



**Planning Board  
Zoom Hybrid Meeting  
Meeting Minutes  
March 19, 2024  
Approved: April 16, 2024**

**Board Members Present:** Chair Pete Angie, Mo Klein, Linda Liddle, Bart Gragg, Karl Klankowski, Rebecca Schneider

**Quorum Present**

**Applicants Present:** Randy Bebout, Kenneth Kearn

**Town Staff Present:** Niels Tygesen, Mollie Duell

**Members of the Public Present:** Amelia Christian, Ross Johnson, Maria Haight, Doug Snyder, Charles Houpt, Russ Friedell

**Proceedings**

Chair Pete Angie called the meeting to order at 6:59 PM at Town Hall.

**Approval of Agenda**

**Motion:** Schneider motioned to approve the agenda; Gragg seconded.

**Vote:** Chair Angie, aye; Schneider, aye; Liddle, aye; Gragg, aye; Klein, aye.

**Motion Carried.**

**Approval of Past Minutes**

**Motion:** Schneider motioned to approve the March 5 Planning Board meeting minutes as written; Liddle seconded.

**Vote:** Chair Angie, aye; Schneider, aye; Liddle, aye; Gragg, aye; Klein, aye.

**Motion Carried.**

**Privilege of the Floor**

No members of the public addressed the Board pertaining to items not on the agenda.

**Old Business Items**

**SPR2303-01: Dollar General Site Plan Review, Final Plan Review and Continuation of Public Hearing**

The applicant, Ithaca DNYL LLC, on behalf of the property owner, Gates Acres LLC, applied for a site plan review to construct a new 10,640± sf retail store for Dollar General with associated parking, lighting, signage, landscaping, etc. Retail uses, up to 12,000gsf of building area, are permitted in the OTMU zone with site plan approval from the Planning Board per the Code of the Town of Ulysses ([CTU 212-106.CC](#)).

Randy Bebout of Bohler Engineering summarized the changes to the previous site plan, which includes the relocation of parking to the side of the building; the number of parking spaces has not changed. The access route remains unchanged, and the building is in the same orientation in the same general location. The chain-link fencing around the stormwater retention area has been replaced with benches.

Bebout spoke about the accident report, which showed that most accidents were related to deer. The

development would generate a maximum of 42 trips at peak hours, which would be on Saturdays, and these figures include trips that are passing by to another destination.

Bebout presented the updated site elevation plans for the building. A gabled feature has been added in addition to some shutters on the side and front of the building. The stormwater area could be moved to the back of the site but would cause more disturbance due to the topography of the site.

The lighting and landscaping have not been further developed; Bebout stated that they would like feedback on the site elevation before revising anything further.

Chair Angie continued the public hearing at 7:16 PM.

Ross Johnson of 1535 Trumansburg Road shared concerns of how the store would devalue residential properties in the area and spoke about how the store does not fit the rural character of the neighborhood; Johnson also spoke about traffic safety problems.

Amelia Christian of 1535 Trumansburg Road expressed concerns that the new site plan lacks information about landscaping and lighting, suggesting that the applicants are attempting to do the bare minimum to mitigate issues that have been discussed throughout the site plan review. Christian added that the traffic study information is not up to date and does not represent the current traffic conditions in front of her home.

Doug Snyder of 1539 Trumansburg Road read an email to the town on behalf of Sally Taylert that highlighted concerns about the potential loss of hundreds of thousands of dollars in property value. Additional concerns include labor violations in Dollar General stores and traffic safety concerns. Snyder added that the landscaping design is poor.

Susan Bagley, a resident of Ithaca, stated that she was concerned as her children live in Ulysses. Bagley spoke about the need for a safe and visible bus stop with a pull-off area.

Maria Haight of 1439 Trumansburg Road stated that her main concern was that the applicants have presented information downplaying the danger of the traffic in this area. Haight asked if data and correspondence from residents is being retained. Chair Angie responded that this application has been reviewed since last spring and all comments received from residents have been recorded.

