OFFICIAL NOTICE OF MEETING

A Regular meeting of the Common Council will be held on Wednesday, April 1, 2015, at 6:00 p.m. in the Common Council Chambers at City Hall, 108 East Green Street, Ithaca, New York. Your attendance is requested.

AGENDA

1. **PLEDGE OF ALLEGIANCE:**

2. **ADDITIONS TO OR DELETIONS FROM THE AGENDA:**

3. **PROCLAMATIONS/AWARDS:**

4. **SPECIAL ORDER OF BUSINESS:**

5. **SPECIAL PRESENTATIONS BEFORE COUNCIL:**
   5.1 Presentation by the Community Dispute Resolution Center

6. **PETITIONS AND HEARINGS OF PERSONS BEFORE COUNCIL:**

7. **PRIVILEGE OF THE FLOOR – COMMON COUNCIL AND THE MAYOR:**

8. **CONSENT AGENDA ITEMS:**
   **City Clerk – Department of Public Information & Technology:**
   8.1 Mahogany Grill Alcohol Permit Request - Resolution
   8.2 Sahara Restaurant Alcohol Permit Request - Resolution
   **City Administration Committee:**
   8.3 DPW - Reallocation of Chief Wastewater Treatment Plant Operator Position – Resolution

9. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**
   9.1 Local Historic District Designation of the “Downtown West Historic District” (formerly considered under the name of “West State Historic District” by the Ithaca Landmarks Preservation Commission and under the name “Titus-Wood Historic District” by the Planning Board) - Resolution
   9.2 Proposed Historic Landmark Designation – 421 N. Albany Street (Dennis-Newton House) - Resolution
   9.3 An Ordinance to Amend Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning” to Repeal the Collegetown Parking Overlay Zone (CPOZ)
      A. Declaration of Lead Agency for Environmental Review - Resolution
      B. Determination of Environmental Significance - Resolution
      C. Adoption of Ordinance
9. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE - Continued:**
   9.4 An Ordinance to Amend Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning” to Amend the Industrial Zone (I1) Zoning District in Order to Require a Minimum of Two Stories for New Non-Industrial Construction
      A. Declaration of Lead Agency for Environmental Review - Resolution
      B. Determination of Environmental Significance - Resolution
      C. Adoption of Ordinance
   9.5 An Ordinance to Amend the City of Ithaca Municipal Code Chapter 325, Entitled “Zoning,” in Order to Rezone Portions of the I-1 Zoning District to R-3a and P-1
      A. Declaration of Lead Agency for Environmental Review - Resolution
      B. Determination of Environmental Significance - Resolution
      C. Adoption of Ordinance
   9.6 Planning Board as Lead Agency – Common Council as an Involved Agency – Resolution
      A. Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency - Resolution
      B. Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for the Proposed Mixed Use Project to be Located at 210 Hancock Street - Resolution
      C. Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for the Proposed Lake Street Public Park Enhancement Project to be located on Lake Street at Fall Creek - Resolution

10. **CITY ADMINISTRATION COMMITTEE:**
    10.1 DPW - Recommendation to Fund Cemetery Wall Repair - Resolution
    10.2 DPW - Authorization for Additional Funding for Stewart Park Large Pavilion Bathroom Restoration, Capital Project #817 - Resolution
    10.3 DPW – Establishment of Capital Project for “Dam Safety Project” for the Potter’s Falls (60-Ft.) Dam - Resolution
    10.4 City Controller’s Report

11. **REPORTS OF SPECIAL COMMITTEES:**

12. **NEW BUSINESS:**

13. **INDIVIDUAL MEMBER – FILED RESOLUTIONS:**
14. **MAYOR’S APPOINTMENTS:**
14.1 Appointment to City of Ithaca Local Board of Assessment Review - Resolution
14.2 Appointments/Re-Appointments to Various City Boards & Committees – Resolution

15. **REPORTS OF COMMON COUNCIL LIAISONS:**

16. **REPORT OF CITY CLERK:**

17. **REPORT OF CITY ATTORNEY:**

18. **MINUTES FROM PREVIOUS MEETINGS:**

19. **ADJOURNMENT:**

If you have a disability that will require special arrangements to be made in order for you to fully participate in the meeting, please contact the City Clerk at 274-6570 at least 48 hours before the meeting.

______________________________
Julie Conley Holcomb, CMC
City Clerk

Date: March 26, 2015
19. **ADJOURNMENT:**

If you have a disability that will require special arrangements to be made in order for you to fully participate in the meeting, please contact the City Clerk at 274-6570 at least 48 hours before the meeting.

__________________________
Julie Conley Holcomb, CMC
City Clerk

Date: March 26, 2015
8. **CONSENT AGENDA ITEMS:**
   City Clerk – Department of Public Information & Technology:

8.1 **Mahogany Grill Alcohol Permit Request - Resolution**

WHEREAS, the City Clerk has received a request to allow the Mahogany Grill restaurant to utilize certain areas along Aurora Street for outdoor dining, and

WHEREAS, this use of public property has been deemed proper and successful, and

WHEREAS, the City of Ithaca wishes to promote diverse uses of the Primary and Secondary Commons, including outdoor dining, and

WHEREAS, it is Common Council's responsibility to determine whether or not to allow the serving and consumption of alcohol on the Primary and Secondary Commons, and

WHEREAS, Common Council has determined that the use of this public property for outdoor dining at the Mahogany Grill Restaurant, including the responsible sale and consumption of alcohol, is desirable, and

WHEREAS, Common Council has determined that any use of this or similar public property involving the same and consumption of alcohol should be covered by a minimum of $1,000,000 insurance under the Dram Shop Act; now, therefore be it

**RESOLVED,** For the year 2015, Common Council hereby approves a revocable Alcoholic Beverage Permit for the outdoor sale and consumption of alcohol for the Mahogany Grill Restaurant that includes the sale of alcohol in accord with the terms and conditions set forth in application therefore, including minimum Dram Shop coverage in the amount of $1,000,000 and the approval of an outdoor dining permit.
8.2 **Sahara Restaurant Alcohol Permit Request - Resolution**

WHEREAS, the Sahara Restaurant has requested permission to utilize certain areas along Aurora Street for outdoor dining, and

WHEREAS, this use of public property has been deemed proper and successful, and

WHEREAS, the City of Ithaca wishes to promote diverse uses of the Primary and Secondary Commons, including outdoor dining, and

WHEREAS, it is Common Council's responsibility to determine whether or not to allow the serving and consumption of alcohol on the Primary and Secondary Commons, and

WHEREAS, Common Council has determined that the use of this public property for outdoor dining at the Sahara Restaurant, including the responsible sale and consumption of alcohol, is desirable, and

WHEREAS, Common Council has determined that any use of this or similar public property involving the same and consumption of alcohol should be covered by a minimum of $1,000,000 insurance under the Dram Shop Act; now, therefore be it

**RESOLVED**, For the year 2015, Common Council hereby approves a revocable Alcoholic Beverage Permit for the outdoor sale and consumption of alcohol for the Sahara Restaurant that includes the sale of alcohol in accord with the terms and conditions set forth in application therefore, including minimum Dram Shop coverage in the amount of $1,000,000 and the approval of an outdoor dining permit.
City Administration Committee:

8.3 DPW - Reallocation of Chief Wastewater Treatment Plant Operator Position

-Resolution

WHEREAS, the Chief Wastewater Treatment Plant Operator requested a review of his position pursuant to the terms of the City Executive Association labor contract, and

WHEREAS, the review determined that a permanent and material growth in the position’s responsibilities has occurred, and

WHEREAS, the Civil Service Commission revised the Chief Wastewater Treatment Plant Operator job description at their January 21, 2015, meeting, to reflect the increase in responsibilities, and

WHEREAS, the Human Resources Department reviewed the point factor evaluation of the Chief Wastewater Treatment Plant Operator position and determined that the growth in responsibilities merits an increased point factor rating, which results in the reallocation of the position to a higher salary grade; now, therefore be it

RESOLVED, That the position of Chief Wastewater Treatment Plant Operator be reallocated from Grade B to Grade A of the City Executive Association Compensation Plan, and be it further

RESOLVED, That funding in the amount of not to exceed $4,739 to cover this salary increase retroactive to January 21, 2015, shall be derived with a transfer from account J1990-5000 Unrestricted Contingency to Account J8150-5105 Admin Salary.
Hi Mike and Erik,

We have completed our point factor analysis of the Chief Wastewater Treatment Plant Operator position, and have determined that the current responsibilities of the position merit its placement in Grade A (the top grade) of the City Executive Association Compensation Plan. Pursuant to the labor contract, this reallocation would provide an 8% increase to Dan, and would increase his current salary of $62,582 to $67,589. Please keep in mind that these are 2011 salaries, as the City Executive Association contract has not yet been renegotiated. We expect that these salaries will increase upon settlement of the contract.

Additionally, this reallocation is based on the existing point factor plan, as the Executive Association has not moved forward with negotiating the implementation of the Executive Association Compensation Study. In the event that the proposed compensation study does eventually move forward, we will re-evaluate the Chief Wastewater Treatment Plant Operator position using the new point factor system at that time.

I have attached a resolution that will implement the reallocation of the Chief Wastewater Treatment Plant Operator position. You will need to add the information about the funding source, then submit the resolution to the City Administration Committee. Please also feel free to add additional information about your operation if you feel it's useful and appropriate.

Thanks, Val
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:

Local Historic District Designation of the “Downtown West Historic District” (formerly considered under the name of “West State Historic District” by the Ithaca Landmarks Preservation Commission and under the name “Titus-Wood Historic District” by the Planning Board) - Resolution

WHEREAS, as set forth in Section 228-3 of the Municipal Code, the Ithaca Landmarks Preservation Commission may recommend designation of individual landmarks and districts of historic and cultural significance, and

WHEREAS, on February 10, 2015, the Ithaca Landmarks Preservation Commission conducted a public hearing for the purpose of considering a proposal to designate the West State and South Albany Street survey area as a local historic district, and

WHEREAS, the proposal is a Type II Action under the NYS Environmental Quality Review Act and an Unlisted Action under the City Environmental Quality Review Ordinance and after conducting appropriate environmental review the Ithaca Landmarks Preservation Commission, acting as Lead Agency, has determined that the proposal will not have a significant environmental impact, and

WHEREAS, the Commission finds that the proposal meets criteria under the Landmarks Preservation Ordinance and has voted to designate the West State and South Albany Street survey area as a local historic district, and

WHEREAS, Section 228-3 of the Municipal Code states that the Council shall within ninety days of said recommendation to designate, approve, disapprove or refer back to the Commission for modification, and

WHEREAS, as set forth in Section 228-3 of the Municipal Code, the Planning Board shall file a report with the Council with respect to the relation of such designation to the comprehensive plan, the zoning law, projected public improvements, and any plans for the renewal of the site or area involved, and

WHEREAS, a copy of the Planning Board's report and recommendation for approval of the designation, adopted by resolution at the meeting held on February 24, 2015, has been reviewed by the Common Council; now, therefore, be it

RESOLVED, That the Ithaca Common Council finds that the designation will not conflict with the comprehensive plan, existing zoning, projected public improvements, or any plans for renewal of the site and area involved; and, be it further

RESOLVED, That the Downtown West Historic District meets the definition of a local historic district as set forth in the Municipal Code, as follows:

An area which contains primarily properties which meet one or more of the criteria for designation as an individual landmark, namely:

1. Possessing special character or historic or aesthetic interest or value as part of the cultural, political, economic, or social history of the locality, region, state, or nation; or
2. Being identified with historically significant person(s) or event(s); or

3. Embodying the distinguishing characteristics of an architectural style; or

4. Being the work of a designer whose work has significantly influenced an age; or

5. Representing an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristics.

and is an area which constitutes a distinct section of the city by reason of possessing those qualities that would satisfy such criteria.

And, be it further

RESOLVED, That the Ithaca Common Council [approves/denies] the designation of the Downtown West Historic District as a Local Historic District under Section 228-3 of the Municipal Code.
TO: Members of the Planning & Economic Development Committee

FROM: Bryan McCracken, Historic Preservation Planner

RE: Local Designation of the Downtown West Historic District and the Dennis-Newton House, 421 N. Albany St.

DATE: March 3, 2015

At their regular monthly meeting on Tuesday, February 10, 2015, the Ithaca Landmarks Preservation Commission (ILPC) held public hearings to consider the designations of the West State and South Albany Street survey area as a local historic district and the property located at 421 N. Albany St. as an individual local landmark. At the conclusion of these public hearings, the ILPC voted to recommend the designations to Common Council for consideration. The designation of local historic districts and landmarks is a Type II Activity under the State Environmental Quality Review Act and the City Environmental Quality Review Ordinance and as such requires no further environmental review.

Included in this packet are copies of the resolutions adopted by the ILPC. Please note that the Downtown West Historic District is referred to as the West State Historic District in the ILPC resolution and the Titus-Wood Historic District in the Planning and Development Board resolution and report. Both of these alternate names were considered for the proposed district prior to the Commission’s selection of Downtown West as the official name, which occurred after the ILPC and P&D Board meetings. Full documentation of the historic and architectural significance of the Dennis-Newton House and the Downtown West Historic District, including its individual properties, is available for public review at the City of Ithaca Department of Planning & Development, 3rd floor, City Hall, 108 East Green Street during regular business days between 8:30 a.m. and 4:30 p.m.

As set forth in the Municipal Code, the Board of Planning and Development has filed a report to the Common Council with respect to relation of the designation with the comprehensive plan, the zoning laws, projected public improvements, and any plans for renewal of the site or area involved. A copy of that report is attached. Also included in this packet is a letter from Tompkins County (as required by GML §239-l–m). No reply was received from the Conservation Advisory Council in response to our request (as required by CEQR §176-3-J) for their comment on these proposals.

The Common Council is now requested to act to designate, veto, or refer the designation back to the ILPC for modification. A resolution is included in this packet for the Committee’s consideration.
RE: Local Designation of the West State Historic District

RESOLUTION: Moved by J. Minner, seconded by K. Olson

WHEREAS, as set forth in Section 228-3 of the Municipal Code, the Ithaca Landmarks Preservation Commission (ILPC) may designate landmarks and districts of historic and cultural significance, and

WHEREAS, a public hearing held on February 10, 2015, for the purpose of considering a proposal to designate eight properties on West State and South Albany Streets, identified more specifically in the attached map, as a local historic district has been concluded, and

WHEREAS, appropriate environmental review has been conducted by the Ithaca Landmarks Preservation Commission acting as Lead Agency and it has been determined that the proposal will not have a significant environmental impact, and

WHEREAS, Section 228-3 of the Municipal Code defines a HISTORIC DISTRICT as follows:

A group of properties which:

1. Contains primarily properties which meet one or more of the criteria for designation as an individual landmark; and

2. Constitutes a distinct section of the city by reason of possessing those qualities that would satisfy such criteria.

and,

WHEREAS, Section 228-3 of the Municipal Code defines the criteria for designation of an individual landmark as follows:

1. Possessing special character or historic or aesthetic interest or value as part of the cultural, political, economic, or social history of the locality, region, state, or nation; or

2. Being identified with historically significant person(s) or event(s); or

3. Embodying the distinguishing characteristics of an architectural style; or

4. Being the work of a designer whose work has significantly influenced an age; or
5. Representing an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristics.

and,

WHEREAS, the Commission has made the following findings of fact concerning the proposed designation:

1. The Titus Wood Historic District is an area which contains primarily properties which meet one or more of the criteria for designation as an individual landmark.

