

**TOWN OF ULYSSES
PLANNING BOARD
DRAFT MINUTES
Tuesday, 4/5/2016
7:00 p.m.**

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 the absence of David Diaz, who was excused.

Public in Attendance: Glen Chin, Noy Chansavath-Davis, Brian Davis, Francesca Crannell, M. Kent Garrison, and Lawrence and Cheryl McCann.

Call to Order: 7:00 p.m.

Agenda Review; Minutes Review (3/1/2016)

Mr. Wertis requested time at the meeting's conclusion to discuss the interpretation of an aspect of Zoning law. Ms. Kiley said the Town's General Code document – along with its online equivalent – would be discussed during a luncheon available from 11:30 a.m. to 1:30 p.m. on April 14. Later that evening, at 5 p.m., an ag meeting related to zoning is also planned. The Town Hall will host a comprehensive plan presentation for the Town Board, Planning Board, and BZA at 7 p.m. April 19. This meeting will be considered a training session.

Mr. Tyler MADE the MOTION to approve the March 1, 2016 meeting minutes, and Ms. Schneider SECONDED the MOTION. The motion carried unanimously, 5-0.

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

Site Plan: Consideration of Site Plan approval for the construction of 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.

Mr. Blake gave a brief overview of the project's updates, including the reconfiguration of the proposed home's placement. The Town BZA also addressed this project and issued a 5-foot rear yard setback variance. Mr. Wertis said he was impressed with the project's stormwater infiltration trench.

Responding to a question from Ms. Schneider, Mr. Garrison said the home would still require digging into the slope by 10 feet, or roughly 350 cubic yards. Ms. Schneider said concern with the steep slope is a conversation the Planning Board must continue to have. A storm that produces 2 inches of water would mean 1,500 gallons of water coming down the slope, she said, and a deep cut into the slope only exacerbates the problem and makes for a phenomenal amount

of rainfall gushing around the proposed home. There is a reason the Town made a steep slope zone, she continued. Cuts of such significance produces a huge amount of runoff, and the homes act as barriers. A leaky basement is likely, she cautioned. While commending the applicant's efforts, she said the Planning Board needs to think carefully about how many other homes can fit onto the steep slope.

Mr. Blake MADE the MOTION to waive the public hearing, and Mr. Wertis SECONDED the MOTION. The motion carried unanimously.

Resolution for Site Plan Approval

Mr. Blake MADE the MOTION to approve the site plan, and Mr. Wertis SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence in a Slope Overlay Area and a Unique Natural Area located at 32 Maplewood Rd, Tax Parcel Number 27.-5-11, LS-Lakeshore District; Francesca Crannell and Kent Garrison, Owners/Applicants; and
2. On March 16, 2016, the Board of Zoning Appeals granted an area variance for the rear yard setback of 45 feet where 50 feet is required; and
3. The Planning Board, on April 5, 2016, has reviewed and accepted as adequate, application materials including the following: Storm Water Drainage, dated 2/25/2016, by John M. Andersson, P.E.; Elevation drawing number 4 and Section drawing number 6, dated 12/31/16, by Matthew C McCarty, P.E.; and other application materials; and
4. The construction of a Single-Family Residence is a Type II action which does not require the preparation of a determination of significance;

THEREFORE IT IS HEREBY RESOLVED,

1. That the Planning Board of the Town of Ulysses hereby waives certain requirements for Site Plan Approval, including a public hearing, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of site plan control nor the policies enunciated or implied by the Town; and
2. That the Planning Board of the Town of Ulysses hereby grants Site Plan Approval for the proposed Single-Family Residence, as shown on the following: Storm Water Drainage, dated 2/25/2016, by John M. Andersson, P.E.; Elevation drawing number 4 and Section drawing number 6, dated 12/31/16, by Matthew C McCarty, P.E.

The vote was as follows:

Mr. Blake AYE
Ms. Schneider AYE

Mr. Tyler AYE
Mr. Wertis AYE
Ms. Worden AYE

Result: Site Plan approved

Mr. Garrison and Ms. Crannell left the meeting at 7:14 p.m.

