TO:      City of Ithaca Project Review Committee (Planning & Development Board)
FROM: Lisa Nicholas, Deputy Director of Planning and Development
DATE: January 7, 2019
SUBJECT: Agenda for Project Review Committee Meeting: WEDNESDAY, JANUARY 9, 2019

The Project Review Committee Meeting is scheduled to begin at 10:30 a.m. in the Third Floor Conference Room, City Hall, 108 E. Green St. Please call Anya Harris at 274-6550, if you cannot attend or you require additional information.

10:30  Project: 109-111 Homestead Road, Minor Subdivision
      Location: 111 Homestead Road
      Applicant: Katrina Morse
      Anticipated Board Action(s) in January: Declaration of Lead Agency, Public Hearing, Determination of Environmental Significance, Recommendation to the Board of Zoning Appeals

      Project Description: The applicant proposes to subdivide a 0.58 acre property into two parcels: Parcel A measuring 0.33 acre (14,148 square feet) with 73.28 feet of frontage on Homestead Road and containing an existing residential structure, driveway, and other site features; and Parcel B measuring 0.26 acre (11,113 square feet) with 75.5 feet of frontage on Homestead Road with an existing fenced-in vegetable garden. The property is in the R-1a Zoning District, which has the following minimum requirements: 10,000 SF lot size, 75 feet of street frontage, 25-foot front yard, and 10-foot side yards. The project requires an area variance for the existing deficient front yard on the proposed Parcel A, measuring 24.5 feet instead of the required 25 feet. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act (“SEQRA”).

10:45  Project: Cayuga Street Townhomes
      Location: 402 S. Cayuga Street
      Applicant: Ithaca Neighborhood Housing Services
      Anticipated Board Action(s) in January: Affirmation of Environmental Review – No Action

      Project Description: The applicant proposes to construct four (4) for-sale townhomes that will target moderate-income, first-time home buyers. The application and site plan was previously submitted and reviewed by the Planning and Development Board and approved on March 24, 2015; however, after two years passed, the approvals lapsed, necessitating resubmission of the application, as required by §276-10 of the City of Ithaca Municipal Code. The applicant proposes the buildings to be two stories with parking below to take advantage of the sloped site. Architectural features include front porches, rear decks, shifting roof planes, and a varied color palette. Site development includes a common asphalt driveway in the rear, walkways connecting each unit to the existing sidewalk on Cayuga Street, and landscaping. The project site is in the R-3b Zoning District and requires an Area Variance for a front yard setback. This is a Type I Action under the City of Ithaca Environmental Quality Review Ordinance, §176-4 (h)(2), and the State Economic Opportunity Employer with a commitment to workforce diversification.”
Environmental Quality Review Act, §617.4 (11). The Planning Board, as Lead Agency, has determined that the project is consistent with the Negative Declaration of environmental significance issued on January 27, 2015, and therefore, no additional review is required.

11:00 Project: Falls Park Apartments (74 Units)
Location: 121-125 Lake Street
Applicant: IFR Development LLC
Anticipated Board Action(s) in January: Review of Draft FEAF Part 3 – No Action

Project Description: The applicant proposes to build a 133,000 GSF, four-story apartment building and associated site improvements on the former Gun Hill Factory site. The 74-unit, age-restricted apartment building will be a mix of one- and two-bedroom units and will include 7,440 SF of amenity space and 85 parking spaces [(20) surface spaces and (65) covered spaces under the building]. Site improvements include an eight-foot-wide public walkway located within the dedicated open space on adjacent City Property (as required per agreements established between the City and the property owner in 2007) and is to be constructed by the project sponsor. The project site is currently in the New York State Brownfield Cleanup Program (BCP). Before site development can occur, the applicant is required to remediate the site based on soil cleanup objectives for restricted residential use. A remedial investigation (RI) was recently completed at the site and was submitted to NYSDEC in August 2018. The project is in the R-3a Zoning District and requires multiple variances. This is a Type I Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) §176-4 B(1) (h)[2], (k) and (n) and the State Environmental Quality Review Act (“SEQRA”) §617-4 (b) (11).

Project materials are available for download from the City website: http://www.cityofithaca.org/DocumentCenter/Index/852

11:20 Project: New Two-Family Dwellings
Location: 815-817 North Aurora Street
Applicant: Stavros Stavropoulos
Anticipated Board Action(s) in January: Determination of Environmental Significance

Project Description: The applicant proposes to demolish an existing two-family residential structure and construct (2) new 1,290 SF two-family dwellings on a 9,590 SF lot. The existing residential building is a legally non-conforming building with a side setback deficiency (2.9 feet instead of the required 5 feet). The proposed redevelopment will include (4) parking spaces for (4) three-bedroom apartments. The applicant is requesting the Board’s approval to use the landscaping compliance method for parking arrangement. The project site is located in the R-2b Zoning District and meets all applicable zoning lot and setback requirements. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) and the State Environmental Quality Review Act (“SEQRA”).