Per criterion #1, the West State Historic District possesses a special character, historical interest, and aesthetic interest and value as part of the cultural, political, economic, and social history of the City by virtue of its association with several prominent businessmen, politicians, a physician and the developer Charles M. Titus.

The district derives special character as well as special historical and aesthetical interest and value as the home of several prominent local businessmen whose activities greatly impacted the early development of the Village and City of Ithaca, including Captain J. W. Tibbetts, who started the Forest City Mixed Paint Works and was elected Tompkins County Sheriff in 1885 and 1891; Charles J. Rumsey, who operated a hardware store in partnership with his brother and was the president of Ithaca from 1882-84; DeForest Williams, who was a supervisor of the Ithaca Glass Works and was involved in the establishment of the Lyceum Theater Company in Ithaca; William M. Kent, who was a Tompkins County judge; Charles M. Williams, who was a prominent businessman involved in the lumber trade, the Ithaca Trust Company and the Ithaca Savings Bank; William L. Carey, a railroad conductor for the Ithaca and Athens Railroad, who also served as a Village of Ithaca Trustee from 1884-85 and organized the Cook Land Company; Dr. Hardy T. Rhodes, who built 301 West State Street as residence and office for his medical and surgical practice.

The district derives special character as well as special historical and aesthetical interest and value from its association with developer, Charles M. Titus, who is responsible for the development of the southwest and northwest parts of the city known as the flats into a desirable residential neighborhood in the 1870s. Titus’ own residence was located at 315 West State Street, currently the site of the Central Fire Station parking lot. In the 1860s, his large house and lot occupied approximately half of the block bounded by Owego (now State), Plain, Green and Albany Streets. Between 1888 and 1921, portions of Titus’ land were sold and five of the seven houses in the district were built.
Per criterion #3, the district is also significant as a collection of intact late nineteenth and early-twentieth century houses embodying the distinguishing characteristics of the popular architectural styles of the era, including Stick, Queen Anne, second phase Italian Renaissance Revival and Craftsman. Three of the properties retain original automobile garages, one with a particularly high level of integrity, offering excellent evidence of an early-twentieth century example of this program type.

The Commission has received expert opinion concerning the significance of the building types and styles of architecture that were typical in the period between 1880, the construction date of the earliest extant building in the district, and c.1922, the construction date of the latest extant building.

The properties in the district are notable examples of architectural styles popular during the late nineteenth and early twentieth century. The styles represented are as follows: Stick (310 West State Street); Queen Anne (314 and 317 West State, and 108 and 110 South Albany Streets); second phase Italian Renaissance Revival (301 West State); and Craftsman (307 West State Street)

Per criterion #4, many of the properties within the district are representative works of designers whose works have significantly influenced an age. The district contains houses designed by early Ithaca architect A.B. Dale and Cornell-trained architects A. B. Wood and Arthur Gibb.

Alvah B. (Buckbee) Wood (1850-1909) attended Cornell University from 1871-74 and studied architecture. He designed several residences in Ithaca as well as the Ithaca High School and the Morse Chain Works. He also designed several railroad depots for the Lehigh Valley Railroad in Ithaca (1898), Geneva (1892) and Wilkes-Barre, Pennsylvania, and is credited with the design of the 1896 Immaculate Conception Church in Ithaca. Built in 1880 and 1885 respectively, 310 and 314 West State Street are excellent examples of Wood’s early residential designs and demonstrate clearly the range of his architectural ability.

Arthur N. Gibb (1868-1949) was born in Quebec City in 1868 and graduated from Cornell with an architecture degree in 1890. He remained in Ithaca and worked briefly in the office of William H. Miller, another prominent Ithaca architect. Gibb then became a partner of Clinton L. Vivian for eight years and later a partner of Orman H. Waltz. As a sole practitioner and a partner in a firm, Gibb designed a number of buildings in Ithaca, including the dome of Sibley Hall at Cornell in 1902. Gibb and Waltz designed a number of buildings still extant in Ithaca, including Rand Hall at Cornell; the Chi Psi fraternity house (1907-09); the Delta Chi fraternity house (1914-15 known as the Knoll); the original Elks Lodge (1915-16); the Crescent Theater (1916) and the Masonic Temple (1926). Gibb himself is responsible for the design of the Henry St. John
Elementary School (1925). 301 West State is an excellent example of his residential designs.

A. B. Dale (Alfred B., 1829-1910) was born in Portsmouth, England and trained as carpenter. He came to Ithaca around 1845 or 1850 and worked as journeyman carpenter before spending one year with architect I. G. Perry in Albany. Dale returned to Ithaca and opened his own office in Ithaca in 1870. Over the course of his career, he designed many stores and residences in Ithaca, including the Boardman House (1866); the Griffin Block (1872); the Bates Block (1872); the Titus Block (1876); the Sprague Block, the Ithaca Hotel (1870-71) and the Andrus-Whiton House at 212 Aurora Street (1873). 317 West State Street is a good example of his remaining residential work in Ithaca.
2. The Titus Wood Historic District constitutes a distinct section of the city by reason of possessing those qualities that would satisfy the criteria for designation as an individual landmark.

The West State Historic District encompasses eight contiguous properties slightly west of the downtown commercial core. The geographic boundaries were deliberately plotted to capture the houses built on the historic Titus house lot and the remaining residential properties on the north side of West State Street. As a unit, these properties reflect the original residential character of the neighborhood.

And,

WHEREAS, the Commission adopts as its own the documentation and information more fully set forth in the report titled West State and South Albany Streets Local Historic District Nomination, prepared by Sara Johnson and Christine O’Malley of Historic Ithaca, Inc, with research provided by Mary Tomlan, dated 2012, now, therefore, be it

RESOLVED, that the Ithaca Landmarks Preservation Commission, determines that the West State Historic District meets the definition of an historic district as set forth in Section 228-3 of the Municipal Code, Landmarks Preservation, and be it further

RESOLVED, that the Commission hereby recommends designation of the West State survey area, which boundaries are shown on the attached map, as a local historic district.

RECORD OF VOTE:

Moved by: J. Minner
Seconded by: K. Olson
In Favor: E. Finegan, S. Gibian, M. McGandy, K. Olson, J. Minner
Against: 0
Abstain: D. Kramer
Absent: S. Stein
Vacancies: 0
February 10, 2015

Bryan McCracken, Historic Preservation Planner
Department of Planning and Development
City of Ithaca
108 East Green Street
Ithaca, NY 14850

Re:  Review Pursuant to §239 -l and -m of the New York State General Municipal Law
Action:  Designation of the Titus-Wood Historic District

Dear Mr. McCracken:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have negative inter-community, or county-wide impacts as described below. We recommend modification of the proposal. If the Board does not incorporate the recommendations, such approval will require a vote of a supermajority (meaning a majority plus one) of all members of the decision-making body.

Recommended Modifications

- The W. State/MLK JR. Street corridor, including a portion of the proposed Titus-Wood Historic District, is an area of the City with great redevelopment potential. Infill and redevelopment of appropriate sites is critical to both City and County goals to accommodate community growth in existing urban areas. The justification for including 315 and 317 West State Street does not seem adequate to justify the limits it might place on redevelopment potential for this corridor and as such we recommend that those two properties be removed from the proposed district.

Please inform us of the City’s decision so that we can make it a part of the record.

Sincerely,

Edward C. Marx, AICP
Commissioner of Planning

Inclusion through Diversity
RE: Titus-Wood District Designation

WHEREAS, on February 10, 2015 the Ithaca Landmarks Preservation Commission voted to recommend designation of the Titus-Wood survey area as a local historic district, and

WHEREAS, Section 228-3 of the Municipal Code, Landmarks Preservation, stipulates that the Board of Planning and Development shall file a report with Common Council with respect to the relation of such designation to the comprehensive plan, the zoning laws, projected public improvements, and any plans for the renewal of the site or area involved, therefore be it

RESOLVED, that the Planning and Development Board shall file the attached report with respect to the issues stipulated in the Municipal Code, and be it further

RESOLVED, that the Board of Planning and Development supports the local designation of the Titus-Wood Historic District.

Moved by: Darling
2nd By: Schroeder
In Favor: Blalock, Darling, Elliott, Jones-Rounds, Randall, Schroeder
Against: 0
Abstain: 0
Absent: 0
Vacancies: 1
Proposed Local Designation, Titus-Wood Historic District
Board of Planning & Development, Meeting Held February 24, 2015

At the regular monthly meeting on Tuesday, February 10, 2015 the Ithaca Landmarks Preservation Commission by unanimous vote recommended designation of the Titus-Wood survey area as a local historic district. A map showing the boundary of the district and a summary of its historic and architectural significance are attached to this report.

As set forth in Section 228-3 of the Municipal Code, Landmarks Preservation,

“The Planning Board shall file a report with the Council with respect to the relation of such designation to the comprehensive plan, the zoning laws, projected public improvements, and any plans for the renewal of the site or area involved.”

The following report has been prepared to address these considerations.

1. Relation to the Comprehensive Plan
   In the 2015 Draft Comprehensive Plan, W. State St. is envisioned as a multimodal corridor connecting downtown with the west end and the waterfront, and is identified as an area for vibrant mixed use growth. Local designation will not conflict with the draft comprehensive plan, but will help ensure that the corridor retains what little remains of its historic character.

2. Relation to Zoning Laws
   The area proposed for local historic district designation is in the CDB-60 Zoning District. Local designation will not affect building uses permitted under the Zoning Ordinance. Any new development within the district will require ILPC review and approval - limited to the visual compatibility of proposed new construction, exterior alterations, additions or demolition. There is one publically owned vacant parcel in the proposed district. Designation will not prevent a new development on the parcel, nor will it necessarily be more limiting than the existing zoning in terms of area (height, lot coverage, etc) requirements.

3. Relation to Projected Public Improvements
   There is one City owned vacant parcel in the proposed district but there are no plans for public improvements in the area at this time. Designation will not prevent a future development of the parcel. Local landmark designation requires that any future public improvements in the area undergo review and approval by the Ithaca Landmarks Preservation Commission before work commences.

4. Relations to Plans for Renewal of the Site or the Area
   There are no plans in the City’s Community Development Block Grant program or by the Ithaca Urban Renewal Agency for renewal of this site or the nearby area. Local landmark designation requires that any private proposal for material change of the exterior of the building or site undergo review and approval by the Ithaca Landmarks Preservation Commission before work commences.
To the Ithaca Landmarks Preservation Commission:

I am the owner of 110 S. Albany Street, as well as 109 S. Albany Street. I am also the founder of Taitem Engineering, the tenant at 110 S. Albany Street.

My interest in, and passion for, preservation runs deep. Both 109 and 110 S. Albany Street have won awards for historic preservation. Through many renovations over many years, we have worked hard to repair and preserve features such as doors, light fixtures, windows, siding, black iron fencing, cast iron radiators, wood trim, and more. Most visitors to the buildings typically remark immediately and glowingly on preserved historic features, as they step into the buildings. I believe that 110 S. Albany Street is the oldest building in the world to have earned the LEED Platinum green building certification for existing buildings (2014).

Professionally, for over 25 years, I have worked on the engineering design of over 25 preservation projects across upstate New York, in collaboration with some of the area’s most distinguished preservation architects. From rural libraries to museums to historic homes to old theaters, I have worked hard to upgrade mechanical, electrical and structural systems, while preserving historical features.


I also own other buildings in the Ithaca area, such as 136 Forest Home Drive and 134-136 Judd Falls Road, both within the Forest Home Historic District, and I manage 402 University Avenue, in the University Hill historic district, on behalf of my 91-year-old mother.

This said, despite my deep and long-standing interest in preservation, after much reflection, I firmly oppose the proposed Titus-Wood Historic District, for several reasons:

1. A deep concern that designation as a historic district will prevent effective energy conservation efforts. The American Institute of Architects has endorsed the goals of Architecture 2030, which seeks energy reductions in existing buildings of 50% by 2030. Increasingly, a goal of 80% energy reduction by 2050 is being sought as a goal worldwide, for example having recently been adopted by New York State, New York City and Tompkins County. I believe that my firm is a national leader in developing strategies to achieve these goals. For example, 109 S. Albany Street recently met the goal of 80% reduction, and has been used as an example for how to do this, nationally (ASHRAE Journal, 2012).
have achieved almost 50% reduction in energy use at 110 S. Albany Street, but I am concerned that we will not achieve an 80% reduction if the building is placed in a historic district. Already, the Taitem Engineering partner in charge of this effort at 110 S. Albany Street, Umit Sirt, proposed putting the effort on hold until a decision is made about the historic district.

2. My own experience on three occasions with the rejection of proposed improvements to buildings in historic districts. For example, at 402 University Avenue, in the University Hill historic district, we recently proposed to replace two dangerous and insignificant pressure-treated wood steps with a thoughtfully-designed and well-integrated replacement, which was rejected. The chilling effect of the rejection, and the effort required to redesign the proposal, has prevented my brother and I from considering alternatives that would be acceptable to the ILPC. And so two dangerous, ugly pressure-treated front steps remain, consistent with what I believe is other disrepair that is characteristic of the properties on University Avenue. The other two rejections included energy improvements at a fraternity in Ithaca, and solar panels for a building in Albany. This raises the question for me whether the extensive energy improvements required to mitigate the impacts of climate change will be supported, or opposed, if the Titus-Wood Historic District is passed.

3. The district appears to be arbitrarily and incohesively defined, and mistakes in the proposal for the Titus-Wood Historic District appear to indicate that it was prepared in a rushed manner and not reviewed. I consulted with my partners at Taitem Engineering to ask for their input. One of the partners in the firm, Beth Mielbrecht, commented, “The gerrymandering lines do not signal a strong district.” Examples of mistakes in the proposal for the district include:
   a. Reference to the Orchard Place properties and the East Hill Historic District.
   b. Reference to metal handrails on the front steps of 110 S. Albany Street (they are wood, and appear from old photos to have always have been wood).

In summary, I believe that the proposed historic district comes at a critical time for the preservation community. We are faced with the globally-recognized threat of climate change, which fully threaten all our buildings, not only our historic buildings. Furious climate events, such as Hurricane Sandy, have destroyed, in one single day, decades of preservation efforts and centuries of historically significant design and construction. In my experience, the preservation movement has not yet addressed if it is participating wholly in efforts to mitigate the impacts of climate change, through energy conservation, or not. Very modest efforts so far by the preservation community, such as recommendations for window energy improvements, have been limited at best, and largely outweighed by the many limitations that in my experience are widely applied to energy improvements for historic buildings. Until such time that the preservation community actively and fully engages and supports energy conservation efforts to support mitigation of climate change, I believe that designations such as the Titus-Wood district will work counter to the efforts required to truly preserve our buildings for the long term.

