BOARD OF ZONING APPEALS (BZA)

AGENDA & LEGAL NOTICE

CITY OF ITHACA BOARD OF ZONING APPEALS (BZA): Notice is hereby given, pursuant to Section 325-40. B. (2) (g) of City of Ithaca Zoning Ordinance, Public Hearings will be held Tuesday, March 3, 2020 at 6:00 PM in Common Council Chambers, City Hall, 108 E. Green St., Ithaca, NY, to consider the following appeals:

APPEAL # 3152

518 STEWART AVENUE

Appeal of Robert Poprawski on behalf of the owner RPSL Revocable Trust for area variance from Section 325-8, Column 4, Off-Street Parking, Column 6, Lot Area, and Column 13, Side Yard requirements of the Zoning Ordinance. The applicant proposes to construct an ADA compliant ramp on the front of the building located at 518 Stewart Avenue. The applicant recently renovated the building and the new ramp will improve the landing area at the front entry and provide accessibility to the building. The installation of the 137 SF ramp will cause an enlargement to the existing non-conforming structure, thereby requiring an area variance. The property has existing deficiencies in parking, lot area, and other side yard that will not be exacerbated by this proposal.

The property is located in an R-3a use district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.

APPEAL # 3154

115 WEST GREEN STREET

Appeal of Laura Larson of Odyssey Books for a sign variance from Section 272-6 B (2), Number of Permitted Signs in a Commercial Zone. The applicant proposes to install a freestanding sign at the property located at 115 W. Green Street. The freestanding metal sign will be positioned in front of the building and will meet the required 10 foot setback from the front property line. The applicant previously received a permit for an awning sign and adding the new freestanding sign will exceed the allowable number of signs permitted by the ordinance. The sign ordinance permits either one freestanding sign or two building signs for the business.

The property is located in a B-2d use district in which the proposed use is permitted. However, the Sign Ordinance, Section 272-18, requires that the variance be granted before a sign permit is issued.

ACCESSIBILITY: If you have a disability and would like specific accommodation to participate, please contact the City Clerk’s Office at 274-6570 by 12:00 p.m., 2-3 business days (not including weekends/holidays) before the meeting.

Gino Leonardi, Zoning Administrator
Secretary to the Board of Zoning Appeals
APPEAL # 3152

518 STEWART AVENUE

Appeal of Robert Poprawski on behalf of the owner RPSL Revocable Trust for area variance from Section 325-8, Column 4, Off-Street Parking, Column 6, Lot Area, and Column 13, Side Yard requirements of the Zoning Ordinance. The applicant proposes to construct an ADA compliant ramp on the front of the building located at 518 Stewart Avenue. The applicant recently renovated the building and the new ramp will improve the landing area at the front entry and provide accessibility to the building. The installation of the 137 SF ramp will cause an enlargement to the existing non-conforming structure, thereby requiring an area variance. The property has existing deficiencies in parking, lot area, and other side yard that will not be exacerbated by this proposal.

The property is located in an R-3a use district in which 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

**Appeal Number:** BZA-3152  
**Address:** 518 Stewart Avenue  
**Date:** 3/3/2020  
**Applicant:** Robert Poprawski  
**Owner:** RPSL Revocable Trust

