features with maps showing important destinations. Nowhere in the brochure is there any mention of significant views toward the valley bottom, and nowhere are the view points along the gorge or rim trails indicated or pointed out on the map. In addition, the actual view locations along the trail are not marked or designated in any way.
Further, to the extent that the viewpoint is utilized to point out geologic features or history, these features of the area will not be modified by any retail development. The valley bottom vegetation and geologic features will still be visible, with an approximately 60 acre City park to be located to the rear of the parcel in question along with the bounding, wooded hills to the west.

Therefore, based on the findings of the visual analysis, the Lead Agency believes there is adequate information contained in the DGEIS to aid in the decision making process. Mitigation of visual impacts specific to individual site plans will be a function of the site plan review process. A completely realistic depiction of the visual impact of any proposed development will depend upon the detailed vegetative and architectural treatment of the parcel. This can only be accomplished when a firm development proposal has been submitted.

6.2 Noise

SUMMARY

Comments expressed the sentiment that perceived noise impacts on the City and Buttermilk Falls State Park, due to Southwest Area development related increases traffic and activity, were not adequately addressed in the DGEIS.

159. NYSOPRHP (221) Noise

The DGEIS falls short on recognizing and evaluating noise impact on Buttermilk Falls State Park associated with post-development operation of a large retail facility. This omission is significant in that OPRHP cited this as a concern in its letter, dated June 5, 1998, to the City during the scoping phase for the project. The DGEIS, on page ES-4 states there will be no significant long-term noise impacts associated with the development. Section 2.8 Daily Life, Page 2-51, addresses the long-term noise issue on school, residential or business properties. It does not address the impact on recreational facilities, which are far more sensitive to the intrusion of noise. Recommended Federal Highway Administration (FHWA) hourly sound levels are lower for park facilities than for school or
residential uses. Noise impacts from increased traffic on N.Y.S. Route 13 travelling to the retail development and site noise such as car doors closing, car alarms, exterior intercom communication, delivery truck noise, and HVAC equipment will have a significant impact on the experience of park patrons. These noises will be heard during the day in the picnic and swimming areas, on the gorge trail as sound reverberates up through the narrow gorge valley, and at night in the campground which is located to the east, above the development site. The potential impact of diesel trucks making deliveries through the night will forever shatter the peace and serenity our patrons have come to experience at Buttermilk Falls.

160. Wegmans (252) Page ES-4, third paragraph: “Noise generated by development of the area is primarily related to short-term construction activities.” Can one assume that there would be additional noise associated with the increased traffic with the development of the area?

161. Hagedorn (350) The impact of noise pollution is not adequately addressed in the DGEIS. Sound travels up the valley walls. There will be an increase in noise from increased traffic (2152 additional trips into the land use area per hour), from car doors slamming, from delivery trucks, heating and air conditioning systems on top of the buildings, etc. How will this impact Nates Floral Estates and on the south end, Buttermilk Falls State Park? How will a large parking lot and store, and a “required future street” impact the ambiance of a nationally famous, outdoor natural swim area at Buttermilk Falls State Park? Also, are you aware that people have intimate wedding ceremonies and celebrations at the base of the waterfall on quiet Sat. and Sun. mornings, before swimming starts at 11:00 am.? Noise from development of the size proposed in all the Alternatives at the Widewaters site, will be heard in BFSP. What about increased noise pollution on the trails and campground?

As the crow flies and sound travels, the south end of the Southwest Park proposal (i.e. the Widewater site) is extremely close to this wild feeling, scenic park. Remember also that people use the campground road and campground for cross country skiing in the winter because of its easy slope and scenic beauty.
During the winter there is no tree buffer what so ever. This quiet park experience will be impacted.

162. Ingraham (32) 2) Noise from Elmira Road can already be heard in the campground, which overlooks the site. Increased traffic, turning, stopping, acceleration and deceleration and honking will surely increase the noise pollution in the campground, from all the development site alternatives in the DGEIS. Noise impacts will continue into the night in the campground, as may light pollution along the road to the campground and in the west end of the campground itself. These impacts have not been evaluated.

163. Wetmore (19A) Noise, for example, is a major concern when reviewing development. In this case, the study seeks to define a particular level of background noise as normal, and then compares the proposed project with that. The rather shaky conclusion is that, because residents in the area tolerate occasional loud noises, like lawn mowers and snow plows, they won’t be bothered by the ongoing noise of daily truck traffic, which the study predicts will be nearly as loud. Surely, the residents of West Hill should be allowed to speak for themselves. This is an important quality of life issue. What is the value of a city where people want to live? It seems hard to believe that the City of Ithaca wants to see how much noise people will tolerate before they leave. If the proposed development won’t leave our quiet neighborhoods quiet, then we should find a form of development that will.

164. Wetmore (19A) Page 2-53 makes the ridiculous comparison between the intermittent noise of lawn mowers and snow plows and normal background noise...There are local noise ordinances that forbid me from mowing my lawn at midnight. On the other hand, the truck traffic the report predicts will be running 24 hours a day, 365 days a year. Investigators should get a real background noise level. Field measurements are appropriate here. Mitigation measures, such as limiting the number of commercial vehicles per day, and the hours trucks are permitted to travel to and from the proposed project area, should be implemented. Size limits, as well as outright bans, on trucks in certain neighborhoods (especially residential ones) must also be enacted.

165. Gougakis (34) To mitigate long-term noise impacts the study suggests landscaping buffers. It does not require any mitigation for long-
term noise other than that. Then why wasn't the Alternative 3 or 4 layout studied more or compared more throughout the document, since it would have the most buffer and the least impacts. I feel the study that will least impact on resources will be the best balance in development plans for our community.

166. Blodgett (77) We are also very affected in our yards by the noise pollution. Right now you can hear the traffic from Route 13 all the time.

In addition to the traffic increase which may be 25 percent or more, we’re taking out a lot of our filtering [vegetation]. That’s really going to affect the residents quite a lot. Those are the kind of impacts which make it a lot harder to sell our homes, change our property values. And those are subjects very dear to every homeowner in the city.

167. Ahlers (254) Sound Quality

The draft GEIS evaluates the impact of traffic sound based on a truck travelling at 30 mph (§ 2.8.1, 2-53). However, some trucks travel within the city at speeds over 40 mph. We need an evaluation of traffic sound based on the actual speed of traffic.

168. Vogel (318), Kenigsberg (263A), Lang (263E) d. Noise from traffic and businesses on Route 13 already penetrates the gorge and into the campground on the hill above the city.

169. Vogel (318), Kenigsberg (263A), Lang (263E) e. More than 750 vehicles per hour at peak times are expected to turn into and out of the superstore’s Route 13 entrance. Acceleration, deceleration, squeal of brakes and tires, and honking will greatly increase noise pollution in the park. Noise from truck deliveries at night would be audible in the campground.

170. Ingraham (32) The DGEIS for southwest Ithaca does not address the impact of proposed development on tourism, particularly park tourism.

But campers are faced with these threats to their park experiences once again with the Widewaters project in the same location. Campers can already hear the noise from traffic and commercial activity on Elmira Road well into the night after quiet hours have begun. They can see the lights from Elmira
Road when they drive up and down the beautiful park road through the woods to the campground. When 742 vehicles turn into and out of the Widewaters development at peak hours as the DGEIS estimates, the honking, turning, acceleration, deceleration and squeal of brakes at that intersection will significantly damage their camping experience.

The noise from Elmira Road penetrates well into Buttermilk gorge as well, and the noise will be much worse when the development is built.

Response:

On May 15, 2000, a representative of The Chazen Companies took noise measurements in the vicinity of the Widewaters site and at Buttermilk Falls State Park. The purpose of the measurements was to establish background levels in order to determine if noise levels now existed or were likely to exist as a result of development that could be considered a significant impact. At the time the measurements were taken, the weather was clear and calm. Measurements were taken during the middle of the day using a sound meter approved for use for this application. Measurements were taken for 15-minute intervals, which is sufficient to characterize background sound levels. All measurements were in A-weighted decibels. L50 sound levels are reported, which is the sound level exceeded 50% of the time. The table below presents the location and results of the measurements.

<table>
<thead>
<tr>
<th>Measurement Location</th>
<th>L-50 Result in A-Weighted Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. In front of Widewaters parcel, approximately 25' from highway</td>
<td>65.0 dBa</td>
</tr>
<tr>
<td>2. In rear of Widewaters parcel, at tree line of adjoining parcel</td>
<td>36.8 dBa</td>
</tr>
<tr>
<td>3. At Buttermilk State Park picnic area</td>
<td>59.7 dBa</td>
</tr>
<tr>
<td>4. At Buttermilk State Park campground</td>
<td>36.2 dBa</td>
</tr>
</tbody>
</table>
The results from location 1 show moderate noise levels dominated by passing vehicles. This location is representative of noise generated by moderate speed traffic.

Location 2 represents very quiet conditions in a natural woodland setting. This location is approximately 1100 feet from location 1, and illustrates sound attenuation due to distance decay.

Location 3 is dominated by noises associated with the waterfall and park visitors. The overall level is considered to be relatively quiet. Location 3 is approximately 600 feet from Elmira Road.

Location 4, like location 2, also represents very quiet conditions. This location is approximately 800 feet from Spencer road and 1100 feet from Elmira Road.

Based on these measurements, the following conclusions can be made. Noise levels in the campground will not be affected by increased traffic associated with the project. Distance decay, elevation distances, and intervening woodlands will result in no noticeable increase in sound. In fact, campers will dominate sound levels at this location, once the campground is open.

Similarly, noise levels at Location 3 will not increase noticeably, again due to distance decay. During the busy season, picnickers, swimmers and the waterfall will dominate sound at this location.

Sound levels at Location 1 will increase, depending on the exact location of the building proposed for the Widewaters parcel. The noise generation associated with the operation of large retail facility is generally much lower than prevailing background noise levels associated with traffic along the Route 13 corridor. This includes the likely contribution of HVAC equipment, car doors and the occasional car alarm, all sounds that are common with the existing developments in this area. The most significant potential new noise is delivery truck traffic accessing any new development. Per Subpart 217-3 of the NYS Conservation Law, truck idling is generally limited to 5 minutes and delivery trucks are regulated under this section of the Law. Additionally, the Planning Board should consider the siting and operational characteristics of any proposed building during site plan review.
6.3 Light

SUMMARY

Comments expressed the sentiment that perceived lighting impacts on the City and Buttermilk Falls State Park, due to Southwest Area development, were not adequately addressed in the DGEIS. Comments particularly highlighted the supposed impact of light pollution on campers in the Park and called for additional analyses to estimate these expected impacts.

171. Hagedorn (350) The impact of lighting is not adequately addressed in the DGEIS. What level of light pollution will be cast on the Cayuga Valley walls? On the South end (i.e. the Widewaters site), what will the impact of parking lot lights, building lights, storefronts and lit road signs be on the park entrance and campground? People come from all over the world to camp at Buttermilk Falls State Park. Astronomy, star gazing and other programs are given at the campground and Larch Meadow. These areas are very close to the south part of the Southwest Park Plan.

172. Wooster (329) 1) Light pollution and night time impact - no where in the impact statement is this addressed. The photo of the Buttermilk park trail view shows a daytime computer simulation of best scenario impact but does not give any indication of how things would look at night. This is especially important since a state park campground is within visual site of the proposed development. If the development goes forward as our "mayor" and building department dictate then at least require the developer to limit the size of lighted advertisement signage and compass orient it to limit impact from the park. Also please require the developer to use down directional lighting with no up lighting and minimal side lighting impact.

Response: To mitigate the effects of lighting on neighboring properties from the proposed development, Design Guidelines will be implemented to limit the height of pole mounted fixtures, require shields on fixtures to direct the light, and potentially other measures to ensure that no light spills off the site or shines directly onto adjacent properties.
Concerning views from Buttermilk Falls, lights from the development will be visible from the location described as Viewpoint 1 in the DGEIS Visual Analysis (Appendix E). However, few people use the trails at night, and therefore the impact from lights at this location is expected to be minimal. In addition, the development is not visible from the campground, so minimal visual impacts from lighting would be anticipated.

6.4 Buttermilk Falls

SUMMARY

Many comments decried the alleged significant negative impact to Buttermilk Falls State Park. The perceived impacts are due to increased traffic, increased lighting, and development in the Southwest Area. These factors are expected by the comments to degrade the visitors’ experiences in the park due to noise, light pollution, and visual degradation of currently “scenic” views, and many comments expressed the sentiment that the negative impacts could not be adequately mitigated.

173. Hagedorn (350) I am strongly opposed to development in the flood plain (i.e. the now, so called Widewaters site.) Lights, noise and damaged views from development in that area will impact and compromise a diverse range of recreational opportunities at Buttermilk Falls State Park, including having a picnic and watching the sunset, hiking, wildlife watching, star gazing programs, camping, cross-country skiing, and bow hunting. In reading about the history of Ithaca, I can say with confidence that Robert and Laura Treman, who graciously donated hundreds of acres of land and years of time on the Finger Lakes Parks Commission (before State Parks even existed) to create Buttermilk as a Scenic Park, and gift, for Ithacans and visitors around the world, would be as distraught as I am over this kind of short sighted city planning.

174. Harber (235) The SWDP also results in extreme degradation of already existing and designated park lands for use by the public. Ruined views, traffic noise and increased traffic will greatly take away from the experience of those visiting and camping in Buttermilk State Park and are unmitigatable. The proposed Southwest Parklands will be mostly bordered by or near huge business
developments as proposed by this SWDP with their resulting traffic noise, air and water pollution and visual ugliness changing the nature of these parklands and the experience of visitors for many generations beyond at the least. And the land designated for parklands that Widewaters traded with the city in order to get some city property where Widewaters is planning to build a big box store has, I’ve been told, a right-of-way held by Widewaters through which it will have an access road to deal with its utilities. So much for the quality of atmosphere in that piece of parkland!

175. Beer (259)  1. Development of the southern tip of the area will be visible from Buttermilk Falls S. P., and additional traffic resulting from development will be audible from the park. Because the impact on park visitors will be aesthetic, its assessment is subjective. Whether one concludes that enjoyment of the park would be reduced by two or twenty percent, one must still confront the fact that the park is an immovable and irreplaceable public resource. There is no calculable cost of replacement or mitigation, since neither is possible. Conversely, there is no structure that might be built at the southern tip of the Southwest Area that could not be built elsewhere, thereby reducing the negative impact on a park owned and used by residents of the entire state.

176. Blodgett (251)  2.6 Visual Resources. Add a view from the rail bed at the north end, or just north of, Buttermilk Falls State Park. A view from the campground, and the access road just north of the rim trail, would also be useful.

177. Mudrak (236) Visual Analysis Weak. In particular, Buttermilk Falls State Park & residences along Buttermilk Falls Road should be buffered from the proposed large store and parking lots at the southern end of the site. The store and lot should be moved back from Hwy. 13 and farther north on the site. The visual analysis from the Park looking onto the site as configured in DGEIS is very weak. It does not include rooftop utilities, wires or utility poles, regular or lighted signage, traffic signals, night views, parked vehicles, traffic motion, sounds or smells, which all add up to a lot of congestion.
178. Ingraham (32)⁹ I am very disappointed to see that all of the six alternatives considered in the DGEIS involve location of a huge free-standing discount superstore and its associated parking lots directly across the road from Buttermilk Glen. The DGEIS is lacking in not recognizing the unique aesthetic character of this area by providing other alternatives of a much more conservative nature. Optimally, land use in the Widewaters area would be municipal park land or other uses that would emphasize open space or vegetation in character with the surrounding park settings. This is a serious omission in the DGEIS.

The DGEIS alternatives show up to fourteen to sixteen large retail stores in the study area. Therefore, there are numerous alternatives in the rest of the study area in Southwest Park for the superstore being constructed across from Buttermilk Falls. The Widewaters store is being built in the most environmentally sensitive and controversial portion of the entire study area. If it must be built, there is plenty of room for it elsewhere in the plan and it should be moved....

The DGEIS discusses visual impacts of the alternatives proposed, labeling, a view from the Gorge Trail in Buttermilk Falls State Park as Key View VI. This view is next to Buttermilk Falls itself, and is a significant place for visitors to catch their breath on the steep ascent of the Gorge Trail. It is also the best location for park naturalists leading groups to stop to interpret the glacial history of the Cayuga Valley and the formation of the falls themselves. Degradation of the aesthetic quality of this view will result in the damaging of an important educational resource of the park. Key View V1 has a grandstand view of the Widewaters “footprint” pad for its impending mystery superstore.

Shortly up the trail is a second outstanding view of the valley at an overlook established by running the fence to the gorge rim above the falls. The Widewaters store location is placed squarely in this view. The aesthetic charm of this and VI are already ruined by the construction operations underway.

There are other views in the park that may be affected by the construction of the superstore. There is a view along the Rim

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⁹ As Ingraham’s (32) public hearing testimony is essentially identical to his first set of written comments, the public hearing testimony is not included here.
Trail that should be evaluated. And there is a view along the road to the campground that should be evaluated. So, including only one view from the park in the DGEIS is inadequate and underestimates the effect of the six alternatives upon the park’s viewshed.

There are other aesthetic impacts on the park that are not addressed in the DGEIS...

179. Ingraham (32) 3) Finally, the cumulative aesthetic impacts of increased noise, visual pollution and traffic will combine to significantly degrade the overall feeling that that visitors will have when they come to the park. The waterfall and the gorge and forests beyond it provide a healing refuge for the public escaping for a short while from the hurriedness, clamor, stress and visual pollution of everyday life in an urban environment. Buttermilk Falls is a priceless resource for the public’s psychological, physical and spiritual health. Its charm and healing power will be sadly diminished if a huge superstore is placed right up against it, and everyone visiting the park will experience that loss. This cumulative aesthetic impact on the park experience is not addressed in the DGEIS.

180. Wetmore (19A) The study does not adequately address the effects the proposed development would have on Buttermilk Falls State Park. What would be the long term effects on this park? It is currently one of the most popular state parks in the country; will this be negatively affected by the proposed development? How could this issue be ignored in a study that purports to be reporting on quality of life issues?

181. CAC (220) Of special concern to the City, in view of its importance, both locally and state-wide, is the view from trails at Buttermilk Falls State Park. All six alternatives in the dGEIS show a very large commercial building at the location now apparently being prepared by Widewaters for just such a structure. The impact on views from Buttermilk of such a development will be significant. The GEIS should include one or more alternatives showing more compatible uses of that site, with greatly reduced visual impact.

182. Keeler (313) This massive commercial project is totally incompatible with the park’s outstanding scenery and subtle aesthetic resources. It will
damage the experience for the park's nearly 200,000 annual visitors. If it must be built, there is plenty of room for a store such as this elsewhere in the city's Southwest plan, away from the park.

183. Werner (323) There is plenty of room to put the store away from the state park in other areas in the city's plan. It is a complete mockery of the planning process that all six "alternative" plans include the exact same development proposal for this ecologically fragile and recreationally valuable tract of land.

Acceleration, deceleration, squeal of brakes and tires, and honking will greatly increase noise pollution in the park. Noise from truck deliveries at night would be audible in the campground. And lighting from the superstore's parking lot will create more light pollution in the park for visitors.

The things that make Buttermilk Falls State Park valuable to residents and visitors -matchless scenic beauty, the serenity and quiet of the gorge, the healing power of the natural surroundings - are easily damaged by the clamor and visual insults of commercial development that is totally out of character and scale with its surroundings. Buttermilk Falls is an irreplaceable resource for the psychological, physical and spiritual health of the public.

The combination of noise, visual pollution at trail overlooks, lights and traffic congestion will together degrade the park experience of the nearly 200,000 visitors who come to Buttermilk Falls State Park each year, FOREVER.

184. Walkinshaw, P and K (124) 1. In the DGEIS there is an Environmental Assessment Form for the Project. In line number 13 it discusses the Impact on Open Space and Recreational Opportunities of the Southwest Development Project. The only impact listed is a beneficial one from the alienation of Southwest Park and the creation of substitute parkland near Negundo Woods. In all proposed plans there is planned substantial development in the parcel across for Buttermilk Falls State Park. I see no mention of the impact of development on the quality of experience of this existing resource nor on the substitute Parkland and Negundo Woods nor do I find any mention on the impact of the proposed
Back Diamond Trail and other trails that border this site. It seems obvious to me that there will be a tremendous impact given that this now open field is planned to be filled and a large store with its associated noise, light, visual impact, and exhaust fumes placed in the middle of this incredible recreational opportunity. It is not recognized in the dGEIS that this site is the confluence of many trails that can take a tourist or resident from the lake all the way to Treman Park. The impacts on this resource need to be included in the dGEIS.

185. Thorne (341) I am extremely concerned about the potential visual impact of the Widewater development (which may not be covered in the dGEIS) because of its proximity to Buttermilk Falls. Buttermilk Falls is one of the natural treasures of the Northeast, and I hope that the wonderful view of Inlet Valley as one descends the trail by the main falls will not be corrupted by gaudy commercial architecture. Again, I don’t oppose development of the site, just that it be done in a visually low-impact way.

186. Vogel (318), Kenigsberg (263A), Winter (263 F) a.. The massive commercial development is directly opposite Buttermilk Falls State Park.

b. The development is right next to the route of the state’s Black Diamond Trail.

c. The development ruins views for people on the trail by Buttermilk Falls.

d. Noise from traffic will penetrate the park and degrade the experience of visitors.

e. Heavy traffic into and out of the superstore lot will affect the nearby park entrance.

f. There is plenty of room to put the store away from the state park in other areas in the city’s plan.

g. The combined effects of visual pollution, noise and traffic will damage the value of the state park forever.
h. State parks are Ithaca's greatest attraction for tourists, as the slogan "Ithaca is Gorges" says. Hurting Buttermilk Falls will hurt the tourism economy.

i. Buttermilk Falls State Park has National Park quality scenery, and is an irreplaceable asset for New York State.

187. Kessler (44) The promotion of tourism is an essential way that we can increase revenue in the area. It seems ironic to me that a city that aims to attract tourists with slogans like Ithaca is Gorges, would build a massive unattractive chain store directly across from Buttermilk Falls State Park. There is no doubt that the noise, traffic and visual pollution from this monstrosity will negatively affect tourism in one of our areas most beautiful natural resources.

188. Bem (180) LOSS OF OPEN SPACE & NATURAL ASSETS. The proposed Southwest plan is very rough on the environment. All existing flood plain woods and wetlands in the original Southwest Park are to be buried under acres of fill supporting large stores and parking lots. The new road slated to run along the Flood Control Channel, and another next to the flood levee, places cars and trucks a few feet below the "scenic" bike/pedestrian path that was suppose to run along the top of the levee. The new, "substitute" Southwest Park is to be immediately bordered by the back side of a huge "big box" store with its associated noise, lights, fumes and runoff. This same development would dominate the view from the most popular trails at Buttermilk Falls State Park.

189. Butler (316) ...the projected increase in traffic to this area is objectionable since it will increase noise and safety hazards to nearby residential areas and to Buttermilk Falls State Park.

190. Murdock (118) I propose that we develop the Southwest in a way that would mitigate its appearance from Buttermilk, and that a portion of the revenue from tax receipts go towards better development and the promotion of The Commons, including free parking for downtown businesses. The Southwest is one mile away from downtown and Lansing is four miles. I don't see a whole lot of difference.
191. Hunt (144) What newcomer to Ithaca has not taken the hike up Buttermilk Gorge shortly after their arrival, as Tony Ingraham, our resident naturalist, pointed out yesterday, and as the photograph at the beginning of appendix E shows. The first overlook on the trail has a fine view back across the valley. This was the kind of view which leaves a lasting impression on the new resident and makes them very appreciative of the civilian conservation core and the wisdom of New York State for preserving this land for public enjoyment. How unfortunate that the City of Ithaca is now permitting, and I put that in quotes, that view to be spoiled.

Too late I now realize that what I thought was meant by Southwest Park suddenly includes the very site which fueled the area’s opposition to Wal-Mart. The new large store remains in all versions of the plan. Thus, we are faced with a permanent scar upon the landscape. In several months when the ice melts if you dare to visit that scenic spot don’t turn back to look. The core of Southwest Park has never been a true park in the sense of recreational use or significant beauty. Much of the area is the ugly remains of the old city dump. Covering it properly and using it for retail space if done properly makes sense.

192. Arthur (332) The draft GEIS for the proposed development of Southwest Park shows six alternatives—all include a big-box retail store opposite Buttermilk Falls State Park and adjacent to recreational trails. The draft discusses no real options for Ithaca.

Under this project, residents may have more shopping opportunities but fewer other reasons to live and work in Ithaca. The dGEIS does not adequately acknowledge the landscape that is intrinsic to Ithaca’s attraction—for residents as well as tourists.

193. Vogel (318), Kenigsberg (263A), Lang (263E) g. The combined effects of visual pollution, noise and traffic will damage the value of the state park forever.

194. Vogel (318), Kenigsberg (263A), Lang (263E) h. Traffic congestion by the store intersection will affect the nearby park entrance.

195. Vogel (318), Kenigsberg (263A), Lang (263E) i. The combination of noise, visual pollution at trail overlooks, lights and traffic congestion will together degrade the park experience of the nearly 200,000
visitors who come to Buttermilk Falls State Park each year, FOREVER.

...A gigantic discount store and its associated parking lots, lights, noise, traffic and undistinguished architecture are grossly incompatible with the parkland around it.

196. Vogel (318), Kenigsberg (263A), Lang (263E)  j. All six alternatives in the DGEIS show the superstore building practically on top of the boundary of the city's substitute parkland, which is directly behind the site.

197. Vogel (318), Kenigsberg (263A), Lang (263E)  k. "Ithaca is Gorges" is the Ithaca/Tompkins County Convention and Visitors Center slogan for tourism. This is best represented at Buttermilk Falls State Park, Ithaca's finest park. A survey conducted by the Visitor Center in the mid-1990s showed that State Parks are the number one attraction for visitors to Tompkins County. To degrade the visitor's experience at Buttermilk Falls State Park is to degrade Ithaca's tourism economy.

198. Vogel (318), Kenigsberg (263A), Lang (263E)  l. The Widewaters superstore site is surrounded on three sides by parkland - on the east and south by Buttermilk Falls State Park, on the west and south by the state's Black Diamond Trailroute, and on the west by city parklands. A gigantic discount store and its associated parking lots, lights, noise, traffic and undistinguished architecture are grossly incompatible with the parkland around it.

199. Vogel (318), Kenigsberg (263A), Lang (263E)  The Widewaters Company has already filled the floodplain land across NYS Route 13 from Buttermilk Falls, under the guise of a permit that may have been issued improperly. They have prepared a large pad for a 200,000-square-foot big box store. This is more than half again as large as the Wal-Mart superstore that Ithaca's planning board turned down for the same site, in 1995.

This site is already visible from the only overlooks on the trail in the gorge by Buttermilk Falls. Over the life of this development, millions of park visitors would have their experiences of this enchanting glen marred by this eyesore with its ugly, massive building, vast parking lots, lights, and thousands of cars.
The City of Ithaca’s Draft Generic Environmental Impact Statement estimates that more than 750 vehicles per hour at peak times will turn into and out of the Widewaters parking lot at its intersection on Route 13. This traffic will impact the nearby park entrance, and noise from cars and trucks will disturb people on the trails in the gorge and in the campground.

Ithaca’s plan for the southwest portion of the city presents six alternative scenarios, all of which show a very large commercial facility in this spot, the most environmentally sensitive and controversial site in the entire plan.

Other alternatives are needed that are in keeping with the parkland surrounding this site. The plan shows multiple large scale facilities in other locations distant from park lands, so there is plenty of room elsewhere for this store. Not across from Buttermilk Falls, Ithaca’s finest park! The things that make Buttermilk Falls State Park valuable to residents and visitors - matchless scenic beauty, the serenity and quiet of the gorge, the healing power of the natural surroundings - are easily damaged by the clamor and visual insults of commercial development that is totally out of character with its surroundings. Buttermilk Falls is an irreplaceable resource for the psychological, physical and spiritual health of the public.

200. Vogel (318) I was just sent an email circulating around that speaks about the proposed building on Ithaca’s southside. In the email, there is also a picture enclosed at the bottom of the page taken from the top of buttermilk falls. I find the picture to be quite despicable evidence of what is going to be in full view to all hikers of buttermilk falls. I urge you to do what is necessary to stop the proposed building and first get public consensus of what is proposed. I do not think I am at all alone in being unaware of just what is in store at the bottom of buttermilk falls.

Response: See responses to comments in Sections 7.1, 7.2, and 7.3 above. The Design Guidelines, which have been developed and are being revised concurrently with the DGEIS, will propose specific measures to mitigate light and visual impacts. Based on the above responses and the analyses contained in the DGEIS, the Lead Agency believes there is adequate information contained in the GEIS to conclude that there will be some level of adverse impact to visitors to Buttermilk Falls State Park primarily
related to a change in visual character on approximately 100 feet of trail. During the season of greatest visual impact, the trails will be closed.

6.5 Mitigation

SUMMARY

The comments suggest mitigation measures such as limiting the developed area, maintaining existing vegetation, appropriate landscaping buffers, building treatments, and implementing the Draft Design Guidelines. These measures are put forth in the comments to mitigate the potential aesthetic impacts on the City in general, and Buttermilk Falls State Park in particular.

201. NYSOPRHP (221) Possible Mitigation

The most appropriate mitigation option to minimize the visual impact on the park would be to limit development to the scale that currently exists on surrounding parcels. A multiple-building business park that includes one-story residential-style structures with larger pockets of vegetation that will eventually hide parking lots and structures would be more appropriate for the site and in keeping with the current mix of residential and small business/restaurant land use. Excluding big box-store development from the levee area does not preclude the possibility of big box store development in Ithaca. The 134+ acres referred to as Southwest Park provides ample space to construct the large retail structures.

Since other development scenarios were not presented in the DGEIS, OPRHP can only assume that development of the parcel for an 180,000 sq. ft. store is the only option the City wishes to pursue for this area. As such, to lessen the severity of visual impact this large-scale development will have, OPRHP respectfully requests that the City of Ithaca adopt stronger measures to insure that all design guidelines are strictly followed by any developer.

With respect to the design guidelines presented in the DGEIS, for a commercial building of the magnitude being proposed, landscape areas in the parking lot should be a minimum of 12
feet wide. The proposed guidelines call for a minimum of 10 feet. Additionally, staggering planting locations from tree aisle to tree aisle will give the appearance of a more complete canopy sooner. Offsetting the trees from row to row is very important to minimize the impact of the large-scale development on the viewshed of Buttermilk.

The design guidelines presented for architectural character need to address exterior color treatment. The current guidelines recommend primary structural materials be limited to masonry, however, they do not state that the materials must remain earth tone.

Thank you for the opportunity to comment on the impact the proposed development of the levee parcels will have on one of the premier tourist destinations in the Ithaca area. Respect for these resources is key to maintaining the integrity of Ithaca's slogan, "Ithaca is Gorges".

202. Wegmans (252) Page 5-Scope, last paragraph: "...impact on Visual Resources...mitigation measures will...Guidelines/Study to be included...landscaping and buffers...sitting buildings and parking lots." Not all of these measures will be able to mitigate the impact of this development from miles around due to the location of the site.

203. CAC (220) The draft design guidelines do not match recommended mitigation steps listed in the Visual Resources section of the dGEIS. For example, while the dGEIS speaks of "large trees" in parking lots, the design guidelines require only 2" BD caliper trees, which would take years to reach the size projected in the dGEIS. The dGEIS recommends uniformity of building height and rooftops, while the draft guidelines call for varying roof lines.

204. CAC (220) The retention of existing vegetation is considered by the McCord Landscape Architects to have the greatest mitigating effect on negative visual impacts of development. All alternative plans, and especially Alt. 6, 5 and 1, will require removal of nearly all existing vegetation in the developed area. A feeling for the visual impact of such development is readily available at the proposed Widewaters site where the city has permitted extensive site work
and fill in advance of site plan review, thus allowing removal of large trees and most other vegetation. The view simulations in the GEIS should include such scenarios, and alternative plans that would avoid such impacts. The GEIS also should show key views from the Black Diamond Trail as well as from various sites outside City limits.

205. CAC (220) Substantial, effective buffers of trees are needed: along the Black Diamond Trail; between the substitute parkland and the commercial zone along route 13; between the substitute parkland and development to the north in the original SW Park; and between the any new development and Nates Floral Estates.

206. Stevens (97) You can demand of them that they fit themselves into the existing design and feel of the area or even to improve the Miracle Mile only with aesthetic designs on the vacant commercial lots which are already there ready to be reused for by fitting into those ready existing buildings. If they don’t go for that, court someone else who will.

Response: The Design Guidelines will propose measures to mitigate visual, lighting, and other impacts. These Guidelines have been developed and are being revised concurrently with the DGEIS. The Guidelines are a document separate from the DGEIS, have a separate review and adoption process, and will be adopted as changes to the City’s Comprehensive Plan. As discussed above, the overall impact to patrons of the park is relatively minor.

6.6 Offsite

SUMMARY

Comments expressed the perception the DGEIS did not adequately detail aesthetic impacts to areas beyond the Southwest Area. The areas highlighted as being ignored included West Hill and portions of the Town of Ithaca which adjoin the City. Two comments detailed the perceived impacts to farming in the Town which the comments suggest would be directly attributable to Southwest Area development.

207. CAC (220) 5. Numerous impacts—e.g. views, traffic, noise, quality of life, flooding, wildlife, plants—are treated in the dGEIS as
though any such impacts will stop at the City line. The GEIS needs to consider such impacts on the City's immediate neighbors.

208. Wetmore (19A) While these, and other problems discussed in the DGEIS, are good grounds for abandoning the Southwest Area project, they are not the only reasons for doing so, as the study is far from complete. Although the proposed project is considered from several points of view, the concerns of the residents of West Hill are nearly absent. Why were these neighborhoods not considered? Not even mentioned? They were certainly discussed during the public scoping sessions.

209. Wetmore (19A) It is clear what this plan would do to the Town of Ithaca. In both the Town and City of Ithaca, there are neighborhoods that will suffer greatly increased noise and light pollution, along with destruction of a scenic viewshed, if the Southwest Area plan proceeds.

210. Wetmore (19A) The scoping document asks the study to consider the impacts of "Upland residents in the Town of Ithaca". No such views are recorded or even discussed. Since noise, light and other pollution will impact these areas more than any other residential areas, they should be a primary part of the study.

211. Town of Ithaca Agriculture Committee (243) ...the City issued a permit to the Wide Water developers to dump fill across the road from Buttermilk Falls State Park-at the source of the sound corridor leading to my farm. For three weeks I listened to the bulldozers and dump trucks to decide whether it would be bearable to continue to farm here during construction of Wide Waters, and if the site were to become a major shopping mall. I stood in the orchard to determine if we could tolerate pruning, tending, and picking amidst the noise that would be generated both during and after construction of a commercial development at the Wide Waters site. I stood in our berry field, realizing with deepening dismay, that the City's actions had rendered my farm unusable as a pleasant pick-your-own operation. Our plans to farm here the rest of our lives (we are in our forties now), had been undermined by the City's ill-considered actions. With a deep reluctance matched only by the practical realism of a life-long farmer, I put in a purchase offer on another farm in a more
remote part of the county. I realized that our farmhouse would be readily salable to a suburban family who mostly stays inside with TV and stereo on and perhaps grows a small garden, but its centuries-long legacy as a farm had been unwittingly brought to an end by the City of Ithaca.