11:40 Project: Maguire Ford Lincoln Additions and Improvements
Location: 504 S Meadow
Applicant: John Snyder Architects PLLC
Anticipated Board Action(s) in January: Recommendation to the Board of Zoning Appeals

Project Description: The applicant proposes to demolish a portion of the existing building and construct two additions with updated exterior materials. The existing building is 18,500 GSF, with 2,265 GSF proposed for demolition. The new building will be 24,110 GSF. Site improvements include incorporation of a new pedestrian walking path, and site connections to Wegmans. Approximately 311 parking spaces are proposed to accommodate customer, service parking, employee, and display parking. Landscape design will improve vegetative cover; however, it will not meet the City of Ithaca’s impervious/pervious requirements (12%). The project site is located in the SW-2 Zone, is subject to the 2000 Southwest Design Guidelines, and will require a zoning variance for a front yard that exceeds the maximum permissible in the SW-2 district (34 feet maximum permitted, 69-feet 3-inch setback proposed). This is an Unlisted Action under the City of Ithaca
Environmental Quality Review Ordinance ("CEQRO") and the State Environmental Quality Review Act ("SEQRA"); however, it was treated as a Type I Action for the purpose of environmental review, for which the Lead Agency issued a Negative Declaration on December 18, 2018.

12:00 Zoning Appeals
  • # 3113, Area Variance, 213 S. Fulton Street
  • # 3115, Area Variance, 109-111 Homestead Road
  • # 3116, Sign Variance, 661 Spencer Road

12:10 Agenda Review for 01-22-2019
12:20 Adjournment

cc: Mayor Svante Myrick & Common Council
    Dr. Luvelle Brown, Superintendent, ICSD
    Jay Franklin, Tompkins County Assessment

If you have a disability & would like specific accommodations to participate, please contact the City Clerk at 274-6570 by 12:00 p.m., no later than 2 days (not including weekends and holidays) before the meeting.

Out of consideration for the health of other individuals, please try to refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.
APPEAL # 3113  
213-217 S. FULTON STREET  
(Agway)

Appeal of Andy Boerman on behalf of the owner B & H Realty Corp. of Ithaca for area variance from Section 325-8, Column 8, Number of Stories, Column 9, Height in Feet, Column 12, Side Yard, Column 13, Other Side Yard, and Column 14/15, Rear Yard requirements of the Zoning Ordinance. The property at 213-217 Fulton Street is one parcel that is segmented by Fulton Street and the railroad tracks owned by Norfolk Southern Corporation. In September of 2018, a portion of Agway’s storage building, located west of the railroad tracks off Fulton Street, was destroyed by fire. The applicant proposes to replace the damaged portion of the building and add approximately 700 S.F. of additional storage space. The property is located in the West End Water Front zone which requires new construction to be a minimum of 24 feet in height and have a minimum of two stories. The applicant proposed to construct a one story addition with a pitched roof that has an average height of 12’-6” . The new storage space will be used for Agway’s product inventory that needs to be at ground level to access the products. A two story building would result in unusable space and not serve the needs of the business. The storage building has existing deficiencies in side yard, other side yard and rear yard that will not be exacerbated by the prospered addition.

The property is located in a West End/Water Front use district where the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
# City of Ithaca Board of Zoning Appeals Worksheet

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<td>Applicant</td>
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<td>Owner</td>
<td>B &amp; H Realty Corp of Ithaca</td>
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<td>Use</td>
<td>Accessory Use</td>
<td>Off-Site Parking</td>
<td>Off-Site Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet</td>
<td>Minimum Building Height</td>
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<td>3.4'</td>
<td>2.7'</td>
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<tr>
<td>District Regulations for Existing</td>
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<td>None</td>
<td>Min. 2 - Max 5 Stories</td>
<td>24' Min - 63' Max</td>
<td>100%</td>
<td>None</td>
<td>5'</td>
<td>5'</td>
<td>20' - Top of Bank</td>
<td>12'-15' 1st Story, 10-12' 2nd Story</td>
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<td>12'-6&quot;</td>
<td>3.5'</td>
<td>3.4'</td>
<td>2.7'</td>
<td>5'-11&quot;</td>
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<tr>
<td>District Regulation for Proposed</td>
<td>Permitted</td>
<td>None</td>
<td>1</td>
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<td>Min. 2 - Max 5 Stories</td>
<td>24' Min - 63' Max</td>
<td>100%</td>
<td>None</td>
<td>5'</td>
<td>5'</td>
<td>20' - Top of Bank</td>
<td>12'-15' 1st Story, 10-12' 2nd Story</td>
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</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
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<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>****Def.</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

*The parcel at 213-17 S. Fulton Street is comprised of three (3) portions of land:
The land east of Fulton Street is 1.694 acres, the land west of Fulton Street is 1.475 acres,
the land north of the railroad, (which is applicable to this variance) is .26 acres and the information in this worksheet is specific to that portion of land.

