



**TIOGA COUNTY DEPT OF ECONOMIC DEVELOPMENT & PLANNING**  
**STAFF ANALYSIS AND RECOMMENDATIONS**  
**SECTION 239 REVIEW**

**COUNTY CASE:** #2021-022

**MUNICIPALITY:** Village of Owego

**REQUESTING BODY:** Village of Owego Planning Board and Zoning Board of Appeals

**LOCAL CASE NO.:** 09032021-1

**APPLICANT:** Ithaca Neighborhood Housing Services (INHS)

**DATE RECEIVED:** 9/3/2021

**REQUEST:** Site Plan Review, Floodplain Special Use Permit, Area Variances

**LOCATION:** 92 – 112 and 107-119 Liberty Street, and 37 – 49 Temple Street; see Exhibit A for tax map numbers

**ZONING:** Residential 3 (R3) and High Density /Mixed Use (HD/MU) Overlay

**General Information:** The applicant is requesting site plan approval, a floodplain special use permit and four area variances to redevelop the majority of the northern block of Liberty Street (both sides) and a majority of the adjacent, northern side of Temple Street into a four-building, 46 unit multi-family housing development. INHS plans to build six two-story townhouses on the west side of Liberty Street (zoned R3) and six two-story townhouses on the east side of Liberty street at the northern end of the project area; a 31-unit, three-story apartment building at the southeast corner of Liberty and Temple Streets; and finally three two-story townhouses at the eastern end of the project area on Temple Street. The townhouse units will contain two and three bedrooms, while the apartment building units will contain one and two bedrooms.

The Tioga County Property Development Corporation (land bank) has been working over the past year to acquire the 13 involved properties located in the project area and demolish many of the current and dilapidated rental structures in anticipation of this redevelopment project. INHS plans to create four separate parcels, one for each of the planned new buildings.

All of the new buildings will be located within FEMA’s 1% annual chance Special Flood Hazard Area, which requires that all new residential structures be constructed so that the first livable floor level is at least two feet above Base Flood Elevation, which is at 813 amsl in this neighborhood. The applicant is aware that the east side of the project is greater than one acre, therefore requires development of a SWPPP to be submitted and approved by NYS DEC. The applicant is proposing two infiltrations basins as stormwater management practices.

Area variances are necessary to grant relief from setback regulations in both the R3 and HD/MU zoning districts, as well two variances to related to parking spaces.

INHS will own the housing development and will contract with Tioga Opportunities, Inc. to be the property manager of the entire development.

**ANALYSIS:**

***Local Zoning Code:***

**Charter and Code of the Village of Owego**

**Chapter 117  
FLOOD DAMAGE PREVENTION**

**ARTICLE V  
Construction Standards**

**§ 117-15. Standards for all structures.**

B. Construction materials and methods.

(2) New construction and substantial improvements to structures shall be constructed using methods and practices that minimize flood damage.

**§ 117-16. Standards for residential structures.**

A. Elevation. The following standards apply to new and substantially improved residential structures located in areas of special flood hazard, in addition to the requirements in § 117-14A, Subdivision proposals, and § 117-14B, Encroachments, and § 117-15, Standards for all structures.

(1) Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above two feet above the base flood elevation.

⇒ *Please see attached the applicant's letter dated August 10, 2021 under the headings of Impact on Flooding and Impact on Stormwater for details on how construction of this new housing development will comply with these local laws, exceed said construction standards and mitigate flooding impacts. The required structural elevations will be accomplished mainly with empty crawl spaces (foundations) with flood vents, using minimal fill only around the buildings footprints.*

**Chapter 195  
ZONING**

**ARTICLE VII  
Special Use Permits**

**§ 195-32. Areas subject to flooding.**

All applicants for building and use permits in areas ascertained by the Superintendent of Public Works as subject to flood conditions shall obtain from the Zoning Board of Appeals a special use permit, provided that the following standards and controls are complied with:

A. Wherever desirable or necessary, the first floor level of any structure used for residential purposes shall be equal to or higher than the elevation of the high water level as determined by the Superintendent of Public Works in accordance with previous flood records.

⇒ *The Village of Owego Superintendent of Public Works confirmed that there is no record of the high water mark in this neighborhood from the 2011 flood. Please see attached the applicant's letter dated August 10, 2021 under the headings of Impact on Flooding and Impact on Stormwater for details on how construction of this new housing development will comply with these local laws, exceed said construction standards and mitigate flooding impacts. The required structural elevations will be accomplished*

*mainly with empty crawl spaces (foundations) with flood vents, using minimal fill only around the buildings footprints.*

**ARTICLE XI  
R3 Districts**

**§ 195-60. Applicable provisions.**

In R3 Districts, the regulations in this article shall apply.

**§ 195-61. Permitted uses.**

In an R3 District, a building may be erected, altered or used and a lot or premises may be used for any of the following purposes and for no other:

- B. Multiple dwelling (three-family or more dwelling units)

**§ 195-62. Building height regulations.**

In an R3 District, no building shall be erected or altered so as to exceed three stories or 45 feet in height; provided, however, that this height limit may be increased one foot for each one foot that each yard exceeds the minimum required.

**§ 195-63. Lot area and width requirements.**

In an R3 District:

- B. For multiple dwellings, the minimum lot area shall not be less than 3,000 square feet per family unit and a lot width not less than 75 feet for the first three dwelling units, but for every dwelling unit beyond three, an additional 1,000 square feet of lot area shall be required.

**§ 195-64. Maximum lot coverage.**

In an R3 District, all buildings, including accessory buildings, shall not cover more than 40% of the lot.

**§ 195-65. Yard requirements for multiple dwellings.**

Multiple dwellings in an R3 District shall meet the following yard requirements:

- A. Front yard: 30 feet.
- B. Side yard: Each 1/3 the height of the building, but no one side yard shall be less than six feet, and the aggregate measurement of both shall not be less than 15 feet.
- C. Rear yard: 30 feet
  - ⇒ *The applicant's is requesting an area variance to reduce both the front and rear yard setbacks to 10 feet.*

**Article XVIII  
Supplemental District Regulations**

**§ 195-112. Off-street parking requirements.**

- A. One automobile parking space consisting of at least 200 square feet and not located on a public street or highway and necessary egress and ingress to said parking space, shall be provided for:
  - (1) Each dwelling unit
    - ⇒ *The proposed site plan shows the required number of parking spaces, but also shows parking spaces that are less than 200 square feet (9 feet wide x 18 feet long instead of the standard 10x20). Therefore, an area variance is needed.*

**ARTICLE XXI**  
**High-Density/Mixed-Use Overlay District (HD/MU)**

**§ 195-125. Intent.**

High-density/mixed-use neighborhoods accommodate a wide variety of residential and nonresidential uses, building types, and lot sizes.

**§ 195-128. Applicability of provisions.**

In HD/MU Districts, the regulations in this article shall apply. The regulations established herein are not intended as a substitute for other district provisions but are additional standards to be met by the applicant or developer, prior to project approval. If there should be a conflict between the provisions of this section and other provisions of the Zoning Code, the HD/MU provisions shall apply.

**§ 195-130. Permitted uses.**

In an HD/MU District, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose except the following: residential units of 10 or more an acre; primary retail uses; secondary retail uses; hotel and motel; indoor recreation; professional health services; civic uses

**§ 195-131. Lot and building development standards and guidelines.**

The intent of the building standard is to shape a vital public space in the Village of Owego through placement and controls on private buildings. The building standards aim for the minimum level of control necessary to meet the goal.

- A. All lots shall have frontage on a street.
- B. Buildings shall be a maximum of 70 feet in height, with a two-story, twenty-five-foot minimum.
- C. Common wall buildings containing a residential use of 20,000 square feet or more are required to include civic space in the development plan.
- D. Rear doors, loading docks, and service entries shall be prohibited along street frontages.
- E. One principal building and one outbuilding may be built on each lot.
- F. Overhead garage doors shall be fronted on alleys.
- G. All new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.

⇒ *The applicant's site plan shows buildings' frontage within the HD/MU zoning district to be in line with other buildings on the street and not at the front lot line, which is not closer to the street so an area variance is needed.*

**§ 195-132. Parking and loading standards.**

- A. Surface parking shall be in the rear of the building.
  - ⇒ *The site plan shows nine parking spaces located at the left (north) side of the main apartment building and three parking spaces to the right (east) side of the three-unit townhouse structure. The Village ZBA must grant an area variance to allow these 12 spaces to be located on the side of the building, not in the rear.*
- B. Private parking ratios. (These requirements may be met on the site, or on other sites by evidencing appropriate documentation of agreements.)
  - (1) Residential uses: minimum one space per 1,000 square feet of gross floor area (or one per unit, whichever is less) and a maximum of two spaces per 1,000 square feet of gross floor area (or three per unit, whichever is less)
  - ⇒ *The applicant's proposal meets these parking space number requirements.*



**ARTICLE XXII**  
**Site Plan Review**  
**[Added 12-20-2010 by L.L. No. 3-2011]**

**§195-139. Site plan review. [Amended 10-20-2014 by L.L. No. 4-2014; 2-5-2018 by L.L. No. 1-2018]**

All permitted uses in zoning districts defined under the Village Zoning Code as Article XIII, OP Districts, Article XIV, CB Districts, Article XV, CBA Districts, Article XVI, B Districts, Article XVII, I Districts, and Article XXI, High-Density/Mixed-Use Overlay District, Article XXIII, Pocket Neighborhood Overlay District, shall require site plan approval by the Planning Board and shall have prior site plan review and approval before a building permit is issued for the alteration or construction of any building.

- B. Site plan approval. The Planning Board shall review the site plan and supporting data and shall hold a public hearing within 62 days of submittal before approval or approval with stated conditions is given, and shall take into consideration the following objectives:
- 1) Harmonious relationship between proposed uses and existing adjacent uses.
  - 2) Maximum safety of vehicular circulation between the site and the street network.
  - 3) Maximum adequacy of interior circulation, parking and loading facilities with particular attention to vehicular and pedestrian safety.
  - 4) Adequacy of landscaping and setbacks in regard to achieving maximum compatibility and protection to an adjacent residential district. Should changes or additional facilities be required by the Planning Board, final approval of the site plan shall be conditional upon the satisfactory compliance by the applicant to the changes or addition. An applicant wishing to make changes to an approved site plan shall submit a revised site plan to the Planning Board for review and approval before making application for a building permit.
- ⇒ *The applicant's site plan shows a logical and orderly layout of the buildings and parking lots related to the streets and within the properties, complete with landscaped buffer spaces and sidewalks, providing for safe pedestrian and traffic flow.*

**Area Variance Considerations:**

According to NYS Law, an area variance request does not have to pass all five tests in order for a ZBA to grant the variance.

**Required Determinations for Area Variances:** Staff answers to questions are below. See attached pages for applicant's answer to questions.

**1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by granting the variance?**

**Parcel A R3 Front & Rear Yard Setbacks:** *No, because the proposed front yard setback at 10 feet is more in line with the setback of the existing houses, maintaining the existing residential character.*

**Parcels B, C & D HD/MU Building Frontage:** *No, because aligning the frontage of the building to existing buildings' frontages keeps the residential character of the neighborhood.*

**Parcels C & D HD/MU Parking Location:** *No, there are many residential structures on this street that have either no driveway, forcing on-street parking, or have driveways at the side.*

**All Parcels Parking Space Size:** *No, in fact the reduction of parking space size will create more green space and buffers, and decrease the size of impermeable surfaces.*

**2. Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue other than an area variance?**

**Parcel A R3 Front & Rear Yard Setbacks:** No, because the depth of the lot is very shallow, which prohibits construction of residence that complies with the large 30 foot front and rear yard setbacks.

**Parcels B, C & D HD/MU Building Frontage:** No, because frontage of the new buildings at the lot line, especially the apartment building, would convey more of a commercial character, which is not desired at this residential location.

**Parcels C & D HD/MU Parking Location:** No, because the spaces to the rear of the buildings on these two parcels need to be used for other critical infrastructure including a fire lane and a stormwater practice.

**All Parcels Parking Space Size:** No, because having the required size parking spaces would create too much impervious surface on the small sized project area. The reduction of parking space size also allows the provision of the required number of parking spaces.

**3. Is the area variance substantial?**

**Parcel A R3 Front & Rear Yard Setbacks:** Yes, at 67%.

**Parcels B, C & D HD/MU Building Frontage:** No, the existing buildings' are and the new building's frontage will be relatively close to the front lot line anyway.

**Parcels C& D HD/MU Parking Location:** No, the number of parking spaces on this side of buildings is less than 30%.

**All Parcels Parking Space Size:** No, the parking space size is only 20% smaller than the required size.

**4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district?**

**Parcel A R3 Front & Rear Yard Setbacks:** No, in fact the new townhouse residents will be higher quality and safer for residents that choose or require rental housing.

**Parcels B, C & D HD/MU Building Frontage:** No, in fact the small space created in front of the buildings allows for more greenspace and sidewalks.

**HD/MU Parking Location:** No, it is in keeping with existing residential structures on these streets, and provides closer parking to apartment building for handicapped drivers.

**All Parcels Parking Space Size:** No, in fact the reduction of parking space size will create more green space and buffers, and decrease the size of impermeable surfaces.

**5. Was the alleged difficulty self-created? (...which consideration shall be relevant to the decision but not necessarily preclude the granting of the area variance).**

**Parcel A R3 Front & Rear Yard Setbacks:** Yes, but the applicant has done a thorough job minimizing the amount of the variance requested, and aligning the front of the townhouses with existing residential structures on the street.

**HD/MU Building Frontage:** Yes, but the applicant has done a thorough job minimizing the amount of the variance requested, and again, aligning the front of the three buildings with existing residential structures on the street.

**HD/MU Parking Location:** Yes, but the applicant has done a thorough job minimizing the amount of the variance requested, keeping the non-compliant spaces number to 12 out of 46.

**All Parcels Parking Space Size:** Yes, but the applicant has done a thorough job minimizing the amount of the variance requested by minimally reducing the parking space size and retaining functionality.

**Comments:** The applicant has gone to great lengths to design the redevelopment of housing in this neighborhood so that is harmonious and has the same character as existing housing structures on these streets. The overall layout and design optimizes use of this small land area, while creating transition from both sides of the apartment building to existing single-family housing type structures via the townhouse units. They have also exceeded construction standards by elevating to 3.7 feet above BFE, mainly with empty foundations incorporated with flood vents, therefore minimizing elevation by fill to just around the building footprints and creating a no net rise scenario. The applicant has also provided materials regarding an evaluation of traffic impacts, and has demonstrated that the amount of additional traffic is minimal and does not trigger any thresholds that necessitates a traffic study.

The current quality and safety of housing in this neighborhood is not the best, which is what prompted the Tioga County Property Development Corporation to acquire these properties, eliminating the blight and preparing for redevelopment. The new housing development will be high quality, environmentally friendly, resistant to flooding, and therefore, most importantly, safe and dignified for residents that choose to live there.

The Tioga County Strategic Plan of 2016 and the Housing Study of 2019 both recommend development of this type of housing, targeted in locations around the county that will replace blighted, dilapidated housing conditions. This redevelopment housing project fulfills this documented need.

**Conditions:**

1. That the applicant obtain all required state, county and local permits, licenses and registrations.

**RECOMMENDATION:** After thorough consideration of the above, Staff advises the County Planning Board recommend **Approval of the Site Plan Review, Floodplain Special Use Permit and Area Variances.**

August 10, 2021

Meg Gilbert, DPW Secretary  
Village of Owego  
20 Elm Street  
Owego, New York 13827

Re: INHS Temple and Liberty Street Redevelopment  
Application for Site Plan Review

Dear Village Board Members,

On behalf of Ithaca Neighborhood Housing Services, Inc. we are pleased and excited to present our proposal for the Temple and Liberty Street Redevelopment Project. We look forward to sharing our vision and plans for revitalizing housing in this neighborhood. In support of the enclosed application materials and environmental review, we are providing the following supplemental information.

**Consistency with Community Character**

The site setting is best characterized as ‘residential’ with some adjacency to commercial uses that front on Central Avenue. Historically, the principal structures and out buildings have been residential in use and style. Although multiple structures have been removed in recent years, the number of single-family homes and apartment buildings could have provided upwards of 30 dwelling units. As illustrated by the building exterior elevations, the proposed architecture is consistent with the predominant character of the adjacent neighborhood. The townhouse buildings mimic the scale, massing, and character appearance of the surrounding residential homes. These buildings will be two stories in height, feature street side porches and direct connections to the Village sidewalk network. Landscape plantings will be installed around their perimeter and lawn areas will create a buffer between the building fronts and street. The project site is located in a transitional area of the Village, falling between the commercial district and residential neighborhoods. As such, the multi-story Apartment building will be three stories in height and be flanked on both sides by the two-story townhouse buildings thus creating a transition from existing neighborhood homes. Five of the street side units in the apartment building will have front porch entrances accessible from the Village sidewalk, two connecting on the Liberty Street and the remainder on Temple Street. The architecture and material schedule of the apartment building has been developed to coincide with that of the existing neighborhood. A majority of the on-site parking is located towards the rear of the site and will not be readily visible from the street, once again maintaining the character of the neighborhood. Additional landscaping, greenspace, and play areas will complement the project. A 6-foot high perimeter wood fence has been included to separate the redeveloped site from its surrounding neighbors.

Per the Village zoning, the project sites are located in two zoning districts. West of Liberty Street, the Townhouse ‘A’ site is distinctly within the Residential 3 District (R-3). The parcels to be developed for the Apartment Building site, inclusive of Townhouse ‘B’ and ‘C’, are zoned R-3 with a High-Density Mixed-Use Overlay (HD/MU). The proposed residential uses, parking spaces, building scales/stories and placement relative to street lines on the Apartment Building site are understood to be compliant with the HD/MU requirements. The Townhouse ‘A’ site, however, will require an Area Variance to be granted by the Village Zoning Board of Appeals to reduce front and rear yard setbacks

from 30 feet to 10 feet. Within the R-3 District, the parcels at #117 and #119 Liberty Street are only 71.5 feet in depth. Applying the current 30-foot front and rear yard setbacks would preclude the construction of a practical residential structure. Granting the 10-foot front and rear yard setbacks will allow the proposed 6-unit Townhouse 'A' to achieve a similar street-front presence and depth of structure as currently exists for the residential properties north and south of the development parcel. In addition to the setback request for the Townhouse 'A' site, the project is requesting a reduction in the parking stall dimension requirements for the parking lots in the HD/MU zone. Stall spaces of 9-foot wide by 18-foot long are proposed in all parking lots with conventional 24-foot wide drive aisles. This combination of stall and aisle dimensions is more than sufficient to accommodate vehicle movements. Granting a reduction in parking stall dimensions reduces the physical footprint of impervious surface and allows the parking space requirements to be fulfilled on-site. The HD/MU zone also requires that parking be located at the rear of the building. In general, the project is consistent with this requirement except that 8 spaces are being proposed in the side yard of the Apartment Building site to provide closer access between the ADA parking and building entrance. The need to provide a dedicated Fire Lane behind the Apartment Building also precludes using this area for parking.

In all instances, granting the requested variances will not create an undesirable change in the character of the neighborhood or a detriment to nearby properties.

### **Impacts on Transportation**

Guidance provided by the New York State Department of Environmental Conservation (NYSDEC) in the SEQR Environmental Assessment Form Workbook defines a substantial increase in traffic as 100 peak-hour trips or more. Applying the land use table from the Workbook, available at <https://www.dec.ny.gov/permits/91660.html#j>, an apartment complex will generate a substantial increase when the number of residential units equals or exceeds 150. Since the proposed project will have a total of 45 units, it does not meet the threshold required to cause a substantial increase in traffic. Trip Generation Rates published by the Institute of Transportation Engineers (ITE) were also reviewed which suggest a multi-family, mid-rise development in a generally urban/suburban area would create 0.44 trips per unit during peak morning and evening hours. Applying this ratio to the proposed 45 units would equate to 20 vehicle trips which is well below the NYSDEC threshold. Therefore, it is reasonable to conclude the project will not generate a substantial increase in traffic within the surrounding neighborhood.

### **Impact on Energy**

The proposed development will meet or exceed the 2020 NYS IECC. In addition, the project plans to certify to the Energy Star Multifamily New Construction program and target incentives through the NYSEDA New Construction Housing Program. The project will include high efficient heat pumps for all electric space conditioning, high efficient domestic hot water heating, Energy Star Certified appliances, low-flow water sense labeled water fixtures and LED lighting though out the project. For residents with electric vehicles EV charging stations will be provided on site.

### **Impact on Utilities**

Water service will be provided to each new building from the public water distribution system operated by Suez Water Corporation (Suez). Water mains already exist along both Liberty Street and Temple Street, allowing for new service laterals to all three townhouse buildings and the multi-story apartment building. Each townhouse building will be provided one, 2-inch copper lateral and curb valve ahead of a single master meter located in a below-grade meter pit. After the master meter, 1-inch copper lines will be extended into each townhouse unit. All of the 1-inch copper lines will include isolation valves to shut off individual units while retaining service for the balance of the building. The meter pits, 1-inch copper lines and isolation valves will be owned and maintained by INHS. For the apartment building, a 6-inch ductile iron fire protection lateral and a 4-inch ductile iron domestic lateral will each be connected to the Liberty Street main and extended to the street line by



Suez. Beyond the street line, both laterals will be extended into the mechanical room by INHS. The master meter and required backflow prevention devices will be located in the mechanical room space which will be elevated 3 feet above the 100-year flood plain. Suez will be provided a key to access the mechanical room which will have a dedicated exterior entry door along Liberty Street. For additional fire protection, INHS will purchase a fire hydrant to be installed by Suez at the new driveway entrance on the east side of Liberty Street.

A single sanitary sewer lateral will be extended to the street line by the Village from the existing collection mains along Liberty Street and Temple Street for each of the four buildings. The townhouse laterals will be 6-inch PVC and the apartment building lateral will be 8-inch PVC. Beyond the street line, each townhouse unit will be drained with a 4-inch pipe connected to a 6-inch manifold. All pipe and cleanouts beyond the street line will be owned and maintained by INHS. None of the on-site storm water collection and management practices will discharge to the Village's combined sewer system.