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Column Title</strong></td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street 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, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td><strong>Existing Condition and Use</strong></td>
<td>Hillside Inn</td>
<td></td>
<td></td>
<td></td>
<td>9,627</td>
<td>61'</td>
<td>4</td>
<td>37'</td>
<td>32.38%</td>
<td>18'-3&quot;</td>
<td>10'-7&quot;</td>
<td>4'-6&quot;</td>
<td>48'-4&quot; or 31%</td>
<td></td>
</tr>
<tr>
<td><strong>District Regulations for Existing</strong></td>
<td>Multiple Dwellings</td>
<td></td>
<td></td>
<td></td>
<td>22,000</td>
<td>50</td>
<td>4</td>
<td>40</td>
<td>35%</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>20% or 50' but not less than 20'</td>
<td>None</td>
</tr>
<tr>
<td><strong>Note Non-Conforming Conditions</strong></td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Condition and/or Use</strong></td>
<td>Hillside Inn</td>
<td></td>
<td></td>
<td></td>
<td>9,627</td>
<td>61'</td>
<td>4</td>
<td>37'</td>
<td>33.42%</td>
<td>16'-3&quot;</td>
<td>10'-7&quot;</td>
<td>4'-6&quot;</td>
<td>48'-4&quot; or 31%</td>
<td></td>
</tr>
<tr>
<td><strong>District Regulation for Proposed</strong></td>
<td>Multiple Dwellings</td>
<td></td>
<td></td>
<td></td>
<td>21,500</td>
<td>50</td>
<td>4</td>
<td>40</td>
<td>35%</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>20% or 50' but not less than 20'</td>
<td>None</td>
</tr>
<tr>
<td><strong>Note Non-Conforming Conditions for Proposal</strong></td>
<td>OK</td>
<td>N/A</td>
<td>* Def.</td>
<td>N/A</td>
<td>** Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>*** Def.</td>
<td>OK</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Notes:**
* The property originally contained one 4-bedroom apartment, one 2-bedroom apartment, and 30 rooms to rent requiring 33 parking spaces. The current alterations have reduced the overall parking requirement by having two studio apartments and 29 rooms to rent, requiring a total of 31 parking spaces.
** As a result of the reduction in rooms to rent, the required lot area has been reduced from 22,000 SF to 21,500 SF.
*** The side yard deficiency is an existing deficiency.
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   [X] AREA VARIANCE
   [ ] SPECIAL PERMIT
   [ ] USE VARIANCE
   [ ] SIGN VARIANCE
   [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 3152
   HEARING DATE: 3/3/20
   BUILDING PERMIT #: 39261
   RECEIPT #: 61989

2. Property Address: 518 Stewart Ave, Ithaca, NY, 14850
   Use District: R3a

   Owner's Name: Rob Poprawski, RPSL Revocable Trust
   Owner's Address: 1041 Cayuga Heights Rd

   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant's Name: ________
   Appellant's Address: ________

   City: Ithaca
   State: NY
   Zip: 14850

   Telephone: ________
   E-Mail: ________

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.

   [X] 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 15th day of
January, 2020

Julie Comley Holcomb
Notary Public
JULIE COMLEY HOLCOMB
Notary Public, State of New York
No. 4975596
Qualified in Tioga County
Term expires Dec. 13, 2022

(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>
</tr>
</thead>
<tbody>
<tr>
<td>• §325-8 Column 4, 6, and 13</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
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<td>• §272-</td>
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<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
</tbody>
</table>

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

   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________
**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.

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### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>The Dorm Hotel Remodel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>518 Stewart Avenue.</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Project consists of the complete remodel of the actual Hillside Inn and to make it a more modern and up to code hotel. In order to have proper accessibility at the front door a concrete ramp is proposed to provide access from the sidewalk and front parking area at the entry level.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 607 227 4886</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gary R Bush</td>
<td>E-Mail: <a href="mailto:gbush@specconsulting.com">gbush@specconsulting.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>838 Peruville Rd</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Groton</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>13073</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   - **YES**

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?  
   - **NO**

3. a. Total acreage of the site of the proposed action?  
   - 0.221 acres  
   b. Total acreage to be physically disturbed?  
   - 0.0011708 acres  
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   - 0.221 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

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Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      NO [ ] YES [ ] N/A [ ]
   b. Consistent with the adopted comprehensive plan?  
      NO [ ] YES [ ]

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   NO [ ] YES [ ]

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  
      NO [ ] YES [ ]

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
      NO [ ] YES [ ]
   b. Are public transportation service(s) available at or near the site of the proposed action?  
      NO [ ] YES [ ]
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  
      NO [ ] YES [ ]

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:  
      NO [ ] YES [ ]

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
      NO [ ] YES [ ]

