



PASSERO ASSOCIATES  
engineering architecture

May 13, 2016

Don Harthill  
Mayor  
Village of Lansing  
2405 North Triphammer Road  
Lansing, NY 14850-1013

**RE: Bomax Drive Apartments  
Letter of Intent, Request to Rezone**

Dear Mr. Harthill,

On behalf of our client Andrew Bodewes of Park Grove, LLC; we respectfully request the Board of Trustees and Planning Board consider rezoning approximately 19.46 acres of land located on the southern side of Bomax Drive from BTM (Business and Technology District) to HDR (High Density Residential). The rezoning will support the development of 140 high-end, privately funded apartment units. The units will be in two-story buildings and each unit will have a private garage.

The 19.46 ± acre property is surrounded by several properties including: a high density residential development to the south, medium density residential to the west, and an industrial development to the east. Rezoning the parcel to HDR will match the character of the area and provide a buffer and transition between the BTM property to the east and the medium density residential properties to the west.

### **Traffic Considerations**

The construction of residential units will result in a significantly lower trip generation rate than the industrial and manufactory type developments permitted by the current zoning. Additionally, a dedicated bus loop is planned and will offer residents access to mass transit. The combination of these factors will result in significantly less impact to the transportation system than development of the parcel under the current zoning. As shown in the attached Traffic Impact Study (TIS), the project will not have a detrimental impact on the roadway system.

### **Drainage**

The proposal contains a significant amount of open space as an amenity for the residents, far more than what would be contained within an industrial type development. As a result, the amount of stormwater runoff and subsequent need for stormwater management is greatly reduced providing an environmental benefit. The proposed drainage design will include a significant amount of sustainable design in the form of Green Infrastructure (GI) constructed in accordance with DEC requirements.

## Recreation

The proposal provides amenities such as a 3,500 ± square foot clubhouse complete with a fenced-in pool area. Recreational opportunities for residents will also include: a fenced-in dog park, bocce court, and a community garden. Additionally, there will be a centralized trail for residents to access the recreational amenities and green space.

## Summary

The proposed rezoning of the 19.46 ± acre property will enable the development of much needed residential units which are the best use for the parcel when considering the factors discussed above.

In support of our application attached please find:

- 15 - Letters of Intent
- 15 - Concept Plans
- 15 - Building Elevation Renderings
- 15 - Engineers Reports
- 15 - Traffic Impact Studies (TIS)

We look forward to meeting with the Board of Trustees on June 6th and Planning Board on June 13th.

Sincerely,



Jess D. Sudol, PE, CPESC, CPSWQ  
Associate & Department Manager

JDS:bsm

CC: Andrew Bodewes  
Tom Levigne  
Kevin Morgan  
File



# MEMORANDUM

**TO:** Don Harthill, Mayor  
 Village of Lansing  
 C/O Marty Mosely, Code Enforcement/Zoning Officer

**FROM:** Jess Sudol, PE

**DATE:** 05/26/16

**RE:** Bomax Drive Apartments Traffic Impact Study (TIS)

Mr. Harthill,

The intent of this memo is to serve as an update to the previously submitted Traffic Impact Study (TIS).

We recently determined that the levels of service (LOS) provided in Table 6-2 of the TIS were based on outdated data. The levels of service in the original TIS did not consider the effects of the new electronic signal installed at the intersection of Craft Road and North Triphammer Road.

The levels of service of the 2016 existing, 2018 background and 2018 proposed traffic conditions were reanalyzed with *Synchro 9* to reflect the actual traffic based on current conditions. The updated levels of service are still highly satisfactory and the new light has improved the turning conditions on Craft Road. Please refer to Tables 1 and 2 below for a comparison in levels of service:

| Approach           | Existing (2016)<br>Level of Service |          | Background (2018)<br>Level of Service |          | Developed (2018)<br>Level of Service |          |
|--------------------|-------------------------------------|----------|---------------------------------------|----------|--------------------------------------|----------|
|                    | AM                                  | PM       | AM                                    | PM       | AM                                   | PM       |
| <b>Northbound</b>  |                                     |          |                                       |          |                                      |          |
| Through            | A                                   | A        | A                                     | A        | A                                    | A        |
| Right              | A                                   | A        | A                                     | A        | A                                    | A        |
| <b>Southbound</b>  |                                     |          |                                       |          |                                      |          |
| Left               | A                                   | A        | A                                     | A        | A                                    | A        |
| Through            | A                                   | A        | A                                     | A        | A                                    | A        |
| <b>Eastbound</b>   |                                     |          |                                       |          |                                      |          |
| Left               | -                                   | D        | -                                     | D        | -                                    | D        |
| <b>Westbound</b>   |                                     |          |                                       |          |                                      |          |
| Left               | C                                   | F        | D                                     | F        | D                                    | F        |
| Right              | C                                   | F        | D                                     | F        | D                                    | F        |
| <b>Overall LOS</b> | <b>A</b>                            | <b>A</b> | <b>A</b>                              | <b>A</b> | <b>A</b>                             | <b>B</b> |

Village of Lansing  
 2405 North Triphammer Road  
 Ithaca NY 14850  
 (607)-257-8363

For Office Use only

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
 Building Permit \$ \_\_\_\_\_ Fees Rec'd: \_\_\_\_\_

**APPLICATION FOR SUBDIVISION/REZONING/SPECIAL PERMIT/PDA**

*(If proof of mailings are not received prior to the public hearing, the agenda item will be rescheduled)*

|   |   |
|---|---|
| Type of Application: ( ) Subdivision (x) Rezoning ( ) Special Permit ( ) PDA  |   |
| Stage of Review: ( ) Informal ( ) Sketch (x) Preliminary ( ) Final ( ) Amendment  |   |
| Project Name (if any): <b>Bomax Drive Apartments</b>  |   |
| Street Address/Location of Project: <b>South side of Bomax Dr, approximately 900 ft west of Warren Rd</b>   |   |
| Total number of lots proposed (existing + new):<br><b>1 (1 existing + 0 new)</b>  | Land:<br>Tax Parcel No. <b>45.1-1-51.12</b><br>Lot Area: <b>± 19.46 acres</b><br>Road Frontage: <b>± 1,200 ft</b><br>Parking Spes: <b>0 existing, 210 proposed</b><br>Existing Zoning: <b>BTD</b><br>Proposed Zoning: <b>HDR</b><br>Abutting Zoning Districts: <b>HDR (south), MDR (west), BTD (north/east)</b> |
| Project is:<br>(x) Residential ( ) Non-Residential ( ) Mixed  |   |
| New Roads: ( ) public (x) private ( ) none  |   |
| Utilities:<br>Water Supply:<br>(x) Private ( ) Public<br>( ) None<br>Sewage Disposal:<br>(x) Private ( ) Public<br>( ) None<br>Exterior Lighting:<br>(x) Private ( ) Public<br>( ) None   | Building(s):<br>Number of Stories: <b>2</b> Height of Structure: <b>&lt;35</b> ft<br>Largest Floor Area: <b>± 7,000</b> sq ft Area All Floors: <b>± 140,000</b> sq ft<br>No. of Dwelling Units: <b>140</b> No. of Buildings: <b>16</b>  |
| Description of proposal: <b>Proposed rezoning of ± 19.46 acre parcel from BTD (Business and Technology District) to HDR (High Density Residential). The parcel is currently undeveloped and approximately 140 apartment units are proposed to be constructed.</b>                             |   |
| <b>Rezoning to HDR will provide a transition and create a "zoning buffer" between the existing industrial district to the east and the residential properties to the west. The proposed rezoning to HDR will not result in "spot-zoning" as there is an adjacent HDR parcel to the south.</b> |   |
| <b>Rezoning the property to HDR and enabling the construction of the proposed apartments will provide high quality multi-family housing, which is in high demand in the area.</b>   |   |
| <b>The proposed apartment project will have privately owned and maintained roads, water mains, and sewers. The development is expected to positively impact the Village by raising the tax base at a minimal cost to the taxpayers.</b>   |   |



Park Grove Realty, LLC  
46 Price Street  
Rochester, NY 14607

PASSERO ASSOCIATES  
100 E. Main Street  
Rochester, NY 14607  
Phone: 585-421-1111  
Fax: 585-421-1112  
Website: www.passero.com



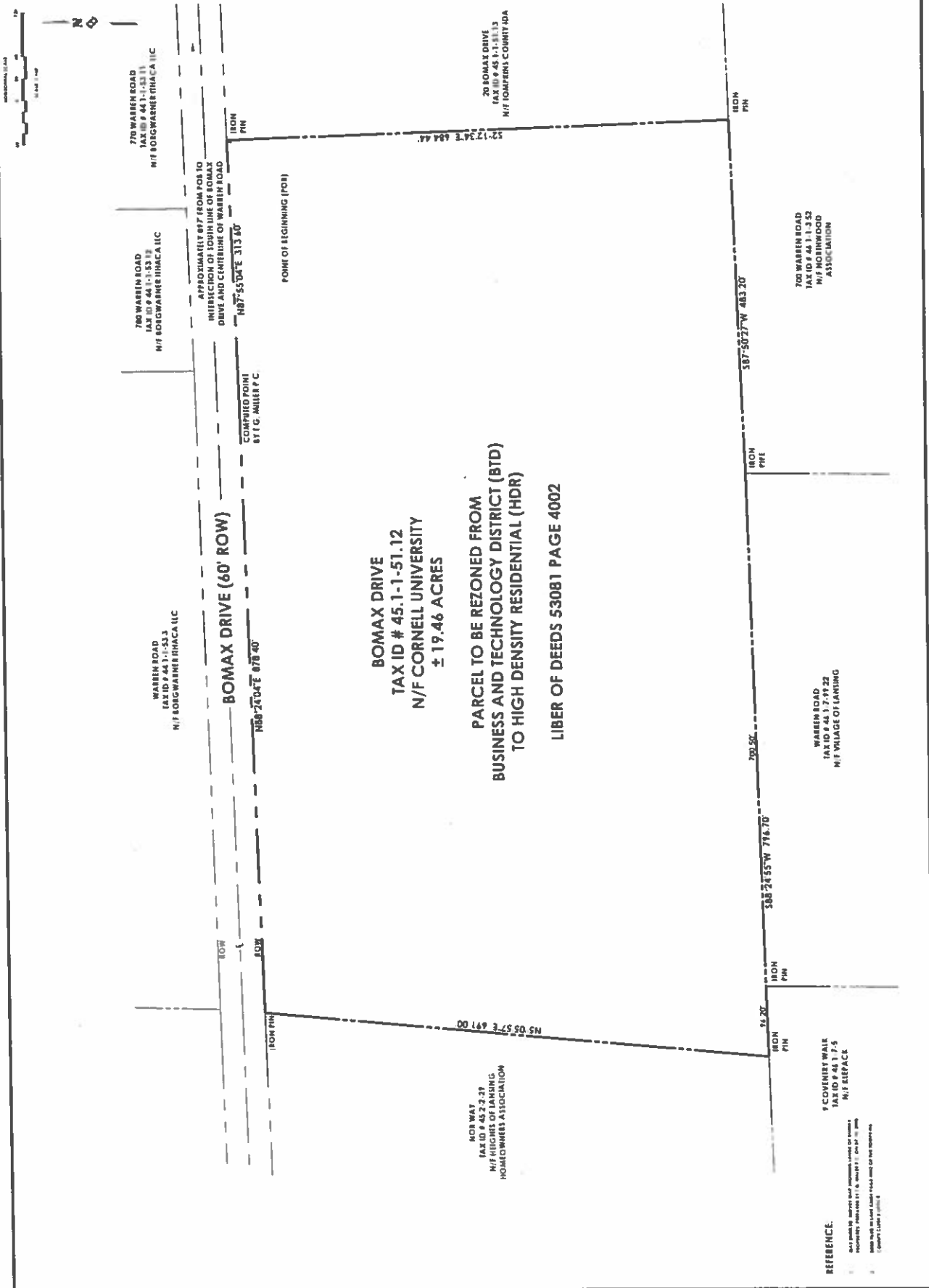
PARCEL MAP

BOMAX DRIVE APARTMENTS

20162212.0001

1" = 60'

JULY 2016



**BOMAX DRIVE**  
TAX ID # 45.1-1-51.12  
N/F CORNELL UNIVERSITY  
± 19.46 ACRES

**PARCEL TO BE REZONED FROM  
BUSINESS AND TECHNOLOGY DISTRICT (BTD)  
TO HIGH DENSITY RESIDENTIAL (HDR)**

**LIBER OF DEEDS 53081 PAGE 4002**

770 WARREN ROAD  
TAX ID # 44.1-1-53.11  
N/F BORGWARNER IHACA LLC

700 WARREN ROAD  
TAX ID # 44.1-1-53.12  
N/F BORGWARNER IHACA LLC

WARREN ROAD  
TAX ID # 44.1-1-53.3  
N/F BORGWARNER IHACA LLC

MCB WAY  
TAX ID # 45.2-3-27  
N/F HUGHES OF LANSHING  
HOMEOWNERS ASSOCIATION

9 COVENANT WALK  
TAX ID # 45.1-7-5  
N/F BEEFACE

700 WARREN ROAD  
TAX ID # 44.1-7-22  
N/F VILLAGE OF LANSHING  
ASSOCIATION

WARREN ROAD  
TAX ID # 44.1-7-22  
N/F VILLAGE OF LANSHING

APPROXIMATELY 87' FROM POB TO  
INTERSECTION OF SOUTH LINE OF BOMAX  
DRIVE AND CENTRELINE OF WARREN ROAD

COMPIRED POINT  
BY T.C. MILLER P.C.

POINT OF BEGINNING (POB)

**REFERENCE.**  
1. ALL RIGHTS RESERVED THAT REMAIN UNDER THE TERMS  
PROVIDED FOR IN THE INSTRUMENTS CITED IN THESE  
2. THIS MAP IS A PRELIMINARY MAP AND DOES NOT CONSTITUTE  
A GUARANTEE OF THE ACCURACY OF THE INFORMATION  
HEREON.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 - Project and Sponsor Information</b>  |  |   |  |
|--|--|---|--|
| Bomax Drive Apartments - Passero Associates (Owner Representative)   |  |   |  |
| Name of Action or Project:<br>Bomax Drive Apartments   |  |   |  |
| Project Location (describe, and attach a location map):<br>± 19.46 acres is located on south side of Bomax Drive, approximately 900 ft west of Warren Road.  |  |   |  |
| Brief Description of Proposed Action:<br>Proposed construction of 140 apartment units on ± 19.46 acre undeveloped lot in the Village of Lansing. Project includes rezoning from Business and Technology District (BTD) to High Density Residential (HDR).  |  |   |  |
| Name of Applicant or Sponsor:<br>Passero Associates (Owner Representative) - Jess Sudol, PE  |  | Telephone: (585) 325-1000<br>E-Mail: jsudol@passero.com |  |
| Address:<br>242 West Main Street, Suite 100  |  |   |  |
| City/PO:<br>Rochester  |  | State:<br>NY  | Zip Code:<br>14814                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |  |   | NO<br><input type="checkbox"/>             |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>Village of Lansing Planning Board - Special Use Permit   |  |   | YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?   |  | 19.46 acres   |  |
| b. Total acreage to be physically disturbed?   |  | ± 11 acres  |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |  | 19.46 acres   |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |  |   |  |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)   |  |   |  |
| <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____   |  |   |  |
| <input type="checkbox"/> Parkland  |  |   |  |

|  |  |   |
|--|--|---|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br/>         If Yes, explain purpose and size: _____<br/> <u>SWME will be designed to impound stormwater and discharge at a controlled rate.</u></p> | <p>NO</p> <p><input type="checkbox"/></p>            | <p>YES</p> <p><input checked="" type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br/>         If Yes, describe: _____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p>            |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br/>         If Yes, describe: _____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p>            |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Jess Sudol, PE</u> Date: <u>7/26/16</u></p> <p>Signature: <u>Jess Sudol</u></p>  |  |   |

**PRINT FORM**

## SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Lansing, County of Tompkins, State of New York, being bounded and described as follows:

BEGINNING at a point in the south line of Bomax Drive, said point being located approximately 897 feet westerly of the intersection of the south line of Bomax Drive and the present centerline of Warren Road,

RUNNING THENCE South 02° 12' 34" East along lands reputedly of Tompkins County IDA (677/62) and (790/301) for a distance of 684.44 feet to an iron pin found;

RUNNING THENCE South 87° 50' 27" West along lands reputedly of Northwood Associates (623/300) for a distance of 483.20 feet to an iron pipe found;

RUNNING THENCE South 88° 24' 55" West along lands reputedly of the Village of Lansing (472257-001) and lands reputedly of Klepack (645/726) passing through an iron pin found at a distance of 700.50 feet and continuing for a total distance of 796.70 feet to an iron pin found;

RUNNING THENCE North 05° 05' 57" East along lands reputedly of the Heights of Lansing Homeowners Association (502292-001) for a distance of 691.00 feet to an iron pin found;

RUNNING THENCE North 88° 24' 04" East along the south line of Bomax Drive for a distance of 878.40 feet to a point;

RUNNING THENCE North 87° 55' 04" East along the south line of Bomax Drive for a distance of 313.60 feet to the point and place of beginning.

Said parcel containing 19.460 acres.

For a more particular description thereof, reference is hereby made to a survey map entitled "Survey Map Showing Lands of Bomax Properties, LLC, Village of Lansing, Tompkins County, New York," dated July 10, 2008, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York.

Being a portion of the premises conveyed to Bomax Properties by warranty deed of Otto and Barbara Votapka dated June 27, 1988 and recorded June 27, 1988 in the Tompkins County Clerks office in Liber 637 of Deeds at Page 338

Section 45.1  
Block 1  
Lot 51.12  
Village of Lansing

**Village of Lansing**  
**Planning Board Meeting**  
**Tuesday, July 26, 2016 at 7:00pm**  
**The Village Office**  
**2405 North Triphammer Rd.**

**AGENDA**

7:00

**Call to Order**

**Public Comment Period**

**Public Hearing to Consider:**

Special Permit #3096, Jennifer Novarr and Walter Silbert, to construct a single family house at 36 Twin Glens Road in the Low Density Residential District, Tax Parcel Number 48.1-2-7. Because the proposed single family residence will be located within fifty feet of the Steep Slope Conservation Combining District, Special Permit review is required pursuant to Section 145-48 of the Village of Lansing Code.

**Consideration of Re-Zoning Request for Cornell Business & Technology Parcel on Bomax Drive. *As directed by the Board of Trustees.***

**Approval of Minutes**

*4/11, 5/18, & 6/13*

**Trustee Report-**

*Mario Tomei*

**Other Business as Time Permits**

*Introduction of:*

- *an Excavation and Construction in Municipal Roadways and Highway Rights of Way local law and,*
- *proposed language to add to the Zoning Law for large scale solar arrays and small scale solar arrays.*

9:00

**Adjourn**

Draft

Village of Lansing  
Planning Board Meeting  
July 26, 2016

The meeting of the Village of Lansing Planning Board was called to order at 7:00PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Mike Baker, Deborah Dawson, John Gillott, and Lisa Schleelein; Alternate Planning Board Member, Carolyn Greenwald; Code Enforcement Officer, Marty Moseley; Village Attorney, David Dubow; Trustees John O'Neill and Gerry Monaghan; ; BZA Chair, Lynn Leopold; Mayor, Don Hartill; Tom LiVigne and Andrew Bodewes of Park Grove Realty; Jess Sudol, Passero Associates; Kathryn Wolf of TWLA; Frank Santelli of T. G Miller; residents Tracey Craig, John Novarr, Walter Silbert, and Nick Vaczek; Dirk Gailbraith, Solomon attorney; James Orcutt, Yardley Green manager.

Absent: None

**Public Comment Period**

Tomei opened the public comment period. With no one wishing to speak, Gillott moved to close the public comment period. Seconded by Dawson; Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

**Public Hearing to Consider:**

*Special Permit #3096, Jennifer Novarr and Walter Silbert, to construct a single family house at 36 Twin Glens Road in the Low Density Residential District, Tax Parcel Number 48.1-2-7. Because the proposed single family residence will be located within fifty feet of the Steep Slope Conservation Combining District, Special Permit review is required pursuant to Section 145-48 of the Village of Lansing Code.*

Tomei opened the public hearing for the above special permit with a reading of the legal notice.

Wolf indicated that she is from Trowbridge, Wolf, Michaels Landscape Architects (TWLA), and that TWLA has been retained for the permitting process portion of the project. Wolf gave a brief presentation of the project making the following key points:

- The previous house has been demolished.
- There were originally two properties that have been combined into one parcel of land totaling, approximately, 3.90 acres.
- The proposed house is farther from the steep slopes than the previous house.
- The existing driveway/curb cut will be used for the new house.
- Parking will be accommodated by a car court area; there will be low visibility of parked cars from the street.
- Existing vegetation and the significant trees surveyed in the area will remain as much as possible.
- There will be terraces around the house with stone retaining walls.
- The proposed house and project is in compliance with current zoning standards.

Tomei indicated the special permit is required because of the proximity to the steep slopes. He asked whether the house would be strictly residential or might include a home occupation use.

Novarr indicated the house is 70 feet from the steep slopes and is a strictly residential building for his daughter and son-in-law. There was some discussion regarding location of the septic system and

51 preservation of the significant trees. Discussion then continued on the subject of the blasting that will be  
52 required for the construction of the house. Santelli explained the blasting plan, procedure, and the  
53 notification process to the abutters. It is expected the blasting will take approximately 3 days. Schleelein  
54 asked that some additional neighbors on Pembroke Way and possible East Shore Drive be notified about  
55 the blasting as well. Santelli indicated he would work with Moseley to determine who should be notified.  
56 Moseley indicated that Bolton Point has rules and regulations for blasting as well that will need to be  
57 taken into consideration. Leopold asked about the possible impact of the blasting on nearby wells and  
58 creek.

59  
60 Craig, who is a neighbor across the street expressed concern about light pollution from the site and asked  
61 for additional landscaping to the south to block light trespass. After some discussion Dawson asked that  
62 Dark Sky compliant exterior fixtures be added as a condition.

63  
64 Tomei read the Engineer's Report.

65  
66 **ENGINEER'S REPORT**

67  
68 **DATE:** July 26, 2016

69  
70 **TO:** Village of Lansing Planning Board

71  
72 **FROM:** Brent Cross, PE

73  
74 **RE:** 36 Twin Glens Road

75  
76 *I have reviewed the site plans and details, prepared by TWLA and TG Miller, for the proposed new one-*  
77 *family residence to be constructed at the above referenced property, as required for approval of a Special*  
78 *Permit for this property. I have the following observations and comments:*

79  
80 *Since the lot was combined with the adjacent vacant lot, the size of the new lot is relatively large*  
81 *compared to other single family home lots, and therefore adds extra "buffer" to support the larger size of*  
82 *this new home.*

83  
84 *The new home is to be sited at the eastern side of the lot which is nearest the high side of the property.*  
85 *The driveway is also proposed to be parallel with the eastern edge of the property which allows it to be*  
86 *relatively flat and not a source of significant drainage erosion that would be typical of a steep driveway.*  
87 *A pair of roof/footer drains are shown to discharge at "day light" to the west of the cleared/disturbed*  
88 *area. This should not cause any significant impact to the slope below.*

89  
90 *The footprint of the new house will be in the general same area as the previously demolished house and*  
91 *foundation will be built into the existing grade to minimize the impact of the required grading of the site.*  
92 *The new contour lines are relatively minor compared to the size of the development.*

93  
94 *Although the disturbed area of 40,700 sf is less than the 43,560 sf maximum before a full SWPPP is*  
95 *required, extra attention to the clearing and excavation should be given to make sure that the disturbed*  
96 *area does not unintentionally creep over the 1 acre limit.*

97

98 *Plan sheet C102 shows the installation of several rows of silt fence proposed on the down slope side of*  
99 *the disturbed area. This will likely be adequate to protect the run-off from carrying silt/sediments to the*  
100 *steep sloped below.*

101  
102 *The existing water service from the original house will be utilized to supply domestic water the new home.*  
103

104 *There is no public sewer available at/near the site, so an on-site wastewater treatment system (septic*  
105 *system) will be needed. Since the septic system is for a single family dwelling, the design and approval of*  
106 *such a system will be subject to review by the Tompkins County Environmental Health Dept.*

107  
108 *Based on the above observations, I recommend that the Special Permit be approved subject to the*  
109 *following conditions:*

110  
111 *-submittal of final septic system design to the Tompkins County Health Department (as well as the*  
112 *Village) for review and approval.*

113  
114 *-excavation contractor to set-up pre-construction meeting at the site with the Village Engineer and SMO*  
115 *to verify details stormwater management practices to best protect the downhill slope.*

116  
117 **General Conditions 145-59E**

118 Tomei read the general conditions for special permits, section 145-59E. The Board evaluated the special  
119 permit application against the required general conditions.

120  
121 The Board determined that the general conditions have been met. Dawson moved that all general  
122 conditions, in accordance with section 145-59E, have been met. Seconded by Gillott-; Ayes by Tomei,  
123 Baker, Dawson, Gillott, and Schleelein. Nays: None.

124  
125 There being no further input from the public, Dawson moved to close the public hearing; Seconded by  
126 Schleelein. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein. Nays: None.

127  
128 Moseley indicated that he has received proof of mailings from the applicant as required by the Village  
129 Code.

130  
131 Tomei read the resolution with conditions.

132  
133 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT APPROVAL**  
134 **ADOPTED ON JULY 26, 2016**

135  
136  
137 *Motion made by: \_\_\_\_\_ Deborah Dawson \_\_\_\_\_*

138  
139 *Motion seconded by: \_\_\_\_\_ Mike Baker \_\_\_\_\_*

140  
141 **WHEREAS:**

142  
143  
144 *This matter involves consideration of the following proposed action: Special Permit #3096, Jenifer*  
145 *Novarr and Walter Silbert, to construct a single family house at 36 Twin Glens Road in the Low Density*

146 Residential District, Tax Parcel Number 48.1-2-7. Because the proposed single family residence will be  
147 located within fifty feet of the Steep Slope Conservation Combining District, Special Permit review is  
148 required pursuant to Section 145-48 of the Village of Lansing Code; and

149  
150 The Village of Lansing Planning Board, in accordance with Article 8 of the New York State  
151 Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), and 6  
152 NYCRR Section 617.5, hereby determines that the approval of the proposed special permit is a Type II  
153 action, and thus may be processed without further regard to SEQR; and

154  
155 The Village Code Enforcement/Zoning Officer has determined that the proposed action is not large-scale  
156 and therefore is not subject to a full and extensive environmental review under the Village of Lansing  
157 Zoning Law; and

158  
159 On July 26, 2016, the Village of Lansing Planning Board held a public hearing regarding this proposed  
160 action, and thereafter thoroughly reviewed and analyzed (i) the materials and information presented by  
161 and on behalf of the applicant(s) in support of this proposed action, including information and materials  
162 related to the environmental issues, if any, which the Board deemed necessary or appropriate for its  
163 review, (ii) all other information and materials rightfully before the Board (including, if applicable,  
164 comments and recommendations, if any, provided by the Tompkins County Department of Planning in  
165 accordance with General Municipal Law Sections 239-l, -m and nn), and (iii) all issues raised during the  
166 public hearing and/or otherwise raised in the course of the Board's deliberations; and

167  
168 On July 26, 2016, in accordance with Section 725-b of the Village Law of the State of New York and  
169 Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing  
170 Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the  
171 general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any  
172 applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60),  
173 (iii) any applicable conditions required for uses within a Combining District (Village of Lansing Code  
174 Section 145-61), and (iv) any environmental issues deemed necessary and/or appropriate;

175  
176 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

177  
178  
179 The Village of Lansing Planning Board hereby (i) determines that the environmental information and  
180 materials submitted by the applicant and the details thereof are reasonably related to the scope of the  
181 proposed project; (ii) waives the necessity for any additional environmental information otherwise  
182 required; and (iii) finds that the proposed project will not have a significant adverse impact on the  
183 environment; and

184  
185 The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements, if any,  
186 set forth below) that the proposed action meets (i) all general conditions required for all special permits  
187 (Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain special  
188 permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions required for  
189 uses within a Combining District (Village of Lansing Code Section 145-61); and

190  
191 It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 3096 is  
192 **GRANTED AND APPROVED**, subject to the following conditions and requirements:

193

194  
195 *Required permits, approvals, consents and other authorizations from all applicable Federal, State,*  
196 *County and local governmental and regulatory agencies shall be obtained, maintained and complied with*  
197 *for all permitted improvements, operations and activities as authorized by this special permit approval,*  
198 *and such improvements, operations and activities shall at all times comply with all applicable Federal,*  
199 *State, County and local laws, codes, rules and regulations.*  
200  
201 *Soil and Erosion control measures shall be implemented, coordinated, and approved by either the Village*  
202 *of Lansing Code Enforcement Officer and/or the Village of Lansing Engineer.*  
203  
204 *Soil and erosion control measures may, from time to time, be modified at the direction of the Village*  
205 *Engineer or the Village Code Enforcement Officer/Stormwater Management Officer in order to minimize*  
206 *the erosion of soil during construction.*  
207  
208 *Any and all exterior lighting to be installed shall be "Dark Sky Compliant".*  
209  
210 *Final septic system design shall be submitted to the Tompkins County Health Department (as well as the*  
211 *Village) for review and approval.*  
212 *There shall be a pre-construction meeting with the excavation contractor at the site with the Village*  
213 *Engineer and Village Code Enforcement Officer/Stormwater Management Officer to verify details of the*  
214 *stormwater management practices to best protect the downhill slope.*  
215 *A demolition permit shall be obtained from the Village of Lansing Code Enforcement Officer. Such permit*  
216 *shall be provided with the following, but not limited to the , information (in addition to the requirements*  
217 *of the New York State Uniform Code): (i) verification that they are in compliance with Part 61 and Part*  
218 *39 of Title 12 of the Official Compilation of Codes, Rules, and Regulations of the State of New York*  
219 *through the New York State Labor Department, (ii) a hold harmless agreement supplied to the Village*  
220 *(acceptable to the Village Attorney), (iii) engineered plans for the blasting area, (iv) all blasting licenses*  
221 *and insurance of the blasting company, (v) a post report of the blasting that has occurred for the site in*  
222 *question, including the seismic activity reports, and (vi) notification shall be provided 48 hours in*  
223 *advance of any blasting to all contiguous neighbors and houses along Pembroke Lane.*  
224  
225 *The vote on the foregoing motion was as follows:*  
226  
227 *AYES: Mario Tomei, Deborah Dawson, Mike Baker, John Gillott, and Lisa Schleelein*  
228 *NAYS: None*  
229  
230 *The motion was declared to be carried.*  
231  
232 **Consideration of Re-Zoning Request for Cornell Business & Technology Parcel on Bomax Drive.**  
233 *As directed by the Board of Trustees.*  
234  
235 Tomei explained that the Trustees have referred a re-zoning request to the Planning Board for  
236 consideration and a recommendation as to whether the request is of benefit to the Village. The subject  
237 parcel of approximately 19.5 acres, currently owned by Cornell, is located on Bomax Drive in the  
238 business and technology district (BTD). The request submitted by Park Grove is to down zone the parcel  
239 to high density residential (HDR) to allow development of a proposed complex of high end privately  
240 funded apartments.  
241

242 Bowedes made an informal presentation of the complex being proposed if the re-zoning request is  
243 approved. Concept plans, a traffic impact study, an engineer's report, and other supporting documents had  
244 previously been provided at a joint meeting with the Board of Trustees on July 18, 2016. Bowedes  
245 mentioned that the proposed zoning change would make the parcel compatible with much of the  
246 surrounding property. The parcel is surrounded by several properties including: HDR to the south  
247 (Northwoods and Yardley Green), Medium Density Residential (MDR) to the west (Lansing Trails II), an  
248 industrial building (BTD) to the east (Transact), and a wooded area BTD to the north (Borg Warner).

249 Some of points raised by Bowedes:

- 250 • Need for upscale apartments in the market
- 251 • Concept plan incorporates community space and green space
- 252 • Location is adjacent to other apartment areas
- 253 • Proposed complex is a transitional area from BTD to MDR and single family residential areas

254  
255 Sudol reiterated the above points and added that the environmental and traffic impact would be less than  
256 an industrial use for the parcel.

257  
258 Dubow reminded the board not to lose sight of the fact that the issue under consideration is the re-zoning  
259 request not consideration of a specific project.

260  
261 Vaczek asked about the impact of the airport on noise and possible smells for inhabitants of the parcel.

262  
263 Orcutt objected to the proposed project citing population slowing, number of units, tax impact, and the  
264 need to restrict too much growth.

265  
266 Dawson stated this would be planned development not a restriction and that Tompkins County Housing  
267 assessment indicates there is a need.

268  
269 Schleelein said the question under consideration is as Dubow mentioned, it is not the project but whether  
270 it is appropriate to down zone the parcel and allow the transition from a business to a residential area and  
271 is such down zoning of benefit to the Village. She stated she feels that re-zoning the parcel to HDR  
272 would match the character of the area and provide a transitional buffer between the easterly BTD property  
273 to the east, the residential areas to the west and south.

274  
275 Greenwald asked if the parcel is re-zoned, what happens?

276  
277 Dubow said the parcel would become HDR and remain HDR regardless of whether it is built on unless  
278 changed again by re-zoning in the future.

279  
280 Further conversation centered about making a final recommendation for or against the re-zoning request  
281 to the Board of Trustees.

282  
283 Tomei felt that 140 units is reasonable and an HDR designation would provide softer transitional zoning  
284 for the residential areas that are adjacent to the parcel; housing in this area could be supported by working  
285 professionals in the B&T park.

286  
287 Orcutt again raised various objections citing some past situations not approved he felt were similar. The  
288 board explained how this proposal is vastly different from the examples he mentioned.

289

290 Schleelein also stated that the request is in concert with the Comprehensive Plan which identifies the need  
291 for housing and the need to focus on protecting residential areas, and that in her opinion it is appropriate  
292 to make a recommendation to down zone this parcel.

293  
294 Baker agreed. He said that the dynamic for young professionals has changed and some people want to  
295 down size from their houses and have amenities. Baker supports the down zoning because the idea of a  
296 buffer is good and the idea is consistent with other transition zone decisions that have been made in the  
297 past.

298  
299 Gillott also agreed with Dawson that this is planned development and supports the request to down zone.

300  
301 Gillott moved to recommend the request to down zone the subject parcel from BTM to HDR to the Board  
302 of Trustees. Seconded by Schleelein. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein. Nays:  
303 None.

304  
305 **Other Business as Time Permits**

306 *Introduction of:*

- 307     • an Excavation and Construction in Municipal Roadways and Highway Rights of Way local law  
308         and  
309     • proposed language to add to the Zoning Law for large scale solar arrays and small scale solar  
310         arrays.

311 Moseley presented the board with proposed language for consideration at the next meeting.

312  
313 Dawson expressed her concern in general about our deteriorating infrastructure and the lack of needed  
314 funding from the Transportation Council to correct the problem. She expressed the need for the local state  
315 rep to get more funding.

316  
317 **Approval of Minutes**

318 *April 11, 2016* - Dawson moved to accept the minutes. Seconded by Gillott; Ayes by Tomei, Baker,  
319 Dawson, Gillott, and Schleelein. Nays: None. Abstention(s): None.

320  
321 *May 18, 2016* – Baker moved to accept the minutes as amended. Seconded by Gillott; Ayes by Tomei,  
322 Baker, Dawson, and Gillott. Nays: None. Abstention(s): Schleelein.

323  
324 *June 13, 2016* - Dawson moved to accept the minutes. Seconded by Baker; Ayes by Tomei, Baker,  
325 Dawson, and Gillott. Nays: None. Abstention(s): Schleelein

326  
327 **Trustee Report**

328 The Trustee meeting of July 18 was a joint meeting with the Planning Board so no report needed.

329  
330 **Adjournment:**

331 Baker moved to adjourn at 8:54 PM. Seconded by Gillott; Ayes by Tomei, Baker, Dawson, Gillott, and  
332 Schleelein.

333  
334

**codeofficer2@vlansing.org**

---

**From:** Don Hartill <dlh13@cornell.edu>  
**Sent:** Friday, September 9, 2016 10:59 AM  
**To:** codeofficer2@vlansing.org  
**Subject:** Re: Janet Johnson

Hi Marty

Thanks for the update. The 19th will be an interesting meeting. Have a good weekend. Best regards Don

On Sep 9, 2016, at 10:25 AM, [codeofficer2@vlansing.org](mailto:codeofficer2@vlansing.org) wrote:

Don,

I just met with Janet and Lisa about their concerns. They mostly indicated that they were not allowed to have a zoning change, by the Village, and it was explained to them that the Village wanted the B/T District to be located where it currently is. I believe that their feeling is that the B/T district benefits their property values. They don't believe that the apartments are high end and would negatively impact their property values. They also indicated that the individuals that live in their development are not in favor of the apartments. I explained that currently this is a rezoning process and that the apartment development would come later, if the rezoning were to be approved. Also I suggested that they come to the meeting on the 19<sup>th</sup> to express their concerns, which I believe they will be attending. Have a good weekend.