Electric service to all buildings will be provided by New York State Electric and Gas (NYSEG). Gas service will not be required or utilized by the project.

### **Impact on Flooding**

As depicted on the April 17, 2012 FEMA Flood Insurance Rate Map (Map Number 36107C0382E) the sites on both Liberty Street and Temple Street lie within the special flood hazard area subject to inundation by the 1% (100-year) chance flood. The base flood elevation (BFE) is determined to be 813 feet (NAVD 88). In accordance with Chapter 117, Flood Damage Prevention of the Village Code, the project is required to submit an application for a floodplain development permit together with engineering analysis and architectural details to support the findings that the Village citizens are protected from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding.

In response, the project will take the following affirmative actions to comply with the Flood Damage Prevention law:

- Establish the first-floor elevations of all buildings at 816 feet (NAVD) which is 3 feet above the BFE and approximately 0.3 feet above the reported record crest water surface elevation from the September 2011 flood (per NOAA National Weather Service Inundation Mapping).
- Design the site grading and crawl spaces beneath all buildings to maintain a 'net zero fill condition'.
- Incorporate appropriately sized flood vents in all building foundation walls to allow equalization of flood water surface elevations.
- Design the building foundation and structural support anchoring systems to prevent flotation, collapse, or lateral movement during the record crest flood event.
- Locate electrical equipment, heating, ventilation, air conditioning and other service equipment to be 3 feet above the BFE.

### **Impact on Stormwater**

The proposed redevelopment project will increase the area of impervious cover and create more than 1.3 acres of soil disturbance during construction which, together, will necessitate the preparation of a Storm Water Pollution Prevention Plan (SWPPP) with permanent practices. Since the Village has a combined storm/sanitary sewer system, no new connections to the drainage facilities on Liberty Street and Temple Street will be permitted, therefore all runoff collected on the sites will need to be infiltrated into the underlying soils. Given this design constraint, a system of below-grade infiltration galleries is proposed which will use a combination of pre-fabricated storm chambers and drainage stone to create runoff storage volume. A geotechnical investigation was performed of the underlying soil conditions and testing confirmed that the soil characteristics are conducive to use of the



infiltration storm water practices. The existing topography also lends itself to collecting runoff and directing it to the on-site infiltration practices. The system of roof drains, drainage inlets, manholes, and PVC piping will be used to collect and convey stormwater to the infiltration galleries will all be owned and maintained by INHS.

Since the Village is not a Municipal Separate Storm Sewer System (MS4) community, the SWPPP will be submitted for review to the NYSDEC prior to filing the Notice of Intent. As part of the SWPPP and in accordance with the NYSDEC's Stormwater Design Manual, a temporary Erosion and Sediment Control Plan (ESC) will be developed to control discharges and off-site sediment tracking during the construction phase.

We appreciate the assistance and guidance our Project has received to date from Village and TEAM Tioga Staff. Please let me know if the Village will need any additional information prior to our presentations to the Planning Board on August 24<sup>th</sup> and the Zoning Board of Appeals on August 25<sup>th</sup>. Thank you for this consideration.

Respectfully,



Joseph L. Bowes  
Director of Real Estate Development



# *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>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				



<b>Tax Parcel ID</b>	<b>Street Address</b>	<b>Current Owner</b>	<b>Notes</b>
128.08-1-6	119 Liberty St	TCPDC*	
128.08-1-7	117 Liberty St	TCPDC	
128.08-1-8	113 Liberty St	Alexis k. Heath	To be aquired by TCPDC.
128.08-1-9	107 Liberty St	TCPDC	
128.08-7-81	112 Liberty St	TCPDC	
128.08-7-80	110 Liberty St	TCPDC	
128.08-7-79	96-102 Liberty St	TCPDC	(Lot subdivided prior to project)
128.08-7-50.2	97-99 Central Ave	TCPDC	(Lot subdivided prior to project)
128.08-7-78	92-94 Liberty St	David J. Jacobson & Kenneth J. Jacobson	To be aquired by TCPDC.
128.08-7-77	37 Temple St	Kenneth J. Jacobson	To be aquired by TCPDC.
128.08-7-76	39-41 Temple St	TCPDC	
128.08-7-75	43-45 Temple St	Jacobson & Sumner Real Estate Holdings, LLC	To be aquired by TCPDC.
128.08-7-74	47 Temple St	Jacobson & Sumner Real Estate Holdings, LLC	To be aquired by TCPDC.
128.08-7-73	49 Temple St	Kenneth J. Jacobson	To be aquired by TCPDC.

\*Tioga County Property Development Corporation

<b>Tax Parcel ID</b>	<b>Street Address</b>	<b>Current Owner</b>
128.08-1-5	113 Southside Ave.	JOSEPH KARPEL
128.08-1-4	123 Liberty St	DUSTIN STEIGLER & ANDREA TUCKER
128.08-1-62	130 McMaster St	BARBARA KROLCZYK
128.08-1-61	130 McMaster St	ROBERT KROLCZYK & BARBARA KROLCZYK
128.08-7-81	126 MCMaster St	DANIEL R GRAVES & SAVANNAH S FLOYD
128.08-1-10	103 Liberty St	CHARLES B. RICHARDSON
128.08-7-82	114 Liberty St	TINA BARTO
128.08-7-48	105-107 Central Ave	SONDRA & LEONARD HILLDALE, LLC
128.08-7-50.1	97-99 Central Ave	RICK L. FORD & GLENDA R. FORD
128.08-7-51	95 Central Ave	JOSEPH MERRILL & TANYA SURINE
128.08-7-72	51-53 Temple St	DAMON TINKHAM

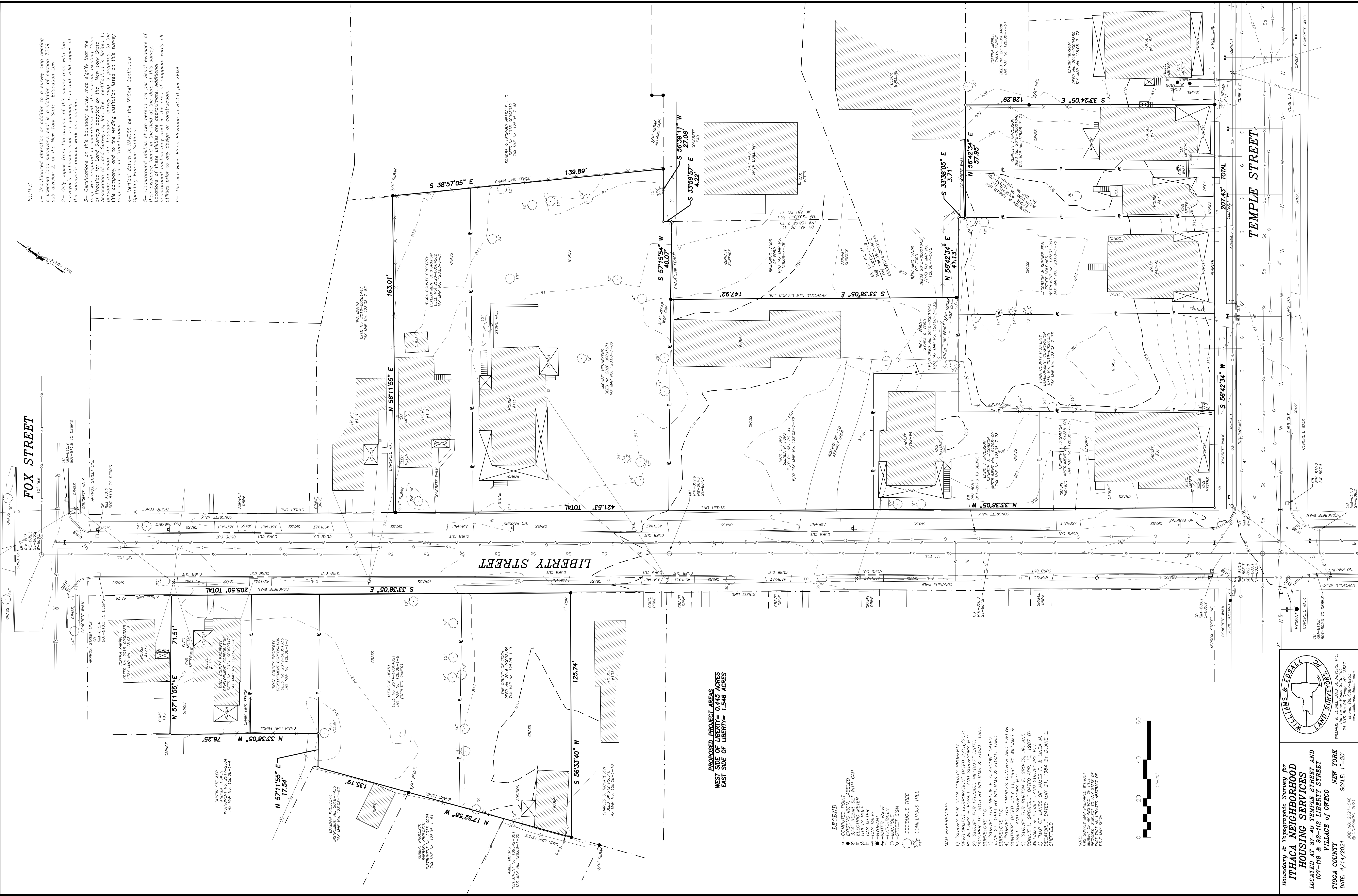
FOX STREET

LIBERTY STREET

TEMPLE STREET

NOTES

- 1- Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
- 2- Only copies from the original of this survey map with the surveyor's embossed seal are genuine, true and valid copies of the surveyor's original work and opinion.
- 3- Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Professional Conduct of the American Land Surveyors' Association for whom the boundary survey map is prepared, to the title company, and to the lending institution listed on this survey map and are not transferable.
- 4- Vertical datum is NAVD83 per the NYStat Continuous Operating Reference Stations.
- 5- Underground utilities shown hereon are per visual evidence of their existence found in the field on the date of this survey. The surveyor does not warrant the accuracy of the location of underground utilities that may exist in the area of mapping, verify all utilities prior to any design or construction.
- 6- The site Base Flood Elevation is 813.0 per FEMA.

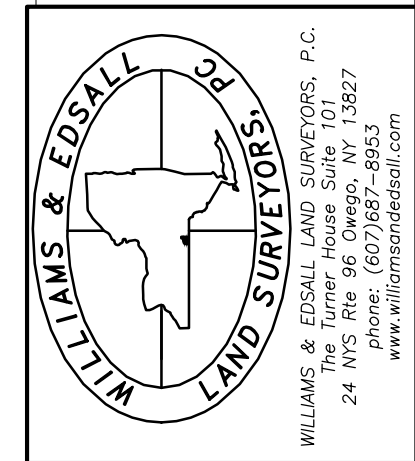
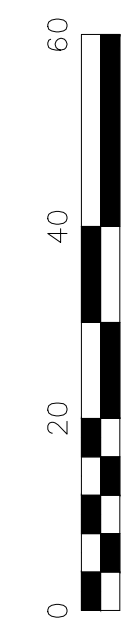


**PROPOSED PROJECT AREAS**  
**WEST SIDE OF LIBERTY= 0.445 ACRES**  
**EAST SIDE OF LIBERTY= 1.946 ACRES**

- LEGEND**
- COMPLETED UNLABELED
  - 3/4" REBAR SET WITH CAP
  - ELEC. METER
  - ELEC. PANEL
  - GAS METER
  - GAS VALVE
  - GAS BURNER
  - WATER VALVE
  - WATER MAIN
  - SANITARIAN
  - STREET SIGN
  - DECIDUOUS TREE
  - CONIFEROUS TREE

- MAP REFERENCES:**
- 1) SURVEY FOR TOGA COUNTY PROPERTY DEVELOPMENT CORPORATION, DATED 2/18/2021 BY WILLIAMS & EDSELL LAND SURVEYORS P.C.
  - 2) SURVEY FOR TOGA COUNTY PROPERTY DEVELOPMENT CORPORATION, DATED OCTOBER 16, 2015 BY WILLIAMS & EDSELL LAND SURVEYORS P.C.
  - 3) SURVEY FOR NELLIE E. GLASSCOCK, DATED JUNE 16, 1897 BY WILLIAMS & EDSELL LAND SURVEYORS P.C.
  - 4) SURVEY FOR CHARLES GUNTHER AND EVELYN GUNTHER, DATED OCTOBER 16, 1897 BY WILLIAMS & EDSELL LAND SURVEYORS P.C.
  - 5) SURVEY FOR BURTON E. GROATS, JR. AND BONNIE L. GROATS, DATED APR. 10, 1987 BY WILLIAMS & EDSELL LAND SURVEYORS P.C.
  - 6) SURVEY FOR WILLIAMS & EDSELL LAND SURVEYORS P.C. DECATORS, DATED MAY 21, 1884 BY DUANE L. SHEFFIELD

NOTE: SURVEY MAP PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE OR FACT THAT AN UPDATED ABSTRACT OF TITLE MAY SHOW.



**Boundary & Topographic Survey for**  
**ITHACA NEIGHBORHOOD**  
**HOUSING SERVICES**  
 LOCATED AT 97-49 TEMPLE STREET AND 107-119 & 92-112 LIBERTY STREET  
 VILLAGE of OWEGO  
 TOGA COUNTY NEW YORK  
 DATE: 4/14/2021  
 JOB NO. 2021-1240  
 SCALE: 1"=20'  
 © COPYRIGHT, 2021

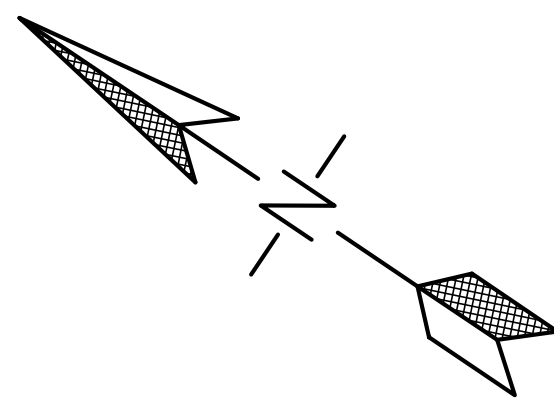
WILLIAMS & EDSELL LAND SURVEYORS, P.C.  
 24 NYR Rte 98 Owego, NY 13827  
 Phone: 607-433-1011  
 www.williamsandedsell.com



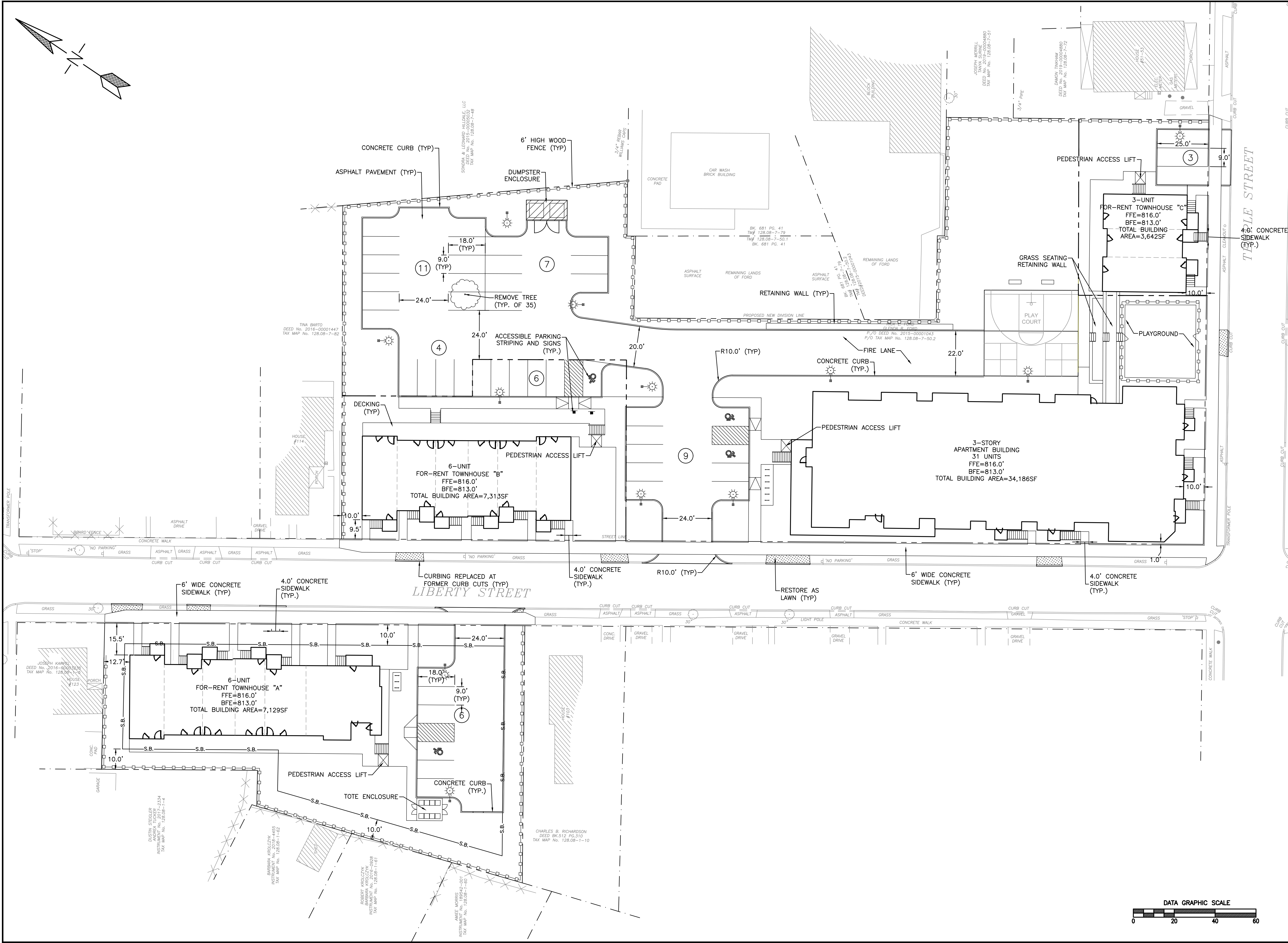


**Site Plan**  
Ithaca Neighborhood Housing Services





**TEMPLE AND LIBERTY STREET REDEVELOPMENT**  
 VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK



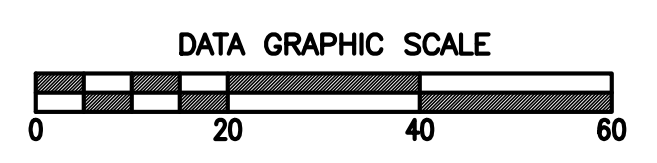
REVISION	DATE	BY
1	09/06/21	DAH

SKETCH PLAN REVIEW

**SHEET TITLE**  
 LAYOUT PLAN

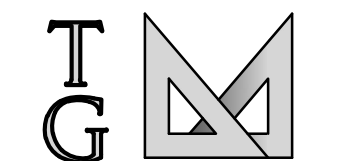
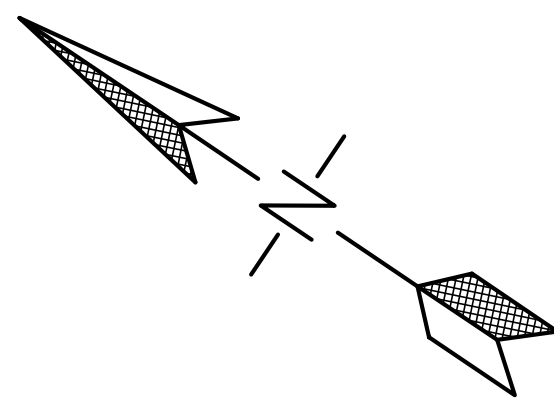
DATE: 8/31/21  
 SCALE: AS SHOWN  
 DRAWN BY: OBB  
 CHECKED: DAH

JOB No. E21-08  
 SHEET C104



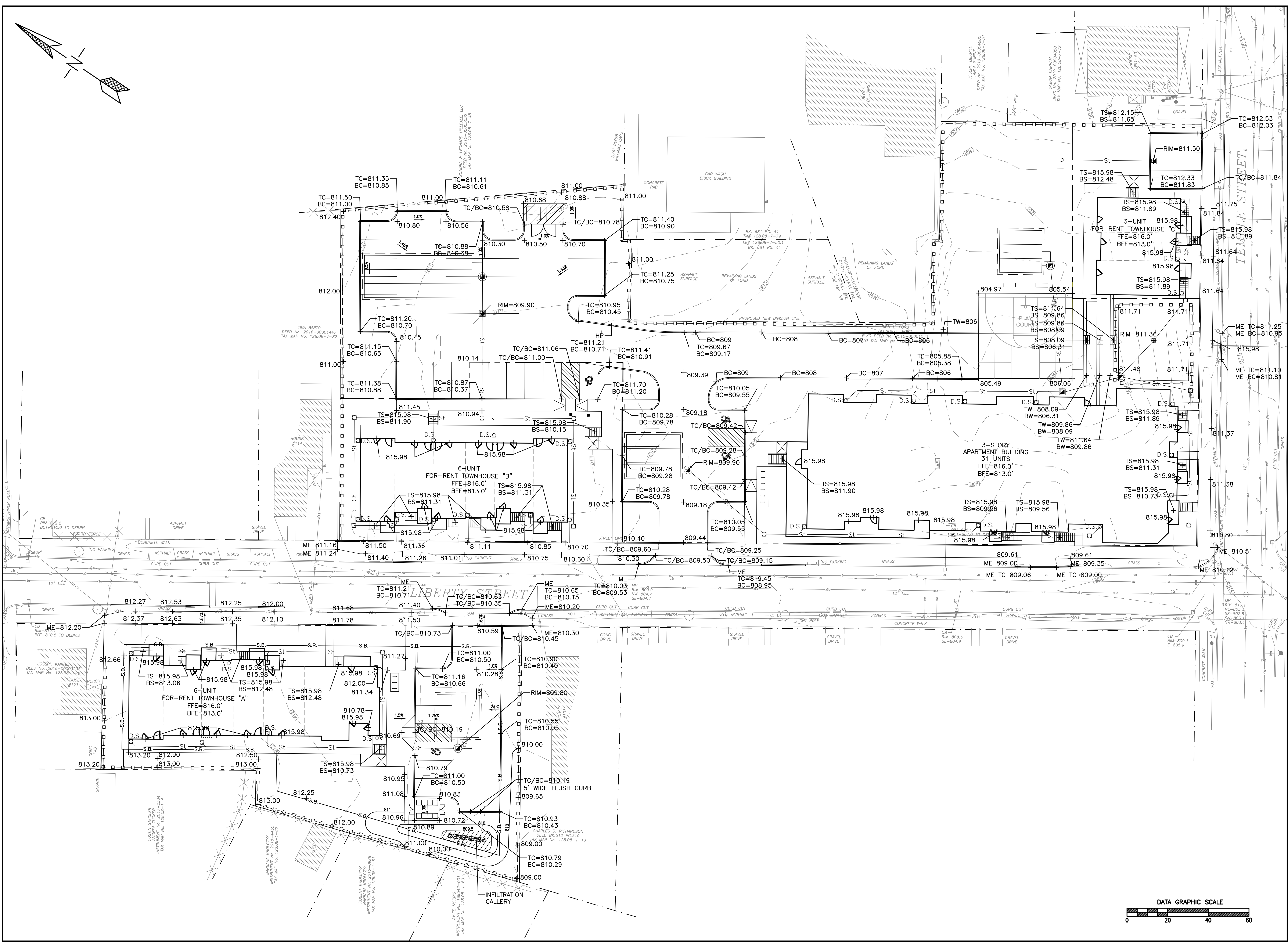
WARNING: ALTERATIONS TO THIS MAP NOT CONFORMING TO SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE SEAL OF THE LICENSED PROFESSIONAL ENGINEER WHOSE SIGNATURE APPEARS HEREON.