Respectfully submitted,

Ian Shapiro, PE
Proposed Downtown West Historic District

Legend
- Buildings
- Proposed Titus-Wood Historic District
- Parcels
- Roads

NY State Plane, Central GRS 80 Datum
Map Source: Tompkins County Digital Planimetric Map 1991-2012
Data Source: City of Ithaca GIS Program, 2012
Map Prepared by: Department of Planning, City of Ithaca, NY, February, 2015
9.2 Proposed Historic Landmark Designation – 421 N. Albany Street (Dennis-Newton House) – Resolution

WHEREAS, as set forth in Section 228-4 of the Municipal Code, the Ithaca Landmarks Preservation Commission (ILPC) may designate landmarks and districts of historic and cultural significance, and

WHEREAS, on February 10, 2015, the ILPC conducted a public hearing for the purpose of considering a proposal to designate the Dennis-Newton House, 421 N. Albany St., as a local landmark, and

WHEREAS, the designation of a local landmark is a Type II action under the NYS Environmental Quality Review Act and the City Environmental Quality Review Ordinance and as such requires no further environmental review, and

WHEREAS, the ILPC found that the proposal meets criterion “C.,” defining a “Local Landmark,” under the Landmarks Preservation Ordinance and on February 10, 2015, voted to designate the Dennis-Newton House as a local landmark, and

WHEREAS, as set forth in Section 228-4 of the Municipal Code, the Planning Board shall file a report with the Council with respect to the relation of such designation to the master plan, the zoning law, projected public improvements and any plans for the renewal of the site or area involved, and

WHEREAS, a copy of the Planning Board's report and recommendation for approval of the designation, adopted by resolution at the meeting held on February 24, 2015, has been reviewed by the Common Council, and

WHEREAS, Section 228-4 of the Municipal Code states that the Council shall within ninety days of said designation, approve, disapprove or refer back to the ILPC for modification; now, therefore, be it

RESOLVED, That the Common Council finds that the designation is compatible with and will not conflict with the master plan, existing zoning, projected public improvements or any plans for renewal of the site and area involved, and be it further

RESOLVED, that the Dennis-Newton House, 421 N. Albany St., meets the definition of a local landmark as set forth in the Municipal Code, as follows: A structure, memorial or site or a group of structures or memorials, including the adjacent areas necessary for the proper appreciation of the landmark, deemed worthy of preservation, by reason of its value to the city as:

• An outstanding example of a structure or memorial representative of its era, either past or present;
• One of the few remaining examples of a past architectural style or combination of styles;
• A place where an historical event of significance to the city, region, state or nation or representative activity of a past era took place or any structure, memorial or site which has a special character and aesthetic interest and value as part of the development, heritage and cultural characteristics of the City of Ithaca, including sites of natural or ecological interest;

And, be it further

RESOLVED, That the Ithaca Common Council approves the designation of the Dennis-Newton House and the adjacent areas that are identified as tax parcel #50.-3-22 as a local landmark.
RE:  Local Landmark Designation of the Dennis-Newton House, 421 N. Albany Street.

RESOLUTION: Moved by J. Minner, seconded by K. Olson

WHEREAS, as set forth in Section 228-4 of the Municipal Code, the Ithaca Landmarks Preservation Commission (ILPC) may designate landmarks and districts of historic and cultural significance, and

WHEREAS, a special public hearing held on Tuesday, February 10, 2015, for the purpose of considering a proposal to designate the Dennis-Newton House at 421 North Albany Street as a City of Ithaca landmark has been concluded, and

WHEREAS, the ILPC has reviewed the report titled The Dennis-Newton House, 421 North Albany Street, Ithaca, NY dated November 19, 2014 including the Narrative Description of Property and the Narrative Description of Significance, prepared by Christine O'Malley for The Jewells Heritage Project, Inc of Alpha Phi Alpha and presented to the ILPC at their regular meeting on December 9, 2014, and

WHEREAS, the proposal is a Type II action under the NYS Environmental Quality Review Act and the City Environmental Quality Review Ordinance and as such requires no further environmental review, and

WHEREAS, Section 228-3 of the Municipal Code defines the criteria for designation of an individual landmark as follows:

1. Possessing special character or historic or aesthetic interest or value as part of the cultural, political, economic, or social history of the locality, region, state, or nation; or

2. Being identified with historically significant person(s) or event(s); or

3. Embodying the distinguishing characteristics of an architectural style; or

4. Being the work of a designer whose work has significantly influenced an age; or

5. Representing an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristics.
RESOLVED, that the Commission adopts as its own, the documentation and information more fully set forth in the report titled The Dennis-Newton House, 421 North Albany Street, Ithaca, NY and dated November 19, 2014, and be it further

RESOLVED, that the Commission has made the following findings of fact concerning the proposed designation.

As described in the Narrative Description of Significance section of the report titled The Dennis-Newton House, 421 North Albany Street, Ithaca, NY prepared by Christine O’Malley and dated November 19, 2014, the Dennis-Newton House, and the adjacent areas that are identified as tax parcel #50.-3-22, is a structure deemed worthy of preservation, by reason of its value to the city and nation as enumerated below:

**Per criterion 1,** the Dennis-Newton House possesses special historical and aesthetic interest and value as a part of the development, heritage and cultural characteristics of the City of Ithaca by virtue of its association with Norman Dennis and Edward Newton.

As stated in the Narrative Statement of Significance, the residence at 421 North Albany Street was originally constructed around 1868-69 for Norman Dennis (1833-1908), an early African-American resident in the City of Ithaca who was born in New York State and worked as mason and laborer. Dennis also helped found the African-American lodge of the Odd Fellows in Elmira, New York. Dennis’ daughter, Lula, inherited the house in 1893 but transferred the deed in 1898 to her husband, Edward Newton. Edward Newton (c.1856-1932) worked as a porter for Sage College at Cornell University and was longtime employee at the Psi Upsilon fraternity house. He was an active member of Ithaca’s African-American community and supported the efforts of early-19th century African-American students at Cornell to form a fraternal organization. Lula and Edward Newton lived in the house at 421 North Albany Street until their deaths in 1928 and 1932 respectively. The house remained in the Newton family until 1982 when the deed to the house was transferred by Lula and Edward Newton’s son, Norman Dennis Newton, to a new owner. In total, three generations of the Dennis–Newton family lived in the house. The house stands as a surviving example of a dwelling built for one of Ithaca’s early African-American residents.

**Per criterions 1,** the Dennis-Newton House also possesses special historical and aesthetic interest and value as a part of the development, heritage and cultural characteristics of the nation through its association with the formation of Alpha Phi Alpha, the first nationally recognized African-American, Greek-letter collegiate fraternity in the United States.
As stated in the *Narrative Description of Significance*, fraternities were an integral part of student life at Cornell University from its inception; however, African-American male students were not admitted membership into these organizations and generally lived apart, both literally and figuratively, from the rest of the student population. With the purpose of establishing an organization that would provide a platform for socialization and mutual support, a cohort of African-American students decided to form a study group and literary society. Their first meeting was held in the home of Edward and Lula Newton at 421 North Albany Street in 1905. This group would later evolve into Alpha Phi Alpha, the first Greek-letter, African-American collegiate fraternal organization in the United States, and 421 North Albany Street was considered its birthplace. Among the fraternity’s members were Martin Luther King, Jr., W.E.B. DuBois, Thurgood Marshall, Frederick Douglas, and Adam Clayton Powell, Jr. The connection between the house and the formation of the Alpha Phi Alpha fraternity makes it a significant site for an important episode in African-American history and American collegiate education history.

**Per criterion 3**, the Dennis-Newton House **embodies the distinguishing characteristics of an architectural style** as an excellent example of mid-19th century vernacular residential design.

Built for Norman Dennis in a vernacular Italianate Style in c.1868, the Dennis-Newton House retains many of its original exterior features and materials, including wood clapboard siding and windows, denticulated cornice, window hoods, double entrance doors, half-round gutters and Queen-Anne Style porch posts, railings, brackets and spandrels. Despite the deteriorated condition of these features and materials, the property is considered to have a high level of integrity.

BE IT FURTHER RESOLVED, that the Ithaca Landmarks Preservation Commission, determines that based on the findings set forth above, the Dennis-Newton House meets criterion C defining a Local Landmark as set forth in Section 228-3 of the Municipal Code, Landmarks Preservation, and be it further

RESOLVED, that the Commission hereby designates the Dennis-Newton House, 421 North Albany Street as a City of Ithaca landmark.

**RECORD OF VOTE:**

Moved by: J. Minner
Seconded by: K. Olson
In Favor: E. Finegan, S. Gibian, M. McGandy, K. Olson, J. Minner, D. Kramer
Against: 0
Abstain: 0
Absent: S. Stein
Vacancies: 0
Planning and Development Board
Resolution – February 24, 2015

RE: 421 North Albany St a.k.a. the Dennis-Newton House Local Landmark Designation

WHEREAS, on February 10, 2015, the Ithaca Landmarks Preservation Commission voted to recommend designation of the Dennis-Newton House at 421 N Albany St as a local landmark, and

WHEREAS, Section 228-3 of the Municipal Code, Landmarks Preservation, stipulates that the Board of Planning and Development shall file a report with Common Council with respect to the relation of such designation to the comprehensive plan, the zoning laws, projected public improvements, and any plans for the renewal of the site or area involved, now therefore, be it

RESOLVED, that the Planning and Development Board shall file the attached report with respect to the issues stipulated in the Municipal Code, and be it further

RESOLVED, that the Board of Planning and Development supports the local designation of the Dennis–Newton House.

Moved by: Schroeder
2nd By: Darling
In Favor: Blalock, Darling, Elliott, Jones-Rounds, Randall, Schroeder
Against: 0
Abstain: 0
Absent: 0
Vacancies: 1
Proposed Local Designation, 421 N Albany St. – the Dennis Newton House
Board of Planning & Development, Meeting Held February 24, 2015

At the regular monthly meeting on Tuesday, February 10, 2015 the Ithaca Landmarks Preservation Commission by unanimous vote recommended designation of the Dennis-Newton House at 421 N Albany St as a local landmark. A map showing the location of the house and a summary of its historic and architectural significance are attached to this report.

As set forth in Section 228-3 of the Municipal Code, Landmarks Preservation,

“The Planning Board shall file a report with the Council with respect to the relation of such designation to the comprehensive plan, the zoning laws, projected public improvements, and any plans for the renewal of the site or area involved.”

The following report has been prepared to address these considerations.

1. Relation to the Comprehensive Plan
   In the Draft 2015 Comprehensive Plan, this area is envisioned to be preserved as a medium density residential neighborhood. Local designation is consistent with this goal.

2. Relation to Zoning Laws
   The property is located in the R-2b zoning district. Local designation will not affect building uses permitted under the Zoning Ordinance. Commission review is limited to the visual compatibility of proposed exterior alterations, additions or demolition.

3. Relation to Projected Public Improvements
   There are no plans for public improvements on the property or contiguous areas. Local landmark designation means that any future public improvements in the immediate area may require review and approval by the Ithaca Landmarks Preservation Commission before work commences.

4. Relations to Plans for Renewal of the Site or the Area
   There are no plans in the City's Community Development Block Grant program or by the Ithaca Urban Renewal Agency for renewal of this site or the nearby area. Local landmark designation requires that any private proposal for material change of the exterior of the building or site undergo review and approval by the Ithaca Landmarks Preservation Commission before work commences.
February 10, 2015

Bryan McCracken, Historic Preservation Planner
Department of Planning and Development
City of Ithaca
108 East Green Street
Ithaca, NY 14850

Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law
Action: Designation of the Dennis-Newton House (421 N. Albany Street) as an Individual Local Landmark

Dear Mr. McCracken:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of the City’s decision so that we can make it a part of the record.

Sincerely,

Edward C. Marx, AICP
Commissioner of Planning
February 10, 2015

Dear Ithaca Landmarks Preservation Commission members:

Statement of Support for Local Landmark Designation for 421 North Albany Street – Dennis-Newton House

421 North Albany Street is historically significant on a national level for its direct connection to the early formation of the Alpha Phi Alpha fraternity, the first Greek letter, African-American collegiate fraternity in the United States. It is also significant locally for its connection to its African-American owners. The house was originally built c.1868-69 for Norman Dennis (1833-1908), an early African-American resident of Ithaca who was born in New York and worked as a laborer and mason. Dennis helped found the first African-American lodge of the Odd Fellows in Elmira, New York. Norman Dennis’ daughter, Lula (1859-1928), married Edward Newton (c. 1856-1932), a longtime employee at the Psi Upsilon fraternity house at Cornell University and an active member of Ithaca’s African-American community. In this house in 1905, Edward Newton provided a welcoming environment by hosting the first meeting of the social study group of African-American male students at Cornell, a group that soon evolved into the Alpha Phi Alpha fraternity when they formally established themselves in 1906. Lula Newton died in 1928 and Edward Newton continued to live in the house until his death in 1932. The period of significance for the house is 1868-1932.

While there may be some concerns about the condemned condition of the house, we would like to remind city officials that many properties throughout the state and across the nation have been in similar states of disrepair or in even worse condition and have still been designated as historic buildings on a local or state and national level. The historical significance of these structures was paramount in the decision to designate them, not the current condition of the buildings. The current condition of 421 North Albany Street should not be seen as any type of hindrance for its designation. Staff at the New York State Historic Preservation Office agree with this conclusion and have offered examples of buildings in a similar state. For example, the Dix Hills, Huntington, Long Island house of celebrated jazz musician John Coltrane was in very poor condition due to extensive water damage and vandalism after remaining unoccupied for some time. The property was originally offered for sale by a developer but in 2004 the Town of Huntington voted to designate it as a local landmark. It was then purchased in 2006 by the non-
profit group the Friends of the Coltrane Home in Dix Hills. In 2007, the house was added to the New York State and National Register of Historic Places.

The John W. Jones House (now Museum) in Elmira, New York, offers another example. The house was built by the escaped slave turned Underground Railroad Station Master John W. Jones and was condemned by the city of Elmira in 1997. Even though the house had been moved and was in terrible shape, concerned citizens help save the house from demolition and it is now being worked on to open soon as the John W. Jones Museum. It will be an African American Heritage and Cultural Center that will help interpret African American life in the Southern Tier of New York. Closer to home, the State Theatre in Ithaca sat abandoned in deteriorated condition for part of the 1980s and 1990s, but was placed on the National Register of Historic Places in 1996 and it was designated as an individual local landmark. Even though it was condemned by the City of Ithaca in 1997 because of its damaged roof, falling plaster, deteriorated HVAC systems, and a host of other problems, Historic Ithaca helped generate public support in 1998 to save the building and initiated the first phase of the restoration project. In 1999, the American Institute of Architects deemed the theater to be one of the most significant landmarks of New York State. Today the State stands as an exceptional example of a viable historic entertainment venue in the city of Ithaca. We offer these examples to show the ability of deteriorated historic buildings to be brought back to life and put into active use.

The local designation of 421 North Albany Street would add to the ever-growing recognition of the rich African-American history in Ithaca. Locally, St. James AME Zion Church has been designated at the local, state and national levels as an important historic landmark and State Street is also now known as Martin Luther King, Jr. Street. Additionally, a walking tour of the Southside’s African-American heritage was developed in 2003. We hope that the ILPC and Common Council will support the local landmark nomination of 421 North Albany Street so that it can be properly recognized for the valuable and irreplaceable role it has played in our local history. This is also an opportunity for the city to acknowledge a building that contributed to our nation’s history. Please do not hesitate to contact us if you have further questions about this property.

