

**TOWN OF ULYSSES
PLANNING BOARD**

2/3/2015

Minutes

Approved: 2/17/15

Present: Chairperson John Wertis, Andy Rice, David Blake, David Diaz, Environmental Planner Darby Kiley, Town Board Liaison Richard Goldman.

Planning Board Members Sarah Adams and Craig Salino were excused.

Members of the public present: Alex Hagen and Doug Snyder of Renovus Energy.

Call to Order at: 7:02 p.m.

Privilege of the Floor: There were no public comments.

Agenda Review; Minutes Review (01/20/2015)

Mr. Rice MADE the MOTION to approve the 01/20/2015 minutes with a minor modification, and Mr. Blake SECONDED the MOTION as follows:

Mr. Wertis AYE

Mr. Rice AYE

Mr. Blake AYE

Mr. Diaz AYE

Result: Minutes for 01/20/2015 approved.

Consideration of SEQR and Site Plan for Site changes at 1520 Trumansburg Rd, Tax Parcel Number 33.-4-3.6, B1-Business District. Renovus Energy purchased the property in December 2014 to use as a new headquarters. The existing office building (~5,000 square feet) will be used as a business office and the existing warehouse (~10,000 square feet) will be used for storage. The proposed site changes include two canopies over the entrances on the office building, three overhead doors and canopies on the warehouse, additional parking, new truck loading area, new signs, and landscaping. Number 10 Properties, LLC, Owner; Doug Snyder, Applicant/Agent.

Mr. Wertis MADE the MOTION to open the site plan review, and Mr. Blake SECONDED the MOTION. The board was unanimously in favor.

Mr. Hagen said Renovus is still considering its options for a roadside sign to be installed on the property. Having reviewed Town Zoning, Mr. Hagen said Renovus is permitted to have a 24-square foot roadside sign since the company works in mechanical services. The Planning Board agreed that Renovus would be permitted the 24-square foot maximum for roadside signage.

Ms. Kiley explained the property is located in the B1 district, and Town Zoning states that free-standing signs for B1 have a 24-square foot maximum. An e-mail from Mr. Snyder to Ms. Kiley stated that Renovus's proposed roadside stone monument was listed as 11.5 feet by 5 feet, or roughly 57 square feet, which exceeds the maximum allowable size. She further explained that Renovus had measured the square footage around the sign's lettering and not the stone monument as a whole. If drawing a box around the sign's lettering, it would come out to 24-square feet. Mr. Diaz said that is not permissible under Town Zoning. A whole monument is a sign; not just the lettering.

Responding to a question from Mr. Wertis, Mr. Blake said that, in his view, the monument becomes a sign once letters are affixed to it. Mr. Wertis pointed out that when cut-out letters are affixed to a building, one measures the outline of those letters to ensure square footage compliance.

Mr. Hagen said the stone monument would be installed for the purpose of signage. If it were a pre-existing structure, like a retaining wall, that would be a different situation.

Mr. Diaz said Renovus would be stuck with the 24-square foot maximum on each side, since the monument is considered a sign. The company could always try for a variance through the Town's Board of Zoning Appeals.

No Planning Board supported the Renovus roadside sign as presented because it is too large.

Mr. Wertis said the Town Planning Board has not dealt with too many sign issues in the past, but he did note proposals from All State, Shursave and Brownie's Market that have come before the Board somewhat recently.

Mr. Hagen said Renovus would prefer not to have a sign attached to legs since such a sign would not fit the company's stylistic approach. Plus, they are expensive, require landscaping and tend to make the property look more like a law firm or dentist office. Having a simple concrete monument fits Renovus's brand identity and conveys that they are a construction and mechanical company. Also, the monument is less expensive, allowing Renovus to put limited funds toward other important things that benefit their employees. The monument material would be a varnished concrete with mounted letters outfitted with conduits to allow for lighting.

Mr. Diaz said he does not have a problem with the sign's design, only that its current size is not permitted under Town Zoning. If the Planning Board were to approve the sign as designed, Board members would be making a decision that falls outside of the Town's zoning laws. Mr. Blake thought Renovus should approach the Board of Zoning Appeals for a variance.

Mr. Wertis said the Planning Board could move forward with the Renovus site plan resolution with a condition relating to the sign size. Mr. Hagen said he would be thrilled to have everything else approved and then revisit the roadside sign size. If Renovus has to compromise the dimensions, they can work through it.

Mr. Rice said the sign's location – 20.5 feet from route 96 – might be an obstruction to employees and customers turning out of the Renovus driveway. Twenty-four feet of clearance might be a better option. Given the sign's width and height, Mr. Rice suggested staking off the sign and seeing just how obstructive it would be to drivers coming and going from the Renovus site.

