

Village of Cayuga Heights Planning Board
Meeting #136
Monday, June 22, 2026
Marcham Hall – 7:00 pm
Minutes

Present: Planning Board Members Chair F. Cowett, M. Johnston, J. Leijonhufvud, M. McMurry

B. Cross (via Zoom), Attorney G. Middleton, Superintendent of Public Works C. Southard (via Zoom), Deputy Clerk K. Perkins, Alternate Member G. Tierney, Mayor L. Woodard
M. Mecnas, Upland Estates PDZ
J. von Mechow, Whitham PLLC

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:04 pm.
- Chair F. Cowett stated that J. Kusznir has joined the Board as a full voting member; he thanked R. Segelken for graciously moving up his retirement so that J. Kusznir could be appointed to the Board in time for this meeting; he also thanked G. Tierney for continuing to serve as the Board's Alternate Member.
- Chair F. Cowett further stated that Attorney G. Middleton has been appointed Village Attorney, B. Cross has retired but will be available as a consultant to the Village as needed, and C. Southard has been appointed Superintendent of Public Works.

Item 2 – April 27, 2026 Minutes

- The Board reviewed the minutes of the April 27, 2026 meeting.

Motion: J. Leijonhufvud

Second: M. McMurry

RESOLUTION No. 455
APPROVING MINUTES OF APRIL 27, 2026

RESOLVED, that the written, reviewed and revised minutes of the April 27, 2026 meeting are hereby approved.

Aye votes – Chair F. Cowett, M. Johnston, J. Leijonhufvud, M. McMurry

Opposed – None

Item 3 – Public Comment

- No members of the public wished to comment.

Item 4 – Site Plan Review – Upland Estates PDZ

- Chair F. Cowett stated that J. Leijonhufvud is recusing herself from this portion of the meeting because she is a part-time employee of Whitham Planning and Design; he appointed Alternate Member G. Tierney a full voting Board member for this portion of the meeting.
- Chair F. Cowett further stated that on April 15, 2026 the Village of Cayuga Heights Board of Trustees approved the Upland Estates Planned Development Zone (PDZ) for two tax parcels which together comprise 6.13 acres located on the east side of East Upland Road adjacent to the Corners Community Shopping Center to the north and Carriage House Apartments to the east; the PDZ amended current Village zoning to permit development of up to 10 townhouse dwelling units in the northern section of the site; to the south are a wetland and steep slopes in excess of 15% which this project does not propose to develop; the PDZ approved by the Trustees, which also included a negative SEQRA finding of no significant adverse environmental impact based on a concept plan provided by the applicant, established broad parameters within which the applicant has submitted a site plan for consideration by this Planning Board.
- Chair F. Cowett further stated that for the Planning Board's April 27 meeting, and pursuant to an April 8 decision by the Albany County Supreme Court which set aside the NYSDEC's 100 foot buffer for freshwater wetlands under the DEC's jurisdiction, the applicant submitted a site plan showing 10 townhouse dwelling units, 20 parking spaces, and two stormwater practices commensurate with the 50 foot wetlands buffer contained in the Village's Zoning Law; the applicant has since withdrawn that plan and submitted for this meeting a plan showing 8 townhouses and 16 parking spaces that references the 100 foot DEC wetland buffer; this plan looks to be the same as the concept plan presented to the Board of Trustees upon which the Trustees approval of the PDZ for this project was based; in addition, architectural drawings for the townhouses were submitted by the applicant for the Board's April 22nd meeting; all plans and drawings have been made available to the public via the Planning Board's webpage in advance of this meeting.
- Chair F. Cowett asked J. von Mechow, Whitham PLLC, if his summary was accurate.
- J. von Mechow replied townhouses are now in blocks of two rather than in blocks of four reducing the amount of massing.
- Chair F. Cowett stated concerns regarding the increase in townhouse size to accommodate four bedrooms instead of three including provisions for parking, the scale of development in relation to the existing houses on East Upland Road, the

proximity of townhouses to existing trees expressed in the April meeting which hasn't been addressed, the southern row of townhouses blocking views of the wetlands to the south, and the continuing lack of community space; he preferred the t-shaped road layout of the April 27 plan notwithstanding its potential encroachment on the 100 foot wetland buffer and questioned whether a dumpster is appropriate for this type of project.