At the same time, a farmer (who wants to remain anonymous because of the delicate and prolonged nature of land negotiations) withdrew an offer to purchase a several-hundred acres farm also within earshot of the proposed Wide Waters development, because of the noise, light pollution, and inevitable increase in traffic caused by such a development. Unless the City acts widely now, that farm, too, will sooner or later (probably sooner) become suburban development. The loss of these two farms will withdraw one-fourth of the agricultural land from the green doughnut surrounding the City. The Town recognized a decade ago that a critical mass of farms and farmers is necessary in order to keep any farms alive within the Town. If even two farm families (out of a total of eight) in the Town are forced out of current or intended farm operations, the future of the remaining farms becomes bleak.

212. Dean (244) I am writing to alert you to the far-reaching detrimental impact on agriculture, of the Widewaters commercial development on Route 13 at the southern tip of the City of Ithaca (across from Buttermilk Falls State Park.) Although this city-owned parcel is too wet to be good farmland, large-scale commercial development at that location will negatively affect farms that are in the Agricultural District established by New York State law, and negatively tip the precarious balance of agriculture in the Town of Ithaca. I alerted Mayor Cohen and Common Council to this problem during a public hearing December 8 at which Common Council considered, and ultimately approved, allowing the developer to fill that site in anticipation of construction. I am afraid my neighborly warning, and my offer to sit down with the Mayor and Common Council to discuss the impacts on agriculture, were overshadowed by the broader environmental concerns voiced by the dozens of other citizens at that public hearing, who were concerned about impacts on Buttermilk Falls State Park, and about the propriety of the City's Acting Building Commissioner granting a permit to bulldoze and fill the site before proper environmental review had taken place. (I am sure you are aware that the City is without a regular Building
Commissioner pending completion of the court case to determine whether that Building Commissioner acted inappropriately in other cases.)

I will leave the broader environmental issues to others; my responsibility as Chair of the Town of Ithaca Agricultural Committee, and as a farmer, is to alert you to the negative impacts of this “proposed” development (which appears to be proceeding hastily), on agriculture and on farmland in the county Ag District. Because of the lay of the land surrounding the City, noise carries readily up into the hills. Each day for the past week I have stood in my orchards and fields, assaulted by the noise of bulldozers and dump trucks at the "proposed" Widewaters site on route 13 below. This noise is a precursor of the louder and more enduring noise (and light pollution) we can expect if the City proceeds with commercial development of this site. At the season when we normally would be ordering seeds and nursery stock, I am instead looking up realtors' phone numbers in the phone book. For the first time in the nearly two decades since I bought this farm, I am seriously considering selling and moving much further away from the City of Ithaca....

Our farm, within earshot of the City, is a bit like the canary coal miners used to take into the coal mine with them; when the canary stopped singing, air quality was so bad the miners got out quick! When farmers stop farming because the City has made it too noisy to work in the fields and orchards, a wise city will take heed and reconsider its direction. If our family stops farming because of unbearable noise from the city's commercial development, other farmers will not be far behind. Dairy farmers who work primarily in barns and closed tractor cabs, are not as vulnerable to excessive noise as fresh market farmers who work long hours outdoors, and in many cases bank on maintaining a pleasant environment for on-farm customers or C.S.A. members. But the county, Town, and City would be short-sighted to consider only the current use of a farm; fresh-market farming is the only growth sector in local agriculture. Fresh-market farmers will not want to continue to farm, or to buy farmland within earshot of a noisy commercial development.

In addition to losing our farm if this commercial development proceeds, the farmer who has made an offer on 600 acres of farmland which will score high on the Town’s criteria for PDR
and is also in earshot of this proposed development, will withdraw that offer if Widewaters proceeds. Because of the delicate nature of farmland sales and of potential PDR negotiations, the Town has an ethical responsibility to maintain confidentiality on further details of this situation, so I will say no more, except to observe that finding another farmer to buy that tract when the farm family is ready to sell, will be unlikely if the City proceeds with Widewaters.

If the City does not make wise choices now, it will begin to lose the 3,000+ acres of farmland which create Ithaca's pastoral views so necessary to tourism and Ithaca's desirability as a place to live. The Town of Ithaca has recognized that investing in promoting farming is a bargain because we keep the green space mowed without any cost to the Town; it is equally in the City's interest not to take actions that undermine farming.

Response: Noise (and other) impacts due to construction are short-term and temporary in nature, and thus are not expected to negatively affect farming or other land uses on any time scale other than the short-term.

Impacts due to noise have been projected based on the noise measurements summarized above in Section 7.2. The intensity of a sound wave diminishes (attenuates) as it gets further from the source. This attenuation is due to a combination of factors: distance—being the length of path of transmission; absorption by surfaces such as trees, buildings, earth formations, etc.; atmospheric conditions such as fog, rain and snow; and the nature of the ground over which the transmission occurs. Theoretically, the intensity of an unobstructed sound wave drops by six decibels each time the distance from the source is doubled, provided the source in not linear in nature, such as continuous flowing highway traffic. Decibel level attenuation from linear sources drops by about three decibels each time the distance from the source is doubled.

Based on these characteristics of sound, and based on the fact that many of the areas of concern mentioned in the comments are a fair distance from the project site, these areas are not

expected to be significantly affected by increased noise levels due to the proposed development.

Section 2.6 and Appendix E of the DGEIS analyzed potential visual impacts of proposed development from the most densely populated or sensitive viewpoints within the City and Town in and around the DGEIS study area. Viewpoints 9 and 10 are located in the Town at the West Hills Apartments. These viewpoints are a significant elevation above the valley floor and clearly analyze the impacts on viewers from the proposed development.

As a viewer increases his elevation, the visual impacts from the proposed development decrease due to distance from the valley floor, the increasing breadth of the field of view, and the increasing complexity of the landscape. Therefore, Viewpoints 9 and 10 represent the “worst case” analysis in terms of visual impacts from portions of the Town of Ithaca west of the project area.

DGEIS Appendix E detailed the visual components of the viewsheds from Viewpoints 9 and 10 and acknowledged that the potential for visual impacts from these points is high and medium to high, respectively.

6.7 General Aesthetics

SUMMARY

These comments covered a wide range of topics from the proposed development’s impact on tourism to a perceived negative impact of billboards and signage to mistakes and inconsistencies in the DGEIS itself.

213. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Non-Threatened or Non-Endangered Species, first paragraph: “Much of the southwest study area is currently developed...” this is in conflict of the next paragraph. See below.
214. Wegmans (252) Long Environmental Assessment Form – Part III: Impacts on Visual Resources, first paragraph: “Much of the area is currently undeveloped...” See comment #27 above. “DPW bulk storage materials in Southwest Park...will be removed as development progresses” Where will these materials be moved to and will this present a visual impact somewhere else?

Response: The EAF is a tool used to determine if an EIS should be required. Now that an EIS has been prepared, the EAF is not used to evaluate the project and there is no need to update or correct it.

The City DPW is currently, lawfully, storing the following non-leachable materials on the Southwest Park (Parcel A in DGEIS Figure 1): concrete, asphalt, brick, topsoil, gravel, and sand.¹¹ These and any other bulk storage materials will be removed to another City-owned property prior to development and disposed of according to applicable Federal, State, and local laws.

215. Hagedorn (350) What will the environmental and aesthetic impacts of billboards be, that are bound to go up along the Highways and roads leading into Ithaca as a result of BIG BLOCK kinds of development proposed for Southwest Park?

216. CAC (220) New signage will have to compete for attention with an existing gaudy hodge-podge of signs on Elmira Road, using the vibrant colors recommended against by the study. It seems likely that new businesses off the main road will seek considerable presence and visibility, by means of high contrast signage that does not meet the Visual Resources recommendations and will still fit the proposed SW Area Land Use Guidelines. The GEIS needs to address this.

Response: All signs must conform with the City Code Book, Chapter 272, Sign Ordinance of the City of Ithaca, which regulates the size and appearance of signage. Additionally, the Design Guidelines make recommendations concerning the aesthetics of signs.

217. Murray (234) The viewshed issue from Buttermilk is at best a seasonal impact issue. When the trees leaf out in the warmer weather, you can not

see the part of the plain below that is eligible for development. During the seasons when the trees lose their leaves, the trails are usually closed due to dangerous ice conditions.

218. Pastel (173) I am disturbed that the study assumes that a mix of scrub bushes and weeds in vacant lots surrounded by commercial and industrial sites (the current viewshed) is preferable to a nicely landscaped area with attractive buildings. The projected change in the viewshed that is arbitrarily listed as a adverse impact should be listed merely as an impact, with an analysis indicating that it would be considered adverse by some and positive by others.

Response: Comments of Murray (234) and Pastel (173) noted.

219. Peterson, C (239) Check the addition in Table 2.11.

Response: There were 2 mistakes in Table 2-11 on page 2-31 of the DGEIS. The Total Visual Impact Severity for line number 4 should be downgraded (impacts are reduced) from 15 to 13, and for line number 8 from 25 to 19.

SECTION 7.0 ECOLOGY

7.1 Natural Resources Surveys

SUMMARY

Commentors took issue with the flora and fauna survey being conducted in November, suggesting that survey was poorly timed to coincide with life cycles of plants and animals in the Study Area. The comments requested that the surveys be redone during the growing and breeding seasons during the spring, summer, and early fall. In addition, many comments questioned the qualifications of the surveyor, the survey findings, and the prediction and description of potential impacts.

220. CAC (220) 8. Wesley emphasizes that the timing of his survey—Oct. and Nov.—meant that many herbaceous plants were dormant and not visible above ground. This critically important piece of information is never used in the dGEIS to qualify the conclusion
that there would be no “substantial adverse impacts on plant or animal resources.” This timing meant that he would likewise find virtually no migrant birds.

Surveys done during April-Sept., a critical period for determining what species of herbaceous plants and animals (esp. birds) use the area, are a “must” for the GEIS.

221. Nathanielsz (343) Section 2.11.3 states that the “review of the study area did not identify any rare or endangered species within the study area” But the study was done in October and November, times which Mr. Wesley says are not the best times to study an area for flora and fauna. (“Some [rare species] are only visible for a few weeks.”)

I suggest that this study needs to be done over a much larger period of time, by several specialists including at least one from each of the following: botanists, zoologists, entomologists and wildlife biologists. No one person would have enough in-depth knowledge in each of these fields to be able to carry out a comprehensible study.

222. Wetmore (19A) Page 2-59. The field studies were done in October and November, not the ideal times for observing wildlife and plants. No reason was given for this odd timing...Many rare plants are only visible in the spring or summer. Many animals has either migrated or begun hibernation by the time these field observations were made. Studies must be conducted in the spring and summer as well.

223. Darlington (14) Seven, Robert Wesley's survey was conducted in October to November. As Wesley states, the DGEIS cannot draw realistic conclusions without surveys done from April through September of both herbaceous plants and wildlife.

224. Nassar (92) Plants and animals apparent in October and November, when the area was examined, is much reduced from the life forms present during spring and summer. Again, this process seems far from adequate. What exactly do we stand to lose?

225. Werier (10) 2. The rare plant surveys for the dGEIS was done in November. This is not a time of year that the plants being searched for can
be found or at the minimum can be found easily. A new survey should be undertaken with more appropriate survey methods implemented.

The plant surveyor, Robert Wesley, did his surveys in November. This is a bad time to look for most vascular plants. Even for the ones visible at this time of year there is less of a chance of seeing them. Even Wesley mentioned this in his report (App. H1 p. 1). There are seven plant species, which are rare on the state level, which have historical records in or near the study area. Six are mentioned in the report and a seventh is mentioned above. These are plants that are vulnerable to extirpation in the state. In fact three of the species (Chaerophyllum procumbens, Equisetum palustre, and Gymnocladus dioca) are ranked S1, by the NYNHP which indicates that they are critically imperiled in New York State or extremely vulnerable to extirpation from New York State. As such it is of extreme importance that a greater effort is made to find these species on the site. This could include a surveyor being paid to do three visits to the site between May and September.

226. CAC (220) The dGEIS comes to the surprising and unwarranted conclusion that implementation of the SW Area Land Use Plan “is not expected to have any substantial impacts on plant 0 and animal resources.” (ES-4) The field survey that was done by plant ecologist F. Robert Wesley does not even come close to drawing such a conclusion. The closest thing he says is that he found no species that are so rare or endangered that they have legal protection--the standards for which are exceedingly high. Not only does the dGEIS draw conclusions from Wesley’s report that are at odds with that report, the Executive Summary doesn’t even summarize accurately what is said in the body of the dGEIS.

227. Eisner (255) As much as I was impressed by the thoroughness of some parts of the DGEIS, I was discouraged by the following statement: "the adoption of subsequent implementation of the southwest area land use plan will result in insignificant impacts to the natural, features within the study area". How can this be a truthful assessment, if the plan calls for many buildings to be constructed, parking lots and several roads to be built? Most of
the natural areas will have to be razed to make room for these plans.

228. Darlington (14) Eight...Wesley is a plant ecologist, not a wildlife biologist. An ornithologist at least must study the site during spring migration and the breeding period.

229. CAC (220) It should be mentioned, by the way, that plant ecologist Robert Wesley is misidentified in the dGEIS as a “wildlife biologist.” While he is a fine naturalist (especially regarding plants), his survey’s primary focus was on the plants. No one surveyed for the dGEIS the birds, amphibians, mammals, reptiles, and other wildlife, nor evaluated their needs, such as for wetland or contiguous forest habitat. Similarly, invertebrate life important for Cayuga Inlet’s very important fishery are not discussed, nor are potential impacts of the various alternatives on this resource. This fishery draws large numbers of fishermen to the City.

230. Yntema (60)\textsuperscript{12} (B) There are other considerations omitted from the dGEIS:

1. Tree cutting has taken place in the area. What influence has this had on the flora and fauna of the area? How much habitat for birds has thus been eliminated?

2. Reportedly, 80,000 cubic yards of fill have been, or are being, placed on this Southwest Area, before a final GEIS will appear. How has this affected animal ground dwellers, and any other species of fauna or flora utilizing the ground and plants that used to grow in the filled area?

3. There are substantial wetlands in this Southwest Area. There are variations in the character of these wetlands, from season to season, and from year to year, depending on precipitation and other variables. It appears that these variations, as they affect plants and animals, have also not been taken into account.

(C) Appendix H1 does mention some animals; all but one are vague and in passing...

\textsuperscript{12} As Yntema’s (60) public hearing testimony of January 25, 2000 is included in his written comments, the public hearing testimony is not included here.
2. Deer are mentioned several times, as noted...above. No specific numbers of deer are provided.

3. Mr. Wesley reported, "While in the field I observed much use of these area, especially forest and forest edges, by birds." He does not identify any of the birds he saw...

(6) CONCLUSIONS:

(A) The plant survey must be considered inconclusive, since it was NOT done, "between May and September, preferably visiting the sites two or three times over the course of the season," in the actual words of the botanical surveyor himself. Why did he not do the recommended surveys? [my emphasis]

(B) Despite the Scoping Document requirement, and the strong admonition by Ms. Flood of the NYSDEC, no competent field surveys were made of the animals that might inhabit the Southwest Land Area, either as permanent residents, transients, or as migratory species. Typically, a botanist is not a competent wildlife biologist. Are there no local wildlife biologists who could have been hired to conduct a competent survey of the animals, in the appropriate seasons and in a timely fashion?

(C) There is no basis for the Executive Summary's conclusion, in (5), above, that, "Adoption and implementation of the Plan is not expected to have any substantial adverse impacts on plant and animal resources" of the Southwest Area, since complete and competent surveys of the plants and animals in that area were done. It is a statement lacking any credible foundation in fact.

(D) Simply stated: The dGEIS for the Southwest Area Land Use Plan, is not complete. The plant and animal surveys are incomplete and inadequate, by a very significant amount. As others will testify in person or in writing, there are other deficiencies in this DGEIS, as well. No further action should be taken until all these deficiencies have been rectified.

231. Beucke (312) This is NOT an environmental impact statement! Such a survey should, at the very minimum, require extended study of the land and the biota inhabiting it...

What more could have been done? Some suggestions:
1. AT LEAST a full year of monitoring (for seasonal variation in flora and fauna (how about springtime animals and plants? These were missed in the Fall survey).

2. A nice sized river runs right through this area. Let's find out what beautiful life forms will be threatened! At least do a survey of the invertebrates and other aquatic live here.

3. A more integrated approach should have been taken. The ecological value of this wetlands area in connection to the river system (and to surrounding habitats) and to flood prevention should have been studied. A given habitat is not survivable as a single, isolated unit, but is enmeshed in a kind of ecological super-organism, each part dependent on the rest. If for no other reason, we, as humans, are dependent upon this area for a clean source of water and for FLOOD PREVENTION (will this 100-year floodplain become a 20-year floodplain?).

232. Butler (316) ... it is obvious that the survey done to assess the impact on flora and fauna was inadequate and probably done by someone who was not fully qualified.

233. Wegmans (252) Page ES-2, Summary of Impacts: Under the Negative Impacts column, there is no mention of the effects that this action may have on animals, flora or fauna.

234. CPA (231) Analysis of Impacts on Animal Life.

The conclusion in the executive summary that there would be no significant impacts on plant and animal life in the study area is not supported by the information supplied in the body of the DGEIS. Indeed, that information contradicts that conclusion. Section 2.1 1.1 specifically remarks that a section of hedgerow in the SW corner of area E1 is old-growth floodplain forest, and that "this remnant forest should be considered to have special local importance." Despite this acknowledgement of importance, all of the "hypothetical" alternatives evaluated in the DGEIS would destroy this natural asset. Our "middle-ground alternative," however, would retain this asset.

Even more important is the retention of a sufficiently broad corridor to support important plant and animal communities.
By preserving the existing wetlands and woods in the southern, unfilled portions of the original Southwest Park and in the southern, unfilled portion of the Cherry Street Industrial Park expansion parcel, the integrity of a greenway corridor along the Inlet will be significantly enhanced.

Plant and animal life in the study area has not yet been adequately surveyed, a serious deficiency. Any survey conducted in October and November is necessarily limited. That the area was not resurveyed in the spring is inexcusable. A flood plain is by nature an ecologically rich habitat. To conclude that there is little or no value there flies in the face of probability and raises the suspicion of deliberate mischaracterization. Conclusions based on faulty information are worthless. The City should insist on a careful and objective survey of the plant and animal life in the study area before attempting an overall site plan.

Response:

The GEIS acknowledges the fact that an adverse impact of the project is the destruction of existing wildlife habitat and the displacement of wildlife.

With respect to the timing of the flora and fauna surveys and the qualifications of the person who conducted them, the Lead Agency notes that the Significant Habitat Unit of the NYSDEC has no records of rare, threatened or endangered species in or around the Study Area. The Significant Habitat Unit is the State agency charged with recording all such occurrences. The Lead Agency believes it is telling that in the Ithaca community, in which live numerous individuals with advanced degrees and expertise in all areas of botany and biology, nobody has reported or confirmed the presence of a rare, threatened or endangered species on the project site. The Lead Agency further notes that the person charged with the flora and fauna survey is extremely well qualified, is a local resident, and is professionally employed with many years of experience in this field. Based on the foregoing, the Lead Agency finds it reasonable to conclude that there is absolutely no evidence of any rare, threatened or endangered species in the Study Area.

Notwithstanding this conclusion, the Lead Agency has chosen to perform additional surveys during the year 2000 growing season. The first of three site visit and threatened and endangered species surveys was conducted on May 15, 2000.
The preliminary results of this survey are found in Appendix 3. No State or Federally listed threatened or endangered plant or animal species were observed during the May 15 survey effort which examined the hedgerow in question and other areas determined to contain sensitive habitat by the commentors and/or the DGEIS. The Lead Agency anticipates making a finding that two additional surveys will be required during the 2000 growing season, and that construction may not proceed until such surveys are completed.

7.2 Rare Species

SUMMARY

These comments focused on the potential presence of species considered rare by the commentors and/or New York State. Some comments detailed the finding of rare plant and lichen species in the Southwest Park development area and questioned how thorough the survey was for the DGEIS. Other comments described the nature of rare species in general and the perceived need for protection prior to a species becoming “officially” rare, and therefore legally protected.

235. Werier (10)

1. One species, Ulmus thomasii, which is rare in New York State and was historically found on or near the study area, is missing from the dGEIS. This should be included in the GEIS.

Ulmus thomasii (rock elm) was not mentioned as a plant that has historically been collected in or near the southwest park study area (p. 2-62). This species has a New York Natural Heritage Program (NYNHP) double rank of S2S3. The first rank (S2) is based upon current documentation. The second rank (S3) indicates the probable rarity after all historical records and likely habitat have been checked. A rank of S2 indicates that the species is imperiled in New York State because of rarity (6-20 sites or few remaining individuals) or highly vulnerable to extirpation from New York State due to biological factors. A rank of S3 indicates that the species is rare in New York State (usually 21-100 extant sites).

The report for this species comes from The Flora of the Cayuga Lake Basin by Karl Wiegand and Arthur Eames. The sites mentioned are Inlet Valley near Lick Brook and Larch Meadow.
I did not check the Bailey Hortorium for specimens but that would be an additional source for other historic records of this species. Historical records for species are helpful when doing a survey looking for particular species. Having this information helps to give a surveyor a sense of what to look for. Since this species was not noted by Robert Wesley, the surveyor for plants, it is likely he overlooked this species.

...One of the species on the list is Chaerophyllum procumbens. It is a small little plant. Right now it is basically only a historic record from the state. In other words, there is no current extant populations of this plant. If there happens to be one in Southwest Park area, and for some reason it gets affected by the development there, this plant will be gone from New York State. So it is important, and as an SH listing, that means it's not considered extirpated from the state at this point. That means there is some hope it can be refound, that's why it is listed as SH and not SX.\textsuperscript{13}

236. Werier (10) 3. In the Southwest Park part of the study area I have collected a lichen species which has not been found in the local area. This species is Physciella chloantha. It is a corticolous species and was found in the area of young floodplain forest on a Populus deltoides (Cottonwood). Lichens are not monitored by the NYNHP and often go overlooked. Since this species is uncommon or rare in the local area more investigations should be made into its distribution in New York State and associated lichen species should also be searched for.

237. CAC (220) 7. Wesley states in his report that the species in the study area that are rare or scarce in the Cayuga Lake Basin do not have legal protection. (App. H) This is quite a different statement from the one in the dGEIS that supposedly summarizes it with the statement, "Two plant species that are locally scarce were noted but are not rare enough to warrant protection." This needs to be corrected. Just because they do not have legal protection hardly means that they are not worth protecting! A species has to become exceedingly rare for it to gain legal protection.

\textsuperscript{13} This paragraph was taken from Werier's (10) public hearing testimony of January 24, 2000. The majority of Werier's public hearing testimony was repeated in his written comments. Therefore, only segments of the public hearing testimony which differed from the written comments are included here.
A significant reason for a species to become rare in the first place is **human disturbance**, especially from destruction of habitat. Note, for example, that Wesley was unable to find nine rare plant species within the study area that had been reported in earlier investigations. He may simply not have found them or the timing of his study (Oct. and Nov.) may have made them impossible to find or human disturbance may already have eliminated them from the area.

We hope that the City will not treat as expendable every species in the study area that is not yet listed as rare or endangered! To do so would be simply to hasten the time when these species, too, might qualify for legal protection.

The GEIS should discuss thoroughly impacts on species, both those that are regionally rare and more common ones.

238. Darlington (14) Six, increased human disturbance will have adverse impacts on regionally rare species as well as more common ones.

Response: See the response to Comments 220-234 above, and note the additional surveys to be completed during the year 2000 growing season. Correspondence from both US Fish and Wildlife Service (USFWS) and NYSDEC confirm that there are no recorded instances of rare, threatened, and endangered species on or adjacent to the DGEIS study area (DGEIS Appendix B).

Concerning the question of “official” and “legal” protection of ecological resources, USFWS and NYSDEC are the authorities in the State of New York. They are the agencies which make the determinations of a species’ status and whether legal protection is warranted. In the absence of a designation by either of these agencies, a species does not have protected status and therefore no special protective measures or extraordinary studies are legally mandated.
7.3 Fish

SUMMARY

The following comments highlighted the nature of Cayuga Inlet as a fishery of regional importance for trout, among other fish species. Comments perceived that the DGEIS inadequately detailed the potential impacts to the fish which use Cayuga Inlet during various portions of their life cycles.

239. NYSDEC (222) Potential Impacts to Aquatic Life - not included in the DGEIS is a discussion of how the development will end up resulting in oil, gas, antifreeze, silt, etc., from entering the aquatic ecosystems of Six Mile Creek and Cayuga Inlet. These should be more clearly addressed.

The area surrounding the large building A is proposed to be drained into/toward Cayuga Inlet. This section of the Inlet is a high quality trout spawning area. No other substantial (as large as) drainage of the type produced from large parking lots enters at or above this point. Oil, grease, antifreeze, brake line fluid, salt and possibly other potentially toxic substances will eventually be allowed into the Inlet. Water quality may be expected to decline by some degree. The Inlet is the single, most valuable trout stream resource in all of the Cayuga Lake drainage system and it possesses a very unique strain of wild migrating rainbow/steelhead trout. The life cycle of these fish depends on maintaining high water quality. Silt is already a stressing factor based on previous studies. This project will also produce additional long term silt loading from parking lot drainage.

The proposed drainage pattern to the east of building A will empty into the Inlet at a large bend where there is a deep pool where many rainbow trout congregate (hold) until stream conditions cue them to move farther upstream to spawn. Contaminants will pass directly over these fish.

Overall the review of this plan does not provide for environmentally adequate storm water drainage. No substantial discussions of the drainage at building area A were found. To protect this valuable trout fishery resource, the plan should
incorporate a wetland/ponded area north of building area A with a overspill drainage. This should eliminate floating contaminants (oil-grease, etc.) from eventually entering Cayuga Inlet. Consideration should be given to an invert overflow system from a relatively large ponded/wetland area sized to handle a two to five-year event. This would entail use/procurement or easement on lands to the north of building area A.

240. Trout Unlimited (253) The Cayuga Inlet is the primary spawning ground and nursery stream for the majority of the rainbow trout that live in Cayuga Lake. In addition, significant numbers of brown trout and landlocked salmon inhabit the Inlet at different times of the year. This fishery is a valuable natural resource that must be protected. It has tangible economic value as well as intangible natural value.

Development of the Southwest Park would most certainly have an impact on the water quality, and hence the fishery in the Inlet. Filling of wetlands and removal of riparian zones would create problems that would have to be managed in ways that are harmless to the fish. Sediment loads during the construction phase, and storm runoff from parking lots, roofs, and streets would also have to be managed in ways that do no harm to the fishery. The draft generic environmental impact statement does not address the potential impact to the aquatic insects, zooplankton, forage fish and salmonids that comprise the ecosystem of the Cayuga Inlet fishery.

241. Tompkins County Planning (218) Cayuga Inlet. The Cayuga Inlet is included on the 1996 NYS Priority Waterbodies List as an impaired waterbody for its primary use, fish propagation, as a Class C waterbody. The level of severity is considered “stressed” with agricultural silt identified as the major cause for the impairment. The potential impact of the proposed project on fish propagation (migration and recruitment rate) and silt loading to Cayuga Inlet should be evaluated and addressed in the fGEIS.

242. Patte (264) There are comments with respect to the wetlands but the issue of the water quality of the inlet itself, as well as any effects on the fish population itself, do not appear to be adequately addressed.
I am writing out of concern in particular for the trout population of Cayuga Inlet. It has been classified as a wild trout stream by the Department of Environmental Conservation, as I understand it. DEC has to be contacted, I believe, for their input on such development. In the event DEC did have some, it does not appear adequate to address long term effects of parking lot runoff and related issues that could effect Cayuga Inlet. The drainage from the parking lot appears to be addressed in part insofar as some measures to collect parking lot water runoff.

However, that does not seem to adequately answer the question: what is the water quality that does reach Cayuga Inlet and will it have deleterious effects on the water quality? No testimony on this specific issue, such as a dye test appears to have been done.

I note that this project is adjacent to Cayuga Inlet and, taken together with the other projects that have gone in along the inlet in the last several years, stream water quality appears to be an issue that has been overlooked. There is a lot of runoff from various parking lots along the Cayuga Inlet built during the last several years. This is yet another proposal but this one is on the stretch of stream that is further upstream than the others and in an area where trout actually reproduce.

Trout are extremely sensitive to any presence of phosphorus and other runoff that may occur from parking lots or businesses. This project is located extremely close to Cayuga Inlet and again, the statement does not appear to deal with the wild trout population and the water quality in the inlet. It would appear that the issue should be adequately addressed by sending it back for further study so that there is no adverse environmental impact that is overlooked. I am extremely concerned that to date this has not been done.

243. CAC (220) 2. Cayuga Inlet, according to the DEC's fishery expert, is the single most valuable stream entering Cayuga Lake for the production of wild migratory trout. DEC estimates are that 85-90% of the wild trout in the lake come from the Inlet. This is of enormous value, yet the dGEIS does not discuss it, nor does it consider the many changes in drainage and pollutant and sediment loads that could affect the Inlet. The Cayuga Lake fishery itself is estimated to be worth $10 million, about half of which is from the cold water fishery. The GEIS needs detailed
discussion of the plans, particularly the drainage plans and long-term monitoring and maintenance of these.

The dGEIS simultaneously proposes removing water from the site as fast as possible, to reduce flooding on the site, and slowing it down as much as possible, to trap or remediate pollutants. Obviously, both scenarios are not possible, and if the former is what happens, the pollution and sedimentation load entering the Inlet and Cayuga Lake could seriously degrade these waters, along with their fisheries (to say nothing of the lake’s quality for drinking water).

244. Bleck (325) ...my concern is also for the Stream in that location. I see nothing in the study the addresses the fisheries directly adjacent to this area. ithaca is a great tourist area for fishing, and this area is one of the best. Could the danger to this area be addressed?

245. Haller (333) I was disappointed that nowhere in the DEIS is the cold water fishery resource of Cayuga Inlet mentioned. Nor is there mention of how this resource will be protected during and after the development of Southwest Park. Action must be taken to:

1) protect a suitable riparian buffer to control sediments from entering the stream and to reduce stream temperatures. Ideally, this riparian buffer would be at least 100 feet on either side of the stream;

2) Stormwater runoff must be managed during and after any construction to control pollution entering the stream to protect the aquatic environment and the organisms that depend on clean and cold water for their survival. In particular, parking lot runoff is of concern as this runoff is generally warmer and contains oils and metals. In addition, modern runoff controls and Best Management Practices should be incorporated into the design that directs runoff into the sewer system for treatment at the wastewater treatment plant;

3) Include appropriate monitoring of water quality before and after the project to ensure compliance of all applicable laws, specifically, the Clean Water Act; and
4) Include appropriate access to the stream with footpaths that do not compromise the riparian buffer.

The value of the Cayuga Inlet fishery resource cannot be overstated. This stream is where the majority of rainbow trout production occurs and is a very popular recreational fishing stream. Any reconfiguration of the area known as Southwest Park should include protection and enhancement measures of the stream corridor and of the water quality of the stream. Ithaca has one of the best urban recreational fisheries in the United States and any development of this area should recognize this and take appropriate measures for the maximum protection of this great resource.

246. Mudrak (236) Trout Production -Although it does not seem to be mentioned in the DGEIS, the Cayuga Inlet as well as the feeder streams and channels are much more than a system for flood control aimed and preventing property damage. They are part of an incredible natural system which give aesthetic beauty to people and habitats to birds, terrestrial animals and especially to fish and their entire food chain. Cayuga Inlet is the single most valuable stream for the production of wild rainbow trout in all of Cayuga Lake. DEC estimates that between 85-90% of wild, migratory trout spawn and breed in the Cayuga Inlet. Cayuga Inlet is the only barrier free waterway left. By anyone's definition, this system is certainly unique, wonderful and awe-inspiring. The spring trout run (upstream migration) is about to occur. Ask a fisherman to take you to see it- it's as good as a whale watch. But sadly, I don't believe the word "fish" appears at all in the DGEIS.

247. Patronski (334) The proposed development of the riparian wetland areas adjacent to Cayuga Inlet as outlined in the Southwest Area Development Plan will cause instability in the riparian floodplain community and lead to accelerated flood control and erosion problems. Already considered impaired, the south end of Cayuga Lake will experience an increase in turbidity and a decrease in general water quality if this plan is carried out.

Response: The key to maintaining the water quality and habitat necessary to support trout and other species of fish which thrive in the Cayuga Inlet is the treatment and controlled release of
stormwater runoff. Other measures to maintain water quality are the retention of existing vegetation along and adjacent to the watercourses and the installation and maintenance of appropriate erosion and sedimentation controls during the construction process. Stormwater management measures are detailed in Section 13, and erosion and sedimentation controls such as those detailed in DGEIS Section 2.4 (p. 2-26) should be employed whenever feasible. It is anticipated that the NYSDEC will also review stormwater management measures through that agency’s general stormwater discharge permit procedures.

During the site plan approval stages of individual projects, the Planning Board and other reviewing agencies may make determinations as to whether additional studies are warranted based on the specific drainage characteristics of an individual project.

7.4 Birds

SUMMARY

Comments listed birds observed in the Southwest Area, detailed the Area’s perceived importance as habitat for a wide range of avifaunal species, and suggested that the Southwest Area could be draw for birders and other ecotourists.

9. Wesley states in his report that the study area is “much-used by birds, especially the areas along the flood control channel.” The authors of the main document never mention this important piece of information. Why was an ornithologist not hired to survey the birds, especially from April-Sept.? This is a serious omission, as is an inventory of other types of wildlife.

While the CAC does not, by any means, have a complete list of birds, we have assembled what little information we could. On May 19, 1988, a CAC member led a Cayuga Bird Club trip to SW Park and Negundo Woods. The alienation (“deparking”) of SW Park was under intense discussion at the time. Club president and expert birder, Dick Evans, was among those on the trip.

While none of the [birds observed by Evans et al] except perhaps Cerulean Warbler is listed as threatened or endangered, the City cannot dismiss all the rest of these birds. Birds play an important role in the complex balance of nature. In addition, they
enrich our lives. For many people, parking lots and shopping plazas are far less thrilling than seeing or hearing a Rose-breasted Grosbeak, Baltimore Oriole, or Cerulean Warbler. The CAC believes that there would actually be commercial value in retaining the woods and wetlands in and around original SW Park, as discussed below.

249. CAC (220) 1. **Tourism** is a major part of our local economy, and birders constitute a significant proportion of the tourists. Birding has become big business. Since so many stunning birds use the unofficial green belt along Cayuga Inlet, including the woods and wetlands in the unfilled portion of the original SW Park, let’s take advantage of that.

The City should capitalize on the fact that this area is near a major State Park, and the soon-to-be City park/natural area and Black Diamond Trail. Bring birders and other visitors to that area and the original SW Park. What other shopping area can offer such impressive natural amenities? This would also help bring in stores that cater to users of these natural areas—stores that might actually draw customers from places as far as Elmira and Cortland, and that would provide goods not supplied by other mass-marketers that are already in our area or apparently soon will be.