Thank you,  
Marty Moseley

Code Enforcement,  
Zoning, and Stormwater  
Management Officer to:  
The Village of Lansing  
2405 North Triphammer Road  
Ithaca N.Y. 14850  
Office: (607)257-8363 ext.3  
Fax: (607)257-3230  
Cell: (607)227-3514

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To: Village Trustees  
From: Lawrence P. Fabbroni, P.E., L.S., Agent for Heights of Lansing  
Date: September 18, 2016  
Re: Proposed Public Hearing to Rezone parcel on Bomax Drive



Please consider this a strong objection of Heights of Lansing LLC to even proceeding to a public hearing to consider a rezoning of tax parcel 45.1-1-51.12 from Business and Technology to High Density Residential based on the minimal information presented to date. Nothing compelling has been presented to justify going against the Village comprehensive plan to spot zone this site to meet a developer's interest.

The comprehensive plan clearly states the objective to preserve the integrity of neighborhoods. This action would allow a high density residential development adjacent to an approved owner occupied townhouse project with units selling \$350,000 to \$400,000. The Jonsons purchased the property in 1989 and developed the neighborhood now including Janivar Drive, Leifs Way, and Ayla Way. In 2005 they obtained approval for a planned development of single family homes and townhouses for the remainder of their land adjacent to land up which up until this action has been zoned Business and Technology since their 1989 purchase. Business and Technology uses are typically daytime employment centers the Jonsons considered very compatible with owner occupied residences.

An action to rezone this land to High Density Multiple regardless what population the developer may intend to serve can easily lead to a problematic transient unmanaged population with all day traffic and noise nuisances not intended by the well considered comprehensive plan and accompanying zoning recently completed by the Village Trustees. The comprehensive plan mentions the value of woodlands both sides of Bomax Drive, apartment vacancy rate of 6%, Trustees committed to careful development and strict zoning, the availability of hundreds of Medium Density Residential parcels, all HDR zones having been developed without any indication of a need for more, and goals to encourage developers to build smaller more affordable housing units and to encourage developers to build for an aging population. There is nothing stating a compelling need for more expensive high density residential units in this location. If more apartments are needed there are much more suitable sites between the medical zoning and Sapsucker Woods preserve and along Uptown Road west of the swim club.

The comprehensive plan clearly also states the Village should encourage development of new uses in the BT&D & HHS zoned areas. So why should a rezoning so close to the airport be necessary. It is questionable why the Trustees would even entertain scheduling an action meeting to rezone the parcel in question. Furthermore, the site limitations have not been examined by the Trustees or Planning Board to determine whether it is even feasible to use the parcel for the density intended. A stream running diagonally through the property was at some time relocated. A minimum 150 foot buffer zone has always been planned and depended upon along the west boundary line with any prior plans for this property and does not appear to be part of the developer's sketch plan. Traffic, though it may be less peaked than Business and Technology uses, will more than double the all day everyday local traffic in the Janivar neighborhood and more drive through traffic can be expected. The wooded nature and former stream should demand a full wetlands delineation and environmental impact statement along with at least a preliminary storm water plan to ascertain whether the project is even suitable for this site irrespective of aforementioned inappropriate rezoning action.

The Jonsons and Bonniwells have invested their lifetime in the Lansing Trails and Heights of Lansing project at many times meeting the inconsistent demands of the Village. This included paving a highway to their common property line with the former Edelman land only to have the Village allow Edelman to donate the land and leave Coventry Walk homeowners landlocked for twenty years. Curiously, to even begin development of the Votapka farm, the Jonsons had to extend Craft Road into their property and build an extension of Craft Road that would later benefit the Miller owned Millcroft development to the north. When the second phase known as both Lansing Trails II and Heights of Lansing was approved in 2005, the Jonsons were compelled to pay for a one third of extending Bomax Drive to their property and completing the connection between Bomax Drive and Janivar Drive. They were also required to build the sewer to the property line to serve Transact and the future business or technology uses of the adjacent land now in question.
















Therefore, you can expect they will be seeking restitution of their expenses at current day values if the Trustees ignore the bases of zoning and uses that were intricate to all these costs sharing arrangements. The Jonsons would never have agreed to building a sewer line for a project that would damage their very housing plan.

For all the above reasons the request to even consider the rezoning should be rejected out of hand.

# Official Village of Lansing Zoning

Adopted February 1, 2016

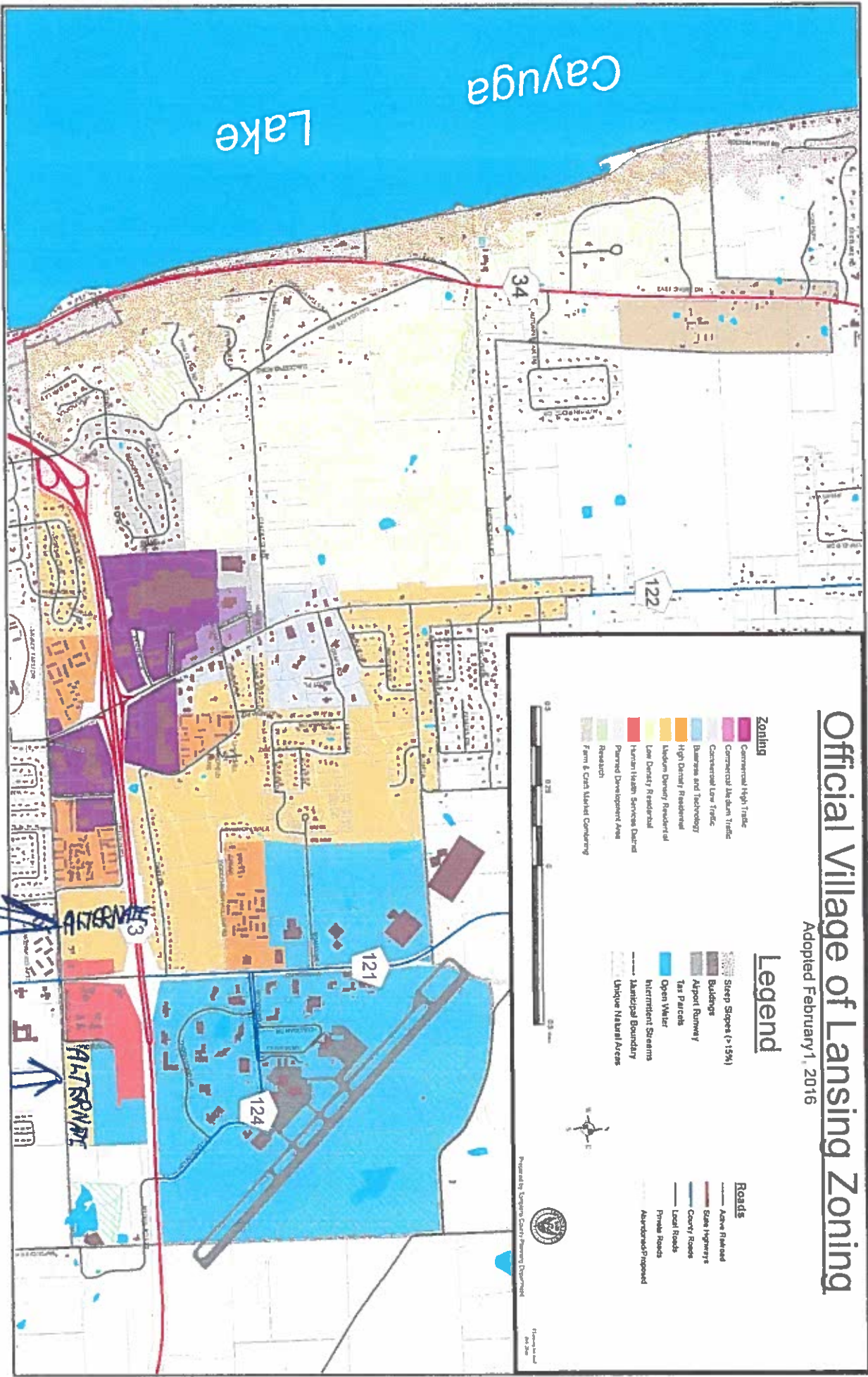
## Legend

- |  |  |  |
|--|--|--|
|  Commercial High Trade          |  Sleep Shores (>15%)  |  Active Railroad    |
|  Commercial Medium Trade        |  Buildings            |  State Highways     |
|  Commercial Low Trade           |  Airport Runway       |  County Roads       |
|  Business and Technology        |  Tax Parcels          |  Local Roads        |
|  High Density Residential       |  Open Water           |  Private Roads      |
|  Medium Density Residential     |  Intermittent Streams |  Abandoned/Proposed |
|  Low Density Residential        |  Municipal Boundary   |  |
|  Human Health Services District |  Unique Natural Areas |  |
|  Planned Development Area       |  |  |
|  Research                       |  |  |
|  Farm & Craft Market Corridor   |  |  |



Prepared by Lansing County Planning Department

1/1/2016

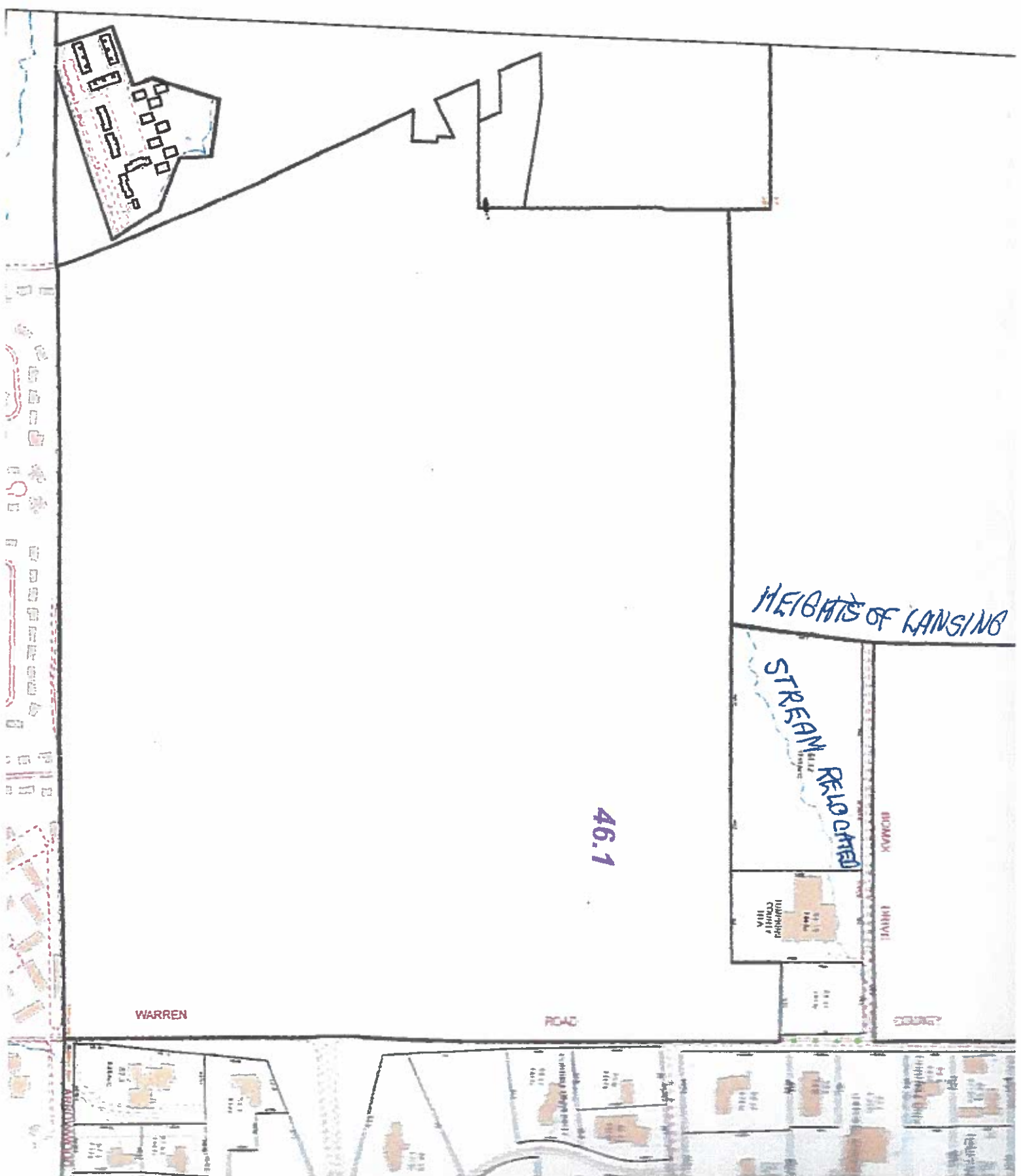




Google earth







HEIGHTS OF LANSING

STREAM RELOCATED

46.1

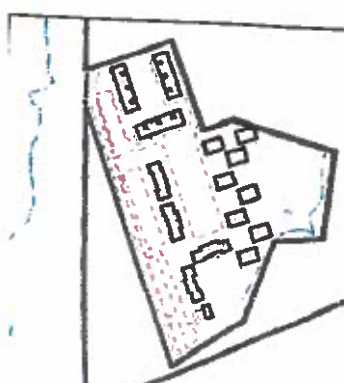
WARREN

ROAD

BOMAX DRIVE

SUNSHINE CENTER 10A

COURT





Google earth







Google earth



**FOR TAX PURPOSES ONLY**  
 NOT TO BE USED FOR CONVEYANCE

As the same is required by the Tax Law, the Town Clerk certifies that the same is a true and correct copy of the original map as shown to the Town Clerk by the applicant, and that the same is a true and correct copy of the original map as shown to the Town Clerk by the applicant, and that the same is a true and correct copy of the original map as shown to the Town Clerk by the applicant.

**TOWN OF LANSING**  
 TOWN ENGINEER  
 Lansing, Michigan

**TOWN OF LANSING**  
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 Lansing, Michigan

**TOWN OF LANSING**  
 TOWN ENGINEER  
 Lansing, Michigan

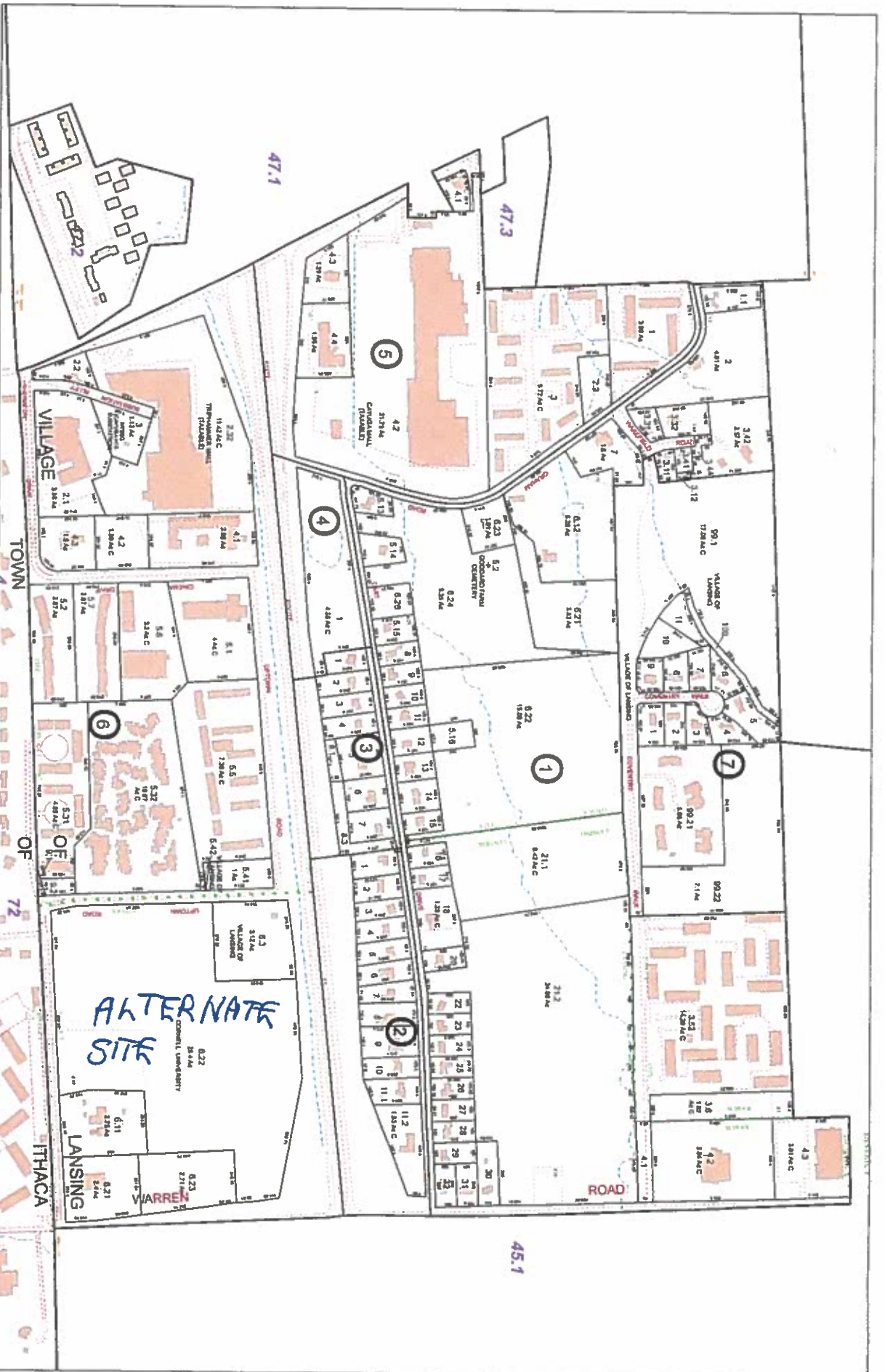
**TOWN OF LANSING**  
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 Lansing, Michigan

**TOWN OF LANSING**  
 TOWN ENGINEER  
 Lansing, Michigan



**MAP** 461  
**SCALE** 1" = 200'  
 DRAWN BY: [Name]  
 DATE: [Date]



Cornell University  
Real Estate Department

15 Thornwood Drive  
Ithaca, New York 14850  
t. 607.266.7866  
f. 607.266.7876  
[www.realestate.fs.cornell.edu](http://www.realestate.fs.cornell.edu)

July 12<sup>th</sup>, 2016

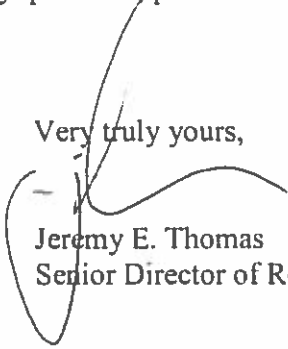
Mayor Hartill  
Village of Lansing  
2405 N. Triphammer Road  
Ithaca, NY 14850-1013

Dear Mayor Hartill,

This is in support of the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family. As you know, the University is hopeful that the local marketplace will produce a range of housing opportunities. For this reason, we believe the Park Grove project will help fill some of the housing needs not available to the Tompkins County community at the present time. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community.

Thank you for your consideration. If you have any questions, please do not hesitate to reach out.

Very truly yours,

  
Jeremy E. Thomas  
Senior Director of Real Estate

CC: Stephanie A. Sechler, Esq.

**IJ Construction of Ithaca  
2 JON STONE CIRCLE  
Ithaca, NY 14850**

September 17, 2016

Dear Janivar, Leifs Way, Ayla Way, Nor Way, and Jon Stone community area member:

Welcome, we want to introduce you to a project which is deeply concerning to us. The Village Trustees and Village Planning Board have been presented and to date favorably reacted to a development plan for 140 apartments and a club house in a large area just east of your neighborhood off of Bomax. The proposal is on the attached sketch and is to develop the current wooded, pond, and stream areas.

This would raise numerous issues of traffic, safety, privacy, and environmental impact for our community. We are asking for support and an organized effort to get questions answered and to assist the Village in evaluating this rezoning proposal in a way that protects our neighborhood and investment and helps us all.

For this reason we are reaching out to all homeowners in our area including you to discuss this project and disseminate information. In sum we believe that all of our interests should be aligned.

To date too little public outreach has occurred and too little detail has been developed to justify rezoning of the land from Business and Technology uses to Multiple Family to effect a transition of this forested and buffer area to "high density residential" with its major environmental and economic consequences.

The current zoning existing for three decades and the infrastructure in place work for the existing housing and development has been very compatible, is well thought out, and should not be changed without identifying a compelling need to do so. Currently there are approximately 100 owned units occupied by families in the two Lansing Trails/Heights neighborhoods. When these neighborhoods are built out there will be a total of approximately 185 units. To suddenly add 140 units with one big concentrated development will double the local traffic and spread it over the entire day rather than the once in once out Business & Technology traffic. Further, it will devalue all of our property values bringing the inevitable 24/7 noise and nuisances associated with a transient population not invested in the neighborhood.

Past plans for this proposed development land included at least a 150 foot buffer east of the Heights of Lansing lands that is no longer in the preliminary land. Serious environmental changes have occurred on the land in question to seemingly alter the stream path that flowed through the middle of the site diverting it south of the sewer easement shown on a 2008 survey. In short, a full environmental study of the site including wetland delineation and preliminary sizing of stormwater facilities to see what land is appropriate for development is in order before moving to a rezoning consideration.

The decision before the Village Trustees this coming Monday evening at 7:30PM at the Village Offices is whether to schedule a public hearing for a future date to consider a rezoning of this land. For all the reasons stated above, if this is even to move forward, many other factors should be studied and considered before moving to a meeting with potential action. This land is properly zoned Business and Technology a classification with less and less available sites with water and sewer in the northeast Ithaca area. If Cornell, the apparent seller or owner of this parcel, is interested in promoting multi-family development it has plenty of more suitable Village of Lansing sites, west of the Arleo/swim club area and west of Sapsucker Woods.

We need to get our concerns to and be heard most effectively in person or by correspondence with the Board of Trustees. Please attend the meeting Monday evening at 7:30PM and contact us at [Ithacahome@aol.com](mailto:Ithacahome@aol.com) with your thoughts on moving forward.

September 19, 2014

**TO:** Donald Hartill, Mayor  
Trustees Hardaway, Monaghan, O'Neill, O'Rourke  
Planning Board Members and Alternate Member  
Lynn Leopold, Chair, Board of Zoning Appeals

**FR:** Deborah Dawson, Village of Lansing Planning Board Member

**RE:** Anticipated Public Comment at Tonight's Trustees' Meeting - Without a Duly Scheduled and Announced Public Meeting

I fear that our Village has enabled a groundswell of NIMBYism among Lansing Trails residents to hijack public debate on the proposed rezoning of the Bomax parcel between the TransAct and Lansing Trails II properties.

The tone of debate was set by an anonymous and vaguely threatening letter addressed to our Planning Board by a "concerned citizen." More recently, an email was sent to members of the Lansing Trails Homeowners Association, aimed at scaring Lansing Trails residents with statements that increased traffic and plummeting home values will surely be the result of rezoning. This letter was authored by three officers in the LTHA, individuals who also constitute a voting majority of our Village Board of Zoning Appeals. And now we have a letter from IJ Construction, the developer of Lansing Trails, clearly aimed at ginning up maximum opposition to the rezoning among Lansing Trails and Heights of Lansing residents.

I certainly understand IJ's concerns: it is sitting on approximately 70 unsold lots in the Lansing Trails II subdivision. So IJ's interests here are clear, and its objections must be viewed in context of those interests. Even allowing for IJ's self-interest, many of the statements in its letter are, at best, without factual basis. For example, the letter asserts that the rezoning will double traffic through the Lansing Trails neighborhoods and spread it throughout the day (as opposed to BTM traffic). This assertion is not supported by the traffic study that was submitted with the rezoning proposal. Moreover, as a resident of Dart Drive, I can tell you that living between the Cornell Business and Technology Park and the restaurants on the Triphammer corridor means that Dart Drive residents experience three rush hours a day: morning, evening, and lunchtime.

IJ's letter also asserts that "a full environmental study of the site including wetland delineation and preliminary sizing of stormwater facilities to see what land is appropriate for development is in order before moving to a rezoning consideration." I remind the

Boards that this sort of study is ordinarily and almost necessarily commissioned by an applicant in the context of a specific site design proposal and application for a special permit. I suppose one could conduct an environmental study in connection with a general rezoning proposal, but that raises the question of who would pay for such an expensive undertaking. As a taxpayer in the Village of Lansing, I would vigorously oppose to footing the bill for a full-scale environmental study. Certainly, if and when the Bomax property is rezoned and a special permit application for development is before it, the Planning Board will perform an environmental assessment and evaluate the issues that IJ's letter raises – and ask the would-be developer to conduct whatever environmental study is required.

IJ's letter asserts that the proposed rezoning "will devalue all of our property values bringing inevitable 24/7 noise and nuisance associated with a transient population not invested in the neighborhood." Personally, I find the assumptions underlying this sentence staggeringly offensive. Perhaps IJ is unfamiliar with the most recent census data, which shows that over 1100 of our Village's 1776 households are renters. Perhaps it is unaware that, according to the most recent housing survey, only 30% of the homes in the City of Ithaca are owner-occupied. Perhaps IJ didn't attend the June public meeting that was attended by at least 15 residents of the Northwood Apartments who felt sufficiently "invested" in our community to come and speak to our Trustees about the new Dart park plans. Apartment dwellers cannot be classified out of hand as noisy nuisances – especially not apartment dwellers who might be paying \$1200-\$1800 a month for the privilege of living in our Village. Moreover, we would do well to remember that over 60% of the Village residents we represent are renters.

IJ's letter asserts that Lansing Trails properties will be "devalued," and the LTHA officers' email asserts that Lansing Trails property values will "plummet," in the wake of the proposed rezoning. These assertions are purely conclusory – but they do suggest what is at the heart of the objections that will likely be heard at tonight's Board of Trustees' meeting. There is no factual basis to assume that Lansing Trails property values will suffer at all from the rezoning. The specific development proposal that prompted the rezoning request is very attractive and relatively high end. Moreover, the relevant comparison to be made is whether a HDR development would have a more substantial negative impact on Lansing Trails property values than would a BTM development. Unfortunately, the tenor of IJ's letter and the LTHA email strongly suggests that the comparison that the authors are making is between a HDR development and no development at all.

To facilitate a fair consideration of the merits of the rezoning proposal, I offer the following reasons why the rezoning proposal merits favorable consideration:

- Tompkins County has an acute housing shortage, particularly in the City of Ithaca and the immediately surrounding suburbs. Adding more housing units here in the Village would help alleviate this shortage.
- Village areas currently zoned HDR are almost completely built out, and have been for decades. Creating a new HDR area would allow the Village to expand its housing stock.
- Many of our existing apartment communities are showing distressing signs of age and maintenance too long deferred. Adding a new community would provide options for renters looking for newer rental housing.
- The cost of building a new home in the Village increased by 80% between the 2000 and 2010 census (and I very much doubt they've gone down since 2010). During the same period, average household income in the Village increased by only 33%. Many people who live or would like to live in our Village cannot afford to build a home here. Adding a new rental community would provide additional housing options for those who cannot or don't want to build a new home. The fastest growing age groups in our Village are all over the age of 55. Many of them are looking to move into rental communities, and many of them cannot afford facilities like Kendall, and/or do not want to live in an age-segregated community. A new rental community would provide our downsizing seniors with new rental options.
- Tompkins County and its constituent communities (outside of the City of Ithaca) have experienced a substantial sales tax revenue shortfall. At the September 6 meeting of the County Legislature, County Administrator Joseph Mareane reported that county sales tax revenues decreased by approximately \$690,000 over the past year. Compensating for that decrease will consume fully half of the 3% increase in the County property tax levy next year. (The tax rate will decrease by 1.5%, but only because the tax base has expanded significantly. It's not clear how much of that is due to new construction, and how much to higher assessments.) Since people tend to shop where they live, a new apartment community in our Village would mean more shoppers and more sales tax revenue for the Village, Town, and County.
- The Bomax parcel at issue has been zoned BTM for decades, and has remained undeveloped and less than optimally productive of Village, Town, County, and School tax revenues. Meanwhile, our property taxes in Tompkins County are exceptionally high. It would appear that Cornell has abandoned the idea of using the Bomax parcel for BTM development, and wants to divest itself of the property. Under these circumstances, rezoning to facilitate sale and development of a parcel that has lain undeveloped for many years makes good fiscal sense. Increasing our tax base means that we won't have to increase our tax rate. (This would appear to be the strategy adopted by the Town of Lansing, which has approved several apartment developments in areas just north of the Village boundaries.)

IJ's letter asserts that "[t]he current zoning in place for three decades and the infrastructure in place work for existing housing and development has been very compatible, is well thought out, and should not be changed without identifying a compelling need to do so." This assertion blatantly misstates the standard for zoning revisions. The current zoning is what it is. It is not entitled to more weight than the proposed rezoning. The Village Comprehensive Plan states, *inter alia*, that the Village should "[e]ngage in regular and periodic reviews to determine if Village Zoning Law accurately reflects changing conditions and needs".

The rezoning proposal is entirely consistent with the Village zoning scheme that has been implemented over the past several years, and with the provisions of the Village Comprehensive Plan. It would provide an HDR buffer zone between BTM and MDR properties. It is consistent with the First Principle stated on page 23 of the Comprehensive Plan: it is proactive and methodical in planning for growth and development; it will enable the Village to provide for the needs of a growing segment of its population (downsizing seniors); and it is necessary to account for two changing circumstances here in our Village, *i.e.*, the need for additional housing options, and Cornell's changed plans for the property.

There are many sound reasons to proceed with a public hearing and consideration of the rezoning proposal before the Board of Trustees. However, the Board's decision to delay setting a public hearing has enabled IJ Construction and the LTHA to rally Lansing Trails residents to appear and comment on the rezoning - in a forum where theirs will be the only viewpoint presented. This appears distinctly undemocratic. Moreover, the objections of the Lansing Trails residents appear to be based largely on factually unsupported conclusions and fears that can only have been exacerbated by our failure, as Village officials, to provide our residents with the facts that would enable them to arrive at an informed opinion about the rezoning.

It should go without saying that we all represent the entire Village, and not just IJ construction and the 100 or so households in Lansing Trails. If this rezoning is appropriate under the facts and circumstances, and if it is good for the Village as a whole, we cannot allow one neighborhood to dictate our decision.

**Agenda**  
**Board of Trustees Meeting**  
**At The Village of Lansing Office**  
**2405 N. Triphammer Road**  
**September 19, 2016 @ 7:30pm**

7:30 Call To Order & Public Comment

7:35 Consider Setting a Public Hearing for Proposed Local Law 3 (2016)-Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing and Undeveloped Portion of the Business and Technology District on Bomax Drive on the Westerly Side of Warren Road, and to Incorporate the Re-Zoned Area into the Adjoining High Density Residential District

Eric Goetzmann to readdress a minor modification to the Lansing Meadows PDA as it relates to enlarging the Residential area (Area B) by offsetting, reducing protected Wetland/bird habitat (Area C) that will coincide with the recent approval he received from the Army Corps of Engineers to Modify the Lansing Meadows Senior Housing project.

Approve Minutes from July 18<sup>th</sup>, August 11<sup>th</sup> & 15<sup>th</sup> & Sept. 7<sup>th</sup>

Approve Vouchers

Mayor's Comments

General Discussion

Adjournment

## **PROPOSED LOCAL LAW 3 (2016)**

### **AMENDMENT OF THE VILLAGE OF LANSING CODE/ZONING LAW TO REZONE AN EXISTING AND UNDEVELOPED PORTION OF THE BUSINESS AND TECHNOLOGY DISTRICT ON BOMAX DRIVE ON THE WESTERLY SIDE OF WARREN ROAD, AND TO INCORPORATE THE RE-ZONED AREA INTO THE ADJOINING HIGH DENSITY RESIDENTIAL DISTRICT**

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

#### **SECTION I. PURPOSE AND INTENT.**

The purpose and intent of this Local Law is to amend the Village of Lansing Zoning Law and Zoning Map and to amend the Village of Lansing Zoning Law and Zoning Map so as to re-zone a 19.5-acre parcel of land (tax parcel number 45.1-1-51.12) currently in the Business and Technology District (BTD) and to be incorporated into the High Density Residential District (HDR). The parcel in question is located along Bomax Drive on the westerly side of Warren Road. Additionally, the parcel is contiguous to the High Density Residential District (HDR) and the Medium Density Residential District (MDR), as well and the Business and Technology District (BTD). The re-zoning of this parcel is intended to allow for a favorable and effective transition in the Zoning Districts, and further protect the Medium Density Residential District (MDR) areas. The proposed re-zoning action is intended to be consistent with the Village Comprehensive Plan.

#### **SECTION II. AMENDMENT.**

The Village of Lansing Zoning Law and Zoning Map are hereby amended so as to (i) re-zone a 19.5-acre parcel of land (tax parcel number 45.1-1-51.12) to be incorporated into the High Density Residential District (HDR). The parcel in question is located along Bomax Drive and is currently located in the Business and Technology District (BTD). Additionally, the parcel is contiguous to the High Density Residential District (HDR), Medium Density Residential District (HDR), and the Business and Technology District (BTD). Accordingly, the boundaries of the newly established additional High Density Residential District (HDR) area being provided by this Local Law and incorporated into the foregoing established amendment to the Village of Lansing Zoning Map as hereby specifically described as follows:

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Village of Lansing, County of Tompkins, State of New York, being bounded and described as follows:

**BEGINNING** at a point in the south line of Bomax Drive, said point being located approximately 897 feet westerly of the intersection of the south line of Bomax Drive and the present centerline of Warren Road;

RUNNING THENCE South 02° 12' 34" East along lands reputedly of Tompkins County IDA (677/62) and (790/301) for a distance of 684.44 feet to an iron pin found;

RUNNING THENCE South 87° 50' 27" West along lands reputedly of Northwood Associates (623/300) for a distance of 483.20 feet to an iron pipe found;

RUNNING THENCE South 88° 24' 55" West along lands reputedly of the Village of Lansing (472257-001) and lands reputedly of Klepack (645/726) passing through an iron pin found at a distance of 700.50 feet and continuing for a total distance of 796.70 feet to an iron pin found;

RUNNING THENCE North 05° 05' 57" East along lands reputedly of the Heights of Lansing Homeowners Association (502292-001) for a distance of 691.00 feet to an iron pin found;

RUNNING THENCE North 88° 24' 04" East along the south line of Bomax Drive for a distance of 878.40 feet to a point;

RUNNING THENCE North 87° 55' 04" East along the south line of Bomax Drive for a distance of 313.60 feet to the point and place of beginning.

Said parcel containing 19.460 acres.

For a more particular description thereof, reference is hereby made to a survey map entitled "Survey Map Showing Lands of Bomax Properties, LLC, Village of Lansing, Tompkins County, New York," dated July 10, 2008. prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York. Being a portion of the premises conveyed to Bomax Properties by warranty deed of Otto and Barbara Votapka dated June 27, 1988 and recorded June 27, 1988 in the Tompkins County Clerk's office in Liber 637 of Deeds at Page 338.

The above referenced and described parcel to be reclassified from its existing Business and Technology District (BTD) Zoning designation to a new High Density Residential District designation (HDR) and the aforesaid description of the new and additional boundaries of the High Density Residential District (HDR) incorporating such reclassified parcel, is depicted on a certain map entitled "Parcel Map" dated July 2016 prepared by Passero Associates, Rochester, New York, a copy of which is on file with the Village of Lansing.

**SECTION III. SUPERSEDING EFFECT.**

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

**SECTION IV. VALIDITY.**

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

**SECTION V. EFFECTIVE DATE.**

This Local Law shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

## Board Of Trustees Meeting Sept. 19, 2016

PLEASE SIGN IN

| Name                         | Address                   |
|------------------------------|---------------------------|
| ✓ Robert Abrams              | 53 Twin Glens Road        |
| ✓ Fran Benedict              | 1 Janivar Dr.             |
| ✓ Joe King                   | 5 Leaf Way                |
| ✓ Larry Falkham              | 1 Settlement Way          |
| ✓ Lisa Schleelein            | 975 Cayuga Hills Rd       |
| ✓ Lou Tafford                | 34 JANIVAR DR.            |
| ✓ LISA BONNIVELL             | 2 JUN STONE CIRCLE        |
| ✓ Roy HOG BEN                | 35 JANIVAR DR.            |
| - RON SIMONCINI              | REP. SOLOMON ORGANIZATION |
| ✓ Tatyana Duval              | 25 Janivar Dr.            |
| ✓ Pineda                     | Heights of Janivar        |
| ✓ <del>Beneta</del> McCarthy | 41 Janivar Dr.            |
| ✓ <del>Mark McCallum</del>   | " "                       |
| ✓ Danielle Fuld              | 31 Janivar Dr.            |
| ✓ Tim Bonniwell              | 2 Jun Stone Cir           |
| ✓ GREG Knute                 | 47 NW WAY                 |
| ✓ ANAS RASH (Anab)           | 52 NW WAY                 |
| ✓ Kay Hess                   | 54 New Way                |
| ✓ Michelle Eells             | 11 Ayla Way               |
| ✓ Greg Eells (Greg)          | 11 Ayla Way               |
| → Margaret Machinery         | 10 Leaf Way               |
| → Stella Rith                | 15 Leaf Way               |
| ✓ Deborah Dawson             | 51 Dart Drive             |
|                              |                           |
| ✓ Jess Sudol                 | Passero                   |
| ✓ Tom Ligner                 | Park Grove representative |
| - Andrew Bedewes             | Park Grove                |
|                              |                           |



## ★ Neighbors Decry Village Rezoning Proposal

News | Friday, September 23, 2016 | By Dan Veaner 



The Village of Lansing Hall was filled to capacity Monday as Trustees considered whether or not to begin a process that may change the zoning of a parcel on Bomax Road from a Business and technology district to High Density Residential zoning. Over 50 residents crowded into the meeting room, and nearly 20 addressed the board, most in opposition to rezoning the property that is near their neighborhoods.

