



PERMIT APPLICATION

TOWN OF ULYSSES PLANNING DEPARTMENT

INSTRUCTIONS: Complete form, sign, and date.
See applicable application packet for all required checklist items.

CONTACT INFORMATION

APPLICANT	Jason Demarest, Architect				
ADDRESS	950 Danby Rd, STE 105				
CITY	Ithaca	STATE	NY	ZIP	14850
PHONE	O. 607-330-4555; C. 607-351-0091	EMAIL	jason@jkdarchitect.com		
OWNER	TFI Landco, LLC				
ADDRESS	2030 Gorge Rd				
CITY	Ulysses	STATE	NY	ZIP	14886
PHONE	NA	EMAIL	NA		
PRIMARY CONTACT: <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER, PLEASE SPECIFY BELOW					
NAME	Carl Mazzocone				
PHONE	323-974-6420	EMAIL	carl@innattaughannock.com		

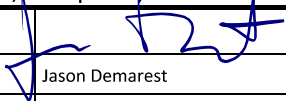
PROJECT SITE INFORMATION

ADDRESS	2030, 2031, & 2051 Gorge Rd
PARCEL NO(S)	14.-1-11, 14.-3-18.1 & 18.2

PROJECT INFORMATION

PROJECT NAME	Inn at Taughannock Falls Hotel
PROJECT DESCRIPTION	Construction of multi-purpose hotel including a spa, fitness center, and an event space with a commercial kitchen. The hotel will have +/-75 guest rooms. Final design TBD.
VALUATION	~\$12 to \$20 million. TBD

Authorization: I am the owner or am authorized by the owner to sign and submit this application. I certify under penalty of perjury of the laws of the State of New York that the information on this application and all information submitted herewith is true, complete, and correct.

SIGNATURE		DATE	11/02/22
PRINT NAME	Jason Demarest		
CITY, STATE	Ithaca, NY		



10 Elm Street
Trumansburg, NY 14886



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**TOWN OF ULYSSES
BOARD OF ZONING APPEALS
MEETING MINUTES
Wednesday, August 16, 2017**

Approved: September 20, 2017

Present: Chair George Tselekis, and board members Andy Hillman, Bob Howarth, Steve Morreale, and Cheryl Thompson; Environmental Planner Darby Kiley.

Mr. Means was excused.

Ms. Thompson was made a voting member in place of Mr. Means.

Public in Attendance: Dan Clement, Jim Holtkamp, Carol and Mack Travis, Tony DiRusso, Sally Yates, Durga Bor, Holly Austin, Carl Mazzocone, Brian Davis, Noy Davis, Jamie Swinerton.

Call to order: 7:04 p.m.

Continuation of Public Hearing and SEQR Determination: Appeal by TFI Landco, LLC for area variances under Section 212-122 Standards for Signs for the B1-Business District and for area variances under Section 212-92 D, 212-92 E, and 212-92 G of the Town of Ulysses Zoning Law. The property is located at 2030 Gorge Rd, Town of Ulysses, Tax Parcel Numbers are 14.-1-11, 14.-3-18.1, and 14.-3-18.2.

Signs – For the purpose of installing new and replacing existing signs on the three parcels of the Inn at Taughannock, the applicant is pursuing the following area variances:

On Tax Parcel Number 14.-1-11 on the north side of Gorge Rd, the proposal includes three (3) business directional signs and two (2) freestanding signs. The zoning law allows for no more than two (2) business directional signs per parcel, and business directional signs are limited to six (6) feet in height and six (6) square feet. Sign #1, a business directional sign on the northern boundary with Taughannock Falls State Park, is proposed to be 14.3 feet tall with a surface area of 35.7 square feet. Sign #4, the second business directional sign to be located on the western Inn entrance on Gorge Rd, would have a height of 7.4 feet and surface area of 20.5 square feet. Sign #5, the third business directional sign to be located at the eastern Inn entrance on Gorge Rd, would have a height of 12.8 feet and surface area of 35.8 square feet.

The zoning law allows for one freestanding sign with a height limit of 15 feet and area of 24 square feet. The applicant is proposing two (2) freestanding signs. Sign #2 would be parallel to Trumansburg Rd with a height of six (6) feet and a surface area of 133.5 square feet. Sign #3 would replace the existing sign at the corner of Taughannock Blvd and Gorge Rd. The sign is proposed to be 14.9 feet tall with a surface area of 104.4 square feet.

On Tax Parcel Number 14.-3-18.2 on the south side of Gorge Rd, eastern parcel, the proposal includes one business directional sign and one freestanding sign. Sign #6, a business directional sign at the driveway entrance for the Lakeview building, would have a height of 9.0 feet and surface area of 24.8 square feet, exceeding both the height and surface area requirements. Sign #10, a freestanding sign to be located along Taughannock Blvd south of Gorge Rd, would have a height of 8.1 feet and surface area of 23.8 square feet and meets the zoning requirements.

Setbacks – For the purpose of constructing a new building between Gorge Rd and the existing main inn building, the proposed building, referred to as the gatehouse and stables, would not meet the required 30 foot front yard setback at the Gorge Rd right of way. The proposed building would be located as close as 1.4 feet to the right of way and 1.7 feet to a side yard that borders New York State Parks parcel at the corner of Taughannock Blvd and Gorge Rd. The required side yard setback is 15 feet.

Height – The maximum building height in the B1-Business District is 32 feet, and building height is defined as the distance from the average grade level to the highest point of a building. The proposed building would have a height of 46.1 feet so a variance for the additional 14.1 feet is needed. A cupola is proposed for the top of the existing Inn. This will increase the existing building height by 6.75 feet from 57.8 feet inches to 64.6 feet.

In light of Mr. Mazzocone’s decision to withdraw the variance request for noise, Ms. Bor asked if Inn neighbors can still contact Mr. Mazzocone if they hear loud music coming from the Inn after 11 p.m. Mr. Mazzocone had previously said neighbors could call him on his cellphone. Ms. Bor found information on accidents around Gorge Road and Route 89 and said the intersection is in the top 20 of motor vehicle accidents in Tompkins County from 2009 through 2013. It is also in the top 10 of severity of accidents in the County.

Mr. Holtkamp asked how this project fits into the Town’s Comprehensive Plan, since the Inn is surrounded by park land. The park was created to give communities a respite from our everyday lives. People come to the park to escape; they do not want to hear Smashmouth. The proposal dumps noise pollution in a place where we should not be putting any pollution.

Mr. Clement said zoning laws are enacted for a reason, and existing laws are adequate for signage. He cautioned against granting the setback variance for the Stables building, calling it a safety hazard. Gorge Road gets slippery in the winter, and if a drunk driver hits the building, there will be questions. There have to be exceptional circumstances in order to grant a variance, and he is not seeing them with the Inn project.

At this time, the BZA reviewed the Short Environmental Assessment Form. Board members made the following changes:

Question 4 (“Check all land uses that occur on, adjoining and near the proposed action”) – Board members added “Forest”, “Rural (Non-ag)” and “Other – Camping” along with “Parkland”, “Aquatic”, “Commercial” and “Residential (suburban).

Question 5, note b (“Is the Proposed action consistent with the adopted comprehensive plan?”) – Mr. Howarth suggested and consensus was reached to check “No” since preserving views, viewsheds and the surrounding rural character are charges put forth by the Comprehensive Plan. Variance requests for additional and larger signage and setbacks are not consistent with the Plan, Mr. Howarth said.