Russ Friedell of 1602 Trumansburg Road spoke about the Dollar General company and stated that their only strategy is to put up more stores without truly caring how local communities are affected. Friedell suggested that the traffic information is not accurate, because it does not consider the blind curve nearby or the tractor trailer that went off the road last spring. Speeding is also frequently an issue, and residents who rely on public transportation will be in danger.

Charles Houpt of 1515 Trumansburg Road also shared his concerns about the traffic data, agreeing that pedestrian safety has not been addressed, and there are many apartments nearby; Houpt suggested there are pedestrian deaths that have occurred outside of the timeframe of the data that has been presented, which was during the pandemic and a bridge closure.

Melissa Littlefield of 4296 Krums Corners Road stated that she agrees with her neighbors on all concerns that have been expressed so far; as a resident who walks her dog on one stretch of Route 96 that feels very dangerous, she cannot imagine that Dollar General would not impact the traffic.

The Board agreed to keep the public hearing open.

Klein stated that he is not satisfied with the traffic study and suggested that an independent study would be needed. The updated site elevation is also disappointing and not much of a change. The new renderings show a structure that is much boxier than the examples of existing Dollar General locations in the country that have more elaborate architecture; Klein previously shared these images with Bohler. Chair Angie agreed with Klein, elaborating on the issues with the updated design. One side of the building is a long continuous wall, and the overall building still does not fit the character of the community.

Chair Angie agreed that the traffic study data from pandemic years is not sufficient, and the closed bridge is significant. Chair Angie stated that he has had to reroute several times because of accidents in the area. A more comprehensive study from a window of 10 years would be better.

Schneider agreed that pedestrian and bus safety is concerning.

Chair Angie suggested adding a pull-off area for a bus because cars will have to creep past a bus with limited visibility of the opposing traffic. Liddle asked if buses will stop anywhere; Chair Angie explained that the buses stop anywhere that a ride is hailed.

Schneider suggested getting an independent study of property values.

Liddle noted that part of the county's 239 recommendation was planning for the possibility of solar panels being installed on the building in the future.

Chair Angie agreed that lighting is a real issue and more details on the lighting and vegetative screening are needed. The removal of the chain-link fence around the stormwater ponds is appreciated, but there is still a chain-link fence on the sides and rear of the property, which seem to serve no purpose and are an eyesore. Commercial neighbors have a very low lighting impact.

Bebout stated that he has reviewed the county's comments on lighting and understands the suggestions. Landscaping screening can be developed, but the store must be visible. Bebout suggested that the proposed store has low intensity use compared to other potential businesses. Gragg noted that other applications for such businesses would be examined with the same scrutiny.

Bebout stated that the traffic data provided was the most recent information available and state sight distance requirements are met. The building's architecture looks quite different from the Dollar Generals that were seen on Bebout's commute from Rochester.

Chair Angie suggested hiring a consultant to provide detailed landscaping recommendations, conducting a new traffic study that includes live data and a broader range of historic data, and having a real estate assessment done. Klein suggested examining properties within a half mile in each direction.

Chair Angie stated that the Board wants to see a pull-off for a bus. Klein noted that the DOT will have to approve this. The bus would not enter the site.

Chair Angie stressed that the goal is that the store fits the character of the neighborhood and does not impact the property values, not that it is completely out of view.

Klein noted that the gullies in the area are known to flood during heavy storms. Bebout noted that stormwater will have to meet DEC requirements.

Chair Angie stressed that the requested items are necessary to move forward.

Liddle asked why the changes to the updated building design were not extensive. Bebout replied that cost is the main factor.

### **SPR2401-02: Kearl Site Plan Amendment, Final Plan Review and Public Hearing**

The applicant and property owners, Kenneth and Patricia Kearl, applied for a site plan amendment for the subject site to permit civil work within the HpE steep slope overlay including grading, excavation, and fill of approximately 50cy, retaining walls, steps, rip-rap, gabions, and realignment of the driveway. The LS zone requires site plan approval from the Planning Board for excavation, grading, or fill greater than 10cy per the Code of the Town of Ulysses ([CTU 212- 48.D.3](#)), and modification to previously approved site plans require Planning Board approval per [CTU 212-19.K](#).

