

Fw: Special Permit Application feedback

Lisa Nicholas <LNicholas@cityofithaca.org>

Wed 7/7/2021 6:46 PM

To: Emily Petrina <emily@firehousearchitecturelab.com>; mitch glass <glassmitch@gmail.com>; Blalock, Garrick <garrick.blalock@cornell.edu>; McKenzie Lauren Jones <grasswriter@gmail.com>; Robert Aaron Lewis <robertaaronlewis@gmail.com>; CJ Randall <cjr222@cornell.edu>; Elisabetegodden@gmail.com <Elisabetegodden@gmail.com>

Cc: Anya Harris <AHarris@cityofithaca.org>; Nikki Cerra <ncerra@cityofithaca.org>; JoAnn Cornish <JCornish@cityofithaca.org>

Please see below the detailed exchange between the applicant and two concerned neighbors. They provided a lot of information that is not in their application.

This kind of outreach and responsiveness by the applicant is much appreciated!

Lisa Nicholas, Deputy Director of Planning
Department of Planning & Development
607-274-6557

From: Jana Leyden <janaleyden@yahoo.com>

Sent: Wednesday, July 7, 2021 5:17 PM

To: Tony Serviente <tsglass314@gmail.com>; Katherine Chiang <katherine.s.chiang@gmail.com>

Cc: atlonsky20@gmail.com <atlonsky20@gmail.com>; Charley Githler <cgithler3@gmail.com>; Lisa Nicholas <LNicholas@cityofithaca.org>; Mia Pancaldo <mpancald@twcny.rr.com>

Subject: Re: Special Permit Application feedback

Thank you, Tony and Kathy, for your responses.

Kathy-please know that we're keeping as much of Tony's work up in the windows as he'll allow. We love his work, the artistic feel to the building and all of the character that comes with it. It helps create the family home feel we're aspiring to with our fitness facility.

Take care-
Jana & Andy

On Wednesday, July 7, 2021, 04:18:09 PM EDT, Katherine Chiang <katherine.s.chiang@gmail.com> wrote:

Thank you Tony and Jana~

I found both of your responses very reassuring. It seems like we can have the best of both worlds - a residential neighborhood, with a touch of small businesses to keep it from being boring.

Tony - I have never been aware of music coming from your glass studio (or possibly on a summer's day there was a wind born fragment) and the added insulation to the walls and the door must have boosted your sound proofing. I'll miss seeing your creations in the window and wish you all the best with your move. I'd forgotten about your upstairs tenants and didn't realize their lease includes 'quiet enjoyment.'

Your background on the parking needs while the glass studio was in operation would indicate it should not be an issue for the fitness studio.

Jana - Thank you for your detailed description of your classes. My experience with fitness classes is being in the Island lap pool while the aquatic class is going on. I love the energy there, but was worried about that level in the neighborhood. It doesn't seem like your situation will be anywhere near that volume.

Lisa - Can this email thread serve as our comments to the City on the Permit Application? (In case my neighbor Mia wants to add anything she will send you a separate email.). This does not need to be read into the record.

Thank you for your prompt response and addressing the issues we raised,
Kathy

On Wed, Jul 7, 2021 at 3:18 PM Tony Serviente <tsglass314@gmail.com> wrote:

Good afternoon. I wanted to share some history of my occupancy of the studio at 201 E. Tompkins St. since 1996, with a focus on parking and noise.

Over the course of my time there I have had many scenarios play out, from working regular 8-5 hours, to less regular 4 A.M. to 11(a period of about 2 years in the late 90's). There were many instances when I worked over the entire weekend too. A constant through all of this has been music. My routine throughout my career is that I turn on the music when I start my day, and turn it off at the end. I have never skimped on good audio systems, my current one being appropriate to small concerts. I like a volume level that is appropriate to the work, meaning that if I am operating noisy equipment I crank it up, and when not I still like it well above background. My taste in music has been described politely as eclectic. I listen to a wide range of music, with the common thread of much caffeine and energy. I generally do not listen to quiet classical, blues, dirges or gentle new age selections. In all of the time I've been there I have never received a noise complaint, even when my building was uninsulated. Around 10 years ago I insulated my walls with spray polyurethane foam, and installed a new insulated overhead door too. Both of these improvements are great acoustic insulators. On many summer days I have brought messy work outside to my parking lot, and with the overhead door open I have turned up the volume so I could hear it outside. This is the worst case noise scenario that I can imagine, and no one complained. A possible reason for this is the fence around the parking lot, which would reflect some of the sound back, and another is that if the music is above a certain level inside, it is uncomfortable. There are not many sound absorbing surfaces inside, so it tends to limit the loudness that one can bear. I will add that I have a stake in sound levels, as I rent the apartment above the studio and their lease stipulates their entitlement to " quiet enjoyment".

I cannot offer as much back story on parking, but here is what I experienced. At times I had up to 8 employees, working from around 8-4, or 9-5. Not one lived within walking distance. I used to teach, sometimes 3 nights a week from 7 until 10, with up to 15 students per class, over a span of 6 weeks. All of the students drove. I have led workshops and tours not infrequently, again with the attendees driving. As with noise, I have received no complaints.