Question 6 (“Is the proposed action consistent with the predominant character of the existing built or natural landscape?”) – Mr. Howarth proposed and consensus was reached to check “No” since there are not many signs in the area, nor a building that infringes into the road right-of-way. It is antithetical to the Comprehensive Plan.

Question 14 (“Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:” – the Board reached consensus to check “Forest” along with “Agricultural/grasslands”.

Mr. Morreale MADE the MOTION to accept the changes to Part I, and Mr. Hillman SECONDED the MOTION. The motion was unanimously carried, 5-0.

In reviewing Part II (Impact Assessment) of the Short Environmental Assessment Form, the BZA made the following changes. Where noted, the BZA also proposed language to include within Part III (Determination of Significance):

Question 1 (“Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?”) – Ms. Thompson thought the variance requests to be conflicts, and Mr. Howarth, too, felt the impact should be “Moderate to large”. Further, both Ms. Thompson and Mr. Howarth suggested the following language to add to Part III: “All of these variances together add at least moderate conflict with zoning, the Town Comprehensive Plan and the designation of a scenic byway on Route 89, which calls for careful consideration of any signs in signs along the byway.”

Question 3 (“Will the proposed action impair the character or quality of the existing community?”) – The Board agreed that the action will have a moderate to large impact. Further, they offered additional language to include within Part III, noting that the proposed Stables building is within two feet of the right of way and that “The closer the building is to the roadway, the more it impairs views for people walking or driving down Gorge Road.”

Question 8 (“Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?”) – Mr. Howarth noted that the explanation within Part III does not include reference to the Inn being a historic building in the community nor does it note viewsheds.

Mr. Howarth MADE the MOTION to accept the changes in Part II and additional language in Part III, and Mr. Morreale SECONDED the MOTION. The motion was unanimously carried.

Resolution for SEQR Determination

WHEREAS:

1. This is consideration of the Inn at Taughannock proposed Gatehouse and Stables and proposed signs, Tax Parcel Numbers 14.-1-11, 14.-3-18.1 and 14.-3-18.2; B1-Business District. The proposed project includes a central check-in, five hotel suites, ice cream parlor/grill, patio with reflecting pools, seasonal tent area for 125 guests, and the replacement and installation of eight regulated signs. TFI Landco, LLC, owner; Carl Mazzocone, agent; and
2. This is an Unlisted Action for which the Town of Ulysses Board of Zoning Appeals is acting in an uncoordinated environmental review with respect to the project; and
3. The Board of Zoning Appeals, on August 16, 2017, reviewed, revised and accepted, with revisions, the Short Environmental Assessment Form Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Town staff;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ulysses Board of Zoning Appeals hereby makes a negative determination of environmental significance for the reasons set forth in the Environmental Assessment Form Parts 2 and 3 referenced above, in accordance with the New York State Environmental Quality Review Act for the above referenced action as proposed, and, therefore, an Environmental Impact Statement will not be required.

The vote was as follows:

Mr. Tselekis	AYE
Mr. Hillman	AYE
Mr. Howarth	AYE
Mr. Morreale	AYE
Ms. Thompson	AYE

Result: Resolution passed

At this time, the BZA began consideration of individual resolutions for each of the variance requests, beginning with the front and side yard setback variance.

Resolution for setbacks on new Stables building

Mr. Morreale felt the variance was substantial when considering both the height of the proposed building and the right-of-way encroachment. It's a significant blocking of viewsheds in particularly important scenic areas frequented by many people. Mr. Howarth noted that the nearby Park's Rim Trail detours down Gorge Road in the winter. The Stables building would impact views. Ms. Thompson thought the encroachment was too close; the Stables' overhang will be directly on the right-of-way line, and she is not comfortable with the building footprint being 1.5 feet from the right of way. A 15-foot setback would have been more favorable.

Mr. Morreale said the applicant's statements of hardship were not convincing; the variance requests have more to do with aesthetics and preference. The architect has previously said the Stables would lose one or two suites if the building were constructed within zoning parameters. Mr. Morreale thought the Stables could be pushed further back on the property and within zoning. Mr. Howarth said he agreed with some of the comments from the floor, particularly the building being a safety hazard if built so close to the right of way. Safety and viewsheds are the two main reasons for setbacks.

Mr. Morreale MADE the MOTION to deny the variance requests, and Mr. Hillman SECONDED the MOTION as follows:

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 variances are granted by considering the five statutory factors. Benefit sought by applicant is to construct a new building that would not meet the required 30-foot front yard setback at the Gorge Rd right of way, nor the required 15 foot side yard setback where the property borders a New York State Parks parcel at the corner of Taughannock Blvd and Gorge Rd. The proposed building would be located as close as 1.4 feet to the Gorge Rd right of way and 1.7 feet to the side yard property line.

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 variances.

The proposed building is an addition to the existing Inn at Taughannock, which is an allowed use in the B1-Business District. The other buildings of the Inn properties are about 100 feet or more from the adjacent roadways. Adding a building 1.4 feet from the road right of way will change the character of the neighborhood because other buildings in the vicinity are more than 100 feet from the road. The property to the south is part of the Inn, and the variance would not have a detrimental impact on that property. In addition, the proximity to the road will have a negative impact on the view from Gorge Road for vehicle traffic and, because Gorge Road is the winter detour for the South Rim Trail, the building obstructs views for hikers. In addition, the building obstructs the view from the scenic byway.

2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than area variances.

The applicant has shown perspective images that the same size building can fit in the same area without a variance. In order to meet the front and side yard setbacks, the proposed building would be closer to the existing Inn. The applicant has stated that this location is preferred for aesthetic reasons, and while the desire to preserve the aesthetics of the original Inn building is appreciated, the encroachment on the setback is excessive and the applicant has provided no economic justification, nor other compelling justification for the setback request. The applicant has other options to site the building.

3. Whether the requested area variances are substantial.

The front yard setback variance request – 1.4 feet versus 30 feet required – is substantial. The side yard setback variance request – 1.7 feet versus 15 feet required – is also substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Stormwater and other environmental issues will need to be addressed regardless of the location of the proposed building. The physical conditions to consider are the impacts on the public right of way. In addition, there is a potential safety hazard to vehicle and pedestrian traffic created by the proximity to the road.

5. Whether the alleged difficulty was self-created.

The difficulty is self-created because the applicant has shown that a building of the same size could be located on the property without the setback variances.

6. Considering all of the statutory factors set forth above, the Board of Zoning Appeals concludes as follows, the addition will create an undesirable change, could be achieved by other methods, the encroachment is excessive, the addition will cause physical environmental impacts to the neighborhood, and the difficulty is self-created, therefore the benefits to the applicant do not outweigh the detriment to the health, safety and welfare of the neighborhood.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby denies area variances for front and side yard setbacks for the proposed building as requested by the applicant.

The vote was as follows:

Mr. Tselekis	AYE
Mr. Hillman	AYE
Mr. Howarth	AYE
Mr. Morreale	AYE
Ms. Thompson	AYE

Result: Resolution passed; variance denied.

Resolution for height variance on existing Inn

Mr. Howarth said this variance – unlike the setbacks request – would not substantially obstruct views of the Inn or views from Gorge Road. Mr. Morreale agreed, adding that the Inn and cupola are positioned in front of a steep hill.

Ms. Thompson MADE the MOTION to grant the variance request, and Mr. Hillman SECONDED the MOTION as follows:

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 is granted by considering the five statutory factors. Benefit sought by applicant is to add a 6'9" tall cupola on the existing Inn, increasing the building height from 57'10" to 64'7".

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 variances.

