

**TOWN OF ULYSSES  
PLANNING BOARD  
MEETING MINUTES  
Tuesday, 5/3/2016  
7:00 p.m.**

**Approved: 5/17/16**

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

Ms. Worden was named a voting member in place of David Diaz, who was excused.

**Public in attendance:** Carl Lupo

**Call to Order:** 7 p.m.

**Agenda Review; Minutes Review (4/5/16)**

Mr. Wertis MADE the MOTION to approve the April 5, 2016 meeting minutes, with amendments from Mr. Tyler and on the condition that Ms. Schneider clarify a figure. Ms. Schneider SECONDED the MOTION, which was carried unanimously, 5-0.

**Privilege of the Floor:** No one from the audience addressed the Planning Board at this time

**Subdivision Review:** Consideration of SEQR and Major Subdivision Approval for a three-lot subdivision with boundary revisions at 1631 and 1635 Trumansburg Rd, Tax Parcel Numbers 34.-2-7.2 and 34.-2-7.3. A three lot subdivision was approved in November 2014 and the current application will create two additional lots for a total of five lots created from the parent parcel. The proposal includes the following: revision of boundary lines for 1631 Trumansburg Rd (TPN 34.-2-7.3) with 1.233 acres; creation of a flag lot between 1631 and 1635 with 1.336 acres; revision of boundary lines for 1635 Trumansburg Rd (TPN 34.-2-7.2) and subdivision of the existing house lot from the remaining lands with 1.104 and 34.24 acres respectively. The proposal is in the R2-Moderate Density Residence District; Carl Lupo and Norbert Nolte are the owners/applicants.

Responding to a question from Mr. Tyler, Mr. Lupo said the County Health Department has approved septic for other lots previously subdivided. Mr. Wertis asked specifically about flag lot three and more generally about whether Mr. Lupo, having already sited the lots, felt comfortable each could accommodate a septic system. Mr. Lupo expressed he was confident that each could accommodate septic and said the County Health Department has visited the site.

Regarding the remaining 34 acres of the site, Mr. Lupo said he may add a house there in the future, but, for now, the land will remain in agricultural use.

Mr. Blake said it makes sense for the Planning Board to review SEQR and the stormwater plan at the time of the public hearing.

A discussion ensued regarding the public hearing date, since some members would be away on May 17 and June 7. Consensus was reached to schedule the hearing for May 17.

Mr. Blake MADE the MOTION to schedule the public hearing for May 17, 2016, and Mr. Tyler SECONDED the MOTION. The motion was carried unanimously, 5-0.

Mr. Lupo left the meeting at 7:14 p.m.

The question did arise about whether a public hearing could be held if the Planning Board did not have a quorum. Mr. Blake felt the Board, if failing to reach quorum, could still hold the hearing but would be unable to take any formal action. Mr. Goldman said the Town Board held a public hearing in regard to the fire budget, and only two Board members were able to attend, and no action was taken.

### **Discussion of Sidewalk Design**

Mr. Blake said he is thrilled to see a speed reduction on Route 96 as part of the new sidewalk plans for the Smith Woods side. The reduction is pertinent considering sidewalks lead to and from the school. He noted the sidewalk was originally 10 feet wide but has been resized to 5 feet to avoid disturbing vegetation and existing trees.

Mr. Wertis questioned why the Planning Board was reviewing the sidewalk plans now instead of a month ago, before the public hearing. Mr. Goldman said the Town Board passed the plans at its previous meeting. Ms. Kiley said any differing opinions from the Planning Board could be shared with the Town Board and onto the designers. Mr. Wertis suggested routing a path through the Fairgrounds, which could be accomplished easily since the land there is relatively flat. Though the Fairground is private property, there could be an easement, he said. Ms. Kiley said she had a similar idea, but the State has to own the right of way. Additional discussion ensued regarding placement of crosswalks, with a new crosswalk located just south of Shur Save.

Mr. Blake steered discussion to future planning, requesting Board members consider areas in zoning they would like to address in the coming months, like solar, ODAs and ag issues.

Mr. Wertis noted the zoning updates currently underway. He said he is concerned when contracted consultants are involved since stakeholders are oftentimes told of information after the fact, leaving no time to contribute information. It is difficult for a group like the Planning Board to make suggestions rather than to react to proposed plans or concepts. He felt the Planning Board should get involved with rezoning as soon as possible since the clock is ticking.

Mr. Goldman said he is still not clear what the zoning is in the Hamlet of Waterburg, and that half-acre development there could do a lot of damage. Ms. Schneider said a move was made several years ago by a former supervisor to make the Hamlet of Waterburg commercial to allow for municipal water. However, a vast majority of Waterburg residents did not want water.

Instead, the Hamlet was zoned as residential. Mr. Goldman felt half-acre zoning is far too dense. He said he would like to see a process for rezoning Waterburg. Ms. Kiley suggested both Mr. Goldman and Ms. Schneider, both Waterburg residents, look into rezoning options. In regard to Mr. Goldman's concerns over half-acre zoning, Ms. Kiley noted that septic systems require one acre of land. Ms. Schneider said the Planning Board could discuss the possibility of approving septic systems in the Town. Ms. Kiley said former Town Board member Dave Kerness is interested in this topic as well, but it is unclear whether it would be under the Town's purview. The chiropractic facility in Jacksonville has a cesspool, she continued, and another hamlet building has no waste management system. Ms. Worden said there should be adequate alternatives for eliminating waste in Jacksonville, if it is to be a focus for cluster development.

Commenting on the rezoning effort, Mr. Wertis said the focus cannot be just on the Ag zone since there is ag in the R1 and R2 zones and in the Conservation zone. He suggested the Town consider allowing more houses in clustered areas than what it is currently permitted. Incentives should be considered to encourage clustering, he said, but that conversation needs to happen quickly since Town consultants intend to have recommendations by the end of June.

### **Town Board Liaison Report**

Mr. Goldman provided the Planning Board with a report of ongoing negotiations between Exxon Mobile and the Town regarding Jacksonville properties.

Ms. Kiley reported the Bruders have pulled out of their planned house development off Route 89 and have decided to sell the property to a nearby homeowner. Mr. Tyler said the news is a relief, considering he had real problems with the proposal.

Mr. Wertis noted the uncertainty regarding ag assessments and large solar projects. There are questions concerning whether a farmer or landowner with a contract for 10 acres of solar would lose their ag assessment if a large solar farm were installed.

The Planning Board briefly discussed vegetation management under solar panels.

Mr. Wertis MADE the MOTION to adjourn the meeting, and Mr. Blake SECONDED the MOTION. The motion carried unanimously.

Meeting adjourned at 7:53 p.m.

Respectfully submitted by Louis A. DiPietro II on May 12, 2016.