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
      NO [ ] YES [ ]

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
      NO [ ] YES [ ]
   b. Is the proposed action located in an archeological sensitive area?  
      NO [ ] YES [ ]

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?  
      NO [ ] YES [ ]
   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:  
      NO [ ] YES [ ]

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
    Shoreline [ ] Forest [ ] Agricultural/ grasslands [ ] Early mid-successional [ ]
    Wetland [ ] Urban [ ] Suburban [ ]

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?  
    NO [ ] YES [ ]

16. Is the project site located in the 100 year flood plain?  
    NO [ ] YES [ ]

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
    If Yes,  
    a. Will storm water discharges flow to adjacent properties?  
       NO [ ] YES [ ]
    b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
       NO [ ] YES [ ]

       New gutters and downspouts will be connected to the existing storm water system of the building  

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: Robert Poprawski  
Date: 10/23/2019

Signature: [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>Question</th>
<th>Yes</th>
<th>No or Moderate</th>
<th>Small to Large Impact May Occur</th>
<th>Moderate to Large Impact May Occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. 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>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. 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>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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.

The applicant is seeking a variance from off-street parking, lot area, and side yard setback requirements of the City code. The variances for off-street parking and lot area are relatively substantial requests; however, these are existing deficiencies that have existing for many years. The granting of these variances will not exacerbate those deficiencies and as such do not create new or additional environmental impacts.

☐ 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
2/19/2020
Date
Chair
Signature of Responsible Officer in Lead Agency
Signature of Preparer (if different from Responsible Officer)
Proposed Resolution
Board of Zoning Appeals
March 3, 2020

Approval of Zoning Appeal 3152, Area Variance for 518 Stewart Avenue – Declaration of Lead Agency for Environmental Review

WHEREAS, State Law and Section 176-6 of the City Code require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the proposed approval of zoning appeal 3152, area variance for 518 Stewart Avenue, is an “Unlisted” Action under the City of Ithaca Environmental Quality Review Ordinance, and the State Environmental Quality Review Act and is subject to environmental review; now, therefore, be it

RESOLVED, that the Board of Zoning Appeals of the City of Ithaca does hereby declare itself lead agency for the environmental review of the approval of zoning appeal 3152, area variance for 518 Stewart Avenue.

Moved by:
Seconded by:
In Favor:
Opposed:
Abstain:
Proposed Resolution
Board of Zoning Appeals
March 3, 2020

Approval Zoning Appeal 3152, Area Variance for 518 Stewart Avenue – Determination of Environmental Significance

WHEREAS, Robert Poprawski, on behalf of owner RPSL Revocable Trust, has applied for an area variance from Section 325-8, Column 4, Off-Street Parking, Column 6, Lot Area, and Column 13, Side Yard requirements of the Zoning Ordinance, and

WHEREAS, appropriate environmental review has been conducted including the preparation of a Short Environmental Assessment Form (SEAF), dated February 19, 2020, and

WHEREAS, the proposed action is an “Unlisted” Action under the City Environmental Quality Review Ordinance and the State Environmental Quality Review Act, and

WHEREAS, the Board of Zoning Appeals of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by the applicant and the Zoning Administrator; now, therefore, be it

RESOLVED, that this Board of Zoning Appeals as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth in the Short Environmental Assessment Form, dated February 19, 2020, and be it further

RESOLVED, that this Board of Zoning Appeals, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further

RESOLVED, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.

Moved by:
Seconded by:
In Favor:
Opposed:
Abstain:
NOTICE OF APPEAL — REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3152

TO: Owners of Property within 200 feet of 518 Stewart Avenue and others interested.

FROM: RPSL Revocable Trust applicable to property named above, in a(n) R-3a zone.