The addition of the roof on the cupola to the top of the existing Inn will not produce an undesirable change in the neighborhood nor be a detriment to nearby properties. The building was built over 140 years ago, and the addition of the roof on the cupola will not impact the views of any neighbors nor the public.

2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than area variances.

No. Because the existing building exceeds the height limit, any addition to the top of the building will require an area variance.

3. Whether the requested area variances are substantial.

The existing height of the Inn at the highest ridge is 46'10", exceeding the height limit by almost 15 feet. The Inn has an existing cupola that is 11 feet higher, and the proposal is to add a roof of 6'9" for a total height of 64'7". This height is substantially higher than the allowed 32 feet, but is not substantially higher than the existing height.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed height variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood.

5. Whether the alleged difficulty was self-created.

The difficulty is self-created because the applicant is adding more height to a building that already exceeds the height limit and it's not necessary.

6. Considering all of the statutory factors set forth above, the Board of Zoning Appeals concludes as follows, the addition of the cupola will not produce an undesirable change in the neighborhood or nearby properties, cannot be sought by another method, the change is substantial, and though the difficulty is self-created and the overall building height is much higher than what is allowed, the addition of a roof on the cupola will not impact any views, and will not cause an adverse impact on the environmental conditions, therefore the benefits to the applicant outweigh the detriment to the health, safety and welfare of the neighborhood.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby grants the area variance for the height of the existing Inn as requested by the applicant.

Mr. Howarth offered a friendly amendment that Ms. Thompson accepted.

The vote was as follows:

Mr. Tselekis	AYE
Mr. Hillman	AYE
Mr. Howarth	AYE
Mr. Morreale	AYE
Ms. Thompson	AYE

Result: Resolution passed; variance granted.

The BZA took a brief recess.

Resolution for height variance on new Stables building

Ms. Thompson felt the change was detrimental, citing the proposed building height as not in character with the surrounding neighborhood; the existing Inn is the important exception. She would prefer to abide by current zoning on this request. Mr. Hillman leaned toward denying the request on account of the five statutory factors outlined in the resolution.

Ms. Thompson MADE the MOTION to deny the variance request, and Mr. Howarth SECONDED the MOTION as follows:

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 is granted by considering the five statutory factors. Benefit sought by applicant is to build a new building that will exceed the height limit of 32 feet. The exceedances include the ridgeline of the gatehouse and stables building that would be 35'7"; the two small roofed cupolas on the stables that would be 42'9"; the tower on the gatehouse that would be 46'1".

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 variances.

The variance would not be detrimental to the nearby property, but there is an undesirable change to the character of the neighborhood in that neighborhood is an important landmark building. The Town's Comprehensive Plan stresses the importance of maintaining the rural character of the Town. Creating an undesirable change to the neighborhood is a detriment to the rural character.

2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than area variances.

The applicant could modify the building so that the ridgeline does not exceed the height limit, and the cupolas and tower are added features that could be removed from the proposal.

3. Whether the requested area variances are substantial.

The ridgeline of the proposed building of 35'7" is not a substantial variance from the 32-ft height limit. The cupolas and tower heights are more substantial, adding 10'9" and 14'1" feet beyond the 32-foot limit.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, we do not believe it will. The proposed height variance for the new building will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood, as it would not block views.

5. Whether the alleged difficulty was self-created.

The difficulty is self-created because the applicant could propose a shorter building and remove the cupolas and tower.

6. Considering all of the statutory factors set forth above, the Board of Zoning Appeals concludes as follows: the difficulty is self-created, and the proposed building height is higher than what is allowed. It seems that the applicant can achieve the benefits that he is pursuing and stay within the 32-foot limit. Therefore, the benefits to the applicant do not outweigh the detriment to the health, safety, welfare, and character of the neighborhood.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby denies the area variances requested by the applicant for the height of the proposed building.

The vote was as follows:

Mr. Tselekis	AYE
Mr. Hillman	AYE
Mr. Howarth	AYE
Mr. Morreale	AYE
Ms. Thompson	AYE

Result: Resolution passed; variance denied.

Resolution for variances concerning Signs 1, 4 and 5

A discussion ensued on whether or not to review signage individually or in sets, rather than collectively. Mr. Howarth felt it somewhat difficult to review them in parts. He cited the Town Comprehensive Plan and its language regarding signage and sign sizes. The zoning, as written, accurately reflects the feeling of the Town Comprehensive Plan: as a Town, we do not want a lot

of large signs. Ms. Thompson found Signs 1 and 5 attractive and inoffensive; she would vote yes to both. Mr. Hillman asked if the Parks Office had weighed in on the sign proposed near the Taughannock Falls trail. Ms. Austin said Fred Bonn of the Parks Office had approved it.

Ms. Thompson MADE the MOTION to grant the variance requests for signs 1 and 5, and Mr. Hillman SECONDED the MOTION. However, a lengthy conversation then ensued among Board members to include Sign 4 within the proposed resolution. Mr. Howarth and Mr. Morreale both felt a decision on Signs 1 and 5 would ultimately impact their decision on Sign 4, since only two of the directional signs would be permitted among the three. The resolution for Signs 1 and 5 was ultimately edited to include Sign 4 as well.

Mr. Tseleki amended the MOTION as follows:

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 variances are granted by considering the five statutory factors. Benefit sought by applicant is to install signs #1, #4 and #5, three business directional signs, on Tax Parcel Number 14.-1-11 (Parcel 1), where two are allowed. All three signs would exceed the height limit of 6 feet and the area limit of 6 square feet. For sign #1, the proposed height is 14.3 feet and area is 35.7 square feet; for sign #5, the proposed height is 12.8 feet and area is 35.8 square feet, and for sign #4, the proposed height is 7.4 feet and area is 20.5 square feet.

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 variances.

Two of the proposed signs would be rusted plate steel arches installed on stone pillars, are decorative in nature, and do not produce an undesirable change in the neighborhood character and would not be a detriment to nearby properties. Sign 4 would also not produce an undesirable change to the neighbor nor nearby properties. There is an existing sign in approximately the same location. Individually, the signs are not undesirable, but a total of three signs is an excessive proliferation of signs and is counter to the goals of the Town Comprehensive Plan. The proposed design for signs 1 and 5 matches the rustic and natural environment of the surrounding area.

2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than area variances.

For signs 1 and 5, in order to install the signs on top of the stone pillars, the signs would have to exceed the height limit of 6 feet. The distance between the pillars, and therefore the width of the signs, needs to be wide enough for the path and driveway. For sign 4, the applicant could reduce the size of the sign by eliminating the Inn name and symbols. The directional information on the sign accounts for less than 4 square feet.

3. Whether the requested area variances are substantial.

For signs 1 and 5, the height and area variances for both signs are substantial. Both signs would exceed the height limit of 6 feet and the area limit of 6 square feet. For sign 1, the proposed height is 14.3 feet and area is 35.7 square feet – more than twice the allowed height and almost 6 times the allowed area. For sign 5, the proposed height is 12.8 feet and area is 35.8 square feet - more than twice the allowed height and almost 6 times the allowed area. For sign 4, the height and area variances for the signs are substantial. Both signs would exceed the height limit of 6 feet and the area limit of 6 square feet. The height variance of 7.4 feet versus the allowed 6 feet is not substantial. However, the sign area of 20.5 feet versus the allowed 6 square feet is substantial. Allowing a third business directional sign is also substantial because sign 5 is proposed to be approximately 60 feet east of sign 4.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, there is no significant adverse impact on the physical or environmental conditions of the neighborhood.

