PLANNING & DEVELOPMENT BOARD AGENDA

The regular meeting of the PLANNING & DEVELOPMENT BOARD will be held at 6:00 p.m. on TUESDAY, MARCH 28, 2023. In Common Council Chambers on the third floor of City Hall, 108 E Green Street. The meeting will also be streamed on the City of Ithaca YouTube Channel at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2lVCnTrDg.

Instructions for commenting to the Planning Board

Scheduled Public Hearings (Refer to the agenda for projects that have scheduled public hearings.)

There are two options to participate in a Public Hearing:

1. Submit comments by email no later than 12 p.m. on the day of the meeting (contacts below). Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing.

2. Attend the meeting via Zoom and speak directly to the Board. Comments are limited to three minutes.

General Public Comments

Public comments are heard at the beginning of the meeting via Zoom. Written comments should be sent to the contact(s) listed below. All comments received will be forwarded to the Planning Board for their consideration. Written comments received in advance of the meeting give the Board/Committee time to consider them fully. If you want your comment read aloud, please state so in your email and limit the comment to three minutes.

Please use the following contacts to submit comments or request access to the Zoom meeting: Nikki Cerra at ncerra@cityofithaca.org or Lisa Nicholas at lnicholas@cityofithaca.org or call 607-274-6550.

Start Times: Start times are approximate only — APPLICANTS are responsible for being available at whatever time(s) their agenda item(s) is actually discussed.

AGENDA ITEM

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Approx. Start Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agenda Review</td>
<td>6:00</td>
</tr>
<tr>
<td>2</td>
<td>Approval of Minutes- December 2022, January 2023</td>
<td>6:05</td>
</tr>
<tr>
<td>3</td>
<td>Public Comments</td>
<td>6:10</td>
</tr>
<tr>
<td>4</td>
<td>Board Response to Public Comment</td>
<td>6:15</td>
</tr>
<tr>
<td>5</td>
<td>Site Plan Review</td>
<td>6:20</td>
</tr>
<tr>
<td>A</td>
<td>Project: Commercial Infill (7,000 SF)</td>
<td>Presentation</td>
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<tr>
<td></td>
<td>Location: 736-744 S. Meadow Street</td>
<td>Board Q&amp;A</td>
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<td>Applicant: James Bogliolo for Benderson Development Corp.</td>
<td>Discussion</td>
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<td></td>
<td>Actions: ☐ Public Hearing ☐ Potential Preliminary and Final Site Plan Approval</td>
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</tbody>
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Project Description: The applicant is proposing to construct a 7,000 SF building within an existing parking area at the corner of Fairgrounds Memorial Parkway and an internal circulation road that connects to Route 13. The project also includes lighting, landscaping, walkways, and other amenities. The applicant submitted a trip generation report prepared by TYLIN International and dated April 24, 2018, that demonstrates that the traffic counts for the proposed new retail is consistent with the findings of the 2000 Generic Environmental Impact Statement (GEIS) for the Southwest Area Land Use Plan and therefore no additional environmental review is required. The Planning Board granted final approval of this project October 27, 2022, which has expired. The applicants are now seeking approval for same project.
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.

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"An Equal Opportunity Employer with a commitment to workforce diversification."
Planning and Development Board Minutes

December 20, 2022

<table>
<thead>
<tr>
<th>Board Members Attending:</th>
<th>Robert Lewis, Chair; Garrick Blalock, BPW Liaison; Mitch Glass; Emily Petrina; C.J. Randall; Daniel Correa; Elisabete Godden</th>
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<tbody>
<tr>
<td>Board Members Absent:</td>
<td>None</td>
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<tr>
<td>Board Vacancies:</td>
<td>None</td>
</tr>
</tbody>
</table>
| Staff Attending:         | Lisa Nicholas, Director of Planning, Division of Planning and Economic Development  
                          | Nikki Cerra, Environmental and Landscape Planner, Division of Planning and Economic Development  
                          | Samuel Quinn-Jacobs, Assistant Planner, Division of Planning and Economic Development |

This meeting was held in Common Council Chambers, Third Floor, City Hall, and also conducted remotely using videoconferencing technology, as authorized by Part WW of Chapter 56 of the Laws of 2022 of New York State and Local Law 2022-05.

Chair Lewis called the meeting to order at 6:00 p.m.

1. **Agenda Review** – None

2. **Approval of Minutes**
   - August 23, 2022, September 27, 2022 and October 25, 2022 Minutes. The Board needs more time to review these Minutes. They will wait for to vote in January.

3. **Public Comment**

   Chair Lewis opened Privilege of the Floor.

   N. Cerra read comments submitted by Diane Miller, Martha Preston, and Antonia Shouse into the record.

   Chair Lewis closed the Public Comment period.

4. **Board Responses to Public Comment**
The Board had no response to the public comments.

5. Site Plan Approval

A. Asteri Mixed-Use Apartments, 120 E. Green St., by Whitham Planning & Design for Vecino Group LLC. Sign Package Review. The Planning Board granted final site plan approval of the mixed-use project on November 24, 2020. The applicant received approval for a site change on October 25, 2022. The applicant is now seeking approval for a final lighting condition and sign package. The overall project was determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(b), (d), (k) and (n) and the SEQRA §617.4 b. (5)(iii) and (9) for which the Planning Board, acting as Lead Agency, issued a Negative Declaration of Environmental Significance on September 22, 2020.

Applicants Attending: Bruce Adib-Yazdi, Jacob Von Mechow, Yifei Yan, Sara Hayes

The applicant presented updates to the signage package focusing on the pedestrian lighting as previously requested by the Board. The applicant stated they have removed the large “A” from the sign package and are looking into community murals for one side of the building. Sign package options 1 and 2 presented at the PRC meeting were combined into one package.

The Board requested that the applicant present the sign package together in one rendering rather than several. The Board preferred the wrap-around sign illustrated in option 1, rather than option 2 or the combination of the two options. Otherwise, the Board was supportive of the proposal.

B. Breeze Apartments, 121-125 Lake St., by Todd Fox. CEQR Determination. The applicant proposes to build an 83,160 GSF, four story apartment building and associated site improvements on the former Gun Hill Factory site. The 77-unit with approximately 109 beds, market-rate apartment building will be a mix of studios, one- and two-bedroom units and includes 77 parking spaces (47 surface spaces and +/- 30 covered spaces under the building). Site improvements include stone dust walkways, bike racks, benches, a bioretention filter to treat the parking areas and rooftop stormwater, native and adaptive plant species, and meadow areas to restore edges of the site. The building will be constructed on the east parcel of the Former Ithaca Gun Factory Site which 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 a soil cleanup objective for restricted residential use. A remedial investigation (RI) was recently completed at the site and was submitted to NYSDEC in April 2021. The project is in the R-3a Zoning District and requires multiple variances. This is determined to be 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).

**Applicants Attending:** Laura Mattos, Erik Reynolds, Julia Bucher

The applicant presented an updated site plan, lighting details, and materials. The new renderings included grey skies as requested by the Board. The applicant focused on the details of the proposed exterior EIFS material, highlighting their perceived benefits and quality of the material. The applicant finished their presentation by giving the Board more details on the site signage and the site clean-up, particularly the removal of contaminated soil.

The Board stated their overall approval of the design and materiality of the building but expressed their reluctance to support the exterior EIFS material and requested further details.

The Board and staff reviewed the FEAF III, discussing the information the applicant still needed to provide.

The implications of changing the site plan to accommodate the firetruck turn-around and its impacts on the off-street loading spaces and thus required variances was discussed. The Board included the potential area variances associated with this project in the FEAF III and determined regardless if a variance was required for off-street loading spaces or not, there would be no significant adverse impacts on the environment.

**Adopted Negative Declaration of Environmental Significance**

**On a motion by Godden, seconded by Petrina:**

**WHEREAS:** the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a four-story apartment building with 77 units/109 beds by Todd Fox, 121-125 Lake Street LLC, and

**WHEREAS:** the applicant proposes to build an 83,160 GSF, four story apartment building and associated site improvements on the former Gun Hill Factory site. The 77-unit with approximately 109 beds, market-rate apartment building will be a mix of studios, one- and two-bedroom units and includes 77 parking spaces (47 surface spaces and +/- 30 covered spaces under the building). Site improvements include stone dust walkways, bike racks, benches, a bioretention filter to treat the parking areas and rooftop stormwater, native and adaptive plant species, and meadow areas to restore edges of the site. The building will be constructed on the east parcel of the Former Ithaca Gun Factory Site which 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 a soil cleanup objective for restricted residential use. A remedial investigation (RI) was recently completed at the site and was submitted to NYSDEC in April 2021. The project is in the R-3a Zoning District and requires multiple variances, and
WHEREAS: 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) and is subject to environmental review, and
WHEREAS: the NYS Department of Environmental Conservation, the Tompkins County Department of Health, Common Council, the Tompkins County Industrial Development Agency, and the Board of Zoning Appeals have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on April 26, 2022 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on December 20, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Site Survey L-100, Site Plan L-101, Layout Plan L-102, Landscape Plan L-401, Details L-500, Overlook- Linework L-1, L-2, & L-3, Site Rendering L-600, Exterior Elevations A200, Conceptual Rendering A 201 (2), Materials Board, Aerial Photos and Views (5), Site Lighting/Photometric Plan, and Massing From Lake Street A 202 all prepared by SWBR and dated 12/14/22; Overlook- Aerial Image L-1 prepared by SWBR and dated 12/14/22; Utility Plan C-101, Grading and Drainage Plan C-102 prepared by SWBR and T.G. Miller, P.C. and dated 12/14/22; Wayfinding and Safety Plan dated 11/22/22 prepared by SWBR; Excavation Plan Eastern Parcel C-102A dated August 2022 and prepared by C & S Engineers, Inc.; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Godden
Seconded by: Petrina
In favor: Godden, Petrina, Randall, Glass, Blalock, Lewis
Against: None
Abstain: None
Absent: Correa
Vacancies: None

C. The Citizen, 602 W. Buffalo St., by Visum Development Group LLC. CEQR Determination.

The applicant proposes to demolish an existing 2-story restaurant building and a paved parking lot to allow for the construction of a new 5-story apartment building approximately 80,000 SF gross floor area. The building will contain 80 residential units, a
residential lobby, bike storage, 2,560 sq ft of retail, and a ground floor parking area with 29 parking spaces. The project is located in the WEDZ-1a zoning district and is expected to not require any variances. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k), (l), and (n), and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.

**Applicants Attending:** Laura Mattos, Steve Hugo, Nate Cook, Doug Nemec

The applicant presented updates on elevations, materials, site plans, the shadow study, and the Hydraulic Impact Hammer driving pile method for the foundation. Renderings were shown to demonstrate how the building will appear from different vantages, including the street-view. The applicant went into detail on each proposed exterior material as well as the changes made to the site plan.

Glass suggested several design changes to lessen the block-like feel of the structure and to help soften the massing.

The Board expressed concerns over the maintenance and durability of the building pillars along W. Buffalo. The Board thanked the applicant for being responsive to their comments and for creating the active streetscape along W. Buffalo.

The Board and staff reviewed the FEAF Part III, highlighting information the applicant needs to provide. Cerra stated that the applicant had provided some of the missing information right before the meeting, but there was not enough time to review.

Director Nicholas stated her concern over the foundation driving proposed for the project in relation to the nearby residences.

Cook spoke to the Board about their concerns over the fire department easement.

The Board and staff began to review the missing information from the FEAF Part III in relation to impacts on land. The Board paid particular attention to the foundation driving method, asking questions about the impacts of the soil displacement, vibration and noise associated with the process. The Board determined that the amount of time being spent in meeting on the FEAF review was becoming unreasonable and more time is needed to review the information provided right before the meeting. Chair Lewis explained that while it is possible that all missing information could have been provided, the Board and staff have not had sufficient time to review before issuing a negative declaration. The Board decided they would not vote this meeting as more information was needed to complete the environmental review.

**D. Squeaky Clean Car Wash, 501-507 S. Meadow St. by Bridgewater Management Entities, LLC c/o Gary Sloan. Potential Preliminary and Final Site Plan Approval.** The applicant proposes to demolish two existing single-story buildings to allow for the construction of
a new automated car wash “tunnel” building, equaling approximately 35,500 SF. The new proposed construction includes vacuum stations, site pavements, utility extensions and improved landscaping. The project is in the SW-2 zoning district and is expected to require no variances. Four off-street parking spaces will be provided, and the applicant is proposing to permanently close three curb cuts on S Meadow Street and consolidate four curb cuts on S Titus Ave into one for which a Traffic Impact Study (TIS) has been submitted. The project is subject to Southwest Area Design Guidelines. This was determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)[2] and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) for which the Planning Board, acting as Lead Agency, issued a Negative Declaration of Environmental Significance on November 22, 2022.

Applicants Attending: Gary Sloan; David Herrick, T.G. Miller; David Kruse; Margot Chiuten, John Snyder

The applicant presented their materials and drawings for the project to-date, including new information on signage and noise impacts from the daily operation of the car wash. The applicant focused on the sidewalk to show how they changed it to accommodate requests from the City’s Engineering Department.

The Board thanked the applicant for responding to their requests for more robust landscaping and designing the building to fit within the character of the neighborhood.

Glass suggested reducing the amount of signage for the building.

Adopted Declaration of Preliminary and Final Site Plan Approval
On a motion by Petrina, seconded by Godden:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a new automated car wash “tunnel” building by Bridgewater Management Entities, LLC c/o Gary Sloan, and

WHEREAS: the applicant proposes to demolish two existing single-story buildings to allow for the construction of a new automated car wash “tunnel” building, equaling approximately 35,500 SF. The new proposed construction includes vacuum stations, site pavements, utility extensions and improved landscaping. The project is located in the SW-2 zoning district and is expected to require no variances. Four off-street parking spaces will be provided, and the applicant is proposing to permanently close three curb cuts on S Meadow Street and consolidate four curb cuts on S Titus Ave into one for which a Traffic Impact Study (TIS) has been submitted. The project is subject to Southwest Area Design Guidelines, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)[2] and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, and
WHEREAS the NYS Department of Environmental Conservation, the NYS Department of Transportation, and the Tompkins County Department of Health have been identified as potentially Involved Agency in Environmental Review, and

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on September 27, 2022, declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on November 22, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Context Map C000 and Existing Conditions Plan C101 both prepared by T.G. Miller, P.C. and dated 08/14/22; Survey Map No. 501-507 South Meadow Street prepared by T.G. Miller, P.C. and dated 02/09/22; Utility, Grading & Drainage Pan C202, Site Lighting Plan C203, Erosion & Sediment Control Plan C401, and ESC Details C402 all prepared by T.G. Miller, P.C. and dated 11/08/22; Rendered Site Plan L100, Planting Plan L101, and Planting Details L501 all prepared by Chiuten Trowbridge Landscape Architects and dated 11/08/22; Site Layout Plan C103, and Details C301 all prepared by T.G. Miller, P.C. and dated 09/21/22; Squeaky Clean Exterior Elevations (4) prepared by John Snyder Architects and submitted 11/16/22; Reference Plan- 1st Floor A111 prepared by John Snyder Architects dated 11/3/2022; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, and

WHEREAS: the Planning Board did, on November 22, 2022, determine, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and issued a Negative Declaration of Environmental Significance, and

WHEREAS: this Board did on December 20, 2022 review and accept as adequate the following new and revised drawings: Perspective Renderings (5) prepared by John Snyder Architects and submitted 12/13/22

RESOLVED: that the Planning and Development Board does hereby grant Preliminary & Final Site Plan Approval subject to the following:

The following conditions must be satisfied before issuance a Building Permit:

i. Documentation from Ithaca Fire Department emergency access issues have been satisfied

ii. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits

iii. Acceptance of the SWPPP by the City Stormwater Management Officer

iv. Final approval of streetscape, curb ramps, curb cut and sidewalks along S Titus Ave by the City Engineering and Fire Departments
v. Execution of legally binding agreement with the City stating they would not prevent the City from reasonably modifying the width of S. Titus Avenue between the S. Meadow Street intersection and the Project Site entrance on S. Titus Avenue and, further, would not prevent the City from closing S. Titus Avenue south of the Project Site entrance in the future should it be deemed a necessary and vital option the neighborhood and City

The following conditions must be satisfied within six months of approval or the start of construction, whichever comes first:

vi. Submission of detailed planting plan including soil replacement specifications for tree planting areas

vii. Submission to the Planning Board for review and approval of placement, design, and photometrics of site lighting fixtures

viii. Submission to the Planning Board for review and approval of all site details including but not limited to landscaping details, exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc.

The following conditions must be satisfied during the construction period:

ix. If impacted groundwater and/or soil are encountered during construction, it is required to be handled in accordance with the applicable NYSDEC regulations and requirements and with the involvement of both the City of Ithaca and the NYSDEC in the approval and monitoring of the treatment system(s)

x. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development)

The following conditions must be satisfied before issuance of a Certificate of Occupancy:

xi. Any changes to the approved site plans must be submitted to Planning staff for review and may require Board approval

xii. Installation of bike racks and/or bike storage

xiii. Installation of any required or proposed sidewalk to the satisfaction of the City Sidewalk Coordinator

xiv. Repair, replacement or reconstruction of any City property damaged or removed during construction including, but not limited to paving, sidewalk, curbing, trees or tree lawn, signage, drainage structures, etc

xv. Submission of any required executed easement, licenses or other legal agreements involving City property

Moved by: Petrina
Seconded by: Godden
In favor: Blalock, Glass, Randall, Petrina, Godden, Lewis
Against: None
Abstain: None
Absent: Correa
Vacancies: None

The applicant proposes to demolish two existing residential buildings (2.5 and 3-stories) on two separate parcels to allow for the construction of a new 4-story apartment building with a total finished area of approximately 24,400 SF on a consolidated lot. The building will contain 34 dwelling units with a total of 54 beds and a gym located in the basement. The project is located in the CR-4 zoning district and requires variances for rear yard setback and lot coverage. The project is subject to Collegetown Design Guidelines. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k) and (l) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.

Applicants Attending: Chris Petrillose, Jason Demarest

The applicant presented updates to the project including changes to the sunken patios and lighting details. The applicant explained design changes in the retaining walls of the sunken patios to include a step back and ledge to make the patios feel more open. The applicant detailed the change to the downlit exterior lights and explained that the downlit lights will no longer wash the building with light.

The Board thanked the applicant for the changes and expressed their overall support for the project.

Petrina stated that the sunken patios to the North and South are too small and should be removed to make more room for the patio in the middle. Petrina suggested this design choice may lead to a more natural return to grade.

The Board and staff drafted their recommendation to the Board of Zoning Appeals for the variances associated with this project.

Adopted Negative Declaration of Environmental Significance

On a motion by Randall, seconded by Petrina:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a new 4-story apartment building by 110 C-Town, LLC, and

WHEREAS: the applicant proposes to demolish two existing residential buildings (2.5 and 3-stories) on two separate parcels to allow for the construction of a new 4-story apartment building
with a total finished area of approximately 24,400 SF on a consolidated lot. The building will contain 34 dwelling units with a total of 54 beds and a gym located in the basement. The project is located in the CR-4 zoning district and requires variances for rear yard setback and lot coverage. The project is subject to Collegetown Design Guidelines, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k) and (l) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation and the Tompkins County Department of Health, both potentially involved agencies in this action, have consented to the Planning Board acting as Lead Agency for this project, and

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency, which has primary responsibility for approving and funding or carrying out the action, did on September 27, 2022 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on December 20, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Boundary and & Topographic Map 108-110 College Avenue prepared by T.G. Miller, P.C and dated 03/11/22; Context Map prepared by Jason Demarest Architecture and dated 07/15/22; 202 Linden Renderings (10) and TYP Patio Retaining Wall Detail both submitted and prepared by Jason Demarest Architecture 11/22/22; Boring Location Plan 108-110 College Ave. Ithaca, NY prepared by Elwyn & Palmer Engineers and Jason Demarest Architecture dated 09/22; Site Demo Plan AC1.00 prepared by Jason Demarest Architecture, dated 10/05/22; Site Plan AC1.01, Grading & Utility Plan AC1.02, Site Details AC4.00, Concept Plans CS1.01 all prepared by Jason Demarest Architecture and dated 10/06/22; Concept Elevations CS2.01 prepared by Jason Demarest Architecture and dated 07/15/22; Materials Board prepared by Jason Demarest Architecture and dated 10/19/22; Landscape Plan AC1.0 and Site Section AC3.00 both prepared by Jason Demarest and dated 12/14/22, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Randall
Seconded by: Petrina
In favor: Godden, Petrina, Randall, Glass, Blalock, Lewis
Against: None
Abstain: None
Absent: Correa
Vacancies: None

F. Alpha Phi Alpha Residential House Renovations, 105 Westborne Ln. by Tony Ewing. Presentation. The applicant proposes to renovate and restore the existing building, demolish the existing lower-level addition, expand the building footprint by 275 SF with a 1120 SF replacement addition, and modify the site to accommodate new ADA compliant parking. Site improvements include a regraded entry drive lane for ADA accessibility, permeable grass pavers, a 1500 SF rain garden, and landscaping. The project is located in the R-U zoning district and will require variances. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)(4), and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.

Applicants Attending: Georges Clermont, David Herrick, Tony Ewing, Frank Santelli

The applicant gave the Board a brief history of the Alpha Phi Alpha fraternity and its current needs. The applicant explained the request to renovate and add ADA parking to the fraternity building. The applicant highlighted the layout of the parking lot and driveway, utility lines, and a rendering of the exterior design.

The Board stated their overall support for the project, but gave feedback regarding the site plan, requesting the applicant save the existing trees and provide more information on the grass pavers.

Director Nicholas reminded the Board that materials and design have already been reviewed by the Ithaca Landmarks Preservation Commission and that this project will need the Board’s attention on the environmental review and site plan.

G. NYSEG Hudson Regulator Station, 220 Grandview Ave., by Arne Larson DDS Companies on behalf of NYSEG. Presentation and Declaration of Lead Agency. The applicant proposes to create an approximately 164 SF gas regulator house with appurtenant facilities. NYSEG has secured a 1200 SF utility easement from the property owner, South Hill Church of Nazarene. Proposed site work includes the regrading of the site and landscaping around the proposed structure. The project is located in the R-2 zoning district and will not require any variances. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review.

Applicants Attending: Arne Larsen, DDS Companies

The applicant gave an overview of the proposal, showing the footprint of the building and proposed landscaping plan. The applicant detailed the use of the building and how the structure will have minimal impact on neighboring properties. Renderings were shown to demonstrate the exterior design and materials of the single-story building.
Glass asked the applicant to explain what the need for this building is. The applicant explained that another regulator station in the city is failing and replacing the station in the same location is not conducive for reconstruction.

Petrina suggested the applicant return with a green exterior color and conduct public outreach.

The Board agreed with Petrina’s comments and asked the applicant to reach out to neighbors to explain the purpose of the station and alleviate fears about the perceived dangers.

Director Nicholas asked the applicant why the regulator station could not be placed in a vault.

The applicant responded by stating that energy companies are moving away from vaults for environmental health and water damage reasons.

Cerra asked the applicant to add more screening on the North side of the property.

Director Nicholas added that this lot is not capable of having a house built on it, but due to the visibility of the property, the proposal should still include a residential aesthetic, as maintained by the rest of the neighborhood.

**Adopted Declaration of Lead Agency**

On a motion by Godden, seconded by Randall:

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, 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 City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a gas regulator house with appurtenant facilities by Arne Larsen, DDS Companies on behalf of NYSEG, and

WHEREAS: the applicant proposes to create an approximately 164 SF gas regulator house with appurtenant facilities. NYSEG has secured a 1200 SF utility easement from the property owner, South Hill Church of Nazarene. Proposed site work includes the regrading of the site and landscaping around the proposed structure. The project is located in the R-2 zoning district and will not require any variances, and
WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, now, therefore be it

RESOLVED: that the City of Ithaca Planning and Development Board does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by: Godden
Seconded by: Randall
In Favor: Blalock, Glass, Randall, Petrina, Godden, Lewis
Against: None
Abstain: None
Absent: Correa
Vacancies: None

H. Argos Inn Expansion, 408 East State St., by Avi Smith. Presentation. The applicant proposes to demolish an existing 1800 SF terrace north of the Argos Inn building and construct a 5135 SF 3-story addition. The addition will contain 11 guest rooms (24 rooms total) and hotel office space. Site improvements include reconfiguration of 2,385 SF outdoor terraces for seating, relocation of the existing terrace to the north end of the parking lot, creation of a utility building to screen the outdoor seating from the street, the paving and striping of the parking lot, landscaping, and lighting. The project is located in the B-4 zoning district and will require rear yard and parking variances. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)[4], and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.

Applicants Attending: Avi Smith, Craig Modisher, Yamilla Fournier

The applicant presented an overview of the expansion to the existing Argos Inn. The applicant stated they will be shifting and removing the patio where the addition is proposed to be built, creating a smaller outdoor space. The applicant explained the design and use of the expansion, detailing how the addition will be architecturally similar and smaller than the original building. Drawings were shown to demonstrate how the addition will mirror the proportions and massing of the original structure. The applicant stated the project was well received by Ithaca Landmarks Preservation Commission with direction to provide more details, and that they plan on discussing the parking variance with the Board of Zoning Appeals before submitting a variance application.

The Board stated their overall support for the project, especially relating to the design of the addition.

6. Recommendations to the Board of Zoning Appeals
BZA #3242 - 108-110 College Ave. (The William), Area Variance
The Lead Agency supports this variance and does not see any negative impact to the general character of the neighborhood planning-wise with the proposed density. Collegetown is the place for student housing and this building answers this need in a compelling design.

BZA #3244 - 209 Elmwood Ave., Area Variance
The Planning Board supports this variance as they support owner-occupied improvements, appreciate the design of the carport, and also note a large yard in adjacent property. The Planning Board finds no long-term negative impacts to planning.

7. Old/New Business
   - Vice Chair – Elisabete Godden
   - Retreat – Set Date. Topics:
     o Better Design with panelized materials
     o EIFS Training

8. Adjournment:
On a motion by Petrina and seconded by Godden, the meeting was adjourned by unanimous consent at 9:35 p.m.
Planning and Development Board Minutes

January 31, 2023

<table>
<thead>
<tr>
<th>Board Members Attending:</th>
<th>Robert Lewis, Chair; Garrick Blalock, BPW Liaison; Mitch Glass; Emily Petrina; Daniel Correa; Elisabete Godden</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board Members Absent:</td>
<td>None</td>
</tr>
<tr>
<td>Board Vacancies:</td>
<td>One</td>
</tr>
<tr>
<td>Staff Attending:</td>
<td>Lisa Nicholas, Director of Planning, Division of Planning and Economic Development</td>
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<tr>
<td></td>
<td>Nikki Cerra, Environmental and Landscape Planner, Division of Planning and Economic Development</td>
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<tr>
<td></td>
<td>Samuel Quinn-Jacobs, Assistant Planner, Division of Planning and Economic Development</td>
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</tbody>
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This meeting was held in Common Council Chambers, Third Floor, City Hall, and also conducted remotely using videoconferencing technology, as authorized by Part WW of Chapter 56 of the Laws of 2022 of New York State and Local Law 2022-05.

Chair Lewis called the meeting to order at 6:05 p.m.

1. Agenda Review – None

2. Approval of Minutes
   August 23, 2022, September 27, 2022 and October 25, 2022 Minutes were approved.

3. Public Comment

Chair Lewis opened Privilege of the Floor.

Peter Bloom, Samantha Trumbo and Eric Sawyer each spoke to Board regarding their recommendation to the Board of Zoning Appeals related to the Breeze Apartments

Staff read submitted written comments into the record.

Chair Lewis closed the Public Comment period.
4. Board Responses to Public Comment

Chair Lewis responded to the public comments by outlining the City process for zoning variance appeals.

The Board had no other response to public comment.

5. Special Permits

A. Fru Fru Hair Salon, 309 E. Lincoln St, by Rick Page. Lead Agency, Public Hearing, CEQR Determination and Preliminary & Final Approval. The applicant is proposing to change the hours of operation of a hair salon from 8am-5pm Monday through Friday to 8am-9pm Sunday through Saturday. The project is in the R-2B Zoning District, in which neighborhood commercial is allowed by special permit. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review.

Applicants Attending: Rick Page, Robby Brown

The applicants gave an overview of the current restraint on hours of operation of the hair salon. Rick Page stated that by expanding the hours of operation, the business owner would be able to have a more accessible business to clients not available during the workday. Robby Brown stated not all hours and days will be utilized, as the business operates by appointment only.

The Board had no questions for the applicant and was in favor of expanding.

Adopted Declaration of Lead Agency

On a motion by Godden, seconded by Glass:

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law, and Chapter 176.6 of the City Code, Environmental Quality Review, 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 City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning District at 309 E. Lincoln Street by Rick Page, and
WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits—Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: The applicant is proposing to change the hours of operation of a hair salon from 8am-5pm Monday through Friday to 8am-9pm Sunday through Saturday, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, now, therefore be it,

RESOLVED: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by: Godden
Seconded by: Glass
In favor: Godden, Glass, Petrina, Blalock, Lewis, Correa
Against: None
Abstain: None
Absent: None
Vacancies: One

Adopted Negative Declaration of Environmental Significance
On a motion by Petrina, seconded by Correa:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning District at 309 E. Lincoln St. by Rick Page, and

WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits—Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: The applicant is proposing to change the hours of operation of a hair salon from 8am-5pm Monday through Friday to 8am-9pm Sunday through Saturday, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, and

WHEREAS: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, did, on
January 31, 2023, declare itself Lead Agency in Environmental Review for the proposed project, and

WHEREAS: the Planning Board acting as Lead Agency did, on January 31, 2023, review and accept as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, and Part 2, prepared by Planning staff, and other application materials prepared by the applicant, now, therefore be it,

RESOLVED: that the City of Ithaca Planning and Development Board determines the proposed project will result in no significant impact on the environment and a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act.

Moved by: Petrina
Seconded by: Correa
In favor: Godden, Glass, Petrina, Blalock, Lewis, Correa
Against: None
Abstain: None
Absent: None
Vacancies: One

Public Hearing
On a motion by Petrina, seconded by Correa, and voted in favor unanimously Chair Lewis opened the public hearing.

There being no members of the public appearing in order to speak, nor any additional written comments submitted to be read into the record, Chair Lewis closed the Public Hearing on a motion by Godden, seconded by Petrina, and voted in favor unanimously.

