

**TOWN OF ULYSSES  
PLANNING BOARD**

**10/21/2014**

**Minutes**

**Approved:** 11/18/14

**Present:** Chairperson John Wertis, Sarah Adams, Richard Garner, Andy Rice, David Blake, Environmental Planner Darby Kiley, Town Lawyer Mariette Geldenhuys, Town Board Liaison Richard Goldman

**Members of the public present:** Jenny Smith, Bruce Fredericks, Don Smith, Frank Santelli, Ty Allen, Pete Heintzelman, Peter Grossman, John Hertzler, Jonathon Culler, Laurel Guy, Jason Demarest, Steve Gordon, and Jaime Wolffe

**Call to Order at:** 7:00pm

**Agenda Review; Minutes Review (10/07/14)**

Mr. Rice MADE the MOTION to approve the minutes, Mr. Wertis SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** Minutes for 10/07/2014 approved.

Mr. Wertis MADE the MOTION to move the discussion regarding changes to the zoning law until the end of the meeting, Mr. Garner SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** discussion moved until the end of the meeting.

**Privilege of the Floor:**

Don Smith, home owner of the property just north of the Lewin property and former chair of the Lakeshore District Zoning Committee, stated that he was in support of the proposal.

Jonathan Culler stated that he is also in support.

Jenny Smith stated that she is also in support of the proposal.

**Resolution regarding amendment to Zoning Law under Section 3.4.3 Procedure (Sketch Plan)**

Mr. Wertis MADE the MOTION, Mr. Blake SECONDED the MOTION as follows:

WHEREAS:

1. Visits by the Planning Board members to the proposed sites of development have proven to be invaluable in the past for gathering firsthand information from which we can derive Site Plan Review questions, and
2. It is within the purview of the Planning Board to establish from time to time procedures for the operation of the Planning Board, therefore,

IT IS HEREBY RESOLVED:

That the Planning Board adopts the policy that a site plan visit shall be scheduled for house development sites in the Lakeshore District where Site Plan Review is required, guided by the developer or not, which shall by mutual agreement of the developer and the Planning Board be part of the Sketch Plan Conference procedure.

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** motion passed.

Mr. Wertis MADE the MOTION, Mr. Rice SECONDED the MOTION as follows:

It shall be the policy of the Planning Board to open and close Sketch Plan Conferences and the more detailed Site Plan Review that follows by recorded motion and approval of the Planning Board.

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** motion passed.

**Site Plan Review: Consideration of Site Plan for the construction of a proposed single-family residence located at 1325 and 1327 Taughannock Blvd, Tax Parcel Numbers 28.-1-15 and 28.-1-16, LS-Lakeshore District. The properties are within the Slope Overlay Area. All of the existing structures (two houses, two garages, and three sheds) will be demolished, and the two lots will be consolidated. On 8/20/14 and 10/1/14, the Board of Zoning Appeals granted required area variances. Estate of Robert Hinshaw, Owner; Rob and Melissa Lewin, Applicants; Pete Heintzelman (New Energy Works Timberframers), Agent.**

Mr. Wertis MADE the MOTION to open the continuation of the review of the proposed Lewin residence, Mr. Blake SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** continuation of review.

Present on behalf of the applicants was attorney Peter Grossman, Ty Allen (New Energy Works), Peter Heintzelman (New Energy Works), and Frank Santelli (TG Miller)

A discussion ensued regarding how to proceed with presentation of information as well as a review of the materials that were submitted, requested, and a review of the materials required for site plan review check list that Ms. Kiley had provided the applicants.

Mr. Allen, Mr. Heintzelman, and Mr. Santelli presented the proposed site plan including the storm water runoff and erosion plan, water supply plan, septic design, and presented examples of facades from previous projects. Mr. Allen stated that there were “no red flags” from the health department regarding the proposed septic system.

Additional discussion ensued regarding the placement of the house and the landscape plan provided. Mr. Santelli pointed out that an updated tree map of the property includes trees that were smaller in diameter than the previous tree map provided.

Ms. Adams asked if there were specific plans to protect trees during the construction phase.

Mr. Santelli answered that there was a plan in place and shown on the plan details.

Ms. Geldenhuys clarified the process in which to move through the site plan approval.

Discussion ensued regarding the adequacy of the landscape plan, and concluded that the landscaping plan shown on Sheet C106 was sufficient

Ms. Geldenhuys stated that if the plans initially presented for site plan review to the Planning Board are materially changed, as interpreted and determined by the Zoning Officer, then the applicants will have to come back to the Planning Board.

A discussion regarding access to potable water from the lake shore ensued. The applicant's representation agreed that drinking water access would not be obtained from excavating but would be overland or bored.

Review of the check list provided by Ms. Kiley was completed.

Mr. Garner MADE the MOTION to not hold a public hearing regarding the application, Mr. Blake SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** no public hearing is required.

## **SEQR**

Mr. Wertis MADE the MOTION, Mr. Garner SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence in a Slope Overlay Area located at 1325 and 1327 Taughannock Blvd, Tax Parcel Numbers 28.-1-16 and 28.-1-15, LS-Lakeshore District; Estate of Robert Y. Hinshaw, Owner; Rob and Melissa Lewin, Applicants; and
2. This is an Unlisted Action for which the Town of Ulysses Planning Board is acting in this uncoordinated environmental review with respect to Site Plan Approval; and
3. The Planning Board, on October 21, 2014, has reviewed and accepted as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, Parts 2 and 3, prepared by Town staff, and other application materials;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ulysses Planning Board 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.

