

**TOWN OF ULYSSES
PLANNING BOARD**

3/3/2015

Minutes

Approved: 03/17/2015

Present: Chairperson John Wertis, David Blake, Andy Rice, David Diaz, and Craig Salino.

Mr. Salino was named an alternate member in place of Sarah Adams, who was excused.

Members of the public present: Cheryl E. Fletcher and Marcie Finlay

Excused: Sarah Adams

Call to Order at: 7:00 p.m.

Privilege of the Floor: There were no public comments.

Consideration of SEQR and Simple/Minor Subdivision (2-lot) approval for 1400 and 1404 Taughannock Blvd; Tax Map Number 18.-4-12.2 and 3054 Garrett Rd; Tax Map Number 18.-4-13, Conservation District. The proposal includes the consolidation of two existing parcels and subsequent two-lot subdivision. The existing two lots include 32.34+ acres and the resulting two lots will include 14.65+ acres and 17.69+ acres. Cheryl Fletcher, Owner; Marcie Finlay, Agent.

Mr. Wertis said he was not completely clear with the property outlines as presented on survey maps for the Taughannock Boulevard property. He circulated additional survey maps of the property, one with pre-existing boundary lines and another that reflects the requested subdivision. Mr. Wertis said the Town's Environmental Planner Darby Kiley had worked with Ms. Fletcher to ensure that, if there were to be any future home construction on one of the subdivided parcels – referred to as Parcel C in the maps distributed by Mr. Wertis – it would meet the Town's minimum 5-acre lot requirement. Ms. Fletcher has a buyer for Parcel C, which is a wooded area with a pond. The would-be owner does not have intentions to build on the property. If subdivided, Parcel C would be considered a flag lot under the Town's Zoning law, Mr. Wertis noted. Responding to a question from Mr. Wertis about access, Mrs. Fletcher said yes and there is a pre-existing driveway is located on Parcel C.

SEQR Resolution

Planning Board members reached a consensus that they were comfortable with both parts 1 and 2 of the SEQR.

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

WHEREAS:

1. This is consideration of Simple Subdivision Approval following Minor Subdivision procedures for the proposed two-lot subdivision located at 1400 and 1404 Taughannock Blvd and 3054 Garrett Rd, Tax Parcel Numbers 18.-4-12.2 and 18.-4-13, CD-Conservation District; Cheryl Fletcher, Owner; Marcie Finlay, 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 Subdivision Approval; and
3. The Planning Board, on March 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; and
4. The Town Zoning Officer has recommended a negative determination of environmental significance with respect to the proposed Subdivision Approval;

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.

The vote was as follows:

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

Result: SEQR Resolution passed

Resolution for Simple/Minor Subdivision

Mr. Wertis noted that the resolution, if approved, would waive the public hearing for subdivision.

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

WHEREAS:

1. The Town of Ulysses adopted subdivision regulations in the Zoning Law, most recently amended by Local Law No. 3 of 2014, which includes Article XXI – Land Subdivision Regulations, Section 21.3 establishing Subdivision Procedures; and

2. The Owner, Cheryl Fletcher, and Agent for the Owner, Marcie Finlay, submitted the required documents, and paid the fees for a Simple Subdivision on Taughannock Blvd; and
3. The proposed Subdivision is located at 1400 and 1404 Taughannock Blvd and 3054 Garrett Rd, Tax Parcel Numbers 18.-4-12.2 and 18.-4-13, CD-Conservation District and the lots created by the proposed Subdivision meet the zoning requirements; and
4. This is an Unlisted Action for which the Town of Ulysses Planning Board, on March 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
5. The Planning Board, at a Public meeting on March 3, 2015, has reviewed and accepted as adequate the map entitled, "Survey Map Showing Lands of Cheryl Fletcher, Located at No. 3054 Garrett Road, Town of Ulysses, Tompkins County, New York," dated 12/5/2014 and revised most recently on 2/05/2015, by T.G. Miller P.C. Engineers and Surveyors, and other application materials; and
6. The Town of Ulysses Planning Board has given due consideration to all information and comments in conducting the Subdivision Review; and
7. The Planning Board hereby waives the public hearing;

THEREFORE IT IS HEREBY RESOLVED,

1. That the Town of Ulysses Planning Board hereby waives certain requirements for Preliminary and Final Subdivision Approval, as shown on the Subdivision Checklist, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of subdivision control nor the policies enunciated or implied by the Town Board; and
2. That the Planning Board of the Town of Ulysses hereby approves the Simple Subdivision, as shown on the map entitled, "Survey Map Showing Lands of Cheryl Fletcher, Located at No. 3054 Garrett Road, Town of Ulysses, Tompkins County, New York," dated 12/5/2014 and revised most recently on 2/05/2015 by T.G. Miller P.C. Engineers and Surveyors.