Adopted Declaration of Special Permit Approval
On a motion by Godden, seconded by Petrina:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning District at 309 E. Lincoln St. by Rick Page, and

WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits- Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: The applicant is proposing to change the hours of operation of a hair salon from 8am-5pm Monday through Friday to 8am-9pm Sunday through Saturday, and
WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, and

WHEREAS: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, did, on January 31, 2023 declare itself Lead Agency in Environmental Review for the proposed project, and

WHEREAS: the Planning Board acting as Lead Agency did, on January 31, 2023 review and accept as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, and Part 2, prepared by Planning staff, and other application materials prepared by the applicant, and

WHEREAS: that the Planning Board did, on January 31, 2023, determine that the proposed project will result in no significant impact on the environment and issued a Negative Declaration of Environmental significance, and

WHEREAS: the Board after reviewing all relevant material, does make the following findings of fact in accordance with §325-9 of the City Code:

1. The location and size of the use, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it are such that the use will be in harmony with the existing or intended character of the neighborhood and will not discourage the appropriate development of adjacent land and buildings or impair the enjoyment or value thereof due to the following:

2. Operations in connection with the use will not be more objectionable to nearby property by reason of noise, fumes, increased vehicular traffic or parking demand, vibration, or flashing lights that would be the operations of any use permitted without a special permit due to the following:

3. The granting of a special permit may be conditioned on the effect the use would have on traffic, congestion, environment, property values, municipal services, character of the surrounding neighborhood, or the general plan for the development of the community, now, therefore be it,

RESOLVED: that the subject application is APPROVED, subject to the following condition:

i. The special permit is granted based on the scale of the business described above and in application materials. The City will review this approval should the owner or operator request to expand the business or in the case of unresolved and proven neighborhood impacts that are not addressed by the owner or operator in a timely manner, and be it further
RESOLVED: that in accordance with §325-9 of the City Code, the Director of Planning and Development or their designee shall revoke any special permit issued hereunder should the applicant or the applicant's tenant violate any provision of this chapter or any condition imposed upon the issuance of the special permit by the Planning and Development Board.

Moved by: Godden
Seconded by: Petrina
In favor: Godden, Glass, Petrina, Blalock, Lewis, Correa
Against: None
Abstain: None
Absent: None
Vacancies: One

6. Site Plan Approval

A. Breeze Apartments, 121-125 Lake St., by Todd Fox. Preliminary Site Plan Approval. The applicant proposes to build an 83,160 GSF, four story apartment building and associated site improvements on the former Gun Hill Factory site. The 77-unit with approximately 109 beds, market-rate apartment building will be a mix of studios, one- and two-bedroom units and includes 77 parking spaces (47 surface spaces and +/-30 covered spaces under the building). Site improvements include stone dust walkways, bike racks, benches, a bioretention filter to treat the parking areas and rooftop stormwater, native and adaptive plant species, and meadow areas to restore edges of the site. The building will be constructed on the east parcel of the Former Ithaca Gun Factory Site which 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 a soil cleanup objective for restricted residential use. A remedial investigation (RI) was recently completed at the site and was submitted to NYSDEC in April 2021. The project is in the R-3a Zoning District and requires multiple variances. This is determined to be 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) for which the Planning Board, acting as Lead Agency, issued a Negative Declaration of Environmental Significance on December 20, 2022.

Applicants Attending: Laura Mattos, Julia Bucher, Erik Reynolds

The applicants began their presentation by giving an overview of EIFS material and construction. The applicant explained the details and reasoning for the requested zoning variances associated with the development. The applicant also stated that they have satisfied concerns from the City’s Fire and Engineering Departments.

Some Board Members expressed their opposition to the EIFS material. The Board agreed that a metal siding would be a preferable exterior material. Petrina stated that by removing the EIFS from the bottom floor, as well as other design choices to prevent discoloration, she is now favorable of the EIFS material.
The location of the HVAC equipment was discussed. Director Nicholas stated her opposition to the placement of the HVAC equipment. Petrina stated that she believes the location of the HVAC equipment may be the best spot as it is the least visible location.

**Adopted Declaration of Preliminary Site Plan Approval**

*On a motion by Godden, seconded by Glass:*

**WHEREAS:** the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a four-story apartment building with 77 units/109 beds by Todd Fox, 121-125 Lake Street LLC, and

**WHEREAS:** the applicant proposes to build an 83,160 GSF, four story apartment building and associated site improvements on the former Gun Hill Factory site. The 77-unit with approximately 109 beds, market-rate apartment building will be a mix of studios, one- and two-bedroom units and includes 77 parking spaces (47 surface spaces and +/- 30 covered spaces under the building). Site improvements include stone dust walkways, bike racks, benches, a bioretention filter to treat the parking areas and rooftop stormwater, native and adaptive plant species, and meadow areas to restore edges of the site. The building will be constructed on the east parcel of the Former Ithaca Gun Factory Site which 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 a soil cleanup objective for restricted residential use. A remedial investigation (RI) was recently completed at the site and was submitted to NYSDEC in April 2021. The project is in the R-3a Zoning District and requires multiple variances, and

**WHEREAS:** 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) and is subject to environmental review, and

**WHEREAS:** the NYS Department of Environmental Conservation, the Tompkins County Department of Health, Common Council, the Tompkins County Industrial Development Agency, and the Board of Zoning Appeals have been identified as potentially Involved Agencies in Environmental Review, and

**WHEREAS:** the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on April 26, 2022 declare itself Lead Agency in Environmental Review for the project, and

**WHEREAS:** the Planning Board, acting as Lead Agency in Environmental Review, did on December 20, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Site Survey L-100, Site Plan L-101, Layout Plan L-102, Landscape Plan L-401, Details L-500, Overlook- Linework L-1, L-2, & L-3, Site Rendering L-600, Exterior Elevations A200, Conceptual Rendering A 201 (2), Materials Board, Aerial Photos and Views (5), Site Lighting/Photometric Plan, and Massing From Lake Street A 202 all prepared by SWBR and
dated 12/14/22; Overlook- Aerial Image L-1 prepared by SWBR and dated 12/14/22; Utility Plan C-101, Grading and Drainage Plan C-102 prepared by SWBR and T.G. Miller, P.C. and dated 12/14/22; Wayfinding and Safety Plan dated 11/22/22 prepared by SWBR; Excavation Plan Eastern Parcel C-102A dated August 2022 and prepared by C & S Engineers, Inc.; and other application materials, and

**WHEREAS:** interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, and

**WHEREAS:** legal notice was published and property posted in accordance with Chapters 276-6 B. (4) and 176-12 A. (2) (c) of the City of Ithaca Code, and

**WHEREAS:** the Planning and Development Board held the required public hearing beginning on May 24, 2022, and

**WHEREAS:** the Planning Board did, on December 20, 2022 determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and issued a Negative Declaration of Environmental Significance, and

**WHEREAS:** the Board of Zoning Appeals has not yet granted the required area variances, however the Board has determined that due to the long review process and resolution of many site plan issues during that process, that Preliminary approval is appropriate at this time subject to the condition that the applicant receives the required variances, and

**RESOLVED:** the Planning Board does hereby grant Preliminary Site Plan Approval to the project. Such approval applies to the major elements of the site layout including building placement and footprints, location and design of major routes of site circulation pertaining to emergency access, personal, commercial and service vehicles, and pedestrians and bikes, grading and demolition, and placement of major hardscape features such as walls, patios, stairways, etc. Preliminary approval does not apply to the placement and arrangement of building façade features, building and hardscape materials and colors, planting plans, lighting, signage, site furnishings and other site details, and be it further

**RESOLVED:** that the Planning and Development Board does hereby grant Preliminary Site Plan Approval subject to the following conditions:

The following conditions must be satisfied before Final Approval:

i. Documentation from Ithaca Fire Department emergency access issues have been satisfied

ii. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits

iii. Acceptance of the SWPPP by the City Stormwater Management Officer
iv. Final approval of streetscape, curb ramps, curb cut and sidewalks along Lake Street by the City Engineering and Fire Departments

v. Execution of the Development Agreement with the City

vi. The ongoing maintenance, including inspection by a licensed engineer every five years, and associated costs of the Bridge and Overlook located on City property in perpetuity by the property owner. If the property owner fails to do so, the City will reserve the right to inspect and maintain the bridge and overlook and bill the costs to property owner

vii. Issuance of the required area variances by the Board of Zoning Appeals

viii. Acceptance of all final Overlook Plans by the City Engineering Department, City Department of Public Works, the City Planning Department, and the Planning Board

ix. Submission to the Planning Board for review and approval of all site details including but not limited to exterior furnishings, walls, railings, bollards, paving, signage, interpretive signage, lighting showing dark sky compliance), etc.

x. Plans, drawings and/or visualizations showing all proposed exterior mechanicals and associated equipment including heat pumps, ventilation, etc., including appropriate screening if necessary

xi. Any changes to the approved project must be submitted to Planning Staff for review and may require Board approval

xii. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development)

xiii. Documentation from Ithaca Fire Department emergency access issues have been satisfied

xiv. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits

xv. Submission of executed easement or other legal agreements, including maintenance of public walkway

xvi. Installation of bike racks and/or bike storage

xvii. Installation of any required or proposed sidewalk to the satisfaction of the City Sidewalk Coordinator
xviii. Repair, replacement or reconstruction of any City property damaged or removed during construction including, but not limited to paving, sidewalk, curbing, trees or tree lawn, signage, drainage structures, etc.

Moved by: Godden  
Seconded by: Glass  
In favor: Godden, Glass, Petrina, Blalock, Lewis, Correa  
Against: None  
Abstain: None  
Absent: None  
Vacancies: One

B. The Citizen, 602 W. Buffalo St., by Visum Development Group LLC. CEQR Determination.  
The applicant proposes to demolish an existing 2-story restaurant building and a paved parking lot to allow for the construction of a new 5-story apartment building approximately 80,000 SF gross floor area. The building will contain 80 residential units, a residential lobby, bike storage, 2,560 sq ft of retail, and a ground floor parking area with 29 parking spaces. The project is located in the WEDZ-1a zoning district and is expected to not require any variances. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k), (l), and (n), and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.  
Applicants Attending: Laura Mattos, Julia Bucher, Steve Hugo, Adam Fischel

The applicant presented a rendering of the building with updated colors and designs that did not render properly in the last presentation. The applicant explained the proposed foundation method, highlighting how the Hydraulic Impact Hammer method is less impactful to neighboring buildings than other foundation techniques. For the foundation work, the applicant will also conduct vibration monitoring throughout the construction process. Updates to the traffic circulation and driveway were also presented to the Board.

Glass asked the applicant to explore adding more public spaces, specifically the potential to increase the sidewalk width.

Blalock agreed with Glass and recommended the applicant communicate with those involved with the revitalization of route 13, to ensure continued pedestrian access. The Board reviewed the FEAF III.

Adopted Negative Declaration of Environmental Significance  
On a motion by Glass, seconded by Godden:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a 5-story apartment building by Visum Development Group, LLC, and
WHEREAS: the applicant proposes to demolish an existing 2-story restaurant building and a paved parking lot to allow for the construction of a new 5-story apartment building approximately 80,000 SF gross floor area. The building will contain 80 residential units, a residential lobby, bike storage, 2,560 sq ft of retail, and a ground floor parking area with 29 parking spaces. The project is located in the WEDZ-1a zoning district and is expected to not require any variances, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k), (l), and (n), and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation, the Ithaca Area Economic Development, and the Tompkins County Department of Health, all potentially involved agencies in this action, have consented to the Planning Board acting as Lead Agency for this project, now, therefore be it

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency, which has primary responsibility for approving and funding or carrying out the action, did on September 27, 2022 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on January 31, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Boundary & Topographic Map 602 W Buffalo Street City of Ithaca, Tompkins County, New York State prepared by T.G. Miller, P.C. dated 12/22/21; Demolition Plan C-1.0, Site Plan C-2.0, Marked-up Site Plan C-2.0, Grading, Drainage & Erosion Control Plan C-3.0, Utility Plan C-4.0, Landscape Plan C-5.0, Detail Sheet C-6.0-6.3 (4), and Truck Turn Plan C-7.0 all prepared by Holt Architects and Marathon Engineering and dated 01/16/23; Rendered Perspectives (2) and Shadow Studies (3) submitted 12/13/22 and prepared by Holt Architects; Exterior Elevations A201 & A202 prepared by Holt Architects and dated 8/14/22; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Glass
Seconded by: Godden
In favor: Godden, Glass, Blalock, Petrina, Correa, Lewis
Against: None
Abstain: None
Absent: None
Vacancies: One
C. The William Apartments, 108-110 College Ave by 110 C-Town, LLC. Design Updates and Preliminary & Final Site Plan Approval. The applicant proposes to demolish two existing residential buildings (2.5 and 3-stories) on two separate parcels to allow for the construction of a new 4-story apartment building with a total finished area of approximately 24,400 SF on a consolidated lot. The building will contain 34 dwelling units with a total of 54 beds and a gym located in the basement. The project is located in the CR-4 zoning district and requires variances for rear yard setback and lot coverage. The project is subject to Collegetown Design Guidelines. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k) and (l) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.

Applicants Attending: Jason Demarest, Chris Petrillose

The applicant presented an updated design which now conforms with zoning and reduces the number of dwelling units and beds. A landscaping plan was presented which included a larger backyard, an increase in plantings, and the addition of guard rails. The applicant highlighted how the updated design enlarged the sunken patios. The applicant presented renderings depicting grading and landscaping changes, and a floor plan detailing the change in sizes of the apartments.

The Board expressed overall support for the project and the recent changes. The Board agreed the open courtyards and increased back yard were desirable changes.

Adopted Declaration of Preliminary & Final Site Plan Approval

On a motion by Godden, seconded by Petrina:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a new 4-story apartment building by 110 C-Town, LLC, and

WHEREAS: the applicant proposes to demolish two existing residential buildings (2.5 and 3-stories) on two separate parcels to allow for the construction of a new 4-story apartment building with a total finished area of approximately 22,000 SF on a consolidated lot. The building will contain 29 dwelling units with a total of 44 beds and a gym located in the basement. The project is located in the CR-4 zoning district and requires variances for rear yard setback and lot coverage. The project is subject to Collegetown Design Guidelines, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(k) and (l) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, and
DRAFT COPY — NOT YET APPROVED BY MEMBERS OF THE PLANNING & DEVELOPMENT BOARD

WHEREAS: the NYS Department of Environmental Conservation, and the Tompkins County Department of Health, have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on September 27, 2022, declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on December 20, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Boundary and & Topographic Map 108-110 College Avenue prepared by T.G. Miller, P.C and dated 03/11/22; Context Map prepared by Jason Demarest Architecture and dated 07/15/22; The William Renderings (10) and TYP Patio Retaining Wall Detail both submitted and prepared by Jason Demarest Architecture 11/22/22; Boring Location Plan 108-110 College Ave. Ithaca, NY prepared by Elwyn & Palmer Engineers and Jason Demarest Architecture dated 09/22; Site Demo Plan AC1.00 prepared by Jason Demarest Architecture, dated 10/05/22; Site Plan AC1.01, Grading & Utility Plan AC1.02, Site Details AC4.00, Concept Plans CS1.01 all prepared by Jason Demarest Architecture and dated 10/06/22; Concept Elevations CS2.01 prepared by Jason Demarest Architecture and dated 07/15/22; Materials Board prepared by Jason Demarest Architecture and dated 10/19/22; Landscape Plan AC1.0 and Site Section AC3.00 both prepared by Jason Demarest and dated 12/14/22, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, and

WHEREAS: legal notice was published and property posted in accordance with Chapters 276-6 B. (4) and 176-12 A. (2) (c) of the City of Ithaca Code, and

WHEREAS: the Planning and Development Board held the required public hearing beginning on September 27, 2023, and

WHEREAS: the Planning Board conducted Design Review for the Project on October 25, 2022 and found the project to be largely compliant with the Collegetown Design Guidelines, and

WHEREAS: the Planning Board did, on December 20, 2022, determine, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and issued a Negative Declaration of Environmental Significance; and

WHEREAS: this Board did on January 31, 2023 review and accept as adequate the following new and revised drawings: Site Plan AC1.01, Grading & Utility Plan AC1.02, Landscape Plan AC1.03, Site Section AC3.00, Concept Plans CS1.01, and Concept Elevations CS2.01 all dated 01/18/23 by Jason K Demarest Architecture, and

WHEREAS: the Zoning Administrator reviewed the site plan changes and determined the changes are in compliance with the requirements for the CR-4 zone, and

13
WHEREAS: the Planning Board, has determined that the proposed changes are consistent with the Negative Declaration of Environmental Significance issued by this Board as Lead agency on December 20, 2022 and that further environmental review is not required, now, therefore, be it

RESOLVED: that the Planning and Development Board does hereby grant Preliminary & Final Site Plan Approval subject to the following:

The following conditions must be satisfied before issuance a Building Permit:

i. Plans, drawings and/or visualizations showing all proposed exterior mechanicals and associated equipment including heat pumps, ventilation, etc., including appropriate screening if necessary

ii. Documentation from Ithaca Fire Department emergency access issues have been satisfied

iii. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits

iv. Acceptance of the SWPPP by the City Stormwater Management Officer

v. Final approval of the driveway and curb cuts along College Ave, as well as all sidewalks needing replaced along College Avenue by the City Engineering Department

The following conditions must be satisfied within six months of site plan approval or the start of construction, whichever comes first

i. Submission of detailed planting plan including soil replacement specifications for tree planting areas

ii. Submission to the Planning Board for review and approval of placement, design, and photometrics of site lighting fixtures

iii. Submission to the Planning Board for review and approval of all site details including but not limited to landscaping details, exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc.

The following construction must be satisfied during the construction period

i. If impacted groundwater and/or soil are encountered during construction, it is required to be handled in accordance with the applicable NYSDEC regulations and requirements and with the involvement of both the City of Ithaca and the NYSDEC in the approval and monitoring of the treatment system(s)
ii. Noise producing construction activities will be limited to the hours between 7:30 A.M.
and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with
advance notification to and approval by the Director of Planning and Development)

iii. Any traffic control measures on College Avenue will be coordinated with the City Fire
Department and Department of Public Works

The following conditions must be satisfied before issuance of a Certificate of Occupancy:

i. Any changes to the approved site plans must be submitted to Planning staff for review
and may require Board approval

ii. Installation of bike racks and/or bike storage

iii. Installation of any required or proposed sidewalk to the satisfaction of the City Sidewalk
Coordinator

iv. Repair, replacement, or reconstruction of any City property damaged or removed during
construction including, but not limited to paving, sidewalk, curbing, trees or tree lawn,
signage, drainage structures, etc.

v. Submission of any required executed easement, licenses or other legal agreements
involving City property

Moved by: Godden
Seconded by: Petrina
In favor: Godden, Petrina, Lewis, Glass, Correa, Blalock
Against: None
Abstain: None
Absent: None
Vacancies: One

D. Alpha Phi Alpha Residential House Renovations, 105 Westbourne Ln. by Tony Ewing.
Declaration of Lead Agency, Public Hearing and Review FEA F. III. The applicant proposes
to renovate and restore the existing building, demolish the existing lower-level addition,
expand the building footprint by 275 SF with a 1120 SF replacement addition, and modify
the site to accommodate new ADA compliant parking. Site improvements include a
regraded entry drive lane for ADA accessibility, permeable grass pavers, a 1500 SF rain
garden, and landscaping. The project is located in the R-U zoning district and will require
variances. This is a Type 1 Action under the City of Ithaca Environmental Quality Review
Ordinance §176-4 B.(1)(h)[4], and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review.
Applicants Attending: Georges Clermont, Tony Ewing, Frank Santelli
The applicant presented a pedestrian circulation plan detailing the sidewalk location along Westbourne Lane for pedestrian use and preservation of the large existing trees.

The Board thanked the applicant for their efforts in preserving the trees and the addition of grass pavers.

Glass asked the applicant for further details on the grass pavers. The applicant described the grass pavers as a honey-comb design with an increase in void space, compared to traditional pavers. The applicants will submit details at the next Board meeting.

**Adopted Declaration of Lead Agency**

**On a motion by Godden, seconded by Petrina:**

**WHEREAS:** 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, 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 City of Ithaca Planning and Development Board has a pending application for building and site renovations at 105 Westbourne Avenue, and

**WHEREAS:** the applicant proposes to renovate and restore the existing building, demolish the existing lower-level addition, expand the building footprint by 275 SF with a 1120 SF replacement addition, and modify the site to accommodate new ADA compliant parking. Site improvements include a regraded entry drive lane for ADA accessibility, permeable grass pavers, a 1500 SF rain garden, and landscaping. The project is located in the R-U zoning district and will require variances, and

**WHEREAS:** this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)[4], and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, now, therefore be it

**RESOLVED:** that the City of Ithaca Planning and Development Board does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by: Godden  
Seconded by: Petrina  
In Favor: Lewis, Godden, Petrina, Correa, Glass, Blalock  
Against: None  
Abstain: None  
Absent: None
Vacancies: One

Public Hearing
On a motion by Godden, seconded by Glass, and voted in favor unanimously, Chair Lewis opened the public hearing.

There being no members of the public appearing in order to speak, nor any additional written comments submitted to be read into the record, Chair Lewis closed the Public Hearing on a motion by Correa, seconded by Petrina, and voted in favor unanimously.

E. **NYSEG Hudson Regulator Station, 220 Grandview Ave., by Arne Larson DDS Companies on behalf of NYSEG. Public Hearing, Review SEAF and Potential CEQR Determination.**

The applicant proposes to create an approximately 164 SF gas regulator house with appurtenant facilities. NYSEG has secured a 1200 SF utility easement from the property owner, South Hill Church of Nazarene. Proposed site work includes the regrading of the site and landscaping around the proposed structure. The project is located in the R-2 zoning district and will not require any variances. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review.

**Applicants Attending:** Arne Larson

The applicant presented renderings of the building comparing red brick versus green concrete. The applicant believes concrete is a superior material for this building due to maintenance. The applicant presented a new site layout, changing the location and angle of the building, that now conforms with zoning. The landscaping plan was updated to include the addition of Norway Spruce along the northern portion of the building to act as a screen. The applicant has been exploring options related to supporting the bus stop located next to the lot.

Godden asked the applicant why they believe the green color is superior to the original proposed color. The applicant explained that the color was changed due to public comment on the aesthetics of the building, and the request to have the building blend into the background.

Chair Lewis expressed his frustration with the applicant having not reached out to the neighbors and his opinion that the green concrete is not satisfactory building materiality. Chair Lewis asked the applicant to reach out to neighbors regarding the safety of the building as was discussed at the previous meeting.

Cerra gave feedback regarding the chosen plantings, stating that Norway Spruce are not an acceptable planting as they are an invasive species.

The Board and staff agreed that the building aesthetics require more development and design. This will be further discussed during site plan review.
Public Hearing
On a motion by Correa, seconded by Petrina, and voted in favor unanimously Chair opened the public hearing.

There being no members of the public appearing in order to speak, nor any additional written comments submitted to be read into the record, Chair Lewis closed the Public Hearing on a motion by Godden, seconded by Correa, and voted in favor unanimously.

Adopted Negative Declaration of Environmental Significance
On a motion by Petrina, seconded by Correa:

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for constructing a gas regulator house with appurtenant facilities by Arne Larsen, DDS Companies on behalf of NYSEG, and

WHEREAS: the applicant proposes to create an approximately 164 SF gas regulator house with appurtenant facilities. NYSEG has secured a 1200 SF utility easement from the property owner, South Hill Church of Nazarene. Proposed site work includes the regrading of the site and landscaping around the proposed structure. The project is located in the R-2 zoning district and will not require any variances, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, and

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency, which has primary responsibility for approving and funding or carrying out the action, did on December 20, 2022 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on January 31, 2023, review and accept as adequate: a Short Environmental Assessment Form (SEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Hudson Street Reg. Station Site Plan, Hudson Street Reg. Station Details and Hudson Street Reg. Station Building Elevations all prepared by The DDS Companies and NYSEG, dated 01/24/23, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Petrina
Seconded by: Correa
In favor: Petrina, Correa, Glass, Godden, Lewis, Blalock
Against: None
Abstain: None
Absent: None
Vacancies: One

7. Recommendations to the Board of Zoning Appeals
8. BZA #3234 – 121-125 Lake St. (The Breeze Apartments), Area Variance
The Lead Agency supports the two height variances in feet and stories as the topography on the site is very variable which has the effect of the building presenting primarily as a four-story building. They also find a 11’ floor to floor ratio is not outside the norm and is justified as it includes the interstitial space for ductwork, lights, etc. This adds to the height of the building. The Lead Agency also indicates and emphasizes the public access to the gorge, the public bridge and the overlook, the sidewalk extension up Lake Street, and the clean-up of the site are all at the applicant’s expense so having a taller building helps to offset the expenses of these community benefits. The Lead Agency finds the rear yard variance is mitigated by the large grade difference between this site and adjoining property so that it minimizes any impact to the adjacent property. The Lead Agency agrees with the logic presented by the applicants provided it is in compliance with the requirements in the executed Development Agreement with the City. They find no long-term negative impacts to planning.

9. BZA #3247 – 309 E Lincoln St. Diner, Use Variance (Modification)
The Planning Board supports this use variance modification as they support local businesses, feel this is a needed good use in a residential zone, is a community gathering amenity, and also note the owner engaged in community outreach regarding this variance and the community response was mainly positive. The Planning Board finds no long-term negative impacts to planning.

10. Old/New Business
Chair Lewis reminded the room that there is an open seat on the planning Board.

11. Adjournment:
On a motion by Godden and seconded by Petrina the meeting, the meeting was adjourned by unanimous consent at 8:22 p.m.
WHEREAS: an application has been submitted for review and approval by the City of Ithaca Planning and Development Board for a new 7,000-SF commercial building to be located at 744 S Meadow Street, also known as South Meadow Square, and

WHEREAS: the applicant is proposing to construct a 7,000-SF building within an existing parking area at the corner of Fairgrounds Memorial Parkway and an internal circulation road that connects to Rte 13. The project also includes lighting landscaping, walkways, and other amenities, and

WHEREAS: the applicant submitted a trip generation report prepared by TYLIN International and dated April 24, 2018, that demonstrates that the traffic counts for the proposed new retail is consistent with findings of the 2000 Generic Environmental Impact Statement (GEIS) for the Southwest Area Land Use Plan, and, therefore, no additional environmental review is required, and

WHEREAS: legal notice was published and property posted in accordance with Chapters 276-6 B. (4) and 176-12 A. (2) (c) of the City of Ithaca Code, and

WHEREAS: the Planning and Development Board held the required public hearing on March 28, 2023, and

WHEREAS: this Board has, on March 28, 2023, reviewed and accepted as adequate, drawings titled Site Survey Map, South Meadow Marketplace, 740 S Meadow Street, City of Ithaca, Tompkins County New York, prepared by Magde Land Surveying PC and dated April 3, 2020, and Demolition and Erosion Control Plan (C3.0), Demolition and Erosion Control Details (C3.1), Overall Site Plan (C4.0), Detailed Site Plan (C4.1), Construction Details (C4.2), Grading Plan (C5.0), Blow-up Grading Plan (C5.01), Drainage Plan (C5.1), Drainage Details (C5.2), Utility Plan (C6.0), Utility Details (C6.1), and Landscaping Plan (C7.0) all dated 1/20/23 and prepared by James Allen Rumsey Architect; an unattributed color drawing titled South Meadow Marketplace Proposed Building Shell and submitted 02/23, showing building elevations with labeled materials; and other application materials, and

WHEREAS: the City of Ithaca Parks, Recreation, and Natural Resources Commission; Tompkins County department of Planning and Sustainability; and other interested parties have been given the opportunity to comment on the proposed project and any received comments have been considered, now, therefore, be it

RESOLVED: that the City of Ithaca Planning and Development Board does hereby grant Preliminary & Final Site Plan Approval for the proposed project subject to the following conditions:

i. Submission to and approval by Planning staff of project including but not limited to exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc., and

ii. Bike racks must be installed before a certificate of occupancy is granted, and

iii. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits, etc

Moved by:
Seconded by:
In Favor:
Against:
Abstain:
Absent:
Vacancies: One
Re: Planning Board Projects for Review - March comments

Nikki Cerra <ncerra@cityofithaca.org>
Mon 3/13/2023 1:43 PM
To: Erin Cuddihy <ecuddihy@cityofithaca.org>
Thank you!

From: Erin Cuddihy <ecuddihy@cityofithaca.org>
Sent: Monday, March 13, 2023 12:15 PM
To: Nikki Cerra <ncerra@cityofithaca.org>
Cc: Lisa Nicholas <lnicholas@cityofithaca.org>; Samuel Quinn-Jacobs <squinnjacobs@cityofithaca.org>; Tim Logue <tlogue@cityofithaca.org>; Eric Hathaway <ehathaway@cityofithaca.org>; Mark Verbanic <mverbanic@cityofithaca.org>; Laurie Ervay <lervay@cityofithaca.org>; John Licitra <jlicitra@cityofithaca.org>; Lynne Yost <lyost@cityofithaca.org>; Scott Gibson <sgibson@cityofithaca.org>; Matthew Sledjeski <msledjeski@cityofithaca.org>
Subject: Planning Board Projects for Review - March comments

Hi Nikki,

The following are comments from Engineering, Transportation, Water and Sewer, and Streets and Facilities for the March Planning Board Projects for Review:

- **Alpha Phi Alpha Residential House Renovations, 105 Westbourne Lane**
  - Director of Engineering (Tim Logue) discussing the Wyckoff Ave. sidewalk with Village of Cayuga Heights
  - Permeable pavers and the 1500 sf rain garden will require routine maintenance to ensure the stormwater is handled on-site. We would like to see the maintenance plan, please.

- **Cliff Street Retreat, 400 Cliff St.**
  - The City is still interested in the boardwalk connection. The engineering team will discuss with the project team.
  - This project will likely require a SWPPP.
  - Notes we see state that all roof drainage will be routed to storm sewer, Plan C-4.0. I also see it states they will reuse the existing lines. We would like to see how much, if any, increases in flow are projected. Also, we will assess the existing catch basins asap.
  - Please share an updated utility plan with the Water & Sewer department.

