



Department of Planning & Sustainability

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October 20, 2023

Jessica Giles, Village Clerk
Village of Trumansburg
56 East Main Street
Trumansburg, NY 14886

Re: Review Pursuant to §239 -l, -m and -n of New York State General Municipal Law

Proposed Action: Village of Trumansburg Proposed Zoning Update - 2023

Dear Ms. Giles:

This letter acknowledges your referral of the proposed action identified above for review by the Tompkins County Department of Planning and Sustainability pursuant to §239 -l, -m and -n of the New York State General Municipal Law.

We have determined the proposed action will have no significant county-wide or inter-community impact. We do, however, have the following comments on the proposed action based on materials submitted on October 2, 2023.

Comments

Affordable Housing Provisions

There are several aspects of the Affordable Housing Provisions (Section 305) we suggest the Village review to clarify (a) how the incentives are structured and enforced and (b) to ensure compatibility with existing affordable housing funding programs.

- We suggest the zoning law specify the maximum number of units that a developer can build on a lot if all affordable housing incentives are applied. Section 305.5(b) states the density bonus is up to 75% of the number of affordable units provided. It's a little unclear how this would be calculated and how that would relate to the 20-unit maximum number of units that can be built on a lot.
 - Could a developer propose to build as many as 80 affordable units on a lot, counting 75% of those units (i.e., 60 units) as bonus units over and above the maximum permissible 20 units?
 - Would a developer be limited to a density bonus of 75% of the maximum 20 units allowed, for a total of 35 affordable units?
 - Or could a developer apply the 75% bonus to the maximum 20 "base" units that comply with dimensional requirements resulting in an additional 15 units, make the 15 bonus units affordable, and then apply the 75% density bonus to those units for an additional 11 units, for an overall counts of 46 units?

We suggest the language of this section be clarified to prevent future confusion of what would be permitted.

- Section 305.10 states: "The Village of Trumansburg and the developer shall sign the agreement in a legally binding form." "The agreement" is not previously explained. A clarification as to what is

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meant by the agreement and its purpose would be helpful. If the agreement is intended to bind the developer to constructing a certain number of affordable units, it would be helpful for that agreement to identify any existing or proposed regulatory agreements with local, State, or federal agencies providing funding to support the construction of affordable housing.

- The link to HUD income limits webpage provided in the definitions (Section 1003.83) does not work. Since the Village does not control the content on the webpage, it would be better to provide an explanation of where to find the information rather than a link. Language akin to: “The income limits change from time to time. The most current definition can be found on the US Department of Housing and Urban Development’s webpage” would be better.

Twenty Unit ‘Cap’ on Housing on a Single Lot

We suggest that the Village eliminate the 20-unit cap on any lot in the residential zone. The 20-unit cap, with additional units allowed for projects that include affordable units would pose a barrier to implementing projects funded by Low-Income Housing Tax Credit (LIHTC) programs.

Dimensional Requirements for Lots with Five or More Units

We suggest the Village consider reducing the dimensional requirements for lots with five or more dwelling units to optimize the efficient use of land and infrastructure. The County’s [Development Focus Areas Strategy](#) urges that residential development in Established Nodes (such as the Village of Trumansburg) have a **net** density ranging from four to 15 units per acre. The lot area requirements for lots with five or more units, as well as the 20-unit cap, will limit the Village’s ability to achieve these densities.

We look forward to receiving notification on the final action taken by your municipality within 30 days of decision, as required by State law.

Sincerely,



M. Megan McDonald
Deputy Commissioner of Planning and Sustainability