**Environmentally compatible development that took advantage of the rich natural resources of the area**—for example, a museum of the Finger Lakes, a center for ski touring and canoeing, a nature center, a hotel and conference center, all tied in with the colleges—could be a real asset to the City, both economically and socially. All development in the original SW Park would be on the filled portion only, leaving the natural areas undisturbed.

250. CAC (220) 3. While the original SW Park woods may not look impressive yet, given time, and seeds from nearby areas, it could become quite magnificent, and be a draw for birds and birders alike. Trees, like most creations of nature, start out small. Are we so impatient with the slow pace of nature relative to our own rush through life, that we will wantonly cut down anything that has not yet attained the majesty and magnificent
of old age? (Fortunately, we don't apply the same principle to human beings.)

The CAC is surprised by the conclusion drawn in the dGEIS that there would be no significant impact on plants or animals from replacing these large areas of woods and wetlands with impervious surfaces.

251. Farrell (346) l) As birders, we observe that you are building in a wetland which is a sanctuary for spring warblers and migrants and an area that could be a major eco-tourist attraction, park, and a recreation area;

252. Jennifer Schriber (125) RE: THE GREAT BLUE HERON. The development of the Southwest Area would include the disruption of an area utilized by a group of Great Blue Herons who have been spotted in the corridor where the power lines run east/west. After 200 hours of observation the Cayuga Bird Club counted 20 Great Blue Herons in the area surrounding Ithaca. While these birds are usually seen one at a time, 6 have been seen congregating in Southwest Park this winter.

Response: Correspondence from US Fish and Wildlife Service (USFWS) and NYSDEC both confirm that there are no recorded instances of rare, threatened, and endangered species on or adjacent to the DGEIS study area (DGEIS Appendix B). DGEIS Appendix H did find the project area much used by birds, “especially the areas right along the flood control channel (p. 5)”. These areas are generally proposed to remain vegetated in all development scenarios. In addition, DGEIS Appendix H concludes that “maintaining those [avifaunal] habitats right at the south shore of [Cayuga] Lake are ultimately much more important for bird conservation than the ones as far away as Southwest Ithaca (p. 5).” Therefore, the DGEIS conclusion that the proposed development will not have a significant impact on bird life is well supported, and impacts to avifaunal species are proposed to be mitigated with vegetated buffers in the areas of most concentrated avifaunal activity.

The Planning Board and other reviewing agencies may make determinations during the site plan approval stages of
individual projects as to whether additional studies are warranted.

Considering that many areas with the most concentrated avifaunal activity will be protected with vegetative buffers, and considering that most of the 60 acres of substitute parkland, including all of Negundo Woods, is either owned or optioned by the City and will be purchased and protected in the foreseeable future, ecotourism opportunities will not be significantly diminished by the proposed development. Tourism could be improved because of the addition of 60 acres of publicly available parkland that will result from this project.

7.5 Wildlife

SUMMARY

Comments intimated that the DGEIS inadequately described both the wildlife populations which may be using the Southwest Area and the cumulative impacts that development might have on wildlife, particularly deer.

253. Tompkins County Planning (218) Wildlife Population. The project area represents some of the last significant open space located within the City of Ithaca. Information contained in Appendix H1 indicates very high use by deer in the project area. The abundance of the deer population and any seasonal patterns of use on-site should be identified in order to determine the potential effects of the loss of this habitat (i.e. deer crossing Route 13, overgrazing) on Negundo Woods and the substitute parkland, nearby residences, Buttermilk Falls State Park, traffic safety and the project area itself (i.e. foraged landscaping, traffic safety).

254. Wetmore (19A) Page 2.61 states that the area is currently overpopulated with deer. The study does not say what will happen if the deer habitat is destroyed. Is the city going to have to deal with a large increase of deer/car collisions as a result of the deer moving to a new area? Are home owners going to have to deal with more garden and shrub damage as deer move into their yards due to displacement from the project area?
255. Tompkins County EMC (204)  Plants and Animals

The overabundance of deer noted in the report prepared by Robert Wesley indicates that the available vegetation is being damaged and depleted. Unless properly protected, the survival of new landscaping vegetation will be additionally challenged by the deer population. Furthermore, if one of the larger development alternatives is implemented, deer and other animals will be more intrusive in the new park and Negundo Woods.

256. Werier (10)  9: There was no complete surveys done of animal species on this sight. Robert Wesley, the consulting botanist, did a cursory survey of a few animal species, mostly deer. At the minimum an ornithologist and a wildlife biologist should due a survey of the study area to determine what animal species use this sight, what impacts the plan would have on these species, and what mitigation could be done to prevent these adverse effects.

257. Gougakis (34)  ...I did not see a study on migratory animals – seasonal visitors which are common to flood plain/wetland areas.

Response: Correspondence from US Fish and Wildlife Service (USFWS) and NYSDEC both confirm that there are no recorded instances of rare, threatened, and endangered species on or adjacent to the DGEIS study area (DGEIS Appendix B). As stated above, the Planning Board and other reviewing agencies may make determinations during the site plan approval stages of individual projects as to whether additional studies are warranted.

The deer highlighted in the DGEIS will migrate to other undeveloped areas of the City and Town. Wesley did highlight this prediction in the DGEIS Appendix H1:

"if the habitat [the deer] now occupy is largely lost to them, they will go elsewhere. This would create even higher population densities in the surrounding areas. Homeowners and businesses may find their shrubs, gardens and other plantings are suddenly under much greater pressure."

Deer use a variety of different habitats throughout the year, and it is expected that most significant impacts to environment due
to their dispersal will be short-term. Over the long-term, the impacts will lessen as the displaced animals find other areas in and around the City and the populations in these areas stabilize.

7.6 Floodplain Forest

SUMMARY

The following comments attacked the DGEIS for its alleged failure to accurately describe the functions, extent, and impacts to the floodplain forest which was found in the Southwest Area. Comments suggested that the forest is much more valuable than portrayed in the DGEIS, that impacts to it were understated, and that preservation of the forest should be a high priority.

258. CAC (220) 1. On page ES-4, under “Plants and Animals,” the document states that “no significant ecosystems, other than Negundo Woods...were identified within the study area.” On page 2-2, the doc. states that adoption and implementation of the SW Area Plan “will result in insignificant impacts to the natural features within the study area.” In the “Summary of Impacts,” on page ES-3, under “plants and animals,” the table says, “none,” in the adverse impact column.

Yet, on page 2-61, the dGEIS reports that the old hedgerow between the original SW Park and lands owned by Reuben Weiner “constitutes a significant remnant of old-growth floodplain forest.” In addition to other very large trees, the county’s largest bur oak is in this hedgerow. The dGEIS says that the trees in the forest just to the east are “somewhat less large,” with the implication that these, too, are nevertheless large.

This floodplain forest remnant is identified by Wesley and the dGEIS as being of special importance and one that should be protected. Mature floodplain forest is now one of the rarest ecosystems in the state, as a result of human activities.

In addition to the intrinsic value of this forest, if the younger woodlands in the study area are to develop into healthy floodplain forests, thus undoing some of the damage done by humans, it is important that the trees in the old hedgerow be protected.
They provide important seed stock for the younger forested areas. Yet all six alternatives shown in the DGEIS completely eliminate this forest. The Executive Summary conveniently "forgets" about its very existence! Not only must this be corrected; the GEIS also should provide alternatives that protect the forest.

259. Werier (10) 4: Part of the study area has been documented as floodplain forest, including the forested old hedgerow between the Reuben Weiner properties and the Southwest Park parcel, and the Conrail property southeast of and parallel to the railroad (App. H1 pp. 3-4). Some of the area that was documented as forested was not given an ecological community determination. According to the descriptions of these sections they appear to be floodplain forest. These areas include part of the Southwest Park parcel, the parcel south of Cherry Street, and the parcel north of the Southwest Park parcel. This ecological community has been given the double rank of S2/S3 by the NYNHP. The first rank (S2) is based upon current documentation. The second rank (S3) indicates the probable rarity after all historical records and likely habitat have been checked. The rank of S2 denotes that the community typically has 6 to 20 occurrences, few remaining acres, or very vulnerable to extirpation in New York State for other reasons. The rank of S3 denotes that the community typically has 21 to 100 occurrences or limited acreage. The elimination of these forests is not mentioned as an adverse effect in the executive summary and should be. Due to the "rareness" of this ecological community on a state level it should be protected. All efforts to not develop the flood plain forest should be made...Also the executive summary should conclude that the cutting of this forest would be an unmitigatable adverse effect of the plan.

260. Wetmore (19A) As the DGEIS indicates, good examples of flood plain forest are now rare everywhere in this region. Rather than suffer permanent destruction, the portions of the Cayuga Inlet Valley being considered for big box development (including the largest bur oak currently in the Tompkins County Big Tree Search database) should be allowed to return to floodplain forest.

261. CAC (220) 2. With seed dispersed from the old-growth hedgerow and Negundo Woods, the woods in the original SW Park could be restored (naturally and at no cost) to a fine mature floodplain
forest, helping to reverse the appalling destruction that this type of habitat has suffered at human hands—simultaneously drawing more tourist dollars to the City. Wildlife that uses Negundo Woods already travels back and forth between the original SW Park, Negundo Woods and the old floodplain forest remnant, and depends on the woodlands not being fragmented further.

262. Darlington (14) Part one, evaluation of impacts. The Executive Summary, ES, as I will call it later, draws the conclusion that there would be no substantial impacts from the various alternatives on plants and animals. Yet this conclusion is not supported by either the body of the DGEIS nor by Robert Wesley's survey.

The significant old-growth flood plain forest remnant at the eastern edge of the original Southwest Park would be eliminated under all alternative scenarios. This is not even mentioned in the Executive Summary. This is one of the rarest ecosystems in the state. And I think it would be criminal to just wipe it out. Every single alternate wipes it out.

Response: The floodplain forest was described according to location on specific parcels and ecological significance in the DGEIS Section 2.11 and Appendix H. It is reasonable to suggest that development plans preserve the Bur Oak described in the Tompkins County Big Tree Search Data Base, and the Lead Agency anticipates making such a Finding.

7.7 Negundo Woods

SUMMARY

According to the following comments, the impacts to Negundo Woods from the Southwest Area development, and particularly from changes in the hydrological regime, were not accurately described in the DGEIS.

263. CAC (220) 4. Replacing the woods and wetlands in the original SW Park with fill and pavement will result in further isolation of Negundo Woods. With a smaller area in which to be confined, many of the species using Negundo Woods and the original SW
Park woods may vanish. For example, fragmentation of habitat is thought to be a major cause of the dramatic decline over the past 20 years of cerulean warblers; mature flood plain forests are its major habitat.

264. CAC (220)

5. Although the dGEIS identifies Negundo Woods as a significant area, and one which will be protected as part of the substitute parkland, it never mentions the potential adverse impacts on it of having intense development in very close proximity, both in the original SW Park and along route 13 (Widewaters site), adjoining the substitute parkland. There will be a variety of impacts from the latter, such as pollution/sedimentation, changes in hydrology, and disturbance of wildlife species. The GEIS should describe these thoroughly.

The dGEIS claims that the Plan would provide much-needed protection for Negundo Woods. Yet, the City must protect it as part of the substitute parkland. Implementation of the Plan would very likely have a variety of adverse impacts. It should also be noted that Negundo Woods and the Floodway Zone (FW-1) are not developable anyway.

Introduction of nonnative invasive plant species, dispersed from the landscaping around the new developments, is yet another potential source of harm to Negundo Woods, especially the herbaceous vegetation. In the SW Area Design Guidelines, several such pernicious plants are listed in the recommendations for landscaping—e.g. shrub honeysuckle, privet and autumn olive. Loss of biological diversity from invasion of native habitats by exotic species is of growing concern, worldwide. The Sept. 17/99 issue of Science, for example, has a lengthy section on this serious problem.

265. Nathanielsz (343) Section 2.11.3 also states that we can expect the development “to result in the disturbance of the ecology throughout the study area with the exception of the substitute park land” and that “the Negundo Woods area, described as a significant ecological community, would be largely protected...as substitute park lands.””(Italics mine). Let me ask you: how is it that a delicately balanced ecosystem can have major building go on in its vicinity and not be effected? The ways in which
Negundo Woods and its natural inhabitants (including plants, birds, animals, and insects) would be effected by the development in nearby areas must be addressed. It must be kept in mind that the natural systems are just that: complete systems. If one thing is dramatically effected, so will the entirety.

266. Darlington (14) Number three, all six of the alternatives are likely to have significant adverse impacts on Negundo Woods, which is one of the county's unique natural areas and is identified as being significant in the DGEIS.

267. Darlington (14) We are concerned about adding more water with contaminants in Negundo Woods. Additional consultations by a forester or ecologist are recommended.

Response: The Lead Agency believes that the DGEIS contained sufficient information to evaluate the impacts of the proposed Southwest Area Land Use Plan on Negundo Woods. The Negundo Woods will not be physically altered by the project. Comments regarding potentially invasive plant species should be addressed through the adoption of design guidelines. Regarding any presumed changes in the hydrological regime, the goal of stormwater management is to ensure, to the greatest extent feasible, that post-development stormwater quantity and quality are similar to pre-development levels. Therefore, significant changes to hydrological regimes are not anticipated. Further, the City now owns or has options to purchase all 60 acres of the area delineated on DGEIS map figures as “substitute parkland”, and protective measures and access to this parkland are currently under development.

7.8 Habitat/Corridors

SUMMARY

These comments stressed the perceived importance of the Southwest Area as wildlife habitat, the importance of the habitat, especially the woods and hedgerows, as corridors for wildlife movement, and the DGEIS's perceived downplay of these attributes. Comments also stressed that the DGEIS supposedly understated the
impacts from the proposed development on the habitat values of the Southwest Area.

268. Dicke (159)  ...when you put a strip mall next to a state park you significantly diminish the impact of the park as a refuge for wildlife.

269. CAC (220) 3. Aerial photos of the area show a significant forested area, starting in the south with Negundo Woods and wrapping around the filled area of the original SW Park. These woods provide a nearly uninterrupted habitat corridor for both plants and wildlife. Protection of the forests and wetlands would still leave a very large area for development: the already-filled part of original SW Park, the former City dump (if safe), and the proposed Widewaters site along route 13. Conversely, destroying virtually all of it except Negundo Woods would destroy significant habitat for plants, birds and other wildlife. The dGEIS makes no mention of this problem. The fact that large areas of woods are still relatively young apparently led the authors to conclude that these woods are insignificant and not worthy of protection.

270. Darlington (14) Four, the nearly uninterrupted forested corridor currently in the Southwest area is needed for wildlife and plants. It should not be further fragmented, to do so would be to have significant impacts on them.

271. Darlington (14) Five, removal of so much forest will have adverse impacts on air quality, air temperature, and drainage, in addition to impacts on wildlife and plants.

272. CAC (220) 6. The large forested area in our City’s SW provides the City with major benefits such as cleaning the air and moderating the temperature, not to mention the wildlife and plants. It also performs important drainage functions. It is important to protect what little forest the City has left. The GEIS should describe impacts on these functions thoroughly.

273. Werier (10) There is an old hedge row in the study area that contains some old growth trees including a Quercus macrocarpa (bur oak) that is approximately 4.4 feet in diameter. This tree is the biggest found so far in Tompkins County and as such is in the Tompkins
County Big Tree Search Data Base (App. H1 p. 3). In this old hedgerow are a number of other old and large trees including some Acer rubrum (red maple). These trees are at least 150 years old and are probably much older. According to the dGEIS this hedgerow will be cut down (p. 3-1). This is mentioned in a section entitled unavoidable negative impacts but is not mentioned as a negative impact in the executive summary and should be. They are part of our local heritage and could also be a genetic source for the adjacent flood plain. All efforts should be made to include these trees as part of the plan...Also no mitigation of this situation is mentioned such as leaving this small area intact and this possibility should be noted.

274. Tompkins County Planning (218) Existing Conditions. Information contained in Appendix H1 and elsewhere indicates there is a diversity of habitat existing in the project area, varying from mature floodplain forest to fallow agricultural land. No estimates of the total acreage of various land use categories in the project area are provided for existing or proposed conditions. This makes it very difficult to make comparisons among alternatives and further supports our earlier statement concerning evaluation of all the alternatives, including a no-action alternative.

275. Tompkins County Planning (218) Preservation or Consideration of Significant Features in Project Area. Many significant features currently exist within the project area, such as a hedgerow of mature floodplain forest and unique habitat for butterflies. These characteristics should be identified and evaluated for each alternative.

Response: With respect to impacts, the GEIS acknowledges the fact that adverse impacts include the destruction of existing wildlife habitat and the displacement of wildlife.

It would appear from aerial photos that the most likely habitat corridors and connections from Buttermilk Falls State Park to the Southwest Area begin at the park and head west across Route 13 to the Inlet south of the project site and the old railroad tracks. Wildlife would thus avoid the Widewaters development parcel. Wildlife would then follow the inlet to Negundo Woods, avoiding the Commercial Avenue buildings and activities, and then proceed to the currently undeveloped
Southwest Park (Parcel A). Wildlife is presumed to use this route as both the eastern and western sides of Route 13 beginning near the park entrance are developed. It must be noted that a substantial portion of Southwest Park is composed of un vegetated piles of fill and debris which has been placed there by the City DPW, and that this debris has minimal value as wildlife habitat.

As the current Southwest Park is bordered by development to the north (Nates Floral Estates), the east (Tops, Wegmans, Kmart), and the south (Commercial Avenue), Negundo Woods (including both City and Town portions) appears to be the most likely corridor for wildlife to leave the area as well. By preserving Negundo Woods, the Southwest Area Land Use Plan preserves the most important wildlife corridor in the development area.

The floodplain forest, hedgerow, and butterfly habitat were described according to location on specific parcels in the DGEIS Section 2.11 and Appendix H.

It is reasonable to suggest that development plans preserve the Bur Oak in question.

7.9 Wetlands

SUMMARY

The comments requested more detail concerning specific impacts to onsite wetlands, highlighted the per acre costs of creating compensatory wetland mitigation areas, noted that some of the wetlands may require redelineation per ACOE requirements, stressed the functions of wetlands, and suggested that some the wetlands should fall under NYSDEC jurisdiction.

276. Tompkins County Planning (218) Wetland Evaluation. Each alternative should identify the total acreage of wetlands that will be removed, and the required acreage for mitigation. Created wetlands, intended to serve as mitigation for wetlands lost, must provide similar or greater benefits than the original wetlands (i.e. water storage, infiltration and habitat).
277. Tompkins County Planning (218) Wetland Mitigation. The dGEIS defers to the Draft Design Guidelines for specific criteria related to constructed wetlands, vegetated buffers, and swales. The Draft Design Guidelines include several plant, tree, and shrub species that are considered invasive or non-native in Tompkins County. A separate comment will be submitted regarding the Guidelines, however this supports our earlier statement that the Design Guidelines should be finalized before completing the fDEIS.

278. Wegmans (252) Page ES-3, Summary of Impacts: Under the Plants and Animals Element, there is no mention of wetland reduction that may occur under these development scenarios.

279. Tompkins County Planning (218) Wetland Mitigation. The dGEIS states on-site reconstructed wetlands will be used for mitigation whenever practicable, however the dGEIS does not provide for on-site mitigation in Alternatives 1-6. The proposed area for on-site mitigation should be incorporated into each alternative and establish a threshold for land use within the project area. Allowing the mitigation of wetlands to be addressed through site plan development may result in an uncoordinated approach to providing replacement wetlands, and possibly off-site mitigation. The best possible mitigation could be identified if incorporated as part of the alternatives. The project area lies at the base of a major watershed occupying a significant portion of the 100-year and 500-year floodplain. Every effort should be made to ensure the benefits of wetlands are retained within this important area. Possible mitigation could include the creation of an on-site wetland mitigation bank (for this project), allowing the City to issue credits as development proceeds.

280. Werier (10) 6: The wetlands in the study area are unique and special due to their location. This includes wetlands in a floodplain forest, wetlands adjacent to a major tributary to Cayuga Lake, wetlands within the boundary of a city, and wetlands within a 100 and 500 year flood level. Due to this fact, the Department of Environmental Conservation (DEC) should be called in to decide if they have regulatory power over the decisions made around these wetlands.

281. Werier (10) 7. Sterns and Wheler delineated the Southwest Park parcel and adjacent land for wetlands in 1994. These delineations are now
older than five years and as such the Army Corp of Engineers (the organization that currently regulates these wetlands) considers them invalid. It is important for a few reasons to have wetland boundaries that are accurate according to the regulatory agencies that govern wetlands.

These reasons include the fact that the acreage of wetlands delineated in 1994 is just under the acreage needed for the DEC to become the regulatory agency. When the wetlands are redelineated, to bring the delineation up to date, if the acreage is over 12.4 acres the DEC will a new regulatory agency regulating these wetlands. The Army Corp and the DEC regulate wetlands differently and as such there needs to be an accurate delineation to determine who should regulate these wetlands.

A second reason why there needs to be up to date delineations is to determine the potential costs associated with mitigation. Mitigation of wetlands costs approximately between $50,000 and $100,000 per acre. These costs then need to be included in the dGEIS as associated costs of developing the study area. So, two points are being made here. One is that accurate delineations need to happen and two is that the dGEIS is lacking in not mentioning the costs associated with mitigation of the wetlands.

A third reason that there needs to be up to date delineations is because the whole plan is controversial. For this reason it is important to give common council, the lead agency for this plan, the most accurate picture of what is on this land.

282. Gougakis (34) It seems there needs to be another inspection to be done by the ACOE, on the wetlands and area as a whole.

283. Darlington (14) Wetlands are important resources, providing protection against flooding and they serve as reservoirs for storm water and storm melt events. Wetlands also provide habitat for specific plants and animals. 10.98 acres of wetlands have been delineated within the Southwest area. We heard tonight that area is probably larger than that. It is a very unusual system that they used for delineation. We support the maintenance of all wetlands on-site and the mitigation of disturbed wetlands to be reconstructed on-site, by the expansion and enhancement of existing wetlands.
We do not support the creation of new wetlands in the new Southwest Park until a new management plan has been developed for the park.

284. CAC (220)  ... We support the expansion and enhancement of existing wetlands on the site. We do not support the creation of new wetlands in the new SW Park until a complete management plan has been developed for the Park. We are concerned about directing more water as well as contaminants into Negundo Woods without consultation by a forester or ecologist on the impacts of pollutants and/or additional water into this area...

285. Karpen (7) and Gallahan (8)  POINT NUMBER TWO

The entire Southwest Area Land Use Plan area was in its entirety part of a vast floodplain forest, significant remnants of which still remain.

Early settlers cleared almost all of the forest for agricultural purposes, as the flood plain had rich soils. The Southwest Park was farmed into the 1950's. Along the east side of Southwest Park and near the entrance there is a floodplain forest, according to the Wetlands Investigation Map 4 prepared by Stearns and Wheler, dated August 19, 1994. At the southeast corner of Southwest Park there are some red maple trees up to three feet diameter. These trees, which I saw when I visited Southwest Park in April 1999, may be 100 to 150 years old.

The same map shows approximately 30 acres of mature woodlands containing floodplain forest habitat with open areas with a dominant growth of grasses with some areas of wildflowers or rushes, reeds, or sedges. The forest is about 35 years old and contains cottonwood, box elder, green ash and white willow.

These 30 acres of forest meet the definition of fresh water wetlands as defined in Environmental Conservation Law Section 24-0107 Subsection 1, "means lands and waters of the state ... which contain any or all of the following:
(a) lands and submerged lands commonly called marshes, swamps, sloughs, bogs, and flats supporting aquatic or semi-aquatic vegetation of the following types:

(1) wetland trees, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other trees; including, among others, red maple (Acer rubrum) willows (Salix sp.),...."

This area, which appears to be greater than 12.4 acres, satisfies the requirements of an individual wetland of sufficient size to be included on the Freshwater Wetlands Map of New York State, as promulgated by the Commissioner of the NYSDEC.

There are other small areas in the entire Southwest Area Land Use Plan that would also satisfy the requirements of Article 24, Freshwater Wetlands Act, to be mapped as freshwater wetlands, because they are the only remaining open spaces along crowded river fronts.

On June 7, 1999 David Gallahan petitioned the Commissioner of the NYSDEC to map these areas and to place them on the Freshwater Wetlands Map. Attached to this testimony is a copy of the letter.

All these freshwater wetlands satisfy the requirements of a Class II wetland, at 6 NYCRR 664.5 (b) (1), (15), (16), and (17). These wetlands are all located within an urbanized area, they are one of the three largest wetland areas within the city, and they are within a publicly owned recreation area.

According to 6 NYCRR 663.5 (e) (1), a freshwater wetlands "permit, with or without conditions, may be issued for a proposed activity on a wetland of any class or in a wetland's adjacent area if it is determined that the activity (i) would be compatible with preservation, protection and conservation of the wetland and its benefits, and (ii) would result in no more than insubstantial degradation to, or loss of, any part of the wetlands and (iii) would be compatible with the public health and welfare."

"Class II wetlands provide important wetland benefits, the loss of which is acceptable only in very limited circumstances. A permit shall be issued only if it is determined that the proposed activity..."
satisfies a pressing economic or social need that clearly outweighs the loss of or detriment to the benefit(s) of the Class II wetlands".

According to 6 NYCRR 663.5(f)(5): "Specific Class II standards.

(i) '...loss of which is acceptable only in limited circumstances.' Permits for most activities that could not avoid causing a loss of or detriment to a benefit provided by a Class II wetland would not be approved.

(ii) '...satisfies a pressing economic or social need...' Pressing should suggest that for the need to outweigh the loss of or detriment to a benefit of a Class II wetlands it must be urgent and intense, though it does not have to be necessary or unavoidable.

(iii) 'clearly outweighs...' means that the need for the proposed activity must outweigh the loss of or detriment to the benefits in a way that is beyond serious debate, although there does not have to be a large or significant margin between the need and the loss."

In my professional opinion, based on the above citations of law, the probability of any applicant obtaining a Freshwater Wetlands Permit for any major construction in the Southwest area is zero.

286. Gallahan (8) 4. Water Resources—Wetlands

...According to the DGEIS the loss of wetlands in the study area can be mitigated by the creation of "replacement wetlands." This is absurd. The value of these wetlands is totally site specific, and benefits us greatly in maintaining the natural health of the area. This is one of the last vestiges of the formerly vast wetlands of the City, and there are no undeveloped parcels available in the drainage basin of the "Relief Channel" for the proposed "replacement wetlands."

It is also important to note that these freshwater wetlands are currently delineated in a fragmentary way, which makes them appear much less significant. Pursuant to 6 NYCRR 664.7(b) the system of wetlands in and adjacent to SW Park should be treated
as a single wetlands Likewise, these freshwater wetlands, 'having unusual local importance' as defined in 6 NYCRR 664.7(c)(1) qualify as a Class I freshwater wetlands Thus the larger area of the freshwater wetland system plus all adjacent areas within 100 feet are protected by 6 NYCRR 665. Specifically: the land use changes studied in Alternatives 1, 2, 3, 4, 5, and 6 of the DGEIS are all outside of the range of permitted activities for these areas...

287. Wegmans (252) Page 3-Scope, second paragraph: “The impact of proposed development in or near the designated wetlands...Possible mitigation measures might include improvement or replacement of wetlands.” Avoidance may be another possible mitigation measure that was not suggested.

Response: Werier (10) is correct in stating that ACOE wetland delineations are only valid for 5 years and, therefore, the Stearns and Wheler delineation would require updating. During the site plan approval stages of individual projects, the Planning Board and the ACOE, will make determinations as to whether delineations and/or additional studies are warranted. It is important to note that the ACOE is the regulatory authority charged with reviewing the impacts from development on the wetlands in the Southwest Area. The ACOE would review proposed projects and their associated impacts to determine whether compensatory wetland mitigation is required, and the location, extent, and functional capacity of this mitigation, and the vegetation to be planted in mitigation areas. It is premature to determine the acreage of compensatory mitigation which may be required due to several factors: the acreage of wetlands disturbed, the functional capacity of the wetlands disturbed, and the mitigation measures proposed.

The most appropriate area for wetland mitigation, as determined during field surveys and reviews of mapping resources, is in the southwestern portion of the study area (Parcels F6 and the northern portions of F3 and F2 as delineated in DGEIS Figure 1). The parcels have the appropriate hydrologic soils (Wayland and Sloan silt loam), hydrology, and distance from proposed development to support compensatory wetland mitigation areas. Note that the ACOE would make the final determination of the location, type, and extent of compensatory wetland mitigation areas.
The ACOE is also the regulatory authority with primary oversight of the design and implementation of so called “wetland mitigation banks” and the issuance of so called “development credits.” Mitigation measures such as these would be proposed by a private developer who wished to undertake an activity in a regulated wetland. Any such activity and mitigation will be subject to the regulatory authority of the ACOE.

Finally, it is important to highlight the fact that, as shown in Appendix 3, NYSDEC has declined to take jurisdiction over the wetland resources in the project area.

7.10 General Ecology

SUMMARY

The following are general comments which cover a wide range of topics in addition to the main issues detailed above.

288. Wetmore (19A) Page 2-2 uses a 1965 soil map to describe the soil types for the area, even though it is known that a significant portion of the area was used as a dump well into the 1970's. No attempt was made to correct this map (figure 10), or the description, to account for this high-impact use.

Response: Sufficient detail concerning the soils and their properties in the dump area can be found in the DGEIS Appendix D.

289. Gougakis (34) On page 2-61 in (the summary book), area F6 is said to be the most diverse in species of the whole study area, and it is used by many different animals. In all the development design, this area is called the buffer and drainage easement. It is also the area that the city sold to Widewaters. Alt 3 and 4 give the area the largest buffer. Since this area is of high importance to animal diversity and of flood plain importance, can't we go with the larger buffer as in Alt 3 & 4. Personally, I feel it should be part of the substitute park area.

Response: During the site plan approval stages of individual projects, the Planning Board and other reviewing agencies will make
determinations concerning the location and extent of the protective measures such as buffers.

290. Whelan (339) Although the document claims there are no significant ecosystems other than Negundo Woods in the Southwest Park, I would suggest that the relief channel supports an ecosystem worth protecting. Within the city limits, the channel provides a valuable recreational resource for both residents and tourists alike. Impacts on the recreational aspect were not mentioned in the report. The effects of increased and possibly polluted runoff from new development on the wildlife in the channel were also not considered. Canoeing in the relief channel I have regularly observed great blue herons who are nesting in there, as well as kingfishers, wood ducks, turtles and others.

The relief channel has become increasingly popular in recent years with canoeists and kayakers, both residents and tourists, as is evidenced by the establishment of a new business, Puddledockers, which provides canoe rentals and lessons. Unlike the rest of the Cayuga Inlet flood control system, the relief channel that flows through Southwest Park is lined for the most part with trees and shrubs on the banks that provide habitat for the wildlife and an enhanced aesthetic and natural experience for the paddler. The least attractive portion is by Wegmans, where the native vegetation has been stripped.

City residents have long prized the relief channel as a convenient spot for fishing. It is obviously a healthy environment as is evidenced by the variety of species that are there. The larger Cayuga Inlet, which has been denuded of trees, is fine for rowers, but has little value for the nature-lover, and none for the fisherman.

Response: Considering that the vegetative buffers along the Cayuga Inlet will be maintained to the greatest extent feasible, and considering that most of the 60 acres of substitute parkland, including all of Negundo Woods, is either owned or optioned by the City and will be purchased and protected in the forseeable future, ecotourism opportunities will not be significantly diminished by the proposed development. Proposed access to the substitute parkland is described in Section 9, "Open Space
and Recreation”. The relief channel will continue to be available for recreational use. Measures to protect water quality are discussed in Section 14, “Stormwater”.

SECTION 8.0 OPEN SPACE AND RECREATION

8.1 Substitute Parkland

SUMMARY

The majority of the comments in this section focused on the perceived inadequacies of the DGEIS’s discussion of the proposed substitute parkland.

291. NYSDOT (223) Land Use

It appears a portion of the land proposed as "substitute parkland" is outside the City boundaries. Is this an error? Please explain.

292. Tompkins County Planning (218) Purchase to Complete Substitute Parkland.

It is not obvious in the dGEIS what provisions or agreements have been made to acquire the adjacent parcel proposed as substitute parkland, outside of the dGEIS project area. Please provide this information and a timetable for acquisition.

Response:

The portion of the substitute parkland between the flood control channel and the railroad tracks is outside the City boundaries. The City has recently purchased this property and has title to it. Therefore, all 60 acres of the substitute parkland except for two parcels within the City are owned by the City, and these remaining parcels are currently under contract for the City to purchase.

293. Kiefer (267) D. Parkland.

It would be clearer and more useful if there were a separate section added that would simply describe and discuss what is intended with respect to the substitute parkland, tying it into the different development alternatives and to the Town of Ithaca’s plans.
294. Town of Ithaca (219) General Comment regarding Substitute Parkland: While the dGEIS mentions the substitute parkland in several sections, there does not appear to be a section devoted strictly to a discussion of the substitute parkland itself. It is mentioned in various sections that the parkland is intended to be protected, which suggests that the parkland will be left in its natural state. However a brief section devoted to the substitute parkland could tie together the statements made within other sections of the dGEIS and provide clarification.

The Town of Ithaca supports maintaining the park land in its natural state. The Town's Park, Recreation and Open Space Plan adopted in 1997, identified the joint Town-City park which would straddle the Cayuga Inlet, and stated that it was the Town's desire that the park be "geared toward maintaining its natural character and preserving the significant ecological attributes of the site". Left in its natural state, the substitute parkland, with its connection to the Inlet, provides a rich remnant riparian forest habitat.

295. Wetmore (19A) The proposed project would result in little or no access to the substitute park land. Why is the city planning to creating park land that no one can get to?

296. NAC (230) 3. The SWALP should specifically provide for a suitable entrance to the substitute park/natural area from Route 13 and adequate parking. The entrance and parking area should be under public ownership, should be completely separate and buffered from any adjacent commercial use and should be wide enough to include sufficient landscaping on both sides to create a semi-natural introduction to the park. If the "master plan" now being developed for the new natural area is not complete at the time the GEIS is finalized, it should provide for amendment of the GEIS and the SALUP to include the plans for the natural area.

297. Tompkins County EMC (204) Planning for a New Park

Although the new City of Ithaca park site is clearly delineated in the DGEIS, no plan of action is described for its use or protection. The committee is concerned that the new park will serve only as the backdrop for the proposed development and that the proposed alternatives will not have a positive
environmental impact on the park site. There is no consideration of lighting impacts on the park and other natural areas, and inadequate buffers are proposed for protection of the natural resources. While creation of the park is boldly listed as a benefit of the proposed development, there are no indications in the dGEIS that any thought has been given to the park as an environmental resource worthy of protection. The City of Ithaca should devote funds to planning for the use and maintenance of this new park.