- **Commercial Infill (7,000 SF), 736-744 S. Meadow St.**
  - Question for City staff: Since this is an old project that will be re-submitted for approval, will we be incorporating the new FEMA criteria?
  - Please provide bike parking.
  - Please provide more details about how the site is draining and to where. It seems they plan to connect the roof drain, via a Wye connection to our main storm line on Meadow. We would rather see them connect into the 4" MH-1 on the corner of the entrance and Meadow inside their own tree lawn.
  - The applicant needs to reach out to the Water & Sewer department to discuss the water and sewer connections.
  - The island on Fairgrounds Memorial Parkway near Firehouse Subs needs to be modified. Eastbound drivers sometimes drive the wrong way (for a short distance) on Fairgrounds Memorial Parkway in order to turn northbound into the shopping center with EMS. It would be good for the island/traffic flows to be modified at the same time as this development project. Here is an image of the path drivers take to enter the shopping center with Starbucks/Verizon/EMS. This is a safety concern.

Thank you,
Erin

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Erin Cuddihy, PE., LEED AP, ENV SP
February 14, 2023

VIA OVERNIGHT MAIL
Robert Aaron Lewis, Chair and Members of The Planning & Development Board
Division of Planning & Economic Development
Third Floor of City Hall
108 East Green Street
Ithaca, New York 14850

Attn: Lisa Nicolas, Acting Director of Planning and Economic Development

Re: South Meadow Square (BDP # 3529)
736-744 South Meadow Street, Ithaca, New York
Proposed 7,000 s.f. Outparcel

Dear Ms. Nicolas:

In October 2020, the Planning & Development Board granted site plan approval to construct a 7,000 s.f. freestanding building at the above-referenced property. Benderson did not construct that building and is seeking to renew the prior approval so that the building can be constructed this year.

Enclosed please find the materials required in connection with a proposed 7,000 s.f. freestanding building located in the existing parking lot of the South Meadow Square shopping center. As demonstrated by the enclosed documents, Benderson Development Company, LLC is proposing a 7,000 s.f. retail/restaurant freestanding building in front of the existing Spectrum tenant space and across and in line with the Chipotle building to the east. Both the site plan related to the building and the proposed building elevations remain unchanged from those approved in October 2020.

As you are aware, this property originally contained the former K-Mart, as well as Staples. Over the past few years, Benderson has been in the process of redeveloping this property. This has included the addition of PetSmart/Staples to the northern end of the building and Trader Joes to the southern end of the building, as well as the constructions of two outparcel buildings at the front of the property, along South Meadow Street and Fairgrounds Memorial Parkway.

The proposed building is located in the area in front of Spectrum that is currently a paved parking lot. The building has been designed to comply with the requirements of the City of Ithaca Zoning Code to the maximum extent practicable and the Design Guidelines for the “Southwest Area and Elmira Road – Meadow Street Corridor.”

We look forward to working with the City on this project. Should you require anything further, please do not hesitate to contact me by phone at 716-878-9626 or by e-mail at JMB@Benderson.com.

Thank you,

BENDERSON DEVELOPMENT COMPANY, LLC

James A. Boglioli, Esq.
Director, Right to Build – Northeast US
DEMO NOTES:
1. Existing Curb to be removed.
2. Limit of Curb removal.
3. Existing Concrete sidewalk to be removed.
4. Limit of Concrete sidewalk removal.
5. Existing Asphalt Pavement to be removed.
6. Sub-base to Remain and be regarded.
7. Mill Existing Pavement 1" and Resurface.
8. Existing Landscape to be removed.
9. Existing Landscape Island to remain.
10. Existing Storm Drainage/CB to remain and be protected during Construction.
11. Existing Utilities to remain and be protected during construction.
12. Existing Light Pole to be Relocated.
13. Existing Feature to be removed.
14. Existing Feature to remain and be protected during construction.

EROSION CONTROL:
1. Sidewalk work previously approved.
2. Existing Bases for Trafficking shall be maintained for the period of construction and remediated of Seeded.
3. Existing Curbs and Sidewalks shall be maintained for the period of construction and remediated.
4. Any existing removal of landscape or surfaces shall be regraded and seeded.
5. All disturbed areas shall be topsoiled with a minimum of 4" depth and seed immediately after fine grading.
6. All disturbed and non-surfaced areas within NYSDOT ROW shall be restored using Item 610.1402 Topsoil along road and Item 610.1602 Turf Establishment for Lawns and comply with NYSDOT Standard Specifications.
7. The Contractor is responsible for the maintenance of downstream storm drains, ditches and culverts and shall keep them clear of debris.
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50. The Contractor shall be responsible for the maintenance of downstream drains, ditches and culverts and shall keep them clear of debris.
1. Do not use silt sock below the normal waterline or perpendicular to flow in river and where the maximum incline is greater than 50%.

2. Contractors should be aware of federal, state and local laws, rules and regulations, or permit requirements for the use of silt socks on site.

3. Sock should be positioned on the outside of the area to be protected, but must be installed between 45° to 90° from directions of flow.

4. Socks may be required to be entrenched a minimum of 2" on disturbed ground to ensure constant ground contact.

5. All gaps and ruts must be backfilled with soil or sock material.

6. In areas where the incline of the flow is not more than 2°, a contract amount will be between 12" and 24". Contractor to check with local town for requirements.

7. If sediment builds up at 1/3 the height of the sock, then a second sock may be stacked immediately up slope of the original instead of removing the sediment.

8. Socks must be installed on a level grade. Contractor to check with local town for requirements.

9. All gaps and ruts must be backfilled with soil or sock material.

10. Socks overlap should be in the direction of the flow. Overlap amount will be between 12" and 24". Contractor to check with local town for requirements.

11. If sock rolls out of place, the sock should be repositioned and secured with additional anchors.

12. Torn in the sock fabric may be repaired by applying a new piece of fabric over the torn area and securing it in place with cotter pins or wire. Contractor to check with local town for requirements.

13. A section of sock should be replaced whenever it is weakened to such an extent that the efficiency is reduced or diminished. Weakening can occur because the natural mesh of the sock fabric becomes damaged after time and/or by being moved/dragged on site.

14. Socks should be replaced when sediment has built up to 1/2 the height of the sock.

15. All sediment in disturbed areas must be removed and correctly disposed of before the sock can be removed.

16. If sock rolls out of place, the sock should be repositioned and secured with additional anchors.

17. Socks should be installed before works commence on site.
1. INSTALL ALL MATERIALS TO MANUFACTURER’S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.

2. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF PROPERTY LINE DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.

3. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.

4. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.

5. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

6. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN.

7. MATCH INTO EXISTING PAVEMENT.

8. 4" Yellow Parking Pavement Stripe (at 2’ c-c in no parking zones).

9. PROPOSED BUILDING Concrete Structural Sidewalk.

10. PROPOSED WHITE Pavement symbol (stop bar, arrow).

11. PROPOSED LANDSCAPE Area.

12. PROPOSED Handicap Parking sign.

13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.

14. STOP Sign.

15. Relocated Light Pole Base

16. Proposed 7K Building.

17. South Meadow Marketplace

18. PROPOSED SIGN & POLE

19. 6" CURB TYP.

20. HEAVY DUTY ASPHALT PAVEMENT (Sub-base to Remain)

21. STANDARD DUTY ASPHALT PAVEMENT (Sub-base to Remain)

22. CONCRETE PAVEMENT/SIDEWALK

NB: All curb Radii to be 3’ unless otherwise noted.
GRADING LEGEND:
- Property Line
- Catch Basin - Top of Grade
- Proposed Contour Line
- Slope Direction

PROPERTY NUMBER: AREA:
- 21,770 S.F.
- 1,600 S.F.
- 4,000 S.F.
- 20,666 S.F.
- 19,107 S.F.
- 11,000 S.F.
- 17,000 S.F.

SOUTH MEADOW MARKETPLACE
ITHACA, NY 14850

PROPOSED 7K BUILDING
12,500 S.F.

JAMES ALLEN RUMSEY
ARCHITECT
RECOMMENDATIONS.

A. PIPE INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
B. TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY DEWATERING.
C. TRENCH DETAILS ARE ONLY SHOWN FOR PURPOSES OF MATERIAL PLACEMENT AND MAXIMUM PAY LIMITS.
D. AN OSHA APPROVED MOBILE PROTECTIVE TRENCH SHIELD SHALL BE USED IN ALL UNSHEETED TRENCH AREAS.

MATERIALS

NO. 1 CRUSHEDSTONE ON SHEETING DEPLATE, WHITE CRUSHED CONFORMING WITH NYSDOT SECTION 703-02. THE MATERIAL SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN ONE INCH. MATERIALS SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER.

NOTE: NO SLAG SHALL BE ALLOWED FOR MATERIAL.

TRENCH SECTION IN PAVED AREAS

NOTES:
A. PIPE INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
B. TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY DEWATERING.
C. TRENCH DETAILS ARE ONLY SHOWN FOR PURPOSES OF MATERIAL PLACEMENT AND MAXIMUM PAY LIMITS.
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NOTE: NO SLAG SHALL BE ALLOWED FOR MATERIAL.

TRENCH SECTION IN UNPAVED AREAS

NOTES:
A. PIPE INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
B. TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY DEWATERING.
C. TRENCH DETAILS ARE ONLY SHOWN FOR PURPOSES OF MATERIAL PLACEMENT AND MAXIMUM PAY LIMITS.
D. AN OSHA APPROVED MOBILE PROTECTIVE TRENCH SHIELD SHALL BE USED IN ALL UNSHEETED TRENCH AREAS.

MATERIALS

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NOTE: NO SLAG SHALL BE ALLOWED FOR MATERIAL.

SOUTH MEADOW MARKETPLACE
744 SOUTH MEADOW ST. (L)
ITHACA, NY 14850

PREPARED FOR
ARCHITECT
JAMES ALLEN RUMSEY
SEAL

CONSULTANT

Scale: C5.2

Notice
Unauthorized alterations of this document are in violation of Section #7209 of the State Education Law.

DR.ows/20-23

PROPOSED 7K BUILDING

SOUTH MEADOW MARKETPLACE
744 SOUTH MEADOW ST. (L)
ITHACA, NY 14850

PREPARED FOR
ARCHITECT
JAMES ALLEN RUMSEY
SEAL

CONSULTANT

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SOUTH MEADOW MARKETPLACE
744 SOUTH MEADOW ST. (L)
ITHACA, NY 14850

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CONSULTANT

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1. The contractor is advised that a trench shield and/or shoring designed in accordance with the rules and regulations of the town shall be used in all open trench excavations. Wrench and/or shoring designed by the town must satisfy the town that they have been designed in accordance with the rules and regulations of the town and New York State OSHA. OSHA standards shall be used in all open trench excavations.

2. Any contractor and/or plumber performing work in a confined space (i.e., manholes, wetwells, chambers) owned by the town must certify to the town that they have their own confined space entry program that meets or exceeds OSHA regulations. Certification must be notarized by a notary public.

3. Construction shall conform to the rules and regulations of the town and New York State Codes.

4. If any proposed sewer lateral runs under paved area and has less than 4’ cover, concrete encasement is required. If more than 4’ cover is provided in paved areas, select fill is required.

5. The contractor must notify the town engineer office and the plumbing inspector 24 hours in advance of construction.

6. Cleanouts are required every 100’ and at change in direction.

7. Abandoned sanitary sewer connections from the site, if any, require proof of a district permit for disconnection prior to the new connection being made.

**Utility Notes:**

1. Provide fittings and blocking as necessary at all bends in water lines.

2. Where utilities are installed in existing pavement, landscaped area, etc., any items removed/damaged shall be replaced in kind.

3. It is the responsibility of the contractor to obtain all permits necessary: state, county, and town.

4. Water mains to have minimum 5ft cover, 106LF of 4” water service AWWA C-900 PVC, 2” domestic water service with gate valve, 2,000 gal grease tank, 10LF of 6” SCH-40 PVC @ 1.0%, 28.3’ 6” Grease Trap to vent through building wall and out of roof by building plumber, 220LF of 6” SDR-35 PVC @ 1.0%, (2x) Clean-Out with cleanout, 12” Inv. 377.13, 11,000 S.F., 19,107 S.F., 8,015 S.F., 4,451 S.F., 4,000 S.F., 15,000 S.F., 11,000 S.F., 17,000 S.F., 106LF of 4” water service AWWA C-900 PVC, 2” domestic water service with gate valve, 2,000 gal grease tank, 10LF of 6” SCH-40 PVC @ 1.0%, 28.3’ 6” Grease Trap to vent through building wall and out of roof by building plumber, 220LF of 6” SDR-35 PVC @ 1.0%, (2x) Clean-Out with cleanout, 12” Inv. 377.13, 11,000 S.F., 19,107 S.F., 8,015 S.F., 4,451 S.F., 4,000 S.F., 15,000 S.F., 11,000 S.F., 17,000 S.F.

**Special Information:**

All contractors shall guarantee their work for a period of one year from the date of owners acceptance.

NOTICE: Unauthorized alterations of this document are in violation of Section #7209 of the State Education Law.
TYPICAL COMMERCIAL SERVICE WITH BASEMENT DETAIL

SEE NOTE

OPENING 5-1/4" VALVE
FURNISHED IF REQUIRED

EXTENSION PIECES TO BE
DEPTH VARIES

BOX WITH COVER
THREE PIECE CAST IRON VALVE
FINISH GRADE

2'-6" MIN.
IN THE FIELD
DIMENSION TO BE DETERMINED

HYDRANT SHUT-OFF
6" GATE VALVE,

TYPICAL FIRE HYDRANT ASSEMBLY DETAIL

NOTE:
CENTERLINE OF THE LOWEST
NOZZLE TO FINISH GRADE SHALL BE AMIN. OF 15" & MAX. OF 18"

MIN. OF 8 CU. FT. CRUSHED
STONE FOR HYDRANT DRAINAGE

8"x8"x6" TEE
8" PVC FIRE SERVICE
FOR CONNECTION

RESTRAIN JOINTS USING
RETAINER GLANDS (TYP.)

6' DUCTILE
IRON PIPE

CONCRETE

BLOCKING, TYP.

CONTRACTOR TO INSTALL:
KENNEDY VALVE HYDRANT,
MODEL: 'GUARDIAN K-81D'

BREAKAWAY FLANGE,
CLOSE TO FINISH GRADE
LABELED 'WATER'
CAST IRON VALVE BOX
VALVE BOX COVER SHALL BE
FINAL GRADE
THREE PIECE

2'-0" WIDE
ANCHOR BLOCK
CONCRETE
BAD

ANCHOR ROD, TYP.
#4 STEEL REBAR

WATER MAIN

VALVE

4'-6" MIN. COVER

1'-0"

1'-0" MIN.

TYPICAL GATE VALVE DETAIL

TEE FITTING,
1.0' 1.0' 1.0' 1.0'
11.25° ELBOW
CONCRETE THRUST

THRUST BLOCK SCHEDULE

----
12"
10"
8" 6"
4"

3.5'
3.5'
3.5'
2.5'

'ELEVATION'

PIPE SIZE

DIMENSION SCHEDULE

8"
6"
4"

3.5'
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**CU Soil Quantities**

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**Drawing Info**

- **Drawing Name:** Landscaping
- **Scale:** 1" = 40'
- **Date:** 01.20.2023

**Special Information**

- Sidewalk work previously approved
- All contractors shall guarantee their work for a period of one year from the date of installation.

**Typical Ramp Landscape Beds**

**Typical Landscaping Island**

**Detailed Landscaping Notes**

1. All plants installed shall meet or exceed the minimum requirements as noted on the plans and in the latest edition of the American National Standards Institute (ANSI) standards. The plant list is subject to change as the result of environmental conditions or materials availability.
2. The contractor shall perform a rough field survey of all planting areas. Locations and contact the owner prior to actual planting. Planting is subject to actual locations shown on the plan and to comply with the owner's intent only. Actual locations will be finalized by the owner's field representative at the time of installation.
3. The contractor shall perform a final field check prior to installation and contact the owner's field representative at the time of installation.
4. Planting mix shall consist of 3 parts topsoil, 1 part crushed stone, 1 part well-tended mulch, 10 lbs. 3-year-old grass seed, and 2% hydroseed (2% blue grass, 20% rye, 60% turf type fescue). A 2" layer of organic matter shall be used as a cover for all planting areas. Sod may be substituted for seeding in order to achieve the required coverage (refer to contractor for sod/seeding coverage).
5. All disturbed areas not receiving plantings (including right-of-ways) shall be covered with 3" of topsoil or organic matter and then covered with mulch. Surfaces shall be finished to render a smooth, uniform appearance. Hydroseed/soil mix shall be applied in accordance with the specification indicated. Where required by the specifications, all plantings shall be hydroseeded within 30 days of installation.
6. All planting areas shall be finished to a smooth, uniform appearance. Surfaces shall be finished to render a smooth, uniform appearance. Hydroseed/soil mix shall be applied in accordance with the specification indicated. Where required by the specifications, all plantings shall be hydroseeded within 30 days of installation.
7. The contractor shall be responsible for installing, moving, and other operations to be completed in a manner that will be acceptable to the owner. The contractor shall be responsible for ensuring that all plantings are properly maintained and that the final product meets the specifications outlined in the contract documents.

**PLANT LIST**

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<th>Trees</th>
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<th>Size</th>
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**Design Information**

- **Title:** Landscaping
- **Scale:** 1" = 40'
- **Prepared For:** James Allen Rumsby
- **Drew By:** James Allen Rumsby
- **Consultant:** South Meadow Marketplace
- **Location:** 744 South Meadon St., Ithaca, NY 14850
- **Telephone:** (716) 886-0211
- **Proposal:** 7K Building

**Additional Notes**

- All plantings shall be installed a minimum of 20' from any overhead electric lines.
- The planting backfill mixture shall consist of 4 parts topsoil, 1 part crushed stone, 1 part well-tended mulch, 10 lbs of 3-year-old grass seed, and 2% hydroseed (2% blue grass, 20% rye, 60% turf type fescue). A 2" layer of organic matter shall be used as a cover for all planting areas. Sod may be substituted for seeding in order to achieve the required coverage (refer to contractor for sod/seeding coverage).
- All disturbed areas not receiving plantings (including right-of-ways) shall be covered with 3" of topsoil or organic matter and then covered with mulch. Surfaces shall be finished to render a smooth, uniform appearance. Hydroseed/soil mix shall be applied in accordance with the specification indicated. Where required by the specifications, all plantings shall be hydroseeded within 30 days of installation.
- All planting areas shall be finished to a smooth, uniform appearance. Surfaces shall be finished to render a smooth, uniform appearance. Hydroseed/soil mix shall be applied in accordance with the specification indicated. Where required by the specifications, all plantings shall be hydroseeded within 30 days of installation.
- The contractor shall be responsible for installing, moving, and other operations to be completed in a manner that will be acceptable to the owner. The contractor shall be responsible for ensuring that all plantings are properly maintained and that the final product meets the specifications outlined in the contract documents.

**Additional Diagrams**

- Overall Site Landscaping
- 7K Building Landscaping

**Notice**

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March 14, 2023

Dear Lisa and Board Members,

Please find the following additional materials for 407 Cliff Street for Revised Site Plan Review:

- Responses to a few questions/comments from the previous meeting
- Visuals illustrating the context of the new building within the streetscape

Sincerely,

Craig Modisher
Senior Project Manager

STREAM COLLABORATIVE
architecture + landscape architecture dpc
Responses to PB comments from 02.28.2023

- Solar panels on the roof
  - We can take a look at that, but the amount of roof compared to the size of the project doesn’t seem to make sense given the location/shadow of the cliff and hill immediately to the west. A larger solar installation off site would be more efficient and feasible.

- Trail down to Cass park
  - We are still studying the feasibility of a trail from the site down the hill to Cass Park, but also alternatively looking at making improvements to existing trails to enhance the connection to Cass Park. The trail has always been and still is a conceptual dashed line on the Site Plan that will require easements and cooperation with the City who owns the land. The intention has always been to create a good pedestrian connection between Cass Park/Children's Garden/Black Diamond Trail and the West Hill Community whether it is with a new trail or improved conditions of the existing trail connections both up and down hill from the project site.

- Exterior materials relationship between the buildings
  - The owners and operators of the hospitality function of the site would like to create some clear connection between the two buildings with a more contemporary aesthetic. We feel the use of the same wood and metal siding is a strong way of relating the two buildings while given each their own unique identity.
PROJECT DESCRIPTION
The applicant proposes to convert a 25,297 SF industrial building into a multi-use building which will include long and short-term residential rentals, light industrial (maker) space, small conference and lounge spaces, office, and retail. Site improvements include new building facades, more well-defined parking areas, landscaping, dark-sky compliant site lighting, street facing entries, and garden/terrace spaces facing the hillside and a potential trail connection over City property to Cass Park. The 2.75 acre project site consists of two separate tax parcels which will be consolidated before project implementation.

The project site is in the R-3a zone. The existing building is legally non-conforming in both use and area requirements for the R-3a zone. The applicant has applied to Common Council for a Planned Unit Development (PUD). The schematic program calls for the existing building to be remodeled to contain the following:

- 12 one-bedroom residential units- six intended for long-term rental and 6 intended for short-term rental
- 3,438 SF of office space (existing) including a break room and meeting room
- 3,695 SF of retail space facing Cliff Street. Space will be arranged and/or divided into as many as 6 spaces depending on tenant needs
- 1,140 SF of light industrial space – intended as a maker space
- 2,300 SF Lobby & 473 SF conference room

In addition to the existing building, the applicant now proposes a 3-story multi-family building, approximately 4966 SF for the northern portion of the site. The building has a total of 6 units including two hotel units and four apartments. The applicant has stated that these may be subdivided in the future and offered for sale.

This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)[3] and the and the State Environmental Quality Review Act (“SEQRA”) §617.4(b)(11) and is subject to environmental review.

IMPACT ON LAND
The 2.753-acre project site is in an urbanized area located along NYS Rte 96/Cliff Street. The developed portion of the site is relatively flat, however the undeveloped eastern portion has steep slopes with grades above 15%. The grade on the property site slopes steeply down from west to east and gently down from north to south. No redevelopment is planned for the steeply sloped portion for the site except for a possible trail connection to Cass Park & the Cayuga Waterfront Trail.

The project proposes converting the existing building which was previously used for industrial manufacturing into a mixed-use space including residential and retail, therefore no extensive foundation work is required.
According to correspondence from the applicant to the city dated March 22, 2023, approximately 450 CY of material will be excavated for the 3-story multi-family apartment building poured concrete wall foundation. The building will have a tall crawlspace/short basement.

According to the materials submitted in the site plan review application, total land disturbance is approximately .8 acres. Currently impervious surfaces cover approximately 54% of the site lot, and the applicant proposes to reduce the impervious surfaces to approximately 43% of the site lot. The project proposes 65 paved parking spaces on existing lots. The project proposes removing existing concrete from the eastern side of the building and replacing it with landscaping and wooden decks and balconies for the residential units.

Construction is expected to last approximately 10 months. The area of disturbance is primarily on the flat portion of the site, limited to the area around the building, except for a proposed multi-use trail on the eastern slope, explained further in this section. A Basic Storm Water Pollution Prevention Plan will be required to manage runoff during and post construction.

The applicant is proposing a trail on the steeply sloped portion of the site connecting the project site to city trails and properties, including Cass Park and Ithaca Children’s Garden. The trail be a boardwalk supported on helical piles to lessen the impacts to the natural area. The applicant is in discussions with the city regarding how and where to exactly place this connecting trail and it will be further developed in site plan review.

The Lead Agency has determined that based on the information above, and with strict compliance to the SWPPP, no significant impact to land is anticipated.

**IMPACT ON GEOLOGIC FEATURES**

The site is located within Tompkins County Unique Natural Area (UNA) # 137- Octopus Cliffs and is within an Environmentally Sensitive area as identified in Future Land Use Map of the City’s 2015 Comprehensive Plan. This is due to the steeply sloped and undeveloped eastern portion of the site. UNA 137 is defined as a steep forested slope with many small gorges with cliffs and streams (many intermittent). The slope on the site is forested but does not contain streams or gorges.

Redevelopment of the site will be within the relatively flat portion of the site containing the existing building, parking areas and paving. The project proposes removing existing paving from the eastern side of the building along the top of the slope to be replaced with landscaping, wooden decks, and balconies for the residential units.

The applicant is proposing a trail on the steeply sloped portion of the site connecting the project site to city trails and properties, including Cass Park and Ithaca Children’s Garden. The trail be a boardwalk supported on helical piles to lessen the impacts to the natural area. The applicant is in discussions with the city in how and where to exactly place this connecting trail and it will be further developed in site plan review.
The Lead Agency has determined that based on this information, no significant impact on geologic features is anticipated.

**IMPACT ON SURFACE WATER**
There are no surface water features on or adjacent to the project site. A basic SWPPP will be prepared in accordance with the City of Ithaca’s standards and submitted to the City of Ithaca Division of Water and Sewer for review and comment.

Based on the above information, the Lead Agency has determined that no significant impact to surface water is anticipated.

**IMPACT ON GROUNDWATER**
The project does not include operational activities that impact groundwater. In addition, no deep foundation is proposed. The multi-family apartment building will have a poured concrete foundation with a crawlspace for the basement. The applicant submitted an ESA Phase I conducted by GeoLogic NY, P.C. and dated March 2021. The assessment revealed no evidence of recognized environmental conditions in connection with the target property.

The Lead Agency has determined that based on the information above, no significant impact to groundwater is anticipated.

**IMPACT ON FLOODING**
The project site is not located in a flood zone, and it is not near any waterbody that may contribute to flooding.

The Lead Agency has determined that based on the information above, no significant impact on flooding is anticipated.

**IMPACT ON AIR**
According to information provided by the applicant, construction is projected to last approximately 10 months. During construction, generators may be required to provide power to the site. Excavation and preparation of foundations additionally create the potential for increased airborne dust and dirt particles. Impacts to air quality will be limited to the period associated with construction activities. During construction, the applicant will employ the following applicable dust control measures, as appropriate:

- Misting or fog spraying the site to minimize dust;
- Maintaining crushed stone tracking pads at all entrances to the construction site;
- Re-seeding disturbed areas to minimize bare exposed soils;
- Keeping roads clear of dust and debris;
- Requiring construction trucks to be covered; and
- Prohibiting burning of debris on site.
The Lead Agency has determined that with the mitigation measures during construction identified above, no significant impact to air is anticipated.

**IMPACT ON PLANTS AND ANIMALS**

The project site is in an urbanized area, located along NYS 96 and is previously developed. The site is located within Tompkins County Unique Natural Area (UNA) # 137- Octopus Cliffs and is within an Environmentally Sensitive area as identified in Future Land Use Map of the City’s 2015 Comprehensive Plan. This is due to the steeply sloped and undeveloped eastern portion of the site. UNA 137 is defined as a steep forested slope with many small gorges with cliffs and streams (many intermittent). The slope on the site is forested but does not contain streams or gorges. Wildlife likely to be encountered on or near the project site includes birds, insects, small mammals, and deer.

Site redevelopment (with the exception of a proposed trail) is limited to the flat portion of the site containing the existing building and paving. Project implementation will impact existing trees on the developed portion of the site. There are eight street trees along Cliff Street on the northwestern side of the property and four large trees in the northern most part of the site which the applicant proposes to protect during construction. The applicant proposes to remove six existing trees, A Norway Spruce with 14” DBH and 5 deciduous spp all around 12” DBH, located in the northern parking lot and in the northern portion of the parcel where the apartment is to be located according to Layout Plan (L101) dated December 22, 2022. The applicants are proposing 15 larger trees and 18 ornamental trees to replace the six they are removing (Planting Plan L103 dated 12/22/22).

The applicant will work with the City Forester to determine if any trees will be removed a result of the potential trail construction on the eastern side of the property. To minimize disturbance and tree removal, the applicant is proposing a wooden boardwalk supported on helical piles. The path will be laid out in coordination with the City Forester and City Engineering staff with the intent of minimizing disturbance and tree removal. A revegetation plan, if necessary, will be reviewed and approved as part of site plan review.

There are planting beds proposed along the western side of the building adjacent to Cliff street and near the northern building entrance and parking lot, as well as some proposed plantings on the east side of the building near the residential units. A planting plan will be further developed during site plan review.

The NYSDEC EAF Mapper flagged the site for the potential presence of gray petaltail dragonfly and the rusty patched bumble bee.

The New York Natural Heritage Program identifies the gray petaltail dragonfly as a species of “special concern,” indicating that it is at risk of becoming threatened. The general habitat of the gray petaltail can be described as hillside seeps and fens in areas of deciduous forest (Dunkle 2000). According to the New York Natural Heritage Program:

“In New York, all known populations are found at rocky gorges and glens with deciduous or mixed forests. Small shallow streams flow through the gorges and glens, and these
streams are fed by hillside seepage areas, groundwater fed seepage streamlets or fens. The seepage areas represent the larval habitat for these populations, while the adults use both the seepage areas and the stream courses.”

Population loss of this species has primarily been attributed to suburban development trends. The project site is a previously developed site. The steep portion of the site does not contain any stream gorges or glens and therefore is unlikely to contain valuable habitat for the grey petaltail. Disturbance of the slope will be minimized during trail construction and a revegetation plan will be developed and implemented if necessary.

Based on the information above, the Lead Agency has determined no significant impact to plants and animals is anticipated.

IMPACT ON AGRICULTURAL RESOURCES
The project site is not in or adjacent to an agricultural area, therefore, the Lead Agency has determined no significant impact to agricultural resources is anticipated.

IMPACT ON AESTHETIC RESOURCES
New impacts with apartment

According to the Tompkins County Scenic Resource Views, there are no scenic resources located adjacent to or in vicinity of the Project Site. Additionally, there are no locally identified scenic resources located near the project site.

The building is highly visible from Cliff St. The proposed landscaping design and upgrades to the building facade will enhance the aesthetics from this vantage. Residents in the building as well as the trail users will have enhanced views of Cass Park. The applicant proposes to work closely with the City Forester to remove invasive trees to open viewsheds.

Based on the information above, the Lead Agency has determined that no significant impacts to aesthetic resources is anticipated.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES
The site is not located within a historic district, and the existing site is not designated at the local or state level as an historic resource. The closest historic building, Lehigh Valley Railroad Station, is over a ¼ of a mile and across the Cayuga Inlet from the project site.

Based on the information provided above, the Lead Agency has determined no significant impact on historic and archaeological resources is anticipated.

IMPACT ON OPEN SPACE AND RECREATION
The project site is in a developed area and is adjacent to NYS Rte 96/Cliff St. The site is located within the UNA, Octopus Cliffs and is upslope from the Cayuga Waterfront Trail, Ithaca Children’s Garden and Cass Park.