The vote was as follows:

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

Result: Subdivision approved

Ms. Fletcher and Ms. Finlay left the meeting at 7:18 p.m.

Mr. Wertis provided the Planning Board with a brief update on recommended Zoning changes, saying the Town Board approved all of the requested changes with one exception in regard to excavation in the Lakeshore District. The Town Supervisor requested and the Town Board approved a procedural change that any excavation at or above 10 cubic yards of fill within the Lakeshore District would require an excavation permit from the Town and, further, that property visits to review requested excavation would be left to the discretion of the Town's Environmental Planner. Planning Board members could have the option to attend the property visits.

Minutes Review (2/17/15; 6/17/14)

In regard to the 6/17/14 and the 07/15/2014 meeting minutes, Mr. Rice said he was not comfortable voting on the minutes since he had yet to review them and does not fully recall the actions of meetings held last June and July.

The Planning Board came to a consensus to table approval of past meeting minutes.

Mr. Wertis MADE the MOTION to postpone action on the 06/17/14 and 07/15/2014 meeting minutes, and Mr. Blake SECONDED the MOTION. Mr. Diaz and Mr. Salino abstained from the vote since they were not Planning Board members at the time of the said meetings.

The vote was as follows:

Mr. Wertis AYE
Mr. Rice AYE
Mr. Blake AYE
Mr. Diaz ABSTAINED
Mr. Salino ABSTAINED

Result: Voting on Meeting minutes for June 17, 2014 and July 15, 2014 postponed.

A discussion ensued about zoning revisions brought to the Town Board at its meeting of February 24, 2015. Mr. Rice had questions concerning language within the draft minutes from the February 17, 2015 meeting. Having reviewed the updated Zoning language for Standards for Animals in Residential Areas, Mr. Rice said there was nothing in the language that prevents sheds or buildings from being located on the edge of neighboring properties. Specifically, he said the language fails to prevent a property owner from parking a trailer against a property line and housing animals in the trailer. Mr. Diaz seemed to recall language in the rewrites that included required distance from residences. He was surprised there were no established setbacks from neighboring properties. Mr. Wertis said the Zoning update, as written, does not speak to setbacks from neighboring residences. In the near future, the Town Board should begin reviewing the A1, R1 and R2 zones and rewrite language to shore up Zoning.

Mr. Rice also asked whether or not the Town Board approved the 10 cubic yardage threshold for excavation in the Lakeshore District, a threshold previously approved by the Planning Board. He said it was a question of process if Mr. Wertis attended the Town Board meeting to make a case for a 5 cubic yardage threshold instead of 10. The Planning Board voted and approved the 10 cubic yard threshold.

Mr. Wertis said he had attended that meeting and indeed they had. He said that he had provided the same “model” material the Planning Board had examined for the Town Board’s use. He added that he commented to the Town Board that he had some personal second thoughts about the 10 cubic-yard figure and would have been more comfortable with some smaller number, maybe 5 cubic yards.

Mr. Wertis said Ms. Kiley presented the Planning Board’s approved Zoning changes to the Town Board, approval of the process whereby the proposed “changes by resolution” were shared back and forth between the Town Board, Planning Board and Planner/Zoning Officer. He attended the Town Board meeting to convey the Planning Board’s process in requesting the changes. He told the Town Board he personally had reservations that the 10 cubic yard threshold was too high. He also expressed to the Town Board that the Planning Board was pleased with the sharing of Zoning materials among the Town Board, Planning Board and Ms. Kiley.

Mr. Blake MADE the MOTION to approve the February 17, 2015 meeting minutes, and Mr. Salino SECONDED the MOTION.

The vote was as follows:

Mr. Wertis AYE
Mr. Rice AYE
Mr. Blake AYE
Mr. Diaz ABSTAINED
Mr. Salino AYE

Result: February 17, 2015 minutes approved

Mr. Wertis said he keeps seeing notices of Planning Board conventions in New York City and Lake George. He does not see the value in attending the conventions. He sat in on a training session last fall and felt the Planning Board had implemented much of what was being addressed. Mr. Blake felt the Planning Board seems to get more value out of meeting with local people. Plus, the conventions are expensive.

Mr. Rice MADE the MOTION to adjourn the meeting, and Mr. Blake SECONDED the MOTION. The vote was unanimous.

Meeting adjourned at 7:45 p.m.

Minutes respectfully submitted by Louis A. DiPietro on March 9, 2015.