The conversation then turned to other matters relating to parking, TCAT bus accessibility and trees.

Mr. Hagen said Renovus is looking to have a total of roughly 100 parking spaces, with a focus on the warehouse located behind the office building. The office building will have roughly 50 employees there at a given time. The plan is for the office building to serve as a collection point for employee-customer interaction and even events. Parking on the highway side at the office building is important because it shows activity, as opposed to hiding parking spaces behind buildings. The plan calls for 8 total parking spots on the highway side of the office building. Two of those spaces are for handicap parking, and the spaces were planned there given the property's grade. Mr. Hagen also noted that the parking is configured with future expansion in mind. Renovus has chosen to add parking spaces to the office building's south side because it frees up the building's north side for possible expansion at some point. Expanding toward the south would be counterintuitive, since the office building will be outfitted with solar panels and any future buildings to the south would obstruct sunlight. Also, the land to the northwest is flat with no septic fields.

Responding to a question from Mr. Wertis, Mr. Hagen said the current parking plan differs from the one presented at the Planning Board's sketch plan conference on January 20, 2015. It has been expanded. Renovus had initially planned for parallel parking spaces along the northwest drive, but perpendicular spaces work best. Also, Renovus has added several parking spaces between the office building and the warehouse.

Mr. Wertis noted the letter to the Town from Ed Marx of the Tompkins County Department of Planning, who pointed to the county's Route 96 Corridor Study that recommends front yard parking be prohibited on properties located within the Corridor. Side and rear parking should be permitted, Mr. Marx wrote. Mr. Wertis said the Planning Board is not bound by Mr. Marx's recommendations, meaning that the Board could proceed and approve the site plan resolution with a supermajority vote.

Mr. Hagen said it is natural for parking spaces to be located near the front entrance of the office building, which faces toward the roadway. To place the proposed 8 parking spots elsewhere and direct employees and customers to a different entrance would be awkward.

Ms. Kiley agreed that parking spaces in front of the building are more welcoming and attractive to visitors. She asked if it was feasible to locate those 8 spots in another place. Mr. Hagen said not really. Mr. Wertis said it did not seem feasible to him either. It was Mr. Hagen's understanding that the intent of the county's letter was to discourage parking alongside route 96.

On the subject of visual buffers, Mr. Wertis said the Planning Board would hold Renovus to the Town's minimum requirement for trees and hope that the company plants more than just the minimum. He suggested Renovus plant conifers since they would provide year-round buffering.

Mr. Hagen said the company is considering a number of visual buffer options, including bushes and tall grasses. Part of the plan calls for a few crabapple trees and a number of forsythias to provide as a buffer to the proposed perpendicular parking spaces on the property's northwest side. Mr. Wertis noted the difficulty in maintaining forsythias.

Mr. Diaz thought the proposed tree buffers near the 15 parking spaces on the office building's south side were too close to serve as an obstruction. He suggested moving the trees back a bit from the asphalt. He additionally suggested adding buffers on the east side wedge of the office building lot, between the lot and route 96.

Mr. Hagen said Renovus does want passersby to see the Renovus signs and some of the parked vehicles. The company is working with Cayuga Landscape on tree and bush recommendations.

Ms. Kiley read part of Town Zoning that related to tree requirements for new parking proposals. The Renovus plan calls for 11 trees and 26 shrubs around parking areas. It is the determination of the Planning Board if they would like to see more shrubs and trees.

Mr. Wertis said the Planning Board's main concern is appropriate buffers and not so much the kind of trees or shrubs planted. Mr. Blake said he would like to see 4 additional trees planted on the property, bringing the total to 15. Referencing Mr. Diaz's call for additional buffers on the lot's eastern wedge, Ms. Kiley suggested planting two trees at that location. Mr. Diaz further explained his reasoning for buffers there, saying there will be a lot of asphalt and parked vehicles. The purview of both the County and the Town Planning Board is to recommend softening those visuals as best Renovus can. Mr. Hagen said it is unlikely that deciduous trees would help with screening at that location, but noted that some sort of plantings should be utilized there. Mr. Diaz suggested forsythias.