**T.G. MILLER, P.C.**  
 ENGINEERS AND SURVEYORS  
 605 WEST STATE STREET, SUITE A  
 ITHACA, NEW YORK 14850  
 WWW.TGMILLER.PC.COM  
 607-272-6477

**TEMPLE AND LIBERTY STREET REDEVELOPMENT**  
**VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK**



REVISION	DATE	BY	DESCRIPTION
1	09/06/21	DAH	31 APARTMENT UNITS

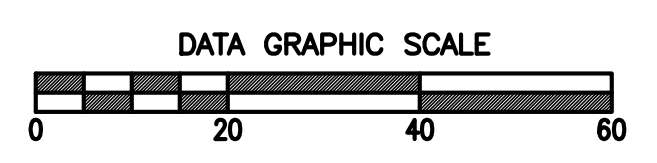
SKETCH PLAN REVIEW

**SHEET TITLE**  
**GRADING PLAN**

DATE: 8/31/21  
 SCALE: AS SHOWN  
 DRAWN BY: OBB  
 CHECKED: DAH

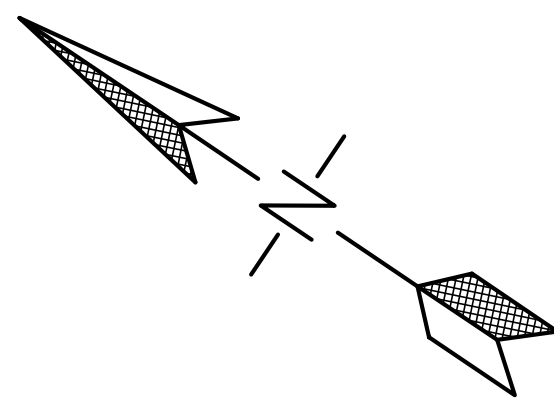
JOB No.  
**E21-08**

SHEET  
**C105**

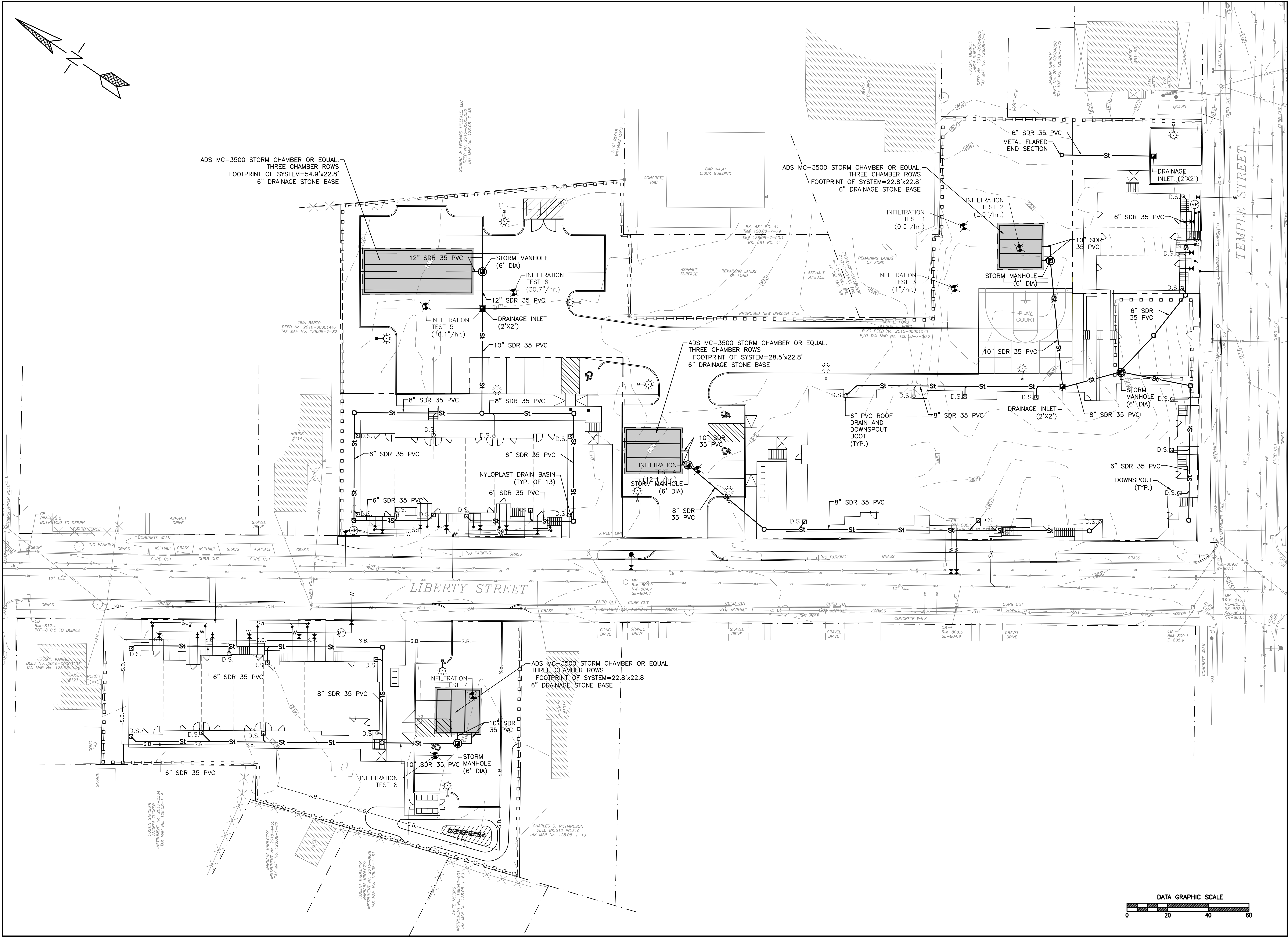


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**TEMPLE AND LIBERTY STREET REDEVELOPMENT**  
**VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK**



REVISION	DATE	BY	DESCRIPTION
1	09/06/21	DAH	31 APARTMENT UNITS

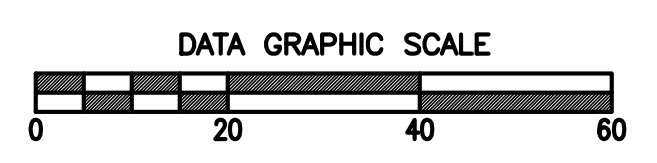
SKETCH PLAN REVIEW

**SHEET TITLE**  
**DRAINAGE PLAN**

DATE: 8/31/21  
 SCALE: AS SHOWN  
 DRAWN BY: OBB  
 CHECKED: DAH

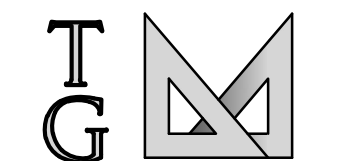
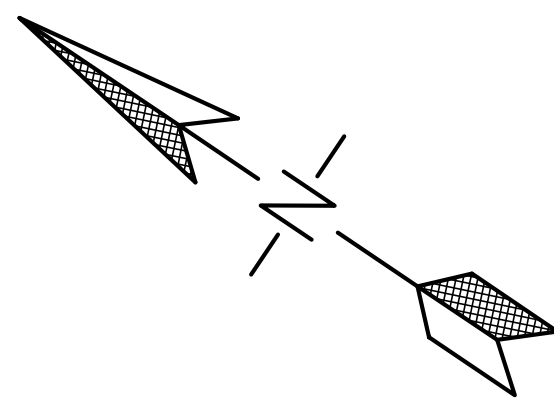
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**E21-08**

SHEET  
**C106**



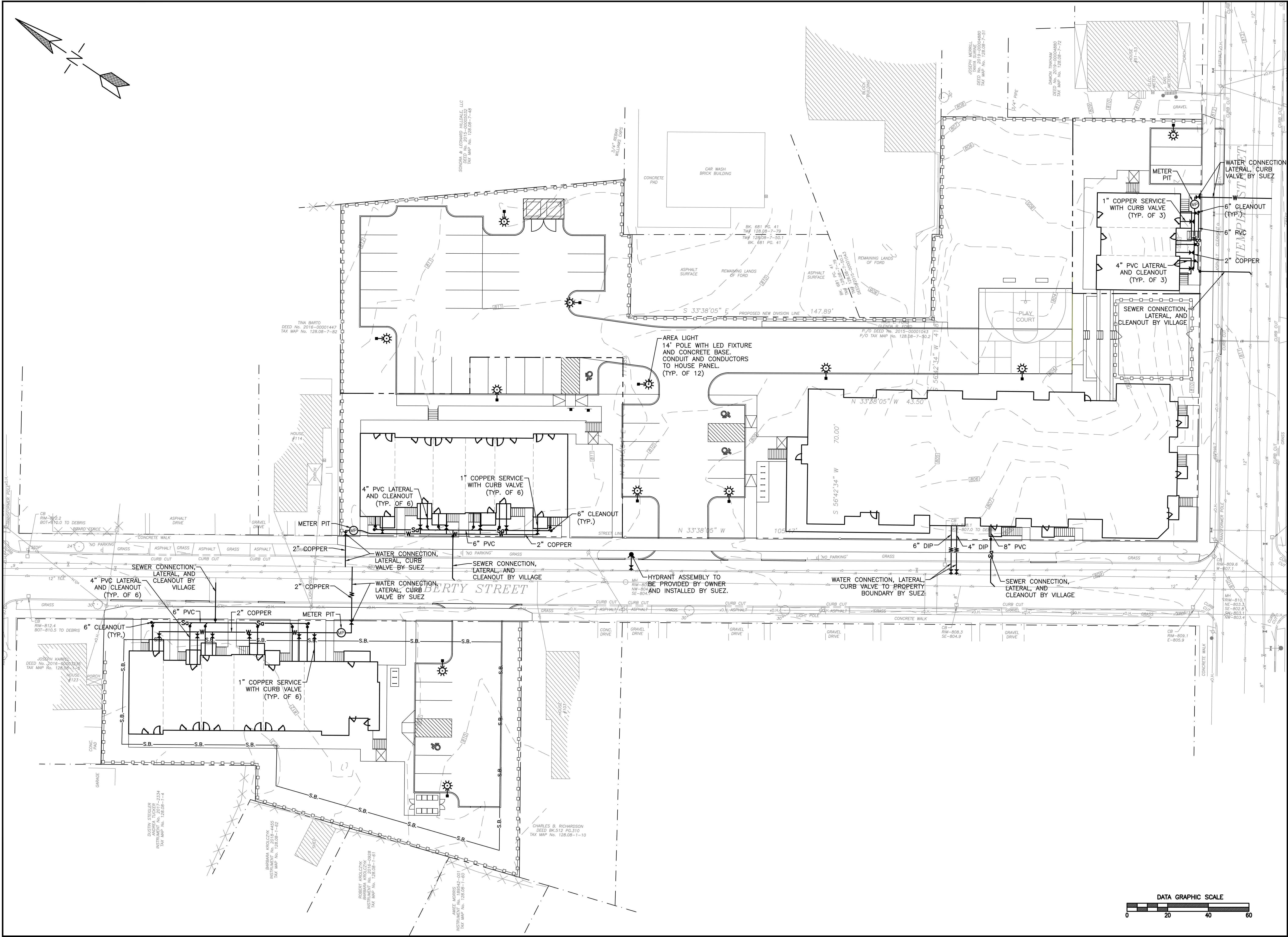
WARNING: ALTERATIONS TO THIS MAP NOT CONFORMING TO SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SIGNED AND COPIES BEAR THE SEAL OF THE LICENSED PROFESSIONAL ENGINEER WHOSE SIGNATURE APPEARS HEREON.





**T.G. MILLER, P.C.**  
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 605 WEST STATE STREET, SUITE A  
 ITHACA, NEW YORK 14850  
 WWW.TGMILLER.PC.COM  
 607-272-6477

**TEMPLE AND LIBERTY STREET REDEVELOPMENT**  
**VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK**



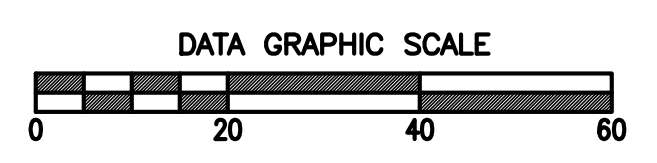
ISSUE	DATE	REVISION	BY
1	09/06/21	31 APARTMENT UNITS	DAH

SKETCH  
 PLAN  
 REVIEW

**SHEET TITLE**  
 UTILITY  
 PLAN

DATE: 8/31/21  
 SCALE: AS SHOWN  
 DRAWN BY: OBB  
 CHECKED: DAH

JOB No.  
**E21-08**  
 SHEET  
**C107**



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**GENERAL LANDSCAPE NOTES**

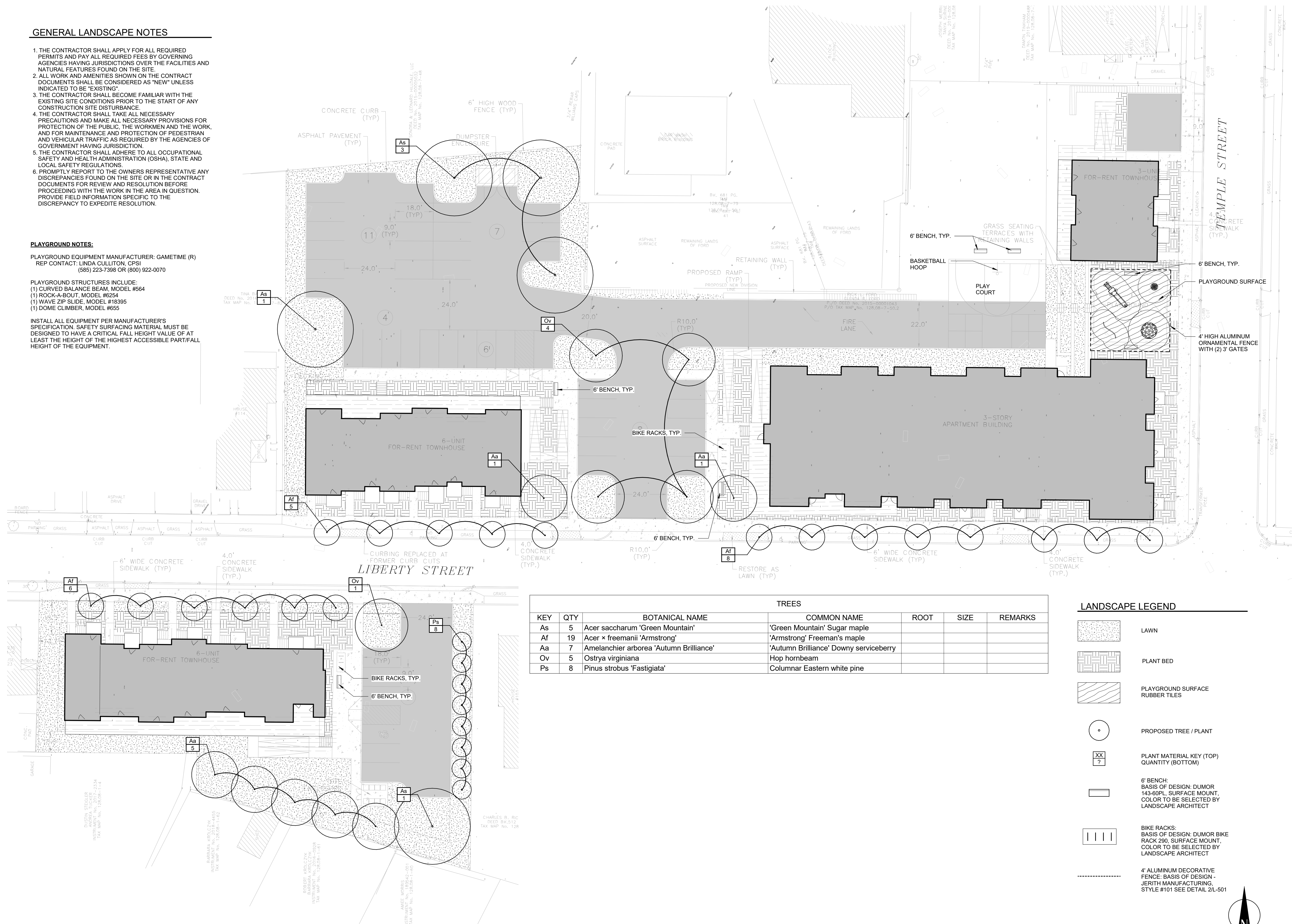
1. THE CONTRACTOR SHALL APPLY FOR ALL REQUIRED PERMITS AND PAY ALL REQUIRED FEES BY GOVERNING AGENCIES HAVING JURISDICTIONS OVER THE FACILITIES AND NATURAL FEATURES FOUND ON THE SITE.
2. ALL WORK AND AMENITIES SHOWN ON THE CONTRACT DOCUMENTS SHALL BE CONSIDERED AS "NEW" UNLESS INDICATED TO BE "EXISTING".
3. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SITE CONDITIONS PRIOR TO THE START OF ANY CONSTRUCTION SITE DISTURBANCE.
4. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS AND MAKE ALL NECESSARY PROVISIONS FOR PROTECTION OF THE PUBLIC, THE WORKMEN AND THE WORK, AND FOR MAINTENANCE AND PROTECTION OF PEDESTRIAN AND VEHICULAR TRAFFIC AS REQUIRED BY THE AGENCIES OF GOVERNMENT HAVING JURISDICTION.
5. THE CONTRACTOR SHALL ADHERE TO ALL OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA), STATE AND LOCAL SAFETY REGULATIONS.
6. PROMPTLY REPORT TO THE OWNERS REPRESENTATIVE ANY DISCREPANCIES FOUND ON THE SITE OR IN THE CONTRACT DOCUMENTS FOR REVIEW AND RESOLUTION BEFORE PROCEEDING WITH THE WORK IN THE AREA IN QUESTION. PROVIDE FIELD INFORMATION SPECIFIC TO THE DISCREPANCY TO EXPEDITE RESOLUTION.

**PLAYGROUND NOTES:**

PLAYGROUND EQUIPMENT MANUFACTURER: GAMETIME (R)  
 REP CONTACT: LINDA CULLITON, CPSI  
 (585) 223-7398 OR (800) 922-0070

PLAYGROUND STRUCTURES INCLUDE:  
 (1) CURVED BALANCE BEAM, MODEL #564  
 (1) ROCK-A-BOUT, MODEL #6254  
 (1) WAVE ZIP SLIDE, MODEL #18395  
 (1) DOME CLIMBER, MODEL #655

INSTALL ALL EQUIPMENT PER MANUFACTURER'S SPECIFICATION. SAFETY SURFACING MATERIAL MUST BE DESIGNED TO HAVE A CRITICAL FALL HEIGHT VALUE OF AT LEAST THE HEIGHT OF THE HIGHEST ACCESSIBLE PART/FALL HEIGHT OF THE EQUIPMENT.