REGARDING:

☐ 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 2/25/2020 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 3/3/2020 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

Signature of Appellant

Address

Date
518 Stewart Ave.
Area Variance Application Project Narrative

1/16/2020

We, Robert Poprawski and Susan Lin are sole owners of RPSL Revocable Trust which is the holding entity for the Hillside Inn located at 518 Stewart Ave. We are applying for an area variance to permit the addition of a handicap ramp measuring approximately 137 square feet at the front of the inn. The addition of the ramp increases net lot coverage by 99 square feet after small footprint reductions in other areas. The new ramp would allow access for 2 handicap parking spaces at the front of the building, and ADA-compliant entry to the building. The Hillside Inn did not have any Accessible entrances when we purchased it.

Site Deficiencies

The Inn has several existing deficiencies which will not change, and some will actually improve with the proposed changes. Please see the attached Board of Zoning Appeals Worksheet for a summary of the existing vs. proposed site conditions.

Site deficiencies include:

Other Side Yard
- The “Other Side Yard” is currently 4.5 ft instead of the required 5 ft.
- This is an existing condition and is not changing, however the wall construction of the wall near this North property line is being changed to 1-hour, fire-rated construction, improving the safety of this building and the neighboring building.

Parking
- The property is deficient on parking with 15 spaces.
- The number of spaces is not changing; however, by lowering room count from 33 to 31 units, the required number of spaces for a “multiple Residence” in this zone reduces from 33 spaces to 31 spaces, making the proposed condition less deficient than existing conditions.

Lot Area
- The property is deficient on lot area.
- The proposed reduction in rooms reduces the requirement from 22,000 square feet to 21,500 square feet.
- Since the Minimum Lot Area is reducing with the proposed condition and the site size is staying the same, the proposed condition is less deficient than existing conditions.

Other Areas of Concern

Some other areas of concern related to adding the handicap ramp include the Lot Coverage and the Front Yard depth, however both of these are currently conforming and remain conforming with the proposed ramp and larger front stoop.
Lot Coverage
- The Lot Coverage calculation includes the building and any elevated structures around the building.
- Although we are proposing the addition of a ramp and larger front stoop (in order to meet ADA access requirements), we are also proposing a reduction of the building's size in other areas:
  - The Emergency Exit Stair on the South side of the building is getting longer in order to meet stair rise and run requirements, making the building safer. As part of this change, the landing at the top of that stair is being reduced in size, reducing the lot coverage in that area.
  - There is an existing bump-out at the top of the stair mentioned above that is also being eliminated, further reducing lot coverage in that area.
- The handicap ramp and increased front stoop size, combined with the building size reduction noted above, result in a net increase in Lot Coverage of 99 SF (from 3,118 SF to 3,217 SF).
- However, the Lot Coverage only increases from 32.38% (existing) to 33.42% (proposed), both of which are conforming.

Front Yard Depth
- The existing Front Yard Depth for the site is 18'-3".
- The proposed Front Yard Depth is 16'-3", due to the increased size of the front stoop required for ADA access.
- The low, North end of the ramp is 17'-4" from the front lot line, which is greater than the 16'-3" at the front stoop.
- The required Front Yard Depth is 10' for this zone, so both the existing and proposed Front Yard Depths are conforming.

Summary
Although we are increasing the footprint of the building slightly, all of the proposed changes to the building improve its safety, reduce its non-conformance, and provide ADA-accessibility to the building.

We are requesting an area variance to allow us to build a safer, accessible entrance for handicap guests, as required by code. We hope you do not object to these proposed safety and accessibility improvements.