5. Whether the alleged difficulty was self-created.

The difficulty is self-created. For sign 1, the applicant installed the pillars prior to proposing the sign, and for sign 5, the sign would be over the entrance and adjacent to sign 4, another business directional sign, so sign 5 would not be necessary to direct the guests to the property. The applicant is asking for a total of three business direction signs where only two are allowed. The directional information on sign 4 could be accomplished within the allowed height and area requirements.

6. Considering all of the statutory factors set forth above, the Board of Zoning Appeals approves any two of the three proposed signs and concludes as follows: two signs as designed would not produce an undesirable change, whereas three are excessive; two signs can achieve the benefit sought by the applicant; the requests are substantial but as long as they are limited to two signs, they are acceptable; the potential adverse impact will be limited as long as there are two signs allowed and not three; the difficulty is self-created. Therefore, the benefits to the applicant outweigh the detriment to the health, safety and welfare of the neighborhood if only two signs are allowed.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby grants the area variances for two out of the three signs – signs 1, 4, and 5 – requested by the applicant for height and square footage for business directional signs, leaving the choice to the applicant as to which two to construct.

Mr. Tseleki MADE the MOTION to formally accept the edited resolution as stated, and Mr. Hillman SECONDED the MOTION. The motion was unanimously carried, 5-0.

As for Ms. Thompson's initial MOTION to grant the variance requests, the vote was as follows:

The vote was as follows:

Mr. Tselekis	AYE
Mr. Hillman	AYE
Mr. Howarth	AYE
Mr. Morreale	AYE
Ms. Thompson	AYE

Result: Resolution passed; variances granted.

At this time, the Board discussed adjourning the meeting and continuing on August 22. A brief discussion ensued regarding sign 3 and the issue of Mr. Mazzocone securing ownership of the parcel from the State Department of Transportation to put up a new sign.

A vote on the July 19, 2017 meeting minutes was delayed until the August 22 meeting.

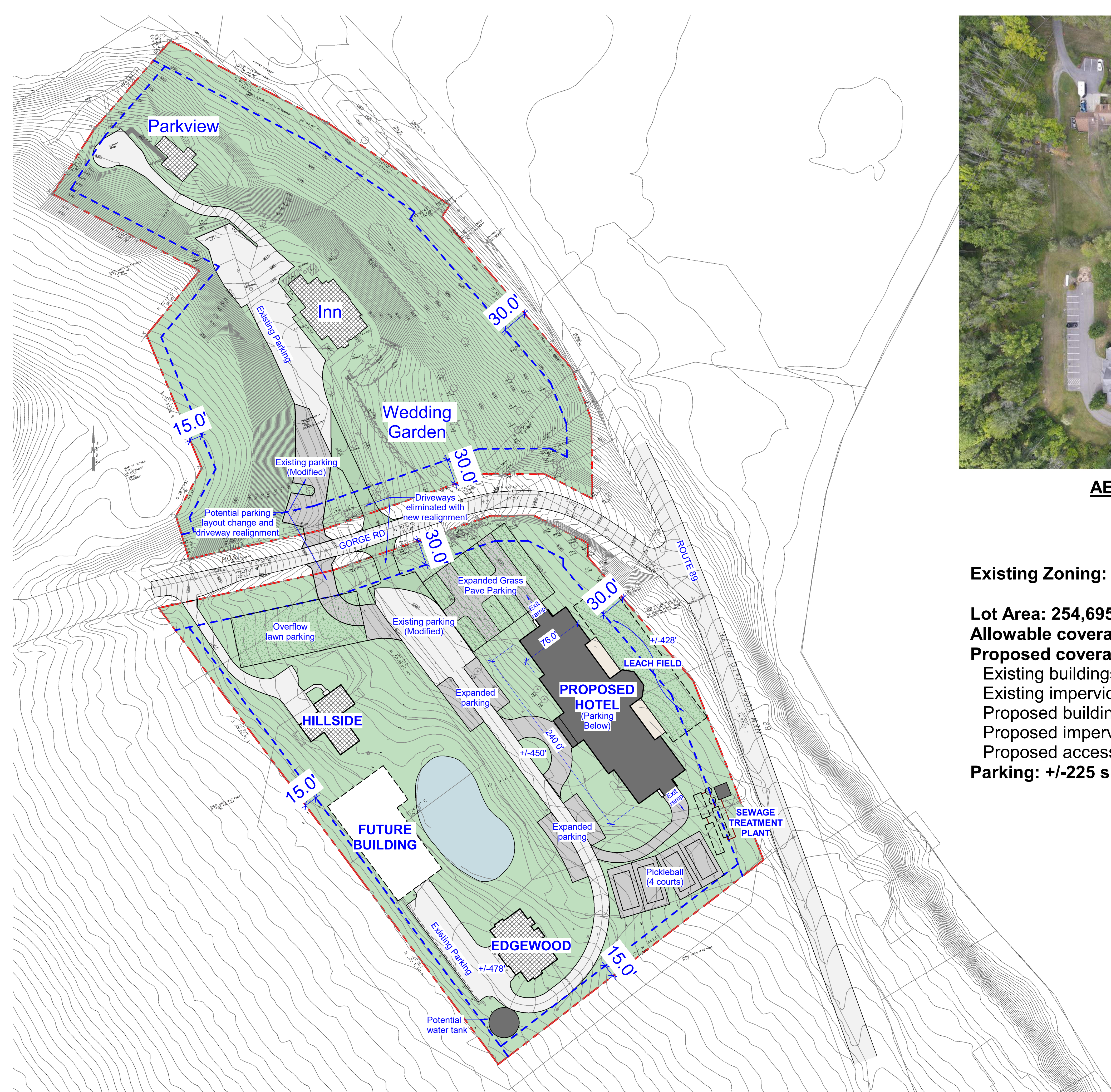
Mr. Hillman MADE the MOTION to adjourn the meeting, and Mr. Morreale SECONDED the MOTION. The motion was unanimously carried.

Meeting adjourned at 10:08 p.m.

Respectfully submitted by Louis A. DiPietro II on September 6, 2017.



AERIAL PHOTO OF EXISTING CONDITIONS



Existing Zoning: Business Zone

Lot Area: 254,695 SF
Allowable coverage (70%): 178,287 SF
Proposed coverage: ~90,000 SF (TBD) = ~35%
 Existing buildings- 6,679 SF
 Existing impervious surfaces- 29,220 SF
 Proposed buildings- 28,000 SF
 Proposed impervious surfaces- 24,000 SF
 Proposed accessory structures- 2,000 SF
Parking: +/-225 spaces (TBD)

- Site Legend -

Proposed Building		Sanitary	
Existing Building		Water Supply	
Proposed Paving		Silt Fence	
Existing Paving		Natural Gas	
Proposed Gravel		Overhead Electric	
Existing Gravel		Storm Water	
Proposed Water		ROW - ROW	
Existing Water		EAS - EAS	
Proposed Planting		Fence	
Existing Planting		Property Line	
Proposed Demolition		Zoning Setback	
Construction Limit			

TFI Landco, LLC
HOTEL EXPANSION
 2031 Gorge Rd
 Town of Ulisses, NY

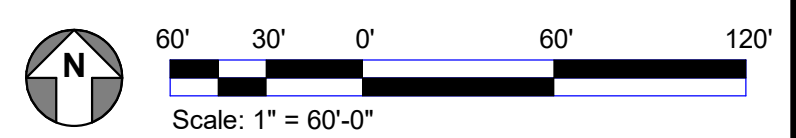
Revision Schedule		
Number	Description	Date

Concept Site Plan

Project No:	IATH01
Date:	11/02/22
Drawn by:	JKD
Checked by:	JKD

SC1.00
 Scale: As indicated

1 CONCEPT SITE PLAN
 1" = 60'-0"



PRELIMINARY - NOT FOR CONSTRUCTION



simplicity of the categories in the first Comprehensive Plan made it difficult to translate to the updated Zoning Law. As was intended when the 1999 Plan was passed, a review and update of the first plan was scheduled for five years after adoption with the assumption that the Zoning Law would have been updated, adopted and in place for at least one year, The challenge to update and implement a new Zoning Law based on the simplistic comprehensive plan however resulted in additional years to prepare.