Best regards,

Christine O’Malley
Preservation Services Coordinator

Alphonse Pieper
Executive Director
9.3 **An Ordinance to Amend Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning” to Repeal the Collegetown Parking Overlay Zone (CPOZ)**

A. **Declaration of Lead Agency - Resolution**

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

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

WHEREAS, the proposed zoning amendment is an “Unlisted” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review under CEQR; now, therefore, be it

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the adoption of an ordinance to amend the Municipal Zoning Code to repeal the Collegetown Parking Overlay Zone (CPOZ).
B. **Determination of Environmental Significance - Resolution**

WHEREAS, the City of Ithaca is considering an amendment to Chapter 325 of the Municipal Code in order to repeal the Collegetown Parking Overlay Zone (CPOZ), and

WHEREAS, appropriate environmental review has been conducted including the preparation of a Short Environmental Assessment Form (SEAF), dated February 19, 2015, and

WHEREAS, these zoning amendments have been reviewed by the Tompkins County Planning Department Pursuant to §239-l–m of the New York State General Municipal Law, which requires that all actions within 500 feet of a county or state facility, including county and state highways, be reviewed by the County Planning Department, and have also been reviewed by the City of Ithaca Conservation Advisory Council and the City of Ithaca Planning and Development Board, and

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

WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by planning staff; now, therefore, be it

**RESOLVED,** That this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth in the Short Environmental Assessment Form, dated February 19, 2015; and, be it further

**RESOLVED,** That this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary; and, be it further

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

WHEREAS, the adoption of the Collegetown Area Form Districts in 2014 changed the off-street parking requirements for the majority of properties included in the Collegetown Parking Overlay Zone (CPOZ), resulting in a conflict between the requirements of the new form-based code and the CPOZ legislation, and

WHEREAS, there are approximately 145 properties to the west and south of central Collegetown that are still subject to the requirements of the CPOZ while other residential zones in the city share a common off-street parking requirement, and

WHEREAS, the majority of these properties are part of the City's East Hill Historic District, and the repeal of the CPOZ will support the Ithaca Landmarks Preservation Commission's efforts to preserve green space in the historic district,

WHEREAS, by repealing the CPOZ, the 145 properties will be subject to the off-street parking requirements of the underlying zoning; now, therefore,

BE IT ORDAINED AND ENACTED by the Common Council of the City of Ithaca as follows:

**ORDINANCE NO. 2015-__**

**Section 1.** Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning”, Sections 325-4 and 325-5 are hereby amended to delete any reference to the Collegetown Parking Overlay Zone (CPOZ).

**Section 2.** Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning” is hereby amended to delete §325-20D(3)(d), entitled “Parking in the Collegetown Parking Overlay Zone,” in its entirety and all subsequent sections shall be renumbered accordingly.

**Section 3.** The Official Zoning Map of the City of Ithaca is hereby amended to delete any reference to the Collegetown Parking Overlay Zone (CPOZ).

**Section 4.** All applicable sections within the City of Ithaca Municipal Code shall be updated in accordance with the amendments made herewith.

**Section 5.** Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this ordinance.

**Section 6.** Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
To: Planning and Economic Development Committee

From: Megan Wilson, Senior Planner

Date: March 4, 2015

RE: Proposal to Repeal the Collegetown Parking Overlay Zone (CPOZ)

The purpose of this memo is to provide information regarding a proposal to repeal the Collegetown Parking Overlay Zone (CPOZ).

This proposal was previously discussed at the February 10th Planning and Economic Development meeting. At that meeting, staff was directed to draft and circulate the ordinance for comments. An environmental review of this action has been completed, and the draft Short Environmental Assessment Form is attached. The proposed ordinance and environmental assessment have been circulated to the City Planning Board, the Conservation Advisory Council, the Board of Zoning Appeals, the Ithaca Landmarks Preservation Commission, the Tompkins County Planning Department and various other City staff and departments. No comments regarding this proposal have been received to date. Also attached for your consideration are a resolution to establish lead agency for this action and a resolution to determine environmental significance.

If you have any concerns or questions regarding any of this information, feel free to contact me at 274-6560.
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<th>Area of Action</th>
<th>Type of Action</th>
<th>1. Does the applicant have a current valid permit or approval?</th>
<th>2. Does the action involve a permit/approval by the City or another governmental agency (Federal/State/local)?</th>
<th>3. Does the proposed action comply with existing zoning or other existing land use restrictions?</th>
<th>4. Is the proposed action subject to the College/Ofwary Zone (COZ)?</th>
<th>5. Does the proposed action comply with the College/Ofwary Zone (COZ)?</th>
<th>6. Are the proposed changes to the College/Ofwary Zone (COZ) supported by the College/Ofwary Zone (COZ)?</th>
<th>7. What is the proposed land use in the vicinity of the project?</th>
<th>8. Will the proposed action comply with the existing zoning or other existing land use restrictions?</th>
<th>9. Where is the project located?</th>
<th>10. Does the action involve a permit/approval in coordination with another governmental agency (Federal/State/local)?</th>
<th>11. Does the action involve a permit/approval requiring modification?</th>
<th>12. As a result of the permit/approval required for the action, will existing permit/approval require modification?</th>
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1. Will the project result in an adverse effect on air quality?
2. Will the project affect any inherited or enhanced plant or animal species?
3. Will the project affect the quality of groundwater aquifers?
4. Will the project have any effect on an existing wetland?
5. Will the project affect the quality of a lake or river?
6. Will the project affect the quality of a lake or river?
7. Will the project affect the quality of a lake or river?
8. Will the project affect the quality of a lake or river?
9. Will the project adversely impact any site of special historic, prehistoric, or cultural importance?
10. Will the project have an effect on existing or future recreational opportunities?
11. Will the project result in traffic problems or cause a minor effect to exist?
12. Will the project cause objectionable odors, noise, fumes, vibration, or dust?
13. Will the project have any impact on public health or safety?
14. Will the project affect the existing community by directly causing a growth in population or more than a two percent over a five-year period OR have a regional population of more than 2% change over a one-year period?
15. Is there public controversy concerning the project?
9.4 An Ordinance to Amend Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning” to Amend the Industrial Zone (I1) Zoning District in Order to Require a Minimum of two Stories for New Non-Industrial Construction

A. Declaration of Lead Agency – Resolution

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

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

WHEREAS, the proposed zoning amendment is an “Unlisted” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review under CEQR; now, therefore, be it

RESOLVED, That the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposal to amend the I-1 zoning district in order to require a minimum of two stories for new non-industrial construction.
B. **Declaration of Environmental Significance – Resolution**

WHEREAS, The Common Council is considering to amend the I-1 zoning district in order to require new non-industrial construction to have a minimum of two stories, and

WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Short Environmental Assessment Form (SEAF), dated February 23, 2015, and

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

WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by planning staff; now, therefore, be it

**RESOLVED,** That this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Short Environmental Assessment Form, dated February 23, 2015, and be it further

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

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

WHEREAS, the Official City of Ithaca Zoning Map currently has five locations that are designated as Industrially zoned districts (I-1); Cherry Street, Carpenter Business Park, the former Emerson site, the former Ithaca Gun site, and a triangular piece of land wedged between the north side of Willow Avenue and the west side of Route 13 North, and

WHEREAS, the area restrictions in the I-1 zoning district were originally established in order to allow for industrial uses, which may include large one story buildings that can accommodate storage and machinery and therefore has no minimum story requirement, and

WHEREAS, in order to allow for a mix of compatible uses, the Industrial zone allows for all permitted uses within the City’s zoning ordinance, with the exception of residential uses, and

WHEREAS, given the limited amount of developable industrial space within the City, one-story development is only appropriate for industrial uses and all other uses should be multi story development, therefore

**ORDINANCE NO. 2015-___**

**BE IT ORDAINED AND ENACTED** by the Common Council of the City of Ithaca as follows:

**Section 1.** Chapter 325, of the City of Ithaca Municipal Code, entitled “Zoning”; Section 325-3, entitled “Definitions and Word Usage,” shall be amended to add the following definition:

**Industrial Uses** - Any use having to do with the business of manufacturing products, including, warehousing, wholesaling, lumberyards, storage and handling of bulk goods (not including rubbish as defined in § 196.1, and not including residential storage, mining, or gas storage)

**Section 2.** Chapter 325 of the City of Ithaca Municipal Code, entitled “Zoning”, Section 325-16, entitled “Height Regulations,” shall be amended to add a new section “H” to read as follows:

H. Notwithstanding anything to the contrary contained herein, in the I-1 district, no new construction of a primary non-industrial use building shall be erected that is less than two stories. When an addition or series of additions to a non-industrial primary use building existing as of the date of this ordinance is constructed, that part of the addition or additions in excess of 50% of the building area of the existing building shall also not be less than two stories.
Section 3. The City of Ithaca Planning and Development Board, the City Clerk and the Planning, Building, Zoning and Economic Development Department shall amend the zoning map and the district regulations chart in accordance with the amendments made herewith.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
To: Common Council
From: Jennifer Kusznir, Economic Development Planner
Date: February 19, 2015
Re: Proposal to Amend the Industrial Zone

The purpose of this memo is to provide information regarding a proposal to amend the height restrictions in the City’s Industrial Zone. An environmental review of this action has been completed, and the draft Short Environmental Assessment Form is enclosed. The proposed ordinance and environmental assessment have been circulated to the City Planning Board, the Conservation Advisory Council, the Board of Zoning Appeals, the Tompkins County Planning Department and various other City staff and departments. Enclosed are comments that have been received from the County, which states that this action is not expected to have inter-municipal or countywide impacts. Also enclosed for your consideration is a resolution establishing lead agency for this action and a resolution for environmental significance.

This proposal was previously discussed at the March Planning and Economic Development meeting. At that meeting staff was directed to review the proposed definition of industrial uses in order to determine whether existing uses in the industrial zone would be considered industrial under this definition. After analyzing the existing uses and the existing ordinance, the Director of Zoning recommended some changes to the proposed definition of Industrial Uses. The enclosed ordinance has the added language underlined. The changes include listing specific uses that are not considered industrial uses, including, residential storage, mining, and gas storage. Since these uses are not specifically listed as permitted uses in the existing industrial zone, any proposal for new uses of this kind would require approval of the BZA and of the Common Council.

If you have any concerns or questions regarding any of this information, feel free to contact me at 274-6410.
CITY OF ITHACA SHORT ENVIRONMENTAL ASSESSMENT FORM (SEAF)

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

<table>
<thead>
<tr>
<th>1. Applicant/Sponsor: <strong>City of Ithaca</strong></th>
<th>2. Project Name: <strong>Amendment to I-1 Zoning District</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Project Location: <strong>I-1 Zoning District</strong></td>
<td></td>
</tr>
</tbody>
</table>
| 4. Is Proposed Action:  
  ☐ New  ☐ Expansion  ☑ Modification/Alteration |
| 5. Describe project briefly: **Proposed amendment to I-1 zoning district to require non-industrial buildings to have a minimum of 2 stories.** |
| 6. Precise Location (road intersections, prominent landmarks, etc., or provide map): **I-1 Zoning District** |
| 7. Amount of Land Affected:  
  Initially: _____ Acres  
  Ultimately: _____ Acres |
| 8. Will proposed action comply with existing zoning or other existing land use restrictions?  
  ☐ Yes  ☑ No  
  If no, describe briefly: Action is a rezoning |
| 9. What is present land use in vicinity of project:  
  ☑ Residential  ☑ Industrial  ☐ Agricultural  ☐ Parkland/Open Space  
  ☐ Commercial  ☐ Other _________________  
  Describe: |
| 10. Does action involve a permit/approval or funding, now or ultimately, from governmental agency (federal/state/local):  
  ☑ Yes  ☐ No  
  If yes, list agency name and permit/approval type: **Common Council Adoption** |
| 11. Does any aspect of the action have a currently valid permit or approval?  
  ☐ Yes  ☑ No  
  If yes, list agency name and permit/approval type: |
| 12. As a result of proposed action, will existing permit/approval require modification?  
  ☐ Yes  ☑ No  
  If yes, list agency name and permit/approval type: |

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

PREPARER'S SIGNATURE: ____________________________   DATE: __2/23/15__

PREPARER'S TITLE: __Senior Planner_____________________________

REPRESENTING: ___City of Ithaca______________________________
In order to answer the questions in this Short Environmental Assessment Form (SEAF), the preparer is to use currently available information concerning the project and the likely impacts of the action.

<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Will project result in a large physical change to the project site or physically alter more than one acre of land?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>2</td>
<td>Will there be a change to any unique or unusual land form found on the site or to any site designated a unique natural area or critical environmental area by a local or state agency?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>3</td>
<td>Will the project alter or have any effect on an existing waterway?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>4</td>
<td>Will the project have an impact on groundwater quality?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>Will the project affect drainage flow on adjacent sites?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>6</td>
<td>Will the project affect any threatened or endangered plant or animal species?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>7</td>
<td>Will the project result in an adverse effect on air quality?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>8</td>
<td>Will the project have an effect on visual character of the community or scenic views or vistas known to be important to the community:</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>9</td>
<td>Will the project adversely impact any site or structure of historic, pre-historic, or paleontological importance or any site designated a local landmark or in a landmark district?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>10</td>
<td>Will the project have an effect on existing or future recreational opportunities?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>11</td>
<td>Will the project result in traffic problems or cause a major effect to existing transportation systems?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>12</td>
<td>Will the project cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation during construction or after completion?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>13</td>
<td>Will the project have any impact on public health or safety?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>14</td>
<td>Will the project affect the existing community by directly causing a growth in permanent populations of more than 5 percent over a one-year period OR have a negative effect on the character of the community or neighborhood?</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>15</td>
<td>Is there public controversy concerning the project?</td>
<td>☐</td>
<td>X</td>
</tr>
</tbody>
</table>
If any question has been answered **YES**, a completed Full Environmental Assessment Form (FEAF) is necessary.

PREPARER'S SIGNATURE: ____________________________________ DATE: 

2/23/15

PREPARER'S TITLE: ___Senior Planner

REPRESENTING: ______City of Ithaca
March 6, 2015

Jennifer Kusznir, Economic Development Planner  
Department of Planning and Development  
City of Ithaca  
108 East Green Street  
Ithaca, NY 14850

Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law  
Action: Proposal to Amend Industrial Zone

Dear Ms. Kusznir:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

Edward C. Marx, AICP  
Commissioner of Planning

Inclusion through Diversity
9.5  **An Ordinance to Amend the City of Ithaca Municipal Code Chapter 325, Entitled “Zoning,” in order to Rezone Portions of the I-1 Zoning District to R-3a and P-1**

A.  **Declaration of Lead Agency – Resolution**

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

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

WHEREAS, the proposed zoning amendment is an “TYPE I” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review under CEQR; now, therefore, be it

**RESOLVED,** That the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposal to rezone portions of the I-1 zoning district to R-3a and P-1.
B. **Declaration of Environmental Significance – Resolution**

WHEREAS, The Common Council is considering a proposal to rezone portions of the I-1 zoning district to R-3a and P-1, and

WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Full Environmental Assessment Form (FEAF), dated February 23, 2015, and

WHEREAS, the proposed action is a “TYPE I” Action under the City Environmental Quality Review Ordinance, and

WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the FEAF prepared by planning staff; now, therefore, be it

RESOLVED, That this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated February 23, 2015, and be it further

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

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

WHEREAS, the former Ithaca Gun site is located adjacent to Ithaca Falls and within a residential neighborhood, and

WHEREAS, the site is currently zoned for industrial uses, which was established when the site was an active gun factory, and

WHEREAS, the factory has long been closed and the site has remained vacant for many years, and

WHEREAS, given its location, industrial uses could have large impacts to the existing adjacent residential development and are therefore not a desirable land use for this area, and

WHEREAS, on November 5, 2003, the Common Council adopted the Gun Hill Area plan as an amendment to the City Comprehensive Plan, which stated that industrial uses are no longer appropriate for this location, and

WHEREAS, the current draft City Comprehensive Plan determined that the appropriate future land use of this site is medium density residential, and

WHEREAS, as a part of the environmental remediation of the Gun Hill site the City dedicated the southern portion of parcel 11.-3-1.21, which is currently zoned I-1, as parkland, therefore

**ORDINANCE NO. 2015-___**

BE IT ORDAINED AND ENACTED by the Common Council of the City of Ithaca as follows:

**Section 1.** Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning”, Section 325-5, is hereby amended to change the zoning designation from I-1 to the R-3a designation for the following tax parcels: 12.-7-4, 28.-3-5, 11.-3-1.23, and 11.-3-1.22. The boundaries of this amendment are shown on the map entitled “Proposed Rezoning of the Former Ithaca Gun Site-February 2015,” a copy of which shall be on file in the City Clerk’s office.

