

**TOWN OF ULYSSES
PLANNING BOARD
MINUTES
March 17, 2015**

Approved: April 7, 2015

Present: Chairperson John Wertis, Board Members: David Blake, Sarah Adams, David Diaz, Andy Rice, board alternate Craig Salino; **Environmental Planner** Darby Kiley; **Town Board Liaison** Richard Goldman

Members of the Public Present: Bill Davis, engineer from MRB Group.

Call to Order at: 6:54 p.m.

Privilege of the Floor: There were no public comments.

Mr. Wertis suggested and the board reached a consensus to move action of meeting minutes to the end and begin the meeting by introducing Mr. Davis.

Introduction to Town Engineer - Bill Davis, MRB Group

Ms. Kiley prefaced the introduction by recapping the Town's process in selecting MRB Group as its consulting engineering firm. The Town issued a Request for Proposals for engineering services, and a committee consisting of Town Board and Planning Board members and Ms. Kiley interviewed four firms. The committee selected and the Town Board approved the hiring of MRB Group.

Mr. Davis explained that MRB is a municipal engineering group representing 100 municipalities across New York. Employing 60, it is based in Rochester but has offices in Watertown, Saratoga Springs and Elmira. Locally, MRB Group works with the Villages of Dryden and Trumansburg. Mr. Davis is the lead engineer for the Village of Trumansburg's water and sewer projects, so he is frequently in the area. He said he will likely be the main point of contact for the Town Board, while a planner from MRB will be sitting in on Planning Board meetings. He told Planning Board members to call MRB with any planning questions or concerns. He said MRB does not charge a fee to attend municipal meetings.

Responding to a question from Ms. Adams on the scope of services, Ms. Kiley said steep slope projects and subdivision plans would be the primary focuses of MRB Group's work with the Planning Board. It would be nice have an engineer to advise on subdivisions and site plan review. Mr. Davis said MRB Group would be there to assist with SEQR and site plan review and any other zoning matters. Ms. Kiley will be MRB's point of contact with the Town.

Discussion of Solar and Wind Power Regulations

Mr. Wertis circulated a handout with pictures of three residential ground-mounted solar panel projects in the Town of Ulysses. He recalled reading that 85 percent of homes in the U.S. are not suitable to have roof-mounted solar systems because of roof orientation, weight or other reasons. Putting up a ground-mounted array in the Town requires a trip through the Town's Zoning document, because the Zoning does not spell out solar as an allowed use.

Ms. Kiley explained that Town Zoning considers residential solar projects as accessory uses. Ms. Adams said most residents would not be aware that solar projects may require zoning approval. Mr. Blake said the responsibility to check that the project aligns with a municipality's Zoning laws should fall to the company installing the panels.

After Mr. Wertis reviewed the Accessory Buildings section of Town Zoning, Ms. Adams said there is nothing currently in Town Zoning that addresses solar panels.

Zoning does not apply to panels that are roof-mounted, however, a building permit is necessary. In the past, a property owner proposed a ground-mounted solar array located on the property line, but there are setback regulations. The Town received a variance request for that project a couple of months ago. Ms. Kiley has fielded questions concerning commercial solar farms, but the Town has yet to address commercial solar farms. A broader question Ms. Kiley has is how a commercial solar farm connects to the electric grid. She called the town of Lansing concerning a solar farm project planned near the Ithaca-Tompkins Regional Airport. She was told the farm will be located in an industrial research area and is allowable. The Town of Ulysses does not have an equivalent use in its Zoning. Cooperative Solar – multiple users sharing power from a solar array – is another subject that the Planning Board may want to explore within the Zoning law.

Mr. Wertis said he did not think the Planning Board was ready to talk about solar energy until it gets more outside information on the subject. He suggested surveying other towns' Zoning laws as well as exploring regulations related to cooperative solar.

Mr. Davis said MRB Group could bring in John Collins, a staff member that helped the towns of Dix and Catlin with their wind law.

The Planning Board and Mr. Davis briefly discussed technical aspects of solar arrays, how power is sold back to the grid and the regulations that are triggered once utilities become involved.

Mr. Blake suggested the Planning Board seek advice from Renovus.

On the subject of wind power, Mr. Wertis circulated the cover page of "Commercial Wind Farms in Tompkins County: An Atlas to Support Decision-Making at the Local Level," a county Planning document that identifies potential locations for wind-energy projects, among other things. Ms. Adams said it may be useful to extract potential sites related to only the Town of Ulysses.

Ms. Kiley circulated a report out of Cornell, "A Technical Analysis of Wind Power Potential in Tompkins County, New York", which identifies potential sites for small-scale wind projects.

Mr. Wertis asked what is meant by small-scale and requested further information of the full scale of wind power.

Ms. Kiley said she keeps hearing that the Town needs wind regulations. Like solar power projects, wind turbines are allowable as an accessory structure, but the property owner would need a height variance. Enfield is getting a large commercial wind project, and it is unlikely another project of that size would be proposed. She does not feel the Town needs to address large wind projects within its Zoning since Ulysses does not have the wind capabilities to support one.