298. Tompkins County Planning (218) Management of Substitute Parkland. The dGEIS proposes the purchase and preservation of substitute parkland for the re-zoning of the Southwest Park area. Please provide information regarding the management and maintenance of the proposed substitute parkland. The Final Scope mentions the use of this area for wildlife, flood management and passive recreation.

Response: Access to the substitute parkland has not been finalized, though two access points are under negotiation and development. The first involves access from the rear (west) of the “Widewaters” parcels (F3 and F5 in DGEIS Figure 1) which abut Negundo Woods and parcel F6. Negotiations are underway with the Widewaters Company to secure access from Rt. 13 and to secure the use of parking spaces for park patrons. The second potential access point involves the use of the abandoned railroad right of way and pedestrian bridge over Route 13 at the City/Town boundary near the entrance to Buttermilk Falls State Park. This walkway would connect with a trail which would utilize the railroad bed which curves around the southern end of the study area.

Management responsibilities for the substitute parkland will lie primarily with the City of Ithaca. The City may negotiate a management agreement with the Town of Ithaca, whereby the Town will manage the City-owned portion of the parkland between the railroad tracks and the Inlet in the Town.
8.2 Impacts on Substitute Parkland

SUMMARY

These comments were concerned about the investigation of potential impacts to the substitute parkland, and the commentors felt that the DGEIS did not evaluate the potential impacts sufficiently.

299. Tompkins County Planning (218) Evaluation of Potential Impacts on Substitute Parkland. The dGEIS promises the preservation of habitat in the substitute parkland however, a significant portion of the proposed substitute parkland in the City is currently denuded. Many actions associated with the dGEIS have the potential to effect the quality and potential future uses of the substitute parkland (i.e. see Wildlife Population this comment, or Stormwater Management in the Final Scope). The potential impacts from the proposed project on the character and potential use of the substitute parkland should be evaluated and addressed.

300. Blodgett (251) Creation of substitute parkland. Substitute parkland must be included in the DGEIS, as well as reconsidered in view of Widewaters site.

301. CAC (220) 2. The impacts on the substitute parkland of increased runoff, called for in the Scoping Document, are not discussed in the dGEIS.

302. Gougakis (34) Will there be public access to Negundo Woods and will development noise long term or runoff effect the woods....

Response: At this time, the City has no plans to build any facilities in the substitute parkland, and these lands are to be left in their natural state for passive recreational purposes. There will be public access as detailed in the response above.

The Lead Agency has determined that the DGEIS contains sufficient information to evaluate the impacts of the proposed Southwest Area Land Use Plan on Negundo Woods. Regarding any presumed changes in the hydrological regime, the goal of
stormwater management is to ensure, to the greatest extent feasible, that post-development stormwater quantity and quality are similar to pre-development levels. Development of access and management plans for this parkland will balance the ecological needs of the area with the City's goals of providing passive recreational opportunities. Drainage plans for specific projects with the potential to affect Negundo Woods will be required during the site plan review process to ensure that there will be no adverse impacts on the Woods.

8.3 Purchase of and Funds for Substitute Parkland

SUMMARY

The following comments sought clarification on cost, access and management issues, and questioned the efficacy of alienating the existing Southwest Park and creating a new park.

303. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Open Space and Recreation, third paragraph: "The addition of 60 acres of substitute park land..." Will this substitute parkland be paid from the proceeds of the sale of Southwest Park?

304. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Open Space and Recreation, first paragraph: "From the money that is received by the City from the sale of the current Southwest Park..." How many funds are anticipated to be received by the City through this sale?

305. Wegmans (252) Page 1-Scope, second paragraph: "That the process of the alienation of Southwest park be completed. The money...That rights-of-ways..." Again how is this money going to be allocated and will the sale be more than the proposed buy of the new parklands and other improvements.

306. NYSDEC (222) Parkland Alienation - while we are not sure whether any of the parkland proposed for alienation was ever purchased with any federal monies, this could add an additional level of difficulty. In addition, it would seem appropriate that if parkland is being alienated that they identify the replacement
parklands before the alienation takes place. Using parkland alienation funds for use of anything but replacement of lands would also seem inappropriate.

307. Hodes (176) 1) The city's approx 75 acres were bought with public money, for use as a park. If the city is not ready to make it into a park in the near future, the city should keep it as it is...

308. Gallahan (8) 3. Land Use and Zoning

According to the DGEIS: "A significant beneficial impact to land resulting from the implementation of the Southwest Area Land Use Plan is the preservation of approximately 60 acres of undeveloped land as substitute park land." This is a totally outrageous statement. The so called "substitute" park is the flood way of Cayuga Inlet, zoned FW-1, which is only usable for recreation or agriculture and on which no building is allowed. This fact underlies the central sham of this whole development plan. Instead of preserving land, this plan has a very significant negative impact to land resources by ending the protection of the 60 acres of Southwest Park.

309. Dunaway (348) Creation of substitute parkland

When a development destroys 11 acres of wetlands including a flood plain forest, paves over another 72 acres, then congratulates itself for creating 25 acres of park land (GEIS page 2-7), the hypocrisy is self-evident. If there were a concern for park land, the city would not contemplate a development that ruins the views from Buttermilk Falls State Park.

310. Byard (347) 1. "Creation of substitute park land": we don't need more development in order to create this park land. It would not be difficult to create in the absence of development, and it would be much nicer land without it.

Response: In 1963, the City of Ithaca acquired the current 59 acre Southwest Park. The original intention was to create ball fields at the park site. Following the development of Cass Park, the use of Southwest Park for ball fields was deemed unnecessary as the City now had adequate playing field facilities.
Given that the currently designated and now purchased substitute parkland has significantly higher recreational and ecological value, the City's focus shifted from improving recreational opportunities at Southwest Park to alienating the Park and using it for economic development, and concomitantly replacing the parklands of low recreational and ecological value with higher value lands.

It is important to highlight the fact that the current Southwest Park was never formally used or developed as a park. The substitute parkland has greater recreational value than the current Southwest Park per an inspection by a representative of New York State Office of Parks, Recreation, and Historic Preservation.

The process of alienation is nearing completion after over 15 years of discussion and implementation. The substitute parkland in the City and the Town was purchased over a period of several years, and the City is nearing closure on the purchase of the final two parcels. Following these closings, the City must submit documentation to the State confirming the completion of the alienation process, with ultimate step being the State's approval of this documentation.

Funds from the sale of Southwest Park are to be used, per legislation implementing the alienation, "for the acquisition of additional parklands or capital improvements to existing park and recreational facilities."\(^{14}\)

8.4 General Open Space and Recreation

311. NYSDEC (222) Use of Flood Control Levee - the DGEIS suggests that both roadways and nature trails be constructed both on and over the flood control levee. You should be aware that it is not a realistic expectation to obtain the Department's approval for these uses.

Response: The Black Diamond Trail is a state trail. It is the City's understanding that the exact location is still in the planning

\(^{14}\) Letter from NYSOPRHP to Doug Foster, City of Ithaca, December 11, 1998.
stages. At the time of the concept plans, the proposed location was on the levee; the DEC has since informed the City and State that this location is not acceptable. The final location of the trail is thus still in the planning stages.

312. Daniels (352) Preservation of Cayuga Inlet should be a goal of the city, if not by helping, then at least not by hindering. Having kayaked behind Tops and Wegmans, I can state that herons and turtles and fish do survive among the grocery carts and blown away bags that also reside in the river. I'm not sure how much more abuse these creatures can take before they leave or die.

313. Natural Areas Commission (230) 5. Land in the southern, unfilled portion of the original Southwest Park contains numerous designated lands and young floodplain forest. This area, if allowed to remain in a relatively natural state, would make an appropriate complement to the substitute parkland, by increasing wildlife habitat and enhancing the natural characteristics of the area. New development should be guided into areas to the east and north of this area, and the southern portion of the original Southwest Park should remain zoned P-I and as a park.

314. Natural Areas Commission (230) 7. Likewise, the southern, unfilled portion of the Cherry Street Industrial Park extension parcel also contains designated wetlands and emergent woodland, and should remain undeveloped and be added to the substitute park/natural area.

Response: Comments noted. The proposed plan provides for substantial amounts of substitute parkland and the preservation of an ecologically significant natural area. The SALUP attempts to balance open space, recreation, and development needs, and the Lead Agency believes that the current proposed plan achieves this goal.
SECTION 9.0 FORMER DUMP SITE

9.1 Environmental Site Assessment

SUMMARY

Hang (224) (and others) submitted comments concerning all facets of the Environmental Site Assessment (ESA) methodology, sources, findings, and conclusions. The commentors felt that the ESA methodology was incomplete, and thus the DGEIS did not adequately detail the hazards of the former dump especially given its location in a flood plain and near perennial watercourses. Comments stressed a perceived need to reduce the hazards of the dump as soon as possible.

315. Hang (224) The most significant environmental hazard posed by the dump is that it is located in a flood plain that drains into tributaries that flow into southern Cayuga Lake. The dump’s eastern boundary is immediately adjacent to a flood relief channel. Its western boundary is a short distance from the Cayuga Inlet Flood Control Channel. Given the large size of the dump, it could contribute a significant amount of pollution to Cayuga Lake. The southernmost 5,000 acres of Cayuga Lake are included on the national 303(d) listing of waterbodies where federally imposed restrictions are insufficiently stringent to meet applicable water quality standards...

...Despite the serious known and potential environmental and public health threats posed by the dump, its past disposal history has never been disclosed as required by Section 103(c) of the Comprehensive Environmental Response, Compensation and Liability Act (attached) and the New York State Community Right to Know Executive Order. The failure to fulfill these regulatory obligations could impose major fines on responsible parties, including all current and past owners and operators of the dump.

Most importantly, the dump's threats should be alleviated and eliminated without further delay. Since the dump poses an uncontrolled pollution threat, several long-overdue initiatives are required: a) full disclosure of past disposal practices, b)
comprehensive site investigation and c) full-scale clean up of all identified pollution hazards.

316. Hang (224) A. The Assessment is fundamentally inadequate because it fails to fulfill the requirements of the E-1527 Phase I Environmental Site Assessment protocol adopted by the American Society of Testing and Materials (ASTM Standards on Environmental Site Assessments for Commercial Real Estate). This protocol is the industry-standard that is most applicable for identifying clean up liability issues and toxic contamination threats at the dump.

First and foremost, the Assessment fails to conduct a database search for the following toxic site information sources:

- Inactive Hazardous Waste Disposal Site Registry: New York State database that maintains information and aids decision making regarding the investigation and cleanup of toxic sites. The Registry’s data includes two-page profiles noting site name, ID number, description, classification, cleanup status, types of cleanup, owner information, types and quantities of contaminants, and assessment of health and environmental problems. Search radius: one mile.


- Solid Waste Facilities: New York State database of solid waste facilities, including, but not limited to, landfills, incinerators, transfer stations, recycling centers. Search radius: one half mile.


- RCRA Hazardous Waste Generators and Transporters: Environmental Protection Agency database of hazardous
waste generators. Search radius: property and adjacent property.

- **Spills Information Database**, including Leaking Underground Storage Tanks: Spills reported to the New York Department of Environmental Conservation as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from Petroleum Bulk Storage Regulations) or 6 NYCRR Section 595.2 (from Chemical Bulk Storage Regulations). The database includes active (unremediated) and inactive (remediated), stationary source (see below) and non-stationary source (see below) spills reported between April 1, 1986 and June, 1995. Search radius: one half mile.

- **Petroleum Bulk Storage Facilities**: State databases of aboveground and underground petroleum storage facilities with a combined storage capacity over 1,100 gallons. Search radius: property and adjacent property.

- **Chemical Bulk Storage Facilities**: New York State database of facilities compiled pursuant to 6NYCRR Part 596 that store regulated substances listed in 6NYCRR Part 597 in aboveground tanks with capacities greater than 185 gallons and/or in underground tanks of any size. Search radius: property and adjacent property.


These databases could provide information critical for assessing the dumps known or potential hazards. Without this information search, conclusions drawn by the Assessment are fundamentally suspect.

Second, the ASTM Phase I Environmental Site Assessment protocol requires the use of various historic topographic maps, historic fire insurance maps or other available historical materials that could establish the age, boundaries, contents, activities and environmental impacts of the dump as well as provide other information that is critical for conducting a site assessment.
While the Assessment references a search of historic aerial photos, that critical research component is seriously flawed. The report does not present those photos for review or reference their source. It only provides the consultant’s interpretation of the photos. Without viewing the photos, it is difficult to provide oversight of the consultant’s analysis. Older photos, for example, are often out of focus and difficult to interpret.

The report also does not document why the photo search was limited to photos available from 1938. Earlier activities could very well have caused contamination on the dump site. That information gap must be filled in with photos or other historical information sources from the time that the property was first developed to the present.

The aerial photo analysis also does not document what structures, businesses or activities were identified on the site at various times in its history. All of this information is essential for the Assessment to be able to identify potential waste disposal and site contamination issues from the time the site was virgin, undeveloped land to the present.

The boundary of the former dump was reportedly identified based on aerial photo interpretations, but the conclusion of that analysis is suspect. A comparison of Assessment Figures A and B, clearly reveals that the proposed boundary of the dump does not match the area where dumping activities were reportedly revealed by the aerial photos, especially in the westernmost area of the site. In addition, two test pit (Locations 3 and 4) dug to assess "background" conditions struck buried residential waste (page eight). This evidence of landfilling also does not comport with the boundary of the landfill identified by the Assessment. The Assessment fails to resolve these important discrepancies.

Finally, the "site history" of the Assessment does not even establish the chain of ownership of the dump site. Without this information, it is not clear which "responsible parties" are liable for investigating and cleaning up the dump.

317. Hang (224)

B. The dump is extensively contaminated with a wide variety of toxic chemicals. Yet, the Assessment fails to investigate how the pollutants got into the dump. It does not provide any information regarding which commercial businesses, local
industries, institutions of higher learning, government agencies or other parties might have utilized the site for dumping purposes. This information is often available by interviewing workers who may have experience with the dump. A survey of local waste generators and haulers also could have been conducted.

Many of these parties would have been obligated to disclose their past dumping practices pursuant to both Section 103(c) of CERCLA as well as the Community Right to Know program. If those parties failed to disclose their past dumping practices, strict enforcement of their regulatory obligations should now be provided.

318. Hang (224) C. According to information presented in the Assessment, dozens of potentially toxic chemicals have been identified at the site by various monitoring and analysis investigations. Yet, the Assessment fails to investigate the environmental or public health consequences of pollutants migrating from the dump. Identified pollutants include:

* m, p xylene
* 1,3,5-trimethylbenzene
* 1,2,4-trimethylbenzene
* 1,2-dichlorobenzene
* chlorobenzene
* 1,2-dichloroethene
* 1, 1, 2, 2-tetrachloroethane
* sec-butylbenzene
* p-isopropyltoluene
* n-butylbenzene
* acetone
* ethylbenzene
* tertiary butyl benzene
* toluene
* napthalene
* acenaphthene
* dibenzofuran
* fluorene
* anthracene
* phenanthrene
* benzo(a)anthracene
* chrysene
* pyrene  
* benzo(b)fluoranthene  
* benzo(k)fluoranthene  
* benzo(g,h,i)perylene  
* benzo(a)pyrene  
* indeno(1,2,3-cd)pyrene  
* arsenic  
* barium  
* cadmium  
* chromium  
* lead  
* mercury  
* selenium  
* silver

Many of these pollutants are acutely as well as chronically toxic, can cause cell mutagens or are potentially cancer-causing. In particular, benzo(a)pyrene, benzo(a)anthracene and dibenzofuran are of grave concern due to their high toxicity and ability to cause long-term health problems even at minuscule levels of exposure. Lead, cadmium and mercury also are highly toxic and are able to migrate long distances attached to dust particles.

The northern 25 acres of the site is a trailer park situated directly on top of landfilled waste. Yet, the Assessment utterly fails to investigate the public health consequences of human beings being exposed to toxic chemicals via ingestion, inhalation or consumption of tainted drinking water.

In addition, the eastern border of the dump is a flood relief waterway where toxic chemicals have been identified seeping from the dump. Yet, the Assessment fails to investigate how far the contamination might have migrated.

Even though a wide variety of toxic chemicals have been identified at the dump, the full scope of the site's problems has not been identified. As a result, the available findings should not be considered representative of contamination levels at the dump.

For example, groundwater monitoring has been extremely limited. The Assessment notes on page 12 that: "Any contaminants within the waste would likely leach out of the wastes into the ground water." Four monitoring wells are clearly
not able to generate data that is representative of the contamination that may be seeping from the dump.

Similarly, virtually no surface water or sediment sampling has been undertaken to track contaminants that may have leached out of the dump. It is inappropriate to conclude that the findings of an extremely limited sampling are representative of the conditions around the dump.

Moreover, the assumption that all of the contaminants in the dump will leach out is ludicrous and technically flawed. Many of the toxics identified in the dump have very low solubility in water. Consequently, they would not leach out of the waste.

319. Hang (224) D. The Assessment concludes that direct contact with wastes and subsoil is minimized by a surface soil layer. This is an undocumented conclusion. The Assessment notes on page five, for example, that: "Surface wastes consisted of numerous C & D (construction and demolition) dump piles, and scattered household-type debris at the surface." Obviously, this is uncovered waste that has the potential to migrate freely.

320. Hang (224) E. The Assessment also concludes that "Given the age of the site and the lack of a low-permeability soil cover, natural processes such as dilution, dispersion, volatilization and degradation, have effectively reduced the potential for significant contaminant levels to remain at the site."

This statement reveals a shocking ignorance of the risks posed by toxic dumps. If the Assessment's conclusion were true, there would be no need for the State and Federal Superfund dump remediation programs. Old toxic dumps would simply cease to pose hazards through "natural processes." In reality, many of the contaminants at the site will never degrade, notably heavy metals that are elements, such as lead, chromium and cadmium. These contaminants will exist till the end of time. Similarly, the polynuclear aromatic hydrocarbons, benzo(a)pyrene, benzo(a)anthracene, etc. are highly resistant to degradation. Contamination has been present in the dump for decades and will continue to be present in the dump until it is removed.
Even though the limited investigations that have been undertaken to date are insufficient to characterize where the dump's contamination is located, it is not appropriate to conclude, that significant contaminant levels do not exist. For example, certain heavy metals far exceed background levels. In addition, highly concentrated wastes could be confined to small areas of the dump. For example truckloads of barrels could be dispersed in portions of the dump that were not monitored.

Moreover, the Assessment's conclusion that pollutant dispersion has taken place simply underscores the need to identify where the dump's contamination is currently located. For that reason, a full-scale investigation should determine whether the dump's contamination has spread to the relief channel, the flood control channel, the trailer park, adjoining commercial areas, Cayuga Lake itself or anywhere else.

The Assessment's final statement is its most erroneous and potentially misleading conclusion: "There is no significant threat from the site to human health..." For all of the aforementioned reasons, this belief is premature at best and should not be the basis for public policy decision making pending completion of the investigations and remediations outlined herein.

321. Hang (224) ...the Assessment is highly flawed and should not be used as the basis for the land use planning. Instead, important decisions to protect public health and the environment or plan for development should be based on a comprehensive investigation that should be immediately undertaken to fill the information gaps that I have identified in the available Assessment. Such an investigation should also support prompt efforts to conduct a full-scale remediation of the dump in order to protect local residents as well as Cayuga Lake and the environment-at-large.

Based on my recent experiences, I have little confidence that the dump's problems will be addressed on a comprehensive basis unless the City of Ithaca takes concerted action. Last summer, I provided extensive information to the New York State Department of Environmental Conservation as well as the U. S. Environmental Protection regarding illegal dumping of 55 gallon barrels in the vicinity of the dump. The barrels remain in the flood plain where they were pictured in a front-page article in the Ithaca Journal.
322. Wegmans (252) Page 2-25, Section 2.4.6. Based on the limited information, more detailed studies are warranted for the dump areas. The Final Scoping Document (page 4) does discuss the need for a Phase I & II Environmental Investigation. It is not clear however, who would be responsible for undertaking the investigation. If the site is not listed on the Registry of Inactive Hazardous Waste Sites by the DEC, the DEC cannot force a study/cleanup. A Voluntary Agreement can be negotiated between a perspective developer and the DEC and current property owner(s). The obvious question is who is going to pay?

323. Wegmans (252) Page 4-Scope, second paragraph: “A phase I and Phase II environmental investigation must be conducted...” Who is going to conduct this study and who will pay for the study? What happens if the study suggests that remediation is required and who pays for this work?

324. Wegmans (252) Page 4-Scope, fourth paragraph: “Engineering design and formal...long-term monitoring...collection and treatment of leachate...explosive gases...” Was this report intended to address the issues as bulleted? If not why not? These issues may effect the overall feasibility of the Plan.

325. Wegmans (252) Page ES-3, fourth paragraph: “The former dump site contains a large volume of municipal, commercial and residential wastes...” Has there been an estimate of the waste amount and has this waste been characterized, is it hazardous? Has the area been considered a high priority area by the Department of Environmental Conservation?

Response: After a careful review of the above comments and the Environmental Site Assessment, the following ASTM referenced databases and aerial photographs have been searched and analyzed (See Appendix 4 for the complete reports and results of database searches):

Federal ERNS List (site only)

The subject site was not listed as an EPA Emergency Response Listing Report (ERNS) facility.

Federal CERCLIS Hazardous Waste List (0.5 miles)
The subject site was not identified as a CERCLIS Hazardous Waste Facility. No CERCLIS Hazardous Waste Sites were identified on the environmental database as being located within 0.5-miles from the subject site.

**Federal NPL Hazardous Waste List (1.0 mile)**

The subject site was not identified on the NPL database. No NPL sites were identified within one mile from the subject site.

**NYSDEC Inactive Hazardous Waste List (1.0 mile)**

The Ithaca Site (subject site) was not identified as a NYSDEC Inactive Hazardous Waste Facility. Three facilities, listed as Morse Industrial Corp.; NYSEG Cayuga Inlet Site; and NYSEG Ithaca Court Site, were identified on the NYSDEC Inactive Hazardous Waste Site database. Details pertaining to these facilities are provided in Appendix 4.

**Federal RCRA TSD Facilities List (0.5 miles)**

The subject site was not identified as a RCRA Treatment, Storage, and Disposal Facility. No RCRA TSD sites were identified within a 0.5-mile radius of the subject site.

**Federal RCRA Corrective Action Facilities List (1.0 mile)**

The subject site was not identified on the RCRA Corrective Action Facilities List. No RCRA Corrective Action sites were identified on the environmental database as being located within a one-mile radius of the subject site.

**Federal RCRA Generators List (property and adjoining)**

The subject site was not identified as a RCRA Hazardous Waste Generator. No adjoining properties were identified as RCRA Generator facilities.

**NYSDEC Registered Underground Storage Tank (UST) List (property and adjoining)**
The subject site was not identified on the NYSDEC Underground Storage Tank (UST) List. No adjoining properties were identified as UST facilities.

**NYSDEC Leaking Underground Storage Tank (LUST) List (0.5 miles)**

The subject site was not identified as a Leaking Underground Storage Tank (LUST) facility. No adjoining properties were identified on the LUST database. Twelve LUST incidents were identified as having occurred within a 0.5-mile radius of the subject site. Five of these incidents occurred within a 0.25-mile radius of the subject site and were also identified on the NYSDEC spills database. Details pertaining to these incidents are summarized in Appendix 4.

**NYSDEC Spill Listing (0.5 miles)**

The NYSDEC spills database was reviewed to determine if spills have occurred on the subject site, on adjoining parcels or within 0.5 miles of the subject site. The subject site was not identified on the NYSDEC spills database. No adjoining properties were identified as NYSDEC spill incidents. Thirty-three NYSDEC documented spill incidents were identified as having occurred within a 0.5-mile radius of the subject site. Ten of these spills were identified as having occurred within 0.25-miles of the subject site. Details pertaining to these incidents are summarized Appendix 4.

**NYSDEC Solid Waste Facilities (Landfills) List (0.5 miles)**

The subject site was not identified as a New York State Solid Waste Landfill. No NYSDEC Solid Waste Facilities documented (geo-coded) as being located within a 0.5-mile radius of the subject site.

Aerial photographs of the subject site for the years 1994, 1974, 1968, and 1944 were reviewed at the New York State Department of Transportation Map Information Unit, located in Albany, New York. Additionally, The Chazen Companies contracted Vista Information Solutions, Inc. to conduct an aerial photograph search of the Ithaca, New York area. Photographs providing aerial coverage of the subject site for the years 1985,
1968, 1944 were identified, were reviewed as part of this aerial photograph review.

Based on information provided on the aerial photographs reviewed, the subject landfilling activities appears to have occurred in the site area as early as 1944. Disturbance of the site area appeared to have ceased by the late 1960's and no active landfilling was evident, with the exception of small areas of apparent surface disposal. More detailed analyses of these aerial photographs are contained in Appendix 4.

The purpose of a Generic EIS is to discuss "in general terms the constraints and consequences of any narrowing of future options" or a particular course of action. The Environmental Site Assessment (ESA) contained in Appendix D of the DGEIS and summarized in Section 2.4 of the DGEIS represents an appropriate effort to describe and characterize wastes disposed of at the site and the potential for environmental threats in the Southwest Area. The data base and aerial photo analyses above have provided the Lead Agency with additional information concerning the existing conditions and history of the dump site. With this additional information, the Lead Agency believes that the DGEIS contains sufficient information to determine that the dump is capable of being redeveloped and can therefore be rezoned. The evidence collected to date indicates that the former dump does not constitute a threat to public health and has the potential to be redeveloped, if appropriate mitigation measures are undertaken. The fact that the site is not considered a listed hazardous waste site by the responsible State and Federal agencies is, the Lead Agency believes, a telling consideration.

As is discussed in this FGEIS, each future project which seeks site plan approval in the Southwest Area following adoption of the Southwest Area Land Use Plan must go before the Planning Board and other agencies during their SEQRA and site plan review processes. Any proposed development on the former dump site would be carefully reviewed for its effects on the buried wastes and associated impacts of the disturbance necessary to complete the particular project. In particular, any specific proposal submitted to the Planning Board will be subject

\[15\] 6 NYCRR Part 617.10
to the review of NYSDEC and TCDOH. These agencies will decide what, if any, additional investigation is necessary and what, if any, site specific remediation is required. The DGEIS would be used as a starting point, or baseline document, in this review.

Should the Planning Board (or other agency like NYSDEC or TCDOH) find that there are site specific issues that have not been addressed in the GEIS, or if the project is not in some way in substantial compliance with the Findings of the Southwest Area GEIS, then supplemental study may be required. Such study may take the form of attachments to an Environmental Assessment Form, a more in depth ESA, or a project specific EIS. The costs of any such study would be borne by an individual project applicant. If a project is in substantial compliance with the Findings of the GEIS and no site specific issues are raised, than the project can be issued a Negative Declaration and proceed to site plan review.

It should also be noted that, from a liability standpoint, each developer will perform its own “due diligence” inspections and studies prior to submitting plans to the Planning Board for site plan review. Due diligence will help acquaint a developer with the known risks and potential impacts associated with development of a particular parcel, and the developer must then weigh those risks against the expected rewards and decide whether it would prefer to build in the Southwest Area or elsewhere. The Planning Board may choose to review these environmental due diligence documents as part of its environmental review process.

9.2 Leaving Former Dump Site Undeveloped and Mitigation Measures

SUMMARY

The following comments addressed the DGEIS’s finding that the dump’s hazards—especially the threats from venting methane gas—are relatively benign if the former dump area is left undeveloped, and that the DGEIS did not present adequate mitigation measures of developing over these hazardous areas.
326. Wetmore (19A) To begin with, any development of the site, portions of which have long been used by the city as a dump, will have to deal with the dangerous gases produced by decaying dump materials. The DGEIS indicates these gasses may build up to either toxic or explosive levels in buildings located on the site. The report does not suggest any specific ways to deal with this hazard.

327. Gougakis (34) Concerns of methane gas and the presence of Acetone pg 2-23 in the first volume (summary). I am very concerned that they will not be taken out and built on despite the mitigation of vents.

328. Gougakis (34) On the same page as above (p. 2-24, summary text), the environmental assessment completed for the former dumpsite (appendix D) concluded that the site does not present a significant threat to the environment if left undeveloped. This statement is important because you are talking about development and here you say these contaminants must not be disturbed.... On the same page, the Tompkins County Department of Health has denied mobile home expansion as well as development on locations B-5, P-1 which are not shown on the map.

329. Peterson, C (239) page 2-24. "Left undisturbed, the subsoil metals contamination would not present a significant environmental concern." Since the entire DEIS promotes development (disturbance), do we have a significant concern here or not?

330. Glover (73)\(^{16}\) Foremost among public health hazards, the dGEIS repeatedly emphasizes that paving or building atop the former 50-acre dump (1950-1970), which is venting methane gas, could cause parking lots to explode and shoppers to asphyxiate (vents and porous paving are suggested, without guarantee) (2.4.4; 2.4.5; ES-3).

331. CAC (220) The soils over the former dump site may still contain heavy metal contaminated soil after remediation. The CAC recommends that buffer plantings over the former dump site (such as the buffer at the south end of the trailer park), include native woody plants known to absorb and translocate heavy

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\(^{16}\) Both MConboy (198) and Skalwold (47) included statements written by Glover (73) and passed out at, among other places, the public hearings of January 24 and 25, 2000. Therefore, these statements have not been duplicated for each commentator.
metals from soil into plant tissue, thereby providing a measure of soil remediation. A possible contact for current advice would be CU Floriculture and Ornamental Horticulture faculty. While most heavy metals do not move into the environment through groundwater, they do move when the soil particles to which they are bound move as dusts, sediments flushed by water to new locations, or by ingestion. Lest the last point seems improbable, TCDOH can confirm well-known serious consequences for children and pets who dig, etc. in lead contaminated soils.

332. Tompkins County Planning (218) Construction Mitigation. The dGEIS outlines mitigation for short-term construction impacts in the fill area that also apply to any construction activity in the project area. However, the entire project area is not contaminated and therefore, construction activities in the fill area should adhere to more stringent standards for controlling off-site migration of the contaminants (i.e. hay bales and silt fences may not be adequate).

333. CAC (220) What process will prevent tracking of soils, documented to be contaminated with heavy metals (App. D), onto adjacent roadways during site construction in the former dump area? Can we assume that the city has sufficient staff and expertise to assure that human health and environmental concerns are met?

334. Gougakis (34) Why is the waste in the dumpsite not being removed?

335. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Water, fourth paragraph: “As development is proposed for this area, the type and extent of the environmental clean up will need to be determined…” This may turn out to be extensive and costly. This may make the Plan inoperative and it may be advisable to determine the scope of work needed for landfill closure for any proposed development alternative before implementing the Plan.

Response: The DGEIS did identify the build up of methane gas as a long term threat to development over the former dump site. In addition, the DGEIS did note that the dump site does not represent a significant threat to the environment if left undeveloped. The DGEIS then went on to state that

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Draft May 18, 2000
"The long term impacts associated with the development of the dump site occurring as a result of the Plan's adoption are primarily positive (p. 2-24)."

and gave specific reasons for this statement.

Mitigation measures are generally site specific and project specific in nature. The DGEIS suggested general measures—such as porous paving and erosion and sedimentation control measures—to mitigate the potentially adverse consequences of building atop the former dump site. When a project which proposes to disturb or build over the buried wastes comes before the Planning Board for site plan and SEQRA review, the project sponsors will put forth specific mitigation measures to address the potential impacts from the proposed action, as identified by the DGEIS. It is expected that construction soil erosion and dust control will be among those impacts which must be most carefully addressed, since blowing soil is indeed a primary method by which heavy metals could migrate from the site. It will be the Planning Board’s job (along with other reviewing agencies) to determine if the proposed impacts can be mitigated, if the mitigation measures proposed are sufficient, and what changes, if any, should be made to the project.

9.3 Regulations and Agency Oversight of Dump Site Clean Up

SUMMARY

Several comments requested clarification of the regulations and permits concerning activities in the former dump area and which agencies would have regulatory oversight should the former dump area be disturbed.

336. Jones (12): I am a member of the Conservation Advisory Council....I would like to first comment on the former dump site, Section 2.4 in Appendix D, the remediation of some or all of the former city dump would clearly be necessary should development occur according to any of the six alternative plans.

CAC believes the DGEIS needs to clarify the regulatory requirements including oversight responsibilities for such remediation. The scoping documents specifies a closure plan
based on a workable plan approved by DEC. The consultant for the site assessment, Clark Patterson of Rochester says in the draft GEIS that the site is exempt from DEC oversight since it is not a listed hazardous site.

Section 2.4.6 of the DGEIS specifies a construction pollution prevention plan to be filed by the contractor and approved by the city at the time of site plan review. Presumably the City would oversee city implementation of plan as well. A SPDES permit is also specified. The DEIS should contain a list of regulations, standards and guidelines the City would expect to use in the review of such plans.

The CAC wants assurance with the GEIS that the City could provide the kind of oversight that's needed to tighten the enforced permits and plans that are designed to prevent the uncontained movements of soils contaminated heavy metals into adjacent communities as soil sediment or dust.

337. CAC (220)  ...the former dump site assessment concludes that there is no significant threat from the site to human health, and is therefore not under the jurisdiction of NYSDOH or TCOH if not developed. It also concludes that the dump site is no threat to the environment if left undeveloped, and that it is not under jurisdiction of NYSDEC because the site is not listed under Part 360 regulations. This is confusing because the scoping document specifies the need for a closure plan based on a work plan approved by DEC. It is unclear whether site development would trigger regulatory agency involvement and active oversight of the development process by experienced and knowledgeable persons or agencies, to mitigate effects clearly expected to occur in the construction period (according to the dGEIS). The process described for cleanup and remediation, preparatory to construction, includes a developer proposal in accordance with NYS Guidelines for Urban Sedimentation and Erosion Control submitted to the City during Site Plan review, as well as additional site assessment specific to the developed parcel, also to be negotiated with City during site plan review. Thus the dGEIS appears to assign responsibility for further sampling needs, review of assessment data, erosion control planning, and dump remediation, to the City Planning and Development Board.
CAC's major comment on this subsection of the dGEIS is that an adequate regulatory framework does not exist or is not made explicit in the dGEIS to assure the community that impacts to human and environmental health will not occur during construction on the former city dump site. Oversight by the city would appear to contain a conflict of interest. CAC recommends that the GEIS provide a chart listing all applicable regulations and standards for dump site remediation and designated responsibility for oversight. A schedule of fines or complaint procedures, to be filed when the damage is already done, does not suffice. Most of these comments still apply should the City decide to remediate the entire dump area prior to any construction, as suggested in the May 1998 Addendum to the SALUP.

Response:

The City cannot invent a legal role or jurisdiction that does not exist. The former dump site is not currently under the jurisdiction of the DEC or EPA. The City Planning Board has site plan review authority over projects proposed for the study area now and in the future. It is anticipated that NYSDEC and TCDOH will also have a role in the review of any specific development plans involving the former dump site.

Any additional regulatory oversight of any future activity involving the dump would vary according to the materials in the dump and the levels of contamination measured during testing and analyses.

