



Board of Zoning Appeals
Zoom Hybrid Meeting
Draft Meeting Minutes
August 20, 2025
Approved: _____

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

Quorum Present

Absent Board Members: Andrew Hillman

Town Staff Present: Mollie Duell, Niels Tygesen

Applicants Present: Paula Maguire

Members of the Public Present:

Proceedings

Chair Morreale called the meeting to order at 7:05 PM at Town Hall.

Motion: Meador motioned to appoint Moore as a voting member for tonight's meeting; Thompson seconded.

Vote: Meador, aye; Thompson, aye; and Chair Morreale, aye.

Motion Carried.

Approval of Past Minutes

Board members corrected minor typographical errors and added clarifying details.

Motion: Chair Morreale motioned to approve the April 16, 2025 meeting minutes as amended; Meador seconded.

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

Motion Carried.

Motion: Meador motioned to approve the May 14, 2025 meeting minutes as written; Moore seconded.

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

Motion Carried.

New Business Items

**VAR2505-01, Paula Maguire Properties 319 Penn, LLC Area Variances Variances
319 Pennsylvania Avenue, Parcel Number 12.-2-9.4**

The applicant and owner, Paula Maguire Properties 319 Penn, LLC, applied for a minor subdivision for the subject site to subdivide the existing 3.12 acre lot into two lots, Parcel '1' approximately 1.22 acres and Parcel '2' approximately 1.9 acres. Per the Code of the Town of Ulysses (CTU) 212-40.J, the maximum permitted lot coverage for the subject site is 7.5% of the lot area. With the proposed subdivision, the lot coverage for Parcel 2 would be approximately 25.5%.

Hayden Brainard, Maguire's attorney, described the property's history as a church and the conditions of the real estate purchase. Brainard explained that neighbors want the undeveloped portion of the subdivision to remain open.

Moore noted adjacent property owners submitted comments stating they fully support the proposal.

Dawn Young of South St Ext expressed concerns about parking issues in Trumansburg and asked if the existing paved lot will be able to accommodate the number of cars attending future events.

Maguire spoke about plans to use the subdivided empty lot for overflow parking.

Meador asked if some kind of restrictions should be put in place. Board members expressed agreement that requiring a deed restriction would be too much.

Discussion ensued over alternatives to a deed restriction.

Thompson asked if capacity and parking have been discussed with the Planning Board. Maguire responded no.

Isabel Boggs, a landscape designer for the project, stated occupancy is not changing so parking is not going to be affected. Some bioswales are planned to be added to the parking lot to improve drainage. Maguire stated she is planning off current occupancy cards in the building.

Tygesen spoke about current parking regulations in zoning, noting there are no prescribed ratio requirements.

Moore spoke about different uses the space would accommodate, suggesting it is likely there will be many smaller community group events that do not need extra parking.

Thompson asked if grass will be a sufficient parking surface. Brainard responded there is no indication it won't be suitable.

Discussion ensued over conditions of approval.

Motion: Thompson motioned to approve Board of Zoning Appeals Resolution No. 2025-003 A Resolution for One Area Variance for the Maguire Two Lot Minor Subdivision Located at 319 Pennsylvania Avenue, Town of Ulysses, Tax Parcel 12.-2-9.4; Meador seconded.

Whereas, a request for one area variances was submitted to the Board of Zoning Appeals (BZA) by Paula Maguire Properties 319 Penn, LLC, applicant and property owner, for property located at 319 Pennsylvania Avenue (tax parcel 12.-2-9.4); and

Whereas, the requested area variance is related to a minor subdivision application with the Planning Board to subdivide the existing lot into two parcels; and

Whereas, the subject lot is zoned R: Residential zone; and

Whereas, the area variance request is relief from the Code of the Town of Ulysses 212-40.J to exceed the maximum permitted lot coverage from 7.5 percent to 25.5 percent for proposed Parcel 2; and

Whereas, the requested variance was subject to environmental review as an Unlisted Action

under the Code, Rules, and Regulations of the State of New York Title 6, Part 617 (SEQR); and

Whereas, the Planning Board gave due notice with intent to act as Lead Agency in the environmental review for the proposed project, and on July 15, 2025 passed Resolution 2025-012 that issued a negative determination of environmental significance for the proposal and determined an EIS would not be required; and

Whereas, the action required 239 review, and Tompkins County determined in their comment letter dated June 13, 2025, that the proposal will not have a significant county-wide or inter-community impact, and provided a comment for the Board to consider; and

Whereas, the BZA did conduct a meeting on February 19, 2025 and discussed the proposed variance request; and