- G. Tierney asked about a planting plan.
- J. von Mechow replied that a planting plan will be included as part of a final drawing package; landscaping will not extend into the 100 foot buffer; DEC regulations permit continuation of existing landscape maintenance practices such as mowing preceding wetland and buffer delineation.
- M. McMurphy asked whether the turning radii in the site plan have been cleared with the Village's fire chief.
- J. von Mechow replied that the fire chief has given verbal support for the turning radii in the plan and the radii comply with NYS Building Code requirements.
- M. Murry stated approval of the current townhouse alignment; the angle of the southern row of townhouses precludes looking directly into the windows of the townhouses to the north; creating four sets of two townhouses also reduces the sense of bulk; the amount of parking provided is adequate and the sidewalk layout makes more sense than the layout in the April 27 plan.
- G. Tierney asked B. Cross about the distance of trees from building windows to provide for emergency egress.
- B. Cross replied that the distance is up to the code enforcement officer, but there should be a minimum of five feet, preferably more; a cross section view showing the relationship between trees and buildings would also be helpful; if tree thinning is required, he would also want to know who would be responsible for doing the thinning on a long term basis; the townhomes are single family dwelling units and therefore not subject to regular fire inspection.
- M. Johnston stated that he does not have an issue with the larger footprint of the proposed buildings; the general layout and circulation work well for the site; he wonders whether a dumpster is necessary for a development of this type; he would like to see some sort of gathering space, and asked J. von Mechow about the green semicircle shown in the plan between the main driveway and the townhomes to the south.
- J. von Mechow replied that the green semicircle would be a stormwater practice and planted as such.
- B. Cross stated that it would be worth asking DPW about the logistics of picking up trash cans from the townhouses.
- Superintendent of Public Works C. Southard asked Attorney G. Middleton if there would need to be an agreement to allow DPW access to private property.

- Attorney G. Middleton replied that there would need to be such an agreement to allow for DPW access.
- C. Southard stated that with such an agreement in place access would not be an issue.
- M. Johnston asked M. Mecenas, Upland Estates PDZ, if he would have concerns with DPW being on the property.
- M. Mecenas replied that he would not have concerns with DPW, but would have concerns with people leaving garbage bins outside all day; he thought a dumpster would be a better of getting rid of garbage; he can call a private hauler to come six days of the week.
- Mayor L. Woodard stated that it's not just garbage that needs to be collected, but bulky trash and brush which are handled by the Village.
- J. von Mechow stated that brush would be handled by a landscaping company; daily trash is more the issue; would the Village be willing to guarantee trash pickup in perpetuity.
- Attorney G. Middleton replied that the Village would not be obligated to pickup trash in perpetuity, but only as long as it is able to provide trash collection service; an agreement stating this could be worked out with the applicant.
- Mayor L. Woodard stated that there are a number of private roads in the Village for which DPW provides garbage collection; consideration should be given to precedents already existing; there should not be trash cans sitting out on East Upland Road.
- M. Johnston asked M. Mecenas if the power for the townhouses would be all electric.
- M. Mecenas replied that it would.
- B. Cross stated that he would like to see some specificity in the plan on the location of stormwater improvements.
- J. von Mechow stated that he would provide a conceptual diagram of stormwater practices.
- The applicant provided the Board with samples of proposed LP SmartSide siding.

Motion: M. McMurry

Second: M. Johnston

RESOLUTION No. 456
TO ACCEPT THE PROPOSED UPLAND ESTATES PROJECT ON EAST UPLAND ROAD
FOR SITE PLAN REVIEW

RESOLVED, that the Planning Board accepts the proposed Upland Estates project on East Upland Road for site plan review.

Aye votes – Chair F. Cowett, M. Johnston, M. McMurry, G. Tierney

Opposed – None

Motion: G. Tierney
Second: M. McMurry

RESOLUTION No. 457
TO HOLD A PUBLIC HEARING ON THE PROPOSED UPLAND ESTATES PROJECT ON
EAST UPLAND ROAD

RESOLVED, that a public hearing will be held on Monday, July 27, 2026 at 7:10 pm regarding site plan review for the proposed Upland Estates project on East Upland Road.

Aye votes – Chair F. Cowett, M. Johnston, M. McMurry, G. Tierney
Opposed – None

Item 5 – New Business

- M. McMurry asked about the sidewalk on Kline Road and what will be done to replace the grassy strip there; the present situation where there is no clear separation between the road and the sidewalk is unsafe.
- C. Southard replied that the best solution would be to extend the curb down the hill, but this needs to go before the Public Works Committee and funding would have to be approved.
- Chair F. Cowett stated that the next meeting of the Planning Board will be held on Monday July 27, 2026 at 7:00 pm at Marcham Hall.

Item 6 – Adjourn

- Meeting adjourned at 8:18 pm.