The first step in evaluating a site and thereby determining regulatory responsibility is to characterize the nature and extent of the materials in soils through test-pitting and sampling. This first phase was undertaken as part of the DGEIS. Individual developers, for reasons explained above, are expected to complete their own tests, the results of which will be reviewed by the Planning Board, NYSDEC, and TCDOH, for any activity that involves disturbance of the dump. The following is a general breakdown of potential regulatory oversight:

Petroleum Levels Above “Soil Clean-up Guidance Values”: Any area of soil exceeding these guidelines would be reported to NYSDEC as a petroleum spill and clean-up would be supervised by NYSDEC. Generally, STARS Memo #1 (Petroleum
Contaminated Soil Clean-up Guidance Policy) would be the governing regulation.

Hazardous Waste Levels: If materials classified as hazardous waste were involved in a project, NYSDEC would oversee clean-up under 6 NYCRR Parts 370-376.

Hazardous Waste Qualifying as Superfund: NYSDEC would make recommendation as to whether the site qualifies as a Superfund Site and the Environmental Protection Agency would oversee clean-up.

Notwithstanding the foregoing, neither the DEC nor the EPA have classified the former dump as a hazardous waste site, nor has either agency taken regulatory control of the site. Furthermore, neither agency has indicated its intent to do so as a result of this SEQRA review process.

9.4 Surface and Ground Water Issues

SUMMARY

The following comments raised concerns about the potential movement of contaminants in the dump site soils due to storm water control devices and foundation pilings.

339. Tompkins County Planning (213) Contamination and Placement of Drainage Structures. The dGEIS soil data indicate contamination exists in the northwest portion of the fill area (D-11, E-11 and E-12) and elsewhere. The contaminated area associated with D-11, E-11 and E-12, as illustrated in the alternatives, is proposed as open space, a drainage easement, a buffer or swale. Creation of a swale in this area is of concern due to the potential for the channel bottom to be in direct contact with contaminated soils or waste. This concern also applies to other sites in the fill area where the land may remain exposed to the environment (not covered with a building or pavement). More extensive ground water and surface water monitoring of the entire fill area is warranted before drainage plans are finalized. Ground water and surface water sampling should be conducted in vicinity of suspect sites during the late spring or early summer when the
lake level (and water table) is high. Sites should be located near the identified area of soil contamination, and placed downgradient of the expected surface and ground water flow paths. Monitoring and engineering techniques should demonstrate that surface and ground water quality will not be affected by the existing contamination or mitigation proposed.

340. CAC (220) The dGEIS concludes that extensive development in the Southwest area poses no problems with contamination of the subsurface aquifer system. It also states that the foundational supports and pilings that will be needed for this development will penetrate the subsurface water layer, but will be self-sealing. The CAC believes that contaminants in the former City dump area could be a threat to the aquifer if the water travels along these pilings, and that the dGEIS is misleading on this point.

Response: With respect to the construction of drainage channels in former dump areas, the Lead Agency concurs with the comment that “more extensive ground water and surface water monitoring of the entire fill area is warranted before drainage plans are finalized.” This monitoring should occur prior to site plan approval of any projects which come before the Planning Board (and other reviewing agencies) subsequent to adoption of the SALUP.

Section 2.3.11 of the DGEIS describes the hydrogeologic features of the Southwest Area. While foundational supports and pilings may penetrate the subsurface water layer, these supports are generally self-sealing due to close contact and frictional association with the adjacent soil. Generally, the highest risk of exposure and contamination from such supports comes during the installation process, which is brief, and during which appropriate measures can be undertaken to ensure that the risk of contamination is minimized. Once installed, the risk of the pilings serving as conduits for groundwater movement is generally low.
9.5 General Dump Site

SUMMARY

These comments cover a range of topics from the proposed clean up of the former dump to suggested mitigation measures to questions about databases which may list the former dump.

341. Blodgett (251) 2.4 Fill Areas. Contaminants were found in both 1987(TCDOH) and 1994 (Benchmark Development Corp). Correspondence about Nate's indicate TCDOH concerns about public health issues. Comments of Charles Chernoff July 1, 1 987 still seem apt: "Although these contaminants are at low levels, they would be the type that would be expected to be found in a landfill." (Appendix A - TCHD Reports). The State Registry of Inactive Hazardous Waste Sites includes old city dumps that were operated without regulation. Possibly, it should include this one.

Response: Note response to Comments #315-325 above which includes database searches.

342. Gougakis (34) I have many concerns with the dumpsite never having been paid attention to like our present day sites. I have concerns about the DEC's decisions as well. I feel the city should have a say on what happens to the dumpsite.

Response: The Common Council, as Lead Agency, will make the first step in determining what happens to the dump site when it issues the Findings Statement subsequent to acceptance of this FGEIS. The City Planning Board and other local and State agencies will then "have a say" on what happens to the dumpsite during the site plan and SEQRA reviews for specific projects following adoption of the Southwest Area Land Use Plan.

343. Eisner (255) Nate's Floral Estates have been refused expansion to the South some time ago because of the possibility of water pollution (the reason seems to be that the area was used as dump at a time when hazardous materials were included in dump fill). Do the merchants and businesses know about this, since they will be located exactly in that area, and are they willing to take the risk?
Wouldn't they prefer to settle in the center of the city and use the vacant spaces there, the vacant store fronts on the Commons and the abundant space in the old library building?

Response: See response to Comments #315-325 above.
SECTION 10.0 TRAFFIC

10.1 Maps/Missing Info/Clarify/Passby/Data Analysis

SUMMARY

This section includes comments which speak to apparent missing information, mistakes, misleading statements, or confusing areas within the DGEIS. In addition, the traffic related impacts to private properties within and adjacent to the proposed Southwest Area development are questioned. Further, specific components of the Traffic Impact Analysis are challenged, namely the statistics, assumptions, and calculations concerning peak hours, pass by and internal trips, and background traffic. Finally, several comments highlight analyses which should be completed if and when a final plan for the Southwest Area is adopted.

10.1.1 Clarify/Maps/Missing Information

344. Tompkins County Planning (218) Site Traffic Impact Evaluation – Appendix T-A8. The tables in Appendix T-A8 need better labeling. It is not clear exactly which roadway or intersection(s) are being analyzed by the tables. Also, what is meant by “intersection 2/24 A Alternative A” and “intersection 2/24 B Alternative B”?

Response: The tables included in Appendix T-A8 are labeled by intersection number to identify the specific costs associated with the road infrastructure improvements outlined for that specific intersection. The improvement costs are further defined for both bridge and intersection improvements. While further clarification, definition or delineation may be helpful, the information presented is labeled for each improvement sited in the report.

Two alternatives for mitigation of intersection #s 2 and 24 were initially evaluated. Alternative A involved adding a westbound right turn lane on W. Buffalo Street at Taughannock Blvd. This alternative was rejected due to the proximity of the W. Buffalo Street bridge over the Flood Relief Channel (i.e. there is not enough room to add a right turn lane without widening the bridge) and the fact that improvement only improved operations at intersection 24 and not at intersection 2. Alternative B, the alternative recommended in the Traffic Study (DGEIS Appendix
F) is construction of the new bridge at Court Street connecting S. Fulton Street and Taughannock Blvd.

345. Tompkins County Planning (218) Appendix F, page viii – bullet #1. Reference to Figure T-2 does not illustrate the proposed new bridge at Court Street.

Response: Figure T-2 outlines the existing and future study intersections without the proposed bridge shown. The proposed bridge along with the adjacent intersections are shown on amended T-2 included herein.

346. Van Dyk (246) Figure 14 "Typical Collector Street Cross Section". The report fails to correlate this illustration with specific locations where such a cross section would be realized. One wonders if that cross section would be restricted to collector streets-whatever/wherever they are!

Response: Figure 14 applies to the primary distributor roads shown on Figure 6. For example, a typical Collector street is the proposed Taughannock Blvd. Extension shown on the map. Overall, the proposed collector road network consists of the primary distributor roads that carry traffic generated by more than one development, both into and out of the area.

347. Van Dyk (246) Symbols on Maps. Many of the maps, such as Figure 6, include a symbol that like bubbles on top of the heavy lines representing roads. This symbol is not clearly explained.

Response: The so-called bubbles shown on Figure 6 are a simple symbol for a tree, uniformly spaced and shown on the plan. The symbol is not intended to imply the specific landscaping plan anticipated for the area.

348. CAC (220) The six so-called “alternatives” slip in features that are not in the SW Area Land Use Plan, e.g. new roads: along the levee, extension of Cherry St. all the way south along the Inlet, and reference to a link to West Hill. The GEIS should delete such high-impact development features that are not part of the SW Area Land Use Plan, as now proposed.
Response: Comment acknowledged, however the future street right-of-way shown along levee parcel is intended to illustrate a long range plan for connection, that will minimize primarily the levee parcel trips onto the Route 96/34/13 arterial. All of the major concepts included in the SALUP (e.g. the connector roads) have been included in the GEIS.

349. Van Dyk (246) Section 2.7.6: Transportation/Impacts and Mitigation. This section's reference to "the proposed roadway configuration" fails to identify specific locations where the proposed configuration would be realized. The plan is vague, as I've indicated above.

Response: Refer to Comment 346 response.

350. Nutter (151) A new road to West Hill is still in the plan, but it is hidden, not shown on maps or mitigation tables, and described in obfuscatory language (calling it a "multi-modal link"). The costs and impacts of such a road must be specified along with the complicated design (and political?) relationship between it and the Black Diamond Trail (separate from motor traffic), for which the City is supposed to provide a bridge over the Flood Control Channel. Both the City and State Parks have repeatedly said over the years that this trail is a "high priority".

Response: The traffic plan and analyses for the SW Land Use Area does not include a new road to West Hill.

351. Nutter (151) 2) pES-1 "Adoption of the Plan... would result in... Development of a multi-modal transportation link between West Hill and the Route 13 commercial corridor and Buttermilk Falls State Park"

The 1998 addendum to the Southwest Area Land Use Plan on page 1 lists among major changes "Termination of the reserved east-west travel corridor at the Conrail railroad tracks prior to the Flood Control Channel." However on page 8 it "recommends that the reserved east-west travel way be revised to extend only so far as the Conrail railroad tracks. No Traffic corridor location extending west of the flood control channel should be mapped as part of the Southwest Area Land Use Plan. Nonetheless, efforts should continue to solidify a working agreement for a future extension of the east-west travel corridor to West Hill and further
analysis conducted to identify a suitable route for such extension."

The dGEIS, like the initial summary of the 1998 addendum, is misleading regarding this proposed road. The proposed road does not show up on maps. It does not appear in the table of traffic mitigations. The label of "multi-modal transportation link" is too easily misinterpreted as only referring to the Black Diamond Trail bridge, although later discussions indicate it would be a road combined with that bike/ped facility. In discussing the passage on pES-1, even Planning Department staff have been confused by the reference. The public was led to believe that this road was dropped from the SW Plan. The dGEIS should be very clear that according to the 1998 Addendum this road is still being pursued, and the reasons for having such a road and circumstances which would trigger its construction should be clearly stated under mitigations along with the potential cost to connect it with Route 13A.

Response: Refer to Comment 346 response

352. Nutter (151) 14) p2-36 This table gives misimpressions of traffic impacts. Traffic going "East through the City Grid Network" (20%) actually overlaps in the City with traffic going "North along NY Routes 13/34," (26%) or "East along Old Elmira Rd/Spencer Rd." (15%).

Response: Table 2-15 provides projected trip distribution patterns for the SW Land Use area generated traffic. The specific percentages on individual streets will vary by location as identified in the report.

353. Nutter (151) 10) p2-34 Table 2-12 C: There appear to be errors in the intersection descriptions for at least numbers 9, 12, 26, and 27. How reliable are the numbers that go with them?

Response: The minor discrepancies in street description are acknowledged, but do not alter the number results that go along with them.

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17 Page numbers which are hyphenated (such as 2-36) are found in the DGEIS itself, while non-hyphenated page numbers such as "8" are found in the Site Traffic Impact Evaluation, or Volume 2 Appendix F.
354. Nutter (151) 17) p2-38 "The capacity analysis assumes optimization of existing signal phasing... As summarized in Table 2-17... addition of through and turning lanes, re-striping of intersections and construction of an additional bridge over Cayuga Inlet." Bicycle and pedestrian travel must be accommodated in these mitigations in the dGEIS. These actions were all included in the Octopus to the unnecessary detriment of bicycle and pedestrian travel (see #4 above). Does the "additional bridge over Cayuga Inlet" refer to one between Court Street and Taughannock Boulevard in Table 2-17, or to one across the Flood Control Channel south of the Octopus, which does not show up in Table 2-17 or in maps in the dGEIS but is apparently referred to on p.ES-1 and elsewhere in the text.(see #2)?

Response: The bridge refers to the proposed Court Street bridge. See comment 345 above.

355. Nutter (151) Table 2-17, Summary of Intersection Level of Service, Alternate 5 Development, on pp. 2-39 -2-40, which proposes traffic mitigations has obvious text errors in lines 9, 12, 26, 27 (which is also ambiguous), and probably 11 (Why would an extra lane be needed, and where would it go on steep, 24' wide Turner Place?). Are the actual data any more reliable? What will be the costs of the mitigations? What will be the effects of these mitigations on bicycle and pedestrian travel?

Response: The minor discrepancies in text description are noted. An added lane is identified to allow right-turn traffic to exit Turner Place without being impeded significantly by left-turns waiting to exit Turner Place. The specific layout is typically addressed in a design phase for the project. The cost for the turn lane is outlined in Appendix T-A8 of the report.

10.1.2 Private Sector

356. Nutter (151) 1) pES-1 "A related action to be considered at this time is acquisition or official mapping of proposed transportation rights-of-way"

What is this official mapping process, and at what point in this process is the City? Trail right-of-ways and related parcels should be clearly identified in maps in the dGEIS, including
lands along the Flood Control Channel acquired for this purpose in exchanges as part of the Octopus project, the abandoned railroad bed purchased for this purpose by State Parks, and proposed new bridges.

Response: An Official Map is a locally adopted map of reservation which shows the location of existing and future roadway rights-of-way, drainage channels, and public facility sites. It serves notice to developers that the community intends to use or acquire the specified sites for needed public functions to accommodate growth. State enabling legislation allows for use by county and local municipalities.

The City of Ithaca does not have an Official Map although right-of-way acquisition is an option.

357. Wegmans (252) DGEIS Completeness The DGEIS states in Section 1.5 (Components of the Action) that:

"This Draft Generic Environmental Impact Statement (Draft DGEIS) addresses the potential impacts of the adoption and implementation of the Southwest Area Land Use Plan (Plan). A related action to be considered at this time is acquisition or official mapping of proposed transportation rights-of-way".

The DGEIS does not contain any discussion, analysis or consideration of potential impacts to the private sector resulting from the proposed takings for transportation rights-of-way. For example, Alternatives 1, 4, 5 and 6 each depict an access road that traverses the Wegmans' parcel. There is no acknowledgement or discussion in the DGEIS that there could be a negative impact to the owners of this parcel. We recommend the following changes be incorporated in the DGEIS:

- Table 2-5 should identify the acreage needed from each private landowner for the transportation rights-of-way for each alternative;

- Section 2.2.1 (p. 2-6 through 2-9) need to be expanded to include potential negative impacts on the private landowners resulting from the takings for rights-of-way:
• Tables 2-33 and 2-34 should be re-calculated to reflect the decrease in sales tax revenue to the City and County respectively resulting from the lost development potential on the private lands. (see alternatives 1, 4, 5 and 6 in particular);

• Chapter 3 (Unavoidable Impacts) should also be expanded and acknowledge the various unavoidable impacts to the private landowners.

Response: The Summary of Land Use Impacts By Land Use Alternative, shown in Table 2-5 provides an overview of the lands developed and undeveloped. The intent is to provide a comparison between Alternatives rather than specific acreage's identified by parcel owner. The concept plans depict the areas involved.

The proposed access configurations are conceptual and refinement of actual alignments will be established with an objective to minimize the impact to property owners.

Chapter 3 comment acknowledged.

358. Wegmans (252) Page ES-1, first paragraph: “related actions for the acquisition of official mapping of proposed transportation rights-of-way.” What is meant by the acquisition or mapping of proposed rights-of-way? We have not been approached regarding this proposed acquisition. Some of the alternatives will require right-of-way from Wegmans.

Response: Refer to Comment 356 Response.

359. Wegmans (252) Page 1-4 first paragraph: “related action to be considered at this time is acquisition or official mapping of proposed transportation rights-of-way.” Has there been any assessment of costs or offers for right-of-way for any alternative?

Response: Not at this time.

360. Wegmans (252) ...the following items were not addressed in the study or their effects underestimated:
The DGEIS does not contain any discussion, analysis or consideration of potential impacts to the private sector resulting from the proposed takings for transportation rights-of-way.

Approved full expansion of the Wegmans parcel was not incorporated including a 27,000 square foot outparcel to be located where the new access roads are shown.

Response: The full expansion of Wegmans parcel is considered as part of the overall land use plans for each alternative.

361. Wegmans (252) Background Conditions (Section V, page 7)

The Plan fails to acknowledge Wegmans capability to continue to expand within their parcel per the 1996 approval. The study should be revised to incorporate the projected full build traffic volumes as documented in the Wegmans EIS dated July 1996. Not incorporating future expansion of the Wegmans parcel as part of background conditions portrays a better reserve capacity along the immediate intersections on Route 13 (South Meadow Street) than allowed.

In 1996 Wegmans Food Markets completed an EIS for the expansion and redevelopment of the Wegmans parcel. This included complete reconstruction of the Food Market and provision for an additional 27,000 square feet of retail uses. The retail outparcels are to be located on the southwest corner of the site. With completion of the EIS, off-site highway improvements were required by the New York State Department of Transportation. The improvements have since been constructed and Wegmans has the right to expand without further mitigation at either access point to the site or provide further mitigation at adjacent intersections.

Response: Refer to Comment 360 Response.

Traffic attributed to additional development is considered part of the total Southwest Area trip generation and has been accounted for under the Alternative 5 development scenario and related analyses.

362. Wegmans (252) Traffic Distribution (Section V, page 10)
No information is provided how the new access road through the Wegmans parcel will be reconstructed, nor how it will affect internal circulation to Wegmans. The report fails to address current and future Wegmans traffic along with the projected additional 730 vehicles per hour the plan will add to the intersection of South Meadow Street and Wegmans. Approximately one third of all traffic generated by the proposed Plan will use the access road through the Wegmans parcel.

Response: Refer to Comment 360 Response and Comment 357 Response paragraph.

363. Wegmans (252) Capacity Analysis (Section VII, page 12) Intersection 12 – S. The scoping document contained in Appendix A specifies the need to address on-site and off-site impacts. While the off-site impacts have been documented no on-site analysis was performed at any of the newly created intersections.

Response: An analysis of the on-site operation of the access road with Wegmans/Tops Driveways was performed, as part of these FEIS procedures. The results indicate that the all-way stop controlled intersection will continue to operate satisfactorily during under Alternative 5 traffic conditions. The capacity analysis results are included in Appendix 5 to this FEIS.

364. Wegmans (252) Capacity Analysis (Section VII, page 12) Intersection 12 – S. Cost estimates provided for each of the proposed mitigation measures do not include any costs associated with property taking/right-of-way acquisition.

Response: Comment acknowledged.

10.1.3 Peak Hour

365. Wegmans (252) Existing Conditions (Section IV, page 3)

Additional information should be provided to further justify that the weekday evening peak hour is the worst case assessment period. Previous studies done in the corridor would indicate that
Saturday peak hours are equivalent to if not greater than weekday evening peak hour traffic.

Response:

Early in the study process, extensive discussions and investigation focused on determining the peak traffic interval for analysis in the report. Available traffic count data from NYSDOT, ITCTC, City staff, and traffic studies from private developments were reviewed. Hourly traffic volumes were reviewed for various corridors throughout the City and study area. The determination was made that although Saturday conditions are comparable, if not marginally higher (5-7%) at several study locations, overall the weekday PM peak hour volumes are higher throughout most of the study network, particularly those involving arterials traversing the more sensitive City neighborhoods. As such, the PM peak hour volumes were selected for detailed analyses.

In addition, analysis of time periods other than the PM peak period is unnecessary. Analysis of the PM peak period provides an accurate assessment of area operations and deficiencies. Intersections identified as needing mitigation due to PM peak volumes will clearly require these mitigations due to comparable Saturday peak volumes. The minor difference between Saturday and PM peak volumes cannot be expected to result in additional mitigation requirements. Therefore, it is unnecessary to analyze the Saturday peak period. Traffic using area highways during off-peak times will benefit from the mitigation provided for peak traffic volumes.

It should be noted that traffic volumes occurring during the remaining hours of the weekday are less than the PM peak travel interval, and as such, the travel conditions for all modes including peds and bycyclists, are better during the off-peak period.

366. Nutter (151) The Traffic analysis process is inadequate and misleading: It only considers peak pm levels, and does not say how much worse traffic will be made at other times of day when people, such as those on foot or bike, now travel to avoid the already unacceptable peak pm traffic. It assumes that a Level of Service E for motor traffic, the second worst rating, is acceptable. It does not analyze any equivalent level of service for bicycle or pedestrian traffic or how they would be affected by the traffic
mitigations. The traffic "background growth" of 1.2% per year, which is higher than Tompkins County population growth, is a projection of additional actions which have caused recent such traffic increases. Those actions include the shift in recent years from downtown and neighborhood retail, which was more accessible by bus, bike or foot, or required shorter car trips, to fewer larger retailers in the SW Area. This is exactly what SW development expects to continue and accelerate, and such increases must not be considered "background" for which SW development need not mitigate.

Similarly, the traffic-inducing trend toward suburban residential development could be somewhat offset by dense residential bike/ped/bus-friendly development in the SW Area where it is flat, and jobs and shopping would be close by. The dGEIS should but does not do an in-depth analysis of Alternate 2, the only one including residential development, even though it would only have 70% of the peak pm traffic of the non-residential Alternate 5 which is analyzed.

Response:

The process and procedures used in performing the Traffic Study for the SW Area Land Use Plan follow national and NYSDOT guidelines for Traffic Impact Studies.

As noted in Comment 23 Response, traffic volumes and operating conditions, occurring during the off-peak hours of the weekday are less than the PM peak travel interval, and as such, the travel conditions for all modes including peds and bycyclists, are better during the off-peak period.

For discussion of Level of Service comment, refer to Response to Comments 440-446.

The Traffic Study for the SW Area Land Use Plan includes a detailed analysis of Alternative 5 to identify required mitigation. was analyzed in detail to determine what improvements are needed to insure acceptable and safe traffic operations at these traffic levels. Since the traffic generating characteristics for the remaining feasible Alternatives 1-4 are less than Alternative 5, as noted in the Table II, Section V.c of the traffic report, the mitigation for these is likely to be less than, or comparable to those identified in Alternative 5. Therefore, detailed traffic
analysis that identifies the specific mitigation required for each Alternative was not performed, nor was it considered practical.

Several land use recommendations are included in the traffic report that support greater ped/bike/transit use, such as providing transit-friendly design guidelines; encourage an appropriate mix of concentrated retail, commercial and higher density residential to reduce auto dependency.

367. Nutter (151) pp.3-4 "Review of previous impact reports for various developments in the area revealed that traffic flow characteristics during the P.M. and Saturday peak periods are very similar. Considerably more data were available for the P.M. peak time period than the Saturday peak time period and it is clear that the P.M. time period would be representative of both peak periods. After careful consideration it was therefore decided that only the P.M. peak time period would be studied in detail for the purposes of this report."

Considering the very high levels of Saturday traffic at the current big box stores in the Southwest Area (Wegman's, Tops, and K-Mart), and the fact that the proposal is to add more retail and big box stores and route the new traffic to them through the parking complexes for these existing stores, the peak shopping time must be analyzed, in addition to the peak commuting time, in order to gauge the traffic effects of the proposal. In addition, the effect of increased traffic on non-peak times, when many people, especially those on foot or bicycle, now make trips in order to avoid the already unacceptable P.M. peak travel time, must be analyzed.

Response: Refer to Comment 365 Response.

368. Nutter (151) p.6 "Single land use developments tend to increase dependence on automobiles, thereby increasing traffic congestion on arterials. It is important that a compatible mix of land uses be developed to promote interaction between land uses and efficiency of trips." Alternate 5, with only office and big retail, would seem to increase car-dependence and traffic congestion. Therefore the projection in Table III GENERATED TRAFFIC VOLUMES - ALTERNATIVE 5 (p.10), that 10% of peak hour trips will remain internal should be explained and compared to Alternate 2 or
another Alternate with a mix including dense residential development. Mayor Cohen has been quoted as saying there should be no office space in the SW development, leaving Alternate 5 with the single use of retail. How can that single use support an internal trip rate of 10%? Whatever the internal trip rate of Alternate 5 it should be larger in Alternate 2.

Response: The interaction of trips among developments (internal capture rate) is largely dependent upon the mix of uses within the area. Typically, the greater the mix, the greater the internal capture rate.

It is important to note that large activity centers such as the SW Area Land Use Plan, can also include a mix of retail uses that generate a significant internal capture rate among different and similar retail mixes. For example, past studies performed at the Wegmans/Tops stores identified approximately 8%-10% trip interaction between stores. In larger activity centers with predominantly retail uses, a greater percentage (11%) was identified from studies in the Victor, New York shopping area.

A comparable, if not greater internal capture rate would likely apply to Alternative 2. Alternative 5 is expected to include not only office and large retail, but also, a finer or dense mix of retail and complementary uses.

369. Nutter (151) p.8 "The three most common generators for internal trips are office, residential, and retail, some or all of which may be developed in the Southwest Area." Alternate 5 includes no residential. Does the dGEIS take this into account in estimating 10% internal trips? This suggests that one tenth of all trips within the Southwest Area would go to more than one destination when the choices are only big retail and suburban office. Is this realistic? What would the internal trip rate be for Alternate 2 or another truly mixed use proposal? What would be the internal trip rate be if, as Mayor Cohen has said, there would only be retail, not office, and thus no mixed use? This too, should be analyzed.

Response: Refer to Comment 368 Response.
10.1.4 Pass By/Internal Trips

370. Murray (234) The 'pass by' percentage that is used in the traffic study is very low. More traffic would come from those shoppers, and their vehicles, already in the area to shop than what is projected in the study. How does the percentage used compare with averages used for other area studies and for other studies in general? If it is low, then what percentage should be used, and how would that affect the total allowable retail square footage buildout?

Response: Refer to Comment 373 Response.

371. Nutter (151) 12) p2-35 ...trip adjustments were made for pass-by traffic, internal trips, and transit usage as specified in Table 2-13. No adjustment to trip generation was made for pedestrian traffic."

Pedestrian commuting traffic, which is over seven times transit usage for the County, should be included in the analysis. Bicycle traffic should be analyzed in this part of the dGEIS. Bike travel carries a percentage of County which is almost double that of buses and is comparable overall to transit according to most recent figures. The effects of SW Area development on bicycle and pedestrian traffic on the Black Diamond Trail, whether for recreational or utilitarian purposes should be included.

The "Reduction of 7% peak hour trips for transit usage" is an exaggeration of City commuting rates FROM residential areas, not TO job sites which attract from through out the County which has far lower transit usage. Therefore such a high transit usage rate is NOT applicable to Alternate 5 which lacks residential development. Only extremely good transit service, unlike that proposed in the dGEIS could justify such a high numbers and only in Alternate 2.

The adjustments for pass-by traffic and internal trips must also be re-examined to see if they accurately reflect the land uses involved in the Alternate being examined. Furthermore Mayor Cohen has been quoted as saying there would be no office development in the Southwest, contrary to the dGEIS for Alternate 5. This would reduce the potential for internal trips and should be included in the dGEIS.
Response: Refer to Comments 368 & 373 Response.

372. Nutter (151) p.8 "The pass-by traffic refers to the amount of existing traffic already on the roadway directly adjacent to the Southwest area, that, as it "passes by" the site, enters the access drive. That portion of the total generated traffic attracted to the future development may pass on the adjacent street system whether or not the Southwest Areas was developed and thus produces no new traffic at other study area intersections."

The dGEIS should not simply pretend this amount of traffic doesn’t count, but should consider effects of this turning traffic into and out of the Southwest area upon the adjacent roads and intersections including back-ups and delays due to turning vehicles and the ability of pedestrians and bicycle users to use the intersections safely.

What would the pass-by rate be at other times than peak? We need to know what is likely to happen to traffic at other times as well. Upon what factors was a 20% pass-by rate calculated?

Response: Refer to Comment 373 Response.

373. Wegmans (252) Trip Generation (Section V, pages 7-10) A notable amount of information and justification is provided for the adjustment of trips to be generated by the proposed land use plan. Two items are questionable and further clarification should be provided in the report.

- Internal Capture Rate: According to the Institute of Transportation Engineers Trip Generation Handbook, internal capture rate should be applied primarily between employment bases (work or retail uses) and residential bases. The credit taken in the study between commercial and offices uses are typically referred to as multi-use trips not Internal Capture Rate (ICR). The application of such an internal Capture rate would require the total volume on the system to balance between uses. Hence, the number of ICR between both land uses should be equal.
• Pass-by trips: it is unclear how the pass-by trips were assigned to the system. Pass-by trips are not new trips to the roadway network but trips that are already passing by the site.

Response:

According to the Institute of Transportation Engineers, Trip Generation Handbook, 1998, "Pass-by trips are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway."

A conservative approach to estimation of pass-by trips was taken in this study so that a worst case analysis of the traffic impacts associated with this development would be assessed. A 20% pass-by rate was assumed for this development. This represents a value for this type land use, generally most acceptable by agency review, such as NYSDOT. The 20% rate means that only 80% of the traffic expected to be generated by the development was added to the through traffic on South Meadow Street, although 100% of the site generated traffic is accounted for in the turning movements at the site access points. Data exists (from ITE and other sources) which supports a much higher pass-by rate for this type of development, on the order of 30%. The study prepared for the Wegman's expansion (1996) used a pass-by rate of 20% and a study prepared for a retail development on Route 13 between Spencer Road and Buttermilk Falls Road (1994) used a pass-by rate of 39% during the PM peak period. If a higher pass-by than estimated were realized, the results would be less through traffic added to South Meadow Street and subsequently less impact at study area intersections than depicted in the study.

According to the Institute of Transportation Engineers, Trip Generation Handbook, 1998, "...a multi-use development is typically a single real-estate project that consists of two or more ITE land use classifications between which trips can be made without using the off-site road system. Because of the nature of these land uses, the trip-making characteristics are interrelated, and some trips are made among the on-site uses. This capture of trips internal to the site has the net effect of reducing vehicle trip generation between the overall development site and the external street system (compared to the total number of trips..."
generated by comparable, stand alone sites)." "In some multi-use developments, these internal trips can be made by walking or by vehicle entirely on internal pathways or internal roadways without using streets external to the site." Table 7.1 in the ITE Trip Generation Handbook indicates internal capture rates for trips within a multi-use development to be 20% between two retail uses and 23% between an office and a retail use. The study prepared for the Wegman's expansion used an internal capture rate for multi-use trips of 10% for internal travel between the Wegman's and Top's stores. Based on this data and the mix of uses proposed for the Southwest Area under alternative 5, a conservative internal capture rate of 10% was used in the analyses. It is anticipated that this rate may be higher and that impacts identified in the SW Area Study may be less than predicted.

10.1.5 Background Levels

374. Nutter (151)  

"The 20 year volume projections include background traffic growth of 1.2%. This rate of background traffic growth is based on historic traffic volume trends and information on driver population and vehicles per household."

This is far higher than the rate of population growth for Tompkins County (7.9% total between 1980 and 1990, 2.4% total between 1990 and 1995. Is it reasonable or even possible for background driving to outpace the population at this rate for 20 years? Driver population and vehicles per household are not actual measures of traffic, so how was 1.2% chosen? See also #9 above.

Response: The background growth rate of 1.2% was determined from several factors that primarily include historical traffic growth in the study area, and Route 96/34/13 corridor. An analysis of historical data was made that identified the growth attributable to the predominant site specific retail trips and the remaining through traffic trips. A reasonable correlation was derived between actual volumes today, and historical volumes projected with the derived growth rate.
While population and household growth alone cannot justify this growth rate, the historical growth in driver population and vehicle miles of travel further support the derived background growth rate.

It should be noted that high growth sub-areas such as S. Meadow Street area, typically experience and exhibit higher background growth rates than other sub-areas of the City and region. Therefore, while the 1.2% rate may appear and be high from a regional perspective, it is considered highly representative of the past and expected growth within the SW Land Use Area study area.

375. Nutter (151)  p.7 "A growth rate was derived based on a comparison of historical growth rates in the area and information described above....A background growth rate of 1.2% per year, compounded over 20 years, was applied to all relevant movements throughout the network." The only "information described above" were driver population and vehicles per household increases. Neither of these is actually a measurement of traffic increase. The dGEIS does not, but should, say exactly how the background traffic growth rate is determined. This should take into account recent trends toward alternatives to private automobiles. For Tompkins County a comparison of most recent National Personal Transportation Survey data, for 1990 and 1995, "the data shows that bicycling and walking were partially responsible for a continuous reduction in private vehicle use even while public transportation use saw a decline." (ITCTC, 2020 Long Range Plan Update, December 1999, p1.15).

Response: Refer to Comment 374 Response.

376. Nutter (151)  9) p2.33 "The 20-year projections include annual background growth of 1.2%..."

The future traffic for which Southwest Development is assumed not to be responsible needs recalculation in the dGEIS. By assuming that traffic will grow in the future as it did in the past (1.2%/yr, which is higher than the Tompkins County population
growth), the dGEIS is already assuming that there will be additional actions of the type which caused growth in the past.

Because several of those additional actions are embodied in the Southwest Area development proposal, the traffic from those causes cannot be considered an unrelated background rate to be subtracted from traffic growth for which the proposed Southwest Area development is responsible.

Traffic growth is not an abstract "natural" geometric force. It is the cumulative result of discrete changes. For instance, one reason for added traffic growth in recent years has been the replacement of downtown and neighborhood businesses, which required shorter car trips or were more accessible by foot, bike, and bus, by big box retailers in the Southwest Area, which are more distant from residential areas and have poor accommodation for foot, bike and bus travel. Although the Southwest Land Use Plan is more extreme than in the past, the policy of encouraging large-scale commercial development in the Southwest Area at the expense of development elsewhere is not new. Examples of more accessible businesses which have been replaced include: Woolworth, Harold's, and Rite Aid on Commons (all on the transit hub), Triangle Books, West End Pharmacy, Cayuga Auto Parts and Cramer's Auto Parts, Egan's IGA, Grand Union, the Co-Op supermarket, and several other rural and neighborhood groceries. These and other businesses have been replaced by larger businesses which are more isolated from neighborhoods requiring longer trips which also are harder to make except by car: K-Mart and its expansion, drive-thru Rite-Aid on Route 13, Staples and Office Max, Auto Zone, Tops, and Wegman's and its expansion. The Southwest development proposes similar additional such shifts from downtown and neighborhoods to Southwest Park and it must take responsibility for this part of the projected traffic growth.