**Section 2.** Chapter 325 of the City of Ithaca Municipal Code entitled “Zoning”, Section 325-5, is hereby amended to change the zoning designation from I-1 to P-1 for a portion of parcel 11.-3-1.21, so that the entire parcel will now be zoned P-1.

**Section 3.** Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this ordinance.

**Section 4.** Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
To: Planning and Economic Development Committee

From: Jennifer Kusznir, Economic Development Planner

Date: March 4, 2015

RE: Proposal to Amend the Former Ithaca Gun Factory Site

The purpose of this memo is to provide information regarding a proposal to amend the zoning designation of the former Ithaca Gun Factory site.

This proposal was previously discussed at the February Planning and Economic Development meeting. At that meeting staff was directed to draft and circulate the ordinance for comments. At the request of the Committee an environmental review of this action has been completed, and the draft Full Environmental Assessment Form is enclosed. The proposed ordinance and environmental assessment have been circulated to the City Planning Board, the Conservation Advisory Council, the Board of Zoning Appeals, the Tompkins County Planning Department and various other City staff and departments. Enclosed are comments that have been received from the County, which states that this action is not expected to have inter-municipal or countywide impacts. To date no additional comments have been received regarding this proposal. Also enclosed for your consideration is a resolution establishing lead agency for this action and a resolution for environmental significance.

If you have any concerns or questions regarding any of this information, feel free to contact me at 274-6410.
March 6, 2015

Jennifer Kusznir, Economic Development Planner
Department of Planning and Development
City of Ithaca
108 East Green Street
Ithaca, NY 14850

Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law
Action: Proposal to Amend the Former Ithaca Gun Factory Site Zoning

Dear Ms. Kusznir:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

Edward C. Marx, AICP
Commissioner of Planning
Purpose: The Full Environmental Assessment Form (FEAF) is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently there are aspects of a proposed action that are subjective or immeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be aware of the broader concerns affecting the question of significance.

The FEAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

FEAF Components:

Part 1: Provide objective data and information about a given action and its site. By identifying basic project data, it assists in a review of the analysis that takes place in Parts 2 and 3.

Part 2: Focus on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA IS FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE—TYPE I AND UNLISTED ACTIONS

Identify the Portions of FEAF completed for this action:  ✔ Part 1  ✔ Part 2  ✔ Part 3

Upon review of the information recorded on this FEAF (Parts, 2, and 3, if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Lead Agency that:

✔ A. The Proposed Action will not result in any large and important impact(s) and is one that will not have a significant impact on the environment; therefore, A NEGATIVE DECLARATION WILL BE PREPARED.

☐ B. Although the proposed action could have a significant impact on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required; therefore, A CONDITIONED NEGATIVE DECLARATION WILL BE PREPARED. *

☐ C. The proposed action may result in one or more large and important
impacts that may have a significant impact on the environment; therefore, A
POSITIVE DECLARATION WILL BE PREPARED.

* a Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action: Proposed Amendments to R-U Zoning District
Name of Lead Agency: City of Ithaca
Name & Title of Responsible Officer in Lead Agency: Mayor Svante Myrick
Signature of Responsible Officer in Lead Agency: 
Name & Title of Preparer: Jennifer Kusznir, Economic Development Planner
Signature of Preparer: 
Date: 2/23/15
**NOTICE:** This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the Full Environmental Assessment Form (FEAF) will be dependent on information currently available and will not involve new studies, research, or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

<table>
<thead>
<tr>
<th>Name of Action:</th>
<th>Rezoning of site of former Ithaca Gun Factory from I-1 to R-3a and P-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of Action:</td>
<td>City of Ithaca</td>
</tr>
<tr>
<td>Name of Applicant/Sponsor:</td>
<td>City of Ithaca</td>
</tr>
<tr>
<td>Address:</td>
<td>108 E. Green St.</td>
</tr>
<tr>
<td>City/Town/Village:</td>
<td>Ithaca</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>ZIP:</td>
<td>14850</td>
</tr>
<tr>
<td>Business Phone:</td>
<td>607-274-6550</td>
</tr>
</tbody>
</table>

**Description of Action:** Rezoning of site of former Ithaca Gun Factory from I-1 to the R-3a for the following tax parcels: 12.-7-4, 28.-3-5, 11.-3-1.23, and 11.-3-1.22 and a rezoning from I-1 to P-1 for a portion of parcel 11.-3-1.21, so that the entire parcel will now be zoned I-1.
Please complete each question — indicate N/A, if not applicable:

### A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. **Present Land Use:**
   - [ ] Urban
   - [x] Industrial
   - [ ] Commercial
   - [ ] Public
   - [ ] Forest
   - [ ] Agricultural
   - [ ] Other:

2. **Total area of project area:** *~4.5 acres* *(Chosen units apply to following section also.)*

<table>
<thead>
<tr>
<th>Approximate Area (Units in question 2 apply to this section.)</th>
<th>Currently</th>
<th>After Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a. Meadow or Brushland (non-agricultural)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2b. Forested</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2c. Agricultural</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2d. Wetland [as per Articles 24 of Environmental Conservation Law (ECL)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2e. Water Surface Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2f. Public</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2g. Water Surface Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2h. Unvegetated (rock, earth or fill)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2i. Roads, buildings, and other paved surfaces</td>
<td>4.5</td>
<td>4.5</td>
</tr>
<tr>
<td>2j. Other (indicate type)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3a. What is predominant soil type(s) on project site (e.g., HdB, silty loam, etc.): *Hamlin-Teel*

3b. Soil Drainage **N/A**

   - [ ] Well-Drained ______% of Site
   - [ ] Moderately Well-Drained ______% of Site
   - [ ] Poorly Drained ______% of Site

4a. Are there bedrock outcroppings on project site?  
   - [ ] Yes  
   - [ ] No  
   - [x] N/A

4b. What is depth of bedrock? **N/A** (feet)

4c. What is depth to the water table? **N/A** (feet)

5. **Approximate percentage of proposed project site with slopes:**  
   - [x] NA

6a. Is project substantially contiguous to, or does it contain a building, site or district, listed on or eligible for the National or State Register of Historic Places?  
   - [x] Yes  
   - [ ] No  
   - [ ] N/A

6b. Or designated a local landmark or in a local  
   - [x] Yes  
   - [ ] No  
   - [ ] N/A
| **7.** Do hunting or fishing opportunities presently exist in the project area? | ☐ Yes ☒ No ☐ N/A If yes, identify each species: |

**A. SITE DESCRIPTION (cont.)**

| **8.** Does project site contain any species of plant or animal life that is identified as threatened or endangered? | ☐ Yes ☒ No ☐ N/A Identify each Species: Site is located in unique natural area 134(UNA 134). UNA 134 has been identified as having at least one rare or endangered plant species. However, the proposed zoning amendment is not expected to have any impact on plants. |

| **9.** Are there any unique or unusual landforms on the project site? (i.e., cliffs, other geological formations) | ☒ Yes ☐ No ☐ N/A Describe: Cliffs |

| **10.** Is the project site presently used by the community or neighborhood as an open space or recreation area? | ☐ Yes ☒ No ☐ N/A If yes, explain: Site is not used for recreational purposes, but is adjacent to Ithaca Falls |

| **11.** Does the present site offer or include scenic views known to be important to the community? | ☒ Yes ☐ No ☐ N/A Describe: Views of Ithaca Falls |

| **12.** Is project within/contiguous to a site designated a Unique Natural Area (UNA) or critical environmental area by a local/state agency? | ☒ Yes ☐ No ☐ N/A Describe: Site being rezoned falls within Fall Creek Gorge and Ithaca Falls Unique Natural Area 134. |

| **13.** Streams within or contiguous to project area: | a. Names of stream or name of river to which it is a tributary: Fall Creek |

| **14.** Lakes, ponds, wetland areas within or contiguous to project area: | NA |

| **15.** Has the site been used for land disposal of solid or hazardous wastes? | ☒ Yes ☐ No ☐ N/A Describe: The site was not used as a disposal site, however, there was contamination from the former Ithaca Gun factory. |

| **16.** Is the site served by existing public utilities? | ☐ Yes ☐ No ☒ N/A a. If Yes, does sufficient capacity exist to allow connection? ☐ Yes ☐ No ☒ N/A b. If Yes, will improvements be necessary to allow connection? ☐ Yes ☐ No ☒ N/A |
## B. PROJECT DESCRIPTION

1. Physical dimensions and scale of project (fill in dimensions as appropriate)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Total contiguous area owned by project sponsor in acres:</td>
<td><strong>4.5 acres</strong></td>
</tr>
<tr>
<td>1b. Project acreage developed: 50 acres initially</td>
<td>4.5 acres ultimately</td>
</tr>
<tr>
<td>1c. Project acreage to remain undeveloped:</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td>1d. Length of project in miles: (if appropriate)</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td>1e. If project is an expansion, indicate percent of change proposed:</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td>1f. Number of off-street parking spaces existing:</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td>1g. Maximum vehicular trips generated (upon completion of project) per day:</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td>1h. Height of tallest proposed structure: feet.</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td>1j. Linear feet of frontage along a public street or thoroughfare that the project will occupy?</td>
<td><strong>N/A</strong></td>
</tr>
</tbody>
</table>

2. Specify what type of natural material (i.e., rock, earth, etc.) and how much will be removed from the site: **N/A** or added to the site: **N/A**

3. Specify what type of vegetation (trees, shrubs, ground cover) and how much will be removed from the site: acres: **N/A** type of vegetation: **N/A**

4. Will any mature trees or other locally important vegetation be removed by this project? **N/A**

5. Are there any plans for re-vegetation to replace that removed during construction? **N/A**

6. If single phase project, anticipated period of construction **N/A** months (including demolition)

7. If multi-phased project, anticipated period of construction **N/A** months (including demolition)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7a. Total number of phases anticipated:</td>
<td><strong>N/A</strong></td>
</tr>
<tr>
<td>7b. Anticipated date of commencement for first phase</td>
<td><strong>N/A</strong> month__________year (including demolition)</td>
</tr>
<tr>
<td>7c. Approximate completion date of final phase</td>
<td><strong>N/A</strong> month__________year.</td>
</tr>
<tr>
<td>7d. Is phase one financially dependent on subsequent phases?</td>
<td>☐ Yes ☐ No ☒ <strong>N/A</strong></td>
</tr>
</tbody>
</table>

8. Will blasting occur during construction? ☐ Yes ☐ No ☒ **N/A**; if yes, explain:

9. Number of jobs generated: during construction **0** after project is completed **0**

10. Number of jobs eliminated by this project **0** Explain:

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No ☐ N/A; if yes, explain:

12a. Is surface or subsurface liquid waste disposal involved? ☐ Yes ☒ No ☐ N/A; if
If #12a is yes, indicate type of waste (sewage, industrial, etc): N/A

If surface disposal, where specifically will effluent be discharged? N/A

Will surface area of existing lakes, ponds, streams, or other surface waterways be increased or decreased by proposal? Yes No N/A; if yes, explain:

If #12a is yes, indicate type of waste (sewage, industrial, etc): N/A

Will project or any portion of project occur wholly or partially within or contiguous to the 100 year flood plain? Yes No N/A

Does project or any portion of project occur wholly or partially within or contiguous to: Cayuga Inlet Fall Creek, Cascadilla Creek, Cayuga Lake, Six Mile Creek, Silver Creek? (Circle all that apply)

Does project or any portion of project occur wholly or partially within or contiguous to wetlands as described in Article 24 Of the ECL? Yes No N/A

If #14a, b or c is yes, explain: N/A

Does project involve disposal or solid waste? Yes No N/A

If #15a is yes, will an existing solid waste disposal facility be used? Yes No N/A

If #15b is yes, give name of disposal facility: N/A and its location:

Will there be any wastes that will not go into a sewage disposal system or into a sanitary landfill? Yes No N/A; if yes, explain:

Will any solid waste be disposed of on site? Yes No N/A; if yes, explain:

Will project use herbicides or pesticides? Yes No N/A; if yes, specify:

Will project affect a building or site listed on or eligible for the National or State Register of Historic Places or a local landmark or in a landmark district? Yes N/A

Will project produce odors? Yes No N/A; if yes, explain:

Will project product operating noise exceed the local ambient noise level during construction? Yes No N/A; After construction? Yes No N/A

Will project result in an increase of energy use? Yes No N/A; if yes, indicate type(s) N/A

Total anticipated water usage per day: gals/day N/A Source of water
### C. ZONING & PLANNING INFORMATION

1. **Does the proposed action involve a planning or zoning decision?**
   - Yes [x]
   - No [ ]
   - N/A [ ]
   If yes, indicate the decision required:
   - [x] Zoning Amendment
   - [ ] Zoning Variance
   - [ ] New/revision of master plan
   - [ ] Subdivision
   - [ ] Site Plan
   - [ ] Special Use Permit
   - [ ] Resource Management Plan
   - Other: [ ]

2. **What is the current zoning classification of site?** I-1

3. **If the site is developed as permitted by the current I-1 zoning, what is the maximum potential development?**
   - Under current I-1 zoning, maximum building size would be 40-feet in height and 50% lot coverage.

4. **Is proposed use consistent with present zoning?**
   - Yes [ ]
   - No [x]
   - N/A [ ]

5. **If #4 is no, indicate desired zoning:** R-3a

6. **If the site is developed by the proposed zoning, what is the maximum potential development of the site?**
   - The R-3a zoning district would allow for 4 stories and 35% lot coverage.

7. **Is the proposed action consistent with the recommended uses in adopted local land-use plans?**
   - Yes [x]
   - No [ ]
   - N/A [ ]
   If no, explain:
   - The City currently in the process of amending its Comprehensive plan. In the draft plan this area has been identified as medium density residential neighborhood, which is consistent with the proposed changes.

8. **What is the dominant land use and zoning classification within a ¼-mile radius of the project?**
   - (e.g., R-1a or R-1b) I-1, P-1, R-2a, R-2b, R-3a, R-3b, and R-U

---

### C. ZONING & PLANNING INFORMATION (cont.)

9. **Is the proposed action compatible with adjacent land uses?**
   - Yes [x]
   - No [ ]
   - N/A [ ]
   Explain:

10a. **If the proposed action is the subdivision of land, how many lots are proposed?**
   - N/A

10b. **What is the minimum lot size proposed?**
   - Minimum allowable lot size is as follows:
     1. One-family detached or semi-detached dwlg. or 2-family dwlg.: 5,000.
     2. One-family attached dwlg., new const.: 6,000 for first 1-3 units +750 ea. add'l. unit +500 per room let for profit.
     3. Multiple dwlg., new const.: 6,000 for 1st 1-3 units +750 for ea. add'l. unit +500 per room let for profit.
     4. One-family attached dwlg., conversion: 7,000 for 1st 1-3 units +750 for ea. add'l. unit +500 per room let for profit.
5. Multiple dwlg., conversion: 7,000 for 1st 1-3 units +750 for ea. add’l. unit +500 per room let for profit.
6. Fraternity, sorority or group house: 25,000.
7. Other Uses: 6,000.