Building on the past lesson of the 1999 comprehensive plan, the updated plan includes nine future land use categories for the Town of Ulysses Future Land Use Plan. Each land use category is summarized in Table 1 and described in greater detail on the pages following the Future Land Use Map. Accompanying each category description are photos, some from within the Town others from different communities that exemplify the intent of the character of these areas and demonstrate desirable design techniques. Future Land Use Plan categories include:

TABLE 1 – SUMMARY OF FUTURE LAND USE PLAN CATEGORIES

<p><i>Agricultural Priority Area (described in further detail on page 41)</i> Land uses include, but are not limited to: farming operations; parks, natural areas, and outdoor recreation; agricultural related businesses; and low-density and cluster residential as appropriate so as to not be in conflict with farming operations.</p>
<p><i>Village Residential (described in further detail on page 43)</i> Land uses are generally limited to residential, though a variety of residential types are emphasized including multi-family, townhouses, and single-family units, as well as bed and breakfast establishments or small-scale commercial uses.</p>
<p><i>Lakeshore (described in further detail on page 44)</i> Land use in this area primarily includes single-family residential; however, water-dependent uses that provide public access to Cayuga Lake may be allowed.</p>
<p><i>Natural Areas/Parkland (described in further detail on page 45)</i> Land uses are limited to parks and natural areas. Ancillary facilities that support these areas may be incorporated, such as appropriately-scaled parking areas, restrooms and play areas.</p>
<p><i>Environmental Protection Area (described in further detail on page 46)</i> The intent of this category is to ensure that future forest, farmland, and residential development in and adjacent to this area is considerate of the natural character and surroundings. Examples of allowable land use should be low-density residential, small-scale eco-tourism and agricultural activities of the current scale practiced in area, and other low impact uses.</p>
<p><i>Conservation Area (described in further detail on page 47)</i> The intent of this category is to promote the protection of the significant natural resources including steep terrain, streams and gorges, and highly-erodible soils through appropriate regulation that could include overlay zoning, density limitations or other development guidelines. Appropriate land uses include single-family residential, small-scale agricultural enterprises, small-scale eco-tourism based business, and other low impact uses.</p>
<p><i>Office and Technology Mixed-Use (described in further detail on page 48)</i> Land uses in the area may include office, research and development; light industrial; overnight lodging accommodations and commercial and service businesses to support area workers and residents.</p>
<p><i>Transitional Commercial (described in further detail on page 50)</i> Land uses in the area include, but are not limited to, neighborhood pharmacies, grocery stores, general merchandise retailers, specialty stores, and offices.</p>
<p><i>Mixed Use Hamlet Center (described in further detail on page 52)</i> The intent of this category is to direct the rehabilitation of the hamlet of Jacksonville, encouraging residential and small-scale commercial development and supporting the Route 96 Corridor Management Study to focus future development in nodal fashion. Land uses include single-family residential units, townhouses, multi-family residential units, commercial uses, mixed-use buildings, community facilities and social institutions and parks and open space.</p>

§ 212-20. Rezoning for DD — Development Districts or other rezoning actions.

A. Intent. The Development District (DD) procedure provides a flexible land use and design regulation through the use of performance criteria so that development may be matched with sensitivity to the unique characteristics of a particular site, and innovative development techniques may be accommodated that might not otherwise be possible through strict application of existing zoning and subdivision requirements. The conventional use, area, form, materials, bulk, and density specifications set forth by other sections of this Land Use Code are intended to be replaced by an approved Development District (DD) for a particular site, which then becomes the basis legislatively established by the Town Board for detailed design, review and control of subsequent development within the designated site. Thus, where DD techniques are deemed appropriate through the rezoning of land to a Planned Development District by the Town Board, the set of use and dimensional specifications elsewhere in this Land Use Code are herein replaced by an approval process in which an approved plan becomes the basis for continuing land use controls. While flexibility in substantive regulations is thus encouraged, it is intended that this uniform procedure and the required conformance with this Zoning Code and municipal service capability shall ensure the general welfare through equal treatment under the law, as well as precise control of all aspects of the Planned Development as approved.

B. Objectives. In order to carry out the intent of this article, a Development District shall achieve the following objectives:

- (1) A greater choice in the types of environment, types of housing and dwelling unit types, lot sizes and community facilities available to existing and potential Town residents at all economic levels.
- (2) More usable open space and recreation areas.
- (3) The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion.
- (4) A creative use of land and related physical development which allows an orderly transition of land from rural to village uses.
- (5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower costs.
- (6) A development pattern in harmony with the objectives of the Comprehensive Plan.
- (7) A more desirable environment than would be possible through the strict application of other articles of this Zoning Code.

C. Requests for rezoning.

- (1) The Town Board shall review the request for rezoning, upon submission of preliminary materials to adequately describe the scope of the project to the

Town Zoning Officer. Should the Town Board decide that the proposed request for rezoning merits further consideration, the Board shall direct the applicant to proceed with a sketch plan conference, and then shall refer the proposal to the Planning Board for further review and recommendations. The Town Board shall be the lead agency for the public hearing and State Environmental Quality Review (SEQR) as required for changes in zoning. In addition, the Planning Board may schedule a separate public hearing and SEQR as part of site plan review.

- (2) Sketch plan conference. The applicant for any rezoning action shall have a sketch plan conference with the Zoning Officer, the Planning Board Chair, the Town Board Planning Liaison, and the Planning Management Officer. The purpose of this conference is to generally and informally review the proposed project, to advise the applicant as to the general process and the application requirements, and to coordinate the rezoning between the Town and Planning Boards. Rezoning actions are at the discretion of the Town Board and do not have a specified time frame within which the action must be decided.
 - (a) Upon receipt of a request from the Town Board for review of rezoning, the Planning Board shall:
 - [1] Review the proposed rezoning for compliance with the Ulysses Comprehensive Plan for development of the Town of Ulysses and may only make recommendation to approve the rezoning request following a finding that it is in conformance with the Town Comprehensive Plan;
 - [2] Review the development for the proposed site rezoning, including any proposed structures or modifications of structures using the review criteria outlined in this § 212-20 for compliance with district regulations of the zone for which rezoning is requested and with relevant sections of this chapter, and require such changes as may be necessary to ensure compliance;
 - [3] Adopt a resolution recommending approval, approval with modifications, or disapproval of the proposed Development District and general site plan, and forward the same to the Town Clerk within the required time period set forth in Town Law.
 - (b) The Planning Board shall consider:
 - [1] The need within the community for the proposed use.
 - [2] The desirability of the proposed location.
 - [3] The compatibility of the applicant's proposed particular mix of land uses with the existing character of the neighborhood in which the proposed use would be located, and the impact on the future quality of the neighborhood.