An example of retail relocation and resulting traffic increases: Collegetown lost a grocery and more recently an office supply store on the same site as big chain stores went in or expanded in the Southwest part of Ithaca. This concentration of retailing in the less accessible Southwest area means college students, who are a large part of Ithaca's population, but who were previously less likely to own cars, feel a greater need to have and use a car simply in order to get basic needs and supplies.
Additional major retail development in the Southwest Area, with additional predicted downtown and neighborhood retail loss, will add to traffic in the same way previous development did. Therefore the previous traffic growth from these causes should not be considered a rate to be discounted from the estimate of traffic caused by Southwest development. The traffic caused by the retail shift to date is already here; it is not a rate. More traffic caused by continuing this shift (i.e. the SW Land Use Plan) should be added, not subtracted from traffic which SW development must mitigate.

Traffic diverted from South and Wood Streets should not be considered "background" for analysis (p.2-49) because the change is being made due to Southwest development, and the diversion will clearly create an increase of traffic on Meadow, Elmira, Spencer, Clinton, and Albany Streets, which should be analyzed in the dGEIS.

Suburban residential development at the expense of City residency is another cause of recent increases in traffic. Traffic growth from this source is not independent of the Southwest Land Use Plan either, because dense residential development in the Southwest Area, as recommended but not pursued in the dGEIS, can offset suburban residential sprawl and prevent future traffic.

What is the projected rate of increase in bicycle traffic, and how will it be accommodated? The most recent National Personal Transportation Survey data in the ITCTC Long Range Plan update show increases between 1990 and 1995 of 150-500%, depending on trip purpose, for bicycling as a percentage of total trips by all modes for Tompkins County. This may be related to some small improvements in bicycle accommodations similar to those recommended by the Ithaca Bicycle Plan and the Design Guidelines. Pedestrian percentages went up 130% for commuting and 195% for shopping. With good accommodation there could be large increases in these modes in the Southwest Area. The dGEIS should examine growth of non-motorized modes.

Response: Refer to Comment 374 Response, and responses to Bicycle related Comments 496-550.
377. Nutter (151) p.7 "Closure of Wood and South Streets via traffic diverters is currently being undertaken...Background traffic volumes at the S. Meadow St intersections with South and Wood Sts were diverted proportionately and according to existing trip patterns."

Exactly what was done to the figures should be clearly explained, including the proportion of through trips on these streets, how the number was gotten, where the trips are likely to go instead. Since the closures have not happened yet, it seems they should be included as a separate analysis, instead of assuming them to be background. Traffic diverted to other streets as because of projected traffic impacts from Southwest development is clearly an impact which should accounted for and be mitigated in the dGEIS, not treated as background.

Response: Due to the diverters, through traffic on Wood and South Streets was reassigned largely to W. Clinton Street to the north, and Elmira Road to the south. The traffic was distributed based upon the likely origin/destinations of travelers on both streets, as determined in the trip distribution section of the report. It is understood that a small percentage of existing through traffic on these streets will also utilize other city streets as their diverted route. However, it is impossible, nor practical to accurately assess these smaller trip diversions, but instead, the likely routes with the shortest travel time paths were considered in this traffic reassignment.

378. Nutter (151) p.6 "...traffic generated by development of these [levee] parcels has been added to existing conditions prior to generating background conditions for analysis of future development alternatives." Since the levee parcels are slated in the dGEIS to have 200,000 sq ft of retail, their projected generated traffic would be great. First, it would be wrong to include projected traffic from the levee parcels in existing conditions, and the dGEIS should clarify whether it does so. Second, it is wrong to consider the impact of traffic from the levee parcels to be background and unrelated to Southwest Area development when it is clearly part of the plan and should be mitigated. Third, to project a 1.2% traffic growth based on traffic generated by development in the Southwest is simply to project traffic caused by increased development, and this projected growth cannot be considered independent "background" for which Southwest development is not responsible and need not mitigate.
Response: The Levee parcels are currently zoned commercial; therefore, no additional approvals (aside from Site Plan Approval) are required prior to development. It is anticipated that these parcels will be developed in the near future. Traffic volumes generated by development of the Levee parcels were added to existing traffic volumes. Capacity analyses of existing volumes were compared to capacity analyses of the Levee parcel conditions (existing volumes plus Levee parcel generated volumes). The results of these analyses are outlined in Table V of the Traffic Report contained in Appendix F of the DEIS. No significant adverse impacts requiring mitigation were identified. The report then went on to develop background conditions and Alternative 5 conditions.

379. Nutter (151) p.7 "The driver population increased approximately 10% over the interval [1980 to 1990], or one percent per year." However, according to more recent information from the same source (ITCTC, 2020 Long Range Plan Update, December 1999, Table 17), the increase in the number of drivers from 1990 to 1998 was only 4.13%, which amounts to 0.51% per year or about half the rate projected by the dGEIS. In other words, if the dGEIS uses a one percent per year increase in driver population to suggest traffic growth for which Southwest development is not responsible, then the dGEIS is approximately doubling the projected "background" rate of growth compared to what more recent numbers suggest, thereby absolving Southwest development of mitigation responsibility for a great deal more than it should of the total traffic growth it forecasts.

Response: Refer to Comment 374 Response. In addition, the driver population statistics noted, including the more recent data, were considered in the study process.

380. Nutter (151) p.7 "This is background growth which occurs naturally and is not related to the construction of specific and/or additional traffic inducing generators." On the contrary, there is good reason to believe that recent increases in traffic are related to traffic inducing generators in the Southwest Area of the City of Ithaca. In recent years there has been a shift in retail in Ithaca from centrally located or more numerous neighborhood sites, which are easier to reach by bike, foot, bus, or short car trips, to fewer larger stores in the Southwest Area, which are harder to
reach by bus, bike, or foot, and require longer car trips. Examples of the former include Woolworth's, Harold's, Rite-Aid on the Commons, Triangle Books, the West End Pharmacy, Cayuga Auto Parts, Cramer's Auto Parts, Egan's IGA, Co-Op Grocery, Grand Union and several other small groceries inside and outside of Ithaca.

Examples of their traffic inducing Southwest replacements include an enlarged K-Mart and Wegman's, Tops, Rite-Aid on Meadow Street, Staples and Office Max, and Auto Zone. If a background rate of growth of traffic is to be independent of southwest Area development, the effects of this retail shift must be subtracted. If the effects of this past retail shift are left in the "background" growth, as the dGEIS now does, the mathematical effect is to assume that there will be a great deal more shift from central and neighborhood locations to fewer larger sites requiring increased driving. Such traffic increases are, of course, the predicted result of more big box development in the Southwest Area, and they are specifically what the dGEIS is supposed to analyze and mitigate, not dismiss as "natural" or "not related".

Another cause of recent traffic increases, suburban residential development and loss of population by the City of Ithaca, could be addressed by dense residential development, such as Alternate 2, in the Southwest Area. This should also be addressed in any discussion of "background" traffic growth.

Response:

The shift in travel pattern as described above was considered and included in the process of determining the background traffic growth rate.

The effects of the existing shift, and resulting background traffic conditions are analyzed independently, as determined in the analysis of background traffic conditions, contained in Table V, pg.13, Capacity Analysis Results.

381. Cogan (49) Traffic (Appendix F)

Assume that the optimistic projects about sales in the dGEIS are correct

Assume that everyone coming from outside area drives 40 miles roundtrip
Assume they spend $250 each trip.

Result: 7.8 million miles/year

However, it is likely that people will be driving from much further away, and will spend less than $250. This means the number of new passenger miles will increase even more. How will this affect our air quality, the conditions of our roads, and the roads leading into Ithaca?

The dGEIS assumes that 200,000 ft² will be built on the site across from Buttermilk Falls no matter what, so the effects of this development are not included in the traffic increases for this project. This is wrong. These increases should be included in the numbers for traffic generated by this project.

<table>
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If we do this, we see that traffic on Meadow Street and Elmira Road could increase by 60%; traffic on W. Clinton Street would increase by between 95% and 115%, or would basically double. And traffic on Albany Street would increase by 50%. As we can see, the dGEIS is obfuscating the real impacts of this type of development.

Response: See response to Comment 378 above.
Please note that existing volumes cannot be directly compared to future volumes because the future volumes include a significant amount of background that is not attributed to development of the Southwest Area.
10.1.6 Future Analyses

382. NYSDOT (223) 1) The analysis provides a reasonable estimation of the possible potential impacts and the needed mitigation for the development scenario and the 20-year planning period. However, when a specific development proposal is put forth, we would require an updated analysis that uses the following:

Lost time in the LOS analysis should be 4 seconds.

Practical minimum green time for left turn phases is 7 seconds.

Practical minimum green time for side street phases is 10 seconds.

V/C ratios should not exceed .90 and shall not exceed .95.

We do not permit "permissive" left turns across 3 lanes of oncoming traffic (Wegmans and Elmira Road intersections)

Also, Fulton Street and Meadow Street are part of a coordinated traffic signal system. A SYNCHRO/NETSIM analysis would be necessary.

Response: It is expected that when a specific development is proposed that meets NYSDOT guidelines for a Traffic Impact Study, or if requested, an updated analysis will be provided that includes the operational parameters stipulated. Other remaining comments are acknowledged.

383. NYSDOT (223) 3) Given that there is some development already in the study area and the planning horizon is 20 years, it would seem appropriate to discuss the redevelopment of existing properties. Such things as shared driveways, shared parking lots and connections between developments, either for vehicles or pedestrians, would aid in reducing multi-destination trips onto the highway.

384. Tompkins County Planning (218) Traffic Mitigation. The traffic impact mitigation described in this analysis is based on Alternative 5. The traffic impact mitigation strategy will need to be re-
evaluated once a determination for a final development scenario is made, if it does not coincide with Alternative 5.

Response: Traffic mitigation described for Alternative 5 in this analysis will hold for any mix of development that generates a similar number of trips. If the development is scaled back significantly, it is likely that less mitigation will be required.

385. Nutter (151) p.ix and p.5 "It is recommended that an appropriate mix of commercial uses such as offices, and higher density residential be encouraged to sustain a market of retail uses and greater transit ridership. This in turn, reduces the number of auto-related trips to the area." p.5 "Primary, or highly essential land use, supportive of greater transit use includes local and regional shopping, substantial suburban office use; and a mix of higher density residential (e.g. 7+ units per acre)." Of the Alternates offered, only Alternate 2 approximates this recommendation, and it or another Alternate which has these features, should be fully analyzed in the dGEIS. Note that in Table II, TRIP GENERATING CHARACTERISTICS OF ALTERNATIVE MIXED LAND USES (p.9), Alternate 2 showed Total Adjusted Trips of only 70% of Alternate 5, thus would have much less negative impact, clearly showing it is deserving of further analysis. Adjustments must be corrected, which would increase the relative advantage of Alternate 2.

Response: The intent of the traffic study was to analyze worst case development conditions and identify areas in need of mitigation. A final determination has not been made as to the mixture and size of uses to be developed in the Southwest area. Certainly Alternative 2 will have less impact than Alternative 5. The traffic study has shown, however, that the impacts of Alternative 5 can be reasonably mitigated, mostly at the cost of the developers, and supported by the existing highway system.

386. Tompkins County Planning (218) Traffic Calming Analysis. The report provides an analysis of the potential impact of traffic calming measures on a number of streets and intersections in the City. Implementation of area-wide traffic calming could have a significant impact on the distribution of traffic in the City’s street network and needs to be incorporated into the traffic capacity analysis based on Alternative 5. The analysis needs to describe
the impact of implementing traffic calming measures along with Alternative 5, to determine if there is any difference in mitigation necessary to meet the project's impact thresholds.

Response:

The City's current Traffic Calming Program focuses on targeted neighborhood traffic issues, starting initially at five selected areas. The neighborhood concerns generally involve speeding, traffic volume, and pedestrian safety issues. The application of traffic calming techniques will be strategically applied to alleviate the localized issues. The effectiveness and exact impact of the Traffic Calming measures are dependent upon the specific traffic calming tools ultimately applied, that are largely dependent upon neighborhood input and desires, and the application guidelines established for the various street classifications. Without this input, it is impossible to more accurately quantify the impacts resulting from the traffic calming program, beyond what was already included in the analysis of Alternative 5.

Also, a major issue associated with assessing each traffic calming plan involves the diversion potential to other streets. This is included in the review process for each neighborhood.
10.2 Alternatives/Mitigation

SUMMARY

These comments cover a wide range of topics dealing with the analysis of the 6 alternatives within the DGEIS and the mitigation measures proposed. Specifically, comments insist that alternatives (including the No Action alternative) in addition to Alternative 5 are more fully explored and compared with Alternative 5. In addition, comments address proposed mitigation measures pertaining to connections between the Southwest Area and downtown, traffic calming, and proposed measures for specific intersections and streets. Comments also highlight some supposed unaccounted for costs of proposed mitigation measures. Finally, some general comments address other varied topics.

10.2.1 Other Alternatives

387. Nutter (151)  p.7 "The objective of a GEIS is to establish maximum impact thresholds [sic] for future development." The objective should be to outline different development and mitigation options so that the public can choose what is acceptable not simply seek the worst tolerable development. The dGEIS is inadequate because it only analyzes Alternate 5 in depth, instead of any mixed use Alternate with high density residential, whose traffic impacts would be much smaller, more acceptable, and easier and cheaper to mitigate.

Response: See responses to comments 41 & 42 above.

388. Nutter (151) 11) p2-35 "The objective of this GEIS traffic impact analysis is to establish maximum impact thresholds for future development. ...Alternative 6 may require...widening Meadow Street/Elmira Road, an unfeasible option. Therefore the most detailed traffic impact analysis focused on... Alternative 5..."

An objective of the dGEIS should be to identify and examine Alternatives with minimal, acceptable, and easily mitigated impacts, not simply identify the worst situation which may be tolerable. Therefore truly mixed use such as Alternate 2 deserve a thorough traffic analysis including all modes.
Response: See responses to comments 41 & 42 above.

389. Nutter (151) 13) p2-36 Table 2-14 Alternate 2, which showed 70% of the peak PM traffic generation as Alternate 5, should be analyzed and pursued further as an option which also would have greater bicycle, pedestrian and transit potential, lower costs, and could be more easily mitigated. Note that when adjustments are added for bicycle and pedestrian travel are included and the incorrect adjustments for transit and internal trips used in making this table are corrected for the land uses in the different Alternates, that the advantages of Alternate 2 would be even greater.

Response: See responses to comments 41 & 42 above.

390. Fischer (15) First, in relation to intersection capacity analysis -- I am kind of nervous. The authors provide tables portraying the current level of services and the future levels of service for three or four different parameters. One of them is alternative five, two of them are, one is a 20-year no-action scenario which includes annual background and traffic growth rate of 1.2 percent, and a 200,000 square feet of development. Another one of the scenarios includes development of levee parcel only in 20 years.

I would like to have those two scenarios clarified in such a way that the differences would be outlined clearly with the development that's going on in the levy parcel right now, they seem to be one in the same. That would be great if that could be clarified.

Response: See response to Comment 378 above.

10.2.2 No Action

391. Gallahan (8) 6. Traffic

Mitigation is already desired by residents for current traffic conditions. All the mitigation measures suggested in the DGEIS may be adopted with the no build option, if they are not found to have undesirable consequences not addressed in the DGEIS.
Diversion of traffic onto non-arterial streets of the City is itself a very adverse impact.

Traffic projections of the various development alternatives must be compared with the no build option with traffic mitigation. Unavoidable adverse impacts are clearly major, the DGEIS makes a very serious error to claim there will be none.

In addition, the (apparently) proposed expansion of Route 13 to six lanes is itself an adverse impact not addressed in the DGEIS.

Response: See responses to comments 41 & 42 above.

392. Nutter (151) pES-4 "10 intersections ...require mitigation to meet ...(LOS) E ...based on... Alternative 5." Alternative 2 would create less than 70% as much peak hour traffic as Alternative 5, and should therefore be given a thorough analysis in the dGEIS (Note that the difference should be even greater with corrected adjustments to Generated Traffic Volumes for land uses involved in the different Alternates).

Response: See responses to comments 41 & 42 above.

393. CAC (220) While the Study does mention the impact of traffic calming measures, these measures are planned for area streets regardless of the proposed development. To be fair, the GEIS should study the impact of traffic calming in all alternatives (including the No Action alternative), to maintain consistency.

Response: See Comments 43 response. Also, it is assumed that the traffic volume reduction gained by the various traffic calming techniques is likely proportional to the trip generating characteristics associated with each Alternative. For example, if a traffic calming measure produces a 10% reduction in existing cut-through volume on a street, then it is reasonable to assume that a 10% reduction in future projected cut-through traffic attributable to any Alternative, may also be realized.

394. Whitmore (135) I'd just like to mention that I think the one thing that the Environmental Impact Statement does not mention is what
would happen if we did not have big box stores and had traffic calming going on. We need to keep in mind that we can make things better than they are now, not by going with big box stores but by seeing the places that we need to make change and making change there. Not assuming that it would be made for us.

Response: See Comment 50 Response.

395. Crawford (147) One point is the part about the why do you have a comparing traffic calming, which I understand the City is taking measures to participate in traffic -- or implement traffic calming measures now, and compare the traffic forecasts to no traffic calming? It's a confusing point in the GEIS and I'd like to know why that is the way it is in there.

Response: See Comment 50 Response.

10.2.3 Connection to Downtown

396. Gougakis (34) With increased traffic concerns which the study gives mitigations, no connection proposals have been made to connect SWP with the downtown. No bikeways or pedestrian concerns are addressed on Elmira Road or the rest of downtown.

Response: This FGEIS specifically recommends that the Southwest Area be connected with downtown and the rest of the City through bike and pedestrian facilities.

397. CAC (220) 12. How will the area be linked (by all means of transportation) to other areas?

Response: Means of implementing multi-modal connections are specified in the Design Guidelines of the SWP. Also, the site plan review process for each development proposed for the SW Park area, can be used to help insure multi-modal features are included in the eventual development plan.
398. Ashdown (349) To insure that the development benefits the community as a whole, a financial commitment to operational costs for multimodal transportation should be required along with the requirements for shared costs for traffic and storm water improvements. An ongoing contribution to the operational cost of operating a shuttle bus to the downtown area will go a long way toward mitigating adverse effects of the development. This will improve access to any services provided for everyone in the community, not only those who own cars. Investment in traffic improvements by the developers and businesses in the park should also include the cost of traffic calming in neighboring areas, and the cost of the additional bridge if necessary.

Response: See the Executive Summary of this FGEIS, which sets forth a mitigation fee system to share costs for various improvements.

10.2.4 Traffic Calming

399. Nutter (151) 24) p2-44 "The overall goals and objectives of traffic calming mitigation are to: 1. Encourage greater use of multi-modal transportation (i.e. transit, bicycling, walking);

How do the recommended measures promote bicycle use? How is bicycle access to important destinations, which are mostly on arterials, enhanced? These should be explained by the dGEIS.

Response: The statement is incorrect in the context of traffic calming. Instead, greater use of multi-modal transportation is a recommendation in the traffic report.

400. Nutter (151) p.25 "According to the Institute of Traffic Engineers, ‘Traffic calming is the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users.’"

This is a much better definition than the description on p.2-44 of the main text of the dGEIS. "traffic calming projects look at three kinds of possible solutions: education, enforcement, and engineering." Traffic-calming is an engineering approach which replaces the need for education and enforcement.

Response: Comment acknowledged.
401. CAC (220)  13. The dGEIS discusses traffic calming effects only for the development scenarios. For proper comparison, the GEIS should assume traffic-calming measures for the no-action alternative as well.

Response:  See Comment 50 Response.

10.2.5 Specific Intersections/ Streets/ Measures

402. Teeter (326)  To put a positive spin on things how about a "Park and Ride" in the Southwest Park. Since residents have complained about traffic through neighborhoods having a park and ride for Cornell and Ithaca College in the Southwest Park development would (or could) cut down on traffic considerably. I also feel that opening up Aurora and Cayuga Streets to two-way traffic again would help to disperse traffic instead of concentrating it through town.

Response:  Transit service is already anticipated for the SWP. The need for a for park-n-ride lot for students from Cornell and Ithaca College is uncertain at this time.

Also, the optimum location of a park-n-ride lot needs to be determined, and that evaluation is not considered germane to this report.

Conversion of Aurora and Cayuga Streets has and continues to be discussed and considered by City Officials and staff.

403. Weiner (260)  ...I request that a red, yellow, and green changing stop light be placed at each spot for all entering or exiting traffic going to or from a northerly direction adjacent to and just west of the flood relief channel at its intersection with the Elmira Road and at the intersection of Park Road and the Elmira Road, for the benefit of traffic safety and lessening the possible dangers of speeding vehicles on the Elmira Road.

Response:  The need for traffic signal control for study intersections was included in the traffic evaluation.
404. Wegmans (252) ...the following items were not addressed in the study or their effects underestimated:

Alternative 5 – should be deemed unfeasible for the following reasons:

Primary new roads are shown on private property that may not be available for purchase by other private developers.

Cost of right-of-way for the new roads or the widening of existing roads (Rt. 13 near Six Mile Creek) is not incorporated in the estimates associated with each mitigation improvement.

Response: Primary new roads shown on private property may not be available for purchase by other private developers. However, the City of Ithaca has authority to enter into agreements with individual property owners, and in situations, may elect to exercise its right of eminent domain, if necessary.

Discussions with Wegman’s have resulted in the analysis of alternative locations for the northernmost connection to Route 13 (shown using the existing Wegman’s driveway and traffic signal under Alternative 5). Two alternatives suggested by Wegman’s have been evaluated and compared to Alternative 5 using SYNCHRO and SimTraffic:

Alternative A: Consists of locating the northernmost connection to Route 13, approximately 400 ft. south of the existing signalized TOPS intersection, at the existing unsignalized intersection of the southerly TOPS Plaza access. This driveway is located between the existing bank and Nissan dealership and opposite the OfficeMax/Hollywood Video/Cellular One driveway (referred to as intersection H in the revised figures). The roadway connecting the Southwest Area with S. Meadow Street would be located along the southerly side of the existing TOPS building and the existing unsignalized intersection would become signalized. The new signal would be included as part of the NYSDOT coordinated traffic signal system along with the Kmart signal and the signal at Elmira Road. Although this would introduce another closely spaced signal to S. Meadow St., the operational and simulation analyses
indicate that with coordination and a 90 second signal cycle, acceptable operation can be maintained along S. Meadow St. and the side roads. The new roadway would consist of two exiting lanes: an exclusive left turn lane and a shared left, through, and right turn lane.

Inherent in this alternative access scenario is the fact that the existing Tops and Wegmans parcels already provide an on-site cross connection and drive aisle between parcels. This feature can provide motorists exiting the SWP an optional travel route to less utilized intersections, and thus avoid delays at S. Meadow, if necessary.

Alternative B: Consists of relocating the existing traffic signal at the Wegman's drive to the south. The new intersection would no longer include Wood St. (Wood St. would be downgraded to an unsignalized intersection). The new traffic signal and intersection would be required to either line up with and include the existing Rite Aid driveway or, the Rite Aid driveway would need to be modified and/or closed. This relocated intersection would be approximately 250 ft north of the existing TOPS intersection. The roadway connecting the Southwest Area with S. Meadow St. would be located along the northerly side of the existing TOPS building and south of any outparcels proposed by Wegman's. The relocated signal would be included as part of the NYSDOT coordinated traffic signal system along with the Kmart signal and the signal at Elmira Road. SYNCHRO and SimTraffic analyses indicate that with coordination and a 90 second signal cycle, significant queuing will occur between the Top's and Wegman's signals. Also, it will be extremely difficult to make left turns into or out of Wood St. during peak periods. The relocated roadway would require 3 exiting lanes: 2 exclusive left turn lanes and an exclusive right turn lane (through movements could be shared with right turns if the intersection were a four-way opposite Rite-Aid).

Evaluation of the operational results indicates that each alternative will provide acceptable Levels of Service at the signalized intersections along S. Meadow Street. Consideration of the analyses, as well as issues associated with obtaining property currently owned by Wegmans, yields the conclusion that Alternative A be considered the preferred Alternative. Revised Highway Capacity Software (HCS) analyses have been
provided for Alternative A conditions at the affected intersections (#s 15, 16, and H); the results are shown in Table 11.2.5-1 below. HCS analyses have been provided for existing and background conditions at intersection H for comparison purposes. HCS printouts and revised figures are included in Appendix 5.1.
Table 10.2.5-1:
HCS Analysis for Intersections 15, 16, and H

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<tr>
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<td>Overall</td>
<td>B (5.4)</td>
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<td>16. S. Meadow/TOPS/Wood</td>
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<td>Overall</td>
<td>B (10.9)</td>
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<td>C (23.1)</td>
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<td>H. S. Meadow/Nissan/OfficeMax</td>
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<td>Westbound-Right</td>
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<td>A (4.9)</td>
<td>E (39.6)</td>
<td>B (11.4)</td>
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405. Nutter (151) p.viii "1. Intersection 2 N. Fulton / W. Buffalo, signalized - Construct a new bridge across the Cayuga Inlet between N. Fulton Street and Taughannock Boulevard at Court Street" What is the cost and to whom? How will the traffic-separated
Cayuga Inlet Trail, as well as through bike traffic, be accommodated?

Response: The estimated cost for the bridge is $1.16 million, as listed in T-A8 Traffic Mitigation Cost Esimtate. The specific means of accommodating multi-modal users is a design feature that would normally be included during the design phase of the project.

406. Nutter (151) p.viii "2. Intersection 6 Taughannock Boulevard / W. State St., signalized - Add a northbound approach to the intersection, extending Taughannock Boulevard to the south..." How will impacts on the natural area, wetlands, and effects on flooding be mitigated?

Response: How will the 52' wide road/bridge connect to the existing intersection so close to another bridge?

Response: The particular design elements such as this, are addressed during the design phase of the project.

407. Nutter (151) p.viii "3. Intersection 9 S. Meadow / S. Fulton - W. Clinton, signalized -Option A: prohibit eastbound left turns and through movements at the intersection." What are the implications of cutting off access between SB 13/34/96 and EB 96B? Would pedestrian phases or crosswalks also be cut as at Buffalo and Meadow? This should not happen.

Response: This option was recommended as an interim remedy to the poor levels of service anticipated with increased traffic volumes. The ultimate solution is to widen the existing bridge. However, it should be noted that the NYSDOT is currently considering this option for the intersection due to existing volumes. Southbound traffic on Fulton would turn left onto Green St. to travel eastbound through the City. Given that Green St. is one-way, there is ample capacity available for the small volume of additional traffic (approximately 265 vehicles during the peak period).

408. Nutter (151) p.viii "4. Intersection 10 W. Clinton / Albany, signalized - Add eastbound and westbound left turn lanes on W. Clinton St." Does this mean the eliminating nearby parking which exists on one
side and striping three lanes within the existing 30' curblines, or
does it mean widening the street, or both?

Response:
Restriping of the existing pavement is proposed, similar to other
pavement marking treatments on city streets with limited
width. On-street parking would only be eliminated only where
necessary due to the additional left turn lanes.

409. Nutter (151) p.viii "5. Intersection 12 S. Meadow / W. Clinton - S. Titus,
signalized - Prohibit northbound and southbound left turns"
How will east-west bicycle and pedestrian travel associated with
the Black Diamond Trail be accommodated across this
intersection? Traffic, including large trucks, from the south on
13/34/96 headed for Nate's, Wegman's loading dock, businesses
in the Cherry Street and Clinton/Malone would be sent through
parking lot driveways past Wegman's. What will be the effect on
traffic and intersections within the Wegman's complex? Since the
roads in the Wegman's complex will be needed as through roads,
not just private parking access, there should be bike lanes,
sidewalks and tree lawns per the Design Guidelines and dGEIS
maps. At what stage would these bicycle and pedestrian
accommodations be created?

Response:
The prohibition of left turns would most likely be in effect
during peak periods only. Most deliveries are made during off-
peak times. Pedestrians and bicycles would continue to be
accommodated as they are now. Again, this modification is
being considered by the NYSDOT at this time.

410. Nutter (151) p.viii "6. Intersection 15 S. Meadow / Wegman's, signalized -
Add a southbound right turn lane" The right turn only lane
should be to the right of the proposed through bicycle lane on SB
Meadow.

Response: Comment acknowledged. The additional lane will be designed
in accordance with NYSDOT standards

Add a northbound right turn lane." Does this mean widening the
800 block of S. Meadow Street between Kwik-Fill and Willcox?
Response: Yes, this area will be widened. This is also an improvement currently being considered by the NYSDOT.

412. Nutter (151) p.viii "9. Intersection 27 NY Route 13 exit ramp / East Shore Drive - Stewart Park, unsignalized - Install a three-color traffic signal. "There must be full accommodation of pedestrians and bicycle riders; this is right next to schools, athletic fields, the youth bureau and Stewart Park. This should be in the dGEIS.

Response: Comment acknowledged. Should this intersection be signalized in the future, all intersection modifications would be in accordance with NYSDOT standards, including pedestrian accommodations made for pedestrians.

413. Nutter (151) viii "10. Intersection 17 Albany - Elmira /Spencer St., unsignalized - Consider installation of a three-color traffic signal. "There must be full accommodation of pedestrians and bicycle riders; this is right next to a park and residential area, and is used as bike /ped access to between residential areas and both downtown and Buttermilk Park. This should be in the dGEIS.

Response: Comment acknowledged.

414. Nutter (151) p.ix "11. Provide two lanes exiting the side roads at the Route 79/Floral Avenue (Intersection1), [and] Turner Place/E. Clinton Street (Intersection 11) ...intersections." Floral Avenue used to be striped with left and right turn lanes at Route 79. Before putting the stripe back in, the dGEIS should explain why it was changed back to a single lane, and why the decision should be reversed. Does the recommendation refer to widening Elm Street? How would Elm, Floral or Turner be widened to add turning lanes considering their steep, cramped locations and their current narrowness? These seem like unrealistic recommendations, especially on Turner.

Response: If two discharge lanes can be accommodated within the existing pavement width at these intersections, only restriping will take place. If widening is required and feasible, these roadways will be widened. The intent is to allow right turning vehicles to discharge without being impede by vehicles waiting to turn left.
If improvements are not feasible (such as a Turner Place), then existing deficiencies will remain.

415. Wegmans (252) Capacity Analysis (Section VII, page 12) Intersection 12 – S. Meadow/ W. Clinton: the mitigation proposed at this intersection is to prohibit northbound and southbound left turning vehicles on South Meadow Street. The report goes on to say “Left turns in both directions may, instead, be made at the S. Meadow/ Wegmans –South Street intersections since the turns will be comprised of primarily local traffic.” We question the legitimacy of encouraging local traffic to cut through private property (Wegmans). This will increase cut through traffic through a high activity area near the front of the Food Market. This recommendation is contradictory to the Traffic Calming efforts by the City to address cut through traffic through the residential neighborhoods addressed later in the report.

Response: See response to Comment 409 above.

416. Wegmans (252) Capacity Analysis (Section VII, page 12) Intersection 12 – S. Intersection 15 – S. Meadow/Wegmans/South Street: The double left turn lane proposed on the Wegmans parcel will require proper alignment with South Street. On the sketches provided in the appendix, widening of South Street is actually shown to provide proper alignment, yet not mentioned in the text.

Response: This modification would require a small amount of widening on South St. to provide proper alignment. South St. would remain two lanes at S. Meadow St. via striping.

417. Wegmans (252) Capacity Analysis (Section VII, page 12) Intersection 12 – S. Phasing of Access Points & Mitigation (page 19) describes the improvements required for each of the land use alternatives. The plan does not address the impacts on the overall plan if the access road through the Wegmans parcel is not feasible. A quick review of the mitigation proposed and levels of operation would indicate that similar improvements would be required at the Kmart intersection along South Meadow street should the Wegmans road not be feasible. If the Wegmans access road is not feasible, it is still likely that additional mitigation would still be needed at the Wegmans / South Meadow Street intersection to
properly accommodate the additional through traffic on South Meadow Street.

Response: Refer to Comment 404 Response.

10.2.6 Costs

418. Tompkins County Planning (218) Site Traffic Impact Evaluation – Appendix T-A8. Cost estimates are given for Intersection 9 – Bridge Widening, but no costs are shown for the proposed new bridge at Court Street, or the bridge replacement that will be needed at Brindley Street. Please provide this information in the cost estimates.

Response: The estimated cost for the bridge is $1.16 million, as listed in T-A8 Traffic Mitigation Cost Estimate.

419. Nutter (151) An extension of Taughannock Blvd south is in 5 of the 6 Alternates, but there is no projected cost or impact analysis of such a road going through the confluence of Six-mile Creek, Cayuga Inlet, and the relief channel, in one of Ithaca's hidden wild areas.

420. Nutter (151) 5) p1-2 "The likely north-south right-of-way was shown as extending from Taughannock Boulevard..."

This proposed road is listed in five of the six Alternates mentioned. The dGEIS should outline the environmental impact of building through the confluence of lowland woods and waterways immediately south of the end of Taughannock Boulevard.

The funding source for all new construction should be outlined in the dGEIS.

Response: The Lead Agency believes that the DGEIS contained sufficient information to evaluate the environmental impacts of proposed construction in the Southwest Area. For information on costs of the proposed Taughannock Boulevard extension, please refer to the response to comment 42 in Section 4.5 of this FGEIS. Further, the Lead Agency has chosen to perform additional
floral/faunal surveys during the Year 2000 growing season, and preliminary results can be found in Appendix 3 of this FGEIS.

421. Wegmans (252) Long Environmental Assessment Form – Part III: Will There be an Effect to Existing Transportation Systems? First paragraph: "As development occurs and infrastructure built, existing transportation systems may be affected." What are the anticipated costs for these mitigation measures and how will these measures be funded?

Response: Appendix T-A8 Traffic Mitigation Cost Estimate contains estimates for most proposed traffic mitigation. The funding of these improvements will be derived from many sources, including public and private. A fair-share contribution from developers is anticipated.

422. Wegmans (252) Other Mitigation Measures (Section VIII, page 20)

Several...measures are reviewed in this section, however, no formal recommendation is made. The Scoping document and DEIS infer that the proposed mitigation measures identified are to be provided by the specific development to occur in the area. However, the documents do not test the feasibility of any one private developer having the financial capability to incur the costs associated with the improvements. For example, what development component within the Plan would undertake the cost for widening the South Meadow Street bridge over Six Mile Creek or any of the other bridge crossings mentioned? The South Meadow Street bridge not only is costly, but would also require the widening of South Meadow Street north and south of the bridge.

Response: It is recognized that some of the mitigation provide a regional benefit and thus the costs associated with it, should be borne in part on a regional basis. Funding sources for bridge improvements are expected to include federal, state, local, and private resources. Specific intersection and traffic improvement recommendations, as well as transportation management recommendations (e.g. transit subsidy, traffic calming) outlined in the report are considered eligible as the development’s fair share responsibility.
423. Tompkins County EMC (204)  Transportation Unanswered is how the transportation improvements will be funded and implemented if development occurs over time; will mitigation lag behind growth?

Response: Concurrency between development and mitigation will be maintained to the extent practical. A policy of concurrency must be established whereby planning and funding for infrastructure and transportation improvements keep pace with anticipated levels of development. Conversely, the pace of project approvals and actions to implement land use recommendations are limited to reflect reasonable expectations for infrastructure and highway improvements.