The proposal was prompted by a proposed 140-apartment project that Park Grove Realty, LLC has proposed for the property that is between residential neighborhoods developed by the late Ivar Jonson and his wife Janet (IJ Construction of Ithaca) and the business/technology zone that includes the Cornell Business and technology Park by the Ithaca Tompkins Regional Airport.

"If this was in your neighborhood, how would you feel?" demanded Lisa Bonniwell, Ivar and Janet's daughter. "If you just bought a beautiful home and now they're considering putting an apartment complex a half mile away? It is personal. It's personal to each and everyone here. That's why we are here, because this is something that should not happen."

She said if a business were built on the parcel executives would want to buy in the existing neighborhood, and criticized the proposed development as not being friendly for senior living, and concluded that if the project is to be built in the Village it should be placed in an area that is already zoned for multi-residential development.

Janet Jonson simply said, "I'm speaking for Ivar. As you all know he meant it to be a certain way. So I am fighting for the way he thought it should be."



**10-Unit Apartments**  
 10-Unit Apartments  
 10-Unit Apartments  
 10-Unit Apartments

**Front Elevation**  
 10-Unit Apartments  
 w/ 2 Car Garage Ops

**James Fahy Design Associa**  
 Architecture & Engineering P.C.  
 Rochester, NY

The proposed project is for 140 apartment units on a property on Bomax Drive. The apartments would be spread among 14 Buildings, each with ten apartments -- four on the ground level and six upstairs. Each apartment would have its own entrance and garage. While the zoning change does not require that this project go forward, it would be impossible for the project to be located on the parcel unless the zoning is changed.

Mayor Donald Hartill tried to keep order in the room, explaining that the evening's proposal was strictly for the zoning change, not for the proposed apartment project. He noted that if the developers choose to go forward with the project it will be considered separately by the Planning Board.

"It's not about a specific project," explained Hartill. "It's about whether that's the right thing for the Village to do. This is about a zoning change, not about a project."

It may be unfortunate that state law dictates that a local law be proposed before a public hearing can be set. Residents complained bitterly about the lack of notice that a zoning change was being considered, noting they would not have known the Village Trustees planned to set a public hearing date if IJ Construction hadn't sent a letter urging them to attend. Village officials explained that once a public hearing time is set notice is placed in the local newspaper and on the Village Web site. Village Attorney David Dubow explained the local law would need to be officially proposed to start that process.

"They would introduce the actual local law at this meeting or some subsequent meeting," he said. "If nobody takes the opportunity to introduce that local law there is no action to be taken. For any member of the Board to initiate the process of review and evaluation of what's being proposed, that person would have to formally introduce the local law to the Board, in which case the Board would make a determination as to whether they want to

proceed and hold a public hearing."



It was stancing room only at the Village of Lansing Hall Monday night when residents spoke out against a proposed zoning change.

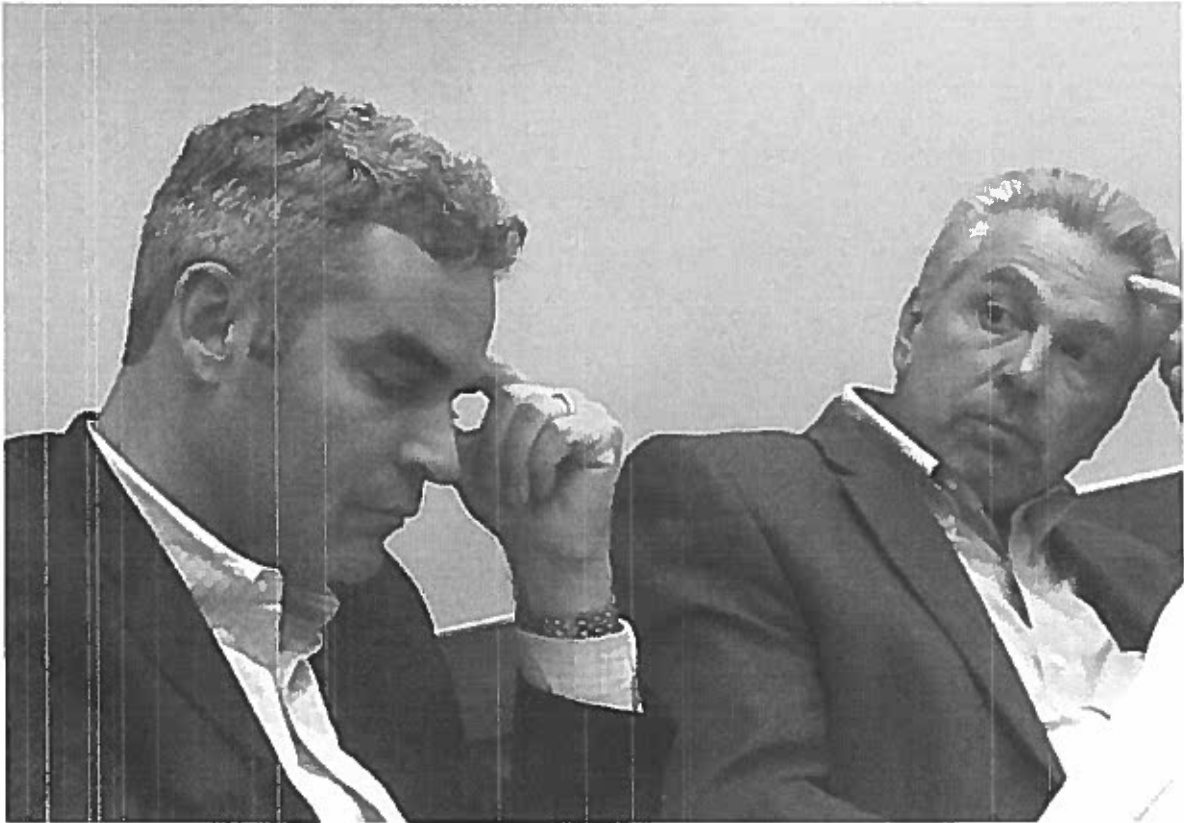
Many speakers expressed concerns about the impact on wildlife, trash, litter, traffic, empty units at nearby developments on Warren Road. Architect and engineer Larry Fabroni said the Jonsons had been invested in the area since 1989, developing townhouses and single family homes and neighborhoods with pathways and green spaces. He said a business on that property would not generate the volume of traffic 140 rental units would.

"It's a tremendous change, all day long, all weekend long. You'll have transient people living there now instead of workers who park and leave and enjoy the neighborhood — at lunchtime we have workers who walk the trails and enjoy the neighborhood as was planned. It's a dramatic change. It wasn't part of your comprehensive plan. it wasn't part of your zoning. I don't know why you'd even have a meeting to consider rezoning it based on what you've just been through for the last two or three years."

But Planning Board member Lisa Schleelein said the Planning Board consulted the comprehensive plan and found many reasons to support rezoning the parcel, including creating a buffer zone between residential and business zones.

"I would have to disagree that this isn't in concert with our comprehensive plan," she said. "In fact I think the whole area recognizes there is an urgent need for housing, period."

Schleelein, fellow Planning Board member Debra Dawson and representatives of the proposed development Jess Sudol and Tom LaVigne were frequently interrupted by residents. Sudol said the proposal is a 'down-zoning' for an upscale apartment project that would be compatible with existing neighborhoods and have less impact than a large industrial business. LaVigne, an equity partner in the project, was shouted down as he tried to explain why he believes the project would be good for the existing community.



Apartment project development Partners Andrew Bodewes (left) and Tom LaVigne attended the meeting to support the zoning change.

"What I'm hearing from all of you is you understand that we need to grow... you understand that we need places for people to live," Dawson said. "You understand that we need senior housing, but you don't want it in your back yard.

At this point she was interrupted with objections that there are other places to build such a project.

"Not in the Village of Lansing," she replied. "Over 95% of our residential property in the Village of Lansing is already built out. We still have a housing shortage. What's changed in our community is that Cornell no longer plans to have a business built on that property, and you should be happy for that because the things they could build there are horrible."

After the last speaker the board considered whether to propose the law in order to begin the process of considering the zoning change. Hartill outlines his view of pros and cons of rezoning the parcel.

"I find it not an easy choice," Hartill said. "I think we need to talk about it and set a public hearing so we can have a formal discussion. So I'd like to hear from my colleagues."

Trustee Ronny Hardaway read a prepared statement in favor of the proposed project. He noted the parcel has been vacant for decades, and Cornell University had evidently abandoned its intention to build business/technology projects with its willingness to sell the

property to Park Grove Realty. He noted that the Village Planning Board had reviewed the issue and recommended the zoning change to the Board of Trustees. He addressed the concerns raised by many of the speakers, noting that a transient population is a side effect of college faculty and students, and that the development would be a high end community with many features that would enhance the Village's overall plan.

Trustee Pat O'Rourke agreed with Hartill there should be a formal public hearing.

"I think we've heard a lot of very interesting arguments for and against," said Trustee Gerry Monaghan. "In order to do our due diligence it would be appropriate to have a public hearing. There is a lot to consider and I would like to hear more about it."

Monaghan moved the proposed local law and Hardaway seconded it. It was unanimously approved, and a public hearing was set for Monday, October 17th at 7:35pm.

v12i36

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cc Trustees  
file



September 19, 2016

Donald Hartill  
Mayor  
Village of Lansing  
2405 North Triphammer Road  
Ithaca, NY 14850

Re: Grove Realty Bomax Drive Project

Dear Don:

TCAD is aware of the proposed housing development on Bomax Drive that would require a zoning change from Business and Technology to Multi Family. Our primary consideration of this type of request is whether it would have an impact on the supply of land for high technology and advancement manufacturing development. These sectors are a major focus of TCAD's efforts to create quality employment opportunities for local residents. Based on the current and projected supply of and demand for land and buildings appropriate for high tech and advanced manufacturing, we believe this zoning change will not have a negative impact on our efforts to meet the needs of growing businesses in these sectors. Ironically, local businesses cite the lack of housing for employees as a major impediment to growth.

Sincerely,



Michael Stamm

*Tompkins County Area Development  
401 E. State Street/E. MLK Jr. Street  
Suite 402B  
Ithaca, New York 14850  
(607) 273-0005  
www.tcad.org*

**codeofficer2@vlansing.org**

---

**From:** codeofficer2@vlansing.org  
**Sent:** Monday, September 19, 2016 6:49 PM  
**To:** 'Don Hartill'  
**Subject:** RE: Question

Don,  
I believe that it is a total of 1,294 apartments in the Village that currently exist.

I guess that would equate to about a 9.76% increase.

Thanks,  
Marty

-----Original Message-----

**From:** Don Hartill [mailto:dlh13@cornell.edu]  
**Sent:** Monday, September 19, 2016 2:19 PM  
**To:** codeofficer2@vlansing.org  
**Subject:** Question

Hi Marty

Did you get a chance to estimate the fraction of undeveloped BT zoned land that the Bomax parcel represents? At one point I had a list of number of apartments in each of the apartment complexes in the Village which I have somehow misfiled. Would you have that information? Thanks and see you this evening. There will be a big crowd tonight.

Best regards Don=

Total Undeveloped B&T District Area

| <u>Parcel Number</u> | <u>Acreage</u> |
|----------------------|----------------|
| 44.1-1-53.3          | 26.05          |
| 44.1-1-53.13         | 11.67          |
| 44.1-1-53.13         | 2.48           |
| 45.1-1-51.12         | 19.46          |
| 45.1-1-51.11         | 3.61           |
| 45.1-1-55.2          | 36.06          |
| 45.1-1-55.1          | 8.51           |
| 45.1-1-59.2          | 28.37          |
| <u>45.1-1-55.10</u>  | <u>6.89</u>    |
| Total                | 143.1          |

143.1- 19.46= 123.64 Would be left over for futre development

By removing the 19.46 acres from the B&T District acreage, it would reduce the overall develpable area by 13.5

**Subject:** Apartments

**From:** Jay Franklin <Jfranklin@tompkins-co.org>

**Date:** 9/23/2016 11:34 AM

**To:** "clerk@vlansing.org" <clerk@vlansing.org>

Jodi,

Attached is the spreadsheet.

The (est) tax figures are the 2016 Assessment using 2016 Tax Rates (2017 rates have not been set by T/C/V). The School taxes are the (act)ual 2016 figures.

I have 4 parcels with notes – the 3 Solomon Group apartments are under a court order with a frozen assessment until 2019. Also when Conifer purchased the Village Meadows, they applied for RPTL 581-a status which slightly reduced their assessment (for a property that has an income test for some of their residents, I have to slightly change how it's valued. Depending on the project, it can receive anywhere from no 'abatement' to a 75% 'abatement'. This property is in the 5-10% range if my memory serves me correctly).

Jay

Jay Franklin  
Director of Assessment

Tompkins County Department of Assessment  
128 E Buffalo St  
Ithaca NY 14850  
607-274-5517

— Attachments: —

vlansing apartments.xlsx

11.3 KB

| Swis          | TaxMap       | Loc  | Location      | Owner                          | Land                  | Total             | Units        | Bedrooms     | Taxes          |                |               |                  | Notes |
|---------------|--------------|------|---------------|--------------------------------|-----------------------|-------------------|--------------|--------------|----------------|----------------|---------------|------------------|-------|
|               |              |      |               |                                |                       |                   |              |              | County (est)   | Town (est)     | Village (est) | School (act)     |       |
| 503201        | 45.2-1-23    | 104  | Brook         | Shipman, Keith                 | 30,000                | 185,000           | 4            | 4            | 1,245          | 446            | 204           | 3,269            |       |
| 503201        | 46.1-1-3.52  | 700  | Warren        | Northwood 10, LLC              | 140,000               | 15,100,000        | 271          | 452          | 101,578        | 36,405         | 16,610        | 266,812          | 1     |
| 503201        | 46.1-5-1     | 134  | Graham        | Pichel, Michael J              | 389,000               | 3,900,000         | 71           | 130          | 26,235         | 9,403          | 4,290         | 68,912           |       |
| 503201        | 46.1-5-3     | 100  | Graham Rd     | The Meadows at Ithaca LLC      | 970,000               | 7,700,000         | 109          | 217          | 51,798         | 18,564         | 8,470         | 136,057          | 2     |
| 503201        | 46.1-6-5.2   | 5    | Cinema        | Chateau Claire Family Lmt'd Pt | 270,000               | 1,900,000         | 32           | 56           | 12,781         | 4,581          | 2,090         | 33,572           |       |
| 503201        | 46.1-6-5.5   | 37   | Uptown        | Gaslight Village 10, LLC       | 750,000               | 8,100,000         | 143          | 262          | 54,489         | 19,528         | 8,910         | 143,125          | 1     |
| 503201        | 46.1-6-5.7   | 13   | Cinema        | Chateau Claire Family Lmt'd Pt | 267,000               | 1,900,000         | 32           | 56           | 12,781         | 4,581          | 2,090         | 33,572           |       |
| 503201        | 46.1-6-5.31  | 101  | Uptown        | Uptown Village LLC             | 450,000               | 3,900,000         | 48           | 120          | 26,235         | 9,403          | 4,290         | 68,912           |       |
| 503201        | 46.1-6-5.32  | 87   | Uptown        | 87 Uptown Rd, LLC              | 1,000,000             | 14,000,000        | 200          | 255          | 94,178         | 33,753         | 15,400        | 247,376          |       |
| 503201        | 46.1-7-99.21 |      | Yardley       | Kensington French Pntnrs, LLC  | 500,000               | 2,250,000         | 20           | 52           | 15,136         | 5,425          | 2,475         | 39,757           |       |
| 503201        | 47.1-4-6     | 2250 | N Tripphammer | Lansing West 10, LLC           | 1,300,000             | 10,400,000        | 180          | 300          | 69,961         | 25,073         | 11,440        | 183,765          | 1     |
| <b>Totals</b> |              |      |               |                                | <b>6,066,000</b>      | <b>69,335,000</b> | <b>1,110</b> | <b>1,904</b> | <b>466,419</b> | <b>167,160</b> | <b>76,269</b> | <b>1,225,129</b> |       |
|               |              |      |               |                                | 2016 Village Tax Levy | 513,086           |              |              |                |                |               |                  |       |
|               |              |      |               |                                | Apartment Share       | 14.86%            |              |              |                |                |               |                  |       |

Notes

- 1 - Assessment is frozen by Court Order until the 2019 Assessment Roll
- 2 - Property is subject to provisions of RPTL 581-a as it is under a regulatory agreement and rents to income qualified individuals.

**codeofficer2@vlansing.org**

---

**From:** Deborah Dawson <ithacadeborah@yahoo.com>  
**Sent:** Tuesday, September 27, 2016 3:26 PM  
**To:** Mario Tomei; Michael Baker; John Gilliott; Carolyn Greenwald; Lisa Schleelein  
**Cc:** Marty Moseley  
**Subject:** FYI  
**Attachments:** THINGS OUR COMPREHENSIVE PLAN ACTUALLY SAYS.docx

In evaluating Larry Fabbroni's submission to the Trustees, I thought it would be helpful to have a review of what our Comprehensive Plan actually says in provisions relevant to the rezoning proposal currently under consideration. Please see attached.

## THINGS OUR COMPREHENSIVE PLAN ACTUALLY SAYS

### CHAPTER 1: Planning for Land Use in the Village of Lansing

P2: "It was the strong desire of residents to establish regulations to control planning and development and preserve the integrity of residential areas in the face of commercial expansion."

P2: "Not surprisingly, the Village has changed since 2005. Infrastructure projects and improvements have addressed concerns raised in earlier iterations of the Comprehensive Plan, even as emerging demographic and economic trends suggest new directions for planning."

P3: "Demographic, economic, and regulatory trends that will have an impact on planning" include the following:

"Village residents are aging. Accommodating the needs of seniors will be a major planning concern in the years to come."

"The shortage of affordable housing in Tompkins County, Ithaca, and the Village of Lansing is a serious problem. The village should continue to encourage development of housing at a variety of size and price points."

"As of 2015, the Business and Technology Park employs over 1600 people at relatively high salary levels, and that number continues to grow. The Village should continue to maintain a mutually supportive relationship with the Business and Technology Park."

### CHAPTER 2: Existing Conditions, Resources and Trends

P7: "Undeveloped areas of the Village are dotted with woodlands" and "[l]arge tracts of woodlands are found . . . along both sides of Bomax Drive."

P8: "The fastest growing age groups among Village residents were . . . [55 and older]. By comparison, almost every other age group decreased. This trend is consistent with trends in the Town of Lansing and Tompkins County."

P8: "Overall population growth in the Village . . . was somewhat lower than in the Town of Lansing . . . and in Tompkins County as a whole. . ."

P9: "[T]he number of housing units in the Village increased by only 6.6% . . ."

P9: The number of occupied units increased by 3.2%, but the number of owner-occupied units increased by 17.7% . . ."

P9: "[T]he number of renter occupied units decreased. . . The vacancy rate in the Village has more than doubled . . . this appears to be an anomaly. . . likely attributable to the fact that the Village vacancy rate was less than half of the County vacancy rate in 2000, and was still lower than the County rate in 2010."

P10: "Census data reveal that housing in the Village is not affordable for a significant and growing percentage of its residents."

Paraphrasing: Given median household income of \$54,721 in the Village in 2010, a median purchaser putting 20% down could afford to pay \$171,000 for a home in the Village.

However, the median value of a home in the Village was \$253,000 in 2010, and the median value of an owner-occupied home in the Village was \$258,000 in 2011. Moreover, the average cost of building a new home in the Village increased by 80%, to \$298,118, from 1991-2000 to 2001-2010, while average income increased by only 33.28% during the same period.

### **CHAPTER 3: Implications for Planning**

P19: "The inventory of Village resources and trends provides the necessary baseline for future planning. . . . Existing conditions in the Village indicate possible constraints on growth, while demographic trends suggest optimal directions and opportunities for residential and commercial development."

P19: "All HDR parcels in the Village have been developed."

P19: "There are currently over 100 undeveloped subdivided lots, a PDA, and several hundred acres of raw land in the MDr and LDR areas of the Village."

P19: "The majority of the undeveloped lots and acreage are in the western half of the Village. . ."

P19: "Over the three decades between 1980 and 2010, the number of new housing units built in the Village averaged a little less than 10 per year. Given the slowing rate of population growth and the increasing costs of construction in the Village (and in Tompkins County as a whole), it is unlikely that the rate of new construction in the Village will increase dramatically . . ."

P19: "The volume of traffic than can be accommodated by north-south roads serving the western half of the Village [N. Triphammer Rd, Cayuga Heights Rd, and Route 34/East Shore Drive] is limited."

P20: "One traffic study indicates that proposed developments in the Town of Lansing (outside of the Village) would increase N. Triphammer Road traffic by 5%."

P20: "The majority of the undeveloped residential lots and acreage are in LDR areas of the Village that are not served by, or readily accessible to, existing sewer lines."

P20: "Any substantial residential development in the Village will require planning around the infrastructure limitations outlined above."

P20: "The Ithaca housing market and demographic trends in the Village suggest that planning strategies should include:

- Encouraging developers to build smaller, more affordable housing units; and
- Encouraging developers to build for an aging population."

P21: "Village planning requirements and oversight should reflect our continued commitment to . . . preserving the non-commercial character of residential areas . . ."

#### **CHAPTER 4: Planning Goals for the Village of Lansing 2025**

**P23: "FIRST PRINCIPLE:** The Village should be as proactive and methodical as possible in its approach to planning, developing, and maintaining the built environment and preserving the natural environment. Consistent with this principle, the Village should:

- Identify and plan for the needs of growing segments of Village population with special needs, *e.g.*, the elderly . . .
- Identify areas where residential . . . development can and should be concentrated . . . "

**P23: "HOUSING AVAILABILITY:** The Village should have a broad range of high quality, safe and attractive housing options for a diverse population that includes homeowners and renters, students, singles, families with children, seniors, and households living near, at or below the poverty level. Consistent with this goal, the Village should . . .

- Support local zoning strategies . . . that promote the development of housing appropriate in size, location, accessibility, and cost for many different types of households;
- Allow flexibility in residential density to complement established neighborhoods without necessarily duplicating lot sizes and layout;
- Encourage residential developers to:
  - Build homes in a variety of sizes;
  - Consider cluster developments;
  - Build housing that meets the needs of seniors. . . "

**P25: "CHARACTER:** The Village should strive to improve the quality, consistency, and aesthetics of the built environment in all areas to improve its overall character. Consistent with this goal, the Village should . . .

- Establish 'phased' zoning of commercial districts to provide a buffer between busy commercial districts and residential neighborhoods;
- Encourage well-designed physical and visual transitions between different land uses to minimize conflict. . . "

**P26: "LIVABLE NEIGHBORHOODS:** The Village should use every means at its disposal to ensure that residential neighborhoods remain safe, quiet, and removed from commercial activity. Consistent with this goal, the Village should . . .

- Ensure that future residential developments are designed as independent, self-contained neighborhoods with internal street systems that are adequate to the needs of the anticipated residents and that discourage through traffic. . . "

**P26-27: "RECREATION AND GREEN SPACE:** The Village should augment and maintain the system of trails, parks and open spaces that are accessible to all residents. Consistent with this goal, the Village should . . .

- Require developers to provide a comprehensive landscaping plan as part of the subdivision application and approval process; and

- Encourage residential development that preserves as much green and open space as possible.”

P27: “The Village should promote and manage plans and programs to protect and enhance the natural environment. Consistent with this goal, the Village should . . .

- Encourage development design that preserves as much green and open space as possible (*e.g.*, cluster development) . . .”

FW: Rezoning the area off Bomax Drive from "Business & Technol...

**Subject:** FW: Rezoning the area off Bomax Drive from "Business & Technology" to "Multi Family" to build the 140-unit housing project  
**From:** <codeofficer2@vlansing.org>  
**Date:** 9/27/2016 4:00 PM  
**To:** "Don Hartill" <DLH13@Cornell.edu>  
**CC:** "Jodi Dake" <clerk@vlansing.org>, "David Dubow" <ddubow@bgdmolaw.com>

Don,  
I thought you may want to be informed of this.

Marty

**From:** Patrick Gillespie <gillespiepd@hotmail.com>  
**Date:** September 25, 2016 at 9:47:30 PM EDT  
**To:** "ltha14850@gmail.com" <ltha14850@gmail.com>  
**Subject:** Fw: Rezoning the area off Bomax Drive from "Business & Technology" to "Multi Family" to build the 140-unit housing project

Hello all,

Below is a note from Tatyana Duval (25 Janivar Dr, [tp16@cornell.edu](mailto:tp16@cornell.edu)). We want to be respectful of everyone's in-box, but we felt this was a good read. I've also attached a map of the area in question thanks to Suzanne Wisor.

The Village of Lansing usually posts agendas on its web site ([www.vlansing.org](http://www.vlansing.org)). There is an agenda for the Planning Board's meeting on September 27.

Also posted is a notice about the Public Hearing regarding Local Law 3-2016 which deals with the proposed re-zoning.

*"The Board of Trustees will be holding a Public Hearing at 7:35pm on October 17th to consider Local Law 3(2016)-Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing and Undeveloped Portion of the Business & Technology District on Bomax Drive on the Westerly Side of Warren Road, and to incorporate the Re-Zoned Area into the Adjoining High Density Residential District. Copies of the proposed law can be found attached to the September 19th Board of Trustees Agenda on our website or at the Village Office. Thank you to everyone that voiced their comments and concerns at the September 19th meeting. If there are any questions please contact the Village Office."*

One last thing, we're looking for a few people to serve as a committee of sorts. The task is to take Tatyana's research, add to it and put it in a report that we can share with our neighbors, in addition to our board of trustees, county representatives and planning board, and local media. Ideally, the report would be completed by October 10, giving those we share it with a week to digest it. As it does appear a few members of the planning board have already made up their mind, we may be fighting a losing battle, but it can't hurt to be prepared and let our voice be heard.

Thank you,

Pat

---

**From:** Tatyana Duval <[tp16@cornell.edu](mailto:tp16@cornell.edu)>  
**Sent:** Sunday, September 25, 2016 2:31 PM  
**To:** Patrick Gillespie  
**Cc:** [RoyHogben1@gmail.com](mailto:RoyHogben1@gmail.com)  
**Subject:** Rezoning the area off Bomax Drive from "Business & Technology" to "Multi Family" to build the 140-unit housing project

Hello Patrick,  
Would you please forward my email to our neighbors.  
Thanks,  
Tatyana Duval  
25 Janivar Drive

Dear Neighbors:

You all received email of Patrick Gillespie (see email copy attached below) apropos of the meeting of the Village of Lansing Board of Trustees on September 19th at the Village Hall. Over 50 residents came and about 20 of us expressed our opinion mostly in the opposition to rezoning the property off Bomax Drive from "Business & Technology" to "Multi Family". You all voted and elected your representatives to respect and defend your interests. Have your voices been heard?

I would like to inform all, those who were present on September 19th at the Village Hall and particularly those who stayed home, about the important event that could dramatically change the way of your present living by bringing more pollution, much heavier traffic, and other issues associated with transient neighbors. On Monday, October 17 at 7:35pm there will be a public hearing held at the Village Hall about the issue of **rezoning and consequently building the 140-unit housing project near our neighborhood**. You have the last choice to voice your opinion to your elected officials.

The main issue for rezoning as indicated by the Planning Board member Lisa Schleelein is in the "urgent need for housing, period." That is remained to be seen because according to my data, we do not need more apartments in this village already heavily overwhelmed by the apartment units. By embracing the present zoning for "Business & Technology," we would encourage home owners and bring more jobs to our neighborhood.

As the data indicates **3,616** is the reported population of the Village of Lansing. Yet, there are **1,214** units of apartment housing in this Village. There are **383** units of apartments in the Town of Lansing. In addition, the new Village Solars on Warren Rd. is now in its first of three construction phases. The new Cayuga View Senior Living, **60** apartment units, near CFCU (Cinema Drive), are going to be build in the near future. With all the above, the Northwood Apartments, closely located to the property for rezoning, has a vacancy rate, contact [jgaffney@solomonorg.com](mailto:jgaffney@solomonorg.com). If we assume that the average is 2 bedrooms per apartment unit, then we have **2,428** bedrooms for rent in the Village of Lansing existing presently. With further calculations, we could assume that those who live in the houses are in the minority ( $3,616 - 2,428 = 1,188$ ). Do we need more apartments build or should we encourage the "Business & Technology" zoning? Please do not stay home, but come for the public hearing on Monday, October 17th at 7:35pm at the Village Hall to voice Your opinion to your elected officials. Hope to see you all at the public hearing.

Tatyana Duval

<http://www.lansingstar.com/news-page/13054-neighbors-decry-village-rezoning-proposal>

On Sep 17, 2016, at 11:15 PM, Patrick Gillespie <[gillespiepd@hotmail.com](mailto:gillespiepd@hotmail.com)> wrote:

Hi all,

The Village of Lansing Board of Trustees is meeting Monday at 7:30 p.m. at the Village Hall.

You may have received a flyer from IJ Construction Saturday afternoon stating its concerns with the 140-unit housing project off Bomax Drive. That area is currently zoned for Business & Technology", but the developer has requested the village to rezone the area as "Multi Family".

This will be your opportunity to voice your opinion to our elected leaders.

Some of the issues that have been brought to our attention regarding the project:

- The argument for keeping the parcel light industrial, similar to its neighbor, Transact, is a sound argument. There is also concern with the statement that a 150-foot buffer would be eliminated. Does that mean that all buffers in our neighborhood can disappear at the whim of the Trustees? It seems that a buffer is a lifetime buffer.
- A full environmental study of the site including wetland delineation and preliminary sizing of storm waterfacilities to see what land is appropriate for development is in order before moving to a rezoning consideration.
- There is concern that the value of homes in our neighborhood will definitely plunge if this project materializes.
- Also, additional traffic will be more consistent in our neighborhood with an additional 140-units build out. We've seen an increase in traffic during the morning & afternoon commutes (with an increase of speeding and failure to obey traffic control devices).
- One of the developers of this project, Park Grove Realty LLC of Rochester, bought the Chateau Claire apartment complex on Cinema Drive and immediately cut down approximately 20 willows, changing the look of that property forever.

Whether you are in favor or opposed to the rezoning, we encourage you to attend the meeting.

Sincerely,

Pat Gillespie, President  
John Wisor, Acting Vice President  
Roy Hogben, Treasurer

---

— Untitled attachment 00041.htm

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— Attachments:

|                               |           |
|-------------------------------|-----------|
| Bomax - Rezone map.pdf        | 557 KB    |
| Untitled attachment 00041.htm | 166 bytes |



Google earth



Village of Lansing  
Planning Board Meeting  
September 27, 2016

The meeting of the Village of Lansing Planning Board was called to order at 7:00PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Mike Baker, Deborah Dawson, John Gillott, and Lisa Schleelein; Alternate Member, Carolyn Greenwald; Code Enforcement Officer, Marty Moseley; Village Trustee Liaison, Ronny Hardaway; Village Attorney, David Dubow; Courtney and Michael Freeman, McDonalds; Tom LiVigne and Andy Bodewes, Park Grove Realty; Matt Moore, Passero Associates; Eric Goetzmann, Lansing Meadows; Manly Thaler, CU Suites; residents Janet Jonson and Lisa Bonniwell.

Absent: None.

**Public Comment Period**

Tomei opened the public comment period. With no one wishing to speak, Gillott moved to close the public comment period. Seconded by Schleelein; Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

**Classification and Possible Consideration for Alteration to an Existing Special Permit #1501:**

Alteration to the McDonalds parking arrangement and planting plan.

Tomei read the letter from the Feehans requesting an amendment to the existing special permit as it pertains to parking and landscaping. They would like to revert to the original plan to have large vehicles park at the southern end and eastern side and walk in customers to the north and west. Informal polling of customers and observation has indicated this is a more desirable approach. Most busses come in the evening and there have been no complaints from abutting properties as to where they are parking. Handicap parking, striping, etc. is as originally approved. Moseley suggested some No Parking signage on the south end to ensure emergency vehicles have access.

Tomei and Moseley visited the site recently and Tomei said he withdraws the previous condition to install a bollard next to the trash enclosure because there is a drain in that area.

The landscaping request was to have the drive-through islands seeded with grass, as the mulch catches fire from discarded cigarette butts. Some plants were also removed for sidewalk connectivity.

Dawson moved to accept the requested amendment as a minor change. Seconded by Gillott. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

Schleelein moved to accept the amendment with the following new conditions:

1. Remove the condition to install a bollard by the trash enclosure
2. Striping and no parking and stop signs to be approved by the Code Officer and Fire Chief
3. Landscaping to be amended to the present plan

Seconded by Baker. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

**Alteration to the Lansing Meadows Planned Development Area:**

Eric Goetzmann to readdress a minor modification to the Lansing Meadows PDA as it relates to enlarging the Residential area (Area B) by offsetting, reducing protected Wetland/bird habitat (Area C) that will coincide with the recent approval he received from the Army Corps of Engineers to Modify the Lansing Meadows Senior Housing project.

51 At the September 19, 2016 Trustee meeting, Goetzmann requested the Board of Trustees to approve an  
52 amendment to the subject PDA and accept a new map designating the wetland as a narrower area along  
53 the southern border. The Trustees referred the matter to the Planning Board for a recommendation. In  
54 2011 Goetzmann opened a nation-wide permit request with the US Army Corps of Engineers (USACE) to  
55 mitigate and redevelop the wetland on the Lansing Meadows site by reducing the wetland and increasing  
56 the density of the housing. He presented the new map and explained that the USACE has given approval  
57 to a swap of wetlands allowing a new plan with a narrow swath of wetlands at the southern border which  
58 will allow a density increase of the housing. He has a permit in hand but will not get the final sign off  
59 from the USACE until the existing permit is closed and a new nation-wide permit for the new map  
60 showing the alteration and reduction of the wetland is opened. He is requesting that the Planning Board  
61 recommend to the Board of Trustees that the existing map be amended to the new map which would  
62 become the new permitted use for the PDA. The Trustees had informally indicated that they thought this  
63 change could be considered a minor change but deferred to the Planning Board.

64  
65 There was a brief discussion of water flow and how much acreage is gained with the new plan, there  
66 being no need to second guess the USACE, and a few question to Goetzmann about future housing plans.

67  
68 Gillott moved to classify the amendment as a minor change and to recommend that the new overlay map  
69 replace the original A, B overlay district to match the new build area designated by the USACE.  
70 Seconded by Schleelein. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein.

71  
72 **Public Hearing to Consider:**

73 Special Permit 4006, Triphammer Apartments Inc., to construct an approximate 425 square foot office  
74 building, three separate covered parking garages with a combined total square footage of approximately  
75 6,351 square feet, and provide for an additional 17 parking spaces with a total of 113 parking spaces at 5  
76 & 13 Cinema Drive in the High Density Residential District, Tax Parcel Nos. 46.1-6-5.2, & 46.1-6-5.7.  
77 Special Permit review is required pursuant to Section 145-41D(1)(k) & 145-41D(1)(l) of the Village of  
78 Lansing Code.

79  
80 Tomei opened the public hearing to consider Special Permit #4006 by reading the legal notice.

81  
82 Moseley began the discussion with a report to the Board explaining the nature of the special permit  
83 request, indicating that the proposed parking is within Village standard requirements, and noting that a  
84 Stormwater Protection Prevention Plan is not required as soil disturbance activity is less than 1.0 acre, but  
85 a short EAF and SEQRA resolution are required.

86  
87 Bodewes continued the discussion reiterating much of what had been discussed at an informal  
88 presentation to the Planning Board on September 27<sup>th</sup>—the ongoing roof replacement, interior  
89 rehabilitation, addition of an on-site manager currently working out of one of the vacant apartments. He  
90 indicated that landscaping plans will need further revision to install smaller trees and the intention to have  
91 more foundation plantings, that there will be some changes to the street lighting, and it is now the intent  
92 to initially install only two garages, with the third garage being phased in at a later time.

93  
94 Driveway pavement area and traffic flow was discussed. There is currently no 2-way drive through area  
95 at the east end of the driveways. Dawson asked when the third garage might be phased in. Bodewes  
96 indicated it could be two or more years; the intent is to only build what is needed. Dawson suggested that  
97 the board review the entire project with phase 2 included. All agreed.

98 Schematic elevations for the garages were provided. There were no changes to the office building plans  
99 previously submitted. Greenwald asked about dumpster locations.

100  
101 The Board generally requested additional shrubs and trees where possible to soften the look of the ends of  
102 the apartments and between the garages. Tomei stated that a new landscaping plan will be required as  
103 well as a final lighting plan that will need to be submitted to the Lighting Commission for review.

104  
105 Tomei added that they have also received the Village Engineers report which he read to the Board.

