



**Tompkins County Legislature**

Governor Daniel D. Tompkins Building  
Ithaca, NY 14850

Meeting: 10/01/13 05:30 PM  
Department: Planning Department  
Category: Real Property  
Functional Category:

**SCHEDULED**

**RESOLUTION NO.**      *DOC ID: 4345*

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1      **Determining that Certain Real Property Located on Harris B. Dates**  
2      **Drive in the Town of Ithaca is No Longer Needed for Public Use**

3            WHEREAS, the County is the owner of certain real property located in the Town of Ithaca and designated as  
4 Tax Parcel No. 24.-3-2.222, on Harris B. Dates Drive, said 25.52 acre parcel being otherwise known as part of the  
5 Biggs property, and

6  
7            WHEREAS, the parcel was originally a part of a larger, 35.43-acre County parcel that included the Biggs B  
8 Building, located at 401 Harris B. Dates Drive, that housed the Department of Health, and

9  
10            WHEREAS, in conjunction with the relocation of the Health Department to a renovated building located at 55  
11 Brown Road, the County's property was divided into three parcels in order to allow the County to consider the  
12 disposition of specific portions of the larger parcel, and

13  
14            WHEREAS, by Resolution 2010-77, dated May 18, 2010, the County has sold one of the three parcels, a 8.99-  
15 acre parcel that includes the Biggs B building, to Cayuga Medical Center, and

16  
17            WHEREAS, by Resolution 2013-105, dated July 2, 2013, the Legislature authorized the sale of the .92 acre  
18 parcel known as K-House, located at 402 Harris B. Dates Drive, and

19  
20            WHEREAS, there is no other County purpose for this parcel, now therefore be it

21  
22            RESOLVED, on recommendation of the Government Operations, and the Planning, Energy, and  
23 Environmental Quality Committees, That it is hereby determined that the 25.52 acre parcel of land as described above  
24 is no longer needed for public use at the time of sale and can be returned to the tax rolls at that time.

25 **SEQR ACTION: TYPE II-20**

26  
27  
28 Vote at Government Operations Committee

29 Ayes - 4 (Legislators Lane, McKenna, Pryor, and Stein)

30 Noes - 1 (Legislator Kiefer)

31  
32 Vote at Planning, Energy, and Environmental Quality Committee

33 Ayes - 3 (Legislators Burbank, Chock, and Pryor)

34 Noes - 2 (Legislators Kiefer and Mackesey)

1 Edward C. Marx, AICP  
2 Commissioner of Planning

Telephone (607) 274-5560  
Fax (607) 274-5578

3  
4 **Memorandum**

5  
6 August 20, 2013

7  
8 To: Government Operations Committee; Planning, Energy and Environmental Quality Committee  
9 From: Ed Marx, Commissioner of Planning  
10 Subject: Biggs Property - Finding of No Public Purpose and Authorization of Agreement for Sale  
11 Cc: Joe Mareane, Jonathan Wood  
12

13 Action Requested

14  
15 Approval of three resolutions finding that there is no public use for the remaining undeveloped 25.52 acres of  
16 the Biggs property and authorizing an agreement for sale with NRP Properties, LLC, subject to several  
17 contingencies.  
18

19 Background

20  
21 At the time the Legislature made the decision to move the County Health Department to 55 Brown Road it  
22 also decided that the Biggs property would be sold or leased to generate revenue in support the Capital Project  
23 for renovation of the 55 Brown Road building. Upon recommendation from the County Planning Advisory  
24 Board and the Commissioner of Planning, the Planning, Development and Environmental Quality Committee  
25 approved a plan which subdivided the 35.43 acre property with the Biggs building into three parcels: an 8.99  
26 acre parcel on the east side of Harris B. Dates Drive which included the Biggs building, a .92 acre parcel on the  
27 west side of Dates Drive with the building commonly referred to as K-house, and the remaining 25.52 acre  
28 parcel of vacant land bordered by Dates Drive, Indian Creek Road and Duboise Road. Subsequently the  
29 Legislature approved the sale of the Biggs building property to Cayuga Medical Center and issuance of an RFP  
30 for development of the vacant property and, possibly K-house, as a part of the EPA Climate Showcase  
31 Communities project. In October 2013 a proposal for the vacant property was received from The NRP Group  
32 and Better Housing for Tompkins County that did not involve inclusion of the K-house property. That  
33 property was listed for sale and the Legislature approved sale of the property in July of this year. Meanwhile  
34 the proposal from NRP and BHTC has been discussed at several meetings with the PEEQ committee, the GO  
35 committee, the Town of Ithaca and the public. Although there are still issues with the project that will need to  
36 be addressed through the Town approval project it is now appropriate to execute a Purchase Agreement with  
37 contingencies to give the developer the certainty they need to start the Town of Ithaca review process and seek  
38 financing for the project. As part of the RFP it was recognized that offsite improvements including pedestrian  
39 connections and possible transit access improvements would be necessary to achieve the objective of a  
40 walkable community with access to transit service. The County committed to providing funds from the  
41 purchase price to support these improvements and that will be reflected in the Purchase Agreement.  
42

43 Fiscal Implications

44 Sale of this parcel, combined with the prior sale of the Biggs building and pending sale of K-house will satisfy  
45 the revenue from sale of property included in the Health Department Capital Project.



