TOWN OF ULYSSES
BOARD OF ZONING APPEALS

Board of Zoning Appeals Resolution No. 2026-006

A Resolution for the Reynolds Two Lot Minor Subdivision Located at 4131 Reynolds Road, Town of Ulysses, Tax Parcel 24.-4-10.1, Consenting to the Planning Board's Intent to Act as Lead Agency in the Coordinated Environmental Review under 6 NYCRR Part 617 of the State Environmental Quality Review Regulations

WHEREAS, the Board of Zoning Appeals finds the following:

1. The Board of Zoning Appeals (BZA) has received an application for an area variance related to a minor two lot subdivision of the property noted above currently under review by the Planning Board; and

2. The Planning Board met on November 3, 2026 to consider the subdivision proposal and passed Resolution 2026-016 which identified the BZA as an involved agency, preliminarily classified the Proposed Action under SEQR as an Unlisted Action subject to a coordinated Environmental Review (ER), and declared intent to act as LA; and

3. The BZA on November 18, 2026 did review the area variance application and a Project Notification Review Packet which included the subdivision application and the Planning Board's Notice of Intent to Act as LA; and

4. The BZA cannot issue a decision on the requested area variance until after the LA has issued a Determination of Significance for the ER under SEQR.

NOW, THEREFORE, THE BOARD OF ZONING APPEALS RESOLVES THE FOLLOWING:

1. The BZA consents to the Planning Board's intent to act at LA for the coordinated ER for the Proposed Action.

2. The BZA offers the following comments to the Planning Board on the ER:
   a. Part 1 of the Short Environmental Assessment Form (SEAF) prepared by the applicant and dated July 16, 2025 appears factual and correct;
   b. Number 13.a on Part 1 of the SEAF identified wetlands or other waterbodies regulated by a federal, state, or local agency on and/or adjacent to the subject site. The applicant's plat map dated March 28, 2025 identified a "pond" on the subject site, a second "pond" on an adjacent property to the south-east (parcel 24.-4-11.7), and a "ditch" on and adjacent to the subject site. Both "ponds" have been identified as local wetlands on the

DRAFT

Town of Ulysses' Wetland Map, and both have been identified as 'PUBHh' (Palustrine Unconsolidated Bottom Permanently Flooded Diked/Impounded) on US Fish & Wildlife's National Wetland Inventory map. The "ditch" has been identified as an 'Intermittent Stream' on US Geological Survey's 7.5 Minute Quadrangle map, and as a 'Class C(T) Stream' as an upper tributary to Taughannock Creek by NYS DEC. Under the Code of the Town of Ulysses (CTU) 212-124.B.4.b, the delineation of applicable stream and wetland setback areas on subdivision plats is required, and under CTU 212.124.B.4.d, it states classification of wetlands will be determined by a qualified wetland delineator using the methodology contained in the U.S. Army Corps of Engineers Wetlands Delineation 1987 or latest version. Though not required under local law for ERs, the BZA recommends the Planning Board require the applicant submit a professional wetland report and delineation prior to the issuance of Determination of Significance. The BZA further recommends the report also includes a professional assessment and delineation of the top of bank of the stream and its associated buffer; and

c. [insert additional comments as needed].

_____ _____

Board of Zoning Appels Chair Date

Ayes:

Nays:

Absent:

Abstain:

I, Lori Asperschlager, Clerk to the BZA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Ulysses BZA November 18, 2026 meeting.

_____

Lori Asperschlager, Planning Board Clerk

DRAFT