** Off-street parking and loading is provided on the adjacent portions of land for the parcel.

***The West End/Waterfront District requires buildings to be a minimum of 2 stories in height.

**** A portion of the existing building is 5'-11" from the top of bank. The proposed new addition will meeting the waterfront setback of 20' from the top of bank.
1. TYPE OF APPEAL:

☐ Area Variance
☐ Special Permit
☐ Use Variance
☐ Sign Variance
☐ Action, Decision, or Interpretation of Zoning Officer

APPEAL #: 3113 (FILLED IN BY STAFF)
HEARING DATE: 2/5/19
BUILDING PERMIT #: 37957 (REQUIRED)
RECEIPT #: 58147 (FILLED IN BY STAFF)

2. Property Address: 213 S. FULTON
Use District: WE/WE

Owner’s Name: ANDY BOERMAN
Owner’s Address: 213 S FULTON
City: ITHACA State: NY Zip: 14850

3. Appellant’s Name: ANDY BOERMAN
Appellant’s Address: 213 S FULTON
City: ITHACA State: NY Zip: 14850

Telephone: 607-230-4558 E-Mail: aboerman@ithaca-agway.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

☐ I have met/discussed this application with Zoning Division staff prior to submission.

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 10/4/18 day of

OCTOBER, 2018

Notary Public

WILLIAM J. MARSHALL
NOTARY PUBLIC STATE OF NEW YORK
TOMPKINS COUNTY
LIC. #01MAE242454
COMMISSION EXPIRES MAY 31, 2019

1. Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent changes are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section being Appealed</th>
<th>Sign Ordinance Section being Appealed</th>
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</thead>
<tbody>
<tr>
<td>§325-8 Column 8, 9, 12, 13, and 14/15</td>
<td>§272-8</td>
</tr>
<tr>
<td>§325-1</td>
<td>§272-1</td>
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<td>§325-2</td>
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<td>§325-4</td>
<td>§272-4</td>
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<tr>
<td>§325-5</td>
<td>§272-5</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination:  _ Type 1  _ Type 2  _ Unlisted

3. Environmental Assessment form used:

   _X_ Short Environmental Assessment Form

   ___ Long Environmental Form

   ___ Lead Agency

   ___ Determination of Significance

   ___ Completed by the Planning Division at preliminary hearing for SPR

4. A previous appeal  ___ has,  _ has not, been made for this proposal:

   Appeal No. _________, dated ____________

   Appeal No. _________, dated ____________

   Appeal No. _________, dated ____________

   Appeal No. _________, dated ____________

5. Notes or Special Conditions:

   _______________________________________________________

   _______________________________________________________

   _______________________________________________________

   _______________________________________________________
CITY OF ITHACA SHORT ENVIRONMENTAL ASSESSMENT FORM (SEAF)

Project Information
(to be completed by applicant or project sponsor)

1. Applicant/Sponsor: ANDY BOERMAN
2. Project Name: AGWAY STORAGE ADDITION
3. Project Location: 213 S FULTON
4. Is Proposed Action:
   □ New  □ Expansion  □ Modification/Alteration
5. Describe project briefly:
   REBUILD 1 STORY STORAGE DESTROYED IN FIRE - EXPAND
6. Precise Location (road intersections, prominent landmarks, etc., or provide map):
   PARCEL N OF AGWAY LANDS
7. Amount of Land Affected:
   Initially: _____ Acres or Sq. Ft.  Ultimately: _____ Acres or Sq. Ft.
8. Will proposed action comply with existing zoning or other existing land use restrictions?
   □ Yes  □ No  If no, describe briefly: 1 STORY IN 1 STORY MIN ZONE
9. What is present land use in vicinity of project:
   □ Residential  □ Industrial  □ Agricultural  □ Parkland/Open Space
   □ Commercial  □ Other
   Describe:
10. Does action involve a permit/approval or funding, now or ultimately, from governmental agency (federal/state/local): □ Yes  □ No
    If yes, list agency name and permit/approval type:
    BUILDING PERMIT
11. Does any aspect of the action have a currently valid permit or approval?
    □ Yes  □ No
    If yes, list agency name and permit/approval type:
12. As a result of proposed action, will existing permit/approval require modification?
    □ Yes  □ No

I certify the information provided above is true to the best of my knowledge.

PREPARER'S SIGNATURE: CLAUDIA BRENNER  DATE: 10-10-18
PREPARER'S TITLE: ARCHITECT
REPRESENTING: ANDY BOERMAN
CITY OF ITHACA
108 East Green Street — 3rd Floor   Ithaca, New York   14850-5690

DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Gino Leonardi, Board of Zoning Appeals Secretary
Telephone: 607-274-6550   Fax: 607-274-6558   Email: gleonardi@cityofithaca.org

--- NOTICE OF APPEAL ---

REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3113

TO: Owners of Property within 200 feet of 213 S. FULTON ST and others interested.