Mr. Diaz noted that technology is always improving. Ms. Kiley said improving technology is something to keep in mind moving forward.

She continued by saying that she examined the Town of Ithaca's Wind law, which was adopted in 2008 but has yet to be tested. No one has applied for a building permit for a residential wind turbine. There are a couple residential turbines in the Town of Lansing.

Mr. Wertis asked about the process for sharing solar and wind energy resources and materials among members of the Planning Board. Ms. Kiley said she could share them via email, set up a Planning Board folder on the Town's intranet, or post materials on the Town's website. She noted that some materials and reports are in excess of 80 pages.

Ms. Adams asked where solar and wind falls within the Planning Board's most recent work addressing Zoning concerns. Mr. Wertis said he thinks Planning Board members are taking a break from addressing revisions and updates for the time being. Ms. Adams asked specifically about design guidelines.

Ms. Kiley explained that the NYSERDA grant will be used to update Town Zoning, a process that is still months out. One area to address during that time is wind. She met with Mr. Wertis last week to discuss possible areas, like wind power, to squeeze into Planning Board objectives while the grant contract process is being finalized.

Ms. Adams said it might be useful to dedicate future meeting time to compiling Zoning matters to include within the scope of work for the NYSERDA-grant-funded consultant. Then, by the time the Town issues an RFP for a Zoning consultant, the Planning Board will have a good idea of what Zoning concerns it would like to see addressed.

Ms. Kiley said that has already been included as part of the work plan sent to NYSERDA. She would supply a copy of that work plan to the Planning Board.

Mr. Wertis said he was unclear as to what Ms. Adams would like the Planning Board to focus on. Ms. Adams asked about design guidelines and whether or not the Planning Board would want them. A lot of communities have them. Mr. Wertis said it would be helpful first to know what adopting design guidelines would mean and how much work it would require. Ms. Adams suggested examining other communities that have such guidelines and deciding if certain aspects were favorable or not for the Town.

Ms. Kiley said that would be a job for the zoning consultant the Town will eventually hire as part of the NYSERDA grant. She does not want the Planning Board and the consultant to duplicate efforts.

Mr. Davis said MRB Group could provide examples of design guidelines, also known as development regulations, which define things like utilities and types of water and sewer mains.

The Hamlet district of Jacksonville was identified as an area that could use solid design standards, Ms. Kiley said.

Ms. Adams said she wants to have a discussion if not about design guidelines then specific areas like signage. She suggested the Planning Board compile a list that the consultant could then reference during Zoning updates. The more input the Planning Board supplies the consultant, the better the final product.

Mr. Wertis requested Ms. Adams begin such a list and bring it to the Planning Board for further consideration.

Mr. Goldman asked about the timeline with the NYSERDA grant, to which Ms. Kiley said the initial timetable was thrown out because it coincided with the Christmas holiday. NYSERDA review times are often unrealistic. She will get an updated timeline from her NYSERDA contact.

Asked generally if wind power was something the Planning Board would like to address, board members came to a consensus that it was a subject worth their time.

Minutes Review (3/3/15; 6/17/14; 7/15/14)

Mr. Wertis MADE the MOTION to accept the June 17, 2014 and July 15, 2014 meeting minutes, and Mr. Blake SECONDED the MOTION. The vote was as follows:

Mr. Wertis AYE
Mr. Blake AYE
Ms. Adams AYE
Mr. Rice AYE
Mr. Diaz ABSTAINED

Result: June 17, 2014 and July 15, 2014 meeting minutes accepted.

The Planning Board discussed proposed amendments to the March 3, 2015 meeting minutes.

Mr. Blake MADE the MOTION to accept the amended March 3, 2015 meeting minutes, and Mr. Rice SECONDED the MOTION. Ms. Adams recused herself from the vote, and Mr. Salino's vote was taken as an alternate. The vote was as follows:

Mr. Wertis AYE

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

Result: March 3, 2015 meeting minutes accepted.

The Planning Board then discussed a possible policy to address the adoption of minutes for past meetings in which current Board members had yet to be appointed to the Board. The suspension of Robert's Rules of Order could be an option. Mr. Blake said it is unlikely that the Planning Board would ever need such a policy. Ms. Kiley said recordings are made of each meeting, and Board members who were not present could refer to the recording and still vote on minutes. Mr. Wertis suggested the Planning Board iron out policy language for next meeting. Ms. Kiley said the issue is something the Town Board needs to address as well, and more so, since the Town Board has more turnover and new members are brought in at the start of the year. There could be an instance where one or more new members are voting to accept minutes for a meeting in which they did not attend. If the Planning Board chooses to develop a policy to address the issue, the Board should pass it along to the full Town Board.

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

Meeting adjourned at 8:14 p.m.

Respectfully submitted by Louis A. DiPietro on March 19, 2015.