The conversation then turned to lighting. Mr. Wertis said it is the Planning Board wish to minimize glare and light escape as best as possible at the property site. Mr. Hagen said there are plans for outdoor lighting for all parking areas, entrances and exits, with lighting designed to shine downward only. Even the building-mounted lights have hoods on them to prevent light escape. Mr. Wertis did note that Renovus's recommended lights over the doorways were pretty bright at 5,800 lumens. The model was recommended by Renovus's architect. Mr. Hagen said it is not Renovus's intention to over illuminate. The Planning Board's intent, Mr. Wertis continued, is to provide safe lighting without excessive light escape. He also acknowledged that lighting is one of the more difficult parts of zoning because terminology like lumens, foot candles and other terms are not easily comparable. Lights at the Renovus site will go off at 11 p.m., Mr. Hagen said, and no light fixtures will shine toward the Route 96 roadway. Only the sign will be backlit, and any lighting above entrances will shine downward.

Asked to give an example of local signs similar to what Renovus has proposed for its building, Mr. Hagen pointed to Staples, Best Buy and Kmart, where individual, three-dimensional letters

constructed of colored plastic are backlit. Renovus's sign would be much smaller than and not as bright as Best Buy's. It will look professional.

Speaking from an email sent by excused Board Member Sarah Adams, Ms. Kiley said Ms. Adams preferred a particular pole light – So Bright model CSF4. Mr. Wertis said he was not concerned with the style of pole light Renovus chooses to install.

Moving on to building elevations, Mr. Hagen said the initial sketch plan review included exterior air locks, but Renovus has since shifted to interior air locks due to costs. Planners have also switched to freestanding outdoor structures at entrances to protect against the elements. There are three doors at the office building, located on the east, west and south sides. Both the east and west side entrances will incorporate 8-foot wide, flat-roof coverings because they are relatively inexpensive and fit the building's architecture. The third entrance, located on the building's south side, will be an emergency exit and will not have a covering.

For the warehouse, Renovus plans to add a flat-roof covering for the north side entrance. Anticipating that snow is likely to slide off the warehouse's main roof, planners will install peaked-roof coverings over the two double-door entrances on the warehouse's western side. Awnings were initially planned above the three loading doors on the south side, but those plans have been shelved for the time being. Nearly every door – with the exception of one – will be replaced.

Ms. Kiley asked if Renovus has had a chance to talk with representatives of the TCAT bus system as suggested by Mr. Marx.

Mr. Snyder said no, but it will be part of Renovus's next steps.

Ms. Kiley said she was unclear as to what County Planning was suggesting in Renovus providing safe access to the TCAT bus service. It would be a big request of Renovus to supply a bus pull-off, if that was what the County was suggesting. She requested that Renovus talk with TCAT for clarification and relay the information back to the Town.

Resolution for SEQR

Mr. Rice MADE the MOTION to consider the SEQR and Site Plan Approval resolutions, and Mr. Blake SECONDED the MOTION. The board was unanimously in favor.

Mr. Hagen informed the Board that both asphalt and packed gravel would be utilized for parking surfaces. Packed gravel will be used at the warehouse site, whereas asphalt will be utilized at the office building.

Mr. Blake MADE the MOTION declining to hold a public hearing, and Mr. Diaz SECONDED the MOTION. The board was unanimously in favor.

The Planning Board spent several minutes discussing appropriate language to include within the SEQR resolution in regard to the sign size condition. Conversation then turned to the functional

reasoning for the open-air space beneath an elevated sign and whether that open space was factored into the Town's square-footage maximum.

Mr. Hagen asked if it were allowable to prop a 3-foot by 8-foot stone monument onto three one-foot posts or pillars. The Planning Board said it was permissible.

Mr. Diaz MADE the MOTION for a negative declaration, and Mr. Blake SECONDED the MOTION. The board was unanimously in favor.

Mr. Blake MADE the MOTION to approve the SEQR resolution, and Mr. Diaz SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for site changes/improvements by Renovus Energy at the existing office and storage buildings, located at 1520 Trumansburg Rd, Tax Parcel Number 33.-4-3.6, B1-Business District. The proposed site changes include two new canopies over entrances on the office building, three overhead doors and canopies on the warehouse, additional parking, new truck loading area, signs, lighting and landscaping. Number 10 Properties, LLC, Owner; Doug Snyder, Applicant/Agent; 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 February 3, 2015, 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
Mr. Rice AYE
Mr. Blake AYE
Mr. Diaz AYE

Result: Resolution for SEQR approved.

Resolution for Site Plan approval

Based on suggestions from the Planning Board, Ms. Kiley added additional language to the draft resolution.

