

**TOWN OF ULYSSES
PLANNING BOARD
MINUTES
Tuesday, 12/1/2015
7:00 p.m.**

Approved: December 15, 2015

Present: Chairman John Wertis; board members Pete Angie, David Blake, David Diaz, Rebecca Schneider and board alternate Lisa Anderson; Environmental Planner Darby Kiley; and Town Board Liaison Rich Goldman.

Call to Order: 7:03 p.m.

Agenda Review; Minutes Review (November 17, 2015)

Mr. Blake MADE the MOTION to approve the amended meeting minutes for November 17, 2015, and Mr. Diaz SECONDED the MOTION. The motion was unanimously approved, 3-0, with Mr. Angie and Ms. Schneider abstaining from the vote.

Open Development Area Discussion

Mr. Wertis stated he views the ODA law as a document to inform the applicant of what the Planning Board will be looking for when considering an ODA proposal. Also, the law would make the review process of an ODA proposal easier on the Planning Board. With those ideas in mind, Mr. Wertis said he questioned the purpose of including a definition of “driveway” under Section 2 of the draft law. He felt the inclusion of a driveway definition is unnecessary and complicates things and suggested it be dropped. Ms. Kiley said she felt comfortable removing the definition since it would not compromise the law as a whole. Ms. Schneider said she was okay with dropping the definition but pointed out the whole issue of the ODA discussion revolves around driveways. A definition seems like an essential piece, she said, since it removes any room for ambiguity. After a brief discussion, Ms. Schneider said she was fine with removing the definition.

Mr. Wertis MADE the MOTION to strike the definition of driveway, and Mr. Blake SECONDED the MOTION.

Further discussion ensued on driveways and questions were raised regarding right-of-way access and access road maintenance.

The vote to remove the definition was as follows:

Mr. Wertis	AYE
Mr. Angie	AYE
Mr. Blake	AYE
Mr. Diaz	AYE

Ms. Schneider AYE

Result: Definition of driveway removed from Section 2 of the draft law

Ms. Kiley also questioned the reasons for including a definition of Development, also found in Section 2. She was not sure if the definition was useful or not, noting that other laws do not include a definition. It could be removed, she said.

Mr. Wertis MADE the MOTION to strike the definition of development, and Mr. Blake SECONDED the MOTION.

The vote was as follows:

Mr. Wertis AYE
Mr. Angie AYE
Mr. Blake AYE
Mr. Diaz AYE
Ms. Schneider AYE

Result: Definition of development removed from Section 2 of the draft law.

Mr. Diaz said he was unsure as to why these definitions were being removed, to which Ms. Kiley said she thinks the draft law has extra, unnecessary content that can be eliminated.

Mr. Wertis pointed to Section 3, item 3 (on page 2) and asked whether or not the word “proof” was needed. After a brief discussion, board members reached a consensus to amend the sentence as “written proof”.

Mr. Wertis MADE the MOTION to replace “proof” with “written proof” in Section 3, item 3, and Mr. Blake SECONDED the MOTION. Mr. Blake noted that, when considering ODA proposals, the Planning Board could ask for formal, written agreements in instances involving long-held handshake agreements between property owners.

The vote was as follows:

Mr. Wertis AYE
Mr. Angie AYE
Mr. Blake AYE
Mr. Diaz AYE
Ms. Schneider AYE

Result: “Written proof” added to Section 3, item 3

Mr. Blake MADE the MOTION to pass the amended draft law along to the Town Board for consideration, and Ms. Schneider SECONDED the MOTION.

Further discussion ensued on suggested changes. The board reached a consensus to substitute the word “Waiver(s)” in place of “Variance(s)” in Section 9 (page 7) of the law.

Mr. Wertis MADE the MOTION to substitute “Waiver(s)” in place of “Variance(s)” in Section 9, and Ms. Schneider SECONDED the MOTION.

The vote was as follows:

Mr. Wertis AYE
Mr. Angie AYE
Mr. Blake AYE
Mr. Diaz AYE
Ms. Schneider AYE

Result: Section 9 change approved

Mr. Diaz MADE the MOTION to add language to Section 3, item 5, note J, to also include historic sites recognized by the New York State Office of Parks, Recreation and Historic Preservation. Mr. Wertis SECONDED the MOTION.

The vote was as follows:

Mr. Wertis AYE
Mr. Angie AYE
Mr. Blake AYE
Mr. Diaz AYE
Ms. Schneider AYE

Result: Additional language to Section 3, item 5, note J, approved

Returning to the original resolution to send the draft along to the Town Board, the vote was as follows:

Mr. Wertis AYE
Mr. Angie AYE
Mr. Blake AYE
Mr. Diaz AYE
Ms. Schneider AYE

Result: ODA draft ordinance approved and referred to Town Board

Planning Board Awards discussion

Mr. Wertis circulated a draft resolution establishing a Certificate of Good Planning and Development award. He MADE the MOTION to pass the resolution, and Ms. Schneider SECONDED the MOTION.

