

**TOWN OF ULYSSES
BOARD OF ZONING APPEALS
FINAL MINUTES
Wednesday, August 15, 2018**

Approved: September 19, 2018

Present: Board Chair Bob Howarth, and members Andy Hillman, Steve Morreale, Cheryl Thompson, and David Tyler; Town Planner John Zepko.

Public in Attendance: Louise Terry, Sarah Delrosso, Jan Zeserson, Mairead O'Sullivan, Ernie Bales, and Michael Hojnowski.

Call to Order: 7:00 p.m.

Public Hearing: Appeal by Mairead O'Sullivan and Arthur Landi for area variances under Section 212-54, Lot Area and Yard Requirements of the Town of Ulysses Zoning Law, for the purpose of constructing a 16ft by 16ft structure at the property located at 85 Maplewood Road, Town of Ulysses, Tax Parcel Number 29.-1-7.2-6.

Mr. Bales, project architect, outlined the applicant's intention to build a carport that faces Maplewood Road, but the new build will need three variances: lot coverage (an increase to 15.8 percent total where 5 percent is the maximum), sideyard setback (5 feet where a minimum of 15 feet is required), and right-of-way (0 feet where a minimum of 50 feet is required).

Asked about correspondences from neighbors, Mr. Zepko said he received an email from a neighbor seeking details, and another neighbor called with concerns about building height.

Ms. Zeserson, of 83 Maplewood Road, lives next door and has a studio right near the property line on the O'Sullivan side. She expressed concern with the effect on her studio as well as preserving the trees on the slope.

Mr. Bales said the applicant is limited with placement options, given the small size of the property, a propane tank and ravine on the other side of the property, and the presence of a utility pole. Attempts to contact the utility company about possibly relocating the pole have been unsuccessful.

Alternative designs were suggested. Two neighbors expressed their support of the project.

The application is also before the Town Planning Board for review, and the BZA is unable to act on the proposal until the Planning Board weighs in. The night's presentation is for informational purposes only, Mr. Howarth said.

Mr. Morreale asked if the applicant has considered stormwater mitigation, considering the increase in lot coverage on the property, which is located in the Conservation Zone. Mr. Bales said stormwater has not formally been addressed. His initial thought was to divert stormwater

into the nearby gorge – an option which Mr. Morreale found to be unacceptable – or a dry well. Mr. Tyler suggested the applicant write NYSEG to inquire about the carport's placement relative to the right-of-way and make sure NYSEG okays it. Ms. Thompson suggested a 12-foot wide carport rather than 16 feet, and Mr. Bales said 16 feet barely covers the car, and the applicant intends to store garbage cans there.

The BZA reached consensus to readdress the project at its September 19 meeting, but may need to postpone discussion until its October meeting to allow the BZA to consider the Planning Board's decision.

Public Hearing: appeal by Jules and Michael Hojnowski for an area variance under Section 212-47F Lot Area and Yard Requirements of the Town of Ulysses Zoning Law, for the purpose of constructing a garage at the property located at 1690 Trumansburg Road, Town of Ulysses, Tax Parcel Number 34.-3-40.

Mr. Hojnowski said he has owned the property for 30 years, and during that time the family has parked its vehicles along route 96. However, in 2015, a driver struck two of the family's parked cars, totaling them. For this reason, Mr. Hojnowski aims to build a garage for off-street parking.

The Town did not receive any correspondences concerning the project.

Noting that County Planning reviews any variance within 500 feet of a state or county road, Mr. Zepko said County Planning came back with no negative environmental impacts.

Ms. Thompson asked Mr. Hojnowski if he had considered taking 10 feet off the back of the garage and adding it to the side, so as to reduce encroachment on the right of way. He said it is not preferable. The garage is 24-by-34 feet, and he intends to park an RV beside the garage. Responding to Mr. Howarth's question concerning whether or not he would have enough space to safely back out of the garage, he said he would have room to back out and approach route 96 straight on if the garage were rotated.

Mr. Morreale felt the Board did not have the appropriate information to make a decision; there are no plans or even dimensions for the building. Mr. Tyler felt similarly. BZA members said they would like to see dimensions of the building footprint, orientation of the building, and the distance between the new building and the side property line. Mr. Howarth expressed he would prefer to see the building be sited 25 feet off the right of way instead of 15 feet. It was agreed the BZA would leave the hearing open and take it up again once applicant provides further documentation.

Meeting Minutes (05/16/2018)

Mr. Tyler MADE the MOTION to accept the amended May 16, 2018 meeting minutes, and Mr. Morreale SECONDED the MOTION. The motion was unanimously accepted, 5-0.

Zoning Draft Discussion

A brief discussion ensued regarding the ongoing zoning updates. Mr. Howarth reported the draft has been moved along to the Town Board, which made few, if any, substantive changes. The Planning Board is currently reviewing the draft, and the BZA may decide to review it too.

Internal BZA business was discussed, including a suggestion from Mr. Zepko to possibly institute minimum document requirements for proposals that come before the BZA.

Mr. Morreale MADE the MOTION to adjourn the meeting, and Mr. Hillman SECONDED the MOTION. The motion was unanimously carried.

Meeting adjourned at 8:31 p.m.

Respectfully submitted by Louis A. DiPietro II on September 3, 2018.