Mr. Blake MADE the MOTION to approve the site plan, and Mr. Rice SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for site changes/improvements by Renovus Energy at the existing office and storage buildings, located at 1520 Trumansburg Rd, Tax Parcel Number 33.-4-3.6, B1-Business District. The proposed site changes include two new canopies over entrances on the office building, three overhead doors and canopies on the warehouse, additional parking, new truck loading area, signs, lighting and landscaping. Number 10 Properties, LLC, Owner; Doug Snyder, Applicant/Agent; and
2. This is an Unlisted Action for which the Town of Ulysses Planning Board, on February 3, 2015, 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
3. The Planning Board reviewed the proposed project at Sketch Plan Conference on January 20, 2015; and
4. The Planning Board, on February 3, 2015, has reviewed and accepted as adequate Site Plan materials including lighting details; site plan (Sheet Site-1); landscaping plan (Sheet Site-2); building elevations (Sheet A-1); sign design, and other application materials; and
5. The Tompkins County Planning Department completed the General Municipal Law §239-1 and –m review of the project, and determined that the project may have negative inter-community, or county-wide impacts and recommend modifications to the proposal regarding safe access for employees to use TCAT and parking in the front yard, and if the modifications are not accepted, approval for the project will require a supermajority vote of the board;

THEREFORE IT IS HEREBY RESOLVED,

1. That the Planning Board of the Town of Ulysses hereby waives the public hearing; and
2. That the Planning Board of the Town of Ulysses hereby waives certain requirements for Site Plan Approval, 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
3. That based on the Tompkins County Planning Department recommendation that the Town require the applicant discuss with TCAT representatives safe access for

- employees to the TCAT route on Trumansburg Rd, the Planning Board requires that the result of the discussion with TCAT be made available to the Town; and
4. That based on the Tompkins County Planning Department and the Route 96 Corridor Study recommendation that front yard parking is prohibited, the Planning Board has determined that it is not feasible to locate all of the parking to the side and rear of buildings; and
 5. That the Planning Board of the Town of Ulysses hereby grants Site Plan Approval for the proposed site changes at 1520 Trumansburg Rd as shown on Site Plan materials including lighting details; site plan (Sheet Site-1); landscaping plan (Sheet Site-2); building elevations (Sheet A-1); façade sign design; and other application materials, subject to the following conditions:
 - a. A minimum of 15 trees (at least four additional tree from the proposed site plan) shall be added, the trees will be either deciduous or coniferous and act to buffer parking areas as viewed from Trumansburg Rd; and
 - b. The lighting shall meet the lighting standards in the Zoning Law; and
 - c. The freestanding sign is subject to subsequent review and approval by the Planning Board.

Mr. Wertis AYE
Mr. Rice AYE
Mr. Blake AYE
Mr. Diaz AYE

Result: Resolution for Site Plan approved

Ms. Kiley informed Mr. Hagen and Mr. Snyder that Renovus may now file for a building permit with the Town. If Renovus would like to proceed with a variance request to the Town Board of Zoning Appeals, she will need an application from them by the end of the week.

Mr. Hagen and Mr. Snyder left the meeting at 8:37 p.m.

Zoning Revisions

Mr. Wertis said the Town Board would meet next week to finalize General Code work, and there are two items of note that the Planning Board should be considering: signage and language pertaining to animals in the R1 and R2 districts. The Town recently had an issue with a property owner over the allowable number of farm animals on a residential parcel. The problem had to do with stipulation in Town Zoning that limited the number of farm animals. State Ag and Markets had suggested the Town strike the limitation from its laws 10 years ago, but it remained and the issue came to light recently. The Town's Comprehensive Plan and Ag and Farmland Protection Plan both say that the Town supports agriculture, and yet the animal maximum is not up to date. Mr. Wertis speculated that hoop houses located near homes could become a future problem, too, if neighbors complain.

Ms. Kiley said the goal here is to find quick fixes, as opposed to extensive zoning rewrites, which will be the focus of future work through a grant that the Town recently received. She plans to show the Town Board the Planning Board's recommendations for changes next week. She added that she would also like to see the language updated in regard to farm animals on residential properties.

Mr. Diaz brought up the Definition of Family within Town Zoning. Having researched the matter, as well as examined past court cases involving Family definitions, Mr. Diaz questioned whether the Planning Board could possibly write a definition that covers everything.

Ms. Kiley said the Town and its attorney continue to work on the matter. Mr. Diaz stressed that it is important for the Town to consider the reasoning for re-defining Family within Town Zoning. It is generally done with a goal of controlling overloaded dwellings and relieving the burden on septic systems and municipal utilities. Those factors should be the defining guide.

Mr. Goldman said residents in Jacksonville have expressed concern about several people living in a single building.

Mr. Rice MADE the MOTION to adjourn the meeting, and Mr. Blake SECONDED the MOTION. The board was unanimously in favor.

Meeting adjourned at 8:50 p.m.

Respectfully submitted by Louis A. DiPietro on 2/4/15.