TREES						
KEY	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	REMARKS
As	5	Acer saccharum 'Green Mountain'	'Green Mountain' Sugar maple			
Af	19	Acer x freemanii 'Armstrong'	'Armstrong' Freeman's maple			
Aa	7	Amelanchier arborea 'Autumn Brilliance'	'Autumn Brilliance' Downy serviceberry			
Ov	5	Ostrya virginiana	Hop hornbeam			
Ps	8	Pinus strobus 'Fastigiata'	Columnar Eastern white pine			

**LANDSCAPE LEGEND**

- LAWN
- PLANT BED
- PLAYGROUND SURFACE  
RUBBER TILES
- PROPOSED TREE / PLANT
- PLANT MATERIAL KEY (TOP)  
QUANTITY (BOTTOM)
- 6' BENCH:  
BASIS OF DESIGN: DUMOR  
143-60PL, SURFACE MOUNT,  
COLOR TO BE SELECTED BY  
LANDSCAPE ARCHITECT
- BIKE RACKS:  
BASIS OF DESIGN: DUMOR BIKE  
RACK 290, SURFACE MOUNT,  
COLOR TO BE SELECTED BY  
LANDSCAPE ARCHITECT
- 4' ALUMINUM DECORATIVE  
FENCE: BASIS OF DESIGN -  
JERTH MANUFACTURING,  
STYLE #101 SEE DETAIL 2/L-501

**1 LANDSCAPE PLAN AND TREE PLANTING**  
 1" = 20'-0"

Drawn By: Author  
 Checked By: Checker  
 Project Manager: PM

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**Revisions**

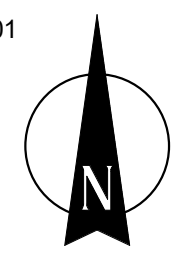

**INHS Owego Apartments**  
 SWBR Project Number 21016.00

**INHS Owego**  
 115 W Clinton St  
 Ithaca, NY 14850

**L-101**

**LANDSCAPE PLAN AND TREE PLANTING**

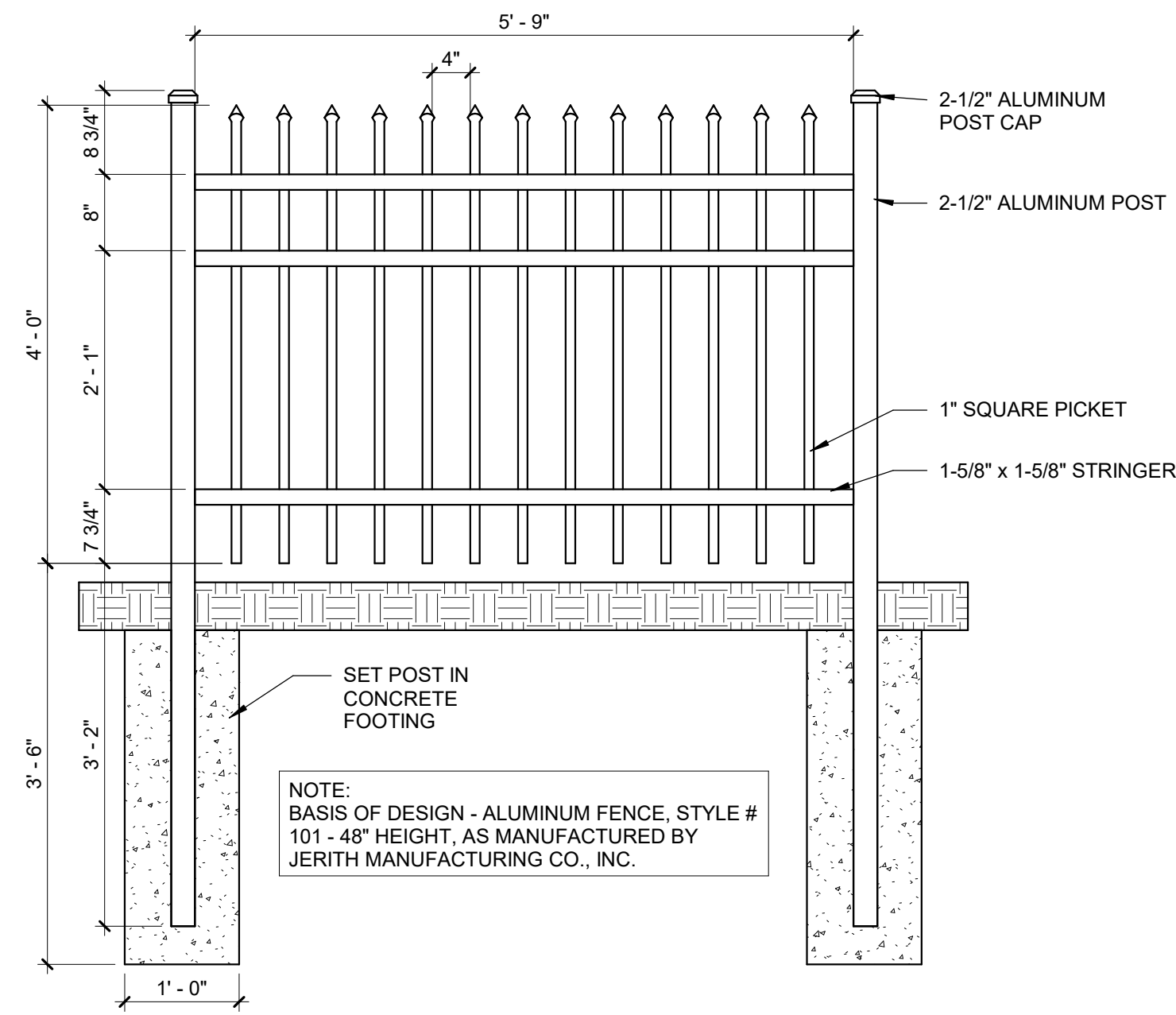
08/10/2021  
 Schematic Design  
 Progress



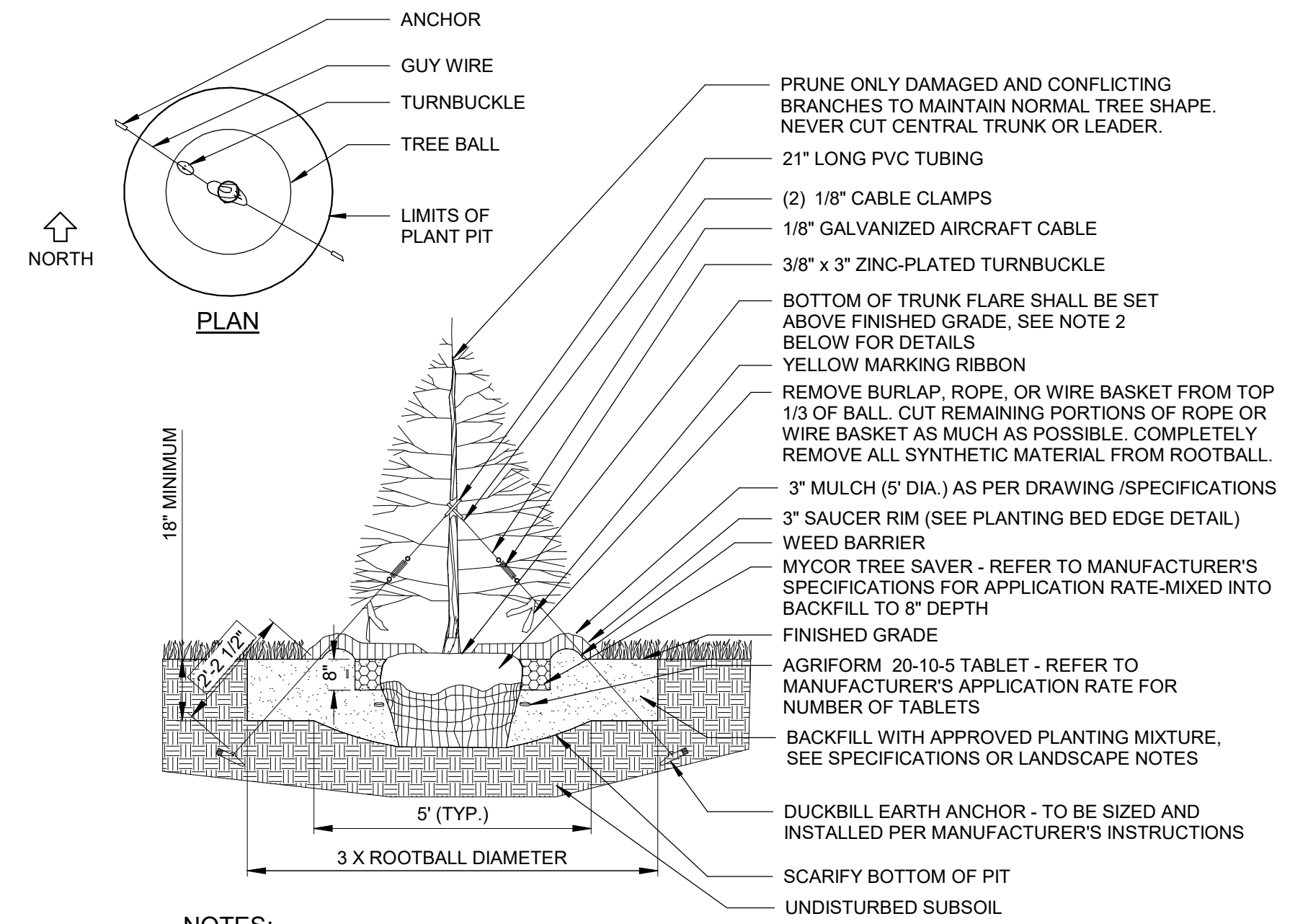






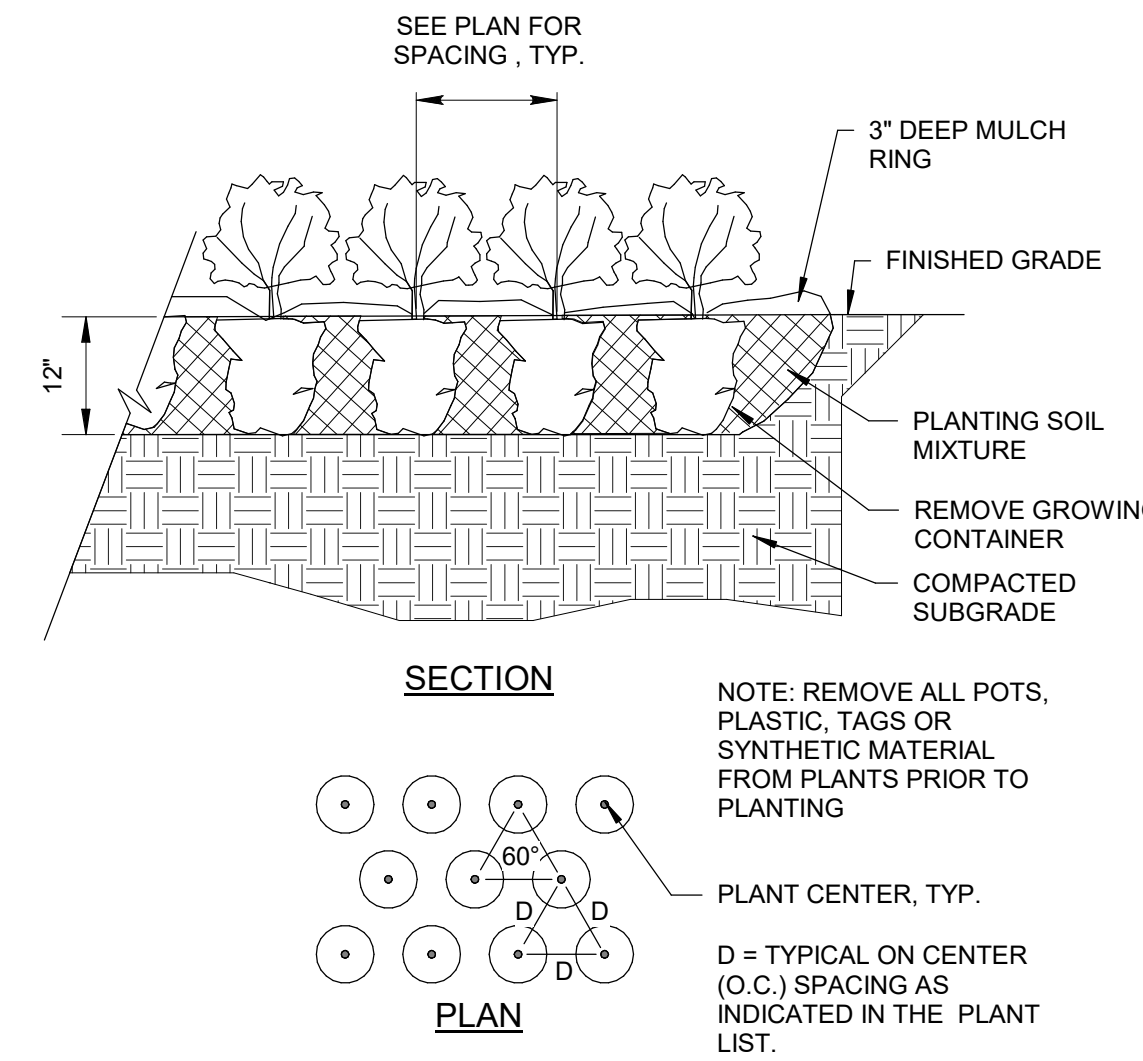


**5 ALUMINUM FENCE - JERITH STYLE #101**  
3/4" = 1'-0"

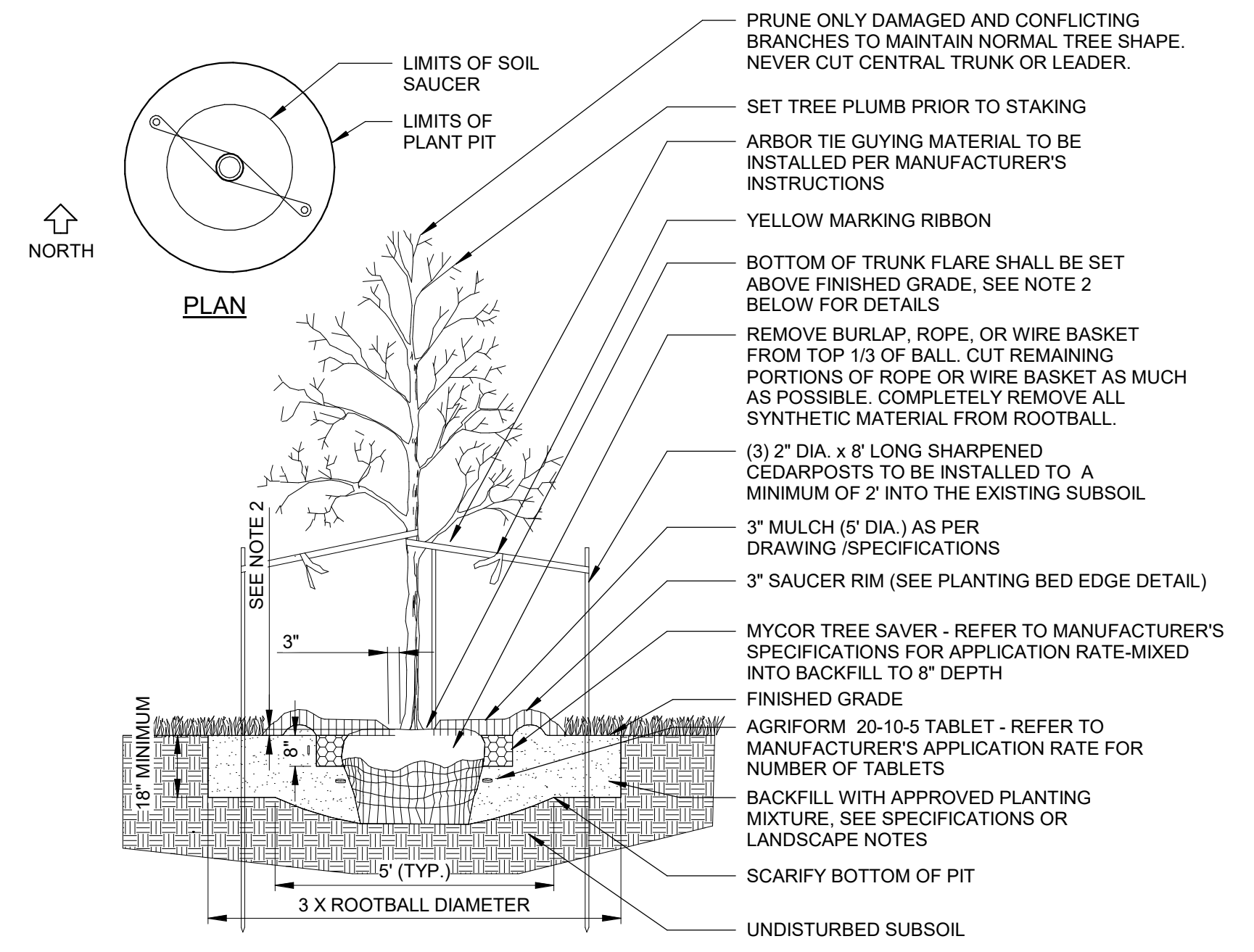


- NOTES:**
1. MAINTAIN A 2" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
  2. THE DISTANCE BETWEEN THE BOTTOM OF THE TRUNK FLARE FINISHED GRADE SHALL BE AS FOLLOWS:  
FOR SANDY OR LOAMY SOILS: 1"  
FOR CLAY OR POORLY DRAINED SOILS: 3"  
THE CONTRACTOR SHALL REVIEW THE APPROPRIATE PLANTING DEPTH WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
  3. WHEN TAGGING TREES AT THE NURSERY, MARK THE NORTH SIDE OF THE TREE IN THE FIELD AND WHEN INSTALLING, ROTATE TREE TO FACE NORTH WHENEVER POSSIBLE.

**2 EVERGREEN TREE PLANTING**  
Not To Scale

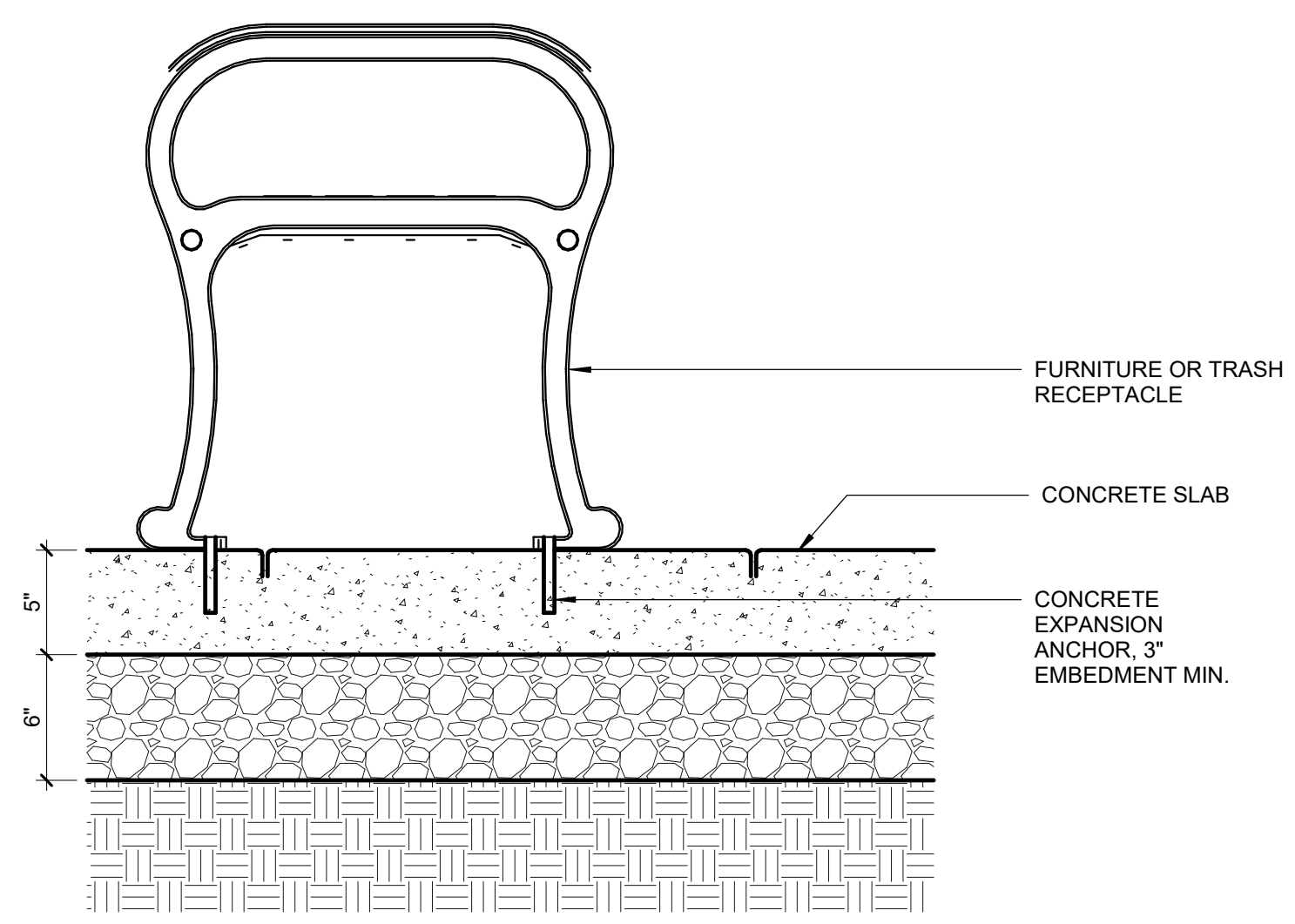


**4 PERENNIAL & ORNAMENTAL GRASS PLANTING DETAIL**  
Not To Scale

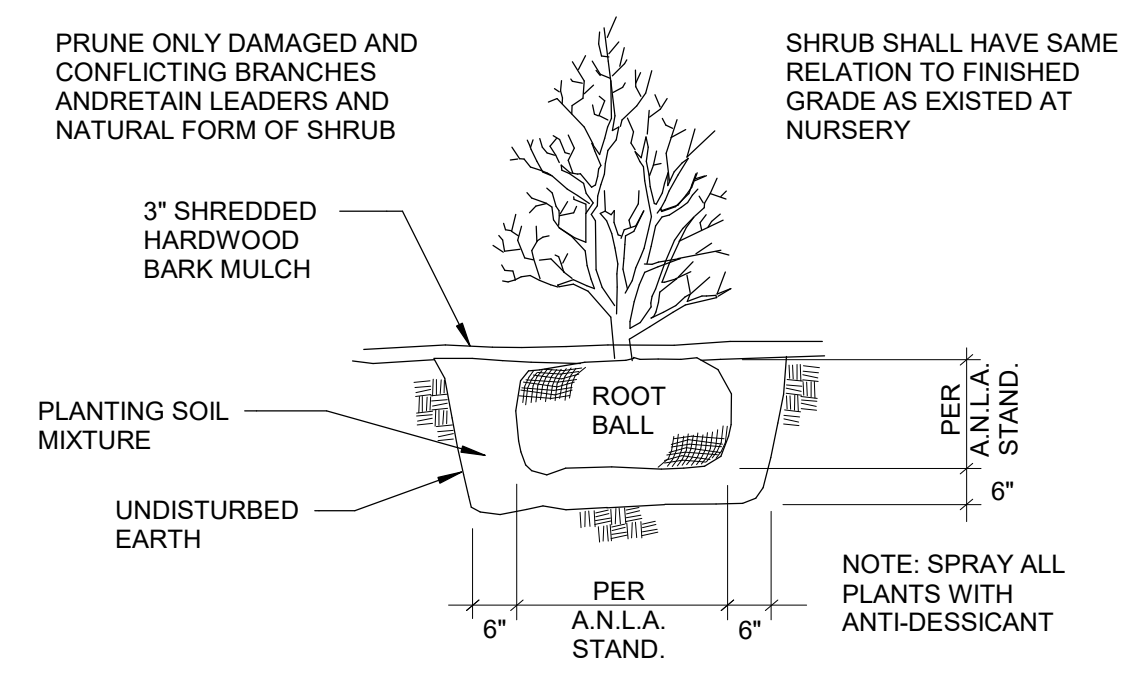


- NOTES:**
1. MAINTAIN A 3" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
  2. THE DISTANCE BETWEEN THE BOTTOM OF THE TRUNK FLARE AND THE FINISHED GRADE SHALL BE AS FOLLOWS:  
FOR SANDY OR LOAMY SOILS: 1"  
FOR CLAY OR POORLY DRAINED SOILS: 3"  
THE CONTRACTOR SHALL REVIEW THE APPROPRIATE PLANTING DEPTH WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
  3. WHEN TAGGING TREES AT THE NURSERY, MARK THE NORTH SIDE OF THE TREE IN THE FIELD AND WHEN INSTALLING, ROTATE TREE TO FACE NORTH WHENEVER POSSIBLE.