106  
107 **ENGINEER'S REPORT**

108  
109 *DATE: September 27, 2016*  
110  
111 *TO: Village of Lansing Planning Board*  
112  
113 *FROM: Brent Cross, PE*  
114  
115 *RE: Triphammer Apartments Parking Structures*

116  
117 *I have reviewed the plans for the site improvements proposed at the above referenced property to*  
118 *construct new parking structures and a small office, as required for approval of a Special Permit for this*  
119 *project. I have the following observations and comments:*

120  
121 *The layout of the new parking garages maintains a good flow of traffic around the existing driving aisles*  
122 *and parking spaces. The plan indicates that the driving aisles will vary in width from 12.3' (near east)*  
123 *upto 21' in front of the first building (southwest corner). Good engineering practice would be to provide*  
124 *20'-24' wide aisles for two-way traffic. I suspect that some of the proposed widths are existing. I*  
125 *recommend that the plan be revised to a minimum of 20' for all aisles except where traffic would only be*  
126 *expected to flow in one direction.*

127  
128 *The new buildings and associated pavement will require the removal of "greenspace", thereby increasing*  
129 *the stormwater run-off from the new impervious surfaces. It is my understanding that the disturbed area*  
130 *will be less than the 1 acre impact that would otherwise require a full NYSDEC Stormwater Management*  
131 *Plan. Even though this project may not need a NYSDEC permit, it has been the practice of the Village to*  
132 *require smaller projects to provide stormwater management practices as much as possible. Since there is*  
133 *a natural slope from east to west, and there is a proposed greenspace at the west end of the site, it seems*  
134 *likely that the project could incorporate a small basin (rain garden or bio-retention filter) with an outlet*  
135 *as proposed into the existing Village storm sewer system. I recommend that a condition be made to have*  
136 *the developer submit a stormwater management plan for approval by the Village Engineer and*  
137 *Stormwater Management Officer prior to issuance of a building permit.*

138  
139 *The Village owns a public water main that exists in an easement through the middle of this site. Since the*  
140 *new parking garages and office are proposed to be construction in the middle of the site, they are*  
141 *proposing to relocate the existing 6" water main approximately (undimensioned) 20' to the south. I*  
142 *suspect that this will move the Village owned water main outside of the currently deeded easement area,*  
143 *which could require the owner to provide the village with a revised legal description of the location. Also,*  
144 *the proposed plans should be reviewed and approved by Bolton Point and the Village of Lansing*

145 Superintendent of Public Works. There is also a notation about an underground electric easement in the  
146 same area of the site. I am not sure if this requires the location of electric utilities.

147  
148 The existing dumpster is proposed to be relocated to the east end of the site. A dumpster enclosure is  
149 indicated, but no details are provided. With the dumpster at the opposite end of the site, I am curious if it  
150 will be utilized as effectively since residents will need to travel to the opposite direction of the path of  
151 egress from the site, making it "out of site...out of mind"

152  
153 No information was provided on lighting.

154  
155 Based on the above observations, I recommend that the Special Permit be approved with conditions for  
156 submittal of revisions/details of: asphalt aisles; stormwater management; and water main location details  
157 to be submitted to the appropriate departments before issuance of building permit.

158  
159 Moseley mentioned that the dumpster area to the east does not allow for through traffic. Baker asked  
160 about any traffic complaints in this regard, and Bodewes indicated that there have been none to date.  
161 Dawson said less pavement is better than too much and it was agreed that a good solution would be to  
162 post no through traffic signs and keep the current driveways unconnected.

163  
164 Tomei said that the special permit application was submitted under the Chateau Claire name and will need  
165 to be revised to reflect that the name is now Triphammer Apartments.

166  
167 Moseley indicated that he has received proof of mailings from the applicant as required by the Village  
168 Code.

169  
170 Tomei read the Short Environmental Assessment Form (EAF) Part 1. The Planning Board then worked  
171 through EAF Part 2. After discussion, the Board filled in the appropriate areas prior to determining that  
172 the proposed action will not result in any significant adverse environmental impacts.

173  
174 Tomei indicated that the Village has received the required review of the proposal from the Tompkins  
175 County Planning Department, as required by General Municipal Law 239 -l, -m, and -n. The Department  
176 has reviewed the proposal as submitted and has determined that it has no negative inter-community or  
177 county-wide impacts. The Village of Cayuga Heights did not respond within the required 30 days.

178  
179 Tomei read the Resolution for SEQR Review of Special Permit #4006. Greenwald inquired about the  
180 importance of the 0.95 acre reference and Dawson explained that anything under 1.0 acre of disturbance  
181 does not require a Stormwater Protection Prevention Plan. She also reconfirmed that the Planning Board  
182 would be approving all three (3) garages with this resolution. Tomei said that the special permit  
183 application and the Short EAF would both need to be amended to reflect the change from 2 to 3 garages.

184 Dawson moved the SEQR resolution:  
185

186 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SEQR REVIEW OF SPECIAL**  
187 **PERMIT NO. 4006 ADOPTED ON SEPTEMBER 27, 2016**  
188

189 *Motion made by:* \_\_\_\_\_ Deborah Dawson \_\_\_\_\_  
190

191 *Motion seconded by:* \_\_\_\_\_ John Gillott \_\_\_\_\_  
192

193 **WHEREAS:**  
194

195 *This matter involves consideration of the following proposed action: Special Permit 4006, Triphammer*  
196 *Apartments Inc., to construct an approximate 425 square foot office building, three separate covered*  
197 *parking garages with a combined total square footage of approximately 6,351 square feet, and provide*  
198 *for an additional 17 parking spaces with a total of 113 parking spaces at 5 & 13 Cinema Drive in the*  
199 *High Density Residential District, Tax Parcel Nos. 46.1-6-5.2, & 46.1-6-5.7. Special Permit review is*  
200 *required pursuant to Section 145-41D(1)(k) & 145-41D(1)(l) of the Village of Lansing Code; and*  
201

202 *On September 27, 2016, the Village of Lansing Planning Board, in performing the lead agency function*  
203 *for its independent and uncoordinated environmental review in accordance with Article 8 of the New*  
204 *York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i)*  
205 *determined that the proposed action provided for herein is an Unlisted Action in accordance with SEQR;*  
206 *(ii) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part 1, and any*  
207 *and all other documents prepared and submitted with respect to this proposed action and its*  
208 *environmental review [including any Visual Environmental Assessment Form deemed required, and*  
209 *comments and recommendations, if any, provided by the Tompkins County Department of Planning in*  
210 *accordance with General Municipal Law Sections 239-l and -m]; (iii) completed its thorough analysis of*  
211 *the potential relevant areas of environmental concern to determine if the proposed action may have a*  
212 *significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section*  
213 *617.7(c); and (iv) completed the Short EAF, Part 2);*  
214

215 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**  
216

217 1. *The Village of Lansing Planning Board, based upon (i) its thorough review of the Short EAF,*  
218 *Part 1, and any and all other documents prepared and submitted with respect to this proposed action and*  
219 *its environmental review [including any Visual Environmental Assessment Form deemed required, and*  
220 *comments and recommendations, if any, provided by the Tompkins County Department of Planning in*  
221 *accordance with General Municipal Law Sections 239-l and -m], (ii) its thorough review of the potential*  
222 *relevant areas of environmental concern to determine if the proposed action may have a significant*  
223 *adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and*  
224 *(iii) its completion of the Short EAF, Part 2, including the findings noted thereon (which findings are*  
225 *incorporated herein as if set forth at length), hereby makes a negative determination of environmental*  
226 *significance ("NEGATIVE DECLARATION") in accordance with SEQR for the above referenced*  
227 *proposed action, and determines that an Environmental Impact Statement will not be required; and*  
228

229 2. *The Responsible Officer of the Village of Lansing Planning Board is hereby authorized and*  
230 *directed to complete and sign as required the Short EAF, Part 3, confirming the foregoing NEGATIVE*

231 **DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of  
232 this Resolution.

233

234 The vote on the foregoing motion was as follows:

235 **AYES:** Mario Tomei, Lisa Schleelein, John Gillott, Deborah Dawson, and Mike Baker

236 **NAYS:** None

237 The motion was declared to be carried.

238

239 There being no further input from the public, Baker moved to close the public hearing. Seconded by  
240 Gillott. Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein. Nays: None.

241

242 Tomei read the general conditions for special permits, section 145-59E. The Board evaluated the special  
243 permit application against the required general conditions and determined that the general conditions have  
244 been met. Schleelein moved that all general conditions, in accordance with section 145-59E, have been  
245 met. Seconded by Dawson; Ayes by Tomei, Baker, Dawson, Gillott, and Schleelein. Nays: None.

246

247 Dawson move the special permit resolution with conditions:

248

249 **VILLAGE OF LANSING PLANNING BOARD RESOLUTION FOR SPECIAL PERMIT NO. 4006**  
250 **ADOPTED ON SEPTEMBER 27, 2016**

251

252

253 Motion made by: Deborah Dawson

254

255 Motion seconded by: Mike Baker

256

257 **WHEREAS:**

258

259 This matter involves consideration of the following proposed action: Special Permit 4006, Triphammer  
260 Apartments Inc., to construct an approximate 425 square foot office building, three separate covered  
261 parking garages with a combined total square footage of approximately 6,351 square feet, and provide  
262 for an additional 17 parking spaces with a total of 113 parking spaces at 5 & 13 Cinema Drive in the  
263 High Density Residential District, Tax Parcel Nos. 46.1-6-5.2, & 46.1-6-5.7. Special Permit review is  
264 required pursuant to Section 145-41D(1)(k) & 145-41D(1)(l) of the Village of Lansing Code; and

265

266 On September 12, 2016, the special permit application and additional information and materials for the  
267 proposed action were presented for preliminary review by the Village of Lansing Planning Board, at  
268 which time such application, information and materials were preliminarily evaluated, questions were  
269 posed and responses offered, and any public comments were permitted, after which the Planning Board  
270 determined that a formal public hearing thereon be scheduled for September 27, 2016; and

271

272 On September 27, 2016, the Village Lansing Planning Board opened a public hearing for the initial  
273 purpose of (i) eliciting public comment on environmental issues regarding this proposed action, and (ii)  
274 reviewing and evaluating the materials and information presented by and on behalf of the applicant in  
275 support of this proposed action; and

276

277 On September 27, 2016, the Village of Lansing Planning Board, in performing the lead agency function  
278 for its independent and uncoordinated environmental review in accordance with Article 8 of the New

279 *York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i)*  
280 *thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part 1, any and all*  
281 *other documents prepared and submitted with respect to the proposed action and its environmental*  
282 *review [including any Visual Environmental Assessment Form deemed required, comments and*  
283 *recommendations, if any, provided by the Tompkins County Department of Planning in accordance with*  
284 *General Municipal Law Sections 239-l and -m]; (ii) reviewed environmental related comments from the*  
285 *public; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to*  
286 *determine if the proposed action may have a significant adverse impact on the environment, including the*  
287 *criteria identified in 6 NYCRR Section 617.7(c); (iv) completed the Short EAF, Part 2; and (v) made a*  
288 *negative determination of environmental significance ("Negative Declaration") in accordance with*  
289 *SEQR for the proposed action and determined that an Environmental Impact Statement would not be*  
290 *required; whereupon, having completed the SEQR review and having made its SEQR determination, it*  
291 *was established that the special permit application was complete; and*  
292

293 *On September 27, 2016, the Village of Lansing Planning Board thereafter continued the public hearing*  
294 *on the proposed action and further reviewed and analyzed (i) the materials and information presented by*  
295 *and on behalf of the applicant in support of the proposed action, including any additional information*  
296 *and materials related to environmental issues, if any, which the Board deemed necessary or appropriate*  
297 *for its review, (ii) all other information and materials rightfully before the Board [including comments*  
298 *and recommendations, if any, provided by the Tompkins County Department of Planning in accordance*  
299 *with General Municipal Law Sections 239-l and -m], (iii) all issues raised during the public hearing*  
300 *and/or otherwise raised in the course of the Board's deliberations, and (iv) possible modifications and/or*  
301 *conditions that might be imposed in conjunction with any special permit approval to be granted,*  
302 *whereupon, the public hearing was closed; and*  
303

304 *On September 27, 2016, in accordance with Section 7-725-b of the Village Law of the State of New York*  
305 *and Sections 145-59, 145-60, 145-60.1 and 145-61 of the Village of Lansing Code, the Village of Lansing*  
306 *Planning Board, in the course of its further deliberations, reviewed and took into consideration (i) the*  
307 *general conditions required for all special permits (Village of Lansing Code Section 145-59E), (ii) any*  
308 *applicable conditions required for certain special permit uses (Village of Lansing Code Section 145-60,*  
309 *and (iii) any applicable conditions required for uses within a Combining District (Village of Lansing*  
310 *Code Section 145-61);*  
311

312 ***NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:***  
313

314  
315 *1. The Village of Lansing Planning Board hereby finds (subject to the conditions and requirements,*  
316 *if any, set forth below) that the proposed action meets (i) all general conditions required for all special*  
317 *permits (Village of Lansing Code Section 145-59E), (ii) any applicable conditions required for certain*  
318 *special permit uses (Village of Lansing Code Section 145-60), and (iii) any applicable conditions*  
319 *required for uses within a Combining District (Village of Lansing Code Section 145-61); and*  
320

321 *It is hereby determined by the Village of Lansing Planning Board that Special Permit No. 4006 is*  
322 ***GRANTED AND APPROVED***, *subject to the following conditions and requirements:*  
323

324 *Required permits, approvals, consents and other authorizations from all applicable Federal, State,*  
325 *County and local governmental and regulatory agencies shall be obtained, maintained and complied with*  
326 *for all permitted improvements, operations and activities as authorized by this special permit approval,*

327 *and such improvements, operations and activities shall at all times comply with all applicable Federal,*  
328 *State, County and local laws, codes, rules and regulations.*

329  
330 *Soil and Erosion control measures shall be implemented and coordinated as required, and approved by*  
331 *either the Village of Lansing Code Enforcement Officer and/or the Village of Lansing Engineer.*

332  
333 *Prior to the building permit being issued, the Lots in question for 5 and 13 Cinema Drive, Tax Parcel*  
334 *Nos. 46.1-6-5.2, & 46.1-6-5.7., shall be consolidated and verification of the consolidation shall be*  
335 *provided to the Code Enforcement Officer from the Tompkins County Assessment or Clerks Office.*

336  
337  
338 *Prior to a building permit being issued, the Superintendent of Public Works and Bolton Point Water shall*  
339 *review and approve the proposed installation of the relocated water line. A new easement for the*  
340 *proposed waterline shall be submitted to and approved by the Village Attorney.*

341  
342 *Stormwater practices, such as rain gardens, bio-retention facilities, swales, filtrations systems, etc. shall*  
343 *be implemented for the new impervious area prior to entering the Village stormwater conveyance system*  
344 *and shall be reviewed and approved by the Village of Lansing Engineer or Stormwater Management*  
345 *Officer.*

346  
347 *Prior to a building permit being issued, an exterior lighting plan shall be submitted to and approved by*  
348 *the Village Lighting Commission.*

349  
350 *Prior to a building permit being issued, a revised landscaping plan shall be submitted to and approved by*  
351 *the Planning Board. In addition to the above approval, the Superintendent of Public Works shall verify*  
352 *that the plantings included in the landscaping plan, over the existing and proposed waterlines and sewer*  
353 *lines, will not negatively impact both the proposed and existing Village utilities for both 5 and 13 Cinema*  
354 *Drive, Tax Parcel Nos. 46.1-6-5.2, & 46.1-6-5.7.*

355  
356 *Prior to a Certificate of Compliance being issued, signage shall be installed indicating that, at the east*  
357 *end of the site, there will be no thru-traffic.*

358  
359 *Prior to a building permit being issued, a maintenance agreement shall be submitted to and approved by*  
360 *the Village Attorney, Village Engineer, and Village Stormwater Management Officer pertaining to the*  
361 *stormwater facilities.*

362  
363 *The vote on the foregoing motion was as follows:*  
364 *AYES: Mario Tomei, Deborah Dawson, Mike Baker, Lisa Schleelein, and John Gillott.*

365  
366 *NAYS: None*

367  
368 *The motion was declared to be carried.*

369  
370 **Approval of Minutes**

371 *None*

372  
373 **Trustee Report**

374 *None, as all Planning Board members were present at the September 19<sup>th</sup> Trustees meeting.*

375 *For a complete report of the meeting please see the Trustee minutes.*

376

377 **Other Business**

378 Dawson said she is reviewing the Tompkins County Housing Assessment Model. Dawson and Schleelein  
379 also said they had reviewed a letter from Larry Fabbroni with reference to the Comprehensive Plan.  
380 Dawson will be sending an internal rebuttal to the Board on this matter.

381  
382 Dubow suggested that everyone look at the Comprehensive Plan with respect to the rezoning request on  
383 Bomax.

384  
385 Schleelein said that regardless of the outcome with that particular parcel, that there are other parcels in the  
386 Village that need to be reviewed and updated with the Comprehensive Plan in mind, one being on Warren  
387 Road near the Arleo office building. Baker said he had just noted that that area needs to be looked at as  
388 the current zoning designation makes no sense. There is also an MDR parcel near the south east corner  
389 that may need to be re-zoned.

390  
391 There was continued discussion of housing needs in the Village and the lack of smaller houses for those  
392 wishing to down size. Dawson noted that the greatest identified need for housing is in the \$150-200K  
393 range, there being less need for houses greater than \$300K at about 8 units per year. Gillott concurred.  
394 Schleelein said she thought that Lansing Trails II (Cayuga Heights) was going to be more like Lansing  
395 Trails I and would have been more in keeping with the greatest need.

396  
397 Dawson indicated she has some concerns about the rezoning recommendation being considered  
398 segmentation. Dubow said it is a very complicated issue. There was continued discussion about the  
399 rezoning on Bomax, the proposed project, the Fabbroni letter, the lack of control at the Board of Trustees  
400 September 19<sup>th</sup> meeting, the need for civility by all attendees at public meetings, traffic impact in the  
401 proposed area as well as Bush Lane and Dart Drive, and the fact that any development on the Bomax  
402 parcel will create change and impact traffic and the land. Dubow said it is likely there will be another  
403 traffic study evaluating industrial versus residential use. Dawson reiterated that Bomax and the  
404 connecting roads are public ways for all Village residents, not private streets only for Lansing  
405 Trails/Cayuga Heights residents' use.

406  
407 **Adjournment**

408 Gillott moved to adjourn at 9:19 PM. Seconded by Baker; Ayes by Tomei, Baker, Dawson, Gillott, and  
409 Schleelein.





September 28, 2016

Mayor Donald Hartill  
Village of Lansing  
2405 Triphammer Rd  
Ithaca, NY 14850

Dear Mayor Hartill:

I am writing in support of the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family.

My company is hopeful that the local marketplace will produce a range of housing opportunities. For this reason, we believe the Park Grove project will help fill some of the housing needs not available to the Tompkins County community currently. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support a widely diverse community.

As a local employer, recruiting talent to Tompkins County can be challenging for a variety of reasons, including the lack of certain housing opportunities. I feel this proposed concept may help by providing another alternative.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen E. Snyder', written in a cursive style.

Stephen E. Snyder  
Vice President Global Manufacturing Strategy  
BorgWarner Morse Systems



September 29, 2016

The Honorable Donald Hartill  
Mayor, Village of Lansing  
2405 Triphammer Road  
Ithaca, NY 14850

Dear Mayor Hartill:

I am writing this letter in support of the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family.

Tompkins Cortland Community College believes the Park Grove project will help fill some of the housing needs not available to the Tompkins County community at the present time. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community. As a local employer, recruiting to Tompkins County can sometimes be challenging due to the lack of certain housing opportunities and I feel this concept may help by providing another alternative.

Your favorable consideration of this zoning modification is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl E. Haynes".

Carl E. Haynes, Ph.D.  
President

September 30, 2016

James A. Brown  
313 N. Aurora St.  
Ithaca, NY 14850

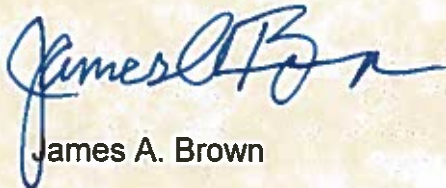
Mayor Donald Hartill  
Village of Lansing  
2405 Triphammer Rd.  
Ithaca, NY 14850

Dear Mayor Hartill:

As a long-term Tompkins County resident and employer as United Way of Tompkins County's President and CEO, I have seen the need and importance of a strong continuum of housing resources from multiple perspectives. Like many other employers, I have lost strong and highly qualified employment candidates due to their inability to find suitable housing in the county. I have also lost bright and contributing new employees because they were unable to find housing that met their needs.

I ask that you strongly consider the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family. From my work and experience as an area resident, I am hopeful that the local marketplace will produce the currently needed range of housing opportunities. For this reason, I believe the Park Grove project will help fill some of the housing needs not available to the Tompkins County community at the present time. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community. I feel this concept can help by providing another and needed housing alternative.

Sincerely,



James A. Brown

## R & A PROPERTY MANAGEMENT

11 Dandyview Heights  
Lansing, NY 14882  
Ph (607) 533-3635



Mayor Donald Hartill

Village of Lansing

2405 N. Triphammer Rd

Ithaca NY 14850

Dear Mr. Mayor,

I am writing this letter to support the rezoning of the Industrial acreage to Multi-family as proposed by Park Grove Realty. As you are aware I own 3 properties in the Village which are leased to over 20 commercial tenants. Whenever I entertain a new tenant lease one the first questions they ask is the availability of quality, market rate residential rentals for their managers and employees. Many of our tenants are tech based or professional entities which have advanced degree employees and all pay wages above the County living wage.

I also come across many friends who are empty nesters who want to sell their single family home and move into a quality apartment with garage and amenities so that they can be close to services and be able to travel and not have to be wary of unoccupied residence.

The Northeast part of the County has a number of apartments but not many high end units. There is also plenty of available space currently developed for business tech as well as acreage that can be developed, so the down zoning would not impact the Village negatively.

I hope this letter helps you and the Board of Trustees approve this rezoning.

Sincerely,

Andy Sciarabba

September 30, 2016

**Subject:** FW: Board of Trustees meeting this Monday  
**From:** "Ronny Hardaway" <rjhardaway@yahoo.com>  
**Date:** 9/21/2016 9:30 AM  
**To:** "Jodi Dake" <clerk@vlansing.org>

Hi Jodi,

Here is the letter that John O'Neill sent to the BOT from the Lansing Trails Homeowners Association.

*Ronny*

**From:** o [mailto:johnoneil5@aol.com]  
**Sent:** Sunday, September 18, 2016 10:29 AM  
**To:** dlh13@cornell.edu; gmonaghan22@yahoo.com; rjhardaway@yahoo.com; patithaca@aol.com  
**Subject:** Fwd: Board of Trustees meeting this Monday

Dear Trustees,

This is a e-mail to the neighborhood in Lansing Trail 1, concerning our Monday meeting. The concern is from Janet Jonson. No mention of the 70+ homes planned for the Lansing Trail 2.

John

-----Original Message-----

**From:** Patrick Gillespie <gillespiepd@hotmail.com>  
**To:** ltha14850 <ltha14850@gmail.com>  
**Sent:** Sat, Sep 17, 2016 11:15 pm  
**Subject:** Board of Trustees meeting this Monday

Hi all,

The Village of Lansing Board of Trustees is meeting Monday at 7:30 p.m. at the Village Hall.

You may have received a flyer from IJ Construction Saturday afternoon stating its concerns with the 140-unit housing project off Bomax Drive. That area is currently zoned for Business & Technology", but the developer has requested the village to rezone the area as "Multi Family".

This will be your opportunity to voice your opinion to our elected leaders.

Some of the issues that have been brought to our attention regarding the project:

- The argument for keeping the parcel light industrial, similar to its neighbor, Transact, is a sound argument. There is also concern with the statement that a 150-foot buffer would be eliminated. Does that mean that all buffers in our neighborhood can disappear at the whim of the Trustees? It seems that a buffer is a lifetime buffer.
- A full environmental study of the site including wetland delineation and preliminary sizing of storm water facilities to see what land is appropriate for development is in order before moving to a rezoning consideration.

- There is concern that the value of homes in our neighborhood will definitely plunge if this project materializes.
- Also, additional traffic will be more consistent in our neighborhood with an additional 140-units build out. We've seen an increase in traffic during the morning & afternoon commutes (with an increase of speeding and failure to obey traffic control devices).
- One of the developers of this project, Park Grove Realty LLC of Rochester, bought the Chateau Claire apartment complex on Cinema Drive and immediately cut down approximately 20 willows, changing the look of that property forever.

Whether you are in favor or opposed to the rezoning, we encourage you to attend the meeting.

Sincerely,

Pat Gillespie, President  
John Wisor, Acting Vice President  
Roy Hogben, Treasurer

Public Hearing  
Village of Lansing

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Lansing will hold a public hearing at the Village Office, 2405 North Triphammer Road, on the 17th day of October, 2016 at 7:35 p.m. on Proposed Local Law 3 (2016), Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing and Un-developed Portion of the Business and Technology District on Bomax Drive on the Westerly Side of Warren Road, and to Incorporate the Re-Zoned Area into the Adjoining High Density Residential District

SECTION I. PURPOSE AND INTENT.

The purpose and intent of this Local Law is to amend the Village of Lansing Zoning Law and Zoning Map and to amend the Village of Lansing Zoning Law and Zoning Map so as to rezone a 19.5-acre parcel of land (tax parcel number 45.1-1-51.12) currently in the Business and Technology District (BTD) and to be incorporated into the High Density Residential District (HDR). The parcel in question is located along Bomax Drive on the westerly side of Warren Road. Additionally, the parcel is contiguous to the High Density Residential District (HDR) and the Medium Density Residential District (MDR), as well and the Business and Technology District (BTD). The re-zoning of this parcel is intended to allow for a favorable and effective transition in the Zoning Districts, and further protect the Medium Density Residential District (MDR) areas. The proposed re-zoning action is intended to be consistent with the Village Comprehensive Plan.

Jodi Dake, Clerk  
Village of Lansing  
Dated: October 3, 2016  
10/3/16

0001623493-01



October 3, 2016

Mayor Donald Hartill  
Village of Lansing  
2405 Triphammer Rd.  
Ithaca, NY 14850

Re: Letter of Support for the Park Grove Application

Dear Mayor Hartill:

Cayuga Medical Center is pleased to support the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family.

Our organization is hopeful that the local marketplace will produce a range of housing opportunities. For this reason, we believe the Park Grove project will help fill some of the housing needs not available to the Tompkins County community at the present time. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community.

As a local employer, recruiting to Tompkins County can sometimes be challenging due to the lack of certain housing opportunities and I feel this concept may help by providing another alternative.

We look forward to a favorable decision, as we feel this would be a great addition to Tompkins County and the Village of Lansing.

Sincerely,

A handwritten signature in cursive script that reads "John B. Rudd".

John B. Rudd  
President and CEO  
Cayuga Medical Center

**Tompkins County**  
**DEPARTMENT OF PLANNING**

121 East Court Street  
Ithaca, New York 14850

Edward C. Marx, AICP  
Commissioner of Planning

Telephone (607) 274-5560

October 4, 2016

Jodi Dake, Village Clerk  
Village of Lansing  
2405 North Triphammer Road  
Ithaca, NY 14850

**Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law**  
**Action: Village of Lansing's Proposed Local Law #3 of 2016: Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing and Undeveloped Portion of the Business and Technology District on Bomax Drive**

Dear Ms. Dake:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l, -m and -n 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



*Business creation, expansion and attraction*

October 4, 2016

Village of Lansing  
Mayor Don Harthill  
2405 North Triphammer Road  
Ithaca, NY 14850-1013

RE: Park Grove Realty Bomax Drive Proposal

Dear Mayor Hartill:

Tompkins County Area Development has a strong interest in housing supply for Tompkins County. Anecdotal information and study after study show a shortage of all types of housing here. We take a particular interest in housing for workforce – whether affordable apartments for line staff, or more upscale housing for a newly recruited software engineer.

The property on Bomax Drive is in a good location for housing development. There is water and sewer capacity, good roads and bus service nearby, and the area is proximate to other apartments as well as work opportunities and community resources.

I would like to add my voice to those supporting the rezoning of this parcel for higher density housing.

Yours truly,

A handwritten signature in black ink that reads "Martha Armstrong".

Martha Armstrong, AICP  
Vice President and Director of Economic Development Planning

*Tompkins County Area Development  
401 E. State/MLK Jr Street, Suite 402B  
Ithaca, New York 14850  
(607) 273-0005 • fax (607) 273-8964*

From Anna Kelles

Thank you everyone for this thoughtful thread. I appreciate the different points of few. One comment I wanted to respond to was the question of where would the new people work who would fill these units? I suspect given the percentage of the working population that is forced to commute into the county because of lack of housing that only a small number if any of new development will be filled by people moving here for geography and without a job. Most likely they will be filled by the many people on long lists that realtors keep of people looking to move close to where they work.

I too have become more and more passionate about housing. However, I have a bit of a different take that I wanted to add to the thread. Once a building is built it is there and used for decades and, given the environment and geographic location, dictates the behavior of its occupants. We have two huge issues we are facing. One, a severe housing shortage. Two, massive shifts in climate change that will have grave and exponentially increasing impacts in the decades to come. The extent of this climate change is dictated by all the choices we make. If I look at downtown Lansing I wonder more why there isn't a commercial core and why is it not advantageous in every way to build density in that core (once established) both in the commercial and residential sectors. I keep hearing about Lansing and other surrounding communities missing out on possible services because they don't have enough density in their core.

This development like so many before it is the kind of development that will make another large sector of residents dependent on cars for every daily movement. If it had extensive bus service this might be different. If this is something that is being or can be considered I would feel more open but I lean much more at this point towards urban density.

I would also add that the one sector in the housing Danter study where we are seeing the least pressure is in the Luxury unit category.

My two cents to throw into the mix,  
Anna

On Sat, Oct 1, 2016 at 3:51 PM, Martha Robertson  
<[martha.o.robertson@gmail.com](mailto:martha.o.robertson@gmail.com)> wrote:

I saw your message, Carol, and appreciate your weighing in. Good points! Mike, if the airport land will truly be used up by the NYSDOT facility and the airport transportation proposal, I have not heard that. Unless I'm having a true "Aleppo moment," I have not seen any results from the feasibility study for that land. As this study would come to PDEQ, I'm eager to hear what the actual results are before claiming that "there's no room" for business development at that site (which was supposed to be the whole idea originally!). Moreover, TCAT is how many years away from building a new facility? Have they even decided that's the site they'll want someday? Again, I haven't heard anything but vague

speculation so far.

In the meantime, there's a current and growing desperate housing shortage, for ALL price points. We have more people than ever driving in every day for the jobs we already have, and more of them would like to live in the county (58% in the new needs assessment compared to 50% 10 years ago).

Jennifer Tavares should know the business climate, I would think. She's said this in support of the housing project: "It (the land) is not likely to be developed for its current zoned use, because the Cornell B & T Park has available land and real estate for development."

Should these units be single family or duplex detached houses? I don't know. Maybe. But I'm not the developer trying to make the numbers work. One of the issues we hope the Housing Summit addresses is why developers have such trouble in our county, and that includes why SF homes seem to be the hardest thing to develop.

We know that one of the biggest reasons it's hard to build more housing here is knee-jerk neighborhood opposition. I hope the County Legislature can have a strong, unified voice supporting housing development as our top development priority. The more I learn, the more convinced I am.

This IS an economic development issue. Current employers are struggling now to attract and retain workers because they can't find or afford housing. It's at the core of Jennifer's argument.

Martha

On 10/1/2016 2:27 PM, Carol Chock wrote:

Not sure if my earlier response got dropped from this thread, as I wasn't on County email at the time.

In addition, this is a developer with specific immediate plans for one of our top priorities vs some hypothetical future level of interest in another one of our top priorities.

I support housing in that area for all the reasons Jennifer states. I also agree that we need a variety of business space at various locations in our county.

I visited this week with a Cornell alum visiting town because he's been working with five or six spin-offs to get started. They want space closer to downtown for their start up, quite frustrated that he might lose them to Raleigh, NC because they're offering much less expensive space near the downtown core.

This project would help relieve the housing pressure, serve people who already work in the area, e.g. Borg Warner execs, still be in a focus area, and doesn't put as much pressure on currently overloaded utility services as industry, especially if they'd consider heat pump technology.

While I'm sure we'd all have more questions about the details, I'd be willing to learn more before rejecting it out of hand.

Carol

From: michael lane  Sent: Saturday, October 1, 1:36 PM  Subject: RE: FW: Lansing Village Housing Development Rezoning Proposal - FYI  To: Martha Robertson, 'Jennifer Tavares'  Cc: Mike Sigler, Anna Kelles, David McKenna, Dooley Kiefer, 'Jim Dennis', 'Don Hartill', 'Martha Robertson', Will Burbank, Jim Dennis, Dan Klein, 'Peter Stein', Ed Marx, Leslyn McBean, Melissa Hall, Glenn Morey, Joe Mareane, Carol Chock, Richard John, 'Jerry Dietz', 'Martha Robertson'

Martha,

This project doesn't sound much like affordable housing. The people who need affordable housing and would like to live in our County are not going to be able to afford these units either. What we are really lacking in the suburban areas is one

and two-family houses priced within the reach of those now coming in from Tioga, Schuyler, Seneca and Cortland. More luxury apartments, even in Lansing, is not going to solve that basic problem. They will, of course add more children to the Ithaca City School District and force an increase in taxes there to educate them (something that ICSD has complained about in the past).

Martha, I know that you are knee-deep in the housing issue and the housing summit, but unless we continually look for, and plan for economic development, where will the people work? They can't all work at IC and CU. There are already enough impediments for new businesses here. The business park and nearby properties have for decades been a central area we have looked to for business growth, and where entrepreneurs wanted to locate because of the Airport, Route 13 access, and the other tech businesses there.

As for the other Airport land that I have long suggested for business development, perhaps you have forgotten that it is proposed that the NYSDOT facility may move there. Finding an acceptable solution so as to move that facility and make room for mixed-use development (including housing) on the Inlet is something for which many of us have worked. Additionally, the Airport property was considered in the NYS airport grant application for use for a new TCAT facility, complementing the concept of a transportation hub at the Airport. After those two uses there would not be much room left.

Mike Lane

---

**From:** Martha Robertson [<mailto:mrobertson@tompkins-co.org>]  
**Sent:** Saturday, October 01, 2016 1:59 AM  
**To:** Jennifer Tavares; michael lane  
**Cc:** Mike Sigler; Anna Kelles; David McKenna; Dooley Kiefer; Jim Dennis; Don Hartill; 'Martha Robertson'; Will Burbank; Jim Dennis; Dan Klein; Peter Stein; Ed Marx; Leslyn McBean; Melissa Hall; Glenn Morey; Joe Mareane; Carol Chock; Richard John; Jerry Dietz; 'Martha Robertson'  
**Subject:** Re: FW: Lansing Village Housing Development Rezoning Proposal - FYI

Mike, and all -

As Jennifer points out, there is currently space available across Warren road, at the Business and Technology Park. In addition, isn't there our own county land north of the airport, that you, Mike, have been advocating as a future business park? Why would we need to also hold out the lane west of Warren for future, unidentified, potential light industrial development?

Yes, we'd love to increase our number of high-quality jobs, but I think it's time to fight for balance, first. We already have a growing number of in-commuters coming here for the jobs we now have, with 58% of them wishing they could move into Tompkins County. But they can't find housing they can afford.

I would be happy to draft a letter supporting the housing, and would also be happy to have as many legislators as possible sign on to it. I'll be in touch with the draft of a letter.

Jennifer, thanks very much for pulling this information together and reaching out to your board.

Martha

**From:** Jennifer Tavares  
<[JTavares@TompkinsChamber.org](mailto:JTavares@TompkinsChamber.org)> **Sent:** Friday, September 30, 2016 10:00 PM **To:** michael lane **Cc:** Mike Sigler; Anna Kelles; David McKenna; Dooley Kiefer; Jim Dennis; Martha Robertson; Don Hartill; 'Martha Robertson'; Will Burbank; Jim Dennis; Dan Klein; Peter Stein; Ed Marx; Leslyn McBean; Melissa Hall; Glenn Morey; Joe Mareane; Carol Chock; Richard John; Jerry Dietz **Subject:** Re: FW: Lansing Village Housing Development Rezoning Proposal - FYI

Good evening everyone, and thank you, Chairman Lane.

I understand and sympathize with the concerns you've expressed--as you all know, business growth, long term job creation, and sustainable economic development are key goals of the Chamber.

We're also supportive of having adequate housing to meet the needs of all our community members and potential recruits to the area.

I did not make it as clear as I should have in my email that the advocacy opportunity presented was primarily intended for our Board (if they chose to do so), and was not widely distributed to members or the community at large.

We look forward to working with you all regarding matters of economic development, workforce needs, and housing related concerns in the future.

Have a wonderful weekend.

Jennifer Tavares  
President & CEO  
607-244-9026

*Sent from my Verizon Wireless 4G LTE DROID*

On Sep 30, 2016 7:26 PM, michael lane <[tlane4@twcny.rr.com](mailto:tlane4@twcny.rr.com)> wrote:

Folks,

I have this email this evening from Jennifer Tavares at the Chamber of Commerce soliciting support for the developers' effort to change the zoning of 20 acres in the Village of Lansing near Bomax Drive. I also heard about it this morning from Mayor Don Hartill at a meeting we were both attending. The problem here is that by changing the zoning to allow high density housing (we need housing, of course) it will eliminate this parcel from its current zoning that allows technical and light industrial development like there is in the nearby Cornell Industrial Park (we need jobs, of course). Don said he could see arguments both ways. Personally, I am seriously concerned that we will lose this property for potential technical/light industrial development. Don mentioned that former CU real estate manager, Tom Lavigne, is a partner in the developer group promoting the zoning change and that at a recent Village meeting there was public opposition to the housing proposal.