**Tompkins County Legislature**

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Meeting: 10/01/13 05:30 PM  
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Functional Category: Environmental

**SCHEDULED**

**RESOLUTION NO. *i* DOC ID: 4346**

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1           **As Adopted by Planning, Energy, and Environmental Quality**  
2           **Committee on September 4, 2013 Making a Negative Declaration of**  
3           **Environmental Significance in Relation to Resolution No. \_\_\_ of 2013:**  
4           **Authorizing the Sale of Property Located on Harris B. Dates Drive in**  
5           **the Town of Ithaca**

6           WHEREAS, in Resolution No. \_\_\_ of 2013, the Tompkins County Legislature authorizes the County  
7           Administrator to execute all contracts and documents related to the sale of **22.52 acres of** vacant Tompkins County  
8           property as part of the plan to vacate the Biggs B building and the relocation of the Health Department, and  
9

10           WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental  
11           Assessment Form with respect to that action, now therefore be it  
12

13           RESOLVED, on recommendation of the Government Operations, and the Planning, Energy, and  
14           Environmental Quality Committees, That Resolution No. \_\_\_ of 2013 is an unlisted action,  
15

16           RESOLVED, further, That the Tompkins County Legislature hereby makes a negative declaration of  
17           environmental significance in regard to Resolution No. \_\_\_ of 2013.

18           **SEQR ACTION: UNLISTED**

19           (Short EAF on file with the Clerk of the Legislature)

State Environmental Quality Review Act  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION** (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR: <b>TOMPKINS COUNTY</b>	2. PROJECT NAME: <b>SALE OF BIGGS PROPERTY</b>
3. PROJECT LOCATION: Municipality <b>TOWN OF ITHACA</b>	County <b>TOMPKINS</b>

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map):  
**TOWN OF ITHACA TAX PARCEL #24.-3-2.222 ON HARRIS DATES DRIVE**

5. IS PROPOSED ACTION:  New  Expansion  Modification/alteration

5. DESCRIBE PROJECT BRIEFLY:  
**PROJECT SEEKS TO SELL VACANT PARCEL WHICH WAS A PART OF TOMPKINS COUNTY'S BIGGS COMPLEX.**

7. AMOUNT OF LAND AFFECTED:  
Initially 25.52 acres      Ultimately 25.52 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?  
 Yes  No If no, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  
 Residential  Industrial  Commercial  Agriculture  Park/Forest/Open Space  Other  
Describe:  
RESIDENTIAL, MEDICAL CENTER, PROFESSIONAL OFFICES, FOREST AND OPEN FIELDS IN VICINITY

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OF LOCAL)?  
 Yes  No If yes, list agency(s) and permits/approvals: Town of Ithaca Zoning approval

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?  
 Yes  No If yes, list agency name and permit/approval:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?  
 Yes  No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE  
Applicant/sponsor name: TOMPKINS COUNTY      Date: 8/20/13  
Signature: \_\_\_\_\_

Attachment: Biggs Sale EAF 08-20-13 (4346 : Sale of Biggs Property - Neg Dec)

**PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR PART 617.4? If yes, coordinate the review process and use the FULLEAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If no, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flood problems? Explain briefly:  
**YES – Maps indicate a small, 0.38-acre unregulated National Wetland Inventory (NWI) wetland on the southwest portion of the parcel and a 50-foot intermittent stream segment on the northwest portion of the parcel. Care will be taken to clarify and appropriately buffer these resources in development.**

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain:  
**NO**

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
**NO**

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity or use of land or other natural resources? Explain briefly:  
**NO**

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
**NO**

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
**YES – There are neighborhood concerns particularly related to traffic on Route 96.**

C7. Other impact (including changes in use of either quantity or type of energy)? Explain briefly:  
**NO**

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?  
 Yes  No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If yes, explain briefly: Neighborhood concerns regarding traffic.