Kind regards,
Robert and Susan
<table>
<thead>
<tr>
<th>Address Details</th>
<th>Address Details</th>
<th>Address Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornell University</td>
<td>Kappa Alpha Theta Fraternity, Iota House Cor</td>
<td>Cornell University</td>
</tr>
<tr>
<td>PO Box DH</td>
<td>410 E Upland Rd</td>
<td>PO Box DH</td>
</tr>
<tr>
<td>Ithaca NY 14853</td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14853</td>
</tr>
<tr>
<td>City of Ithaca</td>
<td>Cornell University</td>
<td>Shen Properties, LLC</td>
</tr>
<tr>
<td>108 E Green St</td>
<td>PO Box DH</td>
<td>16 Arbor Point Cir</td>
</tr>
<tr>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14853</td>
<td>St Charles MO 63303</td>
</tr>
<tr>
<td>Nitsios, Doris A</td>
<td>West Shore Apartments, LLC</td>
<td>Zepp, Andrew E</td>
</tr>
<tr>
<td>PO Box 1109</td>
<td>107 Worth St</td>
<td>Gonzalez-Zepp, Rocio</td>
</tr>
<tr>
<td>Dryden NY 13053</td>
<td>Ithaca NY 14850</td>
<td>214 Cascadilla Park</td>
</tr>
<tr>
<td>Temple Beth-El, Inc</td>
<td>Shen Properties, LLC</td>
<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>402 N Tioga St</td>
<td>16 Arbor Point Cir</td>
<td>The RPSL Revocable Trust</td>
</tr>
<tr>
<td>Ithaca NY 14850</td>
<td>St Charles MO 63303</td>
<td>Lin, Susan</td>
</tr>
<tr>
<td>Carpenter, Carl</td>
<td></td>
<td>1041 Cayuga Heights Rd</td>
</tr>
<tr>
<td>516 Stewart Ave LLC</td>
<td>241 Elm St</td>
<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
<td>Ithaca NY 14850</td>
</tr>
<tr>
<td>Ehrich, Patricia</td>
<td>2 Strawberry Lane</td>
<td>Ithaca NY 14850</td>
</tr>
</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3152

I, Rob Poprawski, RPSL Revocable Trust, 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 2/18/2020. 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
T.C. MILLER P.C.

ENGINEERS AND SURVEYORS
203 NORTH AURORA STREET
ITHACA, NEW YORK 14850
T(607)272-6477

CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: 9/24/2018

SCALE: 1" = 16'

REVISED

CERTIFICATION

I hereby certify that I am a licensed land surveyor, New York State License No. DSL2597, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision and that I found no visible encroachments either way across property lines except as shown hereon.

SIGNED: __________________________
DATED: __________________________

REFERENCE MAPS
1. Titled "MO 552 STEWART AVE."
   Dated 4/28/2018 by T.C. MILLER, P.C.

嫩的计算点
- 铁钉点
- 水泥杆
- 厂房
- 铁管
- 沥青路面
- 铁路

T.G. MILLER P.C.

NO. 518 STEWART AVENUE

TITLE: SURVEY MAP

AREA = 0.321 ACRES

JAMES E. & LOIS E. RIDER

BK. 431 PAGE 17

TAX MAP PARCEL No. 48-4-6

REVISED

NO. 518 STEWART AVENUE

TITLE: SURVEY MAP

CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: 9/24/2018

SCALE: 1" = 16'

REVISED

CERTIFICATION

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SIGNED: __________________________
DATED: __________________________

REFERENCE MAPS
1. Titled "MO 552 STEWART AVE."
   Dated 4/28/2018 by T.C. MILLER, P.C.

嫩的计算点
- 铁钉点
- 水泥杆
- 厂房
- 铁管
- 沥青路面
- 铁路
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

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.
APPEAL # 3154

115 WEST GREEN STREET

Appeal of Laura Larson of Odyssey Books for a sign variance from Section 272-6 B (2), Number of Permitted Signs in a Commercial Zone. The applicant proposes to install a freestanding sign at the property located at 115 W. Green Street. The freestanding metal sign will be positioned in front of the building and will meet the required 10 foot setback from the front property line. The applicant previously received a permit for an awning sign and adding the new freestanding sign will exceed the allowable number of signs permitted by the ordinance. The sign ordinance permits either one freestanding sign or two building signs for the business.

