

## TOWN OF ITHACA PLANNING BOARD MEETING

Tuesday, March 20, 2012

215 N. Tioga Street, Ithaca, NY 14850

**Board Members Present:** Fred Wilcox (Chair), George Conneman, John Beach, Ellen Baer, Jon Bosak, Hollis Erb

**Staff Present:** Susan Ritter, Director of Planning; Bruce Bates, Director of Code Enforcement; Susan Brock, Attorney for the Town; Deb DeAugustine, Deputy Town Clerk

### **Call to Order**

Mr. Wilcox called the meeting to order at 7:01 p.m. and accepted the secretary's posting of the public hearing notice.

### **AGENDA ITEM**

#### **Persons to be heard**

No one came forward to address the Board.

### **AGENDA ITEM**

#### **SEQR Determination:** Belle Sherman Cottages Garage Options, Mitchell Street

Toby Millman, Agora Homes, gave an overview of the project. They're seeking an amendment that would allow a two-car garage option for the homes. They had always contemplated this option, but it didn't work its way into the document. They discovered the omission when they were applying for a building permit for the model home and found that the two-car garage wasn't expressly permitted under the site plan. This option would apply only to the 19 single-family lots. They don't anticipate that every home will take the option. Currently the one-car garage is 12 feet by 20 feet; the two-car garage would add eight feet to the width, fitting within the maximum coverage for the lot. The stormwater management system has the capacity to absorb the additional 160 feet, even if everyone opted for the two-car garage. They can also maintain the building separation distances. Mr. Millman said the option is important from both a marketing and a neighborhood perspective - it's better for people to park on their own lots instead of on the neighborhood streets.

Mr. Conneman recalled that the project was presented as being in an ideal location to walk to everything, and that the development would not be dependent on cars exclusively.

Mr. Millman responded that it still is a walkable neighborhood, and pointed out that the cost to add the second garage is about \$15,000; it's a premium that people will have to pay for. The flip side is that people will have as many cars as they have, and parking is already a problem in the neighborhood. They're trying to mitigate that issue.

Ms. Baer thought there was always an opportunity for two-car garages, so this did not surprise her.

Mr. Conneman stated that many people use their garages to store stuff, and Mr. Bosak agreed, saying that on the occasion when he has been lucky enough to have a two-car garage, he has used the

second garage to do just that. Ms. Erb stated that her brother uses one of his bays as a workshop; that's just how it is.

Mr. Wilcox said that in his neighborhood of townhouses, most of the units have one-car garages, and cars are parked in the driveways and on the street. The Board was provided with a letter from O'Brien & Gere with calculations indicating that the stormwater management system approved by the Board can handle the additional impervious surface that would be created at full buildout of two-car garages.

It was pointed out that Walnut Street is the new name of the private road that runs through the development.

**PB Resolution No. 2012-13: SEQR, Preliminary and Final Site Plan, Belle Sherman Cottages – Garage Options, Tax Parcel No.'s 59-1-1, 59-1-2, 59-1-3, 59-1-4 and 63-2-10.3**

Moved by Hollis Erb; seconded by John Beach

**WHEREAS:**

1. This action is consideration of Preliminary and Final Site Plan Approval regarding a modification to the Belle Sherman Cottages project located on Mitchell Street, Town of Ithaca Tax Parcel No.'s 59-1-1, 59-1-2, 59-1-3, 59-1-4 and 63-2-10.3, Planned Development Zone No. 13. The proposal involves modifying the project to allow homeowners the option to change from a 1-car garage to a 2-car garage for the 19 single family lots. Belle Sherman Cottages, LLC, Owner/Applicant; and
2. This is an Unlisted Action for which the Town of Ithaca Planning Board is acting as Lead Agency in an environmental review with respect to Site Plan Approval; and
3. The Planning Board, on March 20, 2012, has reviewed and accepted as adequate a Short Environmental Assessment Form (EAF) Part I, submitted by the applicant, and Part II prepared by Town Planning staff, a drawing titled "Belle Sherman Cottages – Option 2-Car Garage" (SK-L5), dated Feb. 29, 2012, Prepared by Trowbridge Wolf Michaels Landscape Architects LLC, and other application materials; and
4. The Town Planning staff has recommended a negative determination of environmental significance with respect to the proposed Site Plan Approval;

**NOW THEREFORE BE IT RESOLVED:**

That the Town of Ithaca Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced actions as proposed, based on the information in the EAF Part I and for the reasons set forth in the EAF Part II, and, therefore, a Draft Environmental Impact Statement will not be required.