(property address)

FROM: ANDY BOERMAN applicable to property named above, in a(n) WE/ WF zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

☒ Area Variance
☐ Special Permit
☐ Use Variance
☐ Sign Variance
☐ Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review at the Zoning Division, City Hall, 108 E. Green St., Third Floor, beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 1/22/2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

The BOARD OF ZONING APPEALS will consider this case on 2/5/2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

Signature of Appellant

213 S. FULTON ST

Address

Date
Andy Boerman  
Agway  
213 S Fulton St  
Ithaca, NY 14850  

Oct. 12, 2018  

Neighbors:  

As you may be aware a portion of AGWAY’s storage building west of the railroad tracks was destroyed in a fire in September.  

I will be re-building that portion and adding approximately 700 sq. ft. of additional storage.  

Based on our zoning district (West End Waterfront—WE/WF) we are required to build a two story structure (minimum). Our storage building is a one story building and a 2 story building would not make sense for our use.  

We are seeking an area variance from this requirement so we may be permitted to re-build a one story structure.  

Sincerely,  

[Signature]  

Andy Boerman
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, ______________________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before 1/15/19. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

______________________________
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850

Phone: (607) 274-6550
Fax: (607) 274-6558
APPEAL # 3115  
109-111 HOMESTEAD ROAD

Appeal of Katrina Morse for an Area Variance from Section 325-8, Column 11, Front Yard requirements of the Zoning Ordinance. The applicant proposes to subdivide the existing parcel into two lots at the property located at 109-111 Homestead Road. The existing single family home will be located on Parcel A and Parcel B will be a buildable lot that the applicant would like to sell. In order to subdivide the parcel, the applicant is requesting a variance for an existing front yard deficiency for the 109-111 Homestead Road dwelling. The existing front yard is 24.6 feet of the 25 feet required by the ordinance.

The property is located in an R-1a residential use district in which the proposed use is permitted. However, City Code Section 290-8 requires that; subdivision applications conform to the General City Law and Section 33 which states that a subdivided plat must comply with a municipality’s zoning ordinance. Therefore, an area variance for the Front Yard deficiency on Parcel A, is necessary for compliance.
# City of Ithaca Board of Zoning Appeals Worksheet

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<thead>
<tr>
<th>Appeal Number</th>
<th>Use District</th>
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<th>Applicant</th>
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<td>BZA 3115</td>
<td>R-1a</td>
<td>109-111 Homestead Road</td>
<td>2/5/2018</td>
<td>Katrina Morse</td>
<td>Katrina Morse</td>
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<td>Area Variance</td>
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<th>Column Title</th>
<th>Use</th>
<th>Accessory Use</th>
<th>Off-Street Parking</th>
<th>Off-Street Loading</th>
<th>Lot Area (Sq. Feet)</th>
<th>Lot Width (Feet)</th>
<th>Number of Stories</th>
<th>Height in Feet</th>
<th>% of Lot Coverage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Other Side Yard</th>
<th>Rear yard: % of depth or number of feet, whichever is less</th>
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<td>80'±</td>
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<td>8.3%</td>
<td>24.6'</td>
<td>11.5'</td>
<td>28.1'</td>
<td>112' or 60.5%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>District Regulation for Proposed</td>
<td>N/A</td>
<td>1</td>
<td>None Required</td>
<td>10,000</td>
<td>75</td>
<td>3</td>
<td>35</td>
<td>20%</td>
<td>25</td>
<td>10</td>
<td>10</td>
<td>25% or 50' but not less than 20'</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
<td>N/A</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def. *</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

**NOTES:** *The building has an existing deficiency in the front yard setback, having 24' - 7" (24.6') of the required 25'.*
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:

☒ AREA VARIANCE
☐ SPECIAL PERMIT
☐ USE VARIANCE
☐ SIGN VARIANCE
☐ ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3115
HEARING DATE: 2/15/19
BUILDING PERMIT #: (REQUIRED)
RECEIPT #: (FILLED IN BY STAFF)

2. Property Address: 109-111 Homestead Rd. Use District: 

Owner's Name: Katrina Morse Owner's Address: 345 Giles St.
City: Ithaca State: NY Zip: 14850

3. Appellant's Name: Katrina Morse Appellant's Address: 345 Giles St.
City: Ithaca State: NY Zip: 14850

Telephone: 607-351-0517 E-Mail: katrinamorse@gmail.com

4. Attach Reason for Appeal (see "Zoning Appeal Procedure Form")

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

☒ I have met/discussed this application with Zoning Division staff prior to submission.

Katrina R. Morse
Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 20th day of December, 2018

Notary Public

IMPORANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply. If another City Approval is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent changes are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

Zoning Ordinance Section being Appealed

- §325-8 Column 11
- §325-
- §325-
- §325-
- §325-
- §325-

Sign Ordinance Section being Appealed

- §272-
- §272-
- §272-
- §272-
- §272-
- §272-
- §272-

2. Application of SEQR determination: ___Type 1  X Type 2  ___Unlisted

3. Environmental Assessment form used:

___ Short Environmental Assessment Form
___ Long Environmental Form
___ Lead Agency
___ Determination of Significance
___ Completed by the Planning Division at preliminary hearing for SPR
___ X Not Applicable

4. A previous appeal ___ has,  X has not, been made for this proposal:

Appeal No. _______, dated ____________
Appeal No. _______, dated ____________
Appeal No. _______, dated ____________
Appeal No. _______, dated ____________

5. Notes or Special Conditions:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3115

TO: Owners of Property within 200 feet of 109-111 Homestead Rd and others interested.