The property is located in a B-2d use district in which the proposed use is permitted. However, the Sign Ordinance, Section 272-18, requires that the variance be granted before a sign permit is issued.
### City of Ithaca

**Board of Zoning Appeals Worksheet**

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>BZA-3154</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use District</td>
<td>B-2d</td>
</tr>
<tr>
<td>Applicant</td>
<td>Laura Larson</td>
</tr>
<tr>
<td>Application Type</td>
<td>Sign Variance</td>
</tr>
</tbody>
</table>

**Address:** 115 W. Green Street  
**Date:** March 3, 2020  
**Owner:** Ed and Deena Crossmore

<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>Odyssey Bookstore Awning Sign*</td>
<td>Awning</td>
<td>1.4 SQ FT</td>
<td>N/A</td>
<td>N/A</td>
<td>Approved by ILPC</td>
</tr>
<tr>
<td>Odyssey Bookstore Freestanding Sign</td>
<td>Freestanding</td>
<td>5 SQ FT</td>
<td>10'</td>
<td>N/A</td>
<td>Approved by ILPC; 7' high</td>
</tr>
<tr>
<td>Regulations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 freestanding or 2 building signs</td>
<td>1.5 SQ FT for every linear foot of building frontage; 79.5 SQ FT permitted</td>
<td>10' setback from public right of way</td>
<td>ILPC approval required; maximum height of freestanding sign - 22'</td>
<td></td>
</tr>
<tr>
<td>Note Non-conforming Conditions</td>
<td>Def. -1 freestanding and 1 building sign</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
*Awnings sign meets the requirements of the Sign Ordinance and no variance is required. A sign permit for the awning sign only was issued on February 4, 2020.*
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   - [ ] AREA VARIANCE
   - [x] USE VARIANCE
   - [ ] USE VARIANCE
   - [ ] SIGN VARIANCE
   - [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 3154 (FILLED IN BY STAFF)
   HEARING DATE: 3/3/2020
   BUILDING PERMIT #: 39972 (REQUIRED)
   RECEIPT #: 62284 (FILLED IN BY STAFF)

2. Property Address: 115 W. Green St.
   Use District: B2D
   Owner’s Name: Edie Deena Crossman
   Owner’s Address: 115 W. Green St.
   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant’s Name: Laura Larson
   Appellant’s Address: 1149 Taughannock Blvd
   City: Ithaca
   State: NY
   Zip: 14850
   Telephone: 425-985-5317
   E-Mail: laura.a.larson@outlook.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.

   STATE OF NEW YORK
   COUNTY OF TOMPKINS

   Sworn to this 3rd day of February, 2020
   [Signature]
   Notary Public

   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- __________
- §325- __________

Sign Ordinance Section being Appealed

- §272- 6B(2)
- §272- __________
- §272- __________
- §272- __________
- §272- __________
- §272- __________
- §272- __________

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

3. Environmental Assessment form used:

- _X_ Short Environmental Assessment Form
- ___ Long Environmental Form
- ___ Completed by the Planning and Development Board

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:
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.

<table>
<thead>
<tr>
<th>Part 1 - Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Action or Project:</td>
</tr>
<tr>
<td>Signage for new Bookstore</td>
</tr>
<tr>
<td>Project Location (describe, and attach a location map):</td>
</tr>
<tr>
<td>115 W. Green St, Ithaca, NY</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
</tr>
<tr>
<td>Install signs 1. awning with lettering over door entrance 2. Nonwork sign located near the North East corner of the property, at least 10' from the property line</td>
</tr>
<tr>
<td>Name of Applicant or Sponsor:</td>
</tr>
<tr>
<td>Laura A. Larson</td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>1149 Taughannock Blvd,</td>
</tr>
<tr>
<td>City/PO: Ithaca</td>
</tr>
<tr>
<td>State: NY</td>
</tr>
<tr>
<td>Zip Code: 14850</td>
</tr>
<tr>
<td>Telephone: 625-985-5317</td>
</tr>
<tr>
<td>E-Mail: <a href="mailto:lara.a.larson@outlook.com">lara.a.larson@outlook.com</a></td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   YES ☑ NO ❌