10.2.7 General

424. NYSDOT (223)  2) Several of our intersections have right-of-way constraints that limit the scope of any proposed capacity improvement. Significant right-of-way costs may be involved, as well as a variety of potential impacts to the neighborhoods.

Response: Mitigation will be completed within existing right of way whenever possible. If it feasible to acquire right of way, this will be accomplished

425. Nutter (151)  22) p2-42 "perceived impacts may be related to a mismatch between resident expectations and the intended purpose and function classification of individual streets."

This statement belittles those whose low traffic goals differ from planners, developers, transportation officials. Even if a street is "supposed to be busy", living, walking, or biking there still may be onerous.

Response: Functional classification of highways is not arbitrary. Certain roadways are intended to carry higher volumes of traffic than others. The traffic report has recommended traffic calming measures for high volume residential roadways to try to increase liveability and to make the roadways user friendly for bicycles and pedestrians.
426. Adams (225) 1) The traffic generated by the project is estimated at 2512 trips per hour. FACT: One loaded 18-wheeler effects as much wear and tear on a road as 2000 cars (courtesy Cornell Local Roads). How many trucks, 18-wheeled or larger, will come in and out of this new development per day? The size of a vehicle also affects traffic flow. AND a large vehicle requires more room (with a black top surface) for maneuvering than an ordinary car.

The mitigation suggested by the DGEIS seems quite inadequate. Remember the numbers predicted for the one-way loop? They were certainly inadequate. I think the anticipated traffic argues for keeping development on the smaller side.

Response: There will be additional truck traffic using area highways as a result of the proposed development. Typically deliveries are made during off-peak times resulting in less significant impact to traffic operations at area intersections. Turning radii and other design requirements have been accommodated in the conceptual layout of the area.

427. Pastel (173) My idea of traffic calming would be to raise the speed limit on Rt. 13 so that there would be a smoother traffic flow and less aggravation to the average driver. Speeding up traffic on the routes that can handle it will go far towards “traffic calming” and reduce the overflow into neighborhood side streets.

Response: The speed limit on Route 13 is a statutory citywide speed limit. Raising the speed in the City requires State enabling legislation. In general, a higher speed limit is inappropriate for a dense urban environment in the city.

428. Nutter (151) The mitigations -- it didn’t -- the mitigations for traffic in general talk about optimizing signal phasing and turning lanes, add bridges over the inlet. These are the things that were done in the Octopus and they have resulted in additional problems for bicycles and pedestrians which has still not been corrected. Still not even been admitted by State DOT in some cases.

Response: Bicycle and pedestrian traffic will be accommodated and encouraged everywhere possible. Design features and recommendations that accommodate greater bicycle, pedestrian
and transit usage are included in the report and design guidelines.
10.3 Cumulative Impacts

SUMMARY

The comments focus on cumulative impacts of traffic increases and mitigation, and the assumption that traffic calming in one neighborhood or part of the city may result in increased traffic volumes in other areas of the City. The comments stressed that the DGEIS did not account for the supposed corresponding increases.

429. Tompkins County EMC (204) Transportation Despite the gloomy traffic prognostications of the dGEIS, the committee is even more concerned that the actual impacts of the larger proposed development alternatives will exceed the ability of the area to gracefully handle the resulting traffic.

Response: The traffic study has identified the traffic generation that can reasonably be accommodated with the outlined mitigation, and that builds upon existing infrastructure where possible to provide sufficient but not excess capacity. A networked and more integrated multi-modal transportation system is recommended that support responsible growth.

430. Nutter (151) A new bridge between Court Street and Inlet Island is proposed as a traffic mitigation. The dGEIS says this bridge will not cause significant impact to residential Court Street from traffic generated by SW development. But what will be the impact to residential Court Street by traffic to and from Cornell if such a bridge is built? What will trigger the building of this bridge? What will it cost? Will this new construction follow SW Design Guidelines regarding bicycle and pedestrian facilities? How will it interact with the Cayuga Inlet Trail, this being the most logical place for this separate bike/ped facility to cross the water?

Response: We have re-evaluated the impact of the proposed Court Street bridge on residential Court Street. We initially estimated an increase of 30 vehicles in each direction during the PM peak hour. While we acknowledge that this estimate may be low, it does account for an increase due to Cornell related traffic. Any additional traffic that may use Court St. as a result of the new bridge would be diverted from Buffalo St. It is anticipated that this volume could be an additional 60 vehicles during the PM
peak hour. Operation analyses of the Fulton/Court St. and Taughannock/Court St intersections indicate no operational deficiencies. The following points should be noted:

- Buffalo St. currently has an ADT of 6500 vpd in the vicinity of Fulton St.
- Court St. currently has an ADT of 2900 vpd in the vicinity of Fulton St.
- Court St. is not as wide as Buffalo St.
- The bridge will provide direct connection to Taughannock Blvd. (Rte. 89) only.
- A traffic calming plan has been designed for Buffalo and Court Sts which is expected to reduce volumes and speeds on both of these roadways.

Based on these points, the anticipated increase in traffic on Court St. is expected to be small and manageable.

431. Nutter (151) pES-4 "10 intersections ...require mitigation to meet ...(LOS) E ...based on... Alternative 5." Current rush hour traffic is already bad enough to deter some travelers, and cause some, especially bicycle riders and pedestrians, to shift their trips to other times of day. Will SW development make those non-peak times as bad as the current peak, thus making bicycle and pedestrian travel less an option throughout the day? The dGEIS should analyze the effect of development on non-peak traffic.

Response: Refer to Comment 365 Response.

432. CAC (220) 8. The figures show no increase in traffic on major arterials as a result of traffic-calming measures on side streets. This defies logic and needs to be corrected in the GEIS.

Response: Refer to Comment 386 Response.

433. Town of Ithaca (219) Section 2.7.4 – Neighborhood Street Analysis, Impacts and Mitigation (beginning on pg. 2-42): Much of the emphasis on mitigating the impacts of traffic on neighborhood streets
described in the dGEIS appears to be based on traffic calming measures. If traffic calming is intended to reduce traffic volumes in certain neighborhoods, and if it is effective, then it can be assumed that the mitigating measures themselves may have adverse impacts by forcing increased traffic volumes in other areas. These overall changes in traffic circulation patterns and possible increased volumes resulting from such changes, especially in adjacent areas leading to the study area such as Stone Quarry Road in the Town of Ithaca, should be clearly documented in the dGEIS.

Response: Refer to Comment 386 Response.

434. Kiefer (267)  C. Transportation and Infrastructure.

Consideration of and accommodation for pedestrians and bicyclists are commendable, as is recognition of public transit benefits.

"Traffic calming" can be a useful technique to protect neighborhoods, but if it works, then other areas will experience greater traffic. The overall change in traffic patterns is what should be discussed - both within the City and in the nearby Town of Ithaca. The draft should be revised to address this.

Response: Refer to Comment 386 Response.

435. Tompkins County Planning (218)  Traffic Calming Analysis – Table 2-19, Page 2-43. In Table 2-19, traffic reductions resulting from traffic calming in neighborhood impact areas are not shown as being redistributed to other streets. This is particularly troubling since all street segments (except those with no traffic calming) show reductions when comparing the "future" column against the "future w/ traffic calming" column. In Table 2-19, why is there no change in volume on the streets that are indicated to have no traffic calming? Why are there no changes in traffic volume between 'future' and 'future with traffic calming' for the following sites:

W. Clinton Street between N. Meadow and Corn St.

W. Clinton Street between Fayette St. and Albany St.
Meadow St. between Wood St. and Elmira Rd.

Meadow St. between N. Buffalo and W. Seneca St.

Meadow St. between N. State and Green St.

South St. between S. Meadow St. and Fair St.

Wood St. between S. Meadow St. and Fair St.

Response: Refer to Comment 386 Response.

436. Seitz (59) I do not believe in traffic calming measures other than enforcement of citywide traffic codes. I think any other traffic "calming" only services to aggravate and distract drivers. As far as restricting traffic on certain streets, I do not believe that it would be good policy in general as it tends to clog other streets. Reducing traffic overall is the best policy.

Response: Comment acknowledged. However, the benefits of traffic calming applied in countries around the world have been well documented. (e.g. Traffic Calming In Practice, County Surveyors Society ...et.al., London, England; Traffic Calming-State of the Practice, Institute of Transportation Engineers, Wash.D.C.)
10.4 Unavoidable Impacts

SUMMARY

The comments highlight presumed deficiencies in the DGEIS's description of "Unavoidable Adverse Impacts." They emphasize that the overall degradation of Levels of Service at intersections affected by the Southwest Area development are unavoidable adverse impacts of the SALUP and should therefore be listed as such.

437. Van Dyk (246) Section 3: Unavoidable Adverse Impacts. This section should clearly acknowledge that implementation of the plan will result in increased vehicular traffic and a degradation in the Level of Service.

438. CAC (220), Fischer (15) 2. Unavoidable impacts exist for the listed development scenarios, beyond the brief statement in the Executive Summary.

a. In spite of traffic-calming measures, intersection improvements, and new intersections, several intersections' LOS will decrease. The Executive Summary should be corrected to more accurately reflect these unmitigated impacts.

b. In spite of mitigation measures, traffic volumes will increase significantly. Increased noise and air pollution are unavoidable impacts (not to mention increased driver aggravation and decreased quality of life). The Executive Summary should be corrected to more accurately reflect these unmitigated impacts.

439. Allen (321) The proposal suggests that the only negative unavoidable impacts will be to the viewed; all other negative impacts are avoidable. However, I do not feel the dGEIS adequately addresses negative impacts regarding Transportation and the Community Character of the new development.

The executive summary suggests ten intersections will need mitigation to preserve traffic level of service "E". According to the Transportation Report (Appendix E), LOS E is the highest level before "unacceptable". It suggests that traffic would be very high under these conditions. In the appendix, examining specific
intersections, of the 28 currently existing intersections, only one "D" and "F" exist, and all the other intersections currently rate "A", "B", or "C".

In 2017, with traffic mitigation under plan 5, there would be five intersections with levels "D", "E", or unacceptable, including the Route 79/Floral Ave. intersection, formerly part of the Octopus, and the Fulton/Buffalo intersection, a lead-in to the former Octopus.

I consider being able to get around without traffic-jams a significant quality-of-life issue, and I will not live in a town where I need to sit in traffic. I consider the traffic examination incomplete, if it assumes mitigation to level "E" is acceptable.

Response: Degradation of service as a quality of life impact has been added to the “Revised Table of Impacts” in the Executive Summary of this FGEIS.
10.5 Level of Service E

SUMMARY

Comments questioned why Level of Service "E" was chosen as the threshold for intersection mitigation, rather than LOS "D" or above.

440. Wegmans (252) Page ES-4, second paragraph: "The intersection capacity analysis identified 10 intersections that would require mitigation to meet the impact threshold of maintaining a Level of Service (LOS) "E" following development..." Why was this (LOS "E") the threshold? Why aren't the existing levels of service maintained following development? Why are the mitigation measures of Alternative 6 being discarded?

441. Blodgett (251) 2.7 Transportation. I question the assumption that 'E' level of service is acceptable to residents. Current lack of infrastructure poses an unacceptable level of risk to pedestrians and bicyclists. This includes children who use BFSP.

442. Nutter (151) 3) pES-4 "10 intersections ...require mitigation to meet ...(LOS) E ...based on.... Alternative 5."

Why is LOS E, the second worst category, deemed acceptable? The dGEIS should examine what would be the equivalent "level of service" for bike riders and pedestrians with and without mitigations in the surrounding areas.

443. Nutter (151) 16) p2-38 "...maintaining level of service at "E" or better." LOS E is next to the worst rating there is; mitigation should be to a better level. The LOS for bicycle and for pedestrian travel should also be analyzed and included in mitigation.

444. CAC (220), Fischer (15) 4. Our biggest issue with the Level of Service analysis is that LOS E was determined to be the goal of mitigation. With the definition of E as it is (including waits of 41 to 60 seconds, driver aggravation, etc.), we are puzzled and disappointed that city officials and planners would accept this very poor level of service for the City of Ithaca and its residents. The intersection at Albany and Spencer Streets will be mitigated to LOS E; several other intersections will be mitigated to LOS D;
still others won't experience mitigation at all because they are already LOS E or above. We are disappointed that our city planners do not want better traffic service for this community.

445. Wegmans (252)  Capacity Analysis (Section VII, page 12) Standard traffic engineering practice and New York State Department of Transportation policy is that any degradation in Level of operations at a given intersection is considered an impact. The standard desired Level of operation at an intersection is Level “D” or better. The traffic report states that “It was determined through discussions with City officials that while any change in Level of Service is considered an impact, all approaches at all signalized intersections within the study area must be mitigated to Level of Service “E” or better.” Considering a significant amount of the adjacent roadways that will be significantly impacted by the Plan are under the jurisdiction of the NYSDOT, their input on this threshold level should be verified.

446. Wegmans (252)  Capacity Analysis (Section VII, page 12) Table V – Capacity Analysis Results shows several intersections that do not satisfy the Level “E” threshold even with the mitigation proposed. Levels of operation “F” are shown at three intersections within the study limits.

Response:  Level of Service E Response to comments 437-446.

During the early phases of the transportation planning process for the SW Area Land Use Plan, a variety of factors were considered in selecting LOS E as the acceptable threshold value. The determination included such factors as the estimated build-out period, highway system utilization, likely variation in long term traffic projections associated with large activity centers, and context-sensitive community design considerations. The general intent was to build upon the existing infrastructure where possible to provide sufficient capacity, but not an excessive and unsustainable road system.

Level of Service is a grading system for amount of congestion, using the letter A to represent the least amount of congestion and F to refer to the greatest amount. It is a qualitative measure that characterizes the operational conditions within a traffic stream and their perception by motorists and passengers.
Each level of service is characterized in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, and driver comfort and convenience.

Traditionally, LOS D is considered a desirable level for planning and design purposes. However, in the last decade, many communities have realized that using this threshold for long-term land use planning purposes, contributes to advancing urban sprawl, and a less sustainable community with the inefficient use of the existing highway infrastructure. The result has been that roads are designed predominantly for the convenience of motorists, without regard to the impacts on communities through which they travel.

For example, the State of Florida originally mandated in 1989 that local communities maintain concurrency at LOS D. After only five years of existence, communities found that this standard accelerated development away from urban centers and created greater need for more widespread services and infrastructure requirements. Hence the statewide mandate was rescinded to allow local communities to accept LOS E as a standard, if desired.

In New York State, the Capital District Transportation Committee (CDTC), the metropolitan planning organization (MPO) for Albany, Rensselaer, Saratoga, and Schenectady Counties, and arguably one of the foremost MPOs in the nation, uses similar standards/criteria for highway system evaluation. Specifically, CDTC identifies level of service D as desirable for overall intersection performance, but level of service E is identified as acceptable for minor movements within the intersection. A review of DGEIS Appendix F, Table V, pgs. 13-17, “Capacity Analysis Results” indicates that all study intersections can satisfy these criteria with mitigation.

The distinguishing features of the Southwest Area development are its large size (up to 1,000,000 s.f.), and the its long timeframe for development (up to 20 years). If the highway network is designed to operate at LOS D 20 years in the future, it may have excess capacity when it is built. This excess capacity would induce more demand than if the road were operating at a lower LOS. Wetmore notes in comment 209 that the Octopus went to 100% capacity in two years, rather than the
ten predicted. This dramatic difference it potentially due to induced demand.

The current Highway Capacity Manual, the national standard for capacity and level of service determinations, acknowledges that many agencies consider LOS E as the upper limit of acceptable delay at signalized intersections. Communities that select LOS E as a threshold are more concerned about controlling urban sprawl, and seeking compact development pattern that will be more supportive of all modes of transportation, rather than simply accommodating the desires of motorists.

Selection of LOS E was considered acceptable to achieve responsible growth that meets a full range of economic and lifestyle objectives.

Furthermore, development in the Southwest Area is an excellent opportunity to promote bicycle and pedestrian travel because the area is flat and located close to major population centers in the City of Ithaca. If the bicycle and pedestrian recommendations of this plan are implemented, and the Ithaca bicycle network is further developed, bicycling and walking will become more attractive modes. With the addition of traffic calming measures on neighborhood streets, and the projected increase in traffic on Route 13, automobile travel times are expected to increase. A goal of designing intersections for motor vehicle LOS “E” is to make driving a less attractive alternative. With a decrease in the attractiveness of driving, and an increase in the attractiveness of biking and walking, more people will choose to bike or walk.

By mitigating to LOS E, implementing the recommended bicycle and pedestrian network improvements, and developing an area within the City rather than on the outskirts, development in the Southwest Area will minimize suburban sprawl.
10.6 Air Quality

SUMMARY

The comments attack the data presented in the DGEIS for current air quality conditions and request that air quality data from Ithaca itself, rather than Elmira, be used. Comments seek quantification of the predicted decrease in air quality and request specifics on how the listed mitigation measures will offset the presumed impacts.

447. Beer (259) The deleterious effects of automobile usage are well-publicized, numerous, and far-reaching: 1. release of greenhouse gases and resultant global climate change and species extinctions; 2. release of oxides of nitrogen, implicated in forest dieback and acidification of lakes; 3. toxic wastes and spills associated with oil extraction, transportation, and refining; 4. exacerbation of debilitating respiratory diseases; 5. noxious odors on major streets. Knowledge of these effects does not deter me or other city residents from owning and driving autos—evidence of the appeal of private transit. Nevertheless, high prices (e.g., as in Europe) DO dampen the demand for gasoline. Therefore, any estimate of the impacts of development on traffic relies on some prediction of gasoline prices (and transportation technologies) in decades ahead. During 1999, the price of oil fell as low as $9.03 per bbl, but ended the year at 2½ times that price. Within the lifespan of the projected buildings within the Southwest Area, one could reasonably predict gasoline rising to a price at which Ithacans would prefer to commute by bus, bicycle, or on foot.

Response: Comment acknowledged. In addition, many factors contribute to the uncertainty associated with traffic projections for large development projects with 20-year build-out periods, such as the SWP. It is precisely factors such as this (gasoline price) that support planning for LOS E conditions for large, long-term projects as proposed.

448. Fischer (15) I read about the 27 affected intersections, and found that the planners decided that they need to be mitigated to what’s called level E. Level E entails a wait of 40 to 60 seconds, along with that is, they measure frustration and discomfort on the part of the driver, that seems to me to be an unacceptable level, if that’s going to be held at that low level, then mitigation isn’t offered for
impacts to air quality, and to noise considering that the heavy amount of traffic at some of the intersections.

Response: Refer to LOS E Response to Comments 436-446.

449. CAC (220) 3. Air quality data from Elmira are inadequate for evaluating impacts in Ithaca. Data from Ithaca are needed.

The GEIS needs to quantify increased emissions from increased traffic.

Response: Refer to Comment 452 Response.

450. Wegmans (252) Page ES-3, sixth paragraph: "Increased traffic volumes and the decrease in the level of service would decrease air quality from vehicle emissions. Traffic mitigation efforts (traffic calming...will minimize these air quality impacts.) How will traffic calming mitigate and improve air quality?

Response: Refer to Comment 452 Response.

451. Jennifer Schriber (125) AIR RESOURCES: While traffic patterns might potentially distribute pollution differently, the only true air pollution mitigation would be to encourage pedestrians and bicycles. THROUGHOUT THE DGEIS SIDEWALKS AND BIKE LAKES ARE MARGINALIZED. They need to be prioritized.

Response: Refer to Comment 452 and 516 Responses.

452. Wegmans (252) Page ES-2, Summary of Impacts: Under the Air Resources element, there is no mention on how the traffic calming mitigation will help the reduction of the air quality.

Response: Response to comments 449-452:

The effect of traffic calming on air quality cannot be quantified without further research. Some drivers may be slowed, some may choose a different route, and a few may even choose a different mode if that mode becomes more attractive than driving. These effects are impossible to quantify without a
working regional air quality model—a tool which Ithaca has not yet developed.

453. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Energy, first paragraph: “The anticipated development will increase the amounts of various types of fuel and energy consumed.” Will the consumption of fossil fuels effect the air quality in the area?

Response: Yes, the consumption of fossil fuels will affect the local air quality.

454. Wegmans (252) Long Environmental Assessment Form – Part III: Impact on Air, first paragraph: “Traffic...may have an impact on air quality if the current road configuration and traffic patterns remain unchanged.” This may also be true if the road configuration and traffic patterns are changed. Noise impacts should also be investigated.

Response: Noise impacts are not investigated explicitly, but are addressed implicitly as part of environmental service capacity. Noise impacts have negative effects, particularly on residential neighborhoods. Efforts are made to minimize traffic volumes and speeds (and therefore noise) on neighborhood streets by implementing traffic calming measures. Traffic is concentrated in the Route 13 commercial corridor, which is less sensitive to noise than the residential neighborhoods. Noise levels on this corridor and surrounding sensitive land uses are discussed in Section 6.2.

455. Wegmans (252) Page 8-Scope, fifth paragraph: “Mitigation measures must be specifically identified, described and quantified. They will include the following...specific traffic calming measures” How are traffic calming measures going to mitigate increased volumes? Increased volumes on side streets will increase noise and air pollution, traffic calming will only make the pollution worse.

Response: Traffic calming measures must be specific to the context of the individual street. The diagonal diverters currently in place on South St. and Wood St. are an example of traffic calming measures reducing volumes on local streets. By eliminating
through traffic, the volumes on these streets are reduced dramatically. Noise and pollution is diverted from these streets to Route 13, which is less sensitive because it is a commercial corridor instead of a residential neighborhood.
10.7 Spencer Street/Other Specific Streets

SUMMARY

The following comments focus on perceived inadequacies in the DGEIS with regard to traffic induced impacts, and corresponding mitigation measures, to numerous streets in the City (and Town) of Ithaca. Spencer Road was most frequently cited; comments highlighted the perceived use of this road as a bypass to Route 13, as a shortcut to other neighborhoods, and the proposed mitigation measures to Spencer, South, and Wood Streets. New York State Department of Transportation also noted the "discussion of traffic calming on minor arterial streets is inappropriate because it is counter to the functional classification of the roadway" and suggested that the minor arterial streets may not be classified correctly.

10.7.1 Spencer Road

456. NYSDOT (223) 4) The discussion of traffic calming on minor arterial streets is inappropriate because it is counter to the functional classification of the roadway. Perhaps these streets are not classified correctly.

Response: While it is acknowledged that many traffic calming techniques do not apply to minor arterial streets, there are other traffic calming tools and methods appropriate for these higher functionally classified roadways. The City of Ithaca Traffic Calming Application Guidelines limit the use of techniques to include such measures as speed tables, raised crosswalks and intersections, center island narrowings or medians. The average daily volume, grades, and posted speed are important variables factored into the guidelines.

Certainly, adjacent land use and actual operational function, not merely classification nomenclature, must also be considered in the process.

457. Finney (328) Spencer Road was glaringly absent from the traffic impact section of the DGEIS. Does the City really think we won’t be affected there? How many people involved in this project live or spend any time in this area? The residents of Spencer Road, especially at the south end, where I live, stand to lose a great deal by this venture. The ambiance of the park will be destroyed, and traffic, noise, and light levels will increase.
Response: Spencer Road was considered for more detailed evaluation early in the scoping process. Based upon the low volume of traffic currently using the south end of Spencer Road (ADT = 537 vpd), and the fact that traffic is discouraged from using Spencer Road due to the forced turn traffic calming device in place at the Spencer Road/S.Meadow Street intersection, further investigation was dismissed.

458. Fischer (15) 1. Spencer Road is not included in the impact analyses, and it should be. it should be included as part of the Level of Service study and the neighborhood street analysis.

Response: Refer to Comment 457 Response.

459. Fischer (15) 1. Analysis is needed in the DGEIS for the impacts on pedestrians and bikers throughout the area, but especially along Spencer Rd. and any other streets that have no sidewalks. Spencer Rd. is already considered hazardous by those who walk or bike along it.

Response: The issues of pedestrian and bicyclist safety along Spencer Road are valid issues today, independent of the SWP decisions. As part of the City’s Traffic Calming Program, discussions have already identified the need to consider Spencer Road as a candidate for traffic calming applications.

460. Fischer (15) Another point about the neighborhood analysis is that Spencer Road isn’t included at all. And it runs parallel to Route 13 and is very close, it runs into Route 13 very close to where the levy is. And it seems to me -- well, it’s clear to me is that there would be lots of negative impacts on that area.

Response: Refer to Comment 457 Response.

461. Blodgett (251) Specific intersections: 20 - The level of service at this intersection will remain higher than others, encouraging 'shortcutting', using the very narrow street (lacking sidewalks) of our residential neighborhood (Spencer Road).

Response: Refer to Comment 457 Response. In addition, the Level of Service results for this intersection (Table 2-17, pg.2-39) indicate
that acceptable LOS will be maintained with full development of the SWP.

Currently, East Spencer Street is part of the de-facto major route from Aurora Street to the South West area funneling traffic from both East Hill and South Hill. I obtained figures on traffic counts from the City Traffic Engineer which confirm this. Based on these figures, here are the counts:

For each 100 west-bound cars on East Clinton between Aurora and Cayuga St:

38 turns left on East Spencer Street
1 turns left on Turner Place
(6 enter west-bound on East Clinton from Turner Place)
4 turn left onto N. Cayuga St
7 turn right onto N. Cayuga St
55 continue westward on East Clinton St

Note that 38% turn left on East Spencer and only 4% turn left on N. Cayuga. Both of these traffic streams end up (one block later) at the S.Titus/N.Cayuga/E.Spencer intersection. The difference is that 10 times as many cars are taking the "shortcut" on the very narrow East Spencer Street as opposed to the wide (minor) arterial route, N. Cayuga.

Clearly, traffic from East & South Hills towards the South West will increase as development increases there. And the vast majority of this traffic will travel on the East Spencer shortcut unless corrective measures are taken.

Thus, I urge that any development of the South West area be contingent on the elimination of East Spencer Street as an effective shortcut. The principle negative effect of this change would be to add traffic to the 300-block of N. Cayuga which is constructed to handle it. This change will be all the more important if the proposed widening of West Spencer Street is approved.
The traffic engineers will have to decide how to eliminate East Spencer as an effective short cut; but the residents of East Spencer Street have these suggestions any of which should accomplish what is desired:

1. No Left Turn from Clinton Street onto East Spencer.

2. No Left Turn from East Spencer onto Cayuga/West Spencer.

3. Several mid block speed humps on East Spencer.

4. Change the direction of East Spencer (if West Spencer is not made 2-way)

Response: Comments acknowledged. All these factors were considered in the SWP traffic study, and are being actively investigated as part of the citywide Traffic Calming Program. Based upon early discussions, it appears that traffic calming devices may be installed on East Spencer, however, the significant grade is an important consideration that affects the choice of device.

463. Dahl (226) I am concerned with what a small group of Ithaca residents want to do to my street: West Spencer Street. Because the Southwest Park project will increase the number of cars in the area, some "South of the Creek" residents believe that widening West Spencer Street will alleviate their traffic concerns. My hope is that the City of Ithaca follows the advice of consultants engaged with this project already: use the established "through streets" as Ithaca's founders intended them to be used, to carry citizens safely to school, work, and home.

My letter focuses on three points:

1. Plain Street and Albany Street have been "through streets" for decades.

2. Widening West Spencer Street involves a large-scale construction project that wastes tax dollars.

3. Condemning owner-occupied homes on West Spencer Street violates both principles of dignity and plans to create a mix of low and mid-income households in this part of Ithaca.
Plain Street and Albany Street have been "through streets" for decades. When we heard the "South of the Creek" gang was gunning for our neighborhood, my wife and I visited the Tompkins County Historical Society to do research about the area. While information on West Spencer Street is sparse, there is much information about Plain Street and Albany Street. What intrigued me most was that these streets were designed as wide through streets. No one wants extra traffic diverted through their neighborhood, but homeowners and landlords who own property on these streets have known, for years, that these are "through streets." On the other hand, West Spencer Street was a narrow, two-lane neighborhood street that serviced its own neighborhood.

Of course, West Spencer Street could be widened, at considerable cost that wastes city tax dollars. Conservative estimates, as you know, price this "alternative" at several times the cost of using the routes recommended in the study. A decision to take my property, and the property of my neighbors, will be an expensive decision. Recent concern over why people resist living in the city revolves around ideas that taxes here are too high. Why send the message to the entire city of Ithaca that city government is not sensitive to financial matters, especially when less-costly and more appropriate options exist.

Finally, condemning homes such as my own violate all principles of dignity. When one member of the "South of the Creek" gang said in a recent meeting that he wanted to be able to "drink lemonade on his front porch" while he schemed to take my home from my children, I realized that some people have no scruples. I refuse to think that I made a mistake by purchasing a home in Ithaca; my family "bought into" the livable city ideas that attracted us to this area. A campaign to save our home is something I never thought my family would have to undertake. I still do not know how I am to tell my children that some people want to destroy their home for selfish reasons.

Please consider my three reasons to follow the advice of your consultants. Our city has designated "through streets" that were designed for business travel. An alternative project that involves years of heavy construction is financially irresponsible. People don't take other people's homes unless there is no other choice. Fortunately, you have a choice.
Response:

Both Albany and Plain Streets are classified as minor arterial highways. As such, the intended function of these roads is to place a higher priority on mobility versus accessibility in the context of the overall transportation system. Roads designated as minor arterials generally carry higher volumes, service longer trips, and provide greater transportation system service as opposed to collector and local streets. Given the absence of the Plain Street bridge for traffic, Albany Street consequently services a disproportionate share of the traffic burden.

West Spencer Street is a desirable travel route for motorists from East and South Hills, destined to the S.Meadow Street corridor and beyond. In function, it is classified and serves primarily as a collector road. It carries and will continue to carry significant traffic volumes whether it remains a one-way street or not. Widening to allow two-way traffic does require extensive and costly improvements.

It is noted that W.Spencer Street was at one time, a two-way street. Given the important linkage it provides in the transportation system, West Spencer may have always been envisioned as a two-way street by Ithaca's founders.

464. Dahl (338) This summer my [family] bought a house on West Spencer...We were very shocked to read in the newspaper a few days before Christmas that our house might be torn down to make Spencer a two way street.

As I understand the issue this is a direct impact from building the development in the Southwest Area Park. This is a specific possible impact that would have a severe outcome and should be considered a one of the shortcomings of this plan. TEARING DOWN OLD ITHACA NEIGHBORHOODS SHOULD NOT HAPPEN! It is unfair to the citizens that live in Ithaca to let a national development firm weaken the fiber of this community by destroying its neighborhoods.

Response: Refer to Comment 463 Response. In addition, the development of the SWP does not necessitate the removal of houses on W. Spencer Street.
465. Nutter (151)  Table 2-15, Trip Distribution Patterns, on p2-36, does not give an accurate picture of the local distribution and impact. It says 20% of traffic would go "East through the City Grid Network", but neglects to say that first this 20% must be included in one of two other categories, "North along NY Routes 13/34, 26%", or "East along Old Elmira Rd/Spencer Rd, 15%". Also, how will traffic go east on Spencer? Does the dGEIS assume this road will be changed, or is it an approval for it to be changed, and if so at what cost? How will this traffic distribution effect bicycle and pedestrian travel?

Response: Refer to Comment 366 Response.

466. Nutter (151)  Why is Spencer Street labeled a "collector" when South and Wood Streets are called "local" and given traffic calming measures? Spencer Street is residential and narrow, with difficulties for loading and for pedestrian and bicycle travel, with an extremely large proportion of "cut-through" motor traffic avoiding traffic lights on Clinton and Meadow Streets. These conditions seem to qualify Spencer Street, even more than South and Wood Streets, as a local street deserving of traffic calming measures. How were such designations made?

Response: Refer to Comment 463 Response.

467. Nutter (151)  21) p2-41, Table 2-19

Spencer St between Park St and Cayuga St should be considered a "local" street instead of a "collector". How is it different than South St or Wood St? Spencer is a residential street which is much narrower and less able to handle the traffic it gets, which is almost entirely "cut-through", the type which traffic calming is supposed to mitigate. It is far more difficult, dangerous and stressful to use the 200 block of Spencer as a pedestrian, bike rider, or resident; to enter a house on the southeast side, or to load, unload or park a vehicle than it is on Wood or South Streets. This apparent sacrifice of Spencer seems counter to the stated first goal (p2-44) to "encourage greater use of ... bicycling and walking," the second goal, to "maintain livability of neighborhoods," and the third goal, to "direct volume to appropriate routes..."
Response: Refer to Comment 463 Response.

468. CAC (220) 1. Spencer Road is not included in the impact analyses; it should be included as part of the Level of Service (LOS) study and the neighborhood street analysis.

Analysis is needed in the GEIS for the impacts on pedestrians and bikers throughout the area, but especially along Spencer Rd. and any other streets that have no sidewalks. Spencer Rd. is already considered hazardous by those who walk or bike along it.

Response: Refer to Comment 509 & 531 Responses.

10.7.2 Other Roads (Stone Quarry Road, Plain Street, South and Wood Streets, Buffalo, Fulton, Hector, Green, etc.).

469. Town of Ithaca (219) Sections 2.7.1 and 2.7.2 – Transportation, Intersection Capacity Analysis and Impacts and Mitigation (beginning on pg. 2-33): The intersections analyzed in the traffic analysis do not include any areas along Stone Quarry Road in the Town of Ithaca, which is designated in the Town of Ithaca Comprehensive Plan (Sept. 1993) as an “Existing Problem Roadway.” Stone Quarry Road is being used increasingly as a short-cut for commuter and shopper traffic for vehicles travelling from Danby Road (Route 96B) to the Meadow Street/Elmira Road (Route 13) area of the City. Because of its narrowness, steepness, and sharp curves, it has limited capacity and safety to carry additional traffic. The dGEIS traffic analysis should include an evaluation of possible traffic increases on Stone Quarry Road in the context of the proposed development of the study site and potential impacts on the safety and capacity of that roadway.

The intersections on Route 13 at Seven Mile Drive and Sandbank Road in the Town of Ithaca are not included in the traffic analysis in the dGEIS. Both of these intersections are designated in the Town of Ithaca Comprehensive Plan (Sept. 1993) as “Existing Problem Intersections.” Drivers attempting left turns onto Elmira Road from either of these two roads consistently experience unsatisfactory delays. A traffic study conducted in
1991 determined that the service level for traffic exiting Seven Mile Drive was at an unsatisfactory level of service. This intersection currently serves the Town of Ithaca Highway Department headquarters. While normally a low volume road, Sandbank Road is the access for the playing fields at Buttermilk Falls State Park. Traffic generated by these playing fields during the summer already experiences unsatisfactory delays in exiting onto Elmira Road, and can be expected to see further delays as a result of the proposed development of the Southwest Land Use Area. The Town would like to see these two intersections also included in the traffic analysis, with a description of potential impacts and mitigation measures.