- [4] Safeguards proposed by the applicant to mitigate possible detrimental effects of the uses within the proposed rezoning on the entire area and on adjacent property.
 - [5] Safeguards proposed by the applicant to preserve existing trees and outstanding topographic or geologic features, and reduce potential for soil erosion and sedimentation.
 - [6] Evidence that the application is compatible with the goals of Comprehensive Plans, if any.
 - [7] A general statement as to how common open space is to be owned and maintained.
 - [8] If the development is to be phased, a general indication of how the phasing is to proceed. Whether or not the development is to be staged, the sketch plan shall show the intended total project.
 - [9] Evidence of the applicant's capacity to carry out the plan and the applicant's awareness of the scope of the application, both physical and financial.
- D. Requirements for rezoning plan. The applicant(s) or petitioner(s) shall submit a plan of the site to be rezoned to the Town Board which plan shall clearly show:
- (1) Property lines, including metes and bounds;
 - (2) All public streets abutting the lot or parcel;
 - (3) Site topography;
 - (4) Location and size of all existing structures and site utilities, points of ingress and egress, parking and loading areas and pedestrian facilities;
 - (5) Location of all existing streams, woodland, wetlands and other significant natural features;
 - (6) Location and size of all proposed structures and site utilities, points of ingress and egress, parking and loading areas and pedestrian facilities; and
 - (7) Other plans and specifications related to the proposed use of the site deemed reasonably necessary by the Town Board for a thorough understanding of the proposed use.
- E. Development District rezoning plan. The purpose of a Development District is to give flexibility to this chapter in order to accommodate such developments as would be beneficial to the community, but which are not now permitted in the established zoning district where the proposed project is located. These Development Districts must not be contrary to the Ulysses Comprehensive Plan or this chapter. In addition to the requirements for rezoning, a proposed Development District shall be a minimum of three acres. Site plan material submitted with the

application for review by the Planning Board must be in accordance with the Town Development District application procedure, available from the Zoning Officer, and amended as necessary from time to time.

F. Process for rezoning by Town Board.

- (1) Upon receipt of the requested recommendation from the Planning Board, the Town Board shall hold a public hearing and conduct environmental review under the State Environmental Quality Review, after which it may, at its discretion, approve the proposed rezoning request, disapprove the proposed change, or approve it with modifications. The Town may impose any conditions, modifications, or additional requirements upon the approval as it may determine appropriate in the furtherance of this chapter and the Town Comprehensive Plan. In making its decision, the Town Board shall make an affirmative finding regarding whether or not the proposed change is in conformance with the Town Comprehensive Plan.
- (2) An affirmative vote of at least four members of the Town Board shall be required to establish the Development District if:
 - (a) The Planning Board recommends that the proposed Development District not be approved based on the Ulysses Comprehensive Plan; or
 - (b) The Planning Board recommends that the proposed Development District be approved but with modifications, including modifications of proposed allowed uses and to the proposed site plan, that the applicant is not willing to make.
- (3) The Town Board in establishing a new zoning district shall define, in writing, the boundaries of the new district, approve the site plan and list all specifications and restrictions approved for the site plan. The site plan as approved by the Town Board shall be binding on the applicant.
- (4) Upon the approval by the Town Board of a site plan submitted as part of an application or petition for the establishment of a Development District, said site plan shall be submitted to the Planning Board for consideration of final site plan approval if not previously conducted as part of the rezoning review.

§ 212-88. Purpose.

The purpose of the B1 — Business Zone is to provide opportunities for neighborhood-scale retail commercial development in appropriate locations in the Town of Ulysses to serve the needs of local residents, and to provide the Town with the ability to assert reasonable controls over commercial development consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

§ 212-89. Permitted uses.

In the B1 — Business Zone, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following, upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article III, § 212-19:

- A. Adult care centers.
- B. Business and professional offices.
- C. Banks and other financial institutions.
- D. Boarding house.
- E. Child-care centers, group child-care centers.
- F. Communication transmission towers and telecommunications facilities, subject to the provisions of Article XXII.
- G. Community centers.
- H. Conference centers.
- I. Dry cleaners.
- J. Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.
- K. Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization.
- L. Funeral homes.
- M. Gasoline and other retail vehicle fuel sales, subject to the standards set forth in Article XX, § 212-131.
- N. Health clubs.
- O. Hospitals.
- P. Hotels.**
- Q. Marinas.

- R. Places of amusement, such as theatres, including drive-in theatres; bowling alleys; game arcades; miniature golf courses; and skating rinks.
- S. Private schools; nursery schools; institutions of higher learning including dormitories.
- T. Restaurants, bars and other places for serving food and beverages.
- U. Retail lumber and building-supply centers.
- V. Retail services, such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; film developing, printing, photocopying and digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.
- W. Retail stores, provided the establishment does not exceed 12,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6:00 a.m. and 11:00 p.m.
- X. Self-service storage facilities, subject to the standards set forth in Article XX, § 212-137.

§ 212-92. Lot area and yard requirements.

- A. Minimum lot area: none.
- B. Minimum lot width at front lot line: none.
- C. Minimum lot depth: none.
- D. Minimum front yard setback shall be 30 feet.
- E. Minimum side yard setbacks shall be 15 feet or as required by the New York State Fire Prevention Code, whichever is greater.
- F. Minimum rear yard setback shall be 15 feet.
- G. Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.
- H. Maximum lot coverage by all buildings, structures and impervious surfaces shall be 70% of the lot area.
- I. No parking shall be allowed within the required front yard setback.
- J. No outdoor display of products shall be allowed within the front yard setback.
- K. Maximum floor area of a new building shall be 20,000 square feet except where otherwise noted.



November 2, 2022

Dear Katelin and Town Board Members,

The Inn at Taughannock Falls is respectfully seeking the board support in securing a development district to expand the hotel property currently located at 2030, 2031 & 2051 Gorge Road in Trumansburg NY.

Over the last seven years we have transformed the property with the creation of the Enchantment wedding garden, and substantial investment in aging infrastructure and aesthetic improvements in all 24 hotel rooms and common spaces. In 2015, the previous owners engaged 28 employees at the annual cost of \$300K in labor, today the Inn at Taughannock Falls employs 125 full and part time employees spending 1.75M in labor!

The hotel, restaurant and event center have all achieved excellence in posted 5-star reviews.

This year our sales team was forced to secure 3978 hotel room nights for our clients at our downtown competition, such as the Marriott, Hilton, Canopy and Ithaca Hotel. This is the documented number however we believe the actual number may be greater by 30%. Next year we expect this number to double. This is a significant amount of lost revenue due to our inability to provide additional rooms to our clients

Currently our 12-acre campus has five structures, Parkview, The Victorian Inn, Hillside, Lakview and Edgewood, totaling 24 guest rooms. All but one of these buildings were originally houses, never intended or designed to operate as a hotel.

It is our desire to demolish the Lakeview house built in the 1950 and replace it with a multi-story all-purpose hotel with a lodge aesthetic. It is our intention to capture the lost revenue due to an insufficient number of rooms while reducing the wear and tear on the 150-year old Victorian mansion which now serves as the hub of the estate.

The new hotel will function as the center for the campus to relieve the inadequacies currently plaguing this business with lack of amenities such as spa and fitness centers and interior space to provide a comfortable and aesthetic interior design for our guests and customers to enjoy in case of inclement weather.

Below is a brief list outlining our objectives

Subterranean – Garage floor

- Drive through Parking lot with spots for at least 75 cars
- Ceiling height in parking garage must accept large trucks for weekly deliveries
- Install new laundry on this level

First floor

- Semi-circle driveway in front- Parking for 10 cars, with 15-minute limit for guests checking-in
- Guest check-in lobby area, with attached office for the General Manager -w/adjoining small bedroom
- Concierge/tourist consultant desk area, with adjoining storage room to hold hotel guest luggage
- 5 corporate offices to operate our business and a conference room
- RETAIL STORE
- SPA
- FITNESS CENTER and locker room
- GREAT ROOM - With cathedral ceiling with 2 stone fireplaces. Wall of glass facing lake, adjoining a prep kitchen area for catering and additional storage area for tables and chairs, with a commercial elevator from

basement. The biggest issue on the campus is there is no place for hotel guest to congregate in the event of inclement weather.