**1 DECIDUOUS TREE PLANTING**  
Not To Scale



**6 FURNITURE SURFACE MOUNT ON CONCRETE**  
1 1/2" = 1'-0"



**3 SHRUB PLANTING DETAIL**  
Not To Scale

Drawn By: Author  
Checked By: Checker  
Project Manager: PM

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**Revisions**

NO.	DESCRIPTION	DATE

**INHS Owego Apartments**  
SWBR Project Number 21016.00

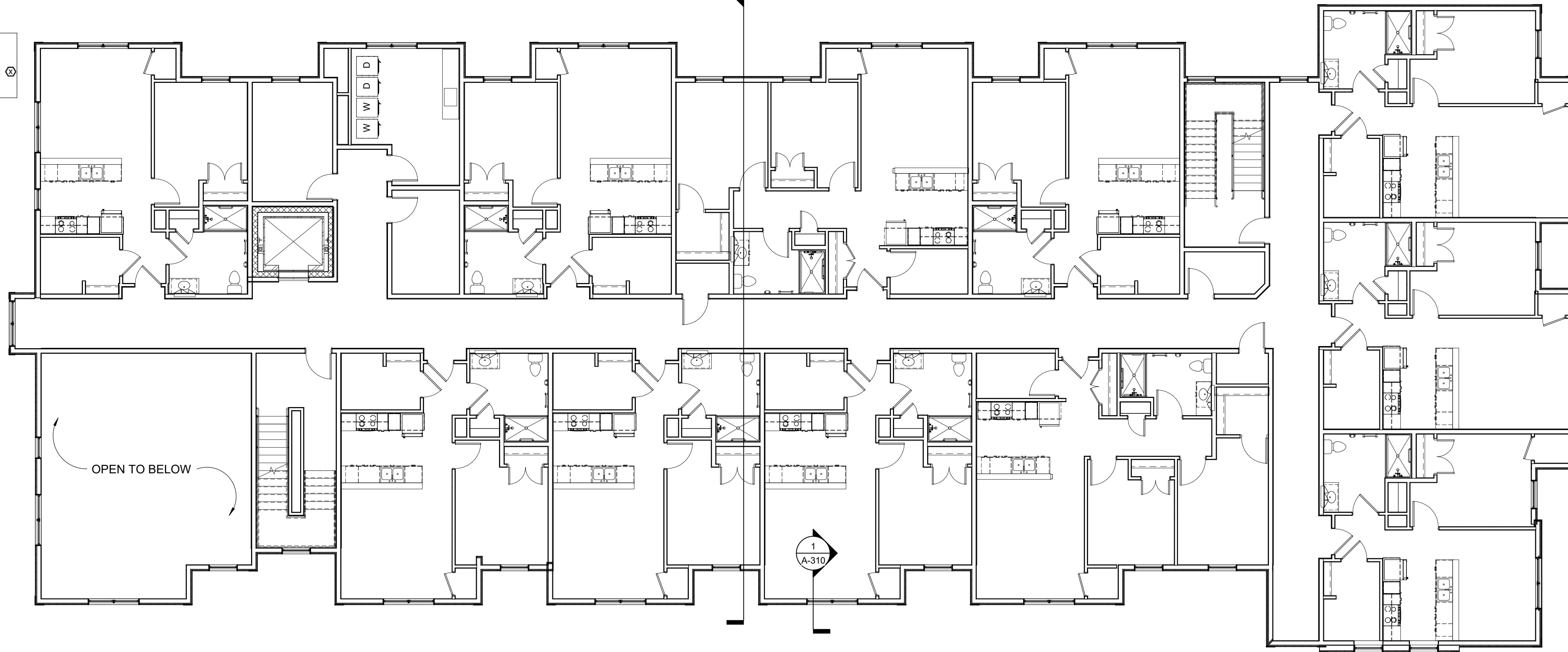
**INHS Owego**  
115 W Clinton St  
Ithaca, NY 14850

**L-501**

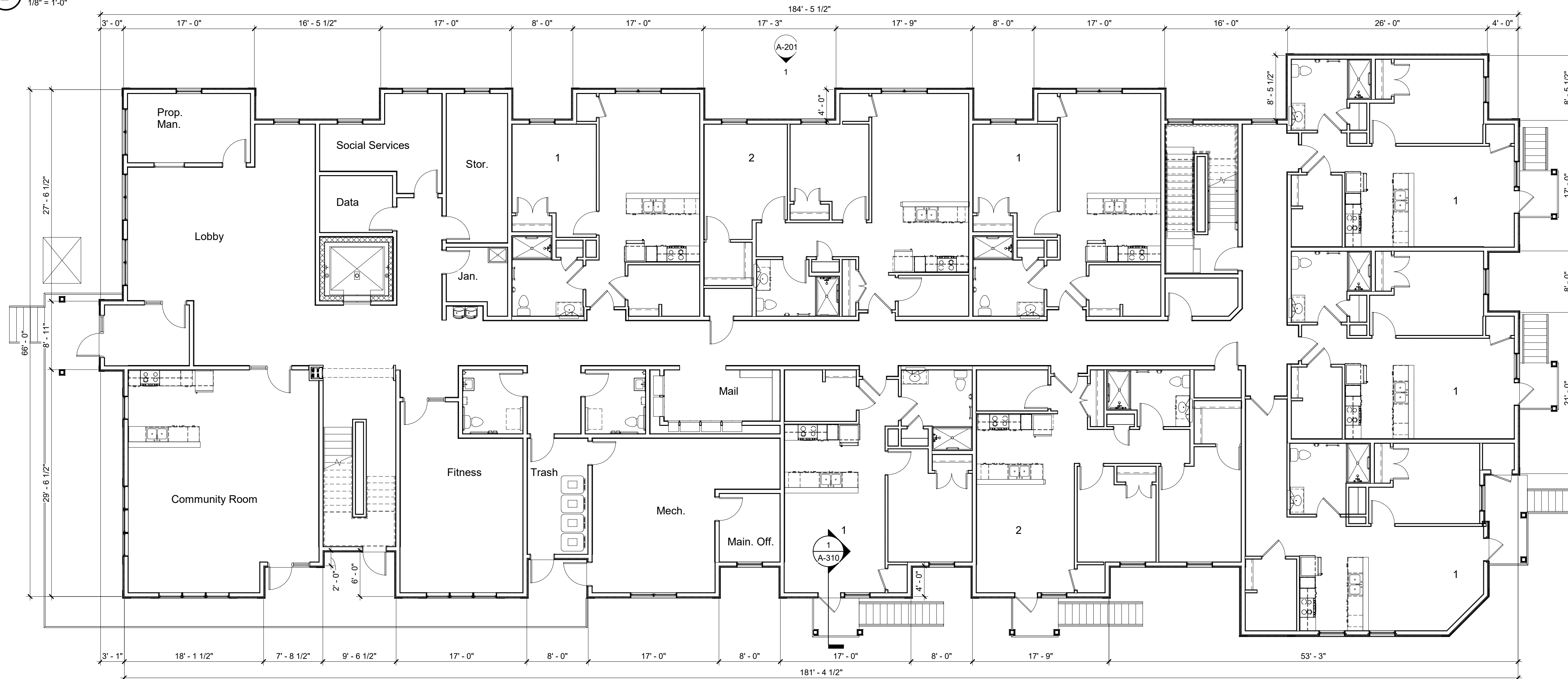
LANDSCAPE DETAILS

08/10/2021  
Schematic Design  
Progress

PLAN KEY NOTES		
NO.	DESCRIPTION	SHOWN AS:



2 SECOND FLOOR PLAN  
1/8" = 1'-0"



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

Drawn By: GM  
Checked By: RFS  
Project Manager: RFS

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Revisions

NO.	DESCRIPTION

INHS Owego  
SWBR Project Number 21016.00

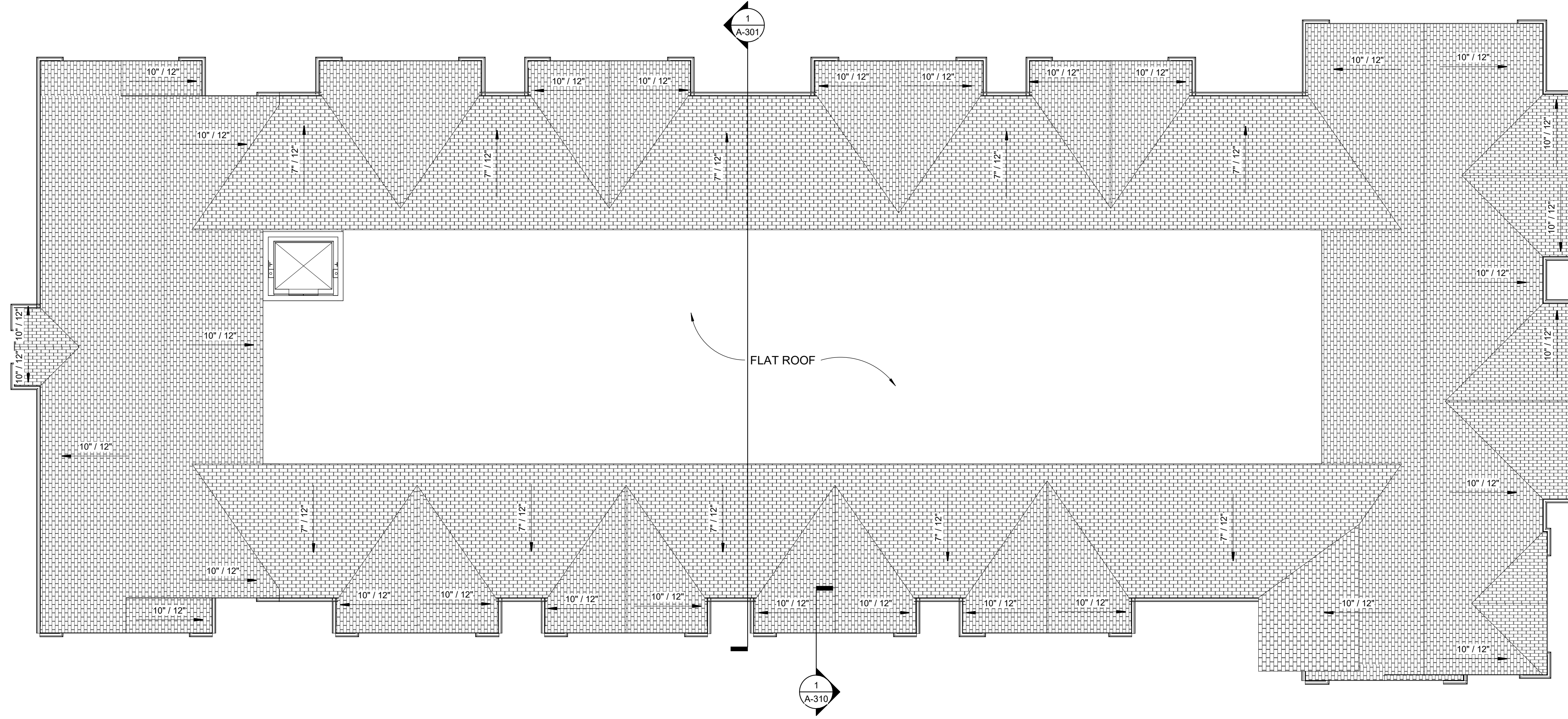
INHS  
115 W Clinton St  
Ithaca, NY 14850

**A-101**

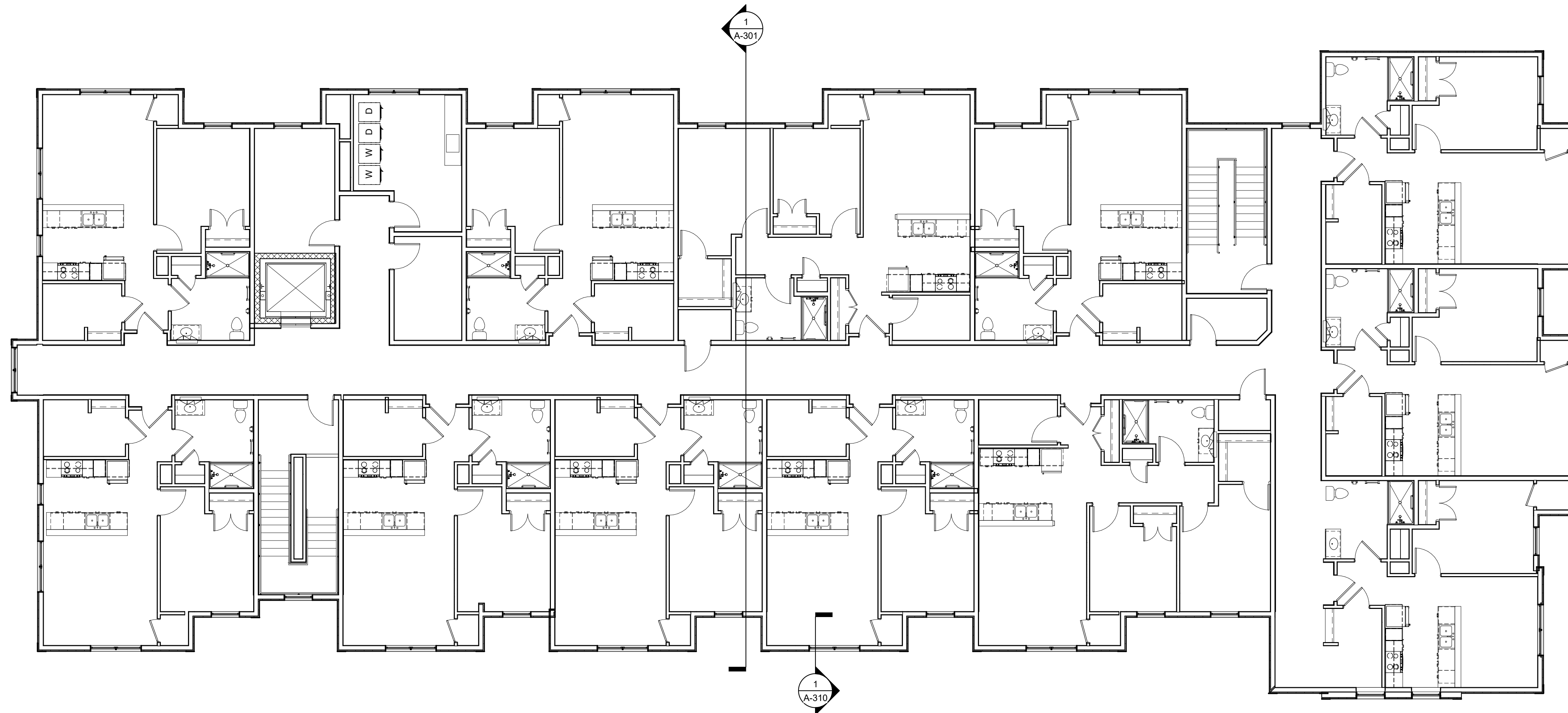
FIRST AND SECOND FLOOR PLANS

08/11/2021  
Schematic Design  
Progress





**2** ROOF PLAN  
1/8" = 1'-0"



**1** THIRD FLOOR PLAN  
1/8" = 1'-0"

Drawn By: GM  
Checked By: RFS  
Project Manager: RFS

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**Revisions**

NO.	DESCRIPTION

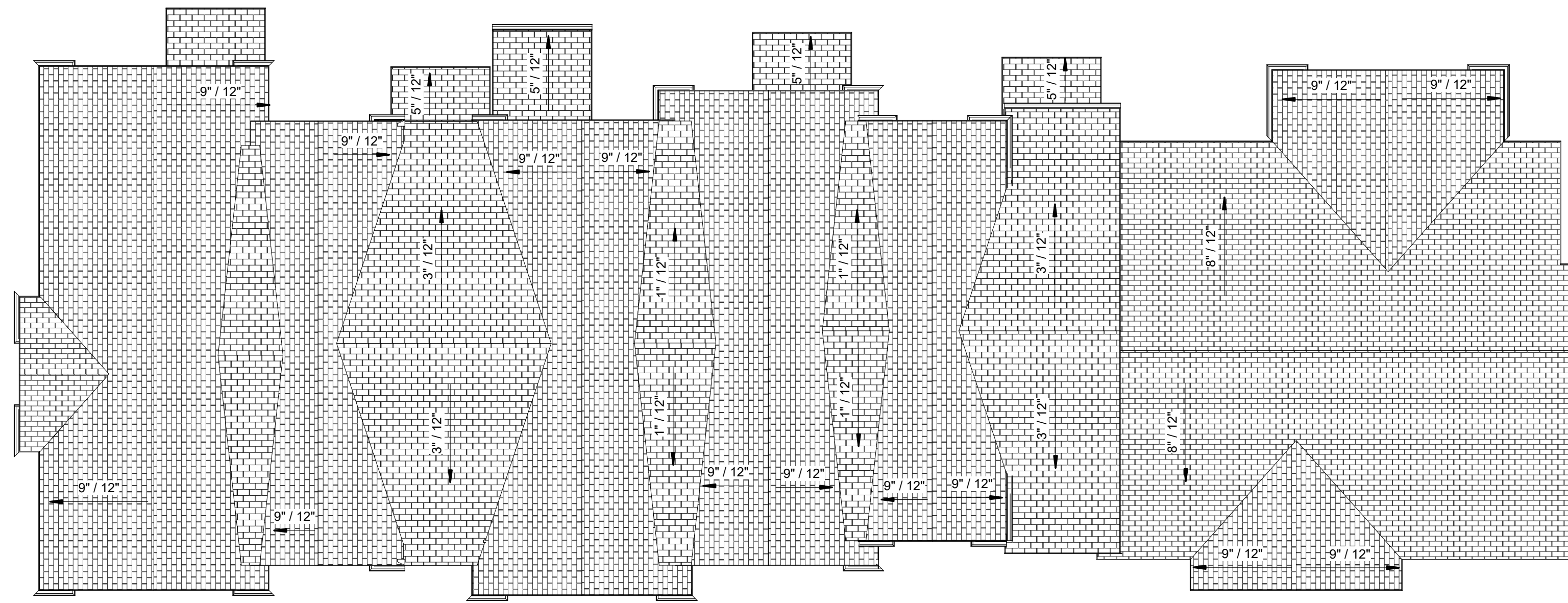
**INHS Owego**  
SWBR Project Number 21016.00