Continued Sketch Plan: Consideration of Sketch Plan/Site Plan approval for the construction of a 1,600 +/- square foot single-family residence located at 1286 Taughannock Blvd, Tax Parcel Number 27.-4-5, CD-Conservation District within the Slope Overlay Area and Unique Natural Area. David and Mary Bruder, owners; Jason K Demarest, Architect/Agent.

Ms. Kiley circulated a recommendation from County Planning related to the project. She said any project that goes through Site Plan Review is sent to the County for review under General Municipal Law Section 239. The County's letter arrived this afternoon. If the Planning Board chooses not to follow the County's suggestion, they would need a super majority vote to approve the Site Plan, she said.

Mr. Tyler said the submitted photographs of the driveway are grossly misleading in that they fail to accurately show the steepness of the drive. He recommended the photo be struck from the record. Mr. Wertis also felt the photo was not an accurate depiction.

Asked to identify areas of the project that have been changed, Mr. Davis said the driveway has been redesigned to greatly reduce the cut and needed fill. Elsewhere, there is much more existing brush on the eastern portion of the property than what was previously included on the first plan. At the previous meeting, additional plantings were discussed, but Mr. Davis said there are enough trees and bushes to provide adequate visual buffer. Ms. Chansavath-Davis added that the County has approved the septic system.

Ms. Schneider noted the County's recommendation to protect the nearby stream and was interested to hear why engineers chose to put in culverts and rock beds. Mr. Davis said runoff would jump the road without these measures. He also noted that they have shifted the driveway southward by almost 20 feet, which would help satisfy the County's concern over adequate stream buffer.

The Planning Board then looked over email responses from Mr. Davis regarding questions previously expressed at the Board's March 1, 2016 meeting. Addressing question 2 in the packet, Mr. Wertis asked who the knowledgeable people were who told the applicant that keeping horses on a steep slope would not be a problem. Mr. Davis said he did not know. Ms. Chansavath-Davis said engineers, after having walked the site again, feel confident the land could support two horses. Addressing question 1, regarding stormwater management, Mr. Wertis said he had previously noticed wet spots when he walked the property. However, they were not mapped. He thought the wet spots were near where the house would be built. Mr. Davis said the wet spot is actually near where the barn is planned. Mr. Wertis said there is concern about the whole area: trees were cut down; brush was left, and there will likely be machinery required to clear the

slope, further disturbing a sensitive slope. Plus, to accommodate a pasture, they will need to seed the land.

On the subject of a stormwater plan, Ms. Kiley noted even just driving heavy equipment across the steep slope gets incorporated as part of any land disturbance.

Mr. Blake asked about utilities. Mr. Davis said the utility lines would be buried in a trench 18 inches deep by 18 inches wide. Ms. Kiley said the applicants would still be under the 1-acre trigger for a stormwater plan. Mr. Wertis suggested the Planning Board request the applicants contact Soil and Water to get recommendations on appropriate ways for seeding the planned pasture.

Ms. Schneider MADE the MOTION to close the Sketch Plan Review, and Mr. Blake SECONDED the MOTION. The motion carried unanimously.

Site Plan Review

Mr. Tyler felt this project should have a public hearing, considering the property's previous owner engaged in "self help" and logged it just before the steep slope regulation was enacted. Ms. Schneider said she still had concerns about gullies where the proposed culverts are placed. Plus, the Planning Board does not have a complete map yet, she said.

Mr. Wertis requested the applicant's contact Soil and Water as a condition of approval. Board members discussed delaying action until a decision has been made regarding disturbance of acreage for the pasture, which, if carried out, would require a stormwater plan.

Asked why he favored a public hearing, Mr. Tyler said the law was enacted to preserve steep slopes, and the public needs to have a chance to comment on this project. Has your head architect spoken with neighbors? Mr. Blake asked. Mr. Davis said the neighbor to the north is happy with the development because of the potential for a driveway extension to her property. Ms. Kiley explained the house to the north utilizes the Black Diamond Trail to access her home, but will have to find other options once the Trail is finished. The property owner's options are to enter into an agreement with the Bruders to branch off their drive or construct their own driveway to Route 89. Whatever option the neighbor chooses, they will have to come to the Planning Board for approval, Ms. Kiley said.