As I will continue to be the owner of the building with a long history of living and working in Fall Creek, I have come to appreciate the character of the neighborhood and do not wish to see that change. If any issues arise I will work with Jana and Andy toward a solution.

On Tue, Jul 6, 2021 at 9:57 PM Jana Leyden <janaleyden@yahoo.com> wrote:

Good evening, Kathy & Mia-

I believe Tony Serviente, the gentleman who owns the property, will be sending an email response tomorrow addressing the sound and parking as well, but I wanted to send my thoughts this evening.

You bring up some valid points, and as a city of Ithaca resident that lives across from Immaculate Conception where INHS has a giant building project underway for the next two years, we are certainly empathetic to these concerns.

Noise

I think it's unreasonable to say there will be no noise produced at the fitness studio. However, I can say this much from years of experience with these types of classes. For an hour long class, this is typically the structure on any given day. The first 5 minutes are spent greeting clients/members and talking about the general plan for the day. From there, the coach leads the class through a 10 minute warm-up, where the coach talks the members through stretches and other dynamic warm-up movements. The next 10-20 minutes are then spent on movement instruction from the coach. The coach teaches the points of performance for each movement and the members get a chance to further warm-up those movements. There is then a workout that the class does, together, where music

would be playing, and a typical workout lasts from 10 minutes to 18 minutes. From there, the coach walks the athletes through cool-down stretches, equipment is wiped down and members leave for the day. 40-50 minutes of any given class are instruction driven, so the music cannot be very loud at all because a coach needs to be giving instructions and the members need to be able to hear these instructions. For the actual 10-18 minute workout, the music will be raised, but no louder than Tony has played his music in the studio while he works. (Again, I believe he'll be discussing this and a few other sound related items when he emails tomorrow).

Parking

There are 8 parking spaces that are allocated to members of our classes. If we were to have 12 members in class and a coach, that would mean we'd need to use 5 street parking spots in that class. My husband Andy and I will be doing much of the coaching, and given that we live .6 miles from the studio, we will be walking, running or biking as much as possible. There is only one morning class scheduled, so we wouldn't need to worry about people coming and people going simultaneously. For the afternoon classes, we would be running a 30 minute class and two 60 minute classes. So, this could look like a 4-4:30 class, followed by a 4:45-5:45 class, followed by a 6:00-7:00 class. We leave 15 minutes in between classes for coaches to have a few minutes to use the rest room, help a member with something, do additional clean up, etc, so this 15 minutes should be enough time for class members to leave before those parking spaces would be needed. There are no shower facilities available for members or anything else to keep them lingering in the building once class is complete, and our experience with coaching classes before has shown that people are pretty eager to move on to the next part of their busy day once class is over. Again, I think Tony will add some input on this topic tomorrow as well.

Thank you for your concerns (and also for welcoming us to the neighborhood). We really appreciate you taking the time to reach out to us.

Best,
Jana & Andy

On Sunday, July 4, 2021, 04:26:39 PM EDT, Katherine Chiang <katherine.s.chiang@gmail.com> wrote:

Hello Jana and Andy:
Welcome to the neighborhood!

We received the notice on the proposed new use of the property at 201 E Tompkins St. We live at 708 (Kathy) and 710 (Mia) N. Tioga St.

Given our R-2 zoning we feel the two issues that deviate most from residential use (and the past 40 years of quiet, low impact, commercial use) are noise and parking.

Noise - This is our major concern. This is a dense, mostly quiet, residential neighborhood and more people are working from home these days.

Our experience with exercise classes is they play music - loudly. But we may be misinterpreting what is meant by 'fitness classes'. If the fitness studio will *not* have amplified music and/or trainers' voices please disregard the following comment.

If music *will* be played, we think that would be considered "continuous sound" and we hope you have included the City Noise ordinance in your plans: <https://ecode360.com/8391274>. We don't know the STC (Sound Transmission Rating) of your building. We suspect it was not constructed to block loud music. It is *very* quiet around here at 6:00 a.m. and *any* music or loud voices would disturb the peace. The 4:00 - 7:00 classes would be right as people come home and might want to enjoy being out in their yards. If we were subjected to thumping music for 3 hours *every* weekday evening and Saturday mornings it would be disruptive to the neighborhood.

Parking -

We don't think you can *assume* most of the clientele would be from Fall Creek (and thus might walk to the class). Parking for up to 12 cars for the 6:00 a.m. session would be needed. The streets could easily accommodate the 4 car overflow. Your application indicates there will be three classes from 4:00-7:00. We assume they are scheduled back to back. Therefore you would need 24 spaces to accommodate the people leaving plus the next group arriving. Since you have 8 spaces on site you could be creating additional parking pressure for up to 16 cars. **Perhaps you could negotiate with the garage across the street for a few more spots. It might be useful for you to take a count of the number of houses in the surrounding streets that do not have off-street parking.** Those will be the primary residents affected. And those spots would be occupied by your clients just as the residents might be coming home from work. That could be annoying, especially on those days where alternate side parking was in effect. A resident might have to park a block away and then move their car closer and on the correct side of the street later in the evening.

If there will be *no* amplified music, and the residents most affected have no problem with the parking impact, we think having you as a new small business in the neighborhood would be welcomed.

Thank you,
Kathy Chiang
Mia Pancaldo

--

Cheers

Tony Serviente

servienteglassstudio.com