



Board of Zoning Appeals
Zoom Hybrid Meeting
Draft Meeting Minutes
March 19, 2025
Approved: _____

Board Members Present: Chair Stephen Morreale, Andrew Hillman, Karen Meador, Kim Moore
Quorum Present

Absent Board Members: Cheryl Thompson

Town Staff Present: Mollie Duell, Niels Tygesen

Town Board Members Present: Katelin Olson, Elizabeth Weatherby

Members of the Public Present on Zoom: Tyler Sherman, Alex Acuna, Jyll Strothman, Peter Sielaff, Mark Veca

Proceedings

Chair Morreale called the meeting to order at 7:02 PM at Town Hall.

Motion: Hillman motioned to appoint Moore as a voting member for the duration of the meeting; Meador seconded.

Vote: Chair Morreale, aye; Hillman, aye; Meador, aye.

Motion Carried.

Approval of Past Minutes

Chair Morreale made a few corrections to the March 19 meeting minutes.

Motion: Meador motioned to approve the corrected March 19, 2025 meeting minutes; Hillman seconded.

Vote: Hillman, aye; Meador, aye; Moore, aye; and Chair Morreale, aye.

Motion Carried.

New Business Items

**Town Board Resolution 2025-58 and Notice of Intent to Act as Lead Agency
5150 and 5230 Cold Springs Rd, Parcel Numbers 12.-4-18.3 and 12.-4-19.2**

Chair Morreale asked if there will be a public hearing for the BZA. Tygesen explained the BZA can determine if it will contest Lead Agency status by the Town Board and whether to provide comment on the FEAF without a hearing. Comments from the public have been submitted to the Town Board regarding the potential land donation, but nothing has been directly addressed to the BZA.

Katelin Olson explained the timeline so far and summarized the variance, lot line adjustment, and subdivision that would need to be approved if the donation is accepted. There are 3 homes between the 2 subject parcels. A survey was authorized at the end of 2024. Tompkins County Planning has stated they do not have concerns.

The Town Board declared that they would be Lead Agency. The intention of the donation is for recreational purposes, as intended by the donor. This will be on a deed restriction. Other

limitations include illumination for safety purposes only. There are currently no development plans. The property proposed for donation is just a farmed field. Surrounding the field is a creek and some woodlands which are not included in the potential donation.

Olson described the strip of land believed to be a former railroad spur that is owned by NYS Parks. This piece of land is close to the site but does not directly connect. The north end of the strip is near the Village. Olson stated that she has had positive conversations with property owners who own the land between this strip of land and the land that is proposed to be donated. A trail is not part of the current project, but this is an opportunity for future discussion.

Olson noted that this property can connect to the water main. Future development will need to go through its own environmental review.

Weatherby explained the DEC automatically answers some questions using the FEAF Mapper.

Chair Morreale asked about the archaeological area and noted the parcel has 2 zones.

Weatherby suggested that a flat area near water often triggers archaeological areas, as artifacts are found near water. No significant site has been identified.

Tygesen verified the rules for flag poles are the same in both residential and agricultural zones.

Olson noted a future conversation could be rezoning to Park. Weatherby stated the land is not wet. Hillman added that there is drainage tile.

Chair Morreale asked if wetlands are close to the site. Olson explained they surround the field, but there is no proposal to donate any water bodies. Weatherby noted that a wetland delineation could be completed in the future.

Olson stated that in the long term it makes sense that access would be sought from the road, but this is not currently being proposed for development.

Olson stated she met with the DPW and confirmed that staff could perform the work to relocate the septic system.

Chair Morreale asked about slopes. Olson stated it seems relatively flat and Tompkins County Whole Health did not identify any concerns.

Moore noted County Planning is ok with the Town Board acting as lead agency.

Chair Morreale spoke about the issues the BZA had with the past Jacksonville Park proposal. The driveway and parking were too close to water.

Discussion ensued over the flagpole. The width would be 38', less than the required 50'.

Meador asked why the pole could not be made larger by donating more land. Olson explained the neighboring residence would no longer be zoning compliant.

Chair Morreale spoke about how the character of the neighborhood would be changed, mentioning his immediate thoughts are traffic impacts. Weatherby stated that a traffic study could be done to get some numbers. Buses aren't expected to access the site. Expected recreational activity would be things like non-school sports and people coming to picnic.

Olson noted that parks are an allowed use in the Residential and Agricultural Zone. The 2009 comp plan says it is a priority to expand parks but does not go into specifics. No land donation can be accepted until the property has been subdivided. Under NYS Law, land donation for recreational purposes is not subject to a permissive referendum.

Discussion ensued over the role of Lead Agency.

Motion: Hillman motioned to state that the Board of Zoning Appeals supports the Town Board acting as Lead Agency; Meador seconded.

Vote: Chair Morreale, aye; Hillman, aye; Meador, aye; Moore; aye.

Motion Carried.

Board members briefly discussed the FEAF

Motion: Hillman motioned to state that the Board of Zoning Appeals offers no comments at this point for the FEAF; Meador seconded.

Vote: Chair Morreale, aye; Hillman, aye; Meador, aye; Moore; aye.

Motion Carried.

Moore suggested Board members review videos from Town Board and Planning Board meetings to review information discussed so far.

Olson spoke about buffers that would be needed for adjacent properties.

Chair Morreale opened comments to the public.

Tyler Sherman of 5250 Cold Springs Rd stated his biggest question is how zoning can be changed or a variance be granted if there are no plans. Sherman offered to meet with BZA members at his property.

Sherman's father stated he cares for the property which his son's vacation home, and it will be their retirement home. He stated he wants consideration and transparency and echoed the invite to come see the property.

Jyll Strothman of 5291 Cold Springs Rd stated she has lived here for over 20 years and believed this will change her lifestyle completely Strothman spoke of traffic safety concerns.

At 8:14 public comment was closed.

Olson noted that the Planning Board is still working on providing feedback.

Hillman suggested there will never be a perfect spot for something like this, but many of the objections from the previous site are addressed here.

Olson stated that the Town did not pursue another land purchase after the public did not want ARPA funds used for that, but they were approached by the property owners.

Olson stated that a FAQ will be posted soon.

Town Board Liaison Report

Olson spoke about the Town Board looking for funding for a zoning update after the comp plan update is completed. She is interested in finding contradictions in the current zoning code.

Motion: Hillman motioned to adjourn; Moore seconded.

Vote: Chair Morreale, aye; Hillman, aye; Meador, aye; Moore; aye.

Motion Carried.

ADJOURNED 8:24 PM

Mollie Duell

Board of Zoning Appeals Secretary

DRAFT