**Vote:** Ayes: Wilcox, Beach, Baer, Bosak, Erb  
Nays: Conneman

**AGENDA ITEM**

**PUBLIC HEARING:** Consideration of Preliminary and Final Site Plan Approval regarding a modification to the Belle Sherman Cottages project located on Mitchell Street, Town of Ithaca Tax Parcel No.'s 59-1-1, 59-1-2, 59-1-3, 59-1-4 and 63-2-10.3, Planned Development Zone No. 13. The proposal involves modifying the project to allow homeowners the option to change from a 1-car garage to a 2-car garage for the 19 single family lots. Belle Sherman Cottages, LLC, Owner/Applicant

Mr. Wilcox opened the public hearing at 7:16 p.m.

Ms. Erb requested that the Planning Board be provided with notification as homes are sold, and Mr. Bates pointed out that Building Department records contain that information and can be provided to the Board. The foundation for the first house is being started tomorrow and the modular home will also arrive tomorrow and will be set on March 29th.

A resident of Vine Street pointed out that it had been anticipated that most of the owners would be biking and walking to work. She stated that if this is the case, the question for the Planning Board is whether there is a need for two-car garages. She would like to see a percentage of two-car garages allowed rather than all 19 homes. If more cars are encouraged in the neighborhood, there will be more rental owners versus single-family owners. She pointed out that there are very few houses in Belle Sherman with two-car garages, so they would not be consistent with the neighborhood.

Mr. Wilcox closed the public hearing at 7:20 p.m.

Mr. Wilcox asked the question: do two-car garages attract people with two cars or do people have two cars and want two-car garages?

Mr. Bosak said that there's a school of thought that you limit car ownership by limiting parking spaces. The important thing is that a walkable community has very little to do with needing a car. There is no way you can not have a vehicle, even if your community is completely walkable.

Ms. Erb said that she doesn't think this necessarily means that even people with a two-car garage and two cars might not still walk because walking is possible. She also doesn't think people will pay \$15,000 for a garage because they want a second car; they're going to have the second car or not. Many people use a garage for storage.

Mr. Millman confirmed for Ms. Brock that the grassy strip down the center of each driveway will not be affected by the addition of the second garage. She noted that the impervious surfaces aren't growing by as much as one might expect because the stoop and step area, which will be smaller for the two-car garage option, was already impervious, and they're using that area to account for the car needing to back out.

**PB Resolution No. 2012-14: Preliminary and Final Site Plan, Belle Sherman Cottages – Garage Options, Tax Parcel No.’s 59-1-1, 59-1-2, 59-1-3, 59-1-4 and 63-2-10.3**

Moved by Hollis Erb; seconded by Ellen Baer

**WHEREAS:**

1. This action is consideration of Preliminary and Final Site Plan Approval regarding a modification to the Belle Sherman Cottages project located on Mitchell Street, Town of Ithaca Tax Parcel No.’s 59-1-1, 59-1-2, 59-1-3, 59-1-4 and 63-2-10.3, Planned Development Zone No. 13. The proposal involves modifying the project to allow homeowners the option to change from a 1-car garage to a 2-car garage for the 19 single family lots. Belle Sherman Cottages, LLC, Owner/Applicant; and
2. This is an Unlisted Action for which the Town of Ithaca Planning Board, acting as Lead Agency in an environmental review with respect to the project has, on March 20, 2012, made a negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form Part I, submitted by the applicant, and a Part II prepared by Town Planning staff; and
3. The Planning Board, at a Public Hearing held on March 20, 2012, has reviewed and accepted as adequate, a drawing titled “Belle Sherman Cottages – Option 2-Car Garage” (SK-L5), dated Feb. 29, 2012, Prepared by Trowbridge Wolf Michaels Landscape Architects LLC, and other application materials;

**NOW THEREFORE BE IT RESOLVED:**

1. That the Town of Ithaca Planning Board hereby waives certain requirements for Preliminary and Final Site Plan Approval, as shown on the Preliminary and Final Site Plan Checklists, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of site plan control nor the policies enunciated or implied by the Town Board; and
2. That the Town of Ithaca Planning Board hereby grants Preliminary and Final Site Plan Approval for the proposed Belle Sherman Cottages garage options, as described on a drawing titled “Belle Sherman Cottages – Option 2-Car Garage” (SK-L5), dated Feb. 29, 2012, Prepared by Trowbridge Wolf Michaels Landscape Architects LLC, and other application materials, subject to the following condition:
  - a. All conditions of the Planning Board’s previous resolution of approval (Resolution No. 2011-036) regarding this project shall still apply.

