

SPECIAL MEETING

Joint Meeting of the Town Board and Planning Board

Town of Ulysses

October 9, 2014

Audio of the minutes are available on the website at ulysses.ny.us.

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

PRESENT:

Supervisor- Liz Thomas

Town Board members- Rich Goldman, John Hertzler, Nancy Zahler

Clerk- Carissa Parlato

Planner- Darby Kiley

Attorney for the Town- Mariette Geldenhuys

Planning Board members: John Wertis (Chair), Sarah Adams, Richard Garner, Andy Rice, David Blake

OTHERS: (none)

Ms. Thomas called the Town Board meeting to order at 7:01p.m.; Mr. Wertis opened the Planning Board meeting immediately following.

Ms. Thomas noted the meeting's agenda, guidelines, and objectives.

Ms. Geldenhuys presented the following points:

- roles of the Town Board, Board of Zoning Appeals, Planning Board, Zoning Officer and Code Enforcement Officer, and how the parties interact within the framework of municipal laws.
- town requirements and training for planning and zoning board members
- boards need to function independently of one another and are bound by the decisions of one another; they cannot overrule or discuss one another's decisions. Joint trainings are permitted.
- boards must make decisions/suggestions by resolution
- planning and zoning boards must adhere to strict criteria in decision-making and the decision must be supported by evidence
- if the process is not followed correctly, the town opens itself to lawsuits
- planning and zoning boards can only make judgments that are within its authority, i.e. based on land use and the impact on land use, but not based on the applicants
- the comprehensive plan can be interpreted in different ways and this presents challenges for boards
- when advice of counsel is given, the information must remain confidential
- Ms. Geldenhuys can attend a Planning Board upon request, with advance notice.

Board members weighed in with various questions/comments/concerns.

- Mr. Blake- The Planning Board does not have enough opportunities to make suggestions to applicants for compliance (Ms. Geldenhuys noted that this could be done during the Sketch Plan Conference)
- Mr. Wertis- The Planning Board does not have a checklist to work from for decision-making

Concerns had been raised about the most effective way for the Planning Board to communicate with the Town Board with regards to suggested zoning changes. Supervisor Thomas explained that the zoning law is a living document and can be changed in a number of ways. The best way for the Planning Board to communicate their suggestions or concerns to the Town Board is via board resolution.

Minor zoning changes can be made, but a more major change may be necessary to align the Zoning Law with the Comprehensive Plan.

Supervisor Thomas offered that changes may be made by any of the following:

- Planning Board;
- a subset of the Planning Board including former Planning Board members and Town Board members;
- a consultant and subcommittee.

Supervisor Thomas acknowledged that the meeting did not allow sufficient time to answer all the questions that have arisen, but that the two boards should meet again and convene regularly, on at least an annual basis, to keep communication lines clear.

Mr. Kerness made a motion to adjourn the Town Board meeting at 8:41 p.m., seconded by Ms. Zahler; passed unanimously.

Mr. Blake made a motion to adjourn the Planning Board meeting at 8:41 p.m., seconded by Ms. Adams; passed unanimously.

Respectfully submitted by Carissa Parlato, 11/11/14