Ms. Schneider felt the potential for an extended driveway was a tactic that slowly compromises the intention of preserving the steep slope. Mr. Tyler felt both projects – the house and the extended drive – should be rolled into a single project.

Ms. Schneider, citing efforts to prevent gullies, preserve plantings and mitigate water run off, asked if a mini bridge off a driveway was the best strategy to protect hydrology. A change to the hydro-grading creates a creek, she said, and engineers should be cautious as to where the extension is located. It might have to go up and around, she said.

Mr. Wertis MADE the MOTION to schedule a public hearing for May 3, 2016 and, in the meantime, the applicants/engineers contact Soil and Water and consider Ms. Schneider's concerns, including a riparian buffer. Ms. Schneider SECONDED the MOTION.

Mr. Tyler again said he needed to see where the additional driveway would go. A joint application would be appropriate. Mr. Davis said it is the responsibility of the neighbor to pay for the design of the driveway. The Bruders are giving the neighbor an easement for the driveway, he added. All the Planning Board can do, Mr. Blake said, is suggest the applicants talk with the neighbor to see if they are willing to file a joint application.

Ms. Schneider reiterated the project questions to be considered by the applicant: electric line permission; inquiry with Soil and Water; issues of seepage and protecting the nearby creek, and the creation of a map to show repairing buffer.

The motion to hold a public hearing was unanimously carried.

Mr. Davis and Ms. Chansavath-Davis left the meeting at 7:57 p.m.

Continued Sketch Plan: Consideration of Sketch Plan/Site Plan approval for the construction of a 2,000 +/- square foot single-family residence and Bailiwick Lodge addition and bathroom installation at the Girl Scout camp property, located at 1419 Taughannock Blvd, Tax Parcel Number 18.-2-1, PR-Park/Recreation District. Girl Scouts of NYPENN Pathways, owner; Glen Chin, property director/agent.

Mr. Chin provided the full schematic of the Camp Comstock property, a landscaping plan, topographical maps, and elevations and septic system plans for the Bailiwick Lodge. Addressing the landscaping plan around the Ranger Station first, Mr. Chin said plans call for evergreens and small shrubs that would encompass the area around the construction, he said. They would seed around the Ranger Station with wildflower grasses and planting of larger shade trees – maples and oak – around the perimeter.

Moving on to the Bailiwick Lodge elevations, Mr. Chin said the lodge and icehouse already exist, but a bathroom and building connection would be added. Plans call for a new building entry with a handicap-accessible path in front. The applicants are currently dealing with the State to determine whether or not the building needs to have fire sprinklers. Asked about building materials, Mr. Chin said siding has not been decided and the “devil will be in the details” when it comes to complementing the new building with the preexisting stone structure.

As for the septic system, Mr. Chin said the Bailiwick Lodge's system is currently before the County Health Department, while the Ranger Station's has already been approved. The applicants had hoped the Lodge's system would be approved by now. He said he anticipates no significant changes to the septic system plan for Bailiwick Lodge.

The Planning Board then considered the Site Plan Review checklist. Asked how the Board should handle the checklist item regarding approval of the septic, Ms. Kiley did not see an issue, since one has already been approved and the other has been submitted.

Mr. Wertis MADE the MOTION to the close the Sketch Plan Review, and Ms. Schneider SECONDED the MOTION. The motion carried unanimously.

Mr. Wertis MADE the MOTION to waive the public hearing, and Mr. Blake SECONDED the MOTION. The motion carried unanimously.

Under Mr. Blake's recommendation, the Planning Board reached consensus to include a provision within the resolution that Site Plan approval is subject to approval of the Bailiwick Lodge septic system by the Tompkins County Health Department.

