

**TOWN OF ULYSSES  
PLANNING BOARD  
MINUTES  
January 5, 2016**

**Approved:** January 19, 2016

**Present:** **Chairman** John Wertis; David Blake and Rebecca Schneider; **Environmental Planner** Darby Kiley, and **Town Board Liaison** Richard Goldman.

**Excused:** Pete Angie, David Diaz

**Members of the Public Present:** Melissa Kemp and Tom Mayo from Renovus Energy

**Call to order:** 7:03 p.m.

**Agenda Review: Minutes Review (12/15/2015):**

Mr. Blake MADE the MOTION to approve the December 15, 2015 meeting minutes, and Mrs. Schneider SECONDED the MOTION. The motion was unanimously approved, 3-0.

**Privilege of the Floor:** No one addressed the Board.

**SKETCH PLAN** (Continued if new information is available): Consideration of Sketch Plan/Site Plan approval for the construction of a a single-family residence located at 32 Maplewood Rd, Tax Parcel Number 27.-5-11, LS-Lakeshore District with the Slope Overlay Area and Unique Natural Area. Francesca Crannell and M. Kent Garrison, owners/applicants.

No new information was available, so the Planning Board continued on with the evening's agenda.

**SITE PLAN:** Consideration of Site Plan for a 360 kW photovoltaic system on the northwest corner of Jacksonville and Agard Roads, Tax Parcel Number 20.-1-6.1; R1-Rural Residence District. The Sciencenter, located in Ithaca, NY, will be leasing approximately 1.81 acres of land from the Finger Lakes Grassroots Festival in order to install an offsite solar collector facility. Finger Lakes Grassroots Festival Inc., Owner; Renovus, Agent for the owner. PUBLIC HEARING is scheduled for January 19 at 7:05 PM

Mr. Wertis asked about the subject of abandonment, which was brought up during discussions of the Renovus project at the Planning Board's previous meeting. Ms. Kemp said detailed terms regarding abandonment are legally included in the lease agreement between New Energy Equity and Grassroots. Renovus did not include the project agreement within their packet to the Town, but Ms. Kemp said Renovus could get permission from the parties to share the documents with the Planning Board. She said the agreement requires the project owner to decommission the solar system within 180 days of nonuse.

Ms. Schneider said she would appreciate reviewing the project agreement between New Energy Equity and Grassroots, since this is the first large solar installation in the Town and similar projects could be possible in the future. Reviewing the documents could give the Planning Board an idea of what to expect with future projects, she said. Ms. Kiley cautioned that the lease agreement becomes a public document if shared with the Planning Board. Mr. Blake suggested reviewing a redacted agreement. Ms. Kemp said she would request both an excerpt of the lease agreement that outlines decommissioning and a redacted copy of the entire agreement.

Mr. Wertis reintroduced a question brought forth at a previous meeting by Board member David Diaz, who asked about fence color. Mr. Mayo said it is doubtful passersby would even be capable of seeing the fence from the roadway, a distance of 60 feet. Plus, brush around the vicinity acts as a natural buffer, so coated fencing would not make much of a difference, he added. Ms. Kemp said Renovus would look into coated fencing if the Planning Board were making a formal request. Mr. Wertis said the Planning Board would pass along any additional questions to Renovus if absent board members had any need for further information.

**Old Business – Planning Board awards discussion**

Mr. Wertis circulated a proposal for a “Certificate of Appreciation” that included a list of development projects from the past 12 years. He suggested the Planning Board review the list, and then at the Board’s next meeting, Mr. Wertis would give his opinions on which of the projects might deserve recognition by the Planning Board. Ms. Schneider made note that the Planning Board had already discussed the idea of an award and voted the proposal down. In response, Mr. Wertis said the Planning Board had previously voted against a particular proposal, allowing him to explore other considerations. The current proposal is representative of his latest idea, which further clarifies his initial proposal, he said. The current proposal chronicles development projects from the last 12 years and is not a list of recommendations for Planning Board awards.

Ms. Schneider said she appreciated the work Mr. Wertis put in to the current proposal but it seems cart-before-the-horse. There are major, essential issues to finalize first, like how to judge who receives the award and whether or not to include public input, she said. The current proposal does not address those larger questions. Mr. Wertis said he only wanted to continue sharing information on the matter and, if any other Planning Board members were interested in further pursuing an award, they could ask the full Town Board to consider it.

### **Zoning**

Ms. Schneider requested from Ms. Kiley a list of legal non-conforming lots that fall under 1 acre in the Conservation Zone. She expressed concern that Zoning intended to preserve the steep slope area could be moot if a majority of lots are grandfathered in. Ms. Kiley said previous committee work with Lakeshore zoning found that more than half of the lots under 1 acre are legal nonconforming lots. Mr. Goldman recalled that it was the Town Board’s decision to have modest new zoning, but it could be change. He recognized the legitimacy of Ms. Schneider’s concerns. Ms. Schneider added that the Planning Board also needs GIS analysis on properties in the steep slope area, a request Ms. Kiley said the County could handle. Ultimately, Ms. Schneider requested parcel size distribution of all parcels in the steep slope overlay.

### **Open Space Planning**

The Planning Board reached a consensus to postpone discussion of Open Space Planning until more members of the Board could weigh in. Ms. Kiley said a webinar – “Creating a Natural Resources Inventory” – will be led by the State DEC from 10:30 a.m. to noon on Thursday. She would forward along info on the webinar to Planning Board members.

### **New Business – Review Board Rules and Procedures, including 2016 meeting schedule**

Mr. Wertis said the Board Rules and Procedures were formed partly out of frustration by the lack of such rules during his previous years with the Board. The document has had several iterations. Board members dedicated about 15 to 20 minutes to discussing various changes to consider, including changing the tentative schedule of meeting dates, communicating planned absences and having a parliamentarian. The Planning Board reached a consensus to return to Board Rules and Procedures at a later meeting.

### **Invitation to Zoning Updates Meeting**

Ms. Kiley informed the Board that the Town’s Steering Committee on Zoning and its consultants planned to hold a Thursday meeting with Town stakeholders on the Committee’s scope of work. The Town received a grant to do Zoning updates, with a focus on the Hamlet of Jacksonville and the Ag District. Thursday’s meeting is intended as a pre-screening for a public kick-off event to be held in February. Consultants will lead the meeting, and Planning Board members are invited to attend it and provide feedback. Responding to a question from Ms. Schneider, Ms. Kiley said the consultants were not hired to consider zoning updates within the Conservation District. The subject then turned to Ms. Schneider’s concerns with the steep slope. Mr. Goldman said he did not understand how a vacant lot that remained unbuilt for 40 years could somehow be considered a grandfathered lot and thus buildable. The Planning Board could state that it does not want to see construction on the steep slope, Ms. Kiley said, but such a statement is serious and could raise questions of property takings.

The Planning Board briefly reviewed its attendance and attended training sessions from 2015.

Mr. Blake MADE the MOTION that the Chair approve 1 hour of training for those who attend Thursday's Steering Committee meeting, and Ms. Schneider SECONDED the MOTION. The motion was unanimously approved.

Mr. Blake MADE the MOTION to adjourn the meeting, and Ms. Schneider SECONDED the MOTION. The motion was unanimously approved.

Meeting adjourned at 8:03 p.m.

Respectfully submitted by Louis A. DiPietro on January 11, 2016.