FROM: Katrina Morse applicable to property named above, in a(n) R-1a zone.

REGARDING: (check appropriate box)

[ ] Area Variance
[ ] Special Permit
[ ] Use Variance
[ ] Sign Variance
[ ] Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review at the Zoning Division, City Hall, 108 E. Green St., Third Floor, beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The Planning Board will consider this case on January 22, 2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

The Board of Zoning Appeals will consider this case on February 5, 2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

/Katrina Morse 345 Giles St, Ithaca 12/20/18
Signature of Appellant Address Date
January 10, 2019

Dear Neighbor,

This spring I will be subdividing my property at 109-111 Homestead Rd. into 2 parcels with the intent to sell the vacant parcel. It is a lot with a thick hedgerow on the downhill side and a hemlock between it and the house I own at 111. Currently there is a fenced-in vegetable garden there.

Because my house at 111 will then be on a new lot, I will be seeking a variance to the code that requires structures in the City of Ithaca to be 25' set back from the road. My house at 111 Homestead Rd. is 24' 6" away from the road--just 6 inches closer than current code.

If you have any questions or concerns you are welcome to come to the city planning and zoning meetings listed on the enclosed notice.

Sincerely,

Katrina Morse
<table>
<thead>
<tr>
<th>Code</th>
<th>Address 1</th>
<th>Address 2</th>
<th>Code</th>
<th>Address 1</th>
<th>Address 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>500700</td>
<td>McCutcheon, Rebecca</td>
<td>Glenville, Peter</td>
<td>500700</td>
<td>Newton, Craig S</td>
<td>Smyk-Newton, Rachel</td>
</tr>
<tr>
<td></td>
<td>110 Eastwood Terr</td>
<td>Ithaca NY 14850</td>
<td></td>
<td>113 Homestead Rd</td>
<td>Ithaca NY 14850</td>
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<tr>
<td>500700</td>
<td>Hester, Laurel</td>
<td>Raguso, Robert</td>
<td>500700</td>
<td>Malzer, Valerie</td>
<td>Matteson, David S</td>
</tr>
<tr>
<td></td>
<td>115 Eastwood Ter</td>
<td>Ithaca NY 14850</td>
<td></td>
<td>120 Eastwood Ter</td>
<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>500700</td>
<td>McQuade, Brendan</td>
<td>Eromin, Alison</td>
<td>500700</td>
<td>Boyer, Stephen Paul</td>
<td>Boyer, Hilary A</td>
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<tr>
<td></td>
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<td>Ithaca NY 14850</td>
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<tr>
<td>500700</td>
<td>Agrawal, Anurag</td>
<td>Thaler, Jennifer</td>
<td>500700</td>
<td>Randy Ann Ehrenberg Trust</td>
<td>125 Eastwood Terrace</td>
</tr>
<tr>
<td></td>
<td>207 Homestead Terr</td>
<td>Ithaca NY 14850</td>
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<tr>
<td>500700</td>
<td>Morse, Katrina R</td>
<td>Morse, Katrina R</td>
<td>500700</td>
<td>Hodes, Harold T</td>
<td>Berian, Claire A</td>
</tr>
<tr>
<td></td>
<td>345 Giles St</td>
<td>345 Giles St</td>
<td></td>
<td>102 Homestead Ter</td>
<td>102 Homestead Ter</td>
</tr>
<tr>
<td></td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
<td></td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>500700</td>
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<td>James H Hedlund Trust</td>
<td>500700</td>
<td>Getzin, Andrew</td>
<td>LaFace, Karen</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>104 Homestead Rd</td>
<td>104 Homestead Rd</td>
</tr>
<tr>
<td></td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
<td></td>
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<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>500700</td>
<td>Streater, David N</td>
<td>Streater, David N</td>
<td>500700</td>
<td>City of Ithaca</td>
<td>City of Ithaca</td>
</tr>
<tr>
<td></td>
<td>102 Homestead Rd</td>
<td>102 Homestead Rd</td>
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<td>108 E Green St</td>
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</tr>
<tr>
<td></td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
<td></td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
</tr>
</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals  Zoning Appeal # 3115

I, ________________________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before ______________________. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

______________  
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division  Phone: (607) 274-6550
108 E. Green St., 3rd Fl.  Fax: (607) 274-6558
Ithaca, NY 14850
CITY OF ITHACA

Board of Zoning Appeals — Notice of Appeal

APPEAL # 3116                          661 SPENCER ROAD

Appeal of Larry Foor on behalf of the owner Tompkins Community Action for a Sign variance from Section 272-6 B (1), Size and Number of permitted signs. The applicant proposes to install two additional signs on the newly constructed childcare center located at 661 Spencer Road. One sign will be placed on the front of the building facing Spencer Road and the second sign will be placed above the main entrance on the south side of the building. The property is located in a residential zone district where the sign ordinance permits buildings to only have one sign with a maximum of 12 square feet in area. The applicant has received a permit for one 10 SF sign and is requesting a variance for the two additional signs. The sign facing Spencer Road is 94 SF and the second sign facing south is 10 SF. The two additional signs have a total of 104 SF. The sign ordinance allows only one sign with a maximum of 12 square feet.