**INHS**  
115 W Clinton St  
Ithaca, NY 14850

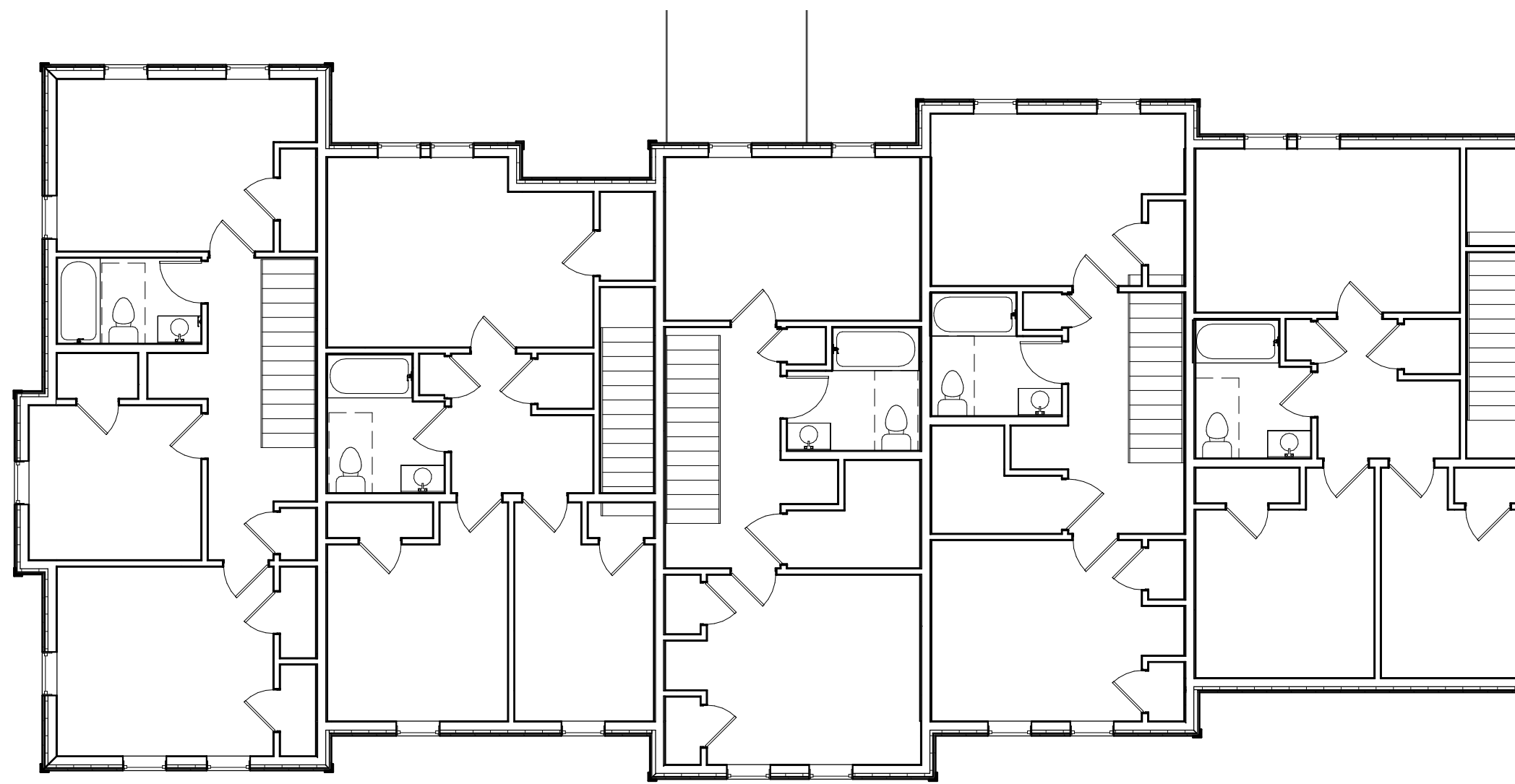
## A-102

THIRD FLOOR AND  
ROOF PLANS

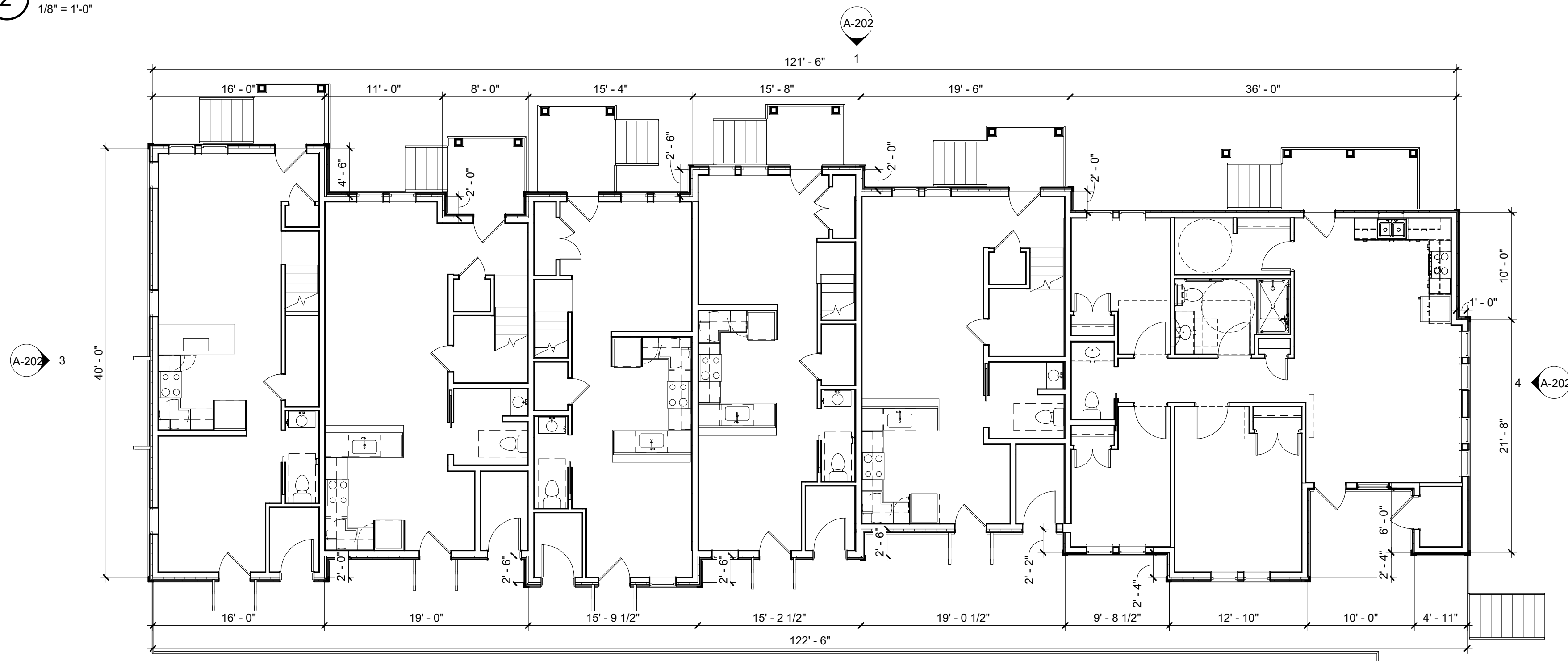
08/11/2021  
Schematic Design  
Progress



3 Roof Plan Townhouse A  
1/8" = 1'-0"



2 02nd Floor Plan Townhouse A  
1/8" = 1'-0"



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

Drawn By: Author  
Checked By: Checker  
Project Manager: RFS

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Revisions


**INHS Owego**  
SWBR Project Number 21016.00

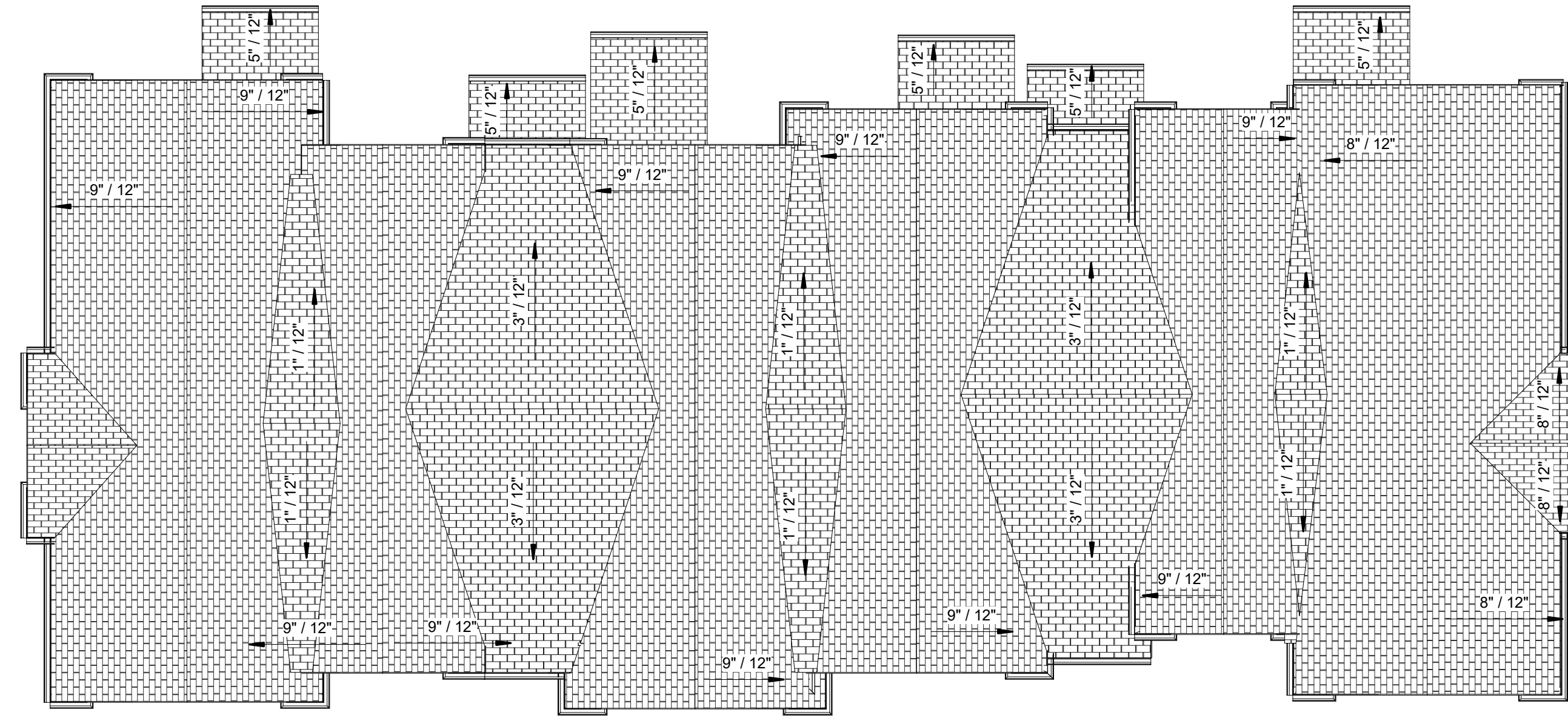
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115 W Clinton St  
Ithaca, NY 14850

**A-103**

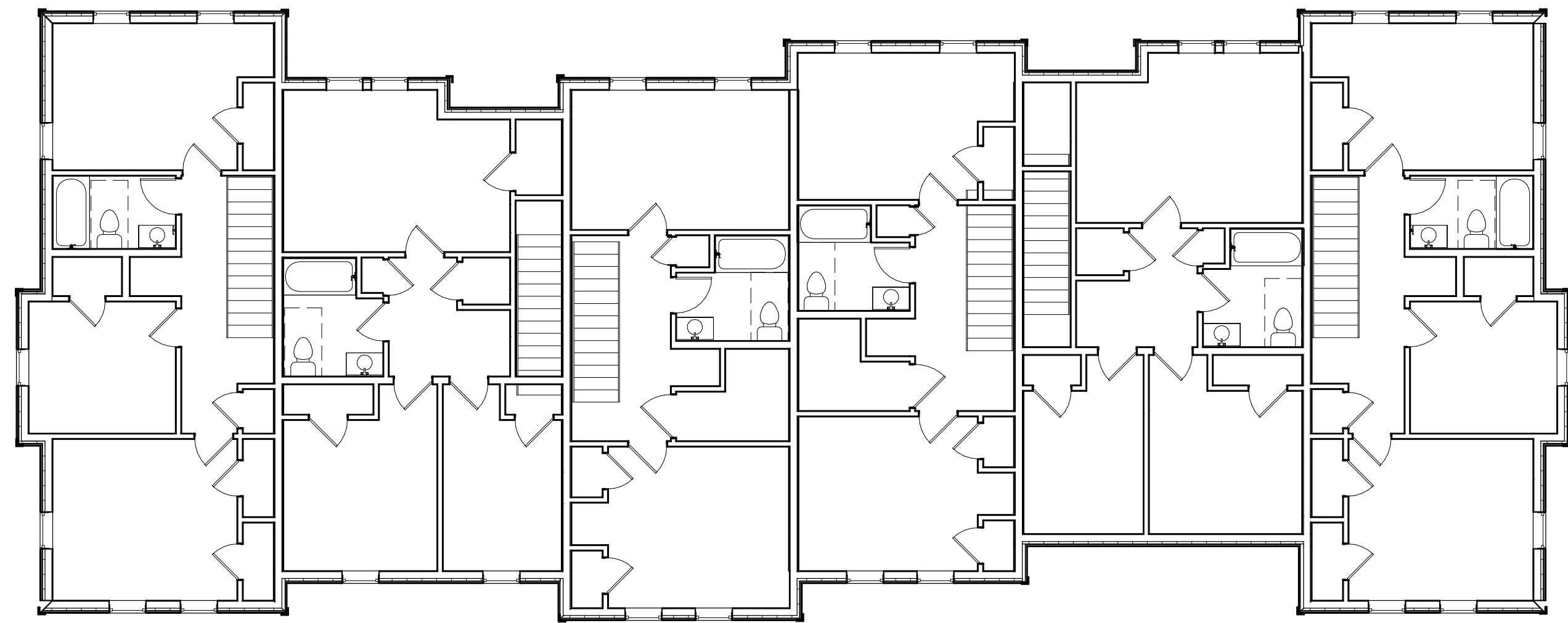
FLOOR PLANS - TOWNHOUSE A

08/10/2021  
Schematic Design  
Progress

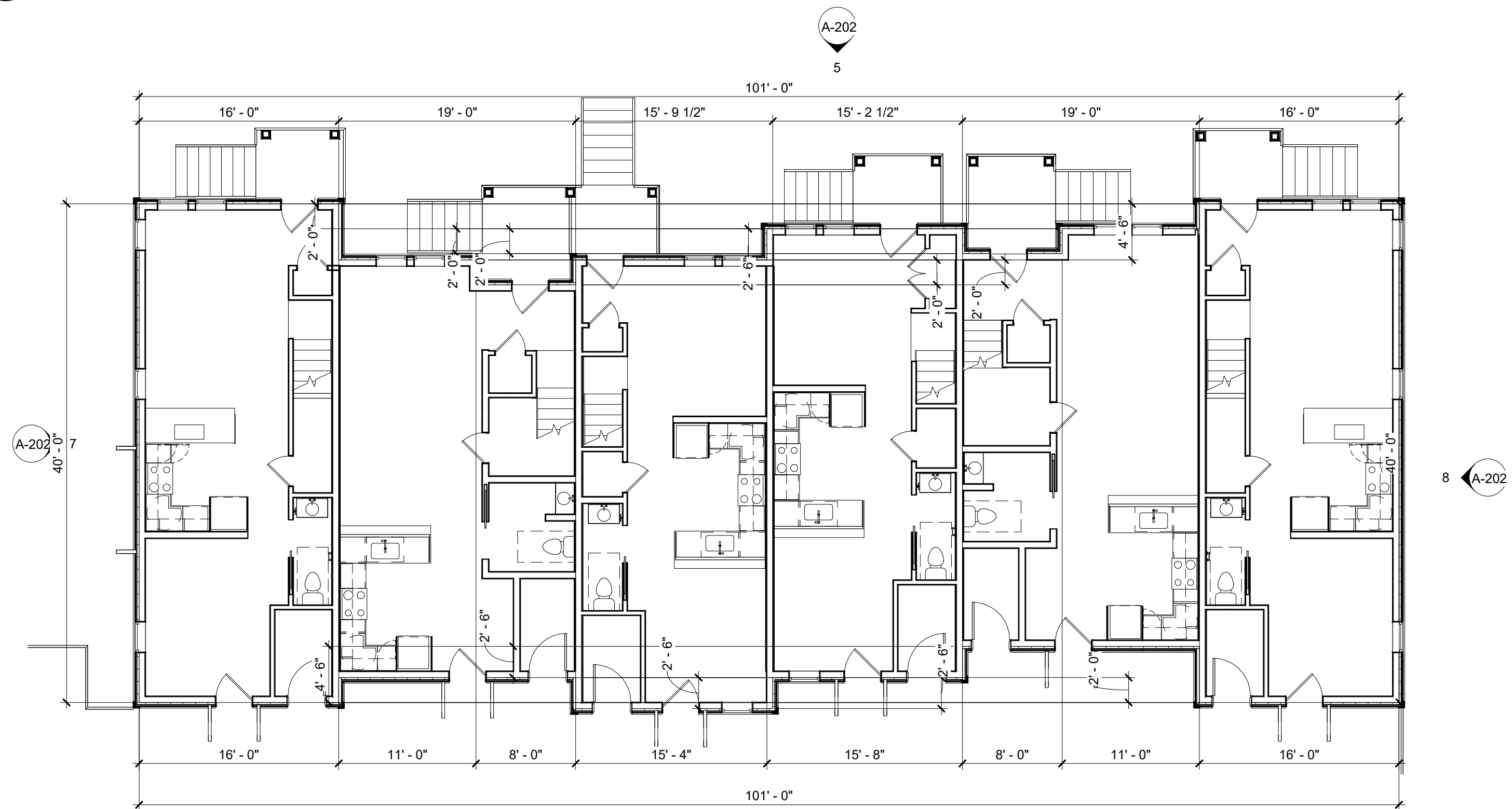
PLAN KEY NOTES		
NO.	DESCRIPTION	SHOWN AS:



3 Roof Plan Townhouse B  
1/8" = 1'-0"



2 02nd Floor Plan Townhouse B  
1/8" = 1'-0"



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

Drawn By: Author  
Checked By: Checker  
Project Manager: RFS

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Revisions

NO.	DESCRIPTION

INHS Owego  
SWBR Project Number 21016.00

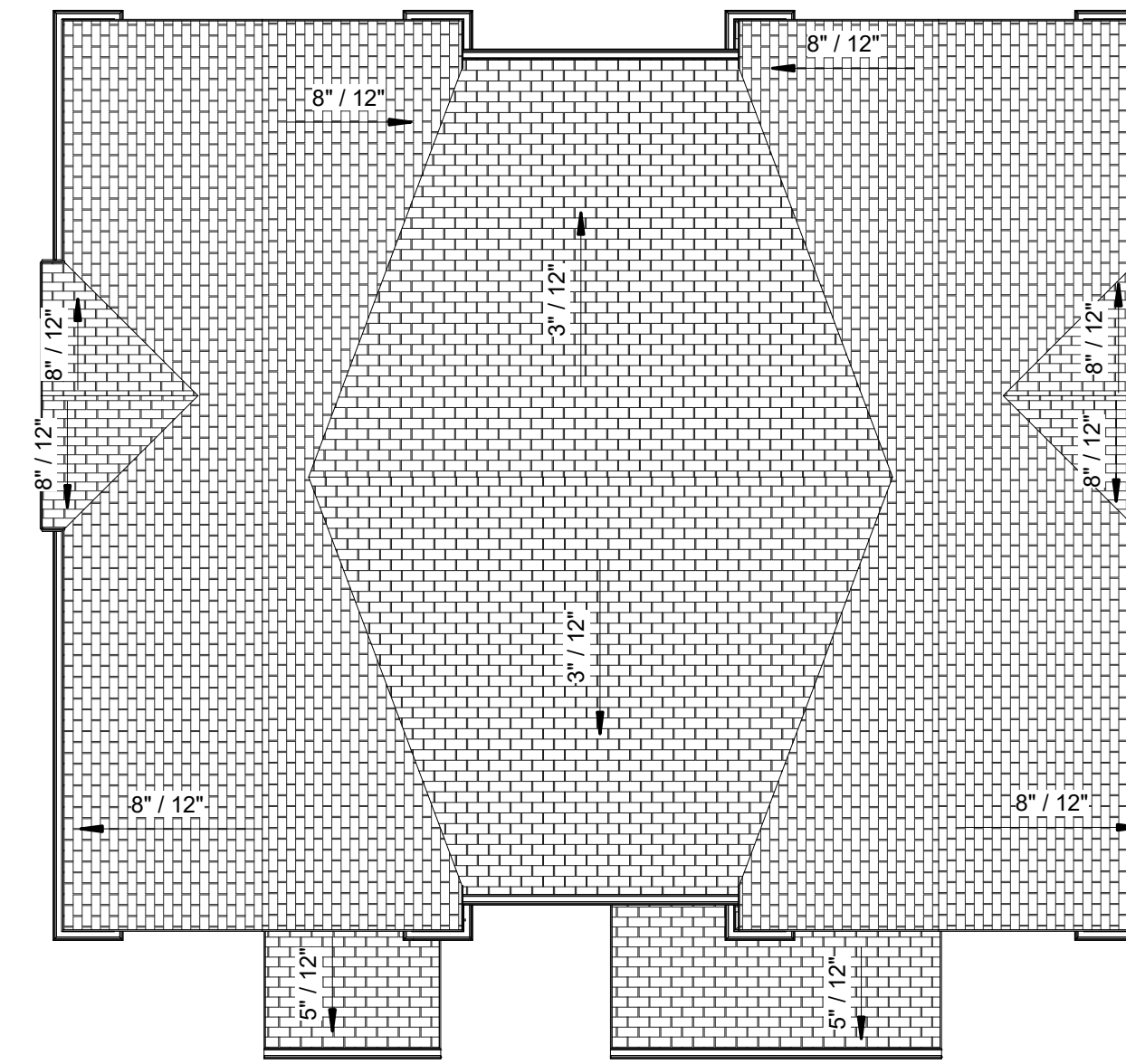
INHS  
115 W Clinton St  
Ithaca, NY 14850

