

**TOWN OF ULYSSES  
PLANNING BOARD  
MINUTES  
04/02/13**

*Approved 5/7/13*

**Present:** Stan Beames, Peter Fry, Rod Hawkes, Rebecca Schneider, John Wertis, Environmental Planner Darby Kiley

**Excused:** Sarah Adams, Ken Zeserson

**Applicants:** Bret Seafuse, Jim Seafuse

**Agenda/Minutes**

Mr. Hawkes called the meeting to order at 7:01 pm. There were no changes to the agenda. The meeting minutes from 3/19/13 were not available for review.

**Privilege of the Floor**

No one was there for privilege of the floor.

**SHURSAVE SITE PLAN REVIEW**

Ms. Kiley provided an update on recent actions:

- The Board of Zoning Appeals granted the sign variance request;
- Tompkins County Planning Department, under their 239 review, recommended modifications to the site plan as follows: “The Town should require elements that facilitate safe, non-vehicular access to the proposed development. At a minimum pedestrian access should be provided from the shoulder of Trumansburg Road to the store entrance at a location other than in the area identified as a “potential future walkway.” The currently identified location for a “future walkway” would require individuals to pass through the gas pumps en route to the store. Such a walkway should be at a grade that meets ADA standards. Painted crosswalks from a walkway through the parking lot to the entrance of the store should also be a required condition of approval.”
- The applicants received site plan approval in 2004 for the Palmer Pharmacy. The applicants said that as part of the review process the “potential future walkway” was added to the plans. They were willing to build the walkway when a sidewalk from the Village is constructed. There is nothing specific about this in the 2004 Planning Board meeting minutes.

Ms. Kiley recommended that if the PB did not want to require the modifications that the County was recommending, a condition should be added to the site plan approval, and an additional resolution was drafted for consideration that would be forwarded to the Town Board so that they are aware of the sidewalk discussion and condition. If the PB does not incorporate the County recommendations, a supermajority (5 votes) is needed for the approval.

Bret and Jim Seafuse explained in more detail that it was not clear what side of the road the sidewalk would be located; they are willing to construct one to their store when the one along Rt 96 is constructed. The County might not have been aware of these plans. As for the ADA requirements, they are not sure how they will meet those. In 2004, the Town discussed putting the sidewalk on the Smith Woods side but that was before Kinney was constructed. Now it makes more sense to have sidewalks on both sides. The Seafuse's had committed to using the same materials as the town sidewalk. Crusher run does not meet ADA requirements, but stone dust does. ADA requires a 5% grade, which could likely be met along Smith Woods with curves along the length. During Grassroots is when the most pedestrians walk to the store; other times of the year, the Seafuse's estimate 1 or 2 pedestrians a day, though PB members thought there might be closer to 6/day.

**PB Resolution: Consideration of ShurSave Expansion Site Plan**

Mr. Wertis made a motion, seconded by Mr. Beames

**WHEREAS:**

1. This action is consideration of a Site Plan Approval for the proposed ShurSave expansion project, located at 2085 Trumansburg Rd, Town of Ulysses, Tax Parcel Number 13.-3-2, B1-Business District. The proposal is to construct a 17,978 +/- square foot building between the current store and the former pharmacy, add a gravel parking lot to the southeast of the buildings, and add plantings along Trumansburg Rd and the property boundary. The proposed project will expand the existing building by 12,900 +/- square feet with an additional 5,100 +/- square feet of separate retail space. JBS Management Planning, LLC, owner; Bret Seafuse, applicant/agent; and
2. The Town of Ulysses adopted zoning regulations in Local Law Nov 4, 2007 includes Article III, Section 3.4 establishing Site Plan Procedures; and
3. On February 10, 2010, the Board of Zoning Appeals granted area variances from the square footage requirement listed in Article XIII, Section 13.2; and
4. On January 15 and March 5, 2013, the Planning Board conducted preliminary reviews of the proposed Site Plan; and
5. This is an Unlisted Action for which the Town of Ulysses Planning Board, on March 19, 2013, has made a negative determination of environmental significance with respect to this project, after having reviewed and accepted as adequate a Short Environmental Assessment Form Part I and Part II; and
6. On March 19, 2013, a Public Hearing was held, and no public comments were received; and
7. On March 20, 2013, the Board of Zoning Appeals granted area variances from the sign requirements listed in Article XVII, Section 17.4.6; and