The property at 611 Spencer Road is an R-2a Zoning District where business signs are allowed, however the Sign Ordinance, Section 272-18 requires that variances be granted before a sign permit is issued.
**City of Ithaca**

**Board of Zoning Appeals Worksheet**

**Appeal Number**: BZA-3116
**Use District**: R-2a
**Applicant**: Larry Foor
**Application Type**: Sign Variance

**Address**: 661 Spencer Road
**Date**: February 5, 2019
**Owner**: TCAction

<table>
<thead>
<tr>
<th>Sign</th>
<th>Type</th>
<th>Area</th>
<th>Setback</th>
<th>Projection</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>661 Spencer Rd. Signs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harriet Giannelis Childcare Center</td>
<td>1 - Wall Sign</td>
<td>94 SF</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tompkins Community Action</td>
<td>1 - Wall Sign</td>
<td>10 SF</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Childcare Entrance</td>
<td>(1 - Wall Sign)</td>
<td>(10 SF)</td>
<td>(12 SF)</td>
<td></td>
<td>12 SF is Permitted</td>
</tr>
<tr>
<td>Regulations</td>
<td>1 Sign is permitted per building</td>
<td>Sign shall not exceed 12 SF</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note Non-conforming Conditions</td>
<td>2 Additional Signs</td>
<td>Variance request is for two signs having a Total of 104 SF</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

* A sign permit has been issued for this sign.

**PROPERTY INFORMATION**

1. 661 Spencer Road is located in an R-2a zone; where the Sign Ordinance requires properties in residential zones with building frontage of 50 feet or more, such signs shall not exceed 12 square feet.
2. An area variance and a Special Permit for a child daycare center was approved on 11/28/2016.
CITY OF ITHACA
108 E. Green St. — Third Floor  Ithaca, NY  14850-5690

DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Gino Leonardi, Board of Zoning Appeals Secretary
Telephone: 607-274-6550    Fax: 607-274-6558    E-Mail: gleonardi@cityofithaca.org

BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   □ Area Variance
   □ Special Permit
   □ Use Variance
   □ Sign Variance
   □ Action, Decision, or Interpretation of Zoning Officer

   APPEAL #: 3188
   HEARING DATE: 4/5/19
   BUILDING PERMIT #: 38230
   RECEIPT #: 68498

2. Property Address: 661 Spencer Road  Use District: R-2a

   Owner’s Name: TCAction  Owner’s Address: 701 Spencer Road

   City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: Larry R. Poor  Appellant’s Address: Poor & Associates, Architects

   City: Elmira  State: NY  Zip: 14901

   Telephone: 607-733-4613 x 203  E-Mail: lpoor@foorassocs.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

   I have met/discussed this application with Zoning Division staff prior to submission.

   Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 20th day of December, 2018

Sarah L. Myers
Notary Public

SARAH L. MYERS
Notary Public, State of New York
Registration No. 4974948
Qualified in Tompkins County
Commission Expires Nov. 26, 2022

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If another City Approval is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent changes are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

Zoning Ordinance Section being Appealed

- §325-____________________
- §325-____________________
- §325-____________________
- §325-____________________
- §325-____________________
- §325-____________________

Sign Ordinance Section being Appealed

- §272-____________________
- §272-____________________
- §272-____________________
- §272-____________________
- §272-____________________
- §272-____________________

2. Application of SEQR determination:  □ Type 1  □ Type 2  □ Unlisted

3. Environmental Assessment form used:

- X Short Environmental Assessment Form
- ___ Long Environmental Form
- ___ Lead Agency
- ___ Determination of Significance
- ___ Completed by the Planning Division at preliminary hearing for SPR

4. A previous appeal □ has,  □ has not, been made for this proposal:

   Appeal No. __________, dated __________
   Appeal No. __________, dated __________
   Appeal No. __________, dated __________
   Appeal No. __________, dated __________
   Appeal No. __________, dated __________

5. Notes or Special Conditions:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
CITY OF ITHACA
108 East Green Street — 3rd Floor Ithaca, New York 14850-5690
DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Gino Leonardi, Board of Zoning Appeals Secretary
Telephone: 607-274-6550 Fax: 607-274-6558 Email: gleonardi@cityofithaca.org

ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/IGNED BY
SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3116 DATE: 12/20/18

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) __TCAction________ of 701 Spencer Road (Name)
Ithaca __________, New York 14850 (Street Address)
(City/Municipality) (State & Zip Code)

Owner of the property at 661 Spencer Road (Street & Number)

☐ I am the sole owner of the above-mentioned property.

☒ This property is also owned by __TOMPKINS COMMUNITY ACTION, INC.____ and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize __Poor & Associates, Architects________ to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the __2/5/2019_____ meeting of the Board of Zoning Appeals.