**A-104**

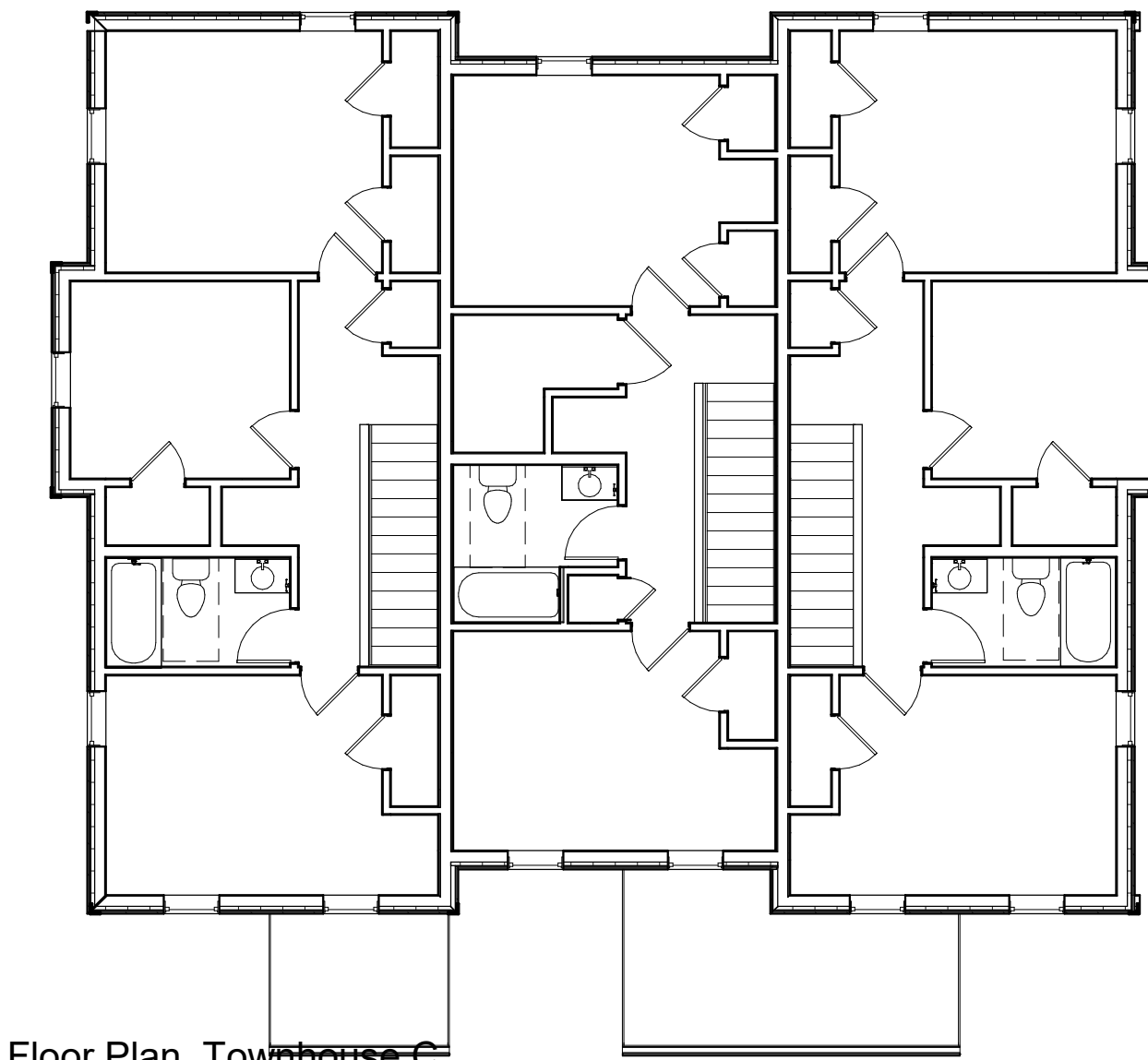
FLOOR PLANS -  
TOWNHOUSE B

08/10/2021  
Schematic Design  
Progress

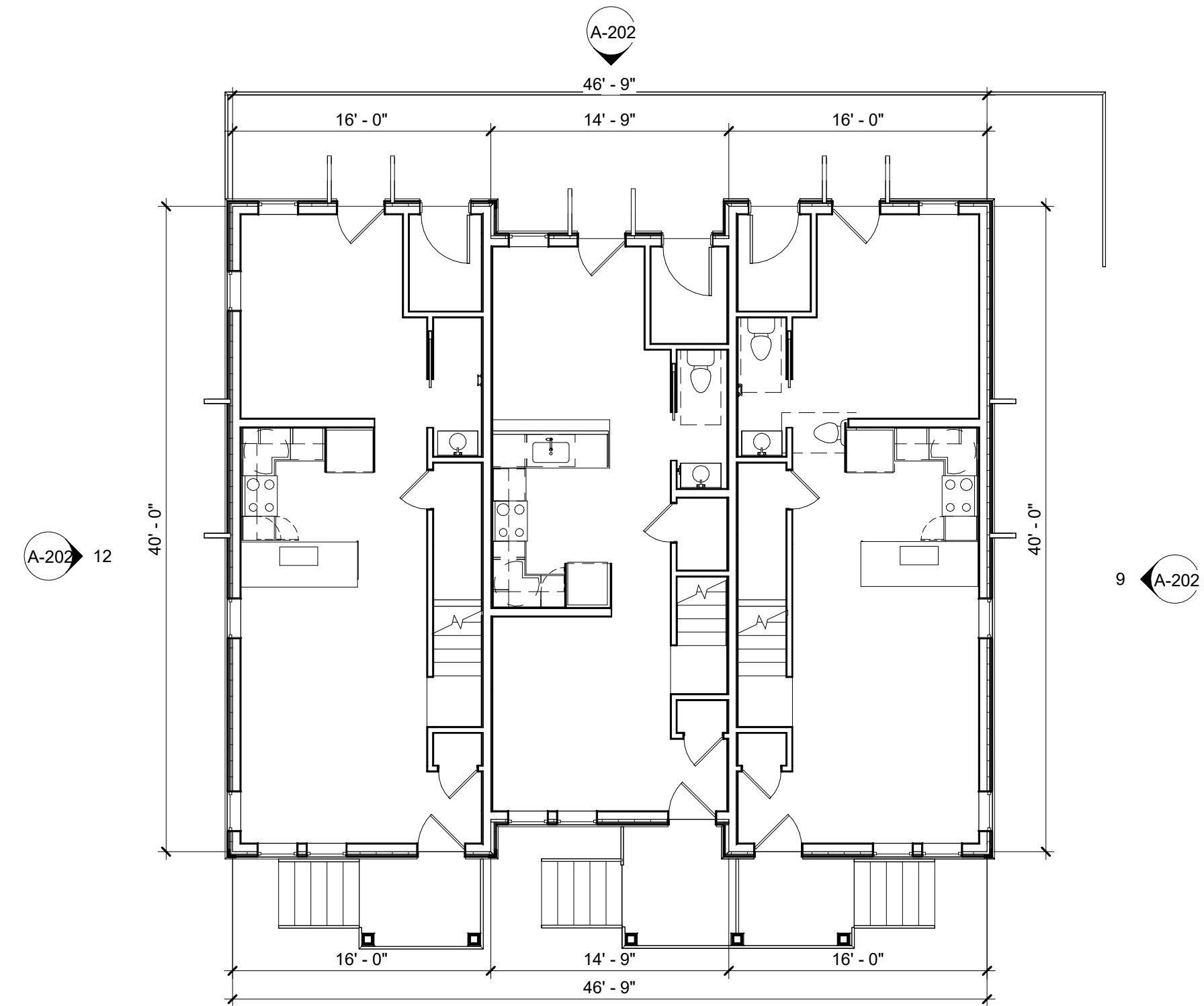




3 Roof Plan Townhouse C  
1/8" = 1'-0"



2 02nd Floor Plan Townhouse C  
1/8" = 1'-0"



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

Drawn By: Author  
Checked By: Checker  
Project Manager: RFS

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Revisions


**INHS Owego**  
SWBR Project Number 21016.00

**INHS**  
115 W Clinton St  
Ithaca, NY 14850

## A-105

FLOOR PLANS -  
TOWNHOUSE C

08/10/2021  
Schematic Design  
Progress





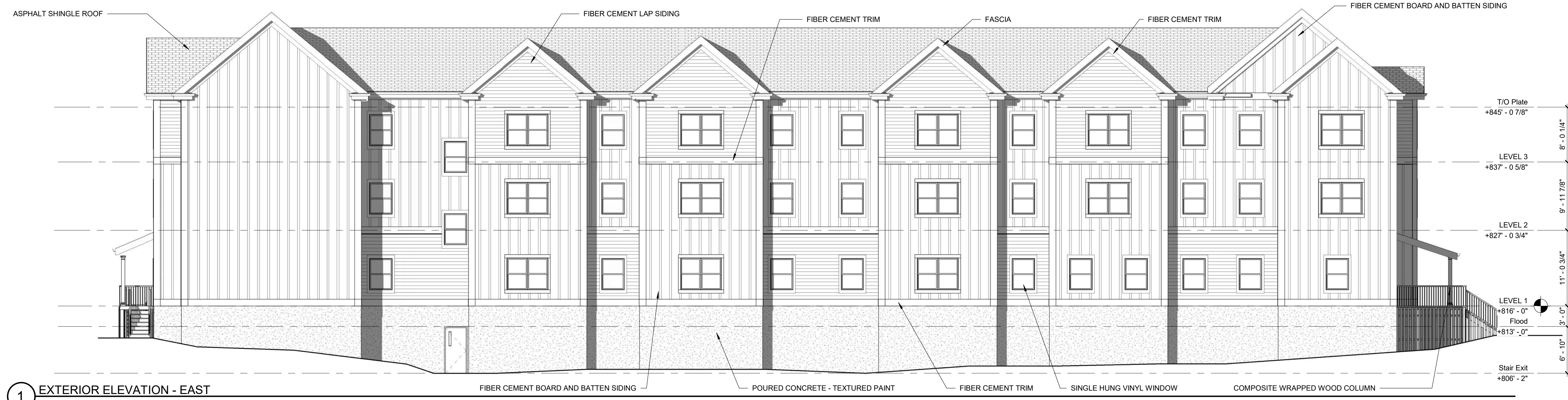
4 EXTERIOR ELEVATION - WEST (LIBERTY ST)  
1/8" = 1'-0"



3 EXTERIOR ELEVATION - SOUTH (TEMPLE ST)  
1/8" = 1'-0"



2 EXTERIOR ELEVATION - NORTH  
1/8" = 1'-0"



1 EXTERIOR ELEVATION - EAST  
1/8" = 1'-0"

Drawn By: GM  
Checked By: Checker  
Project Manager: RFS

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Revisions


INHS Owego  
SWBR Project Number 21016.00

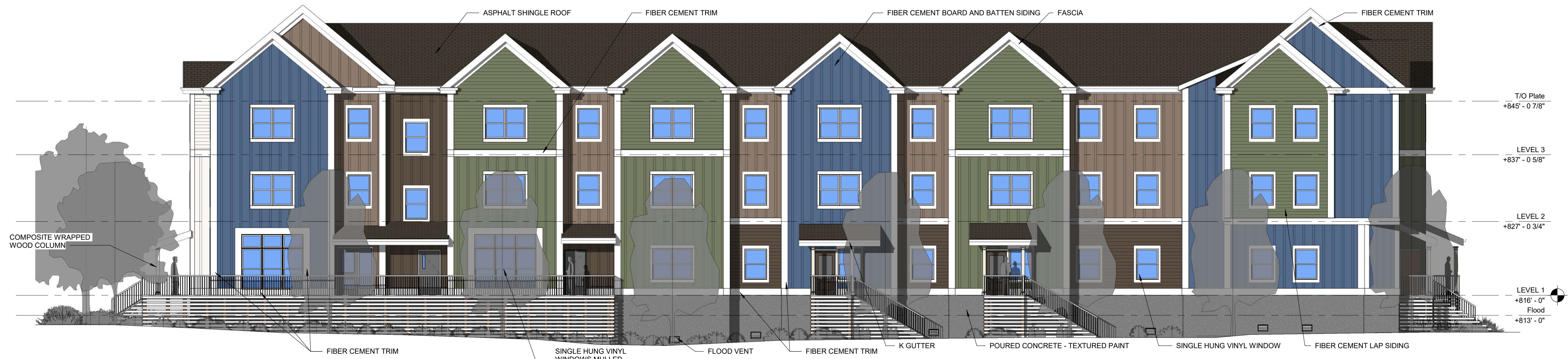
INHS  
115 W Clinton St  
Ithaca, NY 14850

A-201

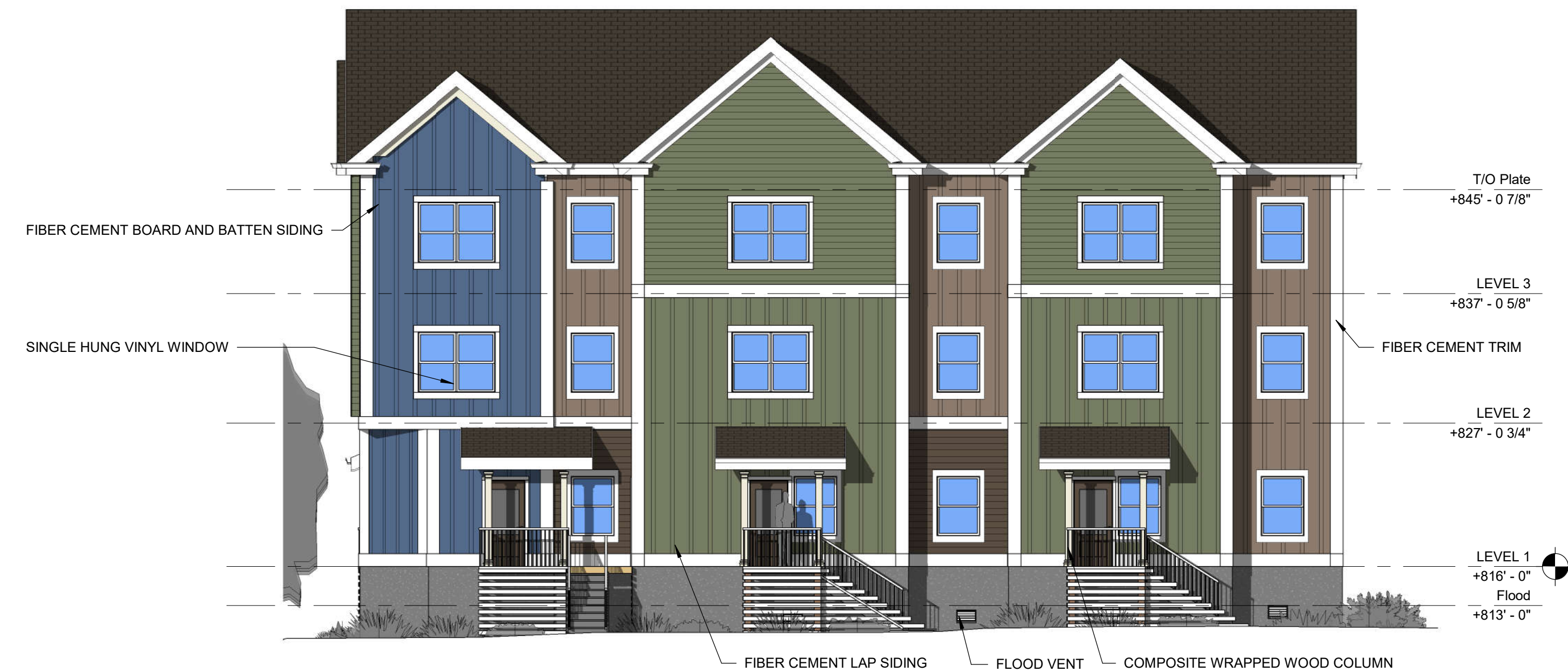
EXTERIOR ELEVATIONS

08/11/2021  
Schematic Design  
Progress





4 EXTERIOR ELEVATION - WEST (LIBERTY ST)  
1/8" = 1'-0"



3 EXTERIOR ELEVATION - SOUTH (TEMPLE ST)  
1/8" = 1'-0"



2 EXTERIOR ELEVATION - NORTH  
1/8" = 1'-0"



1 EXTERIOR ELEVATION - EAST  
1/8" = 1'-0"

Drawn By: GM  
Checked By: RFS  
Project Manager: RFS

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Revisions

NO.	DESCRIPTION

INHS Owego  
SWBR Project Number 21016.00

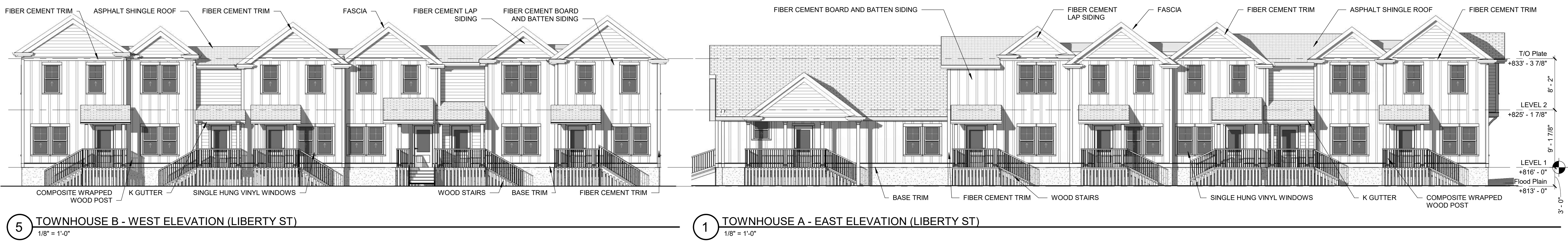
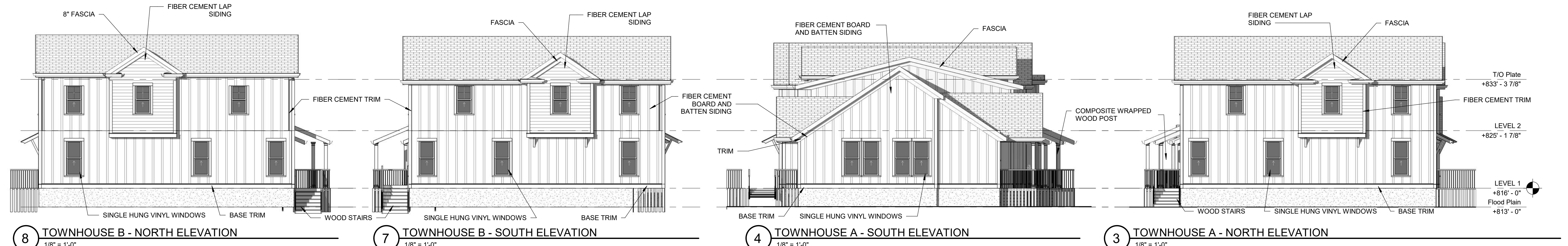
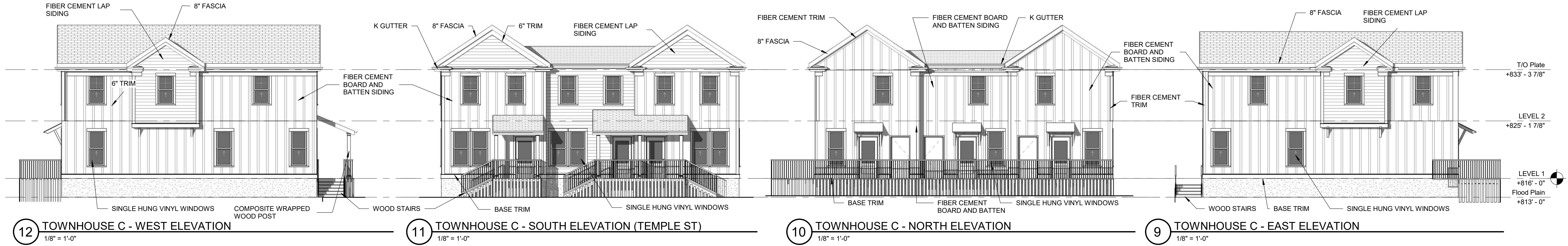
INHS  
115 W Clinton St  
Ithaca, NY 14850

A-201

EXTERIOR ELEVATIONS

08/11/2021  
Schematic Design  
Progress





Drawn By: GM  
Checked By: RFS  
Project Manager: RFS

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### Revisions

NO.	DESCRIPTION

**INHS Owego**  
SWBR Project Number 21016.00

**INHS**  
115 W Clinton St  
Ithaca, NY 14850

## A-202

### EXTERIOR ELEVATIONS

08/10/2021  
Schematic Design  
Progress



Drawn By: GM  
Checked By: RFS  
Project Manager: RFS

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### Revisions

NO.	DESCRIPTION

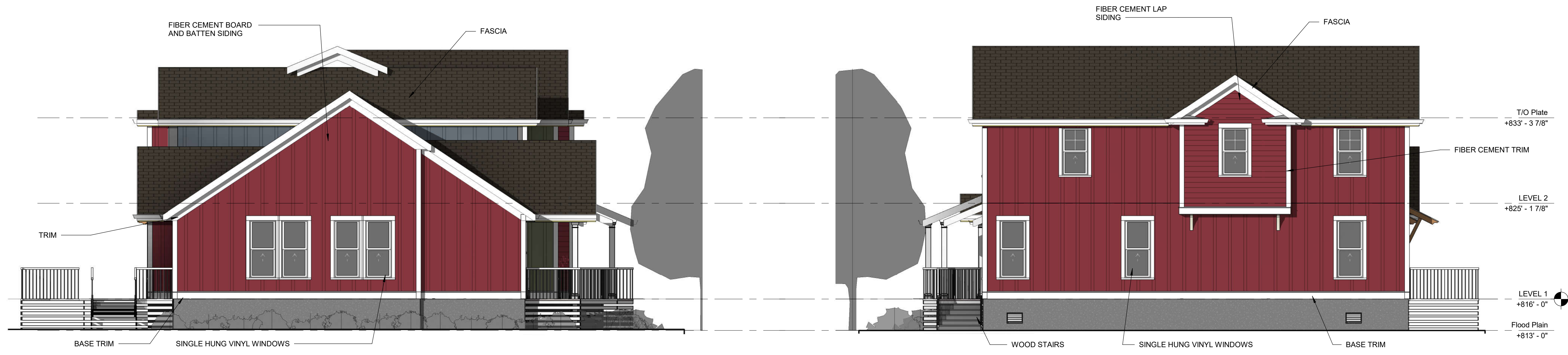
**INHS Owego**  
SWBR Project Number 21016.00