BAR off the Great Room which may also evolve into a grill.

Second floor

35 Mini suites, with gas fireplaces, lake views!

Housekeeping closet which is serviced by same commercial elevator.

Third floor

35 Guest rooms, with theatrical gables, an architecturally unique presidential/bridal suites

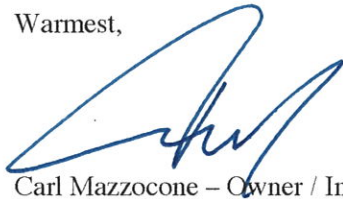
Housekeeping closet which is serviced by same commercial elevator.

Seven years ago, when I first started the process to renovate this tired property, we invested considerable funds in designing two different architectural plans that each required some small zoning changes to accomplish. We failed to convince the BZA to support our vision and subsequently we lost years and hundreds of thousands of dollars in the process to expand the property with this failed pursuit. No one on our team wants to go down that path again. We are hopeful the residents of Trumansburg have experienced the caliber of our design and quality of our construction throughout the campus and the new wedding garden named "Enchantment".

It is our intention to design and build a world-class structure suited for the property and the surrounding aesthetics. Prior to investing in a design, we would appreciate this board's support in understanding the value of this expansion and eliminating the maximum square foot limits and height restrictions currently listed in the towns zoning ordinance.

Thank you for your time.

Warmest,

A handwritten signature in blue ink, appearing to read 'Carl Mazzocone', written over a light blue horizontal line.

Carl Mazzocone – Owner / Inn at Taughannock Falls

To: **Ulysses Town Board**
10 Elm St
Trumansburg, NY 14886

From: **Jason K. Demarest, AIA**
Date: 11/2/2022

Re: **The Inn at Taughannock Falls
Development District Need & Objectives**

Members of the Town Board,

The following is a summary of the need for the requested development district and how the proposal will meet the objectives of Ulysses Town Code section 212-20.B. The project site and adjoining properties of the Inn at Taughannock Falls are all part of a Business Zone per the town zoning. This proposal seeks to modify some of the requirements of this zone to create a special land use district for this unique property.

The need for a Development District (DD hereafter) is based on the existing uses of the property, which are currently allowed by zoning, and the physical characteristics of the site. Unlike most DD requests that seek permission for a use not allowed by zoning for a specific area, this request is for modification of the area and bulk requirements found in the zoning. The primary use is a hotel and restaurant, which also support the special events business. The owner needs to expand the hotel in size because of successfully redeveloping the operation into a premier events business, which has increased demand for hotel rooms. Simultaneously, the events and success of the newly renovated existing hotel buildings are competing for rooms as the tourists are also looking to stay at the hotel to enjoy the state park and the attraction of Taughannock Falls. An expansion of +/-75 rooms is anticipated to accommodate the demand, and a hotel of that size faces barriers in the existing zoning. The primary zoning barriers include a limitation of the maximum square footage of occupied space (20,000 SF on all occupiable floors) and building height.

The existing height limit of 32 feet is measured from the average grade to the highest point on a roof including architectural features. The topography of the site is moderately steep with 10-14% slopes. This results in building designs of two stories with a partially occupiable walk-out basement level and a low roof form, or 3 stories with a flat roof and grade modifications to obscure a basement (zoning was conceived in a flat world). Architecturally, this is very restrictive in an effort to create beautiful buildings. The rural character of the surrounding area is rooted in agriculture, and the vernacular of barns is most dramatic and visually appealing with steep roofs and heights well above the zoning limit. For this property, the neighborhood context is just across Gorge Road and is the iconic inn itself with all of its grandeur from a bygone era. As such, the zoning essentially limits a hotel building to 2 stories to allow for dramatic roof lines similar to the existing Victorian Inn. We feel strongly that better design outweighs the intention of some of the dimensional metrics that were incorporated into the zoning. The goal is to create a landmark building with rich details and character that the town can take pride in. With added height allowances, the project can be designed vertically rather than horizontally across the site. This provides more green space and less impact on the land. In this vane, the best design solution is to build over a subterranean parking area, which also exacerbates the encroachment on the current height limit. The notion of this DD request is to trade some of the allowable lot coverage (70%) for additional height. The primary hotel use also drives the need for a consolidated structure. While the zoning allows for multiple, smaller buildings spread across the site, it is functionally inefficient from an operations standpoint. Combining the programmatic elements of the project into a single, larger building is a win-win for the developer and the town. More design freedom will result in a scenic attraction for all to see.

The other zoning restriction of a maximum building size 20,000 SF for all occupiable floors also limits the benefit of a consolidated program in one larger building. It is not uncommon to see farm building complexes with 10,000 SF to even 20,000 SF of building footprint. Again, the allowable lot coverage in a Business Zone permits multiple 2-story buildings of 10,000 SF each, or 1-story at 20,000 SF. The developer is simply requesting this area limitation to be changed to building footprint rather than total area of all floors. As of right, a 20,000 SF building with 32 feet of height defines a bulk building form of 640,000 cubic feet. This DD request is just asking to allow multiple floors within this bulk metric.

The objectives of Ulysses Town Code section 212-20.B are shown below with statements for how each will be met inserted:

Objectives. In order to carry out the intent of this article, a Development District shall achieve the following objectives:

(1) A greater choice in the types of environment, types of housing and dwelling unit types, lot sizes and community facilities available to existing and potential Town residents at all economic levels.

The Inn at Taughannock Falls provides many benefits for the residents of the town. It offers a place to stay for family and friends visiting, a place to dine and relax, and a place to socialize and gather. The hotel is already a popular destination for people to marry, host birthday and graduations parties, and have catered charitable events within the community. The hotel expansion project will create new social and recreational options for the residents, as well as an increase in at least another 50 full- and part-time jobs. An indoor event space will be added to complement the seasonal tent venue. The hotel may offer another dining option, a spa, recreational amenities, and more availability of rooms for friends and family coming to visit the residents of the town. The owner takes pride in creating an accessible, friendly, and casual experience for all to enjoy.

(2) More usable open space and recreation areas.

The changes requested as part of the DD will result in more outdoor amenity spaces and preservation of more open land rather than buildings. The property will transform into a resort and recreational options such as pickleball courts will be added.

(3) The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion.

The project design will comply with stormwater laws to prevent soil erosion and post-development impact on Cayuga Lake. The site development will preserve many trees and plant new trees. The site does not contain any outstanding topography or geologic features. From Route 89 the hotel expansion site is somewhat obscured from the road due to elevation, but the exposed bedrock shelf along the road will remain intact.

(4) A creative use of land and related physical development which allows an orderly transition of land from rural to village uses.

This Business Zone is isolated from village uses, which makes it a perfect candidate for a special land use district. A more compact development afforded by the DD request is a creative way to balance the allowances for building density in the current zoning with the natural surroundings. The project creates a destination for people to use as a starting point to venture into the natural amenities of the area,

(5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower costs.

This objective is somewhat not applicable since the Business Zone is not located near a town center. However, the compact development proposal and the existing water service and water rights that are deeded to the property facilitate the development in this location. The property will be self-sufficient from a sanitary sewerage standpoint. The energy use is being shifted to all electric for heating and cooling of the buildings, and the new hotel seeks to use geothermal energy for a more efficient use of electricity.