________________________
(Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this __20__ day of ____________________________
December __________, 2018

Lindol L. Nasu
Notary Public

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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

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

### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Harriet Giannelis Childcare Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>661 Spencer Road, Ithaca, New York 14850</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>New building signage. Proposed 2 new building mounted signs on the Childcare Center Building located at 661 Spencer Road. The building is located on the TCAction 701 Spencer Road parcel.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 607-733-4613</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foor &amp; Associates, Architects - Larry R. Foor, AIA</td>
<td>E-Mail: <a href="mailto:lfoor@foorassoc.com">lfoor@foorassoc.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>111 North Main Street</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Elmira</td>
</tr>
<tr>
<td>State: New York</td>
<td>Zip Code: 14901</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? [ ] NO [ ] YES
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other governmental Agency? [ ] NO [ ] YES
   If Yes, list agency(s) name and permit or approval:

3.a. Total acreage of the site of the proposed action? [ ] 2.0 acres
   b. Total acreage to be physically disturbed? [ ] 1.9 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? [ ] 1.6 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
   [ ] Urban [ ] Rural (non-agriculture) [ ] Industrial [ ] Commercial [ ] Residential (suburban)
   [ ] Forest [ ] Agriculture [ ] Aquatic [ ] Other (specify): ___________________________
   [ ] Parkland

Page 1 of 3
<table>
<thead>
<tr>
<th></th>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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<tbody>
<tr>
<td>5. Is the proposed action,</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>a. A permitted use under the zoning regulations?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b. Consistent with the adopted comprehensive plan?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</td>
<td></td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b. Are public transportation service(s) available at or near the site of the proposed action?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>10. Will the proposed action connect to an existing public/private water supply?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>If No, describe method for providing potable water:</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>11. Will the proposed action connect to existing wastewater utilities?</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>If No, describe method for providing wastewater treatment:</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b. Is the proposed action located in an archeological sensitive area?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Shoreline</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Agricultural/grasslands</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Wetland</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Urban</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Suburban</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>16. Is the project site located in the 100 year flood plain?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>a. Will storm water discharges flow to adjacent properties?</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

Page 2 of 3
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
If Yes, explain purpose and size: ________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe: ____________________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe: ____________________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Foer & Associates, Architects, Larry R. Foer, AIA       Date: 1/2/19
Signature: ____________________________
**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

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

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

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

No moderate to large impacts are anticipated as a result of the issuance of the requested sign variance.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Ithaca Board of Zoning Appeals
Name of Lead Agency

Steven Beer
Print or Type Name of Responsible Officer in Lead Agency

2/5/19
Date

Chair, City of Ithaca Board of Zoning Appeals
Title of Responsible Officer

Megan Wilson
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3116

TO: Owners of Property within 200 feet of 661 SPENCER ROAD and others interested.

(property address)

FROM: LARRY R. FOOR applicable to property named above, in a(n) R-2a zone.

(name of person or organization making appeal)

REGARDING:

(check appropriate box)

☐ Area Variance
☐ Special Permit
☐ Use Variance
☒ Sign Variance
☐ Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review at the Zoning Division, City Hall, 108 E. Green St., Third Floor, beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 1/22/2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

The BOARD OF ZONING APPEALS will consider this case on 2/5/2019 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

Signature of Appellant _______________________________ Address _______________________________ Date _______________________________
REASON FOR APPEAL – SIGN VARIANCE

Re: Harriet Giannelis Childcare Center
661 Spencer Road
Ithaca, New York 14850

January 4, 2018

A variance is requested for 2 signs at the Harriet Giannelis Childcare Center located at 661 Spencer Road as follows:

“Harriet Giannelis Childcare Center” – a 94 sq. ft. sign
The purpose of the 94 sq. ft. Harriet Giannelis Childcare Center sign on the front of the Childcare Center is to give sufficient public prominence to the Childcare Center among the three buildings on the site. The Harriet Giannelis Childcare Center sign would be on the front of the building facing Spencer Road and provide a clear sense of location for parents and visitors as they approach the Childcare Center from the intersection of Spencer Road and Elmira Road. The sign on the front of the Childcare Center would be a very beautiful sign honoring the memory of the beloved Harriet Giannelis.

“Tompkins Community Action” – a 10 sq. ft. sign
The 10 sq. ft. Tompkins Community Action sign on the south side of the building would be above the main entrance into the Childcare Center facing the parking lot where parents would drop off their children. It is intended to reinforce the sense of entrance into the building at that point. It is further intended to identify Tompkins Community Action as the owner/operator of the Childcare Center, a sign of reassurance to parents given the wonderful reputation of Tompkins Community Action’s childcare facilities that provide Head Start for families below the poverty line all around Tompkins County. This sign would be a companion to the existing 10 sq. ft. Childcare Entrance sign (permitted under the Sign Ordinance) that is recessed in the entrance itself and located above the doors. Together these two signs would create an integrated clear sense of entry for the Childcare Center.