Mike Lane

**From:** Jennifer Tavares  
[mailto:JTavares@TompkinsChamber.org] **Sent:** Friday,  
September 30, 2016 5:50 PM **To:** Jennifer Tavares **Subject:**  
Lansing Village Housing Development Rezoning Proposal - FYI  
**Importance:** High

Good Afternoon,

As you may be aware, Tompkins County has substantial need for additional housing units based on a recent housing needs assessment study (and significant anecdotal information). The information provided below includes housing needs assessment draft documents as provided to Tompkins County by consultant Danter Company. It also includes the slides from the recent public meeting on the subject:  
<http://tompkinscountyny.gov/planning/housing-needs>

(I summarized some of the issues and mentioned some of the data from the study in last month's Chambergram, which can be found here: <http://www.tompkinschamber.org/presidentsletter-housing>

**A project concept that would add 140 luxury market-rate apartments in Lansing has been proposed.** This project would require the rezoning of a 20 acre parcel on Bomax Drive in Lansing, near Dairy One and BorgWarner, off of Warren Road—see the google map image below:

<https://www.google.com/maps/dir/42.4899134,-76.4731143/42.4890589,-76.4731642/@42.4909506,-76.4847262,1558m/data=!3m1!1e3!4m2!4m1!3e2>

Park Grove Realty (a group of local executives and developers, several formerly of Conifer RE, who manage other real estate assets) is requesting the zoning change to accommodate a housing project which would include 140 market-rate units, with a goal of appealing to young professionals, professionals, and retirees or those downsizing from other homes in Tompkins County. Below is a project summary provided by the developers:

- The parcel is ideal for a rezone because it currently permits a much higher intensity land use—it could be developed to include a 180K SF metal building with a 650 car parking lot
- It is not likely to be developed for its current zoned use, because the Cornell B & T Park has available land and real

## estate for development

- Property is adjacent to other apartments to the south, as well as nearby housing to the west (and then industrial/commercial to the north and east)
- Proposed concept includes 140 luxury apartments, all with attached garages, park like landscaping, architecturally appealing stone facades & multi-peaked roofs, upscale appliances and furniture, granite countertops, technology features, and energy efficiency considerations
- Community assets include a pool, bocce courts, walking paths, and more once plans are final
- Rental rates should range between \$1300-1900 for one to three bedroom units

It is difficult to grow our workforce without more housing options. It is also hard to envision how more single-family houses within the market will become available to young families without providing alternative housing options to those interested in downsizing or retiring in place—which many residents in Tompkins County expressed interest in doing in the recent surveys cited above. This project could support both of these goals.

As you may have guessed, some individuals and neighbors are resistant to the rezoning and the addition of new apartments in

this area. If you are interested and supportive of this project and the proposed rezoning, please submit a letter to the Mayor of the Village of Lansing, information below (please try to send it no later than next Wednesday):

Village of Lansing

Mayor Don Harthill

2405 North Triphammer Road

Ithaca, NY 14850-1013

Thank you for your consideration and have a great weekend.

Jennifer

**Jennifer Tavares, CEcD | President & CEO**

## Tompkins County Chamber of Commerce

### Ithaca/Tompkins County CVB

t. 607.273.7080 | c. 607.244.9026 | f. 607.272.7617

904 E Shore Drive, Ithaca, NY 14850

### Martha's Response to Anna

A couple quick responses, Anna:

Absolutely, the location of housing is key to its sustainability (as I have argued for a long time). However, not everyone wants to live downtown. Further, as you know, downtown projects get a lot of opposition. If we tried to meet our needs completely within the City of Ithaca, people would never tolerate that level of density. In other words, 7,100 new units right now; more than 10,000 new units within 10 years. If we tried to put all that in the City, opposition would escalate even further. As a matter of fact, the Planning Dept. is working right now on the Housing Strategy, in which they will take the results of the Danter study and actually try to map out where (according to current zoning and comprehensive plans) the needed number of units could be developed in the county. It appears that most of them would go into the City, true, but the other towns and villages should see some growth as well.

If TCAT does indeed move up to the airport parcel, as Mike suggests it might, Warren Rd. south of the new hub would probably get the best bus service in the county! Pretty much every bus would go right by the entrance to that development.

Re: Lansing, by "downtown Lansing," did you mean the area around the Town Hall and Rogue's Harbor Inn? If so, the hold-up is sewer service. A dedicated group of residents worked for YEARS on getting sewer. They had secured federal money (then lost it because of the delays) and then got a promise of state money - and lost that too, because voters in the Town turned it down. Town officials and volunteers even developed and got passed a "density policy" with the IDA, to encourage denser development. It was a painful and frustrating episode and I'm not sure when the politics might ever turn around to make it

possible. Mike Sigler or Jennifer could correct me if I've misstated anything, and add more to this story, I'm sure!

I too wish these units weren't planned to be so expensive. But one would assume the developers have crunched the numbers and they (and their bankers) believe they can be filled at that price with those amenities. Yeah, it's not the community's highest need, but as Jennifer writes, these definitely could free up the "musical chairs" so other homes would open up for families.

Mike Sigler's response to all of this

Hi,

So Martha is pretty close to the summary of sewer in Lansing. I remember losing the Federal money, but I'm checking on if there was state money; that may have been before the federal or it might have been a combination of the two. It was a couple million, but didn't cover enough to make the other outlay by the town for the rest of the project palatable to voters. The voters had made that clear in two votes prior to the last one that basically killed that iteration of sewer and Don Hartill and the current Town Supervisor Ed Lavigne had a good read on the voters and knew it would fail.

With that said, there are people working to still extend sewer into the town and understand the challenge they face without voter support.

As for this project, I'm wary of weighing in and wouldn't if Don hadn't asked us to and will talk to Ed about it, but I think Martha has a good grasp of this. It's not like this is the only industrial land in the county and if this is where housing seems appropriate to the village, town and developers who will lay out the investment, then I trust in their judgement. It has bus service, is close to the village center, the mall, other services, the airport and business park where presumably some of these people will work.

I should weigh in on Anna's question about the "town center." Many

in the town view the village as the town center. I polled this a lot when I went door to door. I've talked to developers about the idea of a "lollypop" type of town center development where you start a town center from scratch away from where other development already is and most have said development really doesn't happen that way. It grows out from a node which I think is part of the reason for the town of Lansing's development policy and vision going forward.

The county has invested in the Warren Road area. Mixed use is a very popular phrase for buildings with businesses on the bottom and living space on top, but may I suggest that mixed use also means businesses and shops near residential. We used to call them villages and towns.

Best regards,

Mike Sigler

Final response from Anna

Hi All,

Thank you Martha and Mike for following up with this. Yes I had recently heard about the struggles with the sewer but had heard that the talks weren't completely dead. It sounds like though that if that were to be revisited it would have to be with more economic support.

I will preface by saying that I am much more inclined to housing here than expansion of industry at this time particularly given other possible locations for industry. Our need for housing is incredible given our complete inability right now to meet the demand we already have, let alone the increased demand we expect!

Given how many people work in and around Borg Warner I would really like to explore more the idea of supporting mixed-use developments with the goal of creating a more walkable community. I think the existing jobs and residences already there warrant considering this as a node.

I don't think anyone would argue that the area around the malls and Borg Warner is anything except a very car-centric layout. The concept of mixed-use development is defined as, "a type of urban development that blends residential, commercial, cultural, institutional, or on occasion industrial uses, where those

functions are physically and functionally integrated, and that provides pedestrian connections." It does not mean that each building has to satisfy every use of course but rather that the "spirit" of the development is to create opportunities for people to live, eat, shop, work, and play in the same place fostering pedestrian activity rather than car use. We have to consider how far people are willing to walk. The answer is not very far before they resort to driving. This development is not mixed-use and will not by all research measures foster pedestrian activity.

I am not opposed to it fundamentally but I am concerned with two issues: the cost and the lack of walkability. I think we need to start putting our money where our mouths are. We talk about climate change a lot and we recognize that we are in it, right now. We also know that we need drastic change. Let's encourage developments to be part of the solution. We need housing! Can we not as a collective group challenge them to be part of this solution? Adding some mixed-uses? Using ground-source or air-source heat pump systems (as it appears EdR is now doing with Maplewood after pressure from the community)? I'm hoping we collectively can continue to encourage the kind of development we need to model best practices and mitigate out of control climate change.

Thanks,  
Anna

□ □

**Subject:** Opposition To Re-zone Bomax  
**From:** voonmee chong <chong.voonmee8@gmail.com>  
**Date:** 10/4/2016 2:03 PM  
**To:** Clerk@vlansing.org

To Attention of Village Trustees  
C/O Village Clerk

Please note our opposition to re-zone Bomax to "high-impact" residential from commercial.

Thank you.

Voonmee Chong  
50 Nor Way

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*partnering with communities for a better tomorrow*

October 5, 2016

Andrew V. Bodewes  
Park Grove Realty  
46 Prince Street  
Suite 2003  
Rochester, NY 14607

Re: Multi-family housing Tompkins County

Dear Andy,

You asked me to provide an evaluation and opinion as to the demand for the 140 rental units that Park Grove Realty is proposing for a site in the Village of Lansing. As you know Thoma Development Consultants has been providing market research and development review for multi-family housing projects for more than 20 years. We are one of only approximately a dozen market analysts who is certified by New York State Homes and Community Renewal. We have completed market feasibility studies for rental housing developments throughout upstate New York including many in Tompkins County. We are based in Cortland and are very familiar with Tompkins County and the rental housing market in particular.

In addition to our knowledge of the rental housing market in Tompkins County generally, and Lansing specifically, I reviewed two reports prepared by the Danter Company that analyzed the Tompkins County rental housing market. Their 2012 report projected a need for an additional 825 rental units in the county outside the City of Ithaca by 2017. A 2016 survey of rental units in the county revealed a vacancy rate of only 1.8% for units in large apartment developments. A review of the building permits issued in Tompkins County outside the City of Ithaca revealed that permits were issued for only 89 units for developments with five or more units from 2012 through 2015. The latest census data shows that Tompkins County grew by 3.3% in population from 2010-2015. It is one of only three upstate counties to have growth during that period.

I understand that the parcel under consideration is just west of Warren Road on Bomax Drive. I am familiar with the location and I am aware that the site is bordered by two other apartment communities to the south, a large office/industrial facility to the east and Borg-Warner land to the west. I know that Tompkins County has a limited supply of available and developable land for apartments in areas that are close to amenities and services. This location appears to be ideal in that it is close to Warren Road and Route 13, is near bus transportation routes and is near shopping and all of the amenities in the Village of Lansing.

This is a market that has a tremendous need for more multi-family housing options. A vacancy rate of 1.8% is exceptionally low and reflects a very strong market. In my experience, Tompkins County is one of the strongest markets for multi-family housing in Upstate New York and the most recent reports prepared for the County by Danter, the census data and the building permit information support the conclusion that this continues to be the case. I am aware of several new affordable housing projects that have been built in Tompkins County outside of the City of Ithaca and several upscale market rate projects in the City. However, I do not believe an upscale market rate project has been constructed in suburban Ithaca in many years. If built, this proposed development would provide unique option that is not available in the market.

Based upon the location of your project, our knowledge of the market, and the information presented above, it is my opinion that there will be a strong demand for the units you are proposing once completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard Thoma", written over a horizontal line.

Bernard Thoma  
Sr. Consultant



October 5, 2016

Don Harthill, Mayor  
Mayor Don Harthill  
2405 North Triphammer Road  
Ithaca, NY 14850-1013

RE: Park Grove Realty Bomax Drive Proposal

Dear Mayor Harthill:

On behalf of the Chamber, and as a resident of Lansing, I'm writing today with my enthusiastic support of the Park Grove Realty project proposed for 20 Bomax Drive. I encourage the Village of Lansing to grant the request to rezone this parcel to allow for multi-family residential development.

As you must know, the Chamber is supportive of commercial and industrial development, believes strongly in sustainable economic development for our area, and prioritizes the creation of new jobs. But right now, based on feedback received from area employers over the last few years and our understanding of both the current job market *and* housing market, we believe that the development of new housing units is of utmost priority for the Village of Lansing and Tompkins County as a whole.

The need for housing has been clearly defined in the most recent Housing Needs Assessment commissioned by the Tompkins County Planning Department. This assessment identified large existing gaps in housing supply vs. existing demand, and also made projections for housing needs in the next decade based on projected job growth and economic growth in Tompkins County.

The short answer is that our housing deficit is in the thousands, not the hundreds. Some of the projections are startling, but what they show is that our community requires more housing units of ALL types, at nearly all income levels, and for most types of residents. Specifically, we have gaps in market-rate apartments and in housing for retiring or downsizing baby boomers which this proposed project can help address.

Additionally, we believe that significant developable land for industrial and commercial purposes exists nearby at the Cornell Business & Technology Park, as well as elsewhere in Lansing and other communities within Tompkins County.

The Village of Lansing currently has the opportunity, with a known developer and management company, to add 140 new housing units. This means more property tax revenue, more sales tax generated, and numerous other positive economic impacts for the Village of Lansing. I encourage you to support this project.

Sincerely,

Jennifer Tavares, CEcD  
President & CEO



October 5, 2016

Mayor Donald Hartill  
Village of Lansing  
2405 Triphammer Rd.  
Ithaca, NY 14850

Re: Park Grove Application

Dear Mayor Hartill,

CFCU supports the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family. The current vacancy rate for market rate apartments is very low, and we believe the Park Grove project will help fill some of the Tompkins County housing needs not currently available to the community. Many of our employees live, or are looking to live, in Tompkins County. The housing challenges limit the pool of potential new employees within this area. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community.

Sincerely,

Paul Kirk  
Chief Financial Officer

**Subject:** FW: Lansing trails preservation committee

**From:** <codeofficer2@vlansing.org>

**Date:** 10/7/2016 7:58 PM

**To:** "Don Hartill" <DLH13@Cornell.edu>, "Patricia O'Rourke" <patithaca@aol.com>, <johnoneil5@aol.com>, "GERRY MONAGHAN" <gmonaghan22@mac.com>, "Ron Hardaway" <rjhardaway@yahoo.com>

**CC:** "Jodi Dake" <clerk@vlansing.org>, "David Dubow" <ddubow@bgdmolaw.com>

To All,

Please see the conversations below, as Tom LaVigne email me requesting that I send the email he originally sent to me.

Thanks,  
Marty

---

**From:** Thomas Paul LiVigne [mailto:[tlivigne@cornell.edu](mailto:tlivigne@cornell.edu)]

**Sent:** Friday, October 7, 2016 5:08 PM

**To:** Moseley Marty <codeofficer2@vlansing.org>

**Subject:** Re: Lansing trails preservation committee

Yes, directed at Lou. Lou Doyle is Pete Tufford's wife. She is not working for us, but lives in the neighborhood. She spoke out against the project the other night, but, apparently, she told some of the neighbors that the more she hears about the project the better it sounds. So, someone apparently got word that she may be a positive voice in the community and wrote the note. I spoke to her this morning and this is how I remember the conversation. Lou is an acquaintance of mine and I have known Pete for quite some time.

On Oct 7, 2016, at 5:00 PM, Marty Moseley <[codeofficer2@vlansing.org](mailto:codeofficer2@vlansing.org)> wrote:

Tom,

What is Lou's involvement with this? Is he working for you? I am assuming that this email was directed at Lou?

Thank you,  
Marty Moseley

Village of Lansing  
Code, Zoning, and  
Stormwater Officer

Sent from my iPhone

On Oct 7, 2016, at 4:47 PM, Thomas Paul LiVigne <[tlivigne@cornell.edu](mailto:tlivigne@cornell.edu)> wrote:

Marty,

Not to alarm anyone, but I think the Village Board should see the below email. It appears someone is a little over the top.

Also, we are having a neighborhood meeting Tues night, 7pm at the Ramada. Pat Gillespi's group accepted our invitation, but the Johnson condominium group refused to meet.

We are trying hard to win people over. Anyone who grants us a discussion realizes that this could be a very good thing.

Good luck,

Tom

Begin forwarded message:

**From:** lou <[lou@tuffordconsulting.com](mailto:lou@tuffordconsulting.com)>  
**Subject:** Fwd: Lansing trails preservation committee  
**Date:** October 7, 2016 at 2:03:26 PM EDT  
**To:** <[tlivigne@cornell.edu](mailto:tlivigne@cornell.edu)>

Lou Tufford  
President and Principal Consultant  
Tufford and Associates, Inc.  
[www.tuffordconsulting.com](http://www.tuffordconsulting.com)  
[lou@tuffordconsulting.com](mailto:lou@tuffordconsulting.com)  
607-423-5496

Begin forwarded message:

**From:** Marvin Ridlon <[marvinridlon@gmail.com](mailto:marvinridlon@gmail.com)>  
**Date:** October 7, 2016 at 12:09:06 AM EDT  
**To:** "[lou@tuffordconsulting.com](mailto:lou@tuffordconsulting.com)"  
<[lou@tuffordconsulting.com](mailto:lou@tuffordconsulting.com)>  
**Subject:** Lansing trails preservation committee

You have breached the ethical involvement in this matter of our neighborhood. You have gone over to the enemy and want us to become visible in person to them. They are scum bags. You are on the take as well as the Village Board. Drive carefully, there may be an accident. We know who you are. And your family too. Your friends are trying to ruin our neighborhood and destroy our investments in our housing, again I say we

know who you are. If I were you I would recant this meeting and stay out of this. Do not try to destroy this neighborhood of older persons with this come on. Don't think I or we are neighborhood residents, we are both.

*email to DH 10/16/11*

Dear Mr. Hartill,

I am a resident of the Lansing Trails neighborhood living at 61 Janivar Drive. My partner and I purchased this house 5 years ago. We were attracted to this neighborhood because of the low traffic, clean air, and close proximity to walking paths (we have a big dog), and have truly enjoyed living here since. But with the proposed new building project on Bomax Drive, it seems everything might be changing here if re-zoning is permitted.

I am an Associate Broker with Warren Real Estate and have practiced this business in Ithaca for more than 15 years. I am writing to you not only as a very concerned resident of Lansing Trails, but as a real estate professional. As such, I feel it is my duty to inform you, as I am going to inform all our neighbors, that the real estate value of all houses in this neighborhood will be seriously damaged if the project proceeds. Over the years as a real estate agent, I have seen quite a few sales in this neighborhood with steadily improving prices. This might not hold true any longer. In my opinion, if re-zoning is approved, the market value of all houses in this neighborhood could be reduced by as much as 5% – 15%. It is impossible to predict precisely by how much value all of our houses would be reduced, but, as a professional, I can assure you that the damage will be done.

When working with people looking for a home in Ithaca, I know (and all my colleagues share this knowledge) that buyers very much appreciate quiet neighborhoods, low traffic, walk-friendly streets, and clean air. If the building project proceeds, with an estimated additional 250 – 300 vehicles driving through the heart of Lansing Trails more than once daily, none of the above advantages of living in this neighborhood will hold true any more.

Also, as you might know, there will be the additional problems of water runoff. Some of the houses in our neighborhood already experience flooding because the infrastructure along the entire south section of

Janivar Drive is already at it's maximum capacity. The impact of this new development can be devastating.

I am appealing to you to look at this issue thoroughly and consider all the ramifications of this proposed project against all the unfortunate consequences, including financial damage to a lot of people.

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## Department of Environmental Conservation

### Q. 8, Short EAF (Part 1) Traffic / Transportation Short Environmental Assessment Form Workbook

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

#### Background Information

Understanding the demands new development places on a community's street and road network is an important part of evaluating the overall impacts of that development. New development can generate or change traffic. For example, enough traffic may be generated by a new land use to create congestion, to change community character, or to require the community to invest in additional roads. Traffic congestion itself results in a number of problems, including economic costs due to delayed travel times, air pollution, and collisions. As one roadway becomes congested, drivers might use other roadways not necessarily intended or designed for through-traffic.

#### Answering the Question

- a. Will the proposed action result in a substantial increase in traffic above present levels?

A formal traffic study should not be needed to answer this question. Instead of a traffic study, use the table below (Table 1) to determine if your project is likely to have significant increases in traffic. This table uses the number of new vehicle trips made during peak traffic hours (weekday early morning, and late afternoon based on hours of adjacent street traffic except shopping center based on Saturday peak hour.) to help you determine if a substantial increase in traffic is likely to occur as a result of your proposed activity. **This table assumes that a project generating fewer than 100 peak hour vehicle trips per day will not result in any significant increases in traffic. Note that even projects that do not result in a significant traffic increase may still negatively impact traffic in the area.** This will be further evaluated in Part 2 of the SEAF.

1. In the table below, match your project as closely as possible to the LAND USES identified in the table.
2. Look at column 2 (THRESHOLDS). If your proposed project is less than this number of units or square feet, then it will generate less than 100 peak hour trips.
3. If your project is below the threshold shown in column two, your project will not result in a substantial increase to traffic and you should check 'no'.

If your project is at or exceeds the threshold in column 2, then your project should be considered to result in a substantial increase in traffic and you should answer 'yes'. In this case, a traffic capacity analysis may be needed to fully evaluate potential traffic capacity impacts.

Table 1 is offered as a suggested way to understand traffic increases and illustrates the traffic that is typically generated by certain projects. This table uses the number of new vehicle trips made during peak

**Answer no** if there are no bus or rail services available at or near the project site.

**Answer yes** if bus or rail service is available at or near the project site. If the project can take advantage of existing public transportation services, you may want to add a note explaining how.

c. Are any pedestrian accommodations or bicycle routes (including signed shared roadways) available on or near site of the proposed action?

**Answer no** if there are no pedestrian accommodations or bicycle routes available at or near the project site.

**Answer yes** if pedestrian accommodations or bicycle routes are available at or near the project site. If the project can add to or link to existing pedestrian accommodations or bicycle routes (trails, paths, sidewalks, or bike lanes), you may want to add a note explaining how.

[Back to Part 1 Project Information](#) || [Continue to SEAF - Question 9 - \(Part 1\)](#)



## Department of Environmental Conservation

# Q. 5, Short EAF (Part 2) Traffic & Transportation

## Short Environmental Assessment Form Workbook

Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking?

### Background

Several potential adverse impacts can result when traffic levels increase in a community. More traffic can lead to congestion, which in turn has real economic, environmental, and safety impacts. Traffic congestion is not only annoying to motorists, but can increase economic costs because of extra fuel used, lost productivity, and time wasted. It can also result in higher air pollution emissions, increased traffic accident rates, decreased accessibility to economic centers, and decreased road surface lifetimes.

Like all other topics explored in a SEQR analysis, evaluating the impact of increased traffic levels must be done in terms of the scale and context of the project. Impacts need to be determined through an understanding of the number of new vehicles that will be added as a result of the project, the number of cars already on the road, and the capacity and physical condition of the road.

A proposed action can also increase the demand for public transportation or pedestrian infrastructure. If so, the community may also require additional parking areas, park and ride facilities, or other infrastructure. Proposed actions can also increase the demand for bicycle parking, bike paths or bike lanes. A proposed action may also create the need for more roadway infrastructure than can be maintained.

On the other hand, projects can provide sidewalks, hike or bike paths or trails, or build in park and ride facilities or other infrastructure that serves to promote pedestrian or bicycle movement, which will contribute to healthy communities, decreased reliance on automobiles, and reduce greenhouse gases.

### Applicable Part 1 Information

Some of the Part 1 questions that should be specifically reviewed when answering this question are:

- Question 8 (primary information provided for this topic)
- Question 2

### Analysis

In order to decide if impacts will occur, the reviewing agency should look at the available information and ask:

- Will the proposed action result in any change in traffic?
- If there will be new traffic added to the area, how much?
- Do the roads have the capacity to hold the expected level of additional traffic?
- Are there any load restrictions on bridges that will be used for access?
- Are there any safety concerns?

question and move on to Question 6. You may choose to include an explanation in Part 3 as to why you decided there were no, or only small impacts, but you are not required to do so.

If you have determined that one or more moderate to large impacts may occur, then additional analysis of this impact will be required in Part 3. You should note what the impacts are, and the reasoning that lead to your decision before moving on to Question 6.

## Examples

**Scenario 1:** Construction of a retail and office complex that is proposed to add a substantial number of additional cars each day (as per Question 8 of Part 1).

- It is located in an urban area
- A public bus system exists and a bus stop exists near the proposed development site
- Sidewalks already exist and the project includes re-construction of new sidewalks to link to existing ones
- Access is to a New York State highway that has been deemed to have adequate capacity for additional traffic

**Then:** The proposed action will not impact traffic, public transportation, bicycling infrastructure, or pedestrian infrastructure. There is not likely to be any impact on traffic and transportation as the result of this action.

**Scenario 2:** Construction of a 50 unit residential complex

- The amount of traffic per day is not deemed to be significant from Part 1
- It is located a half-mile outside of a village on a 20 foot wide rural town road
- There is no public transportation
- There are no sidewalks, bike or hike paths but there are sidewalks in the village and the proposed complex is near the elementary school
- No sidewalks or paths are proposed as part of the development

**Then:** The proposed action is not at a level that would require a traffic impact analysis due to the number of projected units. However, if the road needs widening as a result of the project, the potential impacts of that widening should be analyzed. Further, its location close to the village and the school means that there is a need to connect these new dwellings to the village sidewalks and the school. Because there will be new demands for paths and sidewalks, and because there may have to be an upgrade to the town road, this project may have moderate to large impacts.

**Scenario 3:** Construction of a suburban strip mall.

- In a suburban neighborhood that is serviced by an existing and under-used public transportation system of busses and a nearby park and ride lot
- It is on a vacant lot that has no sidewalks or pedestrian connections nor does it have any sidewalks connecting the lot to the bus stop but sidewalks do exist in other locations nearby
- It is in a neighborhood with young families and lots of children

**Then:** The proposed action will place an additional demand on the public bus system, but adequate capacity exists to handle new riders. However, the issue is that there will be people walking from the bus stop to the new strip mall and no sidewalks exist. However, the project proposal includes the construction of sidewalks to connect the site for walkers to the existing network. Because there is a demand for

RECEIVED OCT 11 2016

Suzanne Aigen  
49 Janivar Dr  
Ithaca, NY 14850  
Oct 9, 2016

Don Hartill & Village Board  
2405 N Triphammer Rd  
Ithaca, NY 14850

Dear Mr. Hartill et al:

I'm writing this letter due to my concerns regarding the proposed apartment complex on Bomax Rd. This proposed development will seriously and substantially have an adverse impact on our Lansing Trails neighborhood.

Currently as a resident of this neighborhood I enjoy leisurely walks around the neighborhood, as do many others in this area. Every evening I see families with children, children on bicycles & people walking dogs. With an influx of an extra 100-300 vehicles a day it will dramatically change the character of our neighborhood, and perhaps safety.

Aside from the traffic concerns, there are issues of water usage and water runoff. We are currently in a drought situation in Tompkins County. A recent conversation with Frank Proto, county legislator, informed me that the county water resources committee is genuinely concerned & researching ways

to conserve water consumption. Currently Bolton Point is supplementing the city of Ithaca with meeting their water needs. Bolton Point serves 5 municipalities in the county, including V. of Lansing. City of Ithaca & Cornell University have their own water systems. Bolton Point does not have the capacity to supplement both Cornell & the city of Ithaca should drought conditions continue. This information was shared by Joan Foote, General Manager of Bolton Point.

It's estimated that each person uses about 50 gallons of water per day. That's an extra 7,000 to 14,000 gallons of water each day. The Village needs to be concerned with this.

Furthermore, there are issues regarding water runoff and the impact of flooding on Janwar Drive. This issue needs to be examined further.

Finally, it is disheartening to me that people from outside the village of Lansing are weighing in on this proposal. The Tompkins County Chamber of Commerce is urging a writing campaign to support this apartment complex on Roman Dr. It seems that the voices of people who do not live in this ~~impacted~~ neighborhood and who will not be impacted by this development should not carry the same weight as those who live in Lansing Trails area, and who will be impacted on a daily basis by the proposed development.

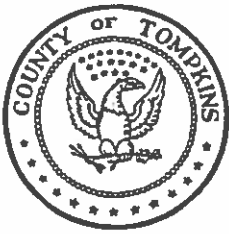
I would hope that our elected officials on the village board will want to listen to the concerns of its constituents.

In addition to these concerns, I question the need for this development - especially the magnitude of the proposed apartment complex. According to recent conversations within the membership of the Landlord Association of Tompkins County, many landlords are experiencing vacancies when in years past they had no vacancies. We've seen a great deal of new apartment complexes in Tompkins County - yet we have not had much growth in population to match these developments. I would ask the village board to explore this issue as well.

Please consider the concerns listed above and vote against this proposed apartment complex on Borriax Drive.

Thank you,

Ayanna Ayers



# Department of Assessment

128 East Buffalo Street

Jay Franklin  
Director

*Inclusion through Diversity*

Irene Kehoe  
Assistant Director

To: Village of Lansing Trustees  
From: Jay Franklin  
Date: October 12, 2016  
Re: Rezoning Proposal

Based upon on my professional opinion, I believe that the rezoning of parcel 45.1-1-51.12 located on Bomax Dr from Business & Technology District to High Density Residential would have no effect on the property value of neighboring parcels.

A well-built, well-maintained, and well-managed apartment complex that would then be built on this parcel would have no value effect on the neighboring parcels. I would feel that an adjacent like-use (residential) would be more harmonious to the neighborhood than a non-like use (commercial/industrial).

Mail Address:  
128 East Buffalo Street  
Ithaca, New York 14850  
<http://www.tompkins-co.org/assessment/>

Tel: 607-274-5517  
Fax: 607-274-5507  
[assessment@tompkins-co.org](mailto:assessment@tompkins-co.org)

Hand Delivered  
10-13-16  
Scanned

**To the Mayor, Village Trustee's and Planning Board**

**Village Of Lansing, Tompkins County, New York**

**October, 2016**

We the below undersigned Heights of Lansing Homeowner's Association, would like to state our opposition to the re-zoning and build of the proposed 140 Unit Apartment complex off of Bomax Drive and would like to put this position on the record.

We oppose the proposed re-zoning project on Bomax Drive in the Village of Lansing. We urge the Mayor and Trustees to disapprove the proposed local law amending the zoning to allow the 140 apartment project on Bomax Drive.

We also urge the Planning Board to deny any site plan approval for the project and we ask the Planning Board to revoke any recommendations it has already made for the project.

We the below undersigned feel the proposed local law amending the zoning law should not pass, further we feel the environmental impact of the project is significant for many reasons, some of which are:

- The addition of a minimum of 140 vehicles, families, and the related services which come with residential housing through the quiet neighborhood is an exponential increase of a any business use of the site. The sidewalks, streets, and facilities are simply not equipped for this increase. This is a significant environmental impact.
- Injecting 140 new apartments into this area is contrary to the comprehensive plan when there is a fixed amount of business zoned land already. There are other sites in the Village which comport better to this proposal. This is a significant environmental impact.
- Loss of the wooded area is a significant environmental concern. The loss of buffer, as compared to what a business use would bring, is a significant environmental impact.
- Movement of the stream which ran through the middle of the site is a significant environmental impact.
- Disturbance of this quantity of acreage that is way over the DEC limits to trigger a SWPPP is a significant environmental impact.
- Noise, dirt & stormwater concerns, both during and after construction, is a significant environmental impact.
- Property values of the neighboring real properties will be significantly diminished with a 140 apartment unit complex next door

We absolutely feel the proposal should not pass. At a minimum a full environmental DEIS and eventual FEIS needs to occur now before the rezone vote takes place.

We have already experienced a large influx of traffic since the opening of Nor Way to the Lansing Trails development. This project will again significantly increase the traffic in our area. We already experience loud, racing vehicles up and down Bomax, trash thrown up and down Bomax, and an increasing annoyance of traffic turning around in homeowner's driveways at all hours of the day and night.

As the Homeowner's Association, protecting property values and safety within the neighborhood, we vehemently oppose the re-zoning and proposed apartment build on Bomax Drive.

RONALD K. CHANDLER  
Ronald K. Chandler

Name

Katherine M. Chandler

Name

49 NORWAY

ITHACA, NY 14850

Address

KATHERINE M. CHANDLER

We absolutely feel the proposal should not pass. At a minimum a full environmental DEIS and eventual FEIS needs to occur now before the rezone vote takes place.

We have already experienced a large influx of traffic since the opening of Nor Way to the Lansing Trails development. This project will again significantly increase the traffic in our area. We already experience loud, racing vehicles up and down Bomax, trash thrown up and down Bomax, and an increasing annoyance of traffic turning around in homeowner's driveways at all hours of the day and night.

As the Homeowner's Association, protecting property values and safety within the neighborhood, we vehemently oppose the re-zoning and proposed Apartment build on Bomax.

Kimberly M. Dine  
Name

42 Nor Way  
Ithaca NY 14850  
Address

Alvin A. Dove  
Glenn A. Dove  
Name

42 Nor Way  
Ithaca NY 14850  
Address

Manan W. Dicker  
Lawrence E. Dicker  
Name

44 Nor Way  
Ithaca NY 14850  
Address

Laura  
Wardham  
Name

52 Nor Way  
Ithaca NY 14850  
Address

for Voornice Chong  
MS.  
Name

50 Nor Way  
Ithaca NY 14850  
Address

Ray E Reed  
Name  
Carol Kay Reed

54 Nor Way  
Ithaca, N.Y.  
Address

Chris York  
Name  
Andy Young

47 Nor Way  
Ithaca, NY  
Address

Max Maurea  
Name

46 Nor Way  
Ithaca NY  
Address

Jim Howell  
Name  
Jim Howell

2 JON STONE CIRCLE, 53-56 Nor Wa  
ITHACA, NY  
Address ITHACA, NY

Name

51 Nor Way  
Ithaca NY  
Address

Joe Prof  
Name

Address

Name

Address

Name

Address

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As the Homeowner's Association, protecting property values and safety within the neighborhood, we vehemently oppose the re-zoning and proposed apartment build on Bomax Drive.

Yao Cui Yendis  
Name

\_\_\_\_\_  
Name

58 Nor Way  
Ithaca, NY 14850  
Address

We absolutely feel the proposal should not pass. At a minimum a full environmental DEIS and eventual FEIS needs to occur now before the rezone vote takes place.

We have already experienced a large influx of traffic since the opening of Nor Way to the Lansing Trails development. This project will again significantly increase the traffic in our area. We already experience loud, racing vehicles up and down Bomax, trash thrown up and down Bomax, and an increasing annoyance of traffic turning around in homeowner's driveways at all hours of the day and night.

As the Homeowner's Association, protecting property values and safety within the neighborhood, we vehemently oppose the re-zoning and proposed apartment build on Bomax Drive.

Cindy Hurry  
Name

37 Nor Way  
Address

David K. Hurry  
Name

Address

October 10, 2016

Village of Lansing  
Mayor Don Hartill and Elected Trustees  
2405 Triphammer Road  
Ithaca, NY 14850

Dear Mayor and Elected Trustees:

I am writing this letter in opposition of the proposed 20 acre rezoning proposal on the south side of Bomax Drive to allow for a 140 unit apartment complex. The proposed request to change it to a High Density Residential zone is in no way beneficial to the Heights of Lansing Homeowners. In fact, there are several detrimental effects of such a development:

1) Increased traffic to the already Bomax Drive "raceway," where vehicles seem to think it's a ¼ mile drag stretch that makes walking extremely dangerous. This is even more so at night due to no street lights nor sidewalks down this entire stretch of roadway.

2) Increase noise and nuisance to this very quiet neighborhood, which is why we chose such a location when selecting a secluded area.

3) Property values being diminished as a result of a high density apartment complex whereby tenants have no ownership responsibilities and the transient nature of tenancy.

4) Injecting 140 new apartments into this area is contrary to the comprehensive plan when there is a fixed amount of business zoned land already. There are other sites in the Village which comport better to this proposal and poses a significant environmental impact.

5) Loss of the wooded area as a buffer and the movement of the stream through the middle of the site is a significant environmental impact.

We have already experienced a large influx of traffic since the opening of Nor Way to the Lansing Trails development. This project will again significantly increase the traffic in our area. We already experience loud, racing vehicles up and down Bomax, trash thrown up and down Bomax, and an increasing annoyance of traffic turning around in homeowner's driveways at all hours of the day and night.

For these reasons, my husband and I oppose the proposed rezoning of the 20 acre plot on Bomax Drive, and hope as our elected officials, you vote the same.

Sincerely,

Kimberly and Glenn Dove

**Subject:** Fw: Buffer Strips  
**From:** Deborah Dawson <ithacadeborah@yahoo.com>  
**Date:** 10/13/2016 9:14 PM  
**To:** Jodi Dake <clerk@vlansing.org>

More...

----- Forwarded Message -----

**From:** Deborah Dawson <ithacadeborah@yahoo.com>  
**To:** Mario Tomei <tomei1225@gmail.com>; Lisa Schleelein <lschleelein@gmail.com>; Michael Baker <bakerm82@gmail.com>; John Gilliott <thegillotts@twcny.rr.com>  
**Cc:** Marty Moseley <codeofficer2@vlansing.org>  
**Sent:** Sunday, September 18, 2016 3:00 PM  
**Subject:** Buffer Strips

So I read through the Village Zoning Law, and I figured out what the buffer strips are. No doubt, Marty and Mario know all about this, but for those of you who, like me, had no clue, here's what I learned:

Section 145.24.A. requires that there be a buffer strip wherever residential zones abut other types of zones. The buffer strips are required to be located on the non-residential zoned properties that abut residential zoned properties.

Section 145-24.C requires that the buffer zone between a residential and a Business and Technology District property be 150 feet wide.

Who knew?