11. Will the proposed action create a demand for any community-provided services? (recreation, education, police, fire protection, etc.)? □ Yes ☒ No □ N/A
Explain:
If yes, is existing capacity sufficient to handle projected demand? □ Yes □ No ☒ N/A
Explain: N/A

12. Will the proposed action result in the generation of traffic significantly above present levels? □ Yes ☒ No □ N/A
If yes, is the existing road network adequate to handle the additional traffic? □ Yes ☒ No □ N/A
Explain:

D. APPROVALS
1. Approvals: Common Council Adoption

2a. Is any Federal permit required? □ Yes ☒ No □ N/A; Specify:

2b. Does project involve State or Federal funding or financing? □ Yes ☒ No □ N/A; If Yes, Specify:

2c. Local and Regional approvals:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Yes or No</th>
<th>Type of Approval Required</th>
<th>Submittal Date</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Council</td>
<td>Yes</td>
<td>Adoption</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Zoning Appeals (BZA)</td>
<td>No</td>
<td></td>
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<tr>
<td>Planning &amp; Development Board</td>
<td>No</td>
<td></td>
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<tr>
<td>Ithaca Landmarks Preservation Commission (ILPC)</td>
<td>No</td>
<td></td>
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<tr>
<td>Board of Public Works (BPW)</td>
<td>No</td>
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<tr>
<td>Fire Department</td>
<td>No</td>
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<tr>
<td>Police Department</td>
<td>No</td>
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<tr>
<td>Building Commissioner</td>
<td>No</td>
<td></td>
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<tr>
<td>Ithaca Urban Renewal Agency (IURA)</td>
<td>No</td>
<td></td>
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</tr>
</tbody>
</table>

E. INFORMATIONAL DETAILS
Attach any additional information as may be needed to clarify your project. If there are
or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

F. VERIFICATION

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

Applicant/Sponsor Name: City of Ithaca (Jennifer Kusznir)
Signature: __________________________
Title: Economic Development Planner
# City of Ithaca Full Environmental Assessment Form (FEAF)

## PART 2 — PROJECT IMPACTS & THEIR MAGNITUDES

### IMPACT ON LAND

1. Will there be an effect as a result of a physical change to project site? ☐ Yes  ☒ No

<table>
<thead>
<tr>
<th>Impact Description</th>
<th>Small to Moderate Impact</th>
<th>Potential Large Impact</th>
<th>Can Impact be Reduced by Project Change?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slope in the project exceeds 10%.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction on land where the depth to the water table is less than 3 feet.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction of parking facility/area for 50 or more vehicles.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction that will continue for more than 1 year or involve more than one phase or stage.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Evacuation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction of any new sanitary landfill.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction in a designated floodway.</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Other impacts: existing development is in the 500 year flood plain</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
</tbody>
</table>

2. Will there be an effect on any unique landforms found on the site? (i.e., cliffs, gorges, geological formations, etc.)  ☐ Yes  ☒ No

<table>
<thead>
<tr>
<th>Specific land forms:</th>
<th>Small to Moderate Impact</th>
<th>Potential Large Impact</th>
<th>Can Impact be Reduced by Project Change?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
</tbody>
</table>

### IMPACT ON WATER

3. Will project affect any water body designated as protected? (Under article 15 or 24 of the Environmental Conservation Law, E.C.L.)  ☐ Yes  ☒ No

<table>
<thead>
<tr>
<th>Impact Description</th>
<th>Small to Moderate Impact</th>
<th>Potential Large Impact</th>
<th>Can Impact be Reduced by Project Change?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developable area of site contains a protected</td>
<td></td>
<td></td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Water body</td>
<td></td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Dredging more than 100 cubic yards of material from channel of a protected stream.</td>
<td></td>
<td></td>
<td>Yes No</td>
</tr>
<tr>
<td>Extension of utility distribution facilities through a protected water body.</td>
<td></td>
<td></td>
<td>Yes No</td>
</tr>
<tr>
<td>Construction in a designated freshwater wetland.</td>
<td></td>
<td></td>
<td>Yes No</td>
</tr>
<tr>
<td>Other impacts:</td>
<td></td>
<td></td>
<td>Yes No</td>
</tr>
<tr>
<td>IMPACT ON WATER (cont.)</td>
<td>Small to Moderate Impact</td>
<td>Potentially Large Impact</td>
<td>Can Impact be Reduced by Project Change?</td>
</tr>
<tr>
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</tr>
<tr>
<td>4. Will project affect any non-protected existing or new body of water? ☒ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>A 10% increase or decrease in the surface area of any body of water or more than a 10,000 sq. ft. of surface area.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction, alteration, or conversion of a body of water that exceeds 10,000 sq. ft. of surface area.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Fall Creek, Six Mile Creek, Cascadilla Creek, Silver Creek, Cayuga Lake or the Cayuga Inlet?</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Other impacts:</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>5. Will project affect surface or groundwater quality? ☒ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Project will require a discharge permit.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Project requires use of a source of water that does not have approval to serve proposed project.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Construction or operation causing any contamination of a public water supply system.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Project will adversely affect groundwater.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Project requiring a facility that would use water in excess of 20,000 gallons per day or 500 gallons per minute.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Project will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Other impacts:</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>6. Will project alter drainage flow, drainage patterns or surface water runoff? ☒ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Impact</td>
<td>Yes</td>
<td>No</td>
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<td>---------------------------------------------</td>
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<tr>
<td>Project would impede floodwater flows.</td>
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<tr>
<td>Project is likely to cause substantial erosion.</td>
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<tr>
<td>Project is incompatible with existing drainage patterns.</td>
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<tr>
<td>Other impacts:</td>
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</table>

**Impact on Air**

<table>
<thead>
<tr>
<th>Impact</th>
<th>Yes</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>7. Will project affect air quality?</td>
<td></td>
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<tr>
<td>Project will induce 500 or more vehicle trips in any 8-hour period per day.</td>
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<tr>
<td>Project will result in the incineration of more than 2.5 tons of refuse per 24-hour day.</td>
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<tr>
<td>Project emission rate of all contaminants will exceed 5 lbs per hour or a heat source producing more than 10 million BTUs per hour.</td>
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<tr>
<td>Other impacts:</td>
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</table>

**Impacts on Plants & Animals**

<table>
<thead>
<tr>
<th>Impact</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Will project affect any threatened or endangered species?</td>
<td></td>
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<tr>
<td>Reduction of any species listed on the New York or Federal list, using the site, found over, on, or near site.</td>
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<tr>
<td>Removal of any portion of a critical or significant wildlife habitat.</td>
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<tr>
<td>Application of pesticide or herbicide more than twice a year other than for agricultural purposes.</td>
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<tr>
<td>Other impacts:</td>
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</table>

<table>
<thead>
<tr>
<th>Impact</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Will proposed action substantially affect non-threatened or non-endangered species?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small to Moderate Impact</td>
<td></td>
<td></td>
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<tr>
<td>Potential Large Impact</td>
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<td></td>
</tr>
<tr>
<td>Can Impact be Reduced by Project Change?</td>
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</tr>
<tr>
<td>Reducing of any species listed on the New York or Federal list, using the site, found over, on, or near site.</td>
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<tr>
<td>Reduction of any portion of a critical or significant wildlife habitat.</td>
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<td>Other impacts:</td>
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14
<table>
<thead>
<tr>
<th>IMPACT ON AESTHETIC RESOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Will the proposed action affect views, vistas or the visual character of the neighborhood or community?</td>
</tr>
<tr>
<td>☐ Yes  ☑ No</td>
</tr>
</tbody>
</table>

| Proposed land uses, or proposed action components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. |
| ☐ Yes  ☑ No |

| Proposed land use, or proposed action components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of aesthetic qualities of that resource. |
| ☐ Yes  ☑ No |

| Proposed action will result in the elimination or major screening of scenic views known to be important to the area. |
| ☐ Yes  ☑ No |

| Other impacts: |
| ☐ Yes  ☑ No |

<table>
<thead>
<tr>
<th>IMPACT ON HISTORIC &amp; ARCHAEOLOGICAL RESOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. Will proposed action impact any site or structure of historic, prehistoric or paleontological importance?</td>
</tr>
<tr>
<td>☐ Yes  ☑ No</td>
</tr>
</tbody>
</table>

| Proposed action occurring wholly or partially within or contiguous to any facility or site listed on or eligible for the National or State Register of Historic Places. |
| ☐ Yes  ☑ No |

| Any impact to an archaeological site or fossil bed located within the project site. |
| ☐ Yes  ☑ No |

| Proposed action occurring wholly or partially |
| ☐ Yes  ☑ No |
within or contiguous to any site designated as a local landmark or in a landmark district.

Other impacts:  

I N P A C T  O N  O P E N  S P A C E  &  R E C R E A T I O N

12. Will the proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities?  

| Yes | No |

The permanent foreclosure of a future recreational opportunity.

A major reduction of an open space important to the community.

Other impacts:


13. Will the proposed action impact the exceptional or unique characteristics of a site designated as a unique natural area (UNA) or a critical environmental area (CEA) by a local or state agency?  

| Yes | No |

Proposed Action to locate within a UNA or CEA?

Proposed Action will result in a reduction in the quality of the resource

Proposed Action will impact the use, function or enjoyment of the resource

Other impacts:

I N P A C T  O N  T R A N S P O R T A T I O N

14. Will there be an effect to existing transportation systems?  

| Yes | No |

Alteration of present patterns of movement of people and/or goods.

Proposed action will result in major traffic problems.

Other impacts:

I N P A C T  O N  E N E R G Y

15. Will proposed action affect the community's sources of fuel or energy supply?  

| Yes | No |

Proposed action causing greater than 5% increase in any form of energy used in municipality.

Proposed action requiring the
<table>
<thead>
<tr>
<th>IMPACT ON NOISE &amp; ODORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. Will there be objectionable odors, noise, glare, vibration or electrical disturbance during construction of or after completion of this proposed action?</td>
</tr>
<tr>
<td>Blasting within 1,500 feet of a hospital, school, or other sensitive facility?</td>
</tr>
<tr>
<td>Odors will occur routinely (more than one hour per day)</td>
</tr>
</tbody>
</table>

**IMPACT ON NOISE & ODORS (cont.)**

| Proposed action will produce operating noise exceeding the local ambient noise levels for noise outside of structure. | Yes | No |
| Proposed action will remove natural barriers that would act as a noise screen. | Yes | No |
| Other impacts: | Yes | No |

**IMPACT ON PUBLIC HEALTH**

| 17. Will proposed action affect public health and safety? | Yes | No |
| Proposed action will cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there will be a chronic low-level discharge or emission. | Yes | No |
| Proposed action may result in the burial of “hazardous wastes” in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | Yes | No |
| Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous wastes. | Yes | No |
| Proposed action will result in the handling or disposal or hazardous wastes (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc., including wastes that are solid, semi-solid, liquid or contain gases.) | | □ Yes □ No |
| Storage facilities for 50,000 or more gallons of any liquid fuel. | | □ Yes □ No |
| Use of any chemical for de-icing, soil stabilization or the control of vegetation, insects or animal life on the premises of any residential, commercial or industrial property in excess of 30,000 square feet. | | □ Yes □ No |
| Other impacts: | | □ Yes □ No |

**IMPACT GROWTH & CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

<p>| 18. Will proposed action affect the character of the existing community? □ Yes □ No | Small to Moderate Impact | Potential Large Impact | Can Impact be Reduced by Project Change? | □ Yes □ No |
|---|---|---|---|
| The population of the City in which the proposed action is located is likely to grow by more than 5% of resident human population. | | | □ Yes □ No |</p>
<table>
<thead>
<tr>
<th>IMPACT GROWTH &amp; CHARACTER OF COMMUNITY OR NEIGHBORHOOD (cont.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The municipal budgets for capital expenditures or operating</td>
</tr>
<tr>
<td>services will increase by more than 5% per year as a result of</td>
</tr>
<tr>
<td>this proposed action.</td>
</tr>
<tr>
<td>Proposed action will conflict with officially adopted plans</td>
</tr>
<tr>
<td>or goals:</td>
</tr>
<tr>
<td>Proposed action will cause a change in the density of land use.</td>
</tr>
<tr>
<td>The proposed action will replace or eliminate existing facilities,</td>
</tr>
<tr>
<td>structures, or areas of historic importance to the community.</td>
</tr>
<tr>
<td>Development will create a demand for additional community</td>
</tr>
<tr>
<td>services (e.g. schools, police, and fire, etc.):</td>
</tr>
<tr>
<td>Proposed action will set an important precedent for future</td>
</tr>
<tr>
<td>actions.</td>
</tr>
<tr>
<td>Proposed action will relocate 15 or more employees in one or</td>
</tr>
<tr>
<td>more businesses.</td>
</tr>
<tr>
<td>Other impacts:</td>
</tr>
<tr>
<td>19. Is there public controversy concerning the proposed action?</td>
</tr>
<tr>
<td>□ Yes □ No</td>
</tr>
<tr>
<td>Either government or citizens of adjacent communities have</td>
</tr>
<tr>
<td>expressed opposition or rejected the proposed action or have not</td>
</tr>
<tr>
<td>been contacted.</td>
</tr>
<tr>
<td>Objections to the proposed action from within the community.</td>
</tr>
</tbody>
</table>

— If any action in Part 2 is identified as a potential large impact, or if you cannot determine the magnitude of impact, proceed to Part 3. —
PROPOSED ACTION
The proposed action is to amend the zoning designation of the former Ithaca Gun Factory site.

The former Ithaca Gun Factory site is located adjacent to Ithaca Falls and within a residential neighborhood, as illustrated on the enclosed map. The site is zoned for industrial uses, which was established when the site was an active gun factory. The factory has long been closed and the site has remained vacant for many years. The current zoning has become inconsistent with the surrounding uses. Given its location, it is not likely the site will ever again be used for industrial purposes. In the draft City Comprehensive Plan, it has been recommended the appropriate future land use of this site should be medium-density residential.

In accordance with the draft Comprehensive Plan, staff proposes to rezone this site to R-3a. This would allow for multi-unit residential development, which is consistent with both the development plans and the surrounding area.