Attachment: Biggs Sale EAF 08-20-13 (4346 : Sale of Biggs Property - Neg Dec)

**PART III -- DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**Instructions:** For each adverse effect identified above, determine whether it is substantial, large, important, or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental character of the CEA.

- Check here if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.
- Check here if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary the reasons supporting this determination.

**TOMPKINS COUNTY LEGISLATURE**

\_\_\_\_\_  
Name of Lead Agency **MARTHA ROBERTSON** **CHAIR, TOMPKINS COUNTY LEGISLATURE**

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from resp. officer)

Date: \_\_\_\_\_



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Meeting: 10/01/13 05:30 PM  
Department: Planning Department  
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Functional Category:

**SCHEDULED**

**RESOLUTION NO. *j* DOC ID: 4347**

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1                   **Authorizing the Sale of Real Property Located on Harris B. Dates**  
2                   **Drive in the Town of Ithaca**

3                   WHEREAS, in anticipation of vacating the Biggs B Building as a part of the relocation of the Health  
4 Department to new quarters in a renovated building on leased land located at 55 Brown Road in the Cornell Business  
5 Park, the County contemplated the sale or lease of the surrounding property and anticipated the proceeds of such a sale  
6 or lease to support a portion of the cost of renovating the Brown Road building, and  
7

8                   WHEREAS, upon consultation with the Planning Advisory Board as well as the Legislature's Government  
9 Operations, ~~the~~ Facilities and Infrastructure, and ~~the~~ Planning, Energy, and Environmental Quality Committees, the  
10 County subdivided its parcel into three separate parcels, one of which consists of approximately 25.52 acres of wooded  
11 land; another includes the building commonly known as the K-House and approximately 0.92 acres of surrounding  
12 land located at 402 Harris B. Dates Drive; and the third consists of the Biggs B Building and approximately 8.99  
13 surrounding acres of land located at 401 Harris B. Dates Drive, and  
14

15                   WHEREAS, by Resolution 2010-77, dated May 18, 2010, the County authorized the sale of the 8.99 acre  
16 Biggs B parcel to the Cayuga Medical Center, and  
17

18                   WHEREAS, by Resolution 2013-105, dated July 2, 2013, the County authorized the sale of the K-House  
19 property located at 402 Harris B. Dates Drive, to Mr. Joerg Schulmann, and  
20

21                   WHEREAS, in keeping with the plan to dispose of the entire Biggs site and in consultation with the Planning,  
22 Energy, and Environmental Quality Committee and the Town of Ithaca, the County issued a Request for Proposals  
23 (RFP) for sale **or lease** of the remaining 25.52 acres of vacant land on July 13, 2012, and received a proposal from  
24 NRP Properties, LLC, Cleveland, OH, in partnership with Better Housing for Tompkins County on October 9, 2012,  
25 and  
26

27                   WHEREAS, in accordance with the RFP that proposal offered \$500,000 for the property contingent on certain  
28 conditions being met including obtaining of financing, land use approvals, and infrastructure availability, and  
29

30                   WHEREAS, the RFP recognized that expenses for off-site improvements might need to be incurred to support  
31 approval of the project, including for pedestrian and transit improvements to serve the site, and offered the County's  
32 willingness to provide a credit to the developer for such approved expenses, and  
33

34                   WHEREAS, the Agreement for Sale will contain contingencies **and in compliance with the major elements**  
35 **of the developer proposal**, including receipt of all required planning and zoning approvals from Town of Ithaca, the  
36 purchaser's ability to obtain financing for the project, and availability of required infrastructure, and  
37

38                   WHEREAS, the purchase offer is in excess of the appraised value of the parcel and the value set in the RFP  
39 was reviewed by the County's Director of Assessment and found to be fair and reasonable based on current market  
40 values, and  
41

42                   WHEREAS, the process followed in the sale of this parcel is compliant with Chapter 19-1 of the County Code  
43 governing the sale or lease of County Property, now therefore be it  
44

45                   RESOLVED, on recommendation of the Government Operations, and the Planning, Energy, and

1 Environmental Quality Committees, That the County Administrator is hereby authorized to execute any and all  
2 documents, including providing credits for approved off-site improvements, to complete the sale of the Biggs property,  
3 Town of Ithaca tax parcel 24.-3-2.222, to NRP Properties, LLC., Cleveland, OH.

4 **SEQR ACTION:** UNLISTED

5  
6 Note: Highlighted changes as Adopted by Planning, Energy, and Environmental Quality Committee on September 4,  
7 2013.

8  
9 Vote at Planning, Energy, and Environmental Quality

10 Ayes - 3 (Legislators Burbank, Chock, and Pryor)

11 Noes - 2 (Legislators Kiefer and Mackesey)