(6) A development pattern in harmony with the objectives of the Comprehensive Plan.

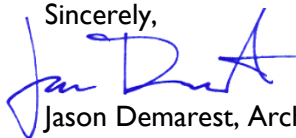
One of the main takeaways in the Town's Comprehensive plan is the promotion of eco-tourism. The Inn at Taughannock Falls is in perfect harmony with this goal by providing a destination for tourists to stay and easily access the state park and Taughannock Falls. As the Comp Plan states, "Taughannock Falls State park, nearby wineries, and Cayuga Lake create tourism opportunities for the community, which **helps sustain the economic base.**" The current and future success of the property is aligned with this goal by both accommodating tourism and promoting the local businesses. This includes welcome packages for every guest highlighting all of the food and beverage establishments in the town, not to mention Little Venice is on speed dial in the rooms. In addition, the food served in the restaurant strives to use local ingredients which furthers the strong farming component embodied by the town's character. The Comp Plan also references concerns about suburbanization development pressures impacting the rural character and agricultural lands. This project is not a housing development nor agricultural land.

(7) A more desirable environment than would be possible through the strict application of other articles of this Zoning Code.

Again, the zoning changes requested promote more compact development and more open space on the site. In an effort to balance the zoning modifications that allow for a better project, the DD also seeks to eliminate uses that are more detrimental to the environment, i.e. gas stations. Likewise, a reduction of the allowable lot coverage is also being considered as part of the DD proposal.

We hope this provides a clear picture for why we feel a Development District is needed and how this project can help the town achieve its goals. We look forward to working with you on this proposal.

Sincerely,



Jason Demarest, Architect

Project Site Context



2018 Aerial

Parcels: 14.-1-11, 14.-3-18.1, and 14.-3-18.2



Comp Plan Future Land Use Designation: Conservation Area



Zoning of Subject Site: Business Zone

Zoning of Adjacent Properties: Park/Recreation Zone to the north, south, east, west; and Lake Shore Zone (blue) to the south-east



TOWN OF ULYSSES

PLANNING DEPARTMENT

Staff Report to the Town Board

PROJECT FILE NUMBER	DD2211-001
APPLICANT	Jason Demarhest
PROJECT NAME	Inn at Taughannock Falls Hotel
PROPOSAL REQUESTS	The applicant has requested the Town start the process to create a new development district in order to set unique permitted building heights and buildable floor areas for the subject site.
LOCATION	2030, 2031, and 2051 Gorge Road. Parcels 14.-1-11, 14.-3-18.2, and 14.-3-18.1 respectively
REPORT DATE	November 2, 2022
ATTACHMENTS	Exhibits 1-7
TOWN BOARD MEETING DATE	November 8, 2022
STAFF CONTACT	Niels Tygesen
EXISTING LAND USE	Hotel/Inn/Lodge and Residential with Commercial Use
ZONING	Business Zone (B1)
COMP PLAN FUTURE LAND USE	Conservation Area
PUBLIC NOTICE	No additional public notice was required for this proposal at this time.
SEQR	SEQR Determination is not required at this time.
REVIEW PROCEDURE	The Town Board is required to review the request to establish a new development district and decide whether it merits further consideration.
REQUIRED APPROVALS/ACTION ITEMS	Two action items are required should the Town Board decide the proposal merits further consideration: 1. Direct the applicant to proceed with a sketch plan conference; and 2. Refer the proposal to the Planning Board for further review and recommendations.
PROJECT DESCRIPTION	Construction of multi-purpose hotel including spa, fitness center, and an event space with a commercial kitchen. The hotel will have +/- 75 guest rooms.
BACKGROUND	Originally built in 1873, The Inn at Taughannock Falls has been operational since 1946. On August 16, 2017, the Town Board of Zoning Appeals (BZA) held a public hearing

	<p>to consider area variances for the subject site pertaining to signs, front and side yard setbacks for a proposed new building, and building heights for the existing Inn and for the proposed new building. The BZA granted the area variance for two out of three proposed signs, denied the area variance for both the front and side yard setbacks, granted the area variance for the building height for the existing Inn, and denied the area variance for the building height for the proposed new building.</p> <p>On August 8, 2022, the applicants met with the Town Board and gave a presentation on their proposal.</p>
<p><u>2009 COMPREHENSIVE PLAN</u></p>	
<p>TABLE 1 – SUMMARY OF FUTURE LAND USE PLAN CATEGORIES</p>	<p>Table 1 of the Comp Plan states the intent of the Conservation Area is to promote the protection of the significant natural resources including steep terrain, streams and gorges, and highly-erodible soils through appropriate regulation that could include overlay zoning, density limitations or other development guidelines. Appropriate land uses include single-family residential, small-scale agricultural enterprises, small scale eco-tourism based business, and other low impact uses.</p>
<p><u>ZONING CODE OF THE TOWN OF ULYSSES, § 212</u></p>	
<p><u>ARTICLE III - ADMINISTRATION</u></p>	<p><u>§ 212-20</u>, in sum, states the intent, objectives, and process for establishing new development districts.</p> <p><u>§ 212-20.B</u> states the following objectives shall be achieved by a development district:</p> <ol style="list-style-type: none"> 1. A greater choice in the types of environment, types of housing and dwelling unit types, lot sizes and community facilities available to existing and potential Town residents at all economic levels. 2. More usable open space and recreation areas. 3. The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion. 4. A creative use of land and related physical development which allows an orderly transition of land from rural to village uses. 5. An efficient use of land resulting in smaller networks of utilities and streets and thereby lower costs. 6. A development pattern in harmony with the objectives

	<p>of the Comprehensive Plan.</p> <p>7. A more desirable environment than would be possible through the strict application of other articles of this Zoning Code.</p> <p>§ 212-20.C states the Town Board shall review the request for rezoning (development district), and that should the Town Board decide that the proposed request merits further consideration, the Board shall direct the applicant to proceed with a sketch plan conference, and then shall refer the proposal to the Planning Board for further review and recommendations.</p>
<p><u>ARTICLE XV B1 – BUSINESS ZONE</u></p>	<p>§ 212-88, states the purpose of the B1 zone is to provide opportunities for neighborhood-scale retail commercial development in appropriate locations in the Town of Ulysses to serve the needs of local residents, and to provide the Town with the ability to assert reasonable controls over commercial development consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.</p> <p>§ 212-89.P lists ‘Hotels’ as a permitted use in the B1.</p> <p>§ 212-92.G states the maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.</p> <p>§ 212-92.K states the maximum floor area of a new building shall be 20,000 square feet except where otherwise noted.</p>
<p>CODE ANALYSIS</p>	<p>No zoning designation within the Town would facilitate the use and requested development standards pertaining to permitted building height and building floor area. In order for the applicant to develop the subject property as desired, one of the following would need to occur:</p> <ol style="list-style-type: none"> 1. Receive BZA approval for area variance for the proposed building’s height and floor area; 2. Receive Town approval to create a new Development District with development regulations specific to the subject site; 3. Amend the development regulations for the B1 zone that would facilitate the proposed development; or 4. Rezone the subject site to another existing zone and

	amend that zone's development regulations that would facilitate the proposed development.
EXHIBITS	<ol style="list-style-type: none"> 1. Staff Report 2. Application 3. Narratives 4. Site Plan Packet 5. BZA Meeting Minutes 08.16.2017 6. Project Site Context 7. Referenced Sections of the 2009 Comp Plan and Zoning Code of the Town of Ulysses