This amendment is expected to result in a reduction of potential environmental impacts. If developed under the current zoning, there would be the potential for greater impacts to the surrounding neighborhood.
Proposed Rezoning of the Former Ithaca Gun Site

Former Ithaca Gun Site
Zoned I-1

Ithaca Falls

NY State Plane, Central GRS 80 Datum
Map Source: Tompkins County Digital Planimetric Map 1991-2013
A. **Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency - Resolution**

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 or funding or carrying out the action, and

WHEREAS, State Law also specifies that when an agency proposes to directly undertake, fund or approve a Type I Action or an Unlisted Action undergoing coordinated review with other involved agencies, it must notify them that a lead agency must be agreed upon within 30 calendar days of the date that the Environmental Assessment Form (EAF) or draft EIS was transmitted to them, and

WHEREAS, Projects submitted to the Planning Board for Site Plan Review and Approval, at times involve approvals or funding from Common Council, making Council an involved agency in environmental review, and

WHEREAS, in order to avoid delays in establishing a Lead Agency and to make the environmental review process more efficient, it is desirous to have an agreement that the Planning Board will assume Lead Agency status for such projects, and

WHEREAS, in accordance with the State Environmental Quality Review Law and the City of Ithaca Environmental Quality Review Ordinance, involved agencies are provided with project information and environmental forms for their review, as well as all environmental determinations; now, therefore be it

**RESOLVED**, That Common Council does hereby consent, for the period of 12 months, to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency; and, be it further

**RESOLVED**, That for any future project Common Council may withhold or withdraw its consent should it so desire.
B. **Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for the Proposed Mixed Use Project to be Located at 210 Hancock Street - Resolution**

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 a mixed use project known as 210 Hancock Street by Ithaca Neighborhood Housing Services (INHS), applicant and owner, and

WHEREAS, the applicant proposes to redevelop the entire 2.01 acre parcel currently containing the vacant former grocery store, a smaller commercial building and a 110-space parking lot. The applicant proposes to construct thirteen 2-story for sale townhomes and a 4-story, approximately 65,000 SF, mixed use building with approximately 50 apartments and three ground floor commercial spaces totaling approximately 10,000 SF. 70 parking spaces will be provided – approximately one third of which will be on the ground floor of the apartment building. The applicant also proposes to convert portions of Adams St and Lake Ave (both of which are public streets) into “living streets” by making them narrower, providing green areas and installing bike and pedestrian amenities. The project is in the B-2a Zoning District and will likely require subdivision in the future. The project will require the following approvals: a parking variance from the Board of Zoning Appeals (BZA), approval from the Board of Public Works (BPW) for improvements to property in the public way, approval for funding from the Ithaca Urban Renewal Agency (IURA) and approval from Common Council, and

WHEREAS, this is a Type I Action under the City of Ithaca Environmental Quality Review Ordinance, §176-4 (h)(2),(k), and (n) and the State Environmental Quality Review Act, §617.4 (9), and is subject to environmental review, and

WHEREAS, the BZA, BPW, IURA and Common Council have all been identified as potentially involved agencies for the environmental review of this project; now, therefore be it

**RESOLVED.** That Common Council does hereby consent to the Planning & Development Board acting as Lead Agency in environmental review for the 210 Hancock Street Project.
Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for the Proposed Lake Street Public Park Enhancement Project to be located on Lake Street at Fall Creek - Resolution

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 proposed park enhancements at Lake Street Park by the City of Ithaca, applicant and owner, and

WHEREAS, the applicant proposes to undertake enhancements to improve the accessibility and functionality of the park. Proposed work includes adding a concrete walkway and falls overlook, installing metal guardrails behind the existing stone retaining wall, installing a movable gate for controlled access to the Ithaca Falls Natural Area, replacing the existing bike racks, adding an accessible curb ramp, improving the landscaping, and other site improvements. The project is in the P-1 Zoning District and requires approvals from the Board of Public Works (BPW) and Common Council, and

WHEREAS, this is a Type I Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) §176-4 B.(h)[2] and [3] and the State Environmental Quality Review Act (“SEQRA”) §617.4 (11) and is subject to environmental review, and

WHEREAS, the BPW and Common Council have both been identified as potentially involved agencies in the environmental review of this project; now, therefore be it

RESOLVED, That Common Council does hereby consent to the Planning & Development Board acting as Lead Agency in environmental review for the proposed Lake Street Public Park Enhancement Project.
10. **CITY ADMINISTRATION COMMITTEE:**

10.1 **DPW - Recommendation to Fund Cemetery Wall Repair - Resolution**

WHEREAS, the Ithaca City Cemetery was first established circa 1790 on land owned by New York Surveyor General Simeon DeWitt, includes over 7700 graves, evolved from an informal burial ground into a planned, landscaped municipal cemetery, and

WHEREAS, the cemetery was named Silvan Hill in 1872, became the City Cemetery when Ithaca was incorporated in 1888, and is a significant historic resource worthy of – and in need of – preservation, and

WHEREAS, a recent vehicular collision with the perimeter wall near the University Avenue entrance along with the passage of time have resulted in a need for repairs to the wall at two locations, and

WHEREAS, the City of Ithaca General Fund has $32,000 encumbered for the work, which includes $31,000 from the driver's automobile insurance company, and

WHEREAS, The City Engineer's Office received two price quotes for the required specialized repairs, and

WHEREAS, staff has reviewed and recommended the low quote submitted by Buzz Dolph of Ithaca Stone Setting of $35,250 for the primary work location and $3,750 for the secondary work location, and

WHEREAS, the $7,000 additional funds needed for the wall project can be derived from Unrestricted Contingency, which currently has a $131,000 balance, and

WHEREAS, staff has provided project information to the Historic Preservation Planner, City Forester, Parks Commission, and other interested parties and has received positive interest and no objections to the work; now, therefore be it

RESOLVED, That the Common Council hereby authorizes an allocation of an amount not to exceed $39,000 from the General Fund for the Cemetery Wall Repair, and be it further

RESOLVED, That sources of funds for the wall repair shall be derived from $32,000 in encumbered funds and $7,000 from the transfer of funds to account A7111-5475 Parks and Forestry Property Maintenance from account A1990 Unrestricted Contingency.
MEMORANDUM

TO: Svante Myrick, Mayor
Common Council

FROM: Lynne Yost, PE and Assistant Civil Engineer

DATE: February 26, 2015

RE: Repair of City Cemetery Wall @ University Avenue Entrance

Work involves repair of the historic stone City Cemetery entrance on University Ave, located opposite 132 University Ave. The damage was caused by a vehicular accident and City of Ithaca has received limited funds for this work as part of an insurance settlement.

Three contractors were asked to provide price quotes and recommended approach for the required work.
Two bidders submitted quotes for the work:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Ithaca Stone Setting (Buzz Dolph)</th>
<th>Kevin Reilly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stone Pillar and Wall Work</td>
<td>$35,250</td>
<td>$45,600</td>
</tr>
<tr>
<td>Add Alternate</td>
<td>$3,750</td>
<td>$8,600</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$39,000</td>
<td>$54,200</td>
</tr>
</tbody>
</table>

All existing stone will be replaced with new materials. Both contractors felt it was not cost-effective for the City to invest in new work using stone past the end of its life. Quotes include all labor, materials and equipment required to substantially complete the work by June 30, 2015.

Available insurance funds total $31,000. I recommend that a total of $39,000 be requested to complete all the required work on this stretch of wall for the foreseeable future and that the work be contracted with Ithaca Stone Setting.

Figure 1: City of Ithaca Cemetery - University Ave side of wall and column damaged when hit by a vehicle.
Figure 2: City of Ithaca Cemetery - University Ave side of wall just uphill (North) of accident location, showing Add Alternate work area.

Figure 3: City of Ithaca Cemetery - cemetery side of wall showing column damage.
DPW - Authorization for Additional Funding for Stewart Park Large Pavilion Bathroom Restoration, Capital Project #817 - Resolution

WHEREAS, Common Council has established Capital Project #817 for the purpose of restoring the bathrooms in the large pavilion at Stewart Park, and

WHEREAS, the project was established at $78,000 based on the engineering cost estimates at the time with sources of funds to include Friends of Stewart Park of $20,000; Town of Ithaca Recreation Facility Funding of $28,000; and

WHEREAS, the public bathrooms located in the large pavilion are integrally part of public rentals of the pavilion as well as indispensable facilities for Youth Bureau activities scheduled in the large pavilion, and

WHEREAS, the condition of the building structure and the bathroom plumbing is severely deteriorated to the point of failure, and

WHEREAS, bids were received for the purpose of restoring the bathrooms in the large pavilion at Stewart Park on March 3, 2015, and

WHEREAS, award of contract to the lowest qualified bidder will require an additional $48,000, and

WHEREAS, the additional funds needed shall be derived from Capital Reserve #11 Parks, which currently has a balance of $148,000; now, therefore be it

RESOLVED, That Common Council hereby amends Capital Project #817 by an amount not to exceed $48,000 for a total project authorization of $126,000, and be it further

RESOLVED, That the $48,000 in funds necessary for said project amendment shall be derived from Capital Reserve #11 Parks.
To: City Administration Committee  
From: Tom West, Director of Engineering 
Date: March 6, 2015  
Re: Request for Additional Funding, CP 817, Stewart Park Bathroom Restoration  

On March 3, 2015, bids were opened for the Stewart Park Large Pavilion Bathroom Restoration, Capital Project #817. In order to award the contract for construction to the lowest qualified bidder the budget requires an additional $48,000.

This project will restore the public bathrooms in the large pavilion. These bathrooms are important to the public and to those who rent the facilities for events. The bathrooms are essential to the safe and healthy functioning of the Youth Bureau summer programs which are centered on the large pavilion.

Beyond the merits of the project, there are strong reasons the City should move forward with this project:
- Although only two bids were received, staff had reached out directly to at least 11 local contractors to solicit interest in the project.
- The project was bid at a good time of year to maximize the opportunities to have the work scheduled at the most competitive prices; I have no reason to believe that re-bidding the project will generate more interest or reduce bid prices.
- There is not very much that can be eliminated from the project to reduce costs. The finishes and fixtures specified, although durable, are not “gold plated”.

Attached is the bid tabulation showing the bidder and bid prices, a budget summary showing the current status of the budget and the shortfall and a resolution authorizing additional funding.

If you have any questions, you can reach me at 327-0710 or tomw@cityofithaca.org. Thank you.
## BID TABULATION

**CITY OF ITHACA, NEW YORK**

**DEPARTMENT: DEPARTMENT OF PUBLIC WORKS**

**BID FOR: STEWART PARK LARGE PAVILION BATHROOM RESTORATION**

**OPENING: MARCH 3, 2015  2:00PM**

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>UNIT COST</th>
<th>EXTENSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BASE BID - GENERAL CONSTRUCTION BATHROOM RESTORATION</td>
<td>$124,958.00</td>
<td>$146,000.00</td>
</tr>
</tbody>
</table>

Addendum

Bid Security

| Addendum | YES | BOND |
| Bid Security | BOND | BOND |
## BUDGET

**Stewart Park - Bathroom Restoration**

<table>
<thead>
<tr>
<th></th>
<th>Pre-Bid</th>
<th>Post-Bid</th>
<th>Commitments Expended</th>
<th>Commitments Remaining</th>
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</thead>
<tbody>
<tr>
<td><strong>PROFESSIONAL SERVICES</strong></td>
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<tr>
<td>Architect</td>
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<td>Reimbursibles</td>
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<tr>
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<td><strong>CONSTRUCTION CONTRACTS</strong></td>
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<td>McPherson</td>
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<td>Contract 2</td>
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<tr>
<td>Contract 3</td>
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<tr>
<td>DPW - labor</td>
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<tr>
<td>DPW - materials</td>
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<tr>
<td>Contingency</td>
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<td><strong>IN-HOUSE</strong></td>
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<td><strong>TOTAL</strong></td>
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<td>$126,208</td>
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</table>

### SOURCES

- **Total Funding**
  - City Parks Reserve $30,000
  - Town of Ithaca $28,000
  - TC Tourism $20,000

**Total Funding** $78,000

**Total Commitments expended and remaining + Proposed** $126,208

**Remaining funds** ($48,207.58)
10.3  **DPW – Establishment of Capital Project for “Dam Safety Project” for the Potter’s Falls (60-Ft.) Dam - Resolution**

WHEREAS, the first of the engineering contracts to replace our existing Water Treatment Plant was signed on September 24, 1996, and the second was signed on December 9, 2005, and the new Dam Safety Regulations (6NYS CRR Part 673) went into effect August 19, 2009 causing the existing Water Supply Projects to coincide in time with the newly mandated Dam Safety Projects, and

WHEREAS, on February 18, 2009, the Board of Public Works (BPW) authorized the Water & Sewer Division of the Department of Public Works (DPW) to solicit proposals for preparing Engineering Assessments, updating Emergency Action Plans, and updating Operations and Maintenance manuals for both the 30-Foot & 60-Foot Dams to ensure the City’s compliance with the new Dam Safety Regulations, and

WHEREAS, the City received proposals from 9 Professional Engineering Firms on April 9, 2009, and the BPW with supporting documentation from Staff awarded the work to C.T. Male Associates for an amount not to exceed $118,217, to be funded from existing Capital Project 510, the Water Supply Project funds, and

WHEREAS, as part of the permitting process for our Water Supply Project the City received a letter from the New York State Department of Environmental Conservation (NYSDEC) that identified several remaining gaps in the Engineering Assessment for the 60-foot dam, and

WHEREAS, the DPW staff requested O’Brien & Gere review the DEC’s letter and submit a proposal to the City to address the DEC’s concerns with the 60-foot Dam, and

WHEREAS, on July 19, 2013, O’Brien & Gere submitted a proposal for 60-Foot Dam-Outstanding EA Tasks, and on July 22, 2013, the BPW resolved unanimously to accept the proposal in an amount not to exceed $27,000.00 with funds to be obtained from contingencies in the existing Capital Project #510, and

WHEREAS, O’Brien & Gere provided the Supplemental Engineering Assessment 60-Foot Dam on February 24, 2014, to both the City and the DEC, and in follow up meeting with NYSDEC on September 10, 2014, DEC requested a schedule for completion of the Dam Safety upgrades, and

WHEREAS, the DPW staff requested O’Brien & Gere prepare and submit a proposal for the 60-Foot Dam Safety Upgrades – Design and Construction Phase Services along with a overview presentation of the 60-Foot Dam Engineering Assessment for the BPW, O’Brien & Gere made the presentation to the BPW on February 9, 2015, and

WHEREAS, preliminary estimates for the complete Dam Safety Project Costs for the 60-Foot Dam are projected to be approximately $4 million. More detailed structural inspection, geotechnical investigation, and final design are needed to refine construction estimates for project, and
WHEREAS, the February 3, 2015, proposal for 60-Foot Dam Safety Upgrades – Design and Construction Phase Services from O’Brien & Gere include estimates for Detailed Structural Inspection = $7,000.00, Geotechnical Investigation = $35,000.00, Design Development = $18,000.00, and Final Design = $68,000.00, totaling $128,000.00, and

WHEREAS, the budget for Capital Project #510, the City’s Water Treatment Plant improvements did not include funds for the NYSDEC mandated Dam Safety Improvements, and

WHEREAS, a new Capital Project will need to be established for the Dam Safety Design to allow for the continued progress of work within schedule for compliance with the understanding additional funds will be needed in 2016 once we have a solid cost estimate for the Dam Safety Improvements; now, therefore be it

RESOLVED, That Common Council hereby establishes Capital Project #527 Dam Safety Improvements in an amount not to exceed $128,000 for the purposes of engineering for Dam Safety Upgrades to the 60-foot Dam, and be it further

RESOLVED, That funds necessary for the NYSDEC mandated Dam Safety Improvements will be derived from a Capital Reserve #16 Water Sources Development transfer to Capital Project #527 Dam Safety Improvements.
February 3, 2015

Mr. Erik Whitney
City of Ithaca - Water & Sewer Office
510 First Street
Ithaca, NY 14850

RE: Proposal for Sixty Foot Dam Safety Upgrades – Design and Construction Phase Services
FILE: 1598/42988

Dear Mr. Whitney:

As discussed in our September 10, 2014 meeting, the New York State Department of Environmental Conservation (NYSDEC) has requested a schedule for completion of recommended dam safety related upgrades to Sixty-Foot Dam (a.k.a. Potters Falls Dam). At the time of the original design of the Sixty-Foot Dam there were no universal design standards in place and many dams were designed based on loading conditions associated with either a 100 year frequency storm event or the flood of record. Current dam safety regulations have established significantly more conservative design criteria resulting in design loading conditions as much as five times higher than would have reasonably been applied during the original design. Consequently the initial Engineering Assessment (EA) Report dated December 14, 2012 and the Supplemental Engineering Assessment dated February 24, 2014 identified improvements required to achieve the current requirements for dam stability. The estimated construction cost for the identified dam stability improvements is $1,500,000. These costs are in addition to the estimated $1,500,000 dam safety related share of the construction cost for re-establishing the low level outlet through the dam.