**INHS**  
115 W Clinton St  
Ithaca, NY 14850

## A-203

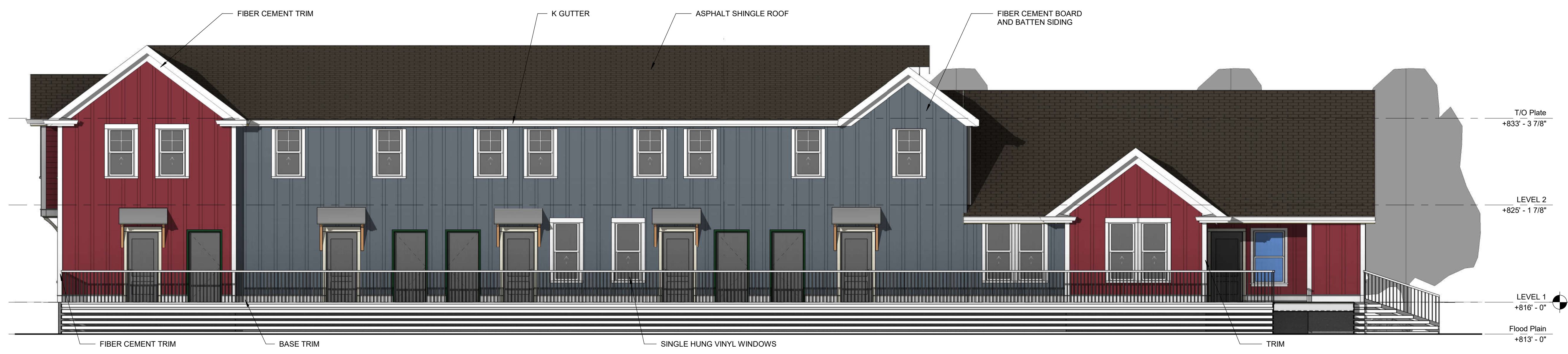
### TOWNHOUSE A EXTERIOR ELEVATIONS

08/10/2021  
Schematic Design  
Progress

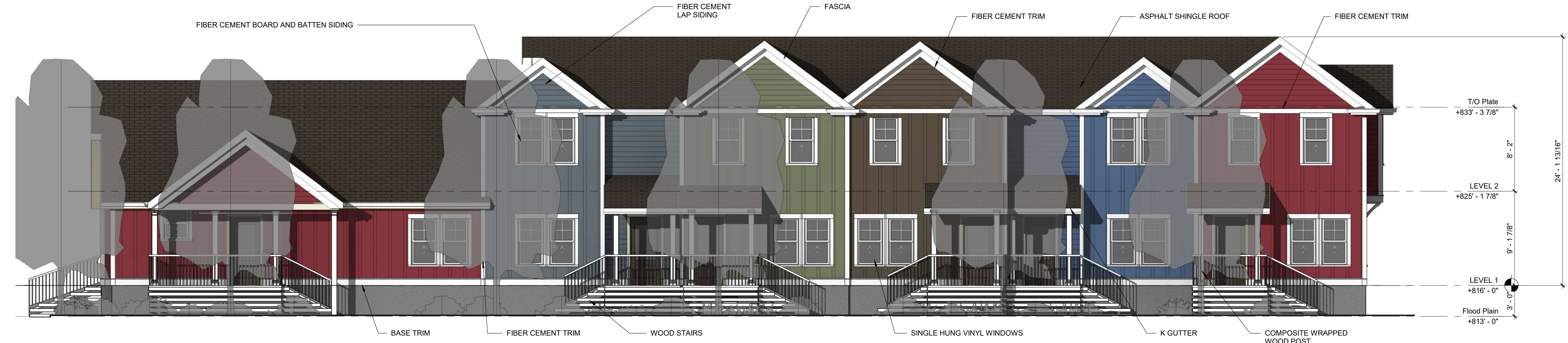


3 TOWNHOUSE A - SOUTH ELEVATION  
3/16" = 1'-0"

4 TOWNHOUSE A - NORTH ELEVATION  
3/16" = 1'-0"



2 TOWNHOUSE A - WEST ELEVATION  
3/16" = 1'-0"



1 TOWNHOUSE A - EAST ELEVATION (LIBERTY ST)  
3/16" = 1'-0"



**Via Email and FedEx**

September 2, 2021

Mr. Jeff VanWagenen, Chair  
Village of Owego  
Zoning Board of Appeals  
Village Annex at 20 Elm Street  
Owego, NY 13827

**Re: Application for Area Variances in R3 and HD/MU Overlay Districts for Temple and Liberty Street Redevelopment Project**

Dear Chair VanWagenen and Members of the Village Zoning Board of Appeals:

INHS has submitted a proposed project at Temple and Liberty Streets ("**Project**"), which involves the development of 46 apartments in four buildings on 14 Village lots located at the following Addresses: #37-#49 Temple Street; #92-#112 and #107-#119 Liberty Street, Village of Owego, New York (collectively "**Site**"). INHS ("**Applicant**") filed applications with the Village of Owego Planning Board ("**Planning Board**") for site plan approval ("**Planning Board Application**") on August 10, 2021, and in that same submission submitted an Application to the Zoning Board of Appeals ("**ZBA**") seeking three variances in connection with the Project, and a Floodplain Special Use Permit and Floodplain Development Permit application due to the Project's location in a Special Flood Hazard Area ("**ZBA Applications**"). This letter is to provide the ZBA with additional information to help in its decision making.

First, in relation to the Floodplain Special Use Permit application the Applicant would like to confirm that the project will take the following affirmative actions to comply with the Flood Damage Prevention law:

- The Village of Owego Superintendent of Public Works has confirmed that there is no local high water mark data from the flood of record (September 2011) in this area of the Village; however, the Applicant has established the first-floor elevations of all buildings at 816 feet (NAVD) which is 3 feet above the BFE and approximately 0.3 feet above the reported record crest water surface elevation from the September 2011 flood (per NOAA National Weather Service Inundation Mapping).
- Design the site grading and crawl spaces beneath all buildings to maintain a 'net zero fill condition'.
- Incorporate appropriately sized flood vents in all building foundation walls to allow equalization of flood water surface elevations.

- Design the building foundation and structural support anchoring systems to prevent flotation, collapse, or lateral movement during the record crest flood event.
- Locate electrical equipment, heating, ventilation, air conditioning and other service equipment to be 3 feet above the BFE.

As to the variance requests specifically, in the package submitted on August 10, 2021 the Applicant requested the following Area Variances:

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**
- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking spaces be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts.**
- **a variance from the requirement under section 195-132 of the High Density/Mixed Use Overlay Zone (“HD/MU”) Zone that all parking shall be located behind buildings.**

After further review of the Village Code the Applicant is adding a fourth variance request:

- **a variance from section 195-131 G of the HD/MU Zone that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

In response to the discussion with and questions from the ZBA on August 25, 2021, the Applicant now makes this supplemental submission to aid the ZBA in its review of the Application, and to present revisions to previously submitted materials to better aid the Board in making its decisions. Accordingly, attached please find the following exhibits for the ZBA’s consideration.

**Exhibit A:** Parcel Plan with proposed lot lines and Parcel Identification

**Exhibit B:** Illustrative Map of Existing Setbacks along Temple and Liberty Street

**Exhibit C:** Conceptual Parking Plan showing reduction in greenspace and increase in impervious without parking variances

Under the law the ZBA must consider five criteria when evaluating a request for a variance. The Applicant has provided the following information to inform the Board’s decision:

- 1. Explain why you believe this request will not create an undesirable change in the character of the neighborhood or detriment to nearby properties if the ZBA grants you the area variance(s).**

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**

Exhibit A identifies the four proposed parcels after consolidation. Parcel A (currently #117 and #119 Liberty Street) is the parcel that requires the front and rear yard Area Variance.



The request will not create an undesirable change in the character of the neighborhood or detriment to nearby properties because the existing homes in the neighborhood do not meet the current R3 front yard setback requirements. In fact, by granting the variance the Project is more in keeping with the front yards of neighboring homes. Attached in Exhibit B is a map showing the setbacks of neighboring homes on Liberty Street. You will note on the west side they are between 12 feet and 17 feet from the street right of way in the front. With respect to the rear yard, the residences now or formerly at #117 and #119 Liberty Street had setbacks of roughly 13 feet and 15 feet, respectively. The proposed setbacks of the Project are 10 feet in the front and 10 feet in the rear. By lining up the new Townhomes with the existing homes the streetscape is maintained, and the character of the existing neighborhood is also maintained.

- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking stalls be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts**

Exhibit A identifies the four proposed parcels after consolidation. All four parcels include parking spaces that are smaller by 1 foot in width and 2 feet in length than the requirement, as a result, this variance is sought for each of the four parcels.

The request will not create an undesirable change in the character of the neighborhood or detriment to nearby properties because the existing neighborhood does not have parking lots with parking space widths that meet the current zoning requirements. In the R3 zone the majority of parking is in driveways or garages – several homes in the neighborhood do not have off-street parking. There is one parking lot at the rear of Parcel D - a Car wash lot. This lot has no parking spaces painted. There is one lot on the corner of Temple Street and Central Avenue, and it also does not have striping.

As the character of the neighborhood is mostly driveways and lots with no striping a reduction in the size of the parking lot by reducing the size of parking spaces and ensuring that the spaces are clearly marked can only help in maintaining the residential character.

- **a variance from the requirement under Section 195-132 of the HD/MU District that all parking shall be located behind buildings.**

This variance relates to Parcels C and D on the attached Exhibit A. On Temple Street and Liberty Street the residential homes have a mix of parking types – some do not have driveways and some do. The homes with driveways, those driveways do not sit behind buildings, they sit to the side of the building or in front of the structure. There are few examples of parking lots in the neighborhood; however, the parking lot to the north/east of the site at the Car wash sits in front of the building. There is a parking lot on the corner of Temple Street and Central Avenue which fronts on both streets and not behind a building. As a result, allowing parking on the side of buildings as is proposed on lots C and D is in keeping with the other lots in the neighborhood and as a result would not change the character of the neighborhood or be a detriment to nearby properties.





- **a variance from Section 195-131 G of the HD/MU District that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

This variance relates to Parcels B, C and D on the attached Exhibit A. The request will not create an undesirable change in the character of the neighborhood or detriment to nearby properties because it aligns the buildings with neighboring residential structures. The site plan as designed meets the intent of Section 195-131 by developing a strong street presence along both Temple and Liberty Street. In this case, the Apartment building is between 1 and 7.1 feet from the street and the Townhouses are no more than 10 feet. Exhibit B provides the distance of existing homes on Liberty which are between 11.4 and 21 feet from the Street right of way. It is also worth noting that the existing homes that will be demolished as part of this Project are similarly set back. By setting the new homes back, the Applicant can provide a landscaped tree lawn between the sidewalk and the buildings. This provides some relief to pedestrians as they walk down the street. Were this to be a business district it would be more appropriate for the buildings to be right on the sidewalk so that pedestrians can easily walk into shops, restaurants etc.

**2. Explain why you believe this request will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district if the ZBA grants you this area variance(s)**

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**

This request relates specifically to Parcel A. Granting this variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood because it will allow new residential homes to be built on lots that have historically had residential homes. The new homes will be built to very high energy efficiency standards. They will be LEED Certified by the USGBC and Energy Star Certified. They will not use natural gas for heating or cooling the apartments. The homes will be constructed to meet all required Flood Mitigation measures including flood vents in foundation walls, a designed stormwater infiltration system under the parking lot and a first-floor elevation that is greater than 2 feet above Base Flood Elevation (BFE).

- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking spaces be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts.**

This variance is required for all parcels. Reducing the size of the parking spaces will improve the impact that these spaces have on the physical or environmental condition in the neighborhood. A reduction in the space length and width will mean less asphalt (i.e. impervious surface) and more grass and planting beds (i.e. green areas). More green areas help with air quality, reduce stormwater run-off and reduce heat island



effects. Reducing the size of the parking lots allows room for perimeter plantings and a privacy fence to provide a nice buffer between neighboring properties and the Project.

- **a variance from the requirement under section 195-132 of the HD/MU Zone that all parking shall be located behind buildings, and**

This variance relates to Parcels C and D. Allowing parking on the side of these buildings will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district. The lot on Parcel D is actually between the two new buildings and is set back from the street so that it can have landscaped areas in front. The planting plan includes two trees and a series of lower ornamental shrubs that will soften the parking obscuring it from the street. The three parking spaces to the east of the building on Parcel C are adjacent to the neighbor's driveway which also sits to the side of the building. All of these lots will be graded to ensure stormwater runoff is directed to the installed practices on site. If these parking spaces were relocated behind the buildings, they would have to go in the lowest section of the site which has the most opportunity to provide a green area with a stormwater practice. It would be worse from an environmental perspective to locate the parking behind these two buildings and would mean the elimination of the play-court for children.

- **a variance from section 195-131 G of the HD/MU Zone that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

This request relates specifically to Parcel's B, C and D. Granting this variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood because it will allow new residential homes to be built at a similar set back to existing residential homes. Furthermore, the site was once occupied by residential housing with similar setbacks to those proposed. Allowing a slightly greater setback than required improves the environmental aspects of the Project by allowing room for a green landscaped area between the sidewalk and the buildings. These green areas help with stormwater runoff, are aesthetically more pleasing than hardscape and reduce heat island effects.

### 3. Is the requested area variance(s) substantial?

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**

This variance relates to Parcel A. The Applicant is requesting a front yard variance of 20 feet and a rear yard variance of 20 feet due to the total depth of the lot which would not allow a residential structure to be built AND meet the required R3 front and rear yard setback requirements. The building facades will be set at 15.5 and 20.2 feet from the Street right of way. The Applicant does not believe that this variance is a substantial change.



- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking spaces be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts.**

This variance request applies to all of the Project Parcels. The Applicant is requesting a 1 foot by 2 foot reduction in the parking width of each space. This is a minor reduction in each space. The reduction will reduce the amount of impervious surface, increase green space on the site and will not impede parking or use of the lot. In fact, a 9 foot by 18 foot wide space is quite comfortable for large vehicles to navigate.

- **a variance from the requirement under section 195-132 of the HD/MU Zone that all parking shall be located behind buildings.**

This variance request applies to Parcel C and D. Parcel D’s variance would be 3 spaces. This is not a substantial number of spaces and lines up the parking with the neighbor’s driveway. Parcel C’s request is for 9 parking spaces of the 31 parking spaces required for this lot. The Applicant does not believe that 9 spaces is a substantial number given the benefit of having these spaces near the entrance to the building and having them screened with landscaping and trees.

- **a variance from section 195-131 G of the HD/MU Zone that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

This request relates to Parcel’s B, C and D. No, the request is not substantial. It is 9.7 feet for Townhouse B and 10 feet for Townhouse C and 1-10 feet for the Apartment building. These setbacks line up closely with existing residential homes and are similar to what was there historically.

#### 4. **Could you pursue some other method than an area variance to resolve your problem?**

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**

This request relates to Parcel A. The R3 Zone Requires that the setbacks in the front and rear yard be 30 feet. The parcel is only 71.5 feet in depth. Applying the current 30-foot front and rear yard setbacks would leave only 11.5 feet of buildable area in the center of the lot. A modest residential home of 1,200 square feet would have dimensions of 30 feet by 40 feet. In fact, the 11.5-foot dimension would be too small for even a typical one car garage which would measure 12 feet by 20 feet. There is no other way to build a residential structure in this zone on this lot.

- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking spaces be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts**

This request relates to all four lots. Increasing the size of the parking spaces would require the parking to cover the majority of landscaped area on the project site. This would create additional impervious surface and add to the mitigation needed for stormwater run-off. Reducing the number of units would make the project financially



infeasible given the fixed costs of building on this site – fixed costs include the foundation system which must be elevated out of the flood plain.

- **a variance from the requirement under section 195-132 of the HD/MU Zone that all parking shall be located behind buildings.**

This request relates to Parcels C and D. On Parcel D it would be extremely difficult to move the parking to the rear of the building given the 7 feet of grade change from elevation 811 feet on Temple Street to elevation 804 feet at the rear of the building. Because of the flood plain requirements, the back of this lot cannot be raised with fill. As a result, the driveway to the back of the lot would be very steep and the parking would be at the lowest point on the site where all of the water is inevitably going to drain to. On Parcel C the parking cannot go behind the building because of the requirement for the fire access lane. This access lane is required by the fire chief and cannot have cars parked within it. Any parking at the bottom of that lane would again be at the lowest point on the site where the inundation is most likely to be the deepest in a flood event.

- **a variance from section 195-131 G of the HD/MU Zone that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

This request relates to Parcels B, C and D. There is no way to resolve the setback issue without the variance. If the buildings are pushed up to the lot line they create a less residential streetscape. By keeping setbacks at or near existing homes the Project provides a landscaped buffer between the sidewalk and the fronts of buildings.

**5. Is your request for an area variance a result of you own actions/self-created? (which shall not necessarily preclude the granting of an area variance)**

- **a variance from the requirement under Section 195-65 of the R3 District that front and rear yard setbacks for multiple dwellings in the R3 Zone be 30 feet.**

This request relates to Parcel A. No. The setback requirements would impact any type of residential structure proposed for this site.

- **a variance from the requirement under Section 195-112 of the Supplemental District Regulations that off-street parking spaces be 200 square feet (10 feet wide by 20 feet long) in the R3 and High Density/Mixed Use Overlay (“HD/MU”) Districts**

This request relates to all of the parcels. While the parking lot dimensions are imposed on the applicant the need for a variance is self-created. While self-created the variance does improve the design of the parking by reducing impervious surfaces meaning less asphalt, better drainage and more green space.

- **a variance from the requirement under section 195-132 of the HD/MU Zone that all parking shall be located behind buildings, and**

This request relates to Parcels C and D. The topography of this location, the fact that it does lie in the 100-year flood plain and the requirement by the fire chief that there be a

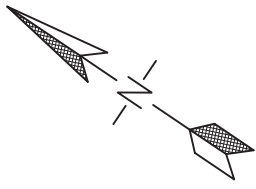




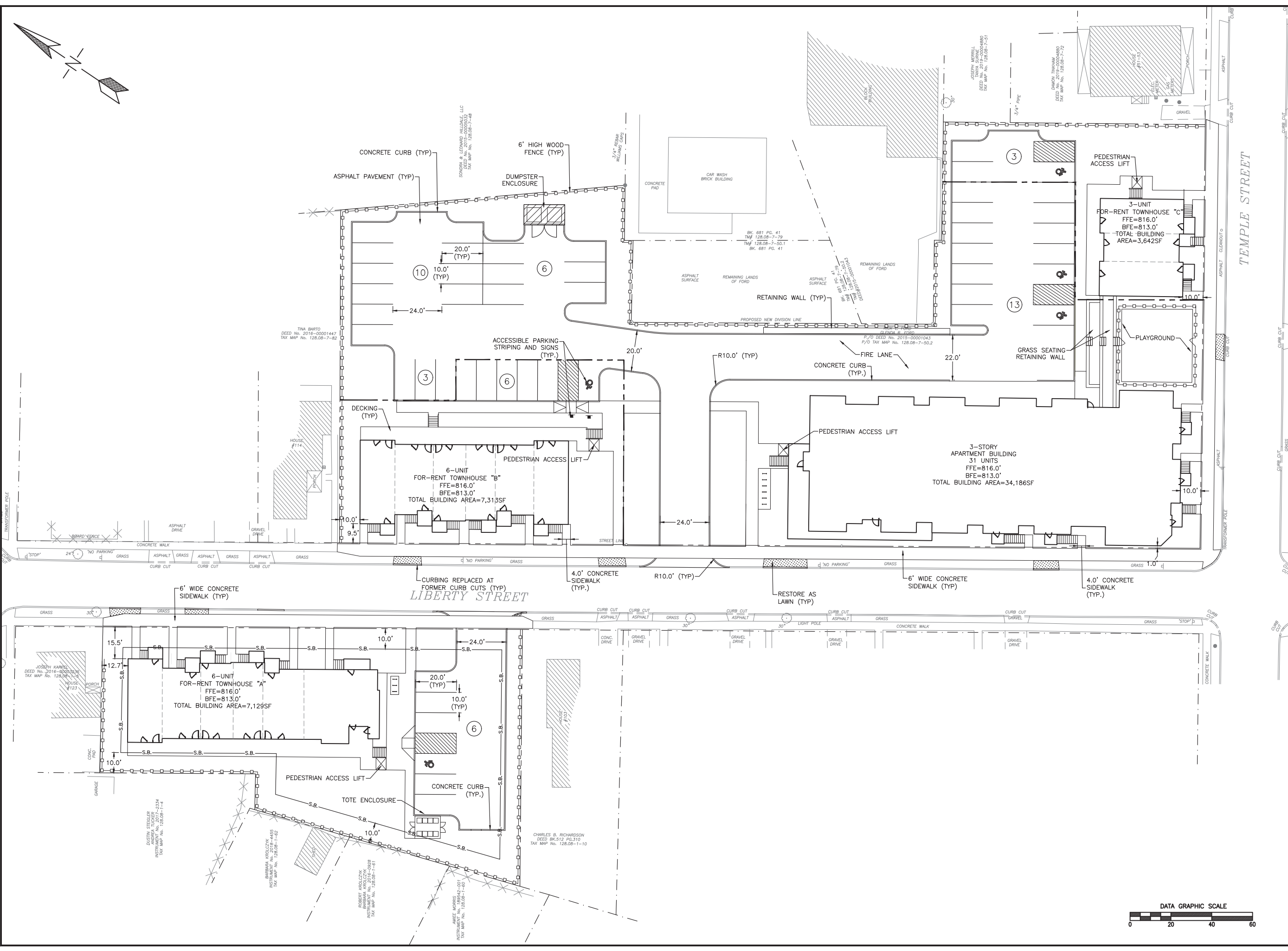








**TEMPLE AND LIBERTY STREET REDEVELOPMENT**  
 VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK

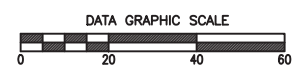


REVISION	DATE	ISSUE	BY

SKETCH PLAN REVIEW

SHEET TITLE  
**EXHIBIT C  
 CONCEPTUAL  
 PARKING PLAN**

DATE: 8/31/21	JOB No. E21-08
SCALE: AS SHOWN	SHEET 10F1
DRAWN BY: OBB	CHECKED: DAH



WARNING: ALTERATIONS TO THIS MAP NOT CONFORMING TO SECTION 7209, SUBDIVISION 2, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE SEAL OF THE LICENSED PROFESSIONAL ENGINEER WHOSE SIGNATURE APPEARS HEREON.

fire lane all impose limits on how the design of the site can best accommodate parking and provide a variety of housing options for the community.

- **a variance from section 195-131 G of the HD/MU Zone that all new construction shall have building frontage to lot lines or shall be constructed at the same distance as adjacent buildings, whichever is closer to the street.**

This request relates to Parcels B, C and D. The variance request is the result of the zoning; however, it is self-created. The buildings could be moved up to the street but it would make for a less pedestrian friendly site plan. Moving the buildings would remove any landscaping between the buildings and the sidewalk.

### Conclusion

We respectfully submit that for the reasons detailed in the ZBA Application dated August 10, 2021, and in consideration of the materials presented herein, the ZBA consider granting the Applicants request for the four variances outlined.

We look forward to the opportunity to attend the public hearing on these matters. In the meantime, if you have any questions regarding the information contained herein, please do not hesitate to contact me.

Sincerely,



Joseph L. Bowes  
Director of Real Estate Development