The Childcare Center is located on single parcel that has three buildings located in 2 different zoning districts. Each building has a different mailing address. When the site is considered as a whole the impact of the signs is modest and generally consistent with the Sign Ordinance. A summary of the existing and proposed signage on the overall single parcel site is as follows:

- 661 Spencer Road - Harriet Giannelis Childcare Center
  - R-2a Zone
  - Building Frontage 94’
  - Sign Sizes
    - Existing “Childcare Entrance” 10 sq. ft. sign at the main entrance to the building facing the south toward the parking lot.
    - New “Tompkins Community Action” 10 sq. ft. sign at the main entrance to the building facing the south toward the parking lot.
    - New “Harriet Giannelis Childcare Center” 94 sq. ft. sign facing Spencer Road centered on the gable end of the main façade and public face of the building.
January ?, 2019

Property Owner
???? Street
Ithaca, New York 14850

Re: Sign Variance

Harriet Giannelis Childcare Center
661 Spencer Road
Ithaca, New York

Dear Property Owner,

On behalf of TCAction, this letter is to notify you that TCAction is seeking a Sign Variance for the Harriet Giannelis Childcare Center at 661 Spencer Road, Ithaca, New York.

A variance is requested for 2 signs at the Harriet Giannelis Childcare Center located at 661 Spencer Road as follows:

“Harriet Giannelis Childcare Center” – a 94 sq. ft. sign
The purpose of the 94 sq. ft. Harriet Giannelis Childcare Center sign on the front of the Childcare Center is to give sufficient public prominence to the Childcare Center among the three buildings on the site. The Harriet Giannelis Childcare Center sign would be on the front of the building facing Spencer Road and provide a clear sense of location for parents and visitors as they approach the Childcare Center from the intersection of Spencer Road and Elmira Road. The sign on the front of the Childcare Center would be a very beautiful sign honoring the memory of the beloved Harriet Giannelis.

“Tompkins Community Action” – a 10 sq. ft. sign
The 10 sq. ft. Tompkins Community Action sign on the south side of the building would be above the main entrance into the Childcare Center facing the parking lot where parents would drop off their children. It is intended to reinforce the sense of entrance into the building at that point. It is further intended to identify Tompkins Community Action as the owner/operator of the Childcare Center, a sign of reassurance to parents given the wonderful reputation of Tompkins Community Action’s childcare facilities that provide Head Start for families below the poverty line all around Tompkins County. This sign would be a companion to the existing 10 sq. ft. Childcare Entrance sign (permitted under the Sign Ordinance) that is recessed in the entrance itself and located above the doors. Together these two signs would create an integrated clear sense of entry for the Childcare Center.
The Childcare Center is located on a single parcel that has three buildings located in two different zoning districts. Each building has a different mailing address. When the site is considered as a whole the impact of the signs is modest and generally consistent with the Sign Ordinance.

The Planning Board & Board of Zoning Appeals dates are noted on the enclosed Notice of Appeals along with other information.

Very truly yours,

_Foor & Associates_

_Architects_

[Signature]

Larry R. Foor, AIA, LEED AP

Cc: TCAction
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals                        Zoning Appeal # 3116

I, ____________________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before ____________________. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

______________________________
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850

Phone: (607) 274-6550
Fax: (607) 274-6558
City of Ithaca, NY 2018

Printed: 1/5/2019

Notes:

1:1,128 94.04 Feet

Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
City of Ithaca, NY - 750 Foot Buffer for Parcel - 2017 Final Tax Roll

LEGEND

- Tax Parcels w Related Historic Prop
- City Owned Property
- Historic District
- All Historic Properties
- Commons/Features/Poly
  - Bench
  - Bike lane/Pavement
  - Fire Line
  - Fountain
  - Planter
  - Playground
  - Tree Pit
  - Trolley Circle
- Parking Lots and Garages
- Buildings
- Railroad
- Parcel
- Border
- Park
- Impermeable Surfaces
  - Paved Walk or Surface or Private Road
  - Paved Parking
  - Paved Roadway or Public Road
  - Unpaved Driveway or Walk or Surface
- Waterway

1:2,902
483.60 Feet

Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
12/20/2018

Tompkins Community Action
Lee Dillon
701 Spencer Road
Ithaca NY 14850

Receipt#58698

Sign Variance for 661 Spencer Rd

<table>
<thead>
<tr>
<th>Code</th>
<th>Qty</th>
<th>Description</th>
<th>Permit #</th>
<th>Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>A8020-2110</td>
<td>1</td>
<td>Area Variance (Multiple/Comm.)</td>
<td></td>
<td>$150.00</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

**Total Price** $150.00

<table>
<thead>
<tr>
<th>Date</th>
<th>Check #</th>
<th>Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/20/2018</td>
<td>051962</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

**Total Payment** $150.00
**Balance Due**
Harriet Giannelis Childcare Center

26'-10"

9' -11"

Tompkins Community Action
10 SF

Childcare Entrance
10 SF

Existing Sign

SIGN AT 661 SPENCER RD. - SOUTH ELEVATION
SIGN PERMIT #37697