As requested by the City of Ithaca (City), O’Brien & Gere is pleased to submit this proposal for providing design and construction phase services addressing the dam stability upgrades. Based on the endorsement of the NYSDEC Dam Safety Group, work at the Sixty-Foot Dam is proposed to be completed in two phases. The work originally anticipated under the water supply project which includes dredging, a new water supply intake and reconstruction of the gate house, will be completed in the first phase. The second phase will start after substantial completion of the phase one work and will include the dam safety upgrades to the dam itself. Coordination of the dam safety related dam upgrades with the water supply project will be efficient and result in less disruption to the operation of the reservoir.

SCOPE OF SERVICES

TASK 1: DETAILED STRUCTURAL INSPECTION

Perform a detailed inspection of the dam, downstream apron, spillway chute, and downstream channel to assess the structural features, concrete conditions, geological/foundation conditions, and site features relative to the structural evaluation/design and general constructability of the proposed dam improvements.
**TASK 2: SUBSURFACE INVESTIGATION**

The 1985 Thomsen Associates Phase II report included data and boring logs from three exploratory holes that were drilled through the cyclopean concrete spillway section. The results of direct shear testing of core samples taken from the dam concrete/bedrock interface were listed in the report. Apparently, the main purpose of these borings was to investigate the condition of the dam concrete/bedrock interface and the presence of concrete keys in the bedrock. The core borings were not advanced more than 10 feet below the dam/bedrock interface and were confined to a small area located on the right side of the spillway section. It appears that no other subsurface investigations were performed since this report, based on the available records reviewed by O’Brien & Gere.

The fortification measures currently under consideration include post-tensioned and pre-stressed rock anchors. The Post-Tensioning Institute’s (PTI) “Recommendations for Pre-stressed Rock and Soil Anchors” (Section 6.5 - Site Evaluation) states that borings should be performed to evaluate site geology for the purpose of providing an understanding of the bedrock conditions and interpretation of the rock properties for design and installation of the rock anchors. Notably, coring depths are recommended to extend a minimum of 5 feet below the anticipated depth of the base of the bonded zone. Typical anchor bond zones within the foundation rock are approximately 20 feet. The Thomsen-era borings only extended 10 feet below the dam. Therefore, O’Brien and Gere proposes a small scale subsurface investigation program to supplement the 1985 investigation. Two NX-sized rock core borings will be advanced at the downstream toe: one located through the downstream apron and one in the discharge channel, where a concrete shear block with pre-stressed anchors may be installed. Two additional borings will be drilled from the dam crest; one through the right non-overflow cyclopean concrete section and one through the ground/rock formation adjacent to the right abutment. All of the borings will be advanced a minimum of 25 feet into competent rock. Water pressure testing of the boreholes will be specified to assist in estimating anchor hole consolidation grouting requirements. Selected rock and concrete cores will be sent to a laboratory for compressive strength and unit weight testing.

**TASK 3: DESIGN DEVELOPMENT**

There are several factors which impact the most economical combination of anchor sizing and location for strengthening a dam, including:

- The magnitude of required sliding and overturning resistance
- The compressive and shear strength of the dam concrete and foundation rock
- Physical access to the anchor locations
- Maximum anchor capacity

Moreover, based upon the low safety factors calculated for sliding stability, it may be that inclined crest and face anchors through the dam will not offer sufficient sliding resistance. Consequently, it is probable that either mass concrete or a toe shear block will be necessary to supplement the post-tensioned anchors. Therefore, O’Brien & Gere will evaluate the feasibility and relative costs for anchoring alternatives to identify the most cost-effective approach. The alternatives to be considered are as follows:

- Inclined post-tensioned anchors installed through a fortified dam crest
- Inclined post-tensioned face anchors w/ toe shear block
- Downstream mass concrete addition w/ pre-stressed rock anchors

The evaluation will include preliminary stability analyses (for critical load cases), development of conceptual sketches of the principal features and typical cross sections, and order of magnitude cost estimates. The findings of the evaluation and recommendations will be summarized in a letter report and submitted for review.
TASK 4: FINAL DESIGN OF DAM REMEDIATION /FORTIFICATION MEASURES

Engineering analyses will be conducted for the alternative selected in Task 3 and design drawings/specifications will be developed to 60% completion and submitted to the City for review and comment. The design will include the following:

- Stability analysis for proposed remediation demonstrating compliance with NYSDEC dam safety requirements
- Civil design consisting of hydraulic evaluation of downstream apron and channel, site plan, E&S plan/specifications, review of general environmental permitting requirements, and NYSDEC DSS pre-application conference
- Structural design for concrete fortifications and rock anchors
- Contract Drawings and Technical Specifications
- Preliminary construction cost estimate

Following the City’s review of the 60% Design package and consideration of NYSDEC DSS preliminary comments regarding dam safety and environmental permitting, the drawings and specifications will be advanced to 100% completion. This will include the following:

- Consideration of review comments and design modifications that may be required
- Final stability and design calculations
- Permitting assistance that includes submittal of the final design package and review and response to one round of NYSDEC comments
- Final Construction Cost Estimate
- Final bid package including Contract Drawings and Project Manual for one General Contract

TASK 5: BID PHASE SERVICES

Upon completion and City approval of the final design packages, O’Brien & Gere will provide the following engineering services associated with the bid phase of the project.

1. Issue Contract Documents for Bid - Under this task, O’Brien & Gere will assist the City in advertising the project for competitive bids. For purposes of this proposal, we have assumed that O’Brien & Gere will use its electronic plan room and produce no more than twenty five sets of full-size plans and Project Manuals for the purposes of distribution to the City and successful contractor after award.

2. Pre-Bid Meeting – O’Brien & Gere will attend a pre-bid meeting and site walk through during the bid period.

3. Prepare Contract Addenda - Questions received during the bid period, which require clarification of the Contract Documents, will be addressed by written addendum, which O’Brien & Gere will issue to all holders of contract documents. Up to three addenda are anticipated.

4. Attend Bid Opening, Prepare Bid Tabulations, Evaluate Bids and Recommend Award - Under this task, O’Brien & Gere will attend the bid opening to assist the City in receiving bids. We will review bids for accuracy and completeness, noting any “informalities.” We will also review the qualifications of the apparent low bidder, and confirm they are satisfied with their bid. O’Brien & Gere will summarize the results of our review in a letter to the City, which will include a recommendation regarding award.
TASK 6: CONSTRUCTION PHASE SERVICES

Construction Review Services

Construction phase services will include a number of tasks, which collectively support the administration of the construction contract and implementation of the design intent.

1. **Review Shop Drawings and Submittals** - Under this task, O’Brien & Gere will review shop drawings, samples, and other submissions of the contractor for general conformance to the design concept of the project and for substantial compliance with the result required in the construction contract. O’Brien & Gere will provide the City with one copy of all reviewed shop drawings and other submissions of the contractor, for its records.

2. **Issue Clarifications and Interpretations of the Contract Documents** - O’Brien & Gere will issue technical instructions to the contractors, issue necessary interpretations and clarifications of the contract documents throughout the submittal/approval process. For the purpose of this proposal, it has been assumed that construction will be completed and closed out within one year after the notice to proceed is issued.

3. **Issue Modifications and Change Orders** - O’Brien & Gere will recommend to the City when a modification or change order to the construction contract is necessary, prepare an independent estimate of the cost of the change order, and prepare change orders along with required documentation. Change orders included in our base scope are limited to those necessary for completing the project in accordance with the design intent.

Construction Administration and Inspection

O’Brien & Gere will perform the following tasks under the Construction Administration and Inspection Phase:

1. **Request Contractors’ Bonds and Insurance Certificates** - Once bids have been received and evaluated, and the City has awarded contract, O’Brien & Gere will request appropriate bonds and insurance certificates from the successful contractor. Upon review of these documents for conformance with the requirements of the contract documents by the City’s Counsel, we will incorporate them into complete copies, for formal execution by both parties.

2. **Conduct Pre-Construction Meeting** - Under this task, O’Brien & Gere will conduct a pre-construction meeting with representatives of the contractor, as well as representatives of the City and other involved agencies as appropriate.

3. **Review and Approve Contractor’s Requests for Payment** - In cooperation with the City, O’Brien & Gere will review and approve contractor’s payment estimates/requests and will forward the necessary documents to the City for its processing of payments.

4. **Provide Resident Project Representative** - O’Brien & Gere will provide construction administration and onsite representation. Full time representation (40 hours/week) has been included for a period of 8 months.

5. **Maintain Field Diary** – O’Brien & Gere personnel will maintain a field diary, together with daily construction reports recording pertinent aspects of the construction activities.
7. Conduct Job Meetings – O’Brien & Gere will conduct meetings with the contractors and representatives of the City, to review the status of construction, for the construction duration.

8. Obtain Photographs During Construction - O’Brien & Gere will obtain photographs throughout construction to provide visual history of construction activities. Copies of digital files will be provided to the City for their records.

9. Prepare Record Drawings - O’Brien & Gere will provide the City with record drawings of the completed project based upon red-line documents received from the contractors. Two sets of full-size prints, two sets of half-size prints, and digital copies of all drawing files, which will be provided.

SCHEDULE

O’Brien & Gere will commence design upon written authorization from the City.

The following are the anticipated key deliverable/milestone dates assuming authorization in February 2015 and starting construction near the completion of the Phase 1 Dam and Reservoir Improvements:

- Subsurface Investigation & Detailed Structural Assessment       May 2015
- Construction Start – Phase 1 Water Supply Improvements       June 2015
- Design Development Report                                    September 2015
- 60 % Design Documents                                        December 2015
- Final Design Deliverables                                    March 2016
- NYSDEC Plan Approval                                         June 2016
- Advertise for Bids                                           November 2016
- Construction Complete – Phase 1 Water Supply Improvements    December 2016
- Dam Safety Construction Start                                May 2017
- Dam Safety Construction Complete                             December 2017
FEE PROPOSAL

O’Brien & Gere proposes to perform the services described above for a not-to-exceed fee of $443,000. A task breakdown of this proposed fee is presented below.

<table>
<thead>
<tr>
<th>Task</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – Detailed Structural Inspection</td>
<td>7,000</td>
</tr>
<tr>
<td>2 – Geotechnical Investigation</td>
<td>35,000</td>
</tr>
<tr>
<td>3 – Design Development</td>
<td>18,000</td>
</tr>
<tr>
<td>4 – Final Design</td>
<td>68,000</td>
</tr>
<tr>
<td>5 – Bid Phase Services</td>
<td>15,000</td>
</tr>
<tr>
<td>6 - Construction Phase Services</td>
<td></td>
</tr>
<tr>
<td>Construction Review</td>
<td>50,000</td>
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<tr>
<td>Contract Administration and Inspection</td>
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<tr>
<td>Project Management</td>
<td>40,000</td>
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<tr>
<td>Direct Expenses</td>
<td>35,000</td>
</tr>
<tr>
<td>Total Not-to Exceed Fee</td>
<td>$443,000</td>
</tr>
</tbody>
</table>

If you have any questions regarding our proposal or would like to discuss the dam stability situation further, please feel free to contact me directly at (315) 956-6471 (Rick.Gell@obg.com) or Bob Bowers at (484) 804-7209 (Robert.Bowers@obg.com).

Very truly yours,

O’BRIEN & GERE ENGINEERS, INC.

[Signature]

Richard E. Gell, PE
Project Manager

cc: Robert Ganley – O’Brien & Gere
    Robert Bowers – O’Brien & Gere
    Steve Snider – O’Brien & Gere
MEMORANDUM

TO: Joe Dluglenski, Region 7 - Permits

FROM: Scott Braymer, Dam Safety

SUBJECT: 60 Foot Dam (aka Potters Falls Dam)
DEC Dam ID#: 075-0717
Town of Ithaca, Tompkins County
Application ID#: 7-5030-00154/00003

DATE: September 18, 2014

I have completed my review of the dam permit application package for the Phase 1 work at the above referenced dam, which included the following materials:


The following comments must be addressed before I can recommend Permit Issuance for the Phase 1 work. I am forwarding an advance copy of these comments to O’Brien & Gere:

1. Please submit a completed Annual Certification form for calendar year 2013, and note that the form for 2014 is due no later than January 31, 2015.

2. Please confirm whether the City intends to retain responsibility for monitoring the dam, the weather, stream flows and the water surface elevation in the reservoir, and for activating the EAP, especially during Contractor shutdown periods, nights, weekends and holidays.

3. D-1 form from the original 10/5/2012 package lists Robert Bowers as the Design Engineer (block 19), and does not specify an individual PE as the Construction Engineer (block 20). The 2014 Project Manual and Plan cover sheet were stamped and signed by Robert Ganley, with individual sheets by Rob Ganley, Bob Bowers and Bob Brodowski. Please submit a revised D-1 form reflecting the individual PE that will be taking overall responsibility for the Design Phase (presumably Rob Ganley), and the individual PE who will be taking overall responsibility for the Construction Phase. Please note that the Construction Engineer will be required to certify that the work was completed in accordance with the approved plans, and to stamp and sign the as-built records.
4. Please provide a Schedule of Construction Inspection, see Guidelines for Design of Dams (Guidelines), Section 4.4. Please include whether the Resident Project Representative (RPR) will be on site full time or part time during the work, and at what milestones the Construction Engineer will be onsite to inspect the work.

5. Please provide a proposed overall schedule for bringing the dam into compliance with all applicable safety criteria. I anticipate that the Phase 1 work (i.e. lowering reservoir, dredging, demolish existing intake tower, construct new intake tower, rehab low level outlet) will commence in 2015, and be completed no later than October 1, 2017. I anticipate that Phase 2 will include all remaining work (e.g. spillway capacity and structural stability), with a complete Permit Application to be submitted no later than September 1, 2017 and completion of the Phase 2 work no later than December 31, 2018.

6. The following minor comments on the Phase 1 Plans are offered for OBG’s consideration:

- S-002, Design Criteria, Design Base Shear: TBD?
- M-302, Section 3. The elevations of the stainless steel pipes appear incorrect.
- The section numbers on M-302 do not appear to correspond to the section numbers called out on M-101.

Also, please note that I anticipate:

- Including a condition in the Phase 1 Permit requiring that an EAP Promulgation and Concurrence (P&C) form be submitted no later than January 31, 2015, along with any revisions to the EAP as may be appropriate.

- Including a condition in the Phase 1 Permit requiring the investigation of the reported mid-level outlet, with rehabilitation or decommissioning, as appropriate.

- Including a condition in the Phase 1 Permit requiring the Project schedule, as generally described above.

- Providing additional comments on the Engineering Assessment and the Supplemental Engineering Assessment (EA), to be addressed in the Phase 2 Engineering Design Report (EDR).
14. **MAYOR’S APPOINTMENTS:**  
14.1 **Appointments to City of Ithaca Local Board of Assessment Review – Resolution**  
RESOLVED, That Marjorie Olds, John Barradas, and Robert Sparks be appointed to the Local Advisory Board of Assessment Review for the City of Ithaca for 2015.

14.2 **Reappointment to Cable Access Oversight Committee – Resolution**  
RESOLVED, That Rich DePaolo be reappointed to the Cable Access Oversight Committee with a term to expire December 31, 2017.

14.3 **Reappointment to Conservation Advisory Council – Resolution**  
RESOLVED, That Matthew Yarrow be reappointed to the Conservation Advisory Council with a term to expire December 31, 2017.

14.4 **Appointment to the Workforce Diversity Advisory Committee – Resolution**  
RESOLVED, That Fabina Colon be appointed to the Workforce Diversity Advisory Committee to fill a vacancy with a term to expire December 31, 2016.

14.5 **Reappointment to Youth Bureau Advisory Board – Resolution**  
RESOLVED, That Caitlin Moss be reappointed to the Youth Bureau Advisory Board with a term to expire December 31, 2017.