The project design will remove paving and add landscaping on the east side of the property at the top of the slope. The applicants also propose to create a public trail possibly built using helical piles to connect with the Cayuga Waterfront Trail and the Black Diamond Trail. This trail and landscape improvements will increase recreation opportunities for West Hill and other City residents.

Based in the above information, the Lead Agency has determined that no significant impact to open space and recreation is anticipated.

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

There are no critical environmental areas located within the City of Ithaca. However, Tompkins County identifies Unique Natural Areas (“UNAs”) throughout the county, which are part of the landscape that has outstanding geological and environmental qualities, such as special natural communities, or plants and animals that are rare or scarce elsewhere in the county or region. A UNA is not a regulatory designation and does not provide legal protection for an area but signals that special resources may exist that require project modification.

The Project site is located within an UNA, 137- Octopus Cliffs- a steep forested slope with many small gorges with cliffs and streams (many intermittent). The slope on the site does not have streams or gorges but is forested. Redevelopment of the site will be within the relatively flat portion of the site containing the existing building, parking areas and paving. The applicant proposes a multi-use trail built with helical piles to minimize any disturbance at the ground level. The applicant is working with the city forester to identify invasive trees to be removed for views and will revegetate with native plants.

As a result of the information provided above, the Lead Agency has determined no significant impact to Critical Environmental Areas is anticipated.

**IMPACT ON TRANSPORTATION**

The site is directly on NYS Rte 96/ Cliff Street, one of the two primary north/south vehicular routes on the west side of Cayuga Lake. Traveling north from the City, NYS Rt 96 is a primary route to Trumansburg and other points north, traveling south it is a primary route to Ithaca College, Oswego, and other points south. Traveling south from the project site, NYS 96/Cliff Street descends the hill into the City’s West End where it intersects with NYS Rte 76 and 13. The site is connected to the City sidewalk system and is proximate to multimodal transportation and recreation. Limited goods and services are within a quarter mile to the site.

The site is a former industrial facility. It contains one curb cut to the north accessing an asphalt parking area and a long curb cut to the south side accessing a large gravel parking area and vehicular access to the
rear of the building. The property also contains a small gravel parking area on the west side of Cliff Street accessed by a continuous curb cut. The property has an overall parking capacity for approximately 65 cars.

The applicant is proposing to provide 65 parking spaces. They will repave and improve the northern parking area and redesign the southern parking area to reduce the width of the curb cut, reduce the parking area, pave the surface, and add landscaping. Sight lines from the revised curb cuts will be reviewed to insure safe exiting. The project also proposes 14 bike parking spaces, 7 of which will be in a locked interior bike room. Outdoor bike racks will be provided at the south and north entries as indicated on the site plan to accommodate the remaining bike parking needs.

The applicant proposes to convert the western parking area to southbound TCAT bus stop and add an additional bus stop on the east side (See Site Plan C2.0 dated 6-29-21). The south bound stop will be connected to the site via a crosswalk with a flashing pedestrian signal (see Layout Plan L101 dated 8/12/21). The applicant submitted a letter from Matt Yarrow, TCAT (Tompkins Consolidated Area Transit, Inc.) Assistant General Manager dated August 3, 2021, in support of the proposed inbound and outbound Cliff Street bus stops at the project site. The benefits according to TCAT would be improved infrastructure for bus riders and pedestrians and the inclusion of these fixed stops into TCAT’s GTFS data feed which would allow users to find these stops through apps, guides, and Google Maps, making this area more accessible by bus.

The applicant has applied to the Common Council for a PUD and is proposing residential, commercial, and light industrial uses on the site. The applicant has submitted a Trip Generation and Distribution Assessment Letter prepared by David Cruse of SRF Associates and dated July 21, 2021 estimating the AM/PM peak trip generation based on these uses as well as comparing it to the former industrial use. Based on ITE trip generation data, the assessment estimates 11 entering/8 exiting during the AM peak and 33 entering/38 exiting during the PM peak. The higher PM peak estimate is primarily attributed to the 3,900 SF of commercial space – categorized – for the purpose of the assessment- as a shopping center. The assessment concludes that based on NYSDOT guidelines, the project does not warrant a Traffic Impact Analysis (TIS) because it is projected to add less than 45 trips to an adjacent intersection. A TIS is warranted when a project adds 100 or more trips to an adjacent intersection.

The Lead Agency has also considered potential impacts to traffic relative to proposed land uses, area requirements and available site parking. The applicant is proposing 65 parking spaces for the site. The proposed area and parking requirements, as well as the size of the available space in the building will effectively limit the size and intensity of commercial and other uses on the site. For instance, a higher -intensity commercial use, such as a restaurant or club would be limited in size to reflect the available parking on site (see Impact to Community Character).

As a result of the information provided above, the Lead Agency has determined that no significant impact on traffic is anticipated.
IMPACT ON ENERGY

The applicant provided the following information regarding energy use and systems design in materials dated June 2021:

Conformance with Tompkins County Energy Recommendations for New Construction

1. Energy Star
   - The project will include water fixtures that meet EPA’s Water Sense requirements.
   - All permanent appliances in the apartments will be Energy Star rated.

2. Heat Pumps
   - Air Source Heat Pumps will be used throughout the building.

3. Renewables.
   - Roof surfaces are capable of accommodating PV solar panels to the extent possible, however, the solar exposure is not the best, so we are looking at alternative sites for a solar array in order to net meter to this site.

4. Energy-efficient building design.
   - The building has been designed with a window-to-wall ratio of less than 25%, except for the east side, which has the views and is the concentration of residential use.
   - The overall building shape is simple, optimizing the efficiency of the building envelope.
   - Best practices will be used for air sealing to minimize infiltration and stack effects.
   - This project is an adaptive resume of an existing building, which is inherently energy efficient from a construction and materials use perspective.

For buildings over 20 residential units or mixed use:

5. Lighting controls and high-efficient lighting technology
   - LED lighting will be used throughout the project
   - Occupancy sensors will be used in common areas and photo sensors will be used for exterior lighting.

6. High efficiency systems
   - The building will have HRV/ERV ventilation separate from the heating and cooling systems
   - Heating systems will be within conditioned spaces

On August 4, 2021, the Ithaca Energy Code Supplement (IECS) went into effect for all new buildings constructed in Ithaca. The IECS prioritizes electrification, renewable energy, and affordability with the following objectives:

“deliver measurable and immediate reductions in greenhouse gas (GHG) emissions from new buildings, major renovations, and new additions; promote best practices in the design of affordable buildings to deliver reduced GHG emissions; and provide a rapid but orderly transition to buildings that do not use fossil fuels for major building energy needs such as space heating and hot water heating, by 2026. For construction subject to the Ithaca Energy Code Supplement, requirements for reductions in GHGs go into effect in three steps: 2021, 2023, and 2026.”
From August 4, 2021, until 2023 all new buildings must produce 40% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires. Beginning in 2023, the IECS will increase the requirements of new construction to produce 80% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires, and by 2026 all newly constructed buildings in Ithaca will be required to be net-zero buildings that do not use fossil fuels. The IECS supports Ithaca’s Green New Deal which aims to “achieve an equitable transition to carbon-neutrality” community-wide by 2030.

The Building Division will oversee implementation and enforcement of the IECS.

As a result from the information provided above, the Lead Agency has determined that no significant impact to energy is anticipated.

**IMPACT ON NOISE, ODOR, AND LIGHT**

The mixed-use project is not expected to produce operational noise, odor or light that is out of character with surrounding uses. The limited exterior lighting will be dark sky compliant. Interior lighting in stairs and corridors will be on sensors.

The past use of the building was light industrial and as such created related industrial and truck traffic noise. According to the site plan review application provided by the applicant, construction will last approximately 10 months. As the building is being repurposed, there will be no noise from foundation construction. Noise and odors from construction activities may have minor temporary impacts to adjacent the residents.

Noise producing construction activities may temporarily impact residents in the immediate area. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development).

As a result from the information provided above, the Lead Agency has determined that no significant impact to noise odor of light is anticipated.

**IMPACT ON HUMAN HEALTH**

The existing building will be converted from industrial and office use to residential, office, light industrial, and commercial uses. The applicant has submitted an Environmental Site Assessment (ESA) Phase 1 dated March 2021 and prepared by GeoLogic, NY. The assessment revealed no evidence of recognized environmental conditions in connection with the target property. The assessment concluded a Historical Recognized Environmental Condition (HREC) as “the detection of petroleum-impacted soils beneath the building at the Property and Spill No. 0207735 represent a historic REC.” As well, the assessment concluded a Control led Recognized Environmental Condition (CREC) at the target site:

“The Property was listed as a large quantity generator of hazardous wastes under EPA ID NYD986960367. The concentrations of volatile organic compounds (VOCs) detected in the indoor
air and sub-slab vapor samples collected within the building at the Property and subsequent installation of a sub-slab depressurization system (SSDS) within the building, represent a CREC.”

In the ESA, Appendix B Drawings, GeoLogic included an as built floor plan dated August 2020 depicting the SSDS they installed to mitigate potential for soil vapor intrusion. The applicant further submitted a letter from GeoLogic dated August 2, 2021, stating that the SSDS system performance objective does not change based upon use of a building, so the current system as configured and operating will be protective of residential use. If the SSDS is modified, GeoLogic recommends “a follow-up PPE test be conducted to confirm the modified system is still generating the -0.004 WC negative pressure.”

As per correspondence with the applicant dated August 5, 2021, “Only raised bed gardening with imported amended topsoil will be permitted on site and specifically at each of the residential units.”

As a result of this information, the Lead Agency has determined no significant impact to human health is anticipated.

CONSISTENCY WITH COMMUNITY PLANS
The project complies with several of the goals and recommendations of Plan Ithaca, the City’s Comprehensive plan adopted in 2015 including the following:

- The project site is within an Environmentally Sensitive area as identified in Future Land Use Map. These areas contain special natural features (in this case, steep slopes) and may include the existing built environment. The applicant is redeveloping the existing industrial building to residential mixed-use and is decreasing the amount of impervious surface on the site. Pavement along the top of the slope, previously used by trucks, will be replaced with landscaping and low intensity outdoor use. The proposed trail connecting to Cass Park and the Cayuga Waterfront Trail will be built on helical piles to avoid disturbance of the slope while providing safe access into the natural area.
- Encourage infill and redevelopment of underutilized sites is in coordination with the goals of the Land Use chapter.
- Encourage mixed use development that includes a range of housing types and employment opportunities is in coordination with the goals of the Land Use chapter.
- New residential development will be compatible with the essential character of the neighborhoods in coordination with the goals of the Land use chapter.
- Provide connections between the City’s sidewalk, trails, and bike boulevard networks.
- Community partnerships will support the maintenance, enhancement, and promotion of parks, trails, and natural areas.

The applicant has applied to Common Council for a Planned Unit Development (PUD). The site is in the R-3a Zoning District and the existing industrial building is *legally non-conforming* in both the use and area requirements of the City’s Zoning Ordinance. These conditions predate the enactment of the current
zoning. The continued use of the property in its existing configuration is allowed but it cannot be expanded or enlarged without use and area variances.

The proposed PUD will have one zone over the entire site. Area requirements for the proposed PUD will be consistent with the R-3a Zoning district with the exception of the following:

- Minimum lot areas is reduced from 5,000 SF to 4,000 SF. This is proposed to allow for a potential future subdivision of the two cottages.
- A 0’ front yard setback is proposed for the existing building. This is proposed to allow for the continued use of the existing building in its current form as well as the construction of a raised boardwalk along the front. Any new buildings will have a 10’ front yard setback, consistent with the R-3a zone.
- A 15’ rear yard setback is proposed to allow the addition of decks at the rear of the building and flexibility in placement of the future cottages. R-3a zoning requires 50’ or 20% of lot depth but not less than 20’.
- Proposed parking requirements are consistent with the City’s Zoning Ordinance with the exception of those for restaurant, tavern club or lodge for which the applicant is proposing 1 space per 75 SF of net assembly area, whereas the Code requires 1 space per 50 SF of net assembly area.

The applicant proposes uses that are a combination of those allowed by right in the R-3a and B-2 Zoning Districts as well as those that will require a Special Permit (see attached proposed use table dated 8/30/21).

The proposed parking requirements are consistent with the City Code, with the exception of restaurant/tavern or club/lodge. The applicant is proposing 1 space per 75 SF of net assembly area whereas City Code require 1 space per 50 SF of net assembly area (see attached proposed parking requirements).

Proposed Zoning Impacts and Mitigations
Proposed area requirements are not expected to have a negative impact because they either reflect existing conditions or are substantially consistent with the R-3a zoning district.

Permitted uses are not expected to have negative impacts. Based on the site plan application, the project is designed to accommodate residential, light manufacturing, office, and commercial use of the following specific sizes:

- Twelve one-bedroom residential units- six intended for long-term rental and 6 intended for short-term rental
- Two 2-bedroom cottages
- 3,438 SF of office space (existing) including a break room and meeting room
- 3,695 SF of retail space facing Cliff Street. Space will be arranged and/or divided into as many as 6 spaces depending on tenant needs
- 1,140 SF of light industrial space – intended as a maker space
There are 65 parking spaces proposed for the site, 4 of which are accessible. As shown in the table below, an estimated 56 spaces are required based on the proposed uses. This leaves a modest surplus of ten spaces to meet additional parking demand outside of requirements.

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Metric or size</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 1-Bedroom Dwelling Units</td>
<td>1 Space per 3 BR</td>
<td>12</td>
</tr>
<tr>
<td>2 2-bedroom cottages</td>
<td>1 Space per 3 BR</td>
<td>2</td>
</tr>
<tr>
<td>Office (Incl. Conf Room)</td>
<td>2,179 SF</td>
<td>9</td>
</tr>
<tr>
<td>Flex Space/Light industrial</td>
<td>1,140 SF</td>
<td>2</td>
</tr>
<tr>
<td>General Retail</td>
<td>3,695 SF</td>
<td>8</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1,671 SF</td>
<td>23</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>56</strong></td>
<td></td>
</tr>
</tbody>
</table>

The proposed area and parking requirements, as well as the size of the available space in the building will effectively limit the size and intensity of commercial and other uses on the site. Therefore, the project sponsor must carefully balance the mix of future commercial (and other) uses to comply with the fixed amount of available parking. For instance, as shown above, a higher-intensity commercial use, would be limited in size to reflect the available parking on site.

Based on the information described above, the Lead Agency has determined that no significant impact to community plans is anticipated.

**CONSISTENCY WITH COMMUNITY CHARACTER**

The applicant proposes an adaptive reuse of an existing non-conforming industrial facility in a residential zone. Redevelopment includes the introduction of residential use and new building facades that are more compatible with the surrounding houses and neighborhood character. The project increases residential units, improves building safety, energy efficiency and aesthetics, adds landscaping, connects City trails, activates the streetscape, and upgrades sidewalks.

A stormwater pipe runs across Cliff St, under the southern parking lot of this building and continues to some type of outfall. The project team submitted pictures dated 9/1/21 of the outfall and the slope to the east of the southern parking lot. Concrete acts as riprap near the outfall and according to the applicant is preventing erosion from storm events. The outfall does not flow into any body of water, dissipating into the forest. There is no evidence of an easement on that parking lot granting the City access to the storm pipe crossing the parking lot, but one will be required. The applicant has agreed to grant the City a maintenance easement.
The site does not have enough water capacity required for the sprinkler system proposed for the 3-story apartment building. The applicants are “looking at the feasibility of either a storage tank system or connecting to the main at Cass Park, creating a loop that would provide much more than enough flow for the project” (correspondence from applicant 3/22/22).

Based on the information provided above, and a finalized solution for the water capacity issues at the site approved by the City, the Lead Agency has determined no significant impact on community character is anticipated.

**Prepared by:** Lisa Nicholas, Deputy Director of Planning, AICP
WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for building and site renovations at 105 Westbourne Avenue by Tony Ewing, and

WHEREAS: the applicant proposes to renovate and restore the existing building, demolish the existing lower-level addition, expand the building footprint by 275 SF with a 1120 SF replacement addition, and modify the site to accommodate new ADA compliant parking. Site improvements include a regraded entry drive lane for ADA accessibility, permeable grass pavers, a 1500 SF rain garden, and landscaping. The project is located in the R-U zoning district and will require no variances, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(h)(4), and the State Environmental Quality Review Act (“SEQRA”) §617.4 b. (11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation and the Tompkins County Department of Health, have been identified as potentially Involved Agencies in Environmental Review, and

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on January 31, 2023, declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on February 28, 2023, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; Property Survey Map prepared by T.G. Miller, P.C. dated 08/10/2022; Existing Site Conditions Plan C102, Circulation Plan, and Details C301-C303; all prepared by AEPMI Design & Building Consultants and T.G. Miller, P.C. and dated 1/12/23; Site Planting Plan SP-04 (2), Site Layout Plan SL-02 all dated 02/21/23 prepared by AEPMI Design & Building Consultants, MP Landscape Architecture, and T.G. Miller, P.C; Site Utility Plan C201, Grading and Drainage Plan C202, and Erosion & Sediment Control Plan C203 all prepared by AEPMI Design & Building Consultants and T.G. Miller, P.C. and dated 1/12/23; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, and

WHEREAS: the Planning Board did, on February 28, 2023, determine, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and issued a Negative Declaration of Environmental Significance, and

WHEREAS: this Board did on March 28, 2023 review and accept as adequate the following new and revised drawings: Grass Paving System Detail submitted by applicant 03/21/23, now, therefore, be it

RESOLVED: that the Planning and Development Board does hereby grant Preliminary & Final Site Plan Approval subject to the following:

The following conditions must be satisfied before issuance a Building Permit:

i. Documentation from Ithaca Fire Department emergency access issues have been satisfied
ii. This site plan approval does not preclude any other permit that is required by City Code, such as sign permits, tree permits, street permits

iii. Acceptance of the SWPPP by the City Stormwater Management Officer

iv. Final approval of the driveway and curb cuts along Highland Ave and Westbourne Lane by the City Engineering Department

v. Final approval of all sidewalks by the City Engineering Department and the Village of Cayuga Heights

The following conditions must be satisfied within six months of site plan approval or the start of construction, whichever comes first:

i. Submission to the Planning Board for review and approval of placement, design, and photometrics of site lighting fixtures

ii. Submission to the Planning Board for review and approval of all site details including but not limited to landscaping details, exterior furnishings, walls, railings, bollards, paving, signage, lighting, etc.

The following construction must be satisfied during the construction period:

i. If impacted groundwater and/or soil are encountered during construction, it is required to be handled in accordance with the applicable NYSDEC regulations and requirements and with the involvement of both the City of Ithaca and the NYSDEC in the approval and monitoring of the treatment system(s)

ii. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development)

iii. Any traffic control measures on Highland Ave and Westbourne Lane will be coordinated with the City Fire Department and Department of Public Works

The following conditions must be satisfied before issuance of a Certificate of Occupancy:

i. Any changes to the approved site plans must be submitted to Planning staff for review and may require Board approval

ii. Installation of bike racks and/or bike storage

iii. Repair, replacement, or reconstruction of any City property damaged or removed during construction including, but not limited to paving, sidewalk, curbing, trees or tree lawn, signage, drainage structures, etc.

iv. Submission of any required executed easement, licenses or other legal agreements involving City property
Moved by: 
Seconded by: 
In favor: 
Against: None 
Abstain: None 
Absent: 
Vacancies: One
Pioneering Stormwater Solutions

A Heritage of Excellence

Since 1982, Invisible Structures has provided the finest in grass porous paving, gravel porous paving, underground water storage, erosion control, drainage, and access ADA mats.

POROUS PAVING
STORMWATER MANAGEMENT
ACCESSIBILITY
GREEN BUILDING

(303) 233-8383   Invisiblestructures.com/why
**Why Invisible Structures**

### Our Commitment
What started in a garage in 1982, has grown to be the industry's trusted choice in porous paving and modular underground water containment. Founded by a Landscape Architect, Invisible Structures is committed to maintaining the values upon which we were built: the highest quality sustainable product, unparalleled customer service and the finest aesthetics available.

### Designed by a Landscape Architect for Landscape Architecture
With creative project goals at the forefront of its inception, our products were created with designers in mind. The invention of each product came from the desire to address a specific landscape design challenge. Our painstaking attention to detail in the design process yielded products that have been reliable since 1982.

### The Strength Contest is No Contest
Our lab-tested products withstand an astonishing amount of compression due to our proprietary blend of recycled plastic and trademark ring-on-grid design. Each independent cylinder transfers the load to the weight-bearing base course protecting vegetation or decorative gravel while supporting the weight of any vehicle. This chart illustrates Grasspave2 and Gravelpave's overqualifications in measurements of pounds per square inch (PSI).

### Flexibility Advantages
Due to our trademark design and proprietary blend of HDPE 100% recycled plastic, our products offer distinct design and installation advantages. Most products roll out like carpet making for an easy installation and labor cost reduction. Products can be trimmed with pruning shears and will bend slightly to accommodate surface imperfections and curves for layout and design customization.

### Void Space Advantage
Our founding product designer felt it was important for our products to achieve results without interfering with the landscape aesthetic. He streamlined the designs to optimize space for root growth, unparalleled water storage and virtually invisible products.

### Quick, Cost Effective Install
Lightweight large rolls make installation fast and easy requiring fewer man-hours than other products. For example, a 430sqft installation of Grasspave2 (product only) requires approximately 5 minutes of labor. A full installation of the same size, including product, sand, Hydrogrow and sod/seed can be completed in about an hour.

### Why Sand Instead of Soil
Soil can easily compact and become impermeable creating mud, ruts and "bathtubbing". Because sand never compact, it remains porous allowing the roots to thrive, providing an excellent medium for growing any vegetation. The addition of our proprietary Hydrogrow (included with every order of Grasspave2) ensures water and nutrient retention at the base course level to expedite the root growth process after installation.

### Sustainable, Recycled, USA
- Reduces CO2 Levels (GP2, ST3)
- Increases Greenspace (GP2, ST3)
- Manages and Preserves Stormwater (ALL *except BR2)
- Captures Stormwater for Reuse (RS3)
- Made from 100% Recycled Plastic (ALL)
- 100% Recyclable Material (ALL)
- Emits Zero Toxins (ALL)
- Naturally Filters Water (GP2, GV2, ST3, DC2)
- Removes Hydrocarbons Through Bioremediation (GP2, GV2, ST3)
- Lasts for More Than 60 Years if Properly Maintained (ALL)
- Proudly Manufactured in the USA
Grasspave² Porous Grass Paver

Made From 100% Recycled Plastic
For a green porous paving solution built to last, trust Grasspave² – the industry’s leader since 1982. Designed by a Landscape Architect, Grasspave² comes in easy-to-install rolls. It’s flexible, lightweight, durable and provides design versatility to any project. Due to its incredible strength, Grasspave² offers limitless solutions to practical applications such as fire lanes, parking lots and helicopter landing pads. With an expected lifespan of over 60 years, Grasspave² provides a long-term green paving alternative that can reduce CO2 emissions and filter out environmental toxins through bioremediation. In fact, an acre of grass makes a better “carbon sink” than an acre of trees and produces roughly four times the oxygen.

Grass is Greener
Grasspave² is a 100% recycled ring-on-grid structure that supports and protects grass roots to withstand pedestrian and heavy-weight vehicular traffic. With a compression strength of 15,940 psi, Grasspave² is over five times stronger than concrete and can support the weight of virtually any vehicle. 92% void space enables excellent root development and rapid stormwater drainage.

Install 430 square feet of product with one person in five minutes with our easy-to-install rolls. Bend, trim with pruning shears, or use our curve chart to easily create curves or customize layouts.

Applications
- Fire Lanes, Utility and Emergency Access Roads
- Parking Lots
- Driveways
- Outdoor Event Spaces
- Paths and Walkways (ADA Compliant)
- Ramps, Docks and Loading Areas
- Airplane Taxiing Areas
- Helicopter Landing Pads

Made in the USA

The Grasspave² Advantages
- Design Flexibility
- High Compressive Strength (15,940psi)
- Easy, Quick Installation
- 92% Void Space
- All Weather
- Reduces CO2 and Toxin Filtration
- Long Life Span (60+ Years)
- Environmental Beautification
Slopetame³ Erosion Control System

Slopetame³ provides an immediate and permanent solution to erosion and sedimentation problems. Using the trademark interlocking ring-on-grid design with the added benefit of crossbars on every row, Slopetame³ is a reinforcement and stabilization system. The attached geotextile filter fabric will never come off and allows for the growth and containment of vegetation. Even with only a 1" depth required, Slopetame³ can permanently stabilize slopes with angles up to 45 degrees.

**Description**
The 100% recycled plastic rolls are lightweight and easy to install. Secured with a provided Duckbill® Anchor and single rebar, one person can install 430 sf of product in approximately 10 minutes. Slopetame³ can be bent and trimmed with pruning shears to achieve curves, avoid trees and create custom layouts.

Made in the USA

**Benefits**
- Permanent Stabilization
- Vegetation Containment
- Controlled Porosity
- Lightweight and Easy to Install
- UV Resistant
- 100% Recycled Plastic

**Tame These Applications**
- Steep Slope Erosion Control
- Bank Stabilization
- Vegetated Swale Applications
- Stormwater Infiltration Trenches
- 11 Slope Erosion Control
GRASSPAVE® SYSTEM
HYDROGROW MIX BELOW RING
SUPPLIED FREE BY MANUFACTURER
CONCRETE SAND (CLEAN, SHARP SAND)
BITUMINOUS WEARING COURSE

TENSAR GEOWEB BS1100 (SSI)
INSTALL JUST ABOVE SUBGRADE
COMPACTED SUBGRADE
95% MODIFIED PROCTOR DENSITY
COMPACTED SANDY GRAVEL ROAD BASE

NOTE: GRASS/PLANT TYPES SHALL BE SPECIFIED BY A LANDSCAPE ARCHITECT OR LANDSCAPE DESIGNER

GRASS PAVING SYSTEM TO BE GRASSPAVE® AS MANUFACTURED BY INVISIBLE STRUCTURES, INC.
800-233-1510 OR 303-373-1234 FAX: 303-373-1223
14704-D EAST 33RD PLACE, AURORA, COLORADO 80011

GRASS PAVING SYSTEM
N.T.S.
PRECAST CONCRETE PAVERS

N.T.S.
CHIP SEAL BITUMINOUS WALK

- CHIP SEAL
- FINISH CHIP STONE TO BE 0.6cm TO 0.9cm IN SIZE
- 3.8cm BITUMINOUS BINDER COURSE
- 20.3cm GRAVEL SUB BASE COMPACTED TO 95%
- COMPACTED SUB GRADE TO 95%
1" MORTAR JOINT

EXPANSION JOINTS AT
20'-0" CARRY THROUGH
CONCRETE PAVERS

INTERRUPT WIRE MESH
AT EXPANSION JOINTS

FINISH GRADE

BLUESTONE PAVERS
SIZE AND COLOR TO MATCH
EXISTING PAVERS
(APPROX. 12''x12'') 2" THICK

1" MORTAR SETTING BED
6/6 #8 WIRE MESH

6'' GRAVEL TO 95%

4" THICK CONCRETE SLAB

COMPACTED SUB GRADE

BLUESTONE PAVING

3/16" = 1'-0"
BITUMINOUS ROAD PAVEMENT

GRANITE CURBING

4"X4"X4" GRANITE COBBLE PAVER

NEW CONCRETE SIDEWALK

14"

3'

16"

2" SETTING BED

BRICK PAVER (TYP.)

10" GRAVEL BASE
COMPACTED TO 95%

COMPACTED SUBGRADE
TO 95%

GRANITE COBBLE PAVEMENT @ SIDEWALK

NTS
APPEAL # 3237

Appeal of Centerline Communications LLC and Verizon Wireless, on behalf of property owner American Tower Corporation and 815 S. Aurora St QOZB, LLC, for an area variance from Section 325-29.8B(1)(h), Siting Standards for Personal Wireless Service Facilities, and Section 325-29.8C(1), Design Standards for Personal Wireless Service Facilities, of the City of Ithaca Zoning Ordinance. The applicant proposes to remove two junction boxes and install additional equipment (including three antennas and one new junction box) to the company’s existing personal wireless service facility (PWSF) located on the existing tower on the property at 815 S. Aurora Street. The proposal is considered a modification of the existing PWSF. The City recently amended Article VA, Telecommunications Facilities and Services, of the Zoning Ordinance, and the amendment requires all PWSF to be located at least 250’ from adjacent residences. The existing PWSF at this property is approximately 185’ from the nearest residential building. This is an existing deficiency that will not be exacerbated by this proposal.

815 S. Aurora Street is located in the R-3b district in which the proposed PWSF is permitted. However, Section 325-29.28 requires that an area variance be granted before a building permit is issued.
1. TYPE OF APPEAL:

[X] AREA VARIANCE
[ ] SPECIAL PERMIT
[ ] USE VARIANCE
[ ] SIGN VARIANCE
[ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER (OR OTHER CITY OFFICIAL)

APPEAL #: ____________________ (FILLED IN BY STAFF)
HEARING DATE: ______________ 
BUILDING PERMIT #: ___________ (REQUIRED)
RECEIPT #: __________________ (FILLED IN BY STAFF)

2. Property Address: 815 S. Aurora St. Use District: R-3B

Owner’s Name: ICC Overlook, LLC/ American Tower
Owner’s Address: 10 Presidential Way

City: Woburn State: MA Zip: 01801

3. Appellant’s Name: Verizon Wireless c/o Brian Martinelli
Appellant’s Address: 750 W. Center St., Suite 301

W. Bridgewater State: MA Zip: 02379

Telephone: 856-701-3372 E-Mail: bmartinelli@clinellc.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.