**Vote:** Ayes: Wilcox, Beach, Baer, Bosak, Erb  
Nays: Conneman

### **AGENDA ITEM**

A presentation and discussion of Tompkins County's draft Preliminary Concept for the Biggs Property Development RFP (Request for Proposal). This development is part of a U.S. Environmental Protection Agency Climate Showcase Communities project designed to demonstrate how more energy efficient, compact, pedestrian-oriented communities can be developed utilizing lessons learned from over 20 years of developing EcoVillage at Ithaca

Mr. Marx provided background on the proposal and stated that he was looking for feedback and to answer questions from the Board because if the proposal is successful, he'll be back, and he'd like the questions answered now if possible. The documents are drafts and subject to change, but they show the direction the County is going in and what they'd like to achieve with this project, which is a model community that is like an EcoVillage except that it would be developed under normal market development. A person looking for a house on the market will be able to purchase one of these homes, whereas with the EcoVillage model, 20 people come together and decide to build a community and take two years to do it. There's not likely to be another neighborhood at EcoVillage, so this is a transition time for bringing this type of opportunity to a broader populace. The County would like to make this possible in an affordable way and to achieve the kind of efficiencies that the third phase of EcoVillage is trying to achieve: houses that use 80% less energy than current constructed-to-code buildings. This is a unique opportunity because the County owns the property. After vacating the Biggs building, they put off selling the property for three years in order to achieve something better on the site than would be likely to occur if they sold it off, in which case, someone would come in and do a standard subdivision. Neither the County nor the Town thought that would be a particularly positive use for the property. This development will have advantages, not only to this area, but to demonstrate to all the towns in Tompkins County what might be possible as opposed to what is typically seen today.

#### **Advantages of the proposal**

Mr. Marx highlighted the advantages of the proposal and of the chosen site over other areas of the Town.

**District energy:** They're exploring with Cayuga Medical Center (CMC) district energy associated with the rebuild of their energy plant. CMC is doing a feasibility study on district energy now. This property would be well sited to take immediate advantage with the lowest possible cost.

**Proximity to the Black Diamond Trail:** The trail is now becoming a reality. This property has the closest access to the trail.

**Transit:** The existing TCAT route is within a quarter mile. It's a transit route that is not likely to go away because of the hospital's presence. The TCAT route from Trumansburg is a successful route and could possibly be enhanced. Transit on this part of West Hill is more stable and more likely to be improved than in other areas.

**Demarcation line for development:** The project would create a demarcation line for development on West Hill. They propose that the northern two thirds of the site be left completely undeveloped. This would allow them to create a firm, identifiable edge to development on West Hill and create a good buffer from residential neighbors because they'd preserve the forest they now look at. Under

standard development, the most likely place to develop would be along that road frontage, right across from the existing residences.

**Existing major employer:** The only reason the County considered a node on West Hill was CMC. The only other places they looked at were areas with other existing major employers and not much residential development. CMC is the largest employer without being part of or proximate to a community. Having residential development proximate to major employers is going to be important in the future, and CMC is supportive of this kind of development next door. It builds on existing and anticipated developments and starts to create critical mass. There are currently no commercial services, and they believe that the likelihood for successful commercial services is enhanced by the hospital because of the number of people visiting as well as the traffic on Route 96. So a walkable community could happen successfully in that area. Finally, instead of thinking of the hospital as an institutional-use area, they're trying to move toward mixed-uses where the synergies between living and working and other activities can be enhanced. The distance between parking and residences would not be more than 500 or 600 feet. Most parking would be less than 400 feet from a dwelling. They would likely make it closer based on comment by the Board.

