



Board of Zoning Appeals
Zoom Hybrid Meeting
Draft Meeting Minutes
April 16, 2025
Approved: _____

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

Quorum Present

Town Staff Present: Mollie Duell

Applicants Present: Chad Doolittle

Members of the Public Present: Diane Vann Sam Vann, Jyll Strothman

Proceedings

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

Approval of Past Minutes

Board members corrected some errors.

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

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

Motion Carried.

New Business Items

VAR2503-01, Doolittle Area Variances

5280 and 5288 Curry Road Rd, Parcel Numbers 12.-1-13.4 and 12.-1-13.2

The applicant and owner, Chad Doolittle, proposes to construct a new detached dwelling unit on a vacant lot, parcel 12.-1-13.4, 5280 Curry Road. The subject site is impacted by federally and locally designated wetlands and a Tompkins County designated intermittent stream. A contractor recently constructed a driveway and associated culvert in the wetland and stream without obtaining variances from the minimum required buffer setbacks. Per the Code of the Town of Ulysses (CTU) 212-41 and CTU 212-124.B a 50-foot buffer is required from both federally and locally designated wetlands and from intermittent streams. The current owner acquired the property after the driveway and culvert were constructed. The proposed location of the dwelling unit appears it may be within designated wetlands and/or their associated buffers.

Chair Morreale spoke about the uncertainty of wetland locations on the parcel, suggesting additional variances could be required.

The Board reviewed aerial imagery of the parcel.

Moore suggested that the focus should remain on the driveway. Chair Morreale responded that it is important to look at more information and impermeable surfaces because there is a house being built now. Another setback encroachment on a possible wetland could introduce the need for additional variances.

Hillman asked if a building permit has been issued. Doolittle responded that there was an indication that a permit has been issued.

Doolittle stated he purchased the property a little less than a year ago and presented a slideshow describing the current state of the property and the timeline since the subdivision and associated variance review from 2019-2020. Doolittle stated that a wetland study was completed in 2019, a variance was granted in April 2020, and a subdivision was approved in May 2020. Doolittle shared a copy of the invoice from when the previous owners hired Carson Excavating to install culverts further back into the property over the wetlands, noting that the Town DPW installed the culvert at the right-of-way. Chair Morreale asked if Doolittle was aware of a permit being pulled for the driveway. Doolittle stated this was not brought up until applying for the building permit a couple months ago.

Moore asked what the size requirements were for the culverts. Doolittle stated that the existing culverts are larger than what was required.

Doolittle described the neighboring farm's drainage tile which creates a flow of water onto the parcel; when water is present, there is a clear uninterrupted flow of water.

Doolittle read through the variance application Q & A, noting that the flag lot has one means of access, through the wetland, and this is the only way to access the property.

Doolittle suggested that not requiring a wetland buffer during the previous review was a clerical error.

Doolittle spoke about his employees depending on the work from building and selling this home.

Chair Morreale stated that buffer requirements have changed since 2020. Discussion ensued over the classification of the stream as intermittent. Chair Morreale explained that the stream would need to be further examined, as different local, State, and Federal regulatory agencies present a convoluted process.

Moore noted that the stream was not regulated by an agency in 2019. Chair Morreale responded that this is non-conforming since regulations have changed since then. Moore noted that there are many non-conforming properties in Ulysses and Chair Morreale agreed.

Chair Morreale asked if the work on the house has stopped. Doolittle replied that work stopped as soon as the building could be walked away from safely.

Chair Morreale asked what is holding up the building permit. Doolittle responded that the variance is needed for approval.

Chair Morreale stated a decision would not be made until more information is clear; Hillman agreed.

Chair Morreale stated that he needs to visit the site to see the culverts.

Doolittle stated the exact measurements of the culverts are not known. Chair Morreale noted that the BZA required a culvert measuring 1.5 times larger than the usual requirement as a condition of approval years ago.

Chair Morreale asked if the driveway will be improved. Doolittle stated that he plans to add 6 inches of crusher run gravel.

Chair Morreale spoke about needing more information about impervious surfaces to better understand runoff to the surrounding wetlands.

Doolittle stated the driveway was recently topped because it was overgrown.

Hillman asked to see a copy of the report from the wetland biologist Doolittle worked with recently. Doolittle stated that this has not yet been received.

Moore suggested scheduling a public hearing while continuing to gather information. Meador agreed that it seems important to expedite this.

Chair Morreale suggested that having more information about the culverts could reduce concerns.

Discussion ensued over the encroachment. Doolittle stated that there is an encroachment agreement in the deed and mentioned that he is working on a lot line adjustment with the neighbor.

Board members agreed to finalize a hearing date tomorrow.

Chair Morreale asked for thoughts from the public regarding this application.

Linda Liddle spoke about the current Planning Board subdivision review process, stating that the Board leans toward giving the property owner freedom. However, this review shows that there are different kinds of driveways with different levels of use. It is often unknown what the land will be used for during subdivision. This could make a big difference for what is done for buffers and anything else. Liddle questioned if subdivision review needs to happen more carefully.

There were no other comments regarding the variance application. Chair Morreale addressed other members of the public in attendance and explained that the Cold Springs Rd potential land donation is not open for discussion. The BZA will discuss this project again if an application for a variance is made. Currently the Town Board is discussing this project. Liddle noted that the Planning Board has discussed the proposal and given their recommendations to the Town Board.

Chair Morreale proposed the next meeting for May 14.

Board members discussed the level of review that should be made during variance applications and conduct during meetings.

Motion: Hillman motioned to adjourn; Meador seconded.

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

Motion Carried.

ADJOURNED 8:46 PM

Mollie Duell

Board of Zoning Appeals Secretary