Response:

The following additional intersections have been studied as part of the FEIS: Spencer Road & Stone Quarry Road, Elmira Road & S. Meadow St. Ext., S. Meadow St. & W. Green St., S. meadow St. & W. Seneca St. and Fulton St. & W. Court St.. The additional intersections requested, Sandbank Road and Seven Mile Drive) will be minimally affected by development of the Southwest Area. It is anticipated that an additional 100 to 150 vehicles in each direction will pass these intersections during the peak hour (approximately 2 additional vehicles per minute). It was stated that these intersections experience existing deficiencies. Mitigation to enable vehicles to exit the side roads would require signalization. Given the location and use of these roadways, it unlikely that warrants for signalization would be met. These intersections do not warrant further investigation.

The following capacity results were calculated for the additional intersections studied:
<table>
<thead>
<tr>
<th>INTERSECTION NO. DESCRIPTION</th>
<th>2000 EXISTING CONDITIONS</th>
<th>2018 BACKGROUND CONDITIONS INCLUDING LEVEE PARCELS</th>
<th>2018 - ALT. 5 FULL DEV. CONDITIONS</th>
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<tr>
<td></td>
<td>2000</td>
<td>LOS W/O MITIGATION</td>
<td>LOS WITH MITIGATION</td>
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<td></td>
<td>EXISTING CONDITIONS</td>
<td>B</td>
<td>B</td>
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<td></td>
<td>CONDITIONS</td>
<td>B</td>
<td>B</td>
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<td></td>
<td>INCLUDING LEVEE PARCELS</td>
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<td>B(10.7)</td>
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<tr>
<td>A. N. Fulton / W. Court</td>
<td>Southbound</td>
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<td></td>
<td>Eastbound</td>
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<td>Westbound</td>
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</tr>
<tr>
<td></td>
<td>Overall</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>B. Meadow / W. Seneca</td>
<td>Northbound</td>
<td>B</td>
<td>B</td>
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<tr>
<td></td>
<td>Westbound</td>
<td>B (8.0)</td>
<td>B (9.0)</td>
</tr>
<tr>
<td></td>
<td>Overall</td>
<td>---</td>
<td>---</td>
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<td>Northbound</td>
<td>A</td>
<td>B</td>
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<td></td>
<td>Eastbound</td>
<td>B (5.9)</td>
<td>B (7.0)</td>
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<tr>
<td></td>
<td>Overall</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>D. Spencer / Stone Quarry</td>
<td>Northbound</td>
<td>B</td>
<td>C</td>
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<tr>
<td></td>
<td>Eastbound</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Westbound</td>
<td>B (5.1)</td>
<td>B (8.0)</td>
</tr>
<tr>
<td></td>
<td>Overall</td>
<td>---</td>
<td>---</td>
</tr>
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<td>C</td>
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<td></td>
<td>Overall</td>
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</table>

It should be noted that there is a new diverter at the intersection of the Meadow St. Ext. & Spencer Road which prohibits all through traffic on Spencer Road. While it is clear that Stone Quarry is being used a "cut-through" (as evidenced by the 250 westbound left turns recorded), development of the Southwest Area is not expected to contribute to this movement.
470. CAC (220)  Related to Spencer Rd. traffic on Stone Quarry Rd.; this is being used increasingly for access to this part of the City. The GEIS should address this.

Response:  Refer to Comment 366 Response.

471. White, M.L. (335)  I am also concerned about the expenses and damage entailed in the traffic patterns generated by this development. I do not wish to see Plain Street opened up all the way through. I am concerned about ways of creating less traffic and slower traffic, safer streets for my grandchildren and myself to walk or bicycle. Wider, faster, straight-through streets are not something I perceive as being in my best interest.

Response:  Refer to LOS E Response to Comments 436-446.

472. Ahlers (254)  Traffic

The draft GEIS underplays the number of neighborhoods affected by Southwest Area development, and may overplay the City's ability to effectively calm traffic. Consider the residential neighborhoods on Cliff Street, on which 12% of the development-generated traffic will travel, and Hector Street, on which 6% of the development-generated traffic will travel (dGEIS 2-36). I live on Hector Street, which is already inundated with cars travelling between 40 and 50 miles per hour in a 30 mph zone. Some of my neighbors tell me they've been trying to get traffic calming measures, such as better speed enforcement, for several years without result. The draft GEIS concludes that traffic calming will help mitigate traffic so that there are no unavoidable adverse affects (dGEIS ES-3), and that this traffic calming will be implemented through the partnership of the City and the neighborhood associations (dGEIS Transportation Report 27). There is as yet little evidence to support these conclusions.

Response:  As part of the citywide traffic calming program, Hector Street has been selected as one of the initial five neighborhoods targeted for detailed study and application of traffic calming techniques. Since Hector Street (Route 79) is a minor arterial, and is an emergency response route, the allowable traffic calming treatments are few. However, visual cues and ancillary features applicable to minor arterials may be applied, that
designate the roadway segment as a "Gateway" into the community.

473. CAC (220), Fischer (15) 3. Level of Service information is needed in the GEIS for the Meadow/Seneca and Meadow/Green intersections.

Response: Refer to Comment 469 Response.

474. Fischer (15) Mitigation wasn't offered for intersections of Meadow and Seneca Street, and at Meadow and Green Street, and I am not really sure why those two were left out. Cause when I read the neighborhood analysis section, it talks about the sections, a couple of sections of Meadow Street, one between Buffalo and Seneca and the other between State and Green Street as increasing by 22 and 25 percent respectively. It seems like there might need some mitigating efforts at the intersections that coincide with those sections of Meadow Street.

Response: See response to comment 469 above. These intersections consist of two one-way streets and have more capacity than intersections of two-way streets.

475. Blodgett (251)18 - Not studied for cars using S. Meadow St. Extension. This intersection is already functioning very poorly for vehicles, particularly north-bound ones. The situation encourages illegal and unsafe maneuvers. The is no pedestrian crossing button for Elmira road (where the nearest residences are).

Response: See response to comment 469 above. It is recommended that this intersection either be relocated to the east away from the S. Meadow St. Elmira Road intersection, or that the S. Meadow St. Ext. be made one-way southbound.

476. Nutter (151) The "mitigated impact" (the effects of traffic changes) of traffic diverters on South and Wood Streets should be measured on Meadow Street between Fulton and South Titus. BPW discussion suggested that, with thousands more vehicles per day diverted here, this segment might jam up, which might convince NYSDOT to widen it. Is this a wise policy?
Response: The City of Ithaca traffic Public Works staff are in the process of collecting recent traffic count data to identify the effects of the pilot diverters on South and Wood Streets.

477. Nutter (151) Traffic calming measures speed humps) were recently installed on South and Wood Streets. Are there data to show their effect on speed or volume? Why are they being replaced? What is the actual proportion of local versus cut-through traffic there? What was the process by which these decisions were made? What measures will be taken to ensure that diverters are safe to through bicycle traffic?

Response: Data are available regarding both speed and volume on South and Wood Streets. Based on the most recent counts (1999) these streets are carrying 3051 and 2130 vehicles per day, respectively. Eighty-fifth (85%) percentile speeds approximate 31 and 33 MPH, respectively on South and Wood.

This data indicate the existing humps are less effective than desired, and additional traffic calming techniques are needed.

The pilot diverters allow pedestrian and bicyclist to manuever past them safely. Should permanent diverters be installed, similar provisions will be included in the design.

478. Washington Park Neighborhood Association (WPNA) (258) It is essential to develop and implement traffic calming measures on W. Buffalo and W. Court Streets to mitigate the impacts of anticipated traffic increases caused by the Southwest development. Both W. Buffalo and W. Court Streets are primarily residential as well as adjacent to parks, schools, and community facilities that draw many pedestrians to the area. It is essential to maintain the residential character of these streets and keep them safe for pedestrians and bicyclists. We therefore ask that comprehensive traffic mitigation measures be designed and implemented on these streets before proceeding with any development of the Southwest area. We also ask that the proposal for a new bridge connecting W. Court Street to Route 89 be rejected.

Response: The comments that relate to traffic calming W.Buffalo and W.Court Streets are acknowledged. A comprehensive and
coordinated traffic calming plan is currently being developed by the residents, City staff and traffic calming consultants.

Also, refer to Comment 430 Response regarding the Court Street bridge.

479. Nutter (151) 31) p2-49 "on West Buffalo Street...other traffic calming mitigation criteria including...the existing street width...combine to further warrant a greater need for neighborhood traffic calming actions." Why and how would the width of West Buffalo Street further warrant traffic calming?

Response: Refer to Comment 478 Response. In addition, the width of streets included in the city-wide traffic calming program is a factor that is considered in the selection and design process. Traffic calming measures to lessen the adverse impacts of a wider street on pedestrian safety will be investigated.

480. WPNA (258) Southwest site impact traffic evaluation makes the recommendation to construct a bridge connecting Rte 89 to W. Court Street as a traffic mitigation for the intersections of W. Buffalo/Taquhannock Blv, W. Buffalo/Fulton and W. Buffalo/Meadow (pages 13, 18). A bridge would certainly have an impact on traffic flow at these intersections; however, it would considerably increase traffic volume on W. Court Street which is residentially zoned and adjacent to Washington Park, Immaculate Conception and Horizons Schools, Greater Ithaca Activity Center, Alex Haley Pool, Ithaca Area Community Childcare Center, and a senior citizen center. All of these facilities attract many young and adult pedestrians. Furthermore, Southwest Park development might be only one factor contributing to an increase of traffic volume. Commuter traffic to Cornell University, rerouted from other streets, might be another factor.

Response: Refer to Comment 430 response.

481. WPNA (258) The site impact traffic evaluation estimates that 26% of the traffic generated by the Southwest Park development will be channeled North onto Rt. 13/34 (page 11). Our experience with the redevelopment of the Meadow/Fulton Street Corridor has been that traffic will not stay in designated areas. Many drivers use
the smaller side roads to avoid lights and congestion. For example, we have seen a considerable increase of fast moving traffic on Washington Street, Park Place and Corn Street. This has resulted in unsafe streets and increased traffic accidents involving cars, pedestrians, and bicycles. This trend is likely to continue and possibly increase with the development at Southwest Park.

Response: Drivers generally seek minimum travel time paths, and continuous travel routes. Motorists tend to avoid routes that are circuitous, inconvenient, and require slower speeds and longer travel times. While not most travelers utilize the higher functioning arterial routes, it is acknowledged that a small percentage continue to use the local street network in an attempt to short-cut areas. The intent of the citywide traffic calming program is to minimize the amount of short-cut non-local traffic through city neighborhoods.

482. WPNA (258) We also learned with the redevelopment of the Meadow/Fulton Corridor that traffic calming mitigation measures should be planned for and implemented during early stages of large traffic projects. We are still waiting for promised traffic mitigation efforts in response to increased traffic on W. Buffalo Street that resulted from the realignment of Route 96 and the Meadow/Fulton Corridor.

Response: Development of a comprehensive plan for this area has already begun. Also refer to Comment 430 response

483. WPNA (258) We ask that a comprehensive traffic calming plan be implemented on both W. Buffalo and W. Court Streets and intersecting smaller streets before starting development in the Southwest area. We also oppose the construction of a bridge to link Route 89 with W. Court Street.

Response: Development of a comprehensive plan for this area has already begun. Also refer to Comment 430 response.

484. Nutter (151) 18) p2-38 "An assessment of the impact that construction of [a] bridge connecting Court Street at North Fulton to Taughannock Boulevard (NYS 89) as mitigation might have on the residential portions of Court St has been completed. For the following
reasons, there will be little, if any, impact on the residential portion of Court St. due to the Southwest Area Plan adoption."

The impact from SW Area development on residential Court Street is said to be little, but the impact from Cornell related traffic on Court Street if such a bridge were built should also be analyzed. What would bicycle and pedestrian provisions be on this bridge? Would there be 5-foot bicycle lanes and 8-foot sidewalks per the guidelines?

Response: Refer to Comment 430 response. In addition, the analysis that evaluated the new bridge impact to W. Court Street considered the Cornell related traffic. Bicycle accommodations would be included in the final bridge design.

485. Nutter (151) 19) p2-39 Table 2-17, #11 "Turner Pl / E Clinton ... Add a NB lane to separate left and right turns" Is that correct? Where is the room or the demand to add a lane to Turner?

Response: Refer to Comment 414 Response.

486. Nutter (151) 23) p2-43, Table 2-19

The "mitigated impact" should be considered on South Meadow between Fulton and South Titus, where the addition of several thousand vehicles per day due to the closure of South St and Wood St is expected, according to discussion by the Board of Public Works, to cause severe strain such that NYSDOT will have to widen the bridge over Six-mile Creek as soon as possible. What will be the cost of this work on Route 13? Will it include bicycle lanes per the bicycle plan? In the meantime what will be the impact on emergency services such as ambulances past this traffic diversion and its clogging effects on Route 13, Albany Street and Elmira Road?

Response: Refer to Comment 476 Response.

487. Nutter (151) 30) p2-49 "Wood and South Streets are considered local service streets that serve local circulation needs - auto, bicycle, and pedestrian - and provide access to local residences and businesses. Local service streets... should not carry significant volumes of through-traffic....South Street carries ...3,050 vehicles
per day... versus 2,130 vpd on Wood Street... Speed humps ..on both Wood and South Streets have already been installed to help reduce the undesirable cut-through volumes...The City has recently approved...a diverter...across the intersection of Wood and Fair Street...and... at South Street... and South Titus Ave...[so that] all through traffic will be prohibited. These conditions have been considered part of the background and future conditions for analysis purposes in this report."

How, why and by whom were Wood and South Streets considered to be local only? What businesses are served when these streets are cut off? What constitutes a "significant volume of through-traffic"?

Of their 2-3k vpd, how much through traffic do Wood and South Streets have? What was the effect of the speed humps on volume and, as is more generally considered their purpose, speed of traffic? Why are they being abandoned so soon after construction? Traffic diverted from South and Wood Streets should not be considered "background" for analysis (p.2-49) because the change is being made due to Southwest development, and the diversion will clearly create an increase of traffic on Meadow, Elmira, Spencer, Clinton, and Albany Streets, which should be analyzed in the dGEIS. Why is this apparently not reflected in Table 2-19?

The City should consult other entities which have used diverters to check the design, markings and signage so as to ensure safety to bicycle users who, as intended, pass through. Potential problems are both related to the device itself and to potentially conflicting traffic.

Response: Refer to Comments 476 & 477 Responses.
10.8 TCAT/Busses

SUMMARY

Comments questioned the findings of the DGEIS related to existing and projected use of public transit, specifically the DGEIS prediction that projected traffic to the Southwest Area development will be reduced by 7% due to use of busses. In addition, comments requested more information on the public transit/bussing related routes and mitigation measures.

488. Nutter (151) Table 2-13, Generated Traffic Volumes, on p2-35 discounts 7% of projected traffic on the assumption that it will use buses. This appears exaggerated several-fold, considering that according to the most recent data for Tompkins County, which might approximate the area served by the large development, buses carried only 1.2% of commuting trips and 1.0% of family and personal business trips (National Personal Transportation Survey, 1995 data, Table 11, p1.19, ITCTC 2020 Long Range Plan Update, 1999). Table 2-13 numbers say 72 people will enter and 92 will leave per hour by bus. If only two hourly buses serve the SW area (dGEIS p2-50), this either assumes that an average of 36 people enter and 46 exit per bus, which again appears exaggerated, or there must be significantly greater bus service, which should be outlined and costed out. How much traffic will be by bicycle and pedestrian modes if they are properly accommodated? The same Tompkins County data for bike and ped trips to work were 2.3% and 8.1% respectively.

Response: See response to comment 490.

489. Nutter (151) p.ix "Travel demand management strategies and traffic calming measures: 1. Public Transportation - It is anticipated that, with sufficient demand, either one of the two new bus routes that will serve the retail area along South Meadow Street may be rearranged to include the Southwest Area or a new bus route may be added..." This says there may only be a single bus route in the SW area, which may even be diverted from serving the Route 13 corridor, or there may be none. How can this single bus account for "Reduction of 7% peak hour trips for transit usage" or a total of 72 people entering and 92 people exiting per hour in Table III GENERATED TRAFFIC VOLUMES - ALTERNATIVE
5 (p.10)? A single bus would not hold this many people. The 7% usage is at odds with the latest (1995) data for Tompkins County, showing transit capturing only 1.2% of Work trips and only 1.0% percent of Family and Personal Business trips. A more detailed and extensive bus accommodation should be outlined and costed in the dGEIS which will more clearly account for projected usage rates. Note that the further out people travel by bus, the more routes, transfers, or circuitous travel is required, which limits transit’s usefulness.

Response: See response to comment 490 addressing the 7% transit ridership used in the analysis. Specific bus routes and service will be added or modified by TCAT as demand warrants. A shuttle between the Southwest Area and the Commons would provide an important transit link.

490. Nutter (151) p.9 “City officials indicated that new trips generated by development of the Southwest area may be reduced by up to 7% due to transit usage. This reduction is supported by 1990 Census data, which reports that approximately 6% of trips to places of employment were made via public transportation...” The Census data cited by the dGEIS is for the City of Ithaca and indicated that of city residents age 16 or over who commute to work, 5.86% used a bus.

No justification is given for the 7% figure. Regardless, this Census data would only be valid for people commuting from residential development within the Southwest Area, which is not part of Alternate 5, but only Alternate 2. Since residents employed in the development and shoppers to it are supposed to come from the entire County (or beyond), that should be the data used for calculating commuting and shopping transit usage. Census data for Tompkins County in 1990 showed 3.05% of commuters using buses, but this data is not the most recent. The dGEIS should use the 1995 transit percentages of Tompkins County trips for work and shopping, which are 1.2% and 1.0% respectively (ITCTC, 2020 Long Range Plan Update, December 1999, Table 11A, National Personal Transportation Survey data). Therefore the transit usage estimate in the dGEIS is clearly exaggerated and unduly subtracts a large amount of projected Southwest traffic from what should be subject to mitigation.
Response: Response to comments 488-490:

The 1990 census data for the City of Ithaca show a transit ridership of about 6%. The 7% reduction in automobile trips for transit ridership is based on the 1990 census data, with a slight increase for improved service. No reductions to automobile trips were made for bicycle or pedestrian modes. The actual mode split will depend on the specific uses in the development, the trip distribution, the exact transit routes provided, and the future behavior of travelers.

Nutter suggests using Tompkins County data from the 1995 National Personal Transportation Survey (NPTS) instead of 1990 census data. According to Nutter, the 1995 NPTS data indicate about 1% transit trips, 2% bicycle trips, and 8% walk trips. These data would suggest a reduction in automobile trips by 11% for transit, bicycle, and walking trips. If this were true, the 7% reduction would be a conservative estimate.

Additionally, a discrepancy exists between the Census data and the NPTS data. The 1990 Census data shows a 3% transit ridership for Tompkins County. The 1995 NPTS data shows a 1% transit ridership for Tompkins County. It is unlikely that transit ridership in Tompkins County dropped by two-thirds over a five year period. These indicate a certain level of uncertainty in the data.

While not exact, a 7% reduction in auto trips is a reasonable estimate to account for non-auto modes given the uncertainty in the available data.

491. Nutter (151) p.21 Transit supportive strategies. Add: bike racks on buses and good racks or lockers at destinations and park-and-ride lots. This allows greater mobility at either end of a bus trip and greatly multiplies the area which either buses or bicycles can serve alone.

Response: Correct, bike racks on busses and at destinations promote intermodal mobility. TCAT busses currently have bike racks, and the design guidelines recommend good racks at new developments.
492. CAC (220)  11. The GEIS also should include details of public transit-related mitigation.

Response:  See response to comment 493.

493. Tompkins County Planning (218)  Bus Movement and Amenities in Project Area. The dGEIS mentions existing bus routes servicing the project area however; little information is given on the enhancement of these routes and services to encourage transit use to the project area. Please provide information on the proposed bus route, concurrent development of transit routes and associated amenities (i.e. bus shelters, signage) in the fGEIS.

Response:  Transit use is composed of both in vehicle time (IVT) and out of vehicle time (OVT). OVT is generally more stressful to the traveler because he or she does not know exactly when to expect the bus, and must wait outside, often in the cold or next to the street. The waiting time can be made more pleasant by providing amenities such as shelters and benches, and improving the aesthetics of the area. Bus stops offer an ideal location for a community plaza, and should be located in conjunction with a community plaza whenever possible. Amenities at bus stops should include:

- The bus schedule is posted at each stop.
- Aesthetically pleasing shelters and benches.
- Trees and greenspace.
- Lighting as specified in the design standards.
- A paved and plowed surface adjacent to the curb so travels do not need to cross mud or snow to enter the bus.
- Route signage.

While the waiting time can be made more pleasant, it can also be reduced. Running busses at more frequent intervals will reduce the waiting time and improve service. Finally transit must be coordinated with land use. If people do not have a short walk to the bus stop, they will not ride. Therefore improving transit service is tied to improving pedestrian mobility. This is done with zoning for dense, mixed-use development, providing a safe and aesthetically pleasing pedestrian network, and locating buildings adjacent to the street, with parking in the rear.
The traffic report recommends running an TCAT express shuttle between the Southwest Area development and the Ithaca Commons. The shuttle would link two major activity centers, and allow transfers to many other TCAT routes. In addition to providing an important transit link, the shuttle could allow the option of remote parking. To be successful, the shuttle should be operated to minimize travel time by running short headways (10-15 minutes), and not make stops between the major endpoints.

Additionally, Cornell and Ithaca College provide large transit captive student populations. These populations would be well served by a shuttle to the Southwest Area, especially on Saturdays. Consideration should be given to running a Saturday or daily shuttle to serve the student populations.

Beyond the proposed shuttles, TCAT will modify existing bus routes, add new routes, or add busses as demand warrants and resources permit. Development of the Southwest Area is expected to happen in stages over a period of up to 20 years. During this time, TCAT is expected to modify their routes several times, and will add service appropriate for that time.

494. Beer (259)  
I hope those preparing the DGEIS consulted or conducted research on commuting behavior, but I'll add my personal observations. I've commuted by bus to jobs at Ithaca College and Cornell; whereas, my wife commutes by car from West Hill to Cayuga Medical Center in a fraction of the time that a bus trip would require. At one time, delivering children to school was the main obstacle to commuting by bus. Trips to Tops, Wegmans, Kmart, or Lansing shopping areas made by car, usually on weekends or evenings.

These observations imply that public transit efficiently serves densely-populated work areas, not spacious settings. Offices built near the downtown transportation hub, near Cornell, near public schools or daycare would be conducive to commuting by bus. The Southwest Area is near none of these. By comparison, placing offices distant from the former but near large retail stores might eliminate one or two trips a week while adding five, the latter at times of greatest congestion. In summary, unless the scenarios examined include high gasoline prices and alternative locations for office development, then the resulting projections
will underestimate some negative impacts of Southwest Area development.

Response: Transit does best serve dense population and employment centers. If developed as proposed, the Southwest area will become a dense employment center, given both retail and non-retail employment. The buildings should be clustered along the street, with parking in the rear as shown on the plans. This site layout will allow the entire development to be served by a small number of bus stops, and allow transit users to access the buildings without crossing the parking lots. While not in the downtown or Cornell population and employment centers, the Southwest Area is located within the City and not far from either. If development were not permitted in the Southwest Area, it is likely to locate further away from the City of Ithaca and Cornell population centers instead, contributing to suburban sprawl. The Southwest Area location would allow a shorter transit trip than a suburban sprawl location.

495. Blanchard (62) Secondly, I want to talk about the service road structure within the various alternatives. I would really urge you to insist on the service road network. Especially the connection between the Tops Plaza and Kmart. This will be very important for the TCAT bus system.

We would love to have that connection now because timing is everything with bus service and if we did not have to come back onto Route 13 and Elmira Road to serve that area, it would be very helpful. Segue into the shuttle, the shuttle idea is good. TCAT will do everything we can to make that for you.

Response: It is acknowledged that a service road between Tops and Kmart would be very beneficial, and that this issue is independent of the proposed Southwest Area development. TCAT commitment to a shuttle is appreciated, and will be needed.
10.9 Bike/Ped/Multimodal

SUMMARY

Numerous comments addressed the bicycle/pedestrian/multimodal impacts and mitigation measures contained within various sections of the DGEIS. Generally, comments lauded Ithaca’s previously documented comparatively high rates of bicycle and pedestrian commuters and insisted on measures and components which would ensure that the Southwest Area development is bicycle and pedestrian “friendly”. The comments addressed a wide range of topics, including the DGEIS analysis itself of potential impacts to bicycle and pedestrian modes of travel, proposed mitigation measures, the perceived necessity to implement the draft Design Guidelines, the often highlighted necessity for improved sidewalks and bike trails, pedestrian specific comments, and questions concerning the nature and viability of proposed “multi-modal” mitigation measures.

10.9.1 Bike/Pedestrian General

496. Town of Ithaca (219) Section 2.7.5 – Transit, Bicycle, and Pedestrian Analysis (pg. 2.50): The pedestrian and bicycle accommodations of the proposed new road design are laudable. Increased transit opportunities will be essential to help mitigate the potential impacts of increased traffic as the Southwest Area develops.

Response: Acknowledged. Every effort should be made to provide high-quality transit service.

497. Blodgett (251) 19 and 20 - No facilities for pedestrians and bicyclists crossing 5 lanes of traffic.

Response: All traffic signals should be designed to allow pedestrians and bicycles to cross safely in all directions. Replacing the center two-way left-turn lane with a landscaped median would allow a pedestrian stopping place, and allow pedestrians to cross only two lanes of traffic at a time instead of five. This is an existing community concern—see response to comment 505 for further detail.

498. Nutter (151) 28) p2-48 “This system of neighborhood streets is...intended to serve as...designated bike routes.”
Nowhere does the dGEIS say how this plan will accommodate bike routes.

Response: Traffic calming measures are proposed for South St., Wood St., and Spencer Rd., Albany St., Plain St., Cayuga St., W. Buffalo St., and W. Clinton St.. The traffic calming measures are expected to reduce automobile volumes and speeds on these streets. All traffic calming should be done in a bicycle friendly manner. The reduced speeds and volumes will make bicycle travel safer and more pleasant.

499. Blodgett (251) On Elmira Rd., sidewalk deadends at Plain St. Bikes and pedestrians compete with cars for the unstriped shoulder (lots of cars turning both ways, due to the number of businesses). Wide entrances to strip malls pose a particular hazard to pedestrians and bikers.

Response: True, see response to comment 505.

500. Blodgett (251) On route 13, pedestrians use a muddy path on curb (subject to spray from passing vehicles in inclement weather). There is no safe place for bicycling. Both of these roads already have very heavy traffic.

Response: True, see response to comment 505.

501. Blodgett (251) The inadequacy of infrastructure for bicyclists and pedestrians poses a very serious risk to city residents and users. I could not, in good conscience, add any traffic increase at all until this risk is resolved.

Response: Comment acknowledged. See response to comment 505.

502. Byard (347) 2." Development of transportation link": again, we don't need more development in order to do this. Elmira Rd, Wegmans, Tops, and Kmart could be infinitely improved for bikes and pedestrians with some landscaping, sidewalks and maybe bike lanes. There is plenty of traffic there already without the development.

Response: True, see response to comment 505.
503. Nutter (151) We're talking about adding several thousand cars a day to Route 13, which still does not have sidewalks continuously along it. We are talking about -- well, you know there ought to be as prerequisite to anything happening in Southwest Park, the whole Southwest Area, anything that's going to increase traffic on Route 13, there ought to be bike lanes in place.

Response: These concerns are acknowledged, see response to comment 505.

504. Nutter (151) Because of the current problems to bicycle and pedestrian travel in and around the SW Area (accommodation being poor, unmarked, and/or incomplete on Meadow, Fulton, Elmira, Spencer, Clinton/Malone, Brindley, Taber, Cherry, South Titus, and the Octopus), and the expectation that motor traffic as well as bicycle and pedestrian travel in the area will increase with development of this flat area, it is essential that there be good, complete, well-marked bicycle and pedestrian facilities on these roads as a pre-requisite to further development.

Response: Good, complete, well-marked bicycle and pedestrian facilities are an important community goal. See response to comment 505.

505. Nutter (151) The dGEIS does not adequately consider bicycle and pedestrian access, nor the effects upon that access by increased traffic due to the proposed development, in the actual context of time and place. The dGEIS should examine these conditions and effects during non-peak as well as peak motor travel times. In order to be meaningful, "provision of safe pedestrian, bicycle and vehicle circulation" must include bicycle and pedestrian access to the SW Area itself and destinations within it, both from the Black Diamond Trail (which will be a destination as well as a route to state parks and through travel), and along roads adjacent to the Southwest Area. Existing problems of poor accommodation on these adjacent streets would be exacerbated by increased traffic in the face of increased demand for bicycle and pedestrian travel. Despite decades of development in the area there are significant gaps in the sidewalk system surrounding the SW Area, including Elmira Road and Malone Drive/West Clinton Street, and Cherry, Taber and Brindley Streets. Intersections without crosswalks and traffic lights without signals are common. There are long stretches on Route 13 with no provision whatever for pedestrians to cross. Similarly the city has yet to make
provisions for bicycle travel, for which demand will increase, yet travel will be made more difficult and dangerous throughout the day by traffic increases caused by Southwest Park. As a prerequisite to development in the Southwest Area, the surrounding roads and intersections of the West End and Route 13 must have complete bicycle and pedestrian accommodations in place. Bicycle lanes and complete sidewalks should be included not just within the project but on the surrounding roads.

Response: Response to Comments 497, 499-505

The Elmira Rd. / Meadow St. corridor, as defined in the design guidelines, has several existing transportation concerns. Automobile traffic volumes are high, and are expected to grow. Many parcels do not provide cross-access to adjacent properties, forcing all traffic onto Route 13, and making transit schedules more difficult to maintain. Sidewalks are discontinuous and crossing 5 lanes of traffic can be intimidating to pedestrians and cause safety concerns. Bicycles experience a high level of friction with automobiles. The large number of closely spaced driveways along the corridor are a safety concern because they create frequent conflicting movements among all modes of transportation. For example, an automobile turning left out of a driveway on Elmira Road must cross the sidewalk, two opposing travel lanes, the center two-way left-turn lane (TWLTL), and enter an advancing travel lane. The exiting vehicle has the potential to conflict with pedestrians, bicycles, and other automobiles.

The transportation conditions along the Elmira Rd. / Meadow St. corridor are an existing community concern. They should be addressed by the community regardless of whether or not development occurs in the Southwest Area. The proposed Southwest Area development would add traffic to the corridor, but the major safety and mobility concerns (frequent conflicting movements, lack of pedestrian facilities, etc.) are existing problems. The Southwest Area developers are responsible for mitigating the impacts of their development, and for providing sufficient on-site and off-site facilities to allow good access to their development by all modes of transportation. However, the Southwest Area developers cannot reasonably be held accountable for all existing problems in the corridor. Therefore,
the involved agencies and citizens should deal with these existing concerns rather than linking them to the proposed Southwest Area development.

Adopting the design guidelines for the corridor would ensure that as redevelopment occurs and as existing developments make site improvements, the conditions of the corridor improve rather than degrade. Extending the design guidelines with appropriate access management regulations could minimize the number of driveways, reducing the number of conflicting movements. The involved agencies should consider a capital improvement project for Route 13. The project could replace the center TWLTL with a landscaped median and appropriate one-way left-turn lanes, add a tree lawn and continuous sidewalks as proposed in the design guidelines, and potentially add bicycle lanes. If done well, the result would be improved safety and mobility for all modes of transportation, and an aesthetically improved gateway to the City of Ithaca.

If improvements to the existing Elmira Rd. / Meadow St. corridor are undertaken, they should start from a access management plan that comprehensively considers safety, mobility, and aesthetic concerns for all modes of transportation. The Ithaca Bicycle Plan recommends bike lanes or hybrid lanes on Route 13. The involved agencies and citizens should be cautious of creating a false sense of security by adding bike lanes without a comprehensive assessment of safety along the corridor. In arguing for bike lanes on Route 13, the Ithaca Bicycle Plan states: “Arterial and collector streets often have fewer intersections and a more continuous traffic flow than many neighborhood streets.” While this may often be true, Route 13 has frequent commercial driveways, which are the equivalent of intersections. The Ithaca Bicycle Plan further states, “Accident data indicates that most bike/auto crashes occur at intersections.” Safety is still a concern at each driveway, regardless of whether or not bike lanes are present. Combining bike lanes with access management measures and a comprehensive safety evaluation, could substantially improve bicycle safety along Route 13.
506. Nutter (151) p2-45 "Ithaca's Traffic Calming Program, currently in its initial stages, is one part of the City's commitment to the safety and livability of residential neighborhoods. Under this program, City staff would work with residents to identify traffic problems...and find solutions...Citizen involvement is an essential part of all traffic calming projects. The people who live and work in the project area must have the opportunity to become actively involved in the planning and decision-making process."

No mention is made of involving knowledgeable people on bicycle issues to ensure that plans do encourage bicycle use. The subject of traffic calming as dealt with in this dGEIS and indeed throughout City Hall to date has been approached without involving the BPAC, despite their role according to the City charter. Bike users must be taken into account both in terms of destinations served and traffic-calming measures employed.

Response: See response to comment 507.

507. Nutter (151) p2-46 "In addition to traffic volume, the ranking of needs and the extent of the traffic calming plans should also be based upon other criteria... Collaborative efforts among all stakeholders and all interested citizens are needed to find solutions that best serve the many uses of the neighborhood and street system."

The criteria should include bicycle issues. The stakeholders include bike users. Bike users and people knowledgeable about traffic calming measures specifically as they affect bike use, must be involved, and have not been. An inclusive process should be outlined in the dGEIS.

Response: See response to comment 506 and 507.

All traffic calming measures should be done in a bicycle friendly manner. Traffic calming measures should be designed and implemented with input from neighborhood residents, the traveling public, and involved agencies including BPAC.

508. Nutter (151) p.20 "Very strong incentives and/or disincentives are required to get significant numbers of people out of their single occupant
vehicles and into an alternative mode of travel. For most people another mode would have to be more or equally: convenient, cost and/or time efficient."

Add pleasant and healthy to the list of incentives. This applies especially to the bicycle and pedestrian travel, for which exercise, less pollution, and social and environmental interaction are benefits, and for which safe, pleasant, efficient facilities are required. Note that bicycles are very convenient, efficient, and inexpensive. Given safe direct routes bicycles will be used. The large increases in percentage of Tompkins County trips made by bicycle between 1990 and 1995 may have due to small changes in infrastructure which could be applied to the streets around the Southwest area.

Response: Every effort should be made to provide safe and direct bicycle routes. This can be done by for the Southwest Area implementing the recommendations contained in the response to comment 505. This can be done for the City as a whole by implementing the recommendations of the Ithaca Bicycle Plan.

10.9.2 Bike/Pedestrian Analysis

509. CAC (220) 9. Just two paragraphs are devoted to analysis of public transit, bicycle, and pedestrian use of the affected area. Just one paragraph covers mitigation measures. One of the mitigating measures for bicycling is the inclusion of 5-foot bike lanes. With the forecasted increases in traffic, cyclists will be fearful of using the lanes. Safer alternatives need to be given.

Response: See response to comment 516.

510. Nutter (151) ...the so-called analysis for bicycle and pedestrian transportation in this 1,200-page document, one paragraph. It was not an analysis. It's pathetic.

The so-called mitigation, one paragraph. Again pathetic.

Response: See response to comment 516.