**Subject:** RE: Suggested use of PDA for Bomax Drive Parcel

**From:** <codeofficer2@vlansing.org>

**Date:** 10/13/2016 10:40 AM

**To:** "Ronny Hardaway" <rjhardaway@yahoo.com>

**CC:** "David Dubow" <ddubow@bgdmolaw.com>, "Don Hartill" <DLH13@Cornell.edu>, "Gerry Monaghan" <gmonaghan22@mac.com>, "John O'Neill" <johnoneil5@aol.com>, "Pat O'Rourke" <patithaca@aol.com>, "Deborah Dawson" <ithacadeborah@yahoo.com>, "John Gillott" <thegillotts@twcny.rr.com>, "Lisa Schleelein" <lschleelein@gmail.com>, "Mario Tomei" <tomei1225@gmail.com>, "Michael Baker" <bakerm82@gmail.com>, "Jodi Dake" <clerk@vlansing.org>

Ronny,

I'm not sure that using the PDA would be the best tool in this scenario. Although the PDA may provide for more control the uses would still be governed by the district regulations as set by what the applicant and the Village agree on. As David indicated in his email, there are typically multiple uses that would be allowed in a PDA, but the High Density Residential District would also allow for multiple uses. One of the uses allowed in a HDR District is an office/studio/service use, which may be consistent with other uses in the BTD due to the commercial use. One example of this recently is the Dairy One building off of Warren Road. Typically the PDA also is created and implemented when there are limited or no other options for development within the requested zoning area as specified by the Village or municipality. In this scenario there are other High Density Residential Districts in the immediate vicinity which would provide for consistency in the zoning districts, if the Trustees were to approve the zoning change.

For instance, in a PDA, some developers would indicate that their proposed development would allow for less lot coverage and increase the overall greenspace of the property. They may propose that as a positive attribute to allow for a PDA. Based on the current conversation and possibility of having multi-unit residential on this parcel of land, it would already reduce the amount of impervious area that otherwise would be allowed with a manufacturing/industrial use as allowed in the BTD. My comment is also based on a full build out of both the industrial/manufacturing use and the multi-unit residential use for the parcel of land in question.

Hopefully this helps and if not we can also talk about it at the next meeting.

Thanks,  
Marty

---

**From:** Ronny Hardaway [mailto:rjhardaway@yahoo.com]

**Sent:** Wednesday, October 12, 2016 2:17 PM

**To:** Marty Moseley <CodeOfficer2@Vlansing.org>

**Cc:** 'David Dubow' <ddubow@bgdmolaw.com>; 'Don Hartill' <DLH13@Cornell.edu>; 'Gerry Monaghan' <gmonaghan22@mac.com>; 'John O'Neill' <johnoneil5@aol.com>; 'Pat O'Rourke' <patithaca@aol.com>; Deborah Dawson <ithacadeborah@yahoo.com>; John Gillott <thegillotts@twcny.rr.com>; Lisa Schleelein <lschleelein@gmail.com>; Mario Tomei <tomei1225@gmail.com>; Michael Baker <bakerm82@gmail.com>

**Subject:** Suggested use of PDA for Bomax Drive Parcel

Hi Marty,

At last night's Lansing Trails neighborhood meeting with Park Grove, Larry Fabbroni asked if the Village

could impose/use a PDA for the Bomax Drive parcel to better control how the property is developed. Is this a possible or practical implementation of PDA? Would it benefit the Village in the long run? Would it allay some of the current residents' concerns with the development? Perhaps we can discuss it at tomorrow's noon meeting.

*Ronny*

**Subject:** Fw: Board of Trustees meeting this Monday  
**From:** Deborah Dawson <ithacadeborah@yahoo.com>  
**Date:** 10/13/2016 9:14 PM  
**To:** Jodi Dake <clerk@vlansing.org>

And another...

----- Forwarded Message -----

**From:** Deborah Dawson <ithacadeborah@yahoo.com>  
**To:** "codeofficer2@vlansing.org" <codeofficer2@vlansing.org>  
**Sent:** Monday, September 19, 2016 10:14 AM  
**Subject:** Re: Board of Trustees meeting this Monday

No, thanks Marty, that is enough. BTW, how many homes are there in Lansing Trails (approximately)? How many have been built there in the past 10-15 years? (If you know - I don't want to make you do a lot of research.)

---

**From:** "codeofficer2@vlansing.org" <codeofficer2@vlansing.org>  
**To:** 'Deborah Dawson' <ithacadeborah@yahoo.com>; 'Mario Tomei' <tomei1225@gmail.com>; 'Lisa Schleelein' <lschleelein@gmail.com>; 'John Gilliott' <thegillotts@twcny.rr.com>; 'Michael Baker' <bakerm82@gmail.com>  
**Sent:** Monday, September 19, 2016 9:50 AM  
**Subject:** RE: Board of Trustees meeting this Monday

Deborah,  
Gillespie, Wisor, and Hogben all live in the Lansing Trails 1 area. Are you looking for more specifics?

Thanks,  
Marty

---

**From:** Deborah Dawson [mailto:ithacadeborah@yahoo.com]  
**Sent:** Sunday, September 18, 2016 11:17 AM  
**To:** Mario Tomei <tomei1225@gmail.com>; Lisa Schleelein <lschleelein@gmail.com>; John Gilliott <thegillotts@twcny.rr.com>; Michael Baker <bakerm82@gmail.com>  
**Cc:** Marty Moseley <codeofficer2@vlansing.org>  
**Subject:** Fw: Board of Trustees meeting this Monday

Dear Planning Board members:

As I suspected, the resistance to our rezoning recommendation is coming from Janet Jonson and our own BZA, some of whose members Ms. Jonson has managed to stir up. Unfortunately but not surprisingly, Trustee O'Neil has climbed on that bandwagon and is riding his hobbyhorse of choice - speeding and traffic volume - into the fray.

This sounds like blatant NIMBYism, and it is more important than ever that we be present at Monday night's meeting to counter the arguments that have been raised in opposition..

The statement that the argument in favor of leaving the zoning as is is a sound one, is NOT an argument at all, but rather a conclusion that begs the question - why is that "sound," when in fact it is inconsistent with our Comprehensive Plan and our overall zoning policy?

Fw: Board of Trustees meeting this Monday

The statement that a full environmental study etc must be conducted before the zoning is changed seems to me to be erroneous: how can you do a study unless and until you have a specific project to evaluate? Are Messrs. Gillespie, Wisor, and Hogben not putting the cart before the horse here?

Two words in response to traffic and speeding concerns: traffic study. Again, project-specific.

As David Dubow pointed out at our last meeting, what is being considered is the rezoning, not Park Grove's specific project proposal. That being the case, Park Grove's tree cutting exercise at Chateau Claire is irrelevant here.

Mario and Marty, can you enlighten us as to what 150-foot buffer might be eliminated? I don't recall seeing anything about that in the rezoning proposal. And, if there's something like that in the project proposal, it would have to be considered by the Planning Board, later, if and when the project is before it.

Finally, can anyone tell me where Gillespie, Wisor, and Hogben live?

Thank you all.  
Deborah

----- Forwarded Message -----

**From:** Ronny Hardaway <[rjhardaway@yahoo.com](mailto:rjhardaway@yahoo.com)>  
**To:** Deborah Dawson <[ithacadeborah@yahoo.com](mailto:ithacadeborah@yahoo.com)>  
**Sent:** Sunday, September 18, 2016 10:58 AM  
**Subject:** FW: Board of Trustees meeting this Monday

FYI

*Ronny*

**From:** o [<mailto:johnoneil5@aol.com>]  
**Sent:** Sunday, September 18, 2016 10:29 AM  
**To:** [dlh13@cornell.edu](mailto:dlh13@cornell.edu); [gmonaghan22@yahoo.com](mailto:gmonaghan22@yahoo.com); [rjhardaway@yahoo.com](mailto:rjhardaway@yahoo.com); [patithaca@aol.com](mailto:patithaca@aol.com)  
**Subject:** Fwd: Board of Trustees meeting this Monday

Dear Trustees,

This is a e-mail to the neighborhood in Lansing Trail 1, concerning our Monday meeting. The concern is from Janet Jonson. No mention of the 70+ homes planned for the Lansing Trail 2.

John

-----Original Message-----

**From:** Patrick Gillespie <[gillespiepd@hotmail.com](mailto:gillespiepd@hotmail.com)>  
**To:** ltha14850 <[ltha14850@gmail.com](mailto:ltha14850@gmail.com)>  
**Sent:** Sat, Sep 17, 2016 11:15 pm  
**Subject:** Board of Trustees meeting this Monday

Hi all,

The Village of Lansing Board of Trustees is meeting Monday at 7:30 p.m. at the Village Hall.

You may have received a flyer from IJ Construction Saturday afternoon stating its concerns with the 140-unit housing project off Bomax Drive. That area is currently zoned for Business & Technology", but the developer has requested the village to rezone the area as "Multi Family".

This will be your opportunity to voice your opinion to our elected leaders.

Some of the issues that have been brought to our attention regarding the project:

- The argument for keeping the parcel light industrial, similar to its neighbor, Transact, is a sound argument. There is also concern with the statement that a 150-foot buffer would be eliminated. Does that mean that all buffers in our neighborhood can disappear at the whim of the Trustees? It seems that a buffer is a lifetime buffer.
- A full environmental study of the site including wetland delineation and preliminary sizing of storm water facilities to see what land is appropriate for development is in order before moving to a rezoning consideration.
- There is concern that the value of homes in our neighborhood will definitely plunge if this project materializes.
- Also, additional traffic will be more consistent in our neighborhood with an additional 140-units build out. We've seen an increase in traffic during the morning & afternoon commutes (with an increase of speeding and failure to obey traffic control devices).
- One of the developers of this project, Park Grove Realty LLC of Rochester, bought the Chateau Claire apartment complex on Cinema Drive and immediately cut down approximately 20 willows, changing the look of that property forever.

Whether you are in favor or opposed to the rezoning, we encourage you to attend the meeting.

Sincerely,

Pat Gillespie, President  
John Wisor, Acting Vice President  
Roy Hogben, Treasurer

**Subject:** RE: Re-zoning and Apartment Facts

**From:** "Ronny Hardaway" <rjhardaway@yahoo.com>

**Date:** 10/13/2016 9:07 PM

**To:** <codeofficer2@vlansing.org>, "'Don Hartill'" <DLH13@Cornell.edu>, "'John O'Neill'" <johnoneil5@aol.com>, "'Patricia O'Rourke'" <patithaca@aol.com>, "'GERRY MONAGHAN'" <gmonaghan22@mac.com>

**CC:** "'Jodi Dake'" <clerk@vlansing.org>, "'Brent Cross'" <bcross@cayuga-heights.ny.us>, "'Carolyn Greenwals'" <cbgreenwald@gmail.com>, "'David Dubow'" <ddubow@bgdmolaw.com>, "'Deborah Dawson'" <ithacadeborah@yahoo.com>, "'John Gilliott'" <thegillotts@twcny.rr.com>, "'Lisa Schleelein'" <LSchleelein@gmail.com>, "'Michael Baker'" <bakerm82@gmail.com>, "'Patricia O'Rourke'" <patithaca@aol.com>, <TOMEI1225@gmail.com>

More excellent research and reporting, Marty. Thank you.

*Ronny*

---

**From:** codeofficer2@vlansing.org [mailto:codeofficer2@vlansing.org]

**Sent:** Thursday, October 13, 2016 9:52 PM

**To:** Don Hartill <DLH13@Cornell.edu>; 'John O'Neill' <johnoneil5@aol.com>; 'Patricia O'Rourke' <patithaca@aol.com>; 'GERRY MONAGHAN' <gmonaghan22@mac.com>; 'Ron Hardaway' <rjhardaway@yahoo.com>

**Cc:** 'Jodi Dake' <clerk@vlansing.org>; 'Brent Cross' <bcross@cayuga-heights.ny.us>; Carolyn Greenwals <cbgreenwald@gmail.com>; 'David Dubow' <ddubow@bgdmolaw.com>; 'Deborah Dawson' <ithacadeborah@yahoo.com>; 'John Gilliott' <thegillotts@twcny.rr.com>; 'Lisa Schleelein' <LSchleelein@gmail.com>; 'Michael Baker' <bakerm82@gmail.com>; 'Patricia O'Rourke' <patithaca@aol.com>; TOMEI1225@gmail.com

**Subject:** Re-zoning and Apartment Facts

Dear Mayor and Trustees,

I have attached an analysis of the current number of apartments, which is 1,101, and not 1,267. The 1,267 included some additional rooms from hotels. I believe that the 1,101 is the correct number of non-transient rentals within the Village. On the attached document I also included the acreage of the parcels and the minimum lot size based on the overall lot acreage and the number of units that currently are built for that particular apartment complex. As you can see from the attachment, the overall density of a majority of the apartment complexes are well over what the Village allows under the current Zoning Code. Please keep in mind that the minimum lot size, as specified by today's Zoning Code, requires that a multi-unit residential use have 6,000 square feet (per unit). Based on the current apartment complexes in the Village the average minimum lot size is 3,926.47 square feet (per unit). If the current maximum build out for multi-unit residential, in the High Density Residential District (HDR), had a minimum lot size of 3,926.47 square that would equate to approximately 215.88 units for a 19.46 acre parcel. If we were to have a maximum build out comparable to the Northwoods Apartments, the parcel could have approximately 367.68 apartments built on it for the 19.46 acre parcel. As you can see the Village Zoning Code does limit the overall development of the apartments considerably compared to counterparts in the Village. As was explained earlier most of the apartment complexes were built prior to the Village being established, with the exception of the Kensington Apartments.

Also the Business and Technology District (BTD) allows for a total lot coverage of 25% and by down zoning the

parcel to HDR it would only allow for a total lot coverage of 20%. Please keep in mind that the lot coverage is defined as the percentage of a lot area covered by a building or buildings (which does not include parking lots or anything other than buildings). If the percentages of lot coverage were based off of the 19.46 acre parcel, the BTD would allow for a maximum lot coverage of 4.8654 acres and the HDR would allow for 3.892 acres. This would equate to an approximate .973 acres of not being developed in HDR.

Based on the, corrected, overall number of apartments, the proposed project would increase the number of apartments in the Village by 12.71%. (this was originally projected to be an approximate 9.76% increase in the overall apartments in the Village).

I thought that based on the conversations, I should provide you all with some additional information that may be helpful in your consideration of the re-zoning. Additionally I forgot to include, in my previous email about using a PDA, that the density could increase 25% more (with a PDA) than what is allowed in the HDR. That would increase the maximum buildout for the 19.46 acre parcel from 141.28 to 176.6 apartments.

Thank you,  
Marty Moseley

Code Enforcement,  
Zoning, and Stormwater  
Management Officer to:  
The Village of Lansing  
2405 North Triphammer Road  
Ithaca N.Y. 14850  
Office: (607)257-8363 ext.3  
Fax: (607)257-3230  
Cell: (607)227-3514

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October 10, 2016

Mr. Hartill  
Mayor, Village of Lansing  
Lansing, NY

Dear Mr. Hartill,

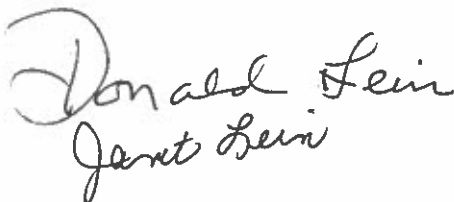
My wife and I are residents of the Lansing Trails neighborhood living at 62 Janivar Drive. We love this neighborhood because of low traffic, attractive homes and landscapes, and the walking paths of the Lansing Trails. Since the completion of Nor Way connecting Bomax Drive and Janivar Drive our traffic has greatly increased with this new route connecting Warren Rd. and Triphammer Rd.

The neighborhood still has a great deal of residential development to take place in the former Ivar Johnson Track , both condos and private homes and the eventual plan of extending Kraft Rd. to meet Bomax at Nor Way with further condos and private homes. Also, the track of vacant land just east of the CFCU complex on Kraft Rd. is advertised by Warren Real Estate for sale which I presume will be more residential housing for the neighborhood.

The proposed changing of zoning on Bomax Drive from development for high tech or light industry to a proposed new building of a high density apartment complex would be overwhelming and devastating to the Lansing Trails Neighborhood – traffic, people and pet density, real estate value, water run-off, and future planned building of the Ivar Johnson Track. We are appealing to you and the Board to study this proposal carefully and leave that track of land on Bomax Drive with its original zoning for light or high tech industry which fits that area of Warren Rd. and Cornell Research Park.

Sincerely,

Donald and Janet Lein

Handwritten signatures of Donald and Janet Lein in cursive script. The signature for Donald Lein is on top, and Janet Lein is below it.

**codeofficer2@vlansing.org**

---

**From:** Jess Sudol <jsudol@passero.com>  
**Sent:** Thursday, October 13, 2016 10:54 AM  
**To:** codeofficer2@vlansing.org  
**Cc:** Pam Freeman  
**Subject:** Bomax Dr Traffic Report  
**Attachments:** Bomax Dr Traffic Report.pdf

Marty,

Attached is the revised traffic study, a hard copy has been mailed to you. The revised study incorporates the memo sent to you in May of this year which included the traffic signal at Craft and North Triphammer Road. As a result of that revision, the Level of Service table (Table 6-2) was modified but still reflects acceptable levels of service. Additionally, we included a site plan at appendix G illustrating the potential buildout of the parcel based on the current zoning. The projected level of trips from that type of buildout have been updated to reflect 200,000 sf.

Please contact me directly with any questions.

Sincerely,

**Jess D. Sudol, PE, CPESC, CPSWQ**  
Associate & Department Manager

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Passero Associates. The recipient should check this email and any attachments for the presence of viruses. Passero Associates accepts no liability for any damage caused by any virus transmitted by this email.

**Subject:** Re-zoning and Apartment Facts

**From:** <codeofficer2@vlansing.org>

**Date:** 10/13/2016 8:52 PM

**To:** "Don Hartill" <DLH13@Cornell.edu>, "John O'Neill" <johnoneil5@aol.com>, "Patricia O'Rourke" <patithaca@aol.com>, "GERRY MONAGHAN" <gmonaghan22@mac.com>, "Ron Hardaway" <rjhardaway@yahoo.com>

**CC:** "Jodi Dake" <clerk@vlansing.org>, "Brent Cross" <bcross@cayuga-heights.ny.us>, "Carolyn Greenwals" <cbgreenwald@gmail.com>, "David Dubow" <ddubow@bgdmolaw.com>, "Deborah Dawson" <ithacadeborah@yahoo.com>, "John Gilliott" <thegillotts@twcny.rr.com>, "Lisa Schleelein" <LSchleelein@gmail.com>, "Michael Baker" <bakerm82@gmail.com>, "Patricia O'Rourke" <patithaca@aol.com>, <TOMEI1225@gmail.com>

Dear Mayor and Trustees,

I have attached an analysis of the current number of apartments, which is 1,101, and not 1,267. The 1,267 included some additional rooms from hotels. I believe that the 1,101 is the correct number of non-transient rentals within the Village. On the attached document I also included the acreage of the parcels and the minimum lot size based on the overall lot acreage and the number of units that currently are built for that particular apartment complex. As you can see from the attachment, the overall density of a majority of the apartment complexes are well over what the Village allows under the current Zoning Code. Please keep in mind that the minimum lot size, as specified by today's Zoning Code, requires that a multi-unit residential use have 6,000 square feet (per unit). Based on the current apartment complexes in the Village the average minimum lot size is 3,926.47 square feet (per unit). If the current maximum build out for multi-unit residential, in the High Density Residential District (HDR), had a minimum lot size of 3,926.47 square that would equate to approximately 215.88 units for a 19.46 acre parcel. If we were to have a maximum build out comparable to the Northwoods Apartments, the parcel could have approximately 367.68 apartments built on it for the 19.46 acre parcel. As you can see the Village Zoning Code does limit the overall development of the apartments considerably compared to counterparts in the Village. As was explained earlier most of the apartment complexes were built prior to the Village being established, with the exception of the Kensington Apartments.

Also the Business and Technology District (BTD) allows for a total lot coverage of 25% and by down zoning the parcel to HDR it would only allow for a total lot coverage of 20%. Please keep in mind that the lot coverage is defined as the percentage of a lot area covered by a building or buildings (which does not include parking lots or anything other than buildings). If the percentages of lot coverage were based off of the 19.46 acre parcel, the BTD would allow for a maximum lot coverage of 4.8654 acres and the HDR would allow for 3.892 acres. This would equate to an approximate .973 acres of not being developed in HDR.

Based on the, corrected, overall number of apartments, the proposed project would increase the number of apartments in the Village by 12.71%. (this was originally projected to be an approximate 9.76% increase in the overall apartments in the Village).

I thought that based on the conversations, I should provide you all with some additional information that may be helpful in your consideration of the re-zoning. Additionally I forgot to include, in my previous email about using a PDA, that the density could increase 25% more (with a PDA) than what is allowed in the HDR. That would increase the maximum buildout for the 19.46 acre parcel from 141.28 to 176.6 apartments.

Thank you,  
Marty Moseley

Code Enforcement,  
Zoning, and Stormwater  
Management Officer to:  
The Village of Lansing  
2405 North Triphammer Road  
Ithaca N.Y. 14850  
Office: (607)257-8363 ext.3  
Fax: (607)257-3230  
Cell: (607)227-3514

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Attachments:

Apartment Analysis 10-13.xlsx

10.6 KB

Apartments

| <u>Name</u>  | <u># of Units (existing)</u> | <u>Acres of Lot</u> | <u>Minimum lot size in Sq. Ft. (existing conditions)</u> | <u># of units allowed under current zoning with 6,000 Sq. Ft. per unit</u> |
|--|------------------------------|---------------------|--|--|
| Gaslight Village<br>37 uptown Rd.                          | 142                          | 7.3                 | 2,239.35   | 53   |
| Lansing West<br>2250 N. Triphammer Rd.                     | 180                          | 13.77               | 3,332.34   | 100  |
| Northwood<br>700 Warren Rd.                                | 270                          | 14.29               | 2,305.45   | 103.75   |
| University Park<br>87 uptown Rd.                           | 197                          | 10.67               | 2,359.31   | 77.46  |
| The Meadows<br>100 Graham Road                             | 108                          | 9.72                | 3,920.40   | 70.57  |
| Uptown Village<br>101 Uptown Rd.                           | 48                           | 4.55                | 4,129.13   | 33.03  |
| Triphammer Apts.<br>5 & 13 Cinema Dr.                      | 64                           | 5.34                | 3,634.54   | 38.79  |
| University Park<br>134 Graham Rd.                          | 72                           | 3.89                | 2,353.45   | 28.24  |
| Kensington Apts.<br>Yardley Green                          | 20                           | 5.08                | 11,064.24  | 36.88  |
| <b>Total</b>   | <b>1101</b>                  |                     | <u>Average Lot Size in Sq. Ft.</u><br>3,926.47           | <u>Total Units if Built Today</u><br>541.72                                |
| <u>Proposed concept</u><br>Cornell/Bornax Rd<br>Bornax Dr. | 140                          | 19.46               | 6,054.84   | 141.28   |

Built after the Village was formed

Larry and Marian Decker  
44 Nor Way  
Ithaca, NY

Dear Mr. Hartill,

My husband and I are retirees. About three years ago we were looking for a quiet neighborhood setting in which to spend the rest of our retirement. We wanted a place with little maintenance for us, and pleasant walking trails so we were attracted to the town houses in the Heights of Lansing. After looking at other areas we decided this was the best option for us. We have spent many enjoyable hours walking the trails and the area roads since there is not a lot of traffic in the area. The neighborhood is small and quiet.

We are very concerned with the proposed rezoning and 140 unit apartment complex on Bomax. The increased traffic flow alone will make it unsafe to walk along the roads and Nor Way will see a huge increase of usage. Lansing Trails is also a neighborhood area and will see a tremendous increase of traffic. All of us will see our properties decrease in value. Purchase of our home was a major investment for us and like others we do not want to see it decrease in value. Nor would we like the negative impact on our quality of life along with the quiet enjoyment of our neighborhood.

Please consider our concerns and reject the proposed rezoning and complex.

Thank you for reading our request.

Sincerely,

Marian Decker 10/10/16  
Lawrence Decker 10/10/16

Dear Mr. Hartill,

I am a resident of the Lansing Trails neighborhood living at 61 Janivar Drive. My partner and I purchased this house 5 years ago. We were attracted to this neighborhood because of the low traffic, clean air, and close proximity to walking paths (we have a big dog), and have truly enjoyed living here since. But with the proposed new building project on Bomax Drive, it seems everything might be changing here if re-zoning is permitted.

I am an Associate Broker with Warren Real Estate and have practiced this business in Ithaca for more than 15 years. I am writing to you not only as a very concerned resident of Lansing Trails, but as a real estate professional. As such, I feel it is my duty to inform you, as I am going to inform all our neighbors, that the real estate value of all houses in this neighborhood will be seriously damaged if the project proceeds. Over the years as a real estate agent, I have seen quite a few sales in this neighborhood with steadily improving prices. This might not hold true any longer. In my opinion, if re-zoning is approved, the market value of all houses in this neighborhood could be reduced by as much as 5% – 15%. It is impossible to predict precisely by how much value all of our houses would be reduced, but, as a professional, I can assure you that the damage will be done.

When working with people looking for a home in Ithaca, I know (and all my colleagues share this knowledge) that buyers very much appreciate quiet neighborhoods, low traffic, walk-friendly streets, and clean air. If the building project proceeds, with an estimated additional 250 – 300 vehicles driving through the heart of Lansing Trails more than once daily, none of the above advantages of living in this neighborhood will hold true any more.

Also, as you might know, there will be the additional problems of water runoff. Some of the houses in our neighborhood already experience flooding because the infrastructure along the entire south section of Janivar Drive is already at it's maximum capacity. The impact of this new development can be devastating.

I am appealing to you to look at this issue thoroughly and consider all the ramifications of this proposed project against all the unfortunate consequences, including financial damage to a lot of people.

*Elvina*



**Elvina Amati, ABR, CRES**  
Licensed Associate Real Estate Broker

[www.amatihomes.com](http://www.amatihomes.com)

830 Hanshaw Road, Ithaca, NY 14850

(607) 330-5228 (24 hour VM)

(607) 342-3781 (Mobile)

Email: [elvinaamati@gmail.com](mailto:elvinaamati@gmail.com)



*"The Best in the Business"*



October 13, 2016

Dear Don Hartill,

I am writing concerning the proposed rezoning of the land off of Bomax Drive. I live at 121 Nor Way, which is the new house that was built about a year ago where Nor Way and Janivar meet. However I have been in the neighborhood since 2005 when I bought 6 Janivar. The main reason I am opposed to the re-zoning is the environmental impact, namely the increase of traffic, which will lead to a decline of property values due to decreased desirability.

Back in 2005 I was drawn to Lansing Trails because it was a quiet neighborhood that "nobody knew existed", that was close to stores, and walkable. For a first time home buyer it was a perfectly sized house/townhouse at 1,400 square feet at a "reasonable" price, \$205,000. I knew that it was a highly desirable neighborhood; hence I offered the asking price so I wouldn't lose the house, and I knew that reselling even in an economic downturn wouldn't be a problem. Over the recent years with Nor Way connecting to Bomax the traffic has increased, mostly in the mornings and evenings when people are going to and coming from work at the CFCU Craft Road Building and TransAct. In addition, FedEx, USPS, and UPS use Nor Way as a shortcut all day. When deciding to build at 121 Nor Way we knew it was on a through street and traffic would steadily increase when Phase 2 and Phase 3 of the Heights of Lansing were built. However, knowing that we still built here because we loved the neighborhood and knew that desirability to live in this neighborhood was strong. We knew that Phase 2 and 3 of the Heights of Lansing were slated for high end townhomes, which would only help our property value. In addition, we knew that if I.J. Construction sold the land and plans changed it would still be higher end owner occupied residences. Adding 140 rental properties on top of the eventual build out of Phase 2 and Phase 3 is going to cause Nor Way, Janivar, and Leifs Way to be a main thorough fair and put it at max capacity. This is a residential neighborhood meant for walking and meant for families to safely raise kids. If the Bomax property gets rezoned for high density residential, this neighborhood will absolutely need sidewalks, a lower speed limit, and possibly speed bumps. This neighborhood will absolutely be less desirable with the traffic increase and frankly I feel it is irresponsible for the village to rezone this property without making other concessions to keep the desirability of the neighborhood. One other solution that I see is that you make Janivar a dead end again. Due to the design Janivar and Nor Way would both have snow plow/bus turnarounds and the issue of traffic would be resolved. As for property values I feel that the increase in traffic and addition of rentals will make the neighborhood less desirable hence lowering property values.

As I point out above my main concern is traffic, which will cause a decline in property values due to decreased desirability. If this proposal for high density residential moves forward I would expect the Village to do their due diligence in keeping this a highly desirable neighborhood by implementing two or more of the following suggestions; closing the Janivar/Nor Way connection, adding sidewalks, adding speed bumps, decreasing the speed limit, and/or adding a couple of small playgrounds to attract families. Also, I hope an additional environmental impact study will be done by an independent agency because I am only touching on a small part of the entire significant environmental impact of this re-zoning and proposed project.

Thank you for reading my concerns,

Nicole Boosembark-Baker  
121 Nor Way  
Ithaca, NY 14850  
ncb4@cornell.edu



## **An Open Letter to One “Concerned Citizen of Village of Lansing” From Another**

Dear Concerned Citizen,

Just this week, you sent the following letter to our Village Planning Board:

Thank you for having the foresight to recognize a pause in the consideration of yet another apartment project in Lansing that may very well be in conflict with the vast majority of Lansing residents.

A few decades ago, we were so united in our resolve to zone out future apartment development that we had to secede from the Town of Lansing and create the Village of Lansing. Does this not send a message regarding our firm resolve to STOP the invasion of a project that will more than double the existing number of apartment dwellings in our community? Do we have to unite again and remove those who did not get our message, and form the “Hamlet of Lansing?” Regrettably, there are many of us who think so.

Thank you for your attention,  
Concerned Citizen of Village of Lansing

I am a member of the Village Planning Board and, like you, a concerned citizen of our Village. I happen to be very much in favor of the rezoning proposal that is the subject of your letter. If you had identified yourself, I would have been happy to discuss the matter with you and explain my reasoning, but your choice to communicate anonymously does not permit that. So this letter is for you, and other concerned citizens who might want to weigh in on this issue.

There is currently before our Board of Trustees a proposal to rezone a 19.5 acre parcel of land on the south side of Bomax Drive, between TransAct on the east and Lansing Trails on the west, from Business and Technology (“BTD”) to High Density Residential (“HDR”). This proposal was submitted by a developer who wants to build a 140-unit apartment community on the property, which is owned by Cornell University and has sat undeveloped for decades. The proposal was approved by the Planning Board and recommended to the Board of Trustees. I would like to tell you why I, personally, voted to recommend the proposal.

As it stands, the property in question is zoned BTD. It is undeveloped, so it is not generating an optimal amount of property tax revenue for the Village. The BTD zoning would allow a developer or business to propose a light industrial facility (as large as 210,000 square feet), surrounded by parking lots – and, although the Planning Board could impose some limitations and restrictions on such a proposal, it could not deny it if it complied with current zoning requirements. This is the factual context in which the Planning Board evaluated the rezoning proposal and voted, unanimously, to recommend it to the Board of Trustees.

I am not speaking for the Planning Board here, so I can only give you my personal reasons for voting in favor of rezoning the Bomax parcel from BTD to HDR.

- The rezoning would “downzone” the property in question: a residential complex would have considerably less impact on the surrounding natural and built environments than would an industrial development.
- A residential development on the parcel in question would provide a buffer zone between the businesses along Warren Road and the homes in the Lansing Trails and Heights of Lansing developments.
- The proposed development, if and when it were approved and built, would be aesthetically superior to an industrial facility.
- The proposed development would be entirely consistent with the goals of our Comprehensive Plan. It would provide smaller units for singles, couples, and small families, at a walkable distance to jobs in the Business and Technology Park and retailers and restaurants along the North Triphammer Corridor. Although the rents would not be inexpensive, it would provide downsizing seniors with an option to live in a multi-generational apartment community with more affordable rents than those available elsewhere in and near our Village.
- The proposed development would produce much needed property tax revenue for our Village. While a business developer would be apt to ask for a tax abatement to build here, the developers who are proposing this apartment complex are asking only for a rezoning to allow them to proceed.
- Finally, there’s a critical housing shortage in Tompkins County, particularly in and around the City of Ithaca. Our county is also experiencing a decline in sales tax revenues from areas outside the City of Ithaca. I can’t help but think that adding 140 households within walking distance of our Village business district would help be a step in the right direction with respect to both of these problems.

And now, Citizen, I must dispute some of the assertions in your letter. According to the most recently available Census data (2010), over 1100 of our Village’s 1776 households are renters. The Census data further indicates that there were over 1150 apartment units in HDR areas of the Village in 2010. Accordingly, adding 140 more units could not possibly “more than double the existing number of apartment dwellings in our community.” Nor would it “conflict with the vast majority of Lansing residents,” because that majority lives in apartment units.

Finally, as I understand Rita Smidt’s account in “Lansing at the Crossroads,” the Village was formed because the Town refused to regulate a flurry of commercial and HDR construction around the intersection of Route 13 and North Triphammer Road. Our Village founders understood the need for land use regulation and planning to guide the inevitable changes that our community would experience. The consideration of the rezoning proposal currently before our Board of Trustees is wholly consistent with our Village history and tradition.

Thank you, Citizen, for your concern.

## Ronny Hardaway

---

**From:** Ronny Hardaway <rjhardaway@yahoo.com>  
**Sent:** Sunday, September 18, 2016 11:09 AM  
**To:** 'o'  
**Subject:** RE: Board of Trustees meeting this Monday

John,

Do Pat Gillespie, John Wisor and Roy Hogben represent a Lansing Trails Home Owners Association? If not what group or organization do they represent as officers?

*Ronny*

**From:** o [mailto:johnoneil5@aol.com]  
**Sent:** Sunday, September 18, 2016 10:29 AM  
**To:** dlh13@cornell.edu; gmonaghan22@yahoo.com; rjhardaway@yahoo.com; patithaca@aol.com  
**Subject:** Fwd: Board of Trustees meeting this Monday

Dear Trustees,

This is a e-mail to the neighborhood in Lansing Trail 1, concerning our Monday meeting. The concern is from Janet Jonson. No mention of the 70+ homes planned for the Lansing Trail 2.

John

-----Original Message-----

**From:** Patrick Gillespie <gillespiepd@hotmail.com>  
**To:** ltha14850 <ltha14850@gmail.com>  
**Sent:** Sat, Sep 17, 2016 11:15 pm  
**Subject:** Board of Trustees meeting this Monday

Hi all,

The Village of Lansing Board of Trustees is meeting Monday at 7:30 p.m. at the Village Hall.

You may have received a flyer from IJ Construction Saturday afternoon stating its concerns with the 140-unit housing project off Bomax Drive. That area is currently zoned for Business & Technology", but the developer has requested the village to rezone the area as "Multi Family".

This will be your opportunity to voice your opinion to our elected leaders.

Some of the issues that have been brought to our attention regarding the project:

- The argument for keeping the parcel light industrial, similar to its neighbor, Transact, is a sound argument. There is also concern with the statement that a 150-foot buffer would be eliminated. Does that mean that all buffers in our neighborhood can disappear at the whim of the Trustees? It seems that a buffer is a lifetime buffer.

- A full environmental study of the site including wetland delineation and preliminary sizing of storm water facilities to see what land is appropriate for development is in order before moving to a rezoning consideration.
- There is concern that the value of homes in our neighborhood will definitely plunge if this project materializes.
- Also, additional traffic will be more consistent in our neighborhood with an additional 140-units build out. We've seen an increase in traffic during the morning & afternoon commutes (with an increase of speeding and failure to obey traffic control devices).
- One of the developers of this project, Park Grove Realty LLC of Rochester, bought the Chateau Claire apartment complex on Cinema Drive and immediately cut down approximately 20 willows, changing the look of that property forever.

Whether you are in favor or opposed to the rezoning, we encourage you to attend the meeting.

Sincerely,

Pat Gillespie, President  
John Wisor, Acting Vice President  
Roy Hogben, Treasurer

## Ronny Hardaway

---

**From:** o <johnoneil5@aol.com>  
**Sent:** Sunday, September 18, 2016 11:32 AM  
**To:** rjhardaway@yahoo.com  
**Subject:** Re: Board of Trustees meeting this Monday

They are the officers for the LTHA.

—Original Message—

**From:** Ronny Hardaway <rjhardaway@yahoo.com>  
**To:** 'o' <johnoneil5@aol.com>  
**Sent:** Sun, Sep 18, 2016 11:08 am  
**Subject:** RE: Board of Trustees meeting this Monday

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*Ronny*

**From:** o [<mailto:johnoneil5@aol.com>]  
**Sent:** Sunday, September 18, 2016 10:29 AM  
**To:** [dlh13@cornell.edu](mailto:dlh13@cornell.edu); [gmonaghan22@yahoo.com](mailto:gmonaghan22@yahoo.com); [rjhardaway@yahoo.com](mailto:rjhardaway@yahoo.com); [patithaca@aol.com](mailto:patithaca@aol.com)  
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John

—Original Message—

**From:** Patrick Gillespie <[gillespiepd@hotmail.com](mailto:gillespiepd@hotmail.com)>  
**To:** ltha14850 <[ltha14850@gmail.com](mailto:ltha14850@gmail.com)>  
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Whether you are in favor or opposed to the rezoning, we encourage you to attend the meeting.