   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?  
   ______ acres

   b. Total acreage to be physically disturbed?  
   ______ acres

   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   ______ 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
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
   b. Consistent with the adopted comprehensive plan?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>N/A</th>
</tr>
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<tbody>
<tr>
<td></td>
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</table>

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation service(s) available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
</thead>
<tbody>
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</table>

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:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
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<tbody>
<tr>
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</tbody>
</table>

10. Will the proposed action connect to an existing public/private water supply?  
    If Yes, describe method for providing potable water:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

11. Will the proposed action connect to existing wastewater utilities?  
    If Yes, describe method for providing wastewater treatment:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
    b. Is the proposed action located in an archeological sensitive area?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
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<tbody>
<tr>
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</tbody>
</table>

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?  
    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:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
   - Shoreline  
   - Forest  
   - Agricultural/grasslands  
   - Early mid-successional  
   - Wetland  
   - Urban  
   - Suburban  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
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</tbody>
</table>

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?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

16. Is the project site located in the 100 year flood plain?  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   If Yes,  
   a. Will storm water discharges flow to adjacent properties?  
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
    If Yes, briefly describe:  

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</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>X</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>X</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>X</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: Laura Larson
Signature: [Signature]
Date: Jan 30, 2020
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>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
</tr>
<tr>
<td>4. 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. 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. 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>
<tr>
<td>7. Will the proposed action impact existing: a. public / private water supplies?</td>
<td>✓</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
</tr>
</tbody>
</table>
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.

Part 3 not applicable to BZA #3154 - Sign Variance for 115 West Green Street.

☐ 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
2/18/2020
Date
Chair
Title of Responsible Officer
Signature of Responsible Officer in Lead Agency
Signature of Preparer (if different from Responsible Officer)
Proposed Resolution
Board of Zoning Appeals
April 7, 2020

Approval of Zoning Appeal 3154, Sign Variance for 115 W. Green Street – Declaration of Lead Agency for Environmental Review

WHEREAS, State Law and Section 176-6 of the City Code require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the proposed approval of zoning appeal 3154, sign variance for 115 W. Green Street, is an “Unlisted” Action under the City of Ithaca Environmental Quality Review Ordinance, and the State Environmental Quality Review Act and is subject to environmental review; now, therefore, be it

RESOLVED, that the Board of Zoning Appeals of the City of Ithaca does hereby declare itself lead agency for the environmental review of the approval of zoning appeal 3154, sign variance for 115 W. Green Street.

Moved by:
Seconded by:
In Favor:
Opposed:
Abstain:
Proposed Resolution
Board of Zoning Appeals
April 7, 2020

Approval of Zoning Appeal 3154, Sign Variance for 115 W. Green Street – Determination of Environmental Significance

WHEREAS, Laura Larson has applied for a sign variance from 272-6B(2), Number of Permitted Signs in a Commercial Zone, of the sign ordinance, and

WHEREAS, appropriate environmental review has been conducted including the preparation of a Short Environmental Assessment Form (SEAF), dated February 18, 2020, and

WHEREAS, the proposed action is an “Unlisted” Action under the City Environmental Quality Review Ordinance and the State Environmental Quality Review Act, and

WHEREAS, the Board of Zoning Appeals of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by the applicant and the Zoning Administrator; now, therefore, be it

RESOLVED, that this Board of Zoning Appeals as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth in the Short Environmental Assessment Form, dated February 18, 2020, and be it further

RESOLVED, that this Board of Zoning Appeals, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further

RESOLVED, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.

Moved by:
Seconded by:
In Favor:
Opposed:
Abstain:
ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/SIGNED BY SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3154

DATE: 1/22/2020

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

I (We) Ed Crossmore/Deena Cross of 115 W. Green St.

Ithaca NY 14850

Owner of the property at 115 W. Green St., Ithaca, NY 14850

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

☐ This property is also owned by ________________________________

and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize _________________________________ to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the 3/3/20 meeting of the Board of Zoning Appeals.