Mr. Tyler MADE the MOTION to approve the Site Plan with the additional condition, and Ms. Schneider SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence and an addition to Bailiwick Lodge on the Girl Scout Camp property located at 1419 Taughannock Blvd, Tax Parcel Number 18.-2-1, PR-Park/Recreation District; Girl Scouts of NYPENN Pathways, Owner, Glen Chin, Agent; and
2. The Planning Board, on April 5, 2016, has reviewed and accepted as adequate, application materials including the following: scope of work narrative; Bailiwick Lodge Renovation Proposed Plot Plan (A0.10) dated 2/16/16 by Chianis Anderson Architects; Ranger House site information (C0.00), system layout (C2.01), demolition plan (C2.02), site plan (C2.03), grading plan (C2.04) all dated 12/15 by LaBella Associates; house plans dated 12/10/15 by Wood-Tex Products; Camp Comstock Existing Conditions Map dated March 2016 by EDR; Landscape Plan for Camp Comstock Ranger House dated 3/23/16 by Landplan Consultancy; Proposed exterior elevations (A3.00); Proposed Site Plan (C100); Overall first level floor plan (A2.00); Overall second level floor plan and roof plan (A2.01); Building sections (A3.10 and A3.11); the Bailiwick Lodge Septic System design by LaBella Associates; and other application materials; and
3. The construction of a Single-Family Residence and the expansion less than 4,000 square feet are Type II actions which do not require the preparation of a determination of significance;

THEREFORE IT IS HEREBY RESOLVED,

1. That the Planning Board of the Town of Ulysses hereby waives certain requirements for Site Plan Approval, including a public hearing, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of site plan control nor the policies enunciated or implied by the Town; and
2. That the Planning Board of the Town of Ulysses hereby grants Site Plan Approval, subject to approval of the Bailiwick Lodge septic system by Tompkins County Health Department, for the proposed Single-Family Residence and addition to Bailiwick Lodge, as

shown on the following: Bailiwick Lodge Renovation Proposed Plot Plan (A0.10) dated 2/16/16 by Chianis Anderson Architects; Ranger House site information (C0.00), system layout (C2.01), demolition plan (C2.02), site plan (C2.03), grading plan (C2.04) all dated 12/15 by LaBella Associates; house plans dated 12/10/15 by Wood-Tex Products; Camp Comstock Existing Conditions Map dated March 2016 by EDR; Landscape Plan for Camp Comstock Ranger House dated 3/23/16 by Landplan Consultancy; Proposed exterior elevations (A3.00); Proposed Site Plan (C100); Overall first level floor plan (A2.00); Overall second level floor plan and roof plan (A2.01); Building sections (A3.10 and A3.11); the Bailiwick Lodge Septic System design by LaBella Associates.

The vote was as follows:

Mr. Blake AYE
Ms. Schneider AYE
Mr. Tyler AYE
Mr. Wertis AYE
Ms. Worden AYE

Result: Site Plan approved

Town Board Liaison Report: Mr. Goldman had nothing to report.

Agenda Items for upcoming meeting

Town Hall will host a presentation on the Town Comprehensive Plan on April 19, Ms. Kiley said, and the Planning Board's next meeting on May 3 will include a public hearing. Mr. Goldman asked if the once-a-month meeting schedule was working. Ms. Kiley said some applicants were a little disappointed with the single monthly meeting.

At this time, Mr. Wertis brought up his question of whether the Planning Board has the right to require applicants to plant trees. There are no standards in the Comprehensive Plan when it comes to planting trees, which makes him a little uncomfortable when the Planning Board asks people to plant trees, he said. However, he noted that Mr. Blake has said it is within the Board's purview to request such plantings.

Mr. Tyler, too, felt requiring vegetation is well within the Board's responsibilities. Mr. Blake added that is certainly within their rights when considering erosion control and screening buffers.

Mr. Wertis MADE the MOTION to adjourn the meeting, and Ms. Schneider SECONDED the MOTION.

Meeting adjourned at 8:25 p.m.

Respectfully submitted by Louis A. DiPietro II on April 8, 2016.