Kearl stated that the 2018 plan indicated that the stairs would be made of stacked bluestone, since wood was seen as requiring more maintenance, and stone would cause less disturbance once it is complete. Chair Angie noted that the 2018 plans were mainly about the swale. Kearl agreed that the previous plan discussion mostly focused on stormwater.

Schneider stated that the landing looks bigger than what was originally planned and spoke about the benefits of a wooden staircase, which allow more spaces for vegetation than stone. The vegetation supports the structure of the steep slopes are, and erosion will occur when the flow is channeled toward the stairs.

Schneider stressed the importance of maintaining tree root structures on steep slopes to prevent erosion from heavy runoff, suggesting that trees and shrubs need to be added around the area.

Liddle asked why a second path was needed. An exact reason remained unclear as discussion progressed.

Discussion ensued over what has changed most from the approved plans.

Schneider stated that a French drain should help control erosion if placed near the stairs, and unfiltered water should not be flowing directly to the lake since pollutants will not be filtered.

Kearl stated that the landing would have a 5% slope and there is no longer a swale.

Chair Angie expressed that the application does not contain enough detail about how the changes to the site will function in relation to stormwater discharge and erosion control. The type of drainage and where the flow will go needs to be clarified.

Kearl noted that the neighboring property has a French drain, but it is not connected to his property.

Chair Angie recommended that Kearl hire a landscape architect or stormwater engineer, and shrubs or trees with deeper roots would be more beneficial than grass. Schneider agreed that trees and shrubs need to be planted to hold the slope structure.

Kearl stated that he was not opposed to planting perennials and liked the idea of planting some trees for privacy, and he would like to come back with a proposal that addresses all issues discussed so far.

Chair Angie stressed that erosion is a very long process, and the Planning Board needs to consider what needs to be done to prevent something that could happen in 100 years. Current erosion protection to be increased, with barriers such as straw bales added temporarily to protect the exposed dirt. While the stone staircase may not be the best solution, the issues caused by an impervious surface could be mitigated with appropriate drainage.

Kearl stated that soil excavated from the creation of the landing was moved decrease the slope of the driveway. Chair Angie stressed that tree removal needs to be part of the permitting process in the steep slope overlay. A driveway should not be coming so close to the lake. Kearl spoke about the driveway and the problems he had faced that led to its construction. The path downward was slippery and dangerous. The Board discussed decreasing the impact by constructing a narrower walking path in place of the driveway. Schneider agreed that a 4-5 foot wide gravel path with solid vegetation on each sides would be best. Kearl agreed that this would satisfy his needs.

The Board discussed how a dock could be constructed. Chair Angie noted that a barge can bring in equipment and supplies.

Gragg asked if the riprap is still needed. Kearl stated that this was recommended by TG Miller.

Tygesen suggested that a stormwater engineer should assist in revising the site plan along with a geotechnical assessment.

### **Board Member Reports**

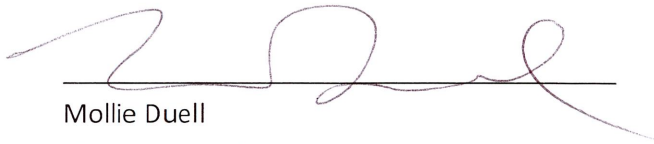
Klein shared news about the comp plan update. Two proposals have been submitted, and some firms that did not submit proposals provided feedback about their concerns related to timeframe and pricing. Outreach efforts to generate involvement from residents include attending the Earth Day event at the Trumansburg Farmers' Market.

**Motion:** Klein motioned to adjourn; Gragg seconded.

**Vote:** Chair Angie, aye; Liddle, aye; Schneider, aye; Gragg, aye; Klein, aye.

**Motion Carried.**

ADJOURNED 9:12 PM

A handwritten signature in dark ink, appearing to read 'Mollie Duell', written over a horizontal line.

Mollie Duell

Planning Board Secretary