Ms. Schneider said positive encouragement is always needed and believes the award to be a good idea. However, she did have questions about how to recognize winners publicly. Mr. Wertis suggested having a photo published in the local newspaper. Mr. Blake is not a fan of the award idea, citing several local organizations and boards that regularly hand out awards to community members. He did not see it as a government body's responsibility to give awards, adding that the process could turn political. Mr. Diaz thought it a good idea but would not want to see the Planning Board recognize some people and leave out others.

Mr. Goldman, who said he has yet to discuss the award idea with the Town Board, liked it, but said the mechanics of picking winners could become extraordinarily political. He requested the Planning Board get a sense of how many of these business development projects could be candidates for the award. Ms. Schneider agreed with Mr. Goldman and Mr. Blake on the potential for the award to become political.

Mr. Wertis said there is a long history to the idea, but it turned into an awkward situation because of political reasons. He and Rod Hawkes had considered a Planning Board award six or seven years ago. Mr. Blake felt the award would be opening up a pandora's box.

The vote was as follows:

Mr. Wertis	AYE
Mr. Angie	NAY
Mr. Blake	NAY
Mr. Diaz	NAY
Ms. Schneider	NAY

Result: Award fails

Mr. Diaz suggested the process for choosing award recipients be more formalized. Mr. Goldman offered that the award become more of a public process involving the community.

Planning Education/Training discussion

Mr. Wertis spoke briefly of his trouble in accessing a training website from NYMIR (<http://www.nymir.org/>). He suggested that the Planning Board have a training program on drainage in 2016. Nitrogen runoff in a nearby waterway was also brought up, and Ms. Schneider said she could talk at length about this particular local issue.

Open Space Planning

Ms. Kiley said towns typically charge a conservation advisory board with crafting an Open Space Plan, but since the Town of Ulysses does not have an advisory board, the Planning Board has taken on the responsibility. The Planning Board began considering an Open Space Plan several years ago, pulling together Plans from other towns. Rod Hawkes had previously biked around Town, noted especially unique views and mapped them out. This map served as a kind of

preliminary scenic inventory, she said. Ms. Schneider, who recalls the Open Space Plan work from her previous term on the Planning Board, said the Board's efforts led to several Town wetlands being included on the State's registry.

Mr. Wertis circulated Saratoga County's "Green Infrastructure Network" map, and pointed out that the Planning Board never defined what open space is. Town Zoning does not include a definition, he said. In including Open Space on the evening's agenda, Mr. Wertis said his intentions were to raise the question of whether or not the Planning Board would want to reconsider an Open Space Plan.

Reference the Planning Board's prior work, Ms. Schneider said previous board members believed there were parts of the Town that were critical to its character. The larger idea was to establish some sort of funding mechanism. Ms. Kiley raised the question of whether the Town should purchase certain property should it become available. Mr. Wertis readdressed the need for a definition of Open Space, saying the Planning Board should have a working definition to include in upcoming Zoning reviews occurring in the next six to 12 months. Mr. Diaz noted the DEC has a good definition of Open Space.

Town Board Liaison Report

Mr. Goldman said the Town Board has also been thinking about an Open Space Plan and suggested both boards consider meeting together to brainstorm ideas. There are properties that come up for sale that the Town would like to control, he said. Involving the Finger Lakes Land Trust is another consideration, he added. Mr. Wertis noted the quality walking area along the creek, off of Salo Drive.

Town Code Enforcer Alex Rachun intends to retire, which may create an opportunity to jointly plan how to approach enforcement issues, Mr. Goldman said. Adding resources is a possibility, but that is costly. Town Counsel suggested the Town consider a separate attorney to handle only code enforcement issues, he said. The Village of Trumansburg currently has someone who does similar work and could possibly help the Town, too. He mentioned concerning, occupied properties in Jacksonville – one of which was the site of a recent heroin bust – and noted how Groton recently passed several laws regarding use of properties. Jacksonville residents are upset about what is happening in their community, he said. Ms. Schneider suggested a local resident who has several years of experience as an assistant fire chief and might be interested in being a code enforcer.

Agenda Items for 12/15

Ms. Kiley said Renovus has proposed a large solar project on the Grassroots property on Jacksonville and Agard roads. Leading the project for the Sciencenter, Renovus intends to install a 300+ kiloWatt system. The Town has formally adopted solar regulations, which will now be filed with the State. In theory, the regulations are officially on the books by the end of this week. If Renovus gets their application materials in by early next week, the Planning Board will have a Sketch Plan to review for its December 15 meeting.

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

Meeting adjourned at 8:22 p.m.

Respectfully submitted by Louis A. DiPietro on December 4, 2015.