### Comments and Questions

Ms. Erb

1. Mr. Marx verified that CMC owns the property between this site and the Black Diamond Trail. They are talking actively about developing a trail connection, and one of the routes is the road going down the hillside.
2. Ms. Erb wondered why none of the criteria are requirements that set a baseline. Mr. Marx responded that the original version of the document was a list of requirements, and that an advisory board member from the EPA Climate Showcase Communities who is involved in this development suggested that it was important to give some flexibility. He said no developer would meet 100 percent of the requirements and be able to balance that against affordability and all the other requirements. He thought it would be better to encourage these things and to base it on a points system so that there could be some tradeoffs to keep units affordable. Mr. Marx said that if they don't get good proposals, they won't go forward. Ms. Erb thinks to force the issue, they'll need to set up a points system and require developers to meet a certain percentage of the points.
3. Mr. Marx explained that volunteers will create pre- and post-occupancy logs of energy use and transportation. In both the Tree neighborhood and the Aurora Street project, they're asking people to do that. They hope this development will attract people who would be interested in this. Mr. Conneman said the problem with green buildings and even LEED is that they don't measure their real energy savings. Mr. Marx responded that Tree will have a real-time metering system and real data which they will monitor for a year post occupancy. The problem with the EcoVillage model is that it is not transferable to make a large impact on a large number of housing units in a short amount of time. It takes immense work and investment up front, and most people don't buy housing that way. Can this be achieved in a market-style development model? This type of housing in the market in Ithaca does not exist now.
4. Ms. Erb wondered what is being done locally to educate the mortgage lenders to change their income qualification guidelines for this type of housing: since variable costs like utilities, as a percentage of income, ought to be lower, a few more people should be able to qualify. Mr. Marx

said that this is being discussed with some of the banks in the community; when there's less of an energy burden in the household, buyers should be able to qualify for a higher-priced house. Ms. Ritter added that people are trying to get the assessed valuation of houses to incorporate the fact that they might have lower energy consumption. Mr. Marx said that the information from the Tree and Aurora Street projects should be available before this project goes forward.

Mr. Bosak

1. Mr. Bosak stated that the idea in the abstract and this particular proposal in this particular place are two different things. He likes the idea a lot – the thinking that's gone into the zoning proposal, etc. Putting 70 units in this particular place will require the Board to revisit some things like traffic. He doesn't buy the proposition that you'll get traffic down the Black Diamond Trail – that won't replace a significant number of car trips. Transit is a sore spot. To characterize transit in that area as something to attract someone out of a car is mistaken. He said that he is devoted to trying to use public transit and has much more motivation than the average person. When he and his wife moved to Ithaca, they bought a house on the TCAT route, but neglected to look at the schedules. He found out when they moved that he can't use it. He was on the TCAT advisory board for five years and in all that time could not use the bus to get to a meeting. The people who use the bus line are people who have no other choice, and these are not the people who will buy these homes. Instead of getting better, that situation is more likely to get worse. Unless the County can come back with a proposal to get one of the major funders like Cornell to up their contribution to TCAT every year to provide usable service there, that part of the proposal is not going to fly. LEED has a rating scale for transit, and the service to that area is between 0 and 1. In the "lessons learned" from EcoVillage, they said that they're sorry they stuck the development out in the country on a rural TCAT route. Looking at this, it doesn't look like that lesson was learned. He suggested they abandon that approach. He stated that the proposal is interesting without the traffic claim, and that he could be sold on the benefits despite the transit problem.

Mr. Marx disagreed: the County is trying to put affordable housing where the cost of an extra auto might be a problem. People will put up with inconvenience to save money if they have to. This could be commutable, not a convenient way to do everything you need to do, but it could get someone to work and back if they have a normal schedule. Nothing should be built intensively where there is no available service to build on. This is near a facility where there will always be transit service.

2. Mr. Bosak said he could be sold on this as proof of concept. There are a couple positive things they should sell the Board on: district heating is outstanding, and according to the Town soils map, a large part of this parcel is USDA prime agricultural land. He suggested that they not build on the chunk of prime land. Mr. Marx said that it also provides the opportunity for onsite community gardening. Ms. Ritter warned that the map is from 1960 and is not precise.

Ms. Baer stated that she especially likes the concept of district heating. She agrees with Mr. Bosak about building community agriculture into the plan. Regarding transit, she said that using this site is better than building where there is no available transit. Mr. Bosak added that he thinks it's possible to sell the idea of walkable communities without selling this as a way to cut down on car use: the two can be separate. Ms. Baer agreed, especially because of the Black Diamond Trail.

Mr. Beach stated that he agrees with other Board members and shares Mr. Bosak's concerns about TCAT. A huge point in favor of the development is district heating. Those who are enticed to ride bikes will do it, and the Black Diamond Trail, if there, will be a great opportunity.

Mr. Conneman stated that having a vision of something different is good – that's how new ideas are discovered. He said that people will not shop locally with Wegman's downtown. Mr. Marx responded that he's not talking about the weekly trip to the grocery store, but about having some place to shop for conveniences. Mr. Conneman wondered why they chose West Hill; and Mr. Marx replied that the County owns the land. East and South Hill both have characteristics that are similar: major employers, some transportation, existing housing, and some small commercial. There's a lot of talk right now about a spine transit system to connect the Commons first to Cornell and IC, then to the West End, and eventually to the hospital. Mr. Conneman said he doesn't think West Hill has as much of a traffic problem as residents think. With a real traffic study, it might be possible to solve the traffic problem. Mr. Bosak brought up the study done by the resident of West Hill, and suggested that it be shared with the County. The methodology she used shows the reality of getting through those intersections. Mr. Marx responded that the County study did that, with drivers starting in Trumansburg.