__________________________
Brian Martinelli
Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this _____ day of

_____________________, 20____

__________________________
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:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
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<tbody>
<tr>
<td>§325-29.8C(1)</td>
<td>§272-</td>
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<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: ☑ Type 1 ☒ Type 2 ☐ Unlisted

3. Environmental Assessment form used:
   - ☑ Short Environmental Assessment Form (SEAF)
   - ☐ Full Environmental Assessment Form (FEAF)
   - ☐ Completed by Planning Division at preliminary hearing for Site Plan Review
   - ☒ Not Applicable (Type 2 Action)

4. A previous appeal ☐ has / ☒ has not been made for this proposal:
   - Appeal No. _______, dated ____________
   - Appeal No. _______, dated ____________
   - Appeal No. _______, dated ____________

5. Notes or Special Conditions:
LETTER OF AUTHORIZATION FOR PERMITTING

ATC SITE#/NAME/PROJECT: 209518 / ITHACA / 13757089
SITE ADDRESS: 815 SOUTH AURORA STREET, ITHACA, NY 14850
APN: 500700-115-000-0001-015-000-0000
LICENSEE: BELL ATLANTIC MOBILE SYSTEMS, INC. dba VERIZON WIRELESS
SITE ACQUISITION VENDOR (APPLICANT REPRESENTATIVE): CENTERLINE COMMUNICATIONS LLC

I, Margaret Robinson, Vice President, UST Legal for American Tower*, owner/operator of the tower facility located at the address identified above (the “Tower Facility”), do hereby authorize BELL ATLANTIC MOBILE SYSTEMS, INC. dba VERIZON WIRELESS, CENTERLINE COMMUNICATIONS LLC their successors and assigns, and/or their agent, (collectively, the “Licensee”) to act as American Tower’s non-exclusive agent for the sole purpose of filing and consummating any land-use, building, or electrical permit application(s) as may be required by the applicable permitting authorities for BELL ATLANTIC MOBILE SYSTEMS, INC telecommunications’ installation on the Tower Facility.

I understand that these applications may approved with conditions. The above authorization is limited to the acceptance by Licensee only of conditions related to Licensee’s installation and any such conditions of approval or modifications will be Licensee’s sole responsibility.

Signature:

Print Name: Margaret Robinson
Vice President, UST Legal
American Tower*

NOTARY BLOCK

Commonwealth of MASSACHUSETTS
County of Middlesex

This instrument was acknowledged before me by Margaret Robinson, Vice President, UST Legal for American Tower*, personally known to me (or proved to me based on satisfactory evidence of identification) to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

WITNESS my hand and official seal, this 31st day of January, 2023

NOTARY SEAL

MELISSA ANN METZLER
Notary Public
Commonwealth of Massachusetts
My Commission Expires: March 14, 2025
— NOTICE OF APPEAL —
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. __________

TO: Owners of Property within 200 feet of 815 S. Aurora St., Ithaca, NY and others interested.

(property address)

FROM: Verizon Wireless applicable to property named above, in R-3B zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

X Area Variance   ☐ Use Variance   ☐ Sign Variance

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 on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” 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 March 28th at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW21VcTrDG. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on April 4th at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

_________________________________________    _____________________________________________     ________________
Signature of Appellant Address Date
February 2, 2023

To Whom It May Concern:

Verizon Wireless is in the process of updating certain equipment that supports its wireless telecommunications network. As part of this effort, Verizon Wireless will need to perform work at their existing telecommunications facility, currently located on the existing 170’ cell tower located at 815 S. Aurora Street in the City of Ithaca.

Verizon Wireless’s proposed project includes the adding of 3 additional antennas, lines and ancillary equipment to it’s existing antennas on the tower. All proposed work will take place on the cell tower at S. Aurora Street in the City of Ithaca. This proposed work will not increase the height of the tower nor alter the dimensions of the equipment compound on the ground, thus not substantially changing the physical dimensions of such tower or base station.

In order to complete the above referenced project, Centerline Communications, LLC, on behalf Verizon has applied for a Variance with the City of Ithaca Zoning Board as the newly adopted ordinance in City Code Section 325-29.8C stipulates that “Personal Wireless Service Facilities be located at least 250' from residences.” Unfortunately, modifications to installations which pre-date the above referenced ordinance are not exempt from this requirement, thus requiring the Variance approval for us to move forward with the proposed project. We hope to receive swift approval for the above referenced project so that we can continue to enhance our services to all who utilize Verizon Wireless’s Network.

Sincerely,

Brian Martinelli
Project Manager
bmartinelli@clinellc.com
856-701-3372
<table>
<thead>
<tr>
<th>Address</th>
<th>Phone Number</th>
<th>Name</th>
<th>Position</th>
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<tr>
<td>Brett Bossard</td>
<td>500700</td>
<td>Shift Chainworks Owner 1 LLC</td>
<td>Owner</td>
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<tr>
<td>766 S Aurora St, Ithaca NY 14850</td>
<td>106.-1-17</td>
<td></td>
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<tr>
<td>143 Durfee Hill Rd, Philadelphia PA 19137</td>
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<td></td>
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<td>Donna R Boardman</td>
<td>500700</td>
<td>815 S. Aurora QNZB, LLC</td>
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<tr>
<td>15 Hudson Pl, Ithaca NY 14850</td>
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<td>Matthew C Fox</td>
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<td>Sybil M Conrad</td>
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<td>107 Grandview Place, Ithaca NY 14850</td>
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<td>201 Grandview Ave, Ithaca NY 14850</td>
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<td></td>
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<tr>
<td>Suzanne Dennis</td>
<td>500700</td>
<td>Suzanne Dennis</td>
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<tr>
<td>1075 Taughannock Blvd, Ithaca NY 14850</td>
<td>115.-2-1.1</td>
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<td>J Rogan Rev Trust</td>
<td>503089</td>
<td></td>
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<tr>
<td>4503 Harbor Court, Fort Myers FL 33908</td>
<td>40.-4-2</td>
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</tbody>
</table>
VERIZON AMENDMENT DRAWINGS

SITE ADDRESS: 815 SOUTH AURORA STREET
ITHACA, NY 14850

PROJECT SUMMARY

THE PROPOSED PROJECT INCLUDES MODIFICATION TO INTEGRATE THE MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE MODIFICATION OF TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE INSTALLATION OF MODIFICATIONS TO THE EXISTING TOWER STRUCTURE TO ADD A REMOVE (2) OVPs, INSTALL MOUNT MODIFICATIONS, (3) ANTENNA(s) AND (1) OVP EXISTING (12) ANTENNA(s), (6) RRH(s) (6) COAX CABLE(s) AND (2) HYBRID CABLE(s) TO REMAIN.

PROJECT NOTES

1. THE FACILITY IS UNMANNED.
2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE.
3. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE.
4. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED.
5. THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE FACILITIES REQUEST ENTITLED TO EXPEDITED REVIEW UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE INSTALLATION OF MODIFICATIONS TO THE EXISTING TOWER STRUCTURE TO ADD A REMOVE (2) OVPs, INSTALL MOUNT MODIFICATIONS, (3) ANTENNA(s) AND (1) OVP EXISTING (12) ANTENNA(s), (6) RRH(s) (6) COAX CABLE(s) AND (2) HYBRID CABLE(s) TO REMAIN.
6. THE PROJECT IS ELIGIBLE FOR CONSTRUCTION.

PROJECT LOCATION DIRECTIONS

FROM NEW YORK TAKING I-81 S TO EXIT 12 FOR NY-281 S. TURNS LEFT ONTO NY-281 S FOR 2.5 MILES. TURNS RIGHT ONTO LUKER ROAD FOR 1.2 MILES. TURNS LEFT ONTO MCLEAN ROAD FOR 4.2 MILES. CONTINUE ONTO SCHOOL STREET FOR 0.2 MILES. CONTINUE ONTO FALL CREEK ROAD FOR 3.9 MILES. CONTINUE ONTO NY-366 W/MAIN STREET FOR 3.5 MILES. TURNS RIGHT ONTO E M.L.K. JR. ST/E STATE STREET FOR 4.7 MILES. TURNS LEFT ONTO S AURORA STREET.
GENERAL CONSTRUCTION NOTES:

1. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL COORDINATE WITH VERIZON REP TO DETERMINE IF ANY PERMITS WILL BE ISSUED BY VERIZON OR IF CONTRACTOR WILL BE RESPONSIBLE FOR OBTAINING PERMITS. ALL REQUIRED PERMITS TO BE OBTAINED BY VERIZON MUST BE OBTAINED AND PAID FOR BY THE CONTRACTOR.

2. CONTRACTOR SHALL INSTALL ALL SITE BARRIER IN ACCORDANCE WITH VERIZON SPECIFICATIONS AND REQUIREMENTS.

3. CONTRACTOR SHALL SUBMIT ALL SHOP DRAWINGS TO VERIZON FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.

4. CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN AND COORDINATE ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

5. CONTRACTOR SHALL BE RESPONSIBLE FOR THE EQUIPMENT AFTER PICKING IT UP.

6. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EQUIPMENT IN OPERATION, READY FOR USE. THE CONTRACTOR SHALL BE LIABLE FOR THE EQUIPMENT IF NOT INSTALLED AS SPECIFIED.

7. ALL ITEMS PROVIDED.

8. THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SPECIFICATIONS.
SITE PLAN NOTES:

1. THIS SITE PLAN REPRESENTS THE BEST PRESENT KNOWLEDGE AVAILABLE TO THE ENGINEER AT THE TIME OF THIS DESIGN. THE CONTRACTOR SHALL VISIT THE SITE PRIOR TO CONSTRUCTION AND VERIFY ALL EXISTING CONDITIONS RELATED TO THE SCOPE OF WORK FOR THIS PROJECT.

2. ICE BRIDGE, CABLE LADDER, COAX PORT, AND COAX CABLE ARE SHOWN FOR REFERENCE ONLY. CONTRACTOR SHALL CONFIRM THE EXACT LOCATION OF ALL PROPOSED AND EXISTING EQUIPMENT AND STRUCTURES DEPICTED ON THIS PLAN BEFORE UTILIZING EXISTING CABLE SUPPORTS, COAX PORTS, OR INSTALLING ANY OTHER EQUIPMENT. CONTRACTOR SHALL VERIFY ALL ASPECTS OF THE COMPONENTS MEET THE ATC SPECIFICATIONS.

3. THIS PROJECT INCLUDES NO INSTALL OR MODIFICATION AT GRADE.

---

**LEGEND**

- **G** GROUNDING TEST WELL
- **ATS** AUTOMATIC TRANSFER SWITCH
- **B** BOLLARD
- **CSC** CELL SITE CABINET
- **D** disconnect
- **E** ELECTRICAL
- **F** PREP
- **GEN** GENERATOR
- **G** GENERATOR RECEPTACLE
- **H/P/V** HAND HOLE, VAULT
- **IB** ICE BRIDGE
- **K** KENTROX BOX
- **LC** LIGHTING CONTROL
- **M** METER
- **PB** PULL BOX
- **PP** POWER POLE
- **T** TELCO
- **THN** TRANSFORMER
- **L** CHAINLINK FENCE

---

**SITE PLAN NOTES:**

1. THIS SITE PLAN REPRESENTS THE BEST PRESENT KNOWLEDGE AVAILABLE TO THE ENGINEER AT THE TIME OF THIS DESIGN. THE CONTRACTOR SHALL VISIT THE SITE PRIOR TO CONSTRUCTION AND VERIFY ALL EXISTING CONDITIONS RELATED TO THE SCOPE OF WORK FOR THIS PROJECT.

2. ICE BRIDGE, CABLE LADDER, COAX PORT, AND COAX CABLE ARE SHOWN FOR REFERENCE ONLY. CONTRACTOR SHALL CONFIRM THE EXACT LOCATION OF ALL PROPOSED AND EXISTING EQUIPMENT AND STRUCTURES DEPICTED ON THIS PLAN BEFORE UTILIZING EXISTING CABLE SUPPORTS, COAX PORTS, OR INSTALLING ANY OTHER EQUIPMENT. CONTRACTOR SHALL VERIFY ALL ASPECTS OF THE COMPONENTS MEET THE ATC SPECIFICATIONS.

3. THIS PROJECT INCLUDES NO INSTALL OR MODIFICATION AT GRADE.
PER MOUNT ANALYSIS COMPLETED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/30/21, THE EXISTING MOUNT MUST BE MODIFIED TO ADEQUATELY SUPPORT THE PROPOSED LOADING AS SHOWN. THE MOUNT MODIFICATIONS DETAILING AT THE END OF THE PLAN SET MUST BE INSTALLED PRIOR TO THE INSTALLATION OF THE PROPOSED ANTENNAS AND OTHER EQUIPMENT.

NOTE:
- MOUNT MODIFICATIONS ARE REQUIRED BEFORE ANY INSTALL CAN OCCUR. PLEASE REFER TO THE MOUNT MODIFICATION DRAWINGS PROVIDED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/30/21.
- POST MODIFICATION INSPECTION (PMI) REQUIRED ON ALL SITES. REFER TO THE MOUNT ANALYSIS PREPARED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/17/21 FOR ADDITIONAL DETAILS.

MOUNT MODIFICATIONS ARE REQUIRED BEFORE ANY INSTALL CAN OCCUR. PLEASE REFER TO THE MOUNT MODIFICATION DRAWINGS PROVIDED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/30/21.

NOTE:
- POST MODIFICATION INSPECTION (PMI) REQUIRED ON ALL SITES. REFER TO THE MOUNT ANALYSIS PREPARED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/17/21 FOR ADDITIONAL DETAILS.

MOUNT MODIFICATIONS ARE REQUIRED BEFORE ANY INSTALL CAN OCCUR. PLEASE REFER TO THE MOUNT MODIFICATION DRAWINGS PROVIDED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/30/21.

NOTE:
- POST MODIFICATION INSPECTION (PMI) REQUIRED ON ALL SITES. REFER TO THE MOUNT ANALYSIS PREPARED BY TOWER ENGINEERING SOLUTIONS, LLC, DATED 12/17/21 FOR ADDITIONAL DETAILS.
Per Mount Analysis is completed by Tower Engineering Solutions LLC, dated 12/29/20. The existing mount must be modified to adequately support the proposed loading. The Mount Modification Details at the end of this plan set, must be installed prior to the installation of the proposed antennas and other equipment.

**EXISTING MOUNT MODIFICATIONS** (REFER TO SHEETS AT THE END OF THIS PLAN SET)

### Equipment Schedules

**Notes**

- **RMV**: To be removed
- **REL**: To be relocated
- **ADD**: To be added

**Location**

- **Alpha**
  - 165' 70°
  - 165' 200°
  - 165' 310°

- **Beta**
  - 165' 70°
  - 165' 200°
  - 165' 310°

- **Gamma**
  - 310°

**Final Fiber Distribution/OVP Box**

- **Exeant Box (Typ.)**

**Final CABLING SUMMARY**

- **Model Number**
- **Status**
- **Coax**
- **Hybrid**
- **Status**

**Coax**

1/2" - 1/2""

**Hybrid**

- 1/2" - 1/2""

**Status**

- RMV
- REL
- ADD

**Date**: 2022.04.19 10:35:53-04'00'

**Digitally signed by**: Derek Richard Hartzell
PROPOSED OVP MOUNTING DETAIL - TYPICAL

PROPOSED 5G ANTENNA MOUNTING DETAIL - TYPICAL

Proposed antenna
Existing structure frame
Proposed 2-3/8" O.D. x 96" long

PROPOSED OVP MOUNTING DETAIL - TYPICAL

Existing mounting frame
Proposed OVP

Date: 2022.04.19 10:35:53-04'00'
Digitally signed by Derek Richard Hartzell
NOTES:

1. THIS DETAIL IS INTENDED TO SHOW THE GENERAL GROUNDING REQUIREMENTS. SLIGHT ADJUSTMENTS MAY BE REQUIRED BASED ON EXISTING SITE CONDITIONS. THE CONTRACTOR SHALL MAKE FIELD ADJUSTMENTS AS NEEDED AND INFORM THE CONSTRUCTION MANAGER OF ANY CONFLICTS.

2. SITE GROUNDING SHALL COMPLY WITH VERIZON GROUNDING STANDARDS, LATEST EDITION, AND COMPLY WITH VERIZON GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT THEY SHALL GOVERN.

3/8" SS LOCK WASHER
(TWO SIDE)

TWO-HOLE LUG, TO BE USED WITH #2 AWG BCW (LOWER TOWER GROUND BAR ONLY)

3/8" X 1-1/2" SS BOLT
(EACH SIDE)

14" X 4" X 4" GROUND BAR
(ERICO P/N: EGBA14406CC OR EQUAL)

GROUND KIT NOTES:

1. GROUND KIT KITS COME WITH ALL HARDWARE, NUTS, BOLTS, WASHERS, ETC. EXCEPT THE STRUCTURAL MOUNTING MEMBERS.

2. GROUND BAR TO BE BONDED DIRECTLY TO TOWER.
Final Loading Configuration:

The following equipment has been considered for the analysis of the mount(s):

<table>
<thead>
<tr>
<th>Mount Elevation (ft)</th>
<th>Equipment Elevation (ft)</th>
<th>Quantity</th>
<th>Manufacturer</th>
<th>Model</th>
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</tbody>
</table>

The recent mount mapping reported existing DVP units. It is acceptable to install up to any three (3) of the DVP model numbers listed below as required at any location other than the mount face without affecting the structural capacity of the mount. If DVP units are installed on the mount face, a mount re-analysis may be required unless replacing an existing DVP.

**Standard Conditions:**

1. All engineering services are performed on the basis that the information provided to Tower Engineering Solutions, LLC and used in this analysis is current and correct. The existing equipment loading has been applied at locations determined from the supplied documentation and field observations. Any deviation from the loading locations specified in this report shall be communicated to Tower Engineering Solutions, LLC to verify loading will not adversely impact the analysis.

2. Mounts are assumed to have been properly fabricated, installed and maintained in good condition, twist free and plumb in accordance with its original design and manufacturer’s specifications.

3. The recent mount mapping is not a condition assessment of the mount. Proper maintenance and condition assessments are still required post analysis.

4. For mount analyses completed from other data sources (including new replacement mounts) and not specifically mapped in accordance with the NE80-500 Standard, the mounts are assumed to have been properly fabricated, installed and maintained in good condition, twist free and plumb in accordance with its original design and manufacturer’s specifications.

**Requirements:**

The existing mounts(s) will be **SUFFICIENT** for the final loading configuration (attachment 2) after the modifications detailed in attachment 3 are successfully completed.

---

**Analysis Results**

(3) Sector Frame 55.6% Pass at Modifications

**Contractor PMI Requirements:**

In accordance with the report requirements, please review the supplement report for complete mount analysis calculations and details. Supplemental pages included in the construction drawings and are for reference only. General Contractor is to verify they have the most recent mount analysis prior to construction.
POST MODIFICATION INSPECTION (PMI) REQUIREMENTS

1. PMI REQUIRED FOR ALL SITES, REFER TO VERIZON NSTD-446 SECTION 1.5 AND 2.3 FOR MORE INFORMATION.

2. CONTRACTOR SHALL REFER TO THE MOUNT ANALYSIS BY TOWER ENGINEERING SOLUTIONS, LLC DATED 12/17/2021 FOR ADDITIONAL DETAILS.

3. GENERAL. CONTRACTOR SHALL PROVIDE THE REQUIRED DOCUMENTATION TO THE STRUCTURAL ENGINEER OF RECORD VIA EMAIL. EXCEPT FOR OTHER FILE SHARE METHOD PROVIDE HIGH RESOLUTION PHOTOS (DO NOT COMPRESS).

4. STRUCTURAL ENGINEER OF RECORD WILL CONDUCT A REVIEW OF THE PROVIDED DOCUMENT TO PREPARE A PMI REPORT. STRUCTURAL ENGINEER OF RECORD WILL NOTIFY GENERAL CONTRACTOR IF ANY ADDITIONAL DOCUMENTATION IS REQUIRED TO COMPLETE THE PMI.

5. PMI DOCUMENTATION SHALL BE SUFICIENT TO CONFIRM THE UPGRADE WAS BUILT AS DESIGNED, INCLUDING EQUIPMENT CHANGES AND STRUCTURAL MODIFICATIONS, AND IS IN ADDITION TO ANY OTHER REQUIRED CLOSEOUT PACKAGE DOCUMENTATION.

6. REQUIRED DOCUMENTATION FOR PMI INCLUDES THOSE FOLLOWING AT A MINIMUM REFER TO THE MOUNT ANALYSIS FOR POSSIBLE ADDITIONAL INFORMATION. IF STRUCTURAL MODIFICATIONS ARE REQUIRED, REFER TO THE MODIFICATION DRAWINGS FOR POSSIBLE ADDITIONAL REQUIREMENTS.
   a. PROVIDE PRE-AND POST-CONSTRUCTION PHOTOS OF EACH SECTOR FROM THE MOUNT ELEVATION AND THE GROUND. CONTRACTOR IS RESPONSIBLE FOR ENSURING THE PHOTOS PROVIDED PROVIDE POSITIVE CONFIRMATION THAT THE MODIFICATION UPGRADE WAS COMPLETED IN ACCORDANCE WITH THESE CONSTRUCTION DRAWINGS AND ANY STRUCTURAL/MOUNT MODIFICATION DRAWINGS. CONTRACTOR SHALL RELAY ANY DATA THAT CAN IMPACT THE PERFORMANCE OF THE MOUNT OR MOUNT MODIFICATION, INCLUDING SAFETY ISSUES. PHOTOS SHALL HAVE A DATE/TIME STAMP IN THE PHOTO. REFER TO THE MOUNT ANALYSIS FOR SCHEDULE OF REQUIRED PHOTOS. PROVIDE PHOTOS OF THE GATE SIGNS AND CARRIER SHELTER TO IDENTIFY THE TOWER OWNER, SITE NAME, SITE NUMBER, ETC.
   b. VERIFICATION OF THE MEMBER CONNECTIONS, BRACING, AND RELEVANT DIMENSIONS.
   d. FOR TIEBACKS, STRUTS, MOUNT PIPES, PHOTOS TO CONFIRM THE ANGLES AND LOCATIONS OF ATTACHMENT POINT AT BOTH END OF MEMBER, AS WELL AS DIMENSIONS, THICKNESS, AND LENGTHS OF THE MEMBERS. REFER TO THE CHECKLIST IN THE MOUNT ANALYSIS OR MOUNT MODIFICATIONS FOR ADDITIONAL INFORMATION.
   e. MATERIALS USED (TYPE, STRENGTH, DIMENSIONS, ETC.). PROVIDE BILL OF MATERIAL AND MATERIAL SPEC TO CONFIRM MATERIAL GRADES AND SIZES. PROVIDE DOCUMENTATION FOR GALVANIZATION OF MEMBERS WHETHER HOT-DIPPED OR COLD-GALVANIZED. IF MATERIALS DIFFER FROM THOSE SPECIFIED ON THESE DRAWINGS, PROVIDE DOCUMENTATION THAT THE "EQUIVALENT" MATERIAL HAS THE SAME SPECIFICATIONS.
   f. MOUNT ORIENTATION/AZIMUTH AND ELEVATION PROVIDE TAPE DROP OF ANTENNA CENTERLINE(S) AND MOUNT ATTACHMENT POINTS TO THE SUPPORTING STRUCTURE. IF THERE ARE MULTIPLE RAD CENTERS, PROVIDE PHOTOS OF ALL ELEVATIONS.
   g. VERIFICATION THAT THE INSTALL HAS NOT CAUSED DAMAGE TO OR UNPLANNED OBSTRUCTION OF THE FOLLOWING:
      - CLIMBING FACILITIES
      - SAFETY CLIMB/RAILS PRESENT, INCLUDING PHOTOS ABOVE AND BELOW THE MOUNT
      - LIGHTING SYSTEMS
      - OTHER INSTALLED SYSTEMS ON THE STRUCTURE
      - CONTRACTOR SHALL ENSURE THE SAFETY CLIMB IS SUPPORTED AND NOT ADEQUABLY MADE. THIS MAY INVOLVE THE INSTALLATION OF WIRE ROPE GUIDES OR OTHER ITEMS TO PROTECT THE WIRE ROPE.
   h. OTHER ITEMS DETERMINED BY THE STRUCTURAL ENGINEER TO ENSURE THE MOUNT WILL PERFORM AS DESIGNED IN THE MOUNT ANALYSIS. PHOTOS OF RELEVANT MEASUREMENTS, WITH SUFFICIENT DETAILS TO CONFIRM CONNECTION DETAILS, PLACEMENT OF EQUIPMENT, WALL ANCHOR DETAILS, BALLAST QUANTITIES, STRUCTURAL MODIFICATIONS FOR ALL樂 MOUNTS EQUIPMENT SOWS, BALLAST, BRACING, MOUNT TIEBACKS, MOUNT MODIFICATIONS, ETC. SHALL HAVE PHOTOS CONFIRMING CALIPER MEASUREMENTS.
   i. CONFIRM THAT ALL HARDWARE WAS PROPERLY INSTALLED, AND EXISTING HARDWARE WAS INSPECTED FOR ANY ISSUES:
      - FOR BALLAST SLEDS, DOCUMENTATION OF THE WEIGHT OF BALLAST IN EACH SECTOR
      - FOR WALL ANCHORS, PHOTOS, AND MEASUREMENTS OF OUTSIDE AND INSIDE OF CONNECTIONS, DOCUMENTATIONS OF ADHESIVE USED, SIZE AND LENGTH OF ANCHORS, EFFECTIVE EMBEDMENT DEPTH OF THE ANCHORS, GROUTING OF HOLLOW WALLS, SPACING AND EDGE DISTANCE MEASUREMENTS, AND ANY OTHER HOLES OR BORING PLATES.
      - FOR STUD WELD CONNEXION, DOCUMENTATION TO CONFIRM SURFACE PREPARATION, STUD WELD SIZE, GRADE, LENGTH, AND SPACING.
      - FOR FORGED PARTS, SHOP DRAWINGS TO BE APPROVED BY THE ENGINEER OF RECORD PRIOR TO CONSTRUCTION.
      - FOR STUD WELD, CERTIFIED WELD INSPECTION.
      - FOR STUD WELD, BOLT INSTALLATION AND TORQUE.
   j. CONTRACTOR SHALL PROVIDE, IN ADDITION TO THE ABOVE, AS BUILT CD'S WITH MEASUREMENTS IDENTIFYING ANY CHANGES. THE AS BUILT SD'S SHALL HAVE THE CONTRACTOR'S NAME, PREPARES SIGNATURE, AND DATE.

8. IF THE MODIFICATION INSTALLATION WOULD FAIL THE PMI ("TALLIED PM"), THE CONTRACTOR SHALL WORK WITH THE ENGINEER OF RECORD TO COORDINATE A REMEDIATION PLAN IN ONE OF THE FOLLOWING WAYS:
   a. CORRECT FAILING ISSUES TO COMPLY WITH THE SPECIFICATIONS CONTAINED IN THE ORIGINAL CONTRACT DOCUMENTS AND COORDINATE A SUPPLEMENTAL PMI.
   b. OR, WITH ENGINEER OF RECORD'S APPROVAL, THE QC MAY WORK WITH THE QC TO ANALYZE THE MODIFICATION/REINFORCEMENT UPGRADE USING THE AS-BUILT CONDITION.

9. NOTE: IF LOOKING IS DIFFERENT THAN THAT SHOWN IN THESE CONSTRUCTION DRAWINGS OR STRUCTURAL/MOUNT MODIFICATION DRAWINGS, CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IMMEDIATELY FOR RESOLUTION.

APPEAL # 3249

815 S. AURORA STREET

Appeal of Centerline Communications LLC and AT&T Mobility on behalf of property owner American Tower Corporation and 815 S. Aurora St QOZB, LLC, for an area variance from Section 325-29.8B(1)(h), Siting Standards for Personal Wireless Service Facilities, and Section 325-29.8C(1), Design Standards for Personal Wireless Service Facilities, of the City of Ithaca Zoning Ordinance. The applicant proposes to replace nine existing antennas and install additional equipment to the company’s existing personal wireless service facility (PWSF) located on the existing tower located on the property at 815 S. Aurora Street. The proposal is considered a modification of the existing PWSF. The City recently amended Article VA, Telecommunications Facilities and Services, of the Zoning Ordinance, and the amendment requires all PWSF to be located at least 250’ from adjacent residences. The existing PWSF at this property is approximately 185’ from the nearest residential building. This is an existing deficiency that will not be exacerbated by this proposal.

815 S. Aurora Street is located in the R-3b district in which the proposed PWSF is permitted. However, Section 325-29.28 requires that an area variance be granted before a building permit is issued.
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 (OR OTHER CITY OFFICIAL)

   APPEAL #: __________________ (FILLED IN BY STAFF)
   HEARING DATE: _____________
   BUILDING PERMIT #: ___________ (REQUIRED)
   RECEIPT #: __________________ (FILLED IN BY STAFF)

2. Property Address: ___________________________ Use District: _____________
   Owner’s Name: ___________________________
   Owner’s Address: _____________________________
   City: _______________ State: __________ Zip: __________

3. Appellant’s Name: ___________________________
   Appellant’s Address: _____________________________
   City: _______________ State: __________ Zip: __________
   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.

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

   Kimberly Revak - Centerline Communications (Agent for AT&T)
   Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this _____ day of _____________________, 20____

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:

<table>
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<tr>
<th>Zoning Ordinance Section Being Appealed</th>
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<tr>
<td>§325- 29.8C(1)</td>
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2. Application of SEQR determination:  
   - Type 1  
   - Type 2  
   - Unlisted

3. Environmental Assessment form used:
   - Short Environmental Assessment Form (SEAF)  
   - Full Environmental Assessment Form (FEAF)  
   - Completed by Planning Division at preliminary hearing for Site Plan Review  
   - Not Applicable (Type 2 Action)

4. A previous appeal  
   - has /  
   - has not been made for this proposal:

   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________

5. Notes or Special Conditions:
LETTER OF AUTHORIZATION FOR PERMITTING

ATC SITE#/NAME/PROJECT: 209518 /Ithaca / OAA779904
SITE ADDRESS: 815 S Aurora St, Ithaca, NY 14850-5729
APN: 500700-115-000-0001-015-000-0000
LICENSEE: NEW CINGULAR WIRELESS PCS, LLC dba AT&T MOBILITY

I, Margaret Robinson, Vice President, UST Legal for American Tower*, owner/operator of the tower facility located at the address identified above (the “Tower Facility”), do hereby authorize NEW CINGULAR WIRELESS PCS, LLC dba AT&T MOBILITY, their successors and assigns, and/or their agent, (collectively, the “Licensee”) to act as American Tower’s non-exclusive agent for the sole purpose of filing and consummating any land-use, building, or electrical permit application(s) as may be required by the applicable permitting authorities for NEW CINGULAR WIRELESS PCS, LLC dba AT&T MOBILITY’s telecommunications’ installation on the Tower Facility.

I understand that these applications may approved with conditions. The above authorization is limited to the acceptance by Licensee only of conditions related to Licensee’s installation and any such conditions of approval or modifications will be Licensee’s sole responsibility.

