

**TOWN OF ULYSSES
PLANNING BOARD**

11/04/2014

Minutes

Approved: 11/18/14

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

Members of the public present: None

Call to Order at: 7:00pm

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

Mr. Wertis MADE the MOTION to table the minutes until the next meeting, Mr. Blake SECONDED the MOTION:

VOTE

Wertis AYE

Adams AYE

Blake AYE

Garner AYE

Rice AYE

Result: Minutes for 10/21/2014 will be reviewed at the 11/18/14 meeting.

Prioritize Zoning Law revision work

Mr. Wertis distributed an updated version of the “Proposed Zoning Law revision and additions work” document, which was amended to include numbering; a notation on whether the item was “process” (P), “substantial” (S), or an editorial change (DDI); and more items for review (Communication with the BZA, Minimum Lot Size of the Lakeshore District, Definitions including cottage industry, Design Guidelines, Site Plan Review Procedure, Consolidation of Lots, etc.). The goal of the meeting was to prioritize the list and to come up with a couple recommendations to forward to the Town Board, focusing on where the Town is most vulnerable.

The Planning Board members “voted” on the items on the list for Zoning revisions, and discussed the following items.

Mr. Wertis MADE the following MOTION, Mr. Blake SECONDED the MOTION:

WHEREAS:

1. The Current Zoning Law Section 3.4.3 requires the Planning Board Chair to provide an applicant with a set of requirements for Site Plan Review 10 days after the closing of the Sketch Plan Conference; and
2. There is often no Planning Board meeting subsequent to the closing of the Sketch Plan Conference for two weeks; and
3. This 10 day requirement is a recent addition to the Zoning Law, where heretofore there was no time requirement; and
4. Other Towns in Tompkins County do not set this time requirement;

THEREFORE, BE IT RESOLVED, that this time requirement be deleted from the Zoning Law (Section 3.4.3).

VOTE

Wertis AYE
Adams AYE
Blake AYE
Garner AYE
Rice AYE

Result: Recommendation passed.

The members discussed the language in Section 9.2 regarding “Land disturbance activities, associated with grading, excavation, filling, driveways, and drainage ways, are only allowed after obtaining a building permit for the permitted activity.” The issue is that the soils are unstable if disturbed, and the slopes are steep.

Mr. Wertis MADE the following MOTION, Mr. Blake SECONDED the MOTION:

WHEREAS:

1. Sections 9.2 and 10.2 of the Zoning Law speak of only allowing land disturbance after “obtaining a building permit for the permitted activity;” and
2. No such building permit exists;

THEREFORE BE IT RESOLVED, that an excavation permit be developed for use in such situations as identified in Sections 9.2 and 10.2 along with an appropriate application and Planning Board review procedures.

VOTE

Wertis AYE
Adams AYE
Blake AYE
Garner NAY
Rice Abstain

Result: Recommendation passed.

Regarding Site Plan review for residences – the current Site Plan information required is geared toward commercial operations, the members discussed whether there should be a new list added to the Zoning Law that is specific to single and two-family residences, or should a list be developed that is available to developers via the website and application materials. An additional suggestion was that the Site Plan information required could first list what is required for all projects, then have a list specific for residential / commercial. Ms. Kiley will work on the revised site plan information list.

It was suggested that there should be design standards for landscaping and building façade, and that site plans need to be prepared by licensed professional. If a licensed engineer or architect stamps a set of plans, the board members are not going to be as concerned about the plans.

The board discussed the impermanent streams definition. The current Zoning Law language references the USGS maps, but those do not include all drainages that could be classified as impermanent streams. Other towns use different data sets or watershed size for establishing setbacks. One concern is erosion, especially where water is inadvertently directed to an area that channels the water and causes erosion. Property damage is also a concern for landowners.

Mr. Wertis and Ms. Kiley will work on streams language for the December meeting.

Ms. Adams reviewed other zoning regulations for definitions of cottage industry and found that it is unique to Ulysses; other towns have home occupation as a similar definition. Ms. Adams will email examples, and this and other definitions will be a high priority for the December meeting.

Agenda Items for 11/18

Ms. Kiley provided information packets for the next Planning Board meeting. The members discussed the shared road for the Gordon and Alpern properties – asking whether there is a maintenance schedule and whether the new development will create a problem for owners down the road.

The members discussed the 10/21/14 meeting and the comments made during privilege of the floor.

The meeting was adjourned at 8:35pm.

Submitted by Michelle E. Wright on: 11/5/2014