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** SEQR resolution passed.

Ms. Kiley confirmed that the Tompkins County 239 letter of response stated that there would not be negative intercommunity or county wide impact therefore a super majority is not needed to approve the project.

Mr. Blake MADE the MOTION, Mr. Rice SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence in a Slope Overlay Area located at 1325 and 1327 Taughannock Blvd, Tax Parcel Numbers 28.-1-16 and 28.-1-15, LS-Lakeshore District; Estate of Robert Y. Hinshaw, Owner; Rob and Melissa Lewin, Applicants; and
2. The Town of Ulysses Board of Zoning Appeals granted area variances on August 20, 2104 for highway right-of-way setback, Mean High Water Elevation setback, and lot coverage, and additional area variances on October 1, 2014 for lot area, lot width at the road frontage, lot width at the Mean High Water Elevation, and lot depth; and
3. On September 16, 2014, the Planning Board held a Sketch Plan Conference, reviewed the submitted materials, and compiled a list of Site Plan information required, which was sent to the project agents on September 18, 2014; and
4. This is an Unlisted Action for which the Town of Ulysses Planning Board, on October 21, 2014, has made a negative determination of environmental significance with respect to this project, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2 and 3; and
5. The Planning Board, on October 21, 2014, has reviewed and accepted as adequate, application materials including the following: Topographic and Boundary Map (C101) received 10/7/14, Site Clearing and Demolition Plan (C102) received 10/14/14/, Erosion and Sediment Control Plan (C103) received 10/7/14, Site Layout Plan (C104) received 10/7/14, Grading and Site Utility Plan (C105) received 10/14/14, Site Planting Plan (C106) received 10/7/14, and Details (C201) received 10/7/14, elevations for the South East, North West, and North East Perspectives received 10/7/14, and other application materials; and
6. The Tompkins County Planning Department submitted comments under General Municipal Law §239-1 and –m review that the project would not have a negative intercommunity or county-wide impacts, and a supermajority is not needed to approve the project;

THEREFORE IT IS HEREBY RESOLVED,

1. That the Planning Board of the Town of Ulysses hereby waives certain requirements for Site Plan Approval, including a public hearing, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of site plan control nor the policies enunciated or implied by the Town; and
2. That the Planning Board of the Town of Ulysses hereby grants Site Plan Approval for the proposed Single-Family Residence, as shown on the following: Topographic and Boundary Map (C101) received 10/7/14, Site Clearing and Demolition Plan (C102) received 10/14/14/, Erosion and Sediment Control Plan (C103) received 10/7/14, Site Layout Plan (C104) received 10/7/14, Grading and Site Utility Plan (C105) received 10/14/14, Site Planting Plan (C106) received 10/7/14, and Details (C201) received 10/7/14, elevations for the South East, North West, and North East Perspectives received 10/7/14, and other application materials, subject to the following condition:
  - a. Water well pipe will be installed overland or bored but with no surface excavation.

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** site plan approved.

***CONTINUED Sketch Plan: Consideration of Site Plan for the construction of a proposed two-family residence located at 1569 Taughannock Blvd, Tax Parcel Number 18.-1-5.2, LS-Lakeshore District. The property is located within the Slope Overlay Area. Steve Gordon and Jaime Wolffe, Owners/applicants; Daniel Hirtler, Agent.***

Mr. Gordon and Ms. Wolffe were both present.

A discussion ensued regarding the materials needed for the next phase of site plan review.

Mr. Wertis MADE the MOTION to schedule a public hearing on November 18<sup>th</sup> at 7pm, Mr. Rice SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE  
Mr. Rice AYE

**Result:** public hearing scheduled.

Mr. Rice left the meeting at 9:34.

**CONTINUED Sketch Plan: Consideration of Site Plan for the construction of a proposed single-family residence located adjacent to 1573 Taughannock Blvd, Tax Parcel Number 18.-1-5.1, LS-Lakeshore District. The property is located within the Slope Overlay Area. Ishka Alpern, Owner/applicant; Jason Demarest, Agent.**

A discussion ensued regarding the materials needed for the next phase of site plan review.

Mr. Wertis MADE the MOTION to schedule a public hearing on November 18<sup>th</sup>, Mr. Blake SECONDED the MOTION:

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE

**Result:** public hearing scheduled.

### **Zoning Revisions**

Mr. Wertis MADE the MOTION, Mr. Blake SECONDED the MOTION as follows:

WHEREAS:

1. The Ulysses Planning Board is aware of specific revisions they would like to propose to our current zoning, and
2. They have met with the Town Board and outlined a procedure for making these proposed changes, and
3. The Planning Board needs time to codify these proposed changes as Resolutions,

THEREFORE BE IT PROPOSED:

1. That the next three first Tuesdays of the month meetings of the Ulysses Planning Board be devoted to the development and passage of such resolutions, and
2. That the Town Board be asked to approve them and submit them for necessary reviews and approvals before the end of January, 2015.

Mr. Wertis AYE  
Ms. Adams AYE  
Mr. Blake AYE  
Mr. Garner AYE

**Result:** motioned passed.

Mr. Blake MADE the MOTION to adjourn the meeting, Ms. Adams SECONDED the MOTION

**Result:** adjourned at 10:05pm.

Submitted by Michelle E. Wright on: 11/4/2014