Signature:

Print Name: Margaret Robinson
Vice President, UST Legal
American Tower*

NOTARY BLOCK

Commonwealth of MASSACHUSETTS
County of Middlesex

This instrument was acknowledged before me by Margaret Robinson, Vice President, UST Legal for American Tower*, personally known to me (or proved to me based on satisfactory evidence of identification) to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

WITNESS my hand and official seal, this 16th day of February 2023

* American Tower is defined as American Tower Corporation and any of its affiliates or subsidiaries.
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. R147738-A

TO: Owners of Property within 200 feet of Guyed Tower at 815 South Aurora Street and others interested.

FROM: AT&T Mobility applicable to property named above, in __R-3B__ zone.

REGARDING: (check appropriate box)

[ ] Area Variance  [ ] Use Variance  [ ] Sign Variance

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 on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” 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 __03/28/2023__ at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVnCrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on __04/04/2023__ at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant ______________________ Address _______________ Date __________
February 2, 2023

To Whom It May Concern:

AT&T Mobility is in the process of updating certain equipment that supports its wireless telecommunications network. As part of this effort, AT&T Mobility will need to perform work at their existing telecommunications facility, currently located on the existing 170’ cell tower located at 815 South Aurora Street in the City of Ithaca.

AT&T Mobility’s proposed project includes: Removal of older equipment (9 antennas and 13 radios). Plus the installation of new equipment (9 antennas, 6 radios, 1 squid) and associated ancillary equipment and cabling (power and fiber) mounted at the existing 127’ ACL on the existing 170’ guyed tower. All proposed work will take place on the cell tower at South Aurora Street in the City of Ithaca. This proposed work will not increase the height of the tower nor alter the dimensions of the equipment compound on the ground, thus not substantially changing the physical dimensions of such tower or base station.

In order to complete the above referenced project, Centerline Communications, LLC, on behalf of AT&T Mobility has applied for a Variance with the City of Ithaca Zoning Board as the newly adopted ordinance in City Code Section 325-29.8C stipulates that “Personal Wireless Service Facilities be located at least 250' from residences.” Unfortunately, modifications to installations which pre-date the above referenced ordinance are not exempt from this requirement, thus requiring Area Variance approval for us to move forward with the proposed project. We hope to receive swift approval for the above referenced project, so that we can continue to enhance our services to all who utilize AT&T’s Wireless’s Network.

Sincerely,

Kimberly Revak
Site Acquisition Consultant
Email: krevak@clinellc.com
Cell: 845-242-6152
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<td>Ithaca NY 14850</td>
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<td>J Rogan Rev Trust</td>
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<tr>
<td></td>
<td></td>
<td>Fort Myers FL 33908</td>
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</tr>
</tbody>
</table>
1. THE SUBCONTRACTOR SHALL NEVER AND INJECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AT&T) THE SPECIFICATIONS, LTD., OR ANY USING INSTALLATION CODES AND GENERAL CONSTRUCTION HYBRID TELECOM AND KV LIGHTNING INSTALLATION. THE SUBCONTRACTOR SHALL REPORT ANY MODIFICATIONS OR ADJUSTMENTS TO THE CONTRACTOR FOR RESOLUTION.

2. ALL GROUND ELECTRICAL SYSTEMS (INCLUDING POWER GRID LIVE, LIGHTNING PROTECTION, AND ALL POWER GROUNDS) SHALL BE SEPARATELY CONNECTED TO THE GROUNDING SYSTEM. THE SUBCONTRACTOR SHALL ENSURE THAT ALL GROUND ELECTRICAL SYSTEMS ARE CONNECTED TO THE GROUNDING SYSTEM.

3. THE SUBCONTRACTOR SHALL PERFORM A FIVE-FUTTER RESISTANCE TO EARTH TESTING (SEE IEEE 1100 AND 81 STANDARD) FOR ALL GROUND EARTH SYSTEMS. THE GROUNDING SYSTEM SHALL BE CHECKED AND INSTALLED IN ACCORDANCE WITH THE NEC, AND SHALL BE TESTED AND INSPECTED WITH THE POWER CIRCUITS TO THE GROUNDING SYSTEM.

4. EACH EARTH GROUND SYSTEM SHALL BE SEPARATELY CONNECTED TO THE GROUNDING SYSTEM. EACH GROUND SYSTEM SHALL BE SEPARATELY CONNECTED TO THE GROUNDING SYSTEM. EACH GROUND SYSTEM SHALL BE SEPARATELY CONNECTED TO THE GROUNDING SYSTEM.

5. THE SUBCONTRACTOR SHALL INSTALL AND TEST THE GROUNDING SYSTEM. THE SUBCONTRACTOR SHALL TEST AND INSPECT THE GROUNDING SYSTEM. THE SUBCONTRACTOR SHALL TEST AND INSPECT THE GROUNDING SYSTEM.


14. ANY NEW CONCRETE AREA NEEDED FOR THE CONSTRUCTION WILL BE COMPLETED IN ACCORDANCE WITH ALL SITE 318 CODE REQUIREMENTS.

15. ALL STRUCTURAL STEEL WORK TO BE ERECTED IN ACCORDANCE WITH ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

16. ALL ELECTRICAL SYSTEMS TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

17. ALL AIR CONDITIONING AND HEATING SYSTEMS TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

18. ALL FIRE PROTECTION SYSTEMS TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

19. ALL FLOOD PROTECTION SYSTEMS TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

20. ALL BUILDING CODES TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

21. ALL BUILDING CODES TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

22. ALL BUILDING CODES TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.

23. ALL BUILDING CODES TO BE ERECTED ACCORDING TO ALL SITE 318 CODE REQUIREMENTS. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED. ALL SITE 318 CODE REQUIREMENTS MUST BE FOLLOWED.
RF PLUMBING DIAGRAM

AC-D'2A'D'_7TRD'8TRD'2TRD'9TRD'_77G77D_Ft3TR, 
B-D2AD'_7TRD'8TRD'2TRD'9TRD'_77G77D_Ft
Structural Analysis Report

Structure : 170 ft Guyed Tower
ATC Asset Name : Ithaca
ATC Asset Number : 209518
Engineering Number : OAA779904_C3_02
Proposed Carrier : AT&T MOBILITY
Carrier Site Name : Fish
Carrier Site Number : 10000839
Site Location : 815 South Aurora Street
                Ithaca, NY 14850
                42.4298, -76.4966
County : Tompkins
Date : September 22, 2022
Max Usage : 98%
Analysis Result : Pass

Prepared By: Sarah Kramer
Structural Engineer

Reviewed by: Sarah D. Kramer

COA: #0012746
Table of Contents

Introduction ..............................................................................................................................................3
Supporting Documents .............................................................................................................................3
Analysis .....................................................................................................................................................3
Conclusion ................................................................................................................................................3
Existing/Reserved Loading ........................................................................................................................4
Proposed Carrier Final Loading ............................................................................................................5
Structure Usages ......................................................................................................................................6
Foundation Reactions & Usages .............................................................................................................6
Antenna Deflection, Twist, and Sway ......................................................................................................6
Standard Conditions .................................................................................................................................7
Calculations ............................................................................................................................................Attached
Introduction
The purpose of this report is to summarize results of a structural analysis performed on the 170 ft Guyed tower to reflect the change in loading by AT&T MOBILITY.

Supporting Documents

<table>
<thead>
<tr>
<th>Supporting Document Type</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tower Drawing:</td>
<td>Mapping by ETS Job #21088478.INS.0095, dated July 13, 2021</td>
</tr>
<tr>
<td>Foundation Drawing:</td>
<td>Mapping by SC Job #160979, dated November 3, 2016</td>
</tr>
<tr>
<td>Geotechnical Report:</td>
<td>Delta Oaks Group Project #GEO21-08564-003, dated April 8, 2021</td>
</tr>
<tr>
<td>Site Specific Study:</td>
<td>ICE Study for Site #209518, dated August 30, 2022</td>
</tr>
</tbody>
</table>

Analysis
The tower was analyzed using American Tower Corporation’s tower analysis software. This program considers an elastic three-dimensional model and second-order effects per ANSI/TIA-222.

| Basic Wind Speed:                | 110 mph (3-second gust)                                                  |
| Basic Wind Speed w/ Ice:         | 64 mph (3-second gust) w/ 0.97 radial ice concurrent                     |
| Exposure Category:               | B                                                                       |
| Risk Category:                   | II                                                                     |
| Topographic Factor Procedure:    | Method 3                                                                |
| Topographic Category:            | 1                                                                       |
| Crest Height (H):                | 0 ft                                                                   |
| Spectral Response:               | $S_s = 0.12$, $S_i = 0.04$                                              |
| Site Class:                      | D - Stiff Soil - Default                                                 |

*Wind pressures have been determined per the site-specific climatic study in accordance with ASCE 7-16 Section 26.5.3, IBC Section 1609.3, and TIA-222-H Section 2.6.6.2.3.

*Ice and concurrent pressures have been determined per the site-specific climatic study in accordance with ASCE 7-16 Section 10.1.1, IBC Section 1614, and TIA-222-H Section 2.6.4.1.

Conclusion
Based on the analysis results, the structure meets the requirements per the applicable codes listed above. The tower and foundation can support the equipment as described in this report.

If you have any questions or require additional information, please contact American Tower via email at Engineering@americantower.com Please include the American Tower site name, site number, and engineering number in the subject line for any questions.
## Existing/Reserved Loading

<table>
<thead>
<tr>
<th>Elev.*</th>
<th>Qty</th>
<th>Equipment</th>
<th>Lines</th>
<th>Carrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>169.0'</td>
<td>1</td>
<td>12&quot; Omni</td>
<td>(1) 1 1/4&quot; Coax</td>
<td>SPOK HOLDINGS, INC.</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Sector Frame</td>
<td>(2) 1 1/4&quot; Hybriflex Cable</td>
<td>VERIZON WIRELESS</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Amphenol Antel LPA-70090-8CF-EDIN-2</td>
<td>(24) 1 5/8&quot; Coax</td>
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</tr>
<tr>
<td></td>
<td>2</td>
<td>Raycap RC2DC-3315-PF-48</td>
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<td>Samsung B2/B66A RRH-BR049</td>
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<td></td>
<td>3</td>
<td>Samsung B5/B13 RRH-BR04C</td>
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<td>3</td>
<td>Samsung MT6407-77A</td>
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<td>Amphenol Antel LPA-70063-8CF-EDIN-2</td>
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<td>4</td>
<td>Amphenol Antel LPA-70063/8CF</td>
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<td>Raycap RVZDC-6627-PF-48</td>
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<td>Samsung RFV01U-D1A</td>
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<td>T-MOBILE</td>
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<td>3</td>
<td>Andrew ATSBT-TOP-MF</td>
<td>(4) 1 5/8&quot; (1.63&quot;-41.3mm) Fiber</td>
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<tr>
<td></td>
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<td>Ericsson AIR32 KRD901146-1_B66A_B2A</td>
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<tr>
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<td>Ericsson Air6449 B41</td>
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<td>Ericsson KRY 112 144/1</td>
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<td>Ericsson Radio 4415 B30</td>
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<td>3</td>
<td>Ericsson Radio 4449</td>
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<td>RFS APXVAALL18 43-U-NA20</td>
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<td>Ericsson Radio 4449</td>
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<tr>
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<td>Mount Reinforcement</td>
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<td>AT&amp;T MOBILITY</td>
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<td>(2) 7/8&quot; Coax</td>
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<td>Radio/ODU</td>
<td>(1) 1/4&quot; Coax</td>
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*Contracted elevations are shown for appurtenances within contracted installation tolerances. Appurtenances outside of contract limits are shown at installed elevations.*

(If table breaks across pages, please see previous page for data in merged cells)
### Proposed Carrier Final Loading

<table>
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<tr>
<th>Elev.*</th>
<th>Qty</th>
<th>Equipment</th>
<th>Lines</th>
<th>Carrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>127.0'</td>
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<td>Ericsson AIR 6419 B77G</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>1</td>
<td>Raycap DC9-48-60-24-8C-EV (16lbs)</td>
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</tr>
<tr>
<td></td>
<td>2</td>
<td>Ericsson RRUS 32 B30 (60 lbs)</td>
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<tr>
<td></td>
<td>3</td>
<td>Ericsson RRUS 4449 B5, B12</td>
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<tr>
<td></td>
<td>3</td>
<td>Ericsson RRUS 4478 B14</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Ericsson Radio 8843 B2 B66A</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Raycap DC6-48-60-18-8F (23.5&quot; Height)</td>
<td>(3) 0.39&quot; (10mm) Fiber Trunk (6) 0.78&quot; (19.7mm) 8 AWG 6 (3) 0.96&quot; (24.3mm) Cable (1) 2&quot; conduit</td>
<td>AT&amp;T MOBILITY</td>
</tr>
<tr>
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<td>1</td>
<td>Commscope NNH4-65C-R6N17</td>
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</tr>
<tr>
<td>125.0'</td>
<td>6</td>
<td>Ericsson AIR 6449 B77D/ C-Band</td>
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</tr>
<tr>
<td>123.0'</td>
<td>3</td>
<td>Ericsson AIR 6449 B77D/ C-Band</td>
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</tbody>
</table>

*Contracted elevations are shown for appurtenances within contracted installation tolerances. Appurtenances outside of contract limits are shown at installed elevations.*

Install proposed lines in the place of the existing AT&T MOBILITY lines.
Structure Usages

<table>
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<tr>
<th>Structural Component</th>
<th>Usage</th>
<th>Pass/Fail</th>
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</thead>
<tbody>
<tr>
<td>Legs</td>
<td>61%</td>
<td>Pass</td>
</tr>
<tr>
<td>Diagonals</td>
<td>98%</td>
<td>Pass</td>
</tr>
<tr>
<td>Horizontals</td>
<td>84%</td>
<td>Pass</td>
</tr>
<tr>
<td>Guys</td>
<td>80%</td>
<td>Pass</td>
</tr>
<tr>
<td>Leg Bolts</td>
<td>5%</td>
<td>Pass</td>
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</table>

Foundation Reactions & Usages

<table>
<thead>
<tr>
<th>Reaction Component</th>
<th>Analysis Reactions</th>
<th>Usage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Axial (k)</td>
<td>134.6</td>
<td>31%</td>
</tr>
<tr>
<td>Anchor 1 Uplift (kips)</td>
<td>47.6</td>
<td>87%</td>
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<tr>
<td>Anchor 1 Shear (kips)</td>
<td>38.6</td>
<td>80%</td>
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</table>

The structure base reactions resulting from this analysis were found to be acceptable through analysis based on geotechnical and foundation information, therefore no modification or reinforcement of the foundation will be required.

Antenna Deflection, Twist, and Sway

<table>
<thead>
<tr>
<th>Elev.</th>
<th>Antenna</th>
<th>Carrier</th>
<th>Deflection</th>
<th>Twist</th>
<th>Sway [Rotation]</th>
</tr>
</thead>
<tbody>
<tr>
<td>127.0’</td>
<td>Ericsson AIR 6419 B77G</td>
<td></td>
<td>0.185’</td>
<td>0.021*</td>
<td>0.118°</td>
</tr>
<tr>
<td>125.0’</td>
<td>Commscope NNH4-65C-R6N17</td>
<td>AT&amp;T MOBILITY</td>
<td>0.180’</td>
<td>0.021*</td>
<td>0.124°</td>
</tr>
<tr>
<td></td>
<td>Ericsson RRUS 32 B30 (60 lbs)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ericsson RRUS 4449 B5, B12</td>
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<tr>
<td></td>
<td>Ericsson RRUS 4478 B14</td>
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</tr>
<tr>
<td></td>
<td>Ericsson Radio 8843 B2 B66A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raycap DC6-48-60-18-8F (23.5” Height)</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Raycap DC9-48-60-24-8C-EV (16lbs)</td>
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</tr>
<tr>
<td>123.0’</td>
<td>Ericsson AIR 6449 B77D/ C-Band</td>
<td>SPOK HOLDINGS, INC.</td>
<td>0.174’</td>
<td>0.021*</td>
<td>0.137°</td>
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<td>0.022*</td>
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<td>0.037’</td>
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</table>

*Deflection, Twist and Sway was evaluated considering a design wind speed of 60 mph (3-Second Gust) per ANSI/TIA-222-H
Standard Conditions

All engineering services performed by A.T. Engineering Services, PLLC are prepared on the basis that the information used is current and correct. This information may consist of, but is not limited to the following:

- Information supplied by the client regarding antenna, mounts, and feed line loading
- Information from drawings, design and analysis documents, and field notes in the possession of A.T. Engineering Services, PLLC

It is the responsibility of the client to ensure that the information provided to A.T. Engineering Services, PLLC and used in the performance of our engineering services is correct and complete.

All assets of American Tower Corporation, its affiliates, and subsidiaries (collectively “American Tower”) are inspected at regular intervals. Based upon these inspections and in the absence of information to the contrary, American Tower assumes that all structures were constructed in accordance with the drawings and specifications.

Unless explicitly agreed by both the client and A.T. Engineering Services, PLLC, all services will be performed in accordance with the current revision of ANSI/TIA-222.

All services are performed, results obtained, and recommendations made in accordance with generally accepted engineering principles and practices. A.T. Engineering Services, PLLC is not responsible for the conclusions, opinions and recommendations made by others based on the information supplied herein.
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 # 3248 109-11 VALENTINE PLACE

Appeal of Integrated Acquisition & Development, on behalf of property owner Valentine Place Associates LLC, for an area variance from §325-8, Column 4, Off-Street Parking, and Column 6, Lot Area, requirements of the Zoning Ordinance. The applicant proposes to demolish the two existing multiple dwellings at 109-111 Valentine Place and construct a new 4-story multiple dwelling with 25 apartments. The minimum lot area requirement of the R-3a district is based on the number of dwelling units provided on site. A minimum lot area of 22,500 SF is required for a 25-unit multiple dwelling, and the property is 21,901 SF, resulting in a deficiency of 599 SF of lot area. In addition, the proposed unit configuration requires 29 off-street parking spaces; the applicant is proposing nine on-site parking spaces, resulting in a deficiency of 20 spaces. The property owner will allow tenants of the new building to utilize existing off-street parking in one of the nearby Collegetown Terrace lots.

The applicant previously applied for an area variance for a previous version of this project. Based on feedback from the Board, that application was withdrawn. The applicant has revised the project in response to the Board’s comments.

109-111 Valentine Place is located in the R-3a zoning district in which the proposed use is permitted. However, Section 325-38 requires that area variances be granted before a building permit is issued.
<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
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<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
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<th>325-25</th>
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<tr>
<td>Column Title</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>
<td>Location of Accessory Structures</td>
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<td>Existing Condition and Use</td>
<td>Multiple Dwellings</td>
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<td></td>
<td></td>
<td>17,119</td>
<td>102.2'</td>
<td>2</td>
<td>~27'</td>
<td>18.1%</td>
<td>&gt;10</td>
<td>&gt;10</td>
<td>&gt;10</td>
<td>~32' or 18%</td>
<td>0'</td>
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</tr>
<tr>
<td>District Regulations for Existing</td>
<td>Multiple Dwellings</td>
<td>6</td>
<td>14,000</td>
<td>50</td>
<td>4</td>
<td>40</td>
<td>35%</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>25% or 50’ but not less than 20’</td>
<td>None</td>
<td>3’</td>
<td></td>
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<tr>
<td>Note Non-Conforming Conditions</td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
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<td>Proposed Condition and/or Use</td>
<td>Multiple Dwellings</td>
<td>9</td>
<td>2</td>
<td>21,901</td>
<td>98’10”</td>
<td>4</td>
<td>44’</td>
<td>35.0%</td>
<td>18’ 1.5”</td>
<td>14’</td>
<td>9’</td>
<td>42’ 1” or 22.5%</td>
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<tr>
<td>District Regulation for Proposed</td>
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<td>2</td>
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<td>4</td>
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<td>25% or 50’ but not less than 20’</td>
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<td>None</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>Def</td>
<td>OK</td>
<td>Def</td>
<td>OK</td>
<td>OK</td>
<td>OK*</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: *The applicant is proposing an extra 4’ of height as allowed by section 325-16C (1)-(4) if additional setbacks are met
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 #: 3248 (FILLED IN BY STAFF)
   BUILDING PERMIT #: 42363 (REQUIRED)
   RECEIPT #: 69796 (FILLED IN BY STAFF)
   HEARING DATE: 4/4/2023

2. Property Address: 109-111 Valentine Place
   Use District: R-3a
   Owner's Name: Valentine Place Associates, LLC
   Owner's Address: 15 Thornwood Drive
   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant's Name: Herman Sieverding
   Appellant's Address: 15 Thornwood Drive
   City: Ithaca
   State: NY
   Zip: 14850

   Telephone: 607-327-2346
   E-Mail: hermans@inteprop.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 17th day of January, 2023

Debra J Bryden
Notary Public

DEBRA J BRYDEN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR6082101
Qualified in Cortland County
My Commission Expires 7/21/25

---

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.
CITY OF ITHACA BOARD OF ZONING APPEALS
APPLICATION WORKSHEET

*********************************************************** OFFICE USE ONLY ***************************************

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, Columns 4, 6</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
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<tr>
<td>§325-</td>
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<td>§272-</td>
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<td>§325-</td>
<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  ☐ Type 2  ☐ Unlisted

3. Environmental Assessment form used:
   - ☐ Short Environmental Assessment Form (SEAF)
   - ☐ Full Environmental Assessment Form (FEAF)
   - ☑ Completed by Planning Division at preliminary hearing for Site Plan Review
   - ☐ Not Applicable (Type 2 Action)

4. A previous appeal ☑ has / ☐ has not been made for this proposal:

   Appeal No. 3221,       dated 6/7/2022 (Withdrawn)
   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
Megan Wilson, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550 Fax: 607-274-6558 Email: mwilson@cityofithaca.org

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 #: 3248 DATE: 2/6/23

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

I (We) Earl Carpenter of 2 Horvath Dr.

Ithaca (Name) NY 14850 (Street Address)

(City/Municipality) (State & Zip Code)

Owner of the property at 107 Valentine Place (Street & Number)

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

☒ This property is also owned by Carl T. and Elizabeth Carpenter and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize Valentine Associates, LLC to appeal or request a variance or special permit on my (our) behalf. I (we) understand the appeal will be heard at the April 4, 2023 meeting of the Board of Zoning Appeals.

(Date)

(Signature)

NOTE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 6th day of February, 2023

Notary Public

(Signature)

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.
ADOPTED RESOLUTION
S/CEQR Negative Declaration
City of Ithaca Planning & Development Board
Valentine Place
109-111 Valentine Place
April 26, 2022

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a student housing building by Kathryn Wolf, TWMLA, and

WHEREAS: the applicant proposes to demolish two existing 2-story wood-frame houses and construct a 4-story 30-unit residential building, approximately 36,000 SF in area, as student housing. The project site is located in the R-3a Zoning District in which the maximum height for a building is 4 stories/40’. The project will require two area variances for minimum off-street parking and minimum lot size for quantity of units. The project includes a subdivision and parcel consolidation, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B(1)(k) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b.(11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation, the Tompkins County Department of Health, Common Council, and the Board of Zoning Appeals have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on February 22, 2022 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on April 26, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; drawings contained in the Preliminary Site Plan Review Packet dated January 18, 2022 and prepared by the Project Team including Valentine Place Associates, LLC, TG Miller P.C., Trowbridge Wolf Michaels Landscape Architecture, Ian Tyndall Landscape & Urban Design, Elwyn & Palmer Consulting Engineers, PLLC, Taitem Engineering, and Caroline O-Donnell Architecture D.P.C.; Site Location Map and Sketch Plan Review dated 12/21/21 by Caroline O-Donnell Architecture D.P.C.; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Correa
Seconded by: Glass
In favor: Petrina, Blalock, Correa, Glass, Godden, Randall, Lewis
Against: None
Abstain: None
Absent: None
Vacancies: None
Valentine Place Associates, LLC

15 Thornwood Drive

Ithaca, NY 14850

607-257-5050

February 7, 2023

TO: City of Ithaca Board of Zoning Appeals
FROM: Valentine Place Associates, Herman Sieverding, Owner Representative
Re: BZA Appeal for the Proposed 111 Valentine Place Project – Area Variance

Introduction

This letter summarizes revisions to the proposed 111 Valentine Place project and the request for two minor area variances from the Board of Zoning Appeals (BZA). The BZA will recall that 111 Valentine Place had previously been proposed as a 30 unit residential apartment building on a 17,119sf lot that has (after receiving comment from the BZA and staff) been reduced to 25 units on a lot that is now 21,901sf, as the applicant has changed floor plans and is acquiring an adjacent parcel. The site is located adjacent to the existing Collegetown Terrace properties off of East State Street. The proposed building is still approximately 29,320 overall GSF. Figure 1: Location Map shows the location of the property at the end of Valentine Place.
109-111 Valentine Place (tax parcel 83-3-13) is an older brick side-by-side duplex building that has long been used as student housing. There are a total of 11 bedrooms in the two existing buildings. There is a detached garage at the rear of the property which is used for storage and several paved parking spaces. The structure is generally in poor condition, with significant deferred maintenance items throughout. No upgrade of interior layout, finishes, appliances, etc., appears to have ever been done, other than cutting up each floor into separate bedrooms with shared bathroom and kitchen facilities. In addition, since the last meeting with the BZA the project sponsors have acquired 107 Valentine Place. 107 Valentine Place is a vacant lot consisting of approximately 4,782 sf and will be incorporated into the project site area -- increasing the lot size to 21,901sf from its previous 17,119sf. The project sponsors have also proposed to utilize this additional property to provide onsite parking. See the revised site plan which includes a parking layout for 9 parking spaces, attached.

Valentine Place Associates, LLC acquired 109-111 Valentine Place in September, 2021 and immediately began developing plans for redevelopment of the site having previously determined that the existing structure needs far more work than is economically viable and significantly underutilizes the site. The resultant redevelopment plan -- as recently modified -- now calls for 25 units in a mix of a reduced number of studio apartments and 2 and 4 bedroom units as well as a ground floor leasing and property management office. The offices will house the staff for the proposed project.

The original proposed redevelopment of the site was first presented to the Planning Board during a Sketch Plan Review on December 21, 2021. A full Site Plan and Environmental Review package was presented to the Planning Board on February 22, 2022 at which time the Planning Board declared itself Lead Agency for the SEQR review. The Planning Board reviewed both the Site Plan and Environmental review documents on March 22, 2022 and the Board adopted a Negative Declaration of Environmental significance on April 26, 2022. The project proposal was well received and the Planning Board recommended that the BZA grant the two area variances necessary to move this project forward at their May, 24, 2022 meeting. However, with the recent revisions to the development proposal described above the scope of the requested variance request has now been reduced. These reduced area variances are:

1. **Off street parking.** The site is located in a R-3a zoning district which requires 29 parking spaces for the proposed uses. The revised proposal includes 9 onsite, surface level parking spaces.

2. **Minimum Lot size for the number of units proposed.** The R-3a zoning requires 6,000sf of land area for the first 3 units of new construction plus 750sf of land area for each additional unit. The current project proposal has 25 units, which by this calculation the project site would need 22,500sf per the Code. The **combined** area of the proposed site is now 21,901sf, an increase of **28% in lot size over the previous proposal.**

Thus, as summarized in the table below, the parking variance request has been reduced from **34 spaces to 20 spaces** (an approximately **33% reduction**). The Lot Area variance request has been reduced from a previous **9,131sf of relief to a 599sf request for relief** (a **3% variance request**).
### SUMMARY OF AREA VARIANCES REQUESTED

The following chart summarizes the zoning per the City Code and the requested variances as revised and modified.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
<th>NOTES / MITIGATIONS</th>
</tr>
</thead>
</table>
| R-3a | Off-Street Parking 29 | 9 | -20 | • Private shuttle provided  
• Parking available at Collegetown Terrace and TCAT stop and Car Share nearby  
• Proposed lease of 20 spaces at Collegetown Terrace, which would continue under any different ownership |
| R-3a | Lot Area  
6000 SF for 1st 3 units + 750 SF per unit after X 22 = 22,500 SF required | 21,901 SF  
Existing lot size | 599sf | • 3% variance requested  
• Zoning would allow more bedrooms with fewer units than proposed |

### Area Variance Requests

As demonstrated below, relative to the balancing test the Board of Zoning Appeals will employ in deciding whether to grant the variances, the record presented (and as now further modified to address the initial comments from the BZA) demonstrates clearly that the benefit to the Applicant greatly outweighs any perceived detriment to the health, safety and welfare of the neighborhood should the variance request be granted. We ask the Board to consider the following with respect to the criteria it will use in making its determination:

1. **There will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the (now reduced) variances, and there has been no evidence to the contrary.**

Valentine Place is characterized by large-scale student housing (Collegetown Terrace and predecessors) with a smaller scale residential building to the north of the project site. Development of student housing on Valentine Place started in the 1980s with the construction of Valentine Place Apartments and has continued with the development of Collegetown Terrace which was completed in 2017. The proposed project is consistent with this trend and the R-3a zoning classification for the area. The proposed 111 Valentine project will (as noted in the Planning Board’s SEQR determination that the project is consistent with Community Character) bridge the two scales of the large student housing complexes to the south and west with the smaller residential buildings to the north of the project site. This is achieved by the intermediate scale of 111 Valentine Place and with the saw-toothed parapet
design that reflects the pitched roofs of the adjacent houses and that breaks up the building’s roofline. Using various materials and colors, the front façade of the building will be light and transparent. The front elevation is also articulated with modules of three different depths further reducing the scale of the building and reinforcing the transitional nature of the project between the larger Collegetown Terrace buildings and the residential scaled house that remains on Valentine Place. Furthermore, it represents a vast improvement over the existing structure which is in rather poor condition.

The City’s 2015 Comprehensive Plan “Land Use” section calls for continued medium density residential development in this neighborhood as reflected in the R-3a zoning designation. The proposed use is allowed under the City’s regulations and furthers the purpose of this zoning designation. As noted in the Plan, the purpose of this zone is to provide a variety of housing types with infill development on vacant or underutilized sites. The Plan goes on to state that the new development should be sensitive to the character and setting of the existing neighborhood. 111 Valentine achieves these objectives by incorporating the design elements referred to above on a site that is currently underutilized relative to what is allowed under current zoning. Although the lot size computation based on the number of units is technically below Code, this deficiency has now been substantially reduced by the acquisition of additional land area while the footprint of the proposed building has not changed and meets the setbacks from the lot lines and the lot coverage requirements of the R-3a zone.