☐ Notary Public available at City Hall

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 22nd day of January, 2020

RUTH CITO
Notary Public-State of New York
No. 01CI4937585
Qualified in Tompkins County
Commission Expires July 11, 2022

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

APPEAL NO. 3154

TO: Owners of Property within 200 feet of 115 W. Green Street and others interested.

FROM: Laura Larson applicable to property named above, in a(n) balanced 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 2/25/2020 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 3/3/2020 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

Signature of Appellant

Address

Date
Dear Neighbor,

My name is Laura Larson and I am in the process of opening a bookstore in the daylight basement of 115 W. Green St. I am requesting a variance from the sign ordinance which would limit me to one sign. I am in compliance regarding the allowable square footage for signs as well as set back requirements. I would like to have 2 signs consisting of: 1. The name of the bookstore in lettering along the edge of an awning over the door, and 2. An iron work sign approx. 2.5’ in diameter that will be mounted on a pole that is 4” in diameter. The sign will be 7’ high to be placed near the north east corner of the property between the walkway and the fence (east of the walkway, west of the fence) and 10’ from the north edge of the property line (street side).

I have enclosed notice of the meeting where I will be requesting the variance.

Please let me know if you have any questions or concerns.

Best wishes, Laura Larson, owner, Odyssey Bookstore
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 _______________ . 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
Odyssey Book Store - 115 W. Green Street
Proposed Sign Location

---

Approved Awning Sign

Proposed Freestanding Sign

---

0 25 50 100 Feet
RESOLUTION: Moved by K. Olson, seconded by D. Kramer.

WHEREAS, 115 West Green Street is located within the Henry St. John Historic District, as designated under Section 228-3 of the City of Ithaca Municipal Code in 2013, and

WHEREAS, as set forth in Section 228-6 of the Municipal Code, an Application for a Certificate of Appropriateness for the construction of an accessible ramp to a basement entrance in the landscape along the east side of property’s north elevation was approved at the regular Ithaca Landmarks Preservation Commission (ILPC) meeting on July 9, 2019, and

WHEREAS, a condition was placed on that Certificate of Appropriateness requiring the applicant to submit design and/or shop drawings illustrating the proposed metal handrails... to the ILPC for review and approval, and

WHEREAS, the ILPC has received a submission from Noah Demarest, dated October 1, 2019, illustrating the proposed handrail and a few minor alterations to the approved ramp layout, and

WHEREAS, the ILPC has reviewed this submission for the purpose of evaluating the impacts of the proposal on the subject property and surrounding properties, now therefore be it

RESOLVED, that the ILPC finds that the railings and minor site alterations are compatible with the architectural features of the property and its environment and are approved for use, and be it further

RESOLVED, that, with the submission of shop drawings and their approval by ILPC staff, the original condition placed on the project’s Certificate of Appropriateness will be satisfied, and be it further

RESOLVED, that the following conditions placed on the original Certificate of Appropriateness remain unresolved:

- The applicant shall submit... design specifications for the proposed wood door and associated door surround modifications to the ILPC for review and approval.

RECORD OF VOTE:
Moved by: K. Olson
Seconded by: D. Kramer
In Favor: S. Stein, D. Kramer E. Finegan, A. Smith, K. Olson, S. Gibian
Against: 0
Abstain: 0
Absent: M.M. McDonald
Vacancies: 0

Notice: Failure on the part of the owner or the owner’s representative to bring to the attention of the ILPC staff any deviation from the approved plans, including but not limited to changes required by other involved agencies or that result from unforeseen circumstances as construction progresses, may result in the issuance by the Building Department of a stop work order or revocation of the building permit.
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
108 East Green Street  Ithaca, New York 14850-5690
BUILDING DIVISION - 4TH Floor
Telephone: 607 274-6508  Fax: 607 274-6521

2/18/2020

Receipt#62284

BZA 3154 - 115 W. Green Street
Sign Variance for Odyssey Books

<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>2/18/2020</td>
<td>1473</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

**Total Payment** $150.00  
Balance Due

2/18/2020