Whereas, notice of the public hearing was published in the Ithaca Journal, was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site; and was mailed to property owners within a 500-foot radius of the subject property; and

Whereas, the BZA did conduct a public hearing on August 20, 2025 where it reviewed a plat map entitled "Minor Subdivision Plat Showing Lands of Maguire Red Maple Properties, LLC Located at No. 319 Pennsylvania Avenue, Town of Ulysses, Tompkins County New York", prepared by T.G. Miller, P.C. dated March 5, 2025 and other application materials; and

Whereas, by considering the criteria listed in the [Consolidated Laws of New York Chapter 62, Article 16, Section 267-B.3.b](#), the BZA reviewed the record and weighed the benefits to the applicant against the detriment to the health, safety and welfare of the neighborhood if the variance was granted; and

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.
3. Whether the requested area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty was self-created.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

Considering all of the statutory factors set forth above, the Board of Zoning Appeals finds the following:

1. The benefit to the applicant in the granting of the area variance to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2

will outweigh the detriment to the health, safety and welfare of the neighborhood, especially given the condition of approval.

2. The granting of the area variance to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 will not create an undesirable change in the character of the neighborhood and will not be a detriment to nearby properties given the condition of approval.
3. The benefit sought by the applicant to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 cannot be achieved by some method, feasible for the applicant to pursue other than an area variance.
4. The requested area variance to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 is substantial, but this will be ameliorated by the condition of approval.
5. The proposed area variance to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, especially given the condition of approval.
6. The alleged difficulty necessitating the request to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 is self-created.

Conditions of Approval

1. As long as the Parcel 2 property is used as a community center no habitable structures will be built on Parcel 1. This is intended to reserve some area of Parcel 1 for overflow parking and open space.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby does grant the area variance to exceed the maximum permitted lot coverage, increasing from 7.5 percent to 25.5 percent, for proposed Parcel 2 as part of the proposed two lot minor subdivision located at 319 Pennsylvania Avenue.

Ayes: Chair Morreale, Moore, Meador, Thompson

Nays: None

Absent: Hillman

Abstain: None

Variance Approved.

VAR2507-01, Culler Chase Area Variances
123 Maplewood Rd, Parcel Number 28.-1-17

The applicant, Ryan James, on behalf of the property owners, Jonathan Culler & Cynthia Chase, applied for site plan approval from the Planning Board to renovate and construct an addition to an existing non-conforming detached accessory building. Per the Code of the Town of Ulysses (CTU) 212-47.E in conjunction with CTU 212-167.A, the minimum required front setback for the accessory building is 40 feet; the subject structure is setback 29 feet from the front property line. The proposal would expand the structure and an attached deck to the north and east. Per CTU 212-156.A, non-conforming buildings may be rebuilt but may not be larger than the footprint of the existing structure. The applicant submitted a concurrent area variance request to extend the non-conformity by 5 feet 5 inches to the north and to increase the overall footprint of the structure and attached deck by approximately 157 square feet.

Thompson complimented the use of color in the provided drawings.

Ryan James spoke about the history of the property noting the main house has been renovated to be code compliant. The bunkhouse has been used for generations, and the owners would like to maintain the same footprint, but with a small addition to accommodate a toilet. They are considering an incinerator toilet, which is why there is expansion from the north, and the new small deck provides a way to access it.

James stated the neighbors are in favor of the work being done. Lot coverage is already exceeded. Total lot coverage if the deck and bathroom are built would be 10.5 percent. Stairs will be replaced in the same footprint.

Thompson asked about health department approvals.

James explained the toilet will be electric and cook the waste down. The bunkhouse will be used seasonally. It is similar to an outhouse in size and there is no plumbing. Discussion ensued over maintaining the system.

Chair Morreale asked about a swale or rain garden. James spoke about adding gutters and vegetation at the site. There is no plan for tree removal.

Chair Morreale asked about safety. James explained that due to the age of the structure it is not compliant with current code; footers are failing, it is musty, and it is currently being used minimally for storage only.

Tygesen stated public notice will need to be sent again due to design changes.

James stated construction will happen during increments to minimize disturbance.

Chair Morreale expressed concern about increased rainfall and asked what would happen with overflow.

William Culler Chase spoke about looking forward to planning the rain garden and keeping landscaping natural.

Tygesen spoke about environmental review being needed and timelines for the remaining duration of project review.

Motion: Meador motioned to adjourn; Thompson seconded.

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

Motion Carried.

ADJOURNED 9:16 PM

Mollie Duell

Board of Zoning Appeals Secretary

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