111 Valentine Place also fulfills the objectives of the transportation section of the Comprehensive Plan. (See Section 3 Land Use, Sub-Section 3.3 Future Land Use Categories) The site is near two TCAT bus stops (one at State and Quarry Street and a second at Mitchell and College Ave). In addition, a campus shuttle operated by the project sponsors runs between Collegetown Terrace Apartments and Cornell University five days per week in the mornings from 7:30 a.m. to 11:30 a.m. (every 10 minutes) and in the afternoons from 12:15 p.m. to 4:15 p.m. (every hour). This shuttle service also runs on Sunday from Collegetown Terrace to Wegmans. One of the designated stops for this shuttle service is on Valentine Place directly opposite the proposed project site.

The R-3a zoning designation does require onsite parking in a ratio defined in the District Regulations Chart which, based on the number of units/beds in the revised proposed project, yields 29 parking spaces -- a reduction in the relief requested from the original proposal. However, the overall goal of many of the City’s planning documents calls for less parking and use of private automobiles in favor of walkability and multi-modal transportation options. These options are abundant on Valentine Place. Students choose to live on Valentine Place because it is within walking distance of the Cornell campus, an experience soon to be enhanced by the City’s substantial investment in College Avenue. The redesign of College Avenue will include wider sidewalks, better street lighting, enhanced landscaping and the undergrounding of all overhead electric and telecommunications lines. The project sponsors, as mentioned above, operate a robust shuttle service that operates almost continuously during weekdays carrying students to and from the Collegetown Terrace project to campus as well as on weekends to Wegmans for shopping trips and to nearby stores. This private shuttle will also service the Valentine Place property. In addition, there are two TCAT bus stops nearby and an Ithaca CarShare pick-up location. The project location and abundant multi-modal transportation options make Valentine Place an ideal location for the many students who choose not to bring a car to Ithaca -- a trend which has been gaining in popularity. This is evidenced in part by the relatively low parking space utilization rates for the parking garages at the adjacent Collegetown Terrace project. (See letter previously submitted and attached) However, with the acquisition of the 107 Valentine Place site the project sponsors now
have an ability to construct 9 parking spaces onsite, in an effort to mitigate the scale of the requested parking variance.

Given the low parking utilization rate at Collegetown Terrace an additional mitigation factor to those described above is to provide for the dedication of 20 parking spaces in the adjacent Collegetown Terrace parking garage. As noted in a Valentine Parking memo dated 9/9/2022 and provided to the Board of Zoning Appeals there are 649 parking spaces at Collegetown Terrace. Based on the 2022-2023 academic year demand and utilization rates and commitments made to other developments there is a total demand for only 306 parking spaces. The 343 remaining spaces provide ample space to accommodate the zoning related parking deficiency for 111 Valentine Place. The availability of these parking spaces to satisfy the zoning parking requirement will be secured by a long term lease arrangement between the Valentine Place project and Collegetown Terrace, structured to continue in the event of a sale of either property.

Based on the above, granting the requested variances will not create an undesirable change in the character of the neighborhood nor be a detriment to nearby properties. In fact, given the condition of the existing structure on the site the proposed new development with its associated robust planting plan for the entire property, including the street side of the site, will create a welcoming and aesthetically pleasing experience that will enhance the character of the neighborhood and benefit nearby properties—a conclusion supported by the fact that no such undesirable change in character has been identified by the public, the Planning Board or any other department or agency in the City. Furthermore, this conclusion is also shared by Saratoga Associate, a multi-disciplinary planning and design firm with years of city planning experience throughout upstate New York (see letter report attached).

2. The benefit sought cannot be achieved by some other method that is feasible to the applicant, other than the requested area variances.

The lot size requirement for the R-3a zone is a ratio of land area per number of apartment units without regard to the number of bedrooms within each unit. However, bedroom count is an important factor in the design of student housing since this is what drives project financial feasibility. Equally important is an understanding of current market conditions relative to types of units that are most desirable and most likely to be rented. Our leasing data demonstrate there is a significant demand for studio and other small unit types such as one and two bedroom units. The proposed project is therefore, focused on a studio/small apartment-style living experience for the benefit of the residents and the neighborhood. While this design approach generally yields a larger number of units than a building composed of large multi-bedroom apartments, based upon feedback and comments from the BZA, the project sponsors have now reduced the number of units originally proposed from 30 to 25 units.

Providing all of the required 29 parking spaces onsite would in turn require approximately 10,500sf of paved area not counting a driveway to access such a parking lot. Including a large paved area increases the amount of stormwater runoff to manage, reduces the land area available for landscaping and lawn, and is both aesthetically and environmentally objectionable. Limiting the number of onsite parking spaces to 9 and granting the requested parking variance for 20 spaces eliminates these concerns. The proposed site plan slightly increases the amount of greenspace on the site that is only possible by limiting the onsite parking. However, the impact of limiting onsite parking is fully mitigated by a) a lease for available parking in an adjacent property, and b) providing the private shuttle services and other TDM options that will minimize the numbers of cars brought by residents. Given the documented
abundance of available parking spaces at Collegetown Terrace it would appear to be a waste of resources and environmentally irresponsible to build more parking that will in all likelihood go unused, a view that is shared by the Planning Board.

3. The requested area variances are not substantial

As noted above, the parking requirement for onsite parking is 29 spaces. The project sponsors now propose to provide 9 of these spaces onsite with the balance to be provided by a long-term lease for otherwise unused spaces at Collegetown Terrace. The substantiality analysis relative to this request is not simply driven by raw numbers but by the existing conditions of the site and the goals of the City (20 of 29 spaces = 69% variance, but in context the variance is for 20 spaces within hundreds of empty spaces at Collegetown Terrace). The project location provides student residents a number of multimodal transportation options for getting to campus and shopping including:

- walking to campus and Collegetown shopping
- utilizing the shuttle service provided by the project sponsor
- utilizing the two TCAT bus stops nearby
- Utilizing the nearby Ithaca Car Share location.

These factors all contribute to the relatively low parking space utilization at Collegetown Terrace and support the fact that students choose to live on Valentine Place precisely so they do not need to bring, or rely on, a car. However, for those residents who will reside at Valentine Place and desire to bring a car, parking will be available on the project site and at Collegetown Terrace where these spaces will be secured by a long-term lease between Valentine Place and Collegetown Terrace.

Similarly, the minimum lot size relative to the number of units provided is not substantial especially with the recent acquisition of additional land for the project and a reduction in the number of proposed units from 30 to 25 units which reduces this request for relief to just 3%. This compares to a nearly 35% lot size deficiency with our original proposal. As noted by Saratoga Associates the minimum lot area and parking variance requested are insubstantial particularly within the context of the neighborhood and substantial mitigation measures proposed.

4. There will be no adverse effects or impacts on the physical or environmental condition of the neighborhood

As demonstrated through the submitted plans, documents and a full environmental assessment conducted by the Planning Board there will be no physical or environmental adverse impacts as a result of the requested variances. This is even more so the case given the applicant’s decision to reduce the number of proposed units and acquire additional land. In fact, the project will significantly enhance positive environmental conditions in the neighborhood.

The proposed project is consistent with the character of the Valentine neighborhood which is mostly defined by large-scale student housing options. Significant design effort has been expended to create a
unique project that also respects and incorporates the dominant design elements evident in the neighborhood. Compared to the existing structures onsite, the proposed project enhances the overall quality of the neighborhood and responds to the Comprehensive Plan’s recommendation that new development in the R-3a neighborhood “should be sensitive to the character and setting of the existing neighborhood”.

Additionally, stormwater management will be improved relative to current conditions. There will be a slight decrease in the amount of impervious coverage and all roof stormwater runoff will be collected and piped to a storm water sewer manhole near the southwest corner of the site.

Proposed landscaping will also benefit the area under the proposed project. An extensive landscape plan has been developed on the original site that will add a diverse selection of coniferous and deciduous trees and shrubs. The plan includes approximately 20 large trees, 40 smaller ones and many shrubs throughout the site and around the building – all a benefit to the area. This planting plan will not be impacted by the proposed 9 onsite parking spaces since these spaces will be developed on additional land acquired by the project sponsors.

The project will not result in any negative impact on transportation and parking systems in the neighborhood. The project site is reasonably close to the Cornell campus allowing residents to have the option of walking to campus, an experience likely to be improved once the City completes the streetscape improvement along the full length of College Ave this summer. The project sponsor as noted above also provides a robust shuttle service with stops directly across the street from the proposed project. Finally, there are two TCAT bus stops near 111 Valentine. While the project will not provide all of the zoning-required onsite parking there is ample excess parking available at Collegetown Terrace. Both the proposed project and Collegetown Terrace are owned by the same entity and a long term lease arrangement will be entered into between the Valentine Place project and Collegetown Terrace.

The Planning Board conducted an extensive environmental review of the project that considered all of the above conditions as well as impacts the project may have on energy, air, aesthetic resources, groundwater, etc. The Planning Board, as Lead Agency for the environmental review, determined that the project will have no adverse impact and concluded Valentine Place is an area of the city “where large, dense apartment complex which houses students is warranted”.

5. While the difficulty is self-created, it is not determinative of this application

The variance request for providing on-site parking is self-created, although reduced by virtue of this revised proposal. This request is fully mitigated by an existing robust private shuttle service which will minimize the numbers of residents who actually bring vehicles, and for those who do, parking will be provided across the street in the parking garages that are part of the Collegetown Terrace project. The project sponsor has provided documentation demonstrating that due to underutilization of these facilities there is more than sufficient capacity to satisfy the 20 parking spaces not provided onsite. In fact, we would suggest this required parking ratio is unusually high given current trends regarding students who opt to not bring a car to Ithaca. Granting this variance has the added advantage, without any impact on the neighborhood or nearby properties, of decreasing site usage in favor of green space. Finally, the project applicants have proposed a long-term lease arrangement which will ensure these
parking spaces are available to the Valentine project into the future and regardless of potential changes in ownership structure of either property.

The variance request regarding the ratio of the number of units relative to lot size is also self-created, based on demand for additional housing units in the area. This request is also substantially mitigated by the design of the proposed project and the recent acquisition of additional land which reduces the requested relief for lot density to just under 600sf or 3%. The proposed project, while it has a relatively large number of units, has only 48 beds. With the acquisition of additional land and reduction of proposed units, the project sponsors have pushed the structure of the project as far as they can given market demand and project economics.

**Conclusion**

The applicant has presented a thoughtful, well designed project that will be a qualitative addition to the neighborhood while seeking the minimum variances necessary to realize a successful project. The positive attributes of the project far outweigh any detriments to the health, safety and welfare of the neighborhood. This conclusion is shared by the Planning Board after it conducted a thorough environmental review of the project and determined that the project will have no significant impact on the environment, neighborhood and community character and by Saratoga Associates after conducting a thorough evaluation of the proposed project relative to the requested variances. This is even more the case now that in response to previous BZA and staff comments and recommendations, the project sponsors have reduced the number of proposed apartments and thereby lowered the number of required parking spaces and acquired additional land, significantly reducing both requests. By all measures, the applicant has satisfied its burden under the balancing test and accordingly we respectfully request the two variances be granted.
Zoning Analysis – Revised Unit Count – 25 Units  
111 Valentine Place

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Use District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-3a – Multi-Family Residential</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 2</th>
<th>Permitted Primary Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Multiple Dwelling / Neighborhood Commercial Facility</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 3</th>
<th>Permitted Accessory Uses – Not Applicable</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Column 4</th>
<th>Off-Street Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1 space per 1-3 bed unit) x 21 units + (2 space per 4 bed unit) x 4 = 29 spaces required – 9 spaces provided – <strong>VARIANCE REQUIRED</strong></td>
</tr>
<tr>
<td></td>
<td>Adequate spaces available in neighboring 113 Valentine garage in accordance with 325-20 D (4) a-e off-site parking.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 5</th>
<th>Off-Street Loading Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 Loading Zones Required</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 6</th>
<th>Minimum Lot Size – Area in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25 units provided - 6,000 SF for 1st 3 units + (750 SF per unit after x 27)</td>
</tr>
<tr>
<td></td>
<td>= 22,500 SF Required</td>
</tr>
<tr>
<td></td>
<td>21,901 SF provided – <strong>VARIANCE REQUIRED</strong></td>
</tr>
<tr>
<td></td>
<td>Note: Lot area allows for 24 Units and 25 are provided. A 599sf deficiency.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 7</th>
<th>Minimum Lot Size – Width in Feet at Street Line</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50'-0&quot; minimum required – 98'-10&quot; provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 8</th>
<th>Maximum Building Height – Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4 stories maximum permitted – 4 stories provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 9</th>
<th>Maximum Building Height – Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>44'-0&quot; maximum permitted (40'-0&quot; by chart + 4'-0&quot; for additional setbacks as allowed by 325-16 C (1)-(4))</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 10</th>
<th>Maximum Percent Lot Coverage By Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17,153 SF x 35% = 7,648 SF permitted – 6,002 SF provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 11-15</th>
<th>Yard Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(additional 4'-0&quot; provided at each as per column 9 above)</td>
</tr>
<tr>
<td>Front:</td>
<td>14'-0&quot; Required, 18'-1 1/2&quot; Provided</td>
</tr>
<tr>
<td>1st Side:</td>
<td>9'-0&quot; Required, 9'-0&quot; Provided</td>
</tr>
<tr>
<td>2nd Side:</td>
<td>14'-0&quot; Required, 28'-0&quot; Provided</td>
</tr>
<tr>
<td>Rear:</td>
<td>41'-6&quot; Required (187.5 x 20%), 42'-1&quot; Provided</td>
</tr>
</tbody>
</table>

| Column 16 | Minimum Building Height - None |
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3248

TO: Owners of Property within 200 feet of 107-111 Valentine Place and others interested.

(property address)

FROM: Valentine Place Associates, LLC applicable to property named above, in R-3a zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

☐ Area Variance ☐ Use Variance ☐ Sign Variance

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 on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning- Appeals) under “Most Recent Agenda,” 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 March 28th at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCn1rDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on April 4th at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant

15 Thornwood Drive, Ithaca, NY 2/7/23

Address Date
February 7, 2023

TO: Property Owners with 200′ of 107-111 Valentine Place
FROM: Valentine Place Associates, Herman Sieverding, Owner Representative
Re: BZA Appeal for the Proposed 111 Valentine Place Project – Area Variance

Introduction

This letter summarizes revisions to the proposed 111 Valentine Place project and the request for two minor area variances from the Board of Zoning Appeals (BZA). The BZA will recall that 111 Valentine Place had previously been proposed as a 30 unit residential apartment building on a 17,119sf lot that has (after receiving comment from the BZA and staff) been reduced to 25 units on a lot that is now 21,901sf, as the applicant has changed floor plans and is acquiring an adjacent parcel. The site is located adjacent to the existing Collegetown Terrace properties off of East State Street. The proposed building is still approximately 29,320 overall GSF. Figure 1: Location Map shows the location of the property at the end of Valentine Place.

Figure 1: Location Map
109-111 Valentine Place (tax parcel 83-3-13) is an older brick side-by-side duplex building that has long been used as student housing. There are a total of 11 bedrooms in the two existing buildings. There is a detached garage at the rear of the property which is used for storage and several paved parking spaces. The structure is generally in poor condition, with significant deferred maintenance items throughout. No upgrade of interior layout, finishes, appliances, etc., appears to have ever been done, other than cutting up each floor into separate bedrooms with shared bathroom and kitchen facilities. In addition, since the last meeting with the BZA the project sponsors have acquired 107 Valentine Place. 107 Valentine Place is a vacant lot consisting of approximately 4,782 sf and will be incorporated into the project site area -- increasing the lot size to 21,901sf from its previous 17,119sf. The project sponsors have also proposed to utilize this additional property to provide onsite parking. See the revised site plan which includes a parking layout for 9 parking spaces, attached.

Valentine Place Associates, LLC acquired 109-111 Valentine Place in September, 2021 and immediately began developing plans for redevelopment of the site having previously determined that the existing structure needs far more work than is economically viable and significantly underutilizes the site. The resultant redevelopment plan -- as recently modified -- now calls for 25 units in a mix of a reduced number of studio apartments and 2 and 4 bedroom units as well as a ground floor leasing and property management office. The offices will house the staff for the proposed project.

The original proposed redevelopment of the site was first presented to the Planning Board during a Sketch Plan Review on December 21, 2021. A full Site Plan and Environmental Review package was presented to the Planning Board on February 22, 2022 at which time the Planning Board declared itself Lead Agency for the SEQR review. The Planning Board reviewed both the Site Plan and Environmental review documents on March 22, 2022 and the Board adopted a Negative Declaration of Environmental significance on April 26, 2022. The project proposal was well received and the Planning Board recommended that the BZA grant the two area variances necessary to move this project forward at their May, 24, 2022 meeting. However, with the recent revisions to the development proposal described above the scope of the requested variance request has now been reduced. These reduced area variances are:

1. Off street parking. The site is located in a R-3a zoning district which requires 29 parking spaces for the proposed uses. The revised proposal includes 9 onsite, surface level parking spaces.

2. Minimum Lot size for the number of units proposed. The R-3a zoning requires 6,000sf of land area for the first 3 units of new construction plus 750sf of land area for each additional unit. The current project proposal has 25 units, which by this calculation the project site would need 22,500sf per the Code. The combined area of the proposed site is now 21,901sf, an increase of 28% in lot size over the previous proposal.

Thus, as summarized in the table below, the parking variance request has been reduced from 34 spaces to 20 spaces (an approximately 33% reduction). The Lot Area variance request has been reduced from a previous 9,131sf of relief to a 599sf request for relief (a 3% variance request).
SUMMARY OF AREA VARIANCES REQUESTED

The following chart summarizes the zoning per the City Code and the requested variances as revised and modified.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
<th>NOTES / MITIGATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-3a</td>
<td>Off-Street Parking 29</td>
<td>9</td>
<td>-20</td>
<td>• Private shuttle provided</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Parking available at Collegetown Terrace and TCAT stop and Car Share nearby</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Proposed lease of 20 spaces at Collegetown Terrace, which would continue under any</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>different ownership</td>
</tr>
<tr>
<td>R-3a</td>
<td>Lot Area 6000 SF for 1st 3 units + 750 SF per unit after X 22 = 22,500 SF required</td>
<td>21,901 SF Existing lot size</td>
<td>599sf</td>
<td>• 3% variance requested</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Zoning would allow more bedrooms with fewer units than proposed.</td>
</tr>
</tbody>
</table>

Area Variance Requests

As demonstrated below, relative to the balancing test the Board of Zoning Appeals will employ in deciding whether to grant the variances, the record presented (and as now further modified to address the initial comments from the BZA) demonstrates clearly that the benefit to the Applicant greatly outweighs any perceived detriment to the health, safety and welfare of the neighborhood should the variance request be granted. We ask the Board to consider the following with respect to the criteria it will use in making its determination:

1. There will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the (now reduced) variances, and there has been no evidence to the contrary.

Valentine Place is characterized by large-scale student housing (Collegetown Terrace and predecessors) with a smaller scale residential building to the north of the project site. Development of student housing on Valentine Place started in the 1980s with the construction of Valentine Place Apartments and has continued with the development of Collegetown Terrace which was completed in 2017. The proposed project is consistent with this trend and the R-3a zoning classification for the area. The proposed 111 Valentine project will (as noted in the Planning Board’s SEQR determination that the project is consistent with Community Character) bridge the two scales of the large student housing complexes to the south and west with the smaller residential buildings to the north of the project site. This is achieved by the intermediate scale of 111 Valentine Place and with the saw-toothed parapet
design that reflects the pitched roofs of the adjacent houses and that breaks up the building’s rooftop. Using various materials and colors, the front façade of the building will be light and transparent. The front elevation is also articulated with modules of three different depths further reducing the scale of the building and reinforcing the transitional nature of the project between the larger Collegetown Terrace buildings and the residential scaled house that remains on Valentine Place. Furthermore, it represents a vast improvement over the existing structure which is in rather poor condition.

The City’s 2015 Comprehensive Plan “Land Use” section calls for continued medium density residential development in this neighborhood as reflected in the R-3a zoning designation. The proposed use is allowed under the City’s regulations and furthers the purpose of this zoning designation. As noted in the Plan, the purpose of this zone is to provide a variety of housing types with infill development on vacant or underutilized sites. The Plan goes on to state that the new development should be sensitive to the character and setting of the existing neighborhood. 111 Valentine achieves these objectives by incorporating the design elements referred to above on a site that is currently underutilized relative to what is allowed under current zoning. Although the lot size computation based on the number of units is technically below Code, this deficiency has now been substantially reduced by the acquisition of additional land area while the footprint of the proposed building has not changed and meets the set backs from the lot lines and the lot coverage requirements of the R-3a zone.

111 Valentine Place also fulfills the objectives of the transportation section of the Comprehensive Plan. (See Section 3 Land Use, Sub-Section 3.3 Future Land Use Categories) The site is near two TCAT bus stops (one at State and Quarry Street and a second at Mitchell and College Ave). In addition, a campus shuttle operated by the project sponsors runs between Collegetown Terrace Apartments and Cornell University five days per week in the mornings from 7:30 a.m. to 11:30 a.m. (every 10 minutes) and in the afternoons from 12:15 p.m. to 4:15 p.m. (every hour). This shuttle service also runs on Sunday from Collegetown Terrace to Wegmans. One of the designated stops for this shuttle service is on Valentine Place directly opposite the proposed project site.

The R-3a zoning designation does require onsite parking in a ratio defined in the District Regulations Chart which, based on the number of units/beds in the revised proposed project, yields 29 parking spaces -- a reduction in the relief requested from the original proposal. However, the overall goal of many of the City’s planning documents calls for less parking and use of private automobiles in favor of walkability and multi-modal transportation options. These options are abundant on Valentine Place. Students choose to live on Valentine Place because it is within walking distance of the Cornell campus, an experience soon to be enhanced by the City’s substantial investment in College Avenue. The redesign of College Avenue will include wider sidewalks, better street lighting, enhanced landscaping and the undergrounding of all overhead electric and telecommunications lines. The project sponsors, as mentioned above, operate a robust shuttle service that operates almost continuously during weekdays carrying students to and from the Collegetown Terrace project to campus as well as on weekends to Wegmans for shopping trips and to nearby stores. This private shuttle will also service the Valentine Place property. In addition, there are two TCAT bus stops nearby and an Ithaca CarShare pick-up location. The project location and abundant multi-modal transportation options make Valentine Place an ideal location for the many students who choose not to bring a car to Ithaca -- a trend which has been gaining in popularity. This is evidenced in part by the relatively low parking space utilization rates for the parking garages at the adjacent Collegetown Terrace project. (See letter previously submitted and attached) However, with the acquisition of the 107 Valentine Place site the project sponsors now
have an ability to construct 9 parking spaces onsite, in an effort to mitigate the scale of the requested parking variance.

Given the low parking utilization rate at Collegetown Terrace an additional mitigation factor to those described above is to provide for the dedication of 20 parking spaces in the adjacent Collegetown Terrace parking garage. As noted in a Valentine Parking memo dated 9/9/2022 and provided to the Board of Zoning Appeals there are 649 parking spaces at Collegetown Terrace. Based on the 2022-2023 academic year demand and utilization rates and commitments made to other developments there is a total demand for only 306 parking spaces. The 343 remaining spaces provide ample space to accommodate the zoning related parking deficiency for 111 Valentine Place. The availability of these parking spaces to satisfy the zoning parking requirement will be secured by a long term lease arrangement between the Valentine Place project and Collegetown Terrace, structured to continue in the event of a sale of either property.

Based on the above, granting the requested variances will not create an undesirable change in the character of the neighborhood nor be a detriment to nearby properties. In fact, given the condition of the existing structure on the site the proposed new development with its associated robust planting plan for the entire property, including the street side of the site, will create a welcoming and aesthetically pleasing experience that will enhance the character of the neighborhood and benefit nearby properties – a conclusion supported by the fact that no such undesirable change in character has been identified by the public, the Planning Board or any other department or agency in the City. Furthermore, this conclusion is also shared by Saratoga Associate, a multi-disciplinary planning and design firm with years of city planning experience throughout upstate New York (see letter report attached).

2. **The benefit sought cannot be achieved by some other method that is feasible to the applicant, other than the requested area variances.**

The lot size requirement for the R-3a zone is a ratio of land area per number of apartment units without regard to the number of bedrooms within each unit. However, bedroom count is an important factor in the design of student housing since this is what drives project financial feasibility. Equally important is an understanding of current market conditions relative to types of units that are most desirable and most likely to be rented. Our leasing data demonstrate there is a significant demand for studio and other small unit types such as one and two bedroom units. The proposed project is therefore, focused on a studio/small apartment-style living experience for the benefit of the residents and the neighborhood. While this design approach generally yields a larger number of units than a building composed of large multi-bedroom apartments, based upon feedback and comments from the BZA, the project sponsors have now reduced the number of units originally proposed from 30 to 25 units.

Providing all of the required 29 parking spaces onsite would in turn require approximately 10,500sf of paved area not counting a driveway to access such a parking lot. Including a large paved area increases the amount of stormwater runoff to manage, reduces the land area available for landscaping and lawn, and is both aesthetically and environmentally objectionable. Limiting the number of onsite parking spaces to 9 and granting the requested parking variance for 20 spaces eliminates these concerns. The proposed site plan slightly increases the amount of greenspace on the site that is only possible by limiting the onsite parking. However, the impact of limiting onsite parking is fully mitigated by a) a lease for available parking in an adjacent property, and b) providing the private shuttle services and other TDM options that will minimize the numbers of cars brought by residents. Given the documented
abundance of available parking spaces at Collegetown Terrace it would appear to be a waste of resources and environmentally irresponsible to build more parking that will in all likelihood go unused, a view that is shared by the Planning Board.

3. The requested area variances are not substantial

As noted above, the parking requirement for onsite parking is 29 spaces. The project sponsors now propose to provide 9 of these spaces onsite with the balance to be provided by a long-term lease for otherwise unused spaces at Collegetown Terrace. The substantiality analysis relative to this request is not simply driven by raw numbers but by the existing conditions of the site and the goals of the City (20 of 29 spaces = 69% variance, but in context the variance is for 20 spaces within hundreds of empty spaces at Collegetown Terrace). The project location provides student residents a number of multi-modal transportation options for getting to campus and shopping including:

- walking to campus and Collegetown shopping
- utilizing the shuttle service provided by the project sponsor
- utilizing the two TCAT bus stops nearby
- Utilizing the nearby Ithaca Car Share location.

These factors all contribute to the relatively low parking space utilization at Collegetown Terrace and support the fact that students choose to live on Valentine Place precisely so they do not need to bring, or rely on, a car. However, for those residents who will reside at Valentine Place and desire to bring a car, parking will be available on the project site and at Collegetown Terrace where these spaces will be secured by a long-term lease between Valentine Place and Collegetown Terrace.

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The Planning Board conducted an extensive environmental review of the project that considered all of the above conditions as well as impacts the project may have on energy, air, aesthetic resources, groundwater, etc. The Planning Board, as Lead Agency for the environmental review, determined that the project will have no adverse impact and concluded Valentine Place is an area of the city “where large, dense apartment complex which houses students is warranted”.

5. While the difficulty is self-created, it is not determinative of this application

The variance request for providing on-site parking is self-created, although reduced by virtue of this revised proposal. This request is fully mitigated by an existing robust private shuttle service which will minimize the numbers of residents who actually bring vehicles, and for those who do, parking will be provided across the street in the parking garages that are part of the Collegetown Terrace project. The project sponsor has provided documentation demonstrating that due to underutilization of these facilities there is more than sufficient capacity to satisfy the 20 parking spaces not provided onsite. In fact, we would suggest this required parking ratio is unusually high given current trends regarding students who opt to not bring a car to Ithaca. Granting this variance has the added advantage, without any impact on the neighborhood or nearby properties, of decreasing site usage in favor of green space. Finally, the project applicants have proposed a long-term lease arrangement which will ensure these
parking spaces are available to the Valentine project into the future and regardless of potential changes in ownership structure of either property.

The variance request regarding the ratio of the number of units relative to lot size is also self-created, based on demand for additional housing units in the area. This request is also substantially mitigated by the design of the proposed project and the recent acquisition of additional land which reduces the requested relief for lot density to just under 600sf or 3%. The proposed project, while it has a relatively large number of units, has only 48 beds. With the acquisition of additional land and reduction of proposed units, the project sponsors have pushed the structure of the project as far as they can given market demand and project economics.

