TOWN OF ULYSSES
BOARD OF ZONING APPEALS

Board of Zoning Appeals Resolution No. 2026-007

A Resolution for the Reynolds Two Lot Minor Subdivision Located at 4131 Reynolds Road, Town of Ulysses, Tax Parcel 24.-4-10.1, Determining the Area Variance Application Incomplete and Scheduling a Public Hearing Pending Submission of Additional Materials

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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 which consists of the following:
   a. A plat map entitled "Minor Subdivision Map, Showing Portion of Lands of Robert Carl Reynolds, Located on Reynolds Road, Town of Ulysses, Tompkins County, New York", prepared by T.G. Miller, P.C. dated March 28, 2025;
   b. A project narrative for the requested area variance;
   c. Part 1 of the State's Short Environmental Assessment Form (SEAF) dated July 16, 2025;
   c. An Agricultural Data Statement;
   d. A warranty deed of conveyance; and

2. The subject lot is zoned A/R Agricultural/Rural; and

3. The Code of the Town of Ulysses (CTU) Chapter 212 Section 29.D requires lots in the A/R zone to have a minimum of 400 feet of lot width at the front lot line; and

4. The plat map noted above has delineated a proposed lot with a lot width of 193.10 feet at the front lot line which requires an area variance to reduce the minimum 400 feet required noted above by 206.9 feet; and

5. The Planning Board met on November 3, 2026 to consider the subdivision proposal and passed Resolution 2026-016 which declared intent to act as Lead Agency (LA) for a coordinated Environmental Review (ER) under SEQR and identified the BZA as an involved agency; and

6. The BZA on November 18, 2026 did review the Planning Board's Notice of Intent to Act as LA and passed Resolution 2026-006 which consented to the Planning Board to act as LA and provided comments on the ER; and

7. There are waterbodies on and adjacent to the subject site that have been identified as 'PUBHh' (Palustrine Unconsolidated Bottom Permanently Flooded Diked/Impounded) on US Fish & Wildlife's National Wetland Inventory map, and as local wetlands on the Town of

Ulysses' Wetland Map, and 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. The applicant's plat map identified these waterbodies as "ponds" and as a "ditch" and does not delineate the stream and wetland setback (buffer) areas as required under the Code of the Town of Ulysses (CTU) 212-124.B.4.b; and

8. 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; and

9. Per the Consolidated Laws of New York Chapter 62 Article 16 Section 277.6 the BZA must request the Planning Board provide a written recommendation concerning the proposed variance; and

10. The BZA cannot issue a decision on the requested area variance until after conducting a public hearing.

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

1. The BZA does not, at this time, have the required information to consider the application complete.

2. A Determination of Significance by the Planning Board on the Proposed Action must be issued prior to the BZA's public hearing.

3. The BZA determines that the following information must be completed and/or submitted by the Applicant to town staff at least 15 calendar days prior to the BZA's scheduled public hearing:
   a. A pin shall be placed by a licensed land surveyor on the north-east corner of the subject lot adjacent to parcel 24.-3-12; and
   b. A revised plat map in compliance with the Town's Final Plat Map Checklist.

4. The BZA directs the Town Planner and/or their designee to prepare and distribute, as soon as possible, a Project Notification Review Packet to include a Request for Written Recommendation, copies of the above described packet of information received, and a copy of this resolution to the Planning Board.

5. The BZA determines that the Proposed Action is subject to a referral to Tompkins County Planning under the Consolidated Laws of New York Chapter 24, Article 12-B, Section 239-M, and directs Town Staff to submit a 239 referral to County Planning as soon as possible.

6. The BZA hereby schedules a public hearing on the area variance noted above to be held on Wednesday December 16, 2026 at 7:00 PM, Town Hall, 10 Elm St. Trumansburg, New York, or at the next available regularly scheduled meeting dependent on the applicant's timely

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submission of the required information noted above, and further directs town staff to provide public notice of the BZA's hearing pursuant to State and Local laws.

_____ _____

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.

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Lori Asperschlager, Planning Board Clerk

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