Mr. Wilcox

1. Mr. Wilcox stated that he's waiting for someone to prove that you can combine affordability and energy efficiency. He's not convinced. One of the issues that has prolonged the Tree neighborhood is the affordability piece. Mr. Marx responded that that is one of the main purposes of this project, and the fact that there will be three different examples helps. A lot will be learned about what's possible and what's difficult.
2. Traffic will be a big problem. When the Planning Board discussed Holochuck, traffic was 90% of the problem. The project was approved with a 4-3 vote; the Board was split on traffic concerns. Ways to mitigate traffic are very important. Mr. Marx responded that they're open to looking at things like van pools, car share, etc.

Mr. Bosak said that no one wishes more than he that what Marx says about transit will work. The nut of the problem is that he doesn't see that getting any better in the foreseeable future. Ms. Baer said that with gas prices rising, people will hopefully carpool at the very least. Mr. Marx said that residents of EcoVillage claim to carpool more than people in other places because of the closeness of the people in their community. Mr. Bosak suggested that Mr. Marx nail that down because it could be a strong argument.

Ms. Erb expressed concern about parking; from her own experience, it would be a bit far from the residences. She said alternatives will be needed for people who anticipate aging in place. She said the Board will get complaints from the neighbors on traffic. She suggested they sell it on other features besides parking on the perimeter. Mr. Bosak suggested that units closest to parking could be ADA-equipped. Mr. Marx responded that there are streets near the dwellings vehicle can drive on for a person to be dropped off.

Ms. Brock

1. The Board has agreed that affordable units should be mixed throughout a development rather than clustered in one place, and that the exterior finishes should be of equal quality so they're not distinguishable from the other units.
2. She suggested that when determining affordability, they consider including the additional required, recurring, forever fees, such as homeowners association dues. She stated that developers will push back on that.
3. She suggested Mr. Marx speak to Ms. Ritter regarding how conditions of approval may affect the schedule for development.
4. She encouraged Mr. Marx to take out references in the Draft Pedestrian Neighborhood Regulations to spot zoning because people will read it the wrong way. Something is not spot zoning if it is consistent with the Comp Plan. The Town's Comp Plan considers PDZs to be appropriate anywhere in the Town with certain restrictions on them.
5. The Resident Governance section refers to encouraging municipal maintenance of the infrastructure. The Town has developments where there are pedestrian walkways that will be owned and maintained by the homeowners association. Mr. Marx replied that this model will potentially apply to communities all over the country. They generally think that if the streets maintained for vehicles are public so should the facilities maintained for pedestrians. Ms. Brock argued that the roads are privately-owned, and especially in times of fiscal belt-tightening by governments, perhaps it's an appropriate expense for developers, who make a lot of money off developments, to shoulder initially, then pass on to the homeowners association, as opposed to adding to the government's burden. She pointed out that the setbacks don't all jibe with Town definitions. Lighting can also be owned and maintained by the development.

Ms. Erb requested that references to median income specify Tompkins County median income guidelines.

Mr. Marx said the next steps are for the proposal to go back to the planning advisory board, then to the legislative committee to review the changes, and then be released for public comment, including developer comment. The RFP will be released in early summer with proposals due at the end of summer.

The Board felt that starting to build in the spring of 2013 would be very ambitious. Ms. Erb stated that there will be a huge EIS. Mr. Marx took exception to that and hoped there could be some discussion. They're trying to address every issue in the development. He doesn't know if there would be and EIS of EAF at this point. He said that this is what keeps housing from being affordable in Tompkins County.

#### **AGENDA ITEM**

Approval of Minutes

#### **PB Resolution No. 2012-015: Minutes of March 6, 2012**

Moved by Fred Wilcox; seconded by Hollis Erb

WHEREAS, the Town of Ithaca Planning Board has reviewed the draft minutes from the meeting on March 6, 2012; now therefore be it

RESOLVED, the Town of Ithaca Planning Board approves the minutes, with corrections, to be the final minutes of the meeting on March 6.

Vote: Ayes: Wilcox, Conneman, Beach, Baer, Bosak, Erb

**Adjournment**

Upon a motion by Hollis Erb, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

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Debra DeAugustine, Deputy Town Clerk