**Conclusion**

The applicant has presented a thoughtful, well designed project that will be a qualitative addition to the neighborhood while seeking the minimum variances necessary to realize a successful project. The positive attributes of the project far outweigh any detriments to the health, safety and welfare of the neighborhood. This conclusion is shared by the Planning Board after it conducted a thorough environmental review of the project and determined that the project will have no significant impact on the environment, neighborhood and community character and by Saratoga Associates after conducting a thorough evaluation of the proposed project relative to the requested variances. This is even more the case now that in response to previous BZA and staff comments and recommendations, the project sponsors have reduced the number of proposed apartments and thereby lowered the number of required parking spaces and acquired additional land, significantly reducing both requests. By all measures, the applicant has satisfied its burden under the balancing test and accordingly we respectfully request the two variances be granted.
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1001 W Seneca St  
Ithaca NY 14850 |
| 500700 83.-2-15.3 | VVA Phase I & II, LLC  
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Ithaca NY 14850 |
| 500700 83.-2-15.4 | VVA Phase III, LLC  
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Ithaca NY 14850 |
| 500700 83.-2-15.5 | VVA Phase IV, LLC  
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Ithaca NY 14850 |
| 500700 89.-3-1 | East Seneca Properties, LLC  
192 Inlet Valley Way  
Ithaca NY 14850 |
| 500700 89.-3-11 | 935 East St, LLC  
1001 West Seneca St  
Ithaca NY 14850 |
| 500700 89.-3-12 | Francis A Facer  
PO Box 6437  
Ithaca NY 14851 |
| 500700 89.-3-13 | Valentine Place Assoc., LLC  
876 Highland Rd  
Ithaca NY 14850 |
| 500700 89.-3-14 | Carl T Carpenter  
Elizabeth Carpenter  
241 Elm St Ext  
Ithaca NY 14850 |
| 500700 89.-3-15 | Sarah H Bell  
26 Old Route 299  
New Paltz NY 12561 |
| 500700 89.-3-2 | East Seneca Properties, LLC  
192 Inlet Valley Way  
Ithaca NY 14850 |
| 500700 89.-3-3 | Carl T Carpenter  
Elizabeth Carpenter  
2 Horvath Dr  
Ithaca NY 14850 |
| 500700 89.-3-4 | Car El Realty Inc  
2 Horvath Dr  
Ithaca NY 14850 |
| 500700 89.-3-5.1 | Raymond Crognale  
Gretchen L Crognale  
933 E State St  
Ithaca NY 14850 |
| 500700 89.-3-5.2 | Francis A Facer  
PO Box 6437  
Ithaca NY 14851 |

Joyce Catafalo  
916 E State St  
Ithaca NY 14850

From property lines of (0?) Valentine

83-5-6
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, ______ HERMAN SITZMANN _______, 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 MARCH 15, 2023. 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
500700  83.2-15.2  
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700  83.2-15.3  
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700  83.2-15.4  
VVA Phase III, LLC
1001 West Seneca St
Ithaca NY 14850

500700  83.2-15.5  
VVA Phase IV, LLC
1001 West Seneca Street
Ithaca NY 14850

500700  89.3-1  
East Seneca Properties, LLC
192 Inlet Valley Way
Ithaca NY 14850

500700  89.3-11  
935 East State, LLC
1001 West Seneca St
Ithaca NY 14850

500700  89.3-12  
Francis A Facer
PO Box 6437
Ithaca NY 14851

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Elizabeth Carpenter
241 Elm St Ext
Ithaca NY 14850

500700  89.3-15  
Sarah H Bell
26 Old Route 299
New Paltz NY 12561

500700  89.3-16  
Carl T Carpenter
2 Horvath Dr
Ithaca NY 14850

500700  89.3-4  
Car E Realty Inc
2 Horvath Dr
Ithaca NY 14850

500700  89.3-5.1  
Raymond Crogna
Gretchen L Crogna
933 E State St
Ithaca NY 14850

500700  89.3-5.2  
Francis A Facer
PO Box 6437
Ithaca NY 14851

TOTAL

83-5-60

JOYCE CATAPALNO
933 E. STATE ST
ITHACA, NY 14850

FROM PROPERTY LINES OF OF VALENTINE
# 111 VALENTINE PLACE

109-111 VALENTINE PLACE  
ITHACA, NY 14850

# BZA VARIANCE SUBMISSION

FEBRUARY 07, 2023

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**DRAWING LIST**

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**ABBREVIATIONS**

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | X | Y | Z |
| ARCHITECTURAL | BUILDING MATERIALS | CONSTRUCTION | DEVELOPMENT | ENVIRONMENTAL | EXISTING | FEATURES | GOVERNMENTAL | HISTORY | INFRASTRUCTURE | JURISDICTIONAL | LANDMARKS | LAWYER | MEETING | MODEL | NATURE | OPERATION | PHYSICAL | QUALITY | REAL | RISK | SAFETY | SCIENCE | SOCIAL | SPACE | STRUCTURAL | TECHNOLOGY | TRADE | VALUE | WATER | WEATHER | WHOLE | WORK |

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**PROJECT TEAM**

**DEVELOPER:**  
VALENTINE PLACE ASSOCIATES, LLC  
16 THOMAS MORSE DRIVE  
ITHACA, NY 14850  
Phone: 607.277.6800

**CIVIL:**  
T.G. MILLER P.C., ENGINEERS AND SURVEYORS  
203 NORTH AURORA STREET  
ITHACA, NY 14850  
Phone: 607.375.6331

**LANDSCAPE:**  
TROWBRIDGE WOLF MICHAELS  
A FISHER ASSOCIATES LANDSCAPE ARCHITECTURE STUDIO  
1001 WEST SENEA STREET, SUITE 101  
ITHACA, NY 14850  
Phone: 607.277.1460

**SITE PLANNING:**  
IAN TYNDALL LANDSCAPE & URBAN DESIGN  
MEREDITH HILL STUDIOS  
2651 15TH STREET NW  
WASHINGTON, DC  
Phone: 607.277.5090

**STRUCTURAL:**  
ELWYN & PALMER CONSULTING ENGINEERS, PLLC  
212 EAST SENEA STREET  
ITHACA, NY 14850  
Phone: 607.277.5090

**ME/FP ENGINEER:**  
IPD ENGINEERING  
1 WEBSTERS LANDING  
SYRACUSE, NY 13202  
Phone: 315.432.0165

**ARCHITECT:**  
CAROLINE O'DONNELL ARCHITECTURE D.P.C.  
340 NORTH SUNSET DRIVE  
ITHACA, NY 14850  
Phone: 607.277.5073

SHARON DAVIES
September 9, 2022

Megan Wilson, Zoning Administrator and Members of the Board of Zoning Appeals
City of Ithaca
108 E. Green Street
Ithaca, NY 14850

RE: Valentine Place Appeal Number 3221

Dear Megan and Members of the Board of Zoning Appeals:

I am submitting this letter to provide supplemental information as requested by the Board at the June 7, 2022 meeting regarding the Valentine Place Appeal. I have been in the business of student housing development for over 45 years - in the City of Ithaca as well as in other college communities. In my professional experience, in these college communities, there has been an increasing demand across the board for studio style apartments in close proximity to local university campuses. Most recently this market condition has been severely impacted by the pandemic and a desire for students to live on their own and without other students present in close quarters.

Historically, apartment building development in Collegetown has concentrated overwhelmingly on multi-bedroom apartments, resulting in the current gap in the market for studio apartments. To better understand the existing supply of studios in Collegetown, we surveyed many of the landlords who have significant holdings. Following is a summary of the results of these landlords.

- Landlord A: 500 beds offered/8 studios
- Landlord B: 54 beds offered/0 studios
- Landlord C: 110 beds offered/2 studios
- Landlord D: 250 beds offered/0 studios

(We will gladly provide the landlord names to the Planning Department if desired.)

Our own current inventory of leasable properties is heavily weighted with 2 and 3-bedroom apartments. We are not properly balanced for the current demand for studios. Collegetown Terrace has a total of 1245 bedrooms with only 10% of the units being studios. The mix breakdown at Collegetown Terrace is as follows:

- 173 rooms
- 120 studios
217 beds in 1’s
486 beds in 2’s
249 beds in 3’s

While we rent to students at all levels of education, including undergraduates, our target market is graduate students. Graduate students overwhelmingly prefer studios and so we find ourselves selling out of studio apartments quickly - leaving us in the position of not being able to offer the product to many potential tenants who approach us.

In contrast, our 3-bedroom units are more challenging to rent. Currently, unlike in the past, we have a substantial number of 3-bedroom units remaining unrented in Collegetown. To address this, we leased 3-bedroom units as 2-bedroom units. At Collegetown Terrace, we end up renting a good share of the units by the room. This means that three persons are living together who did not choose each other. This sometimes results in internal conflicts and we sometimes need to reassign and juggle tenants around when there are problems. This is a management issue which we would prefer to avoid.

At the same time, we get phone calls every day from students looking for studios and 1-bedroom units that we have to turn away as there is insufficient inventory to meet market demand. Given these facts, building a project with 3 and 4-bedroom apartments to satisfy zoning is simply not viable.

While studios tend to be more expensive per square foot to construct (they require a bathroom, shower, and kitchens which tend to be the most expensive part of the improvement) they are readily leaseable when placed into the marketplace. It is this demand that we are attempting to meet with the Valentine Place project and which necessitates the request for the lot size variance.

I would also point out that the proposed project will result in total fewer bedrooms than would be possible with an as-of-right 3 and 4-bedroom apartment project.

Parking

Our initial Appeal application outlined in detail the parking requirement per the R-3a zoning district and the various mitigations offered. The zoning district requires 34 parking spaces. As noted in the initial appeal, the project location and abundant multi-modal transportation options make Valentine Place an ideal location for the many students who choose to not bring a car to Ithaca. This is evidenced in part by the relatively low parking space utilization rates for the parking garages at the adjacent Collegetown Terrace project. Given that the academic year is just beginning, we now have actual utilization rates for the 2022-2023 academic year and this is summarized below.

Total available spaces at Collegetown Terrace = 649
2022-2023 Utilization by Collegetown Terrace Tenants – 207 spaces
2022-2023 Utilization by 238 Linden and 119-125 College Avenue – 13 spaces
Projected use by Catherine Commons (assuming similar utilization rate) – 75 to 86 spaces
Total Parking Demand 295 - 306 spaces

Total available = 649 – 306 = 343 spaces remain available; far exceeding the 34 required by zoning. Furthermore, this mitigation measure avoids paving over nearly 8,800 sf of the site with asphalt.

I have also attached the APPROVED RESOLUTION, dated April 25, 2017, adopted by the Planning Board and approving the use of excess parking at the Collegetown Terrace Apartment project for any other project in which Novarr or his legal successors, is the owner.

The lot size and parking variances we are requesting would create no environmental issues and will tend to allow for more peaceful occupancies desired by the surrounding neighborhood where they are located. In short, the benefit to our project would far outweigh any harms to the area by the granting of these variances. In fact, no such harms have been identified by the Planning Board, public or any other stakeholders.

I hope this information is helpful in understanding our proposed project. I look forward to further discussions with the Board.

Sincerely,

John Novarr
Developer
Valentine Associates, LLC
APPROVED RESOLUTION
Project Change (Parking)

Site Plan Review
Collegetown Terrace Apartments
East State Street
City of Ithaca Planning & Development Board
April 25, 2017

WHEREAS: The Planning and Development Board has received a request from John Novarr, owner of Collegetown Terrace Apartments to change parking utilization at the project, and

WHEREAS: the project, known as Collegetown Terrace Apartments, received final Site Plan Approval from the Planning Board on August 3, 2011, and

WHEREAS: The project was a Type I Action subject to environmental review under the provisions of the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review Ordinance (CEQRO), and

WHEREAS: the Planning and Development Board, acting as Lead Agency, did on October 5, 2010 accept the Final Environmental Impact Statement (EIS) for the Collegetown Terrace project as complete for filing, having duly considered the potential adverse environmental impacts and proposed mitigating measures as required under 6 NYCRR Part 617 (the SEQRA regulations) and Chapter 176 of the City of Ithaca Code (the City of Ithaca Environmental Quality Review Ordinance, CEQRO), with the additions/clarifications mutually agreed upon by the Applicant and the Planning Board on that date, and

WHEREAS: on October 26, 2010, the Planning Board adopted the Findings Statement, which was a “positive” findings statement, meaning that the proposed Project was potentially “approvable” (a relevant term used in the State’s “SEQR Handbook”) by the Planning Board, as to its site plan, and

WHEREAS: the Findings Statement contained the following language: “Parking will be provided solely for residents of the Project and no parking will be available on the Project site for non-tenant usage or rental, other than by guests of the residents of the Project on a short-term basis” and that “The Planning Board finds that no permanent adverse impacts caused by the proposed parking are anticipated as a result of the Project”, and

WHEREAS: a condition of final approval stated the following: “Parking will be provided solely for residents of the Project and no parking will be available on the Project site for non-tenant usage or rental, other than by employees or guests of the residents of the Project on a short-term basis”, and

WHEREAS: the language about parking, as written above, was a description of the applicant’s intention for parking utilization at the time. Although the Planning Board did receive some public comments about the use of parking for non-residents, the Board did not analyze any potential negative impacts related to the use of on-site parking for non-residents in the EIS because the applicant was not proposing such parking, and

WHEREAS: in a letter form John Novarr, owner, to Lisa Nicholas, Planner dated April 5, 2017, Novarr explains that there is currently more parking on the site than is used by the residents, and requests a change to the project description such that parking is no longer limited to residents and guest of the project, and

WHEREAS: at the April 25, 2017 Project Review Committee Meeting, the applicant and committee agreed to recommend that the Collegetown Terrace Apartments parking be available for any project in which Novarr or his legal successors, is the owner or shares an ownership interest, and
WHEREAS: the Planning Board has determined that, as the number of parking spaces remains the same, there is no environmental impact to the proposed change, and it is consistent with the 10-26-10 Findings Statement, and no additional environmental review is required, now, therefore, be it

RESOLVED: That the Planning and Development Board does hereby approve the project change to allow excess parking to be used for any project in which Novarr or his legal successors, is the owner or shares an ownership interest.

Moved by: Jones Rounds
Seconded by: Schroeder
In Favor: Blalock, Elliott, Johnston, Jones Rounds, Lewis, Schroeder
Against: None
Abstain: None
Absent: None
Vacancies: One
Memorandum
Date: February 13, 2023
To: City of Ithaca Board of Zoning Appeals

From: Daniel Shearer, P.E., and Alison Yovine, RLA
Saratoga Associates

Project Name: Professional Opinion of 111 Valentine Place Area Variance Requests

Members of the Board of Zoning Appeals:

Please accept the following analyses of the area variance requests made by Valentine Place Associates, LLC for 111 Valentine Place currently under review by the City of Ithaca Board of Zoning Appeals (BZA). Saratoga Associates (SA) is an expert in the area of visual assessment, community planning and development with recognized professionals from many disciplines, including architecture, landscape architecture and engineering, as well as community comprehensive planning. We have been asked by the applicant, Valentine Place Associates, LLC, to provide our professional opinion of the requested variances, based upon our experience and expertise, as well as a full review of the area and submissions made to both the BZA and the City Planning Commission. We therefore offer the following:

SA has reviewed the materials submitted by Valentine Place Associates, LLC for minimum off-street parking and minimum lot size area variances at 111 Valentine Place in the City of Ithaca. Specifically, the applicant proposes a minimum lot size variance of 599 sf and a minimum parking variance of 20 spaces.

After a thorough, holistic review of the open space, landscaping, and architecture proposed for 111 Valentine Place, it is our professional opinion that the site is well suited for the proposed development, and that the applicant has on balance satisfied all five factors for the respective area variances.

Under state law, the Board of Appeals must apply a balancing test between “the benefit to be realized by the applicant against the potential detriment to the health, safety and general welfare of the neighborhood or community if the variance were to be granted”¹ -- “no single statutory consideration is determinative in assessing an area variance application”².

The following observations are divided based upon the five factors under consideration.

The project will not result in an undesirable change in neighborhood

The board must consider whether the dimensional alterations proposed are seriously out of place in the neighborhood, weighing the applicant’s interests against that of the neighborhood. In a case where “the

¹ New York State, Division of Local Government Services, James A. Coon Local Government Technical Series, Zoning Board of Appeals
² John Realty Grp., LLC v. Bd. of Appeals of Amityville
construction itself would cause no physical or environmental harm to the neighborhood... [these factors] weigh in favor of granting the variance. The following facts are present:

- Student housing is the predominant typology in the subject neighborhood. The project sits adjacent to the existing Collegetown Terrace properties off East State Street. It is situated adjacent to the existing Collegetown Terrace project to the south and west.
- The building design bridges the architecture between the smaller residential buildings to the north, and the adjacent student housing complexes to the south and west. The heart-shaped cutout in the upper corner of the façade plays off the street name, Valentine. These architectural features constitute a design response that is appropriate to and respectful of the existing context, and fits appropriately within the character of the neighborhood.
- The landscape plans propose a generous number of trees which will further ground the building into the context of the neighborhood, while providing screening from adjacent properties.
- As noted in the Full Environmental Assessment Form:
  - “This is an area of the city where a larger, dense apartment complex which houses students is warranted.”
  - “No significant impact on community character is anticipated.”

Based upon the above analyses, it is our opinion that the project, with the variances approved, would not create an undesirable change to the neighborhood.

There are no feasible alternatives to the variance

Despite every effort to do so, no reasonable alternative would allow the applicant to develop this project.

- In Chandler Property, Inc. v. Trotta, a court noted that applicants should consider alternatives like acquiring adjoining properties. It should therefore be noted that the applicant here has acquired an adjoining vacant property which has significantly reduced the prior lot size deficiency – from 9,000 to less than 600 square feet or only a 3% variance. Further, the additional land has reduced the parking deficiency – from 30 parking spaces to 20 parking spaces, a 33% reduction in the size of the requested variance. The project is located next to the Collegetown Terrace properties on East State Street and is adjacent to the Collegetown Terrace project on the south and west sides.
- After feedback from the board, the applicant has reduced unit count from 30 to 25 to achieve the minimum viable variance. A further reduction would likely render the project financially unfeasible.
- Unbundling parking from residential rents skews traveler demand towards public transit, cycling, and walking. Research suggests that buildings with at least one parking space per unit have more than twice the car ownership rate of buildings that have no parking.

The difficulty was not meaningfully self-created

While a use variance requires an applicant to demonstrate that the hardship was not self-created, an area variance only requires that the board consider the extent of self-created difficulty and evaluate the request for relief under the balancing test set forth by law. That a difficulty was self-created does not, in and of itself, constitute a reason to deny the grant of an area variance. Indeed, really all area variances are in some fashion self-created.

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3 Pecoraro v. Board of Appeals of the Town of Hempstead

SARATOGA SPRINGS
41 Congress Street, Suite 202, Saratoga Springs, NY 12866
754-672-2566 www.saratogasprings.com
The City of Ithaca has a long and complicated history when it comes to zoning requirements for parking – in 2012, the city had implemented maximum parking requirements in some neighborhoods which was eventually repealed. This occurred even as the city sought to eliminate minimum parking requirements, with Mayor Myrick arguing that “if there weren’t a requirement, you could build more, smaller apartment units, and those units would be affordable.” According to the Rockland County Business Journal, as of 2022, “the City of Ithaca does not require any off-street parking in its downtown Central Business District, the West End, Cherry Street District, Newman District, Market District or Mixed-Use Districts.”

Changes in car ownership and the propensities of students to bring cars to campus have changed over time. The applicant has taken every measure possible in order to satisfy the letter and intent of the law by reducing unit count, adding parking where feasible, and securing a long-term off-site parking agreement.

The area variances proposed are insubstantial

Substantiality, as it relates to these variances, involves a reasoned judgment as to whether the actual impacts of nonconforming parking and lot size on neighboring sites is too great compared to the lawful dimensions.

The project will require a variance of 20 spaces and a minimum lot area of 599 square feet. Based on our firm’s professional understanding of the project documents as well as evidence from site review, no elements of the requested area variances are substantial.

- While the parking variance could be considered substantial under a simple mathematical analysis, a reasoned judgement would suggest that it is insubstantial given the Lead Agency’s findings that the “there is an ample amount of parking spaces for residents at Valentine Place at Collegetown Terrace” and due to the effective mitigations proposed, surrounding land-use development context, and citywide investment in multimodal transportation.
  - Based on the 2022-2023 school year, of the 649 existing parking spaces at Collegetown Terrace, 306 spaces are being utilized, leaving 343 spaces available.
  - Concerns over the long-term availability of parking are mitigated by a lease arrangement that will survive a change in ownership.
  - Nine parking spaces are provided despite ample parking to mitigate on-street parking demand.
  - The applicant provides a robust daily shuttle service free of charge with multiple buses circulating every 10 minutes between Collegetown Terrace and the proposed project site and the Cornell campus.

- The minimum lot area variance is insubstantial from both a mathematical analysis and reasoned judgement perspective. As noted by the Lead Agency “this is an area of the city where a larger, dense apartment complex which houses students is warranted”, is consistent with the community character which is “predominantly large student housing complexes”, and “is near to the campus and follows the land use goal [given its] proximity to campus”.

Therefore, by all measures, the extent of the variances is insubstantial.

The project will have no significant environmental impacts

The board of appeals should weigh the proposal’s potential impact on such factors as drainage, traffic circulation, dust, noise, odor, and impact on emergency services, among other factors.

- Per the lead agency, no significant impacts to aesthetic resources, traffic or community plans are anticipated. The site is in an appropriate area in which to build student housing, near the campus and
adjacent to a transit corridor. The proposed variances will not impact any identified environmental resources or impact drainage or any other concerns. Mitigations have been designed into the project for stormwater and the design has been specifically developed to allow for the project to act as a thoughtful transition in the neighborhood.

- The traffic-demand management solutions proposed are well-suited to the neighborhood. Unbundled parking can reduce travel modality preference for private automobiles while encouraging public transit, cycling, and walking. To further reduce demand, applicants propose supplementing public transit with a resident shuttle service and providing pedestrian and bicycle amenities. This includes a bicycle rail to allow for cyclists to park and secure their bicycle.

Conclusion

It is our professional opinion that the proposed project is appropriate in this location due to the proximity to the existing Collegetown Terrace apartments. The applicant's acquisition of property to the north has enhanced the project and shows a great deal of compromise and motivation to make this project successful. The applicant's variance application provides a comprehensive and detailed response to each of the five criteria that the Board must consider when deciding to grant an area variance. It is SA's opinion that based on the above the minor variances requested should be granted since the benefit of granting the variances far outweigh any negative impacts to the neighborhood.
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.

Printed: 5/16/2022
Appeal of DDS Companies on behalf of property owner South Hill Church of Nazarene for an area variance from §325-8, Column 6, Lot Area, and Column 11, Front Yard requirements of the Zoning Ordinance. The applicant proposes to construct a new single-story public utility building, with a footprint of 160 SF at 220 Grandview Avenue. The minimum lot area requirement of the R-2a district is based on the use provided on site. A minimum lot area of 6,000 SF is required for a public utility, and the property is 4,791.6 SF, resulting in a deficiency of 1,208.4 SF of lot area. The minimum front yard requirement of the R-2a district is 25ft. The property has two front yards, one along Grandview Ave. and the other along Hudson St. The applicant is proposing front yards of 11ft along Grandview Ave. and 12.6ft along Hudson St., resulting in deficiencies of 14ft and 12.4ft respectively.

220 Grandview Avenue is located in the R-2a zoning district in which the proposed use is permitted by Special Permit. However, Section 325-38 requires that area variances be granted before a building permit is issued.
# City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number:** BZA-3250  
**Address:** 220 Grandview Ave  
**Use District:** R-2a  
**Date:** 3.3.23  
**Applicant:** Arne Larson  
**Owner:** South Hill Church of the Nazarene  
**Application Type:** Area Variance

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<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Other Front Yard</td>
<td>Side Yard</td>
<td>Rear Yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Existing Condition and Use</td>
<td>Parking Lot</td>
<td>10</td>
<td>4,791.6</td>
<td>~157'</td>
<td>3</td>
<td>35</td>
<td>30%</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>
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</tr>
<tr>
<td>District Regulations for Existing</td>
<td>None Required</td>
<td>None Required</td>
<td></td>
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<tr>
<td>Note Non-Conforming Conditions</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
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<tr>
<td>Proposed Condition and/or Use</td>
<td>Public Utility</td>
<td>10</td>
<td>4,791.6</td>
<td>~157'</td>
<td>1</td>
<td>~10</td>
<td>3.3%</td>
<td>11'</td>
<td>12'7&quot;</td>
<td>125'</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>None Required</td>
<td>None Required</td>
<td>6,000</td>
<td>50</td>
<td>3</td>
<td>35</td>
<td>30%</td>
<td>25</td>
<td>25</td>
<td>10</td>
<td>25% or 50' but not less than 20'</td>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK*</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Notes:**  
* By Special Permit from the Planning and Development Board
CITY OF ITHACA
108 E. Green St. — Third Floor Ithaca, NY 14850-5690
DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Megan Wilson, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550 Fax: 607-274-6558 E-Mail: mwilson@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 #: 3250 (FILLED IN BY STAFF)
HEARING DATE: 4/4/2023
BUILDING PERMIT #: 43085 (REQUIRED)
RECEIPT #: 69878 (FILLED IN BY STAFF)

2. Property Address: 220 Grandview Avenue

Use District: R-2

Owner’s Name: South Hill Church of Nazarene Owner’s Address: PO Box 258

City: Clay State: NY Zip: 13041

3. Appellant’s Name: Arne Larsen - DDS Companies Appellant’s Address: 45 Hendrix Road

City: West Henrietta State: NY Zip: 14586

Telephone: 585-359-0554 E-Mail: alarsen@ddscompanies.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 15th day of February, 2023

Lori W. Vanslyke
Notary Public, State of New York
Reg. No. 01VA02694690
Qualified in Monroe County
Commission Expires 02/04/2026

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, Columns 6, 11</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
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<td>§325-</td>
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<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: [ ] Type 1 [ ] Type 2 [x] Unlisted

3. Environmental Assessment form used:

- [ ] Short Environmental Assessment Form (SEAF)
- [ ] Full Environmental Assessment Form (FEAF)
- [x] Completed by Planning Division at preliminary hearing for Site Plan Review
- [ ] Not Applicable (Type 2 Action)

4. A previous appeal [ ] has / [x] has not been made for this proposal:

- Appeal No. ________ dated, __________
- Appeal No. ________, dated __________
- Appeal No. ________, dated __________

5. Notes or Special Conditions:
September 20, 2021

The DDS Companies
45 Hendrix Road
West Henrietta, NY
14586

This letter is to confirm that Olivia Metcalfe is an authorized signer for South Hill Church of the Nazarene due to her role as District Superintendent of the Upstate New York District Church of the Nazarene. If you have further questions please call the District Office at 315-698-9100.

Thank you,

Reverend Keith Hardy Jr.
District Advisory Board Secretary
Upstate New York District Church of the Nazarene
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE

CITY OF ITHACA, NEW YORK

APPEAL NO. 3250

TO: Owners of Property within 200 feet of 220 Grandview Avenue and others interested.

FROM: NYSEG applicable to property named above, in R-2 zone.

REGARDING: (check appropriate box)

[ ] Area Variance [ ] Use Variance [ ] Sign Variance

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 on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” 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 March 28, 2023 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on 4/4/2023 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant

Address

Date
March 13th, 2023

Re: NYSEG Hudson Street Regulator Station
     Zoning Variance Neighborhood Notice Letter

Dear Resident:

DDS Companies, on behalf of our client NYSEG, is applying for Site Plan Approval to construct a 10’x16’ pre-cast concrete utility structure for the purpose of enclosing a natural gas regulator station. The project is located at 220 Grandview Avenue, at the northwest corner of the Hudson Street and Grandview Avenue intersection. The parcel is currently undeveloped with a small gravel area used for off-street parking. NYSEG has previously obtained an easement from the property owner, the South Hill Church of the Nazarene.

The purpose of a regulator station is simply to reduce the pressure of incoming gas flow to a pressure that is usable, predominantly in this case, by residential customers. With regards to construction of the building, NYSEG is proposing the construction of a quality colored, stamped precast concrete structure as the best option, based on several factors including schedule and trade availability. We have determined the concrete structure is superior to the metal building, will blend in with the surrounding neighborhood and serve both the community and NYSEG well at this location.

The station itself will be constructed of welded steel piping within the building and will be fully contained without the need for external vent lines. The regulators selected will internally vent and therefore will not result in emissions or odors. Additionally, the regulator station is externally protected from over-pressurization with an emergency relief to protect piping and equipment from rupture.

There will be no machinery or electric driven equipment within the building, therefore the largest contributor of noise at this regulator station is the pressure reduction at the regulator. Under normal operating conditions, the noise level is estimated at 65 dBA, and under maximum flow conditions it is estimated at 68.9 dBA. These noise levels are measured at a point 3’ from the regulator within the building. Those noise levels are approximately equivalent to normal conversation and a vacuum cleaner, respectively, also measured at a distance of 3’. The eight-inch concrete wall construction will drop those noise levels by approximately 58dBA at the exterior of the building. The current typical decibel levels for the neighborhood will continue to be the predominant noise source.

The parcel, as previously mentioned, is currently undeveloped with a small area for off-street parking used by the public and the neighboring church. As part of the building construction, we are proposing a
landscaped area to the east of the building as well as additional tree plantings on the building’s north and south sides. Further landscaping is not feasible due to maintaining proper intersection sight distance and the existing gravel parking area to the west of the proposed building.

This project requires two (2) variances from the Board of Zoning Appeals.

1. One for relief from minimum lot size. In the R-2a district, the minimum lot sizes for uses other than a residential structure is 6,000 square feet, and this parcel is otherwise unable to be developed at 4,612± square feet.

2. The second variance is seeking a front yard setback at 10’ minimum as opposed to the 25’ front setback requirement. In addition to the challenge of the exist lot size being below the required minimum lot size, the use district area regulations without a front setback variance also makes the existing parcel unable to be developed. By securing a front setback variance to 10’ (similar to Zoning District 2b), this parcel can be developed as proposed. The proposed location of the 10’x16’ building will not infringe on the required 20’ clear vision corner at intersections per section Art. V, Sect. 325-17.B.

NYSEG has been working with the City of Ithaca to address their concerns as well as those of the neighborhood residents. Alternative locations for this station were explored but are not feasible due to a number of construction and operational necessities.

If you have any questions, please feel free to contact me by email at alarsen@ddscompanies.com.

Sincerely,

Arne Larsen, P.E.
Senior Project Manager
Properties within 200’ of Perimeter of Subject Property

**620 Hudson Street**
Janette and James Reeves- 620 Hudson Street, Ithaca, NY 14850

**624 Hudson Street**
Church on the Rock USA- 624 Hudson Street, Ithaca, NY 14850

**635 Hudson Street**
Diane Miller- 635 Hudson Street, Ithaca, NY 14850

**636 Hudson Street**
Martha Preston- 636 Hudson Street, Ithaca, NY 14850

**637 Hudson Street**
Eleanor Henderson- 637 Hudson Street, Ithaca, NY 14850

**639 Hudson Street**
Nathaniel Decker- 639 Hudson Street, Ithaca, NY 14850

**641 Hudson Street**
Sally J. Lockwood- 641 Hudson Street, Ithaca, NY 14850

**644 Hudson Street**
S. Robert Columbia Hudson LLC- 1129 Avendia Sevilla #5C Walnut Creek, CA 94595

**648 Hudson Street**
Keith Fox- 226 Cecil A Malone Drive, Ithaca NY, 14850

**210 Grandview Avenue**
South Hill Church of Nazarene- 220 Grandview Ave, Ithaca, NY 14850

**213 Grandview Avenue**
Margaret Shisler- 31 Sloane Drive Framingham, MA, 01701
215 Grandview Avenue
Kelly and Iaonnis Seferlis- 110 Joanne Drive, Ithaca, NY 14850

3 Hudson Place
Kevin and Lea Faehndrich- 107 Old Towne Road, Ithaca, NY 14850

5 Hudson Place
Kevin and Lea Faehndrich- 107 Old Towne Road, Ithaca, NY 14850

160 Grandview Avenue (Units 145, 147, 149, 151, 153, 155)
Lakeside Vista Leasing Office- 131 E. Green Street #201, Ithaca, NY 14850
THIS MAP WAS CREATED FROM AVAILABLE RECORD MAPS, TAX MAPS, AERIAL OVERLAYS, AND WHERE POSSIBLE A FIELD EDIT WAS PERFORMED. EXISTING UTILITY LOCATIONS AND TOPOGRAPHIC INFORMATION ARE APPROXIMATE AND SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION OR APPLYING IT FOR ANY PURPOSE.
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.