Sincerely,

Pat Gillespie, President

John Wisor, Acting Vice President

Roy Hogben, Treasurer

**rhardaway@vlansing.org**

---

**From:** codeofficer2@vlansing.org  
**Sent:** Monday, September 19, 2016 11:16 AM  
**To:** rhardaway@vlansing.org  
**Subject:** RE: Cornell Letter related to Park Grove/Passero Associates use of Bomax Drive Property  
**Attachments:** Scanned from a Xerox Multifunction Device (24.5 KB); Scanned from a Xerox Multifunction Device.pdf

See the attached.

Marty

---

**From:** rhardaway@vlansing.org [mailto:rhardaway@vlansing.org]  
**Sent:** Monday, September 19, 2016 10:46 AM  
**To:** Marty Moseley <CodeOfficer2@Vlansing.org>  
**Subject:** Cornell Letter related to Park Grove/Passero Associates use of Bomax Drive Property

Hi Marty,

I am putting together information for tonight's BOT meeting. Did you/we receive a letter from Cornell pertaining to their giving up the Bomax Drive property to Park Grove/Passero? I cannot find a copy in my email or physical copy, and I would like to have it before tonight's meeting. If you have a copy could you send it to me?

Thanks,

*Ronny*



Cornell University  
Real Estate Department

15 Thomwood Drive  
Ithaca, New York 14850  
t. 607.266.7866  
f. 607.266.7876  
[www.realestate.fs.cornell.edu](http://www.realestate.fs.cornell.edu)

July 12<sup>th</sup>, 2016

Mayor Hartill  
Village of Lansing  
2405 N. Triphammer Road  
Ithaca, NY 14850-1013

Dear Mayor Hartill,

This is in support of the Park Grove application to modify the zoning on the Cornell owned parcel on Bomax Drive in the Village of Lansing from Business and Technology to Multi Family. As you know, the University is hopeful that the local marketplace will produce a range of housing opportunities. For this reason, we believe the Park Grove project will help fill some of the housing needs not available to the Tompkins County community at the present time. Park Grove has proposed a project that appears to be of a quality that will not only enhance the neighborhood, but become a housing amenity to help support our widely diverse community.

Thank you for your consideration. If you have any questions, please do not hesitate to reach out.

Very truly yours,



Jeremy E. Thomas  
Senior Director of Real Estate

CC: Stephanie A. Sechler, Esq.

**rhardaway@vlansing.org**

---

**From:** rhardaway@vlansing.org  
**Sent:** Monday, September 19, 2016 12:44 PM  
**To:** 'codeofficer2@vlansing.org'  
**Subject:** RE: Cornell Letter related to Park Grove/Passero Associates use of Bomax Drive Property

Thanks, Marty!

---

**From:** codeofficer2@vlansing.org [mailto:codeofficer2@vlansing.org]  
**Sent:** Monday, September 19, 2016 11:16 AM  
**To:** rhardaway@vlansing.org  
**Subject:** RE: Cornell Letter related to Park Grove/Passero Associates use of Bomax Drive Property

See the attached.

Marty

---

**From:** [rhardaway@vlansing.org](mailto:rhardaway@vlansing.org) [mailto:rhardaway@vlansing.org]  
**Sent:** Monday, September 19, 2016 10:46 AM  
**To:** Marty Moseley <[CodeOfficer2@Vlansing.org](mailto:CodeOfficer2@Vlansing.org)>  
**Subject:** Cornell Letter related to Park Grove/Passero Associates use of Bomax Drive Property

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Thanks,

*Ronny*

**rhardaway@vlansing.org**

---

**From:** codeofficer2@vlansing.org  
**Sent:** Tuesday, October 4, 2016 1:48 PM  
**To:** rhardaway@vlansing.org  
**Subject:** RE: BTB Information Request  
**Attachments:** B&T-Development-Area-9.19.16.xlsx

Ronny,

I have not run an analysis of the existing occupied area of the B&T District. I do have the following, attached, information with respect to the undeveloped B&T District. I'm hoping that this provides the information you are looking for.

Thanks,  
Marty

---

**From:** rhardaway@vlansing.org [mailto:rhardaway@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 10:12 AM  
**To:** Marty Moseley <CodeOfficer2@Vlansing.org>  
**Subject:** BTB Information Request

Hi Marty,

At last night's Board meeting, the mayor mentioned that the Bomax Drive parcel was approximately 15% of the undeveloped BTB area in the Village.

I have some related questions:

- How much of the Village's BTB area is already developed?
- Of the developed BTB area, how much is occupied? (Deborah and I walk the Village a lot, and we have noticed a lot of unoccupied business space.)

Thanks,

*Ronny*

**rhardaway@vlansing.org**

---

**From:** rhardaway@vlansing.org  
**Sent:** Tuesday, October 4, 2016 2:58 PM  
**To:** 'codeofficer2@vlansing.org'  
**Subject:** RE: BTB Information Request

Thanks, Marty!

---

**From:** codeofficer2@vlansing.org [mailto:codeofficer2@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 1:48 PM  
**To:** rhardaway@vlansing.org  
**Subject:** RE: BTB Information Request

Ronny,

I have not run an analysis of the existing occupied area of the B&T District. I do have the following, attached, information with respect to the undeveloped B&T District. I'm hoping that this provides the information you are looking for.

Thanks,  
Marty

---

**From:** [rhardaway@vlansing.org](mailto:rhardaway@vlansing.org) [mailto:rhardaway@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 10:12 AM  
**To:** Marty Moseley <CodeOfficer2@Vlansing.org>  
**Subject:** BTB Information Request

Hi Marty,

At last night's Board meeting, the mayor mentioned that the Bomax Drive parcel was approximately 15% of the undeveloped BTB area in the Village.

I have some related questions:

- How much of the Village's BTB area is already developed?
- Of the developed BTB area, how much is occupied? (Deborah and I walk the Village a lot, and we have noticed a lot of unoccupied business space.)

Thanks,

*Ronny*

**rhardaway@vlansing.org**

---

**From:** rhardaway@vlansing.org  
**Sent:** Tuesday, October 4, 2016 4:37 PM  
**To:** 'codeofficer2@vlansing.org'  
**Subject:** RE: BTB Information Request

Marty,

Do we know the total BTB acreage for the Village?

Ronny

---

**From:** codeofficer2@vlansing.org [mailto:codeofficer2@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 1:48 PM  
**To:** rhardaway@vlansing.org  
**Subject:** RE: BTB Information Request

Ronny,

I have not run an analysis of the existing occupied area of the B&T District. I do have the following, attached, information with respect to the undeveloped B&T District. I'm hoping that this provides the information you are looking for.

Thanks,  
Marty

---

**From:** rhardaway@vlansing.org [mailto:rhardaway@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 10:12 AM  
**To:** Marty Moseley <CodeOfficer2@Vlansing.org>  
**Subject:** BTB Information Request

Hi Marty,

At last night's Board meeting, the mayor mentioned that the Bomax Drive parcel was approximately 15% of the undeveloped BTB area in the Village.

I have some related questions:

- How much of the Village's BTB area is already developed?
- Of the developed BTB area, how much is occupied? (Deborah and I walk the Village a lot, and we have noticed a lot of unoccupied business space.)

Thanks,

*Ronny*

**rhardaway@vlansing.org**

---

**From:** codeofficer2@vlansing.org  
**Sent:** Wednesday, October 5, 2016 10:19 AM  
**To:** rhardaway@vlansing.org  
**Cc:** 'Jodi Dake'  
**Subject:** RE: BTM Information Request

Ronny,

The image below provides a rough outline of the BTM and incorporates the parcel in question as well as the rezoned parcel on the south side of Route 13 from the BTM to HHS District. The approximate total of BTM land area is 693 acres.



Hope this helps.

Marty

From: rhardaway@vlansing.org [mailto:rhardaway@vlansing.org]  
 Sent: Tuesday, October 4, 2016 4:37 PM  
 To: codeofficer2@vlansing.org  
 Subject: RE: BTB Information Request

Marty,

Do we know the total BTDA acreage for the Village?

Ronny

---

**From:** [codeofficer2@vlansing.org](mailto:codeofficer2@vlansing.org) [mailto:codeofficer2@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 1:48 PM  
**To:** [rhardaway@vlansing.org](mailto:rhardaway@vlansing.org)  
**Subject:** RE: BTDA Information Request

Ronny,

I have not run an analysis of the existing occupied area of the B&T District. I do have the following, attached, information with respect to the undeveloped B&T District. I'm hoping that this provides the information you are looking for.

Thanks,  
Marty

---

**From:** [rhardaway@vlansing.org](mailto:rhardaway@vlansing.org) [mailto:rhardaway@vlansing.org]  
**Sent:** Tuesday, October 4, 2016 10:12 AM  
**To:** Marty Moseley <[CodeOfficer2@Vlansing.org](mailto:CodeOfficer2@Vlansing.org)>  
**Subject:** BTDA Information Request

Hi Marty,

At last night's Board meeting, the mayor mentioned that the Bomax Drive parcel was approximately 15% of the undeveloped BTDA area in the Village.

I have some related questions:

- How much of the Village's BTDA area is already developed?
- Of the developed BTDA area, how much is occupied? (Deborah and I walk the Village a lot, and we have noticed a lot of unoccupied business space.)

Thanks,

*Ronny*

## Ronny Hardaway

---

**From:** Ronny Hardaway <rjhardaway@yahoo.com>  
**Sent:** Friday, October 7, 2016 4:09 PM  
**To:** Don Hartill  
**Subject:** FW: Rezoning Info. Please Forward!

Hi Don,

John O'Neill plans to attend this neighborhood meeting. Deborah and I are considering going, too. We want to observe (from a BOT and PB perspective) and gather information to help with the upcoming rezoning decision.

*Ronny*

**From:** o [mailto:johnoneil5@aol.com]  
**Sent:** Friday, October 7, 2016 11:26 AM  
**To:** rjhardaway@yahoo.com  
**Subject:** Re: Rezoning Info. Please Forward!

Just you and Don.

-----Original Message-----

**From:** Ronny Hardaway <rjhardaway@yahoo.com>  
**To:** 'o' <johnoneil5@aol.com>  
**Sent:** Fri, Oct 7, 2016 10:53 am  
**Subject:** RE: Rezoning Info. Please Forward!

Thank you, John. Have you forwarded this information to the other trustees?

*Ronny*

**From:** o [mailto:johnoneil5@aol.com]  
**Sent:** Friday, October 7, 2016 10:43 AM  
**To:** rjhardaway@yahoo.com  
**Subject:** Fwd: Rezoning Info. Please Forward!

Ronny,

FYI:

John

-----Original Message-----

**From:** Patrick Gillespie <gillespiepd@hotmail.com>  
**To:** ltha14850 <ltha14850@gmail.com>  
**Sent:** Thu, Oct 6, 2016 10:13 pm  
**Subject:** Fw: Rezoning Info. Please Forward!

Hello all,

Below is an email Lou Doyle sent to me and asked that I forward it to the group.

FYI, there will be a neighborhood meeting with Tom LiVigne at the Ramada Inn next Tuesday, Oct. 11 at 7 p.m. We have the room until 8:30.

---

**From:** lou [mailto:lou@tuffordconsulting.com]  
**Sent:** Thursday, October 06, 2016 7:48 AM  
**To:** Patrick Gillespie  
**Subject:** Rezoning Info. Please Forward!

Hi Pat,  
Please forward to the neighborhood e-mail list.  
Thank you!  
Lou

Dear Lansing Trails Neighbors,

I have been gathering as much information as possible regarding the activities surrounding the rezoning proposal and the related plan to develop an apartment complex on Bomax Drive.

Here are some things I have found:

- 1). There is a significant lobbying effort underway, including an email request from the president of the Tompkins County Chamber of Commerce, urging people to write letters to our mayor supporting the project.
- 2). Old-fashioned, snail-mail letters, have an enormous impact on the process and was a major contributing factor in the abandonment of the low income housing proposal near Northwood Apartments a couple of years ago.
- 3). **If you want your voice heard regarding the project, it is imperative that you send a letter in the mail to Don Hartill. ((2405 N Triphammer Rd, Ithaca 14850)).** Attending the meetings and speaking is necessary and important, but letters have a more significant impact! Many letters in support of the project have already been received.
- 4). The Engineering Report that the developers produced in May 2016 has some serious flaws regarding the analysis of traffic flow and water runoff/drainage.
- 5). Regarding traffic, the study emphasized existing "mature roadway network", which cannot possibly include Nor Way, which is brand new and absolutely not suitable for the level of traffic we will experience with this project. With the addition of 250-300 vehicles, 24/7, we all know that that entire population will use the roads through Lansing Trails 1 and 2 to get to the grocery store, etc. This concept was not addressed at all in the report. It will be a nightmare, making our neighborhood exceptionally unsafe for walking. This must be taken into consideration as part of the planning process.

6). Regarding water runoff, we have already experienced major flooding in our home and on our property (34 Janivar) since Lansing Trails 2 was begun and the water runoff infrastructure along the entire southern section Janivar Drive are already at maximum capacity. The impact of this new development is frightening. Clearly, whatever is built there will be problematic, so it is important that this issue is examined and any necessary infrastructure mitigation be included in the planning.

7). In spite of the volume and passion of our objections to this project, my sense is that we need to focus very clearly on some specific issues that will need to be addressed with whatever is build on this site. If we cannot stop the development of the apartment complex, we must work to request mitigation of traffic (example: put in sidewalks, extend Craft Road, so that the bulk of traffic flow does not cut through the heart of our development!!) and do some major infrastructure improvements to deal with the water runoff issue.

8). I am planning to contact Tom Livigne (one of the developers who spoke at the meeting) today to gather additional information and to begin the discussion of the neighborhood impacts, to ensure that the developers know how serious these concerns are and to, hopefully, get them on board with some of the things we will need, should the project go forward. Ideally, they will help to pay for some of what is needed. Again, my wish is that if we do have to live with this monstrosity (and heaven knows what else could go in across the street on Bomax) we must do what we can to make it tolerable and to retain as much of the quality of life in the neighborhood as possible.

I will follow-up with additional information after I speak with Tom.

I hope this information is helpful. Please write letters to the Mayor!

Warm regards,  
Lou

Lou Tufford  
President and Principal Consultant  
Tufford and Associates, Inc.  
[www.tuffordconsulting.com](http://www.tuffordconsulting.com)

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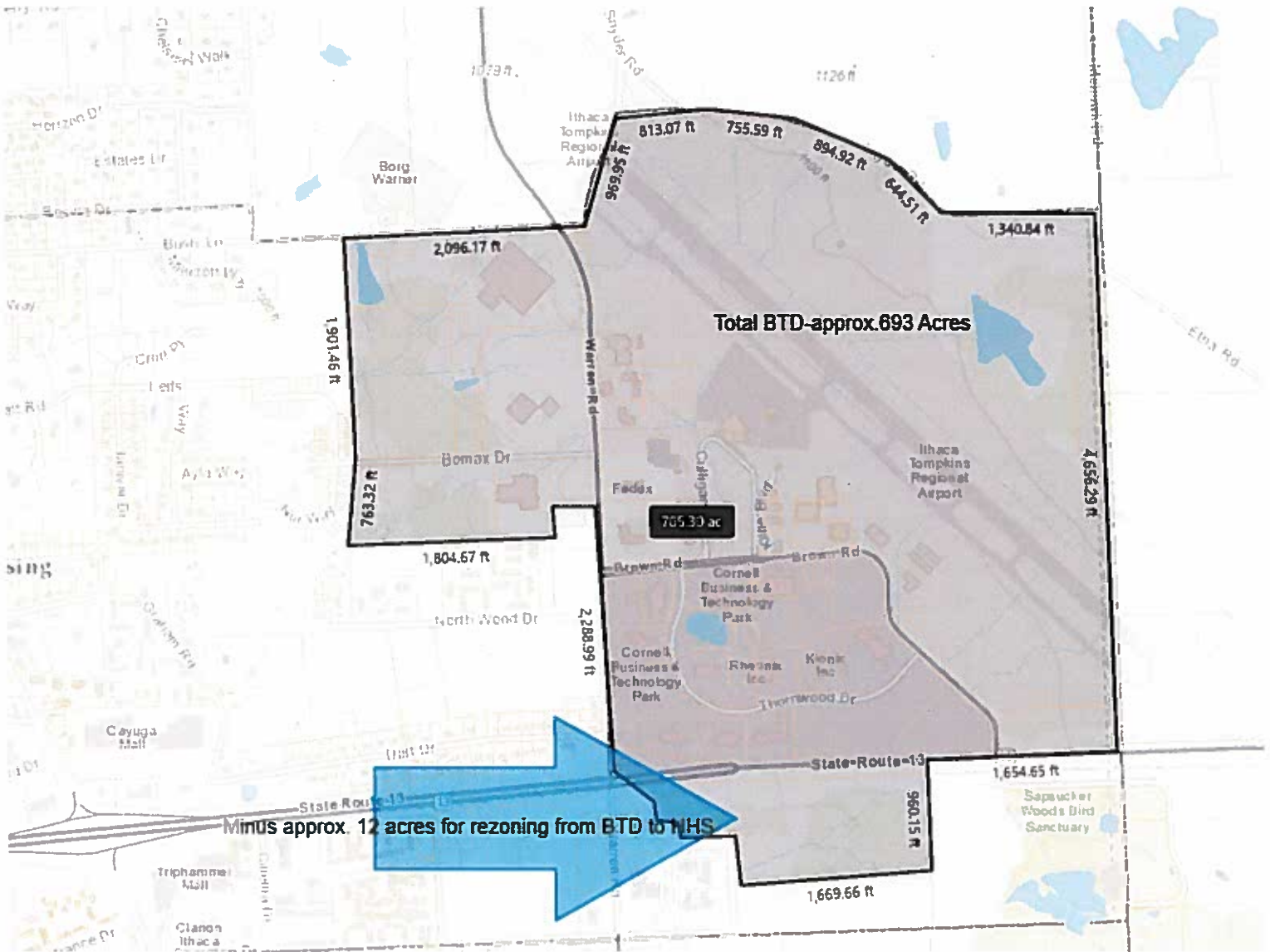
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[lou@tuffordconsulting.com](mailto:lou@tuffordconsulting.com)  
607-423-5496



10/14/16

Dear Donald L. Hartill, Mayor of the Village of Lansing:

With this letter I would like to express my sincere concern for the proposed re-zoning off Bomax Drive to accommodate an anticipated construction of the 140-unit housing project located in close proximity to my neighborhood.

Years ago, when I relocated to the Ithaca area due to my job appointment at Cornell University, I was renting an apartment in the Northwood Apartments surrounded at that time by green trees. I found that while many young people prefer to live in the city, I enjoyed to be surrounded by nature, clean air, and walking trails, and that is why later on I decided to stay in the area where I presently reside at 25 Janivar Drive. Now, when I am a retiree of Cornell University, I found these advantages even more important in my life today. The Lansing Trails has been an enjoyable, green oasis where people like me could enjoy luxury of fresh air and safety of walking along the trails and roads without much traffic.

Fortunately for me I have not experienced flooding in my house due to the insufficient infrastructure. But what would happen if the already weak system would have to accommodate the extra 140-unit housing buildings is unknown.

Our comfortable living in this area would come to an end, if the re-zoning proposal approved. Not only it would be dangerous to walk due to the flood of traffic (140 units@ 2-3 cars) through our neighborhood, but the trees protecting us from noise and pollution from Warren Road would also be removed and the quietness and air quality would never be the same. My neighbor, Elvina Amati, a licensed associate real estate broker, residing at 61 Janivar Drive recently informed us that "the market value of all houses in this neighborhood could be reduced by as much as 5% - 15%" if this project would take place.

It is unclear to me why it is necessary to build such large apartment complex in this particular area. The publicly available data states that the Village of Lansing has 3,616 reported population. Yet, there are 1,214 units of apartment housing in this Village. There are 383 units of apartments in the Town of Lansing, and the new Village Solars on Warren Rd. is in its first of the three construction phases. The new Cayuga View Senior Living, 60 apartment units, located near CFCU (Cinema Drive), is going to be built in the near future.

With all the above, the Northwood Apartments, closely located to the property for re-zoning have high vacancies. Why so many apartments should be located in such close proximity? People have different preferences; one likes city living, while another prefers serene ambiance. So far we have not heard from our officials about any serious environmental research based on which they are proposing such undertaken.

Consequently, the reality of such re-zoning could be devastating to our neighborhood. Such undertaken would increase traffic, elevate pollution, inflict strain on the infrastructure, and eliminate quietude from the unnecessary traffic congestion. If the spot zoning passed, it would constitute the depraved affliction to the quality of life for the majority of residents of the Lansing Trails and the Lansing Heights. I hope that your profound knowledge of physics and logical thinking would encourage you to seek solutions in preventing the re-zoning and preserving our ways of living.

Cordially,



Tatyana Duval  
25 Janivar Drive

**Joint Center for Housing Studies  
Harvard University**

**Overcoming Opposition to Multifamily Rental Housing**  
**Mark Obrinsky and Debra Stein**  
**March 2007**  
**RR07-14**

*Prepared for*  
*Revisiting Rental Housing: A National Policy Summit*  
*November 2006*

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## **I. Introduction and Background**

Resistance to multifamily rental housing is a growing phenomenon in communities around the country. Indeed, opposition to any type of new housing development has become so pervasive that the area of community resistance has spawned its own vocabulary. Multifamily housing is characterized by some citizens as a “NIMBY” project (Not in My Backyard). Apartments are condemned as “LULUs” (“Locally Unwanted Land Uses”). We even have “CAVEs” (Citizens Against Virtually Everything) and they want “BANANAs” (to Build Absolutely Nothing Anywhere Near Anyone).

Putting whimsical acronyms aside, citizen resistance to multifamily rental housing is not a humorous issue. In fact, community opposition to these development projects runs smack up against powerful demographic trends. Population growth in the U.S. continues at a high level – certainly in comparison with other developed countries – and will require considerable new residential construction.<sup>1</sup> Even a brief examination makes this clear.

The U.S. population is expected to increase over the next 20 years at an average annual rate of 0.83 percent – which would result in a cumulative increase of 23 percent, or 68 million people. This figure is twice the size of today’s most populous state, California, which has almost 34 million people. In fact, the projected number of new residents in the next two decades is larger than the number of people who currently live in the Northeast (54 million), Midwest (64 million), or West (64 million). Clearly, population growth is an issue of critical importance for the U.S.

What’s more, the growth in households will be even greater than population growth itself. The average size of a household has been dropping for more than a century. In 1900, an average of 4.6 people lived in each household. By 2004, there was an average of only 2.6 people per household. While this decline is partly the result of families having fewer children, it is mainly the result of changing household composition. In 1960, single-person households made up 13 percent of all households, while married couples with children made up another 44 percent. The share of single-person households has doubled since then while the number of married couples with children has fallen to only 23 percent. Married couples without children remain the most common type of household, as they have been since 1982, even though their

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<sup>1</sup> Of the nine countries that will account for half the world’s population growth from 2005-2050, the only developed nation is the U.S. See: United Nations, *World Population Prospects: The 2004 Revision*, vol. 3, p. xv. Available at: <http://www.un.org/esa/population/publications/WPP2004/2004EnglishES.pdf>

share of the total has waned a bit over that time. The Joint Center for Housing Studies projects that average household size will decline a bit more before stabilizing.<sup>2</sup>

The upshot is that the demand for new housing units is likely to increase faster than the population itself is projected to grow. Extending the Joint Center for Housing Studies' projections for 2020 another decade suggests that between 2005 and 2030, the number of households will rise by almost 30 percent – that is, 33 million new households.

The number of additional housing units needed by 2030 is actually greater than 33 million, however, because an estimated 17 million existing housing units will fall out of the housing stock due to deterioration or destruction.<sup>3</sup> Thus, some 50 million new housing units will have to be added to the stock between 2005-2030. This is both a daunting challenge and a ray of hope – we have an opportunity to shape future development and determine the character of the built environment in which we will live and work.

What is at issue is not whether these new residences will get built, but rather where they will get built and what kind of residences they will be. Put differently: what kind of communities should we build?

The traditional suburban development model features low-density housing built in cul-de-sacs, neighborhoods separated from strip malls, big box retailers, and office parks along roads with ever-increasing traffic.<sup>4</sup> But compact development – especially sustainable communities that promote accessible transportation choices, higher density, mixed-use and mixed-income development, and attractive design – have attracted growing interest. The age structure and household composition of the new households will surely tilt demand further in this direction.

Multifamily rental housing has long been an important part of the constellation of housing choices for families and individuals. It plays an increasingly important role in “workforce housing,” providing homes for our nation’s teachers, firefighters, police officers, health care workers, and public employees. These vital workers contribute to the community, but their incomes are often less than what is required to support a comfortable, middle-class life.

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<sup>2</sup> The Joint Center’s forecast is that the overall headship rate will continue to rise somewhat before stabilizing, but the overall headship rate is just the inverse of the average household size.

<sup>3</sup> Authors’ interpolation based on Arthur C. Nelson, “Toward A New Metropolis: The Opportunity to Rebuild America,” Brookings Institution Metropolitan Policy Program, December 2004.

<sup>4</sup> This view is proposed by Bruce Katz and Andy Altman, “An Urban Age in a Suburban Nation?” Presentation to Urban Age Conference, New York City, February 25, 2005.

Nonetheless, there is continuing resistance to higher density housing, to rental housing, and to low-income housing. Such resistance, if successful, may bring about a less-than-optimal result; in particular, it would mean fewer multifamily rental properties than would otherwise occur.

This paper seeks to examine the nature of that resistance, the reasons behind it, and how it can be overcome.

In general, people who support multifamily rental housing tend to want the new benefits that come from responsible development. They may be excited about the creation of new and affordable housing, new community rooms or other public amenities, or new jobs or tax revenues from associated retail. By comparison, people who oppose land use proposals tend to do so because they like their community the way it is and don't want any change. Opponents don't want more traffic, lower property values, more children crowding the schools, or a changed community character, and they believe that the proposed apartment project will worsen their existing lifestyles. Potential opponents and potential supporters are completely different audiences, with completely different interests. Sponsors of multifamily rental housing must therefore engage in two distinct community outreach campaigns: one aimed at minimizing neighborhood opposition, one aimed at mobilizing public support. We begin with the former.

## **II. Opposition to Multifamily Rental Housing In General**

### **Forms of Opposition**

Opposition to multifamily rental housing is expressed in many ways. Most fundamental, perhaps, are attitudes. Whether founded in facts, the expression of an underlying bias, or the mechanism for pursuing perceived self-interest, such attitudes are inevitably where opposition begins.

Attitudes lead to actions. There are two broad kinds: (1) actions in opposition to specific projects or proposals; and (2) actions against a whole class of housing. Actions against specific projects may be initiated by residents of nearby communities, and can include such things as private calls to local officials, speaking out at public hearings, writing letters to the editor, organizing among community groups, and even picketing the proposed site. Local officials may also act to prevent or restrict multifamily housing – for example, there are jurisdictions in which

multifamily housing is nominally permitted, but every actual application for a building permit gets denied.

Opposition can also be woven into the fabric of regulations, ordinances, and planning documents. Overcoming such opposition typically requires far greater effort, as it requires overturning such statutes.

To be effective, proponents of multifamily housing need to address all areas. Analyzing the extent and effect of the bias against apartments in the local regulations around the country is beyond the scope of this paper. Nonetheless, we offer some comments on this aspect of the problem at the end of this section.

In any case, the starting point is dealing with misperceptions about multifamily rental housing.

### **Setting the Record Straight**

Resistance to multifamily rental housing comes from a variety of sources, including planning or zoning officials, local politicians, civic leaders in communities in which the housing is to be located, proximate neighbors who live or work near the apartment buildings, and other members of the general public. This section focuses on the facts behind the most common arguments made by opponents of new apartment developments, while the following section examines the underlying concerns behind anti-housing claims and how stakeholder claims can be addressed.

Anti-apartment stakeholders tend to rely on similar arguments to keep multifamily rental housing out of their communities. These claims include:

- Multifamily apartments lower the value of single-family homes in the neighborhood.
- People who live in apartments are less desirable neighbors and more likely to engage in crime or other anti-social behavior.
- Apartments overburden schools, produce less revenue for local governments, and require more infrastructure support
- Higher-density housing creates traffic congestion and parking problems.

We will examine each of these, and also offer broader general comments about residential development and the environment.

### *Fiscal Burden*

Opponents of multifamily housing often claim that apartment residents impose higher expenditures for local government services. The point is most commonly made with reference to schools, although other local government infrastructure services are mentioned as well.

Opponents assume that apartments contain more school-age children than single-family houses do, and therefore put greater strain on local school districts. In an era of tight school budgets, this is an understandable concern. Let's begin by reviewing the data.

On average, 100 single-family owner-occupied houses include 51 school-age children. By contrast, apartments are attractive to single people, couples without children, and empty nesters, which is why 100 apartment units average just 31 children. The disparity is even greater when considering only new construction: 64 children per 100 new single-family houses vs. 29 children per 100 new apartment units. Wealthier apartment dwellers have even fewer children (12 children per 100 households for residents earning more than 120 percent of the area median income, AMI), while less wealthy residents earning less than 80 percent of AMI still have fewer children (37 per household) than single-family homes.<sup>5</sup>

Opponents often ignore how much revenue apartments bring in to the local government.<sup>6</sup> In fact, apartment owners often pay more in property taxes than owners of single-family houses.<sup>7</sup> That's because in most jurisdictions, apartments are treated as commercial real estate, which is taxed at higher rates than single-family houses in most states. Although there are many complications in such comparisons, one simple approach is to look at the "effective tax rate," defined as the ratio of property tax to property value. For apartments in urban areas the effective tax rate averages 48-54 basis points more than single-family houses: 1.91 percent for apartments, compared with 1.37-1.43 percent for single-family houses.<sup>8</sup>

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<sup>5</sup> All figures are NMHC tabulations of data from the American Housing Survey. See Research Notes, "Apartments and Schools," NMHC, August 24, 2001, available at:

[www.nmhc.org/Content/ServeContent.cfm?ContentItemID=2620&IssueID=80](http://www.nmhc.org/Content/ServeContent.cfm?ContentItemID=2620&IssueID=80). A recent study using data from the 2001 Residential Finance Survey suggests a smaller differential, though one that has grown over time. See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate*, Vol. 17, Issue 1, 2006.

<sup>6</sup> Apartment residents also contribute to the general economy by buying local goods and services. See *Research Notes*, "Apartment Residents and the Local Economy," NMHC, May 3, 2002.

<sup>7</sup> See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate* Vol. 17, Issue 1, 2006.

<sup>8</sup> Authors' calculations based on Minnesota Taxpayers Association, *50-State Property Tax Comparison Study*, St. Paul, MN, April 2006, p. vii. See also Alan Mallach, "Housing and Suburbs: Fiscal and Social Impact of Multifamily Development." Department of Housing and Urban Development: Washington DC, 1974.

Thus, apartments actually pay more in taxes and have fewer school children on average than single-family houses. In other words, it may be more accurate to say that apartment residents are subsidizing the public education of the children of homeowners than the reverse.

Two contrary points need to be addressed. First, some might argue that the fact that apartments contain fewer school-aged children than single-family houses has more to do with location little than with the nature of apartments. That is, apartments built in jurisdictions with first-rate schools might be designed to be more attractive to families (e.g., by having more bedrooms) and therefore house more children. Second, opponents of multifamily housing may point to the fact that 100 apartment units will probably still have more school-aged children than 10 single-family homes built at the same site.

Additional research would be helpful in clarifying the first point. A recent study made a related point. It agreed that newly built multifamily properties “have not contributed significantly to the rise in school enrollments” and that “it is very unlikely that new multi-family housing has produced a negative fiscal impact on cities and towns.”<sup>9</sup> It argues, however, that the reason for this is that these properties were never designed to house families with children. That is, these apartments and condos consist mainly of one- and two-bedroom residences, for the express purpose of meeting the fiscal impact challenge developers often face, namely ensuring that their developments won’t hurt local fiscal matters. The researchers rightly note that this approach ends up pitting fiscal policy against housing policy – that is, the kind of residential developments that are approved are not what might be required by local households, but rather what the local budget is willing to bear.

We conclude from this that at least some of the opposition to multifamily housing actually has nothing to do with housing *per se*, but rather with limiting the number of school-aged children who would otherwise “burden” local finances.

Even in areas with high quality schools, we suspect that the mix of apartment units the market would offer (absent any pressure, in either direction, from local officials) would still feature fewer units with three or more bedrooms than would be provided by single-family housing. With few, if any, exceptions, the market for conventional apartments with three or more bedrooms historically has been much thinner than the market for one- and two-bedroom units;

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<sup>9</sup> Judith Barrett and John Connery, *Housing the Commonwealth's School-Age Children*. Citizens' Housing and Planning Association Research Study, August 2003, p. 2.1. [www.chapa.org/pdf/HousingSchoolAgeChildren.pdf](http://www.chapa.org/pdf/HousingSchoolAgeChildren.pdf)

for this reason, three-bedroom floor plans tend to be a small portion of the total unit count. With average household size not expected to increase, it's hard to see why this would change.

Regarding the second point, without the apartment building in the neighborhood, the other 90 households will presumably have to move to some other local area, thereby burdening some other school district. This is a classic NIMBY point of view, and leads inexorably to the idea that the best development is actually no development, as this wouldn't "burden" the school district at all. Such an argument might hold sway among some local residents, but it offers no help to local and regional planners who are trying to manage current and projected growth in the most beneficial ways.

The issue needs to be framed more broadly. The total number of schoolchildren in any large region (or for the U.S. as a whole) is surely not determined by the number and type of housing units available. The question, then, is: where will they be housed and educated? Whether a jurisdiction chooses to permit multifamily rental housing or not, that question must still be answered.

Beyond that, the latest household projections from the Joint Center show that households with children under 18 years of age will make up only a small fraction of the total increase. Specifically, more than 80 percent of the increase in the number of households from 2005-2015 will come from married couples with no children plus single-person households.<sup>10</sup> To some extent, therefore, the key issue may not be whether new housing developments impose a burden on local schools, but rather whether communities will develop the kind of housing that would attract households without children.

With other types of infrastructure, high-density development actually is more efficient than low-density development. By their very nature, longer sewer lines and sprawling utility (water, gas, and electric) supply systems are more costly; traditional development patterns also dictate expensive road construction. In addition, local governments must provide fire and police protection (as well as other services) over a larger area. By contrast, compact development benefits from economies of scale and geographic scope – and these benefits are large, potentially saving more than \$125 billion in the 2000-2025 time frame.<sup>11</sup>

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<sup>10</sup> Authors' calculations based on George S. Masnick and Eric S. Belsky, "Revised Interim Joint Center Household Projections," Cambridge, MA, 2006, pp. 31-32.

<sup>11</sup> Mark Muro and Robert Puentes, "Investing In A Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns." Washington, DC: Brookings Institution Center on Urban

Thus, rather than imposing a greater burden on local governments, higher density developments like apartments are actually more fiscally prudent than traditional suburban sprawl.

### **Traffic**

Does compact development really cause an increase in traffic congestion and parking problems, as opponents often claim? To residents of the neighborhood where such development might take place, an increase in congestion seems self-evident – but only by comparing an apartment development to the status quo (i.e., no development). The proper comparison, however, is to the impact on congestion of an equal number of new single-family units.

On average, apartment residents own fewer cars than single-family homeowners: the latter average two cars per household compared with only one for the former.<sup>12</sup> Beyond that, single-family housing generates more automobile trips per household, as evidenced in the table below.

| <b>Automobile Trips Per Housing Unit</b>   |                               |                  |                   |
|--|-------------------------------|------------------|-------------------|
|  | <i>Single-family detached</i> | <i>Apartment</i> | <i>Difference</i> |
| Weekday  | 9.57                          | 6.72             | 42%               |
| peak AM hour   | 0.77                          | 0.55             | 40%               |
| peak PM hour   | 1.02                          | 0.67             | 52%               |
| Saturday   | 10.10                         | 6.39             | 58%               |
| peak hour  | 0.94                          | 0.52             | 81%               |
| Sunday   | 8.78                          | 5.86             | 50%               |
| peak hour  | 0.86                          | 0.51             | 69%               |
| Source: Institute of Transportation Engineers, <i>Trip Generation, 7<sup>th</sup> Edition</i> (Washington, DC: 2003), Volume 2, pp. 268-332. |                               |                  |                   |

On weekdays, a single-family detached house generates 42 percent more trips than does a unit in an apartment. The difference is even greater on the weekend: 58 percent more trips on Saturdays, and 50 percent more trips on Sundays. This large difference is seen not only in the

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and Metropolitan Policy, March 2004. The authors take note of possible countervailing costs, such as the higher load placed on roads and sewer lines in more densely populated areas. See also Richard M. Haughey, *Higher-Density Development: Myth and Fact*. Washington, DC: Urban Land Institute, 2005.

<sup>12</sup> Jack Goodman, "Apartments and Parking," *Research Notes*. NMHC: Washington, DC, January 28, 2000.

totals, but also at the peak hours, morning and afternoon, weekdays and weekends. By any measure, it is clear that single-family houses generate more automobile traffic than apartments – or any other type of housing. In explaining why single-family houses produce the most traffic, the Institute of Transportation Engineers noted that they are the largest units in size, with the most residents, but also pointed out that they had “more vehicles per unit than other residential land uses; they were generally located farther away from shopping centers, employment areas and other trip attractors than other residential land uses; and they generally have fewer alternate modes of transportation available, because they were typically not as concentrated as other residential land uses.”<sup>13</sup> Though written not as a policy document, but rather simply a straightforward, quantitative analysis, this is a good summary of the reasons why compact development engenders less traffic than sprawl.