8. Pursuant to GML Section 239-1 and –m, the Tompkins County Planning Department reviewed the proposal and recommended modifications including a walkway at grade that meets ADA standards; and

9. The Planning Board has given due consideration to all information and comments in conducting the Site Plan Review;

**THEREFORE IT IS HEREBY RESOLVED**, that the Planning Board of the Town of Ulysses hereby grants Site Plan Approval for the proposed ShurSave expansion, located at 2085 Trumansburg Road, Tax Parcel Number 13.-3-2, as shown on a “Site Plan for New Building and Additional Parking” prepared by MAS Engineering, date stamped March 11, 2013; tree selection descriptions prepared by David Allen; and Elevation Plan “A-2” prepared by Michael J. Palmieri Architect, date stamped March 11, 2013, subject to the following condition(s):

- a. Granting of Final Certificate of Occupancy held until proposed trees are planted;
- b. Any dead tree in first five years will be replaced with a tree of the same species and dimensions as the dead tree; and
- c. Trees should remain for their natural lifespan, except where health and safety are threatened; and
- d. At a time when sidewalks are constructed from the Village of Trumansburg to the ShurSave property, ShurSave will construct a walkway, meeting ADA requirements, from Trumansburg Road to the entrance of the retail businesses.

Vote:

Mr. Beames AYE  
Mr. Fry AYE  
Mr. Hawkes AYE  
Ms. Schneider AYE  
Mr. Wertis AYE

Motion passed.

**PB Resolution: Recommendation to Town Board regarding ShurSave Walkway**

Ms. Schneider made the motion, seconded by Mr. Beames

**WHEREAS:**

1. The ShurSave property, located at 2085 Trumansburg Road, Town of Ulysses, Tax Parcel Number 13.-3-2, B1-Business District, has received Town approval for several expansions, including the addition of a pharmacy building on April 8, 2004, and a store expansion on April 2, 2013; and
2. The approved Site Plans from 2004 and 2013 show a “proposed future walkway” on the north side of the asphalt drive; and
3. A walkway from Trumansburg Road to the store entrances would benefit pedestrian traffic; and
4. There are no sidewalks from the Village of Trumansburg to ShurSave; and

5. The Town of Ulysses is discussing options to provide a sidewalk connection between the Village and ShurSave;

**NOW THEREFORE BE IT RESOLVED:**

1. That at a time when the sidewalk from the Village to the ShurSave entrance is in the planning and design phase that ShurSave be notified of the project; and
2. That the Planning Board approved the Site Plan for the 2013 expansion with the condition that ShurSave will construct a walkway, meeting ADA requirements, from Trumansburg Road to the entrance of the retail businesses; and
3. That this resolution be forwarded to the Town Board at their meeting on April 9, 2013 and be recorded in the Town Board minutes.

Vote:

Mr. Beames AYE  
Mr. Fry AYE  
Mr. Hawkes AYE  
Ms. Schneider AYE  
Mr. Wertis AYE

Motion passed.

The Board also discussed that if a sidewalk is constructed into the town, the speed limit along Trumansburg Road should be reduced to 30 miles per hour. The Planning Board would like the Town Board to send a request to NYS Department of Transportation to reduce the speed limit to 30 MPH.

The Board wanted to make sure the County is informed that the PB prefers that the walkway to ShurSave be located on the north side (the Smith Woods side) of the entrance driveway.

**OTHER**

The Board briefly reviewed a handout from the Association of Towns meeting that was shared by Mariette Geldenhuys, Attorney for the Town. The handout is entitled, "Ethics for Planning and Zoning Boards."

**NEXT MEETING**

The Board discussed that if there is no business for the April 16 meeting, that it be cancelled, especially because two of the members are working on the Ad Hoc Zoning Committee. Therefore, the next meeting will be May 7.

The meeting adjourned at 7:41 PM.

Minutes submitted by Darby Kiley.