Interestingly, single-family owners use their cars more often than apartment residents use theirs. On average, cars in single-family houses make 18 percent more trips during the week, 31 percent more trips on Saturday, and 41 percent more trips on Sunday than cars owned by apartment residents.<sup>14</sup>

Thus, not only are there more cars per household in single-family houses than apartments, each of those cars generate more traffic – and a higher demand for parking spaces at retail stores, offices, schools, and other facilities.

It could be argued that the difference in automobile ownership and use is determined less by property type than by geography. For example, residents of garden apartments near major highways in suburban areas lacking much public transportation are far more likely to own and use cars than are residents of apartments located near high-speed rail lines and subways. Although we know of no studies that have tried to quantify the impact of geography on this, it seems evident that there is an important property-type effect. Consider the reverse situation, namely residential development near a transportation node such as a subway station. The number of single-family detached houses that can be built within walking distance of the station is clearly much less than the number of multifamily residences – whether for-rent or for-sale – that can be built there. To take advantage of the transit nodes, it simply makes sense to take advantage of the fact that compact, higher-density housing is inherently better suited to such development.

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<sup>13</sup> Institute of Transportation Engineers, *Trip Generation, 7<sup>th</sup> Edition* (Washington, DC: 2003), Volume 2, p. 268.

<sup>14</sup> *Ibid.*, pp. 287-295 and pp. 324-332.

### *Property Values*

Concerns that multifamily rental housing will lower the value of their single-family houses has driven many residents to oppose new apartment developments in or near their neighborhoods. Proposals for low-income apartments are especially likely to trigger property value concerns, but even market rate rental housing can give rise to arguments that apartments lower property values and damage the community's reputation. Local officials often echo these property value claims, either because they believe lower property values will injure their communities tax base or reputation or because they want to sound responsive to constituent concerns.

The fear that housing density will hurt property values seems to be primarily based on anecdotes. By contrast, most research has come to a different conclusion: in general, neither multifamily rental housing, nor low-income housing, causes neighboring property values to decline.

Two studies have taken a macro look at home values and house appreciation near multifamily housing properties. One study focused on "working communities" throughout the nation – neighborhoods of predominantly low- and moderate-income working households. The study looked at data from the 2000 US Census and compared house values in those communities with the share of multifamily housing in those communities. The conclusion: working communities with multifamily dwellings actually have *higher* property values than other types of working communities. In other words, the average value of owner-occupied houses was highest in working communities with the most multifamily units. In fact, among working communities, "the high multifamily areas had the highest home values, the mixed-stock areas the next highest, and the single-family areas had the lowest."<sup>15</sup> The study also noted a similar phenomenon with respect to income: among working communities, higher household income was positively associated with the share of multifamily housing.<sup>16</sup>

The other macro analysis compared the rate of property value appreciation for houses with multifamily housing nearby with the appreciation rate for houses with no multifamily housing nearby. Houses with apartments nearby actually enjoy a slightly higher appreciation rate than houses that don't have apartments nearby. Homes that are not located in multifamily areas appreciated at an average annual rate of 3.59 percent between 1987 and 1997, compared with a

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<sup>15</sup> Alexander von Hoffman, Eric Belsky, James DeNormandi, and Rachel Bratt, "America's Working Communities and the Impact of Multifamily Housing," Cambridge, MA: Joint Center for Housing Studies, 2004, p. 17.

<sup>16</sup> *Ibid.*, p. 16.

higher appreciation rate of 3.96 percent for houses near multifamily buildings. For the 1997-1999 period, the figures were 2.66 percent and 2.90 percent, respectively.<sup>17</sup>

Case studies examining individual sites and metro areas have been used in six recent research works to get a more detailed picture of the effects of multifamily and/or subsidized single-family properties. These studies measured the possible impact of a range of property types on surrounding property values, including the potential impacts of conventional apartments, mixed-income multifamily rentals, low-income housing tax credit developments, and federally-assisted rental housing projects. Researchers measured a variety of relevant characteristics, including house price, price per square foot, house price appreciation, time on the market, and the ratio of sales price to asking price in order to assess "the worst-case scenarios of multi-family intrusion into a single-family neighborhood." Their conclusions:

"We find that large, dense, multi-family rental developments...do not negatively impact the sales price of nearby single-family homes."<sup>18</sup>

"We find that if located properly with attractive landscaping and entranceways, adverse price effects can be minimized and sometimes can add value. In the long term, such apartment complexes probably raise the overall value of detached homes relative to their absence."<sup>19</sup>

"To this point, our results for Wisconsin are generally consistent with results in other studies: we have not been able to find evidence that Section 42 developments cause property values to deteriorate. The exception is Milwaukee County, where properties that are distant from the developments seem to appreciate more rapidly, although the magnitude of the effect is small. We have found no evidence of an impact in Waukesha and Ozaukee, and find evidence that properties in Madison near Section 42 developments appreciate *more* rapidly."<sup>20</sup>

There is "little or no evidence to support the claim that tax-credit rental housing for families has a negative impact on the market for owner-occupied housing in the surrounding area...Rather than negative impact, the evidence suggests to us that the various housing submarkets surrounding the tax-credit properties in our study performed

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<sup>17</sup> National Association of Home Builders, "Multifamily Market Outlook," Washington, DC, November 2001, pp. 3-4.

<sup>18</sup> Henry O. Pollakowski, David Ritchay, and Zoe Weinrobe, "Effects of Mixed-Income, Multi-family Housing Developments on Single-family Housing Values," Cambridge, MA: MIT Center For Real Estate, April 2005, p. xiii.

<sup>19</sup> Arthur C. Nelson and Mitch Moody, "Apartments and Detached Home Values," *On Common Ground*, National Association of Realtors, 2003. See also: Nelson and Moody, "Price Effects of Apartments on Nearby Single-family Detached Residential Homes," Virginia Tech University, 2003.

<sup>20</sup> Richard K. Green, Stephen Malpezzi, and Kiat-Ying Seah, "Low Income Housing Tax Credit Housing Developments and Property Values," Madison, WI: The Center for Urban Land Economics Research: 2002, p. 4.

normally, exhibiting similar levels of variability before and after tax-credit construction, and responding to supply and demand forces in similar fashion as the larger market.”<sup>21</sup>

“In sum, assisted housing of various types: (i) had positive or insignificant effects on residential property values nearby in higher-value, less vulnerable neighborhoods, unless it exceeded thresholds of spatial concentration or facility scale; (ii) evinced more modest prospects for positive property value impacts in lower-value, more vulnerable neighborhoods, and strength of frequently negative impacts was directly related to the concentration of sites and scale of the facilities.”<sup>22</sup>

“In sum, the presence or proximity of subsidized housing made no difference in housing values as measured by relative price behavior in a dynamic market.”<sup>23</sup>

Some of these studies find examples where single-family houses located near apartments either experienced lower prices or lower appreciation rates than houses located further away. But for residents in neighborhoods near proposed apartment developments – and for local officials who represent them – it is important to understand that proposed multifamily housing rental developments do not generally lower property values in surrounding areas.

### *Social Interaction and Crime*

Opponents of rental housing often argue that while people who own their homes are invested in the long-term success and safety of a community, people who rent apartments are merely short-term transients and therefore less desirable neighbors. That view has a long history and probably seems so unremarkable, so obvious, that proof is unnecessary. Nonetheless, some researchers have tried to discover whether homeownership creates a positive social benefit compared to rental housing. While the scope of their research is rather broad, for present purposes we focus on two aspects: (i) renters vs. owners as neighbors (citizens); and (ii) renters and crime.<sup>24</sup>

The view that renters are not as engaged in their communities as owners seems to arise from the two apparent characteristics of renters: (i) by definition, they don't own their own residence, hence are thought to have less of a “stake” in the community; and (ii) they tend to

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<sup>21</sup> Maxfield Research Inc., “A Study of the Relationship Between Affordable Family Rental Housing and Home Values in the Twin Cities,” Minneapolis, MN: Family Housing Fund, September 2000, p. 102.

<sup>22</sup> George Galster, “A Review of Existing Research On the Effects of Federally Assisted Housing Programs on Neighboring Residential Property Values,” Detroit, MI: Wayne State University: September 2002, p. 26.

<sup>23</sup> Joyce Siegel, *The House Next Door*, Innovative Housing Institute, 1999. [www.inhousing.org/house1.htm](http://www.inhousing.org/house1.htm).

<sup>24</sup> For a good, critical summary of the scope of such research, see William M. Rohe, Shannon Van Zandt, and George McCarthy, “The Social Benefits and Costs of Home Ownership: A Critical Assessment of the Research,” in Nicolas P. Retsinas and Eric S. Belsky, eds., *Low-Income Homeownership: Examining the Unexamined Goal* (Washington, DC: Brookings Institution Press, 2002).

move more often. These characteristics are seen as making them transitory residents, perhaps more akin to visitors than to long-term residents.

But there are also countervailing forces. For example, single-family renters do not tear down old houses and replace them with “McMansions,” a phenomenon that can greatly alter neighborhoods, in ways that are not always desired by the existing residents.

In addition, it is important to recognize that housing tenure is different from residential stability. Housing tenure refers to how long an individual has lived in one place, while neighborhood stability reflects the quality, cohesion and safety of a community. It is the latter that may be the key factor: “Between 4 and 92 percent of the effect of homeownership and citizenship is operating primarily because homeownership is associated with lower mobility rates.”<sup>25</sup> Stability itself is relative: in Western Europe, for example, many renters have lower turnover rates than U.S. homeowners. To the degree that there may be positive benefits from lower turnover, then the focus ought to be on increasing residential stability rather than trying to restrict choice of tenure.<sup>26</sup>

Neighborhood residents may be less interested in distinguishing the exact cause than in ensuring the best outcome, and for many, promoting homeownership rather than renting seems an effective way to do so. In fact, that turns out not to be the case:

- Apartment residents are almost twice as likely to socialize with their neighbors as owners of single-family houses (33 percent vs. 17 percent).
- Apartment residents are just as likely as house owners to be involved in structured social groups like sports teams, book clubs, and the like (22 percent for sports groups, 10-11 percent for other groups).
- Apartment residents are only slightly less likely to attend religious services at least once a month (44 percent vs. 55 percent).
- Just like single-family owners, apartment residents identify closely with the town or city they live in (60 percent for apartment residents vs. 64 percent for single-family owners).

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<sup>25</sup> Denise DiPasquale and Edward L. Glaeser, “Incentives and Social Capital: Are Homeowners Better Citizens?” *Journal of Urban Economics*, Vol. 45, Nr. 2 (March 1999).

<sup>26</sup> Apgar notes that disentangling the many factors that influence behavior in order to isolate the impact of tenure alone is exceedingly complex. See: William Apgar, *Rethinking Rental Housing: Expanding the Ability of Rental Housing to Serve as a Pathway to Economic and Social Opportunity*, Joint Center for Housing Studies Working Paper W04-11, December 2004.

- Almost half (46 percent) of apartment residents feel close to the neighborhood they live in. This is not as high a share as for single-family owners (65 percent), but still sizable.
- Apartment residents are virtually as interested in politics and national affairs as house owners are (66 percent vs. 70 percent).

The one area in which apartment residents noticeably lag house owners is in local elections: 47 percent of apartment residents say they “always vote” or “sometimes miss one,” compared with 78 percent of single-family owners.<sup>27</sup>

Put simply, these objective measures undermine the notion that apartment residents somehow don’t care much about, and don’t involve themselves in, the communities in which they live. On the contrary, they tend to be at least as socially engaged as other Americans.

As important as these things are in helping to shape the character of a neighborhood, it stands to reason that they can easily be negated by an increase in criminal activity. Is there any truth to the idea that crime follows in the wake of apartment development?

It turns out that there have been very few studies that address this issue. A study conducted for the Arizona Multihousing Association concluded that the perception of higher crime associated with multifamily housing results from counting police calls by address. Hence an apartment property with 100 or more units at the same address may be wrongly compared to one single-family residence. “In actuality, when police data is analyzed on a per unit basis, the rate of police activity in apartment communities is no worse than in single family subdivisions, and in many cases, is lower than in single family areas.”<sup>28</sup>

In a similar vein, studies of Irving, Texas, and Anchorage, Alaska, found no connection between crime and housing density. The former used geographic information systems (GIS) analysis to supplement more conventional approaches, and determined that “high density and multi-family development are not necessarily associated with high crime rate, but socioeconomic status is.”<sup>29</sup> The latter study reached a similar conclusion: “These data show no relationship

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<sup>27</sup> NMHC tabulations of microdata from the General Social Survey. See: Jack Goodman, “Apartment Residents As Neighbors and Citizens,” *Research Notes*, Washington, DC: National Multi Housing Council, June 1999.

<sup>28</sup> Elliott D. Pollack and Company, “Economic & Fiscal Impact of Multi-family Housing,” Phoenix: Arizona Multihousing Association, 1996, Part II.

<sup>29</sup> Jianling Li and Jack Rainwater, “The Real Picture of Land-Use Density and Crime: A GIS Application,” available at: <http://gis.esri.com/library/userconf/proc00/professional/papers/PAP508/p508.htm>

between housing density and delinquency...The observed correlation coefficients between housing density and the six criminological measures were all small in magnitude (very close to “0”), statistically significant...and in some cases in the opposite direction predicted by the hypothesis of a direct relationship between housing density and crime.”<sup>30</sup>

### *The Multifamily Record: Conclusion*

Further research would certainly be welcome. Even so, we think the available research is fairly strong that multifamily rental housing: (1) does not impose greater costs on local governments; (2) does it increase traffic and parking problems; (3) when well-designed and appropriate to the neighborhood, does not reduce (and may even enhance) property values; and (4) does not inherently attract residents who are less neighborly or more apt to engage in (or attract) criminal activity.

This evidence may be sufficient for planners and many public officials – particularly those who have already come to understand the benefits of greater housing choice, mixed-use and mixed-income residences, transit-oriented development, and pedestrian-friendly communities. Two obstacles remain: codified restrictions on multifamily developments and individual opposition to specific multifamily projects.

Experience suggests that opponents who live near apartment developments are often hard to convince. For some, opposition to apartments may be more emotional than analytical. As one opponent put it: “We don’t want renters. We just don’t want them...”<sup>31</sup> For many, anecdotes trump statistics.

For this reason, marshalling statistics is a necessary step, but not usually a sufficient one. Instead, proponents need to overcome opposition to individual proposed developments. Before turning to this, we take a brief look at how opposition to multifamily rental housing in general has been codified, thereby adding another hurdle for proponents.

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<sup>30</sup> University of Alaska Justice Center, “The Strength of Association: Housing Density and Delinquency,” *Anchorage Community Indicators*, series 3A, No. 1, available at: <http://justice.uaa.alaska.edu/indicators/series03/aci03a1.housing.pdf>

<sup>31</sup> See “From Parking to Mixed-Use,” *Montgomery Gazette*, September 28, 2005, at: [www.gazette.net/stories/092805/bethnew205622\\_31894.shtml](http://www.gazette.net/stories/092805/bethnew205622_31894.shtml)

## Regulatory Restriction on Multifamily Housing in General

Opposition to multifamily rental housing has a long history. More than a century ago, the notoriously poor living conditions associated with tenement houses led not only to a movement to reform and improve such dwellings, it also led to a movement to prevent further apartment construction. Opponents drew on two key tools to block new multifamily buildings: restrictive building codes that made multifamily construction uneconomic; and zoning – in particular, the creation of single-family-only districts.<sup>32</sup>

These and other tools are still being used.<sup>33</sup> The most common regulations involve zoning and/or comprehensive land use planning. More recently, policies to restrict, manage, or even prevent further growth – from impact fees to “urban containment” to outright moratoria – have been added to the mix. Given the sheer number of local land use areas, even collecting comprehensive data on residential development restrictions is difficult. Assessing the impact of these regulations is even more difficult for at least two reasons. First, the devil may indeed be in the details, so that any overview or summary analysis is likely to be flawed. Second, some jurisdictions may, on a fairly routine basis, grant waivers or exemptions for certain kinds of developments, with the result that the regulation on the books is not the de facto regulation.

Recent research analyzing density restrictions in local jurisdictions making up the 50 largest metropolitan areas concluded that a hypothetical 2-story, 40-unit apartment property on 5 acres of land would be prohibited outright in about 30 percent of such jurisdictions. Residential developments with densities of more than 30 units per acre are prohibited in all but 12 percent of local jurisdictions. To be sure, these jurisdictions encompass 48 percent of the population of these metro areas. Even so, it is clearly a significant restriction.<sup>34</sup> Such restrictions not only reduce the range of housing options available to local residents – in particular, most restrictions tend to favor lower-density over higher-density developments – they also make housing more expensive.<sup>35</sup>

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<sup>32</sup> Kenneth Baar, “The National Movement to Halt the Spread of Multifamily Housing, 1890-1926” *Journal of the American Planning Association*, Chicago: Winter 1992.

<sup>33</sup> A good compendium of such restrictions is contained in: “Regulatory Barriers to Affordable Housing,” *Cityscape*, Vol. 8, Nr. 1 (2005).

<sup>34</sup> Rolf Pendall, Robert Puentes, and Jonathan Martin, “From Traditional to Reformed: A Review of the Land Use Regulations in the Nation’s 50 Largest Metropolitan Areas.” Metropolitan Policy Program, The Brookings Institution, Washington, DC: August 2006. [http://www.brookings.edu/metro/pubs/20060802\\_Pendall.pdf](http://www.brookings.edu/metro/pubs/20060802_Pendall.pdf)

<sup>35</sup> See for example: John M. Quigley and Larry A. Rosenthal, “The Effects of Land Use Regulation on the Price of Housing: What Do We Know? What Can We Learn?,” *Cityscape*, Vol. 8, Nr. 1 (2005) and Edward L. Glaeser and Joseph Gyourko, “The Impact of Building Restrictions on Housing Affordability,” *Economic Policy Review*, Federal Reserve Bank of NY, New York, NY: June 2003.

How can regulations that inhibit development of multifamily rental housing be reduced or eliminated? This is an area which could greatly benefit by further investigation.<sup>36</sup> For now, we offer two assessments. First, to change the regulations, we must first change the attitudes of either local officials, the public at large, or both. In this respect, efforts to change regulations parallel other efforts to overcome resistance to apartments. Second, while the comprehensive land use plan can be used to restrict multifamily housing, it can also be a valuable tool in promoting such housing. For example, Arlington County, Virginia, has been successful in implementing high-density, transit-oriented development. In addition to far-sighted planners, the Arlington approach has been to foster extensive public debate about policy impacts and benefits (hence also public “buy-in” of the results of the process), maintaining continuity of policy through both election and market cycles, and clearly formulating implementation tools at the same time as policy enactment.<sup>37</sup>

### **III. Opposition to Specific Multifamily Projects**

Reducing or eliminating regulatory impediments may hold the greatest promise for increasing the acceptance of multifamily rental housing. But it also is likely to take the longest time to accomplish. In the meantime, it is important to counter opposition to individual apartment projects, to win support for proposed multifamily rental developments, and to turn pro-apartment attitudes into pro-apartment action.<sup>38</sup>

#### **Public Information**

A significant amount of resistance to multifamily rental housing is based on lack of information, misperceptions, or exaggerated fears of project impacts.<sup>39</sup> Providing clear, accurate information about a proposed housing project is a critical part of a successful outreach campaign.<sup>40</sup>

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<sup>36</sup> Indeed, some research is currently underway. The Urban Land Institute and the National Multi Housing Council are collaborating to produce a compact development “toolkit” for localities.

<sup>37</sup> Michael Pawlukiewicz and Deborah L. Myerson, “ULI/NMHC/AIA Joint Forum on Housing Density,” *ULI Land Use Policy Forum Report*, Urban Land Institute: Washington, DC, 2002. <http://tinyurl.com/rd5y9>

<sup>38</sup> Debra Stein, “Creating a Community Outreach Plan,” *Developments Magazine*, March 2006.

<sup>39</sup> See *Creating Successful Communities: A New Housing Paradigm*, National Multi Housing Council/National Apartment Association: Washington, D.C., 2002, and Richard Haughey, *High-Density Housing: Myths and Facts*, Urban Land Institute: Washington, D.C., 2005, for rebuttals to common misperceptions about multifamily and rental housing. For a free downloadable PowerPoint presentation on rental housing, see “Rethinking Density to Create Stronger, Healthier Communities” from the National Multi Housing Council: [www.nmhc.org/Content/ServeContent.cfm?contentItemID=3423](http://www.nmhc.org/Content/ServeContent.cfm?contentItemID=3423).

- ***Misperceptions about the project.*** Citizens may misunderstand the fundamental nature of the housing proposal. For instance, neighbors may erroneously believe a sponsor is building “Section 8 apartments” rather than “eight apartments.” The project definition must be carefully spelled out so that neighbors understand what type of project is proposed in their backyard.
- ***Misperceptions about residents.*** Many citizens have misperceptions or stereotypical expectations about the kinds of people who live in rental housing. They also have negative misperceptions about the type of behavior that rental residents are likely to engage in. Many Americans, for instance, consider wealth to be an indication of responsible hard work, self-discipline, and moral worth. The flip side of this perspective is the belief that people who earn less money or who reside in less lavish homes must be lazy and irresponsible.<sup>41</sup> Citizens often expect rental residents to be bad neighbors likely to engage in anti-social behavior such as crime, graffiti, loud parties, non-maintenance of property, and so on.<sup>42</sup>
- Neighbors are much more likely to support a multifamily rental housing project when they understand that rental residents are people very similar to themselves. Many sponsors point to examples of pro-social workers likely to become apartment residents: local police officers, firefighters or teachers whose salaries make rental housing an attractive option. Responsible management of rental housing, including on-site management and resident rules, can also ensure that residents behave in appropriate ways.<sup>43</sup>
- ***Misperceptions about the sponsor.*** Lack of information about the project sponsor and the sponsor’s track record of building or managing safe, similar projects can lead to

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<sup>40</sup> Providing data is most likely to change opinions when the audience is willing to engage in rational evaluation of objective facts. Where respondents do not have the time, interest, or ability to engage in systematic evaluation of the facts, then subjective simple rules of thumb such as “everyone hates the project” and “lawyers always lie” become more important. For a discussion of rational, emotional and peripheral persuasion, see Debra Stein, “Garnering Support for Homebuilding,” *Builder and Developer Magazine*, June 2006, Vol. 16, No. 6.

<sup>41</sup> Conservatives tend to rate individualistic causes of poverty such as laziness as 50 percent more important than social causes such as the unavailability of affordable housing. Bernard Weiner, *Human Motivation: Metaphors, Theories and Research*, Sage Publications: Thousand Oaks, CA, 1992.

<sup>42</sup> A multifamily for-sale project in California’s Silicon Valley provided an interesting reminder that poverty is a relative, not an absolute concept. The proposed units would be sold at one-third the median sales price of the surrounding single-family neighborhood, and existing residents loudly protested that their new neighbors were likely to be bad neighbors. These condos actually sold for \$900,000 apiece, while the average home within the super-luxury enclave was valued at \$3.2 million. While multifamily residents were not “poor” by any absolute economic standard, they were relatively “poor-er” than existing mansionaires, and therefore presumed to be less acceptable as neighbors.

<sup>43</sup> Debra Stein, “The Ethics of Housing and NIMBYism,” *Affordable Housing Finance*, February 2006.

NIMBY resistance to multifamily housing. The message that “the sponsor has a history of management safe, similar projects” is highly effective to win support for controversial, dense housing.

- ***Misperception about other people’s opinions.*** One of the most influential causes of resistance to multifamily rental housing is the misperception that “everyone hates the project.” No one likes to be criticized by their peers, so even pro-housing neighbors will repress their enthusiasm if they are under the mistaken impression that “everyone else” opposes the proposed rental housing project.<sup>44</sup> That is why it is critical to get the message out that the proposed housing project is supported by some portion of the community. You don’t need majority support for the planned housing project, but you do need pro-housing neighbors to know that they are not alone in their support for the apartment project.<sup>45</sup>

There are several factors involved in providing the public with information that reduces anti-housing attitudes and promotes pro-housing attitudes. The source of information must be deemed sufficiently expert, trustworthy, and likeable.<sup>46</sup> Message factors such as the number and order of arguments impact the effectiveness of information. Audience factors such as an individual’s attention or perception of what “everybody else” thinks clearly affect whether information alone will resolve opposition to multifamily rental housing. Finally, there is a wide range of communication channels to choose from to disseminate information to the public, including briefings, presentations, advertising, direct mail, and media interviews.<sup>47</sup>

Providing clear, accurate information about a proposed multifamily rental housing project is a crucial part of a community outreach campaign. However, public information can also be seen

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<sup>44</sup> For a discussion of the contagious “bandwagon” effect of repressed opinion, see Elizabeth Noelle-Neumann, *The Spiral of Silence: Public Opinion – Our Social Skin*. University of Chicago Press: Chicago, 1993. For an excellent overview of the relationship between public opinion and private opinion or behavior, see Theodore L. Glasser and Charles T. Salmon, eds., *Public Opinion and the Communication of Consent*, Guildford Press: New York, 1995.

<sup>45</sup> In a series of conformity tests conducted in the 1950s by Solomon Asch, 94 percent of respondents were willing to express an unpopular minority viewpoint when there was at least one other person publicly agreeing with them. By comparison, only 70 percent of participants were willing to express a minority opinion in the absence of social support. See Philip Zimbardo and Michael Leippe, *The Psychology of Attitude Change and Social Influence*, McGraw Hill: Boston, 1991.

<sup>46</sup> For a discussion of credibility, see Debra Stein, “The Truth About Credibility,” *Public Management Magazine*, June 2001.

<sup>47</sup> Carl Hovland’s “Yale Chain of Response Model” describes the many variables involved in effective persuasion. See Roxane Lulof, *Persuasion: Context, People, and Messages*, Gorusch Scarisbrick Publishers: Scottsdale, Arizona, 1991.

as very condescending. When a sponsor sends out a letter inviting residents to, “Come to a meeting so we can tell you what we’re doing in the neighborhood,” citizens may interpret the invitation as actually saying, “We unilaterally made decisions that affect you but we only have a patronizing obligation to tell you about those decisions after the fact.” As important as it is to give information to the public, it is usually more sensitive to focus on how you want to elicit feedback, ideas and suggestions from the public.

### **Public Participation**

Too much resistance to multifamily rental housing arises because sponsors fail to demonstrate the real respect they feel for neighbors. An insensitive project sponsor may implicitly hear, “I am important and you didn’t treat me with respect. I therefore have to oppose your proposal in order to discredit you and to discredit your disrespectful opinion of me.”<sup>48</sup>

While it is always important to treat neighbors with respect, it is especially important to do so when dealing with controversial housing projects. There are several specific measures you can take to demonstrate respect and reduce anti-housing attitudes and action:<sup>49</sup>

- ***Empower citizens.*** Citizens will often “just say no” to a housing proposal simply because they feel it was developed without their input. Involving citizens early in the planning process can help avoid this unnecessary resistance. The conventional scenario involves merely *informing* neighbors of plans made or being made by other people. *Consulting* with residents involves eliciting their ideas and making it clear how that input will affect the project sponsor’s final plans. When housing sponsors and residents engage in *joint decision-making*, all stakeholders collectively evaluate different alternatives to mutually identify the best scenario.<sup>50</sup>
- ***Respect each individual’s unique needs.*** Everyone likes to feel that they stand out from the crowd, and everyone wants to know that their unique needs are respected. Recognize that each neighbor has distinct concerns: “Since you live right next to the site, the new apartment building will be more visible to you than to you neighbors.”

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<sup>48</sup> Someone who sees themselves as an important community leader will “lose face” if ignored or disrespected. D.B. Bromley, *Reputation, Image and Impression Management*, John Wiley & Sons: Chichester, England, 1993.

<sup>49</sup> Debra Stein, “Credibility, Respect and Power: Sending the Right Non-Verbal Signals,” *The Commissioner Magazine*, American Planning Association, Fall 2006.

<sup>50</sup> See Deborah Myerson, *Involving the Community in Neighborhood Planning*, Urban Land Institute: Washington, D.C., 2005.

- **Use personal names.** Name tags, sign-in sheets and self-introductions help personalize each neighbor and make it easier to learn and use each person's name. When neighbors are treated as respected individuals, they are less likely to engage in hostile mob conduct such as booing or hissing at meetings.
- **Make a lot of eye contact,** especially when listening. When you're talking to a large audience, don't engage in "machine gun" head-turning where your eyes barely sweep over the audience's heads in a mechanical way. Instead, make personal eye contact with one individual at a time, creating a respectful, personal relationship with each person you look at before you establish eye contact with another audience member.<sup>51</sup>
- **Engage in active listening.** Once a citizen has made a statement, use your own words to reflect back what you have heard before responding or offering an advocacy message ("It sounds like you are afraid that rental residents may not maintain their gardens"). You don't have to agree with what you have heard, but demonstrating that you have understood a neighbor's arguments shows that you have listened respectfully.

### **Outreach Tools**

There are several outreach tools available to help sponsors communicate information to and elicit public input from citizens:<sup>52</sup>

- **Unilateral materials** such as flyers, advertising and websites are used to convey information to the public in a one-way stream.
- **Bilateral outreach** such as one-on-one phone calls and briefings allow the housing sponsor to target messages to each listener and to simultaneously get feedback and elicit a commitment of support for the project.
- **Invitational events** such task forces, citizen advisory committees (CAC), and coffee-and-donut living room events are limited to a clearly-defined list of participants.
- **Multiparty events** such as community meetings or public workshops tend to focus on the exchange of opinion rather than public education or conflict resolution. Sponsors

<sup>51</sup> For detailed instructions on the direction, duration and frequency of effective eye contact, see [http://www.gcastrategies.com/books\\_articles/tips.php](http://www.gcastrategies.com/books_articles/tips.php).

<sup>52</sup> See James L. Creighton, *The Public Participation Handbook: Making Better Decisions Through Citizen Involvement*, Jossey-Bass: San Francisco, 2005 and Douglas Porter, *Breaking the Development Logjam: New Strategies for Building Community Support*, Urban Land Institute: Washington, D.C., 2006 for excellent outreach strategies and resources.

who need to meet with several dozen or even several hundred citizens should consider invitational events, roundtables, open houses, or other events with smaller, more manageable audiences.

- *Press relations* are important to avoid inaccurate press that could make misperceptions even more credible.

### **Building Support for Multifamily Rental Housing**

It often isn't enough to simply keep a cap on opposition. Public expressions of support are often required to turn a proposal for multifamily rental housing into an approved project. Where rules against ex parte contact with public officials prevent a sponsor from directly lobbying a politician for a vote, citizen-lobbyists are needed to persuade officials to adopt favorable opinions about the housing proposal. Even when public officials already have pro-housing attitudes, pro-housing attitudes don't necessarily guarantee pro-housing action, so nervous politicians often need visible voter support before actually voting "yes" for a controversial multifamily housing proposal.<sup>53</sup>

There are four steps to build support that works: identification of potential supporters; attitude recruitment; action mobilization and hearing management.<sup>54</sup>

### ***Identifying Potential Supporters***

There are several different audiences of potential supporters, and the first step of any supporter development campaign is to identify who can be tapped for assistance:

- *Direct beneficiaries* are people who will make money on the project: the developer, the contractor, consultants, construction workers, and so on. While these supporters do not make credible witnesses at the microphone, they can sign petitions, send letters of support, make phone calls, and so on.
- *Indirect beneficiaries* gain from general improvements in the local economy arising from the project. Local merchants, for example, can benefit from increased pedestrian activity

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<sup>53</sup> Debra Stein, "Preparing Your Lobbying Plan," *Land Development Magazine*, Fall 2005.

<sup>54</sup> Debra Stein, "Community Support – A Strategic Plan to Turn Out the Troops," *Urban Land Magazine*, December 1997. See also Debra Stein, "Turning Pro-Project Attitudes to Pro-Project Action," *The NIMBY Advisor*, January 2006, [www.nimbyadvisor.com](http://www.nimbyadvisor.com).

from new rental residents, while major employers seeking affordable housing for their workers can also benefit from multifamily housing in the community.

- *Project users* are another major audience of potential supporters. Whether it is potential renters or residents of future commercial or retail space, users make highly credible witnesses.
- Many people have already made a *public commitment* to help create housing for those in need. Getting people to think about themselves in terms of their religious or charitable affiliations is more likely to result in a project endorsement than allowing citizens to think about themselves only as property owners likely to be impacted by a housing development.
- *Special interest groups* either tend to generally support any kind of development or to support one particular component of the project. Many groups, for instance, support higher-density housing, including county farm bureaus, open space advocates, and transit advocates.
- Finally, support can be drawn from people who will suffer *relational consequences* if they don't step up and support the rental housing proposal: friends or relatives of future residents; the builder's employees or vendors; and others people whose continued personal relationship with a committed supporter tomorrow depends upon helping out today.

### ***Recruiting Supporters***

Within a housing context, a community member who signs a petition, fills out an endorsement card, or even attends a neighborhood coffee is substantially more likely to testify in favor of a project than someone who never makes an initial commitment. Before asking potential supporters to attend a public hearing or to make some other big pro-housing commitment, get your foot in the door with a much smaller request. Let's assume Mrs. Lee agrees to a minor, painless request such as signing a petition that says, "We need more housing in the community." When the housing sponsor later asks Mrs. Lee to endorse a particular housing proposal, she will feel pressured to comply with the later request or else look shamefully inconsistent. Having once agreed to the initial request, Mrs. Lee will start seeing herself as a cooperative and civic-minded ally, and as someone who actually cares about housing concerns and takes action to address them.<sup>55</sup>

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<sup>55</sup> See Robert Cialdini, *Influence: Science and Practice*, Allyn & Bacon, Boston, 2000 for a discussion of foot-in-the-door recruitment and door-in-the-face mobilization.

### ***Mobilizing for the Hearing***

The “foot-in-the-door” technique worked to get an initial commitment of support for a proposed apartment project. When hearing time rolls around, however, it’s time for the “door-in-the-face” approach. The door-in-the-face technique is initiated with a large request that may be rejected (“Will you come to a Planning Commission hearing on Tuesday afternoon and testify at in support of the proposed apartment complex?”). If the large request is accepted, then congratulations. If your first request is refused, then retreat to the smaller request you had in your back pocket all along (“Then will you call the chair of the Planning Commission and let her know you support the project?”). Compared to the first request, the second request will seem much smaller, more reasonable, and easier to agree to.

### ***Managing the Public Hearing***

There are several things you can do to maximize the impact supporters can make during a public hearing for a multifamily housing project:<sup>56</sup>

- ***Provide key messages.*** Your allies need to know what to say before they stand up to testify. Providing a one-page fact sheet or list of bulleted talking points helps ensure that witnesses emphasize the key messages you want decision-makers to focus on. Reassure citizen-witnesses that it is OK to sound nervous; politicians are more impressed by sincere-sounding citizens than by the slickest professional mouthpiece.
- ***Arrange the order of your speakers.*** Ideally, pro-housing witnesses should be alternated or interspersed between anti-housing speakers. Interrupting a stream of hostile testimony with positive messages and clear rebuttals breaks the momentum of anti-rental neighbors and avoids the impression of overwhelming opposition to the project. You also want to ask a few of the most compelling, golden-tongued speakers to testify first so they can inspire later witnesses and guide subsequent testimony. Reporters who must leave the hearing early to meet their deadlines can also pick up quotable quotes from the most persuasive advocates when those witnesses speak at the beginning of the hearing.
- ***Encourage supporters to look supportive.*** Your allies (including your own team members) can express pro-housing enthusiasm even when sitting still. Encourage

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<sup>56</sup> Debra Stein, “Managing the Public Hearing for Maximum Impact,” *Land Development Magazine*, Fall 1999.

project allies to smile and nod at appropriate moments. If there is an impressive crowd of supporters in the room, ask them to raise their hands or wear buttons to identify themselves as project advocates.

- *Try to speak last.* You want to be the last voice the decision-makers hear before they cast their votes. By speaking last, you can rebut attacks made by earlier speakers and ensure that pro-housing messages are fresh in the officials' minds when it comes time to make a decision. If necessary, reserve some of your originally allocated speaking time to provide a summary of your views after all citizens have testified. If you cannot secure rebuttal time for yourself, try to hold at least one persuasive supporter in reserve to speak at the end of the hearing who can summarize pro-project messages.

#### **IV. Conclusion**

The bias against multifamily rental housing must be overcome if America is to meet its housing needs in an environmentally sustainable and economically realistic manner.

Misperceptions, exaggerations and unfounded beliefs contaminate civic discussions about apartment development, yet anti-housing resistance can be rationally addressed by providing evidence about rental housing and its real, not imagined, impacts. Attitudes about apartments aren't solely derived from objective facts, however. Emotions, values, and even peripheral factors such as what "everybody else thinks" play important parts in the development of pro-housing and anti-housing attitudes, and must play a part in any developer's community outreach activities.

It will take more than mere opinions to create enough housing to meet the nation's growing population demands. Pro-housing attitudes need to be translated into pro-housing action. That means persuading planners and politicians to support policies and regulations to encourage the construction of new apartments. Since public officials are responsive to the demands of their constituents and community members, this also involves mobilizing citizens to support pro-apartment policies and actual apartment buildings in their own backyards. Perhaps, in the future, acronyms like RAMBY (Rental Apartments in My Backyard) will replace NIMBY in discussions about the creation of multifamily rental housing.